**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

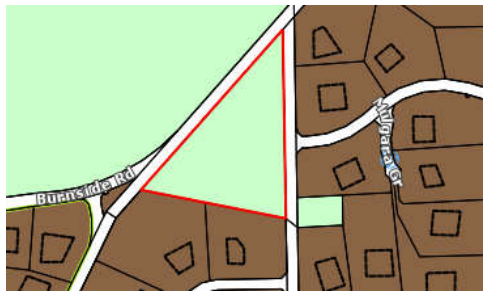
| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| 1. I521577 | **Submission Subject:** Lot 102 Bussell Hwy/Moodjar Court Karridale | 1. Advertised version of LPS No. 2 doesn't carry over the gazetted zoning objectives.<br>2. Requests the endorsed zoning objectives be incorporated given Structure Plan has been approved and subdivision under consideration.<br>3. Landowner wanting to develop land as soon as possible and its essential zoning of land is implemented in Draft Scheme to ensure ongoing use within the land is managed effectively under future schemes. | Address once rezoning completed.<br><br>Noted, this is more a function of timing given the amendment hadn't been determined when approval was given for consultation on the Scheme. | Modify Scheme Maps to include Lot 102 Bussell Hwy/Moodjar Court Karridale within the 'Urban Development' zone. |
| 2. I521580 | **Submission Subject:** Clause 75 – Local Centre Zone requirements | 1. Under Clause 75, Parts 1, 2 and 4 refer to the Neighbourhood Centre Zone when it should refer to the Local Centre Zone.<br>2. Under Clause 6 – the word "comprise" should read "compromise".<br>3. Overall review of the clause may be worthwhile. | The errors identified by the submitter can readily be addressed. | Change reference from Neighbourhood centre to Local Centre at clause 75 (1, 2 and 4) and correct spelling of compromise at sub clause (6). |
| 3. I521583 | **Submission Subject:** General | 1. Scheme appears to incorporate many positive aspects.<br>2. While red tape removal is always welcomed, there are new measures that will add other compliance requirements (e.g. environmental protection and visual character), so cannot see much net reduction in red tape process but in saying this I am pleased these measures are in place. | Support for the Scheme is noted.<br><br>The submitter correctly points out that whilst some requirements have been removed, others have been added. The intention is to put in place a framework which allows the Shire to quickly deal with low risk applications simply and efficiently whilst creating appropriate tools to deal with larger/more complex/ more impactful developments. | No changes are required as a direct result of this submission. |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
|---|---|---|---|---|
| | | | Modifications to the environmental components are discussed further in response to submission 405 (in response to rural submission) | |
| 4. I521585 | **Submission Subject:** 6 Manning Street, Augusta | 1. Existing zoning Stated as 'Town Centre' for Seine Bay Apartments is incorrect. Notification dated 30 Sept 2009 States that dual zoning is in place for the apartments.<br>2. To change the current zoning arrangement; removing the residential listing, and leaving only tourism, would have the following disadvantages:<br>• A significant imposition on those owners who would like to reside in their home (as opposed to being limited to the tourism rules of staying less than 3 months during each visit)<br>• A significant devaluation of all 18 properties, as each SBA property could only be sold in the future, with the use being restricted solely to tourism.<br>• Imposition of higher rate notices due to a 'tourism' ratable value being applied to all properties, irrespective of whether they are used for short stay accommodation or not.<br>• Further limiting availability of residential properties close to town, with further concentration of tourists during peak seasons, in preference to permanent residents who would be around all year. | Staff had extensive discussions with the owners of the Seine Bay apartments during the consultation period. It was ultimately decided that the residents supported the proposed zoning change on the basis that Shire officers confirmed that the existing approvals, which allowed for "dual residential and short stay use" of apartments would not be impacted. | No changes are required as a direct result of this submission. |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
|---|---|---|---|---|
| | | 3. I trust you will see reason and leave the dual zoning in place, as set in 2009. However, if you are seeking to further concentrate the central itinerant tourism theme for Augusta and remove the residential zoning for our property, then we would need to seek commercial redress from AMR shire for the significant devaluation of our home. We then unfortunately would be obliged to move onto a shire that is more supportive (for many sound reasons) of residents over short stay tourists.<br>4. In addition, no thought has been given to AMR's 2040 community strategy for Augusta. The strategy as outlined (which is basically non-existent) does not bode well for the township when the author of the document seems to be proud of the fact that almost half of its occupants are continually absent. | | |
| 5.<br>I521596 | **Submission Subject:** Properties bounded by Lukes Road, Palmdale Avenue and Jane Road, Augusta | Majority of Landowners bounded by Lukes Road, Palmdale Avenue and Jane Road in Augusta signed form requesting:<br><br>1. Requesting change in Scheme to allow blocks in that area to be subdivided with a minimum lot size of 5000 square metres. | The requested change is not in line with the Shire's endorsed Local Planning Strategy.<br><br>The Shire have been careful to ensure that infill subdivision (of all types) is preceded by an appropriate level of public consultation. Whilst re-subdivision of some of the lots in this precinct would appear to be consistent with the 'rural residential re-subdivision' criteria contained in the Scheme it would more logically | No changes are required as a direct result of this submission. |

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**Local Planning Scheme No. 2**

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|---|---|---|---|---|
| | | | be progressed via a stand alone amendment. | |
| 6. I521598 | **Submission Subject:** 737 Burnside Road, Burnside | 1. Like the zoning of our property to be reviewed under the Local Planning Scheme No.2. Under LPS No. 1 the property is zoned Priority Agriculture and under Local Planning Scheme No. 2 it is proposed to be Rural. Would like this to be reconsidered to Rural Residential to keep in line with neighbouring properties in the area.<br>2. Our property is on the same side as and amongst other residential properties and therefore we feel it should keep within the same zoning.<br>3. Finally, even though our property is only being used as our place of residence and not for rural, commercial or tourism we are still unable to achieve a good housing loan rate as most banks will not finance Rural properties and the few that will do not offer a reasonable home loan rate. | This zoning change, which reflects the current use of the site is supported as it is a logical extension to the rural residential area and will not give rise to any physical changes to the land or the way in which it is used.<br>  | Change the zoning of Lot 20 (737) Burnside Road to Rural Residential |
| 7. I521603 | **Submission Subject:** 4 Sylvaner Place, Margaret River | 1. Margaret River is attractive to residents because it is a country town with residential lots big enough to live a lifestyle that country people wish to live. Grow food, vegetables, fruit trees, have a shed, etc.<br>2. Heavily opposed to any change in zoning that will increase the density of where I live.<br>3. It is why we chose to spend additional $$ in purchase in a location that does not feel like a city suburb such as the | This submission relates to the Backyard Infill area SCA4a.<br><br>Consultation was undertaken with landowners in this area before preparing the Draft scheme to gauge support for this concept. Feedback provided at that stage was largely positive, with similar feedback provided through the consultation process. | No changes are required as a direct result of this submission. |

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|---|---|---|---|---|
| | | feeling you have in Rapids Landing, or Brookfield, etc.<br>4. Understand there is a shortage of housing supply in the area and this may be a scheme to assist, but there are 3 air bnb's on our street which could be used for residents. I am heavily against this proposal. | The Local Planning Strategy (which informs the Local Planning Scheme) prioritises achieving a greater balance between outward expansion and more efficient utilisation of areas already committed to residential development through infill development.<br><br>It is considered that the provisions are much more sensitive to established character as opposed to 'up-coding' this area, and that this precinct is ideally located to support infill. | |
| 8.<br>I521605 | **Submission Subject:** 25 Elva Street, Margaret River | Support the proposed changes outlined in LPS No. 2. | Support for the Scheme is noted. | No changes are required as a direct result of this submission. |
| 9.<br>I521608 | **Submission Subject:** 10 Zinfandel Street, Margaret River | 1. I object to increasing the density of the Merchant Estate area where I live.<br>2. I have a neurological illness which makes me sensitive to noise and environmental pollutants such as chemicals and smoke. I am already affected by my neighbour's noise and use of certain products and smoke from their fires.<br>3. The higher the population density, the more of these things I will be subjected to and my quality of life will deteriorate | See response to submission 7.<br><br>The concerns are noted, however issues surrounding noise, chemicals and smoke are dealt with through other legislation. | No changes are required as a direct result of this submission. |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
|---|---|---|---|---|
| | | further. This is a very serious and real issue for me. | | |
| 10. I521623 | **Submission Subject:** Lot 11, 7981 Caves Road, Margaret River | 1. The current T12 special use zoning greatly pigeonholes the use of my tourism lot, currently Boranup Gallery. This was fine for 30 years but Gallery's as we know them are becoming rapidly obsolete due to the ease of digital marketing by artists, events such as " Open Studios" guiding customers directly to our artists and the new disposable society making handcrafted goods vastly uncompetitive from a price perspective.<br>2. This combined with the closure of the milling of native forests is rapidly making Boranup Gallery redundant, being known for its displays of old growth timber furniture. Boranup Gallery must now diversify to survive in the new world and needs an easier path moving forward from a planning approval perspective.<br>3. General Tourism zoning will give more flexibility and confidence to modify the use Lot 10 to dovetail with the economic and social trends evolving at the times.<br>4. If projects eventuate (i.e. Karri Bowl) on doorstep then that could cause Boranup Gallery to adjust to the needs of new attractions.<br>5. Example is the new 'Pies and Ale' enterprise operating out of the adjoining restaurant, but as it doesn't do breakfast or coffee there is large hole that needs | The general tourism zone as sought by the submitter, would allow for land uses such as a bottle shop, tavern and fast-food outlet, which are not considered to be suitable in this location.<br><br>Changes in LPS2 remove the need for development to be in accordance with a Structure Plan/Local Development Plan or equivalent for this site, provider greater flexibility in terms of the configuration of development across the site.<br><br>As a restaurant/café is a discretionary use in accordance with the T12 requirements and there is increased flexibility on the location, then the type of use being described is likely to be possible under the proposed scheme text.<br><br>No change to the scheme text is recommended. | No changes are required as a direct result of this submission. |

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|---|---|---|---|---|
| | | filling. The Gallery could morph into filling this gap and providing food/beverages in the afternoon keeping it boutique style like a gin/whiskey distillery, craft beers and tapas.<br>6. Please revert us to General Tourism zoning to give us opportunities. | | |
| 11.<br>I521706 | **Submission Subject:** 49 Allnut Terrace, Augusta | 1. The property is to remain zoned 'Town Centre' and under no circumstances is it to be rezoned.<br>2. Major factor for purchasing the property was the fact that it was zoned 'Town Centre'.<br>3. Advised by real estate agent that we must retain 'Town Centre' zoning to safeguard and protect the value, flexibility and potential of the family's property and investment.<br>4. Object to zoning change in the strongest possible terms | The extent of the Town Centre zoning has been proposed to change for the following key reasons:<br>• The Shire is routinely approached by property owners in this area wanting to undertake infill residential. Currently the scheme limits this type of development to being configured in a 'mixed use' layout (residential above commercial) because of the town centre zoning. The feedback the Shire receives is that landowners are not interested in pursuing this type of development, accordingly the zoning has been an impediment to increased housing supply within the town centre area.<br>• The objective of this change is to have clearly defined town centre area where commercial land use is concentrated, as this maximises the number of multipurpose trips into the town centre (people being able to park in one location to visit multiple commercial premises, as | Apply an additional use designation 'A42' to Lots 41, 47, 49, 51, 53, 55, 57, 59, 61 and 63 Allnut Terrace and include reference at Schedule 1.<br><br>List the following in column 3 (Additional Use) of Schedule 1:<br>• Office "D"<br>• Consulting Rooms "D"<br>• Medical Centre "D"<br><br>No conditions are required to be added to the 'conditions' column. |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
|---|---|---|---|---|
| | | | opposed to driving to different locations within the town centre to obtain the goods/services they need), improves the walkability of the town centre and improves viability of the businesses in this location due to incidental/passing trade. This also creates greater opportunities for social interaction for people to meet on the street, reinforcing town centres as important meeting and social gathering places for the community.<br>• In addition to the above, there are currently 7 undeveloped properties along Blackwood Avenue, with a further 5 on Ellis Street zoned town centre in LPS2. There is not a shortage of undeveloped town centre zoned land in Augusta.<br>• If under the current zoning, a café or restaurant where to open on Allnut Terrace, this could draw people away from Blackwood Avenue and diminish its role as the main street.<br><br>Despite the above, it is understood that some land uses, such as offices, consulting rooms, medical centres could be located in this area, which do not provide the same level of activity so as to draw people from the | |

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|---|---|---|---|---|
| | | | main street. Accordingly, it is recommended that the area proposed to be changed from Town Centre to Residential also has an "Additional Use' designation applied to enable this type of commercial use. | |
| 12. I522198 | **Submission Subject:** 9215 Caves Road, Karridale | 1. Property is apparently being rezoned to 'Rural SPR2'. Can't find exactly what this zoning allows and does not allow.<br>2. Like to know what changes this zoning will make to the currently permitted uses under old zoning, so an informed submission can be made. | A key component of the approval of the Local Planning Strategy and approval to advertise the Local Planning Scheme was modification of zones that no longer accord with the model zones applicable across the State, as determined by the Western Australian Planning Commission.<br><br>As such, the Shire has applied an 'Rural' zone together with 'Additional Site Requirements' which are intended to continue to allow use of your property in ways which are similar to what is currently permitted.<br><br>The landowner was contacted with information provided around how the changes to the planning Scheme would affect the use of the site.<br><br>No further feedback was provided on the intended changes. | No changes are required as a direct result of this submission. |

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| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
|---|---|---|---|---|
| 13. I522195 | **Submission Subject:** 4 Stewart Street, Margaret River | Like to see a change in the R Code allowing an increase in density in the area, as this would allow me to subdivide my block. | Noted. See response to submission 7, an alternative approach has been taken in this instance which will allow for eventual subdivision without the density coding being increased. | No changes are required as a direct result of this submission. |
| 14. I522602 | **Submission Subject:** 12 Settlers Retreat, Margaret River | 1. In relation to (4.) Infill Development changes to Draft Local Planning Scheme No. 2 I am in support of rezoning of Lot 59, 3 Willmott Ave to Public Purposes / Urban Development in order to optimise the number of people that live within close proximity of the town centre.<br>2. When approving any future developments on this site please consider bush fire access to Lot 61, 12 Settlers Retreat from the rear as we have significant trees on the back portion of the property. | The owners of the subject land (Western Power) have advised that they no longer want to dispose of a portion of this site. | No changes are required as a direct result of this submission. |
| 15. I522905 | **Submission Subject:** 13580 Bussell Highway, Augusta | Like to retain current zoning as Camping/Chalets as we proposing to submit an application for short stay rental for current house and use some of the surrounds for a small camping ground. | Rezoning of the property to Rural Residential would not prevent the use of the house as a holiday home (subject to a development approval being issued)<br>  | Change the zoning of Lot 3 Bussell Hwy to 'Environmental Conservation'. |

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|---|---|---|---|---|
| | | | However, in order to expand the potential uses to include a small number of chalets/campsites, the property could be zoned 'Environmental Conservation' which considering its vegetated state would be appropriate. | |
| 16. I524649 | **Submission Subject:** General | Lack of information on clauses in the contents page – no reference to Clauses 63, 64 and 65. | Agree. | Include reference to clause 63, 64 and 65 in the contents page. |
| 17. I524650 | **Submission Subject:** Chalet and Camping Zoning | 1. Looking at chalets and cabins and their permissibility under the Draft Scheme. It is noted that the land use of Chalet or Cabin no longer exists and is therefore not defined in the land use definitions or referenced in the zoning table. It is noted however that the scheme includes under Clause 83 - Terms used and this includes a cabin and a chalet as follows:<br><br>A Cabin "*means a dwelling forming part of a tourist development or caravan park that is —*<br>*(a) an individual unit other than a chalet; and*<br>*(b) designed to provide short-term accommodation for guests."*<br><br>A Chalet "*means a dwelling forming part of a tourist development or caravan park that is—*<br>*(a) a self-contained unit that includes cooking facilities, bathroom facilities and separate living and sleeping areas; and* | The landuses of 'Guesthouse' and 'Chalet/Cabin' were removed from the Scheme in line with the State Government's position on Tourism uses at that time, which replaced those terms with 'Holiday Accommodation' and Tourism Development'. The Scheme however still contains references to guesthouses and chalets throughout, which creates some confusion. The Shire's preference (as requested by the submitter) is to revert to the terms currently being used in LPS1. | Remove the 'Tourist Development' and Holiday Accommodation land uses from Table 3 and clause 84 (definitions).<br>Replace with 'Chalet' and 'Guesthouse' at Table 3 and Clause 84.<br>. |

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|---|---|---|---|---|
| | | *(b) designed to provide short-term accommodation for guests".*<br><br>This appears to indicate that a cabin and a chalet must be part of a tourist development land use or caravan park land use.<br><br>2. Firstly, the definition of a caravan park use does not allow for consideration of cabins and chalets because the definition of a caravan park as is typical is referenced to the Caravan and Camping Act. The definition of a caravan park under the Act is *"means an area of land on which caravans, or caravans and camps, are situated for habitation".* As such by definition and land-use characterisation chalets and cabins are not part of this use. Typically cabins and chalets are dealt with as a separate land use interspersed or in association with a caravan park. This means that incorporating a cabin or chalet in the Terms used section of the Draft Scheme is potentially conflicting with a land use definition of a caravan park.<br>3. In addition to this, it is noted that a cabin and a chalet are also permissible as part of a tourist development, and it is noted under the Use Class Table that a tourist development is only permitted within the tourism zone. This creates confusion when considered against Clause 79 and 80 of the Draft Scheme which makes | | |

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|---|---|---|---|---|
| | | specific reference to the numbers of chalets and cabins that may be considered in the Rural and Environmental Conservation zones (and possibly other clauses). Chalets and cabins are not permitted in the Rural and Conservation zones because they need to be part of a tourist development or caravan park (which is not possible) and therefore not permissible in any case.<br>4, It is probably better that the Scheme incorporates the land use of chalet and cabin and indicates within which zone such use is permitted so as to separate this from caravan park use and also make it clearer with respect to this form of tourist development being separate to a tourist development use. | | |
| 18.<br>I524651 | **Submission Subject:** 1181 Scott River Road, Scott River | 1. Submission opposes the proposal to zone Lot 2 as Environmental Conservation under Draft Scheme and requests that Lot 2 be zoned Rural to better reflect its current and historical land use, physical context of site and to ensure the same zoning applies over both land parcels within the Scott River Station landholding.<br>2. Station comprises two separate titles being Los 1 and 2 but they are owned and farmed as a consolidated parcel. Primarily Lot 2 which is the portion located on south side of river is largely cleared of vegetation. The physical characteristics and use of each land parcel are almost identical in both | As correctly identified in the submission this change was a consequence of the Augusta Walpole Coastal Strategy, and requirements for this zone to be standardised.<br><br>The site was visited during the consultation process and it is evident that the site is primarily used for agricultural purposes which should be maintained. Whilst the site does contain some important environmental features, they in themselves are not of a significance to warrant a change to a conservation zoning. | Change the zoning of Lot 1181 Scott River Road, Scott River from 'Environmental Conservation' to 'Priority Agriculture' on the Scheme Maps. |

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| | | physical attributes and use of land as working cattle farm.<br>3. Lot 2 in Scheme No. 1 is zoned Southern Ocean Foreshore Protection which derived as a result of the WAPC's 2009 *Augusta-Walpole Coastal Strategy*, which included all land on the south of the Scott River, irrespective of its tenure, landuse, site-specific environmental values or distance from the coast. Believe this zoning is an error at the time and failed to consider the land use and physical characteristics of the land. Land is far removed from any foreshore or foreshore access with a separation of approximately 2.7km from the shoreline at its nearest point. Lot 2 is also separated from the rest of the Southern Ocean Foreshore Protection zone area by the Milyeannup Coast Road.<br>4. Lot 1 is proposed to be rezoned from General Agriculture zone to Rural zone under LPS 2 which is far more suitable zoning for the current land use on both lots 1 and 2. Neither the current zoning for Lot 2 nor the proposed "Environmental Conservation" zone reflects the long-established use of the land for 'agriculture-extensive' purposes.<br>5. Based on review of strategic planning framework there doesn't appear to be a planning reason for this specific site to be zoned Environmental Conservation | The response to this submission should be read in conjunction with the response to submission 405, which discusses the change of the Rural zoning to Priority Agriculture.<br><br>Based on this change, and the change to the Rural zoning discussed in submission 405, it is recommended that the zoning of this property is changed to Priority Agriculture.<br><br>The Additional Site Requirements ASR3 will be maintained given that the site is included in the Augusta Walpole Coastal Strategy. | |

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|---|---|---|---|---|
| | | other than the fact that it was included *Augusta-Walpole Coastal Strategy in 2009*.<br>6. The proposed zoning is at odds with the Local Planning Strategy, which identifies lot 2 as Rural and seems likely that the proposed Environmental Conservation zoning is more likely to be a legacy issue from LPS 1, rather than a specific planning response for lot 2. Also does not appear to be an environmental reason for this zoning given Lot 2 is not identified as a 'Strategic Environmental Corridor' by the Strategy. The Strategy notes the 'Environmental Conservation' zone is intended to be applied to land that is primarily for private conservation use and purpose, which isn't the case for this site. On this basis planning priority should be to recognise the agricultural productivity of the site is worthy of protection and prioritisation through application of Rural zone to the site in LPS 2.<br>7. *State Planning Policy 2.5 – Rural Planning* (section 6.3) provides that when Schemes are prepared, Local Governments are to give detailed consideration to primary production and priority to agricultural land, as well as regionally significant environmental assets and water resources. These factors were given consideration as part of the Local Planning Strategy, and the primary production/agricultural use of | | |

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|---|---|---|---|---|
| | | the site was given priority through designation of the site as Rural in the Strategy. There consistent with SPP2.5 for preparation of the new Scheme to ensure that the site zoning reflects the Strategy, and that lot 2 is included in the Rural zone.<br>8. In conclusion seeks the Shire to include Lot 2 Scott River Road within the Rural zone instead of Environmental Conservation in Draft LPS No. 2 as the Rural zone is more appropriate recognition of the ongoing use of the land. | | |
| 19.<br>I524652 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | 1. Object to Shire advertising Draft Local Planning Scheme 2 (LPS 2) in the form, given elected Council members have not approved its advertising. August 2020, Council voted to approve Draft LPS2 to be advertised 'without modification'. Document advertised now – 3 years later – has been substantially changed and is not the same document as was approved by Council for advertising in 2020.<br>2. Object to the removal of development conditions for Lots 501, 502, 503, 504 and 783 Gnarabup. These lots should retain the Special Control Area 3 development conditions from LPS 1. No reason to remove these development controls. Conditions in LPS 1 represent historical planning decisions including the Local Planning Strategy (endorsed | See detailed response at Attachment A of this Schedule. | Apply a Special Control Area (SCA5) over Lots 501, 502, 503, 504 Seagrass Place and Southern portion of Lot 783 Wallcliffe Road Gnarabup.<br>Include in the 'objectives' column of Table 9 the following:<br><br>***Lots 501-504 Seagrass Place***<br>*To ensure that a Structure Plan is in place which guides future tourist development which sets out limits and controls on the form and scale of development in respect to its height, density and appearance to ensure compatibility with the* |

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|---|---|---|---|---|
| | | 2022) for this site and should be maintained in the scheme to ensure development reflects community wishes and proper process.<br>3. Lots 501, 502, 503 and 504 should be zoned Tourism, not Urban Development. This would reflect numerous decisions by Council over the past twenty years including the Local Planning Strategy, Local Planning Tourism Strategy, LPS 1 and the structure plan for these lots.<br>4. Object to the rezoning of the northern portion of Lot 783 Gnarabup from Parks and Recreation to Tourism. Should be kept for public purpose, as shown in LPS1. No reason to give this land to the developer to develop.<br>5. Version of Draft LPS2 hasn't been referred to Environmental Protection Authority (EPA) for review as required by law. Must be reviewed by EPA. The EPA reviewed the 2020 version but the advertised LPS 2 is not the same document.<br>6. Webpage on LPS2 says "Our new planning rules have been developed to align with the recently endorsed Local Planning Strategy". This isn't correct in relation to the Gnarabup lots and Draft LPS 2 as it stands would deliver millions of dollars of Additional value to the developer of the site. The three changes to Draft LPS 2 that I request above would in reality bring LPS2 into | | *landscape, amenity and environmental values of the land and the surrounding locality.*<br><br>Include the following in the Additional Provisions column of Table 9:<br><br>*A Structure Plan is required to be prepared and endorsed prior to development being approved which shall address the following issues:*<br>*(a) the location, width and standard of proposed roads within the area and their connection with the road network in the locality;*<br><br>*(b) the physical, topographical and environmental characteristics of the area leading to the selection of land considered suitable for development and uses appropriate for the area;*<br><br>*(c) the extent of clearing which may be necessary to implement the plan;*<br><br>*(d) areas that are to be retained for buffer and passive recreation purposes;* |

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|---|---|---|---|---|
| | | alignment with the Shire's recently endorsed Local Planning Strategy.<br>7. The proposed changes to zoning and development controls related to these lots is procedurally unfair while a Development Application for these lots is currently being considered by WAPC for approval. Between January and March 2022 the Dept of Planning, Lands and Heritage opened a 6-week public consultation on the Development Application for the five lots. This occurred despite the DPLH and WAPC being aware that the EPA had determined to assess the proposal in December 2021 and that this meant there would be a significant delay in the Development Application coming before WAPC for a decision.<br>8. Responding to this consultation period involved the community spending thousands of hours of work assessing the Development Application against the zoning and development controls contained in LPS1. Further, community groups spent tens of thousands of donated funds (raised through hard work via concerts, raffles, cake sales, merchandise sales and donations to a 'Go fund me' page) on expert professional consultants who also assessed the Development Application against LPS1. More than 2000 people and organisations made submissions to DPLH during the six-week period. | | *(e) environmental analysis examining impact on the marine environment and the need for conservation of ecological links between the coastal reserves and the National Park;*<br><br>*(f) geotechnical analysis to determine the existence and impact on caves;*<br><br>*(g)coastal management and access plans;*<br><br>(h) *broad engineering details demonstrating stabilisation methods, drainage and road construction management, recontouring methods and rehabilitation;*<br><br>*(i) analysis of heritage significance;*<br><br>*(j) building height analysis to demonstrate the impact of the proposed development on visually prominent features and significant views of the scheme area;*<br><br>*(k) details of building and infrastructure construction* |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | 9. Given this investment by the public and community organisations, it is not procedurally fair to change the underlying planning scheme in relation to these five lots while the Development Application assessment process is still underway and due to come to WAPC for a decision. This would waste the community's enormous effort and expense in responding to DPLH's request for comment during the six-week consultation on the Development Application. | | *techniques for high slope areas of greater than 10%;*<br><br>*(l) details of fire protection measures including:*<br>• *trafficable fire-break around the external boundary of the development;*<br>• *fuel reduction programmes;*<br>• *building protection measures;*<br>• *provision of strategic emergency water points;*<br>• *expected demands on additional fire protection measures in the adjoining Parks and Recreation Reserve as a result of the development proposal;*<br><br>*(m) details of the likely impact on groundwater quantity and quality from development proposals particularly in respect of any groundwater abstraction proposals to service the development. Such details should also examine impacts on groundwater availability to* |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | | *the existing Prevelly Park settlement; and*<br><br>*(n) details of measures to be incorporated in the development to avoid impacts which will result in increased management requirements for the adjoining Parks & Recreation Reserve.*<br><br>Include in the 'objectives' column of Table 9 the following:<br><br>***Lot 783 Wallcliffe Road***<br>*To recognise the capacity of land within the Special Control Area to accommodate tourist development of a special form and character notwithstanding the special landscape and visual amenity attributes of the land.*<br><br>Include the following in the Additional Provisions column of Table 9:<br><br>*To provide for a form of tourist development on land within the Zone, limited in height and density of building* |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | | *compatible with the landscape, amenity and environmental values of the land.*<br>*For development requirements refer to Schedule 9.*<br><br>Modify ADS-9 Gnarabup (Plan) at schedule 7 to incorporate Lots 501, 502, 503, 504 Seagrass Place and Southern portion of Lot 783 Wallcliffe Road.<br><br>Include at Schedule 7 applicable to ADS9 'Urban Development Zone Standards':<br><br>6. *Development is limited to tourist and ancillary development.*<br><br>7. *Tourist development proposals should have due regard for the guidelines of the Environmental Protection Authority and WA Tourism Commission.* |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | | 8. *Development is limited to 57 buildings comprising 74 lettable units, a village centre with 16 commercial tenancies and 16 residential units with one caretakers dwelling*<br><br>Change the zoning of the northern most portion of Lot 783 Mitchell Drive from 'Tourism' to 'Public Open Space'. |
| 20. I524654 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional points:**<br>1. Gnarabup already struggles each year to provide car parks for locals let alone a whole resort. Listen to the locals.<br>2. Thought we were trying to stop climate change and help the environment so the area should be left alone. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 21. I524655 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional points:** | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
|---|---|---|---|---|
| | | 1. Gnarabup holds immense ecological significance as a hub for biodiversity, providing a sanctuary for endangered species like the black cockatoos and ring-tail possums.<br>2. The fragility of this area cannot be overstated. Any substantial development in this region could irreversibly disrupt the delicate balance of its ecosystem. The introduction of a resort could lead to habitat destruction, disturbance to natural corridors, and increased human activity, all of which pose a severe threat to the survival of the wildlife that calls Gnarabup home.<br>3. Preserving Gnarabup isn't just about safeguarding a beautiful landscape; it's about protecting the rich tapestry of life that thrives within it. The black cockatoos and ring-tail possums are emblematic of the diverse and unique fauna that inhabits this area, and their survival is intricately linked to the preservation of their habitat.<br>4. I urge the Shire of Margaret River to consider the long-term implications of such a development on the local environment and its inhabitants. There are alternative ways to encourage tourism and economic growth that do not compromise the integrity of this critical biodiversity hotspot. | concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 22.<br>I524656 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 | **Refer to Submission No. 19 above.**<br><br>**Additional Points:** | See response to Submission 19 | See response to Submission 19 |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | Gnarabup – Standard Pro Forma Submission | 1. For the sake of transparent process and retention of the public trust, I call for an audit and a publicly available report on the decision making that occurred to produce Draft LPS2 that favours the developer.<br>2. "I've always thought that the Australian coast is so precious, and beguiling, and yet formidable, that it should not be in the preserve of just a few; we all of us need some harbour of the heart to sustain us, and for many Australians the coast provides just that. It is both adventure and retreat.<br><br>Yet if we continue as we are, and devour all that is natural about it even as we admire it, we will end up with a sour taste in the mouth and nothing left to inspire us and a crime on our hands for which future generations will never forgive us." *Craig McGregor (in Resource Assessment Commission 1992)* - This quote above expresses my thoughts and feelings eloquently. | | |
| 23. I528083 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Personally this is not acceptable its misleading and not transparent.<br>2. The proposed development doesn't suit an area like Margaret River or Gnarabup. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 24.<br>I524797 | **Submission Subject:**<br>13571 (Lot 1) Bussell Highway, Augusta | 1. Plan is to develop a combination of chalets, cabins or caravan bays of sustainability and quality of high standard where discovery of nature and community benefits of tourism coexist in harmony.<br>2. If propose zoning change goes ahead it will significantly reduce and restrict uses permitted for the property in the areas such as under Tourism Uses outlined in zoning tables.<br>3. The proposed zoning change will significantly reduce and be restricted both in terms of scale and density.<br>4. Requesting a proposed change of zoning to 'Tourism' if changes must go ahead as this zoning is the closest in rectifying any detriments and disadvantages mentioned. | The Site is 15.82Ha in size. Under the current 'Chalet and Camping' zoning, this would allow for up to 15 chalets on the site or 30 guest rooms. The zone can no longer be utilised (it is not provided for by the model text) and hence an alternative is required.<br>  <br>The subject site is heavily vegetated, located adjacent to the Blackwood River and contains a watercourse. The site is also located within a sewerage sensitive area.<br><br>Since the preparation of the previous local planning scheme, the requirements around bushfire planning have led to a substantive increase in clearing required for | Modify clause 80 (5) such that it reads as follows:<br>(5) *Tourism development is to meet the requirements of 'low impact development' as defined by this Scheme; and*<br><br>*(a) the number of chalets/cabins, caravan/camping bays or guest house accommodation permitted on lots having an area of less than 20 hectares or where a conservation covenant applies, shall not exceed 2 chalets/cabins, 4 caravan/camping bays or 4 guest bedrooms; and*<br>*(b) the number of chalets/cabins, caravan/camping bays or guest house accommodation permitted on lots having areas greater than 20 hectares shall not exceed 6 chalets/cabins, 12 caravan/camping bays or 12 guest bedrooms; and* |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
|---|---|---|---|---|
| | | | tourism based proposals to address bushfire planning requirements.<br><br>In addition to the above, the general tourism zone would allow for land uses such as a bottle shop, tavern and fast food outlet, which are not considered to be suitable in this location.<br><br>While the site may be suitable for some form of tourism development, it is considered that the intensity of use capable under a tourism zoning would lead to undesirable environmental and landscape amenity impacts.<br><br>The 'Rural Residential' zone was considered for application to this area due that prevailing lot size, however this zone would not provide for the same tourism and agricultural opportunities as the Environmental Conservation zone.<br><br>The Environmental Conservation zoning would allow for 2 chalets or four guest bedrooms. In addition to this and in order to partly address the submission, a ratio for the development of caravan/camping bays should also be provided for the 'Environmental Conservation' Zone. | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
|---|---|---|---|---|
| | | | The same assessment can be made of adjoining lots 3,5 and 6. | |
| 25. I524994 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Swim a few times a week with the Sea Dragons swimming group and see hundreds of locals enjoy the benefits of physical, emotional & wellbeing by partaking in the ritual of the daily swim to the buoy out from Gnarabup. Last month I was one of the lucky ones who got to swim with the rare & wonderful weedy sea Dragon. These sea Dragon species are incredibly sensitive to changes in their marine environments which already are under threat due to climate change. I worry about the impact of a huge hotel on all of these treasures mentioned; environmental, social & cultural. The local Wadandi cultural custodians and elders have been so generous to our community enriching our community with language and cultural wisdom. The hotel proposed interferes with a cultural site and is not welcomed by traditional owners. Respecting our elders wishes is vital. For all of these reasons I believe strongly that we need to Preserve Gnarabup for present and future generations. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 26. I525001 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:** | See response to Submission 19 | See response to Submission 19 |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
|---|---|---|---|---|
| | | Objecting to the 'shifting goalposts' by amending/changing the scheme, obfuscating the planning process and now allowing sufficient time for community understanding, consultation and input. The lack of transparency breeds mistrust and anger at a community level. | | |
| 27. I525005 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |
| 28. I525262 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Strongly oppose development of a resort of this scale on this site including residential buildings.<br>2. Gnarabup is already at great risk in the event of a bushfire from any direction and the parking situation will only get worse along the coast.<br>3. Final version of the Draft LPS 2 has not been referred to the EPA for review as required by law. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 28. I525262 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Strongly oppose development of a resort of this scale on this site including residential buildings. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | 2. Gnarabup is already at great risk in the event of a bushfire from any direction and the parking situation will only get worse along the coast.<br>3. Final version of the Draft LPS 2 has not been referred to the EPA for review as required by law. | separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 29. I525266 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 and 28 above.** | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 29. I525266 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 and 28 above.** | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 30. I525267 | **Submission Subject:** General (Missing Definitions) | **1. Missing Definitions for crucial terms:** Some terms the Planning Scheme uses are crucial, for example "sustainable" / "sustainability", "native"/"endemic". However, no definitions for these terms are given, which will result in legal disputes about their interpretation and application.<br>**Recommendation**<br>**Include definitions for all relevant terms.**<br><br>**2. Development and Growth versus Sustainability**<br>One of the important aims of the planning scheme is to achieve sustainability. However, sustainability is not prioritised, but listed beside other aims, which are often in conflict with sustainability. For example, *To ensure that new land use and development is consistent with the principles of sustainability* (Section 9 (l)) is a contradiction in terms. Since land for new developments cannot be created, land has to be "sacrificed" that has previously been used for other purposes. In most cases the land used | Definitions provided in the Scheme are based on the Model Scheme text which is set by the Department of Planning, Lands and Heritage to achieve consistency across Schemes within the State. It is unlikely the Shire will receive support for nonstandard definitions.<br><br>Accepted practice in planning is that where a definition is not provided in the Scheme this would default to the definitions provided in dictionary.<br><br>On the issue of growth versus sustainability, the Local Planning Strategy deals with these high order strategic considerations and sets the framework to accommodate future growth. Whilst the submitters comments are sound, there are numerous external factors which influence population change that the Shire has no influence over.<br><br>The Local Planning Scheme itself is an instrument used to assess development proposals, therefore as mentioned the above the Scheme does not take a position on growth | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
|---|---|---|---|---|
| | | for developments has been prime agricultural land. Logically, to allow new developments cannot be sustainable, and is therefore in direct conflict with the overall aim of the planning scheme to achieve sustainability. Furthermore, since using agricultural land for developments results in a loss of agricultural land for food production, it also conflicts with the aim *To ensure the protection of rural land for agricultural purposes to provide food security,* …(Section 9 (J)).<br>Currently, the main threat for the ecological sustainability of the Margaret River region, in our opinion, is the growth of population and tourism activities. However, the planning scheme does not address this issue and does not aim at resolving this complex. On the contrary, it seems that the regulations regarding buildings, development etc. in general favour growth. For example, the floor area of an ancillary dwelling in rural and rural residential zone has been increased from 70m2 (current PS) to 120 m2 (Draft PS 2).<br><br>**Recommendation**<br>**Limit urban development to areas already developed, for example by allowing higher density of buildings.**<br><br>**3. Protection of the environment** | and development but puts rules in place to guide assessment of this.<br><br>See response to submission 405 discussion the interface between Rural use and Conservation.<br><br>Increases in the Ancillary Dwelling floor space has been proposed to support intergenerational farming.<br><br>**Environmental Assets Map**<br>See Response to Submission 422.<br><br>In respect to Dams, scheme standards have been included to require rehabilitation of these area recognising their habitat function.<br><br>**Revegetation / Offset Planting along watercourses and around wetlands/ Protection of habitats for endangered species**<br>The Scheme is not the best place within which to detail 'voluntary' initiatives. It is a set or 'rules' which provide a framework against which development proposals are assessed. | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | The "spirit" of the planning scheme, in particular in regard to rural areas and waterways, is strongly biased towards conservation (Section 9 (f): *To implement an environment first approach to land use and development and where there is uncertainty, to apply the precautionary principle*), to the expense of agricultural land use and management. This is not sustainable and in contradiction to the aim of the planning scheme "to provide food security" (Section 9 (j). Such proposed prioritisation of conservation (e.g. offset planting along waterways and around wetland systems) inevitably results in loss of land for food production. Furthermore, we strongly doubt that the proposed approach can be implemented and enforced.<br>**Recommendation**<br>**Replace the sections which are based on the *"environment first approach"* with sections which are less fundamentalistic and based on a healthy and realistic balance between conservation and land use.**<br><br>**4. Environmental Assets Map**<br>The "Environmental Assets Map" has not much in common with the existing reality. For example, it shows a myriad of perennial watercourses in the area east and south-east of Margaret River, whereas in reality only the Margaret | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
|---|---|---|---|---|
| | | River, the Blackwood River, the Scott River, and the Hardy Inlet are perennial waterbodies. All other watercourses are flowing only intermittently (Section 79, Clause 6). Furthermore, the map shows NO dams, despite there are many hundred dams in the AMRS, which are normally the only permanent waterbodies around. Dams improve the overall water budget of our environment. Furthermore, they are often complex and very valuable ecosystems, offering habitats to a wide range of aquatic organisms (e.g. insects, molluscs, amphibians, snakes, crustaceans, fish, waterbirds, *Hydromys*, etc.). For these reasons, dams represent first-class environmental assets. A map that ignores dams and does not contain regulations in regard to the ecological management of dams does not deserve to be called "Environmental Assets Map"!<br>And, finally, the map shows big areas of "Wetland Systems" in the south-east of the Shire, mainly in the Scott River area, which in many places are now farmland. To prohibit grazing or agricultural activities in areas which are shown as "Wetland Systems" on the map would mean that affected farmers would lose big parts of their properties for productive farming, and major food production areas of our Shire would become unproductive. | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | **Recommendation**<br>**Replace the Environmental Assets Map with a map that represents the actual reality, and that is regularly updated to reflect changes.**<br><br>**5. Revegetation**<br>From an ecological point of view, it is not justified to limit revegetation to endemic plants, and not also allow plants native to a wider area. Furthermore, with changing climate (higher temperature, lower rainfall) endemic plants might not be the best choice to be planted for the future. And finally, from an economical point of view, many Australian trees, which are not native to the SW of WA, might be the better choice to be planted because they produce wood for firewood or timber, can contribute to the aim of food security (nuts, berries), or may have flowers which are valuable for bees.<br>Furthermore, it should remain the right of every owner of a freehold title to decide what plants are planted on their property.<br><br>**Recommendation**<br>**Change the regulations so that the ecologically and economically best suitable plants/trees (for now and for the future) can be planted. All plants native to Australia should be allowed, except declared weeds. A list of** | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | **suitable species should be included, which is regularly updated.**<br><br>**6. Offset Planting along watercourses and around wetlands**<br>To maintain native vegetation within the watercourse of wetland setback means that this area cannot be used for agriculture (cropping, grazing). As mentioned above, this is in conflict with the aim of the planning scheme "to provide food security". Furthermore, it represents an unacceptable expropriation of the affected land, which is likely in conflict with the rights an owner of a freehold title. The same applies for the protection of offset planting in perpetuity, because this will prevent possible future developments, and hence diminishes the value of a property, despite they may well be for the benefit of the environment.<br>**Recommendation**<br>**Remove compulsory regulations for owners of freehold titles, replace with recommendations for voluntary measures.**<br><br>**7. Protection of habitats for endangered species**<br>Measures to improve the breeding habitats of rare Cockatoos is the responsibility of the local bodies (Shire, State), and cannot be made a compulsory responsibility of private land | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | owners. Similar to the above-mentioned offset planting, the suggested regulations mean an unacceptable expropriation of the land affected, and of the rights of an owner of free-hold title.<br>**Recommendation**<br>**Remove compulsory regulations for owners of freehold titles and replace with recommendations for voluntary measures.** | | |
| 31. ICS525264 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 and 28 above.** | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 31. ICS525264 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 and 28 above.** | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
|---|---|---|---|---|
| | | | process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 32.<br>I525253 | **Submission Subject:** General | 1. The Margaret River Sporting Precinct connects with the two main schools in Margaret River and due to the increasing population and the excellent participation rates we have in community sport, we have increased pressures at certain road crossings. Unfortunately, the main road (Station Road) that leads to our light industrial area crosses between this area.<br>2. I suggest that an **underpass/overpass** is constructed to cater for the increasing use in this particular spot – **the intersection of Wallcliffe and Station Roads**.<br>3. This would encourage the following below outcomes with a medical centre/retirement village/childcare centre all adding to congestion in the direct area. If a crossing was available to cross both Station and Wallcliffe Road safely while vehicle use was still available a feel a great shift would occur for more bike/pedestrian use amongst our community:<br>**(a)** To facilitate the provision of community facilities that are accessible and sustainable, commensurate with the needs of the local and broader community. | The matter raised by the submitter is not one which the Local Planning Scheme has any influence over. A decision about whether or not to build an under/overpass or any other form of safe crossing infrastructure on Bussell Hwy would be made by Main Roads and the Shire outside of the Scheme review process and would not necessitate any change to the Scheme. | See response to Submission 19 |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
|---|---|---|---|---|
| | | **(b)** To promote development that reduces reliance on motor vehicles, and encourages modal shift to pedestrian and cycling.<br>**(c**) To provide sufficient and appropriately zoned land in easily accessible locations to enable economic development and employment opportunities for the local population.<br>**(d)** To provide for an overall pattern of land use and development which will encourage diverse and complimentary land uses within the Towns and Villages, that maintain the sense of place and provides opportunities for a circular economy.<br>4. If it is possible in Cowaramup for the cows to have an underpass and cross safety, I feel it should be possible in Margaret River for our kids to have the same (obviously if funding is available and structurally viable).<br>5. So glad we have the **significant tree register** in our scheme also, think this is extremely important for our town to have with increasing development and population. | | |
| 33. I525254 | **Submission Subject:** Development in Gnarabup | 1. I have strongly come to believe that any large development in this part of our region needs to be stopped.<br>2. The current amount of pressure on our environment has only really just started to be felt in the Margaret river beach | See response to Submission 19 | See response to Submission 19 |

# SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
|---|---|---|---|---|
| | | region. Currently there are no car parks for emergency access to the Gnarabup beaches, or easy fire break access for traffic going in and out of Prevelly.<br>3. The firefighting services of our region have already Stated in their literature that it is only a matter of when, not if, a fire rips through our region.<br>4. The idea of our shire signing off on over -development at the cost of rate payers is outrageous, the State government has already paid out on local communities' fire clams. No new roads, the same lacking water supplies. The same isolated community, ebbing and flowing with many hundreds of Additional people each weekend, all in danger due to the lack of any emergency response.<br>5. I believe that the shire and the developers have shown a total lack of respect for the very international guests that they are trying to attract by making the development unsafe for their stay in our region.<br>6. Truly the lack of access, water supplies and safe retreat from danger puts local and visitors in danger. If we also include the human foot print in such a vulnerable area for the cost to both the plover bird and the sea Dragon is outrageous. The Gnarabup region is changing, drying out and while still an amazing tourist area, it needs protection. | | |

# SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | 7. Please consider my application for no more development in our region. Protect it for the future to enjoy in a sustainable way. | | |
| 34. I527974 | **Submission Subject:** 288 (Lot 65) Railway Terrace, Margaret River | 1. No to rezoning, present, past and future business from property Stated, Margaret River Motor/Southwest Glazing includes at present Control Your chaos / present and future cleaning company business and or the equivalent Business operations from this [OBJ]property. Property purchased and value for the Stated purposes. Property purchased for light industrial including residential by the owner, title holder. Rezoning to residential will affect and or influence property values and business.<br>2. Question how will this affect property value and impact business operations. | The submitters land is currently zoned 'Composite Industry' which is a zone that the WAPC has required to be removed from the Shire's Scheme. In order to preserve the ability for residences to co-exist with industrial and commercial uses the Shire will apply an Additional Use (41) designation to the land and this addresses the submission. | See response to Submission 19 |
| | | | | |
| 35. I527986 | **Submission Subject:** Whole of Molloy Island | To provide some context: our main concern is the protection of the natural environment on Molloy Island. The majority of homeowners are fully aligned with this focus, but unfortunately a small percentage don't understand how the development of individual blocks impacts on the island and its inhabitants overall.<br><br>We've compiled a list of the problems we are encountering on a semi-regular basis. The changes we are suggesting to the document are an attempt to address these issues. | The addition of the words requested by the MIHOA is not necessary given that all development applications are required to be assessed by the MIHOA.<br><br>It is not recommended that the standards for the size of water tanks on Molloy Island be reduced due to the expected decline in rainfall and the potential for bushfire.<br><br>It would not be appropriate for the scheme to attempt to control cat or dog ownership given that this is | |

# SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | 1. **Clearing of vegetation:** The current rules essentially allow owners of smaller blocks (just under half the properties) to clear their entire block. This affects just under half the blocks on the island and needs to be addressed to protect the environment.<br>2. **Fire management:** The document suggests that the homeowner's association is responsible for maintaining fire equipment and reserve water supply. We believe this is not the case so this section requires to be updated.<br>3. **Changes to existing structures:** We are struggling with having any control over changes to existing properties that may not require a development application (e.g. under 10m2 and 2.4m high). For example: building a small shed right on a boundary in a bright colour, adding shipping containers and using them as outbuildings or (and this happened only a couple of weeks ago) a new owner painting their house bright blue. Is there any avenue for controlling these types of development?<br>4. **Cats:** Our constitution forbids cats being brought on to the island. It would be great if the shire's cat laws could back this up (the current interactive map | controlled through other means and due to the fact that the keeping of pets does not require a development approval.<br><br>Changes can be made to strengthen clearing controls as sought. | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | available on the shire's website doesn't reflect this)<br>5. **Dogs:** Home owners are given conflicting information regarding the number of dogs that are allowed. As we are paying residential rates we should be considered a residential area and appropriate rules restricting dog ownership to 2 animals should be applied (some home owners have been told up to 4 animals are allowed).<br>MIHOA suggested some modifications (below in red) to be undertaken to the Additional Provisions under the Molloy Island Area (SCA 2) as per 1-5 above<br>**Preservation of natural vegetation:**<br>(a) The removal of any indigenous tree or clearing of indigenous undergrowth is prohibited, other than for approved fire hazard reduction measures (e.g. firebreaks, building protection zones, hazard separation zones), with the exception of vegetation that is cleared in accordance with clause 5.20.<br>**Development in the Residential zone:**<br>(b) building is prohibited within 15 metres of a road or public right-of-way and within 5 metres of a side boundary, however, the local government may vary these distances by up to 30% subject to consultation with adjoining landowners.<br>(c) subdivision of lots will not be supported by the local government. | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | **Land use and development within the Parks and Recreation Reserve**<br>(a)(iii) each new dwelling unit have sufficient water supply in accordance with clause 54(2)<br>**Fire risk management**<br>(a) The Owners' Association shall maintain firefighting equipment and a reserve water supply, to the satisfaction of Fire and Emergency Services Authority of Western Australia and the local government.<br>***Pet Ownership***<br>*To protect the naturally occurring wildlife on the island the following restrictions are enforced:*<br>• *Molloy Island is a Cat Prohibited Area and no cats are allowed to be brought onto any part of the island*<br>• *Molloy Island is a residential area and dog ownership is restricted to 2 dogs per property* | | |
| 36. I527978 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. I am writing to you as I want you to fix the three errors on the advertised version of the LPS2 Draft – how can you advertise a Draft document which has substantial changes to what was actually approved by council for advertising??<br>2. I would love to believe in good old honesty and transparency but it seems that things are not that simple. How can the shire possibly think its ok to put out | See response to Submission 19 | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | a Draft like this for advertising – there are such strict stringent rules when it comes to simple planning for small residential lots and then something as huge as this which is going to impact a huge chunk of environment, endangered animals, all the current local residents, the whole aesthetic of our amazing environment, not only the increased safety risk of having so many more people within such a small area that has only one access road in case of fire / emergency. As someone who has lived through the last fires here and who spent a day and night huddled under the Gnarabup boat ramp I know first hand how quickly you can get stuck – how hard it was to get out in the event of a fire. There are so many reasons that this whole development should not go through, not to mention that this whole area was originally zoned Leeuwin Naturaliste ridge – how did crown land even become available for private sale – the whole thing is so ridiculous and now we are fighting years later to fix a huge error that came about from greed and deceitfulness. | | |
| 37. I527979 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup | 1. Margaret River beautiful area to live and explore, with its connection and access to nature being a highlight. Its out most precious resource and should be protected to the highest degree. | See response to Submission 19 | See response to Submission 19 . |

# SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | Thought these were the values held by the AMR Shire especially given the time and money put into sustainability. These amendments don't align with these value and instead appear to be economic driven.<br>2. Object to Shire advertising Draft Local Planning Scheme 2 (LPS 2) in the form, given elected Council members have not approved its advertising. August 2020, Council voted to approve Draft LPS2 to be advertised 'without modification'. Document advertised now – 3 years later – has been substantially changed and is not the same document as was approved by Council for advertising in 2020.<br>3. Object to the removal of development conditions for Lots 501, 502, 503, 504 and 783 Gnarabup. These lots should retain the Special Control Area 3 development conditions from LPS 1. No reason to remove these development controls. Conditions in LPS 1 represent historical planning decisions including the Local Planning Strategy (endorsed 2022) for this site and should be maintained in the scheme to ensure development reflects community wishes and proper process.<br>4. Lots 501, 502, 503 and 504 should be zoned Tourism, not Urban Development. This would reflect numerous decisions by Council over the past twenty years including the Local | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | Planning Strategy, Local Planning Tourism Strategy, LPS 1 and the structure plan for these lots.<br>5. Object to the rezoning of the northern portion of Lot 783 Gnarabup from Parks and Recreation to Tourism. Should be kept for public purpose, as shown in LPS1. No reason to give this land to the developer to develop.<br>6. Version of Draft LPS2 hasn't been referred to Environmental Protection Authority (EPA) for review as required by law. Must be reviewed by EPA. The EPA reviewed the 2020 version but the advertised LPS 2 is not the same document.<br>7. Webpage on LPS2 says "Our new planning rules have been developed to align with the recently endorsed Local Planning Strategy". This isn't correct in relation to the Gnarabup lots and Draft LPS 2 as it stands would deliver millions of dollars of Additional value to the developer of the site. The three changes to Draft LPS 2 that I request above would in reality bring LPS2 into alignment with the Shire's recently endorsed Local Planning Strategy.<br>8. The proposed changes to zoning and development controls related to these lots is procedurally unfair while a Development Application for these lots is currently being considered by WAPC for approval. Between January and March 2022 the Dept of Planning, Lands | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | and Heritage opened a 6-week public consultation on the Development Application for the five lots. This occurred despite the DPLH and WAPC being aware that the EPA had determined to assess the proposal in December 2021 and that this meant there would be a significant delay in the Development Application coming before WAPC for a decision. | | |
| 38. I527988 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup | 1. These lots should not be approved for development by the Cook State Government. Gnarabup is Margaret River's town beach. The only safe, protected swimming beach on this coast famous for big swell. It is already an extremely heavily used community and tourism asset. This development will change it forever – reducing its natural wild coastal beauty, putting pressure on its fragile environment, making an crowded road and parking system at a limited site far worse, and put thousands of lives at risk from bushfire. Little or no regard has been given to the impact on the local wildlife.<br>2. For more than 31 years the local community has actively opposed development of Gnarabup Headland. This has seen local people and organisations take part and say no to development in **13 public consultation processes, six protest marches and four Supreme Court challenges.** | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | **3. The Government assessment processes to date**<br>• In June 2020, with former Premier McGowan standing beside him, Luke Saraceni of Saracen Property announced his plans to develop a luxury tourist villa and hotel on Gnarabup Headland. The community was very concerned that yet another development was now proposed for the site.<br>• In 2021 local campaign Preserve Gnarabup referred the proposed development on Gnarabup Headland to the WA Environmental Protection Authority (EPA). In the following 7-day public consultation, 1111 people and organisations made a submission stating that the proposal should be assessed at the highest level – Public Environmental Review (PER). The EPA Chair determined that the proposal would be assessed at the level of PER and that assessment is now underway. We expect the final public consultation in this assessment to occur in 2024.<br>• In early 2022, the community turned out during the public consultation on the Development Application (DA) for the proposal. This time 1849 people and organisations took the time to make a submission opposing the DA – representing | | |

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| | | 89.9% of the submissions received. The remaining 10.1% either supported a changed project or the project as is.<br>**4. Environmental concerns with the proposed development**<br>The proposal will have significant environmental and social impacts. The EPA assessment is broken up again the following factors.<br>• ***Coastal Processes*** – this coast is subject to significant erosion. The Shire of Augusta-Margaret River's Coastal Hazard Risk Management and Adaptation Plan 2015 identifies parts of the proposed development sit within the 100-year coastal processes zone. Gnarabup Beach, Back Beach and parking areas are within 10 and 20-year coastal process zones. The developer is not addressing this adequately in the EPA assessment.<br>• ***Marine Environment Quality*** – The proposal is located on a porous karst limestone ridge. Rainfall events are followed by runoff into the ocean and Ngari Capes Marine Park. The development will send sewerage from an Additional 1,000 people to the Gnarabup waste water treatment which is located approx. 180 metres from the ocean. The Annual Environmental Reports for the plant record elevated and increasing Nitrate, Chlorophyll, Copper, Zinc and | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | E.coli and Enterococci (both present in faecal matter) in ocean samples exceeding trigger levels. The developer is not addressing this adequately in the EPA assessment.<br>• ***Terrestrial Environmental Quality*** – again, the proposal will send the sewerage of 1,000 Additional people to Gnarabup waste water treatment plant. The plant's annual reports record elevated levels of Nitrate, Arsenic, Lead and Manganese exceeding triggers, that monitoring bores may not be adequate to assess baseline water quality and 'data gaps'. DWER doesn't have information required to understand the impact on the ground and ocean environment. It will take at least three years of monitoring to have meaningful results. The developer is not addressing this adequately in the EPA assessment.<br>• ***Fauna –*** The proposal requires clearing of more than nine hectares of private and Crown land of habitat for critically endangered Western Ringtail Possums and all three of the threatened Black Cockatoo species. Three community member sightings of Western Ringtail Possums within and adjacent to the site were reported to DBCA over a three-month period to November. The cockatoos are also seen there frequently. The developer | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | is not addressing this adequately in the EPA assessment.<br>• ***Flora and Vegetation*** – the proposed development requires clearing more than nine hectares of private and publicly owned high quality coastal heath. Threatened and rare flora may occur there, including an orchid which has been identified by government as possibly growing there. We don't know as the development hasn't done adequate surveys.<br>• ***Subterranean Fauna*** – the karst geology is potential habitat for threatened and rare subterranean fauna. We don't know if these species live in the karst as the developer hasn't done adequate surveys.<br>• ***Landforms*** – the proposed development site is a prominent raised landmark - visible from throughout Gnarabup, Prevelly and from sea. The proposed development will be highly visible.<br>• ***Social Surroundings*** - Gnarabup Beach is the only protected beach on this high impact coastline. The beach and headland are heavily used by the community, tourists and nature-based tourism businesses and are a vital community asset. The area has a history of use by Aboriginal people and the Proposal site includes a registered Aboriginal cultural heritage site. The Development Application | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | shows the heritage site squeezed between two luxury villas.<br>• ***Human Health*** - there are potential impacts from discharge of waste into the terrestrial and marine environments from the Proposal. There is also extreme risk of bushfire.<br>**5. Planning concerns with the proposed development**<br>I support planning which will support local workers and local businesses – that is not this development. In fact it will have a detrimental impact on local people and local businesses.<br>• It will reduce access for local people to their tiny, already heavily used town beach – which is already experiencing significant traffic and parking issues.<br>• Gnarabup Headland and Beach. the surrounding narrow local roads in Gnarabup and Prevelly and parking areas are at capacity. Adding an Additional 1,000 people to this Extreme Bushfire risk area with highly flammable coastal heath, is irresponsible. The selected route for a possible second road out of Gnarabup/Prevelly (identified as Option 2 in the Main Roads Prefeasibility report produced in 2017), was identified by Shire Councillors as the 'least worst' option. Negatives include the hilly and heavily vegetated nature of this route, | | |

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| | | the problematic interface with Caves Road and the fact the route runs almost parallel to the only existing exit from the townships, Wallcliffe Road, which in places is as little as 2.6 km distance apart. In the case of a fast-moving fire spreading from the north, as in the 2011 fire, this second route would only provide a short additional period of time for people to evacuate before it would also need to be closed. These concerns are the reason that funding for the second route has not been pursued to date.<br>• The Department of Fire and Emergency Services (DFES) has reported to the State Government it cannot support the development due to extreme bushfire risk to lives. The Shire of Augusta-Margaret River has also reported to the Government is does not support the development.<br>• It will reduce Gnarabup beach, limestone cliffs and headland's value as a natural tourism attraction.<br>• Local builders are so busy they are signing contracts to commence in two years plus. Additional construction work is not required to support the economy.<br>• It will add additional hospitality jobs in a region where people to fill such roles are already in short supply. There is insufficient affordable housing for such worker as it stands. | | |

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| | | • The development will send more sewerage from an Additional 1,000 people to the Gnarabup waste water treatment plant. Review of sampling by a hydrogeologist shows the plant is already contaminating groundwater and ocean water around it.<br>• The development is very dense - far denser than ever considered for this site before, with not enough car parking bays for guests and residents at the housing and resort. Instead the developer wants to push these people to park on public crown land and existing public carparks which are already fully utilised.<br>• The developer proposes clearing large areas of public Crown land for bushfire breaks and parking to support his development. The Crown Land is vested in the Shire and the Shire in its report on the Development Application to the State Development Assessment Unit Stated it does not support the Crown Land being used. | | |
| 39. I527992 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Before going ahead with a project like this infrastructure, parking and sewage needs to be addressed and Gnarabup has no capacity to offer any of these, already beyond what it can manage now. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | 2. Parking spaces assigned in the plans isn't sufficient to accommodate all the guests, staff and other visitors.<br>3. Margaret River is growing rapidly and on top of Additional visitors to the resort this is not sustainable for a small town site.<br>4. Safety issues in relation to a single road access to the area have been raised by different groups, including fire department, but they have not been sufficiently addressed. | process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 40.<br>I527993 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>As long term resident am witness to the increasing load that population and visitor growth are placing on the environment and existing infrastructure. Gnarabup headland and surrounding area are fragile and significant and need to be preserved. Shire has responsibility to ensure that the impact to the environment and the lifestyle of locals is minimised and protected over the financial gain of investors. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 41.<br>I527995 | **Submission Subject:** 393 (Lot 1) Caves Road and Lot 814, 814 of 844 and 115 Lawrence Road, Augusta | Oppose any proposals that are going to change land to Environmental Conservation, and this has been undertaken without any consultation with us in relation to the property. | The existing zoning of these two lots is Leeuwin Naturaliste Ridge Conservation zone. The change to "Environmental Conservation' zone is required by reason that the LNRC zone no longer exists. This is due to the WAPC's objective of | No changes are required as a direct result of this submission. |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | standardising zones across the State.<br>Measures have been taken to ensure that the land use permissibility and controls remain the same despite the change to the name of the zone.<br>All changes to the Scheme are being undertaken in full consultation with the community and the ownership of the subject land was written to and invited to make comment. | |
| 42. I527998 | **Submission Subject:** 393 (Lot 1) Caves Road and Lot 814, 814 of 844 and 115 Lawrence Road, Augusta | **Refer to Submission No. 41 above.** | See response to Submission 41 | See response to Submission 41 |
| 43. I527999 | **Submission Subject:** 393 (Lot 1) Caves Road and Lot 814, 814 of 844 and 115 Lawrence Road, Augusta | **Refer to Submission No. 41 above.** | See response to Submission 41 | See response to Submission 41 |
| 44. I528002 | **Submission Subject:** 393 (Lot 1) Caves Road and Lot 814, 814 of 844 and 115 Lawrence Road, Augusta | **Refer to Submission No. 41 above.** | See response to Submission 41 | See response to Submission 41 |
| 45. I528004 | **Submission Subject:** 393 (Lot 1) Caves Road and Lot 814, 814 of 844 and 115 Lawrence Road, Augusta | **Refer to Submission No. 41 above.** | See response to Submission 41 | See response to Submission 41 |
| 46. I528005 | **Submission Subject:** 393 (Lot 1) Caves Road and Lot 814, 814 of 844 and 115 Lawrence Road, Augusta | **Refer to Submission No. 41 above.** | See response to Submission 41 | See response to Submission 41 |
| 47. I528011 | **Submission Subject:** 393 (Lot 1) Caves Road and Lot | **Refer to Submission No. 41 above.** | See response to Submission 41 | See response to Submission 41 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | 814, 814 of 844 and 115 Lawrence Road, Augusta | | | |
| 48. I528001 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |
| 49. I528013 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |
| 50. I528014 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>The attraction of the area to us as local residents is the natural beauty of the coastline and headland. Development of the headland will be a mistake. Our family also frequently volunteer at a black cockatoo rescue centre (Kaarakin). We have regularly seen Carnaby black cockatoos on the south Gnarabup area. Any construction of roads and buildings will have a significant impact on the black cockatoos which are endangered. Development of the area has not benefit to the area or any of the AMR shire residents and its visitors. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 51. I528015 | **Submission Subject:** 393 (Lot 1) Caves Road and Lot 814, 814 of 844 and 115 Lawrence Road, Augusta | **Refer to Submission No. 41 above.** | See response to Submission 41 | See response to Submission 41 |
| 52. I528018 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:** | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | 3 to 4 times a week I drive to the beach to walk and swim all year round as many of us do in this region either to surf or just immerse ourselves in the nature we are trying to protect. Currently the volunteers are struggling to keep dogs away from bird breeding area's on the beach. The Shire needs to have the foresight to see tourism wants to see pristine nature not built up area's particularly on the coast 10km skirt of nature we currently have running between the capes. Lets put our energy into helping the Flora and Fauna survive the already fatally damaging growing population so we become known as one of the World Listed National Parks NOT fill the pockets of the entitled few. | concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 53. I528023 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>I object to the Draft Local Planning Scheme 2 (LPS2). Development conditions should not be removed to change zoning of land area especially without environment assessment. This area is high bushfire risk and also with climate change erosion prone. The area does not have infrastructure for greater permanent residents or commercial property development. This area is unique and should be kept how it is as much as possible. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 54. I526863 | **Submission Subject:** Ancillary Dwellings | Proposed size change of ancillary dwellings from $70m^2$ to $120m^2$ is more realistic for intergenerational | Agree. Support for change to the size of ancillary dwellings is noted. | No changes are required as a direct result of this submission. |

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| | | living. | | |
| 55. I528028 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>It is absolutely mind blowing that this development would even be considered!<br>I moved to Margaret River 8 years ago, I chose here to bring up my daughter, because of the beautiful untouched coast line to explore, wildlife and bushlands, this is what makes this place special and unique. Our children will be directly affected from decisions like this. This will change Gnarabup so much, for the worse. What if there is a fire? How will an increased population evacuate safely? How will we be able to go to the beach and even be able to park in Summer? The amount of cars entering and exiting caves road will be a severe traffic hazard. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 56. I527013 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |
| 57. I527014 | **Submission Subject:** 393 (Lot 1) Caves Road and Lot 814, 814 of 844 and 115 Lawrence Road, Augusta | **Refer to Submission No. 41 above.** | See response to Submission 41 | See response to Submission 41 |
| 58. I527015 | **Submission Subject:** 393 (Lot 1) Caves Road and Lot 814, 814 of 844 and 115 Lawrence Road, Augusta | **Refer to Submission No. 41 above.** | See response to Submission 41 | See response to Submission 41 |
| 59. I527016 | **Submission Subject:** 393 (Lot 1) Caves Road and Lot | **Refer to Submission No. 41 above.** | See response to Submission 41 | See response to Submission 41 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | 814, 814 of 844 and 115 Lawrence Road, Augusta | | | |
| 60. I527017 | **Submission Subject:** 393 (Lot 1) Caves Road and Lot 814, 814 of 844 and 115 Lawrence Road, Augusta | **Refer to Submission No. 41 above.** | See response to Submission 41 | See response to Submission 41 |
| 61. I528031 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |
| 62. I528035 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |
| 63. I528042 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>The rugged limestone and granite coastline, a source of pride and believe a large portion of the WA community in general. The Gnarabup beach is the only safe option for swimming without significant risk from rips and currents. The Back beach near Reef Drive is a beautiful stretch of beach which provides an option for the community to find peace and solitude.<br><br>Community amenity is very much under-appreciated with regards to the LPS 2 with the priorities of developers and some in the local and State government appearing to be misaligned with the preferences/desires of a wide variety of stakeholders (locals, tourists etc) as the changes are catered towards a small group of beneficiaries as | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
|---|---|---|---|---|
| | | even the tourism aspect to the project is watered down.<br><br>Want to reinforce the idea of the unique brand seen on the WA coastline. The State is world famous for rugged, pristine coastlines; in stark contrast to much of eastern Australia. The brand will diminish if projects like these continue to occur in the long term, it would be interesting to reflect on the longer term impact to tourism and community amenity for what appears to be a relatively short-term cash injection to the lucky few. | | |
| 64. I528049 | **Submission Subject:** 6 (Lot 94) Victoria Parade, Augusta | The property next door (North) and similar in size is not categorised as 'Town Centre'. Happy for mine to be zoned "Residential". | Support for the change from Town Centre to Residential is noted. | No changes are required as a direct result of this submission. |
| 65. I528043 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |
| 66. I528045 | **Submission Subject:** Reserve 18644 (Timber Block) East Augusta and Donovan Street Bushland | 1. Looks as if the Timber Block (Res 18644) north of East Augusta will remain as "Public Purposes" and the Donovan St Bushland will change from "Parks and Recreation" to "Public Purposes". Have I got this right? Would have hoped that both of them would have become "Environmental Conservation", especially in the case of the Donovan St Bushland which DBCA has already supported a change to a Conservation Reserve. | Agree. Reserve 18644 is zoned Public Purpose reflecting the reserve purpose which is "Timber for Road Board' which is clearly no longer relevant. Reserve 48835 (Donovan Street Bushland) is a large intact area of remnant bushland of high value to the local community. Both should be zoned Environmental Conservation. | Change the zoning of Reserve 18644 and Reserve 48835 to 'Environmental Conservation'. |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | 2. It's a little hard to interpret all the changes on the maps from the legends and I would appreciate you clarifying them for me.<br>3. Happy to provide evidence for the protection of the Donovan Street Bushland and the Timber Block in East Augusta. | | |
| 67. I528048 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Believe the matters being impacted under the EPBC act need to be brought into awareness and seriously considered as this is the edge of multiple species distribution and will impact the critical habitat for important populations.<br><br>2. Also request the suitability of the limestone geology be formally and comprehensively investigated for it capacity to maintain the large development.<br><br>3. The project does not have support from the ecologists and environmentalists of the greater south west and the council should reconsider its annual social and environmental key performance indicators before allowing development. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 68. I527935 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
|---|---|---|---|---|
| 69. I527939 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |
| 70. I528264 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Extremely concerned of, and oppose, the proposed amendments zoning in this area, including some lots form from public purpose to tourism, and others from tourism to urban development. This is such a crucially important area for Margaret River, and it is absolutely critical that it needs bold leadership to protect this area from over development, so that the natural beauty can remain intact and accessible for the community and generations to come. This beauty and its accessibility in Gnarabup, where you can easily access several incredible beaches and see vegetation, native species, and use the area walking, or swimming. These changes could decrease the influence and the control that the Shire has over the development, and could drastically increase numbers of residents and visitors to the area, straining the delicate environment and habitat, and limiting the accessibility of the area to others (e.g. those living locally who may not be able to afford the price tag of the | See response to Submission 19 | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | accommodation or potential paid parking).<br>2. As a swimmer, and a teacher of women's swimming, I'm so aware how important this area is for people of all ages to be able to access a safe swimming beach - the only one around, and so many benefit from the life skills of learning swimming, and the mental and physical benefits of this community-based sport. Increased development will make it even harder and busier, and more dangerous (boats, jet skis and swimmers are already in high numbers out there).<br>3. Sewerage and water treatment, increased fire risk and damage to aboriginal heritage sites are all important issues that would not be able to be addressed. its imperative that the Shire be completely transparent and advertise all changes made as this area is of key significant to the community, and to the core of what makes Margaret River such an attractive place to visit and live. Please don't mess it up. | | |
| 71.<br>I528271 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Strongly believe these lots should not be approved for development by the WA State Government. Gnarabup is Margaret River's town beach, the only safe, protected swimming beach on this famous coast with big swell. Already extremely heavily used | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
|---|---|---|---|---|
| | | community and tourism asset. Development will affect the fragile environment, increase road and parking issues and put thousands of lives at risk from bushfire. Understand the growing attraction of Margaret River region and appreciate the need for responsible development, this development has too many negative impacts and risk factors. | has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 72. I528291 | **Submission Subject:** 393 (Lot 1) Caves Road and Lot 814, 814 of 844 and 115 Lawrence Road, Augusta | **Refer to Submission No. 41 above.** | See response to Submission 41 | See response to Submission 41 |
| 72. I528291 | **Submission Subject:** 393 (Lot 1) Caves Road and Lot 814, 814 of 844 and 115 Lawrence Road, Augusta | **Refer to Submission No. 41 above.** | See response to Submission 41 | See response to Submission 41 |
| 73. I528516 | **Submission Subject:** 6 (Lot 50) Ewing Street, Augusta | 1. As owners of 6 Ewing St Augusta we are planning on potential future benefits of the Town Centre zoning of our property as it touches the rear lane behind the current active main street and Town Centre, and before purchasing it was told in conversation with the planning dept that we could still enjoy the benefits of the Residential Use that it has and utilizes, as well as develop it that way should we win lotto.<br>2. On the surface we still acknowledge the benefit of the zoning change you refer | In accordance with the Local Planning Strategy, the Shire's intent is to focus new commercial development towards the "core' of the Augusta townsite in the interests of creating vibrancy and a contiguous commercial precinct. Presently the Town Centre zoning which I applied to the submitters lot is preventing residential infill and hence there is a secondary reason for the change. The shire understands that the submitter and others (see submission 687) would | Change the R-Coding applicable to Lots 2, 4, 6, 8, 10, 12, 14 and 16 Ewing Street and Lots 1 and 3 Green Street from R15 to R40. |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | to being suggested as Residential, although we see that this would affect the amenity that we might realize in the future. Understanding that higher density Residential and the short stay additional use in coastal town, are uses to discuss.<br>3. The Ewing St frontage, we recognize, that the front part of the property should remain residential but the rear lane provides advantage to the property/us. Therefore we consider that the discussion must take place with us as zonings like Future Development or Residential with a Special Control Area are more open to accepting the scope the property deserves. Augusta has much growth to happen so limiting the Town Centre Development may be a touch short sighted.<br>4. We don't support the zoning Change to Residential and ask that we are consulted with further please. | be more supportive of the change if a higher density code was applied. This would be appropriate in terms of the location of the land relative to the town centre.<br>Equivalent areas in Margaret River have an R40 density code and this would be appropriate in Augusta also. | |
| 74.<br>I528740 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Point:**<br>Want to ensure careful planning is devoted to the future of this beautiful area. It has immense value in being a natural and low density area and wish for it to remain this way for everyone to enjoy. | See response to Submission 19 | See response to Submission 19 |
| 75.<br>I529195 | **Submission Subject:** 393 (Lot 1) Caves Road and Lot 814, 814 of 844 and 115 Lawrence Road, Augusta | **Refer to Submission No. 41 above.** | See response to Submission 41 | See response to Submission 41 |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
|---|---|---|---|---|
| 76.<br>I529289 | **Submission Subject:**<br>Reserve 36542 Molloy Island | 1. Area adjacent to Lot 4 had until 2021 been used by MIHOA as a green waste storage and burning facility. Whilst this landuse has now ceased, the clearing of the land hasn't been rectified.<br>2. In keeping with the Landscape Protection map which includes Molloy Island and the Environmental Assets map which shows remnant vegetation on Lot 4758, it's proposed that this barren area of land is rehabilitated with native vegetation. This will prevent erosion, help to protect remnant vegetation, Blackwood River and environmental values of Molloy Island. | The rehabilitation of reserved land is not a matter which the Scheme has any influence over. | No changes are required as a direct result of this submission. |
| 77.<br>I529526 & I530257 | **Submission Subject:**<br>Lot 182 Hereford Place (26 Hereford Place), Margaret River, Lot 181 Hereford Place (28 Hereford Place), Margaret River, Lot 191 Hereford Place (33 Hereford Place), Margaret River | This submission is made on behalf of three (3) owners of the following contiguous properties, with all their southern boundaries bordering the northern side of Wallcliffe Road.<br>1. Lot 182 Hereford Place (26 Hereford Place) - 1.24 ha, Owned by Palandri Holdings P/L<br>2. Lot 181 Hereford Place (28 Hereford Place) – 1.7681ha, Owned by RJ & NE Mayberry<br>3. Lot 191 Hereford Place (33 Hereford Place) – 1.4397 ha, Owned by Julienne Perry<br>**The total area of these lots IS 4.4477 hectares.**<br><br>**1. Sustainable Land Use and Development**<br>**(i) Lot sizes and current zoning** | In short, the submission requests rezoning of the subject lots (shown below) from 'Rural Residential' to 'Residential', with a density code which would allow the three lots to be subsidised into 25-30 lots.<br>  <br>The proposal does not accord with the Shire's existing Strategy which makes ample provision for residential sized lots on the eastern side of the Bussel hwy. | No changes are required as a direct result of this submission. |

# SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | • Our properties are currently zoned Rural or Rural Residential and have been so for approx. 25 years. Lot 182 Hereford Place is 1.24 hectares. To its **East** towards Margaret River up to Merino Rd are another 4 properties with lot sizes ranging from 1.24 hectares up to 3.0 hectares. These lots were subdivided from a dairy farm when the land was essentially cleared paddocks. Mostly all tress on these lots were planted by owners of the lots since subdivision in approx. 1998.<br>**(ii) Land use - Current / Sustainability**<br>• From its original purpose as useful farmland for a dairy farm, the breakup of the farm upon which our lots are located has effectively made the land of little value or use apart from residences. It allows lot owners a very large back yard (attached to a residence) which is only very attractive to kangaroos.<br>• The current zoning does not allow subdivision below 1.0ha. A 1.0ha lot size has no real commercial value of use as it is too small. This is clearly the case as can be seen on all the lots mentioned above. There has been no commercial venture on any of these original lots or smaller sub divided lots since original subdivision 25 years ago.<br>• All the surrounding 1.0ha + properties to the **North and West,** similarly, have | Whilst precinct scale infill development is being pursued in discreet locations by way of LPS2, these three lots do not form a logical precinct.<br><br>Decisions about whether or not rural residential areas west of Bussell Highway ought to be subdivided, and if so – which ones, consideration of infrastructure upgrades, bushfire issues and environmental issues would be better considered by way of a future review of Shire's Local Planning Strategy.<br><br>The rezoning sought by the submitters is not supported. | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | no commercial sustainable enterprises on them and unfortunately provide little commercial or other value to the local community apart from residency**.** Subsequently many owners have constructed high fences around their boundaries with the sole purpose of keeping out kangaroos and other wildlife.<br>• Clearly not ideal as much wildlife is killed by car collisions on Wallcliffe Road. It is safe to say that the majority of these lots are totally non - commercial in terms of productive, efficient or sustainable land use for any agri or rural type purposes as currently zoned.<br>• Consequently, the land mentioned including our lot is unusable and underutilised in terms of having a sustainable worthwhile commercial or long term community use.<br>• **Request for consideration:** We need to consider more valuable use for these lots in a sustainable and environmental manner. As these lots are essentially residential lots with little other commercial value or community use purposes, they should be used for residency purposes in a more dense and efficient manner moving forward in the overall AMR planning strategy.<br>**(iii) Land use - Ancillary dwellings**<br>• I believe the future Planning will allow ancillary residences of internal 120m2. | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | This is a very welcome change as currently the size is limited to internal 70m2. However, we believe there should be more flexibility in terms of ancillary dwellings size. A 70m2 to 120 m2 ancillary dwelling is adequate for Suburban style size blocks which are generally under 500m2.<br>• **Request for consideration:** When lots are much larger, in our case 1.0ha +, the ancillary building could be approved on an individual application (and neighbour review basis) and should not be limited by size. A 120m2 or larger ancillary building on a 1.0+ ha lot is a very small part of the overall lot compared to 70 – 120m2 ancillary building in an urban setting in the Margaret River urban area with lots of around 500m2, where car parking, noise, providing services, rubbish collection, sewerage become issues. Ancillary buildings on Rural residential lots are not subject to crowded Suburban area issues and would be generally in green landscaped settings.<br>• **Request for consideration:** An additional point to make here is that if ancillary buildings are to be kept strictly to 120m2, they could be built on 2 levels so that the 120m2 ground footprint remains the same but accommodation doubles. This would make home construction more | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | affordable and more cost efficient. In this regard, there is a clear benefit to families wanting close intergenerational living that could cover 3 generations living close together as already happens in many European countries. Further, intergenerational building designs (as suggested above) should allow for nursing staff etc to live on – premise as people age and need looking after by professional medical people, thus keeping them out of hospitals or care facilities. Our community goal should be to keep our elderly citizens OUT of hospital care and with their families.<br>**(iv) Land use - infill**<br>• The Report mentions infill and proposes a 1km radius from the town centre for this purpose. Looking at an overview map, unfortunately the 1.0km radius from M. River town centre includes heavily forested fire hazard areas, environmentally sensitive waterways and swamplands areas. Looking at this proposed radius, much of this radius area would have no existing roadways or services and mostly areas without current water / energy / sewerage / communication services.<br>• These proposed areas, that have no current infrastructure / amenity services means these services would need to be built at significant costs to | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | ratepayers or developers, increasing the price of new lots substantially. The properties mentioned above would be approx. 1.2 km (as the crow flies) to the roundabout at the intersection of Wallcliffe and Bussell Hwy and they have all the services in place barring connection to deep sewerage. It is noted than looking at the overview map of Margaret River township and surrounds, the vast majority of residences is on the West side of Bussell Highway, which is clearly the preferred location for residences. This makes sense as much of the old farming lands and existing farming lands were / are to the east of Bussell Hwy.<br>• Infill is a policy heavily promoted by the WA State Government and naturally it makes sense to allow it wherever possible to make land use more efficient and less costly to the local community.<br>• Particularly if the land is close to Margaret River township and it's already established retail, medical and community services. Moderate density close to Margaret River township on these types of lots could be increased without significant infrastructure costs.<br>• **Request for consideration:** In this regard the properties detailed above have water, their own approved sewerage, electricity, roadways, fire | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | escape routes and NBN services. Infill proposals should be flexible and reviewed on a per application basis and take into account the services already provided so to reduce environmental damage and un-necessary costs to ratepayers and lot buyers.<br>• So, what we would suggest is that any of these types of properties that fit the existing services and efficiency criteria should be considered for re-zoning, even if they are more than 1.0k from the township. It would then be up to the owner to make the case for any development on the lot to Shire Planning who would review each case on its merits.<br>• Infill is a very important component of delivering affordable and efficient land use close to the Margaret River township as the overall AMR Shire is a very large area. With significant population increases expected over the next 15 years of the Strategy Plan it makes sense to use as many existing services and resources as possible close to the Margaret River township.<br>• There is no doubt that intergenerational living will become more essential as cost of land, home construction, services, energy, fuel and transport continues to climb above inflation rates. So, infill should not only be allowing this land in 1.0 +ha lots | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | close to town to be more effectively used but also giving owners the opportunity to create, design and build ancillary dwellings on the agreed preferred eventual (flexible) lot size. I have already mentioned that design of any ancillary buildings could be 2 levels which would reduce building costs.<br>**(v) Land use - Development**<br>• The lots detailed above have significant advantage in terms of their existing location. On the southern boundary of all the lots listed above is an existing, well maintained 3 metre wide concrete footpath than goes between the Margaret River townsite to the Prevelly townsite, the Rivermouth and Gnarabup Beach.<br>• This is an extremely valuable piece of existing Council infrastructure with outstanding community use. This footpath is off Wallcliffe Road, so it's very safe, it is used by joggers, walkers, cyclists and small electric scooters, even "Goffers" (residents close to this pathway with mobility issues use "goffers" on this path to do their shopping or attend appointments for services etc in town)<br>• There is a 40 metres distance between the southern boundaries of our lots and the edge of Wallcliffe Road. (The concrete footpath is situated in the middle of that 40 metres distance | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | between our southern boundaries and the edge of Wallcliffe Road.) This 40 metres swath of land, starts on our property's Western Boundary on Wallcliffe Road and goes much of the way into Margaret River township. This swath of land is mostly heavily forested with very large majestic trees, giving a beautiful scenic entry from the west side of Margaret River. There are no residences located on any of the lots less than 80 metres from the boundary fences on Wallcliffe Road. So, adding the 40 metre buffer of Council land means there is close to 120 – 150 metres distance from Wallcliffe Road to any residences on the lots detailed. This swath of land could be improved in appearance by better landscaping and this is an issue the Council should examine if it views aesthetics to be important. As owners we would be open to discussing what our properties could also consider doing in terms of landscaping aesthetics.<br>• The predominant use of this footpath (heading Eastward) is children riding to the 2 Primary Schools, Georgina Molloy School, Margaret River Senior High School and the Community recreational facilities (Gloucester Park etc) which are all within about 800 - 1000metres.<br>• This safe path also leads directly to the Council Offices, Skate Park, Margaret | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | River Hospital, the Heart Entertainment Centre, the Community Recreation Centre, the industrial area, the main Sports oval which has tennis, football, cricket, hockey and basketball facilities and of course leads directly into the commercial centre of Margaret River townsite.<br>• In the opposite direction (Westward) it leads directly to the Margaret River Speedway, Cape Mentelle winery, Rivermouth, beautiful Gnarabup beaches and other water-based recreation pursuits; fishing, swimming, swim classes, surfing, boating etc.<br>• These existing recreational facilities are within a 10 - 15 minute walk or a 5 minute bike ride.<br>• There is no doubt this path reduces the need to drive a vehicle into Margaret River township for younger and older residents close to it. Being so close to all the facilities listed above eliminates some of the need to find parking areas for vehicles. With the increasing use of electrified bikes, scooters and other electrified vehicles etc. (promoted by the Council) this footpath will become a major safe and efficient transport route into and away from Margaret River township and help reduce traffic congestion and the need for car parking bays as Margaret River expands. | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | • As lot owners we have discussed an approx. optimal lot size for these lots if they were to be re-zoned to allow more dwellings. There is no set size, with flexibility being the key depending on the type of ground, environment, natural vegetation and so on which will determine each case. Most important is that the lot area allows ample space for a main residence, an ancillary dwelling(s) and environmentally sustainable sewerage systems.<br>• If these lots could be re-purposed with infill planning so close to Margaret River township there would be 25 - 30 lots at varying size(minimum 1000m2 – 2000m2 +) that would be created with existing service infrastructure. That would still leave significant areas of natural vegetation undisturbed (i.e approx 40 %) on these lots and with low levels of fire hazard characteristics.<br>• This lot size also allows for both primary and secondary treatment for sewerage and ample space for water collection in addition to town water supply (which our lots have.)<br>• In further comments below I have detailed 2 current examples of sub – division of land with varying lots sizes, one in particular (Kudardup Heights) is a mixture of Rural Residential and R5, i.e. 2000 m2 lots. Clearly this **"mixed lot"** model is already in existence and | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | the one which I and the other 2 owners on Hereford, are highlighting to be suggested and enacted on the lots I have included in this submission.<br>• There is one major difference, the Kudardup Heights sub – division is 35 kilometres from Margaret River town with only basic community services available. Ours are approx. 1.2 km depending where the centre of Margaret River is measured.<br><br>2. **Facilitate a vibrant inclusive and resilient community**<br>• With regards to inclusivity and resilience, whatever the lot sizes agreed, they must be ample for grand parents, children and grandchildren to live in reasonably close proximity. The community is very aware of the many advantages of family generations living closer together. The many benefits apart from the valuable social and educational interaction of older and younger generations includes babysitting and childcare, home services, older generations staying at home rather than going into healthcare facilities which many older people abhor.<br>• Apart from physical health care, mental health is increasingly a health issue that our society and community has to deal with. Creating a living environment that keeps community | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
|---|---|---|---|---|
| | | members engaged and active naturally increases resilience. Any development or re-zoning that allows more interaction between generations being able to live in close proximity has to be a major positive driver for future developments or zoning.<br>• I would like to detail 3 live examples in our immediate vicinity that all involve families:<br>**Example 1**<br>To the immediate north and also boundary (to our lot, 182) was a 2.0 ha lot purchased at sub – division in the late 1990's by a local family who had a son and a daughter. The parents built the original family home on the lot. In the last 6-7 years that lot was sub-divided into 2 x 1.0 ha lots and the son, who is a local school teacher built his home on that lot for his family including 2 children. More recently the parents have applied for an ancillary dwelling to build to live in and their daughter who is married will live in the original family home. A great outcome.<br>**Example 2**<br>To our immediate west on our boundary, Lot 181 was purchased by a young family, including 2 children approx.12 months ago. The owner has completed significant upgrade works on the residence. He would now like to build a residence on the lot for his elderly parents that live some distance away within the Shire. In the longer term he would like his children to have their own | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | dwellings on the property. A great goal for inclusivity.<br>**Example 3**<br>We have owned our Lot,182 since 2008. In the last few months my daughter who has a young child and works in Margaret River, has a partner (who also works in Margaret River) asked if it was possible to build a residence on our lot. Of course the answer was YES, but they would need to borrow funds to complete the building (approx. $300 – 400,000) Even if the land was free. Thus that answer is not so simple as the main issue becomes the ability to finance home building.<br>That is if an ancillary building is built on a lot it is effectively the owner of the lot that has to provide the funds or a mortgage or a guarantee to a bank over the entire lot.<br>To have a more resilient community means that the younger generation needs to be able to borrow their own funds for building with a secure title and ownership of their piece of land.<br>Suitable 1.0 ha + lots must be able to be divided with security and used more effectively by families who want to assist their children or grand parents etc to live in close proximity.<br><br>Subdivision of old farming land into 500 m2 lots (priced around $210,000 +) not close to Margaret River townsite have their purpose but do not necessarily create a more | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | inclusive community or resilience, moreover they may create more isolation.<br><br>**Here are 3 live examples of subdivisions currently with lots for sale in the AMR Shire.**<br>**1. The Ridge Hamelin**<br>36 lots ranging from 0.7 ha up to 1.66ha starting price $585,000.<br>These lots are 36 kilometres from Margaret River, 15 kilometres to Augusta, 7 kilometres to Karridale, so in effect quite isolated and not that close to shopping, medical, schooling or other community services. Zoning is Rural Residential. There is no deep sewerage and water. Sewerage will need to be individually installed as a primary or secondary treatment and 120,000 litre water tanks installed.<br>**2. Kudardup Heights**<br>65 lots ranging from 2000m2 up to approx. 1.0 ha starting price $210,000.<br>These lots are 35 kilometres from Margaret River, 12 kilometres to Augusta and Karridale, so in effect quite isolated and not that close to shopping, medical, schooling or other community services. Zoning is a **mix** Rural Residential (+ 1.0ha) and Residential( R5), approx. 2000m2.<br>There is no deep sewerage or water. Sewerage will need to be individually installed as either a primary or secondary treatment and 120,000 litre water tanks installed.<br>**3. Witchcliffe Forest Estate** | | |

# SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | 27 Lots ranging from 2000m2 to 3000m2 near Witchcliffe townsite, undisclosed price of lots. Approx 15 minutes drive to Margaret River townsite. Off grid, no power, no telecommunications, no water, no deep sewerage so will need primary or secondary sewerage treatment and water tanks installed.<br>**Request for Consideration:** I have included these 3 new development examples as a way of highlighting the types of new lots being currently offered to buyers in the AMR Shire. These 3 developments have lots ranging from 2000m2 up to 1.66 hectares. These lots are located approx. 12 kilometres and up to 36 kilometres from Margaret River townsite, with lot sizes seemingly preferred of around 2000m2 – 3000m2. Starting price seems to be around $210,000 up to $585,000 per lot.<br><br>We sincerely hope that this clearly demonstrated existence of flexible planning approach by the AMR Shire to a mixture of lot sizes and no essential services in situ on development is no stranger to our submission and therefore to give similar consideration to the lots detailed above.<br><br>Furthermore by allowing flexibility in lot size allows the ability of secure ownership / title for owners and or borrowers, even within our own families. This alone allows the development of a more vibrant, inclusive and resilient community that does not rely | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | so much on the wealth of one's parents to have somewhere to live and own.<br><br>**4. Encouraging diverse economic activity and enhancing the natural environment for the benefit of future generations**<br>**Enhancing natural environment**<br>I have already mentioned in the submission above that the lots I have detailed were lots created essentially from open farming paddocks. Some trees have remained from that subdivision but in all cases new land owners have planted a significant number of diverse native trees and shrubs.<br>As an example we have documented 25 different types of bird species that live in shrubs / trees on our lot around our residence and these species would not have survived in a working farm environment. Particularly blue wrens, red robins, honey suckers, finches, bronze wing Pidgeon.<br><br>It would be intended that any original trees still currently standing after subdivision in 1998 be preserved from any development plans. Many of the new trees planted, (as on our Lot 25 years ago) are now 20 – 40 metres in height and form beautiful canopies for a wide range of fauna that could not have existed on a working farm that likely had domestic cats and dogs, cows, bulls etc. So it's clear to us that the natural environment and fauna activity will | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | continue to be enhanced for future generations in any carefully planned lot size reduction for the future as it has already occurred over the last 25 years since original sub division.<br><br>**Encouraging diverse economic activity**<br>With regards to encouraging diverse economic activity there are some points I would make.<br>The land itself around 1.0 ha makes it impossible to be commercially viable if growing products, i.e. grapes, olives, avocado, fruits, vegetables, flowers or any animal related industries.<br>Therefore, with the growth in population the more likely economic activity will involve a wide range of personal and business services providers operating from smaller lots.<br>That is home offices, small workshops , artisans of diverse skills (art works, fashion, some boutique food production, cleaning business's, domestic services, tradesmen storage etc) I would not suggest setting up commercial business's on these lots but what is required going forward will be creative space for artist studios, storage areas for tradesmen tools, office areas for professional services on-line including product sales, recreational, medical imaging services, software, engineering, AI, etc, the list for these types of small business services is endless. | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | In essence being able to provide these services efficiently would require a space area that has some privacy for visual on-line calls, quietness, small workshops etc which these lots are able to provide.<br>Trying to do this on a small Margaret Suburban lot is much more difficult where space is limited and where family time, family space etc will collide with business services demands, even if they are mostly on-line.<br><br>**IN SUMMARY**<br>This is an opportunity for the AMR Shire Planning Strategy to review and consider the proposed desire for flexibility and benefits of the properties mentioned, allowing varying lot sizes that create a more vibrant and resilient community.<br><br>Overall, we think that there are many similar areas of land and lots close to these lots and close to all the existing services of Margaret River township that require similar attention. Having a 1k radius as a blanket rule around Margaret River township for infill is a worthy idea. But we suggest a more flexible approach to land use driven by locations with the advantageous factors already in place (as outlined in this submission) which allows a more efficient and quicker route to potential ownership of lots and subsequent building of residences. | | |

# SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | As Lot owners we appreciate that there are many advantages of doing this as Stated in our points above. There are likely some hurdles that need to be considered.<br><br>With the many points considered and addressed, this proposal creates the opportunity for land that is not currently commercially viable for anything other than residences, be enabled to be used for residences, which it is not at the moment. The majority of services required to build new dwellings are already in situ. The lot sizes can be reasonable, flexible and mid density.<br><br>We suggest they can be a mix of Rural Residential and Residential (as in the Kudardup Heights Development). Some owners in the near vicinity may wish to keep their lot as a rural residential lot whilst others as described wish to use the land more efficiently. This allows for significant existing natural vegetation and a rural feel, not an urban density feel. The close proximity to Margaret River townsite, the industrial area, schools, hospital, recreational facilities, skate park, sports grounds, speedway and the community recreation centre all within 10-15 minute walks along a safe path makes it an unbeatable location for developing diversity. | | |

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| | | This proposal is in tandem with the vast majority of current development thinking, which is to focus on infill with existing services rather than spreading suburban development into farming land and outer suburbs.<br><br>As a group we would recommend serious consideration of this proposal now, rather than wait another 10-15 years for the next Planning Strategy.<br><br>We believe that what we are proposing now will be a certain re-zoning in 10-15 years time and this opportunity cost of a better community outcome now for many family groups, would remain idle for another 15 years from now.<br><br>We have clearly outlined the benefits of intergenerational living, the need for lot size flexibility, the need for ownership in terms of bank lending, the need for a mix of Rural Residential and residential lots as already offered in the new Kudardup Heights development.<br><br>The major point being that we are asking the AMR Shire Planners to include this proposal in the planning strategy now and not in 10-15 years time. We would prefer to be pro-active rather than re-active to make better use of existing Council infrastructure in this location sooner rather than later. | | |

# SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| 78.<br>I530038 | **Submission Subject:**<br>5690 Caves Road, Margaret River | 1. Since 1991, prior to subdivision, we have been operating on this property Dilkes- Hoffman Studio Ceramics and Gallery that was lawfully applied for at the time. It is open to the public and is a local tourist attraction.<br>2. For the last 15 years I have also used a portion of the buildings to run an online business (EV Power) that specializes in Lithium Batteries, Battery Management Systems and charging. This business is not open to the public.<br>3. I understand that planning guidelines for properties along Caves Rd are presently under review and I would like to share my vision for our property, and the general area along Caves Rd. Presently our property is zoned as ASR2 - Environmental Conservation Zone. There is also in place a voluntary nature conservation covenant with DBCA over this property.<br>4. The overall property is 19.2Ha and I support this zoning for 18Ha of the property. We maintain it to the same standard as DBCA does the adjacent national park.<br>5. If I had a choice we would be allowed to do the following:<br>• Keep the existing 1 Ha building envelope.<br>• Maintain the existing pottery/art/craft gallery as a tourist attraction and to add the economic diversity of the local area. This pre-dates (early 1990s) the current | The subject land was subdivided in line with the Leeuwin Naturaliste Statement of Planning Policy 6.1 (1998) which provided landowners wanting to conserve vegetation a choice between a "subdivision incentive" or development approval for "low key tourism" uses. In the case of the subject land, the subdivision incentive was chosen.<br><br>The current Scheme States that: "no such (tourism) development will be permitted where a subdivision incentive under the LNRSPP has been obtained. This requirement should be carried over into LPS2, whilst noting that it does not impact on legitimate uses which were being carried out on the lot prior to subdivision.<br><br>It would appear that the only use not permissible that is of interest to the submitter is 'café'. A café would fall within the type of low key tourism use that is no permitted due to the fact that the subdivision/development incentive has already been extinguished and therefore this component would be contrary to State Planning Policy 6.1. | Include at Table 8 in the 'Requirements' column applicable to ASR1 and ASR2:<br>"*Notwithstanding that Low Impact Tourist Development may be permitted no such development will be permitted where a subdivision incentive under State Planning Policy 6.1 has been obtained."* |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | planning strategy and is approved.<br>• Build a large shed mainly for storage, some EV Power business and personal retirement hobby pursuits. Presently in for planning approval.<br>• Build a residence for long term or short term occupancy. Presently allowed under the guidelines but not yet done. My initial idea is that this might be incorporated under the planned new shed roof.<br>• Maintain part time artists studios and workshops for art/craft in the main workshop building.<br>• We already have an artist in residence and would like to add 1-2 more to help cover the property running expenses going forward.<br>• Eventually open a small cafe as an addition to the gallery, thereby creating the atmosphere of a small arts centre tourist attraction on Caves Rd in our area. Long term plan only.<br>6. As you of course know, Caves Rd is one of the iconic tourist routes in Australia. It's rural amenity and tourist nodes along the route such as beaches, cafes, wineries, caves and galleries is well known. However in the Kilcarnup/Burnside area there is only our small studio/gallery. Given the number of creative people that live in the locale I think making this particular area something of an art/craft hub would be entirely appropriate to the Shire and | | |

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| | | the region.<br>7. Since subdivision of original 1273/1292 properties in 2000 several of the resulting blocks have been sold to absentee owners. I have no problem with this but would like to also see opportunities for local owner/operator businesses to add character and economy to the area.<br>8. Perhaps you can tell me what of the above might be acceptable for our property to the Shire going forward and if there is a pathway to achieve it. | | |
| 79. I530037 | **Submission Subject:** General | Need modular transportable housing approval on all future land developments as we are living in a cost of living/building crisis. | Agree. There is nothing in the proposed Scheme which would prevent modular housing. | No changes are required as a direct result of this submission. |
| 80. I530039 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>From a more personal perspective I feel the scale of this proposed development which will more than double the number of people staying in Gnarabup is completely inappropriate and would change the present natural ambience to that of a heavily built environment. This will ruin the very reason people love coming to Gnarabup. I am a birdwatcher and member of the Wildflower Society of WA and am aware of how fragile the status is of flora and fauna in this region. Once gone, it will be gone forever. We should not kill the goose which lays the golden eggs. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| 81. I530042 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>From my very first visit to this region in the 1970's, I've been in love with Margaret River and am happy to have made my home here, I'm in awe of the natural beauty of our coastline and am devastated to see that development is now being ramped up at Gnarabup, contrary to the wishes of our community. The changes announced to Draft LPS2 negatively impact on safety, environmental, visual and cultural issues identified should the development go ahead. It will also ensure that locals will have much reduced access to our Town beach! How disappointing that proper consultation with residents has not occurred. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 82. I530305 | **Submission Subject:** Development at Gnarabup Headland | 1. Concerned about the development at the headland at Gnarabup.<br>2. Do not wish to see more traffic causing noise to the area, as well as the concern I have if we have another fire with only one road out . The noise from the back road (Wallcliffe Road) is already very disturbing.<br>3. The land around the Wardandi Boodja is so fragile, unique and worthy of protection. I do not believe a resort will be able to preserve or conserve biodiversity.<br>4. I'm also concerned that the Shire made an 'error' regarding the following Local Planning Strategy. | It is evident that the submitter is primarily concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process.<br><br>With regard to the concerns raised in relation to the Scheme – see response to Submission No. 19 | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | *"Our new planning rules have been developed to align with the recently endorsed Local Planning Strategy."*<br>This Statement is not correct in relation to the Gnarabup lots.<br>5. The 'preserve Gnarabup' mob have pointed out that changes to Draft LPS2 would in reality bring Draft LPS2 into alignment with the Shire's recently endorsed Local Planning Strategy.<br>6. I'm quite concerned that such impactful errors are being made by our Shire who we rely on to be thorough and honest. | | |
| 83.<br>I530318 | **Submission Subject:** Development at Gnarabup Headland | 1. Since settling in Margaret River in 2013 and henceforth developing a deep connection to the picturesque land and sea in Gnarabup and surrounding areas through countless recreational experiences, I find myself compelled to voice my objections to the Shire of Augusta-Margaret River's approach in advertising Draft Local Planning Scheme 2 (LPS2).<br>2. Three years after the Council's initial approval in August 2020, the advertised document diverges significantly from the version endorsed for advertising, raising concerns about transparency and due process.<br>3. Expressing my objections to the advertised version of Draft LPS2, I strongly oppose the removal of development conditions for Lots 501, 502, 503, 504, and 783 Gnarabup. These lots should retain the Special | See response to Submission 19 | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | Control Area 3 development conditions from LPS1, reflecting historical planning decisions and community wishes. Advocating for the proper zoning, I contend that Lots 501, 502, 503, and 504 should be designated as Tourism, aligning with previous Council decisions and established plans.<br>4. Furthermore, I resist the rezoning of the northern portion of Lot 783 Gnarabup from Parks and Recreation to Tourism, emphasizing its importance for public purposes as outlined in LPS1. Highlighting procedural discrepancies, I stress that this version of Draft LPS2 has not undergone the required review by the Environmental Protection Authority (EPA), rendering it inconsistent with legal obligations.<br>5. The proposed changes in zoning and development controls, particularly during the ongoing Development Application assessment for these lots, raise concerns about procedural fairness. The significant community investment in time, effort, and funds during the six-week public consultation on the Development Application should not be disregarded by altering the underlying planning scheme mid-process. These changes would undermine the community's substantial contributions and render the consultation process obsolete. | | |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| 84. I530404 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |
| 85. I530590 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Point:**<br>Proposed changes do not align with recently adopted Shire of Augusta Margaret River Local Planning Scheme. | See response to Submission 19 | See response to Submission 19 |
| 86. I530897 | **Submission Subject:** Molloy Island | Friends of Molloy Island Reserves request that the zoning of all reserves on Molloy Island be changed from "Public Open Space" to "Environmental Conservation". Arguments to support this include:<br>1. Meeting all 3 criterion on recently endorsed LPS Environmental Assets Map;<br>2. AMR Shire Environmental Management Plan has been scoped and now being developed 2024/25 for the reserves.<br>3. Sec 82: SCA2 objective, "To protect the existing natural qualities and amenity of Molloy Island by strict control of all development". | Agree. A change to Environmental Conservation would better relate to the existing and future use of this land. | Change zoning of all reserved land on Molloy Island to Environmental Conservation |
| 87. I530658 & I530724 | **Submission Subject:** Environmental Matters - Witchcliffe | **Witchcliffe Reserve Rezoning**<br>The Witchcliffe bushland reserve which is both South and North of Redgate Road, including the Wardandi Trail (lot49 and 4483 on LPS2 map), was marked “Parks and Recreation” on the LPS1 and “Reserve” | **Witchcliffe Reserve Rezoning**<br>The Parks and Recreation zoning of the land in question has changed to Public Open Space which is the equivalent zone in the allowable suite of zones set out by the Planning | **Witchcliffe Reserve Rezoning**<br>No changes are required as a direct result of this submission. |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | in the Local Planning Strategy 2036. This zoning has been changed to Public Open Space and Recreation in LPS2 and may have less protection. The Environmental Map highlights this area as a Baudin breeding area and all 3 species of black cockatoo frequent this bushland. The masked owl has also been sighted and the Witchcliffe Community has recently engaged with the Shire to start a volunteer group to manage this bushland. We believe this last area of bushland in close proximity to Witchcliffe needs to maintain its current zoning of "Reserve:" or "Park" to ensure its protection.<br>**Polocrosse Field**<br>An area of the Polocrosse field that contains a stand of remnant Marri trees frequented by Black Cockatoos was previously zoned "Reserve" in LPS1 and the Local Planning Strategy 2036. These trees are all large habitat trees and they are now zoned "Education" in LPS2. We believe the previous zoning of "Reserve" must be maintained and the trees protected.<br>**Mammoth Street Extension**<br>In LPS2 Mammoth Street is to be extended to run adjacent to the Wardandi track. This extension would involve the removal of many significant trees, including ones anecdotally identified as Indigenous "water trees". In LPS1 and Local Planning Scheme 2036 this road does not exist. We submit that the extension of Mammoth Street not go ahead. | and development (Local Planning Scheme) Regulations 2015. There is no implied or actual reduction to the level of protection for trees on the land.<br><br>**Polocrosse Field**<br>Agree – Reserve 41200 which forms part of the polocrosse field, while being identified for future use as a primary school, should be kept as a Parks and Recreation reserve at this point in time.<br><br>**Mammoth Street Extension**<br>Agree. There is a Structure Plan which provides for the extension of Mammoth Road northward, however zoning land accordingly, would be premature at this time. This is also true for the adjoining School site and Civic and Community site which should also remain as per LPS1.<br><br>**Significant Tree Register**<br>Noted. However, the establishment of a Significant Tree Register is a separate process from the LPS Review.<br><br>**Wildlife Corridor**<br>Agree. However, the zoning maps are not the best mechanism through which to achieve this. | **Polocrosse Field**<br>Change zoning of Reserve 41200 in its entirety to Public Open Space.<br><br>**Mammoth Street Extension**<br>As above.<br><br>**Significant Tree Register**<br>No changes are required as a direct result of this submission.<br><br>**Wildlife Corridor**<br>No changes are required as a direct result of this submission. |

# SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | **Grandmother tree**<br>The Grandmother tree on the Northern border of the current polocrosse field, a significant tree for the local community as well as a rare representative of an ancient Marri, was protected by a "Reserve" zoning in LPS1 and the Local Planning Strategy 2036. In LPS2 it is now situated in a road reserve. We submit that this remain a Conservation Reserve.<br>**Significant Tree Register**<br>In Section 52 a significant tree register and process is referenced, but it is our belief that a significant tree register does not exist in the AMR Shire. There are several trees within close proximity of Witchcliffe town site which we believe should be registered, i.e. the Grandmother Marri, the polo field Marris and the "water trees". We believe registering these trees is a priority with all the planned development of Witchcliffe.<br><br>**Wildlife Corridor**<br>A Stated Policy of the Leeuwin Naturaliste Ridge Planning Policy is: 4.2 "Fostering strategic environmental corridors and preserving biological diversity." PS 2.5 Local environment corridors will be supported along roads, streams and wetlands and where they link existing blocks of remnant vegetation." Remnant vegetation needs to be retained and gaps revegetated to create a corridor from Witchcliffe to the Leeuwin National Park for the passage of wildlife. At the moment there | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | is fragmented remnant vegetation from Witchcliffe to the coast as well as Witchcliffe to the National Park in the East. | | |
| 88. I530728 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |
| 89. I530729 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Concerned over sewerage capacity. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 90. I530730 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Against the protection of the fragile environment which connects the ridge. Will radically disturb the endangered wildlife.<br>2. Residents and tourists will be at high risk from fire with only one exit.<br>3. Sewage plan is at its capacity. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically | See response to Submission 19<br>. |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | relevant to the item at hand being a review of the Local Planning Scheme. | |
| 91. I530733 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |
| 92. I530734 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Enough space for current visitors would be a shame to change that. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 93. I530738 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Fire Risk<br>2. Sewerage issues<br>3. Biodiversity issues<br>4. Traffic infrastructure under pressure presently<br>5. Vibrational pressure on fragile coast system. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | review of the Local Planning Scheme. | |
| 94. I530739 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>This was not the original intention of the development. People need to be kept informed, don't change the goal posts. | See response to Submission 19 | See response to Submission 19 |
| 95. I530741 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Fire risk. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 96. I530742 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Fire risk<br>Loss of pathways and coast. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically | See response to Submission 19 |

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| | | | relevant to the item at hand being a review of the Local Planning Scheme. | |
| 97. I530744 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Leave nature to its best – its natural and beautiful | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 98. I530745 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. The entire proposed development has been poorly handled, should never have been passed in the first place.<br>2. The pristine coastal land would pretty much be destroyed, environmentally, visually and no thought of fire planning and sewerage system in place. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 99. I530746 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | Gnarabup – Standard Pro Forma Submission | **Additional Points:**<br>1. Traffic flow now is already congested and by allowing further development on that site would be catastrophic for the scenic beauty and emergency in regards to fires.<br>2. Rezoning of caravan park would solve traffic, visual scarring and also accommodate future volumes of people. | In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 100. I530747 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>It just needs to be left for the people and animals not for a small number of people but everyone. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 101. I530748 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |
| 102. I530749 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 | **Refer to Submission No. 19 above.**<br><br>**Additional Points:** | See response to Submission 19 | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | Gnarabup – Standard Pro Forma Submission | As a visitor we object to the changes that have recently been made. | | |
| 103. I530751 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Most concerned about the potential for residential development in the proposed area in Gnarabup. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 104. I530752 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Please keep Margaret River beautiful and safe. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 105. I530753 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 | **Refer to Submission No. 19 above.**<br><br>**Additional Points:** | See response to Submission 19 | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | Gnarabup – Standard Pro Forma Submission | Parking<br>Fire<br>Environmental damage and changing zones from Tourism to Residential. | In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 106.<br>I530755 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Protest strongly to the years of careful planning that have been changed with such short/lack of notification. The Local Planning Scheme is a legal document is being disrespected hugely for improper interests. | See response to Submission 19 | See response to Submission 19 |
| 107.<br>I530756 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Gnarabup is busy enough now and needs to be limited with what development is happening. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | review of the Local Planning Scheme. | |
| 108. I530759 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>All the time and money spent on planning changes made with no transparency, high density is a bush fire concern. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 109. I530760 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Coastline is too fragile an ecosystem to play around with. Coastal environments need to be preserved. There is no need or sense in developing our fragile coast for tourism. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 110. I530761 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 | **Refer to Submission No. 19 above.**<br><br>**Additional Points:** | See response to Submission 19 | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | Gnarabup – Standard Pro Forma Submission | Area is very valuable to our community and to WA. This has been highlighted many times in submissions and court cases. No reason to make illegal changes. | In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 111. I530762 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |
| 112. I530763 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Gnarabup coastline is a special area and should stay as Parks and Recreation. Tourism should not be extended to included residential. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 113. I530765 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 | **Refer to Submission No. 19 above.**<br><br>**Additional Points:** | See response to Submission 19 | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | Gnarabup – Standard Pro Forma Submission | Area remains uncharged as per original planning scheme. | In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 114. I530766 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Too much for this location. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 115. I530767 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>After growing up in this amazing place, it would be horrid if the Local Planning Scheme went through. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 116. I530769 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Strongly disagree with zoning development. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 117. I530770 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Area around Gnarabup is a special and important area to locals and visitors alike. Needs protecting at all costs, not developing. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | relevant to the item at hand being a review of the Local Planning Scheme. | |
| 118. I530773 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Protect our pristine coastline and biodiversity. Like children and future generations to be able to enjoy and live close to nature. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 119. I530774 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Development of this area can negatively impact tourism by degrading natural beauty.<br>2. Heaps of endangered animals and marine life.<br>3. Parking is a shambles.<br>4. Sewerage is a joke. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 120. I530775 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | Gnarabup – Standard Pro Forma Submission | **Additional Points:**<br>Environmental and fire protection issues. | In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 121.<br>I530777 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Area is unique and special and should remain a place for all to enjoy, not just privileged few that pay to stay.<br>2. Concerned about the lack of infrastructure.<br>3. Only one access road in a fire risk area<br>4. Increased pressure on sewerage system. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 122.<br>I530778 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Not suitable for area – fire risk, flora and fauna, impact, waste management. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 123. I530779 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Need to protect areas of intact native vegetation. Keep developments on cleared lands. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 124. I530780 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Too close to beach<br>2. No second road for fire exit<br>3. Ruin the visual effect of our coastline. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically | See response to Submission 19 |

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| | | | relevant to the item at hand being a review of the Local Planning Scheme. | |
| 125. I530781 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Area of the coast is at maximum pressure already too many problems I e. sewage | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 126. I530783 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Environmental<br>2. Undefendable for fire fighting<br>3. Sewerage issues potentially devastating | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 127. I530784 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | Gnarabup – Standard Pro Forma Submission | | | |
| 128. I530786 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Concern is fire risk to the residences and people of Prevelly and Gnarabup. Risk increases with increased population and current access roads. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 129. I530787 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Loss of lifestyle, too much pressure on the environment. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 130. I530790 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | Gnarabup – Standard Pro Forma Submission | **Additional Points:**<br>1. It's a beautiful and special place and the surrounding area should be preserved for future generations to enjoy.<br>2. To allow this development to proceed would be a tragedy, shame and a stain on the history of the beautiful area. | In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 131. I530791 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Need to protect for Parks and Wildlife. Should be kept for public purposes. | See response to Submission 19 | See response to Submission 19 |
| 132. I530792 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>They have unlawfully advertised LPS 2 a changed zoning without public consultation. | See response to Submission 19 | See response to Submission 19 |
| 133. I530794 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Already overcrowded, Conservation issues – wildlife.<br>2. Environmental – sewerage system inadequate<br>3. Parking problems | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | relevant to the item at hand being a review of the Local Planning Scheme. | |
| 134. I530795 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Road access<br>2. Sewerage | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 135. I530796 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Gnarabup is unique, nothing similar or equal, its worthy of preserving it. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 136. I530797 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | Gnarabup – Standard Pro Forma Submission | **Additional Points:**<br>Natural erosion will impact on the development, totally unsuitable for a resort or townhouses. | In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 137.<br>I530798 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Take development inland, leave the coast free for everyone to enjoy. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 138.<br>I530799 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Concerned about the increased risk of fires in the area. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 139. I530800 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Impact on local residents – parking etc<br>2. Boating community impacted at ramp | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 140. I530801 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Area is very valuable to our community and of cultural significance.<br>2. It's a delicate environment and deserves to be protected for generations to come.<br>3. Impact to the environment and local community. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically | See response to Submission 19 |

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| | | | relevant to the item at hand being a review of the Local Planning Scheme. | |
| 141. I530802 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Loss of habitat.<br>2. Increased population/traffic to area.<br>3. Fragile limestone environment.<br>4. Increased sewage – area unable to cope and quality of water. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 142. I530803 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Gnarabup (Back Beach) has long been used for community gatherings. | See response to Submission 19 | See response to Submission 19 |
| 143. I530804 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Huge tourism and residential development is completely inappropriate for this location on our fragile coastline. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | relevant to the item at hand being a review of the Local Planning Scheme. | |
| 144. I530805 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Enough big business looking at profit over the needs and security of the environment and what the offers a community who wants to look after and protect the preciousness of what is left. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See Response to Submission 19 |
| 145. I530806 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Concerned about disruption to native flora/fauna. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See Response to Submission 19 |
| 146. I530807 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 | **Refer to Submission No. 19 above.** | See response to Submission 19 | See Response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | Gnarabup – Standard Pro Forma Submission | **Additional Points:**<br>Area is very fragile and needs to be preserved. Access to the area is limited and the area is a fire danger area. | In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 147.<br>I530809 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Don't think we need this infrastructure on the beach.<br>2. Appears zoning has been done illegally.<br>3. Loss of amenities.<br>4. Increased pressure on coast. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See Response to Submission 19 |
| 148.<br>I530810 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Against small high density living development.<br>2. Against rezoning illegally.<br>3. Against closing beach access routes | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being | See Response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | 4. Need dual access to Gnarabup (Huge fire risks) | administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 149. I530811 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Concern with fire risk<br>2. Visual Impact<br>3. Sewage concerns | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See Response to Submission 19 |
| 150. I530812 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Keep environment safe and intact – preserve the natural beauty for all to enjoy. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation | See Response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 151. I530813 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Destroy the beach front. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See Response to Submission 19 |
| 152. I530814 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Restoring and preserving this natural and significant land as is.<br>2. Habitat, ecosystems and aboriginal significances is the most important. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See Response to Submission 19 |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| 153. I530815 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Development offers no significant community benefit and is yet another building that creates an eyesore and no character to place.<br>2. Location itself goes against the values of the community and heritage. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See Response to Submission 19 |
| 154. I530816 | **Submission Subject:** Lots 501, 502, 503, 504 and Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. One road out of Gnarabup.<br>2. Dangerous in times of fire.<br>3. Big development right on beach, totally unsuitable.<br>4. Fire risk, environmental risk to coastal heath. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See Response to Submission 19 |
| 155. I530817 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:** | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is | See Response to Submission 19 |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | 1. Opposed to proposed development because it totally destroys this natural environment that we all appreciate and is part o the beauty of Margaret River.<br>2. Margaret River already buckles under the amount of tourist development already. | concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 156. I530818 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Impact of development on our coast line cannot be under estimated. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See Response to Submission 19 |
| 157. I530819 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Pressure of increased population associated with the development will have significant impacts on the area, not only but | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being | See Response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | directly in regards to parking and traffic congestion, waste and environmental. | administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 158. I530820 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Nature cannot be improved on once its gone its gone. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See Response to Submission 19 |
| 159. I530821 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Area is valuable to the community. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically | See Response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | relevant to the item at hand being a review of the Local Planning Scheme. | |
| 160. I530822 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Will destroy our coast line.<br>2. Lack of sewage and water.<br>3. Destroy wildlife. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See Response to Submission 19 |
| 161. I530823 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Impact on environment.<br>2. Beach will become too crowded.<br>3. Lack of parking. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See Response to Submission 19 |
| 162. I530825 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 | **Refer to Submission No. 19 above.** | See response to Submission 19 | See Response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | Gnarabup – Standard Pro Forma Submission | **Additional Points:**<br>The development has been fought against for the past 30 years and every time its put forward its proven that the public, traditional owners and the wider community don't want it. | In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 163.<br>I530826 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Concerned about fire and the conservation of the wider area of Margaret River. Fire is a big risk for all wildlife. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See Response to Submission 19 |
| 164.<br>I530827 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.** | See response to Submission 19 | See Response to Submission 19 |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| 165. I530828 & I530834 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Development would prevent future generations from forming this same connection which is terrible. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See Response to Submission 19 |
| 166. I530831 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Beauty of WA coastline will continue for all being the majority of the citizens and not for the minority of project private landowners. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See Response to Submission 19 |
| 167. I530832 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:** | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is | See Response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | Opposed due to many negative impacts on the site and surrounding area including loss of valuable native vegetation, habitat, water quality, increased fire risk as well as loss of visual amenity. | concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 168. I530833 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. DFES said no to development based on too many people with one 1 road exit.<br>2. Sewerage system is inadequate for any more people and is currently not sufficient.<br>3. Inadequate car bays in resort (staff/guests are expected to use Gnarabup top and bottom carparks which are already overflowing during peak periods.<br>4. EPA has not completed its report as Developer won't provide relevant info, what are they potentially digging into, unstable caves? | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See Response to Submission 19 |
| 169. I530835 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Serious concerns over bushfire safety, emergency access and potential for coastal erosion. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being | See Response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 170. I530836 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Concerns with fire risks related to further development.<br>2. Current overcrowding of carparks during summer<br>3. One road in and out of Gnarabup/Prevelly.<br>4. Pristine area needs to be preserved and development will reduce this access. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See Response to Submission 19 |
| 171. I530837 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Crowding a limited space that is needed for community needs. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically | See Response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | relevant to the item at hand being a review of the Local Planning Scheme. | |
| 172. I530838 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Fire risk | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See Response to Submission 19 |
| 173. I530839 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Fire risk | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See Response to Submission 19 |
| 174. I530840 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 | **Refer to Submission No. 19 above.** | See response to Submission 19 | See Response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | Gnarabup – Standard Pro Forma Submission | **Additional Points:**<br>Ruin the coastline for the benefit of a few wealthy people. | In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 175.<br>I530841 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Its difficult to get a carpark now and if development goes ahead how many carparks will be available.<br>2. Tracks and steps are not maintained now, with more people what will happen. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See Response to Submission 19 |
| 176.<br>I530843 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Feels unnecessary to have a hotel in such a beautiful spot.<br>2. Also one road in and out – too busy. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being | See Response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 177. I530844 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Damage and destruction of natural beauty.<br>2. Sudden increase of population without supportive services and infrastructure. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See Response to Submission 19 |
| 178. I530846 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Issues not property considered:<br>1. Noise pollution<br>2. Light pollution<br>3. Sanitation<br>4. Traffic<br>5. Parking<br>6. Fire risk – only one road in/out | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically | See Response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | relevant to the item at hand being a review of the Local Planning Scheme. | |
| 179. I531055 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Support Preserve Gnarabup groups comments. Lots should be zoned Tourism, not Urban Development to be consistent with previous resort development for these lots approved by Council years ago. | See response to Submission 19 | See Response to Submission 19 |
| 180. I531057 | **Submission Subject:** General provisions and Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. In making this submission I first wish to stress that the AMRS 2022-23 Annual Report repeatedly refers to protection and pride of the natural environment, for example the message from the Shire President States *"…. we continue to ensure locals and visitors alike are aware of the positive environmental and social initiatives and encourage all to tread lightly on the land"* and the Strategic Community Plan 2040 States *"We will protect and enhance the unique, natural environment and biodiversity of the region…."*. To reinforce these values and assurances the Aims of LPS2 are *"(f) to implement an environment first approach to land use and development and where there is uncertainty, to apply the precautionary* | **Gnarabup**<br>See response to submission 19.<br><br>**Part 4 – General development requirements**<br>**51.3(b)** – control of contaminants originating from effluent disposal systems is controlled via the Environmental Health Act.<br><br>**53(7) Environmental Assets Map**<br>See Response to Submission 422<br><br>**55(1)** The Shire and therefore the scheme cannot unilaterally determine the future of the Gnarabup sewerage plant.<br><br>**55(3)** The change suggested by the submitter would not be in harmony with the Local Planning Strategy. | **Gnarabup**<br>See response to submission 19.<br><br>**Part 4 – General development requirements**<br>No changes are required as a direct result of this submission<br><br>**53(7) Environmental Assets Map**<br>See Response to Submission 422<br><br>**55(1)**<br>No changes are required as a direct result of this submission<br><br>**55(3)** |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | has brought into focus the need for true *principle."*<br>2. The proposed development on the Gnarabup headland implementation of these principles and in this respect I join with others in protesting the changes of land use and effective ceding of public lands to the developer, aspects which I hope will be properly addressed in the final LPS2 and elsewhere.<br>3. Although the following comments are of a general nature, as it is now before us, where appropriate I refer to the Gnarabup development proposal by way of example.<br>**Part 4 – General development requirements**<br>4. **51.3(b)** This section needs to include a provision for protection of groundwater from pollutants, Gnarabup being an example where groundwater from the proposed development site now flows into Gnarabup bay. Across the shire groundwater supports ecosystem and needs to be protected against chemical pollution.<br>5. **53(7)** Both superficial and regional aquifers should be listed as Environmental Assets.<br>6. **55(1)** While this may be a well-intentioned Statement, a test of its veracity will be if the sewerage (called "waste water") disposal site at Grunters and proposed to be used for the proposed Gnarabup development will | **57.1** Reference to the "relevant decision maker" has a particular meaning in the context of the fact that certain officers of the local and state government have been assigned delegation to determine applications for effluent disposal systems.<br><br>**62** The submitters concern relates to the adequacy of SPP2.6 which is not a matter which the Shire (or Scheme) can determine. | No changes are required as a direct result of this submission<br><br>**57.1**<br>No changes are required as a direct result of this submission<br><br>**62**<br>No changes are required as a direct result of this submission |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | be dismantled and the area rehabilitated. Not only would the continued use of this site fly in the face of the (environmental) precautionary principle, the very fact that it is located on an area of undisputed 'natural landscape significance' is alone enough to ensure its relocation.<br>7. **55(3)** To read 'rural <u>and coastal</u> landscape significance'<br>8. **57.1** I find the words 'or where deemed appropriate by the relevant decision-maker' to be pretty meaningless and ducking the real issues. It needs to State that environmental principles will apply, specifically that of the precautionary principle.<br>9. **62** My concern here is that no documents yet produced by the State (or indeed by the shire) have adequately addressed the likely effect of climate change, specifically the recorded and predicted wave height increase in the Southern Ocean (from where our swells arise), the potential of stronger storms and storm surges from a more northerly direction or the faster sea level rise than had earlier been projected. As well, no reports address the issue of groundwater movement despite the fact that this was the cause of the cliff collapse at Gracetown and very likely at Riflebutts. | | |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| 181. I531058 | **Submission Subject:** 25 (Lot 74) Bovell Avenue, Margaret River | 1. Like to rezone 25 Bovell Avenue, Margaret River from R15 to R20.<br>2. Lots 138 to 142 Bovell Avenue are R20 and other residential properties in Margaret River region that have been rezoned to R20 and in some cases not as close to the Town Centre and smaller in area, namely those in Elder Way, Jacaranda Cr, Larch Loop to name a few.<br>3. Rezoning would be in keeping with Local Planning Strategy 2017 principles "sustainability" and "efficiency" and identifies residential land use as an opportunity to address unmet demand for affordable smaller accommodation.<br>4. Deep sewerage available to facilitate higher density living. | Whilst it is noted that the owners of (25) Lot 74 support an increase in the residential density code which applies to their land, the remainder of the street would not be aware that such a change is being contemplated. It would be inconsistent in terms of both development outcomes and in terms of the administration of the scheme to recode these lots without also considering the wider precinct. If an increase in this area was to be supported, it would ideally form part of a stand alone scheme amendment which would undergo the necessary consultation process. | No changes are required as a direct result of this submission |
| 182. I532447 | **Submission Subject:** 4B Wise Road, Margaret River | 1. I wish to request that considerations be made to expand the Merchant Street area SCA4a to include the adjacent areas to the south of Wallcliffe Road, including an area that encompasses (Wise Road, Croft Road, Samworth Street and Railway Terrace) comprising of both R5 and R15 zoning similar in size and location to that of SCA4a area, and similar distance to town amenities. I believe infill housing has many benefits to the Margaret River townsite and community, housing availability and affordability and would be suitable in this area.<br>2. I also wish to support the proposal that ancillary dwelling sizes are increased | The submitter requests that a number of properties be rezoned to facilitate a greater residential density. It is not possible to know at this point whether or not this concept has wide-spread support throughout the precinct. It would be better facilitated by a stand alone amendment by the landowners or a separate Shire initiated process to build on 'Backyard Infill' project at some time in the future. | No changes are required as a direct result of this submission |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | from 70m2 to 120m2, particularly on larger lot sizes including R5 lots with minimum 2000m2. This would allow for dwellings to be more suitable to a larger demographic. I believe 120m2 is enough size that if a building is well designed, it can house a small family, single parents with children, two single young people etc, whereas this is significantly more challenging with an ancillary dwelling that has a 70m2 footprint.<br>3. As demand for housing increases to cater to a wide demographic I believe that my response to both of the above proposals contribute to a sustainable utilisation of resources and contribute positively to the character and diversity of our townsite areas close to the Margaret River townsite opposed to developing further and further out of town. | | |
| 183.<br>I531195 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Pristine area and bush needs preserving and don't want the road to go through. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | review of the Local Planning Scheme. | |
| 184. I531197 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Change made in the new scheme goes against all the planning and the State have done over 30 years. | See response to Submission 19 | See response to Submission 19 |
| 185. I531198 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Site needs to be reserved, untouched for future generations. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 186. I531200 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Before handing over land we need to start thinking about the environmental impact of such constructions. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | relevant to the item at hand being a review of the Local Planning Scheme. | |
| 187. I531202 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Planning of this development is biased and inadequate.<br>2. Fire risk<br>3. Risk to endangered species.<br>4. Will be an intrusive eye sore. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 188. I531204 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Anti changes not approved. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 189. I531205 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | Gnarabup – Standard Pro Forma Submission | **Additional Points:**<br>Don't agree to changing the zoning to suit development. | In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 190.<br>I531206 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Don't destroy coastline with too much development. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 191.<br>I531207 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Fragile coastal heath and can't sustain development.<br>2. Area doesn't have capacity for this scale of development. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 192. I531209 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Keep wilderness of WA as it is.<br>2. Stop urbanisation and gentrification.<br>3. Gnarabup is for everyone even low income people.<br>4. Preserve coastal resilience of your dunes. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 193. I531211 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Increased urban development, along with population, environmental impacts of development on fragile ecosystems. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically | See response to Submission 19 |

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| | | | relevant to the item at hand being a review of the Local Planning Scheme. | |
| 194. I531216 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Enjoy the nature. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 195. I531217 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Leave these underdeveloped wild landscapes | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| 196. I531219 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Area is valuable to our community,<br>2. No reason to make changes.<br>3. Worried over further development at Gnarabup given recent fires. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 197. I531220 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Too Crowded<br>2. Carparking an issue<br>3. Concerned about Gnarabup limestone overhang at the site. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 198. I531221 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Project does not match community expectation, Shire policies or State | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | Guidelines. Want safe swimming, best practice planning and no resort. | Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 199. I531222 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Keep the beach beautiful.<br>2. Save the environment<br>3. Disturb locals lifestyle and happiness. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 200. I531224 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Ugly housing – capitalist resorts shouldn't be an eyesore on the coastline of the South West. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 201. I531227 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Oppose development on this pristine and biodiversity coast. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 202. I531228 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Beautiful native vegetation that cannot be replaced, need to value the natural world over economics. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a | See response to Submission 19 |

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| | | | review of the Local Planning Scheme. | |
| 203. I531229 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Area is valuable to the community and to WA.<br>2. No reason to make changes. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 204. I531231 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>No development | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 205. I531232 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 | **Refer to Submission No. 19 above.**<br><br>**Additional Points:** | See response to Submission 19 | See response to Submission 19 |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | Gnarabup – Standard Pro Forma Submission | Disagree to the change of zoning. | | |
| 206. I531233 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Too much physical, visual and environmental impact. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 207. I531234 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Concerned with environmental impact and air pollution. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 208. I531235 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | Gnarabup – Standard Pro Forma Submission | | | |
| 209. I531237 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Environmental concerns. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 210. I531238 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |
| 211. I531239 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Don't put more pressure on our environment, need to preserve for generations to come. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a | See response to Submission 19 |

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| | | | review of the Local Planning Scheme. | |
| 212. I531241 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Infrastructure can't handle the implosion of people as it is.<br>2. Fire is a real issue<br>3. One road in and out.<br>4. Species of animals lose their habitat. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 213. I531242 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Affect the look and increase the amount of people in the area. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 214. I531244 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | Gnarabup – Standard Pro Forma Submission | **Additional Points:**<br>1. Seen the impacts of increased human traffic on the dune system which is barely held together.<br>2. Requires constant community maintenance. | In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 215. I531247 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Leave this precious and delicate environment to be enjoyed by all. Respect the wishes of a community that cares deeply for the sensitive coast. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 216. I531248 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |
| 217. I531250 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 | **Refer to Submission No. 19 above.**<br><br>**Additional Points:** | See response to Submission 19 | See response to Submission 19 |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | Gnarabup – Standard Pro Forma Submission | 1. Loss of amenity including parking, fire risk, fragility of cliffs and coast.<br>2. Unlawful advertising of Draft LPS 2 without community consultation. | | |
| 218. I531251 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Coastline is precious and unique must protect the integrity of our coastal national park.<br>2. Appalled to learn the developers are being given more concessions.<br>3. Listen to community objection. | See response to Submission 19 | See response to Submission 19 |
| 219. I531253 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Like the naturality of the coast. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 220. I531254 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. In sufficient infrastructure (parking, land residential, environment, sewage).<br>2. Environmental impact and risk to destruction. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 221. I531255 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Concerned with parking, sewage and infrastructure. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 222. I531256 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Fire risk<br>2. Increased population<br>3. Impacts negatively on coastal biodiversity<br>4. Beach of Gnarabup/Prevelly is the undeveloped coastal area. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically | See response to Submission 19 |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | relevant to the item at hand being a review of the Local Planning Scheme. | |
| 223. I531257 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |
| 224. I531258 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |
| 225. I531261 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Loss of amenity, bio diversity, fire risk and too many people. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 226. I531262 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:** | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | Visual disturbance, environmental sensitivity, water quality bushfire risk, fauna & flora disturbance and visual disturbance. | Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 227. I531264 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Population pressure sewerage, less parking | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 228. I531267 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Access, sewerage, population pressure, spoiling the natural landscape and birds. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 229. I531268 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Environmental destruction in fragile coastal environment.<br>2. Restricted access with fire. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 230. I531270 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Keep Gnarabup beautiful and preserve the natural habitat of the area for our children. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| 231. I531272 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Pressure on the coastline.<br>2. Fire risk<br>3. Traffic congestion. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 232. I531274 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Coastal degradation<br>2. Displaced Wildlife<br>3. Destruction of habitat. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 233. I531276 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Gnarabup only safe swimming beach.<br>2. Planning was for minimal development. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
|---|---|---|---|---|
| | | | Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 234. I531278 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Like land to stay as tourism, the fire hazard is a big worry to that beautiful area. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 235. I531280 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Eco system is already under threat and fire risk. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 236. I531282 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Very high bushfire risk in that area. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 237. I531284 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Amenity, loss of biodiversity, sewerage issues | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
|---|---|---|---|---|
| 238. I531286 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Need to protect our unique nature and fauna. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 239. I531288 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |
| 240. I531290 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Stop traffic | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
|---|---|---|---|---|
| 241. I531291 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Stop building blocks of concrete. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 242. I531293 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Loss of amenities, traffic, fire risk and too many people. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 243. I531294 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Feel safety of children is affected by this development. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
|---|---|---|---|---|
| | | 2. Community is at risk.<br>3. Bring great distress to our land and people. | Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 244.<br>I531297 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Destroy our land we live on.<br>2. Don't build this resort at Gnarabup. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 245.<br>I531298 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Not in keeping with current regulation and environment. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 246. I531300 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Special coastal area cannot support an additional development.<br>2. Increased fire risk<br>3. Lack of infrastructure for so many people. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 247. I531302 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Area is precious and should be treated as such not for the gain of some developer but kept as public space.<br>2. Proposed development will ruin what is so precious and the impact is irreversible.<br>3. One road in and out is not safe in case of emergency bushfire, additional cars and people will only increase the risk. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| 248. I531303 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Amenities, access, parking, biodiversity.<br>2. Area very valuable to residents.<br>3. No Additional access road, danger to lives. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 249. I531304 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Don't think Council could keep the upkeep required for such a fragile area. | See response to Submission 19 | See response to Submission 19 |
| 250. I531305 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |
| 251. I531306 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Fragile Coastline | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 252. I531308 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Council can't keep up maintenance at the moment on beach paths, erosion to the beach needs attention, not more people. Beautiful fragile area. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 253. I531309 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Bushfire danger (only one road in and out) following previous fire events.<br>2. Ongoing construction will cause massive disruption to local residents and amenity of the area.<br>3. No infrastructure planning from developer.<br>4. Lack of sewerage infrastructure.<br>5. Only safe swimming beach in area will have too much pressure on it.<br>6. Conservation of coastal heathlands is too important for developers to ignore. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | 7. Incomplete consultation with affected parties, incorrect information given out. | | |
| 254. I531311 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Already overcrowded and no parking. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 255. I531312 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Coast line at risk | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 256. I531313 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 | **Refer to Submission No. 19 above.**<br><br>**Additional Points:** | See response to Submission 19 | See response to Submission 19 |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | Gnarabup – Standard Pro Forma Submission | Wasting time and money, the changes are illegal. | | |
| 257. I531315 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Our short stay guests come because the area is not developed and is closer to the natural pristine environment. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 258. I531317 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Changes that have been made are illegal.<br>2. It's a bush fire risk. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 259. I531319 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 | **Refer to Submission No. 19 above.**<br><br>**Additional Points:** | See response to Submission 19 | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | Gnarabup – Standard Pro Forma Submission | 1. Biodiversity impact – headland exposure to plan and sea life.<br>2. Traffic increase.<br>3. Smaller items along coastline, not larger. | In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 260. I531320 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Massive amount of money and time been spent on planning for Gnarabup over the years and these changes negate all the planning. | See response to Submission 19 | See response to Submission 19 |
| 261. I531322 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |
| 262. I531324 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Margaret River has so few swimming areas please preserve this beautiful one. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 263. I531325 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.** | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 264. I531328 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Do not spoil this paradise. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| 265. I531330 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Know we can't close the gate behind us but we can look to the future. Develop Prevelly Caravan Park instead. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 266. I531331 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |
| 267. I531336 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Keep the place the way it is. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| 268. I531338 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>No development on Gnarabup headland. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 269. I531339 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Will affect the environment, character, beauty and coastal relaxing feel, less parking, more people, too touristy, destroy the whole reason why people come to visit. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 270. I531342 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:** | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | Time to prioritise the needs of the community over the developer who are in it for the financial gain. | Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 271. I531344 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Pollution | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 272. I531345 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Environmental Impact and population pressure, keep the coast in its natural State. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 273. I531347 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Agree with submission points and its sad to see changes being made. | See response to Submission 19 | See response to Submission 19 |
| 274. I531348 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Don't destroy this unique area of natural beauty.<br>2. Coastal development is completely inappropriate for this already over used area.<br>3. Concerned with increased fire risk with only one access road. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 275. I531351 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Don't' want further development in this area at all due to lack of facility or infrastructure to support it. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 276. I531352 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Unique biodiverse area and shouldn't be further developed. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 277. I531353 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>It's a pristine coastline and lack of development. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| 278. I531355 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Valuable and special piece of WA, will never be the same if it's destroyed for profit. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 279. I531356 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**1. Additional Points:**<br>2. Gnarabup is already being loved to death.<br>3. People – residents and tourists alike love the area because it's protected from development as it's such a unique natural beauty.<br>4. Concerned about the increased fire risk with only one access road. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 280. I531357 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Only one road in and huge fire risk. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 281. I531358 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Increased risk of fire evacuation along with destruction of habitat on our fragile coastline. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 282. I531359 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Lack of fire exits<br>2. Environmental degradation.<br>3. Destruction of habitat. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 283. I531360 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Enough development already – please preserve. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 284. I531362 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Fire risk huge.<br>2. Want next generation to have a healthy pristine environment.<br>3. No more development on this pristine coastline. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
|---|---|---|---|---|
| 285. I531363 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Traffic.<br>2. Unsatisfactory parking<br>3. One access<br>4. Fire | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 286. I531365 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Too nice to build.<br>2. Keep it as it is. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 287. I531366 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Environmental reasons. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 288. I531373 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Don't destroy a piece of paradise for an unnecessary project. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 289. I531374 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Safety – road access.<br>2. Destroy environment.<br>3. Ugly. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 290. I531375 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Great as it is. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 291. I531376 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Loss of biodiversity.<br>2. Increasing traffic<br>3. Will exacerbate coastal erosion.<br>4. Too many people.<br>5. Destruction of critical environmental area. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
|---|---|---|---|---|
| 292. I531377 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Concerned for safety, habitat, fire risks, native animals.<br>2. Already over populated with Additional tourists with car parks.<br>3. Gnarabup coastal heath after 2011 fires already ruined.<br>4. Proposal is way too big and will be a huge problem. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 293. I531378 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>No more destruction of our beautiful WA. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 294. I531379 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| 295. I531380 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Region experiencing massive growth.<br>2. Over commercialised.<br>3. Taking away from the very thing that attracts people here in the first place – nature, wilderness, connection with the natural world. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 296. I531381 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |
| 297. I531382 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Inappropriate allocation of resources for area, not enough space for all the proposed development.<br>2. Not appropriate sewerage – ocean pollution.<br>3. Destruction of environment and biodiversity.<br>4. Parking/population.<br>5. Poor zoning – inappropriate for area.<br>6. Water supply insufficient.<br>7. Wildlife destruction. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| 298. I531383 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Stop destruction of unique spaces – environment. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 299. I531384 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Fire risk.<br>2. Sewerage.<br>3. Coastline.<br>4. Population pressure. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 300. I531385 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Destroy biodiversity.<br>2. Too many people. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 301. I531386 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Pressure at beach is increasing and having a hotel in this area would be devastating to the community and environment. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 302. I531387 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Huge fire risk.<br>2. Pressure on the coast/beach. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 303. I531388 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Population pressure on a very unique and precious coastline. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 304. I531414 | **Submission Subject:** 22 (Lot 10) Wirring Road, Cowaramup | 1. This submission has been prepared on behalf of the owner of the above site, Laurence Thompson with the intention of seeking potential to achieve establishment of what would be considered a Farm Supply Centre under Local Planning Scheme No. 1 and likely a Trade Supplies under Draft Local Planning Scheme No. 2. This is because Trade Supplies under Draft Scheme no 2 means:<br>*'A premises used to sell by wholesale or* | In essence, the submitter seeks to extend the Cowaramup commercial precinct by adding an additional lot on its southern border. This would allow Cowaramup Agencies to move to the site, however it should be noted that a change to the zoning of the land would not limit its use by only that company.<br><br>Presently, Cowaramup would appear to have sufficient commercial land to | No changes are required as a direct result of this submission |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | *retail or to hire, assemble, manufacture any materials, tools, equipment, machinery or other goods used for the following purposes including goods that may be assembled or manufactured off the premises:*<br>• *Automotive repairs and servicing*<br>• *Building including repair and maintenance*<br>• *Industry*<br>• *Landscape gardening*<br>• *Provision of medical services*<br>• ***Primary production***<br>• *The use by Government departments or agencies, including Local Government.'*<br>Emphasis added above as relevant to this submission.<br>2. The subject site is located at the corner of Wirring Road and Bussell Highway in the Cowaramup Locality and is therefore immediate to the townsite and residential / commercial development to the north. Further urban development is to occur immediately to the north west.<br>3. The subject site is 2.2736 hectares in area (approximately 5.6 acres) and has approximately 100 metres of frontage to Bussell Highway to the west and 225 metres of frontage to Wirring Road to the north. Wirring Road is an important rural distributor road which connects eastwards and provides a continuous | meet its anticipated population and has an existing industrial area which has further capacity.<br><br>Strategic decision making regarding the growth of the town should ideally be made in the context of a townsite strategy whereby more detailed analysis (including obtaining expert advice if required) could be obtained as to whether additional commercial land is required. This process would also allow for appropriate consultation with the community.<br><br>Until/unless this is undertaken, the identification of the subject land for Trade Supply purposes is not supported. | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | connection through to Osmington Road to the south which is another important Rural distributor road.<br>4. The site is also very small in the context of rural land and is currently zoned Priority Agriculture under Local Planning Scheme No. 1.<br>5. Given the site is relatively small, it has very limited agricultural potential if any. The site is however located immediate to the townsite and with good access to a rural distributor road with a well designed intersection to Bussell Highway This provides that the site is highly accessible and convenient to residents in the Cowaramup townsite and rural operators in the area.<br>6. We have noted that under the Draft scheme some similar uses are permissible in the zone such as a transport depot, (A) Garden Centre (D), Commercial Vehicle Parking (A), Veterinary Centre (D), Industry - Primary Production (D) etc. Trade Supplies are however an X use and this is probably because many of the types of Trades Supplies uses are not related to Primary Production.<br>7. There is a keen objective to relocate Cowaramup Agencies (Trade Supplies focused on Rural Production) from the town centre of Cowaramup and effectively free up this commercial land for a use that is more suited to the main street environment. Presently, | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | Cowaramup Agencies sells large format products to the rural sector including fencing, pine posts and farm chemicals and much of this is collected in small trucks, trailers and utes and adds to the congestion in the Town Centre. Having said this, the success of Cowaramup Agencies is Stated by the owners as being due to the fact that the site is well located and obvious to its clientele. The use also services the backyard vegetable patch market.<br>8. The owner of Lot 10 (22) Wirring Road, Cowaramup has significant area available to accommodate Cowaramup Agencies and this could be with a 60 metre setback from Bussell Highway thus protecting the amenity of the highway and not extending the built format of the Town. This would be without compromising agricultural land and would importantly free up commercial land within the Town Centre.<br>9. This submission is therefore presented to provide the opportunity for the site to be considered for this use given that it would be for accommodation of a commercial activity that is certainly related to rural activity and can be appropriately located on the site. It is noted that Cowaramup Agencies currently occupies 3 lots in the Town Centre with a total land area of 3200m$^2$. This tenure is separated by the rear laneway.<br>10. As illustrated below, there is an | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | existing dwelling with surrounding landscaping in the east of Lot 10 Wirring Road, Cowaramup and with a 60 metre setback from Bussell Highway as is required for development to protect streetscape amenity, there is a more than adequate suitable area of 8400m$^2$ available for establishment of trade supplies to support Primary Production such as Cowaramup Agencies.<br>11. The establishment of uses such as Trade Supplies has been typical in Service Commercial areas however Cowaramup does not have a Service Commercial zone and relocation of the premises to the site at Wirring Road would be:<br>• A good planning outcome for the Town freeing up important commercial land<br>• Would motivate Cowaramup Agencies to relocate because the site still has some legible exposure without compromising visual amenity<br>• Has adequate area to accommodate such a use<br>• Makes sense given the site has good access to the rural sector<br>• Provides suitable area and would not compromise agricultural viability on a small rural lot<br>• Could be designed to be sympathetic to the landscape with appropriate landscaping and setback from Bussell Highway<br>• Would be a use that would support | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | rural production, therefore would be similar to other uses that support rural production such as permissible uses of Rural Industry and Transport Depot and;<br>• Any Planning Application could be considered on its merits having regard for public opinion and typical advertising processes.<br>12. To ensure that such a use on the land would be specific to this type of use only, it is requested that an amendment to the Draft Local Planning Scheme No. 2 be made to identify the site as follows: Introducing an Additional Use Right for Trade Supplies specific only to Trade Supplies that service Primary Production. The Additional Use Right could also be conditional on development of this use type being subject to 'A' assessment procedures and that adequate consideration to visual amenity is considered with any proposal.<br>13. It is considered this is a minor and very specific request that would be a good outcome for Cowaramup and would not undermine the objectives of the scheme being a very minor adjustment allowing for consideration of a Planning Application therefore not expressly providing for the use. | | |
| 305. I531398 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| 306. I531400 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |
| 307. I531402 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Increased fire risk.<br>2. Increased traffic with no upgrades to roads/carparks.<br>3. Sewerage into oceans and surrounding bush. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 308. I531405 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Dune erosion.<br>2. Understand the importance of safe fire strategy's and exits and believe there would be too much capacity. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| 309. I531407 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Development would completely change the environment and amenity of the area.<br>2. Create an unacceptable fire evacuation risk.<br>3. Create an unacceptable lot of traffic and parking problems.<br>4. Create unacceptable requirement for new sewerage facility.<br>5. Create unacceptable deterioration of enjoyment by the area for a continuous period of several years by reason of ongoing construction disturbances.<br>6. Risk and potentially destroy limestone coastal environment.<br>7. Has involved contempt for legal process and community consultation. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 310. I531408 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Development will alter the environment and destroy habitats.<br>2. Major issue is the fire hazard and the fact there is only one road out of the area.<br>3. Recommendations to change this have been ignored.<br>4. Traffic issues are of concern.<br>5. Sewerage issue is a major concern.<br>6. Seems consultation with the community is ignored.<br>7. Will be construction site for years which is totally unacceptable. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |

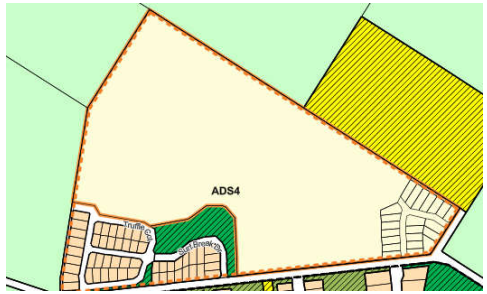
**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| 311.<br>I531590 | **Submission Subject:** 292 Kevill Road, Margaret River | 1. Like to request a subdivision in future for 292 Kevill Rd, and hence a submission for the new Planning Scheme.<br>2. Our land is unusual in that the 4 hectares has almost zero trees/bush. It is the only block like this on the ridge. We have a huge empty paddock in front of our house which is just grass.<br>3. Being on the river I imagine that 2 hectares x 2 lots would be the most reasonable and maintain environmental values and the type of amenity of this area.<br>4. As we are on the foreshore of the river, it seems unlikely we could be changed to RR11 which is across the road on the corner of Culhane and Kevill Roads.<br>5. We are currently RR24 in the Planning Scheme 2 and assume we could have similar conditions like the comments for Doyle Place (see below in red) but without the road upgrade they have to do.<br>6. We would ask for RR11 or apply to have these terms on 292 Kevill Road Subdivision and development shall have due regard to the Structure Plan for the land or subsequent Structure Plan endorsed by the Western Australian Planning Commission.<br>7. At the time of subdivision the Local Government will request that the Western Australian Planning Commission impose conditions requiring the subdivider to: | The submitters land is indeed unique in terms of a lack of remnant vegetation. It is however approximately 4ha in size and therefore less than the minimum of 6ha required in order to achieve the minimum lot size of 2x3ha.<br><br>If specific rules were to be applied to reduce the minimum lot size this would typically be done on a precinct basis rather than a 'lot by lot' basis. The site constraints applicable to surrounding lots are greater and hence there is no logical precinct.<br><br>That being said, the landowner could apply to the WAPC for a subdivision approval. Unlike in the past, a Structure Plan is no longer required to precede subdivision and hence (if the WAPC were prepared to put vary from the minimum lot size) a 2 lot subdivision could be achieved. This is considered the best way forward for the landowner. | No changes are required as a direct result of this submission. |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | • Prepare a Fauna Management Plan.<br>• Prepare a Foreshore Management Plan (including revegetation and weed management); and<br>• Prepare a Stormwater Management Plan.<br>Page 124 - RR24 Lots 3, 4, 5, 6, 7, 8, 9, 10 and 11<br>Doyle Place Margaret River<br>1. endorsed by the Western Australian Planning Commission. Subdivision and development shall have due regard to the Structure Plan for the land or subsequent Structure Plan<br>2. Flora/Fauna investigations shall be submitted in support of any subsequent structure plan prepared in respect of Lots 3 and/or 6.<br>3. At the time of subdivision the Local Government will request that the Western Australian Planning Commission impose conditions requiring the subdivider to:<br>• Prepare a Fauna Management Plan.<br>• Prepare a Foreshore Management Plan (including revegetation and weed management); and<br>• Prepare a Stormwater Management Plan.<br>4. Prior to subdivision of the land a developer contribution scheme shall be prepared for the upgrade of Doyle Place | | |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| 312. I531883 | **Submission Subject:** MRREC Standard Submission – General | **Fully supports comments outlined in Margaret River Environment Centre Submission No. 321.** | See response to Submission 321 | See response to Submission 321 |
| 313. I532187 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Environmental damage<br>2. Pollution<br>3. Biodiversity<br>4. Cementification | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 314. I532190 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |
| 315. I532194 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Fragile environment.<br>2. Climate mitigation<br>3. Fire risk.<br>4. Increase population pressure.<br>5. Zoning changed without community consultation. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | relevant to the item at hand being a review of the Local Planning Scheme. | |
| 316. I532296 | **Submission Subject:** Remnant Bushland in North West corner of Parkwater | 1. Concerned about protection of an area of existing remnant bushland in the north west corner of Parkwater Estate and would like some clarification on its zoning and future.<br>2. On Local Planning Scheme 1 it is referred to as Lot 9001 and has a zoning of Special Use Area SU8. On Local Planning Scheme 2 it is also referred to as Lot 9001 and has a zoning of Urban Development and under Special Area it has Additional Site and Development Requirements ADS4.<br>3. The area is identified in Local Planning Scheme No 1 - Map 8 Cowaramup as SU8.<br>4. On the Cowaramup Townsite Strategy Map 2010 Structure Plan the area is identified as 'Proposed Bushland Conservation Area as agreed by DEWCP'.<br>5. The area is identified on the Subdivision Plan (Rev 8) for Lot 20 Brockman Road Cowaramup as Existing Lot 20.<br>6. In a map of 'The Grove' Parkwater advertising 2B the area is identified as Conservation Bushland.<br>7. I bought and built on Surf Break Drive on the understanding that the bushland to the north would be added to the Parkwater Heritage Bushland Reserve | Once subdivision of the final cell in this subdivision has been completed, the balance of the land will be ceded to the National Trust and zoned Environmental Conservation consistent with all other land managed by the Trust throughout Parkwater.<br>Depending on the timing of the subdivision this may or may not be achieved via gazettal of LPS2, and may need to occur as part of a future Amendment. Either way the land will be protected from development and under the National Trust's care.<br>  | If residential subdivision is complete, rezone the balance land within ADS4 to 'Environmental Conservation'. |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | under management of the National Trust.<br>8. Some clarification on this area of remnant bushland and its future would be most appreciated. The developer is currently using the end of Trust Lane as a dumping area for logs, rocks and spoil which is spreading weeds and debris and degrading the existing bushland. | | |
| 317.<br>I532307 | **Submission Subject:** MRREC Standard Submission - General | **Fully supports comments outlined in Margaret River Environment Centre Submission No. 321.** | See response to Submission 321 | See response to Submission 321 |
| 318.<br>I532317 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Headland should be protected as a natural environment.<br>2. Concerned with traffic and visitor flow in the area.<br>3. Fire risk with only one main access road.<br>4. To create a development that will significantly increase traffic and visitor number is unsafe to residents and visitors. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 319.<br>I532337 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Worst place possible to build a resort on such sensitive land.<br>2. Close to ocean. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | 3. Lack of fire exit routes.<br>4. Lack of sufficient facilities for dealing with effluent and waste.<br>5. As ratepayer don't want to be subsidizing this development. | separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 320.<br>I532341 | **Submission Subject:**<br>Gnarabup Development | 1. Traffic congestion single road – Margaret River to Gnarabup. Second road is needed.<br>2. Parking inadequate now.<br>3. Building resort with all these Additional people is not realistic under existing infrastructure.<br>4. Will the developers or Council build the hundreds of parking spaces needed. | It is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | No changes are required as a direct result of this submission. |
| 321.<br>I532342 | **Submission Subject:**<br>MRREC Standard Submission - General | **Preamble**<br>This submission has been prepared by members and supporters of the Margaret River Regional Environment Centre. Members have been consulted and the submission has been sent out for people to endorse/ change as they see fit, prior to sending it to the Shire officers.<br>Input has also been received from people in Augusta, Gracetown, Witchcliffe and | **Fauna and flora studies/ assessments.**<br>The suitability of flora and fauna studies which the Shire may come to rely upon is guided by the EPA and DBCA. Both agencies are consulted with regard to Scheme Amendment and Structure Plans, and if they require additional information, the Shire will seek that information from | **Fauna and flora studies/ assessments.**<br>No changes are required as a direct result of this submission.<br><br>**Environmental Assets maps:**<br>See response to Submission 422. |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | Margaret River and Gnarabup who have asked MRREC to support their ideas – informed by intimate local knowledge. The most common themes are retention of wildlife habitat and the rural character of our shire.<br><br>**Fauna and flora studies/ assessments:**<br>We submit that these surveys must be made over at least 4 seasons of the year and with surveys at different times of the day. An assessment on one day, at one time of the day, is not useful. For example nesting and foraging birds e.g., black cockatoos, use different stands of trees at different times of the year for different uses. Also, depending on the weather during a specific year, nectar trees may or may not produce nectar due to heat, rainfall or cold conditions. An environmental assessment needs to produce robust and meaningful data.<br><br>**Environmental Assets maps:**<br>We submit that these maps need to be updated, particularly with reference to currently existing corridors that are either naturally occurring or created by landowners (particularly those which have been conditioned as part of a previous Development Approval) as well as the wildlife corridors that will be required as a condition of a Development Approval on Rural and/or Rural Residential land. If these existing and required corridors are | the proponent. Neither agency has sought to include a particular standard for flora and fauna studies into the Scheme.<br><br>**Environmental Assets maps:**<br>See response to Submission 422.<br><br>**Aims of Scheme**<br>The Aims of the Scheme set out what the Scheme is endeavouring to achieve rather than what the Scheme has an influence over which is self evident.<br><br>**RESERVES**<br>The reserve designation which have been chosen, reflect as much as possible, the current use of the land, or the intended use of the land. That being said, if for example a gravel reserve becomes depleted and is subsequently rehabilitated, it can be zoned Environmental Conservation at that point. The submitter has not identified any specific reserves that fall into this category.<br><br>**Fencing**<br>The parameters for fencing in the rural residential zone are set out in Local Planning Policy 4 rather than the Scheme. | **Aims of Scheme**<br>No changes are required as a direct result of this submission.<br><br>**RESERVES**<br>No changes are required as a direct result of this submission.<br><br>**Fencing**<br>No changes are required as a direct result of this submission.<br><br>**Tourism**<br>No changes are required as a direct result of this submission.<br><br>**Rural**<br>No changes are required as a direct result of this submission.<br><br>**Agriculture.**<br>No changes are required as a direct result of this submission. |

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| | | mapped, this mapping will give them status and help prevent clearing or "chipping away" of this legally important vegetation. Monitoring of the condition and continued existence and health of these corridors and heavy penalties for non-compliance to be instituted as well.<br><br>**Specific Statements Addressing the LPS2 Draft (using the LPS2 Draft headings as a guide)**<br>**PART 1 – PRELIMINARY**<br>**9. Aims of Scheme**<br>We submit that the aims of the Scheme enunciated in the Draft LPS2 should clearly show that the Scheme has a major influence over the:<br>• Promotion and facilitation of climate change mitigation and adaptation,<br>• Encouragement of development outcomes resilient to the impacts of climate change,<br>• Implementation of an environment first approach to land use and development: protecting biodiversity values, enhancing biodiversity, arresting destruction of biodiversity and stopping further diminishment of environmental values for present and future generations,<br>• The use of the precautionary principle in cases of uncertainty around decision-making,<br>• Protection of significant heritage places, | **Tourism**<br>Comments are noted.<br><br>**Rural**<br>Comments are noted.<br><br>**Agriculture.**<br>Comments are noted.<br><br>**Winery**<br>The Shire is required to use the landuse definitions set out by the Model Scheme text which do not include two categories of 'winery'.<br><br>**Restaurant/Café (licenced premises) / Market**<br>The model scheme text creates confusion as to how the "I' (incidental) symbol should be interpreted. It could either be interpreted to mean that restaurant is a use which would only permitted if it could be demonstrated that it is incidental – or that restaurant has been pre-determined to be incidental in all situations.<br><br>The submission highlights that the 'I' symbol could be confusing and lead to unnecessary misunderstandings. Discussions with DPLH have revealed that some Local Governments have elected not to have 'I' uses in their Schemes for this | **Winery:**<br>No changes are required as a direct result of this submission.<br><br>**Restaurant/Café (licenced premises) / market**<br>Unless otherwise identified by this Schedule, change the permissibility of all 'I' uses to 'A' uses in the Zoning Table.<br><br>**Reception Centre**:<br>See response to Submission 405.<br><br>**Workforce Accommodation**<br>See response to Submission 405.<br><br>**Art Gallery**<br>No changes are required as a direct result of this submission.<br><br>**Garden Centre**<br>Change 'Garden Centre' from 'I' to an 'A' in the Zoning Table.<br><br>**Rural Produce Store**<br>No changes are required as a direct result of this submission |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | • Protection of rural land to ensure that non-rural uses are kept to "complementary and ancillary",<br>• Provision for a variety of housing options, including levels of affordability and different types and sizes of house,<br>• Development of land using principles of sustainability (which means able to be sustained through time),<br>• Provision of varieties of transport, especially moving away from motor vehicles and towards low impact transport options of walking and cycling and possibly low-impact, lightweight electric vehicles such as mobility scooters,<br>• Provision of opportunities for the development of a local circular economy,<br>• Promotion of the region as a "centre for education, sustainable agriculture, environmentally responsible tourism and small innovative business."<br>These aims can be achieved by encouraging local, small-scale solutions to the challenges that arise in the future; whether these are economic, social or environmental.<br><br>**PART 2 – RESERVES**<br>**1.** All Reserves for the Purposes of:<br>Carparks,<br>Cemeteries,<br>Government Services,<br>Recreation, | very reason. It is recommended that the Shire do likewise. Note – this is supported by DPIRD.<br><br>**Reception Centre**<br>The Shire has in the past received complaints about reception centres in rural areas given the high levels of traffic and noise that they can potentially generate. There has also been examples of reception centres seeking to locate in rural areas where proponents have been unable to demonstrate that the use is 'Incidental' to the primary rural use.<br>In line with the recommendation relating to restaurant/café, Reception centre should be changed from an I to A use in the zoning table. Furthermore, additional provisions should be added to further reinforce the need for non rural uses to be subsidiary to existing rural uses on site.<br><br>**Workforce Accommodation**<br>See response to Submission 405.<br><br>**Art Gallery**<br>See response to Restaurant/Café above.<br><br>**Garden Centre** | **Veterinary Centre**<br>No changes are required as a direct result of this submission<br><br>**Camping Ground and Caravan Park.**<br>No changes are required as a direct result of this submission.<br><br>**Holiday House**<br>No changes are required as a direct result of this submission.<br><br>**Holiday Accommodation:**<br>See response to Submission 17.<br><br>**Brewery**<br>Addressed by way of changes above.<br><br>**Exhibition Centre:**<br>No changes are required as a direct result of this submission.<br><br>**Recreation – Private**<br>No changes are required as a direct result of this submission. |

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|---|---|---|---|---|
| | | Public Purposes,<br>Emergency Service,<br>Education,<br>**We submit need to be zoned – Environmental Conservation.**<br>**Reason:**<br>Any yellow/striped Reserves that are not currently being used for the above purposes need to be zoned Environmental Conservation. If possible, the Reserves could be reverted to conservation status and zoned Environmental Conservation, for example cemeteries could be converted to natural bushland burial sites, carparks (in less used areas) could be retired and revegetated, if a Reserve is no longer being used for the designated purpose the land could then be restored/ revegetated, rather than held for future infrastructure.<br><br>**2. ALL** State Forest needs to be zoned Environmental Conservation.<br><br>**PART 3 – ZONES AND USE OF LAND**<br>**Fencing** – 1.8m high ring-lock style fencing is being introduced into Rural Residential areas illegally. It needs to be clearly enunciated in the LPS2 that fencing higher than 1.2m is illegal and this needs to be monitored and penalties applied. This needs to be applied retrospectively as the existing 1.8m fencing is not allowed.<br><br>**Tourism:** | A higher level of consultation by making this an 'A' use is sought by the submitter for this use which would be consistent with Shire policy which seeks to maximise public awareness regarding matters which could be potentially impactful.<br><br>**Rural Produce Store**<br>The submitter requests a change to the definition of this land use which would not be likely to be supported by the WAPC given that definitions are set out by the Model Scheme Text forming part of the Planning and Development (Local Planning Schemes) Regulations 2015.<br><br>**Veterinary Centre**<br>The submitter requests a change to the definition of this land use which would not be likely to be supported by the WAPC given that definitions are set out by the Model Scheme Text forming part of the Planning and Development (Local Planning Schemes) Regulations 2015.<br><br>**Camping Ground and Caravan Park.**<br>Large scale caravan parks cannot be developed in the Rural zone. Bays/camp sites are limited otherwise to 6 bays/12 sites. The level of infrastructure required on site | **Environmental Conservation Zone:**<br>No changes are required as a direct result of this submission.<br><br>**PART 4 – GENERAL DEVELOPMENT**<br>**52. Significant Tree Register**<br>Include at Part 6 (Definitions) a definition of a Significant Tree as being a tree that is:<br>a) 8m or more high; and/or<br>b) has an average canopy diameter of at least 6m; and/or<br>c) has a truck circumference of at least 1.5m, measured 1.4m above the ground; and<br>d) is of a species that is not included on State or local area weed register.<br><br>**53. Environmental Protection**<br>**Land Clearing** –<br>Modify (l) and (m) at clause 53 (1) as follows:<br>(l) clearing that does not include 'significant trees' upon residential lots less than 2000m² in size; and<br>(m) minor clearing that does not include 'significant trees' |

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| | | We submit that the environmental limits of the local area have been reached. Fish stocks, road kill, clearing (for BAL requirements esp for short term accommodation), road making, fires, resource allocation (building materials), water supply (esp. in case of groundwater dependent ecosystems), waste, air pollution, path widening, human encroachment, litter, dogs, cats, 4WDs in bush/beaches are all causing untold damage to our natural environment.<br>If we really do want to protect, restore and enhance our natural environment, these destructive effects of tourism must be addressed as they are diametrically opposed.<br><br>**Rural:**<br>Our comments on uses in the Rural Zone are predicated upon the conservation of native animal species and the presumption of the need for rural dwellers to have quiet enjoyment of the rural area. Both of these needs are mitigated against by introducing a plethora of non-rural uses in the Rural Zone through an increase in vehicle movements, an increase in wildlife roadkill, dust on dirt roads, car movements at all hours of the day when wildlife crossing roads, noise and light and an increase in road maintenance costs to the ratepayer.<br>It is also vitally important to maintain land in the Rural Zone for food production for the future of our Shire. | to support these developments is set not by the Shire but via the Caravan and Camping Act.<br>Making these small scale unobtrusive and affordable types of tourist accommodation an X use as requested by the submitter is not supported.<br><br>**Holiday House**<br>The location of Holiday homes is guided by the Shire's planning policy and not the Scheme. Council has recently resolved not to change the policy in a way which would prevent holiday homes in rural areas. Thus, it is recommended that they not be made an X use in the Rural zone as requested by the submitter.<br><br>**Holiday Accommodation:** There is a subclause at clause 78 which requires on-site management of tourism developments which include accommodation.<br><br>**Brewery**<br>See comments in relation to 'Reception Centre'. Similarly, it is recommended that Brewery be made an 'A' use in the Rural zone. Additional comments to be included at clause 79 ' Non Rural Use and Development in the Rural Zone' will | upon residential zoned lots to facilitate use incidental to the residential occupation of the land<br><br>**60. Mining Operations**<br>Include "mining operations" at clause 84 of the Scheme inclusive of the definition provided by the Model Scheme text, and identify it as a X use across all zones at Table 3.<br><br>**64. Development of Holiday Houses**<br>No changes are required as a direct result of this submission.<br><br>**80. Environmental Conservation Zone requirements**<br>No changes are required as a direct result of this submission.<br><br>**Gracetown**<br>See response to Submission 486<br><br>**Gnarabup**<br>See response to Submission 19 |

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| | | **Agriculture:**<br>The documentation for LPS2 includes a sheet "Supporting Agriculture"<br>Point 3. The potential for diversification States:<br>*In order to provide an opportunity for farmers to diversify their income and to allow for authentic rural experiences for visitors, limited tourism and hospitality development is permitted on rural land. Such uses which will be* ***required to integrate with existing agricultural endeavours,*** *be designed to maintain the rural aesthetic of the zone and minimise chances of land use conflict.*<br>Section 79 "Non-Rural Use and Development in the Rural Zone States"<br>*(12) Non-rural uses, including tourism uses, may only be permitted where agricultural use of the land is existing and maintained,* ***with non-rural uses being incidental to the predominant agricultural use****.*<br>***(Emphasis added)***<br>Incidental use means a use of premises which is consequent on, or naturally attaching,<br>appertaining or relating to, the predominant use;<br>There are a range of uses allowed on Rural zoned land in the Zoning Table in LPS2 that are incapable of reasonably meeting the requirements of Section 79 (12), or are not conditioned in such a way that they restrict | address the concerns of the submitter.<br><br>**Exhibition Centre.**<br>An exhibition centre of a type which displayed (for example) historic farming equipment would potentially meet with the requirement to be incidental. For that reason it would not seem necessary to prohibit this landuse altogether.<br><br>**Recreation – Private**<br>The submitter has used go kart racing as a potential development which could fit within this use class however, to make this use X would also exclude very low impact development such as a yoga centre.<br><br>**Environmental Conservation Zone:**<br>Comments about the intent of Environmental Conservation Zones are noted.<br><br>**PART 4 – GENERAL DEVELOPMENT**<br>**52. Significant Tree Register**<br>There have been several similar submissions which support the tree register. However, a register would | **Augusta**<br>See response to Submission 687<br><br>**Witchcliffe**<br>See response to Submission 87. |

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| | | the use to ensure compliance with Sections 79 (12).<br>These are (separated into P, I, D and A uses):<br><br>**P USES**<br>1. **Winery:** means premises used for the production of viticultural produce and associated sale of the produce. A winery could be established with no relationship to the site without clarification that there must be an existing vineyard on site. Large wineries are capable of generating large volumes of traffic, including heavy vehicles, and are, in the absence of an associated vineyard, industrial operations. Where a winery proposes to import grapes from other sites for production for their own label, or for contract winemaking (regardless of the existence of vineyard on the site), this should fall into a different category as it has no relationship to the predominant use when it crosses this line, and the impacts are quite different. We submit that winery use be separated into Winery – exclusive and Winery - contract/import where the former is a "P" use and the latter is an "A" use and subject to a consequently higher level of scrutiny for the appropriateness of its location.<br><br>**I USES** | relay on support form landowners for inclusion of trees on the register, and (as has happened in other jurisdictions) landowners may decide to remove trees in advance of any register.<br>Whilst the provisions should remain, a more practical method for protecting trees which are (by way of their size/age/capacity to provide habitat) 'Significant'. To do this, the Scheme would include the definition of a significant tree and provisions relating to land clearing would be expanded so that clearing a 'significant tree' in certain circumstances would require a development approval.<br><br>**53. Environmental Protection**<br>**Land Clearing** –<br>Agree that 2000m$^2$ is a large area of residential land that can be removed without approval. However aside from land required for the actual development upon residential land, it is typically cleared to achieve adequate fire separation. When one considers that the Bushfire Commissioner has put in place a mechanism which overrides Planning Schemes and allows 10m of vegetation to be cleared around homes, and when also considering that clearing to achieve an agreed | |

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| | | 1. **Restaurant/Café (licenced premises):** means premises primarily used for the preparation, sale and serving of food and drinks for consumption on the premises by customers for whom seating is provided, including premises that are licenced under the Liquor Control Act 1988, A restaurant or café is only incidental to the predominant agricultural use if there is a direct connection between the agricultural production and the restaurant/café. This could be the production of wine, which is served with meals, or the production of a particular food, but without these conditions being met there is no incidental relationship. We submit that the Restaurant/Café can only to be approved where there is produce grown on the property that will be sold at the Restaurant/Café as a major component of the dining experience.<br>2. **Market:** means premises used for the display and sale of goods from stalls by independent vendors. Any stall not selling produce grown on the property is not incidental to the predominant rural use. A market belongs in a community space with appropriate parking and facilities, not on a rural property.<br>**We submit that market be X in zoning table.**<br>3. **Reception Centre**: means premises used for hosted functions on formal or | BAL level also does not require approval, the 2000m$^2$ can be seen in context, and from that point of view, is a reasonable benchmark. That being said, if a definition of significant tree is included (see above) the Scheme could be slightly modified so that clearing of 2000m2 lots which include the removal of a significant tree would require approval.<br><br>**60. Mining Operations**<br>The clause of concern to the submitter suggests that guidance about the consistency of mining in any particular zone can be found in the zoning table – however mining is not mentioned in the zoning table. The Model Schee text does contain a landuse of “mining operations” and this should be included in the definitions and Land use table as an X use across all zones.<br><br>**64. Development of Holiday Houses**<br>Holiday Houses are considered on a case by case basis as requested by the submitter. A change to the scheme is not necessary to achieve this.<br><br>**80. Environmental Conservation Zone requirements** | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | ceremonial occasions. This cannot satisfy the incidental use criteria.<br>**We submit that reception centre must be X in zoning table.**<br>4. **Workforce Accommodation:** means premises, which may include modular or relocatable buildings, used -<br>(a) primarily for the accommodation of workers engaged in construction, resource, agricultural or other industries on a temporary basis; and<br>(b) for any associated catering, sporting and recreation facilities for the occupants and authorised visitors.<br>The requirement of this land use to be clustered with the main dwelling does not allow for the preservation of privacy of the farmer and their family. We submit that conditions reflect an analysis of the need for workforce accommodation be established through criteria and the siting be subject to conditions that allow a separation from the main dwelling provided there is no negative impact on other considerations.<br>5. **Art Gallery:** means premises -<br>(a) that are open to the public; and<br>(b) where artworks are displayed for viewing or sale;<br>This cannot be an incidental use. If it is art created by the inhabitant of the land then it could come under Industry – Cottage, and the definition of Rural Produce Store could be altered to allow | The request by the submitter would be to change all land uses to 'X' in the zoning table as they apply to the Environmental Conservation zone. This (for example) would mean that anyone who has a home or business in that zone could continue, but anyone who has recently bought land in the zone and wants to achieve the same level of development that others have been allowed – would be prevented from doing so. This is impractical, inequitable and not consistent with the purpose of a scheme.<br><br>**Gracetown**<br>See response to Submission 486<br><br>**Gnarabup**<br>See response to Submission 19<br><br>**Augusta**<br>See response to Submission 687<br><br>**Witchcliffe**<br>See response to Submission 87. | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
|---|---|---|---|---|
| | | the sale of artworks produced on site by the occupier of the premise. There is no plausible planning reason to allow the establishment of art galleries in the rural areas, and it is odd that this use was given an "I" designation where some animal-based uses, appropriate only to the rural area, were given a more onerous designation within the zoning table.<br>**We submit that this use should be X in zoning table**.<br>**D USES**<br>1. **Garden Centre:** means premises used for the propagation, rearing and sale of plants, and the storage and sale of products associated with horticulture and gardens;<br>We submit that this be an "A" use as there may be circumstances where there is a requirement for an area of land greater than available in other zonings, particularly where there is propagation and "growing out" of landscape trees etc. This, however would be a rare occurrence, and a retail garden centre should not generally be located in the rural area. A wholesale nursery could be more appropriate in the rural area as there will be fewer vehicle movements and disruption for local residents and wildlife.<br>**Suggest reinforcement of the need for connection to rural predominant** | | |

# SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
|---|---|---|---|---|
| | | **use be included and change to "A" in zoning table**.<br>2. **Rural Produce Store:** means a premises used by the occupier of the premises for carrying out a business where:<br>(a) It does not occupy an area greater than 25m 2;<br>(b) it is used for sale of produce associated with farming operations, but may Include local souvenir products; and<br>(c) Will not adversely affect the amenity of the neighbourhood.<br>See comments on Art Gallery above. Suggest "local souvenir products" should be deleted as there is no conceivable incidental connection to rural produce, but art or objects made by the occupier of the premises should be included to allow for sale of items produced on site by an occupier.<br>3. **Veterinary Centre:** means premises used to diagnose animal diseases or disorders, to surgically or medically treat animals, or for the prevention of animal diseases or disorders;<br>We submit that this use in the rural area be confined to "large animal" veterinary practice. There is adequate room and zoning provision for cat and dog veterinary practices in townsites without providing opportunity for these to be located in the rural areas with no incidental connection to the land. | | |

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## Local Planning Scheme No. 2

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| | | **A USES**<br>**1. Camping Ground and Caravan Park.**<br>The Shire has allowed the proliferation of small-scale campgrounds throughout the rural areas of the Shire. There is no restriction on location of these developments. Some approvals have been made with no on-site sewerage or water provision. This form of tourism has a low entry level and has the potential to generally interfere with the operation of agriculture within the rural areas. Camping grounds and caravan parks also increase the vehicle movements along access roads significantly. On unsealed roads this leads to increased dust for surrounding properties, increased roadkill of native animals, increased noise and light which has a detrimental effect on wildlife, especially at night (owls are attracted to the light and are killed by cars) Suggest more stringent criteria be developed for the siting of these – namely that they are only sited on sealed major or secondary roads that already have high traffic levels, protection from fire risk for visitors, supervision of visitors, provision of basic services (sewer and water), and strict non-interference with future agricultural use of the proposed site. Very few cleared sites will meet the last criteria as the space taken by infrastructure will necessarily take up land that could be used for | | |

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| | | agriculture. This leads to a further criticism of the criteria of land size dictating the level of accommodation. The site itself should dictate the level of accommodation, and rural properties with little or no prospect of agricultural production due to existing vegetation or other constraints are perhaps more suited to tourism development, regardless of size, than large cleared properties. Suggest it would be more appropriate to allow these uses by way of scheme amendment and re-zoning to "Tourism". This would allow proper assessment of appropriateness of location and capacity of the site and agricultural potential.<br>**We submit X in zoning table.**<br>2. **Holiday House:** means a single dwelling on one lot used to provide short-term accommodation but does not include a bed and breakfast; The restriction of one residential house per rural lot means that this use removes a residential property from long term rental or owner occupation during a housing crisis. It also means there is no immediate supervision of the activities of the short-term occupants. This is a recipe for disturbance and fire risk. It is also an incentive for the purchase of rural properties by absentee landowners, as an alternative to purchasing within a residential zone, as | | |

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|---|---|---|---|---|
| | | income can be generated from the short-term rental of the house. This has the potential to drive up the price of rural zoned properties and make them less viable for genuine rural uses. This is an undesirable outcome for the future of the Shire.<br>**We submit X in zoning table**.<br>3. **Holiday Accommodation:** means 2 or more dwellings on one lot used to provide short term accommodation for persons other than the owner of the lot; Similarly to Holiday House use there is an issue with supervision to mitigate the risk of antisocial behaviour and bushfire without a provision for on-site supervision and management of the accommodation.<br>**We submit that there should be a clause mandating on-site management of any Holiday Accommodation.**<br>4. **Brewery:** means premises the subject of a producer's licence authorising the production of beer, cider or spirits granted under the Liquor Control Act 1988; This use has been approved in various locations in the rural areas in both the AMR and City of Busselton Shires. To date, despite being sometimes conditioned, no brewery is growing the hops or barley necessary for the brewing process. There is no connection to the land and therefore they fail the test of incidental use. | | |

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| | | **We submit X in the zoning table as these activities belong in industrial or light industrial areas except where an established agricultural use can be demonstrated.**<br>Approvals conditioned with establishment of such a use appear to be difficult for the Shire to police and approvals for development occur despite the agricultural activity not actually eventuating. For example, should an applicant apply for a Cidery under the brewery use they should first have to apply for their permit to establish an orchard and demonstrate their capacity to grow the apples sufficient to support the proposed cidery, not simple establish a token orchard and rely on import of apples from elsewhere to supply the cidery.<br>5. **Exhibition Centre:** means premises used for the display, or display and sale, of materials of an artistic, cultural or historical nature including a museum. This use has no relationship with agricultural or rural use.<br>**We submit X in zoning table.**<br>6. **Recreation – Private:** private means premises that are -<br>(a) used for indoor or outdoor leisure, recreation or sport; and<br>(b) not usually open to the public without charge;<br>This use is very open and allows for golf courses, go-kart racing or other | | |

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| | | developments that should require a scheme amendment to have the necessary scrutiny to prevent poor planning outcomes. There is no relationship to agricultural activity.<br>**We submit an X in zoning table.**<br><br>If fences over 1.2m are constructed in the Rural Zone, wildlife corridors (vegetation and/or movement) must be made mandatory to assist the movement of wildlife away from roads and to link bushland areas. This needs to be made retrospective e.g. the deer farm on Caves Rd.<br>We submit that no "sensitive" land uses should be introduced into the Rural Zone e.g. mining. AMR Shire should advocate for the region to be a 'no mining zone".<br><br>**Environmental Conservation Zone:**<br>"To provide for the preservation, maintenance, restoration or sustainable use of the natural environment" is what is currently Stated in the LPS2 Draft.<br>Please see our Statement about Reserves that need to be moved to Environmental Conservation Zones.<br>Very few uses of the natural environment are "sustainable" over the long-term.<br>All current Environmental Conservation Zones need to be preserved, maintained and restored – it is important that no new uses are introduced into these areas that | | |

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| | | further degrade the environment or biodiversity. Environmental Conservations Zones can be further enhanced by linking them with other areas of bushland to provide robust wildlife corridors and wildlife movement zones.<br>**PART 4 – GENERAL DEVELOPMENT**<br>**52. Significant Tree Register**<br>We are very pleased to see this included in the LPS2 and submit the following suggestions:<br>1. That dead or ailing trees (if they meet all other criteria) should also be given recognition as critical habitat and be accepted to the register as Significant Trees.<br>2. That a tree that has been proposed for the register be protected from that date until the decision to either accept or reject its nomination has been made and authorised.<br>3. That the penalties for harming or removing a Significant Tree are quantified and made public so that they may act as a strong deterrent.<br>4. There are several trees within close proximity of Witchcliffe town site which we believe should be registered, i.e. the Grandmother Marri, the polo field Marris and the “water trees”. We believe registering these trees is a priority with all the planned development of Witchcliffe.<br>**53. Environmental Protection**<br>**Land Clearing** – | | |

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| | | 1 (l) we submit that 2000sm is too large an area to allow clearing without approval. We submit that this area should be lowered to 1000sm.<br>**60. Mining Operations**<br>(1) we submit that the "local government (**must)** inform the Minister for Mines and the Minister for Planning in writing that the granting of a mining lease or general-purpose lease is contrary to the provisions of the Scheme and the Local Planning Strategy."<br>**64. Development of Holiday Houses**<br>(4) We submit that this paragraph needs to be amended to "Holiday houses must be considered on a case-by-case application to Council."<br>**80. Environmental Conservation Zone requirements**<br>We submit that there should be no new development in Environmental Conservation Zones.<br><br>**<u>TOWN CENTRES</u>**<br>**Gracetown**<br>Lot 300 Salter Street Gracetown<br>Documents uncovered in recent FOI requests have revealed that Development WA abandoned the proposed development project on this land over 2 years ago, but has not informed any of the stakeholders – the community, the Shire, even the Department of Planning Lands and Heritage – of the decision. | | |

# SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | Development WA has acknowledged internally that the project is not viable "principally due to the Western Australian Planning Commission (WAPC) being unprepared to support development approvals pending resolution of construction of a second access road for bushfire risk mitigation and native title". In addition to these, other unresolved issues include water and sewage management, community works to handle increased pressure on the bay, and environmental considerations. The Structure Plan for the development also contained a commitment that the balance of Lot 300 not required for the proposed development (approx. 231 Ha) would be transferred into the Leeuwin-Naturaliste National Park.<br>Before the development proposal was launched in 1998, Lot 300 was zoned Unallocated Crown Land and designated as Parks and Recreation under the Local Planning Scheme. Around 2017 the whole of Lot 300 was rezoned to its current LPS1 zoning of "Future Development, National Parks and Nature Reserves, Parks and Recreation", to allow for part of Lot 300 to be developed as residential land and related infrastructure. The proposed LPS2 continues this zoning as "Urban Development, Environmental Conservation". The reasons why WAPC were unprepared to support development approvals pending resolution of construction of a second access road for | | |

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| | | bushfire risk mitigation and native title ***<u>are</u>*** still valid, as are many other issues such as environmental considerations, unresolved water and waste management issues and, since the project commenced, the massive increase in pressure on main beach, boat ramp and local area.<br>There should not be any presumption in favour of development, as would be indicated by maintaining an "Urban Development" zoning as proposed in LPS2. Given the history of the proposed (and now failed) Landcorp development for Gracetown, the zoning of Lot 300 should be changed to Environmental Conservation.<br>**Gnarabup**<br>We object to the removal of development conditions for Lots 501, 502, 503, 504 and 783 Gnarabup. These lots should retain the Special Control Area 3 development conditions from LPS1. There is no reason to remove these development controls. The conditions in LPS1 represent historical planning decisions including the Local Planning Strategy (endorsed in 2022) for this site and should at the least be maintained and ideally strengthened in the scheme to ensure development reflects the Local Planning Strategy, Local Planning Tourism Strategy, LPS1, the structure plan for these lots process and community wishes.<br>Lots 501, 502, 503 and 504 should be zoned Tourism, not Urban Development. This would reflect numerous decisions by | | |

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| | | Council over the past twenty years including the Local Planning Strategy, Local Planning Tourism Strategy, LPS1 and the structure plan for these lots.<br>We object to the rezoning of the northern portion of Lot 783 Gnarabup from Parks and Recreation to Tourism. It should be kept for public purpose, as shown in LPS1. There is no reason to give this land to the developer to develop.<br>**Augusta**<br>ACDA has collated a selection of allotments currently in reserve status for various public uses, with a view to preservation of remnant and recovering native vegetation, particularly where 'green corridors' may be advanced by their conservation.<br>With reference to the current planning scheme online map, we recommend changing the zoning status to "Conservation" of the following:<br>• Lots 531586, 11694355 and 2002 (Donovan Street Bushland, Augusta)<br>• Lots 390, 375 and 378 (East Augusta Timber Reserve – collective lot 18644)<br>• Lot 1491 (Gimbel reserve)<br>• Lot 4385 (Greenhill Road reserve)<br>We do not support the transfer of Shire-owned Lot 1271 Kudardup from General Agriculture to Tourism without full transparency of intentions for this site, and instead support its preservation under a Conservation zoning, to promote connection and conservation of the green corridor from Kudardup to Deepdene. | | |

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| | | Furthermore, we seek incorporation of areas along the Blackwood River and Flinders Bay coastline into the "Landscape Amenity" map, as areas of "natural landscape significance" and visual management 'corridors' to help facilitate preservation and promotion of native vegetation and promote visual management controls on development in these areas, to consider the aspect both from viewpoints on roads and lookouts, but also from the river and the sea.<br>**Witchcliffe**<br>**Witchcliffe Reserve Rezoning**<br>The Witchcliffe bushland reserve which is both south and north of Redgate Road, including the Wadandi Trail (Lots 49 and 4483 on LPS2 map), was marked "Parks and Recreation" on the LPS1 and "Reserve" in the Local Planning Strategy 2036. This zoning has been changed to Public Open Space and Recreation in LPS2 and may have less protection. The Environmental Map highlights this area as a Baudins' breeding area and all 3 species of black cockatoo frequent this bushland. The masked owl has also been sighted and the Witchcliffe Community has recently engaged with the Shire to start a volunteer group to manage this bushland. We believe this last area of bushland in close proximity to Witchcliffe needs to maintain its current zoning of "Reserve:" or "Park" to ensure its protection. | | |

# SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | **Polocrosse Field**<br>An area of the Polocrosse field that contains a stand of remnant Marri trees frequented by Black Cockatoos was previously zoned "Reserve" in LPS1 and the Local Planning Strategy 2036. These trees are all large habitat trees and they are now zoned "Education" in LPS1. We believe the previous zoning of "Reserve" must be maintained and the trees protected.<br>**Mammoth Street Extension**<br>In LPS2 Mammoth Street is to be extended to run adjacent to the Wadandi track. This extension would involve the removal of many significant trees, including ones anecdotally identified as Indigenous "water trees". In LPS1 and Local Planning Scheme 2036 this road does not exist. We believe it should be rerouted or abandoned.<br>**Grandmother tree**<br>The Grandmother tree on the northern border of the current polocrosse field, a significant tree for the local community as well as a rare representative of an ancient Marri, was protected by a "Reserve" zoning in LPS1 and the Local Planning Strategy 2036. In LPS2 it is now situated in a road reserve. We will be entering it in the Significant Tree Register once it has been established but submit that protection of it in some form for now be put in place.<br><br>Also, see Significant Tree Register (Section 52) | | |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
|---|---|---|---|---|
| 322. I532347 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Fire hazard<br>2. Pressures on infrastructure | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 323. I532348 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Environmental<br>2. Leave coast alone.<br>3. Fire security.<br>4. Load on amenity requiring additional infrastructure. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 324. I532349 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 | **Refer to Submission No. 19 above.**<br><br>**Additional Points:** | See response to Submission 19 | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | Gnarabup – Standard Pro Forma Submission | 1. Not appropriate location for hotel – scar the landscape.<br>2. Fire risk.<br>3. Community against this location for development. | In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 325. I532350 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Environmental – mining the natural habitat.<br>2. Too many people. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme.<br>See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 326. I532357 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Seen what poor and unthoughtful planning does to a community.<br>2. Land is fragile as we've seen with Gracetown cliff fall.<br>3. Resort is unfortunately new development a blight and disaster waiting to happen. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 327. I532358 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |
| 328. I532360 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Fire risk | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 329. I532361 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Fire risk | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 330. I532363 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>As a tourist value Australian nature and landscapes, together with wildlife. Preserving this should be a must. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 331. I532365 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Oppose development as it represents inappropriate over development of a fragile ecosystem. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 332. I532366 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Fragile environment.<br>2. Loss of habitat.<br>3. Affect on endangered Hooded Plovers.<br>4. Inappropriate development.<br>5. Increased bushfire risk. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 333. I532367 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Scheme is a legal document and the most important planning tool that the Shire has, to see it apparently so poorly handled is disappointing. | See response to Submission 19 | See response to Submission 19 |
| 334. I532368 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Changes negate all that planning. | See response to Submission 19 | See response to Submission 19 |
| 335. I532369 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Changes negate all that planning. | See response to Submission 19 | See response to Submission 19 |
| 336. I532370 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Invested in protection and management of Cape Leeuwin National Park as president of trail running club. Disappointed with the short sightedness of the Shire and developer. Our natural environment is essential in positive mental health, happy community and also continued sustainable tourism. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| 337. I532374 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Shame to destroy nature. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 338. I532375 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Fire risk.<br>2. Environmental damage.<br>3. Habitat of animals destroyed. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 339. I532377 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | Gnarabup – Standard Pro Forma Submission | **Additional Points:**<br>As a firey saw how much of a problem evacuating the area was. Another 1000 people in the area at peak holiday times would make evacuation so much more difficult. | In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 340.<br>I532378 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Land was originally zoned tourism it should not be now be zoned luxury residential to meet developers wishes. | See response to Submission 19 | See response to Submission 19 |
| 341.<br>I532385 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Fragile natural environment (cliffs, possums, flora etc) needs to be protected.<br>2. Parking will be compromised.<br>3. Pollution during building.<br>4. Gnarabup is unique natural environment that will be severely compromised by this development. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| 342. I532386 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Only one road in.<br>Increased pollution. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 343. I532387 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Fire. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 344. I532388 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | Gnarabup – Standard Pro Forma Submission | **Additional Points:**<br>1. Fire risk.<br>2. Environmental impact – Flora and Fauna, sewerage, parking. | In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 345.<br>I532389 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Population pressure on coast.<br>2. Unacceptable zoning changes.<br>3. Loss of biodiversity.<br>4. Access road. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 346.<br>I532390 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Density is unacceptable.<br>2. Fire risk. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | 3. Already an uphill issue with population pressure along the coast. | Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 347. I532391 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Like a small boutique resort.<br>2. Must have a second road access out. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 348. I532392 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Zoning changes unacceptable.<br>2. Adds to already overcrowded area.<br>3. Not acceptable for clearing native vegetation. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | 4. Area already much bigger than originally designed for. | State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 349. I532393 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Open space for wildlife.<br>2. Protect our coast spaces.<br>3. Public access. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 350. I532394 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Increase of dwellings.<br>2. Increase in traffic and people.<br>3. Change the still quite untouched beauty and feel of Prevelly coastline. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 351. I532396 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Mass tourism or even an increase in tourism would have a huge impact on nature and life quality. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 352. I532397 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Parking, visually, environmental, environmentally sensitive and should not be built on. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | review of the Local Planning Scheme. | |
| 353. I532398 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Need to prevent Margaret River turning into another Byron Bay. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 354. I532399 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Object to changes that have recently been made. | See response to Submission 19 | See response to Submission 19 |
| 355. I532400 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |
| 356. I532403 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Development at Gnarabup proposes a serious fire danger.<br>2. One exit road only. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | 3. Too many people/vehicles to safely exit the area. | administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 357. I532404 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Local Planning Scheme is a legal document and the most important planning tool that the Shire has. | See response to Submission 19 | See response to Submission 19 |
| 358. I532406 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Area is a special part of the coast and further development can have negative impacts such as increased risk of fire in a high risk area with only one way out in cause of evacuation. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 359. I532407 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Keep coast beautiful. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 360. I532409 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Public open space.<br>2. Bushfire concerns. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 361. I532410 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Object to changes that appear in the scheme.<br>2. Should be more public open space. | See response to Submission 19 | See response to Submission 19 |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| 362. I532411 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Object to rezoning of land adjacent to Gnarabup development. | See response to Submission 19 | See response to Submission 19 |
| 363. I532416 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Area is very valuable to our community and to WA and Australia. Been highlighted so many times in submissions and court cases. No reason to make changes. | See response to Submission 19 | See response to Submission 19 |
| 364. I532417 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Maintenance of Margaret Rivers' Ecosystems is vital for the future of this place. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 365. I532418 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |
| 366. I532419 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 | **Refer to Submission No. 19 above.**<br><br>**Additional Points:** | See response to Submission 19 | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | Gnarabup – Standard Pro Forma Submission | 1. Too many people for beach.<br>2. Fire risk – no escape. | In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 367.<br>I532422 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Environment.<br>2. Fire.<br>3. Preservation the pristine coast. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 368.<br>I532423 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Single road in.<br>2. Fire risk. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | 3. Cliff structure.<br>4. Sewerage. | Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 369. I532425 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Infrastructure cannot support the population. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 370. I532426 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Such a beautiful spot, don't spoil it, it's a safe place to swim and will impact the environment. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 371. I532428 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Don't want to see it developed and become another urban area. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 372. I532429 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | Refer to Submission No. 19 above.<br><br>Additional Points:<br>1. Came because its quiet, pristine and beautiful.<br>2. Developing this area would cause environmental damage and damage our beautiful pristine coastline and takeaway from the beautiful natural charm of the area. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 373. I532431 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Why change this gem of a place. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 374. I532434 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Don't ruin the natural beauty. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | review of the Local Planning Scheme. | |
| 375. I532435 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Don't ruin the beautiful coast. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 376. I532436 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Leave the area for beautiful coast.<br>2. Money to stay local for local people.<br>3. Make community services if anything. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| 377. I532437 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Fire/parking. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 378. I532438 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |
| 379. I532439 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |
| 380. I532441 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Fire<br>2. Environment<br>3. Population pressure<br>4. Climate change | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 381. I532442 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Environmental damages. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 382. I532450 | **Submission Subject:** Lots 6 and 7 Beardshaw Place, Margaret River | 1. We have been engaged by the owners of Lot 6 (Peter Walker and family), Lot 7 (Phil Beardshaw and family) to prepare this submission relevant to the Shire's Local Planning Scheme currently being advertised.<br>2. Lots 6 and 7 and this is within the western parts of the Margaret River town site with each lot being approximately 4000m$^2$ in area and therefore around one (1) acre.<br>3. It should be noted the zoning of the land under Local Planning Scheme No.1 is Residential R2.5 (average 4000m$^2$ lots). | Lots 6, 7 and 8 do appear to be ideal candidates for further subdivision into 200m2 lots. Whilst the owner of Lot 8 was not party to the original submission they have since contacted the Shire in writing got provide their support. Given that all landowners are supportive of the requested change, and given that it would make the zoning of the lots consistent with that which applies to the surrounding area, it is supported | Change the R-code applicable to Lots 6, 7 and 8 Beardshaw Place Margaret River from R2.5 to R5. |

# SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | 4. It should also be noted on the Scheme map that lots to the north side of Beardshaw Place are zoned Residential R5 as are lots to the south within Todhunter Place which were originally zoned R2.5 and subsequently rezoned to R5. Land to the west of the subject land is zoned Residential R2.5.<br>5. The format of development within this general area is based on a previous outline development plan which identified vegetated lots at the R2.5 density with building envelopes to protect vegetation and an R5 density on cleared lots. This was based on onsite effluent disposal and provision of all other essential services.<br>6. It should also be noted that Lots 6, 7 being zoned R2.5 is not consistent with the other lots within the Beardshaw place area and those adjoining Todhunter Place to the south.<br>7. A broader appreciation of the area will indicate that 2000m$^2$ lots have been provided essentially where there is cleared land and therefore Lots 6 and 7 are not consistent with the planning methodology in the area or the lot sizes within the street.<br>8. The owners of Lots 6 and 7 are related family members who are part of an early subdivision in the area which was undertaken before the outline development plan came about and brought in to effect guidance for | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | vegetated lots at the R2.5 density and cleared lot subdivisions at the 2000m2 R5 density. As such, these larger lot sizes are a remnant from an older subdivision.<br>9. We consider there is considerable planning merit to amend the zoning of Lots 6 and 7 and it may also make sense to modify the zoning for Lot 8 even though we do not represent those owners.<br>10. We therefore suggest it would make good town planning sense to modify the Scheme to incorporate Lots 6, 7 within the R5 density code and the Shire may also consider including Lot 8 immediately adjoining within such zone.<br>11. In summary, the justification for the modification of zoning is as follows:<br>• Lots 6, 7 and also lot 8 are an anomaly given they are cleared lots with zoning at a lower density than other cleared lots within the precinct.<br>• The outline development plan and policy for the general area (not including the land but adjacent) had a philosophy within it that cleared lots should be at the R5 density whereas vegetated lots should be at the R2.5 density. The proposal to change the zoning is consistent with this planning methodology that shaped the subdivision pattern in the broader area. | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | • Lot sizes of 2000m2 within Lots 6, 7 and potentially Lot 8 are easily achievable, would not impact on the neighbourhood and could easily be serviced.<br>• Lots in excess of 2000m2 in such context do not require sewer and other essential services are available.<br>• Rezoning the lots and allowing subdivision at the R5 density would provide for a legible streetscape where all lots within Beardshaw Place are of the same size.<br>• The zoning of the land has not changed to R5 probably because this has never been raised with the Shire for consideration.<br>• Rezoning of the land will provide for additional housing in an existing serviced area of town in a cul-d-sac that is less than 200 metres in length and therefore fire policy could easily be met. | | |
| 383. I532725 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Preserve our unique, fragile and iconic headland. Consider the impact this will make for future generations and the nature and wildlife. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 384. I532726 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. I do not support the proposal to develop on the Gnarabup headland.<br>2. Allowing for residential lots in particular by deleting clauses restricting the use of the land for tourism is disingenuous on the shire's behalf, and what can only be viewed as a quick-cash grab on the developer's side.<br>3. The back beach of Gnarabup is a refuge for Sanderlings during the spring and summer months, a migratory shorebird which travels from the Arctic Circle. Furthermore, endemic bird species such as the Hooded Plover, the Red-Capped Plover nest on the beach. Dogs have being prohibited from the area to allow these birds the space to nest and raise their young. I have also photographed a Whistling Kite nest in the dunes near the development, along with Baudin's black cockatoos and Elegant Parrots which frequent the area. The increase in population near this beach and dune system will cause a detrimental impact to these already endangered and important species. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | 4. I have had the privilege of growing up here and am glad to see that Gnarabup has maintained a strong feeling of community and respect for nature. I feel that a large scale development on the headland would erode the spirit of our community by creating stress on the fragile environment, the infrastructure, and our native species. | | |
| 385. I532727 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. I would like to comment on the WA Planning Commission and the Augusta - Margaret River Shire aspiring to open up more Residential land at Gnarabup.<br>2. Totally against replacing yet more coastal bush areas with housing. Already, the Caves Road/Wallcliffe Road cross section is busy, and will need huge redevelopment with LPS2. And, we are totally against wrecking the whole Cape-to-Cape coastline with unnecessary Real Estate Development. Gnarabup, Yallingup and Gracetown are the only villages on 100 km of coastline. The unspoiled ambience is why people come to Margaret River. Why erode it?<br>3. Of course, if 90% of Margaret River residents agreed with us, it would make no difference. Just as with the earlier submission to triple the size of Gnarabup decades ago when public opinion was dead against it, but Mark and Terry had the numbers to get through. This seems | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | to be another foregone conclusion as all the roads for LPS2 had been developed at the original Gnarabup expansion.<br>4. Maybe you could prove the hallucinating lady right and start a high-rise development through the Redgate. At least it wouldn't be right on the beach. It would be the beach access for Witchcliffe and would only need a small traffic circle at the Caves Road/ Redgate Road junction.<br>5. I feel certain that this Public Submission will be but a formality and the development will get pushed through no matter what the locals think. Just like last time.<br>6. Yet, on a positive note I feel that the Planners have nevertheless done a lot right in the district. | | |
| 386. I532730 | **Submission Subject:** MRREC Standard Submission - General | **Fully supports comments outlined in Margaret River Environment Centre Submission No. 321.**<br><br>Support ALL THE POINTS in the following document, as prepared by the Margaret River Regional Environmental Centre (MRREC). I have read and understood all the points raised in the document and would like to use the document as my own submission for the LPS2, as I too, live in the Margaret River township, feel a strong connection to the land and would like to see the natural beauty in all it's facets preserved and expanded to the fullest extend so that all future generations will have the | See response to Submission 321 | See response to Submission 321 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | opportunity to appreciate and use the natural environment recreationally and spiritually. | | |
| 387. I532731 | **Submission Subject:** MRREC Standard Submission - General | **Fully supports comments outlined in Margaret River Environment Centre Submission No. 321.** | See response to Submission 321 | See response to Submission 321 |
| 388. I532739 | **Submission Subject:** Lot 41 & 42 Treeton Road, Cowaramup, Locations 3000,3001, 3002 Treeton Road, Cowaramup and Location 2223 Carbunup Road, Cowaramup | 1. Agricultural land within the Shire should be designated Priority Agriculture along with any General Agricultural land. Important that land is kept productive. Priority status ensures that farming operations receive the necessary support and protection.<br>2. Clause 51 – 100m setback from any watercourse is totally unworkable. Along with no grazing practices. My property has a creek running through the middle of each location would lose many hectares making the property very unworkable and unviable. Fire risk would be huge. Weed problem very costly and uncontrollable.<br>3. Already fenced creeks from cattle and am grazing in a managed way. Setback from the creek has not been excessive.<br>4. Clause 56 – Clustering of dwellings. Not a good idea when it comes to work safe. Farm machinery moving daily and to have children or children of staff all clustered in the same area is an accident waiting to happen.<br>5. Clause 69 – Sustainable buildings should be a choice. | See response to Submission 405. | See response to Submission 405 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | 6. Addition of environmental corridors, one proposed through my property is very heavy handed. Value of property with environmental corridors and fencing waterways will decrease.<br>7. AMR Shire has many hectares of native bush which is protected.<br>8. Prioritising agricultural land use AMR Shire acknowledges the vital role farming has in the local economy and community. This designation aims to safeguard agricultural resources against encroachment from non-agricultural development and underscores the importance of preserving farming heritage and practices. | | |
| 389. I532740 | **Submission Subject:** Lot 41 & 42 Treeton Road, Cowaramup, Locations 3000,3001, 3002 Treeton Road, Cowaramup and Location 2223 Carbunup Road, Cowaramup | 1. Agricultural land within the Shire should be designated Priority Agriculture along with any General Agricultural land. Aligns with goal of preserving and promoting agricultural activity within the AMR Shire.<br>2. Priority agricultural ensures that farming operations receive the necessary support and protection to sustainably manage agricultural land for production purposes.<br>3. Priority agriculture also includes the wine industry which is a prime income earner and employer. Along with tourism it creates, is of paramount important to this Shire. Should not restrict this industry.<br>4. Dairy is the biggest agricultural earner and should not be compromised. | See response to submission 405. | See response to Submission 405 |

# SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | 5. Clause 51 – 100m setback from any watercourse and environmental corridors both of which effect my business, its very heavy handed and impossible to manage. Imposing conditions including rehabilitation and revegetation of these will create a fire hazard and weed control impossible. Loss of hectares will make my dairy farm unviable and the value will plummet.<br>6. Clause 56 – Clustering of dwellings on farming properties is not advisable. Impractical and will create an unhealthy environment for farming families and their staff.<br>7. Clause 69 – Sustainable buildings should be a choice.<br>8. Clause 79 – Additional dwellings should be considered in long term for retiring parents. With lack of housing currently being experienced. New clause that increases additional dwelling size to 120sqm is supported.<br>9. Clause 80 – Agricultural within the environmental conservation zone, is clearly specified in the regulatory text. Grazing cattle on wetland areas is often a significant portion of an agricultural holding, is prohibited. Fencing to stop grazing in these areas is costly and makes productive grazing land inaccessible. Such restriction renders the land unsuitable for both grazing and any other agricultural pursuit. | | |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| 390. I532757 | **Submission Subject:** Lot 111 Andrews Retreat, Margaret River | 1. Under Local Planning Scheme No.1 the site is zoned 'Future Development' and is within Structure Planning Area No. 5 and is also referenced under Schedule 11 of the scheme with reference to the East Margaret River District Structure Plan endorsed in 2013. This Structure Plan is quite antiquated and previous discussions with the Shire and DPLH determined that the preparation of a Local Development Plan to guide development opportunity at the site would provide a contemporary approach to allowing uses at the site without requiring approval to be issued in every instance within the Future Development zone.<br>2. The subject site was therefore subject to preparation and subsequent endorsement of a Local Development Plan following detailed liaison and guidance with the shire planning department and with the consent of the DPLH. The Local Development Plan was endorsed on the 7th October 2022 following a rigorous assessment process.<br>3. A review of Draft Planning Scheme No.2 documentation and mapping identify that the zoning for the subject site is proposed to be modified to 'Special Use' with inclusion under Schedule 3 at "S7' of Draft Local Planning Scheme No.2.<br>4. A review of the Special use 'S7' above provides that no reference is made to the | Agree. The LDP has been finalised since the commencement of the Scheme Review process. It is appropriate that Schedule 3 is updated at "S7' to refer to the endorsed and applicable LDP. | Include reference in the 'Special Use' column of Schedule 3 applicable to "S7' to refer to the endorsed LDP. |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | endorsed Local Development Plan for the site which essentially will remove opportunity that has been recently secured for the site in terms of uses that can be considered under the zone without the requirement of planning approval. This was also prepared under the Local Planning Strategy which sets the long-term strategic direction for the shire. The endorsed Local Development Plan is considered an extension to the current planning framework and clearly defines land uses that may be permitted at the site. It is respectfully requested that the LDP be referred to under Schedule 3 at 'S7' as a relevant statutory guiding document for this site given the extensive process that has been undertaken to date for endorsement of the Local Development Plan. | | |
| 391. I532784 | **Submission Subject:** Lot 417, 7046 Caves Road, Redgate | 1. The two zonings that currently apply to Lot 417, 7046 Caves Road, Redgate WA 6286 will be changed to the one 'Environmental Conservation' zone. We are in support of this proposed change.<br><br>2. We would like to retain the additional site requirement as well as support further site requirements in the future. We currently operate a small family wine business from the land and have the additional land use (vineyard) applied to the zoning. We wish to retain this additional site requirement formally | Given that Winery is 'X' uses in the Environmental Conservation Zone, an Additional Use will be required in order to carry over existing development entitlements from LPS1 and add the capacity for a cellar door operation at this established viticultural operation.<br><br>Given a change to the land use definition, the 'winery' land-use will include the ability for a cellar door and therefore there is no need to | Include an entry at Schedule 1 'Additional Uses' with the description of the Additional Use being 'Winery (A)' |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | under the Local Planning Scheme (No. 2). In addition to this, we would like to apply to have winery and rural produce sales listed as additional site requirements to support the business in the future.<br><br>3. Corymbia Land Pty Ltd has owned the property since November 2019. We have worked hard since purchasing the property to undertake appropriate custodianship of the land working closely with Nature Conservation Margaret River and the Calgardup Brook Action Plan, the Department of Primary Industries and Regional Development and Wine Australia (Sustainable Winegrowing Australia) on several projects to establish a sustainable small family wine business whilst protecting the biosecurity of the property. In order to maintain the future financial viability of the small family wine business, the natural next step would be to establish a small winery and associated rural produce sales on the property. | include reference to a 'Rural Produce Store'.<br><br>This property has a well established vineyard as well as a large area of intact bushland which is under conservation covenant and hence protected. Winery use would be complementary to the existing use/. | |
| 392.<br>I532924 | **Submission Subject:** Lot 1 Kilcarnup, Burnside | Submission seeks to maintain the existing subdivision potential of the subject site and ensure this subdivision potential continues to be specifically identified in Draft LPS 2.<br><br>**Existing Local Planning Scheme No.1 Provisions** | The draft Scheme as advertised provides the potential for the land to be subdivided into 5 lots (1 lot per 3ha)<br><br>The submitter requests that special mention be made in the scheme | Include reference to Lot 1 Kilcarnup, Burnside at Schedule 8 and include the following in the 'Special Conditions and Requirements' column: |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | The subject site is zoned 'Rural Residential' under LPS 1. The accompanying Scheme Map designates the subject site within 'RR6', along with Rural Residential zoned land south of Mentelle Road and east of Dallip Spring Road.<br><br>Clause 4.22 Development in the Rural Residential Zone provides that land uses and development within the zone are to comply with general provisions and where appropriate, site-specific conditions relevant to particular land areas nominated in Schedule 7.<br><br>In relation to subdivision, clause 4.22.1 States:<br>422.1 Subdivision AMD 29 GG 24/3/16<br>*(a)* The minimum lot size is 3 hectares unless otherwise specified at Schedule 7 and shown on an applicable Structure Plan.<br><br>*(b)* Subdivision is to be preceded by the preparation of a Structure Plan. Subdivision, which is inconsistent with an endorsed Structure Plan, will not be supported. All subdivision is to be consistent with the objectives and policies applicable to the Rural Residential Zone. | which would limit subdivision to a total of three lots.<br><br>Given that the lot is heavily vegetated, a less dense subdivision outcome would provide greater opportunity for the retention of vegetation. As such it is recommended that the land be referenced at Schedule 8. Reference to the need for a structure plan as referred to by the submitter would not be warranted given that the WAPC does not require Structure Plans to precede Rural Residential subdivision. | *Subdivision shall be generally in accordance with the plan of subdivison approved by the WAPC (ref 153972)* |

# SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | Schedule 7 – Special provisions relating to development on land Zoned "Rural Residential Zone" includes the following<br><br>**SCHEME MAP REF NO.** / **SITE DESCRIPTION** / **SPECIFIC CONDITIONS AND REQUIREMENTS**<br>R-R6 / Lot 1 lots 7 -28, 101-104 Mentelle and Dollip Spring Roads Margaret River. Lot 1 Kilcarnup Road, Kilcarnup.<br>AMD 1 GG 9/11/12 / **1. No further subdivision permitted other than for Lot 1 in accordance with approved plan of subdivision dated 26 October 2009, WAPC Ref: 140145, any subsequent approval generally consistent with that approval, or…; or a subsequent Structure Plan approved by the Western Australian Planning Commission, in accordance with the process set out in Part 4 of the Deemed Provisions.**<br>2. Building envelopes shall be as identified in the approved plan of subdivision or a subsequent structure plan…; and may be varied to avoid areas of granite outcropping for effluent disposal.<br><br>**SCHEME MAP REF NO.** / **SITE DESCRIPTION** / **SPECIFIC CONDITIONS AND REQUIREMENTS**<br>R-R6 Cont'd / Lot 1 lots 7 -28, 101-104 Mentelle and Dollip Spring Roads Margaret River. Lot 1 Kilcarnup Road, Kilcarnup.<br>AMD 1 GG 9/11/12 / 3. Within areas designated as "Landscape Protection" on the Rural Residential Concept Plan, no trees or other flora is to be removed other than for Bushfire management.<br>4. Clearing of flora shall only be permitted in those areas designated as building envelopes other than for access and bushfire protection purposes.<br>5. Effluent disposal systems are to be 100 metres from any water source. This may be reduced to 5 metres in the event that a nutrient retention system is installed.<br>6. Buildings on land greater than 1:10 shall be of split level or pier construction to minimise the amount of cut and fill.<br>7. Buildings should be designed of a sympathetic design, material and colour to complement surrounding landscape elements, to the satisfaction of the local government.<br>8. Non-reflective building materials only will be permitted and non reflective roofing materials shall be of a colour consistent with vegetation and/or predominant colours of the individual building sites.<br>9. No livestock shall be permitted within the lots identified on the Rural Residential Concept Plan.<br>10. Fencing of boundaries will not be permitted in the interests of wildlife movement and fire safety<br><br>provisions in relation to RR6 (bold text added for emphasis):<br><br>**Previous Subdivision Approvals**<br>In addition to the 2009 subdivision approval (WAPC Ref: 140145) a subsequent subdivision approval was issued on 3 October 2016 (WAPC Ref: 153 972) for | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | three (3) lots, ranging between 5.37ha and 5.6ha in area ('previous subdivision approval'). This subdivision approval was not implemented and subsequently lapsed.<br><br>**Previous Development Approval**<br>Development Approval was issued by the Shire of Augusta Margaret River on 28 October 2021 for a Single House. The siting of the Single House was selected to be generally consistent with the lot layout and building envelope locations shown on the approved Plan of Subdivision, so as not to compromise the landowner's ability to implement the subdivision approval at a future stage. The Single House is currently under construction.<br><br>**DRAFT LPS 2 AS ADVERTISED**<br>The subject site is proposed to be zoned 'Rural Residential' under Draft LPS 2. The accompanying Scheme Map designates the subject site, along with land south of Mentelle Road and east of Dallip Spring Road within the Rural Residential zone, with no corresponding land area nominated in Schedule 8 (RR6 is limited to land north and west of Mentelle Road).<br><br>Clause 70 Rural Residential Zone Requirements provides that land uses and development within the zone are to comply with general provisions and where appropriate, site-specific conditions relevant to particular land areas nominated | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | in Schedule 8.<br><br>In relation to subdivision, clause 70 States:<br><br>The minimum lot size is 3 hectares unless specified in Schedule 8.<br><br>Subdivision provisions which vary clause 70(8) may only be considered where:<br><br>There is limited remnant vegetation and subdivision and development will not result in an undesirable environmental outcome, would likely put future residents at higher risk of bushfire, and have greater potential to be inconsistent with the environment and landscape provisions of the Leeuwin Naturaliste Ridge Statement of Planning Policy (LNRSPP);<br><br>Located outside environmental corridors identified on the Shires Environmental Assets Map or National Park Influence Area (LNRSPP);<br><br>Consistent with the Visual Management Controls, taking into account the corridors, areas and landscape qualities of a given location;<br><br>Subdivision would complete rather than commence a pattern of subdivision inconsistent with the character of the locality, or otherwise forms a complete precinct; | | |

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| | | Development can achieve compliance with the Planning for Bushfire Protections Guidelines or substantially improves the community safety outcomes for an area outside the immediate subdivision area.<br><br>Where lots abut the Margaret River, the Shire will recommend that foreshore widening be imposed as a condition of subdivision where recommended by the Margaret River Foreshore Reserve Action Plan.<br><br>Where a Bushfire Management Plan has been prepared, as part of the planning processes to establish a rural-residential area, the owners of the land affected by the Bushfire Management Plan will be responsible for the ongoing implementation of their bushfire management responsibilities as specified in that Plan.<br><br>It is acknowledged Draft LPS 2 still provides for the subdivision of Lot 1, given a 3ha minimum lot size is stipulated under the general provisions applicable to the Rural Residential zone. However, the relatively certain subdivision outcome currently provided under Schedule 7 of LPS 1 is significantly diminished as only general subdivision provisions will need to be relied on under Draft LPS 2.<br><br>In this regard, the existing LPS 1 provisions reinforcing the subdivision potential of Lot 1 | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | facilitate the completion of a logical pattern of subdivision in this rural residential precinct, which is generally characterised by 1ha lots to the north and east. This graduation of lot sizes at the periphery of the rural residential zone is similarly achieved at the southern extent of this precinct (Lots 101 – 103 Shady Glen).<br><br>As evidenced by the existing LPS 1 provisions, the previous subdivision approval achieves an appropriate balance between completing the pattern of subdivision in this locality, retaining vegetation and addressing bushfire management requirements.<br><br>**PROPOSED MODIFICATIONS TO DRAFT LPS 2**<br>This submission seeks to maintain the existing subdivision potential of the subject site and ensure this subdivision potential continues to be specifically identified in Draft LPS 2.<br><br>Accordingly, we request support for the following entry to be included in Schedule 8 of Draft LPS 2 and the Scheme Map to be modified accordingly:<br><br>*SCHEDULE 8 – SPECIAL PROVISIONS - RURAL RESIDENTIAL ZONE*<br>**Scheme Map Ref No.** / **Area Description** / **Special Conditions and Requirements**<br>*RRX.* / *Lot 1 Kilcarnup Road, Burnside* / *1. Subdivision shall be generally in accordance with the Plan of Subdivision approved on 3 October 2016 (WAPC Ref: 153 972) or a subsequent Structure Plan and/or Local Development Plan approved in accordance with the process set out in the Deemed Provisions.* | | |

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| | | The inclusion of special provisions relating to the subject site in the manner proposed would be consistent with the approach taken with other rural residential properties listed in Schedule 8 (both individual lots and multiple lots) which have been subject to prior subdivision and/or Structure Plan approvals.<br>**CONCLUSION**<br>As set out in this Submission, we have concerns that Draft LPS 2 diminishes the subdivision potential of Lot 1 Kilcarnup Road, Burnside. Accordingly, we request that the previously approved subdivision outcome specifically recognised in LPS 1 is simply carried over to the new Scheme. | | |
| 393. I532961 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |
| 394. I533069 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Concerned about habitat loss in this valuable region. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | review of the Local Planning Scheme. | |
| 395. I533076 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Concerned about added pressure to an environmentally sensitive area. The development, the pressure on the environment will be huge. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 396. I533080 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Over population and everything is wrong with this ludicrous. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| 397. I533082 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Area is very valuable, worried because of the recent coastal fires. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 398. I533083 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Concerned for the cliff structure, environment and biodiversity as well as impact of increased traffic and population with only one road in/out and increased risk of bushfire/climate warming. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 399. I533084 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 | **Refer to Submission No. 19 above.**<br><br>**Additional Points:** | See response to Submission 19 | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | Gnarabup – Standard Pro Forma Submission | Impact coastal barrier and the risk of fire is too great. | In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 400. I533085 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Too many people, it ruins the idyllic look of the area. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 401. I533090 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Fragile coast | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 402. I533282 | **Submission Subject:** Standard Submission - Lots 501, 502, 503, 504 and 783 Gnarabup | **1. Unauthorised advertising of Draft LPS2.**<br>The Shire of Augusta-Margaret River (AMRS) was not authorised to advertise the Draft Local Planning Scheme 2 (LPS2) in its current advertised form. In August 2020 Council resolved to advertise Draft LPS2 "*without modification*". However substantial modifications to this document have been made. Accordingly AMRS has no authority to advertise and seek public comment on the Draft LPS2 in its current advertised form.<br>To resolve this problem of statutory non-compliance, Draft LPS2 should re-advertised only after a lawful resolution of Council to advertise a Draft LPS2 that reflects the Local Planning Strategy, Local Tourism Strategy, LPS1, the structure plan for these lots and community views in order to avoid to protect Gnarabup and avoid any future legal challenges to the validity of the Scheme. | See response to Submission 19 and further detailed comments at Attachment B to this Schedule. | See response to Submission 19 |

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| | | **2. Lack of transparency in changes made to Draft LPS2.**<br>On 28 June 2023, Council's Elected Members hosted a public briefing session at which AMRS employees showed a PowerPoint presentation that Stated the "*Draft scheme does not change zoning of Gnarabup sites, nor development controls*." This PowerPoint Statement was found to be misleading (to both Elected Members and their community) in the clear light of the advertised Draft LPS2, which had changed both zoning and development controls on Gnarabup development Lots. Elected Members were not briefed on changes to Draft LPS2 made by AMRS employees between August 2020 (when Council resolved to advertise Draft LPS2) and September 2023 (when Draft LPS2 was advertised). Community members have been advised by AMRS employees that there are no public AMRS records of any briefing/communication to Elected Members on changes made to Draft LPS2. Community members have been repeatedly assured by AMRS employees that there were no changes to zoning or removal of planning controls relating to the five Gnarabup Lots.<br>**3. Removal of development conditions (i.e.. the Special Control Area 3 conditions from LPS1) for Lots 501, 502, 503, 504 and 783 Gnarabup.**<br>Ignoring historic planning decisions for this site (including the Local Planning Strategy | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | endorsed 2022) and with no community consultation, the Special Control Area conditions for the Lots have been removed (without planning justification) when they should instead be retained and strengthened to reflect the Local Planning Strategy, Local Planning Tourism Strategy, LPS1, the structure plan for these lots and community views.<br>**4**. **Lots 501, 502, 503 and 504 Gnarabup should be zoned Tourism as they are currently zoned in LPS1, and not Urban Development as proposed in the advertised Draft LPS2.** This would reflect the numerous decisions by Councils, on behalf of the community, for over 20 years, including the Local Planning Strategy, Local Tourism Strategy, LPS1 and structure plan for these Lots.<br>**5. The northern portion of Lot 783 Gnarabup should be zoned Parks and Recreation in Draft LPS2, not Tourism.** As shown in LPS1, this portion of land should be retained for public purpose, and never for development. WAPC and AMRS employees have acknowledged their mistake in the advertised Draft LPS2 and WAPC has committed to "fixing" the mistaken rezoning of the northern portion of Lot 783 from Parks and Recreation to Tourism.<br>**6**. **The advertised version of Draft LPS2 has *not* been referred to the** | | |

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| | | **Environmental Protection Authority (EPA) for review as is legally required.** The EPA reviewed the 2020 (Council authorised) version of the Draft LPS2 but *not* the currently advertised Draft LPS2, which is a significantly modified document and which accordingly must be referred to the EPA for its review.<br>**7.** The AMRS online Draft LPS2 consultation webpage States "*Our new planning rules have been developed to align with the recently endorsed Local Planning Strategy*." This is not correct in relation to the Gnarabup Lots as the Draft LPS2 in its advertised form would deliver millions of dollars of Additional value to the owner of this site.<br>**8**. **A structure plan can be changed and does not have the same standing, nor provide the same planning and development protection, as a Local Planning Scheme.** A structure plan is not binding on the developer or the decision maker and failure to comply with a structure plan in a development approval is not a reviewable decision. It is critically important that LPS2 provides enforceable planning and development protection for the Gnarabup Lots.<br>**9**. **The proposed zoning changes and removal of development conditions (points 3, 4 and 5 above) in the currently advertised Draft LPS2 are procedurally unfair while a Development Application (DA) for these lots is currently being** | | |

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| | | **considered by WAPC.** Between January and March 2022 the Department of Planning, Lands and Heritage (DPLH) conducted a 6 week public consultation period for the five development Lots (89% of 2,000+ submissions opposed the development) despite DPLH and WAPC being aware that the EPA determined to assess the development proposal in December 2021. This meant there would be a significant delay in the DA coming before WAPC for a decision. It is procedurally unfair to change the underlying planning scheme in relation to these five Lots while the DA assessment process is on foot and due to come before WAPC for a decision.<br>**10. It is not proper and orderly planning to overturn decades of previous planning decisions without explanation or justification.** This is especially poor governance when the "surprise" changes in Draft LPS2 (i.e.. removal of Special Control Area 3, changes in zoning from Tourism to Urban Development and from Parks and Recreation to Tourism) favour the developer, at the expense of community aspirations as reflected in current planning controls for Gnarabup, better supporting the developer's currently non-compliant DA.<br>**11**. **Draft LPS2 has no Special Control Areas for bushfire risk. Two Special Control Areas (SCA) should be established to apply to areas of "extreme" bushfire risk and "very high"** | | |

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| | | **bushfire risk as identified in the AMRS Bushfire Risk Management Plan (BRMP).** The entire Augusta-Margaret River Shire is designated on the official Map of Bushfire Prone Areas as "*Bushfire Prone*" (DFES). Under the *Planning and Development Act 2005*(WA), AMRS must have due regard to any State Planning Policy which affects its District. As such, LPS2 is required to conform with *State Planning Policy 3.7 - Planning in bushfire prone areas* (SPP 3.7). The Guidelines for SPP3.7 (both 2015 and 2021 versions apply to the period in which Draft LPS2 was Drafted) require attention to the threat of Bushfire in the preparation of a Local Planning Scheme. The Scheme zoning tables should be reviewed to ensure the type of development permissible through the zoning table is compatible with the level of Bushfire risk for each SCA. Vulnerable land uses should be prohibited in "extreme" Bushfire risk SCA and arguably not permitted in the "very high" Bushfire risk SCA notwithstanding a BRMP endorsed by DFES. It should be noted there is only one access road in and out of Prevelly and Gnarabup hamlets and in the catastrophic 2011 fire the only option for residents to escape the fire, that included exploding airborne embers, was to shelter in the ocean and under the boat ramp at Gnarabup.<br>**12. State Planning Policy 2.6 - Coastal planning** | | |

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| | | This Policy must inform Draft LPS2 in terms of protecting the unique Gnarabup coast. Coastal hazard risk data of this coast is dated and lacking. Urgent modelling is required in order to manage the accelerated impacts of climate change related sea level rises, coastal processes, landform stability and coastal hazards. Appropriate zoning in Draft LPS2 will be a critical factor in managing pressures for development on the Gnarabup Headland. Furthermore appropriate zoning will support the objectives of SPP2.6 by providing for public coastal foreshore reserves and access to them on the coast, in addition to protecting, conserving and enhancing coastal zone values, particularly in areas of landscape, biodiversity and ecosystem integrity, indigenous and cultural significance as exists on the Gnarabup Lots.<br>**13. Climate change.** Under recent amendments to the *Local Government Act 1995*, including adding *Section 3.1(1A)*, AMRS and the WAPC are required to have regard to the need to plan for and to plan for mitigating risks associated with climate change.<br>Section 3.1 (1A) Without limiting subsection (1), the general function of a local government must be performed having regard to the following —<br>(a) the need — | | |

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| | | (ii) to plan for, and to plan for mitigating, risks associated with climate change; and<br>Climate change is exacerbating the hazards, prevalence, spread and intensity of Bushfires which suggests that even the current assessments by DFES, especially in high risk areas like Gnarabup, may be less than adequate to the task of assessing the risk to people and property. The recent (7/12/2023) second refusal by WAPC of the proposed North Stoneville development demonstrates the necessity of appropriate zoning to address the risks to people and property on high fire risk land. Mundaring Shire President commented, "The decision is a testament to years of persistence by Council and our community who understand the increasing bushfire risk that we face in this region. The decision tells us that planning in bushfire prone areas must aim to safeguard not endanger our community."<br>14. **The impacts of tourism and the human carrying capacity should be reflected in Draft LPS2.** The hamlets of Gnarabup and Prevelly are seasonally inundated with tourists, resulting in enormous population pressure on Margaret River town's only safe swimming beach and limited coastal infrastructure. Tourist numbers combined with high visitation from locals living in the broader Margaret River region, result in a negative environmental impact on fish populations, beach nesting | | |

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| | | endemic and migratory shorebirds, coastal biodiversity, vegetation (clearing and bushfire), coastal landforms (erosion and degradation), household waste generation and general rubbish (increase), pollution, waste water treatment (increased capacity needed), human encroachment (including 4WDs and trailbikes) on the Leeuwin-Naturaliste National Park and coastal reserves (including River reserves), native flora and fauna (including impacts from domestic dogs, feral cats, foxes and invasive weeds). The human carrying capacity of Gnarabup and Prevelly has been exceeded, and additional tourist numbers plus visitors from the Margaret River region and surrounds, is leading to a measurable depletion and degrading of cultural, social and natural environments, the impacts of which will most certainly impact future generations. AMRS and WAPC must have regard to -<br>Section 3.1 (1A) Without limiting subsection (1), the general function of a local government must be performed having regard to the following —<br>(a) the need —<br>(iii) in making decisions, to consider potential long-term consequences and impacts on future generations; | | |
| 403. I533292 | **Submission Subject:** 127 (Lot 10) Hillview Road, Augusta | 1. Support the proposed changes In LPS 2 in relation to Lot 10.<br>2. We note that no fundamental changes are proposed to the zoning of the land. | Support for the Scheme as it relates to the submitters land is noted. | No changes are required as a direct result of this submission. |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | Existing Local Planning Scheme No. 1 (LPS 1) zones the land as Future Development while Draft LPS 2 is proposing to zone the land Urban Development.<br>3. The objective of the Urban Development zone appears to be standard and requires a detailed Structure Plan, a range of densities and accommodation and possible commercial and other uses. Developer Contribution Schemes applicable to the site are also unchanged between the existing LPS 1 and the Draft LPS 2.<br>4. It is also noted that an existing Structure Plan/ Outline Development Plan is in place for Lot 10 and it is the landowner's intention to develop the land. Given the age of the existing Structure Plan/ Outline Development Plan, a review of the current plan is likely over the coming years.<br>5. The landowner is committed to developing the land in accordance with the zoning and structure plan framework. Should there any changes to what has been advertised for Lot 10, the landowners would like to be kept informed and have opportunity for further input. | | |
| 404.<br>I533367 | **Submission Subject:** MRREC Standard Submission - General | **Fully supports comments outlined in Margaret River Environment Centre Submission No. 321** | See response to Submission 321 | See response to submission 321 |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| 405.<br>I533372 | **Submission Subject:** Agricultural Land within the Shire (Standard Submission) | **Priority Agriculture Zoning**<br>It is proposed that all agricultural land within the AMR Shire be designated with Priority Agriculture status, as outlined in the regulatory text governing such classification. Additionally, all currently designated General Agricultural land should be reclassified as Priority Agriculture.<br>This designation aligns with the overarching goal of preserving and promoting agricultural activity within the AMR Shire. Priority agriculture status ensures that farming operations receive the necessary support and protection to sustainably manage agricultural land for production purposes.<br>By prioritizing agricultural land use, the AMR Shire acknowledges the vital role of farming in the local economy and community. This designation aims to safeguard agricultural resources against encroachment from non-agricultural development and underscores the importance of preserving farming heritage and practices.<br>The proposed designation of all farming land as priority agriculture reflects a commitment to fostering a thriving agricultural sector within the AMR Shire. By upholding Priority Agriculture status and zoning all general agricultural land accordingly, the Shire can uphold its agricultural legacy while promoting | See detailed response at Attachment C to this schedule. | **Priority Agriculture Zoning**<br>Change the zoning of all land shown as 'Rural' to 'Priority Agriculture'.<br>Change corresponding references in the Scheme text from 'Rural' to 'Priority Agriculture'.<br>Change the 'objectives' for the zone such that they replicate the objectives for the Priority Agriculture zone in LPS1 with the exception that:<br>The words: "through specific subdivision criteria to ensure long term agricultural sustainability and appropriate lot sizes" are removed from objective (b); and<br>The following is added at (h)<br>"*To provide limited opportunities for non-rural land uses only where they are incidental to the primary rural use and are compatible with surrounding rural uses"*<br><br>***Clause 51***<br>Modify clause 51(1) such that it reads:<br>The following development setbacks apply to a watercourses outside of the residential zone: |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | sustainable land use practices for future generations.<br><br>**Clause 51 -** 100m setback from **any watercourse** is unworkable, onerous and will diminish land value by reducing the arable land area. 100m setback is currently applied to Blackwood and Margaret Rivers. Landowners would be forced seek compensation. Use of Scheme clauses for these assessments is heavy handed. In some circumstances the shire can impose conditions which includes rehabilitation, revegetation or weed control. If there is subdivision of land, including Nature Conservation Covenant subdivision, the Shire may require the ceding of foreshore land and watercourses and wetlands should be suitably fenced to prevent stock. When would this be applied.? This is not clear.<br>The mapping is not accurate which then puts the onus on the landowner/farmer to demonstrate why something should not be considered as an Environmental Feature. This process has potential to be financially debilitating. The Environmental Asset mapping should not create a template for Environmental Regulation at the Local government level. The Assets listed on the map are already covered by State and Federal Regulations. The EAM needs to be discarded.<br>**Clause 55** – landscape protection. How is vegetation measured for landscape value.? | | • 100m in the case of intensive agriculture and 30m for all other development; or<br>• as otherwise determined in consultation with the Department of Water and Environmental Regulation;<br><br>**Environmental Assets Map**<br>Remove clause 53 subclause (6).<br><br>Reword subclause (7) as follows:<br>*"Proposals which have the potential to impact upon the features identified by Table 6 are to be accompanied by proposed management mechanisms designed to avoid impacts and to protect environmental features on the site."*<br><br>Remove the third column 'Requirements' from Table 6.<br><br>Change the title of Table 6 to: **"Environmental Assets – Features and Objectives"** |

# SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | This should be relevant for Residential subdivisions and Local Government land. Not privately owned land.<br>**Clause 56 –** Clustering dwellings is not advisable on farming properties. Farmers do not want to live alongside their workers or the in-laws. Secondary dwellings should be able to blend into the landscape – away from the main residence. 2000m2 is too small an area. It is impractical and could potentially create an unhealthy environment for young family land owners /farmer and workers housed in close proximity.<br>**Clause 69 -** sustainable building requirements on farming land should be voluntary as it would create further additional costs to building in more remote locations.<br>**Clause 79 -** Additional dwellings, separate to workers accommodation should be considered long term. Many farming families swap dwellings to enable the growth of the young family. The older generation who are often still fully active on the farm can easily manage and enjoy a dwelling of decent size. If unoccupied by a family member the additional dwelling could be rented out to help drought proof the business and provide additional income when agricultural markets are experiencing downward pressure. The new clause that increases the additional dwelling size to 120sqm is supported.<br>**Clause 80 -** concerning Agriculture within the Environmental Conservation Zone, is | | Reword subclause (8) as follows:<br>"*The local government may refuse to grant development approval if the proposal would result in a deleterious impact on the features identified by Table 6."*<br><br>***Clause 55***<br>Remove clause 55 subclause (2)<br><br>**Clause 56**<br>Modify clause 56(4) by removing reference to the Rural zone.<br><br>***Clause 69***<br>No changes are required as a direct result of this submission<br><br>***Clause 79***<br>Modify clause 79(4) to state 'with the exception of Farm Buildings, Rural Workers Accommodation and Chalets'<br><br>Modify clause 79(7) by deleting part (b) and consolidating the remaining requirement into a single clause. |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | clearly specified in the regulatory text. Consequently, the practice of grazing cattle on wetland areas, often a significant portion of agricultural holding, is prohibited. Erecting fencing to deter grazing on these parcels is prohibitively costly and effectively renders productive grazing land inaccessible. Such a restriction renders the land unsuitable for both grazing and other agricultural endeavours, akin to a form of compulsory acquisition. | | Remove Clause 79 (10)(c)<br><br>Reword clauses 79 (12-14) as follows:<br>(12) Non-rural uses, including tourism uses, may only be permitted where agricultural use of the land is existing and maintained, with non-rural uses being incidental to and having a functional relationship the predominant agricultural use on site.<br>(13) Non-rural use and development shall incorporate measures to address any risk of land use conflict in order to protect the primacy of agricultural production within the zone. Such measures shall be undertaken by a proponent and not adversely affect agricultural activity on the subject or adjoining lots.<br><br>(14) Where a non-rural development satisfies clause 79(12), development is to:<br>(i) Be sited in areas of lower agricultural |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | | capability on site;<br>(ii) Be located in such a way as to not prejudice the ongoing or future potential agricultural use of the lot or adjoining lots, including suitable setbacks to maintain appropriate spray drift and noise buffers;<br>(iii) Incorporate management measures to prevent visitor interferen |

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| | | | | ce with working agricultural operations.<br><br>Include an additional subclause at 79 under the heading "Tourism Development in the Rural zone:<br>*"Notwithstanding clause 79 (12), tourism development may be permitted on a lot that is substantially vegetated and where that vegetation can be protected on an ongoing basis".*<br><br>***Clause 80***<br>No changes are required as a direct result of this submission |
| 406. I533374 | **Submission Subject:** Standard Submission - Lots 501, 502, 503, 504 and 783 Gnarabup | **Refer to Submission No. 402 above.** | See response to Submission 402 | See response to Submission 402 |
| 407. I533421 | **Submission Subject:** MRREC Standard Submission - General | **Fully supports comments outlined in Margaret River Environment Centre Submission No. 321** | See response to Submission 321 | See response to Submission 321 |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
|---|---|---|---|---|
| 408.<br>I533318 & I533492 | **Submission Subject:** Lot 2703 Sebbes Road, Boranup | 1. This submission is made on behalf of the Boranup Community (Boranup Pty Ltd) and requests a change to Draft Local Planning Scheme No. 2 which was agreed as a necessary action as part of the recent process of strata subdivision approval consideration for the site.<br>2. The subject site has been approved for strata subdivision on the basis of lots that would be equal in size and encapsulating each dwelling or future dwelling site with lot sizes approximately 5058m$^2$ with common property around the balance of the site.<br>3. Under the current scheme the site is zoned Special Use 'Multiple Occupancy', conditions include A, Development to be generally in accordance with the submission entitled Boranup Community Multiple Occupancy Development Application April 1984. Further, B, notwithstanding Point A, any facilities constructed on the location should be for residents' purposes only, unless otherwise approved by Local Government and C, No commercial activity is permitted other than the sale of produce or cottage crafts grown or made on the property unless otherwise approved by Local Government.<br>*4.* Draft Scheme No. 2 also identifies the site as Special Use. It also includes the use being considered as Grouped Dwelling (in the form of Multiple Occupancy) and conditions stating *'any* | A strata subdivision has been approved over the site since Draft LPS2 was first advertised. As such, the related provision can be altered to reflect that strata subdivision of the site can be achieved. | Change the 'Special Use' column applicable to S3 at Schedule 3 such that it states: *"Grouped Dwellings as per strata subdivision approval WAPC ref. 352-23"* |

# SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
|---|---|---|---|---|
| | | *facility should be for residents purposes only and no commercial activity is permitted other than the sale of produce or crafts grown or made on the property'.*<br>5. The Draft Scheme effectively carries over the zoning and land use expectation (Multiple Occupancy) and does not make reference to the application of the original development plan. This is a shortcoming.<br>6. It is requested that the zoning of the land be amended to reflect the approved intentions for the site moving forward will not be Multiple Occupancy but will effectively be Rural Residential in a strata subdivision format and it is requested that reference to the original submission made in 1984 be carried forward as a general guide to the scale (25 houses) and format of development. This has informed the strata subdivision which is intended to be acted upon however, in the highly unlikely event that it is not acted upon, reference to the original Guide Plan (Boranup Community Multiple Occupancy Development Application April 1984) will confirm the scale of development that is anticipated and also the general format moving forward.<br>7. It is respectfully requested that such changes be made and the Boranup Community would appreciate consultation on the final consideration of such adjustments which as the Shire | | |

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| | | would and the Commission would appreciate was a prior commitment as part of the subdivision approval process. | | |
| 409. I533350 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Sensitive ecosystem. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 199 |
| 410. I533352 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>No reason to build on the coast, environmental destruction. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a | See response to Submission 19 |

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| | | | review of the Local Planning Scheme. | |
| 411. I533354 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Nature | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 412. I533357 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. No access.<br>2. Fire risk.<br>3. Visual impact. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| 413. I533358 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Worried about the additional infrastructure and additional risk. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 414. I533359 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Too many people. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 415. I533362 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 | **Refer to Submission No. 19 above.**<br><br>**Additional Points:** | See response to Submission 19 | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | Gnarabup – Standard Pro Forma Submission | Keep it as is. | In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 416. I533363 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Environmental.<br>2. Fire.<br>3. Impact to coast.<br>4. Sewage. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 417. I533373 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>This version of the LPS is required to be referred and assessed by the EPA as part | See response to Submission 19<br><br>Additional Points:<br>This statement is incorrect. The EPA's consideration of the Westin | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | of their assessment of the Westin Development proposal in Gnarabup. | project is a totally separate process. The EPA has considered Draft LPS2 and provided the Shire with their consent to advertise. | |
| 418.<br>I533494 | **Submission Subject:** Lot 200 Cowaramup Bay Road, Cowaramup | Rowe Group acts on behalf of the landowner of Lot 200 Cowaramup Bay Road, Cowaramup (‘**the subject site’**) in relation to this matter.<br><br>**INTRODUCTION**<br>***Site Location***<br>The subject site is located at the southern extent of the Cowaramup townsite, approximately 1.5km due south-west of the town centre. The proximity of the subject site to the town centre enables it to benefit from the range of services and facilities in Cowaramup, including the opportunity to connect to the reticulated sewer network.<br><br>**Purpose of Submission**<br>The primary purpose of this submission is to request the 25% restriction on permanent occupation of residential development on the site be deleted. It is our submission imposing a rigid 25% restriction on permanent occupancy, as stipulated in Schedule 9 of Draft LPS 2, is inconsistent with the current planning framework and should not simply be carried over from the existing Local Planning Scheme. Our rationale for this request follows. | Point 3 under the heading “use” in column 3 of Schedule 3 should be removed as requested by the submitter. This will result in the Local Planning Strategy (which includes the Tourism Strategy) providing the direction regarding residential use of this tourism site.<br><br>A further inconsistency should also be addressed. The draft Scheme contains the following sub clauses (to clause 78) applicable to the Tourism zone generally:<br>1. *Land identified as being a ‘key tourism site’ by the Local Planning Strategy, shall not be developed for residential purposes and all development is to be subject to*<br>*length of occupancy restrictions.*<br><br>2. *Non key tourism sites may in part, be developed for residential purposes where development is consistent* | Remove point 3 under the heading “use” in column 3 of Schedule 9.<br><br>Remove clause 78 subclauses 5 and 6 and replace with:<br>*The allowable extent of residential development on any Tourism zoned lot shall be determined having regard for the Local Planning Strategy and any applicable WAPC policy.* |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | **SHIRE OF AUGUSTA MARGARET RIVER LOCAL PLANNING STRATEGY**<br>The Shire of Augusta Margaret River Local Planning Strategy includes a Local Tourism Planning Strategy component which has been adopted by the Shire and endorsed by the Western Australian Planning Commission ('WAPC'). Whilst the overall Local Planning Strategy was endorsed by the WAPC on18 January 2022, the Tourism Strategy component was finalised in 2016.<br><br>A key purpose of the Tourism Strategy is to inform a review of those elements of LPS 1 relating to tourism development.<br><br>It is noted the Tourism Strategy was guided by the WAPC's now superseded Planning Bulletin 83 - Planning for Tourism ('PB 83') which was subsequently replaced by the WAPC's Position Statement – Planning for Tourism and Short-Term Rental Accommodation (2023). The Position Statement is addressed in further detail below.<br><br>Consistent with PB 83 (and the Position Statement), the Tourism Strategy promotes a more strategic and flexible approach to tourism planning, including considering the Unrestricted Length of Stay ('ULS') component of a proposal using a performance-based assessment, rather than applying the rigid 25% permanent | *with Planning Bulletin 83/2013.*<br><br>Despite these clauses the Local Planning Strategy specifically identifies the subject site as having the potential for ULS (unrestricted length of stay) | |

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| | | residential threshold included in LPS1.<br><br>The subject site is identified as a Key Tourism Site (Key Tourism Site 6 – Lot 200 Cowaramup Bay Road). The associated site analysis notes: The site is of sufficient size to be developed for ULS purposes without impacting on the integrity of the resort.<br><br>The Tourism Strategy recommends amendments that will be required to LPS 1 in order to implement the Tourism Strategy including, most relevantly to this matter, clause 4.18.6, which relates to the maximum percentage of 'residential – no occupancy restriction' development, in order to better define the circumstances under which mixed use ULS and short stay tourism development will be permitted.<br><br>It is apparent from the commentary and recommendations contained within the Tourism Strategy that assessment of proposals for ULS development should not be based on applying a maximum permanent residential occupancy limit of 25%.<br><br>Further, it is apparent that a performance-based approach to considering ULS development was to be captured as part of a review of LPS 1 (or at the time a new Local Planning Scheme was prepared). In this regard, the criteria set out in Table 4.5 | | |

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| | | - ULS Development on Tourism Zoned Land provide for assessment of proposals for ULS development on a case-by-case basis, which was consistent with the approach set out in PB 83 (and under the current planning framework, WAPC Position Statement - Planning for Tourism and Short-Term Rental Accommodation).<br><br>**WAPC'S POSITION STATEMENT – PLANNING FOR TOURISM AND SHORT-TERM RENTAL ACCOMMODATION (2023**)<br>The WAPC's Position Statement – Planning for Tourism and Short-term Rental Accommodation (2023) ('The Position Statement') advises, as an underlying principle, that planning for tourism 'must be capable of adapting to changes in the sector and the consideration of value-add opportunities'. This encourages a more flexible and nuanced approach to planning for tourism, rather than a rigid, inflexible approach.<br><br>Consistent with the approach set out in the Tourism Strategy, the Position Statement encourages consideration of land uses (other than 'tourism' land uses) such as permanent residential, to be on a case-by-case basis, rather than by prescribing a specific but arbitrary limit on the proportion of units available for permanent residential occupancy. | | |

# SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | **STATUTORY PLANNING FRAMEWORK**<br>Existing Local Planning Scheme No.1 Provisions<br>The subject site is zoned 'Tourism' under LPS 1. In addition to setting out the purpose and objectives of the Tourism zone (clause 4.2.3) and establishing the permissibility of land uses under the Zoning Table, LPS 1 includes Schedule 12 - Special Conditions Relating to Tourist Zones. The subject site is identified as 'T1' and includes various special conditions including, most relevantly for the purpose of this submission, the following condition:<br><br>**NO.** / **DESCRIPTION OF LAND** / **CONDITIONS**<br>T1 / Portion Lot 200 Cowaramup Bay Road, Cowaramup / **2.2 In accordance with Clause 4.17 (sic)* of the Scheme, up to 25% of the accommodation units on site may be occupied on a permanent basis without imposition of an occupancy restriction.**<br><br>***(extract from Local Planning Scheme No.1)***<br><br>*The reference to clause 4.17 is incorrect, it should refer to Clause 4.18 – Development in Tourism Zone.<br><br>Clause 4.18 sets out various additional provisions that are to be applied with respect to Tourism zoned land.<br><br>**Draft Local Planning Scheme No.2 (as Advertised)**<br>The subject site is zoned 'Tourism' under Draft LPS 2. In addition to setting out the purpose and objectives of the Tourism zone | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | (Table 2 – Zone Objectives) and establishing the permissibility of land uses under the Zoning Table, Draft LPS 2 also includes Schedule 9 - Special Provisions - Tourist Zone. The subject site is identified as 'T1' and includes various special conditions including, most relevantly for the purpose of this submission, the following condition:<br><br>**SCHEME MAP REF NO.** / **AREA DESCRIPTION** / **SPECIFIC CONDITIONS AND REQUIREMENTS**<br>T1 / Portion Lot 200 Cowaramup Bay Road, Cowaramup / **3. Up to 25% of the accommodation units on site may be occupied on a permanent basis without imposition of an occupancy restriction.**<br><br>***(extract from Draft Local Planning Scheme No.2)***<br>This submission asserts prescribing an arbitrary restriction on the proportion of accommodation units that can be occupied on a permanent basis is contrary to the Local and State planning framework related to Tourism Planning and should be deleted. Rather, proposals should be assessed against criteria on a case-by-case basis, as envisaged by the Tourism Strategy. In the event a maximum percentage of accommodation units for permanent occupancy is considered necessary, a figure of 50% would provide greater flexibility, noting that this would not preclude other development controls being applied to the Tourism zone, to ensure the objectives of the zone are still upheld.<br>In this regard, Clause 78 – Tourism Zone | | |

# SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
|---|---|---|---|---|
| | | Requirements sets out various additional provisions that are to be applied with respect to Tourism zoned land. However, it is our submission these provisions require refinement, to avoid inconsistencies/conflicts with other provisions of Draft LPS 2. For example, Clause 78 (5) States:<br><br>(5) Land identified as being a 'key tourism site' by the Local Planning Strategy, shall not be developed for residential purposes and all development is to be subject to length of occupancy restrictions.<br><br>Lot 200 Cowaramup Bay Road is identified as a 'key tourism site' by the Tourism Strategy, however Schedule 9 nonetheless provides for 25% of accommodation units to be developed for residential purposes without occupancy restrictions.<br><br>Notwithstanding our primary objection to the imposition of a percent-based restriction on occupancy, in a similar manner to Clause 70 (1), an additional clause should be included under Clause 78 to the effect that:<br><br>In the event of any conflict between the provisions of clause 78 and the site-specific provisions of Schedule 9, the provisions of Schedule 9 shall prevail. | | |

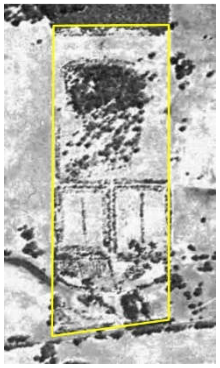
| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | **SUMMARY OF PROPOSED MODIFICATIONS TO DRAFT LPS 2**<br>To summarise, this submission requests the following modifications to Draft LPS 2 prior to finalisation:<br>• Deleting Condition 3 relating to T1 in Schedule 9 – 25% restriction on permanent residential occupancy.<br>• Modifying Clause 78 to better align with the objectives and intent of the Tourism Strategy and Position Statement and avoid conflicts with other Scheme Provisions.<br><br>**CONCLUSION**<br>As set out in this Submission, we have concerns Draft LPS 2 does not recognise the contemporary approach to planning for tourism as reflected in the current planning framework, including the Shire's Tourism Strategy and the WAPC's Position Statement. It is our submission Draft LPS 2 should be modified to reflect the intent and objectives of these key documents. Undertaking the requested modifications and thereafter applying a performance-based assessment of any future proposals for the site, will still uphold the objectives of the Tourism zone and facilitate, not compromise the delivery of quality tourism development in this location. | | |
| 419.<br>I533504 | **Submission Subject:** Lot 901 Osmington Road, Bramley | This submission is made in respect of the above site which is owned by Brian Spitteler of Swapcom Pty Ltd T/T for Hideaway Unit Trust trading as Margaret River Hideaway & | As explained by the submitter, the site is already developed with 3 more chalets than would typically be allowed on a rural lot. There is no | No changes are required as a direct result of this submission. |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | Farmstay.<br><br>The subject site is identified as Margaret River Hideaway which is a tourist development with nine existing chalets already established, along with animal pens for petting of animals, particularly for the enjoyment of families including children. There are currently two well appointed studios for 1-4 persons and 7 comfortable 2-3 bedroom cottages.<br><br>The chalets and associated managers residence have been established in the southern half of the site and extensive landscaping has occurred about the areas of the chalets to create compartmentalised sections of the area associated with chalets so there is privacy. The location of chalets and the associated planting areas is evident in the close-up section of aerial photograph provided below. | discernible difference between this lot and other similarly zoned lots in the area. Chalets in the rural area, whilst allowable to a certain extent, frequently receive objections during consultation.<br>Increasing the number of chalets which could be accommodated on this lot without consultation would likely not be viewed favourably by surrounding residents. | |

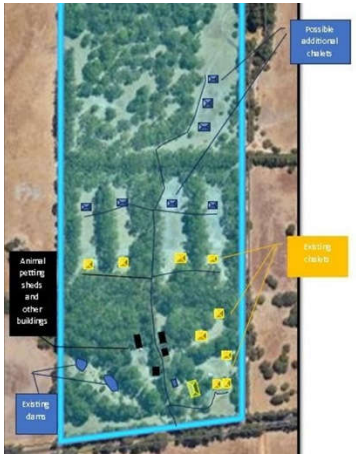
**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | |  <br><br>The chalets on site were established in the 1990's and a Scheme Amendment was effected to allow additional chalets up to a maximum of 9 and this is reflected in the current zoning of the land which is Priority Agriculture however, Additional Use Right 25 is applicable which States *'maximum of nine chalets" ……*and *……. "prior to any further development approval being granted a plan shall be prepared and adopted showing the details of all existing and any additional development to be undertaken on the land to the satisfaction of the Local Government'.*<br><br>The overall site is 23.3 hectares in area and would typically only be permitted to accommodate a maximum of 6 chalets. | | |

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| | | The central and northern part of the site contains a stand of native vegetation which has regenerated and as such, the site has limited farming capability.<br>The owners of the land have developed a substantial tourist development which contributes to the tourism sector in Margaret River. The site already has zoning recognising the site as one with greater tourism potential.<br><br>The location on Osmington Road is very close to Margaret River being approximately 4.5 kms due northeast and in close proximity to a number of other tourism uses including the Colonial Brewery, EVOI Wines, Stellion Wines, Losari Retreat, Margaret River Paintball, Jarvis Estate and land zoned for chalet development associated with the Margaret River airstrip to the south. Osmington Road is therefore an area with numerous tourism outlets.<br><br>The chalets have been in existence for quite some time and are in need of renovation however, to provide financial impetus for this and the investment of such funds, the owners are considering potential for additional chalets. The Draft Scheme presents as an ideal opportunity to ask the question - could the possibility to apply for additional chalets be inserted into the Draft Scheme such that assessment of a proposal could be given via a Planning Application? | | |

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| | | It should be noted that the subject land has been rehabilitated and established as a tourist accommodation site and has very limited agricultural potential as a result. There are plenty of additional cleared pockets of land that would be ideally suited for additional chalets. If the owners could establish further accommodation on site, this would add to the existing infrastructure and assist in funding the renovation of the existing accommodation.<br><br>The rehabilitation that has occurred onsite to create discrete tourism areas and moving away from farming can be ascertained when considered against the 1996 aerial photograph of the site below.<br><br>  <br><br>The plan below indicates where additional | | |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
|---|---|---|---|---|
| | | chalets could be easily accommodated without impact on native vegetation in cleared areas that would enable further opportunities for guests to experience the amenity that has been created on the land.<br>  <br><br>It is noted the Shire recently supported "in-principle", additional chalet zoning at Losari retreat, Osmington Road, a similar situation with established accommodation. Osmington Road is a good local distributor road which connects to other areas and therefore a key bushfire consideration is addressed.<br>It is therefore respectfully requested that the site be identified for Additional Use Rights to accommodate up to 16 chalets subject to detailed consideration of a Planning Application addressing issues as follows:<br>• Demonstration of suitability of effluent disposal capability | | |

# SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
|---|---|---|---|---|
| | | • Demonstration that accommodation of additional chalets would not impact on environmental features of the site<br>• Submission of a Bushfire Management Plan to demonstrate suitability of additional accommodation again without impacting on environmental features<br>• Development being designed of colours and materials and with adequate setbacks to ensure no impact on the visual amenity or adjoining rural activities<br>• Other information as required by the Shire to be submitted to address other development issues as applicable.<br>The subject site has clearly been identified as a tourism site, has been developed as such, has limited potential for other uses and could benefit from an opportunity to improve existing accommodation and expansion through further investment. The area is a good location for accommodation, close to Margaret River, accessed from a good quality road and near other points of interest including cellar door sales, brewery outlets, experiential activity and other tourist accommodation sites. Consideration of additional accommodation can still be the subject of a detailed application guided by special provisions.<br><br>In consideration of this submission, if the Shire have some other thoughts with respect to suitability of additional zoning opportunities for this tourism site, we would | | |

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|---|---|---|---|---|
| | | welcome engagement along with our client to discuss the nature of this and any recommendations moving forward. | | |
| 420. I533642 | **Submission Subject:** Standard Submission - Lots 501, 502, 503, 504 and 783 Gnarabup | **Refer to Submission No. 402 above.** | See response to Submission 402 | See response to Submission 402 |
| 421. I533648 | **Submission Subject:** Lots 9, 10 & 11 Memorial Drive, Cowaramup (Cowaramup District Club) | 1. This submission is made on behalf of the Cowaramup District Club with respect to Draft Local Planning Scheme No. 2 as it applies to the above lots.<br>2. The Cowaramup District Club is a longstanding facility that provides recreational activities (lawn bowls, darts, dance, music etc, bar facilities and licenced restaurant including occasional functions).<br>3. The premises primarily occupies Lot 11 including the main buildings etc however, parking areas extend into the other lots with Lot 9 used for informal parking.<br>4. Under the Residential Zone (R15) within the current Scheme, uses of licenced restaurant, tavern, club premises etc are not permitted. As such, the activity is a non-conforming use and the District Club is concerned particularly if the use was to cease or building destroyed that it may not be able to be recommenced.<br>5. It is therefore imperative that an appropriate zoning be applied to the use of the land and to enable long-term objectives. | Whilst the Residential zoning of the land does not reflect its current use, changing to 'Neighbourhood Centre' as requested could introduce the ability for a wide range of uses in the future which would not be in keeping with the location of the land.<br><br>Instead, a 'Special Use' zoning which specifically provides for Community Purposes and Club Premises would be more acceptable.<br><br>Note: The submitter has subsequently requested that Lot 9 be left as Residential. | Change the zoning applicable to Lots 10 and 11 Memorial Drive Cowaramup from Residential to 'Special Use' and list the following uses in the 'Special Use' column:<br>• Community Purposes<br>• Club Premises |

# SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | 6. Under Draft Scheme No. 2, the subject lots are again identified as Zoned Residential R15. The use of restaurant / café, tavern and club premises are again not permitted (X uses).<br>7. Under the Local Planning Strategy the site is identified as Civic Use.<br>8. We have considered the various zones that are available and note that the best zoning applicable within the Scheme that would harbour the activity on the land would Neighbourhood Centre. Within the Neighbourhood Centre the uses of restaurant / café, tavern, club premises and recreation private are all permissible.<br>9. It is therefore respectfully requested that Lots 9,10 & 11 Memorial Drive be identified under the Draft Local Planning Scheme No. 2 as Neighbourhood Centre on the Scheme Maps given this is reflective of the use in use of the land.<br>10. If Shire Planners are of the view to change the zoning to a different zone to resolve the nonconforming use issue and apply a more relevant zone, we request consultation.<br>11. The Cowaramup District Club is an important part of the Cowaramup District and should have appropriate zoning such that it is protected and appropriately allocated under the Scheme. The site could be considered in the same fashion as the Margaret River | | |

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| | | District Club site which is zoned District Centre. | | |
| 422. I533680 | **Submission Subject:** Lot 632 Wallcliffe Road, Margaret River | **Landuse Planning Framework**<br>1. The WAPC endorsed Local Planning Strategy 2036 identifies:<br>a. The land to fall within Planning Precinct M10 where the precinct planning requirements proposed residential land uses for the land that range from Residential R10-R2.5 and Rural Residential; and<br>b. A significant portion of land as "Future Urban" under Appendix 1 – Strategy maps.<br>2. Given the location of the existing sewer pump station to the property a mixed density of lot sizes for subdivision can be connected to existing deep sewerage infrastructure. The benefits of this should be obvious, and reinforce that range of future residential land uses are capable of being fully serviced.<br>3. The Draft Scheme identifies the land to be zoned "Rural Residential". While the proponent raises no objection to the 'Rural Residential' zone for the land, they want to be assured that the land can be considered for the full range of residential lot sizes and requirements set out in the Local Planning Strategy and will be guided by preparation and approval of a Structure Plan as per the Local Planning Strategy.<br><br>**Clause 51 Watercourses and Wetlands** | **Landuse Planning Framework**<br>The submitter supports the intended zone (Rural Residential) however has flagged that the density which would be sought from any future proposal would be more akin to 'Residential' and hence the need for a rezoning amendment has been acknowledged.<br><br>**Clause 51 Watercourses and Wetlands**<br>As per the response to submission 405, it is proposed to delete reference to the EAM and hence clause 51(1) can also be deleted given that setbacks are addressed by way of clause 79 or (in relation to the property the subject of the submission) through the structure plan process.<br><br>**Environmental Assets Map (EAM)**<br>The submission calls for the deletion from the Scheme of all references to the EAM.<br>Th EAM itself is not located within the Scheme. It forms part of the Local Planning strategy. The map is just one of many resources which the Shire intend to reply upon in order to inform responsible decision making, specifically in terms of understanding | **Landuse Planning Framework**<br>No changes are required as a direct result of this submission.<br><br>**Clause 51 Watercourses and Wetlands**<br>Delete clause 51(1)<br><br>**Environmental Assets Map (EAM)**<br>Delete reference to the EAM at clause 51(1) and 70 (9)(b)<br><br>Change the wording at clause 53 (6) to:<br>*"Proposals which have the potential to impact upon identified environmental features (see Table 6) are to be accompanied by proposed management mechanisms designed to avoid impacts, achieve the identified objectives, and to protect environmental features on the site."*<br><br>Delete clause 53(7) |

# SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
|---|---|---|---|---|
| | | 1. Provision 51 (I) of the Draft Scheme States:<br>*(I) Development shall be setback 100m from a watercourse or wetland identified by the "Environmental Assets Map' contained in the Local Planning Strategy where outside of the Residential zone or as otherwise determined in consultation with the Dept of Water and Environmental Regulations.'*<br>2. A review of the "Environmental Assets Map' contained in the Local Planning Strategy (and accessible via the Shire Website link relating to Draft Scheme No 2) identifies the existing seasonal creek line within the land (and beyond) as 'Watercourse – Minor perennial'.<br>The client wishes to advise that the existing creek line is in fact seasonal or intermittent, whereby the creek line ceases to flow during the summer and autumn months of each year. We therefore consider the Environmental Asset Map reference of the creek line as 'Watercourse – Minor perennial' has potential to require a 100m setback to development – which is completely unrealistic and unjustified.<br>3. It is questionable why the Scheme is stipulating a 100m setback from a watercourse or wetland identified by the 'Environmental Assets Map' contained in the Local Planning Strategy. This represents a very conservative and | the potential impacts of a proposed development on the environment.<br>There has been several submissions which call for the map to be deleted, with the reasons given as being (generally) that it represents over reach in terms of the Shire's endeavours to prevent environmental degradation.<br>Given that reference to the map by the Scheme does nothing more than alerting proponents to the fact that the Shire will consider how a particular development may impact on the environment by utilising various data sets, mention of the map by the Scheme can be deleted. This will not alter the Shire's approach towards minimising environmental impacts, but will address the submissions lodged with regard to this issue. | |

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|---|---|---|---|---|
| | | arbitrary change, which differs significantly to Local Planning Scheme No 1 where the 100m setback only relates to the Margaret River and Blackwood River.<br><br>**Requested Modifications**<br>1. With regard to Parts 2, 1) and 2) above request that the Environmental Assets map be fully reviewed to make sure that it correctly identifies perennial from and intermittent water curses. If the Environmental Assets map is not corrected, then it is requested that reference to the mapping be completely removed from any provision set out in the Draft Scheme on the grounds that it is incorrect, unreliable and not required for the Scheme to operate as Land Use Planning document.<br>2. Modify the wording to reflect the existing provisions of Clause 4.31 in Local Planning Scheme No. 1 which stipulates that No development is permitted within 100 metres of the top of the river bank on either side of the Blackwood River or the Margaret River. Such wording does not need to rely on separate 'Environmental Assets Mapping' which incorrectly identifies intermittent creek lines to be perennial. If this is not undertaken, then I suspect that landowners in the rural sector of the Shire will have significant concern on the Draft Scheme potentially impacting the | | |

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|---|---|---|---|---|
| | | ongoing and future land use and development of their land.<br>**Clause 53 Environmental Assets map & Associated table 6 – Objectives and Requirements for Environmental Assets**<br>Clause 53 (6) and (7) of the Draft Scheme proposes to include objectives and requirements for Environmental Assets as identified in the "Environmental Assets Map" contained in the Council's Local Planning Strategy 2036. It outlines that proposals which have potential to impact upon the features identified by the "Environmental Assets Map' are to be accompanied by proposed management mechanisms designed to avoid impacts and to protect environmental features.<br><br>Clause 53 (6) and (7) has been introduced off the back of the Council's Local Planning Strategy Direction ER5 where its States –<br>*ii. Include scheme provisions that reference the Environmental Assets Map (EAM) and instil a strong presumption against clearing remnant vegetation;*<br><br>A review of the Local Planning Strategy outlines that – '*The Environmental Assets Map (EAM), is a representation of areas of environmental significance based on the best data available to the Shire at the time of writing. The data is primarily sourced from relevant State Government environmental authorities, in particular, the Species recovery Plans for key threated* | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
|---|---|---|---|---|
| | | *species such as the hairy marron and Geocrinia. In order for the map to be legible, it contains a limited amount of features however those are shown have been chosen on the basis that they are geographically representative of a range of other considerations.'*<br>In noting that the Environmental Assets Map has sourced its spatial data from relevant State Government environmental authorities, we consider that the mapping is not required as the actual appropriate environmental authorities will consider relevant development applications submitted to Council as per their own mapping and resources. Therefore an Environmental Assets Map is considered a duplicate layer not considered necessary to be referenced in the Draft Scheme.<br>**Requested Modifications**<br>1. We request Clause 53(7) and associated Table 6 of the Draft Scheme **be deleted** for the following reasons:<br>a) Matters relating to remnant vegetation, water courses and wetlands as referenced in proposed Table 6 of the Draft Scheme are already set out in previous clauses in the Draft Scheme under Clause 53 and Clause 51. The table only duplicates these proposed Draft cluses, causing confusion to the reader;<br>b) Matters relating to environmental corridors (as currently proposed in | | |

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| | | Table 6) could be placed within its own provision in the Draft Scheme.<br>c) Reference to specific endangered animals is not required to be specifically referenced in a table in the Draft Scheme noting that –<br>i) The *'Planning and Development (Local Planning Schemes) Regulations 2015 – Deemed Provisions'* require any application for planning approval 'must' be accompanied by such plans that, where relevant, include –<br>• The location, height and type of all existing structures and environmental features, including watercourses, wetlands and native vegetation on the site.<br>• A report on any specialist studies in respect of the development that the local government requires the applicant to undertaken such as site surveys and environmental studies,<br>The deemed provisions recognise that environmental matters represent one of many factors needing to be considered when preparing and lodging development applications for Council or Development Assessment Panel approval. It | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
|---|---|---|---|---|
| | | means that there is a planning mechanism already in place able to be applied on a case by case basis.<br>ii) The deemed provisions refer to other matters, in considering an application for development approval, including any environmental protection policy approved under the Environmental Protection Act 1986 and also environmental impacts of the development.<br>iii) The deemed provisions referenced above, in addition to the State environmental protection policies set out under the Environmental Protection Act 1986, provide targeted technical guidance for Western Ringtail Possums, Carnaby Cockatoo and Baudin Cockatoo, Burrowing crayfish and White Bellied Frog where a proposal ay impact on their habitat. This reflects the need for assessment of proposals to be considered on a case-by-case basis.<br>2. Request that all references made to the 'Environmental Assets Map' **be deleted** from the Draft Scheme, by reason that the Draft Scheme is a statutory document that already has relevant provisions that enable development applications to consider all key land use | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
|---|---|---|---|---|
| | | and development factors on a case-by-case basis. This will remove another layer of mapping not considered necessary noting that relevant environmental government agencies rightfully contain this information. The Environmental Assets Map is difficult to interpret and, as outline above, incorrect in its application. Hence it should not be referenced in the Draft Scheme, thereby removing confusion and service time delays by the user. It will also bring the Draft Scheme back in line to operating as a relevant Statutory land use planning document that can be easily used by Council, landowners, the community and professionals.<br>**Conclusion**<br>The client is currently using the property for rural based land uses. The request to delete/remove various provisions discussed in this submission are extremely important in making sure the Draft Scheme can be used for land use planning purposes afforded to the land now and into the future. It will remove unnecessary added red tape, duplication of wording that is already provided for in the Deemed Provisions, or under other State policy, and remove mapping that is incorrect, confusing and unnecessary.<br>We consider it to be critical that Council, the WAPC and the Minister for Planning to make sure the Draft Scheme is a practical | | |

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| | | land use planning document able to be used by all stakeholders. | | |
| 423. I533850 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |
| 424. I533851 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. I have concerns for impacts on local fauna and flora and the fragile limestone cliffs in the area. There's a lack of adequate fire safety measures in Gnarabup making it extremely dangerous for residents. It is also extremely concerning sending the sewerage and other waste from 1,000 plus more people to the failing Gnarabup waste water treatment plant. The development will create a further barrier to the coast and public access to these beaches will be impacted within decades.<br>2. The Developer's main interest is the potential financial return, but I truly hope the Shire of Augusta will realise the site is worth far more as an undeveloped headland. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 425. I533854 | **Submission Subject:** 1122 (Lot 105) Bessell Road, Rosa Brook | 1. The proposed Local Planning Scheme No.2 (Scheme) for the Shire of Augusta Margaret River includes plans to rezone the property at 1122 Bessell Road, Rosa Brook, from 'General Agriculture' to 'Environmental Conservation Zone' (ECZ). My partner and I, the owners, | Where subdivision occurs in order to create 'Conservation Lots' the Shire has in the past and at a convenient time (for example an Omnibus Scheme Amendment or Scheme review) taken the opportunity to | Change the Land use of Rural Pursuit/Hobby Farm from 'X' to 'D' in the Environmental Conservation Zone. |

# SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | strongly request the zoning is <u>not</u> changed to an ECZ, but instead changed to 'Rural'. If our property were to be rezoned to an ECZ, it would significantly impact how we intend to use the property and goes entirely against the reasons why we purchased the property.<br>2. It appears, on reading the Scheme, the zoning change of the property to an ECZ places myriad restrictions, and in some cases complete prohibitions, on activities allowed under the 'general agriculture' zone currently in place. A prime example is the complete restriction of **rural pursuits/hobby farming** under the ECZ (noting clause 17 and clause 84). Though, this is not likely to be the only activity we pursue on the property now or in future.<br>3. For clarity, the property is roughly divided in half between an existing Conservation Covenant (Covenant) between us and the National Trust of WA, and open paddocks presumably used for farming prior to it being subdivided. The existing Covenant governs how we can use that part of the property, essentially restricting or prohibiting any activities that would adversely affect the environment of that area.<br>4. The remaining open paddocks are intended to be used for a variety of pursuits, including agriculture, hobby farming and starting a business (such as | rezone the resultant lots 'Bushland Protection'.<br>Given that the Bushland Protection zone no longer exists, the closest replacement zone is 'Environmental Conservation'.<br><br>In the case of owners who apply for conservation based subdivision under the terms of the Shire's Local Planning Policy (16), the Shire require that the applicant confirm in writing, support for the rezoning.<br><br>The subject lot has a conservation covenant in place and as such its primary function is as a conservation lot. As such, the Environmental Conservation (EC) zone is that which provides the best fit. That being said, this zoning does not remove opportunities for the landowner to under take agricultural activities – for example agriculture intensive and extensive are both 'A' uses in the EC zone.<br><br>That being said, the submission has drawn attention to the fact that the rural pursuit/hobby farm land use is not permitted in the EC zone and this would likely be a good fit for small scale operations on covenanted lots. | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | a rural home business). It would appear, in these open paddocks, we would be either strictly restricted or prohibited from keeping bees, stabling some livestock, or planting grape vines, any type of fruiting orchard, or any trees.<br>5. We bought this property with the clear understanding activities such as these could be undertaken without restriction, apart from within the Covenant. We cannot stress enough our intent to continue pursuing these activities, seeking to revitalise the soil and beautify the open paddocks responsibly, while abiding by the Covenant.<br>6. Further, if this zoning change is pursued, it is very likely to adversely impact on the value of the property, noting the make-up of the property. It also limits our ability to seek any further loan to invest in improving the property.<br>7. It is our understanding, in discussion with a Council representative, that the existence of the Covenant was the deciding factor in the proposed re-zoning. We highlight, in looking at the comparison map, the surrounding properties are all open paddock rural properties, engaged in primary production, apart from 1188 Bessell Road. We have discussed the proposed zoning changes with the residents at 1188 Bessell Road who have similarly strongly expressed their intent to <u>not</u> be zoned an ECZ. | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | 8. We urgently request, if the proposed Scheme is adopted, the zoning of our property not change to an ECZ, but change to 'Rural', which aligns to our pursuits on the property. The adverse impact of the proposed prohibitive zoning change would be economically, and emotionally, significant to us. We enjoy living on this property and in this community, and want to pursue the ideals of self-sufficiency responsibly. | | |
| 426. I533858 | **Submission Subject:** 1188 (Lot 102) Bessell Road, Rosa Brook | 1. We strongly object to the proposed rezoning of our farm at 1188 Bessell Road, Rosa Brook from 'General Agriculture' to 'Environmental Conservation Zone' (ECZ).<br>2. We bought the property in 2020, knowing it had a conservation caveat on the bushland enclosed within it. The bushland takes up around 35-40 acres (around half) of the property, and we respect this and enjoy its beauty and serenity. The remaining 30-35 acres of the property has been recently fenced into usable paddocks and we intend to set up the hobby farm that has been a lifelong dream for us. We have already built a large shed on the property to house agricultural equipment and have spent over $500,000 building our new home on the property which will be complete in the next few months.<br>3. Despite not having a home on the property yet, we have a number of horses, sheep and cattle (many of whom | See response to submission 425. | See response to submission 425. |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
|---|---|---|---|---|
| | | were rescued) in the paddocks there and have come to know the neighbouring farmers and community.<br>4. Rezoning the land to Environmental Conservation would place unacceptable restrictions on the property that would restrict our use of the paddocks for future agricultural purposes, including running small numbers of various livestock and growing our own produce. Within the next 12-24 months we also intend on expanding our breeding herd of cattle to sell commercially.<br>5. Rosa Brook is a small farming community, keeping strong relationships and mutual respect and co-operation is a very important to us. For example, a local farmer runs his mob of sheep through one of our paddocks to get to another farm for shearing, vaccination, and transportation. Before summer his mob eat down any longer dry grass to eradicate excessive fuel. Rezoning the entire property to Environmental Conservation would not permit this to happen anymore, negatively impacting a farming practice that has provided convenience and mutual benefit for many years.<br>6. Should the rezoning proceed, we believe that the value of the property will be reduced with the loss of agricultural flexibility of the land.<br>7. We are private people that enjoy the peace and quiet of a rural setting. If the | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | land is designated as Environmental Conservation, we are concerned in future there will be an expectation that we allow people to inspect parts of our land or use it for further conservation purposes. We do not want this. We are also concerned that there will be other expectations on us, such as additional fencing, planting and the like which may prove costly.<br>8. To summarise, we <u>strongly object</u> to the proposal to rezone our property at 1188 Bessell Road, Rosa Brook from 'General Agriculture' to 'Environmental Conservation Zone' (ECZ). We would like it to be rezoned to 'Rural' which would align with the neighbouring farming properties and would allow us to continue our farming pursuits in the manner intended when we bought it. This would also ensure that the value of the land is not impacted by unreasonable restrictions that were not in-place or even mentioned when we bought the property. | | |
| 427.<br>I533859 | **Submission Subject:** Standard Submission - Lots 501, 502, 503, 504 and 783 Gnarabup | **Same as Submission No. 402** | See response to Submission 402 | See response to Submission 402 |
| 428.<br>I533654 | **Submission Subject:** General - Augusta | **Light Industry in Augusta**<br>The LPS refers to the provision of light industrial land in Augusta as 'Adequate'. Is this calculation based on the current Town Planning Scheme that includes the LIA zone south of Hillview Road that is now to | **Light Industry in Augusta**<br>See response to Submission 687<br><br>**Town Centre Zone: Augusta**<br>See response to Submission 687 | **Light Industry in Augusta**<br>See response to Submission 687<br><br>**Town Centre Zone: Augusta** |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | be removed from the LIA zone? It is good to see this land with significant environmental value being set aside in the Draft TPS, however, from anecdotal evidence there is currently a shortage of available Light Industrial land.<br>How recently was the demand calculation made and has account been taken of the changing context in Augusta post Covid? Has it been accounted that many residents of Augusta use storage yards and units in the LIA to store their caravans and boats rather than building large sheds on their residential properties. These storage facilities limit available land for local employment based, light industrial business which is essential for the economic sustainability of the town<br>Another factor to consider is the recent issue of " transport depot ' type activity in the town centre. Augusta obviously relies on courier/ logistics transport operators to carry out business efficiently. Consideration should be given to enabling increased transport/logistic activity as the town grows.<br><br>**Town Centre Zone: Augusta**<br>The rationale behind the significant reduction to the Augusta town centre zone has some merit with regard to the anticipated ultimate scale of commercial/retail development in Augusta. However, the land currently zoned 'town centre' on Allnut Terrace, opposite the civic precinct, will become increasingly valuable | **Environmental Protection and Visual Management**<br>The matter which the submitter takes issue with is the use of generic residential development standards across the state in the interests of efficiency rather than retaining local character. This is a matter which the Shire will be taking every opportunity to discuss with the State Government who administer the planning framework.<br><br>**Protecting Visual Character.**<br>Without making an assessment of the visual character of the places mentioned by the submitter, what qualities are sought to be retained and how, it is not possible to include evidenced based content into the Scheme at this point.<br><br>**Environmental Protection.**<br>The scale of residential buildings and the extent of vegetation required to be removed for bushfire safety are both matters which are controlled via state government policies e.g. Residential Design Codes/ State Planning Policy 3.7. The WAPC did not support the Shire request to vary from | See response to Submission 687<br><br>**Environmental Protection and Visual Management**<br>No changes are required as a direct result of this submission<br><br>**Protecting Visual Character.**<br>No changes are required as a direct result of this submission<br><br>**Environmental Protection.**<br>No changes are required as a direct result of this submission<br><br>**Donavan Street Bushland Development**<br>See response to Submission 66.<br><br>**Approval requirement for single residences**<br>No changes are required as a direct result of this submission |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | for local businesses that do not require Blackwood Avenue exposure but do require customer and employee parking and a convenient town centre address.<br>Retail businesses will naturally seek Blackwood Avenue exposure while other businesses which rely on local trade may prefer the more accessible, quieter Allnut Terrace location as Blackwood Avenue becomes increasingly busier.<br>Allnut Terrace is also suitable for medium density housing at R60 (or above) that could be more affordable for key workers and more accessible for aging residents who would benefit from living within walking distance of town centre amenities. Ideally, this area should be deep sewered to enable R60 residential infill and appropriate commercial development.<br>Further development intensity and activation of Allnut Terrace will be very beneficial to the vibrancy of the civic precinct. The opening of Heppingstone Avenue, an RV dump point and long vehicle parking as well as the proposed connecting pathway through Anglican Church land and the Shire car park will all contribute to enlivening this area.<br>South of Ellis Street on Allnut Terrace, I understand there are some lots that have already been assessed for deep sewer provision. I assume that the owner's feasibility for this is based on current development opportunities in the town centre zone, reducing this opportunity by | **Donavan Street Bushland Development**<br>See response to Submission 66.<br><br>**Approval requirement for single residences**<br>The request by the submitter that all development in Augusta be required to apply for development approval is at direct odds with the State Governments Planning Reform outcomes. | |

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| | | reducing residential density seems a retrograde step.<br>Lots to the west side of Ewing Street could revert from Town Centre to Residential to match the east side of the street. The local topography and residential character in this area doesn't lend itself that well to town centre expansion. However, these lots could benefit from a R60 zoning as they have the advantage of rear lane access.<br>In principle, encouragement of medium density housing (R60) designed to the new codes and within 400metre walkable catchment of the town centre seems very valuable.<br>**Environmental Protection and Visual Management**<br>As a community, we are very concerned about the preservation of the unique sense of place and economic and ecological value of our local environment. Our tourism economy relies heavily on visitor attraction to our biodiverse and beautiful region as well as enjoyment of foreshore, beach and water based activity. Recent residential development has significantly changed the character of our environment through over-scaled buildings, excess clearing and inappropriate landscape and we therefore seek ways to encourage better protection and increased awareness of the impact of all development.<br>**I refer to the document: Protecting Visual Character.** | | |

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| | | It is unfortunate that this document limits corridors to key roads and nominated tracks and is silent on the amazing Hardy Inlet, Blackwood River and ocean foreshores. Visitors to Augusta spend much of their time walking, cycling and using watercraft rather than driving. Visitor and resident enjoyment and appreciation of the environs of Augusta is predominantly not by car.<br>Is it possible to carry out an audit of our valuable visual character corridors, areas and sites around Augusta and include these into the Scheme for increased protection under this policy of protecting visual character?<br>**I also refer to the document: Environmental Protection.**<br>Extensive clearing of stands of coastal trees is having a significant impact on the microclimate, flora biodiversity and fauna habitat in and around the Augusta townsite. While it is understandable that some clearing will occur as the town is infilled, a greater awareness of the impact could be communicated to developers and private home owners through the development approval process. I believe more stringent requirements are necessary especially for single residences that often have large footprints and strain to increase their water views.<br>Sadly, and highlighting community concerns, we have recently lost wetland area along Albany Terrace that provided habitat and aesthetic value. Subdivision | | |

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| | | earthworks have filled well above natural ground and approvals have enabled 8m of building height above this new level. The result is contradictory to the development scale and sense of place we all value so much.<br>**Donavan Street Bushland** is a critical element of our local biodiversity. It is cherished by residents of Augusta and attracts a large number of visitors to view orchids and other species<br>There is considerable pressure on this fragile and unique area through increased visitation. Any additional protection that can be afforded by the TPS2 and the Biodiversity Strategy would be very valuable.<br>**Development Approval requirement for single residences**<br>The Augusta locale is fragile and its uniqueness is being eroded quickly through development pressure.<br>I would like to see all development, including, and particularly, single houses on lots that front Hardy Inlet, Blackwood River and ocean foreshore/beaches required to obtain full Development Approval from AMR Shire prior to building licence.<br>Development approvals for all development in Augusta should be considerate of such elements as streetscape character and scale, landscape character and suitable species, views from public places, microclimate, 'night sky' and other environmental impact. | | |

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| | | While I appreciate the standardised, Statewide approach that is being taken in the TPS, a layer of policy protection for our fragile and unique environment seems essential to convey a clear message as to how much the local community value this place and the contribution that the quality of new development plays in the sustainable future of Augusta. | | |
| 429. I533861 | **Submission Subject:** General – Agricultural Land | We would like to voice our concerns in regards to the AMRS Draft Local Planning Scheme No 2 . It is with concern that we would like to address some of the proposals in the New Draft No 2 concerning Agricultural land.<br>ALL Agricultural land should be Priority Agriculture. The Agricultural Community contributes greatly to the Augusta Margaret River Shire. It has in the past and will continue in the future. The land needs to be protected to ensure agricultural can continue. The agricultural community spends money in the Shire, employs people, provides enrolments for schools and other associations with businesses in the Shire. Agriculture is needed to ensure that the Augusta Margaret River Shire can continue to provide produce to its own and other communities. The current Draft places so much uncertainty for the future and sustainability for those in agriculture in the Shire. The Draft needs to have clearer explanations of what is being planned.<br>It appears that we are not able to change current practices in some landholder areas. | See response to Submission 405. | See response to Submission 405. |

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| | | This is totally unfair as any business needs to be flexible to be profitable. Agriculture constantly changes due to new developments, current market requirements, new ideas for sustainability. If agricultural land changes hands by either family succession or sale of property there must be the certainty of what you can do with the land and the option to change practice if necessary. The AMR Shire needs to apply the principle that all Agricultural Areas are Priority Agriculture and not have uncertainties with how land can be used.<br>Farming is a day in day out business which has consistently improved its ability to farm smarter and better but the pressure now from major supermarkets and other buyers is making it harder and harder to run a farming business. The AMR Shire with its Draft Plan 2 is adding further to these pressures.<br>There are some very restrictive clauses that will make farming impossible. This is a concern.<br>CLAUSE 80 does not allow animals to graze in wetland areas. The Draft needs to be clear about what is a wetland area as a great deal of the Agricultural areas in the Shire have wetlands on the them. This provides essential high quality fodder to grazing animals. Over the years the AMR Shire has been a popular place for Agriculture to occur because of its rainfall and lush green feed because of all the | | |

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| | | moisture in the soil. If this Draft is allowed, we would like to ask<br>• Who determines the areas that are wetlands?<br>• When will the landholder be told they cannot use an area?<br>• Will the Shire provide and pay for the necessary fencing that is required?<br>• Will the property owner be compensated for the loss of this valuable agricultural land?<br>• How much notice is going to be given for these changes in the Draft?<br>For some farmers large areas of their land will be not be able to be used due to some of the changes in the Draft. Too much of the land will have to be fenced off. This will make it unviable to farm this land. Will the Shire be responsible for providing compensation to those landholders? Due to the Clauses no one will buy these properties. They will become worthless. Once again is the Shire going to compensate for the depreciation of their land?<br><br>CLAUSE **51** is also a concern. More detail is needed to explain what is meant by a water course. Once again<br>• Who will determine what is a watercourse on your land?<br>• When will the landowners be notified?<br>• What compensation will be given to land holders in regard to the loss of | | |

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| | | land through fencing and vegetating of these areas?<br>• Who is paying for the fencing and vegetating?<br>• What happens if these areas fenced off make it Impossible to continue farming the land?<br>In regard to the housing clauses, our concern is if everything is required to be in one area this creates a very dangerous health and safety situation. Firstly, just the movement of family houses vehicles and machinery all in close proximity is unsafe. Secondly, the health and wellbeing of owners, family and workers dealing with the noise and constantly being on lookout is going to be affected. Thirdly, there is a huge fire risk having buildings in close proximity. Fourthly, with many agricultural areas in the Shire there is not a big enough space of dry suitable land all in one area. In some instances where a house is currently established it is not possible to put the Additional family house anywhere nearby, within the suggested 2 hectares. It may need to be on a dry suitable area away from the current building site.<br><br>These are a couple of concerns and we feel that more time and consultation with those involved in the Agricultural area of the Shire should be allowed to discuss the details of some of the clauses. People's livelihoods are going to be impacted tremendously. | | |

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| | | Some of the Clauses need to be rewritten with more detail and clearer explanations.<br><br>We sat down as a family and discussed these points from the Draft. This submission is how we all feel individually. We did not put in four submissions but have summarized our thoughts and opinions in one letter. However, these are from four eligible voters, | | |
| 430. I533868 | **Submission Subject:** Standard Submission - Lots 501, 502, 503, 504 and 783 Gnarabup | **Same as Submission No. 402** | See response to Submission 402 | See response to Submission 402 |
| 431. I533870 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup | The Margaret River region, including Gnarabup/Prevelly, is one of the most beautiful parts of Australia. People from the east coast of Australia and from overseas want to travel there because unlike most of the rest of the world, it is not over-developed and does not have big ugly hotel developments. While I understand the need to provide accommodation suitable for tourists, the council should be very careful about being lobbied by development and promises of short term cash before agreeing to long term changes in planning controls that could ultimately end up destroying the pristine environment.<br>The planning controls should be among the strictest in the world, particularly along the coastline, to prevent the over-tourism and environmental damage that has ruined so many other beautiful coastal towns in | See response to Submission 19 | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | Australia and overseas- All of the coastal towns should have minimal, low impact development (it does not have to be expensive, i.e. it could include camping/glamping sites) with any big resorts confined to inland towns or Dunsborough/Augusta. The council should aim to become a world leader in ecological tourism and not allow itself to get bamboozled by developers that just want to make a quick buck. I do not understand why the council is considering getting rid of development conditions for Lots 501, 502, 503, 504 and 783 Gnarabup. I oppose any changes to these conditions. It is appalling that the council is considering zoning lots 501, 502, 503 and 504 for "urban development." I also oppose the rezoning of the northern portion of lot 783 Gnarabup from parks and recreation to "tourism." The priority should be to keep land in public hands for all to enjoy I am told this version of Draft LPS2 has not been referred to the Environmental Protection Authority (EPA) for review as required by law. The council should not proceed with Drafting new development conditions without first ensuring it has met all legal requirements. I also implore the council to try and be forward thinking and plan tourist facilities that will keep Gnarabup special and make it a place that people will want to continue to visit rather than repeating the development mistakes of the past. For example, astro-tourism is an emerging trend - and the tact | | |

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| | | that Gnarabup has no street lights is one of its wonderful features, so that people can see the stars. I cannot think of anything worse than polluting the dark skies with bright lights from an apartment or hotel development. Why doesn't the council encourage an eco-resort with clear glass/plastic roofs from which people can see the stars? Or safari-style tents? Or building bike paths instead of roads to make Gnarabup a destination for e-bike tours? With some creativity and some vision, the council could make Gnarabup even more special than it is today rather than creating development conditions that allow global hotel companies and developers to destroy its natural beauty and damage the environment. | | |
| 432. I533874 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Issues lie in the environmental impact of the development (vegetation, flora, fauna, water supply and treatment).<br>Increased population it will harbour over double the existing population, sewerage issues, most importantly fire risk, mitigation and complete inability for fire services to be able to respond to a fire in the area. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| 433. I533877 | **Submission Subject:** Biodiversity | The location of this Shire is within an Internationally recognised biodiversity hotspot. We are home to unique flora, fauna and aquatic species. The health of this region is dependent on maintaining, and improving the quality of the biodiversity we are privileged to live in. ALL decisions of the Planning scheme and the Shire, should place biodiversity values and needs as top priority.<br><br>Properties, and subdivision proposals, adjoining natural reserves, should have NO IMPACT on the reserve. Clearing within the reserve, increasing the fire management needs to "protect the assets, i.e. the nearby housing" is NOT acceptable.<br><br>Having attended the Biodiversity Working Group at the Shire on Thursday 22nd Feb 2024, I am deeply concerned that the importance of protecting the biodiversity of this region is not being taken seriously enough. The impact on the environment and the biodiversity values should be central to every decision, and at all levels of the Shire. They are not a “add on”, that can be ignored, or negotiated out after permissions have been gained.<br><br>We live in a unique corner of the world, and we have a responsibility to ensure that this Biodiversity Hotspot is maintained and improved for the future enjoyment of many generations. | The issues raised by the submitter are not able to be addressed via the draft Local Planning scheme. It is worth stating however, that the Scheme aims to achieve a high level of environmental protection and indeed it has been criticised (by some submitters) for being too strict on this regard.<br><br>The positive suggestions made by the submitter have been passed on to the Shire’s biodiversity team. | No changes are required as a direct result of this submission. |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | A 200 year old tree cannot be replaced overnight – it takes another 200 years to grow! Planting 10 or 100 seedlings or small replacement trees, will not have the same benefits to the innumerable lifeforms that exist in, on, and under those old trees.<br><br>Trees in a reserve that are regularly burnt, or the understorey is mown, is not a healthy environment. The biodiversity IS the diversity of living organisms that grow together, supporting one another. And ensuring that we have a healthy environment to live and breathe in.<br><br>The ever increasing demand to build more homes, bring more people to the area, increases the demand for access to these remnant bushlands. Every track, every person pushing themselves, their bicycles or vehicles or any kind through the bush, reduces the quality of the health of that bush.<br>Properties that adjoin natural bush, should be maintained in larger portions and not continually subdivided, and this increases the demand to damage the bush reserves in order to “protect the assets”.<br><br>Our natural bushlands and reserves are a NO.1 priority ASSET, and should NOT be considered as less than the highest priority to preserve and improve. | | |

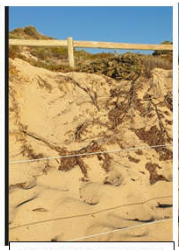
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| | | COMMUNICATION AND COMBINED PLANNING<br>There is urgent need for the various Shire departments, along with Fire Authorities and any other organisation or department, to work together to create sustainable working answers to:<br>- Multi use tracks, access ways – for walkers, riders, fire management and other emergency services. One track, maintained, used by all.<br>- Corridors for animals and plants, water courses, that are protected, maintained as natural bushland and not diminished "by a thousand cuts"<br>- Plant registers of acceptable indigenous and endemic plants, with all plants in public spaces, and part of subdivision and development projects, being from these lists.<br>- Lists of "Problem or Pest Plants" – they may be native or indigenous to other parts of Australia, but can still become a real nuisance in our local environment. All new home builders should be provided with guidelines of what is acceptable plantings. | | |
| 434.<br>I533880 | **Submission Subject:** Standard Submission - Lots 501, 502, 503, 504 and 783 Gnarabup | **Same as Submission No. 402.** | See response to Submission 402. | See response to Submission 402. |
| 435.<br>I533884 | **Submission Subject:** Standard Submission - Lots 501, 502, 503, 504 and 783 Gnarabup | **Same as Submission No. 402.** | See response to Submission 402. | See response to Submission 402. |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| 436. I533889 | **Submission Subject:** Standard Submission - Lots 501, 502, 503, 504 and 783 Gnarabup | **Same as Submission No. 402.** | See response to Submission 402. | See response to Submission 402. |
| 437. I533892 | **Submission Subject:** Standard Submission - Lots 501, 502, 503, 504 and 783 Gnarabup | **Same as Submission No. 402.** | See response to Submission 402. | See response to Submission 402. |
| 438. I533893 | **Submission Subject:** Standard Submission - Lots 501, 502, 503, 504 and 783 Gnarabup | **Same as Submission No. 402.** | See response to Submission 402. | See response to Submission 402. |
| 439. I533905 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup | I have been living (and continue to live) in or near Prevelly/Gnarabup since 1994, and visiting the area since 1977 (sleeping in my panel van on the Prevelly limestone tracks and my name was carved into the bar at Settlers Tavern in 1977 – courtesy of the bar staff at the time!!)<br><br>Both my Children were raised here from birth (now 29 and 25).<br><br>Remember it is far more important for the SAMR planning system to provide and preserve the amenity of the area for it's Ratepayers and Community, than it is to improve financial profits for developers who do not form a part of that community, and cause detriment to that community.<br><br>1. **LEGALITY OF PROPOSED CHANGES**<br>The lot numbers and extent of development in the Prevelly/Gnarabup area already well exceeds the legal limit set under the original | With the exception of point 1, the issues raised by the submitter are concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | No changes are required as a direct result of this submission |

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| | | Planning Approvals. Many of the changes in Draft LPS2 are illegal, and at the very least the process followed to the stage we find ourselves at now, has been illegal. The SAMR needs to go back through the historical planning process for this area to prevent breaches of the relevant laws. These changes to the above lots needs to be reversed and proper due process needs to be followed before any amendments are made. Why has the Draft LPS2 never been referred to the EPA in accordance with legal requirements?<br>LPS2 must be modified to ensure suitable legal protection is provided to the Prevelly/Gnarabup Village area NOW, because there is no later.<br><br>2. **OVER-DEVELOPMENT**<br>It is a source of constant and ongoing annoyance that developers abuse the system to create over-development. I.e. they obtain approval for a reasonable development, then keep wearing down the community and various authorities which results in “development creep”. The over-development the community is then left with was never going to be acceptable when compared with the original approvals. I.e. the lifestyle and amenity that the local community came to the area for originally and helped to established and maintain becomes degraded and even destroyed by allowing this “development creep”. One only has to look at the Bali that people | | |

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| | | originally visited thirty years ago compared to the current (pre- pandemic) Bali to understand the detrimental effects of over-development. The residents, Landowners and Ratepayers of Prevelly and Gnarabup are being asked to cop a substantially reduced quality of life just so a few privileged developers can make money and then disappear when the consequences of their over-development come home to roost.<br><br>**3. FRAGILE COASTAL SCRUB AND DUNES**<br>(See also Item 7.2 below) Draft LPS2 will greatly increase human interference in what is a very fragile area of coast with minimal robustness. Any disturbance takes hundreds of years to re-establish and/or is very expensive to rehabilitate with limited success. A very clear illustration of the damage we are ALREADY causing is shown in Figures 1 to 6 below.<br><br>Loss of the primary dunes between Gnarabup Café and Riflebutts is being caused by people (mainly visitors) climbing over the fences and walking up and down these very fragile primary dunes EVERY DAY. Loss of the beach path provided by ratepayers is resulting.<br><br>Current rate of degradation of the coastal system is already unacceptable and needs to be reversed at extremely high cost. The | | |

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| | | excessively large proposed developments will greatly increase this rate of degradation. Substantial ongoing annual funding will be needed to mitigate this degradation. Where will these funds come from? Better to NOT increase this already unacceptable problem by NOT increasing population and visitor numbers.<br>  <br>Figure 1: Attempts at erosion control<br>  <br>Figure 2: Dune destruction<br>  <br>Figure 3: Dune destruction<br>  <br>Figure 4: Dune destruction<br>  <br>Figure 5: Dune destruction<br>  <br>Figure 6: Loss of path<br>4. **EFFLUENT**<br>The Gnarabup sewerage treatment plant is already over-capacity. Prevelly is well overdue for connection to mains sewer (E-coli contamination has been recorded for decades now). No expansion of population numbers is possible in the Prevelly/Gnarabup Village until a clear, safe plan for effluent disposal is developed. | | |

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| | | The only viable option is to pump effluent into the Margaret River Town, to the existing effluent treatment plant north of the Margaret River townsite. Expensive. No more development is possible until this glaring issue is solved. This issue alone is enough to prevent any further development in the Prevelly/Gnarabup Village<br><br>5. **SOCIAL**<br>5.1 **Light pollution**: currently the Prevelly/Gnarabup Village is relatively unpolluted with regard to excessive light. This lack is highly regarded but rarely consciously noticed. The changes resulting from Draft LPS2 will create substantial light pollution, the loss of this valuable amenity will not be noticed until it is gone, and then cannot be regained. Any proposed development must implement a plan to maintain the current" dark sky. What is this plan?<br>5.2 **Noise Pollution**: The Gnarabup area is generally very quiet, the sound of the ocean is highly regarded by the community. I heard the Last Post played at dawn in 2020 during the (closed due to lockdown) ANZAC driveway services. The Last Post was being played more than 500m away by someone living in Baudin Dv. We regularly hear the music and revelry | | |

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| | | from the Common also more than 500m away in Riedle Dv. The sound resulting from development promoted by Draft LPS2 will be heard pretty well by the entire Gnarabup community, and a lot of Prevelly also. As with light pollution, sound pollution is a valuable amenity that is often not noticed until it is gone, and it's loss can have substantial detrimental affect on community amenity.<br>5.3 **Rubbish**: The community that will bear the brunt of the development resulting from Draft LPS2 are already subjected to increased visitor numbers since the Margaret River Region has become a well known tourist destination. It has become a clear pattern that these visitors do not know the area well (location of rubbish bins, facilities for dog faces etc) and have a regard for the local environment which is lower than those who live in the area. The substantial increase in visitor numbers brought by this development will therefore result in: overflowing bins; lots of doggy poo bags being left on the beach, the beach fences and on the beach path; increased rubbish on the path, in the dunes and on the beaches. These things have already become noticeable and intolerable in the | | |

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| | | past 5 years or so. Will the residents/ratepayers be asked to live with more reduction in amenity or does the SAMR have a plan to mitigate?<br>5.4 :**Public Toilet Block**: The ratepayers/residents have provided the one and only public toilet block in the area, which is already over-used (mainly by visitors) and will have a substantial increase in patronage if the development allowed by Draft LPS2 goes ahead. Who pays the increased costs in cleaning/maintenance etc? Who pays for construction of a larger more suitable facility to handle the Additional numbers?<br><br>6 **TRAFFIC and PARKING (ALL THE POINTS RAISED IN THIS SUBMISSION ARE IMPORTANT, BUT THIS POINT DOUBLY SO**)<br>There was a time not so long ago when the local Prevelly/Gnarabup community could allow their children to walk to the beach alone and in groups, including crossing Wallcliffe Rd. The residents of the Village have now lost this amenity. Already there is vastly too much traffic in the Prevelly/Gnarabup Village. People often drive from town to the P/G Village and can't find parking so drive back to town without visiting the beach. The carparks at Georgette and Narda are regularly | | |

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| | | completely full with drivers parking along the verges both sides of Mitchell. It goes without saying that the Gnarabup Café carpark is always over-full at during high visitor numbers (nearly all summer), and don't get me started on the boat parking! Regularly the upper carpark (above the Gnarabup Café) is grid-locked, people park both sides of the inlet road with only a single lane useable and no one is able to drive in or out. Too bad if there is a medical episode, no access for ambulances. The amenity of the Residents, Ratepayers and Landowners of the Prevelly/Gnarabup Village has been greatly reduced by these 2 issues.<br><br>DO NOT allow any possibility of increased population or visitor numbers until these issues are solved for the excess vehicle numbers and lack of parking experienced NOW. Once the current issues have been solved it may be possible to give consideration to a small amount of increase in visitor numbers, but nothing like what is proposed under the current Draft LPS2.<br>ALSO do not build any more carparks, the Residents, Ratepayers and Landowners did not come to this area to enjoy the bitumen – think about that.<br>Possible mitigation measures may include:<br>• A public transport system.<br>• Possible parking areas to the east of the Prevelly/Gnarabup Village, combined | | |

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| | | with a "safe system" to bring the greatly increased numbers of people and necessary supplies past/through the existing residential areas.<br>• A second access road through to Caves Rd and away from the residential areas.<br>• Mini-buses for guests of accommodation providers.<br>• Entry to the area for resident cars only (i.e. by permit entry, non-resident permits could help pay for public transport).<br>The entire traffic issue in the Prevelly/Gnarabup Village area needs a complete (lateral) re-think. Unless the traffic and parking issues can be properly managed/removed this item alone is enough to prevent any further development in the area.<br>**7. LOSS OF BEACH FACILITIES**<br>7.1 **GNARABUP BEACH CAFÉ**: The existing beach café (now known as the "White Elephant") was set up using local ratepayers funds and is widely used by the local ratepayers/residents, including throughout the off-season. Already the local ratepayers are being excluded from this facility during the "busy periods" (school and public holidays, most of summer etc). This is wrong, we did not provide this service to be excluded from it by bad planning policies. Will Draft LPS2 help mitigate this issue. Of course not, it will make the situation worse. How will the SAMR mitigate this unacceptable loss of | | |

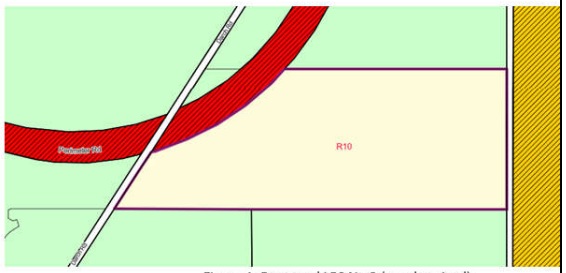
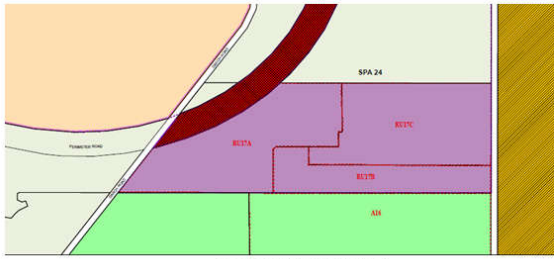
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| | | Ratepayer, Resident and Landowner amenity?<br>7.2 **DUNE SYSTEM**: Refer to figures 1 to 6 above. There is only one reasonably accessible family safe beach between Gracetown and Hamelin Bay – Gnarabup Beach. It has an extremely fragile dune system.<br>Thousands of hours of volunteer time has been, and continues to be devoted to trying to preserve the dunes, with reducing success. A percentage of visitors (5%?) have no understanding of or regard for the consequences of stepping over the fence and walking down the dunes to the beach (or up the dunes to the path). Erosion of dunes is resulting. Then, compounding this loss of dunes, during winter storms the fingers of waves wash up these eroded areas and reach inland.<br>ALREADY the level of destruction is unacceptable, Draft LPS2 will bring substantially more people to an area that cannot cope with current numbers. DON'T DO IT! Or prepare for complete loss of the dune system. What mitigation process has SAMR in place for this, and who will be funding it? Isn't it better to just not cause the damage in the first place, rather than look for solutions and pay the high costs to fix it later?<br>7.3 **BEACH PATH**: The provision of the beach path by the Shire Augusta Margaret River (using Ratepayer funds) which extends from the Gnarabup Boat Ramp | | |

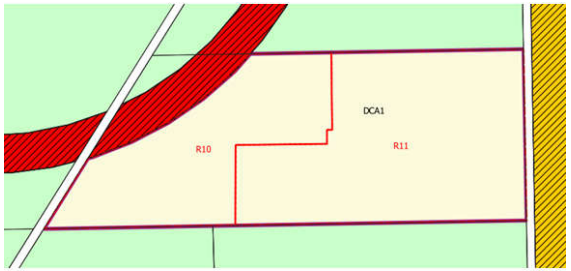
| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | north to Riflebutts Beach is a great asset and is enjoyed extensively by locals and visitors alike. It is gradually being washed away through the processes described in Item 3 and Item 7.2 above. The rate of loss of this amenity will be substantially increased by the development that will result from Draft LPS2. How does the SAMR propose to prevent the loss of this amenity and who will pay?<br>7.4 **ACCESSES ONTO BEACH:** Currently access from the beach path to the beach is inadequate. The greatly increased numbers of beach users resulting from the development that Draft LPS2 unleashes will require even more beach accesses as a (small) part of dune and beach management. Design and construction of beach accesses is expensive. Who pays the capital and maintenance costs for this Additional infrastructure required as a result of increased numbers of beach users?<br>8. **FIRE**<br>Of the four serious fires that affected the Prevelly/Gnarabup Village in the past 15 years or so, 3 were caused by visitors who had little knowledge of local fire issues (Ironically the big one was caused by the Authority who was supposed to be the leader in knowledge of local fire issues, but that's another story!)<br>History has shown us that increased fire risk during the tourist season is a given. Most of the visitors to the area will have low knowledge of fire risk and consequence. | | |

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| | | Who pays for the increased number of bushfires that are guaranteed to occur as a result of the increased visitor numbers? (the financial, emotional and environmental costs? And the substantial long term loss of amenity?) The residents? What is the plan here? Who will provide the alternate, southern route out of Gnarabup that now becomes necessary as a result of the over-development? Who will pay for it?<br>Also how will the SAMR guarantee the safety of the greatly increased numbers of people resulting from Draft LPS2? It doesn't take a lot of imagination to picture the predictable bushfire approaching from the north with thousands of people trapped in the high fire prone Prevelly/Gnarabup Village with no means of escape.<br>9. **ENDANGERED FAUNA**<br>It is well known to local residents that the proposed development areas are habitat for many native species, including Carnaby's Black Cockatoos and Western Ring Tail Possums, both endangered. In particular those areas sheltered from the south-western winds where habitat vegetation is able to grow above its more stunted neighbours. The local community, and I'm sure the wider WA community are not prepared to lose this habitat. This may sound hypocritical but it is coming from a suitably informed and better educated position.<br>10.**CAVE SYSTEMS/VOIDS**<br>The coastal land west of Wallcliffe Road | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | earmarked for development in Draft LPS2 are in an area of known caves and below ground voids, there are several topographical depressions evident. Has an appropriate sub-surface and/or seismic investigation been carried out to ensure the area is geotechnically suitable for development? How many drill holes were carried out, and to what depths? Has a seismic study been carried out?<br>11.**EXCESSIVE CLEARING**<br>This is a very, very windy area, any cleared areas become subject to ongoing wind erosion and, unless appropriately managed will cause increased wind velocities and substantial damage to surrounding areas. Given that the Prevelly/Gnarabup Village has already exceeded it's "safe" development levels and now excessive unacceptable damage is occurring to the natural environment, the last thing we want is even more clearing of fragile costal scrub that would occur to provide access, parking, fire safety and parkland for the developments that would occur subsequent to Draft LPS2. Don't set up the planning system to create this unacceptable amount of future clearing. | | |
| 440.<br>I533746 | **Submission Subject:** Lot 32 Darch Road, Margaret River | PGPM Pty Ltd acts on behalf of Margaret River Industrial Park Pty Ltd, owner and developer of the proposed Margaret River Industrial Estate located on lot 32, Perimeter Road, Margaret River. | It is appropriate that LPS2 is consistent with LPS1 with respect to the subject land in all respects, except to the extent that might be | Modify the zoning and Scheme provisions relating to Lot 32 Darch Road so that they are consistent with that in LPS1 with the exception |

# SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | The proposed LPS No 2 maps zones lot 32 "Industrial Development" and designates the land as being subject to Restricted Use 10 (R10) provisions in schedule 2 of the Scheme Text.<br>An extract of the advertised Scheme Map is shown below (Figure 1):<br>  <br><br>Figure 1: Proposed LPS No 2 (as advertised)<br>The current Local Planning Scheme No 1 mapping shows the site being split into three Restricted Use precincts as shown below (Figure 2) with such precincts being linked to specific provisions in Schedule 3 of the Scheme Text:<br>  <br><br>Figure 2: Existing LPS No 1.<br>On enquiry to the Shire's Planning Department a further extract of the LPS No | varied by Amendment 80, which at the time of writing was on foot.<br><br>If Amendment 80 has been concluded at the time which the Minister considers LPS2 and consequential changes should be made to LPS2 so reflect the outcomes of Amendment 80. | that the outcomes of Amendment 80 are also included. |

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| | | 2 map was provided as shown below (Figure 3) indicating that the advertised version of the Scheme map may contain a Drafting error:<br><br>  <br><br>Figure 3: Proposed LPS No 2 (provided by Shire Planning Department)<br><br>Figure 3 shows the site being designated with two Restricted Use precincts – R10 and R11 in the Draft LPS No 2. The existing Scheme (Figure 2 above) shows the site being designated with three Restricted Use precincts – RU17A, RU17B and RU17C.<br><br>The Restricted Use precincts under the current LPS No 1 are consistent with the approved structure plan for the site which identified three precincts for specific types of industrial activity – Buffer Industry for the portions of the site in proximity to the Perimeter Road, Light Industry in the central and southern portions of the site and General Industry in the eastern portion of the site.<br><br>The proposed Draft LPS No 2 is not correctly reflecting the approved structure plan or the current LPS No 1 scheme text | | |

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| | | provisions. If this was intended, the new Scheme – unless modified – would preclude the General Industry portion of the site from being actually developed for such industry.<br><br>Assuming the anomaly is inadvertent and that LPS No2 will be modified prior to final approval to reflect LPS No 1, it is also requested that the Draft LPS No2 also reflects the adjustments being sought to the LPS No 1 Restricted Use provisions (RU 17A to RU17C inclusive) via proposed Scheme<br><br>Amendment No 80. This amendment, which is currently being advertised, serves to make minor adjustments to the list of uses to ensure consistency with other industrial estates under LPS No 1 and introduce provisions allowing the Council to approve retail activity incidental to the predominant industrial activity. It is essential that the outcome of Amendment No 80 also be reflected in the final version of LPS No 2.<br><br>In addition to the above, the proponents have also lodged a submission on proposed Scheme Amendment No 80 requesting that Scheme provisions be modified to the Council allow a caretakers dwelling to be established on an industrial lot at the Council's discretion. The proponent considers that given the current isolation of the estate from the current urban | | |

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| | | development front resulting in limited security and oversight, and the seemingly perennial shortage of housing options in the Margaret River area, the Local Planning Scheme should provide an option of "caretakers dwelling" in this Estate. This would provide security on site as well as a means of avoiding the dual costs of establishing industrial activity and off-site residential premises. This latter aspect is critical for "start- up" or new industries.<br><br>The submission on Scheme Amendment No 80 requested that it be modified to add "caretakers dwelling (D)" to the current list of uses under the Restricted Use column and further, introduce the following to the "conditions" column for all three precincts being RU17A, RU17B and RU 17C:<br>"*A caretakers dwelling of maximum floor internal floor of 150m2 is permitted subject to Council approval and subject to the occupants of the dwelling being related to the business established on the site through ownership of the business or employment in the business. The occupancy of a caretakers dwelling in advance of a business being established on the land is not permitted*.<br><br>A caretaker's dwelling is defined in the Model Scheme Text as "*a dwelling on the same site as a building, operation, or plant used for industry and occupied by a supervisor of that building, operation or* | | |

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| | | *plant*".<br><br>Research into other Local Authority Planning Schemes in the Southwest and Great Southern regions indicates that a "caretakers dwelling" is widely listed as an acceptable use in industrial zones. Allowing a residential use right in conjunction with the industrial activity assists in the feasibility of new industrial activities being commenced and reduces "start-up" finance demands. In addition, a residential use right provides options to the operator for worker accommodation which is in short supply in the Margaret River locality.<br><br>A further benefit is security. The Estate is remote from the current development front and is a 10-to- 15-minute drive from the Margaret River town centre and associated Police services. On-site security is essential, particularly in the Estate's early phase of development. Allowing the opportunity for a caretakers dwelling will enable on-site occupants to provide constant oversight of the premises. The occupation by a resident on site should also be considered as a safeguard to the community, the surrounding businesses, and the State Forest and nearby National Park. Onsite occupation will provide on the spot detection and fast action in the event of theft, fire or other emergencies.<br><br>The result of the above-mentioned research | | |

# SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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into how other regional local authorities deal with caretakers dwelling under the industrial zone is provided below and overleaf.

| SHIRE: | Zone: | Caretakers Dwelling? | Classification | Comments |
|---|---|---|---|---|
| SAMR | Industrial | Yes | X – not permitted | Only Shire where not permitted |
| Boddington | General Industry | Yes | D- Discretionary | Permitted subject to council approval |
| Boyup Brook | Light & General Industry | Yes | D - Discretionary | Permitted subject to council approval |
| Bridgetown | Industrial | Yes | A - Advertising | Permitted subject to advertising & council discretion |
| Bunbury | Light & General Industry | Yes | A - Advertising | Permitted subject to advertising & council discretion |
| Busselton | Industrial | Yes | A - Advertising | Permitted subject to advertising & council discretion |
| Capel | Industrial | Yes | I – Incidental | Permitted subject to residential use being Incidental to predominant Industrial Use |
| Collie | Light & General Industry | Yes | Light – D / General - A | D is discretionary council approval & A – is subject to advertising & council discretion. |
| Cranbrook | Industrial | Yes | D – discretionary | Permitted subject to council approval |
| Dardanup | Light & General Industry | Yes | D – discretionary | Permitted subject to council approval |
| Denmark | Industrial | Single House | IP | Permitted if Incidental to Predominant use & council approves |
| Donnybrook | Light & General Industry | Yes | Light – A / General - X | A – advertising & Council discretion / X – not permitted |
| Harvey | Light / General & Service Industry | Yes | IP | Permitted if Incidental to Predominant use & council approves |

# SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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|---|---|---|---|---|
| Katanning | General Industry | Yes | D | Permitted subject to council approval |
| Kojonup | Industrial | Yes | IP | Permitted if Incidental to Predominant use & council approves |
| Manjimup | Industrial | Yes | D | Permitted subject to council approval |
| Nannup | Industrial | Yes | D | Permitted subject to council approval |
| Plantagenet | General & Strategic Industry | Yes | D | Permitted subject to council approval |
| Wagin | General Industry | Yes | D | Permitted subject to council approval |
| Waroona | Industrial | Yes | IP | Permitted if Incidental to Predominant use & council approves |
| West Arthur | Industrial | Yes | D | Permitted subject to council approval |
| Williams | Industrial | Yes | AA | Permitted subject to advertising & council approval |

The Shire of Augusta-Margaret River is the only Council in the above list that categorises a caretakers dwelling as a prohibited use in the Industrial Zone. (It is noted that the Shire's LPS No1 lists a caretakers dwelling as a "D" use in the Service Commercial, Town Centre, and Village Centre zones and similarly in Draft LPS No 2).

In order to provide consistency with other Industrial zones in the regions and similar opportunities for potential industrial proponents, the Scheme should be amended to include caretakers dwelling as a "D" use in all three precincts in the Margaret River Industrial Park.

In conclusion, it is requested that the Council modify LPS No 2 to:

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| | | • Reflect the current provisions under LPS No 1 including the designation of three restricted use precincts over the site.<br>• Reflect the final outcome of LPS No 1 Scheme Amendment No 80.<br>• In any event, modify the LPS No 2 provisions to allow incidental retail uses and a caretakers dwelling as argued in Scheme Amendment No 80 to LPS No 1. | | |
| 441. I533910 & I533964 | **Submission Subject:** Standard Submission - Lots 501, 502, 503, 504 and 783 Gnarabup | **Same as Submission No. 402.** | See response to Submission 402 | See response to Submission 402. |
| 442. I533912 | **Submission Subject:** Reserve 36542 Molloy Island | 1. Area was used by MIHOA as a green waste storage and burning facility, appears clearing of and use of this land should not have occurred, and the use has now ceased. Feel the area should never have been cleared in the first place and its important the area be revegetated and returned to its original State to protect local fauna and flora.<br>2. Request zoning of all reserve on Molly Island be changed from POS to Environmental Conservation (Claypan included). Believe this action meets all 3 criterion on recently endorsed LPS Environmental Assets map protecting the existing natural qualities of Molloy Island by strict control of all development. | Zoning of all public land on Molloy Island currently shown as Public Open Space would more appropriately be zoned Environmental Conservation which reflects the way in which it is currently used - See response to Submission 86 | See response to Submission 86. |
| 443. I533916 | **Submission Subject:** Agricultural Land - 364, 165, 209 Tom Cullity Drive, | **Same as Submission No. 405.**<br><br>**Additional points:** | See response to Submission 405. | See response to Submission 405. |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | Metricup and 8 Webster Road, Cowaramup | 1. Concerned with the Draft changes to the Local Planning Scheme that the AMR proposing. Changes will have very serious economic consequences to our viability. Don't think anyone has considered the means by which these changes will be managed from a practical perspective, particularly fire risk, with other consequential issues.<br>2. If changes are proposed believe there will be an immediate cessation to a significant number of current struggling farming operations.<br>3. Generations have worked tirelessly and diligently to find the appropriate balance, managing environmental sustainability and security of our communities' food requirements.<br>4. Spoken to many pioneering families who developed these farming lands. Not one person wants to see this land revert to the early days of Group Settlement – 1920. The land was unfarmable, ridden by noxious vegetation and posed very serious risk of death to inhabitants of bushfires.<br>5. Do not agree with the proposed changes, will fight hard and diligently to protect our fundamental rights. Respectfully ask Shire Officers to take a balanced view of what the Community at large, WA requires to maintain a viable farming sector. | Changes to the Scheme do not impact the existing ability of farmers to continue with existing legitimate operations even where they conflict with 'new' Scheme provisions by way of a 'non conforming use'. | |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| 444. I533923 | **Submission Subject:** Agricultural Land Zoning within the Shire | **Same as Submission No. 405.**<br><br>**Additional Points:**<br>Acknowledging the potential impact on agricultural land values and long-standing farming businesses is crucial when considering proposed changes. Any alterations must be carefully evaluated to mitigate adverse effects on both the economic viability of farming operations and the livelihoods of multi-generational farming families. Ensuring fair compensation for any significant disruptions to established businesses is essential to uphold equity and support affected stakeholders through potential transitions. Balancing the need for progress with the preservation of agricultural heritage and sustainability is paramount in fostering a thriving and resilient farming community for the future. | See response to Submission 405.<br><br>Changes to the Scheme do not impact the existing ability of farmers to continue with existing legitimate operations even where they conflict with 'new' Scheme provisions by way of a 'non conforming use'. | See response to Submission 405 |
| 445. I533925 | **Submission Subject:** Agricultural Land Zoning within the Shire | **Same as Submission No. 405.**<br><br>**Additional Points:**<br>Acknowledging the potential impact on agricultural land values and long-standing farming businesses is crucial when considering proposed changes. Any alterations must be carefully evaluated to mitigate adverse effects on both the economic viability of farming operations and the livelihoods of multi-generational farming families. Ensuring fair compensation for any significant disruptions to established businesses is | See response to Submission 405.<br><br>Changes to the Scheme do not impact the existing ability of farmers to continue with existing legitimate operations even where they conflict with 'new' Scheme provisions by way of a 'non conforming use'. | See response to Submission 405 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | essential to uphold equity and support affected stakeholders through potential transitions. Balancing the need for progress with the preservation of agricultural heritage and sustainability is paramount in fostering a thriving and resilient farming community for the future. | | |
| 446. I533928 | **Submission Subject:** Agricultural Land Zoning within the Shire – 41 Sands Road, Treeton | **Same as Submission No. 405.** | See response to Submission 405. | See response to Submission 405. |
| 447. I533930 | **Submission Subject:** Agricultural Land Zoning within the Shire – 41 Sands Road, Treeton | **Same as Submission No. 405.** | See response to Submission 405. | See response to Submission 405. |
| 448. I533933 | **Submission Subject:** Agricultural Land Zoning within the Shire – 1323 Jindong-Treeton Road, Treeton | **Same as Submission No. 405.** | See response to Submission 405. | See response to Submission 405. |
| 449. I533935 | **Submission Subject:** Agricultural Land Zoning within the Shire – 1323 Jindong-Treeton Road, Treeton | **Same as Submission No. 405.** | See response to Submission 405. | See response to Submission 405. |
| 450. I533941 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup | Lot 504 is held in the ownership of 'The Beach Village Pty Ltd', while the remaining allotments are all held in the ownership of '5 Star Margaret River Pty Ltd'.<br><br>We provide this correspondence as a submission on the proposed Shire of Augusta Margaret River Local Planning Scheme No.2 (LPS2). It is noted that the | **Amend the objectives for the Public Open Space reserve.**<br>The modification requested would create an expectation that the Shire would be prepared to modify vegetation on public land to facilitate development on private land. If this occurs at all it should be the exception and not the rule. | Modify ADS9 as it relates to the 'Future Development Zone' by:<br>Changing the word *'Future'* to *'Urban'*, and<br>Changing reference at point 1 from *'clause 39'* to '*clause 42'*. |

# SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | Draft LPS2 predominantly builds upon the existing scheme (LPS1) taking into account the Model Scheme Text and the Deemed Provisions however there are a number of areas where we suggest that improvements can be made to LPS2.<br><br>A development application has been submitted to the State Development Assessment Unit (SDAU) seeking approval for the establishment of a resort hotel on Lot 783 and approval for a combination of short-stay tourist accommodation, permanent residential and commercial activities on Lots 501 to 504 (inclusive). Whilst this submission is independent of the current development application, development of the landholdings as per the current application remains our Client's primary objective.<br><br>**ZONE/RESERVE OBJECTIVES**<br>LPS2 identifies objectives for all zones and reserves. The objectives appear to be generally based upon the Model Scheme Text with some variation to reflect the particular circumstances applicable to the Shire.<br><br>The objectives for the Public Open Space Reserve mirror the Model Scheme Text however it is suggested that given the threat of bushfire across the Shire and given the responsibility the Shire has for the ongoing maintenance of Public Open Space areas, | **Include the land use activity of 'Day Spa' within the zoning table and list it as a 'P' use in the 'Tourism', 'District Centre', Neighbourhood Centre' and the 'Local Centre' zones.**<br>Day Spa is not a use which is included in the model scheme text. The Shire has dealt with spa's elsewhere by utilising the 'Shop' landuse.<br><br>**Amend the zoning table to identify the land use activities of 'Bed and Breakfast', 'Caravan Park', 'Holiday House', 'Motel', 'Serviced Apartment', 'Tourist Development' and 'Holiday Accommodation' as 'P' uses in the 'Tourism' zone.**<br>The existing scheme does not identify these uses as 'P' and the intent is to keep the symbols consistent with what is in place currently.<br><br>**Amend the zoning table to identify the land use activities of 'Consulting Rooms' and 'Medical Centre' as 'D' uses in the 'Tourism' zone.**<br>These uses are not tourist uses and should be located in centres. | Introduce the following into clause 36 Carparking<br><br>(9) Unless specified in Schedule 5, parking for land uses that accommodate more than 50 patrons/guests at one time shall provide a suitable area for bus parking unless it can be demonstrated that there is a suitable location within the vicinity of the proposal.<br><br>Add the following standards to schedule 5:<br><br>Tourist Development: 1 bus parking bay per 25 people<br>Motel: 1 bus parking bay per 25 people<br>Educational Establishment: Adequate pick up and set down facilities and bus bays with turning facilities are also required to be provided on site. |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | the objectives for the Public Open Space Reserve should include an additional objective stating:<br><br>To reduce the threat of bushfire to people, property and infrastructure whilst achieving a balance with environmental conservation.<br><br>Inclusion of the above objective will assist to guide the design of new Public Open Space areas whilst also demonstrating the shared responsibility between the Shire and landowners with respect to the need for a diligent approach towards the prevention and protection against the impact of bushfire.<br><br>**LAND USES AND PERMISSIBILITY**<br>The land use activity of a 'Day Spa' is a relatively common use within tourist areas however it is not a land use activity that is defined or recognised in LPS2 and it does not suitably fall within the definition of 'Private Recreation' or 'Medical Centre'. It is suggested that this land use activity is included within the zoning table and is identified as a permissible use in the 'Tourism', 'District Centre', 'Neighbourhood Centre' and the 'Local Centre' zones.<br><br>The zoning table in LPS2 lists a number of uses under the 'Tourism Uses' heading that are identified as discretionary uses in the 'Tourism' zone. It is suggested that uses such as 'Bed and Breakfast', 'Caravan | **Amend the definition of 'Tourist Development' to remove the words '..for the use of guests'.**<br>See response to Submission 707<br><br>**Clarify the parking calculation reference for a 'Tourist Development' to clearly State that the parking standard is to be applied as one wholistic and integrated use rather than as a series of component land use activities.**<br>See response to Submission 707<br><br>**Include a Statement in relation to the parking calculation for a 'Reception Centre' to reference that passenger vehicle parking can be reduced where bus parking is provided.**<br>The current scheme requires bus parking in addition to carparking and the intention is to maintain this requirement.<br><br>**Amend Clause 81 to include reference to all Schedules**.<br>Clause 34 achieves the outcome sought by the submitter but in the form intended by the model scheme text. | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | Park', 'Holiday House', 'Motel', 'Serviced Apartment', 'Tourist Development' and 'Holiday Accommodation' should all be listed as permitted 'P' in the 'Tourism' zone. These land use activities are all activities that would be expected in an area that has been evaluated for, and earmarked as, a 'Tourism' zone in LPS2. The uses are entirely appropriate within the zone and as such any application should only need to be considered having regard to compliance with the relevant development standards.<br><br>The land use activities of 'Consulting Rooms' and 'Medical Centre' are only capable of approval in the 'Commercial' zones. These land uses provide an important community facility and are particularly important in remote settlements. It is suggested that 'Consulting Rooms' should be capable of approval in the 'Residential' zones whilst both 'Consulting Rooms' and 'Medical Centre' uses should be capable of approval in the 'Tourism' zone.<br><br>LPS2 introduces a new land use category being 'Tourist Development'. This land use is taken from the Model Scheme Text which defines the use as:<br><br>a building, or a group of buildings forming a complex, other than a bed and breakfast, a caravan park or holiday accommodation, used to provide -short-term accommodation | **Support retention of the 'Tourism' zoning for Lot 783 and support the inclusion of that part of Lot 783 which is currently in the 'Parks and Recreation' reserve under LPS1, in the 'Tourism' zone of LPS2.**<br>This is not supported. The change from LPS1 was required by the WAPC who have since advised that this was a "mistake". The Shire will seek assurances from the WAPC that it will indemnify the Shire from any potential claims by the current owner for compensation as mentioned in the submission. The request for the change is inconsistent with the commitments made by the proponent in the documentation provided to the EPA (as part of the Public Environmental Review) which commits to ceding this portion of the site to the Crown.<br><br>**With reference to area T2 in Schedule 9, amend the reference under the heading 'Use' to remove any reference to a number of villas and bedrooms and to replace the wording to State:**<br>**'In accordance with the Zoning Table.'**<br>It is noted that the current development proposal requests an | |

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| | | for guests; and onsite facilities for the use of guests; and facilities for the management of the development.<br><br>The definition references 'on-site facilities for the use of guests' but is silent on the notion of the facilitates being used by people who are not guests. It is relatively common that tourist developments include uses such as a restaurant, reception centre, bar, day spa, gym and the like which are made available to the general public in addition to guests within the complex. The availability of facilities to the general public should be encouraged given the contribution that these facilities can make to the broader tourism offering and to the local resident community. Additionally, the supplementary income that can be obtained by offering the facilities to a broader catchment, contributes towards the viability of the facilities. As such it is suggested that the definition is amended to remove reference the words '.for the use of guests'.<br><br>**PARKING STANDARDS**<br>LPS2 proposes that parking for a 'Tourist Development' is calculated on the basis of 1 bay per unit of accommodation plus 1 additional space for every 4 units for visitor parking.<br><br>As noted earlier, the definition references on-site facilities for the use of guests but is silent on the notion of the facilities being | increase to the required density however that DA remains undetermined by the WAPC at this point. Community submissions favour the creation of a benchmark as to what has (in the past) been considered an acceptable density. There is no compelling reason to alter the required density.<br><br>**With reference to area T2 in Schedule 9, amend the references under the heading 'Development Requirements' to:**<br><br>• **Delete item 1,**<br>• **Delete item 2 and include the subject site in Table 5 of Clause 42 with a maximum height limit of 10m,**<br>• **Replace the Statement in item 4 with a new Statement being: 'Development proposals shall demonstrate linkages with the local pedestrian access systems.'**<br>• **Replace the Statement in item 5 with a new Statement being: 'Development should seek to maintain vegetation on the site where possible and to incorporate such vegetation into any development concept and landscaping proposals through the use of a species** | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | used by people who are not guests (restaurant, reception centre, bar, day spa, gym etc.). As such, it is unclear if additional parking would be required to cater for those facilities.<br><br>The requirement of additional parking for visitors to a 'Tourist Development' suggests that there is indeed an intention, and arguably and expectation, that the facilities within a 'Tourist Development' would be open to the public as visitors to the complex. It follows that the 'visitor parking' component of a 'Tourist Development' is intended to cover the incidental use of facilities by people who are not guests. As such LPS2 should more clearly State that the parking calculation for a 'Tourist Development' is to be considered as one wholistic and integrated use rather than as a series of component land use activities.<br><br>LPS2 proposes that parking for a 'Reception Centre' is calculated on the basis of 1 space for 4 persons that the event is intended to accommodate and 1 Bus parking/pull in bays per every 25 people, whereas previously under the provisions of LPS1 the parking requirement for a 'Function Centre' was 1 car bay per 4 persons. It is suggested that the parking standards for a 'Reception Centre' are clarified to State that the required number of passenger vehicle parking bays can be reduced where bus parking is provided. | **common to the site and its immediate environs whilst having regard to the need to mitigate bushfire risk.'**<br>• **Delete item 6,**<br>• **Delete item 7.**<br>The current owner has purchased the land with full knowledge of the requirements that exist in LPS1 and that have been carried over into draft LPS2. The WAPC will consider the DA which is currently in train and determine whether those standards should be adhered to or varied in order to achieve a development which harmonises with its surrounding environment. This assessment will occur in the context of substantial detailed information regarding the form of development, visual landscape assessments and so on.<br><br>**With reference to Schedule 7 and area ADS9 'Future Development Zone Standards', support removal of several development standards including removal of reference to the items listed under the heading of 'Land Use' in LPS1 SCA3 Clause 6.4.3.2.2(b) and:**<br>• **Delete item 1,**<br>• **Delete item 2,**<br>• **Delete item 5.** | |

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| | | **DISCRETIONARY POWERS**<br>Clause 81 of LPS2 provides the ability for the decision maker to vary the requirements set out in Schedule 4 and in Clauses 36 to 79. Several of the Schedules within LPS2 obtain their head of power from the Clauses within the nominated range of Clauses and hence the Shire has the power to vary requirements within these Schedules.<br><br>By way of example, Schedule 9 of LPS2 obtains its head of power from Clause 78(1) and from Schedule 4 hence there is discretion to vary Schedule 9. For the avoidance of doubt and ease of use, Clause 81 should reference all relevant Schedules.<br><br>Clause 33 and Clause 34 of LPS2 appear to provide the ability to vary the requirements listed in Schedule 7 in the context of considering development applications however the need to cross reference clauses within LPS2 to determine the ability for an exercise of discretion is somewhat confusing.<br><br>Schedule 7 refers to land that is covered by a Structure Plan, Activity Centre Plan or a Local Development Plan. As clearly Stated in the Deemed Provisions, a decision maker is to have due regard to, but is not bound by, these documents when determining an application. Schedule 7 includes development requirements that have (in | The provisions which the submitter seeks to remove currently form part of a Special Control Area and due to the removal of the SCA it is proposed to locate them in Schedule 7 so that they continue to apply in the same way they do in LPS1. | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | part) been informed by adopted Structure Plans which of themselves have a time limited validity. Furthermore, there are many variables that can result in appropriate and necessary changes to the requirements within a Structure Plan. Whilst Schedule 7 may be used to identify items that should be considered in the context of the preparation of Structure Plan, Activity Centre Plan or a Local Development Plan, LPS2 should not seek to circumvent the discretion that is embedded in the Deemed Provisions. As such, and for the avoidance of doubt, Schedule 7 should also be explicitly listed in Clause 81 of LPS2.<br><br>**LOT 783**<br>LPS2 proposes to retain the 'Tourism' zoning for Lot 783 which is supported. There is a portion of Lot 783 which is located on the northern side of the unmade Mitchell Drive and that is currently identified in LPS1 as forming part of the 'Parks and Recreation' reserve notwithstanding that the land in private ownership. When initially released for public comment, LPS2 proposed to address this anomaly by removing the 'Parks and Recreation' reservation from this portion of Lot 783 and including it in the 'Tourism' zone. This proposed change is supported. Since the commencement of the public comment period, revised advice has been provided on the Shire of Augusta-Maragret River website clarifying that the proposed change | | |

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| | | to the reservation of this small portion of Lot 783 was made at the instruction of the WAPC and was done so in error. The advice goes on to State that this smaller portion of Lot 783 will remain in the 'Tourism' zone. It is important to consider the implications of retaining this land as 'Parks and Recreation' reserve and to also consider the history of the land tenure in the locality.<br><br>Lot 783 Wallcliffe Road, Gnarabup was originally part of Sussex Location 815, from which the broader Gnarabup estate was developed. The Gnarabup Beach Structure Plan, which encompassed Sussex Location 815, was originally adopted in 1993 and was subsequently revised in 2006. Through setting the total level of development at Gnarabup, Lot 783 was identified as one of several tourist development opportunities associated with the estate. Prior to the identification of the landholdings as being suitable for development and the zoning of the land for development, the broader locality was extensively cleared and used for grazing farmland. However recognising Community and environmental aspirations, a substantial amount of the privately owned land within Gnarabup was provided to the Crown as a large reservation with the remaining land remaining in private ownership. Whilst most of the land identified for development in the Gnarabup Beach Structure Plan has since been developed | | |

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| | | forming the Gnarabup settlement, the development rights on the remaining undeveloped and privately owned land have been progressively eroded by various policy constraints (including fire protection setbacks, visual amenity policies, height and setback requirements etc). An attempt to remove the development rights from part of Lot 783 represents a further erosion of historic agreements and undermines industry confidence in negotiating outcomes that prioritise Community benefit.<br><br>Whilst inclusion of the small portion of Lot 783 as a reserve does not, of itself, prevent the use and development of the land, a significant implication associated with the identification this portion of Lot 783 as a recreation reserve is that this will facilitate rights for compensation and acquisition by the responsible authority in the event that the responsible authority refuses an application or imposes approval conditions that are unacceptable to the applicant. This may be considered to represent an unnecessary potential financial impost.<br><br>Lot 783 is identified as area T2 in Schedule 9 albeit that it is incorrectly referred to as Lot 703. The 'Special Conditions and Requirements' are partly based on a specific development approval rather than a site specific need and as such these items require reconsideration. Each of the 'Special Conditions and Requirements' are | | |

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| | | reference below with accompanying comments.<br><br>**Use**<br>In accordance with the Zoning Table however tourist accommodation is limited to 28 villas comprising 83 bedrooms and no permanent residential accommodation is permitted other than a caretakers dwelling.<br><br>The reference to the number of villas and bedrooms is derived from an approval that was issued by the Town Planning Appeals Tribunal in 2004. This approval has been 'substantially commenced'. In February 2016 the JDAP approved an application for the development of a 118 bedroom, 102 key short stay villa development with spa facilities, a 214 person capacity restaurant and a 128 person capacity function room. The current application being assessed by the SDAU proposes the establishment of a 121 room five star resort hotel with various associated facilities.<br><br>The reference to a particular building typology represents a significant limitation which is inconsistent with the objective of the Shire's Tourism Strategy to attract a resort hotel within the municipality and which limits the ability to pursue a form of development that is responsive to the site and to market demands. Furthermore, the limitation on the number of accommodation units/bedrooms pre-empts the form of any | | |

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| | | proposed development. Any new development or redevelopment should be assessed against various development standards which combine to inform the development outcome. The additional imposition of a limitation on the number of accommodation units/bedrooms is an unnecessary and confusing imposition, particularly noting that a subsequent approval has been issued which is inconsistent with the proposed limitation.<br><br>It is noted that there are other mechanisms within LPS2 that control the ability for permanent residential accommodation within the Tourism zone hence the reference creates unnecessary and confusing duplication.<br><br>Having regard to the above, it is requested that the reference to 28 villas and 83 bedrooms is removed from the Statement and more particularly that the Statement of use is simplified by replacing it with the words 'In accordance with the Zoning Table.'<br><br>**Development Requirements**<br>Development within the zone shall include the establishment of a landscape and vegetation protection buffer strip of a minimum of 10 metres, running the length of the northern boundary of the zone. There shall be no vehicle access to the | | |

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| | | development across this buffer strip to the public car park access road.<br><br>Building setbacks are primarily used in the planning framework to improve the amenity of occupants and residents by creating separation between buildings to allow sunlight penetration, reduce bulk between buildings and allow for the movement of air around buildings. Given the subject site is surrounded on all sides by public roads and open space reserves, none of these matters are relevant considerations for the subject site. Setbacks can also be used to ensure appropriate landscaping and visual relief however in the case of the subject site, given it is predominantly surrounded by open space and given the requirement to incorporate minimum landscaping standards, together with the requirement to consider visual impact through the use of appropriate materials and colours, additional setback controls are not required.<br><br>Increasingly building buffers and setbacks are being determined as part of a strategy to mitigate bushfire risk however such considerations should form part of an overall bushfire strategy rather than a predetermined requirement that does not consider site specific requirements.<br><br>It is also unclear as to why emergency and service vehicle access should be prevented in any part of the site. The requirement to | | |

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| | | address safe ingress and egress is a standard element of any development proposal and hence there should not be a predetermined or mandated restriction without the benefit of site specific evaluation.<br><br>Given the subject site does not adjoin any existing buildings and the nature of the surrounding land is such that it is not possible for other buildings to be built adjacent the site, there is no need for any additional or Additional ordinary setbacks to be applied. It is therefore requested that this development requirement is deleted.<br><br>**Development Requirements**<br>Notwithstanding clause 39 of the Scheme, buildings shall not exceed 7 metres in height as measured from natural ground level.<br><br>It is assumed that reference to Clause 39 should in fact be a reference to Clause 42 of LPS2 which would otherwise set a building height of 8 meters.<br><br>The effect of this development requirement is to impose a lower height limit on the subject site when compared to other sites in the locality however this is at odds with the topography in the area given the subject site sits considerably lower than the surrounding area and lower than the adjoining road network. At its lowest point, | | |

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| | | the site is approximately 4 to 5 meters lower than Ocean View Road and 5 to 7 meters lower than Wallcliffe Road (varying across the length of the roads). Given the site is in a depression, the imposition of the reduced height limit in an already lower site, results in a built form that struggles to have a visual relationship with both Wallcliffe Road and Ocean View Road.<br><br>Given the requirement to provide floor to ceiling heights that are supportive of commercial use, development of the site with the imposition of a 7 meter height limit necessitates considerable excavation.<br><br>The topography of the site and the desire to avoid creation of a squat building, whilst also acknowledging the practical design and functional constraints associated with a tourist development, justify the application of a higher limit than the base limit. A higher limit would be consistent with the identification of the site as a significant tourist site whist also acknowledging the topography of the site and allowing for improved design outcomes.<br><br>It is requested that this development requirement is deleted and that the site is specifically identified in Table 5 of Clause 42 with a maximum height limit of 10 meters.<br><br>**Development Requirements** | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | Development shall utilise building materials that are nonreflective and of a colour and texture compatible with the characteristics of the surrounding landscape.<br><br>This development requirement is considered to be reasonable and appropriate.<br><br>**Development Requirements**<br>Development proposals shall demonstrate linkages with the access systems outlined on an approved Coastal Management Plan to the satisfaction of the Shire and any modifications required to these systems as a result of the development.<br><br>The intent of this development requirement is considered to be reasonable and appropriate however the reference to '…an approved Coastal Management Plan...' is potentially problematic in that it lacks definition. It would be unreasonable to expect an owner/developer of the subject site to prepare a Coastal Management Plan given such a plan serves a regional purpose however the absence of such a plan would make compliance with the development requirement problematic. It is suggested that the development requirement should simply require that:<br><br>'Development proposals shall demonstrate linkages with the local pedestrian access systems.' | | |

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| | | **Development Requirements**<br>Development shall ensure that the vegetation on the site is maintained where possible and that such vegetation will be incorporated into any development concept and landscaping proposals through the use of a species common to the site and its immediate environs.<br><br>Whilst the intent of this development requirement is considered to be reasonable and appropriate, there does need to be recognition that mitigation of bushfire risk is also a relevant consideration. It is suggested that the development requirement should be reworded to State:<br><br>'Development should seek to maintain vegetation on the site where possible and to incorporate such vegetation into any development concept and landscaping proposals through the use of a species common to the site and its immediate environs whilst having regard to the need to mitigate bushfire risk.'<br><br>**Development Requirements**<br>In considering development proposals on the land, the local government will first be required to be satisfied that the development will not have a detrimental impact on views across the zone to the coastal reserve, particularly when viewed from predominant tourist viewing points | | |

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| | | outside the Scheme area, these being Wallcliffe Road, Surfers Point and Rivermouth Road.<br><br>This development requirement lacks guidance, definition and is overly subjective. The locations referenced are somewhat arbitrary and there is no indication as to what measurable standard is to be met. There is no<br>indication of what a 'detrimental impact' is. Development Requirement 3 already stipulates that building materials are to be non-reflective and of a colour and texture compatible with the characteristics of the surrounding landscape. When read in conjunction with Development Requirement 3, this Development Requirement represents a duplication of the intent to ensure the establishment of structures that are suitably integrated with the surrounds.<br><br>The subject site originally formed part of a much larger privately owned landholding most of which has been vested in the Crown free of cost so that it could form part of a much larger reserved area. Development of the subject site represents the outcome of a historically agreed compromise to limit and isolate development to a limited portion of the overall landholding. It would be unreasonable to expect that development on the agreed remaining land is to occur in a manner whereby it is invisible from multiple vantage points and to further erode | | |

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| | | development potential in light of the historic agreement to limit development to the subject site.<br><br>It is requested that this development requirement is deleted.<br><br>**Development Requirements**<br>Setback from boundaries apart from the northern boundary shall be a minimum of 10 metres with vegetation removal within the setback area being permitted only for vehicle access and servicing needs.<br><br>As with the response to Development Requirement 1, there is no justification for the imposition of excessive additional setbacks given the subject site does not adjoin any existing buildings and the nature of the surrounding land is such that it is not possible for other buildings to be built adjacent the site. There is no need for any additional or Additional ordinary setbacks to be applied. It is therefore requested that this development requirement is deleted.<br><br>**LOTS 501 - 504**<br>LPS2 proposes to include the land around the subject sites as 'Public Open Space' and to retain the 'Urban Development' zoning for the subject sites. Through this approach, the subdivision and development standards applicable to the subject sites is to be determined through a structure plan that has been prepared and approved in | | |

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| | | accordance with the Deemed Provisions. LPS1 currently includes the subject sites within SCA3 which lists a significant number of development standards that should more appropriately be addressed as part of a considered and informed structure planning process. These include limitations on the number and types of buildings which specifically should not be referenced within a development zone given the intended function of a structure plan.<br><br>Whilst LPS2 proposes to retain some of the additional site and development standards from LPS1, it does not propose to continue the excessive land use limitations from LPS1. The removal of the 'Land Use' limitation is supported.<br><br>As noted above, LPS2 does retain some of the development requirements from SCA3 of LPS1 by including them within Schedule 7 of LSP2 as area ADS9 – Gnarabup. Each of the 'Additional Site and Development Standards' are reference below with accompanying comments.<br><br>**Future Development Zone Standards**<br>(Lots 501 – 502 and 504 Reef Drive and Lot 503 Seagrass Place) Notwithstanding clause 39, the height of any building shall be limited as specified on the approved structure plan. | | |

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| | | It is assumed that reference to Clause 39 should in fact be a reference to Clause 42 of LPS2 which would otherwise set a building height of 8 meters. LPS1 currently identifies specific height limits which have not been carried over into LPS2. This approach is supported given the intent of a structure plan is to provide for a more site specific response to the development of land having regard to the various investigations that are undertaken to inform the structure plan.<br><br>All buildings to be located on land with a slope in excess of a gradient of 1:10 shall be of split level or pier construction.<br><br>This proposed standard is pre-emptive of a particular building design and response to topographical conditions. Whilst the use of split level or pier construction may indeed represent a logical approach for building on land with a gradient in excess of 1:10, embedding this approach as a specific requirement has the effect of limiting design flexibility. Noting that Clause 42 of LPS2 sets a default height limit and the height limits can be further controlled through a structure plan, there does not appear to be an additional beneficial outcome generated by this proposed standard. In the interest of avoiding duplication and the application of unnecessary additional limitations, it is suggested that this standard is deleted. | | |

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| | | Reflective building materials, such as zincalume and light coloured colourbond and light coloured tiled roofs, are prohibited on any dwelling, outbuilding, water tank or any other structure.<br><br>The intent of this development standard is considered to be reasonable and appropriate, however it is a standard that should otherwise be captured through the structure plan hence the need for the standard is questionable.<br>Roof colours shall be consistent with vegetation colours of the locality to the satisfaction of the local government (which is predominantly green).<br><br>The intent of this development standard is considered to be reasonable and appropriate, however it is a standard that should otherwise be captured through the structure plan hence the need for the standard is questionable.<br><br>All development shall dispose of stormwater onsite to the satisfaction of the local government (unless it is proved to be impracticable as demonstrated by a report prepared by a qualified geotechnical /groundwater engineer) with particular attention given to avoiding erosion or connection of the lot Drainage system to the adjoining street. | | |

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| | | The need for this standard is queried given it is related to an engineering standard that is, in any event, a normal requirement of any new development. In the interest of simplifying the scheme, it is suggested that this standard is deleted.<br><br>**CONCLUSION**<br>In summary this submission requests the following:<br>Amend the objectives for the Public Open Space reserve to include and additional dot point being:<br><br>To reduce the threat of bushfire to people, property and infrastructure whilst achieving a balance with environmental conservation.<br><br>Include the land use activity of 'Day Spa' within the zoning table and list it as a 'P' use in the 'Tourism', 'District Centre', Neighbourhood Centre' and the 'Local Centre' zones.<br><br>Amend the zoning table to identify the land use activities of 'Bed and Breakfast', 'Caravan Park', 'Holiday House', 'Motel', 'Serviced Apartment', 'Tourist Development' and 'Holiday Accommodation' as 'P' uses in the 'Tourism' zone.<br><br>Amend the zoning table to identify the land use activities of 'Consulting Rooms' and | | |

# SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | 'Medical Centre' as 'D' uses in the 'Tourism' zone.<br><br>Amend the definition of 'Tourist Development' to remove the words '..for the use of guests'.<br><br>Clarify the parking calculation reference for a 'Tourist Development' to clearly State that the parking standard is to be applied as one wholistic and integrated use rather than as a series of component land use activities.<br><br>Include a Statement in relation to the parking calculation for a 'Reception Centre' to reference that passenger vehicle parking can be reduced where bus parking is provided.<br><br>Amend Clause 81 to include reference to all Schedules.<br><br>Support retention of the 'Tourism' zoning for Lot 783 and support the inclusion of that part of Lot 783 which is currently in the 'Parks and Recreation' reserve under LPS1, in the 'Tourism' zone of LPS2.<br>With reference to area T2 in Schedule 9, amend the reference under the heading 'Use' to remove any reference a number of villas and bedrooms and to replace the wording to State:<br><br>'In accordance with the Zoning Table.' | | |

# SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

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| | | With reference to area T2 in Schedule 9, amend the references under the heading 'Development Requirements' to:<br><br>• Delete item 1,<br>• Delete item 2 and include the subject site in Table 5 of Clause 42 with a maximum height limit of 10m,<br>• Replace the Statement in item 4 with a new Statement being: 'Development proposals shall<br>• demonstrate linkages with the local pedestrian access systems.'<br>• Replace the Statement in item 5 with a new Statement being: 'Development should seek to maintain vegetation on the site where possible and to incorporate such vegetation into any development concept and landscaping proposals through the use of a species common to the site and its immediate environs whilst having regard to the need to mitigate bushfire risk.'<br>• Delete item 6,<br>• Delete item 7.<br><br>With reference to Schedule 7 and area ADS9 'Future Development Zone Standards', support removal of several development standards including removal of reference to the items listed under the heading of 'Land Use' in LPS1 SCA3 Clause 6.4.3.2.2(b) and:<br>• Delete item 1,<br>• Delete item 2, | | |

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| | | • Delete item 5. | | |
| 451. I533963& I534102 | **Submission Subject:** Lot 559 Miamup Road and Lot 1556 Bussell Highway, Cowaramup | **Introduction**<br>I refer to the Shire's invitation for submissions on the Draft *Shire of Augusta-Margaret River Local Planning Scheme No. 2* (LPS2). On behalf of the landowner, the purpose of this submission is to seek the Shire's support to include the property within a Development Investigation Area, or equivalent, in the final gazetted version of LPS2. The requested Development Investigation Area will provide the landowner with confidence to progress with technical investigations, structure planning and a scheme amendment to facilitate a planning outcome that benefits Cowaramup and the Shire.<br><br>**The site and its context**<br>The Cowaramup townsite is now the second largest town in the Shire and has experienced substantial population growth. Cowaramup has experienced some of the highest rates of growth in Western Australia. The growth of Cowaramup requires employment land including fully serviced light industrial lots.<br><br>The Context Plan shows the site adjoins the townsite, current services, outlines some planning considerations along with some of the site's opportunities for future development. There are a mix of uses in the area including commercial, tourism, educational, community and residential. | The subject site is not identified by the Local Planning Strategy for future development. The future land needs for Cowaramup, will in time be assessed via a separate and specific strategic planning exercise. If at that time, the subject land is identified for future development, rezoning of the land could be considered. | No changes are required as a direct result of this submission. |

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| | | The southern part of the site is located less than 200 metres from land zoned 'Town Centre'.<br><br>The site:<br>• Has a total area of 81.6208 hectares;<br>• Is generally cleared with pockets of native vegetation;<br>• Has been used for agricultural purposes for decades;<br>• Is gently sloping with the land generally sloping to the west. Wilyabrup Brook dissects the site from the north-west to the south-east section. There is also a minor Drainage line in the northern section;<br>• Contains various soil types which are reflective of soils in the Cowaramup townsite;<br>• Is appropriately serviced for existing uses. The site is able to be fully serviced;<br>• Adjoins Bussell Highway and Webster Road; and<br>• Is currently zoned 'Rural' in the *Shire of Augusta-Margaret River Local Planning Scheme No. 1*.<br><br>**Requested modification to Draft LPS2**<br>It is respectfully requested that the Shire include the site within a Development Investigation Area, or equivalent, in the final gazetted version of LPS2. The request will facilitate investigations for residential, light industry, service commercial and public open space as generally outlined on the | | |

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| | | Preliminary Concept Plan.<br><br>The requested Development Investigation Area will, in time, assist to facilitate:<br><br>• An important supply of residential development envisaged between R10 – R30;<br>• A fully serviced light industrial estate (service industry park) adjoining Bussell Highway;<br>• Potential for service commercial; and<br>• Generous public open space which will provide community benefit.<br><br>It is expected there would be Residential R30 closer to the town centre with larger residential lots in the north-west section near Webster Road.<br><br>The light industry area has convenient access to Bussell Highway via Webster Road.<br><br>The public open space will facilitate east-west connections, enhance recreational opportunities for existing and future residents and provide a focus for environmental enhancement.<br><br>As outlined earlier, the requested Development Investigation Area (or equivalent) provides the framework for the landowner to progress with confidence in undertaking technical investigations, | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | structure planning and a scheme amendment. The required planning will be assessed by the Environmental Protection Authority, Western Australian Planning Commission, State Government agencies, Council and the public. The structure plan will ensure there is appropriate consideration of matters including design, lots sizes, R-Coding, separation distances, vehicle access, water management and landscape/environmental enhancement.<br><br>The suggested guidance for the Development Investigation Area, or equivalent, could be:<br><br>**Proposed Land Use** — Residential (R10 – R30), Light Industry, Service Commercial, Public Open Space<br>**Structure Planning Status/Required** — Structure plan required<br>**Planning matters to be addressed**<br>A) Provide an attractive entrance into Cowaramup.<br>B) Sufficient buffers to surrounding agricultural properties such that their operations are not prejudiced.<br>C) Suitable buffers between light industry and residential/sensitive uses.<br>D) Key stands of remnant vegetation to be retained.<br>E) Enhance Wilyabrup Brook for environmental and recreational values.<br>F) Minimise new road connections to Bussell Highway.<br>G) Need for technical investigations including bushfire, water management, noise, landscaping, servicing and environment impact.<br>H) Need for structure planning and scheme amendment.<br><br>**Planning framework**<br>The requested Development Investigation Area, or equivalent, has considered the State, regional and local planning framework, along with the site's context plus the identified need for fully serviced (sewered) light industrial lots in Cowaramup.<br><br>There are a number of planning documents of relevance to the site and proposal including State Planning Policies, Regional Strategies and the Local Planning Strategy. | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | For instance, it is noted that the *Shire of Augusta-Margaret River Local Strategy* allocates the site as 'Rural'. The requested Development Investigation Area promotes development consistent with various planning documents including *State Planning Policy 3.0 Urban Growth and Settlement* and *Liveable Neighbourhoods. Liveable Neighbourhoods* promotes the concept of 'walkable catchments'. The site is conveniently located near services and facilities.<br><br>**Planning considerations**<br>**Overview**<br><br>It is acknowledged there are various matters that need to be progressed in future planning and design stages. While noting this, the site is suitable and capable of urban development including residential, light industry and service commercial. All planning considerations can be appropriately addressed through technical investigations, appropriate design and as-required mitigation measures.<br><br>The Preliminary Concept Plan has considered the site's context, commercial reality, feasibility and key planning issues related to the proposed development. It is acknowledged that relevant technical investigations are required to support relevant planning stages. Inclusion of the site as a Development Investigation Area, | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
|---|---|---|---|---|
| | | or equivalent, will greatly assist.<br><br>**Site suitability**<br>The site's context in relation to the established townsite is shown in the Context Plan. The southern part of the site is only 200 metres from the town centre. The site is within walking and riding distance to the town centre and facilities. Parts of the site are within a 5 minute walk to the town centre and the Cowaramup Primary School.<br><br>**Land use compatibility**<br>Development on the site will take account of adjoining and nearby land uses and development.<br><br>Light industry, by definition, is required to have no off-site impacts. Accordingly, there should be no land use conflict. The proposed light industry use (service industry park) will provide scope for fully serviced development, including reticulated sewerage. The light industrial uses will create no off-site impacts.<br><br>The development will address the *EPA Guidance Statement No. 3 Separation Distances Between Industrial and Sensitive Land Uses (2005).* In particular, the light industrial area will take account of off-site sensitive land uses. This includes for noise, dust and odour. | | |

# SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
|---|---|---|---|---|
| | | In relation to the proposed Preliminary Concept Plan and the requested Development Investigation Area, it is proposed to address any potential land use conflict by:<br><br>• The retention of vegetation which will minimise noise;<br>• Providing a revegetation/landscape buffer to screen development adjoining Webster Road and Bussell Highway;<br>• Providing larger residential lots and/or roads separating light industrial and residential uses;<br>• Requiring the formal preparation and approval of a Local Development Plan for light industrial uses in the northern part of the site adjoining Webster Road;<br>• Applying special conditions to any use or development to heighten the awareness of potential noise issues in the planning and design of the site; and<br>• Providing the Shire with the ability to regulate the hours of operation of light industrial uses.<br><br>It is considered that the most likely source of land use conflict is from noise. Noise impacts are required to be addressed through an acoustic assessment and noise modelling. The Shire will carefully control what activities occur in the Light Industry zone. Additionally, individual light industrial operators are required to take all reasonable and practicable measures to | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
|---|---|---|---|---|
| | | prevent or minimise emissions from their premises. It is expected that through appropriate site layout, design of facilities, and the implementation of engineering and process controls, emissions from an individual light industrial land use will be prevented from causing an adverse environmental impact beyond the boundaries of the particular site, or beyond the boundaries of the light industrial estate.<br><br>**Complement the town centre**<br>The requested Development Investigation Area respects the existing town centre. *State Planning Policy 3.0 Urban Growth and Settlement* promotes clustering of retail activities which includes focusing retail development in established town centres. The Preliminary Concept Plan shows a small service commercial area, with Bussell Highway frontage, which will complement but not compete with the town centre.<br><br>The service commercial land is for large bulky goods. In particular, for businesses which require a large land area due to the size of their operations.<br><br>**Road freight noise**<br>Portions of the site are impacted by road freight noise. In particular, the eastern part of the site is within the 'trigger distance' associated with *State Planning Policy 5.4 Road and Rail Noise.* Most proposed residential areas are, however, well setback | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
|---|---|---|---|---|
| | | from Bussell Highway and can adopt 'quiet house principles'. There will be a need for an acoustic study to demonstrate compliance with SPP 5.4.<br><br>**Water management**<br>*State Planning Policy 2.9 Water Resources* promotes total water cycle management. There are a number of objectives including to achieve no net difference in water quality and quantity so post-development water quality and quantity conditions are equal to or better than pre- development conditions. There is also a need to adopt best practice stormwater management, including infiltration/detention of stormwater on site/at the source. A treatment train approach is required including nutrient input source control, use of bioretention systems, and maintaining 1 in 1 year ARI post development discharge volumes and peak flow rates at pre-development levels.<br><br>There will be a need for a Local Water Management Strategy and an Urban Water Management Plan. Future water management plans for the site will consider the unique characteristics and opportunities presented by this site. The plans will consider stormwater harvesting and opportunities for suitable infiltration. This will be undertaken alongside other water sensitive urban design concepts including efficient irrigation schemes, reduction in potable water usage, sewering the | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | subdivision to Water Corporation standards, encouragement of rainwater tanks, treatment of stormwater runoff and management of groundwater levels.<br><br>The site contains well defined Drainage lines. There are opportunities to enhance water quality from current farming use through a change of use to urban development. This includes through measures including connection to reticulated sewerage, Drainage swales, Drainage basins and revegetation with native vegetation. There are opportunities to enhance Wilyabrup Brook, to retain and use local native vegetation, to minimise water use and maximise filtration, particularly where landscaping is proposed.<br><br>As shown in the Preliminary Concept Plan, there is ample room within the site for appropriate stormwater management.<br><br>**Landscape**<br>It is recognised the site forms part of the 'gateway' into Cowaramup. Accordingly, there is a need to carefully locate and design development and to minimise visual impact, particularly when viewed from Bussell Highway. It is suggested that future development could be undertaken without impacting upon the landscape values of Cowaramup and the viewing experience on Bussell Highway. | | |

# SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
|---|---|---|---|---|
| | | A suitable landscape buffer is required to be approved, planted and suitably maintained adjoining Bussell Highway. In addition, it is expected that design guidelines will be prepared for the light industrial land to ensure the development standards are of a quality sought by Council.<br><br>**Design guidelines**<br>It is expected the Council will require design guidelines for light industrial, service commercial and residential development to ensure a high quality development.<br><br>**Provision of serviced lots**<br>The site will provide fully serviced light industrial lots, including lots which are connected to reticulated sewerage. This will benefit Cowaramup in providing a wider range of industries and employment opportunities. Currently, industries in Cowaramup are restricted to 'dry industries'. Currently, there are restrictions for 'wet industries' including those that generate extensive amounts of waste water.<br><br>**Traffic**<br>The Preliminary Concept Plan limits new access to Bussell Highway. It is proposed that there will be a connected movement network of roads and paths. A Traffic Impact Assessment is required to address technical matters with the Shire and Main Roads Western Australia. | | |

# SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
|---|---|---|---|---|
| | | **Planning justification**<br>Reasons in support of the requested Development Investigation Area (or equivalent) to facilitate future residential, light industry, service commercial and public open space include:<br>• The site adjoins the Cowaramup townsite and is a logical location for urban development;<br>• The site is considerably closer to the town centre and key facilities than much of the existing Cowaramup townsite or identified Development Investigation Areas;<br>• The site directly abuts the townsite and should be given prioritisation given it is suitable for light industry and residential development;<br>• The site has many favourable attributes compared to other urban investigation land in Cowaramup;<br>• There is a need for fully serviced light industrial development in Cowaramup given the existing industrial areas in Cowaramup are not serviced with reticulated sewerage. This has a limiting effect for instance, because it excludes high water use industries from Cowaramup and limits associated job creation and economic development;<br>• The site has convenient access to the State and local road network. The site's location, adjoining Bussell Highway, assists with commercial feasibility while there are opportunities for secondary | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | access from Webster Road;<br>• The site has significant locational benefits for Cowaramup. A key benefit to the locality is its direct position on Bussell Highway plus access from Webster Road. These attributes are considered a benefit in the location of a light industrial area (service industry park) including ease of access for larger vehicles;<br>• The site has been largely cleared. Remaining environmental assets, focused on native vegetation and water resources, can be appropriately conserved or enhanced;<br>• Bushfire management will comply with the objectives of *State Planning Policy 3.7 Planning in Bushfire Prone Areas* and the *Guidelines for Planning in Bushfire Prone Areas*;<br>• The site is not subject to Aboriginal heritage or historic heritage constraints;<br>• Visual impact from Bussell Highway can be suitably addressed on a key 'gateway' into<br>• Cowaramup;<br>• The requirement for a structure plan and scheme amendment will ensure that relevant technical investigations and design responses are prepared to address matters including traffic, stormwater management, environmental impact, servicing and visual impact at relevant planning stages; | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
|---|---|---|---|---|
| | | • It will provide attractive residential lots close to facilities which are near generous public open space; and<br>• The site can be independently progressed without other landowners. This will facilitate implementation in a timely manner.<br><br>The proposal is of significant benefit to Cowaramup and the Shire. In particular, it will provide an important supply of light industrial land, jobs and economic benefits. The development will be designed and developed to a high standard.<br><br>**Conclusion**<br>Based on matters sets out in this submission, we respectfully seek the Shire's support to include Lot 559 (No. 106) Miamup Road and Lot 1556 (No. 8328) Bussell Highway, Cowaramup within a Development Investigation Area (or equivalent) to facilitate technical investigations, structure planning and a scheme amendment. | | |
| 452.<br>I533965 | **Submission Subject:** Standard Submission - Lots 501, 502, 503, 504 and 783 Gnarabup | **Same as Submission No. 402.** | See response to Submission 402 | See response to Submission 402. |
| 453.<br>I533967 | **Submission Subject:** Fauna and flora studies/ assessments | We submit that these surveys must be made over at least 4 seasons of the year and with surveys at different times of the day. An assessment on one day, at one time of the day, is not useful. For example nesting and foraging birds e.g., black | See response to Submission 321. | See response to Submission 321. |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
|---|---|---|---|---|
| | | cockatoos, use different stands of trees at different times of the year for different uses. Also, depending on the weather during a specific year, nectar trees may or may not produce nectar due to heat, rainfall or cold conditions. An environmental assessment needs to produce robust and meaningful data. | | |
| 454. I533970 | **Submission Subject:** General | The Witchcliffe Community Association has conducted several community meetings, including inviting both AMR shire planners and counsellors to assist in the review and collate community feedback for the proposed LPS2 open for community feedback until 28th Feb2024.<br>Several themes of concern or requests of clarity have been raised. Specifics related to these concerns are listed below and whilst several reports and maps feed into this document we have attempted to identify our sources of concern for clarity of review.<br><br>**1) Agriculture impacts**<br>In the Local Planning Strategy of 2021 the AMR Shire reports the significant economic and cultural value that agriculture and rural activities provide to the region. We believe that Shire can do more to incentivise and facilitate rural enterprises on rural land for the people that live here.<br>1a) **Rezoning from priority agriculture to rural**<br>Whilst some areas of the LPS2 eludes to these themes, there are concerns | **Agriculture impacts**<br>The Shire would welcome any specific advice the submitter may have as to how to better support the agricultural sector.<br><br>**Rezoning from priority agriculture to rural**<br>See response to Submission 405<br><br>**Cluster housing**<br>See response to Submission 405.<br><br>**Protecting Visual Character**<br>The Scheme does not prevent the use of modern materials as raised as a matter of concern by the submitter.<br><br>**Witchcliffe Reserve rezoning**<br>See response to Submission 87.<br><br>**The significant tree register**<br>See response to Submission 87.<br><br>**Removal of wetlands and waterways** | **Agriculture impacts**<br>No changes are required as a direct result of this submission<br><br>**Rezoning from priority agriculture to rural**<br>See response to Submission 405<br><br>**Cluster housing**<br>See response to Submission 405.<br><br>**Protecting Visual Character**<br>No changes are required as a direct result of this submission<br><br>**Witchcliffe Reserve rezoning**<br>See response to Submission 87.<br><br>**The significant tree register** |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
|---|---|---|---|---|
| | | related to the rezoning of priority agriculture zone to rural. We have received conflicting advice related to this change, one being it is a directive to create conformity of zoning from the Western Australia Planning Commission (WAPC).<br>However, other shires have rejected this and maintained their priority agriculture zone related to the vague ramifications of the rural zoning which is causing concern. For example the environmental asset planning map which overlays the LPS2, on page 52 States agriculture to conservation area, referencing the non-conforming use clause, unless specifically provided the scheme does not prevent the current use, before the commencement of this scheme. A register of nonconforming use will be developed, and shire to keep up to date if use not maintained. State and Federal environmental regulations have governance and changes impact the rural zoning. Food security is supported in concept but with the change of use, concerns for future investment in farming/land value has been raised.<br>Further the query remains if this is a directive of the WAPC or an ideal?<br>Finally, the LPS2 Point F: Apply proportional principle: if nil clarity then can be implemented if harm to human health or environmental without fully | Wetlands and waterways exist in the locations of concern to the submitter however are not shown as such on the current scheme map and have therefore not been "removed". Land is identified by the applicable Structure Plan to be ceded for these purposes and soon after this occurs the Shire will zone this land accordingly.<br><br>**Forrest Grove crown land national park**<br>The Shire are required to use zones which form part of the limited suite of zones included in the model scheme which forms part of the Planning and development (Local Planning Scheme) Regulations 2015. The land in question is National Park and there is no impact on the land tenure created by way of the change in zone to Environmental Conservation which is the closest and the existing most appropriate zone with which to replace (National Parks and Nature Reserves) zoning.<br><br>**Witchcliffe town site Rezoning townsite**<br>The Shire would be happy to discuss any concerns that the submitter may have wit the change in zoning names applied in Witchcliffe which accord | See response to Submission 87.<br><br>**Removal of wetlands and waterways**<br>No changes are required as a direct result of this submission<br><br>**Forrest Grove crown land national park**<br>No changes are required as a direct result of this submission<br><br>**Witchcliffe town site Rezoning townsite**<br>See response to Submission 87.<br><br>**Small business that supports agriculture**<br>No changes are required as a direct result of this submission |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
|---|---|---|---|---|
| | | established scientific outcomes. Clarity on this Statement is sort.<br>1b) **Cluster housing**<br>The LPS2 has increased the ancillary housing area from 70m2 to 120m2, but it remains a process of discretion for approval and with second dwellings prohibited. Clustering in no way serves the owner or the community. The idea of having workers or even family living so closely is a major disincentive to the building a second residence on a rural property. Most rural properties that are large enough to generate an income would typically also have an area of land that is suitable for housing and a comfortable distance from the main residence. We believe that if the land is your primary residence, then approval of a second dwelling should be automatic. It could be for workers accommodation, to generate an income, for extended family or a carer. Whatever the purpose, the objective is that the additional dwelling will make life easier and more affordable for rural landowners helping them remain on the land long term. This suggestion doesn't in any way advocate for subdivision of blocks into smaller lots.<br><br>1c) **Protecting Visual Character**<br>While this isn't clearly defined there seems to be an idea that rural properties should blend into the landscape. While | with the model zones created by the WAPC.<br><br>**Small business that supports agriculture**<br>There is no industrial estate planned for Witchcliffe given that it is located 7km for a significant new Industrial estate on the southern perimeter of Margaret River which has capacity to serve the region into the future. That being said, there is considerable scope for job creating activities to be undertaken on rural land in conjunction with farming. | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
|---|---|---|---|---|
| | | set backs and screening are appropriate measures, rural households shouldn't be constrained in their choice of materials or architectural style. Just because we don't live in the city doesn't mean we shouldn't be able to take advantage of modern materials and designs. Rural land owners aren't responsible for maintaining a stereotypical "rural" visual experience for tourists at their own expense.<br><br>**2) Environment impacts**<br>2a) **Witchcliffe Reserve rezoning**<br>The Witchcliffe bushland reserve which is both south and north of Redgate Rd, and the Wadandi trail traverses (lot 49 and 4483 on LPS2 map) zoning has been changed from Crown land/Nature reserve and parks to public open space and recreation, the implications of clearing trees with only possible fauna review requirements has been applied. The Environmental Map highlights this area as a Baudin Cockatoo Breeding area, and a recent Birdlife report of this area has highlighted several other birds of significance including the masked owl. Further several endangered wildlife has been identified. The Witchcliffe Community has recently commenced a community group engaging with the shire to manage this bushland. We believe this last area of bushland in close proximity to Witchcliffe needs to | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | maintain its current zoning natural parks and nature reserve to ensure any development of this area is environmental sensitive.<br>2b) **52 The significant tree register**<br>In section 52 a significant tree register and process is referenced, but it is our belief that a significant tree register does not exist in the AMR shire. There are several tree within close proximity of Witchcliffe town site which we believe should be registered i.e. the grandmother Marri on the northern boarder of the current Polo cross field. We believe registering these trees are a priority with all the planned redevelopment around Witchcliffe. We are aware that registration of trees is a specific process and not all trees would be registered, but would like to include this in our shire.<br>2c) **Removal of wetlands and waterways**<br>Bushland protection south of Rowe Rd west has been removed, and wetland further south of this area has been removed from the current LPS2 map, an area of diverse flora and fauna. We would like this reinstated.<br>2d) **Forrest Grove crown land national park**<br>Forrest Grove crown land national park has been changed to environmental and conservation, again implications of changes unclear.<br>**3) Witchcliffe town site** | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | 3a) **Rezoning townsite**<br>Changes to zoning in Witchcliffe townsite to neighbourhood centre and residential, implications unclear.<br>3b) **Small business that supports agriculture**<br>There is no area allocated for any LIA within Witchcliffe, and whilst the LPS2 refers to supporting cottage industry and tourism, supporting small business with the rural setting which support agriculture is not themed. Having small industry within the rural setting would subsidize farming income and promote agriculture and supportive agriculture businesses.<br>This submission has been developed with much engagement and effort from the Witchcliffe community, as non planners we have attempted to clarify and reference our concerns, if any further clarity is required, please contact us. | | |
| 455.<br>I533971 | **Submission Subject:** 7981 (Lot 11) Caves Road, Forest Grove | The properties which are now recognised as lot 10 and 11, of 7981 Caves Road, were previously combined and known as Lot 1 of Caves Road – affected by T12 – Specific conditions and requirements of Schedule 9 of the Local Planning Scheme No. 2.<br>Lot 1 previously had specific conditions and requirements as follows:<br>- Restaurant/café<br>- Reception centre in the form of a Conference Function Room<br>- Holiday Accommodation in the form of a | See response to Submission 10 – allowing for unrestricted Tourism development upon this strata lot is not supported. | No changes are required as a direct result of this submission. |

# SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
|---|---|---|---|---|
| | | Chalet (up to 8) with associated Tennis Courts<br>- Art Gallery (inclusive of a Craft Workshop)<br>- Caretakers Dwelling (1)<br><br>Lot 1 no longer exists. Of these specifics, now contained on Lot 11 is the following activities:<br>- Craft workshop<br>- Caretakers Dwelling (1)<br><br>The rest of the conditions are carried out on what is now Lot 10, in line with your Local Planning Strategy, as well as the strata bylaws for the property.<br>We submit that we be reverted to a general tourism zone (T) with no restrictions, which will allow us to expand on opportunities for the local area and businesses to access this parcel of land. The space at what is now known as Lot 11 was previously predominantly used as a craft workshop, namely handcrafted furniture from native hardwood trees. The native logging ban saw all activities cease overnight on the premise, with a swift introduction of the ban by the State Government. Since this time the building has been empty, and recently purchased by new owners, that being ourselves. We would like to expand on business opportunities for the premise, in line with the shire and the tourism association's planning, and so we are not limited to craft workshop and caretakers | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
|---|---|---|---|---|
| | | dwelling only. This way we can offer more to the expanding region.<br>As owners of Lot 11, and in conjunction with the current and potential future owners of Lot 10, we see the potential to enter into future common business opportunities with tourism opportunities. We would like to move with the economic and social trends evolving in the area. We are familiar with the proposed Karri Bowl Project, and the tourism that this would attract to the area. The project has great potential to achieve positive environmental, social and economic outcomes to the region, of which our property could benefit the project by providing further complimentary Drawcards for visitors who want to learn more and appreciate the rich culture, history and nature of the area.<br>We highlight that the property is now Indigenous owned. Of some recent interest in our property is organisational groups such as the local Wadandi custodians. We have had very loose discussions with the local Wadandi family in regards to the space being used potentially for their programs that would support the favourable preservation of the local forests as a tourist attraction, providing protection of native flora and fauna habitat, protection of quality and quantity of water resources and mitigating climate change. This is in line with your own policies (ER1) of your current Local Planning Strategy.<br>Under the current limitations of T12, this is | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
|---|---|---|---|---|
| | | not an option, but could be with an unrestricted T zoning.<br>With the surrounding regions of towns such as Witchcliffe, Karridale and Hamelin Bay showing rapid expansion, our property is in the vicinity to provide a wider array of opportunities to tourists and locals wanting to find more recreational activities in the area, as well as building on the already existent tourist attractions such as the Boranup Forest, Caves Road and the caves currently open to the public. The recent opening of the region's airport, and the soon expanding flight routes opening up will expand the number of tourists in the region significantly. We would like to be open to provide further tourism opportunities for the Boranup region that fit with the natural scope of the area.<br><br>In amending the zoning, we are committed to complimentary tourism operations that maintain the primacy of agricultural use in the zone and do not give rise to land use conflict, environmental or visual impacts.<br>Furthermore, we also do not seek to lose the ability under our zoning to use the space as a creative workshop, as this is what the space is extensively set up to be used for. One of us (new owners) is a local artist who participates in the annual Open Studios event, which in the future will draw more people to the area if the location is used for part of the event. This would see a significant number of people drawn to the | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | area during the 16 day event, should the premise continue to be used as a creative space. I believe this would fall under the T zoning anyway, as Open Studios is a major drawcard of tourists to the region.<br><br>The T12 zoning is currently limited to aligning with your policies and planning frameworks in your Local Planning Strategy. In removing limitations, we would be in a better placed position to align with the following:<br>CT5 – We are open to providing a space to direct bulky goods showrooms to appropriate locations outside of the town centres, in line with tourism zoning.<br>C7 – We would be very open to maintaining open conversation with the Shire in regards to tourism development in the Boranup area.<br>CT11 - We are committed to ensuring that, in accordance with your current policies, that tourism development in the area is designed and located to minimise visual disruption and land use conflict, and maximize the ability to showcase the Shire's natural environment of the local forest area. We are currently consulting with local experts in revegetating some of the space on the property to harmoniously blend with the forest surroundings.<br>CT12 - We are committed to bushfire safety, have a bushfire plan and have purchased further equipment since acquiring the property. | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | CT13 – In having the zoning restriction removed, this would open us up to providing a whole array of further opportunities for employment in the area, supporting local jobs. We would like to consider opportunities such as food processing, creative industries and food and accommodation services that complement the local area in regards to tourism.<br>CT14 – Support small, artisanal and start-up businesses that support retail-based consumption of locally made goods. Lot 10 is already zoned for this, but we would like to expand this to lot 11 to draw more people to the area and build up visitors to the area that will compliment the activities of the two lots together.<br>We thank you for your consideration in amending our zoning and look forward to consulting with you in the future on the use of our space. | | |
| 456.<br>I533972 | **Submission Subject:** Various | 1) **The current form that is advertised was not authorised by Council.** In August 2020 Council resolved to advertise Draft LPS2 "*without modification".* However substantial modifications have been made to the document since that time. AMRS has no authority to advertise and seek public comment on this document in its current form.<br><br>2) **Lack of transparency in changes made to Draft LPS2**<br>I attended an update public briefing session | See response to Submissions 19 and 402. | See response to Submissions 19 and 402. |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | on Gnarabup development with Council Elected Members on June 28 2023 at which Shire employees showed a power point presentation that clearly Stated that the "*Draft scheme does not change zoning of Gnarabup sites nor development controls".* Obviously this was very misleading to both the Elected members and to community members present. The document that is advertised has **changed both the zoning and the development controls on Gnarabup development lots.**<br><br>3) **Removal of Development conditions i.e. the Special Control Area 3 conditions from LPS1 for Gnarabup Lots 501,502,503,504 & 783)**<br>This disregards planning decisions for this site (including the Local Planning Strategy endorsed 2022) and with no community consultation, the Special Control Area conditions for the Lots have been removed (without planning justification) when they should instead be retained and strengthened to reflect the Local Planning Strategy, Local Planning Tourism Strategy, LPS1, the structure plan for these lots and community views.<br><br>4) **Lots 501, 502, 503 and 504 Gnarabup should be zoned Tourism as they are currently zoned in LPS1, and not Urban Development as proposed in the advertised Draft LPS2.**<br>This would reflect the numerous decisions | | |

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| | | by Councils, on behalf of the community, for over 20 years, including the Local Planning Strategy, Local Tourism Strategy, LPS1 and structure plan for these Lots.<br><br>5) **The northern portion of Lot 783 Gnarabup should be zoned Parks and Recreation in Draft LPS2, not Tourism.**<br>As shown in LPS1, this portion of land should be retained for public purpose, and never for development. WAPC and AMRS employees have acknowledged their mistake in the advertised Draft LPS2 and WAPC has committed to "fixing" the mistaken rezoning of the northern portion of Lot 783 from Parks and Recreation to Tourism.<br><br>6. **The advertised version of Draft LPS2 has not been referred to the Environmental Protection Authority (EPA) for review as is legally required.**<br>The EPA reviewed the 2020 (Council authorised) version of the Draft LPS2 but NOT the currently advertised Draft LPS2, which is a significantly modified document and which accordingly must be referred to the EPA for its review.<br><br>7. **The AMRS online Draft LPS2 consultation webpage States incorrect information.**<br>The website States - "*Our new planning rules have been developed to align with the recently endorsed Local Planning* | | |

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| | | *Strategy.*"<br>This is not correct in relation to the Gnarabup Lots as the Draft LPS2 in its advertised form would deliver millions of dollars of Additional value to the owner of this site.<br><br>8. **The proposed zoning changes and removal of development conditions (points 3, 4 and 5 above) in the currently advertised Draft LPS2 are procedurally unfair while a Development Application (DA) for these lots is currently being considered by WAPC.**<br>Between January and March 2022 the Department of Planning, Lands and Heritage (DPLH) conducted a 6 week public consultation period for the five development Lots (89% of 2,000+ submissions opposed the development) despite DPLH and WAPC being aware that the EPA determined to assess the development proposal in December 2021. This meant there would be a significant delay in the DA coming before WAPC for a decision. It is procedurally unfair to change the underlying planning scheme in relation to these five Lots while the DA assessment process is on foot and due to come before WAPC for a decision.<br><br>9. **It is not proper and orderly planning to overturn decades of previous planning decisions without explanation or justification.** | | |

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| | | This is especially poor governance when the "surprise" changes in Draft LPS2 (i.e.. removal of Special Control Area 3, changes in zoning from Tourism to Urban Development and from Parks and Recreation to Tourism) favour the developer, at the expense of community aspirations as reflected in current planning controls for Gnarabup.<br>These changes support the developer's currently non-compliant DA over the many years of community and previous shire decisions.<br><br>10. **State Planning Policy 2.6 - Coastal planning**<br>This Policy must be followed in Draft LPS2 in terms of protecting the unique Gnarabup coast. Coastal hazard risk data of this coast is dated and lacking. Urgent modelling is required in order to manage the accelerated impacts of climate change related sea level rises, coastal processes, landform stability and coastal hazards. Appropriate zoning in Draft LPS2 will be a critical factor in managing pressures for development on the Gnarabup Headland. Furthermore appropriate zoning will support the objectives of SPP2.6 by providing for public coastal foreshore reserves and access to them on the coast, in addition to protecting, conserving and enhancing coastal zone values, particularly in areas of landscape, biodiversity and ecosystem integrity, indigenous and cultural significance as | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | exists on the Gnarabup Lots.<br><br>11. **Draft LPS2 has no Special Control Areas for bushfire risk. Two Special Control Areas (SCA) should be established to apply to areas of "extreme" bushfire risk and "very high" bushfire risk as identified in the AMRS Bushfire Risk Management Plan (BRMP).**<br>The entire Augusta-Margaret River Shire is designated on the official Map of Bushfire Prone Areas as "*Bushfire Prone*" (DFES). Under the *Planning and Development Act 2005*(WA), AMRS must have due regard to any State Planning Policy which affects its District.<br>LPS2 is required to conform with *State Planning Policy 3.7 - Planning in bushfire prone areas* (SPP 3.7). The Guidelines for SPP3.7 (both 2015 and 2021 versions apply to the period in which Draft LPS2 was Drafted) require attention to the threat of Bushfire in the preparation of a Local Planning Scheme. The Scheme zoning tables should be reviewed to ensure the type of development permissible through the zoning table is compatible with the level of Bushfire risk for each SCA. Vulnerable land uses should be prohibited in "extreme" Bushfire risk SCA and arguably not permitted in the "very high" Bushfire risk SCA notwithstanding a BRMP endorsed by DFES. | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | 12. **Climate change. Under recent amendments to the *Local Government Act 1995*, including adding *Section 3.1(1A)*, AMRS and the WAPC are required to have regard to the need to plan for mitigating risks associated with climate change.**<br>Climate change is exacerbating the hazards, prevalence, spread and intensity of Bushfires which suggests that even the current assessments by DFES, especially in high risk areas like Gnarabup, may be less than adequate to the task of assessing the risk to people and property.<br>The recent (7/12/2023) second refusal by WAPC of the proposed North Stoneville development demonstrates the necessity of appropriate zoning to address the risks to people and property on high fire risk land. Mundaring Shire President commented, "The decision is a testament to years of persistence by Council and our community who understand the increasing bushfire risk that we face in this region. The decision tells us that planning in bushfire prone areas must aim to safeguard not endanger our community."<br><br>13. **The impacts of tourism and the human carrying capacity should be reflected in Draft LPS2.**<br><br>The hamlets of Gnarabup and Prevelly are seasonally inundated with tourists, resulting in enormous population pressure on | | |

# SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | Margaret River town's only safe swimming beach and limited coastal infrastructure. Tourist numbers combined with high visitation from locals living in the broader Margaret River region, result in a negative environmental impact on fish populations, beach nesting resident and migratory shorebirds, coastal biodiversity, vegetation (clearing and bushfire), coastal landforms (erosion and degradation), household waste generation and general rubbish (increase), pollution, waste water treatment (increased capacity needed), human encroachment (including 4WDs and trailbikes) on the Leeuwin-Naturaliste National Park and coastal reserves (including River reserves), native flora and fauna (including impacts from domestic dogs, feral cats, foxes and invasive weeds). The human carrying capacity of Gnarabup and Prevelly has been exceeded, and additional tourist numbers plus visitors from the Margaret River region and surrounds, is leading to a measurable depletion and degrading of cultural, social and natural environments, the impacts of which will most certainly impact future generations. AMRS and WAPC must have regard to -<br>*Section 3.1 (1A)Without limiting subsection (1), the general function of a local government must be performed having regard to the following:-(a)the need —*<br>*(iii) in making decisions, to consider potential long-term consequences and impacts on future generations;* | | |

# SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | **Lot 300 Salter Street Gracetown**<br>**Given the history of the proposed (and now failed) Landcorp development for Gracetown, the zoning of Lot 300 should be changed to Environmental Conservation.**<br>Documents uncovered in recent FOI requests have revealed that Development WA abandoned the proposed development project on this land over 2 years ago, but has not informed any of the stakeholders – the community, the Shire, even the Department of Planning Lands and Heritage – of the decision.<br>Development WA has acknowledged internally that the project is not viable because of bushfire risk mitigation, native title also other unresolved issues include water and sewage management, community works to handle increased pressure on the bay, and environmental considerations.<br>The Structure Plan for the development also contained a commitment that the balance of Lot 300 not required for the proposed development (approx. 231 Ha) would be transferred into the Leeuwin-Naturaliste National Park.<br>If Development WA decided the project was unviable 2 years ago it certainly will NOT be viable in the future.<br>There should not be any presumption in favour of development, as would be indicated by maintaining an "Urban | | |

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| | | Development" zoning as proposed in LPS2.<br>**Augusta**<br>ACDA has collated a selection of allotments currently in reserve status for various public uses, with a view to preservation of remnant and recovering native vegetation, particularly where 'green corridors' may be advanced by their conservation.<br>With reference to the current planning scheme online map, I recommend changing the zoning status to "Conservation" of the following:<br>Lots 531586, 11694355 and 2002 (Donovan Street Bushland, Augusta)<br>Lots 390, 375 and 378 (East Augusta Timber Reserve – collective lot 18644)<br>Lot 1491 (Gimbel reserve)<br>Lot 4385 (Greenhill Road reserve)<br>I do not support the transfer of Shire-owned Lot 1271 Kudardup from General Agriculture to Tourism without full transparency of intentions for this site, and instead support its preservation under a Conservation zoning, to promote connection and conservation of the green corridor from Kudardup to Deepdene.<br>Furthermore, I believe areas along the Blackwood River and Flinders Bay coastline should be incorporated into the "Landscape Amenity" map, as areas of "natural landscape significance" and "visual management corridors" to help facilitate preservation and promotion of native vegetation and promote visual management controls on development in | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | these areas, considering the aspect both from viewpoints on roads and lookouts, but also from the river and the ocean.<br>**Witchcliffe**<br>1) **The Witchcliffe bushland reserve which is both south and north of Redgate Road, including the Wadandi Trail (Lots 49 and 4483 on LPS2 map), needs to return to the previous zoning in LPS1.**<br>I believe that Parks and Recreation & Reserve will have more protection.<br>The Environmental Map highlights this area as a Baudins' breeding area and all 3 species of black cockatoo frequent this bushland. The masked owl has also been sighted and the Witchcliffe Community has recently engaged with the Shire to start a volunteer group to manage this bushland.<br>2) **Polocrosse Field – contains a stand of remnant Marri trees that needs to retain its previous zoning of "Reserve".**<br>These trees are all large habitat trees and should be protected.<br>3) **Mammoth Street Extension –This extension did not exist on LPS1. It should be abandoned or rerouted.**<br>The extension would involve the removal of many significant trees, including ones anecdotally identified as Indigenous "water trees".<br>4) **Grandmother tree – on northern border of the current polocrosse field needs to be protected in LPS2**<br>The Grandmother tree is a significant tree | | |

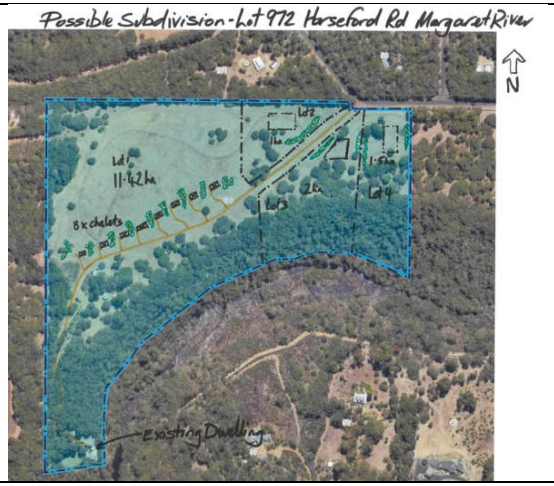
| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | for the local community as well as a rare representative of an ancient Marri, it was protected by a "Reserve" zoning in LPS1 and the Local Planning Strategy 2036. In LPS2 it is situated in a road reserve. This gives it very little protection. | | |
| 457. I534101 & I533991 | **Submission Subject:** 173 (Lot 972) Horseford Road, Margaret River | We have been requested by the owner of the above site to prepare this submission on the Draft Scheme as it relates to the above site. Lot 972 Horseford Road, Margaret River (the site) is a 15.9 hectare parcel of land which is zoned Rural Residential with Additional Use Right provisions (A30).<br>The Additional Use Right A30 includes provisions specifically allowing a maximum of 8 chalets and associated facilities, one caretaker's residence and subdivision staging into 3 separate lots. The Scheme Provisions also refer to a Subdivision Guide Plan (plan of subdivision) forming part of amendment 87 of revoked Scheme No. 11 which indicates 4 lots. The intention of the Scheme is to provide for a lot with 8 chalets, caretakers residence and also subdivision with 3 additional lots. This has been confirmed in writing as an appropriate interpretation by both the Shire and the Department of Planning, Lands & Heritage. We are currently preparing a subdivision on this basis. Other provisions under the current Scheme include reference to the Landscape Protection Zone restrictions on clearing, effluent disposal setback of 100 metres from the river / watercourses, general development guidelines including | Given that the lot is over 15ha in size and the minimum lot size is 3ha in the Rural Residential zone, the owners request will limit the subdivision to a density less than would normally be the case (4 lots). This is supported. | Remove the words "and subdivision into three separate lots" from Schedule 1 'A24' and include the lot in Schedule 8 at RR29 With the following words inserted at 'Special conditions and Requirements'.<br>*Subdivision is limited to 4 lots only.* |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | height limits, colours and materials, outbuildings forming a unified group, compliance with bushfire requirements and other provisions relating to the keeping of stock and strategic firebreaks. Under the Draft Scheme No. 2, the land is still proposed to be zoned Rural Residential with Additional Use Right Reference (A24).<br>Additional Use Right A24 carries over the Additional Use Right for 8 chalets and associated facilities, caretakers dwelling and subdivision into 3 lots however, under the conditions section, reference to the previously endorsed Guide Plan and some of the other provisions are removed with only 4 specific development guidelines still applicable.<br>The purpose of this submission is to ratify that the site is under consideration for subdivision and this is on the basis that 4 lots will be created as agreed as the correct interpretation under the Scheme. The removal of reference to a Structure Plan under the Draft Scheme and no reference under the RR Schedule could call into question the potential for subdivision.<br>Inclusion of subdivision provisions in the Additional Use Rights Schedule of the Scheme is not probably the correct mechanics of the Scheme. It is generally noted that lots within the Rural Residential Zone should be limited to 3 hectares as per Clause 70, part 8 of the Draft Scheme unless specified in Schedule 8. The current Scheme incorporates reference of a | | |

# SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | Structure Plan which specifies that subdivision is permissible and this is ratified in the Additional Use Rights Schedule. Given this is now removed, in the Draft Scheme it is advisable to include the site in the RR Schedule referencing that subdivision of the land into 4 lots would be supported (one accommodating the chalets and managers residence) and the minimum lot size of 1 hectare applies. Further, continuation of the Additional Use Rights for the chalets would also be appropriate.<br>The purpose of this submission is to ensure that the Scheme incorporates appropriate provisions that carry forward the subdivision of the land opportunity and also given an application is likely to be lodged in the near future for a subdivision. This will be possibly taking effect when the Draft Scheme is being finally considered and this would provide an opportunity to aim to align provisions specifically to lots that may be created or are about to be created. We would welcome the opportunity to liaise with the Shire and Department of Planning, Lands & Heritage regarding more suitable mechanisms for this site under the Draft Scheme given this background. | | |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| 458.<br>I533922 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Development unwanted environmental impacts, and the area is visually beautiful as it is without buildings. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19. |
| 459.<br>I533929 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Sensitive limestone coast environment that has not been adequately assessed | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a | See response to Submission 19. |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | for impacts. Not suitable for development.<br>2. Additional fire risk<br>3. Only one road out.<br>4. Road is already busy and dangerous for locals, tourists, kids walking to the beach. | separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 460.<br>I533932 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. More traffic.<br>2. High fire risk area with on access road. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19. |
| 461.<br>I533937 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Increased traffic concerns.<br>2. Sewerage incapacity.<br>3. Current risk of bushfire already too high. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are | See response to Submission 19. |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 462. I533940 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Protect the environment. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19. |
| 463. I533943 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Ecosystem on rare land of which we have precious little left.<br>2. State and Shire both go against planning guidelines.<br>3. Bushfire risk. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19. |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| 464. I533945 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.** | See response to Submission 19. | See response to Submission 19. |
| 465. I533949 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.** | See response to Submission 19. | See response to Submission 19. |
| 466. I533974 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup | **Refer to Submission No. 402 above.** | See response to Submission 402. | See response to Submission 402. |
| 467. I533977 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup | **Refer to Submission No. 402 above.** | See response to Submission 402. | See response to Submission 402. |
| 468. I533979 | **Submission Subject:** Agricultural Land Zoning within the Shire | **Refer to Submission No. 405 above.** | See response to Submission 388. | See response to Submission 388. |
| 469. I533997 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Devastate wildlife and habitat.<br>Fire risk prone area. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 470. I534002 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 | **Refer to Submission No. 19 above.**<br><br>**Additional Points:** | See response to Submission 19 | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | Gnarabup – Standard Pro Forma Submission | 1. Development will be highly detrimental to the local environment and community.<br>2. Imposition on sensitive vegetation.<br>3. Only one road in and out. | In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 471. I534003 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Development will irrevocably alter the natural environment.<br>2. Safety for swimming.<br>3. Wastewater treatment plan is already struggling to cope.<br>4. Parking is already extremely limited.<br>5. Fire risk in the area is extremely high. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 472. I534004 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Preserving and conservation of natural bushland is important. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | 2. If development approved so much wildlife will be displaced and habitat will be lost. | separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 473. I534006 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Development needs to be properly assessed for its negative impacts on the surrounding ecosystem.<br>2. Aboriginal Cultural Hertiage and significant sites.<br>3. Fire risk is extreme and will be worsened by the new development. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 474. I534008 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Besides obvious impact to habitat that is crucial for survival of many species including the Black Cockatoo.<br>2. Removal of land access for the community and tourism.<br>3. Coastal fire would be greatly increased if this development were to go through. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 475. I534012 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Coastal headlands are precious places.<br>2. Wrong development and site. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 476. I534013 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Already busy area with no where to park.<br>2. Many native animals live here. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| 477. I534014 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Against proposal due to environmental impacts.<br>2. Destruction to local Aboriginal sites. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 478. I534015 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Area west of Wallcliffe Road should never have been approved for development.<br>2. Stress on infrastructure. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 479. I534017 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Ruin the environment.<br>2. Affect natural landscape. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | 3. Inappropriate use of funds and resources. | Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 480. I534018 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Valuable area to WA and the community needs to adhere to the Local Planning Scheme, it's a legal document.<br>2. Concerned any further development at Gnarabup puts more people at risk with regard to bushfire safety.<br>3. Gnarabup is the only swimming beach in the area and is already under pressure without adequate parking. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 481. I534020 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Wild coast is such an important part of our local environment. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 482. I534021 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Gnarabup is a precious and pristine space highly valued by our local, State and international communities.<br>2. Its an extreme fire risk area with limited exit and access.<br>3. Its home to endangered wildlife and provides limited safe swimming access for our children. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 483. I534022 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Destroys what brings people to the region.<br>2. So many birds and animals habitats.<br>3. Waste of time, money and tax payers funds on developing land. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| 484. I534029 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Inappropriate or our environment, community, coastline.<br>2. Risk of bushfire.<br>3. Limited access for local community to beach.<br>4. Sewer inadequate. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 485. I534034 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Area is precious, pristine and deserves protection for future generations. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| 486.<br>I534047 | **Submission Subject:** Lot 300 Salter Street, Gracetown | 1. My submission relates to the zoning of Lot 300 Salter Street, Gracetown. For the reasons outlined below, Lot 300 Salter Street, Gracetown should be rezoned to Unallocated Crown Land as part of Local Planning Scheme 2 (LPS2).<br>2. Prior to the adoption by the Shire of the Gracetown Local Structure Plan (GLSP) for the development proposed by Landcorp, the whole of Lot 300 was zoned Unallocated Crown Land. It is not clear when the Shire adopted the GLSP, but it is likely to have been in 2017, and Lot 300 was rezoned following adoption of the GLSP.<br>3. Development WA, which had taken over responsibility for the proposed development from Landcorp, was unable to progress the development of Lot 300 principally due to the Western Australian Planning Commission (WAPC) being unprepared to support development approvals pending resolution of construction of a second access road for bushfire risk mitigation, and native title determination, as well as ongoing objection from the local community. **Development WA resolved in October 2021 to retire the project.** The proposed Landcorp development at Gracetown has a long history, and it is very important to note that the GLSP contained many important and hard won commitments | Shire officers have enquired with the landowner (DPLH) as to what the intentions are for the land, raising the issue several times over a period of approximately 8 months.<br>At the time of writing, the DPLH have been unable to confirm the Government's intention beyond saying that Development WA do not intend to pursue development of the land.<br>As such, it is open for the Shire to consider whether or not the land should revert to its previous zoning and whether or not such a change would be significant enough to warrant readvertising of the Scheme.<br><br>Considering that the land is:<br>• Owned by the State Government;<br>• The landowner has not advised the Shire that it intends to develop the land;<br>• The function of the land currently and its most likely use in the absence of development by the state government is as a Conservation Area.<br>• The submitter (and other residents of Gracetown via the Gracetown Cowaramup Bay Association) support the change | Rezone portions of Lot 300 Salter Street Gracetown from Urban Development and Public Open Space to Environmental Conservation.<br><br>Remove reference to DCA1 and DCP8 from Schedule 10 of the Scheme text. |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | as to the form and substance of any development, including:<br>• Built form conditions<br>• Public open space<br>• Public works<br>• Water and sewage treatment (unresolved at the GLSP stage)<br>• Environmental considerations and commitments<br>4. One of the most important commitments was that the balance of Lot 300 not required for the development (approx. 231 Ha) would be transferred into the Leeuwin Naturaliste National Park as part of the first stage of residential subdivision.<br>5. The WAPC, through the South West Region Planning Committee in a letter dated 27 May 2016, also made it clear that "the Committee is of the view that due to the bushfire management issues and risks a second access road in the alignment recommended by the Main Roads working group be constructed prior to the finalisation of any subdivision approval." One of the strongest positions taken by the local community was that there should be a second access road built before any development occurred.<br>6. In light of the history of the proposed (and now failed) Landcorp development for Gracetown, the zoning of Lot 300 should be returned to Unallocated Crown Land as part of Local Planning Scheme 2. The current zoning was | it is arguable that zoning the land Environmental Conservation would not be a significant change to the Scheme and as such the change would not require readvertising.<br><br>If the Minister is of the view that the change is significant there is provision in the Regulations for the Minister to direct the Local Government to advertise the modification, or to refuse it. | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | specific to the proposed Landcorp development and the land allocated to the now failed development should not have its zoning changes embedded through LPS2. Any future proposed development of Lot 300 will have to undergo extensive scrutiny in accordance with the planning laws and community expectations at the relevant time and there should not be any presumption in favour of development as would be indicated by an "Urban Development" zoning as proposed in LPS2. | | |
| 487. I534087 | **Submission Subject:** Location 1498 and 1500 caves Road, Deepdene | 1. In relation to the family farm located at Sussex Location 1498 and 1500 Deepdene we note that the scheme proposes a setback for development of 100m from waterways and wetlands as identified by the "Environmental Assets Map" We note that the environmental assets map shows a significant portion of the farm shown as wetland and waterway. It includes waterways that do not exist and the wetland areas shown extend past seasonally inundated areas. When the 100m setback is added on top of the already excessive area identified as wetland and waterway, it will significantly impact the property. It appears that the Environmental Asset Map was prepared as a desktop exercise without any ground truthing yet it has the potential to significantly impact landowners ability to | **Environmental Assets Map**<br>See response to Submission 422<br><br>**Definition of Tree Farms**<br>To date, the Shire has not encountered any issues in terms of understanding the difference between tree planting for environmental or shelter reasons which does not require a development approval, and planting for commercial tree farm purposes which does. | **Environmental Assets Map**<br>See response to Submission 422<br><br>**Definition of Tree Farms**<br>No changes are required as a direct result of this submission |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | undertake future development on their land. I understand that there is a possibility to apply for reduced setbacks, however this puts a far more onerous and time consuming process back onto the responsibility of the landowner due to the lack of accurate mapping referenced in the scheme.<br><br>In addition to the excessive waterway and wetland areas shown on the property, it also appears that an area of bluegums has been shown as remnant vegetation.<br><br>It is requested that the map be updated and the scheme text should clarify that the actual wetland / waterway location as identified on the ground through seasonal high water levels or recognised flood mapping should be used in preference to high level indicative features as shown on the Environmental Asset Map.<br><br>2. **Definition of Tree Farms**<br>In order to promote the broader use of trees on farm for shade and shelter, along with their associated environmental, economic and amenity values, a clearer definition of tree farms is required. Currently the definition of tree farm is | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | *"tree farm means land used commercially for tree production where trees are planted in blocks of more than one hectare, including land in respect of which a carbon right is registered under the Carbon Rights Act 2003 section 5"*<br><br>Under this definition a typical 70Ha farm with a boundary of 1000m x 700m that wishes to plant a 20m wide shelter belt along a boundary could be classed as a tree farm. It is suggested that the definition could be updated to include "monoculture tree production", the area increased to 10Ha in line with current minimum area for plantations supported by the WA plantation timber industry and also to specifically exclude shelterbelts and agroforestry that make up less than 20 to 30% of the farm area.<br><br>Further rationale for the last point of excluding agroforestry that makes up less than 20 to 30% of the farm area includes:<br>- various studies have identified that 20 - 30% of the farm area can be planted to trees without reducing total farm production. In particular the benefits of shade and reduced wind speeds offset reduced production area.<br>- planting only 20 to 30% of the farm area to trees still ensures that there are large clear areas so that | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | landscape scale fire risk is not significantly increased.<br>- A moderate portion of a farm planted to trees can provide significant visual amenity benefits.<br>- A moderate portion of a farm planted to trees can provide significant habitat benefits. Even non native species that are selected to provide a range of farm benefits will also provide habitat benefits.<br>- planting a moderate area of a farm to trees provides opportunity for sustainable farm resources such as sourcing fence posts and firewood from thinnings, honey production and supplementary drought fodder.<br>- planting of 20-30% of farm area to trees has other environmental benefits including reducing soil erosion and soil salinity.<br><br>In addition, the area of trees planted on a farm may grow slowly over time and it will be unlikely that a development application would be triggered unless a significant one off planting exercise be undertaken. In such event that a farmer wishes to plant a more significant area of shelter belt and to encourage greater uptake of the wider benefits of smaller scale agroforestry in the 1Ha to 10Ha range, it would be beneficial for the definition of tree farms in LPS2 to be revised. | | |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| 488. I534092 | **Submission Subject:** Various | As a former Councillor of the Shire of Augusta Margaret River I had experience of the process of the formulation of LPS1 and have the following concerns with the process and governance surrounding the preparation and advertising of Draft LPS2 and object to the advertising of LPS2 without proper regard for due process<br>**Correct preparation of authority to advertise Draft LPS2**<br>• The AMRS has not been authorised by Council to advertise the current version of Daft LPS2. The CEO has relied upon a three-year old decision (August 2020 – see Council resolution below) to advertise Draft LPS2 for public comment. This resolution authorised advertising Draft LPS2 "without modification". Modification did occur in that intervening period, hence there is no authority to advertise the Scheme in its current form.<br>• It appears, following an FOI application to the Department of Planning, Lands and Heritage (DPLH), that the Department did not receive an extension of time under regulation 21 (4) of the Planning and Development (Local Planning Schemes) Regulations 2015.<br>• With the AMRS process not appearing to follow the enabling motion, and the WAPC process absent of necessary procedure, LPS2 could be vulnerable to legal and other challenges.<br>**There has been no approval by elected members of the current version of Draft** | **Gnarabup -** See response to Submissions 19 and 402<br><br>**Environmental Assets Map** – See response to Submission 422.<br><br>**Witchcliffe** – See response to Submission 87<br><br>**Gracetown** – see response to Submission 486<br><br>**Augusta** – see response to submission 687 | **Gnarabup -** See response to Submissions 19 and 402<br><br>**Environmental Assets Map** – See response to Submission 422.<br><br>**Witchcliffe** – See response to Submission 87<br><br>**Gracetown** – see response to Submission 486<br><br>**Augusta** – see response to submission 687 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | **LPS2. During the period between August 2020 and the advertising, two council elections took place. It is a different council. This is an abuse of the democratic process. Draft LPS2 relating to lots 501, 502. 503. 504 and 783 Gnarabup**<br>Notwithstanding the above. I submit re Draft LPS2 treatment of the Gnarabup Lots 501, 502, 503 and 504 and Lot 783.<br>• The elected members of AMRS Council were not briefed on the changes which were made by AMRS staff between August 2020, when Draft LPS2 was approved for advertising, and September 2023 when Draft LPS2 was first advertised. During the period between August 2020 and the advertising, two council elections took place.<br>• There is no formal record of such a briefing amongst public AMRS records. In those three years, elected members of the AMRS Council have repeatedly told the community that there is no change to the planning controls relevant to the five Gnarabup lots (named above) in Draft LPS2.<br>• To demonstrate the lack of understanding by elected members of AMRS Council of the impact of Draft LPS2 on the Gnarabup lots, on June 28, 2023, the elected members hosted a public briefing session at which the Powerpoint presentation presented by AMRS staff States that the: *Draft scheme does not change zoning of* | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | *Gnarabup sites, nor development controls.* This Statement, made in a Powerpoint presentation, is obviously false and misleading. While the former CEO of the Shire has represented in letters that this briefing was only on Initiated Scheme Amendment 70 and therefore not on Draft LPS2, that position is not supported by the content of the Powerpoint which covers the full range of regulatory processes underway.<br>• Advertised Draft LPS2 is not the same document reviewed by the Environmental Protection Authority in 2021. It should be re-referred to the EPA by the AMRS and/or WAPC. • Emails received under FOI from the AMRS dated February 2019 indicate clearly that WAPC and AMRS staff understood that lots 501-504 should be zoned Tourism and current development controls in LPS1 updated (known in LPS1 as SCA3 and that conditions should also be placed in a schedule in Draft LPS2 in order to control "development parameters", including "unrestricted length of stay". These new development controls *"would need to be sufficiently detailed and comprehensive to provide the local community with certainty"*. However Draft LPS2 as currently advertised has the lots zoned Urban Development, and with the SCA3 development controls from LPS1 removed, and no new development controls added. These changes do not | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | align with any decision made by Council in recent years including the Local Planning Strategy, and Initiated Scheme Amendment 70 which initiated rezoning of the lots to Tourism and was passed by a majority of Councillors in February 2021<br>• There is no rational reason why these changes have been made to Draft LPS2. To date AMRS staff have answered questions from Preserve Gnarabup and other members of the community by arguing that the structure plan provides sufficient development control. A structure plan can be changed and does not have the standing of a Scheme.<br>• The above-mentioned proposed rezoning of lots 501-504 Gnarabup to Urban Development and removal of the SCA3 development controls produces a Draft LPS2 which is now clearly aligned with the Development Application under consideration for the site. This Development Application is non-compliant with LPS1 in terms of scale, and use for purposes other than tourism. The SCA3 development controls should be reinstated in LPS2 and even strengthened to provide the community with certainty and to reflect decades of previous planning decisions<br>• **I submit that Lots 501-504 have not been appropriately treated in LPS2. They should be zoned Tourism in accordance with the Local Planning Strategy and Initiated Scheme** | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | **Amendment 70 and the conditions in LPS1 under SCA3 should be reinstated and even strengthened to provide the community with certainty and to reflect decades of previous planning decisions. It is not proper and orderly planning to overturn previous planning outcomes with no reasoning or rationale. It is particularly bad governance when the resulting scheme has been modified to better support a currently non-compliant Development Application.**<br>• WAPC and AMRS staff have acknowledged one mistake in the advertised Draft LPS2 and WAPC has committed to 'fixing' the mistaken rezoning of the northern portion of Lot 783 to Tourism, returning it to Parks and Recreation zoning. **I submit that the northern portion of Lot 783 must be returned to public purpose zoning.**<br><br>**Bushfire treatment in Draft LPS2.*Statutory requirements:***<br>The *Planning and Development Act 2005* (WA) – Section 77(a) requires the AMR Shire to have due regard to any State Planning Policy which affects its district:<br>***77 . State planning policies, effect of on scheme*** *(1) Every local government in preparing or amending a local planning scheme –*<br>*(a) is to have due regard to any State planning policy which affects its district;* | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | Due regard is defined in the *Planning and Development (Local Planning Schemes) Regulations 2015* as:<br>*the decision-maker has a mandatory obligation to consider that document or planning instrument when making a decision on an application to which the particular document or instrument relates.*<br><br>**Map of Bushfire Prone areas:**<br>The official map of bushfire prone areas in Western Australia is developed with the collaboration of a variety of State Government agencies and is published online by DFES. It is to be applied in conjunction with State Planning Policy 3.7 Planning in Bushfire Prone Areas. It maps the bushfire risk level of the entire State, and is described online as:<br>*The Map of Bushfire Prone Areas identifies land in Western Australia that has the potential to be impacted by bushfires. This land is designated by the Fire and Emergency Services Commissioner.*<br>*Additional planning and building requirements may apply to new proposals within a bushfire prone area. A further assessment of bushfire risk may also be required to ensure future developments in bushfire prone areas are safer. The requirements are described in State Planning Policy 3.7:* | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | *Planning in Bushfire Prone Areas (SPP 3.7) and the Guidelines for Planning in Bushfire Prone Areas (Guidelines).*<br><br>The entire AMR Shire, the subject of Draft LPS2 is designated in the office Map of Bushfire Prone Areas as Bushfire Prone. LPS2 is therefore required to conform with State Planning Policy 3.7 – Planning in bushfire Prone Areas.<br><br>The Policy Objective of SPP3.7 include (emphasis added):<br>*5.1 Avoid any increase in the threat of bushfire to people, property and infrastructure. The preservation of life and the management of bushfire impact are paramount.*<br>*5.2 Reduce vulnerability to bushfire through the identification and consideration of bushfire risks in decision-making* ***at all stages of the planning and development process****.*<br>*5.3 Ensure that higher order strategic planning documents, strategic planning proposals, subdivision and development applications take into account bushfire protection requirements and include specified bushfire protection measures.*<br><br>The Guidelines for Planning in Bushfire Prone Areas (SPP3.7) (both versions 1.3 (from 2015) and version 1.4 (from December 2021)) require attention to the | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | threat of Bushfire in the preparation of a Local Planning Scheme.<br><br>Version 1.3 States (emphasis added):<br>*5.2.4 Local planning schemes provide a mechanism to prevent development in inappropriate locations through suitable zoning and land use permissibility controls, consistent with strategic-level planning documents.*<br>*All local planning schemes include the deemed provisions relating to bushfire risk management as set out in the LPS Amendment Regulations 2015 at Schedule 2, Part 10A, Clauses 61(3) 78A–78G. Where considered appropriate, local planning schemes may include additional subdivision and development requirements related to bushfire risk management in line with the policy measures in SPP 3.7 and Planning Bulletin 111/2015, as amended (WAPC 2015). Clause 78B (2) of the LPS Amendment Regulations 2015 specifically acknowledges that requirements relating to development in a bushfire prone area contained within a special control area will apply, in addition to the provisions contained within the LPS Amendment Regulations 2015. When reviewing a local planning scheme, the zoning tables should be reviewed to ensure that the type of development permissible through the zoning table is compatible with the level of risk associated with any identified bushfire hazard in the local planning strategy.* | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | *Vulnerable and high-risk land uses within bushfire prone areas should be given special consideration. The locations where these types of uses are not permitted may be listed in a schedule of the local planning scheme in order to establish strengthened bushfire risk management measures. These should form part of a special control area. Where a use is likely to have a hazard level of extreme that cannot be addressed through an amended planning proposal or approval conditions, there may be a need to establish it as a restricted use area.*<br>*New local planning schemes and scheme reviews containing bushfire prone areas are to be accompanied by a Bushfire Hazard Level assessment and, where there are areas identified as moderate or extreme, a BMP. The scheme should be referred to the Department of Fire and Emergency Services for advice as well as the Department of Water and Environment Regulation and the Department of Biodiversity, Conservation and Attractions if any vegetation removal is proposed.*<br>**I submit that Draft LPS2 in its current form lacks important Special Control Areas for Bushfire risk. Two such SCAs should be established to apply to areas of "extreme" bushfire risk and "very high" bushfire risk as identified in the Shire's BRMP. These should reflect the existing mapping of the AMR Shire BRMP. The zoning tables should be reviewed to ensure that the type of** | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | **development permissible through the zoning table is compatible with the level of risk for each SCA. Vulnerable land uses should be prohibited in the "extreme" bushfire risk SCA and should only be permitted in the "very high" bushfire risk SCA where a BMP is endorsed by DFES.**<br><br>**Fauna and flora studies/ assessments**: I submit that these surveys must be made over at least two seasons of the year and with surveys at different times of the day.<br><br>**Environmenta**l **Assets maps**: I submit that these maps need to be updated, particularly with reference to currently existing corridors that are either naturally occurring or created by landowners (particularly those which have been conditioned as part of a previous Development Approval) as well as the wildlife corridors that will be required as a condition of a Development Approval on Rural and/or Rural Residential land. I submit that ALL State Forest needs to be zoned Environmental Conservation.<br><br>Fencing – 1.8m high ring-lock style fencing is being introduced into Rural Residential areas illegally. It needs to be clearly enunciated in the LPS2 that fencing higher than 1.2m is illegal and this needs to be monitored and penalties applied. This needs to be applied retrospectively as the existing 1.8m fencing is not allowed. | | |

# SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | **The potential for diversification States:**<br>In order to provide an opportunity for farmers to diversify their income and to allow for authentic rural experiences for visitors, limited tourism and hospitality development is permitted on rural land. Such uses which will be required to integrate with existing agricultural endeavours, be designed to maintain the rural aesthetic of the zone and minimise chances of land use conflict. Section 79 "Non-Rural Use and Development in the Rural Zone States" (12) Non-rural uses, including tourism uses, may only be permitted where agricultural use of the land is existing and maintained, with non-rural uses being incidental to the predominant agricultural use. Incidental use means a use of premises which is consequent on, or naturally attaching, appertaining or relating to, the predominant use; here are a range of uses allowed on Rural zoned land in the Zoning Table in LPS2 that are incapable of reasonably meeting the requirements of Section 79 (12), or are not conditioned in such a way that they restrict the use to ensure compliance with Sections 79 (12). These are (separated into P, I, D and A uses):<br>**P USES**<br>**1. Winery** - means premises used for the production of viticultural produce and associated sale of the produce. A winery could be established with no relationship to | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | the site without clarification that there must be an existing vineyard on site. Large wineries are capable of generating large volumes of traffic, including heavy vehicles, and are, in the absence of an associated vineyard, industrial operations. Where a winery proposes to import grapes from other sites for production for their own label, or for contract winemaking (regardless of the existence of vineyard on the site), this should fall into a different category as it has no relationship to the predominant use when it crosses this line, and the impacts are quite different. I submit that winery use be separated into Winery – exclusive and Winery -contract/import where the former is a "P" use and the latter is an "A" use and subject to a consequently higher level of scrutiny for the appropriateness of its location.<br>**I USES**<br>**2. Restaurant/Café (licenced premises) -** means premises primarily used for the preparation, sale and serving of food and drinks for consumption on the premises by customers for whom seating is provided, including premises that are licenced under the Liquor Control Act 1988, A restaurant or café is only incidental to the predominant agricultural use if there is a direct connection between the agricultural production and the restaurant/café. This could be the production of wine, which is served with meals, or the production of a particular food, but without these conditions | | |

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| | | being met there is no incidental relationship. I submit that the Restaurant/Café can only to be approved where there is produce grown on the property that will be sold at the Restaurant/Café as a major component of the dining experience.<br>**3. Market -** means premises used for the display and sale of goods from stalls by independent vendors. Any stall not selling produce grown on the property is not incidental to the predominant rural use. A market belongs in a community space with appropriate parking and facilities, not on a rural property. I submit that market be X in zoning table.<br>**4. Reception Centre** - means premises used for hosted functions on formal or ceremonial occasions. This cannot satisfy the incidental use criteria. I submit that reception centre must be X in zoning table.<br>**5. Workforce Accommodation -** means premises, which may include modular or relocatable buildings, used<br>(a) primarily for the accommodation of workers engaged in construction, resource, agricultural or other industries on a temporary basis; and<br>(b) for any associated catering, sporting and recreation facilities for the occupants and authorised visitors.<br>The requirement of this land use to be clustered with the main dwelling does not allow for the preservation of privacy of the farmer and their family. I submit that conditions reflect an analysis of the need for | | |

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| | | workforce accommodation be established through criteria and the siting be subject to conditions that allow a separation from the main dwelling provided there is no negative impact on other considerations.<br>**6. Art Gallery -** means premises –<br>(a) that are open to the public; and<br>(b) where artworks are displayed for viewing or sale;<br>This cannot be an incidental use. If it is art created by the inhabitant of the land then it could come under Industry – Cottage, and the definition of Rural Produce Store could be altered to allow the sale of artworks produced on site by the occupier of the premise. There is no plausible planning reason to allow the establishment of art galleries in the rural areas, and it is odd that this use was given an "I" designation where some animal-based uses, appropriate only to the rural area, were given a more onerous designation within the zoning table.<br>I submit that this use should be X in zoning table.<br>**D USES**<br>**7. Garden Centre -** means premises used for the propagation, rearing and sale of plants, and the storage and sale of products associated with horticulture and gardens; I submit that this be an "A" use as there may be circumstances where there is a requirement for an area of land greater than available in other zonings, particularly where there is propagation and "growing | | |

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| | | out" of landscape trees etc. This, however would be a rare occurrence, and a retail garden centre should not generally be located in the rural area. A wholesale nursery could be more appropriate in the rural area as there will be fewer vehicle movements and disruption for local residents and wildlife. Suggest reinforcement of the need for connection to rural predominant use be included and change to "A" in zoning table.<br>**8. Rural Produce Store -** means a premises used by the occupier of the premises for carrying out a business where:<br>(a) It does not occupy an area greater than 25m 2;<br>(b) it is used for sale of produce associated with farming operations, but may Include local souvenir products; and<br>(c) Will not adversely affect the amenity of the neighbourhood.<br>See comments on Art Gallery above. Suggest "local souvenir products" should be deleted as there is no conceivable incidental connection to rural produce, but art or objects made by the occupier of the premises should be included to allow for sale of items produced on site by an occupier.<br>**9. Veterinary Centre -** means premises used to diagnose animal diseases or disorders, to surgically or medically treat animals, or for the prevention of animal diseases or disorders; I submit that this use in the rural area be confined to "large | | |

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| | | animal" veterinary practice. There is adequate room and zoning provision for cat and dog veterinary practices in townsites without providing opportunity for these to be located in the rural areas with no incidental connection to the land.<br>**A USES**<br>**10. Camping Ground and Caravan Park.** The Shire has allowed the proliferation of small-scale campgrounds throughout the rural areas of the Shire. There is no restriction on location of these developments. Some approvals have been made with no on-site sewerage or water provision. This form of tourism has a low entry level and has the potential to generally interfere with the operation of agriculture within the rural areas. Camping grounds and caravan parks also increase the vehicle movements along access roads significantly. On unsealed roads this leads to increased dust for surrounding properties, increased roadkill of native animals, increased noise and light which has a detrimental effect on wildlife, especially at night (owls are attracted to the light and are killed by cars) Suggest more stringent criteria be developed for the siting of these – namely that they are only sited on sealed major or secondary roads that already have high traffic levels, protection from fire risk for visitors, supervision of visitors, provision of basic services (sewer and water), and strict non-interference with future agricultural use of the proposed site. | | |

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| | | Very few cleared sites will meet the last criteria as the space taken by infrastructure will necessarily take up land that could be used for agriculture. This leads to a further criticism of the criteria of land size dictating the level of accommodation. The site itself should dictate the level of accommodation, and rural properties with little or no prospect of agricultural production due to existing vegetation or other constraints are perhaps more suited to tourism development, regardless of size, than large cleared properties. Suggest it would be more appropriate to allow these uses by way of scheme amendment and re-zoning to "Tourism". This would allow proper assessment of appropriateness of location and capacity of the site and agricultural potential. I submit X in zoning table.<br>**11. Holiday House -** means a single dwelling on one lot used to provide short-term accommodation but does not include a bed and breakfast; The restriction of one residential house per rural lot means that this use removes a residential property from long term rental or owner occupation during a housing crisis. It also means there is no immediate supervision of the activities of the short-term occupants. This is a recipe for disturbance and fire risk. It is also an incentive for the purchase of rural properties by absentee landowners, as an alternative to purchasing within a residential zone, as income can be generated from the short-term rental of the house. This has the | | |

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| | | potential to drive up the price of rural zoned properties and make them less viable for genuine rural uses. This is an undesirable outcome for the future of the Shire. I submit X in zoning table.<br>**12. Holiday Accommodation** - means 2 or more dwellings on one lot used to provide short term accommodation for persons other than the owner of the lot; Similarly to Holiday House use there is an issue with supervision to mitigate the risk of antisocial behaviour and bushfire without a provision for on-site supervision and management of the accommodation. I submit that there should be a clause mandating on-site management of any Holiday Accommodation.<br>**13. Brewery -** means premises the subject of a producer's licence authorising the production of beer, cider or spirits granted under the Liquor Control Act 1988; This use has been approved in various locations in the rural areas in both the AMR and City of Busselton Shires. To date, despite being sometimes conditioned, no brewery is growing the hops or barley necessary for the brewing process. There is no connection to the land and therefore they fail the test of incidental use. I submit X in the zoning table as these activities belong in industrial or light industrial areas except where an established agricultural use can be demonstrated. Approvals conditioned with establishment of such a use appear to be difficult for the Shire to police and | | |

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| | | approvals for development occur despite the agricultural activity not actually eventuating. For example, should an applicant apply for a Cidery under the brewery use they should first have to apply for their permit to establish an orchard and demonstrate their capacity to grow the apples sufficient to support the proposed cidery, not simple establish a token orchard and rely on import of apples from elsewhere to supply the cidery.<br>**14. Exhibition Centre** - means premises used for the display, or display and sale, of materials of an artistic, cultural or historical nature including a museum. This use has no relationship with agricultural or rural use. I submit X in zoning table.<br>**15. Recreation – Private** - means premises that are (a) used for indoor or outdoor leisure, recreation or sport; and<br>(b) not usually open to the public without charge; This use is very open and allows for golf courses, go-kart racing or other developments that should require a scheme amendment to have the necessary scrutiny to prevent poor planning outcomes. There is no relationship to agricultural activity.<br>I submit an X in zoning table. If fences over 1.2m are constructed in the Rural Zone, wildlife corridors (vegetation and/or movement) must be made mandatory to assist the movement of wildlife away from roads and to link bushland areas. I submit that no “sensitive” land uses should be introduced into the Rural Zone e.g. mining. | | |

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| | | AMR Shire should advocate for the region to be a 'no mining zone". Environmental Conservation Zone: "To provide for the preservation, maintenance, restoration or sustainable use of the natural environment" is what is currently Stated in the LPS2 Draft. Very few uses of the natural environment are "sustainable" over the long-term. All current Environmental Conservation Zones need to be preserved, maintained and restored – it is important that no new uses are introduced into these areas that further degrade the environment or biodiversity. Environmental Conservations Zones can be further enhanced by linking them with other areas of bushland to provide robust wildlife corridors and wildlife movement zones.<br>**General Development**<br>**52. Significant Tree Register**<br>It is good to see this included in the LPS2 and submit the following suggestions:<br>1. That dead or ailing trees (if they meet all other criteria) should also be given recognition as critical habitat and be accepted to the register as Significant Trees.<br>2. That a tree that has been proposed for the register be protected from that date until the decision to either accept or reject its nomination has been made and authorised.<br>3. That the penalties for harming or removing a Significant Tree are quantified and | | |

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| | | made public so that they may act as a strong deterrent.<br>4. There are several trees within close proximity of Witchcliffe town site which we believe should be registered, i.e. the Grandmother Marri, the polo field Marris and the "water trees". I submit that registering these trees is a priority with all the planned development of Witchcliffe.<br>**53. Environmental Protection**<br>**Land Clearing –**<br>1 (I) I submit that 2000sm is too large an area to allow clearing without approval. submit that this area should be lowered to 1000sm.<br>**60. Mining Operations**<br>(1) I submit that the "local government (must) inform the Minister for Mines and the Minister for Planning in writing that the granting of a mining lease or general-purpose lease is contrary to the provisions of the Scheme and the Local Planning Strategy."<br>**64. Development of Holiday Houses**<br>(4) I submit that this paragraph needs to be amended to "Holiday houses must be considered on a case-by-case application to Council."<br>**80. Environmental Conservation Zone requirements** I submit that there should be no new development in Environmental Conservation Zones.<br>**Town Centres**<br>**Gracetown** | | |

# SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | Lot 300 Salter Street Gracetown Documents uncovered in recent FOI requests have revealed that Development WA abandoned the proposed development project on this land over 2 years ago, but has not informed any of the stakeholders – the community, the Shire, even the Department of Planning Lands and Heritage – of the decision.<br>Development WA has acknowledged internally that the project is not viable "principally due to the Western Australian Planning Commission (WAPC) being unprepared to support development approvals pending resolution of construction of a second access road for bushfire risk mitigation and native title". In addition to these, other unresolved issues include water and sewage management, community works to handle increased pressure on the bay, and environmental considerations. The Structure Plan for the development also contained a commitment that the balance of Lot 300 not required for the proposed development (approx. 231 Ha) would be transferred into the Leeuwin-Naturaliste National Park.<br>Before the development proposal was launched in 1998, Lot 300 was zoned Unallocated Crown Land and designated as Parks and Recreation under the Local Planning Scheme. Around 2017 the whole of Lot 300 was rezoned to its current LPS1 zoning of "Future Development, National Parks and Nature Reserves, Parks and | | |

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| | | Recreation", to allow for part of Lot 300 to be developed as residential land and related infrastructure. The proposed LPS2 continues this zoning as "Urban Development, Environmental Conservation". The reasons why WAPC were unprepared to support development approvals pending resolution of construction of a second access road for bushfire risk mitigation and native title are still valid, as are many other issues such as environmental considerations, unresolved water and waste management issues and, since the project commenced, the massive increase in pressure on main beach, boat ramp and local area. There should not be any presumption in favour of development, as would be indicated by maintaining an "Urban Development" zoning as proposed in LPS2. Given the history of the proposed (and now failed) Landcorp development for Gracetown, the zoning of Lot 300 should be changed to Environmental Conservation.<br>**Augusta**<br>ACDA has collated a selection of allotments currently in reserve status for various public uses, with a view to preservation of remnant and recovering native vegetation, particularly where 'green corridors' may be advanced by their conservation. With reference to the current planning scheme online map, we recommend changing the zoning status to "Conservation" of the following: | | |

# SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | Lots 531586, 11694355 and 2002 (Donovan Street Bushland, Augusta)<br>Lots 390, 375 and 378 (East Augusta Timber Reserve – collective lot 18644)<br>Lot 1491 (Gimbel reserve)<br>Lot 4385 (Greenhill Road reserve)<br>I do not support the transfer of Shire-owned Lot 1271 Kudardup from General Agriculture to Tourism without full transparency of intentions for this site, and instead support its preservation under a Conservation zoning, to promote connection and conservation of the green corridor from Kudardup to Deepdene.<br>Furthermore, I submit incorporation of areas along the Blackwood River and Flinders Bay coastline into the "Landscape Amenity" map, as areas of "natural landscape significance" and visual management 'corridors' to help facilitate preservation and promotion of native vegetation and promote visual management controls on development in these areas, to consider the aspect both from viewpoints on roads and lookouts, but also from the river and the sea.<br>**Witchcliffe**<br>**Witchcliffe Reserve Rezoning**<br>The Witchcliffe bushland reserve which is both south and north of Redgate Road, including the Wadandi Trail (Lots 49 and 4483 on LPS2 map), was marked "Parks and Recreation" on the LPS1 and "Reserve" in the Local Planning Strategy 2036. This zoning has been changed to Public Open | | |

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| | | Space and Recreation in LPS2 and may have less protection. The Environmental Map highlights this area as a Baudins' breeding area and all 3 species of black cockatoo frequent this bushland. The masked owl has also been sighted and the Witchcliffe Community has recently engaged with the Shire to start a volunteer group to manage this bushland. I submit that this last area of bushland in close proximity to Witchcliffe needs to maintain its current zoning of "Reserve:" or "Park" to ensure its protection.<br>**Polocrosse Field**<br>An area of the Polocrosse field that contains a stand of remnant Marri trees frequented by Black Cockatoos was previously zoned "Reserve" in LPS1 and the Local Planning Strategy 2036. These trees are all large habitat trees and they are now zoned "Education" in LPS1. We believe the previous zoning of "Reserve" must be maintained and the trees protected.<br>**Mammoth Street Extension**<br>In LPS2 Mammoth Street is to be extended to run adjacent to the Wadandi track. This extension would involve the removal of many significant trees, including ones anecdotally identified as Indigenous "water trees". In LPS1 and Local Planning Scheme 2036 this road does not exist. We believe it should be rerouted or abandoned.<br>**Grandmother tree**<br>The Grandmother tree on the northern border of the current polocrosse field, a | | |

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| | | significant tree for the local community as well as a rare representative of an ancient Marri, was protected by a "Reserve" zoning in LPS1 and the Local Planning Strategy 2036. In LPS2 it is now situated in a road reserve. I submit that protection of it in some form for now be put in place. | | |
| 489. I534093 | **Submission Subject:** Lots 46 and 48 Isaac's Road, Lot 255 Wilderness Road, Margaret River and Unit 2, 23 Fearn Avenue, Margaret River | 1. Wilderness Estate has been designated special rural over 20 years and all blocks are 3ha in size and serviced with roads, power and water and adjoins the Wilderness Fire Brigade.<br>2. Been restricted to one dwelling, one ancillary since original scheme was brought in and are also constrained to very small building envelope, which means the vast majority of each block is remnant bush.<br>3. Main aim has been to preserve the unique environment of this area, however, research shows that most of the area was cleared for farming and owned by Wallcliffe Farm for at least 150 years. Some original trees still exist and should be retained, however most of the bush is scrawny spinifex of non-native introduced trees. This sort of vegetation presents an extremely high fire risk and no cultural or environmental value.<br>4. Proposing modification of the zoning of Wilderness Estate:<br>a. Zoning modifications have been ongoing for larger blocks from Margaret River townsite to Prevelly and reached the eastern intersection | One of the fundamental objectives of the State bushfire planning policy framework is to direct development into areas which have a lower risk rating in relation to bushfire.<br><br>Wilderness, in terms of both its highly vegetated state and its lack of access and egress options would not meet with this objective and therefore it is not a desirable candidate for re-subdivision. | No changes are required as a direct result of this submission |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | of Wilderness Road/Wallcliffe Rd but has not continued. Most of these blocks are down to 1ha.<br>b. Given the location of the estate immediate consideration should be given to rezoning estate to 1ha blocks to help alleviate chronic shortage in immediate area.<br>5. Blocks are large enough so no additional crossovers should be required, existing crossovers could service each individual subdivision (similar to battle-axe subdivision).<br>6. Spent much money on my properties over five years and will continue to spend so that Margaret River, presents a high level of attractiveness to tourists. | | |
| 490.<br>I534103 | **Submission Subject:**<br>Lot 991 Mitchell Drive & Lot 992 Lake View Crescent, Prevelly | This submission relates to Lot 991 (on Deposited Plan 403920), #23 Mitchell Drive, Prevelly as well as Lot 992 (on Deposited Plan 403920), #21 Lake View Crescent, Prevelly. In summary we confirm that we support some of the proposed changes in LPS 2 while we also request some modifications, especially in relation to some strategic directions in the Shire's Local Planning Strategy and the Western Australian Planning Commission's Position Statement/ Guidelines which do not appear to be reflected in the Draft LPS 2.<br>**Lot 992**<br>In relation to Lot 992, we note that existing Local Planning Scheme No. 1 (LPS 1) shows the lot to be zoned 'Residential' with | **Lot 992**<br>Support for the Scheme is noted.<br><br>**Lot 991**<br>The submitter correctly identifies that clause 78(5) prevents residential development on key tourism sites which is inconsistent with the recommendations of the Local Planning strategy with regard to some of those same key sites. It should be changed accordingly. See Response to Submission 418.<br><br>Clause 78(6) is superfluous. | See Response to Submission 418. |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | a density coding of 'R15/30'. The lot is also contained within a 'Structure Plan Area' (SPA 21), which requires for a Structure Plan to be prepared for the property.<br>It is noted that under Draft LPS 2, while the zoning and density code remain the same as LPS 1, the 'Structure Plan Area' classification and requirement has been removed. We fully support this change. The land is able to be developed in accordance with the relevant zoning and density requirements, subject to the relevant planning application(s) and approval(s).<br>**Lot 991**<br>In terms of Lot 991, existing LPS 1 shows the lot to be zoned 'Caravan Park'. Under Draft LPS 2, the zoning is proposed to change to 'Tourism' and the property is proposed to be included within a 'Tourist Area' Special Area (T28).<br>The Draft LPS 2 includes the following objectives for the Tourism zone:<br>• T*o provide for a variety of holiday accommodation styles and levels of affordability, associated uses, including retail and service facilities where those facilities are provided in support of the tourist accommodation and are of an appropriate scale where they will not impact detrimentally on the surrounding or wider area.*<br>• *To ensure an adequate supply of tourism accommodation sufficient to meet anticipated needs taking into* | | |

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| | | *account the environmental and infrastructure capacity of the local area.*<br>• *To allow a limited component of residential development where necessary and appropriate.*<br>• *To encourage the location of tourist facilities so that they may benefit from existing road services, physical service infrastructure, other tourist attractions, natural features and urban facilities.*<br>• *To protect sites identified as being of strategic tourism importance from alternative land uses.*<br>It is also highlighted that in the Shire's Local Tourism Planning Strategy (LTPS), Lot 991 is classified as a key tourism site (Key Tourism Site 1). Regarding land use permissibility/ criteria for Key Tourism Site 1, the following is Stated in the LTPS:<br>• *Consider a component of higher density tourism uses on more constrained areas of the site, where it can be demonstrated that it is incidental to existing caravan and camping areas*<br>• *An allocation of Unrestricted Length of Stay (ULS) may be considered for a portion of higher density tourism development, providing it is integrated within the development and does not compromise the primary use for caravan and camping purposes. Consideration of ULS development will only be considered in confined areas of steeper topography unsuitable for caravan and* | | |

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| | | *camping sites through strata title mechanisms.*<br>• *Proposed ULS units must be constructed prior to subdivision clearance and developed in a uniform manner.*<br>The main issue being is that the Draft LPS 2 does not reflect the strategic direction set out in the LTPS. There is inconsistency between the direction of the LTPS and Draft LPS 2 in terms of possible unrestricted length of stay. As highlighted above, the LTPS States for the subject land "*An allocation of Unrestricted Length of Stay (ULS) may be considered for a portion of higher density tourism development, providing…"* while the Draft LPS 2 does not reference any possible ULS for the subject land and in fact States, "*Land identified as being a 'key tourism site' by the Local Planning Strategy, shall not be developed for residential purposes and all development is to be subject to length of occupancy restrictions*" (Clause 78 (5)).<br>It is also noted that the WAPC's 'Position Statement: Planning for Tourism and Short-term Rental Accommodation' (Nov 2023) acknowledges the following:<br>*"The inclusion of any land uses other than tourism land uses on tourism zoned land should be considered on a case-by-case basis. Consideration should include whether there is appropriate infrastructure and a planning framework that supports uses other than tourism on tourism zoned* | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | *sites. The inclusion of permanent residential uses requires close consideration to ensure tourism remains the primary use of a site and a quality tourism outcome is achieved in conjunction with any residential component."*<br>At the same time the WAPC's 'Planning for Tourism and Short-term Rental Accommodation Guidelines' (Nov 2023) note that the objectives of the Tourism zone in the Planning and Development (Local Planning Schemes) Regulations 2015 include to "*allow limited residential uses where appropriate*". The Planning for Tourism and Short-term Rental Accommodation Guidelines even include (in Appendix 1) factors to consider in determining the proportion of mixed use and/ or residential development in areas of primary tourism.<br>This reflects the direction of the Shire's LTPS as acknowledged earlier. But while Draft LPS 2 on the one hand for the Tourism zone (as noted above) includes the objective to "*allow a limited component of residential development where necessary and appropriate"*, it does not allow for this case-by-case basis for land uses other than tourism, and specifically excludes some tourism land including Lot 991.<br>**Request/ recommendations**<br>We therefore request that the Shire ensure that the strategic direction set out in the LTPS as well as the WAPC Position Statement and Guidelines relating to | | |

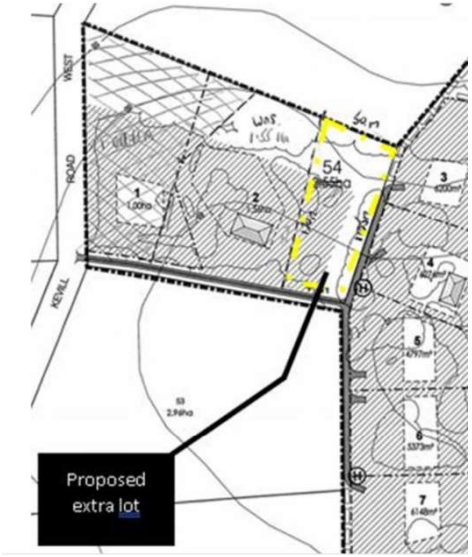
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| | | Planning for Tourism and Short-term Rental Accommodation be reflected in the Draft LPS 2. Draft LPS 2 needs to allow for flexibility in allowing residential (or unrestricted stay) in tourism zones where appropriate and not simply exclude tourism zoned land outright (such as Lot 991). The WAPC's Planning for Tourism and Short-term Rental Accommodation Guidelines as referenced earlier includes examples of when residential (or unrestricted stay) development in tourist zones may be appropriate, as follows:<br>"*Proposing the inclusion of permanent residential accommodation into an existing tourism development should only be supported where it is demonstrated as facilitating a quality tourism outcome or benefit (for example major refurbishment of tourism use, increased capacity of tourist accommodation, renovation or development of new public space, new pool and restaurant facilities).*"<br>The above are factors that are relevant to the existing Prevelly Caravan Park at Lot 991. Draft LPS 2 currently excludes the potential for Lot 991 (and other key tourism sites) to pursue this option and needs to be modified to reflect the key planning documents outlined.<br>Recommended changes to the Draft LPS 2 (as a minimum) are as follows:<br>• Delete clause 78 (5) of Draft LPS 2 (which States "*Land identified as being a 'key tourism site' by the Local Planning* | | |

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| | | *Strategy, shall not be developed for residential purposes and all development is to be subject to length of occupancy restrictions*"); and<br>• Modify clause 78 (6) to be more generic and also reflect updated planning documents (the clause currently references a rescinded Planning Bulletin).<br>o The current clause States "*Non key tourism sites may in part, be developed for residential purposes where development is consistent with Planning Bulletin 83/2013.*"<br>o The suggested new clause should State "*Tourism sites may in part, be developed for residential purposes where development is consistent with Position Statement: Planning for Tourism and Short-term Rental Accommodation.*"<br>**Conclusion**<br>We trust the above submission appropriately articulates the position of our client on the Draft Local Planning Scheme No. 2 as presented for public advertising. Should you wish to discuss any aspect of the above or wish to meet, please do not hesitate to contact the undersigned. | | |
| 491.<br>I534104 & I534146 | **Submission Subject:** Lot 102 Kevill Road West Margaret River | The subject site is currently zoned Rural Residential along with surrounding lots but is also included within an area noted as RR23 which is a precinct that includes land to the west and east that was the subject of a clustered subdivision. | The Change to RR17 requested by the Submitter would in effect state what is already the case, which is that rural residential subdivision does not require a pre-requisite structure plan. | No changes are required as a direct result of this submission |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | Under the current Scheme, subdivision was promoted generally in accordance with a Guide Plan which was originally purported to be a green title subdivision into two lots and this resulted in the creation of Lot 102 and a strata title subdivision of the adjoining site to the east with clustered residential lots ranging from 4797m2 up to 6276m2 and a balance common property area inclusive of a common property driveway system. A revision of this format of development was granted by the Commission on the basis that revised Structure Plans are not necessarily required anymore (due to a recent decision of the Commission) and a green title format of development of lots to the east resulted. This relied on the accessway to the south of the subject site (Lot 102) being amended to a public road and services being extended along this road to the cluster of lots immediate to the east.<br><br>Proposed Lot no. 3 on the endorsed Development Guide Plan was amended to include the large area of land to the east (bushland area) and therefore no common property was created.<br><br>An emergency accessway connection was also facilitated from the public road through to Wallcliffe Road. | The additional lot sought by the submitter appears to be unproblematic in terms of not impacting on native vegetation and allowing efficient use of existing rural residential zoned land. This could be facilitated by way of a subdivision application. If the WAPC are not satisfied with this approach, use of their discretion to require a structure plan would address any perceived inconsistency with the scheme. | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | The total area of land within the precinct the subject of RR23 under the current Scheme is 12.11 hectares.<br><br>The subject site (Lot 102) is now in a different situation with a cluster of small freehold lots to the east, a public road to the south with full servicing other than sewerage. This therefore raises the question – could an additional clustered lot be provided in the eastern part of Lot 102 given that the extent of area within the RR23 classification is 12.11 hectares and this would result in a total number of lots of 8 being created within this precinct and therefore still above the average 1 hectare that is typically applied.<br><br>The Department of Planning, Lands & Heritage was asked would the current provisions of the Scheme support consideration of a subdivision to create a clustered lot in the eastern part of Lot 102 on the basis that a Structure Plan may not be required. The Commission advised that it would be advisable to amend the Scheme.<br><br>This background is therefore brought the attention of this consideration to a submission on the Draft Scheme No. 2.<br><br>There is clearly justification for an additional clustered lot within the RR23 area, particularly now that a full green title | | |

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| | | arrangement and public road has been established with an emergency exit to Wallcliffe Road.<br><br>The location of an additional dwelling is indicated on the sketch below and this also illustrates how an additional lot of a similar size to those in the cluster could be created.<br><br>  <br><br><br>The Draft Scheme as advertised has carried forward the general objectives for the land and is now included in the area under the Schedule at RR17. The provisions in the Draft Scheme continue to make reference to the Development Guide Plan (now considered to be Structure Plan) and also requires: | | |

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| | | • Development to be limited to building envelopes.<br>• Development of the private passive recreation to be the subject of an environmental management plan.<br>• No livestock to be kept on the proposed lot.<br>• The keeping of cats is prohibited.<br><br>An adjustment to the provisions relevant to the RR17 area could be made to allow consideration of subdivision of Lot 102 as follows:<br>• Insertion of an additional Clause 6 could State :<br>'*Notwithstanding Clause 1, further subdivision of Lot 102 can be considered without a requisite Structure Plan provided that residential development is restricted to a cleared area and will not impact on nave vegetation of significance, effluent disposal capability is demonstrated, and appropriate bushfire requirements are addressed. Subdivision of Lot 102 should ensure a minimum lot size of 4000m2".*<br><br>This adjustment would be relatively simple and provide direct information to guide potential addition of another dwelling associated with the cluster of dwellings in the relevant Rural Residential precinct.<br><br>**Concluding Comments** | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | The accommodation of an additional dwelling in this location would be consistent with the theme of clustered Rural Residential, would take advantage of public roads and services that have been installed and would make better use of resources in an appropriate location without impacting on the environment or creating issues with respect to bushfire.<br>Further liaison with Shire and DPLH planners on this submission would be welcomed towards favourable consideration of this by the Shire and the Department of Planning, Lands & Heritage. | | |
| 492.<br>I534105 | **Submission Subject:** Lot 41 & 42 Treeton Road, Cowaramup, Locations 3000,3001, 3002 Treeton Road, Cowaramup and Location 2223 Carbunup Road, Cowaramup | 1. Agricultural land within the Shire should be designated Priority Agriculture along with any General Agricultural land. Important that land is kept productive. Priority status ensures that farming operations receive the necessary support and protection.<br>2. Clause 51 – 100m setback from any watercourse is totally unworkable. Along with no grazing practices. My property has a creek running through the middle of each location would lose many hectares making the property very unworkable and unviable. Fire risk would be huge. Weed problem very costly and uncontrollable.<br>3. Already fenced creeks from cattle and am grazing in a managed way. Setback from the creek has not been excessive.<br>4. Clause 56 – Clustering of dwellings. Not a good idea when it comes to work safe. | See response to Submission 405. | See response to submission 405 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | Farm machinery moving daily and to have children or children of staff all clustered in the same area is an accident waiting to happen.<br>5. Clause 69 – Sustainable buildings should be a choice.<br>6. Addition of environmental corridors, one proposed through my property is very heavy handed. Value of property with environmental corridors and fencing waterways will decrease.<br>7. AMR Shire has many hectares of native bush which is protected.<br>8. Prioritising agricultural land use AMR Shire acknowledges the vital role farming has in the local economy and community. This designation aims to safeguard agricultural resources against encroachment from non-agricultural development and underscores the importance of preserving farming heritage and practices. | | |
| 493.<br>I534106 | **Submission Subject:** Lot 41 & 42 Treeton Road, Cowaramup, Locations 3000,3001, 3002 Treeton Road, Cowaramup and Location 2223 Carbunup Road, Cowaramup | 1. Agricultural land within the Shire should be designated Priority Agriculture along with any General Agricultural land. Aligns with goal of preserving and promoting agricultural activity within the AMR Shire.<br>2. Priority agricultural ensures that farming operations receive the necessary support and protection to sustainably manage agricultural land for production purposes.<br>3. Priority agriculture also includes the wine industry which is a prime income | See response to Submission 405. | See response to submission 405 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | earner and employer. Along with tourism it creates, is of paramount important to this Shire. Should not restrict this industry.<br>4. Dairy is the biggest agricultural earner and should not be compromised.<br>5. Clause 51 – 100m setback from any watercourse and environmental corridors both of which effect my business, its very heavy handed and impossible to manage. Imposing conditions including rehabilitation and revegetation of these will create a fire hazard and weed control impossible. Loss of hectares will make my dairy farm unviable and the value will plummet.<br>6. Clause 56 – Clustering of dwellings on farming properties is not advisable. Impractical and will create an unhealthy environment for farming families and their staff.<br>7. Clause 69 – Sustainable buildings should be a choice.<br>8. Clause 79 – Additional dwellings should be considered in long term for retiring parents. With lack of housing currently being experienced. New clause that increases additional dwelling size to 120sqm is supported.<br>9. Clause 80 – Agricultural within the environmental conservation zone, is clearly specified in the regulatory text. Grazing cattle on wetland areas is often a significant portion of an agricultural holding, is prohibited. Fencing to stop | | |

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| | | grazing in these areas is costly and makes productive grazing land inaccessible. Such restriction renders the land unsuitable for both grazing and any other agricultural pursuit. | | |
| 494. I534107 | **Submission Subject:** Agricultural Land Zoning within the Shire | 1. Allowing families to stay on farm LPS2 maintains the current prohibition on 'second dwellings' in the Rural zone. However, the Scheme increases the size of already permissible 'ancillary dwellings' or granny flats from 70m2 to 120m2. This will allow retiring farmers the ability to live comfortably without having to leave the farm.<br>2. Preventing further subdivision LPS2 places a prohibition on the subdivision of land in the Rural zone, except in limited cases as set out by State Government policy which allows for conservation-based subdivision to protect areas of farmland with intact native vegetation.<br><br>***56. Building Envelopes and Spatial arrangement of buildings on a site***<br><br>*(4) Where a building envelope is not in place in accordance with clause 56 (1), dwellings and incidental development in the Environmental Conservation, Rural and Rural Residential zones must be clustered together in an area of the site that:*<br>*(a) does not exceed 10% of the lot area, or 2,000m2 whichever is the lesser;*<br>*(b) complies with the minimum setback requirements of Schedule 4 of this Scheme* | See response to submission 405 | See response to submission 405 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | *and any setback requirements of an applicable bushfire management plan;*<br>*(c) minimises the removal of remnant vegetation, provides a suitable area for on-site effluent disposal (if applicable), achieves an acceptable BAL rating and minimises erosion and;*<br>*(d) minimises the visual prominence of future buildings and accords with the landscape protection requirements outlined at clause 55.*<br><br>Clustering dwellings on farms is not advisable. Families, workers and renters do not want to be living in such close proximity to each other. It does not allow for the dissociation between work and home nor for separate families to live peacefully away from others. The attraction of rural life is no close neighbours.<br><br>Removing clustering would allow greater capacity for families to choose appropriate area on farm which may be less productive and perfect for a family home.<br><br>***79. Rural Zone Requirements***<br>*(1) There is a general presumption against the further subdivision of land in the Rural zone. Subdivision will only be considered in accordance with the limited 48 circumstances set out in the Western Australian Planning Commission's Development Control Policy 3.4: Subdivision of rural land.* | | |

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| | | *(2) Unless otherwise expressly permitted by the Scheme, only one dwelling is permitted on any lot*<br><br>This is unfair to those farmers who have planned for many years their retirement plan of sub dividing off part of the farm to be able to retire on farm. This has been a lifetime of planning.<br><br>It also makes it difficult for those who wish to only run a smaller lot farm, which will now have limited market supply, leading to a stagnating of families moving to rural areas.<br><br>The current cost and red tape is astronomical.<br><br>***(4) With the exception of Farm Buildings, development within the Rural Zone shall be clustered together on the site with all relevant services shared and be in accordance with the development standards included in Schedule 4***<br><br>As Stated above, this is unworkable on family farms where 2 or more members want to live on site, or providing a workers family housing or a private rental.<br><br>***(22) Ancillary Dwellings:***<br>*(a) are limited to one only per lot or strata lot; 50*<br>*(b) shall be limited in floor area to 120m2 ; and* | | |

# SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | *(c) shall be clustered together with the principal dwelling in one location on the property with all relevant services shared. (d) siting, design and materials used on the external surfaces of such buildings shall ensure that their impact upon the character, amenity and landscape values of the area is minimised.*<br>The 120m2 size for a second dwelling is not large enough for families. The size should be increased to 200-250m2 to allow for a reasonable and comfortable family home. "From 2019-2020, the average size of a newly built home was 235.8m2".<br><br>Farmers live and work on their farms and so the home should be a comfortable one for all family members to have their space.<br><br>The allowance for an addition smaller 120m2 house should be additional to the 2 family sized dwellings. This would allow for the older parents to retire on farm and 2 family members and their families to continue to live and work on farm.<br><br>Additional dwellings would also allow for additional income, especially during times such as now where farming in not very financial.<br><br>The size and limit of a 2nd dwelling should only pertain to rural residential zoning. | | |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| 495. I534108 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Prevelly/Gnarabup cannot cope with a great increase in population, where are we all going to go when/if the next fire comes?<br>2. Where is everyone going to park?<br>3. The sewerage treatment plant will not be able to cope.<br>4. Environmental issues abound especially with climate change. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 496. I534109 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 402 above.** | See response to Submission 402 | See response to Submission 402 |
| 497. I534112 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. There are so many concerns with this location: Increased bushfire risk, with one road in/out.<br>2. Sewage works already being at capacity.<br>3. Lack of parking is a huge issue already never mind if this resort goes ahead.<br>4. Destruction of native bush and endangered species such a western ring tails.<br>5. There's also the issue that this is the only safe swimming beach in Margs for locals, it simply cannot handle the | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | increased numbers of people from a 200 room hotel and it will be ruined by this massive influx of people.<br>6. The infrastructure simply isn't there for a development of this size in that location. | | |
| 498. I534113 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup | **Refer to Submission No. 402 above.** | See response to Submission 402 | See response to Submission 402 |
| 499. I534114 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup | **Refer to Submission No. 402 above.** | See response to Submission 402 | See response to Submission 402 |
| 500. I534115 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup | I object to the Shire of Augusta-Margaret River Shire advertising Draft Local Planning Scheme 2 (LPS2), given elected Council members have not approved its advertising.<br><br>In August 2020, the Council voted to approve Draft LPS2 to be advertised 'without modification'. The document advertised now – 3 years later – has been substantially changed and is not the same document as was approved by Council for advertising in 2020.<br>In relation to the advertised version of Draft LPS2:<br><br>I object to the removal of development conditions for Lots 501, 502, 503, 504 and 783 Gnarabup. These lots should retain the Special Control Area 3 development conditions from LPS1. There is no reason to remove these development controls. The conditions in LPS1 represent historical planning decisions including the Local Planning Strategy (endorsed in 2022) for | See response to Submission 19. | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | this site and should be maintained to ensure development reflects the Local Planning Strategy, Local Planning Tourism Strategy, the structure plan for these lots, and due process.<br><br>Lots 501, 502, 503 and 504 should be zoned Tourism, not Urban Development. This would reflect numerous decisions by Council over the past twenty years including the Local Planning Strategy, Local Planning Tourism Strategy, LPS1 and the structure plan for these lots.<br><br>I object to the rezoning of the northern portion of Lot 783 Gnarabup from Parks and Recreation to Tourism. It should be kept for public purpose, as shown in LPS1. It is inappropriate to undertake any rezoning via this LPS revision.<br><br>This version of Draft LPS2 has not been referred to the Environmental Protection Authority (EPA) for review. The EPA reviewed the 2020 version but the advertised Draft LPS2 represents significant changes. The Shire's consultation webpage on LPS2 States: "Our new planning rules have been developed to align with the recently endorsed Local Planning Strategy." This is not correct in relation to the Gnarabup lots.<br><br>It is not appropriate (or legal) to alter the underlying planning scheme in relation to | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | these five lots while the Development Application assessment process is underway and due to come to WAPC for a decision. | | |
| 501.<br>I534116 | **Submission Subject:** 5903 (Lot 2 of Location 271) Caves Road, Burnside | **Introduction**<br>Amanda Beard, ("Landowner"), in conjunction with consultancy advice from Ahola Planning, herein lodge a submission on the Draft Shire of Augusta-Margaret River Local Planning Scheme No 2 ("Draft LPS 2") as it relates to Lot 2 of Location 271 Caves Road, Burnside, also known as 5903 Caves Road, Burnside ("the Land").<br>The submission outlines the Landowner's strong objection to certain inconsistencies between Draft LPS 2 and the incumbent Shire of Augusta-Margaret River Local Planning Scheme No 1, ("LPS 1") in terms of density rules which result in what the Landowner believes to be an unfair and places additional potential constraints to the future development and use of the Land.<br>The Landowner acquired the Land in August 2023 and consulted with the Shire on the current and potential uses of the Land prior to the purchase. The advice received at the time contrasts with the potential uses of the Land under the proposed Draft LPS 2.<br>In addition, the Landowner wishes to bring a case against the requirement to provide for an on-site manager given the nature and specific characteristics of the development.<br>The Land holds a zoning of 'Chalet and Camping' in LPS 1 which reflects the | As requested by the submitter it is recommended that a ratio of 1 chalet per ha be reinstated in Schedule 9 relative to the subject property and to all other properties which have similar characteristics (zoned chalet and camping in LPS1 and absent of any other specific density controls).<br><br>The need for tourist accommodation to have on site management has been a long standing and very necessary requirement in order to provide a safe environment for tourists. | Delete the Specific Conditions and Requirements 2 - 10 for T20 and replace with the following:<br>*2. Refer to T19 for Specific Conditions and Requirements*<br><br>Modify the Specific Conditions and Requirements 2 for T23 and replace with the following:<br>*2. Refer to T19 for uses classified 'D'*<br><br>Modify the Specific Conditions and Requirements 3 for T24 and replace with the following:<br>*3. Refer to T19 for uses classified 'A'*<br><br>Delete the Specific Conditions and Requirements for T25 and replace with the following:<br>*Refer to T19 for Specific Conditions and Requirements* |

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| | | predominant and primary use of the land for the last 30 years as a boutique resort of the highest reputation offering an exclusive, luxury guest experience and setting. The land was developed and managed by the previous owners across this period. In this regard the Landowner does not want to see additional restrictions placed on the uses for the Land which would have the potential to diminish the exclusive tourism accommodation offering and which are contradictory to the information provided by the Shire when consulted prior to the Land purchase.<br>**Background**<br>The land is described as Lot 2 Location 271 Caves Road, Burnside and has an area of 3.5331ha. The land is situated immediately north of the intersection of the Margaret River and the Caves Road bridge. It has a 220 metre frontage to the Margaret River and gains access onto Caves Road, as approved by Main Roads WA.<br>The vast majority of land surrounding the property has been developed for Rural Residential purposes creating lots of 1-2ha to the south of the Margaret River, 1-3ha lots to the west of Caves Road and 1- 3ha lots further to the east. Land immediately east of the property remains the only landholding zoned 'General Agriculture' within the locality.<br>A Development Approval in 1995 entitles the property to be utilised for exclusive tourist accommodation known as La Forêt | | Modify the Specific Conditions and Requirements 2, 3, 4 - 10 for T26 and replace with the following:<br>*2. Refer to T19 for uses classified 'D'*<br>*3. Refer to T19 for uses classified 'A'*<br>*4. Refer to T19 for development requirements.*<br><br>Renumber remaining Specific Conditions and Requirements Accordingly |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | Enchantée. The land has been developed with two luxury chalets and a manager's residence under this approval, along with landscaped gardens, access trails, ablution facilities, entry Statements, driveways and utility infrastructure. This was the result of a lifetime investment by the previous landowner to establish a boutique resort of the highest reputation.<br>In May 2023, just prior to the Land acquisition by the Landowner, one of the two luxury chalets was burned down. The current Landowner acquired the property with the intention of continuing these endeavours and in time intends to rebuild the chalet that was burnt down.<br><br>**Town Planning Framework**<br>For context, an outline of the key and pertinent elements of the incumbent Scheme and proposed Draft LPS 2 are included below. Shire of Augusta-Margaret River Local Planning Scheme No. 1<br>The Land is zoned 'Chalet and Camping' under LPS 1. The purpose of the Chalet and Camping zone is 'to establish various forms of low impact tourist development capable of being combined with other uses having a minimal impact upon the existing amenity and landscape character of the land'.<br>LPS 1 further outlines the objectives of the 'Chalet and Camping' zone 'is to provide for sustainable low-impact tourist development that is of a high standard in terms of design and amenity, and which is sympathetic to | | |

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| | | and integrated with the rural and/or natural attributes of the surrounding area so as to ensure that all land uses and development have a minimal adverse impact upon the ecological and landscape values of the land and the environmental qualities of the locality; and are of a high standard in terms of design and amenity, and which are sympathetic to and integrate with the natural landscape attributes of the surrounding area.'<br>LPS 1 also States 'the density of development on land within the 'Chalet and Camping' Zone shall not exceed 1 chalet/cabin or 2 guest house rooms per hectare or 10 caravan bays or camping sites per hectare, unless otherwise allowed for in the Scheme, subject to a maximum density of development on any one lot within the Zone of 10 chalets or cabins or 50 caravan bays or camping sites'.<br>LPS 1 also includes a stipulation that a tourism development shall include provision for an on-site manager.<br><br>Shire of Augusta-Margaret River Local Planning Scheme No. 2 – Draft in consultation Under the Draft LPS 2, the 'Chalets and Camping' zoning is no longer recognised as a zone as it does not accord with the model zones applicable across the State of Western Australia as determined by the Western Australian Planning Commission. Instead, the Land will have a Tourism zoning applied to it and specific | | |

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| | | site-based rules which set out the allowable uses on the Land.<br>The objectives of Tourism zoning in Draft LPS 2 are<br>'to provide for a variety of holiday accommodation styles and levels of affordability, associated uses, including retail and service facilities where those facilities are provided in support of the tourist accommodation and are of an appropriate scale' 'to ensure an adequate supply of tourism accommodation sufficient to meet anticipated needs taking into account the environmental and infrastructure capacity of the local area' 'to allow a limited component of residential development where necessary and appropriate' 'to encourage the location of tourist facilities so that they may benefit from existing road services, physical service infrastructure, other tourist attractions etc' 'to protect sites identified as being of strategic tourism importance from alternative land uses' Importantly, and contrary to LPS 1, there is no General Provision or guideline that sets out the maximum density rules for chalet style holiday accommodation developments in Draft LPS 2 and instead the table in Schedule 9 of Draft LPS 2 sets out the density provisions on a site by site basis.<br>For the Land in question which is labelled as T25 in the Draft LPS 2, Schedule 9 specifies a permitted density maximum of two chalets on the Land. | | |

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| | | Tourism zone requirements under Draft LPS 2 include the provision for an onsite manager.<br><br>**Observations and Requested Modifications to the Draft LPS 2**<br>This submission outlines three observations and requested modifications to the existing Draft of LPS 2 that is under public consultation:<br>Inclusion of a General Provision for density of developments in tourism zones Inconsistent with LPS 1 in which a general density rule of one chalet/camping site per hectare, up to a maximum of ten chalets/cabins on any one site, was specified, the Draft LPS 2 does not include a general density provision for properties such as the Land which are zoned for Tourism. Instead, a density rule is specified for each Tourism zoned site individually within Schedule 9.<br>The Landowner believes this results in adverse, inconsistent and unfair development potential being applied to similarly zoned properties which reflects the history of development approvals sought and approved on each site rather than a clear and objective measure of development density which can be consistently applied.<br>It is the Landowner's belief that the way in which Draft LPS 2 deals with the density rules will also restrict the supply of tourism accommodation into the region which is | | |

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| | | contrary to a Stated objective of the Draft LPS 2 'to ensure an adequate supply of tourism accommodation sufficient to meet anticipated needs'.<br>For the Land in question, Schedule 9 of the Draft LPS 2 sets out the development density rules for the Land which is known as T25 in the table to Schedule 9. The development density rules in Schedule 9 allow a maximum of two chalets or cabins to be developed on the Land. This is undeniably, a clear adverse impact on the potential Land use compared to the density provisions under LPS 1 which allowed for up to four chalets/cabins on the Land.<br>The Landowner believes the Land is capable of accommodating at least three, if not four, chalets/cabins without adverse impact to the location and does not want to be adversely and unfairly impacted by the density change in Draft LPS 2.<br>**Requested modification:**<br>The Landowner seeks to have Draft LPS 2 amended to include a General Provision for density of tourism developments aligned with the existing scheme (LPS 1) of one chalet/cabin/camping (or holiday accommodation) site per hectare up to a maximum of ten on any one site. This amendment could be dealt with in Clause 78 Tourism Zone Requirements located on page 47 of Draft LPS 2.<br><br>Appeal against the requirement to provide accommodation for an on-site manager for | | |

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| | | boutique, very low volume tourist accommodation The Landowner believes the requirement to make a provision for accommodation facilities for an on- site manager to be onerous, costly and unnecessary for a very low volume tourist development such as La Forêt Enchantée.<br><br>The Land will only ever have a low volume of chalets or cabins given the density rules set out above, and not only this, the total number of individual guests staying on the property at any one time is also very low as each chalet is, and will be, designed to accommodate only two people. Therefore, for a development of three chalets, a maximum of six guests would be accommodated.<br><br>As an alternative to an on-site manager, the Landowner would put systems in place for a local point of contact for guests who is available to guests, any time, day or night, in case of emergencies. This measure would also be supplemented by clear information and instruction materials for emergency procedures being placed in prominent locations through the chalet, and any other requirement agreed with the Shire. In this way, the perceived risks could be easily mitigated and controlled.<br><br>**Requested modification:**<br>The Landowner seeks to have section 78 (7) on page 47 amended to read 'Tourism | | |

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| | | development that incorporates accommodation and/or reception facilities shall include provisions for an onsite manager, unless otherwise approved by the local government.'<br><br>**Removal of T25 from Schedule 9 of Draft LPS 2**<br>The Landowner respectfully seeks the removal of T25 from Schedule 9 of the Draft LPS 2 and instead for the Land to be assessed under the General Provisions of the Draft LPS 2 and the land use permissibility set out under Table 1 – Zoning Table.<br>The rules set out under Schedule 9 for property T25 are considered to be an antiquated and duplicated approach to consider a range of land uses where the Scheme already contains Table 1 – Zoning Table which serves this purpose. Such an approach provides confusion to the reader and has potential to adversely impact and restrict the future Land uses available to the Landowner and as a result may have potential to diminish the quality of the boutique accommodation offering on the Land.<br><br>Reference to Chalet and Guesthouse Land Use and Other Uses in Table 1 – Zoning Table We note that there is an anomaly in the Draft Scheme, where the Chalet and Guesthouse land uses have not been included in Table 1 – Zoning Table – yet | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | specific provisions relating to chalets are included under Clauses 63 and 79 (17, 18, 19 & 20), 80 (5), Part 6 (Terms) and throughout the Schedules of the Scheme. We consider this to be an oversight in context with these land uses. We request that the land uses are reintroduced into the zoning table so as to avoid confusion and ensure that these uses are suitably able to be developed within the Tourist Zone.<br>We also request the following land uses be identified as permissible land uses in the Tourist Zone set out in Table 1 – Zoning Table and allocated as follows –<br>Single House 'P'<br>Rural Pursuit/Hobby Farm 'D'<br>Art Gallery 'D'<br><br>**Conclusion**<br>The Landowner acquired the Land on the basis of the planning guidelines set out in the incumbent Scheme (LPS 1) which was in effect at the time of negotiation of the purchase. A consultation with the Shire at the time of the Land acquisition led the Landowner to believe up to four chalets/cabins could be allowed on the site. There was no mention of a future potential change to the planning rules. The Landowner does not believe it fair to be constrained by imposing provisions set out for the Land in Schedule 9 of Draft LPS 2 where it effectively duplicates the function of Table 1- Zoning Table and the Tourist Zone Requirements set out under Clause | | |

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| | | 78 of Draft LPS 2. It has also led to Schedule 9 being an Additional ordinarily lengthy and cumbersome approach to set out permissibility controls on all tourist zoned lots in the Shire. | | |
| 502. I534192 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |
| 503. I534310 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |
| 504. I534311 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |
| 505. I534312 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |
| 506. I534313 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Not environmentally sound.<br>2. Already at capacity.<br>3. Bushfire risk.<br>4. Only one access road. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a | See response to Submission 19 |

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| | | | review of the Local Planning Scheme. | |
| 507. I534315 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>• Must be properly assessed under EPA Act.<br>• Sensitive coastal limestone headland.<br>• Bushfire risk.<br>• Inadequate resources.<br>• Sensitive habitat. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 508. I534316 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>• Single road.<br>• Fire risk.<br>• Only local safe swimming beach.<br>• Consider historical planning decisions. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 509. I534317 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 | **Refer to Submission No. 19 above.**<br><br>**Additional Points:** | See response to Submission 19 | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | Gnarabup – Standard Pro Forma Submission | • Cause environmental damages. | In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 510. I534319 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>• Increased risk of loss of life and property due to fire regarding access.<br>• Increased pressure on local infrastructure. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 511. I534321 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>• Size of project.<br>• Fire. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 512. I534322 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |
| 513. I534323 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>• Area is too environmentally important and sensitive for a development of this size and scale. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 514. I534325 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>• Will open the floodgates for resort style development in the area which isn't in line with conservation of Gnarabup and Prevelly's natural environment. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 515. I534326 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>• Fragile coastline. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 516. I534327 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>• Fire risk.<br>• One road in and out. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | review of the Local Planning Scheme. | |
| 517. I534328 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>• Fire risk for the area. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 518. I534329 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>• Parking.<br>• Fire risk.<br>• Conservation.<br>• Threat to wildlife. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 519. I534330 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 | **Refer to Submission No. 19 above.**<br><br>**Additional Points:** | See response to Submission 19 | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | Gnarabup – Standard Pro Forma Submission | • Research done for this development in regards to fauna and flora was low quality. | In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 520. I534331 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>• Roads are not designed for Additional traffic. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 521. I534332 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>• Roads and congestion. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 522. I534333 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>• Over development of our pristine coastal areas. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 523. I534334 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>• Original proposal has been replaced by a much larger concept.<br>• Environmentally distasteful.<br>• Sewerage problems. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically | See response to Submission 19 |

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| | | | relevant to the item at hand being a review of the Local Planning Scheme. | |
| 524. I534335 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>• Preserve the headland with native flora and fauna. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 525. I534336 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>• Gnarabup only safe swimming beach.<br>• Development should be limited.<br>• Should be reflected in the Shire Scheme. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 526. I534337 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | Gnarabup – Standard Pro Forma Submission | | | |
| 527. I534345 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |
| 528. I534347 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |
| 529. I534349 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.** | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 530. I534355 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Changes to the plan are being pushed through and should be referred to Council for proper consultation. | See response to Submission 19<br><br>The submitters comment that changes to the Scheme are being 'pushed through' are rejected. The Shire have not only followed the correct statutory process for progressing the draft Scheme but have actually undertaken | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | significantly more consultation than required by the Regulations. | |
| 531. I534356 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Plenty of other less sensitive areas to choose form. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 532. I534357 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |
| 533. I534358 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Why do we need to develop part of this Coastline which is unique in that its been untouched. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a | See response to Submission 19 |

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| | | | review of the Local Planning Scheme. | |
| 534. I534359 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |
| 535. I534360 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Concerned over further development at Gnarabup due to bushfire safety. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 536. I534361 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |
| 537. I534363 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Area is very valuable to the community and WA. This has been highlighted so many times in submissions and court cases. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 538. I534364 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Concerned and amazed that such an important document as a Local Planning Scheme could be out for public submission without elected Councillors seeing it.<br>The area is part of our pristine environment. | See response to Submission 19 | See response to Submission 19 |
| 539. I534366 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Please don't allow development to proceed. Gnarabup region is iconic to WA for its beauty, natural landscape and untouched nature.<br>This location will suffer from a large development. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 540. I534368 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Oppose the development of Gnarabup Headland and tourism at any cost is a tragedy in the making. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 541. I534369 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>The development cannot be sustained without damage to current environment.<br>Creating ugly areas visible to all. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 542. I534370 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Bushfire risk.<br>Continued service provision.<br>Coastal ecosystem and marine eco system danger.<br>Climate crisis. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically | See response to Submission 19 |

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| | | | relevant to the item at hand being a review of the Local Planning Scheme. | |
| 543. I534371 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Fire risk.<br>Over crowding on fragile coastal area.<br>Native birds and animals.<br>Already enough holiday accommodation. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 544. I534374 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Major fire risk.<br>Idea of increasing population in this area is highly irresponsible. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 545. I534705 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | Gnarabup – Standard Pro Forma Submission | | | |
| 546. I534706 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |
| 547. I534708 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Extreme bushfire risk.<br>One road in and one road out. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 548. I534711 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |
| 549. I534713 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Development is unacceptable from an environmental perspective the increased resource demand on the area which is already stressed and the risk posed to residents in the case of a fire. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 550. I534714 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Gnarabup is one of the safest swimming places in our coast, so all the early planning by the Shire and State emphasised that development should be limited.<br>Worried about how dangerous it would be to have the increase in people in case of fire. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 551. I534715 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Serious concerns regarding the ability of the sewage system to handle the increase in volume.<br>Hooded Plover will lose more of its habitat.<br>Prolonged construction, increase of dust and noise will directly impact families. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| 552. I534718 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |
| 553. I534719 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |
| 554. I534722 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Concerned at the scale and environmental impact of the proposal.<br>Need to preserve our coastal eco systems. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 555. I534723 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Area is heavily impacted by traffic and fire risk which the current plan will exacerbate.<br>No housing for local workers is also a concern in a housing crisis. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | relevant to the item at hand being a review of the Local Planning Scheme. | |
| 556. I534725 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |
| 557. I534726 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |
| 558. I534727 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |
| 559. I534728 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |
| 560. I534729 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Feels unprofessional to change the local planning scheme without informing the local people.<br>We have a right to have a voice in how this town grows. | See response to Submission 19<br><br>The consultation process which the submitter has participated in, is the opportunity for the community to "have a voice". | See response to Submission 19 |
| 561. I534730 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>All the early planning by the Shire and State has emphasised that development should be limited at Gnarabup, being the closest safe swimming beach. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | Should be conserving biodiversity and working towards a good future for our kids. | State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 562. I534731 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Environmental concerns – Hooded Plover.<br>Fire safety.<br>Parking concerns.<br>Crowding on safe community beach. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 563. I534734 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Develop paddock land not shorefront. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | review of the Local Planning Scheme. | |
| 564. I534735 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Gnarabup too precious to lose. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 565. I534736 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>This property not the right place to put a luxury hotel.<br>High wildfires.<br>Sewerage in gas bay increasing. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 566. I534737 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | Gnarabup – Standard Pro Forma Submission | **Additional Points:**<br>Area is very valuable to our community and WA. | In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 567.<br>I534739 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |
| 568.<br>I534740 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Concerned for environment and the increased risk of fires. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 569.<br>I534741 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 | **Refer to Submission No. 19 above.**<br><br>**Additional Points:** | See response to Submission 19 | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | Gnarabup – Standard Pro Forma Submission | Biodiversity loss.<br>Fire risk unacceptable.<br>Disturbance to fragile limestone headland.<br>Addition of 1000 plus people on already overloaded coast is dangerous. | In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 570.<br>I534742 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Fire risk due to further development. Putting another 1000 people at risk seems poor planning. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 571.<br>I534744 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Gnarabup coastal area is of utmost importance to WA Community as a place of natural beauty for all to enjoy in its natural State. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | Area should be preserved.<br>Don't support Local Planning Scheme that aid the developer in their aim to proceed with this development. | administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 572.<br>I534745 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Margaret River is already stretched to the limit.<br>Nature needs to be protected. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 573.<br>I534746 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Do not change the beautiful and untouched nature of Gnarabup. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | relevant to the item at hand being a review of the Local Planning Scheme. | |
| 574. I534747 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Facilities and internal structures are limited at Gnarabup for the size of this resort. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 575. I534749 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Preservation of fragile culturally significant headland, dune vegetation and limestone.<br>Changing development controls and zoning in favour of a developer who seeks to gain financially to the detriment of public access and environmental preservation of a precious fragile coastal asset. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 576. I534753 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | Gnarabup – Standard Pro Forma Submission | **Additional Points:**<br>Concerned with amount of traffic using Wallcliffe Road during the build.<br>Object to rezoning which will remove precious bushland that our endangered wildlife use. | In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 577.<br>I534756 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Fragile area of coastline must be preserved. Totally inappropriate for the scale of development. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 578.<br>I534758 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Area is very valuable to WA and the community. In the past 30 years this has been highlighted so many times in submissions and court cases. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 579. I534759 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>After water is polluted and air poisoned you'll find you can't eat money. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 580. I534760 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Development is completely out of line with the value of the community and is dangerous for local residents and tourists who come to our region due to fire risk. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | relevant to the item at hand being a review of the Local Planning Scheme. | |
| 581. I534762 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Oppose the change of zoning without public consultation.<br>Concerned about the density of the development and the increase in population.<br>Potential risk of fire with increased population and only one road.<br>Increase of pressure on the environment | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 582. I534769 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |
| 583. I534772 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Opposed to the development at Gnarabup due to the high value conservation properties in the area should be preserved. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | review of the Local Planning Scheme. | |
| 584. I534778 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Gnarabup is already under immense pressures from human activity and increasing this with a resort development will negate all the planning and protections put in place over the years.<br>Bushfires are a huge concern as well as the preservation of fragile vulnerable coastal bushlands. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 585. I534779 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Worry about irreversible damage to our delicate coastline and the already dwindling local species that inhabit the area. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 586. I534784 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 | **Refer to Submission No. 19 above.**<br><br>**Additional Points:** | See response to Submission 19 | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | Gnarabup – Standard Pro Forma Submission | Against development which cuts across years of planning of the Gnarabup area.<br>No benefit to the local community only risk and loss of the beauty of the area. | In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 587.<br>I534786 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Our Shoreline and sea scape is a public asset. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 588.<br>I534788 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Area holds massive value to the community and the increased flow of traffic in the area will negatively affect the wildlife. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 589. I534791 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>In this day and age we know that destroying what little normal habitat we have left is fuelling current mass extinction.<br>How is it that we even have to fight for this piece of land to be protected. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 590. I534794 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Keep that beauty for everyone. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | relevant to the item at hand being a review of the Local Planning Scheme. | |
| 591. I534795 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Access.<br>Roads.<br>Fire.<br>Congestion. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 592. I534798 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Concerned further development will have negative impact on the area. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 593. I534800 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | Gnarabup – Standard Pro Forma Submission | **Additional Points:**<br>Beach is a sacred ground for residents, already overcrowded.<br>More people means less safety during bushfire. | In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 594.<br>I534810 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Need to preserve local coastlines for all to enjoy. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 595.<br>I534812 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Please preserve this fragile coastline. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 596. I534822 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>High fire risk.<br>One road in. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 597. I534830 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Concerned about sewerage.<br>Fire risk.<br>Impact on amenities. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | relevant to the item at hand being a review of the Local Planning Scheme. | |
| 598. I534833 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Fire risk with one access road in. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 599. I534835 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>High fire risk zone.<br>Already lack of parking.<br>Place treasured by locals and visitors.<br>Development will impact what makes it special.<br>Fact there is minimal development is a huge part of what makes it special. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| 600. I534837 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Protect our fragile coast line. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 601. I534839 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Development driven my private company interest not community/State interest and is not wanted by locals due to its changes to the local aesthetics. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 602. I534842 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| 603. I534845 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |
| 604. I534848 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>New planning laws do not suit our environment.<br>Limit access for local community to beach.<br>Danger to local community.<br>Extreme bushfire risk. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 605. I534852 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Concerned about the future bushfire risk and destruction of vital habitat for native and endangered Australian animals if development does ahead.<br>People want to visit for the natural environment not development. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| 606. I534853 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Important community area.<br>Gnarabup beach is the only safe swimming beach.<br>Area is already under pressure.<br>It is ridiculous the Scheme document is out for public submission without our elect4ed officials seeing it. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 607. I534855 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Gnarabup coastline is special to all, our duty to preserve this coastline and all its species. Keep destroying mother nature there won't be anything left. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 608. I534907 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Development on this fragile coast is not necessary. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 609. I534910 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Should be no development as it would greatly affect the vegetation and all the creatures. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 610. I534912 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Development goes against local Wardandi custodians, local community and relevant environmental scientists wishes for many reasons.<br>Land is precious and deserves protection and preservation. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 611. I534913 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Development can't support the necessary infrastructure required e.g. Sewage, parking, emergency exits etc. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 612. I534916 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Paradise needs to be preserved.<br>Environmental impact from the development will be huge.<br>Area needs to be left alone for generations to come and enjoy.<br>Bushfire risk is already extreme for residents. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| 613. I534918 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Reduce overcrowding on the land and sea. Never be the same if the construction goes ahead. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 614. I534920 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Many other places within our town for a 5 star accommodation. Too much to lose if this goes ahead. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 615. I534921 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Please stop the loss of biodiversity. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | Preserve our home and the beauty for our future generations. | Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 616. I534922 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Destruction of biodiversity.<br>One road in and out.<br>Too many people.<br>Nature destruction. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 617. I534923 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Project will complete destroy the aesthetic of the area.<br>Added extreme fire risk.<br>Not enough infrastructure for such a huge development. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 618. I534925 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Too close to cliffs and ocean.<br>Fire risk.<br>Bird life.<br>Carparking already too hard.<br>Too many tourist accommodations already.<br>One road in and out. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 619. I534953 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Object to clearing of the land at Gnarabup.<br>Land is more valuable to the community and environment as it is. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| 620. I534954 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |
| 621. I534955 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Negative impact on fragile limestone.<br>Coastal environment.<br>Increased human life risk in high fire danger situation. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 622. I534956 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Five star resort while it may drive business to local shops, should not be placed where currently proposed. There is plenty of other areas not on pristine coastline. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| 623. I534958 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Gnarabup is already under stress by the unprecedented growth in visitors<br>Parking is always full.<br>Area supports a fragile ecosystem and don't believe it will cope with further development. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 624. I534959 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Area is very valuable to our community and to WA and to Australia.<br>In past 30 years it has been highlighted so many times in submissions and court cases. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 625. I534960 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:** | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | Concerned about the environmental implications of this development and its such a fragile piece of coastline. | Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 626. I534962 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Preserve animals and ocean.<br>Don't make the same mistake that most other countries have around the world.<br>Locals are in the right to protect their land. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 627. I534963 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Feel that not only our precious coastline be affected by proposed development but our iconic Margaret River identity as well. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 628. I534964 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Keep area undeveloped as possible for the current community and future generations. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 629. I534965 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Carparking already chaotic.<br>Development should be further inland away from fragile coast.<br>Gnarabup beach on safe beach and is already congested. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| 630. I534967 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Gnarabup beach is only safe beach for miles and is already heavily used.<br>Development not needed so close, it can be further inland, doesn't need to be on fragile coast. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 631. I534969 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Why do we do everything for money, time to stand up and be compassionate with the land. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 632. I534971 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:** | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | Just like what's happened in other places you risk destroying what makes Gnarabup so unique and special.<br>Don't put commercial interest over community and environment. | Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 633.<br>I534972 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Traffic and Parking problems already exist without increased population from this development.<br>Councillors should have been able to better scrutinise such an important legal document before being put out for public comment.<br>Community have commented so many times as to why these lots should not be developed.<br>Retain local environment and tourist attraction to the area. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 634.<br>I534973 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Keep Gnarabup the way it is. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 635. I534974 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Area is super valuable to all communities. This has been highlighted in the past 30 years through submissions and court cases. No reason for all these changes. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 636. I534977 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Gnarabup only safe swimming beach. Development should be limited and should be reflected in the Shire Scheme. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| 637. I534982 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Degrades the coastline.<br>Pollutes the ocean.<br>Disturbs and destructs the wildlife.<br>Over populating our beaches there are plenty of areas to make a resort so why in such an area that would impact so negatively. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 638. I534985 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Concerned over proposed development that will spoil the beauty of Gnarabup area. Keep these areas as they are for the good of all community. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 639. I534987 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Coastal heath bushland along the capes coast is fragile and must be protected. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | Bushfire risk is also an issue. | Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 640. I534990 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Process involved in enabling this development must be investigated.<br>Not supported by FESA.<br>Supporting development is detrimental to the whole region, environmentally, physically and socially. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 641. I534991 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Land needs to be protected for future generations. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 642. I534994 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Areas is too valuable to the local community.<br>Stress on the area and to the locals has been grossly overlooked and disregarded.<br>Too high a safety risk and environmental. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 643. I534996 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Development will create impacts on water flow and cause lower section of Gnarabup to flood, impacting homes in the Chuditch area. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| 644. I534997 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Its inappropriate for the Shire to change the planning scheme.<br>Concerned about the detrimental effects to the fragile environment on the headland. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 645. I534999 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Preserve our coastline.<br>Local Planning Scheme should not be changed without public consultation. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 646. I535000 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Preserve environment for everyone to enjoy into the future and to prevent impacts on the | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | broader area around the proposed development. | Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 647. I535003 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Huge concerns regarding loss of remnant vegetation and biodiversity impacts.<br>Sewerage issues.<br>Risks to fauna.<br>Fire and management risks are not resolved. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 648. I535005 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Gnarabup is the safest swimming beach.<br>Already limited infrastructure in the area especially in peak seasons. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 649. I535008 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Not only will this development be a blight on landscape and adversely affect our flora and fauna but will create unreasonable stress on local roads water, fire etc. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 650. I535010 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Concerned about the amount of Additional people and vehicles that will be trapped in the next major fire in the area. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| 651. I535011 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Concern with lack of infrastructure to cope with fire risks.<br>Idea of driving more people to the area during peak fire season is adding to the risk. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 652. I535012 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Ongoing noise impacts to our property, directly impacting amenity, increased heavy construction vehicles working long hours.<br>Loss of access to local beaches in area and with construction, disturbance, noise, visual amenity impacting use – public being impacted for private gains.<br>Sewerage already leaching contaminants and its not even at capacity.<br>Increase fire risk – only one road in but another road over LNR increases disturbance massively – construction, noise, land clearing, operation noise and traffic. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 653. I535014 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 | **Refer to Submission No. 19 above.**<br><br>**Additional Points:** | See response to Submission 19 | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | Gnarabup – Standard Pro Forma Submission | Fire and Parking is absolutely ridiculous. | In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 654. I535016 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Gnarabup coastline is pristine, humanity is rapidly destroying the earth, preserve it pristineness.<br>Unique coastline deserves protection. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 655. I535017 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |
| 656. N274490 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 | **Refer to Submission No. 19 above.**<br><br>**Additional Points:** | See response to Submission 19 | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | Gnarabup – Standard Pro Forma Submission | Local Planning Scheme is a legal document and the most important planning tool that our Shire has. To see it apparently so poorly handled is disappointing. | | |
| 657. I534117 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 402 above.** | See response to Submission 402 | See response to Submission 402 |
| 658. I534119 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 402 above.**<br><br>**Additional Points:**<br>15. **Aboriginal Heritage.**<br>Draft LPS2 does not protect the significant Gnamma hole which has cultural significance for local Nyungar people and historical significance for all Australians and which sits within the Gnarabup Lots (Gnamma Hole DAA/DPLH 17093), recorded in 1999 in an archaeological and ethnographic survey by Roberts & McDonald. Under the *Local Government Act 1995*, *Section 3.1(1A)*, AMRS and WAPC are required to have regard to -<br>Section 3.1<br>(1A) Without limiting subsection (1), the general function of a local government must be performed having regard to the following —<br>(b) the need —<br>(i) to recognise the particular interests of Aboriginal people; and<br>(ii) to involve Aboriginal people in decision-making processes; | See response to Submission 19<br><br>In relation to 'Additional Points' it is not the role of a Local, Planning Scheme to protect Aboriginal Heritage which has its own unique piece of Legislation – *Aboriginal Heritage Act 1972.*<br><br>The Shire are aware of the obligations placed upon it created by way of the Local Government Act 1995. | See response to Submission 19 |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| 659. I534124 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | This submission on Draft LPS2 contains comments specially on the treatment of Lots 501, 502 and 504 Reef Drive, Lot 503 Seagrass Place and Lot 783 Mitchell Drive, Gnarabup, and generally on the Augusta-Margaret River Shire's (AMRS) authority to advertise Draft LPS2 and failure to apply the requirements of State Planning Policy 3.7 Planning in Bushfire Prone Areas to the entirety of the area covered by the Draft scheme.<br><br>Surfrider Australia South West Branch's Preserve Gnarabup campaign represents over 1,800 supporters and builds on the work of many local community members and groups concerned with development west of Wallcliffe Road, Gnarabup (i.e. what is now these five lots) over the past 33 years.<br><br>We raise the following issues in relation to the lack of proper planning process and governance surrounding the preparation and advertising of Draft LPS2 and object to the advertising of LPS2 without proper regard for due process. We believe LPS2 will have to be re-advertised, with proper approval of the elected Council, in order to avoid any future legal challenge to the validity of the Scheme.<br><br>**Correct preparation and authority to advertise Draft LPS2**<br>• The AMRS has not been authorised by | **Correct preparation and authority to advertise Draft LPS2**<br>See response to submission 19<br><br>**Comments on Draft LPS2 relating to lots 501, 502. 503. 504 and 783 Gnarabup**<br>See response to submission 19.<br><br>**Shire ability/willingness to implement SPP3.7 in Draft LPS2**<br>The WAPC has created 'Deemed Provisions which deal with the issue of bushfire and which form part of all Schemes across the state (including LPS2).<br>SPP3.7 is a State Planning Policy and therefore must be given due regard in decision making. This would be the case whether or not the SPP is cited be the Scheme or not. In fact., it is now the WAPC's preferred approach that only variations from SPP's be included in Schemes.<br><br>The suggestion that the Shire ought to predetermine landuses which may not be able to meet the ever changing Bushfire Guidelines prepared by the WAPC, and make them 'X' (not permitted) uses via the Scheme for that sole reason, is not supported. It would not be possible to prejudge compliance without first having a BMP prepared, and landowners are | **Correct preparation and authority to advertise Draft LPS2**<br>See response to submission 19<br><br>**Comments on Draft LPS2 relating to lots 501, 502. 503. 504 and 783 Gnarabup**<br>See response to submission 19.<br><br>**Shire ability/willingness to implement SPP3.7 in Draft LPS2**<br>No changes are required as a direct result of this submission |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | Council to advertise the current version of Draft LPS2. The CEO has relied upon a three-year old decision (August 2020 – see Council resolution below) to advertise Draft LPS2 for public comment. This resolution authorised advertising Draft LPS2 "without modification". Modification did occur in that intervening period, hence there is no authority to advertise the Scheme in its current form.<br><br>*RECOMMENDATION/COUNCIL DECISION CR GODDEN, CR KENNAUGH OM2020/163*<br>*That Council:*<br>*1. Notes the intention of staff to advertise the draft Local Planning Strategy (attachment 1) for a period of 90 days, in accordance with section 13 part 3 of the Planning and Development (Local Planning Schemes) Regulations 2015; and*<br>*2. In accordance with section 21 part 4 of the Planning and Development (Local Planning Schemes) Regulations 2015, proceeds to advertise the draft local planning scheme (confidential attachment 2) without modification and provide copies of the document to the WAPC for their consideration.*<br>*CARRIED 7/0 (Council Resolution)*<br><br>• It appears, following an FOI application to the Department of Planning, Lands and Heritage (DPLH), that the Department did not receive an extension of time under regulation 21 (4) of the Planning and Development (Local Planning Schemes) Regulations 2015.<br>• With the AMRS process not appearing to follow the enabling motion, and the WAPC process absent of necessary procedure, LPS2 could be vulnerable to legal and other challenges. | only required to prepare BMP's as a prerequisite to development. It would deny landowners the ability to demonstrate that they could meet the Guidelines and thus would not be a fair and equitable process.<br><br>Council have previously deferred a proposal to limit holiday homes on the basis of broad brush risk identification which is a similar approach to what the submitter is suggesting. | |

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| | | **OBJECTION & RECOMENDATION: The Scheme should be re-advertised after being approved by the elected members at a meeting of Council. There has been no approval by elected members of the current version of Draft LPS2. This is an abuse of the democratic process**<br><br>**Comments on Draft LPS2 relating to lots 501, 502. 503. 504 and 783 Gnarabup**<br>Notwithstanding the above we offer the following comments on Draft LPS2 treatment of the Gnarabup Lots 501, 502, 503 and 504 and Lot 783.<br><br>• The elected members of AMRS Council were not briefed on the changes which were made by AMRS staff between August 2020, when Draft LPS2 was approved for advertising, and September 2023 when Draft LPS2 was first advertised. There is no formal record of such a briefing amongst public AMRS records. In those three years, elected members of the AMRS Council have repeatedly told the community that there is no change to the planning controls relevant to the five Gnarabup lots (named above) in Draft LPS2.<br>• To demonstrate the lack of understanding by elected members of AMRS Council of the impact of Draft LPS2 on the Gnarabup lots, on June 28, 2023, the elected members hosted a | | |

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| | | public briefing session at which the **attached** Powerpoint presentation was presented by AMRS staff which States that the: *Draft scheme does not change zoning of Gnarabup sites, nor development controls.* This Statement, made in a Powerpoint presentation used to brief Council and the public, and which was supplied to Preserve Gnarabup as a document recording the information covered in the briefing, is obviously false and misleading. As can be seen from viewing the Powerpoint, the briefing detailed each of the local government, State and Commonwealth regulatory processes underway relating to the five lots. While the former CEO of the Shire has represented in letters that this briefing was only on Initiated Scheme Amendment 70 and therefore not on Draft LPS2, that position is not supported by the content of the Powerpoint which covers the full range of regulatory processes underway.<br>• Advertised Draft LPS2 is not the same document reviewed by the Environmental Protection Authority in 2021. It should be re-referred to the EPA by the AMRS and/or WAPC.<br>• Emails received under FOI from the AMRS dated February 2019 indicate clearly that WAPC and AMRS staff understood that lots 501-504 should be zoned Tourism and current development controls in LPS1 updated | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | (known in LPS1 as SCA3). Erroneously, these two points have not been reflected in the Draft scheme advertised. In the emails, a WAPC officer (with the title, Planning Manager, Land Use Planning, DLPH) in response to questions from a third party (presumably the owner of the lots or a representative), and with the AMRS Manager of Planning CCed, States that the lots should be zoned 'Tourist' and that conditions should also be placed in a schedule in Draft LPS2 in order to control "development parameters", including "unrestricted length of stay". These new development controls *"would need to be sufficiently detailed and comprehensive to provide the local community with certainty"*. However Draft LPS2 as currently advertised has the lots zoned Urban Development, and with the SCA3 development controls from LPS1 removed, and no new development controls added. These changes do not align with any decision made by Council in recent years including the Local Planning Strategy, and Initiated Scheme Amendment 70 which initiated rezoning of the lots to Tourism and was passed by a majority of Councillors in February 2021<br>• There is no rational reason why these changes have been made to Draft LPS2. To date AMRS staff have answered questions from Preserve Gnarabup and | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | other members of the community by arguing that the structure plan provides sufficient development control. A structure plan can be changed and does not have the standing of a Scheme, and the staff is well aware of this.<br>• The above-mentioned proposed rezoning of lots 501-504 Gnarabup to Urban Development and removal of the SCA3 development controls produces a Draft LPS2 which is now clearly aligned with the Development Application under consideration for the site. This Development Application is non-compliant with LPS1 in terms of scale, and use for purposes other than tourism. The SCA3 development controls should be reinstate in LPS2 **and even strengthe**ned to provide the community with certainty and to reflect decades of previous planning decisions.<br>**OBJECTION & RECOMENDATION: Lots 501-504 have not been appropriately treated in LPS2. They should be zoned Tourism in accordance with the Local Planning Strategy and Initiated Scheme Amendment 70 and the conditions in LPS1 under SCA3 should be reinstated and even strengthened to provide the community with certainty and to reflect decades of previous planning decisions. It is not proper and orderly planning to overturn previous planning outcomes with no reasoning or rationale. It is particularly bad governance when the** | | |

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| | | **resulting scheme has been modified to better support a currently non-compliant Development Application.**<br>• WAPC and AMRS staff have acknowledged one mistake in the advertised Draft LPS2 and WAPC has committed to 'fixing' the mistaken rezoning of the northern portion of Lot 783 to Tourism, returning it to Parks and Recreation zoning.<br>**OBJECTION & RECOMENDATION: The northern portion of Lot 783 must be returned to public purpose zoning.**<br><br>**Bushfire treatment in Draft LPS2.*Statutory requirements:***<br>The *Planning and Development Act 2005* (WA) – Section 77(a) requires the AMR Shire to have due regard to any State Planning Policy which affects its district, as per the below section from the Act:<br><br>**77 . State planning policies, effect of on scheme**<br>*(1) Every local government in preparing or amending a local planning scheme —*<br>*(a) is to have due regard to any State planning policy which affects its district;*<br>Due regard is defined in the *Planning and Development (Local Planning Schemes) Regulations 2015* as:<br>*the decision-maker has a mandatory obligation to consider that document or* | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | *planning instrument when making a decision on an application to which the particular document or instrument relates.*<br><br>**Map of Bushfire Prone areas:**<br>The official map of bushfire prone areas in Western Australia is developed with the collaboration of a variety of State Government agencies and is published online by DFES. It is to be applied in conjunction with State Planning Policy 3.7 Planning in Bushfire Prone Areas. It maps the bushfire risk level of the entire State, and is described online as:<br><br>*The Map of Bushfire Prone Areas identifies land in Western Australia that has the potential to be impacted by bushfires. This land is designated by the Fire and Emergency Services Commissioner.*<br><br>*Additional planning and building requirements may apply to new proposals within a bushfire prone area. A further assessment of bushfire risk may also be required to ensure future developments in bushfire prone areas are safer.*<br><br>*The requirements are described in State Planning Policy 3.7: Planning in Bushfire Prone Areas (SPP 3.7) and the Guidelines for Planning in Bushfire* | | |

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| | | *Prone Areas (Guidelines).*<br><br>The entire AMR Shire, the subject of Draft LPS2 is designated in the office Map of Bushfire Prone Areas as Bushfire Prone. LPS2 is therefore required to conform with State Planning Policy 3.7 – Planning in bushfire Prone Areas.<br><br>The Policy Objective of SPP3.7 include (emphasis added):<br>*5.1 Avoid any increase in the threat of bushfire to people, property and infrastructure. The preservation of life and the management of bushfire impact are paramount.*<br><br>*5.2 Reduce vulnerability to bushfire through the identification and consideration of bushfire risks in decision-making* ***at all stages of the planning and development process****.*<br><br>*5.3 Ensure that higher order strategic planning documents, strategic planning proposals, subdivision and development applications take into account bushfire protection requirements and include specified bushfire protection measures.*<br><br>The Guidelines for Planning in Bushfire Prone Areas (SPP3.7) (both versions 1.3 (from 2015) and version 1.4 (from | | |

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| | | December 2021)) require attention to the threat of Bushfire in the preparation of a Local Planning Scheme.<br><br>Version 1.3 States (emphasis added):<br>***5.2.4***<br>*Local planning schemes provide a mechanism to prevent development in inappropriate locations through suitable zoning and land use permissibility controls, consistent with strategic-level planning documents.*<br>*All local planning schemes include the deemed provisions relating to bushfire risk management as set out in the LPS Amendment Regulations 2015 at Schedule 2, Part 10A, Clauses 61(3) 78A–78G. Where considered appropriate, local planning schemes may include additional subdivision and development requirements related to bushfire risk management in line with the policy measures in SPP 3.7 and Planning Bulletin 111/2015, as amended (WAPC 2015). Clause 78B (2) of the LPS Amendment Regulations 2015 specifically acknowledges that requirements relating to development in a bushfire prone area contained within a special control area will apply, in addition to the provisions contained within the LPS Amendment Regulations 2015. When reviewing a local planning scheme, the zoning tables should be reviewed to ensure that the type of* | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | *development permissible through the zoning table is compatible with the level of risk associated with any identified bushfire hazard in the local planning strategy.*<br>*Vulnerable and high-risk land uses within bushfire prone areas should be given special consideration. The locations where these types of uses are not permitted may be listed in a schedule of the local planning scheme in order to establish strengthened bushfire risk management measures. These should form part of a special control area. Where a use is likely to have a hazard level of extreme that cannot be addressed through an amended planning proposal or approval conditions, there may be a need to establish it as a restricted use area.*<br>*New local planning schemes and scheme reviews containing bushfire prone areas are to be accompanied by a Bushfire Hazard Level assessment and, where there are areas identified as moderate or extreme, a BMP. The scheme should be referred to the Department of Fire and Emergency Services for advice as well as the Department of Water and Environment Regulation and the Department of Biodiversity, Conservation and Attractions if any vegetation removal is proposed.*<br><br>Version 1.4 (December 2021 is identical). Either version 1.3 or version 1.4 was in force at all times during the preparation of | | |

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| | | Draft LPS2.<br><br>**Shire ability/willingness to implement SPP3.7 in Draft LPS2.**<br>The Shire has completed a BRMP with detailed mapping of areas of extreme fire risk.<br><br>The Planning and Development (Local Planning Schemes) Regulations 2015 – Schedule 2 clearly provide for the creation of a Special Control Area within a Bush Fire Prone area to reflect areas of extreme fire risk having different planning restrictions, particularly for vulnerable land uses.<br><br>It is difficult to understand how these requirements of the Planning and Development act and SPP3.7 have not been enacted in the preparation of Draft LPS2 given that the AMR Shire is one of the most dangerous bushfire environments in Western Australia.<br><br>It poses the question: If the AMR Shire Local Planning Scheme can be considered not to trigger considerations detailed in the SPP3.7 and Guidelines, where would they be triggered in the State?<br><br>As part of an FOI request Preserve Gnarabup received earlier copies of Draft LPS2 where AMR Shire staff attempted to apply a modified version of SPP3.7, through the mechanism of the Scheme. | | |

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| | | **11 September 2020 copy of Draft LPS2 forwarded to WAPC by AMR Shire**<br>*30. Modification of State Planning Policies*<br>*(1) Within areas identified as 'Residential Built Out Areas', the following modifications to State Planning Policy 3.7 apply:*<br>*a. The change of use from a dwelling to a Holiday Home or Bed and Breakfast does not require the provision of a BAL report or Bushfire Management Plan*<br>*b. In the preparation of any Bushfire Management Plan prepared as required by this Scheme, the following modifications to the Asset Protection Zone requirements of SPP3.7 standards apply:*<br>• 3m no fuel area surrounding dwelling<br>• APZ as per table of 2.4.3 of AS3959<br>• Trees 5m and above are to be retained.<br>From this communication it can be seen that Shire officers wanted to modify how SPP3.7 is applied, via Draft LPS2, to be weaker within the Draft LPS2 Scheme area. Fortunately, this effort did not survive WAPC scrutiny and was dropped from the current version. | | |

# SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | In May of 2023 the AMR Shire advertised a Draft Review of Local Planning Policy No. 7 – Short Stay Accommodation (Draft LPP7) for public comment. The Draft Review LPP7 consulted on contains Objective 6: *Short stay accommodation is located in areas where bushfire risks are manageable.* It includes Policy Map 3 which details limited areas within the Shire where "extreme fire risk level" designation mitigated against approval.<br><br>We understand Council has recently been briefed on the proposed changes to the LPP7, and will shortly consider whether to endorse them. The SPP3.7 Guidelines favour treatment of these issues by means of the Planning Scheme, rather than Local Planning Policies. However, Draft LPP7 applies exactly the sort of treatment envisaged under SPP3.7 and demonstrates the use of mapping generated through the Shire's BRMP planning. Given the existences of the Shire's BRMP and Draft LPP7, it is clear the Shire has the tools and resources available to consider SPP3.7 and its accompanying Guidelines and implement this type of planning as part of LPS2. Further, it is clear that SPP3.7 requires this to occur. SPP3.7 and the accompanying Guidelines must be adhered to in finalisation of LPS2.<br><br>SPP3.7 Guidelines Clause 5.2.4.3 (below) indicates the necessity to use the Local | | |

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| | | Planning Scheme to address mandatory planning requirements occurring under SPP3.7. The Local Planning Scheme is the principal planning instrument to control planning within the Shire and Bushfire risk must be addressed at this level.<br><br>*Local planning policies relating to bushfire risk management can complement a local planning scheme's bushfire provisions. Local planning policies do not form part of a local planning scheme and have no statutory weight. As such, they cannot be used to establish mandatory development requirements or override scheme provisions.*<br><br>It is clear that the Local Planning Strategy (endorsed by WAPC on 18 January 2022) is also deficient in provision for Bushfire planning. The Appendix 4 (which is not readily available as a download online) addressed these issues only in relation to lots being individually considered for rezoning as part of the Strategy.<br><br>The work that was done in the Local Planning Strategy Appendix 4 was done well, but it did not address future development within already zoned areas that are identified by the Shire as "extreme" fire risk in the BRMP. Of particular interest to our organisation, Appendix 4 of the | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | Strategy did not consider lots 501, 502, 503, 504 and 783 despite these lots being identified as "extreme" bushfire risk in the Shire's BRMP and having already been subject to both Initiated Scheme Amendment 70 to rezone four of the five lots and the rezoning of all five lots contemplated in Draft LPS2. This deficiency of the Local Planning Strategy should not be carried forward into the Local Planning Scheme, especially given that in fact all five lots face proposed rezoning under Initiated Scheme<br><br>Amendment 70 and Draft LPS2. The statutory environment relating to the preparation of a Local Planning Scheme, as detailed above, is not dependent upon the content of the Local Planning Strategy.<br><br>**Inconsistent treatment of Fire Risk in Development Assessments and Planning Documents**<br><br>As recently as December last year the Shire Planning Department was using delegated authority to approve development against the advice of DFES, in apparent contradiction of the requirements of SPP3.7.<br><br>The following is copied from the Shire DAU minutes (edited for clarity):<br><br>*DEVELOPMENT ASSESSMENT* | | |

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| | | *REPORT*<br>*Shire of Augusta Margaret River*<br>*7 December to 13 December 2023*<br><br>*DEVELOPMENT APPLICATION ASSESSMENT Report to Manager Planning and Regulatory Services*<br>*Proposed Chalet 14 (Lot 8) Karridale Close Karridale P223614; PTY/6041*<br><br>Agency Comments &* Officer Comment<br>DFES<br>Comments<br><br>*- Application does not comply with the intent of Vulnerable Tourism Land Uses.*<br><br>*The development is on a lot that has, an extreme hazard to the West that, in the opinion of DFES, cannot be adequately managed. The development of a vulnerable land use at this location does not comply with the intent of Element 5 of the Guidelines. Furthermore, the singular vehicle access and evacuation routes travel towards and through the adjoining extreme hazard.*<br>*Officer comment:*<br><br>*Although Caves Road is of extreme fire risk it does provide access to two different suitable destinations. DFES comments are noted but the application appears to comply with A5.8.2a of the Bushfire Guidelines.* | | |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | SPP3.7<br>6.6 Vulnerable or high-risk land uses<br>*6.6.1 In areas where BAL-12.5 to BAL-29 applies Subdivision and development applications for vulnerable or high-risk land uses in areas between BAL-12.5 to BAL-29 will not be supported unless they are accompanied by a Bushfire Management Plan jointly endorsed by the relevant local government and the State authority for emergency services.*<br><br>6.11 Precautionary principle<br>*Where a landowner/proponent has not satisfactorily demonstrated that the relevant policy measures have been addressed, responsible decision-makers should apply the precautionary principle to all strategic planning proposals, subdivision and development applications in designated bushfire prone areas. For example, if a landowner/proponent cannot satisfy the performance principles of the relevant policy measures through either the application of the acceptable solutions outlined in the Guidelines, or through the alternative solutions endorsed by the WAPC and State* | | |

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| | | *authority/relevant authority responsible for emergency services, the application may not be approved.*<br><br>The Shire officer appears to have cherry picked one provision out of a 101-page document (the SPP3.7 Guidelines) to support the rejection of DFES advice, whose endorsement appears to be mandatory for approval.<br>In summary, there are three levels of planning; the Local Planning Scheme 2, Local Planning Policy 7 (Draft) and the above detailed Development Application approval that demonstrate a complete lack of will within AMR Shire Planning to address issues of Bushfire risk, at any level of planning, by adherence to the requirements of SPP3.7 and the Guidelines.<br>**OBJECTION & RECOMENDATION: we object to Draft LPS2 in its current form where it lacks Special Control Areas for Bushfire risk, as required by SPP3.7. Two such SCAs should be established to apply to areas of "extreme" bushfire risk and "very high" bushfire risk as identified in the Shire's BRMP. These should reflect the existing mapping of the AMR Shire BRMP.**<br>**The zoning tables should be reviewed to ensure that the type of development permissible through the zoning table is compatible with the level of risk for each SCA.** | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | **Vulnerable land uses should be prohibited in the "extreme" bushfire risk SCA and should only be permitted in the "very high" bushfire risk SCA where a BMP is endorsed by DFES.**<br><br>The following wording is submitted for consideration for inclusion in LPS2 Part 5 – Special Control Areas:<br><br>**Name of Area – Extreme Fire Risk Area (SCA5) (to include all areas designated extreme risk in the AMR Shire BRMP)**<br>*Objectives – To apply development criteria which indicate which vulnerable and high risk land uses are not permitted within areas of extreme fire danger within the Scheme Area.*<br><br>*Additional provisions – Despite anything contained in the zoning table, vulnerable land uses are prohibited owing to the high bushfire risk and limited evacuation options in this area. These land uses include, but are not limited to, Tourism Uses, Licensed Premises, Commercial Uses, Industrial Uses and Community Uses.*<br><br>*Existing uses – where there are existing uses that do not comply with the above the Shire may require the upgrading of facilities to meet BAL requirements as part of any future development application.* | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | *Where existing non-compliant uses are not carried out as part of a permanent development approval, but as a permit or fixed term approval they will not be renewed when that term expires.*<br><br>**Name of Area – Very High Fire Risk Area (SCA6) (to include all areas designated very high fire risk in the AMR Shire BRMP)**<br>*Objectives – To apply development criteria which indicate land use controls in this area to reflect the Bushfire risk.*<br><br>*Additional provisions – Despite anything contained in the zoning table, vulnerable land uses are not permitted within areas of very high fire risk within the Scheme Area except where an appropriate BMP for the proposal is endorsed by the State/relevant authority/s responsible for emergency services.*<br><br>*Existing uses – where there are existing uses that do not comply with the above the Shire may require the upgrading of facilities to meet BAL requirements as part of any future development application.*<br><br>*Where existing non-compliant uses are not carried out as part of a permanent development approval, but as a permit or fixed term approval they will not be* | | |

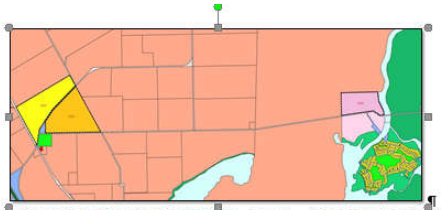
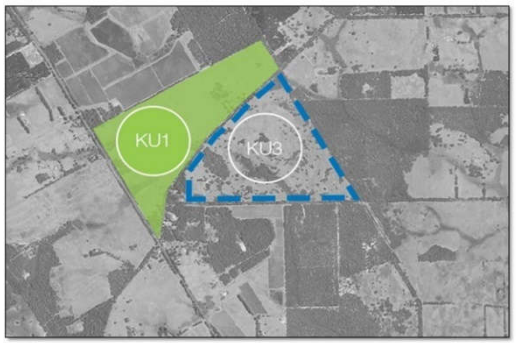
| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | *renewed when that term expires.*<br><br>*No reliance on mitigation measures not contained within the property boundaries will be accepted.* | | |
| 660. I534133 | **Submission Subject:** Agricultural Zone Submission | **Refer to Submission No. 405 above.** | See response to Submission 405 | See response to Submission 405 |
| 661. I534135 | **Submission Subject:** Agricultural Zone Submission | **Refer to Submission No. 405 above.** | See response to Submission 405 | See response to Submission 405 |
| 662. I534157 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Headland at Gnarabup is a completely inappropriate site for development. Main reason why it shouldn't be developed is the fire risk. DFES have said they don't support the development due to the threat to human lives. Who is going to be responsible when people die due to this development going ahead despite this advice from DFES?<br>Where are the development controls regarding bush fire risk in LPS2?<br>We live in an extreme fire risk danger zone, how is there nothing regarding controls in LPS2? | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 663. I534159 | **Submission Subject:** Lot 31 and 32 Poole Road and Lot 200 Bussell Highway, Kudardup | *Across Planning* acts for Kudardup Village Pty Ltd owner of Lots 31 and 32 Poole Road Kudardup and Mr. Anthony Copeland owner of Lot 200 Bussell Highway Kudardup. | With regard to the request for the land to be zoned 'Rural' – see response to Submission 405.<br><br>The Shire notes that the landowner intends to request that the Shire's Local Planning Strategy be modified, | No changes are required as a direct result of this submission. |

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| | | **INTRODUCTION**<br>Lot 31 has an area of 30.5816ha, Lot 32 an area of 30.5536ha and Lot 200 an area of 72.746ha. All three properties (the subject land) are situated on the western side of the Bussell Highway, Kudardup.<br>Lot 1 on the corner of Poole Road and Bussell Highway owned by J & H Hughes has an area of 2.01ha. *Across Planning* has met with Mr and Mrs Hughes to outline proposals for the neighbouring subject land. Proposals for the subject land (totalling 133.8812ha) would logically also include Lot 1. Therefore, for the purposes of this submission, Lot 1 is included with the subject land.<br><br>Under existing Local Planning Scheme No. 1 (LPS1), the subject land is zoned 'Priority Agriculture' and under proposed Local Planning Scheme No 2 (LPS2) the re-advertised scheme States that the subject land is to be zoned 'Rural' consistent with the broader zoning sought by the Western Australian Planning Commission (WAPC).<br>Over recent years, various discussions have taken place between representatives of the landowners, the Shire and various State Government departments and agencies (including the Department of Planning Lands and Heritage, Main Roads WA, Department of Water and Environmental Regulation) regarding a potential modification to the adopted | however this will be the subject of separate consideration. | |

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| | | settlement structure of Kudardup.<br>Feedback received to date has indicated that any proposal for settlement re-structure needs to be proponent-driven and occur via amending the existing planning framework (namely the Local Planning Strategy 2036 [LPS2036] and the Scheme)<br><br>That feedback also advised that suitable planning justification for the structural change is needed and that due consideration be given to other land parcels – not just those owned by the proponent.<br>The proponent's consultant team have made substantial progress with technical investigations and report preparation as well as undertaking pre-lodgment consultation with the Shire and agencies. Preliminary consultation has also been conducted with neighbouring landowners most affected by the proposals.<br>However, the investigations and documentation are not yet suitably advanced for the proponents to lodge a detailed submission on LPS2 to rezone the subject land.<br>Indeed, without firstly (or concurrently) seeking amendment of LPS2036 (the strategy), it is probably premature for such an amendment under LPS2 to be considered.<br>Accordingly, the purpose of this submission is:<br>• to acknowledge the proposed 'Rural' zoning as a suitable 'interim' zoning for | | |

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| | | the subject land; and<br><br>• to notify the Council, the WAPC and the Hon Minister for Planning of the proponent's intention in the near future to lodge a proposal to modify the settlement structure of Kudardup village by amending LPS2036 and the Scheme.<br><br>**BACKGROUND**<br>***STATE PLANNING POLICY 6.1 – LEEUWIN-NATURALISTE RIDGE***<br>In the Land Use Strategy map and settlement hierarchy under State Planning Policy 6.1 – Leeuwin-Naturaliste Ridge (SPP6.1), Kudardup is identified as a 'Hamlet' with a permanent population of less than 500 with a function of a rural service centre, focus for rural living and tourist facilities.<br>***LEEUWIN-NATURALISTE SUB-REGIONAL STRATEGY***<br>The Leeuwin-Naturaliste Sub-regional Strategy was adopted by the WAPC in 2019 as "*an overarching strategic land use planning document outlining the Western Australian Planning Commission's approach to future planning and development within the City of Busselton and the Shire of Augusta-Margaret River over the next 20 years*". It also provides background for the proposed review of SPP6.1 | | |

# SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | ***LOCAL PLANNING STRATEGY***<br>The Shire of Augusta-Margaret River LPS2036 was endorsed by the Western Australian Planning Commission (WAPC) on 18 January 2022.<br>An extract from Map 8 – Kudardup/Molloy Island shows the following, with KU 1 (Kudardup Heights) and KU3 (Lot 2 Fisher Road) at Kudardup and KU2 at Molloy (*Figure 3*).<br>  <br>*Figure 3: Extract from LPS2036 – Map 8 – Kudardup/Molloy Island*<br>  <br>*Figure 4: Extract from LPS2036 – KU1 and KU3*<br>Section Break (Next Page)<br>The above table heading referencing an expected population of 40 people in 2036 | | |

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| | | was based on previous Census counts and low availability of urban or rural residential land supply. However, since development of 'Kudardup Heights' estate has commenced, lot sales at Kudardup have increased significantly, especially during and since COVID-<br><br>This is expected to be followed with a noticeable increase in dwelling construction and resident population.<br>***KUDARDUP SETTLEMENT STRATEGY***<br>The Kudardup Settlement Strategy - KSS (Kudardup Townsite Strategy) was endorsed by the WAPC in 2010.<br><br>The Strategy summary included the following WAPC requirements for any future structure plan for the identified DIA cells:<br>• *be consistent with the 500 person population capacity, as required by the LNRSPP;*<br>• *provide for a range of lot sizes with smaller lots located in proximity to Fisher Road, to create a Hamlet focus;*<br>• *provide for larger lots and any necessary buffers to surrounding land on the periphery of the Hamlet;*<br>• *address and resolve the final location of the Kudardup/Bussell Highway road intersection.*<br><br>Lot 2 Fisher Road (shown as Development Investigation Area – DIA 2 | | |

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| | | in the KSS) lies adjacent the existing Kudardup hamlet centre and comprises some 74.6ha. It is a triangular-shaped lot with frontage to Kudardup Road to the north and Fisher Road to the south.<br><br>The endorsed KSS identifies DIA 2 with a 'Cell 1' identified as 'Hamlet Core' and 'Cell 6' as 'Low Density Residential'. This subsequently formed part of the endorsed Local Planning Strategies in 2010, 2018 and 2022.<br><br>However, under the Government Sewerage Policy 2019, Lot 2 falls within a Sewage Sensitive Area (part of the West Bay and Hardy Inlet Water Quality Improvement Plan) which means that, in the absence of reticulated sewerage, the minimum lot size permitted is 1ha. There is no realistic prospect of Kudardup having reticulated sewerage for the foreseeable future.<br><br>Accordingly, Council resolved to initiate Amendment No. 77 to LPS1 to rezone DIA 2 (Lot 2 Fisher Road) from 'General Farming' to 'Rural Residential'. The concept plan submitted to help inform Amendment 77 shows a potential lot yield of 49 lots, which represents a 'shortfall' of 95 lots from the 144-lot yield potential shown in LPS2036.<br><br>As explained in consultation with the Shire and State Government agencies, we | | |

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| | | consider it important to the future functionality of Kudardup that the lot yield and resident population set out in the existing strategic planning framework (SPP 6.1, Sub Regional Strategy, LPS2036 and KSS) remain capable of being achieved. Without this lot yield and resident population, Kudardup is unlikely to achieve the thresholds needed for viable community and commercial services identified in the framework documents.<br><br>To date, officers of the Shire and State Government agencies have maintained an 'open mind' as to the merits of reallocating the potential lot yield elsewhere within or adjacent the Kudardup settlement and on which land parcels that should occur.<br><br>Similarly, officers have expressed an open mind as to the merits of a significant portion of the lot shortfall being transferred to the subject land (namely Lots 31, 32 and 200) on the western side of Bussell Highway.<br><br>To date, development of Kudardup village has concentrated on the eastern side of Bussell Highway. We anticipate that re-visiting the structure of Kudardup settlement will maintain and enhance the urban core on the eastern side of Bussell Highway but supported by rural-residential / low density subdivision west of Bussell Highway. In keeping with officer | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | feedback, we have also considered other land parcels and intend putting forward a revised concept that involves not only the subject land but also low density residential, commercial and future tourism opportunities east of Bussell Highway that will help consolidate and activate the village centre.<br><br>We have undertaken preliminary consultation with the five neighbouring landowners potentially most affected by the proposed amendments to the planning framework for Kudardup. We intend further informal consultation prior to lodgement of amending documents with the Shire.<br><br>We note that Clause 4.12.2 of the *Local Planning Strategy Guidelines (October 2021)* contemplates amendment of a local planning scheme concurrent with amendment of a local planning strategy. Once we have completed various technical investigations, we intend submitting a proposal to revise the structure of Kudardup village through an amendment to LPS2036. This may be lodged concurrent with a proposed amendment to LPS2<br><br>**CONCLUSION**<br>It is requested that Council, the WAPC and the Hon Minister for Planning:<br>• acknowledge the proposed 'Rural' | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | zoning of the subject land as a suitable 'interim' zoning for the subject land; and<br><br>• note the proponent's intention in the near future to lodge a proposal to modify the settlement structure of Kudardup village by amending LPS2036 and the Scheme. | | |
| 663.<br>I534159 | **Submission Subject:** Lot 2 Fisher Road, Kudardup | *Across Planning* acts for Fisher Road (WA) Pty Ltd owner of Lot 2 Fisher Road Kudardup (the subject land).<br>**INTRODUCTION**<br>The subject land has an area of 74.6 ha and is bounded by Kudardup Road to the north and Fisher Road to the south (*Figure 1*). It lies east of the existing Kudardup hamlet core and south of the 'Kudardup Heights' rural residential and low-density residential estate.<br><br>Under existing Local Planning Scheme No. 1 (LPS1), the subject land is zoned 'General Agriculture' (*Figure 2*). Under the re-advertised Local Planning Scheme No 2 (LPS2) the subject land is to be zoned 'Rural' consistent with the broader zoning sought by the Western Australian Planning Commission (refer *Figure 2*).<br><br>The subject land is currently progressing through the rezoning process under Amendment No. 77 to Local Planning Scheme No.1 (LPS1) hence the purpose of this submission is to confirm that | It is anticipated that Amendment 77 will be concluded prior to the gazettal of LPS2 and if that is the case, the outcomes of the Amendment 77 process should be incorporated into LPS2. | Subject to Amendment 77 being concluded, rezone Lot 2 Fisher Road Kudardup accordingly. |

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| | | finalization of Amendment No. 77 is reflected in final approval of Local Planning Scheme No. 2 (LPS2).<br><br>**BACKGROUND**<br>***STATE PLANNING POLICY 6.1 – LEEUWIN-NATURALISTE RIDGE***<br>In the Land Use Strategy map and settlement hierarchy under State Planning Policy<br><br>Leeuwin-Naturaliste Ridge (SPP6.1), Kudardup is identified as a 'Hamlet' with a permanent population of less than 500 with a function of a rural service centre, focus for rural living and tourist facilities.<br>***LEEUWIN-NATURALISTE SUB-REGIONAL STRATEGY***<br>The Leeuwin-Naturaliste Sub-regional Strategy was adopted by the WAPC in 2019 as "*an overarching strategic land use planning document outlining the Western Australian Planning Commission's approach to future planning and development within the City of Busselton and the Shire of Augusta-Margaret River over the next 20 years*". It also provides background for the proposed review of SPP6.1<br>***LOCAL PLANNING STRATEGY***<br>The Shire of Augusta-Margaret River LPS2036 was endorsed by the Western Australian Planning Commission (WAPC) on 18 January 2022. | | |

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| | | The subject land comprises KU3 which provides for an estimated lot yield of 144 made up of Residential R5-R10 and Rural Residential lots.<br>***KUDARDUP SETTLEMENT STRATEGY***<br>The Kudardup Settlement Strategy - KSS (Kudardup Townsite Strategy) was endorsed by the WAPC in 2010<br><br>The Strategy summary included the following WAPC requirements for any future structure plan for the identified DIA cells:<br>• *be consistent with the 500 person population capacity, as required by the LNRSPP;*<br>• *provide for a range of lot sizes with smaller lots located in proximity to Fisher Road, to create a Hamlet focus;*<br>• *provide for larger lots and any necessary buffers to surrounding land on the periphery of the Hamlet;*<br>• *address and resolve the final location of the Kudardup/Bussell Highway road intersection.*<br><br>The endorsed KSS identifies DIA 2 with a 'Cell 1' identified as 'Hamlet Core' and 'Cell 6' as 'Low Density Residential'. This subsequently formed part of the endorsed Local Planning Strategies in 2010, 2018 and 2022 and is generally reflected in LPS2036. | | |

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| | | However, under the *Government Sewerage Policy 2019*, Lot 2 falls within a Sewage Sensitive Area (part of the West Bay and Hardy Inlet Water Quality Improvement Plan) which means that, in the absence of reticulated sewerage, the minimum lot size permitted is 1ha. There is no realistic prospect of Kudardup having reticulated sewerage for the foreseeable future.<br><br>Accordingly, at its Ordinary Meeting held on 10 May 2023, the Augusta-Margaret River Shire Council resolved to initiate Amendment No. 77 to LPS1 to rezone the subject land (Lot 2 Fisher Road) from 'General Farming' to 'Rural Residential' together with specific provisions in Schedule 7 – Special Provisions relating to development on land zoned Rural Residential.<br><br>The concept plan submitted to help inform Amendment 77 showed a potential lot yield of 49 lots, which represents a 'shortfall' of 95 lots from the 144-lot yield potential shown in LPS2036. A separate submission has been lodged concerning a proposal to reallocate the potential lot yield elsewhere within or adjacent the Kudardup settlement.<br><br>As required, Shire officers referred Amendment 77 to the Environmental Protection Authority (EPA) for review prior to public advertising. This was followed by extended discussions between the EPA | | |

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| | | and the Shire to clarify potential environmental impacts and modify the documents accordingly. At the current time, the EPA is completing its review.<br><br>Given Amendment No. 77 was formally initiated by Council and 'on foot' prior to finalization of LPS2, it is our understanding that, in the event Amendment No. 77 ultimately receives final approval, it would automatically be reflected in LPS2.<br><br>**CONCLUSION**<br>It is requested that Council, the WAPC and the Hon Minister for Planning:<br>• acknowledge that Amendment No .77 to LPS1 was formally initiated and is currently 'on foot'; and<br>• confirm that, in the event Amendment No. 77 to LPS1 ultimately receives final approval, it would automatically be reflected in LPS2. | | |
| 664.<br>I534164 | **Submission Subject:** Agricultural Zone Submission | We would like to voice our concerns in regards to the AMRS Draft Local Planning Scheme No 2 . It is with concern that we would like to address some of the proposals in the New Draft No 2 concerning Agricultural land.<br><br>ALL Agricultural land should be Priority Agriculture. The Agricultural Community contributes greatly to the Augusta Margaret River Shire. It has in the past and will continue in the future. The land needs to be protected to ensure agricultural can | See response to Submission 405. | See response to Submission 405 |

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| | | continue. The agricultural community spends money in the Shire, employs people, provides enrolments for schools and other associations with businesses in the Shire. Agriculture is needed to ensure that the Augusta Margaret River Shire can continue to provide produce to its own and other communities. The current Draft places so much uncertainty for the future and sustainability for those in agriculture in the Shire. The Draft needs to have clearer explanations of what is being planned.<br><br>It appears that we are not able to change current practices in some landholder areas. This is totally unfair as any business needs to be flexible to be profitable. Agriculture constantly changes due to new developments, current market requirements, new ideas for sustainability. If agricultural land changes hands by either family succession or sale of property there must be the certainty of what you can do with the land and the option to change practice if necessary. The AMR Shire needs to apply the principle that all Agricultural Areas are Priority Agriculture and not have uncertainties with how land can be used.<br><br>Farming is a day in day out business which has consistently improved its ability to farm smarter and better but the pressure now from major supermarkets and other buyers is making it harder and harder to run a farming business. The AMR Shire with its | | |

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| | | Draft Plan 2 is adding further to these pressures.<br><br>There are some very restrictive clauses that will make farming impossible. This is a concern.<br><br>CLAUSE 80 does not allow animals to graze in wetland areas. The Draft needs to be clear about what is a wetland area as a great deal of the Agricultural areas in the Shire have wetlands on the them. This provides essential high quality fodder to grazing animals. Over the years the AMR Shire has been a popular place for Agriculture to occur because of its rainfall and lush green feed because of all the moisture in the soil. If this Draft is allowed, we would like to ask<br>• Who determines the areas that are wetlands?<br>• When will the landholder be told they cannot use an area?<br>• Will the Shire provide and pay for the necessary fencing that is required?<br>• Will the property owner be compensated for the loss of this valuable agricultural land?<br>• How much notice is going to be given for these changes in the Draft?<br><br>For some farmers large areas of their land will be not be able to be used due to some of the changes in the Draft. Too much of the land will have to be fenced off. This will | | |

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| | | make it unviable to farm this land. Will the Shire be responsible for providing compensation to those landholders? Due to the Clauses no one will buy these properties. They will become worthless. Once again is the Shire going to compensate for the depreciation of their land?<br><br>CLAUSE **51** is also a concern. More detail is needed to explain what is meant by a water course. Once again<br>• Who will determine what is a watercourse on your land?<br>• When will the landowners be notified?<br>• What compensation will be given to land holders in regard to the loss of land through fencing and vegetating of these areas?<br>• Who is paying for the fencing and vegetating?<br>• What happens if these areas fenced off make it Impossible to continue farming the land?<br>In regard to the housing clauses, our concern is if everything is required to be in one area this creates a very dangerous health and safety situation. Firstly, just the movement of family houses vehicles and machinery all in close proximity is unsafe. Secondly, the health and wellbeing of owners, family and workers dealing with the noise and constantly being on lookout is going to be affected. Thirdly, there is a huge | | |

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| | | fire risk having buildings in close proximity. Fourthly, with many agricultural areas in the Shire there is not a big enough space of dry suitable land all in one area. In some instances where a house is currently established it is not possible to put the Additional family house anywhere nearby, within the suggested 2 hectares. It may need to be on a dry suitable area away from the current building site.<br><br>These are a couple of concerns and we feel that more time and consultation with those involved in the Agricultural area of the Shire should be allowed to discuss the details of some of the clauses. People's livelihoods are going to be impacted tremendously. Some of the Clauses need to be rewritten with more detail and clearer explanations.<br><br>We sat down as a family and discussed these points from the Draft. This submission is how we all feel individually. We did not put in four submissions but have summarized our thoughts and opinions in one letter. However, these are from four eligible voters. | | |
| 665. I534172 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Overdevelopment will ruin the peaceful natural surrounds. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 666. I534188 | **Submission Subject:** Agricultural Zone Submission | Clause 51 introduces some specific clauses about water courses and wetlands and development should be setback 100m from a water course or wetland unless otherwise determined in liaison with the DWER. This is an increased from previous provisions which were only specific to a 100m setback from the Blackwood River and Margaret River. Given the environmental mapping is proposed to be introduced into the Scheme there are uncertainties as to the implications of trying to achieve 100m setbacks or negotiating a lesser setback for development across the Scheme area on many rural lots. In the past a 30m setback from water courses (other than Rivers) for development has generally been a rule so this 100m setback is more onerous across the Shire. This provide unworkable on some farms due to the mapping proposed. Entire farm areas in the Scott River, Warner Glen area for example are identified as wetland which would be unworkable and overly difficult for landowners. Use of Scheme clauses for such assessment is too heavy handed. | See response to Submission 405. | See response to Submission 405. |

# SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | This clause also States that native vegetation should be retained in the setback area, there should be no impact on the creek or waterway with the establishment of dams and the Shire might impose conditions in the setback area which includes rehabilitation, revegetation or weed control. This clause also States that where there is subdivision of land the Shire may require the ceding of land for foreshores particularly where this abuts a foreshore and water courses and wetlands should be suitably fenced to prevent stock.<br><br>This clause is too strong for management of buffers from wetlands and waterways when compared with what is currently in the Scheme and is more onerous than previous application of rules more generally. There has not been a requirement to plant out entire setback areas in the past. It is only reasonable to apply planting if there is a definite adjoining waterway or wetland that was devoid of vegetation nearby (and to be potentially impacted) to require revegetating the fringe of this. There is a risk through assessment of proposals that these clauses could direct assessment to be more onerous with respect to setbacks from waterways and wetlands for development and increase and onerous requirements for buffer planting, revegetation or weed management etc also | | |

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| | | thee is uncertainty in what circumstances foreshore ceding would be required.<br><br>This is not supported and should be applied by Policy with less onerous requirements. The mapping is not accurate and demonstrated by onsite analysis and so this puts the onus on the owner/farmer to demonstrate why something should not be considered as an environmental feature due to the mapping system proposed. This will be debilitating for owners/farmers. On the mapping, some waterways are farm drains. Some native vegetation notated are planted belts of vegetation. Unless a clear and accurate mapping system is in place this should not be referred to in a Scheme. This would be better placed in Policy and not be so restrictive.<br><br>The way the mapping has been prepared and the extent of environmental features will unnecessarily call in many planning applications for minor development on farms not warranting of such assessment. Clause 53 indicates where possible development should be outside vegetation.<br><br>If vegetation is proposed to be removed, flora and fauna investigations would be required and there may be a need for offset planting either on the land or elsewhere of equivalent area. This is expanded from the previous scheme in respect of land clearing and objectives of the Shire. This could | | |

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| | | cause the need to undertake studies for minor works and needs to be recognised as a Policy matter not a Scheme clause.<br><br>The clause requires that the mapping is to be reviewed and any applications that have potential impact on these matters should be accompanied by information to demonstrate how management mechanism will be put in place to avoid impact. This could be very difficult to ascertain for a proponent and creates significant work to determine if necessary for and causing the need for planning applications. Much of the concerns raised by such mapping are addressed in other Legislation and the Scheme need not deal with this so specifically.<br><br>Mapping does not differentiate between obvious waterways and wetlands and substantial stands of native vegetation and very minor drainage and creeklines and small or insignificant bushland.<br><br>Arguments against the detailed mapping and more specific clauses include:<br>• Such issues are already inherently necessary to be considered and mostly covered under other legislation.<br>• Further, has the mapping been accurately done? For example, some waterways may actually be drainage or bushland might be planted wind rows, some wetland areas are quite extensive | | |

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| | | and are they actually wetlands or just areas that are subject to inundation occasionally, this mapping could cause the need to have to demonstrate when doing a planning proposal that there is no impact on bush or waterways/wetlands when it might be tenuous as to whether there is actually native bushland or waterways/wetland.<br>• The mapping does not differentiate between obvious waterways and wetlands and substantial stands of native vegetation and very minor Drainage and creeklines and small or insignificant bushland.<br>Clause 55 refers to landscape protection and this is quite detailed. Clause 55.2 States *"This removal of vegetation which contributes to the landscape qualities of natural significance is prohibited."* Clause is too open and the clauses in respect of landscape protection need to be improved. Clause could apply too broadly and is not clear.<br><br>Clause 56 refer to building envelopes and spatial arrangement of buildings on a site. Importantly Part (4) of this clause States that on rural lots, dwellings and incidental development must be clustered together in a 2000m2 area. Previously the scheme States that such structures should be clustered but there was no mention of a 2000m2 area. This is too prescriptive for farm properties and is quite a subjective | | |

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| | | clause because how is a 2000m2 area defined? More flexibility is needed for farmers.<br><br>Clause 69 introduces potentially onerous sustainable design elements applicable to the building of houses not commonly applicable in local planning schemes. This is a new requirement applicable to those building dwellings, to incorporate forcibly sustainable elements as outlined. This is going to add to the cost of construction across the Shire. The Shire should not be singled out for such requirements and this should be left to be applied as a Statewide or national approach. Again, this will cause the need for too much assessment of standard dwellings in the Shire inhibiting the process of supplying needed accommodation affordably.<br><br>Clause 79 introduces provisions that are specific to the Rural zone.<br><br>The previous scheme allowed consideration of an additional dwelling for rural workers. There is now a new workforce accommodation type development permitted instead. The definition of this States that this is for temporary purposes which is queried because any development approval might be subject to a temporary timeframe which is difficult to determine what this will be. | | |

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| | | Why can this not be also potentially permanent?<br><br>This clause also States that where multiple units are proposed, these should be distinct from a house and be dormitory style with shared facilities and located close to the main house. Adaptation of old farmhouses for this purpose is also promoted. There should be the ability to locat4e works near work sheds or the actual area where the work is to be undertaken rather than always clustered with the main house. More flexibility on farms is needed for practical reasons. Flexibility needs to be applied particularly on larger farms.<br><br>The new clause permitting 120sqm ancillary dwellings is supported as this will assist with extended family management of farms. I submitted the AMR Shire on this matter around 2009 that 2 houses should continue to be allowed but my submission was ignored.<br><br>Clause 80 deals with the Environmental Conservation zone which does affect some farming lots.<br><br>Farmers within this zone are concerned with this zoning and clause as applicable to farmland and particularly clauses 80 Part (7) and 80 Part (8). Clause 80 (7) States that no agricultural grazing on vegetated or wetland areas is permitted, and such areas | | |

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| | | should be fenced to prevent stock. This clause appears to indicate that where grazing is already occurring there is an intention to restrict this and when cross referenced with the environmental mapping system lots of areas are marked as wetland, waterway or bushland and obviously some of these areas are very good summer grazing or shade for stock. It's also Stated at Clause (8) that clearing for agriculture is not supported in this zone. The clauses should State this is not applicable to exiting enterprise so it cannot be implied this is applicable to existing use. Likewise it could also be interpreted that this clause requires fencing of wetlands as shown on the mapping system which is unworkable and will affect farmers.<br><br>In summary there is a much more detailed approach to consideration of environmental and landscape matters in rural areas and more prescriptive approach to what is relevant and what needs to be addressed and this needs to be vetted and amended so that farming and minor associated development can be conducted reasonably without too much difficulty through the planning process. The environmental mapping is not correct and applies too broadly.<br><br>Why does it need to be so detailed? This could potentially create difficulties or complications or onerous requirements for | | |

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| | | farmers proposing development or change of land use. The starting point is from a stronger position environmentally. Environmental matters would be better placed in a Policy.<br><br>Setbacks from waterways and possible requirements for rehabilitation of the buffers from waterways and wetlands can be read to be a firm matter and the environmental mapping system is very detailed and not correct in some instances and particularly concerning clause is 80 Part (7) which States that there should be no agricultural grazing in vegetated or wetland areas and that these should be fenced off. this needs to be qualified that it is only applicable to new proposals and not existing land use. Otherwise, it is questionable as to whether this clause is intended to be a matter that is applied by Shire planners generally or this intended to be only when planning applications are lodged.<br><br>Many clauses are unclear, potentially onerous, unworkable for farmers, introduce very detailed considerations and potential planning applications where not necessary. The assessment process will become too complicated and careful consideration should be given to clauses affecting broad areas of the Shire including farmers and rural landholders. Much of what the Scheme introduces is covered by other | | |

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| | | legislation and or policy and need not be in Scheme provisions. | | |
| 667. I534199 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Having infrastructure around the cliffs would damage the environment.<br>The flora and fauna are vulnerable in the area and with many more people and vehicles there would be too much damage. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 668. I534200 | **Submission Subject:** Scott River to Hamelin Bay and Central Business area Blackwood Avenue | Don't agree about changing the rezoning of previous town centre.<br>Feel if you are able to purchase a holiday house you should be able to do a B& B stay as renting a house these days only benefit renters. | **Town Centre** – see response to Submission 687.<br><br>**B'N'B** – LPS2 specifically allows for BnB's to occur without approval (clause 61(2)) | **Town Centre** – see response to Submission 687.<br><br>**B'N'B**<br>No changes are required as a direct result of this submission |
| 669. I534202 | **Submission Subject:** 77 Blackwood Avenue and 12855 Bussell Highway Karridale | **Augusta Town Centre**<br>Believes the town has grown and will continue but question how large the commercial growth will be.<br>Disagree with the rezoning of the town centre – feel mixed residential/commercial is fine.<br>Agree with no more rural land being developed. | **Augusta town centre zoning** – see response to Submission 687<br><br>**Donovan Street Bushland** – see response to Submission 66<br><br>**Holiday Houses** – this matter is controlled via policy and not the scheme. | **Augusta town centre zoning** – see response to Submission 687<br><br>**Donovan Street Bushland** – see response to Submission 66<br><br>**Holiday Houses** |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | Donovan Street bushland needs to be rezoned Environmental Conservation.<br>Don't want a no tourism/holiday house area.<br>Augusta survives with its little infrastructure due to no having 100% occupancy.<br>Policy should be that any development, subdivision should be public and that neighbours should be notified for comment, not just at build stage.<br>Hope the planners have more community consultation as time goes along.<br>**Agriculture**<br>Aims of the Scheme don't see anything that mentions connecting this region with the rest of the State.<br>Our region has prime agricultural land that provides food for not only this Shire for the State and extending overseas – need a Shire that acknowledges this and supports all involved.<br>Need to stop pushing climate change in all policies. It is not a Shire or should not be a pushed agenda.<br>Question where the planning department got the directive to change Priority Agriculture?<br>Environment asset map needs to be removed it is incorrect and question who made it?<br><br>**Rest of Submission – Refer to Submission No. 405.** | **Consultation** – the Shire does not administer the subdivision process and hence cannot commit to undertaking consultation in this regard.<br><br>**Agriculture**<br>See response to submission 405. | No changes are required as a direct result of this submission<br><br>**Consultation**<br>No changes are required as a direct result of this submission<br><br>**Agriculture**<br>See response to submission 405. |

# SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| 670. I534204 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup | Prior to moving to Gnarabup 20 years ago, we resided in Prevelly for 20 years, so have a true history of all the proposed developments for the area west of Walcliffe Road, Gnarabup. We have been writing submissions regarding this area for more than half of our lifetime. The reasons for opposing the development of this area have not changed in that time, and yet the developers persist on increasing the density and scale of their plans. This land was originally identified as too environmentally fragile to develop, and the zoning was changed by one man, Richard Lewis (Minister for planning at the time), who overrode his advisers and made a VERY contentious and dubious decision to zone it tourism. Also, it was only meant to be one or two parcels of land, now it is divided into five different lots (HOW??) with a larger increase in proposed population density. The present population of Prevelly Gnarabup is approximately 750 people. The proposed development area west of Walcliffe Road is very much smaller than the existing Prevelly/ Gnarabup populated areas, and yet, would have a predicted population increase of 1000 Additional people. Such density of population would put unacceptable pressures on the local natural and social environments. With the huge increasing population in the rest of the Shire (including town subdivisions), the traffic pressures on Walcliffe Road, the one safe swimming beach, parking and the, | See response to Submission 19 and 402 | See response to Submission 19 and 402 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | natural environment are already very evident without the Additional predicted1000 people contributing to the chaos There would also be Additional pressure on our Shire to deal with increased household waste generation and general rubbish (increase), pollution, waste water treatment (increased capacity needed), human encroachment (including 4WDs and trailbikes) on the Leeuwin-Naturaliste National Park and coastal reserves (including River reserves), native flora and fauna (including impacts from domestic dogs, feral cats, foxes and invasive weeds). The human carrying capacity of Gnarabup and Prevelly has been exceeded, and additional tourist numbers plus visitors from the Margaret River region and surrounds, is leading to a measurable depletion and degrading of cultural, social and natural environments, the impacts of which will most certainly impact future generations<br>**The population impacts of tourism and the human carrying capacity should be reflected in Draft LPS2**. AMRS and WAPC must have regard to -<br>Section 3.1 (1A) Without limiting subsection (1), the general function of a local government must be performed having regard to the following —<br>(a) the need —<br>(iii) in making decisions, to consider potential long-term | | |

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| | | consequences and impacts on future generations;<br><br>**Climate Change/Fire Risk**<br>In the 40 years of residing in this area, we have witnessed the area west of Walcliffe Road ,Gnarabup, be completely denuded by fire on at least 3 occasions. In 1984 a huge fire completely destroyed all the area of what is now Gnarabup. In 2011, a fire followed the same path and again burnt this entire area .In the 1990"s ( cannot remember the date) a fire that started in Boodjidup car park, completely burnt the proposed development area. If there had been development in the area during any of these 3 fires, it would have endangered lives and completely destroyed any buildings. This proposed development area is an extreme fire risk area which is becoming even more of a concern with climate change and the drying landscape . It would be irresponsible to allow development in such a proven high fire risk parcel of land.<br>Under recent amendments to the *Local Government Act 1995*, including adding *Section 3.1(1A)*, AMRS and the WAPC are required to have regard to the need to plan for and to plan for mitigating risks associated with climate change.<br><br>Section 3.1 (1A) Without limiting subsection (1), the general function of a local government | | |

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| | | must be performed having regard to the following —<br>(a) the need —<br>(ii) to plan for, and to plan for mitigating, risks associated with climate change; and<br><br>**Draft LPS2 has no Special Control Areas for bushfire risk. Two Special Control Areas (SCA) should be established to apply to areas of "extreme" bushfire risk and "very high" bushfire risk as identified in the AMRS Bushfire Risk Management Plan (BRMP).** The entire Augusta-Margaret River Shire is designated on the official Map of Bushfire Prone Areas as "*Bushfire Prone*" (DFES). Under the *Planning and Development Act 2005*(WA), AMRS must have due regard to any State Planning Policy which affects its District. As such, LPS2 is required to conform with *State Planning Policy 3.7 - Planning in bushfire prone areas* (SPP 3.7). The Guidelines for SPP3.7 (both 2015 and 2021 versions apply to the period in which Draft LPS2 was Drafted) require attention to the threat of Bushfire in the preparation of a Local Planning Scheme. The Scheme zoning tables should be reviewed to ensure the type of development permissible through the zoning table is compatible with the level of Bushfire risk for each SCA. Vulnerable land uses should be prohibited in "extreme" | | |

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| | | Bushfire risk SCA and arguably not permitted in the "very high" Bushfire risk SCA notwithstanding a BRMP endorsed by DFES. It should be noted there is only one access road in and out of Prevelly and Gnarabup hamlets and in the catastrophic 2011 fire the only option for us to escape the fire, that included exploding airborne embers, was to drive into the firebreak of the Leeuwin National park and escape via the firebreaks. It was only our local knowledge of the area that saved us and the fact that National Parks had not gated and bolted that escape route as they have since done. Tourists and people without 4 wheel drives would not have been able to escape as the fire had blocked the escape path to the Gnarabup boat ramp and beach.<br>**Unauthorised advertising of Draft LPS2.**<br>The Shire of Augusta-Margaret River (AMRS) was not authorised to advertise the Draft Local Planning Scheme 2 (LPS2) in its current advertised form. In August 2020 Council resolved to advertise Draft LPS2 "*without modification*". However substantial modifications to this document have been made. Accordingly AMRS has no authority to advertise and seek public comment on the Draft LPS2 in its current advertised form.<br>To resolve this problem of statutory non-compliance, Draft LPS2 should re-advertised only after a lawful resolution of Council to advertise a Draft LPS2 that | | |

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| | | reflects the Local Planning Strategy, Local Tourism Strategy, LPS1, the structure plan for these lots and community views in order to avoid to protect Gnarabup and avoid any future legal challenges to the validity of the Scheme.<br>**Lack of transparency in changes made to Draft LPS2.**<br>On 28 June 2023, Council's Elected Members hosted a public briefing session at which AMRS employees showed a PowerPoint presentation that Stated the "*Draft scheme does not change zoning of Gnarabup sites, nor development controls*." This PowerPoint Statement was found to be misleading (to both Elected Members and their community) in the clear light of the advertised Draft LPS2, which had changed both zoning and development controls on Gnarabup development Lots. Elected Members were not briefed on changes to Draft LPS2 made by AMRS employees between August 2020 (when Council resolved to advertise Draft LPS2) and September 2023 (when Draft LPS2 was advertised). Community members have been advised by AMRS employees that there are no public AMRS records of any briefing/communication to Elected Members on changes made to Draft LPS2. Community members have been repeatedly assured by AMRS employees that there were no changes to zoning or removal of planning controls relating to the five Gnarabup Lots. | | |

# SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | **Removal of development conditions (i.e.. the Special Control Area 3 conditions from LPS1) for Lots 501, 502, 503, 504 and 783 Gnarabup.**<br>Ignoring historic planning decisions for this site (including the Local Planning Strategy endorsed 2022) and with no community consultation, the Special Control Area conditions for the Lots have been removed (without planning justification) when they should instead be retained and strengthened to reflect the Local Planning Strategy, Local Planning Tourism Strategy, LPS1, the structure plan for these lots and community views.<br><br>**The northern portion of Lot 783 Gnarabup should be zoned Parks and Recreation in Draft LPS2, not Tourism.** As shown in LPS1, this portion of land should be retained for public purpose, and never for development. WAPC and AMRS employees have acknowledged their mistake in the advertised Draft LPS2 and WAPC has committed to "fixing" the mistaken rezoning of the northern portion of Lot 783 from Parks and Recreation to Tourism.<br>**The advertised version of Draft LPS2 has *not* been referred to the Environmental Protection Authority (EPA) for review as is legally required.**<br>The EPA reviewed the 2020 (Council authorised) version of the Draft LPS2 | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | but *not* the currently advertised Draft LPS2, which is a significantly modified document, and which accordingly must be referred to the EPA for its review.<br>The AMRS online Draft LPS2 consultation webpage States "*Our new planning rules have been developed to align with the recently endorsed Local Planning Strategy*." This is not correct in relation to the Gnarabup Lots as the Draft LPS2 in its advertised form would deliver millions of dollars of Additional value to the owner of this site.<br>**A structure plan can be changed and does not have the same standing, nor provide the same planning and development protection, as a Local Planning Scheme.** A structure plan is not binding on the developer or the decision maker and failure to comply with a structure plan in a development approval is not a reviewable decision. It is critically important that LPS2 provides enforceable planning and development protection for the Gnarabup Lots.<br>**The proposed zoning changes and removal of development conditions (points 3, 4 and 5 above) in the currently advertised Draft LPS2 are procedurally unfair while a Development Application (DA) for these lots is currently being considered by WAPC.** Between January and March 2022 the Department of Planning, Lands and Heritage (DPLH) conducted a 6 week public consultation | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | period for the five development Lots (89% of 2,000+ submissions opposed the development) despite DPLH and WAPC being aware that the EPA determined to assess the development proposal in December 2021. This meant there would be a significant delay in the DA coming before WAPC for a decision. It is procedurally unfair to change the underlying planning scheme in relation to these five Lots while the DA assessment process is on foot and due to come before WAPC for a decision.<br>**It is not proper and orderly planning to overturn decades of previous planning decisions without explanation or justification.** This is especially poor governance when the "surprise" changes in Draft LPS2 (i.e.. removal of Special Control Area 3, changes in zoning from Tourism to Urban Development and from Parks and Recreation to Tourism) favour the developer, at the expense of community aspirations as reflected in current planning controls for Gnarabup, better supporting the developer's currently non-compliant DA.<br>12. **State Planning Policy 2.6 - Coastal planning**<br>This Policy must inform Draft LPS2 in terms of protecting the unique Gnarabup coast. Coastal hazard risk data of this coast is dated and lacking. Urgent modelling is required in order to manage the accelerated impacts of climate change related sea level rises, coastal processes, | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | landform stability and coastal hazards. Appropriate zoning in Draft LPS2 will be a critical factor in managing pressures for development on the Gnarabup Headland. Furthermore appropriate zoning will support the objectives of SPP2.6 by providing for public coastal foreshore reserves and access to them on the coast, in addition to protecting, conserving and enhancing coastal zone values, particularly in areas of landscape, biodiversity and ecosystem integrity, indigenous and cultural significance as exists on the Gnarabup Lots. | | |
| 671. I534205 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>The coastal area of Gnarabup is a very special place to myself and many other residents of Margaret River that I know. Much of it's appeal lies in the wild and undeveloped nature of the area, and the fact that this is available and accessible to locals and visitors alike.<br>Development of this area in today's economy would result in high cost housing or upper class tourism accommodation due to it's desirable location. This is inherently elitist, allowing the area to be enjoyed by those few who can afford it, at the expense of the many locals and visitors who can't. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 672. I534213 | **Submission Subject:** Agricultural Zone Submission | **Refer to Submission No. 405 above.** | See response to Submission 405 | See response to Submission 405 |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| 673. I534215 | **Submission Subject:** Agricultural Zone Submission | **Refer to Submission No. 405 above.** | See response to Submission 405 | See response to Submission 405 |
| 674. I534260 | **Submission Subject:** Environmental Impacts - Witchcliffe | **Refer to Submission No. 87 above.** | See response to Submission 87 | See response to Submission 87 |
| 675. I534261 | **Submission Subject:** Lot 41 & 42 Treeton Road, Cowaramup, Locations 3000,3001, 3002 Treeton Road, Cowaramup and Location 2223 Carbunup Road, Cowaramup | 1. Agricultural land within the Shire should be designated Priority Agriculture along with any General Agricultural land. Important that land is kept productive. Priority status ensures that farming operations receive the necessary support and protection.<br>2. Clause 51 – 100m setback from any watercourse is totally unworkable. Along with no grazing practices. My property has a creek running through the middle of each location would lose many hectares making the property very unworkable and unviable. Fire risk would be huge. Weed problem very costly and uncontrollable.<br>3. Already fenced creeks from cattle and am grazing in a managed way. Setback from the creek has not been excessive.<br>4. Clause 56 – Clustering of dwellings. Not a good idea when it comes to work safe. Farm machinery moving daily and to have children or children of staff all clustered in the same area is an accident waiting to happen.<br>5. Clause 69 – Sustainable buildings should be a choice.<br>6. Addition of environmental corridors, one proposed through my property is very | See response to Submission 405 | See response to Submission 405 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | heavy handed. Value of property with environmental corridors and fencing waterways will decrease.<br>7. AMR Shire has many hectares of native bush which is protected.<br>Prioritising agricultural land use AMR Shire acknowledges the vital role farming has in the local economy and community. This designation aims to safeguard agricultural resources against encroachment from non-agricultural development and underscores the importance of preserving farming heritage and practices. | | |
| 676.<br>I534262 | **Submission Subject:** Lot 41 & 42 Treeton Road, Cowaramup, Locations 3000,3001, 3002 Treeton Road, Cowaramup and Location 2223 Carbunup Road, Cowaramup | 1. Agricultural land within the Shire should be designated Priority Agriculture along with any General Agricultural land. Important that land is kept productive. Priority status ensures that farming operations receive the necessary support and protection.<br>2. Clause 51 – 100m setback from any watercourse is totally unworkable. Along with no grazing practices. My property has a creek running through the middle of each location would lose many hectares making the property very unworkable and unviable. Fire risk would be huge. Weed problem very costly and uncontrollable.<br>3. Already fenced creeks from cattle and am grazing in a managed way. Setback from the creek has not been excessive.<br>4. Clause 56 – Clustering of dwellings. Not a good idea when it comes to work safe. Farm machinery moving daily and to | See response to Submission 405 | See response to Submission 405 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | have children or children of staff all clustered in the same area is an accident waiting to happen.<br>5. Clause 69 – Sustainable buildings should be a choice.<br>6. Addition of environmental corridors, one proposed through my property is very heavy handed. Value of property with environmental corridors and fencing waterways will decrease.<br>7. AMR Shire has many hectares of native bush which is protected.<br>Prioritising agricultural land use AMR Shire acknowledges the vital role farming has in the local economy and community. This designation aims to safeguard agricultural resources against encroachment from non-agricultural development and underscores the importance of preserving farming heritage and practices. | | |
| 677.<br>I534264 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |
| 678.<br>I534265 | **Submission Subject:** Environmental Matters – Witchcliffe | **Refer to Submission No. 87 above.** | See response to Submission 87 | See response to Submission 87 |
| 679.<br>I534268 | **Submission Subject:**<br>Lot 4 Oldfield Road, Treeton | Submission by: Ayesha Hassan and Chris Mulcahy of Lot 4 Oldfield Rd, Treeton<br><br>In summary we strongly disagree with the Environmental Assets Mapping being applied to already cleared and productive land, in particular our property. We already | **Environmental Assets Map**<br>See response to Submission 422.<br><br>**Buffers**<br>See response to Submission 405.<br><br>**Dams** | **Environmental Assets Map**<br>See response to Submission 422.<br><br>**Buffers**<br>See response to Submission 405. |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | have 37% of our land retained with native vegetation and are bordered by State Forest and UCL. The proposed scheme will eliminate our ability to develop an orchard, which is the sole reason we purchased our land 7 years ago.<br><br>The 100m buffer to watercourses within mapped areas is completely unjustifiable, best management practices for orchards are far more effective at preventing nutrient export, likewise best management practices in chemical use (or organic practices) are far more effective means of preventing spray drift than vegetated buffers.<br><br>If our land and our ability to establish an orchard or a higher value crop is compromised by the scheme:<br>• do we get compensation for land devaluation;<br>• money spent on water infrastructure to provide water supplies for the orchard, and<br>• reduced annual Shire rates for having the land under vegetation?<br><br>We want our land to be recognised as priority agriculture, acknowledging the premium soil types and water resources which make it a viable food producing property. | The submitter is incorrect in stating that approval for dams can only come from DWER. As is the case in many rural local government areas, approval is required both for the taking of water from the environment (obtained from DWER) and the physical construction of the dam (which is development and hence controlled under the *Planning and Development Act 2005* by way of Local Planning Schemes.<br><br>**Land Clearing**<br>The submitter is incorrect in stating that clearing permits can only be issued by DWER. Clearing is "development: and hence can be controlled under the *Planning and Development Act 2005* by way of Local Planning Schemes. | **Dams**<br>No changes are required as a direct result of this submission<br><br>**Land Clearing**<br>No changes are required as a direct result of this submission |

# SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | Please see below concerns and objections to proposed LPS No. | | |

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| ¤ | ¤ | Development·Approval·(DA).·This·is·adding·red·tape·and·bureaucracy.¶<br>In·addition,·if·we·have·a·pre-·approved·development·for·a·vineyard·and·decide·to·replace·that·with·an·olive·grove,·this·should·not·require·another·a·DA.·**If·the·scheme·is·reducing·red·tape·for·urban·developments,·it·should·also·reduce·red·tape¶ for·agricultural·developments.**¤ |
| Cl50.·Dams¤ | (1)· All·applications·for·development·approval·for·dams·which·seek·to:¶<br>(a)·reduce·or·are·likely·to·reduce·the·natural·flow·of·any·creek·or·watercourse;¶<br>or¶<br>(b)·direct·any·storm·water,·other·water·or·liquid·from·any·source·to·any·creek,·watercourse·or·wetland,¶<br>will·only·be·permitted·where·it·can·be·demonstrated,·to·the·satisfaction·of·the·local·government,·that·there·will·be·no·adverse·impacts·on·the·creek,·watercourse·or·wetland·and/or·environment·of·the·area·within·which·the·development·is·proposed¶<br>(3)·The·local·government·may·impose·a·condition·requiring·the·installation·of·a·low·flow·bypass·to·a·dam·to·ensure·environmental·flows·are·maintained·within·the·catchment.¶<br>(4)·The·local·government·may·impose·a·condition·requiring·the·area·surrounding·any·approved·dam·to·be·vegetated·with·endemic¶<br>species·in·order·that·it·can·perform·a·habitat·function.¤ | This·is·DWER's·responsibility·and·can·only·be·conditioned·under·RiWI·Act·1914,·which·is·the·primary·legislation·for·water·resources.¶<br>This·clause·should·simply·state·"any·application·for·a·dam·requires·approval·or·exemption·from·DWER"¶<br>Unnecessary·legislative·overlap·increasing·red·tape.¤ |
| Cl·51.¶<br>Watercourses·and·wetlands¤ | (1)·Development·shall·be·setback·100m·from·a·watercourse·or·wetland·identified·by¶<br>the·'Environmental·Assets·Map'·contained·in·the·Local·Planning·Strategy·where¤ | We·strongly·disagree·with·the·Environmental·Assets·Mapping,·particularly·the·"Environmental·Corridor·Map"·which·is·based·on·cadastral·boundaries·rather·than·vegetation·complexes.·This·is¶<br>prejudicial·to·existing·cleared¤ |

# SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | ¤ \| outside·of·the·Residential·Zone,·or·as·otherwise·determined·in·consultation·with·the·Department·of·Water·and·Environmental·Regulation.¤ \| freehold·land·currently·used·for·agricultural·purposes.¶ We·have·37%·of·our·property·retained·with·native·vegetation·(in·addition·to·bordering·State·Forest·and·UCL)·and·this·scheme·will·require·us·to·revegetate·and·lose·more·arable·land,·as·a·**penalty**·for·trying·to·grow·a·higher·value·and·more·productive·crop·per·Ha·than·our·current·landuse?¶ The·EAM·mapping·far·exceeds·DWER·"Clearing·Regulations·–·Environmentally·Sensitive·Areas"·mapping,·Landgate·–·Locate·V5?·***Who·developed·the·EAM?***¶ ¶ The·100m·buffer·is·also·excessive·given·DWER·Water·Quality·Protection·Note·6·–·Buffers·to·sensitive·water·resources,·states·a·100m·buffer·from·Public·Drinking·Water·Supply·"Reservoir·protection·Zone",·not·an·intermittently·or·temporary·flowing·watercourse!·The·100m·buffer·essentially·prohibits·us·from·diversifying·from·stock·and·pasture·to·any·intensive·agriculture·without·having·to·spend·significant·additional·money·to·revegetate·land,·lose·productive·land·and·increase·our·fire·risk·rating.¶ The·scheme·is·effectively·punishing·agricultural·land·users·who·want·to·improve·their·land·and·productivity,·and·provide·food·for·the·local·and·state·community.¶ Sustainable·orchards·use·less·nutrient·and·chemicals·than·broadacre·farming·by·incorporating·Integrated·Pest·Management·to·prevent·insecticide·use·and·increased·organic·matter·to·reduce·nutrients·application.¶ **What·is·the·justification·for·this·100m·buffer?**¤ |<br>Cl53.¶ Environmental¤ \| (1)·All·land·clearing·requires·the·prior·development·approval·of·the·local¤ \| This·is·the·responsibility·of·DWER·under·EP·Act,·which·is·the·primary·legislation·for¤ | | |

# SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | Protection – Land Clearing¤ \| government, with the exception of the following:¤ \| environmental protection and land clearing.¶ This clause should simply state that "any development requiring clearing of native vegetation requires a clearing permit or exemption from DWER". **Unnecessary legislative¶ overlap increasing red tape.¤**<br>Cl79. Rural Zone Requirements¤ \| (5) Intensive agricultural uses shall be setback 100 metres from a boundary or subject¶ to compliance with clause 51, reduced to 20m where 10 metres of the setback area¶ is densely landscaped to mitigate against spray drift.¶ (6) Intensive agricultural uses shall be setback 100 metres from the Margaret, Blackwood and Scot Rivers and Hardy Inlet or 30 metres from any natural water course that flows intermittently. These may be reduced, provided that a suitably wide foreshore buffer is fenced and rehabilitated with endemic species. The minimum width of any such buffer shall be 10m either side of the watercourse or areas of seasonal inundation.¤ \| Again the 100m trigger is unjustified and has no scientific backing.¶ Following best management spray application is more effective at minimising spray drift, farmers don't spray chemicals unless conditions are correct or they are wasting money.¶ The Shire should not impose conditions to revegetate boundaries which increases fire risk and damage to fence lines from falling trees and limbs.¶ The shire claims this buffer is to prevent spray drift, however, it purely increases fire risk and ignores the fact farmers in this state are some of the most efficient in the world.¶ It appears these buffers are related to the Shire focussing more on urban development that agricultural development.¶ Creating vegetative buffers appear to "future proof" potential Rural Residential and Urban hamlets within existing priority agriculture areas.¶ ¶ The new scheme wording also removed the wording in the current scheme¶ Where, "it is mutually agreed between adjoining landowners that reduced or no setbacks of this kind are required, the local government may agree to waive or reduce the requirements of this clause"¤<br>¶ | | |
| 680. I534270 | **Submission Subject:** All properties within the Shire. | SW Hydrology provides the following comments to the proposed scheme based on reducing red-tape that currently exists. State government agencies have the primary legislative responsibility to manage the States water resources and environment. | See response to Submission 405.<br><br>The submitter is under the mistaken understanding that the protection of vegetation and water resources is not a matter which ought to be dealt with by a Local Planning Scheme. The *Planning and Development Act 2005* specifically empowers schemes to deal with : | See response to Submission 405 |

# SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | See table below | *The conservation of the natural environment of the scheme area including the protection of natural resources, the preservation of trees, vegetation and other flora and fauna, and the maintenance of ecological processes and genetic diversity; and*<br>*The conservation of water.* | |

| Reference | LPS 2 Proposed text | Submission |
|---|---|---|
| Part 3 | Amalgamating Priority Agriculture and General Agriculture into a Rural zone | Amalgamating Priority Agriculture and General Agriculture into a Rural zone devalues the importance of quality farmland and its value for the community. Current WAPC approvals for subdivision or land use change within a Priority Agriculture area and required to demonstrate suitable water supplies and soil types to enable subdivision.<br>The current scheme requires additional setbacks and buffers for already approved landuse which will compromise existing landowners' area of arable land that was pre-approved by WAPC.<br>How this be handled? |
| Table 2 – Page 13 – Rural | *To maintain and enhance the environmental qualities of the landscape, vegetation, soils and water bodies, to protect sensitive areas especially the natural valley and watercourse systems from damage.* | This is **duplication** of existing state legislation and adds an additional layer of red-tape.<br>Department of Water and Environmental Regulation (DWER) are the state government agency responsible for managing these resources. |
| Table 3 – Agriculture Extensive/Intensive | *Permitted* | If a land use is classed as permitted within the Land Zoning Table it should not require Development Approval (DA). This is adding red tape and bureaucracy.<br>In addition, if a landowner plant's an orchard of vines and later changes that orchard to olives, this should not require a new DA, if the footprint of the existing approved landuse has not changed. |

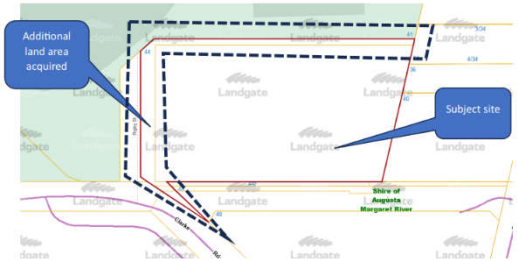
# SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | Cl50. Dams<br>(1) All applications for development approval for dams which seek to;<br>(a) reduce or are likely to reduce the natural flow of any creek or watercourse;<br>or<br>(b) direct any storm water, other water or liquid from any source to any creek, watercourse or wetland,<br>will only be permitted where it can be demonstrated, to the satisfaction of the local government, that there will be no adverse impacts on the creek, watercourse or wetland and/or environment of the area within which the development is proposed<br>(3) The local government may impose a condition requiring the installation of a low flow bypass to a dam to ensure environmental flows are maintained within the catchment.<br>(4) The local government may impose a condition requiring the area surrounding any approved dam to be vegetated with endemic species in order that it can perform a habitat function.<br>This is DWER's responsibility and should only be conditioned under RiWI Act, the primary legislation for water resources within this State.<br>This clause should simply state that "any application for a dam requires approval or exemption from DWER"<br>Cl 51<br>Watercourses and wetlands<br>(1) Development shall be setback 100m from a watercourse or wetland identified by the 'Environmental Assets Map' contained in the Local Planning Strategy where outside of the Residential Zone, or as otherwise determined in consultation with the Department of Water and Environmental Regulation.<br>A 100m buffer far exceeds DWER Water Quality Protection Note 6 – Buffers to sensitive water resources, unless the development is "within a Water Reservoir Protection Zone".<br>How was this buffer established?<br>A 100m buffer will result in most rural properties being unable to establish an orchard or intensive agricultural pursuit without spending significant additional money to revegetate land that is already arable, then losing viable feed for livestock.<br>Surely this should be based on soil types and crops proposed to be grown!<br>Blanket buffers are not realistic or readily accepted by landowners! | | |

# SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | ¤ ¤ What·policy,·guideline·or·checklist·will·be·used·to·determine·the·adequacy·of·any·potential·impact·from·a·landuse·and·it's·appropriate·setback?¤<br>Cl53.¶ Environmental·Protection·–·Land·Clearing¤ (1)·All·land·clearing·requires·the·prior·development·approval·of·the·local·government,·with·the·exception·of·the·following:¤ DWER·is·responsible·for·this·under·EP·Act,·the·primary·legislation·for·environmental·protection·and·land·clearing·within·the·State.¶ This·clause·should·simply·state·"any·development·that·requires·clearing·of·native·vegetation·requires·a·clearing·permit·or·exemption·from·DWER".· **Unnecessary·legislative¶ overlap·increasing·red·tape.**¤<br>Cl79.·Rural·Zone·Requirements¤ (5)·Intensive·agricultural·uses·shall·be·setback·100·metres·from·a·boundary·or·subject¶ to·compliance·with·clause·51,·reduced·to·20m·where·10·metres·of·the·setback·area¶ is·densely·landscaped·to·mitigate·against·spray·drift.¶ (6)·Intensive·agricultural·uses·shall·be·setback·100·metres·from·the·Margaret,· Blackwood·and·Scot·Rivers·and·Hardy·Inlet·or·30·metres·from·any·natural·water·course·that·flows·intermittently.·These·may·be·reduced,·provided·that·a·suitably·wide·foreshore·buffer·is·fenced·and·rehabilitated·with·endemic·species.·The·minimum·width·of·any·such·buffer·shall·be·10m·either·side·of·the·watercourse·or¶ areas·of·seasonal·inundation.¤ Following·best·management·spray·and·nutrient·application·is·more·effective·at·minimising·spray·drift·and·nutrient·leaching·than·arbitrary·buffers.·There·are·situations·where·buffers·are·required,·however,·this·should·not·be·mandated!¶ What·policy,·guideline·or·checklist·will·be·used·to·determine·the·adequacy·of·this·requirement?¶ This·clause·has·removed·the·wording·in·the·current·scheme·where·"if·mutually·agreed·between·adjoining·landowners·that·reduced·or·no·setbacks·of·this·kind·are·required,·the·local·government·may·agree·to·waive·or·reduce·the·requirements·of·this·clause"!¤ | | |
| 681.<br>I534271 | **Submission Subject:** Lot 107 Station Road, Margaret River | • Halsall and Associates have been engaged by the landowners of the above property, being the Margaret River Caravan Park, Margaret River ('the site') to prepare this submission on the Draft Local Planning Scheme No.2 ('Draft Scheme'). The lot is currently identified as 'Caravan Park' use and accommodates an established tourism accommodation development that has been in operation for many years.<br>• It should be noted that the landowner has acquired additional land area to that currently shown on the zone mapping under the DLPS No.2 as evident in the | Mapping should be amended to ensure that zoning is applied to additional land that has been amalgamated with the subject lot since the draft Scheme was first prepared. | Extend the 'Tourism' zoning of Lot 107 Station Road to include the whole of the lot. |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | Landgate snapshot below at Figure 2 – Figure 2- Excerpt from Landgate – Lot 107 Station Road, Margaret River<br>  <br>• It is respectfully requested that the mapping be modified to reflect this land acquirement and applicable zoning under the mapping associated with the proposed Tourism 'T29' zoning designation. | | |
| 682. I534272 | **Submission Subject:** Strata Lots 5962 Caves Road, Margaret River | 1. Reside at 5962 Caves Road. Its important that if the zoning of this site is changed to Rural Residential, then short stay must be expressly prohibited through the Scheme or Policy.<br>2. Reason is that the owners have access to a large of stretch of the Margaret River Foreshore reserve and we manage this as owners, often not well enough.<br>3. There is erosion and weed issues and visual issues even without 3rd parties (short stay guests) accessing the river.<br>4. Concerned the adequate foreshore management will not be possible if short stay is permitted in our subdivision because its very difficult to access. | At present a 'Holiday House' is a use which is specifically allowed by the Scheme in the area of concern to the submitter by way of (A54).<br><br>Similarly, Holiday Houses in the Rural Residential zone are possible. It is noted however that this development has strata rules in place which prevent holiday homes. The DMIRS have advised that where such rules are in place, holiday homes will not be able to achieve registration on the (at the times of writing) new state government holiday home registry. | No changes are required as a direct result of this submission |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| 682.<br>I534272 | **Submission Subject:** Lot 101 Kilcarnup Road, Burnside | 1. This privately owned site contains an unregistered Aboriginal Heritage site which is currently used by the Webb Family and has a long history. In the early 1900s it was called Tinkertown.<br>2. Shire of AMR used to conduct Aboriginal Heritage training in the 2000s and would take employees to the site (myself included).<br>3. Its is incredibly environmentally and culturally sensitive and yet it is in private ownership, owned by a property development company.<br>4. Proposed the affected portion of the site be rezoned to parks and recreation. | A change to the zoning of the land in a way which extinguishes all development potential could give rise to a claim for injurious affection for which the Shire would be liable. There is no doubt that any future development proposed for this site will need to be carefully managed and this will necessitate close liaison with Indigenous custodians.<br>However, for the reason given, a rezoning to Parks and Recreation is not supported. | No changes are required as a direct result of this submission |
| 683.<br>I534276 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>1. Believe those that are from WA tend to take mostly untouched nature in this area for granted.<br>2. Gnarabup is at its capacity as it is.<br>3. Further development especially to those with just money as their interest, will eliminate the invaluable presence of raw, untouched nature in the area.<br>4. Please think of our future generations in terms of their survival.<br>5. Do not add to this with further development of the area. We need to rest and rejuvenate, not continuously grow.<br>6. Understand the long term value of this place rather than your short-term one lifetime development. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | 7. Not a lot of places in the world that allow us to stay in touch with nature. | | |
| 684.<br>I534280 | **Submission Subject:** Lot 501 Wooditch Road, Margaret River | Harley Dykstra is a long-established town planning consultancy firm within the South West and has been engaged by Murray Horak to prepare the following submission on the Draft Shire of August Margaret River Local Planning Scheme No. 2 (Draft LPS 2). This submission relates to Lot 501 (on Deposited Plan 26357) Wooditch Rd, Margaret River. In summary we confirm that we request some modifications, especially in relation to allowing for better ongoing management of this land parcel. We note that existing Local Planning Scheme No. 1 (LPS 1) shows Lot 501 to be zoned 'General Agriculture'. The lot is also contained within 'Restricted Use 3 (RU3)' under LPS 1 . Within LPS 1 the conditions of R3 State that no development is permitted other than passive recreational facilities. LPS 1 also acknowledges that the: "*Objective of the area… is to ensure the conservation of the natural environment to safeguard against uses of the land that could damage or destroy the ecological, scenic or recreational values and ensure harmony with adjoining rural, rural residential and tourist development.*"<br><br>We note that no fundamental changes are proposed to the zoning of Lot 501. Draft LPS 2 shows the land zoned a 'Rural' and also within 'Restricted Use 1 (R1)'. Within Draft LPS 2 the conditions of R1 State that | When the subject lot was created, the clear intention was for it to remain undeveloped in the interests of the protection of the environment. However, it appears that little thought was applied to who might own the land and how they might use/manage it. Ordinary, land ush as this would be ceded to the Crown as a reserve (as a condition of implementing the surrounding subdivision) or covenanted/suitably zoned and limited in its development potential to (for example) one dwelling.<br><br>In order to assist the landowner address the ongoing management issues being experienced it is proposed to:<br>Rezone the land to the 'Environmental Conservation Zone'; and<br>Add 'dwelling' to the list of restricted uses, in order to enable a small caretakers dwelling to be established on the land. | Change the zoning of Lot 501 Wooditch Road from 'Rural' to 'Environmental Conservation'<br><br>Add to the Restricted Use column of Schedule 2 as it relates to 'R1' – 'Single House'<br><br>Remove Condition 2 from the Conditions column and replace with:<br>"*The maximum size of any dwelling is to be 150m$^2$. The dwelling is to be located in such a way as to minimise disturbance of native vegetation."* |

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| | | the use of the land is for passive recreational facilities only and that: "*Conditions may be imposed on any approval which ensure the conservation of the natural environment and safeguard against uses of the land that could damage or destroy the ecological, scenic or recreational values and ensure harmony with adjoining rural, rural residential and tourist development.*" The conservation intent for the land is therefore clear. However, the current (LPS 1) and proposed (Draft LPS 2) restrictions for Lot 501 appear to be too restrictive. There are ongoing management issues for Lot 501. Issues of concern include (but are not limited to):<br>• Illegal camping, where tourists/ backpackers stay onsite without permission;<br>• Dumping of waste and rubbish onsite; and<br>• Fire management upkeep and maintenance.<br><br>These issues have been ongoing for many years. A recent fire on the property has only assisted in highlighting this.<br><br>We request that limited development be permitted to occur on Lot 501 for the purpose of onsite security and management. This could be in the form of a dwelling or caretaker residence. This outcome would benefit the subject land as well as the surrounding development and | | |

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| | | assist in meeting the objectives of LPS 1 and Draft LPS 2 (as quoted above). The improvement in onsite security and management would help to ensure the conservation of the natural environment onsite by increasing safeguards against (illegal) uses of the land that could damage or destroy the ecological, scenic or recreational values. The outcome would also in this way (and through good fire management practices) improve the locality overall and have a positive impact on the adjoining rural, rural residential and tourist development. For the above reasons we therefore request that in 'Schedule 2- Restricted Uses' of Draft LPS 2, for 'No. R1' the restricted use column include the use 'Single Dwelling', and which could include conditions relating to the manager/ caretaking purpose. At the same time we would request that condition 2 relating to R1 (in Schedule 2- Restricted Uses) be removed or reworded. Condition 2 in Draft LPS 2 currently States, "*Fencing is prohibited*." However, fencing would/ could play an important role for site security and management including assisting with restricting access for illegal campers and those dumping rubbish etc. We therefore request that condition 2 be deleted or reworded to State that suitable fencing is permitted in appropriate locations to improve site management. | | |

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| | | **Conclusion** The ongoing management of Lot 501 is an issue and allowance for a manager/ caretaker residence onsite as well as fencing will assist in ensuring the conservation values of the site and the amenity of the wider locality are better protected. We trust the above submission appropriately articulates the position of our client on the Draft Local Planning Scheme No. 2 as presented for public advertising. Should you wish to discuss any aspect of the above or wish to meet, please do not hesitate to contact the undersigned. | | |
| 685. I534282 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.** | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | No changes are required as a direct result of this submission |
| 686. I534285 | **Submission Subject:** Environmental Impacts - Witchcliffe | **Refer to Submission No. 87 above.** | See response to Submission 87. | See response to Submission 87. |
| 687. I534286 | **Submission Subject:** General Submission – various subjects | **1. Augusta Town Centre: Throughout**<br>We do not agree with any of the re-zoning of the previous town centre, despite any | **1. Augusta Town Centre: Throughout** | **1. Augusta Town Centre: Throughout** |

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| | | alignment with the planning strategy – changes which do not appear to have been adequately consulted with advocacy groups. Historic planning practices have gradually whittled the town centre by default, to an area which does not have room to grow to service our future population plus the nearby hamlets of Kudardup and Karridale. The civic precinct should be linked strongly with the town centre through mixed use development which encourages elements of commercial / retail, and medium density accommodation up to R60. Along Allnut Terrace and Ewing st, properties in the vicinity of the intersection with Ellis st, commercial / community development should be encouraged where the opportunity arises. Lower-medium density housing development should be discouraged. Refer to Figure 1 for proposed changes.<br><br>**2. All riverside and oceanside property in Augusta, Kudardup and East Augusta**<br>ACDA submits to propose the area of Greater Augusta* to be a Dark Sky Zone, and apply a dark sky policy in line with the principles as outlined in the "Dark sky and astrotourism Position Statement" published by WAPC and supported by DPLH. This dark sky policy should be applied to all new development wherever practicable and in line with legislation. | Given the extent of consultation undertaken with ACDA and members of the Augusta community relative to the Local Planning Strategy, the comments regarding a lack of consultation are surprising and rejected.<br><br>Historic planning practices have increased (not reduced) the size of the Augusta town centre to the determinant of a consolidated, vibrant centre and will continue to stifle much needed medium density housing if not changed.<br><br>See responses 4 through to 8.<br><br>**2. All riverside and oceanside property in Augusta, Kudardup and East Augusta**<br>The recommendations of the Dark Sky and Astro-tourism Position Statement as they apply to planning schemes only apply within 20km of an observatory.<br><br>**3. All riverside and oceanside property in Augusta, Kudardup and East Augusta**<br>The landscape protection map does not form part of the Scheme and hence cannot be changed via this process. | See responses 3 through to 8.<br><br>**2. All riverside and oceanside property in Augusta, Kudardup and East Augusta**<br>No changes are required as a direct result of this submission<br><br>**3. All riverside and oceanside property in Augusta, Kudardup and East Augusta**<br>No changes are required as a direct result of this submission<br><br>**4. Augusta CWA Hall / 45 Allnut Terrace**<br>See response to Submission 11.<br><br>**5. Augusta Anglican Church / 47 Allnut Terrace**<br>See response to Submission 11.<br><br>**6. Changed Ewing Street properties**<br>Change density code applicable to Lots 100, 101, 50-55 Ewing Street and Lots |

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| | | Further, we request the Council and Shire to undertake a review of all currently approved structure plans in the Greater Augusta area to incorporate this policy. All areas in the township of Augusta outside the area zoned town centre / neighbourhood centre should be reviewed with a view to reduce current lighting and its impact on the environment and amenity.<br><br>*Greater Augusta: from Cape Leeuwin to the South, to northern Karridale to the North, Hamelin Bay to the West and Scott River boundary with Nannup Shire to the East.<br><br>**3. All riverside and oceanside property in Augusta, Kudardup and East Augusta**<br>ACDA submits to either incorporate all properties fronting the river or ocean, to the "Landscape Protection" map or by alternate means, include protections of an equivalent to the amenity and environmental protection of native vegetation in these areas, and to promote native gardening in sympathy with the surrounds, taking into consideration the river and ocean are significant viewpoints both from a community and tourism perspective. Refer to Figure 2.<br>**4. Augusta CWA Hall / 45 Allnut Terrace**<br>Given the proximity to the civic precinct, Matthew Flinders shopping centre and with through-access to Blackwood Avenue, | **4. Augusta CWA Hall / 45 Allnut Terrace**<br>The town Centre zoning currently in place for this lot and surrounding lots on Allnut Terrace has not been utilised by owners and in fact has been a barrier to owners wishing to pursue purely residential development. Given that the Town is adequately serviced with commercial land and given that that the current zoning is preventing much needed medium density housing, it is proposed to zone this site Residential with an R40 density code.<br><br>**5. Augusta Anglican Church / 47 Allnut Terrace**<br>See response to 4 above.<br><br>**6. Changed Ewing Street properties**<br>Given the location of these lots, it would be appropriate for the residential density to be increased to R40 to allow urban infill in close proximity to the Augusta tow centre<br><br>**7. Properties on Blackwood / Stirling / Ewing Street**<br>The owners of these properties have not given their support for their land to be changed from Neighbourhood Centre to residential. | 56, 79 and 2 Green Street from R15 to R40.<br><br>**7. Properties on Blackwood / Stirling / Ewing Street**<br>No changes are required as a direct result of this submission<br><br>**8. 2/4/6/8 Ellis Street, Augusta**<br>No changes are required as a direct result of this submission<br><br>**9. Residential properties throughout the Shire**<br>No changes are required as a direct result of this submission.<br><br>**10. Rural / Agricultural Land**<br>No changes are required as a direct result of this submission<br><br>**11.Rural Zoning – Zoning Table**<br>No changes are required as a direct result of this submission |

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| | | the Anglican Church site should have a neighbourhood centre zoning with mixed use allocation. Refer to Figure 1.<br><br>**5. Augusta Anglican Church / 47 Allnut Terrace**<br>Given the proximity to the civic precinct, Matthew Flinders shopping centre and with through-access to Blackwood Avenue, the Anglican Church site should have a neighbourhood centre zoning with mixed use allocation. Refer to Figure 1.<br><br>**6. Changed Ewing Street properties**<br>To provide a transition from town centre to higher density housing and low key commercial use such as café, community use, medical suite, home business etc, properties on the westerly (uphill) side of Ewing Street, on the southern side of Stirling St, and fronting Blackwood Avenue should either be zoned NC (mixed use) or R60. Refer to Figure 1.<br><br>**7. Properties on Blackwood / Stirling / Ewing Street**<br>To provide a transition from residential to town centre, on a hill unsuitable for commercial use and disconnected from the commerce of the hotel, ACDA submits these properties should be zoned R15, with permission of the owners, in keeping with neighbouring properties.<br><br>**8. 2/4/6/8 Ellis Street, Augusta** | **8. 2/4/6/8 Ellis Street, Augusta**<br>The owners of these properties have not given their support for their land to be changed from Neighbourhood Centre to residential.<br><br>**9. Residential properties throughout the Shire**<br>ACDA's suggestion is impractical, inequitable and would put the Scheme in direct conflict with State Planning Policies the Building Code and the Bushfire Commissioners risk treatment standards.<br>Whilst the Shire endeavours to protect vegetation via the planning system wherever possible, the broader planning building and bushfire frameworks currently consider that the removal of some vegetation in order to use a lot for its intended purpose is a legitimate expectation for landowners to have.<br><br>**10. Rural / Agricultural Land**<br>Support for Subdivision requirements of LPS2 are noted.<br><br>**11. Rural Zoning – Zoning Table**<br>The submitters request is not consistent with the landuses included in the Model Scheme Text which the Shire are required to use. | **12. Rural Zoning – Zoning Table**<br>Change Winery from a 'P' use to an 'A' use at Table 3 – Zoning Table.<br><br>**13. Rural Zoning – Zoning Table**<br>No changes are required as a direct result of this submission<br><br>**14. Rural /Agricultural Throughout**<br>No changes are required as a direct result of this submission<br><br>**15. Rural Residential Land**<br>No changes are required as a direct result of this submission<br><br>**16. Environmental Conservation**<br>No changes are required as a direct result of this submission<br><br>**17. Land previously earmarked for expansion of Augusta Light Industrial Area** |

# SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | To provide a transition from residential to town centre, on a hill unsuitable for commercial use and disconnected from the commerce of the hotel, ACDA submits these properties should be zoned R15, with permission of the owners, in keeping with neighbouring properties.<br><br>**9. Residential properties throughout the Shire**<br>In recent times, a proliferation of clearing blocks for new-build accommodation has occurred in order to easily meet BAL requirements. ACDA submits a general opposition of clearing of native vegetation be put in place, including where the purpose is to achieve a lower BAL. Development must either meet the required BAL with minimal clearing, or not occur. Furthermore, ACDA requests Council and Shire to investigate potential options for alleviating risk to homes and lives by recognition of other mitigating means such as fire suppression, certified fire bunkers, fire retardant / resistant plantings, etc. It is noted that the majority of houses destroyed by fires are started by ember attacked from fires not adjacent to the house, so clearing vegetation does not necessarily mitigate the risk. Furthermore, ACDA encourages the Council and Shire to actively lobby state and federal politics to find a solution which achieves risk reduction with less cost to the environment. | The Shire has not had any experience where legitimate agricultural uses did not fit within use classes such as intensive/extensive agriculture.<br><br>**12. Rural Zoning – Zoning Table**<br>Wineries are a legitimate use of agricultural land. Change from a 'P' use to and 'A' use, however would allow for consultation to occur which is a reasonable response.<br><br>**13. Rural Zoning – Zoning Table**<br>Reception Centre's often cause issues in rural settings and need to be carefully controlled from the perspective of noise and nuisance to surrounding neighbours and farming operations and in terms of the extent to which they are complimentary and ancillary to the predominant agricultural use.<br><br>**14. Rural /Agricultural Throughout**<br>This is not a matter which the Scheme can control. However, as an aside, the Shire have been involved with a State Government led initiative to examine the demand for basic raw materials and howe they may be sourced/replaced in the future to ensure supply meets demand | No changes are required as a direct result of this submission<br><br>**18. Lot 1271 – block north of Fisher / Molloy CP**<br>See response to Submission 66.<br><br>**19. Donovan Street Bushland - Lots 531586, 11694355 and 2002**<br>See response to Submission 66.<br><br>**20. Lots 390, 375 and 378 (East Augusta Timber Reserve – collective lot 18644.**<br>Change the zoning from Public Purpose to Environmental Conservation.<br><br>**21. Lot 1491 (Gimbel reserve)**<br>No changes are required as a direct result of this submission<br><br>**22. Lot 4385 (Greenhill Road reserve)** |

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| | | **10. Rural / Agricultural Land**<br>ACDA wholly supports the preservation of current rural / agricultural land and DOES NOT in any way support further approval of subdivision of this land for housing development. In particular, any further subdivision / development of current rural / agricultural land between Augusta and Karridale on either side of Bussell Highway is strongly opposed. This land should be kept to buffer Augusta from urban spread and maintain its rural amenity. Subdivision of rural lots smaller than the current minimum is opposed, including for "family reasons", due to the ongoing nature of this issue.<br><br>**11. Rural Zoning – Zoning Table** ACDA submits the Scheme should include individual definitions regarding Industry - Primary Production. The proposed Local Planning scheme No. 2 currently shows land use class Industry - Primary Production as "D" in Rural zones, meaning that the use is not permitted unless the local government has exercised its discretion by granting development approval.<br>The definition of Industry - Primary Production means premises used -<br>a) to carry out a primary production business as that term is defined in the income Tax Assessment Act 1997 (Commonwealth) section 995.1; or | without compromising the environment.<br><br>**15. Rural Residential Land**<br>Noted.<br><br>**16. Environmental Conservation**<br>All zoning changes have been the subject of consultation however, zones (including Environmental Conservation) are not supported in all cases by owners.<br><br>**17. Land previously earmarked for expansion of Augusta Light Industrial Area**<br>The Shire have not received any enquiries with regard to the provision of industrial land in Augusta from either businesses looking to locate their or landowners seeking an opportunity to provide lots. The slow uptake of industrial land in Cowaramup and the high cost and hence slow release of land in Margaret River gives an indication of viability using towns with higher populations (and hence need) as examples.<br><br>**18. Lot 1271 – block north of Fisher / Molloy CP**<br>See response to Submission 66. | No changes are required as a direct result of this submission<br><br>**23. Lot 497 (Albany Terrace wetland)**<br>No changes are required as a direct result of this submission<br><br>**24. All Shire Reserves and UCL**<br>No changes are required as a direct result of this submission<br><br>**25. Tourism**<br>No changes are required as a direct result of this submission<br><br>**26. Seine Bay Apts**<br>No changes are required as a direct result of this submission<br><br>**27. Alouarn Apts**<br>No changes are required as a direct result of this submission<br><br>**28. Aged Care Accommodation** |

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| | | b) for a workshop servicing plant or equipment used in primary production businesses.<br>According to the Income Tax Assessment Act 1997, the definition of Primary production includes “maintaining animals for the purpose of selling them or their bodily produce (including natural increase)”.<br>As currently drafted, the Scheme could allow a loophole to deny some types of Farming in rural areas. Whilst the "other Agriculture land use" allowances may negate the effect of the Primary Production exclusion, the opposite could also apply where it is argued that the Primary Production exclusion negates the agriculture allowances.<br>ACDA submits Primary Production should be indicated as "P - Permitted" under the Rural Land zoning in Table 3 - Zoning Table, or otherwise re-define Industry - Primary Production in the Scheme to better meet the Shire's intention.<br><br>**12. Rural Zoning – Zoning Table**<br>ACDA submits that "Winery" should not be a generally permitted use on rural land. Vineyards and associated wineries have the potential to significantly impact the environment and the character of a rural area, including through copious water use, clearing to facilitate vines, and establishment of winery facilities more suited to a tourism site. We submit “Winery" | **19. Donovan Street Bushland - Lots 531586, 11694355 and 2002**<br>See response to Submission 66.<br><br>**20. Lots 390, 375 and 378 (East Augusta Timber Reserve – collective lot 18644**<br>This reserve is vested in the Shire for the purposes ‘Timber for Road Board’ which is obviously no longer relevant. Environmental Conservation would be an appropriate zone.<br><br>**21. Lot 1491 (Gimbel reserve)**<br>This reserve is vested in the Shire for the purposes of ‘Camping and Recreation’. Therefore ‘Public Open Space’ is an appropriate zone.<br><br>**22. Lot 4385 (Greenhill Road reserve)**<br>This reserve is vested with the Shire for the purposes of ‘Gravel’. Until/unless that use is permanently discontinued, ‘Public Purpose’ remains an appropriate zone.<br><br>**23. Lot 497 (Albany Terrace wetland)**<br>A change to the zone as requested by the submitter would not prevent residential use of the subject lots which were created for that purpose. | No changes are required as a direct result of this submission<br><br>**29. Market**<br>See response to 4 above.<br><br>**30. Section 49: Tree Farms**<br>No changes are required as a direct result of this submission<br><br>**31. Section 53: Environmental Protection, Land Clearing**<br>No changes are required as a direct result of this submission<br><br>**32. Section 59: Telecommunication Infrastructure**<br>Delete Clause 59.<br><br>**33. Section 62: Coastal Erosion and Inundation Risk**<br>No changes are required as a direct result of this submission<br><br>**34. Section 64: Holiday Houses**<br>See response to (25) |

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| | | should be allocated an "A" symbol, requiring a permit with advertising.<br>**13. Rural Zoning – Zoning Table**<br>ACDA submits that "Reception Centre" is a relatively low-key activity which can successfully occur in rural settings complementary to agricultural pursuits. We submit "Reception Centre" should be allocated an "A" symbol, requiring a permit with advertising.<br><br>**14. Rural /Agricultural Throughout**<br>ACDA submits that the current level of development in our Shire is promoting unsustainable use of Basic Raw Materials, and requests Council and Shire to investigate potential options for encouraging designs and developments which minimise the use of BRM and climate heavy materials such as concrete and bitumen, by some way of 'discounting' other design elements such as density where a proven demonstration of reduction can be made. As an aside, it is noted that a large proportion of the Shire's BRM deposits are being trucked outside the Shire, this combined with large-scale developments such as the Bunbury Outer Ring Road relying on supplies from nearby Bunbury and Busselton, places increasing pressure on local earthmovers to source BRM, creating unsustainable practices and pricing. ACDA requests Council / Shire to investigate the potential introduction of a condition to extractive industry permits | **24. All Shire Reserves and UCL**<br>So far as is possible, the Shire has attempted to apply zoning to reserves which reflects the purpose for which the reserve was vested.<br><br>**25. Tourism**<br>This is a matter which is controlled via Local Planning Policy and not the Scheme.<br><br>**26. Seine Bay Apts**<br>This development has an approval in place which allows for both residential and short stay use. This has been discussed in detail with owners.<br><br>**27. Alouarn Apts**<br>Despite its Tourism zoning, the provisions of the Scheme (see T18) allow for dual use for residential purposes.<br><br>**28. Aged Care Accommodation**<br>Augusta contains significant areas of land pin which aged care housing could be built. Importantly this includes land zoned 'Urban Development' and not just Residential. If at any point, a proposal comes forward which would reply on rezoning land, this can be considered at the time inclusive of | **35. Section 69: Sustainable Housing**<br>No changes are required as a direct result of this submission<br><br>**36. Section 69: Sustainable Housing**<br>No changes are required as a direct result of this submission<br><br>**37. Section 70 (7) (b)**<br>No changes are required as a direct result of this submission |

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| | | imposing a percentage of BRM be allocated to local-only use, or similar measure to preserve our local supplies.<br><br>**15. Rural Residential Land**<br>At this point in time, ACDA does not support subdivision or rezoning to higher density any of the rural residential zoned lots on the outer skirts of Augusta, and does not support any reduction in the minimum rural residential lot size.<br><br>**16. Environmental Conservation**<br>We agree with all the re-zoning to conservation where it has been explicitly consented by the owner, and respectfully query whether this is the case.<br><br>**17. Land previously earmarked for expansion of Augusta Light Industrial Area**<br>The land previously earmarked for expansion of the Augusta Light Industrial Area should rightfully be re-zoned to protect the strong conservation values of that land, however the current LIA is full and no longer has the option to clear land. We request council and Shire to investigate options for an allotment of land and associated zoning to facilitate light industrial development and support the servicing of our town and surrounds. Alternatively, land could be identified in Karridale to provide same. | consultation with surrounding landowners.<br><br>**29. Market**<br>See response to 4 above.<br><br>**30. Section 49: Tree Farms**<br>Clause 49 provides robust controls relating to tree farms. The Shire recognise the importance of plantation timber to the building industry and would not be prepared to prohibit (in an absolute sense) plantation timbers.<br><br>**31. Section 53: Environmental Protection, Land Clearing**<br>An exemption from the need to obtain approval under the EPA Act does not automatically provide an exemption from the need for development approval.<br>**32. Section 59: Telecommunication Infrastructure**<br>Clause 59 is not a 'model' clause and is superfluous. It should be deleted.<br><br>**33. Section 62: Coastal**<br>Erosion and Inundation Risk<br>The Shire are reviewing its CHRMAP to inform decision making in areas susceptible to inundation. Based on the information at hand a the time the draft Scheme was | |

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| | | ACDA submits the land north of the Molloy caravan park / north side of Fisher Road, should not be changed from a rural zone to Tourism, but instead be zoned Environmental Conservation. The site has obvious conservation value and any low-key / low impact tourism type activities which may be suitable at that site are allowed under the Environmental Conservation zone. ACDA does not support the development of this site except at the already-cleared BRM take area.<br><br>**18. Lot 1271 – block north of Fisher / Molloy CP**<br>ACDA submits the land north of the Molloy caravan park / north side of Fisher road, should not be changed from a rural zone to Tourism, but instead be zoned Environmental Conservation. The site has obvious conservation value and any low-key / low impact tourism type activities which may be suitable at that site are allowed under the Environmental Conservation zone. ACDA does<br>not support the development of this site except at the already-cleared BRM take area<br><br>**19. Donovan Street Bushland - Lots 531586, 11694355 and 2002**<br>ACDA submits the land known as "Donovan Street Bushland", a known biodiversity hotspot subject to numerous | prepared, the Shire sought to limit subdivision of lots by reducing density codes in some susceptible areas however this was not supported by the WAPC.<br><br>**34. Section 64: Holiday Houses**<br>See response to (25)<br><br>**35. Section 69: Sustainable Housing**<br>There are substantial incentives existing within the Residential Design Codes which relate to 'aged and dependant persons dwellings'.<br><br>**36. Section 69: Sustainable Housing**<br>Noted.<br><br>**37. Section 70 (7) (b)**<br>The Shire has been careful not to increase the size of ancillary dwellings to that which could be considered a 'dwelling' given that doing so would make approval by the WAPC unlikely. | |

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| | | environmental investigations demonstrating its significance, should be re-zoned to Environmental Conservation.<br><br>**20. Lots 390, 375 and 378 (East Augusta Timber Reserve – collective lot 18644**<br>ACDA submits the land known as "East Augusta Timber Reserve" with obvious conservation value, should be re-zoned to Environmental Conservation.<br><br>**21. Lot 1491 (Gimbel reserve)**<br><br>ACDA submits the land known as "Gimbel Reserve" with obvious conservation value and wetland habitat, should be re-zoned to Environmental Conservation. Refer to Figure 2 - along with the Greenhill Road reserve (refer to item 22) this land could contribute to an environmental corridor and treated as an Environmental Asset.<br><br>**22. Lot 4385 (Greenhill Road reserve)**<br>ACDA submits the Greenhill Road Reserve should be re-zoned to Environmental Conservation. Refer to Figure 1 - along with the Gimbel reserve (refer to item 21) this land could contribute to an environmental corridor and treated as an Environmental Asset. It is noted that previous efforts to rehabilitate this land have been unsuccessful, and this could be addressed, not least by the removal of Shire rubbish, and cessation of this land use, | | |

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| | | which promotes the land as being used as a dumping ground by unauthorised persons.<br><br>**23. Lot 497 (Albany Terrace wetland)**<br>ACDA submits the only remaining wetland reserve in the Albany Terrace subdivision should be zoned Environmental Conservation in an effort to preserve some of the only remaining riparian wetland in that area.<br>ACDA submits that all vegetated Shire Reserves and UCL which are in the Greater Augusta Area should be re-zoned to Environmental Conservation, which does not prohibit for low-key, unobtrusive recreation or tourism and community facilities.<br><br>**24. All Shire Reserves and UCL**<br>ACDA submits that all vegetated Shire Reserves and UCL which are in the Greater Augusta Area should be re-zoned to Environmental Conservation, which does not prohibit for low-key, unobtrusive recreation or tourism and community facilities.<br><br>**25. Tourism**<br>Whilst Augusta has a strong tourism trade, accommodation properties such as apartments and units should not be allocated to the tourism zone, which diminishes the supply of suitable downsize accommodation for our ageing community | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | to enable us to age-in-place and stay in Augusta. ACDA sees no benefit for the community by unnecessarily restricting permanent residents in these allotments, and sees the Holiday House / permitting system as being adequate for this purpose, if applied in line with the relevant strata management plan. Furthermore, a "no tourism / no holiday house" zone has not been introduced, which would potentially be more appropriate for Augusta, to promote permanent residential community areas. We request the Council and Shire to consider how this could be introduced to the Scheme.<br><br>**26. Seine Bay Apts**<br>ACDA sees no benefit for the community by unnecessarily restricting permanent residents in these allotments, and sees the Holiday House / permitting system as being adequate for this purpose, if applied in line with the relevant strata management plan.<br><br>**27. Alouarn Apts**<br>ACDA sees no benefit for the community by unnecessarily restricting permanent residents in these allotments, and sees the Holiday House / permitting system as being adequate for this purpose, if applied in line with the relevant strata management plan<br><br>**28. Aged Care Accommodation** | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | ACDA feels limiting aged care accommodation to only within residential areas is unnecessarily restrictive. We must be creative regarding alternative accommodation arrangements if we want the best for our loved ones and our future selves. For example, some existing Chalet properties would take little to convert to suitable aged care accommodation, providing a far more enjoyable outlook than most of the residential areas of sufficient size to build such a facility. We submit allocating either "I" or "D" in the zoning table to Rural Residential, Neighbourhood Centre, Tourism and Rural.<br><br>**29. Market**<br>The proposed rezoning of almost half of Augusta's town centre to residential, key properties which are suitable for markets such as the CWA Hall, the Anglican and Uniting Church properties would not permit markets at these suitable spaces. We refer to our comment 1 - to retain our town centre.<br><br>**30. Section 49: Tree Farms**<br>ACDA submits the limitations included in the 'tree farms' section do not extend far enough to suggest prohibition or limitation of tree farms in the vicinity of the Shire's caves, or other tree farms, which significantly impact groundwater. Furthermore, guidance regarding prohibition or limitation of specific species of | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | plantation trees which permanently change the ecology of soil or can cause significant changes to groundwater (e.g. blue gums or pines) should be incorporated.<br><br>**31. Section 53: Environmental Protection, Land Clearing**<br>Note there are exemptions for clearing on private land, "Clearing limited to five hectares a year (limited clearing exemptions) Environmental Protection Act 1986" - please refer to exemptions, most recently outlined in Native Vegetation Fact Sheet 9. Suggest "unless otherwise exempted" or similar be added to Section 53.<br><br>**32. Section 59: Telecommunication Infrastructure**<br>It is noted that the "Telecommunications Act 1997 (Commonwealth) and the Telecommunications Low Impact Facilities Determination 1997" was repealed on 2 March 2018. ACDA submits that all telecommunications infrastructure should require development approval and the related exclusion should be removed.<br><br>**33. Section 62: Coastal Erosion and Inundation Risk**<br>It is not clear how a subdivision and development can both comply with the provisions of State Planning Policy 2.6 - State Coastal Planning Policy yet somehow be approved on a lot which is identified as | | |

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| | | subject to coastal erosion and/or inundation over the next 100 years. This should be clarified to ensure developments are not approved which may cause the Shire to be exposed to litigation associated with later foreseeable effects. Furthermore, ACDA suggests Council / Shire investigate Assets such as Roads and Buildings which are currently located within these potential erosion / inundation areas, and consider development of planned obsolescence of these assets, or re-routing / redevelopment of these assets such that the risk is reduced as far as practicable for the projected life of the asset.<br><br>**34. Section 64: Holiday Houses**<br>Refer to previous comment (25) - consider the provision of a zoning where holiday house permits are not allowed. Over-zealous commercial use of dwellings to provide short-term accommodation appears to be leading to a reduction in all types of rental accommodation for longer term residents and workers. This has a knock-on effect to the character of the Shire's townships and hamlets, and has led to weak year-round business. Whilst this style of accommodation is important to have as part of a mix, its dominance is eroding Augusta and leading to "ghost" areas where very few people live permanently. This has a knock-on detrimental effect to the community feel, safety and belonging, | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | particularly for those who are alone at the "pointy end of life". An alternative suggestion would be to cap the number or percentage of properties allowed in allocated areas to have holiday house permits, with a waiting list in place.<br><br>**35. Section 69: Sustainable Housing**<br>With reference to sustainable design item 11, "At least one dwelling is fully accessible suitable for independent living (Platinum standard – Liveable Housing Australia)." - ACDA requests a review of how this can be incentivised for Augusta (or whole of Shire), e.g. count for double contribution, allow build on smaller lot sizes (in line with 'discount' applied for over-55 only housing).<br>**36. Section 69: Sustainable Housing**<br>With reference to Item 14, designs which minimise the use of BRM. Sustainable housing elements should rightly include elements addressing materials selection and their sustainability, taking into consideration provenance, prevalence and promoting sustainable practices.<br><br>**37. Section 70 (7) (b)**<br>Ancillary dwellings should be able to be of a size which can comfortably house a family - ACDA submits 120m2 may be too small in that regard, and could be better aligned with the size of a chalet, being 150m2<br><br>**38. Section 82 Special Control Areas** | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | With reference to Item 3, where extension of the landscape protection map to encompass riverside and oceanside properties is considered non-practicable, ACDA proposes a new Special Control Area be designed to protect the areas indicated in Figure 3 in a manner which protects and promotes native vegetation, and prohibits non-environmentally sensitive features such as artificial turf. | | |
| 688. I534295 | **Submission Subject:** 680 (Lot 1) Treeton Road, Cowaramup | • Clause 51 - Watercourses and Wetland The ability to force landholders to set back from, fence off, rehabilitate and cede 100 meters from a waterway for ANY development proposal is absolutely excessive and unreasonable. The desire to protect waterways and water quality is one thing but this is large amounts of land and with expectations of costly revegetation too. The land further down the valley profile is generally the best quality soils and most productive from a pasture point of view and watered annual summer crop. I am for protecting waterways and preventing or at least heavily minimising eutrophication and have myself fenced a lot of the waterway on my property and surrounding family member properties with assistance from Geocatch and will be doing more in the future, but I strongly object to the Draft scheme with such a large land area having the potential to be put out of production. | See response to Submission 405. | See response to Submission 405. |

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| | | If this proposal/clause is about protecting the environment, it should be also considered that the land next to the waterways is highly productive in most cases, with better water use efficiency for any irrigated annual crops due to the quality of soil and natural prolonged moisture retention into the summer and is capable of growing crops such as hemp going into the future, something that is positively regarded for its environmental benefits, not to mention the simple longer season pasture grazing that such land provides which is substantially better for the environment than grain feeding livestock in summer, My property has approximately 1.5 kilometres of waterway through it, so to take this to the extreme, that would equate to a potential 30 hectares of land being ceded on a -/4 hectare property! This clause does not strike a balance between environmental protection/enhancement and the other aims of the Scheme of ensuring protection for rural land for agricultural purposes and food security (9j).<br>• Clause 53 Environmental Protection *Land Clearing Should this not be left with the Department of Water and Environmental Regulation as it is covered there and save on cost, time and red tape!?<br>• Environmental Assets | | |

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| | | My property is including in the proposed Environmental Assets Mapping, I presume for the purpose of Environmental l/Wildlife Corridors. I am against this. I feel it has the potential to work as a pseudo environmental conservation zoning<br>The strength of environmental protection that exists on all land should be ample enough to sensibly protect ALL environmental assets in the Shire. Again this falls to Department of Water and Environmental Regulation - don't double up and create red tape. If it is deemed that something like wildlife corridors, for example, can and should be enhanced in some places, with involvement on and from private landowners, the government (probably at State level) should come, with a bag of money, and see what projects can be done to support this. The responsibility and cost should not be put onto some private landowners through this kind of sub zoning resulting in heavier restriction and disadvantage to the individual by making it harder to get developments authorised.<br>• Clause 50 – Dams<br>Again, it appears that there is overlap with Department of Water and Environmental Regulation, is this necessary? Should this simply be passed to them and save red tape? so (s) (if this was to stay in the shires | | |

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| | | jurisdiction) Imposing conditions that require the area around a new dam to be vegetated - this needs clarifying as to how wide an area (kept to a few metres really to serve the purpose, otherwise again eating too much into highly productive land) and restricted to only one side of the dam and to dams of a certain large size, so as to allow small dams that may require future access for cleaning out, as well as allowing for netting to keep water foul out in the situation of high quality water being required for things such as wineries and dairies.<br>**Part 3 - Amalgamating Priority Agriculture and General Agriculture into a Rural Zone**<br>I would like to see my block and the wider district recognised as Priority Agriculture going forward, to acknowledge the quality soils, topography, water resources and overall quality food producing ability and its importance to the community. I'm third generation on this particular piece of land, and more broadly, with my family we produce several products that are recognised locally, nationally and internationally as high quality and contribute to the good reputation of the area, with product contributions to tourist attracting things such as the Gourmet Escape to mention something small, as well as the employment we create both directly and via the local businesses we engage | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | with, please be very careful not to over burden us with red tape and excessive land/waterway restrictions etc. moving forward, as we continue to improve and evolve our farming practices for sustainability, productivity and profitability. | | |
| 689. I534296 | **Submission Subject:** Environmental Matters - Witchcliffe | **Refer to Submission No. 87 above.**<br><br>**Additional Points:**<br>I am writing to express my deep concern about the impacts development and rezoning is having in Witchcliffe.<br>As a business owner here I welcome visitors and understand Witchcliffe's desirability, which benefits my business. But I am concerned that Witchcliffe is being irrevocably harmed. Forests are being cleared, roads widened, and flora & fauna threatened and destroyed.<br><br>In particular I am VERY concerned about the threat to the tree locals know as Grandmother Marri. I named my shop in honour of this magnificent old growth tree, an iconic tree and do not wish to see it destroyed in the name of 'progress', nor do I wish to see the charm of our town ruined by over ambitious planning and see the environment destroyed in the process.<br><br>It is unthinkable that with the driest hottest summer on record, the shire should be considering removing ANY trees, or creating new roads that threaten tree's survival, such as in the case of | See response to Submission 87. | See response to Submission 87. |

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| | | Grandmother Marri tree. Land clearing is the biggest contributing factor to fall in rainfall and species decline. | | |
| 690. I534297 | **Submission Subject:** Lot 541 Caves Road, Burnside | Subject site is zoned Leeuwin Naturaliste Ridge Landscape Amenity under Local Planning Scheme No. 1 with Restricted Use No. 11 applicable. The Restricted Use zoning application was introduced via detailed Scheme Amendment process which involved very specific planning considerations to the site and was supported by technical reports. Restricted Use No. 11 also applies to the adjoining Lot 540.<br><br>Importantly, under the Scheme, the development is to accord with an endorsed Development Guide Plan which formed part of Amendment 189 of Revoked Scheme 11 and this provides guidance on the location of numerous development opportunities clearly identified for the site. The guide plan incorporates a building envelope which is highly relevant to the site given the intended disbursement of development provided by the Scheme and the application of a covenant to areas outside the envelope.<br><br>Importantly, uses permitted include dwelling, including outbuildings, ancillary dwelling, home occupation, bed & breakfast, art & craft studio / workshop maximum 500m2 gross floor area and individual / combined art & craft studios | The addition of 'Art Gallery' rather than 'Exhibition Centre' as sought by the submitter, would be an appropriate use of the site, given the extensive scope the site already has for the production of art.<br><br>The use "Bed and Breakfast' could be removed given that clause 61 (2) (i) makes clear that this use does not need development approval.<br><br>Reference to Industry Light should be changed to "Industry Cottage' and the words "in the form of a Cottage Industry" deleted. | Replace the entry in the 'Restricted Use' Column applicable to 'RU6' Lot 541 in Schedule 2 with the following:<br>Lot 541<br>•Dwelling (including associated outbuildings) (P)<br>•Ancillary Dwelling (A)<br>•Home Occupation (A)<br>•Industry–Cottage limited to an art and craft studio (A) (maximum 500 square metres gross floor area)<br>• Industry – Cottage limited to an<br>Art and Craft Studio(s) (A) (maximum 5 studios of 70 square metres each gross floor area)<br>• Art Gallery (A) |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | maximum 5 studios at 7m2 each gross floor area It is noted that the current Scheme did not permit retail sales of product manufactured because at the time of the original amendment, the comments of Main Roads with respect to suitable access has not been confirmed.<br><br>Many other provisions in the current Scheme guide future subdivision which already occurred to create Lot 540 & 541 and other typical guidelines for future development generally typical toa location such as this within the Leeuwin Naturaliste Landscape Amenity Zone.<br><br>500sqm workshop is already built. The owners of the property have the intention of acting further on the current zoning in the near future and given their recent sale of a gallery elsewhere and establishment of further/studios would be an excellent addition to the rural tourism experiences available on Caves Road within the Shire.<br><br>It is noted that the site located immediately adjacent to the Dilkes Hoffman Studio which is a ceramic gallery opened in 1991 focussing on high quality pottery sculpture and moulded ceramics. The Dilkes/Hoffman for this objective is immediately to the north.<br><br>Owners of Lot 541 have been in negotiations with Dilkes / Hoffman and have | | |

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| | | the neighbours agree to Bennett / Pairs establishing a new entry that would support commercial sales. Main Roads have agreed to a new access at the junction of the two lots for the purposes of retail use. Support is provided rom Main Roads.<br><br>Under Draft Scheme No. 2 the subject site (Lot 541) is proposed to be zoned Environmental Conversation Zone and Restricted Use 6 and Additional Site Requirements Asr1.<br><br>The ASR1 allocation is inconsistent with the current Scheme and the Leeuwin Naturaliste Ridge State Planning Policy. The subject land is actually zoned Ridge Landscape Amenity Zone and included within the Ridge Landscape Amenity area under the LNRSPP. As such, the subject site and the lot to the south should be likewise within the ASR2 area.<br><br>Under the Draft Scheme text, Restricted Use 6 is relevant to the site and permits the same uses as the current Scheme.<br><br>**It is requested that an additional use of Exhibition Centre 'A' be added on the basis** that the site ideally located to provide for retail sales of art & crafts produced on site alongside the adjoining Dilkes / Hoffman studio to the north via a driveway access supported by Main Roads WA. This objective was tacitly supported by Shire | | |

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| | | staff in a meeting prior to the making of this submission. It would be logical to allow sales from such a notable production facility with several onsite studios.<br><br>Another important observation / objection and request made for a change to Draft Scheme No. 2 relates to the lack of reference to development to accord with the endorsed Development Guide Plan forming part of Amendment 189 to revoke Scheme No. 11. The current Development Guide Plan also incorporates an appropriate and highly relevant building envelope which was justified to suit the development. The Draft Scheme removes the relevance of this building envelope therefore deferring to a smaller envelope which would not be suitable to accommodate the development that the Scheme would provide for adequately.<br><br>Its requested that provisions relevant to the site at Restricted Use 6 make reference to the relevance of the Development Guide Plan moving forward and the relevant Building Envelope. This building envelope and other aspects of the plan may be considered best references via a reference under Schedule 7 and ADS notification on the Scheme maps. In any case the relevance of this plan needs to be included. The site has been the subject of a Conservation Covenant, and this applies to bushland outside this envelope which again | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | provides strong justification to maintain the relevance of this Guide Plan moving forward. Similar to the existing Scheme a condition could also ensure that all development is located within the relevant Building Envelope. A condition could also require access to the lot shall be constructed and maintained to the satisfaction of Main Roads WA.<br><br>**Summary**<br>The subject site has been clearly identified under the current Scheme and future Scheme as an important art & craft studio hub and the previously developed Guide Plan and envelope identified for the site is an important previous Local Planning Assessment Guidelines which was informed by detailed technical assessment and this should be carried forward to provide clear guidance for the use of the land. This may be determined as best fit in Schedule 7.<br><br>Site has been supported by Main Roads and Neighbours to provide the opportunity for retail sales from a new crossover point and the possibility for this to occur would be a significant benefit to the area similar to the Dilkes / Hoffman Studio to the north. As such the use of Exhibition Centre (A) should be added to the Restricted Use 6. | | |

# SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | The site should be allocated the ASR2 classification given that it is currently zoned Ridge Landscape Amenity.<br><br>The changes proposed will provide clear guidance moving forward otherwise the current Building envelope will be lost and will make the use of the site as is the intention under the current Scheme very difficult to achieve. The larger Building Envelope and previous planning regime is important to the site.<br><br>The owners of the site 'JahRoc' aim to elaborate and currently operates a highly successful arts based retail destination and the artist studio program has been highly successful. This site offers an opportunity for art enthusiasts to access artists studios with clustering allowing for some economy of scale on retail sales and a central gallery space where they can work and engage with the public. This will result in provision of an excellent outlet for art & craft in an appropriate location on Caves Road near Margaret River.<br><br>The benefits of a gallery like this on Caves Road and demonstrated in the area. This includes Boranup Gallery and also Yallingup Gallery which are both Caves Road and the success of those two arts destinations. There is also a gallery at Cherabino winery and there are several smaller pottery and art studio / galleries | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | along Caves Road. Aart is commonly sold at wineries and cellar doors on Caves Road.<br><br>The added advantage of this site would be that there would be practising artists onsite that visitors can engage with. With Boranup Gallery's workshop now closed and the imminent closure of the Gallery, this site would be important in terms of Margaret River continuing to be an important Arts and Crafts destination in the southwest. | | |
| 691. I534298 & I534520 | **Submission Subject:** Agricultural Zone | I do not agree with the change of Priority Agriculture to rural on the grounds that agriculture is so important to Australia and our region and should be protected and not be impeded at all costs so therefore priority agriculture zoning should stay in place.<br><br>Priority agriculture over rules environmental conservation, and environmental conservation over rules rural. Other Shire e.g. Nannup have rejected this change.<br><br>Setbacks and buffers are unworkable and an overreach on private property and should not be implemented. | Agricultural issues are comprehensively addressed at Submission 405.<br><br>The word 'Crown' does appear in any of the existing zones as per LPS1. Therefore there is no capacity for the word to be removed. A change to the zoning, in any event, does not change the ownership of the land.<br><br>Matters pertaining to protection of vegetation and the significant tree register are addressed at submission 87. | **Agricultural issues**<br>See response to Submission 405.<br><br>**'Crown'**<br>No changes are required as a direct result of this submission<br><br>**Vegetation Protection**<br>See response to Submission 87. |

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## Local Planning Scheme No. 2

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| | | The shire needs to tidy their own road reserves of weeds: thistles, black berry, Watsonias, arum Lillys plus more before telling farmers to tidy there paddocks.<br><br>The word Crown should not be removed from zoning as under the Commonwealth (peoples wealth)1901 constitution it means that crown land is the peoples.<br><br>Cluster housing on farms should be changed to allow farmers second or Additional dwellings away from the main dwelling for workers and family.<br><br>Witchcliffe's crown land reserves should stay as that and not be changes to public open space.<br><br>Significant tree register should be enforced and used properly.<br><br>Small business and light industrial area for Witchcliffe is important and should be included so Witchcliffe can grow and flourish without being reliant on Margaret River.<br><br>Future subdivisions should be made to protect native trees for future generations and fauna, a farmer can't touch a native tree then a developer buys the farm land , then the shire and other stake holders allow native trees to be removed. | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| 692. I534299 & I534521 | **Submission Subject:** Agricultural Zone | **Refer to Submission No. 691 above.** | See response to Submission 691. | See response to Submission 691 |
| 693. I534301 | **Submission Subject:** Lots 32, 33, 57, 58 & 59 Bussell Highway, Margaret River (No. 167, 169, 171, 173 & 175) | We have been engaged by the owners of the above sites (Ray Clarke, Kathy McGowan, Robyn Brown and Maitland Lothian) to prepare this submission requesting a change to the Draft Local Planning Scheme No. 2 to increase the Residential Density Coding of the above lots to Residential R30/40. This is a co-joint submission made following discussions with Matthew Cuthbert at the Shire of Augusta Margaret River in which the issue was raised and a suggestion that a co-joint approach would be made with respect to this submission. As a result of this, a consideration of the other lots in the vicinity and what would make up a logical group of lots / landowners to make a submission was then considered. It was noted from a review of current Local Planning Scheme No. 1 that lots fronting Bussell Highway from Bovell Avenue in the south, northwards to the boundary of the Margaret River Primary School are currently zoned Residential R15 and under the Draft Local Planning Scheme No. 2, this zoning density is continued.<br><br>It is noted however, that lots between Henning Avenue and Bovell Avenue to the south fronting Bussell Highway all have | Agree with submission. Given the location of the 5 lots and the fact that they form a logical precinct, and also given that the zoning requested is identical to the zoning of adjoining land to the west, it is recommended that this change could be facilitated without the need for further consultation. The fact that two of the 5 lots are located on a corner means that driveways to new lots could be located on the Walkington Avenue in order to reduce conflict with the busier Bussel Highway. | Apply the R30/40 density to Lots 32, 33, 57, 58 & 59 Bussell Highway, Margaret River. |

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| | | either been developed with a duplex or have duplex potential under the current Residential R15 density. No. 177 Bussell Highway (corner Henning Avenue) is a large lot (2197m2) and occupied by the Kingdom Hall for the Margaret River Jehovah's Witness congregation. This therefore likely indicates an unlikely motivation for a change of zoning of that land given the recent establishment of this church premises. This leaves lots (the subject of this submission) to the north facing Bussell Highway more reasonably worthy of consideration for a change in density from R15, however it is noted that No. 165 Bussell Highway (the most northern lot) is occupied for a substantial dwelling and there is limited scope for intensification. For this reason, this landowner has not been contacted. The characteristics of the lots are provided in the aerial photograph below. | | |

# SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | |  <br>It is important to note that the housing stock on lots 32 & 33 and 57, 58 and 59 are relatively old but not heritage listed. This presents that these sites have potential for redevelopment and an increase in density to R30/40 would make sense in this location for the following reasons:<br>• The Local Planning Strategy (LPS) identifies the land as Residential and there is no differentiation on the Local Strategy Map with respect to density codings. Some increase in density opportunities have been provided under the Draft Scheme which are not specifically identified in the LPS and therefore indicates there is scope for consideration of increased density under LPS. The Local Planning Strategy also States at page 21 under the | | |

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| | | heading 'Conventional Infill' that *'Conventional infill approaches will continue to be supported to promote consolidation of inner residential areas as: Maintaining the Shire's split R-coding system as a method of promoting infill for higher sustainable design standard and* o *Investigating changes to this model to facilitate improvements to the existing dwelling and bring about service extensions (development can proceed at higher density to offset costs of service extensions) The key barriers to all infill approaches discussed above are listed as follows:*<br><br>*Gaps in servicing within the existing Residential areas of the Shire. Previously, connection to reticulated sewerage and district Drainage has been a prerequisite to development. A combination of service extension and alternative site based Drainage approaches will be considered to encourage infill development;*<br>• *The timing of the delivery of the Village Centre in Rapids Landing The Shire will work with the proponent to facilitate early delivery to compliment growth of the area, minimise car dependence.*<br>The Local Planning Strategy also makes references to challenges with respect to affordability and making sure that houses are located within reasonable proximity to retail / recreation and employment opportunities and this will enhance the use | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | of non-motorised forms of transport and meeting servicing gaps which create a constraint to infill development.<br>The proposed adjustment should be supported for the following reasons :<br>• The proposed zoning change to Residential R30/40 is completely consistent with the Statements in the Local Planning Strategy and as explained below will certainly provide for a gap in service extension which currently exists and this is actually inhibiting existing land zoned Residential R30/40 in Walkington Avenue from being developed.<br>• The subject lots are consolidated and provides the opportunity for many dwellings to be established with access direct from Walkington Avenue with only limited entry points additional to Bussell Highway which could be easily managed in this low speed (40 kmph) wide road frontage configuration.<br>• Subject lots at a zoning of R15 does not provide for any infill development potential. This does therefore not provide any incentive to extend the sewer services in the area. A review of the map below indicates the location of sewerage and if density increases were provided, particularly for the subject lots, this would provide impetus and feasibility for an extension of this main to occur northwards and then potentially eastwards into Walkington Avenue. This is currently inhibiting subdivision and development in the western end of Walkington Ave. | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | The subject lots are within easy walking distance of the Town Centre and public schools including primary, secondary and tertiary schools.<br><br>Whilst additional housing in this location adjacent to Bussell Highway would promote some additional traffic movement it would be legible to expect that many trips to and from the subject sites would be via pedestrian or bicycle movement given the absolute convenience of the sites being almost immediate to the Town Centre of Margaret River. All of the lots are within 320 metres of the main street commercial area. The lots are also within easy reach of the Civic Precinct at Gloucester Park by foot or bicycle and other recreational spaces.<br>• The existing office at No. 171 (Lot 59) cnr Bussell Highway & Walkington Avenue is a non-conforming use.<br>• The increase in density to R30/40 would be consistent with the density to the east and south in the Walkington Avenue, Henning Avenue & Bovell Avenue areas.<br>• There are no significant environmental features that affect redevelopment of the land in question. There are limited native trees in situ and the sustainable provisions applicable at the R30/40 density allow for due consideration to be given to these aspects when lots are redeveloped.<br>• The lots are ideally located as good as others that are already zoned at R30/40 to provide affordable housing living close to | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | the Town Centre of Margaret River and particularly educational campuses.<br>• Maintenance of the sites as Single Residential would be a less desirable outcome for the long term given the current age of housing stock. It is therefore respectfully requested that the subject lots be up-coded to Residential R30/40 under Draft Local Planning Scheme No. 2. | | |
| 694.<br>I534302 | **Submission Subject:** Lot 1, 3, 5 and 6 (No. 13571, 13575, 13599 and 13619) Bussell Highway, Augusta | This submission is made on behalf of the owners of the above 4 lots (Victor Lin - Lot 1), Mike Doherty & Chris Higham et al (Lot 3) and John South and Mark Harris (Lots 5 & 6). See lots indicated below.<br>All of these landowners have reviewed the Draft, Scheme and object to the intentions of the Scheme with respect to the zoning of their land on the basis that it is inconsistent with the Shire's Local Planning Strategy particularly but also on the basis that the Draft, Scheme will change the focus unfavourably of the zoning and opportunities for the land. It is requested that the zoning of the land be modified to Tourism under Draft, Local Planning Scheme No. 2 as this would be:<br>• Consistent with the Local Planning Strategy<br>• Reflect the current zoning opportunities available more reasonably.<br>• Would provide opportunities for development of a tourism nature to take advantage of showcasing the natural environs which was always the intention stemming back to earlier Scheme 19, Local | See response to Submission 24.<br><br>Interestingly, the former CandC zone contains many provisions which speak to the importance of maintaining the environment which the submitter otherwise objects to as a broader principle.<br><br>**Environmental Assets Map**<br>See Response to Submission 422. | No changes are required as a direct result of this submission<br><br>**Environmental Assets Map**<br>See Response to Submission 422. |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | Planning Scheme No. 1 and obviously ratified by the Local Planning Strategy<br>• There are certainly suitable areas for tourist development within the subject lots Economic benefits can be experienced for Augusta with the provision of tourism experience in this locality and with the experien.al opportunity that Westbay offers<br>• There is nothing to suggest that servicing cannot be adequately provided<br>• The proposed zoning of the land for Environmental Conservation is not consistent with strategic planning for the area.<br>• Opportunities currently available will be lost, values will be affected and property owners will be disadvantaged Some of the owners have requested that we indicate that they would pursue compensation if the zoning was not reasonably amended to provide tourism and other use opportuni.es at least consistent with those already available.<br>**Background to the Submission**<br>The location of the subject lots is evident at Figure 1 below and this clearly indicates the lots are afforded frontage to the West Bay system which is a highly aCrac.ve environ for tourism uses with outlook across the waterway to the Leeuwin Naturaliste National Park and Reserve areas. There are a number of interes.ng ac.vi.es already fron.ng the West Bay including West Bay Caravan Park, Blackwood River Houseboats and Augusta Yacht Club. | | |

# SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
|---|---|---|---|---|
| | | There are also several boat launching opportuni.es established around the foreshore providing for aquatic services to occur including from some of the proper.es and particularly the West Bay Caravan Park, Blackwood River Houseboats and Augusta Yacht Club. West Bay is a navigable waterway which connects to the Hardy inlet and therefore is an important protected recreation area. The characteristics of the area are evident in the aerial photographs x 2 below.<br><br>  | | |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | |  <br>The current zoning of the land under Local Planning Scheme No. 1 is Chalet & Camping.<br>The provisions that relate to the Chalet & Camping Zone presently are as follows. Clause 4.2.3.3 Chalet & Camping Zone *'Purpose of the Chalet & Camping Zone To establish various forms of low impact tourist development capable of being combined with other uses having a minimal impact upon the existing amenity and landscape character of the land. Objective of the Chalet & Camping Zone a. To provide for sustainable low impact tourist development that is of a high standard in term of design and amenity, and which is sympathetic to and integrated with the rural and / or natural attributes of the surrounding area so as to ensure that all land uses and development: i. Have a minimal adverse impact on the ecological and landscape values of the land and the environmental qualities of the locality and ii. Are of a high standard in terms of design and amenity and which are* | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | *sympathetic to and integrate with the natural landscape attributes of the surrounding area'* Low impact tourist development is defined as: *'Is development predominantly of a tourist nature that has been designed in such a manner that it does not detract from the rural and natural amenity of the locality, and includes the following criteria: a. Development being located so as to avoid ridgelines, escarpments or visually exposed sites and situated where screening, vegetation or land form can be utilised b. Use and development being sensitively located and designed to minimise impact on vegetation, watercourses, soil quality and existing land uses c. Development being of a scale and nature so as to self-sustaining on the lot or demonstrating the ability to provide servicing without significant modifications to existing infrastructure*<br><br>*Development that by the nature of its scale, design, colours, materials, landscaping and use has minimal impact on the site and surrounding areas and e. Where the land use and any development has a minimal offsite consequence'*<br>The Table 1 – Zoning Table outlines the uses that are permissible within the Chalet & Camping Zone and this includes the following:<br><br>**Residential Uses** | | |

# SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | | |

| | |
|---|---|
| Single House | D |
| Caretakers Dwelling | D |
| Residential Building | A |
| Home Business | A |
| Home Occupation | A |
| Home Office | P |

**Tourism Uses**

| | |
|---|---|
| Bed & Breakfast | D |
| Camping Ground | P |
| Caravan Park | D |
| Chalet | P |
| Guesthouse | D |
| Holiday House | A |

**Licenced Premises**

| | |
|---|---|
| Licenced Restaurant | A |
| Small Bar | A |
| Tavern | A |
| Winery | A |

**Commercial Uses**

| | |
|---|---|
| Café | D |
| Carpark | A |
| Place of Assembly | A |
| Convenience Store | A |
| Home Store | A |
| Market | A |
| Office | A |
| Restaurant | A |
| Shop | A |
| Industry - Cottage | A |

**Rural Uses**

Agriculture – extensive A

<table>
<tr><th>SUB-MISSION NO.</th><th>SUBMISSION SUBJECT</th><th>SUMMARY OF COMMENTS</th><th>OFFICER COMMENT</th><th>RECOMMENDATION</th></tr>
<tr><td></td><td></td><td>
Agriculture – intensive A<br>
Dam A<br>
Plantation A<br>
<table>
<tr><td>Rural Pursuit<br>Industry – Rural<br>Rural Store</td><td>A<br>A<br>D</td></tr>
<tr><td>Rural Produce Sales</td><td>D</td></tr>
</table>
Community Uses
<table>
<tr><td>Civic Use</td><td>A</td></tr>
<tr><td>Club Premises</td><td>A</td></tr>
<tr><td>Community Purpose<br>Exhibition Centre<br>Recreation (Private)</td><td>A<br>A<br>A</td></tr>
<tr><td>Telecommunications infrastructure</td><td></td></tr>
<tr><td>Zoological Gardens</td><td>A</td></tr>
</table>
<br>
Clause 4.19 refers specifically to clauses applicable to ‘Development in the Chalet & Camping Zone’. These clauses State the following: Insert clause 4.19.1 – 4.19.7<br>
4.19.1 The local government will only approve development within the Chalet and Camping Zone if it is satisfied that the development will—<br>
a. not adversely impact the environmental or landscape qualities of the locality;<br>
b. maximise the retention of any native vegetation on the site;<br>
c. be located to avoid ridgelines, escarpments or visually exposed sites when viewed from any adjoining public or private land or public roads and is situated to maximise screening of the development
</td><td></td><td></td></tr>
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| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
|---|---|---|---|---|
| | | *by vegetation and/or existing landform features;*<br>*d. be located to minimise any adverse impacts on existing native vegetation, watercourses, soil and existing adjacent land uses including agricultural land uses;*<br>*e. have a minimum setback of 100 metres from any adjoining State Reserve unless the local government, DEC and FESA are satisfied that the State Reserve or existing agricultural land use will not be adversely impacted by the proposal; and f. be of a scale and nature that will be sustainable on the lot by demonstrating that the development will not require any significant modification or up-grading of existing infrastructure including water, sewer, and road networks.*<br>*4.19.2 The density of development on land within the Chalet and Camping Zone shall not exceed 1 chalet/cabin or 2 guest house rooms per hectare or 10 caravan bays or camping sites per hectare, unless otherwise allowed for in the Scheme, subject to a maximum density of development on any one lot within this Zone of 10 chalets or cabins or 50 caravan bays or camping sites*<br><br>*4.19.3 The subdivision including strata titling of land for more than 10 chalets included within the Chalet and Camping Zone will only be supported by the local government where it can be demonstrated that the resultant lots will be capable of* | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | *being used in conformity with the purpose of the zone.*<br>*4.19.4 Proposals for offices in the Chalet and Camping Zone will only be considered where they are incidental to and support the approved tourism use on the site.*<br>*4.19.5 Tourism development shall include provision for an on-site manager.*<br>Importantly, this part of the Scheme makes reference to the density of the development that may be considered appropriate which includes 1 chalet / cabin or 2 guestrooms per hectare or 10 caravan bays or camping sites per hectare with a maximum of 10 chalets or 50 caravan bays or camping sites. The site is not referenced at Schedule 12 and therefore Clause 4.20.7 has no relevance under the current Scheme. There are other clauses within the Scheme that are generally relevant including consideration of development adjacent to foreshores, adjoining highways, size of chalets (restricted to 150m2), carparking requirements, building height, plot ratio, setback and site coverage, landscaping, bushfire management, land clearing, development relating to waterways, creeks and other watercourses etc. **Draft Local Planning Scheme No.2** Draft, Local Planning Scheme No. 2 identifies as falling within the Environmental Conservation Zone. An excerpt from the Draft, Scheme No. 2 map is provided below indicating this. | | |

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| | | The objectives of the Environmental Conservation Zone is outlined at Clause 16 (Table 2) of the Draft, Scheme and this States the following:<br><br>*'To identify land set aside for environmental conservation purposes.*<br>• *To provide for the preservation, maintenance, restoration or sustainable use of the natural environment'* The Draft, Scheme does not outline the purpose of the zone. It is important to note the landowners concern that the objectives of the zone that are now proposed to be within is markedly different in direction to the current zoning which is consistent with the Local Planning Strategy. That is, the current purpose and objectives of the zone are to establish low impact tourist development and to provide for sustainable low impact tourist development integrated with rural or natural attributes having minimal impact with high standards of design and amenity whereas the Draft, Scheme is making no mention of the purpose being to provide for tourist development. This presents that any proposal when assessed against the objectives of the zone, the land will no longer be considered to be important as an objec.ve for establishment of tourist development rather that the land is set aside for environmental conservation purposes and for preservation and maintenance of this. This change is objected to. The shorter list of uses | | |

<table>
<tr><th>SUB-MISSION NO.</th><th>SUBMISSION SUBJECT</th><th>SUMMARY OF COMMENTS</th><th>OFFICER COMMENT</th><th>RECOMMENDATION</th></tr>
<tr><td></td><td></td><td>permissible within the Environmental Conservation Zone are:<br>Residential Uses
<table>
<tr><td>Single House</td><td>P</td></tr>
<tr><td>Second Hand Dwelling</td><td>P</td></tr>
<tr><td>Repurposed Dwelling</td><td>P</td></tr>
<tr><td>Ancillary Dwelling</td><td>P</td></tr>
<tr><td>Home Business<br>Home Occupation<br>Home Office</td><td>A<br>D<br>P</td></tr>
</table>
Tourism Uses
<table>
<tr><td>Bed & Breakfast<br>Camping Ground</td><td>A<br>A</td></tr>
<tr><td>Holiday House<br>Holiday Accommodation</td><td>A<br>A</td></tr>
</table>
Licenced Premises<br>Nil<br>Commercial Uses<br>Commercial Vehicle Parking A<br>Industrial Uses<br>Nil<br>Rural Uses
<table>
<tr><td>Agriculture Extensive</td><td>A</td></tr>
<tr><td>Agriculture Intensive</td><td>A</td></tr>
<tr><td>Rural Home Business</td><td>D</td></tr>
</table>
Community Uses<br>Family Day Care A<br>It is evident when compared with the current Local Planning Scheme that there are quite a number of uses that are currently available under the Scheme which are lost under the proposed zoning. This particularly relates to uses of a tourism, licenced premises, commercial or value adding to rural nature.</td><td></td><td></td></tr>
</table>

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | Again this is objected to. Other parts of Draft Local Planning Scheme No. 2 of particular concern include Clause 53 – Environmental Protection and the relevant environmental assets map as it relates to the lots. It is noted at Clause 53 (6) and (7) that the importance of the Environmental Assets Map is introduced and indicates that proposals that have the potential to impact on such features identified in the maps are to be accompanied by proposed management mechanisms designed to avoid impact and to protect environmental features on the site. When an overlay of the Environmental Assets Map is reviewed as it relates to the subject lots, it is apparent that 5 environmental features apply including black cockatoo and western ringtail possum habitat identification, remnant vegetation, wetland system and creek lines. Whilst it is acknowledged that these environmental matters are important, the mapping makes assumptions which are not ground-trothed and therefore have the effect of potential impact on consideration of land use and development. This includes the fact that some of the vegetation on the land is identified as remnant and this may not be the case, and particularly the wetland extends into the lots in some respects over cleared farming land. The owner of lots 5 and 6 State that nearly all current trees have been planted as plantation for example. Imposition of such features on mapping relevant to the subject lots unless | | |

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| | | verified by scientific investigation is objected to. There is no justification for identifying all of the vegetation on site as remnant or as sections of the frontage of the land adjacent to West Bay as wetland. The wetland boundary extends too deeply into the lots as demonstrated below. This should be modified to match the actual waterway. This wetland allocation is objected to.<br><br>Clause 80 refers to Provisions Relevant to the Environmental Conservation Zone under the Draft Scheme No. 2. These clauses include the following:<br>*1. 'Development shall be sited and designed so as to minimise impact on rural character, amenity and the landscape elements of the locality and where applicable, not impact on any sensitive dune structures.*<br>*2. Development is to be confined to cleared areas. The removal of vegetation for access, provision of services and fire protection is to minimised wherever possible.*<br>*3. The Local Government may impose conditions on any Development Approval issued which require the proponent to rehabilitate cleared or degraded areas.*<br>*4. Where applicable development is to accord with any landscape plan, fire management plan, or findings of any geotechnical report undertaken to determine the suitability of the land to accommodate intended development* | | |

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| | | *Tourism development in the Environmental Conservation Zone*<br>*5. Tourism development is to meet the requirements of low impact tourist development as defined by the Scheme and*<br>*a. The number of chalets / cabins or guest house accommodation permitted on lots having an area of less than 20 hectares or where a Conservation Covenant applies shall not exceed 2 chalets / cabins or 4 guest rooms and*<br>*b. The number of chalets / cabins or guesthouse accommodation permitted on lots having areas greater than 20 hectares shall not exceed 6 chalets / cabins or 12 guest rooms; and*<br>*c. Shall include an onsite manager Subdivision in the Environmental Conservation Zone*<br>*6. Subdivision of land will be considered in accordance with Clause 62 – Additional Site & Development Requirements. Where a conservation subdivision incentive and restricted covenant has already been applied to the land, further subdivision will not be supported Agriculture in the Environmental Conservation Zone*<br>*7. No agricultural grazing shall be undertaken within vegetated or wetland areas and where such use occurs vegetated and wetland areas shall be fenced to prevent stock from entering these areas*<br>*8. Clearing to facilitate agricultural land uses will not be supported.'* These clauses | | |

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| | | provide different ratios of accommodation permissible within the Zone to those that are currently existing within the Chalet & Camping Zone. This has the effect of there being less opportunity for accommodation on the subject lots. For example lot 3 is 7.67 hectares in area and under the current scheme would be provided with the possible development of 7 chalets or cabins or a premises with 14 guestrooms or potentially 50 caravan or camping sites. Under the Draft, Local Planning Scheme No. 2 this would be limited to only 2 chalets or cabins or a 4 bedroom guest house and a caravan park is no longer permitted. This is simply an example and is also relevant for the other lots subject to this submission. This therefore means that the Draft, Scheme reduces not only the types of uses that are permissible but also the density which is again objected to. There is also an objection to the fact that the use of Guesthouse has been removed from the Scheme because this was permissible previously within Tourism related zones and there are clauses in the Scheme making references to guestrooms but no Guest House Use Class within which to consider this. The use of Guesthouse is a legitimate tourism use that should be reintroduced into the Scheme and also permissible for the subject lots.<br>Reference to no agricultural grazing occurring in wetland areas further reiterates the objection of the owners to remove | | |

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| | | reference to parts of their lots as identified as wetland on the Environmental Assets Map.<br>**Local Planning Strategy**<br>It is noted that the purpose of the Local Planning Strategy is to set the strategic direction for future planning to manage growth and particularly the strategy must:<br>Set out the long term planning directions for the Local Government and<br>• Apply any State or Regional Planning Policy that is relevant to the strategy and<br>• Provide the rationale for any zoning or classification of land under the Local Planning Scheme.<br>It is noted that a Local Government is required to review its Local Planning Scheme periodically and typically reviewed Schemes are consistent with objectives of the Local Planning Strategy and there are regulations that make reference to the complexity of amendments that are considered consistent or less consistent with Local Planning Strategies.<br>The Local Planning Strategy endorsed for the Shire provides such guidance. A section of the Strategy makes reference to commerce and tourism and this recognises the importance of tourism, the employment that this provides and factors affec.ng tourism in the Shire. The Local Planning Strategy Maps are included at Appendix 1 and it is noted that the subject lots so identified as Tourism 'Land where the primary use is for tourist accommodation | | |

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| | | facilities and services'. The heading for Appendix 1 – Strategy Maps States 'The Local Planning Strategy Maps depicts the general future zoning framework and long term planning intentions across the Shire,…..'<br>The identification of the land for tourism is therefore consistent with the Local Planning Strategy and should be the general future zoning framework which is not reflected in the Draft, Local Planning Scheme No. 2. This provides strong justification for a change of the zoning from Environmental Conservation.<br>**Concluding Comments**<br>The owners of the 4 lots the subject of this submission object to the Draft, Local Planning Scheme No. 2 as it relates to their land. The land is currently zoned for tourism purposes, is identified for tourism purposes under the Local Planning Strategy and the movement to zone the land Environmental Conservation is not consistent with the Planning Framework and will remove opportunities that are currently available for land that is well suited for such activity The zoning for the land should be identified as Tourism under the Scheme and the environmental limitations that are also incorporated relevant to the subject land should also be removed as environmental issues are relevant in any case under the Local Planning Scheme and any application for development on the land will be assessed carefully with regard to | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | environmental factors in any case. There does not need to be any specific mapping to identify these features on the land particularly where this has not been ground truth or actually specifically reflec.ve of features on the land. For example, wetland areas extend too deeply into the proper.es and some vegetation is not native.<br>The owners advise they consider they are disadvantaged by the Draft, Scheme and this is unfair particularly given the current zoning and the Local Planning Strategy allocation for Tourism. The owners have indicated a concern of loss of property value and impact on any re-assessment of mortgage security and this puts further emphasis on the objection and the issue of loss of sensible planning opportunity that currently exists. Given the vehement objection to the Scheme by these 4 landowners, we and the landowners would welcome and request the opportunity to discuss the objectives of the Shire in considering this submission moving forward. | | |
| 695.<br>I534303 & I534497 | **Submission Subject:** 1 and 31 Georgette Drive, Margaret River | We have been engaged by the owners of No. 1 and 31 Georgette Drive, Margaret River (Neil and Kerry Halpin) and Nic and Adrian Coney) to prepare this submission on Draft (Local Planning Scheme No. 2 as relevant to this site. This submission also draws into consideration a wider approach to Georgette Drive (eastern side) from No. 1 (south) to No. 41 (corner of Bovell Avenue). Under existing Local Planning | Whilst it is noted that the owners of Lots 1 and 31 Georgette Drive support an increase in the residential density code which applies to their land, the remainder of the street would not be aware that such a change is being contemplated. It would be inconsistent in terms of both development outcomes and in terms of the administration of the | No changes are required as a direct result of this submission. |

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| | | Scheme No.1 the eastern side of Georgette Drive including No. 1 and 31 is zoned Residential R15. The housing stock in this street is all of the era when it was developed which was likely to be 70s / early 80s. The land to the west of Georgette Drive includes the Primary School and other lots that are zoned Residential R30/40 along with other lots in Walkington Avenue, Henning Avenue and Bovell Avenue. Some lots to the south of Bovell Avenue are also zoned R30 / 40 and R20 providing some infill opportunities. To the north are lots zoned R20 and R30/40 in Le Souef Street and Elva Street.<br><br>The owners of No. 1 Georgette Drive, Margaret River have a substan.al landholding (1800m2) and this has potential for establishment of additional dwellings. No 31 is fully serviced. It makes sense to increase the density and the request is Residen.al R30/40. The Shire may wish to consider zoning the en.re eastern side of Georgette Drive R30/40 for the following reasons: • Lots on the western side of Georgette Drive are already zoned R30/40 and this will provide for a legible streetscape<br>• Georgette Drive is located immediate to the Town Centre of Margaret River and within easy walking distance of Primary, Secondary and Tertiary Schools. Also, easy walking distance of the Town Centre for recreation and for shopping purposes | scheme to recode these lots without also considering the wider precinct. If an increase in this area was to be supported, it would ideally form part of a stand alone scheme amendment which would undergo the necessary consultation process. | |

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| | | (within liveable neighbourhoods 800m catchment<br>• There is a good pedestrian network through the Georgette Drive area connec.ng to the Town Centre and the schools in the area<br>• Georgette Drive is a very wide road reserve - possibly the widest suburban street in Margaret River (40 metres in width – twice the typical width) and this provides very open and wide verges. This provides that there is an excellent opportunity to have landscaped amenity and visitor parking for increased density through this area.<br>• The area east of Georgette Drive and west of Bovell Avenue and south of Forrest Road is not sewered. Surrounding areas are sewered.<br>• The Local Planning Strategy indicates that infill development will be supported where infill can solve gaps in shortcomings of servicing can be facilitated. The map below indicates the current sewer arrangement in the area<br><br>An increase in density could facilitate an extension of sewer services northwards connecting to existing sewer services at Forrest Road. It is also important to note that Nos 19 – 41 in the southern extents of Georgette Drive already have sewer and therefore are fully serviced and “service ready” for increased development opportunity. | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | • The increase in density for this section of the street and particularly No. 1 Georgette Drive, Margaret River is consistent with the theme of expansion of density from the Town Centre and would also provide for gentrification of the housing stock which is not important in this part of the town given its age being not considered important for heritage but of a reasonable age. It is therefore respectfully requested that the density for No. 1 and 31 Georgette Drive increase to Residen.al R30/40 and the Shire may give due consideration to expansion of zoning to R30/40 for the rest of Georgette Drive. At the .me of presenting this submission, other owners in Georgette Drive were being consulted with respect to the possible increase in density. The intention is to continue engagement with the owners in the street and see if further support can be garnered and the intention is that once this information is obtained, we would provide further support for the objec.ve in the street as an addendum to this submission. | | |
| 696. I534308 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Margaret River is a biodiversity hotspot facing extreme habitat loss. The beautiful Gnarabup headland and adjoining coastline is a unique stretch of landscape, it would be devastating to see the SouthWest coast end up a replica of the over populated East | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | coast. The ancient land here deserves protection. | process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 697. I534309 | **Submission Subject:** 403 Kudardup Road, Kudardup | ***State how your interests are affected, whether as a private citizen, on behalf of a company or other organisation, or as an owner or occupier of property.*** The Lower Blackwood Land Conservation District Committee (LCDC) is a statutory committee that has been appointed by the Department of Agriculture and Food's Commissioner of Soil and Land Conservation and was established in 1991. It is a not-for-profit, community managed, constituted and independent land care organisation with a membership representative of landholders with an interest in sustainable agriculture, catchment management, the broader environment and river health in the Lower Blackwood catchment. Our district is bounded by the south west coast from Redgate beach to Augusta, and eastwards into the Shire of Nannup and including all of the Scott River and bounded in the east by the Donnelly River. | **Environmental Protection**<br>A Planning Scheme is not the appropriate mechanism for setting out the benefits or disbenefits of farm dams or anything else. It is a set of landuse controls which as it stands, provides for dams under certain circumstances.<br><br>**Supporting Agriculture**<br>The Shire (and hence the scheme) is not responsible for determining whether or not water can be taken from the environment. It does however regulate "development" which includes structures designed to store water such as dams.<br><br>Comments regarding setbacks from waterways are noted, however it needs to be acknowledged that this will not reduce red tape given that a case by case assessment as advocated for by the submitter will necessarily require the lodgement of a development application. | **Environmental Protection**<br>No changes are required as a direct result of this submission<br><br>**Supporting Agriculture**<br>See response to Submission 405 |

# SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | ***Environmental Protection***<br>There needs to be a focus in the LPS 2 on the benefits of on-farm dams in "areas with nested features" and recognise that farm dams are integral as a component of nested features. Stock and domestic entitlement is also a landholder private property right that needs to be better reflected in the LPS 2. All jurisdictions should ensure there is a robust framework that recognises a clear hierarchy of water access entitlements that includes stock and domestic, irrigation, intensive agriculture (feedlots), tourism and alternative water use within the water resource planning framework, including proper and robust allocation limits.<br>Below is a link demonstrating the benefits of farm dams to the natural landscape. https://fennerschool.anu.edu.au/news-events/news/anu-receives-593-million-first-ever-study-biggains-farm-dams<br>There are significant management issues with 'nested features' on farmland such as degraded creek lines that are fenced for stock exclusion. These issues include invasive weeds (for example the bleeding heart tree) that become an environmental and fire hazard (build-up of dry matter) and can be poisonous to livestock, farm biosecurity (weed spread into pasture) and | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | an increase of kangaroo and feral animal population. These issues need to be taken into consideration in relation to nested features.<br>***Supporting Agriculture***<br>One of the objectives of the Rural Zone in the LPS 2 is:<br>*"To maintain and enhance the environmental qualities of the landscape, vegetation, soils and water bodies, to protect sensitive areas especially the natural valley and watercourse systems from damage".*<br>AMR Shire landowner and farmer riparian zone waters and wetlands are jealously guarded and under the current WA State water legislation they are free of rules and legislative constraints of which would place limits for adapting to different circumstances and environment and the ability to deal with unforeseen situations and at times to improvise.<br>Regarding Section 51. Watercourses and Wetlands in the proposed AMR Shire LPS 2, there are clear overlaps which result in duplication of State requirements, unnecessary red tape and the associated waste of time, money, and resources for both proponents and regulators.<br>For example, the following findings of the WA Legislative Council Standing Committee on Public Administration's Inquiry into Private Property Rights (September 2020) with regards to 'spring rights', specifically: | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | "**FINDING 30**: The *Rights in Water and Irrigation Act 1914* expressly provides that 'spring rights' are exempt from regulation unless a by-law is enacted bringing the spring within the Act's Part 3 licensing provisions."<br>"**FINDING 31**: Almost four years after the Department of Water and Environmental Regulation instigated a new administrative process enabling it to make a determination on whether a section 5 exemption under the Rights in Water and Irrigation Act 1914 applies, the Department is unable to provide clear and consistent details of the process even though the Department maintains that it has consistently applied the new process since late 2016." Therefore, on what basis does the AMR Shire determine a spring, wetland or watercourse?<br>"**RECOMMENDATION 29:** If the Department of Water and Environmental Regulation is to persist with its new administrative process requiring landowners to make an application for a bed and banks permit so as to enable the Department to determine whether a section 5 exemption applies, the Minister for Water introduce in the Parliament of Western Australia a Bill to amend the *Rights in Water and Irrigation Act 1914*, to expressly provide for the process and for a right of review or appeal to an independent body. The Bill to also provide for the Department of Water and Environmental Regulation to establish | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | and maintain a register of spring exemptions and spring dams.<br><br>Therefore, it is obvious that the State doesn't have the heads of power to make these determinations on springs, wetlands and watercourses, so neither does the AMR Shire. Furthermore, referring to Clause 51 in the LPS 2, a 100m setback from any watercourse is not suitable and the buffering zone should be addressed and negotiated (to a minimum basis) on a case-by-case basis. Issues such as land topography and water movement should be considered when determining a buffer zone. For example, areas that have been fenced off and overtaken by kikuyu impedes water movement and causes flooding of paddocks, new erosion issues and new water courses. It removes an unsustainable amount of productive land and is a cost impost due to management issues. | | |
| 698.<br>I534498 | **Submission Subject:** 140, 143, 176 Thompson Road, Forest Grove and 4157 & Lot 2 Governor Broome Road, Scott River | **Refer to Submission No. 405 above.**<br><br>**Additional Points:**<br>**Dams :** This is DWER's responsibility and can only be conditioned under RiWI Act 1914, which is the primary legislation for water resources.<br>This clause should simply State "any application for a dam requires approval or exemption from DWER"<br>Unnecessary legislative overlap increasing red tape. | See response to Submission No. 405 | See response to Submission No. 405 |

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| | | **Land Clearing :**This is the responsibility of DWER's under EP Act, which is the primary legislation for environmental protection and land clearing<br><br>We need to have security in our business moving forward. Anything that could potentially devalue our land, reduce our productivity and profitability is a threat to my family and our forebearers who have worked their whole lives to build what we own today. Farmers in the amr shire have not over cleared land, as has happened in the wheat belt and other farming districts. This degree of regulation is overkill. It should be voluntary. | | |
| 699. I534499 | **Submission Subject:** Environmental Issues - Witchcliffe | Remnant large habitat Marri trees stand<br>1.on the Polo Crosse field and<br>2. along MAY St to the EAST side of MAMMOTH St.<br>It is a piece of remnant forest that stands alongside/adjacent the property 1 Mammoth St. (between the rear laneway and Mammoth st)<br>3. in the laneway on the eastern boundary of 1 Mammoth Street.<br><br>For 22 years we have observed endangered Red Tail Black Cockatoos resting and feeding with their young babies.<br><br>With the recent removal of many significant trees from Redgate Road (Forest Estate) the RedTail and Baudin Cockatoos spent | See response to Submission 87. | See response to Submission 87. |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | several more weeks than usual frequenting these stands.<br><br>These trees, along with the Witchcliffe Reserve, provide a critically important corridor and resting/feeding habitat for this precious endangered species.<br><br>it is vital that Witchcliffe Reserve and the Polocrosse field stay as 'Reserve' (NOT public open space/Education) to protect these vital environmental resources and that the stand of trees mentioned above (Eastern side of Mammoth and May) be afforded the same.<br><br>It is too easy for errors to occur by people in planning departments, looking at maps, who are understandably unaware of what is actually happening on the ground.<br><br>As part of the Volunteer Bush Fire Brigade who fought to save Margaret River and Witchcliffe I know the value of Local Knowledge.<br><br>Please, it is in your power to afford Local Knowledge to save what we serve to protect. | | |
| 700.<br>I534500 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | I have the following concerns with Draft LPS2 and the process and governance surrounding its preparation.<br>**Correct preparation and authority to advertise Draft LPS2**<br>• The AMRS has not been authorised by | **Correct preparation and authority to advertise Draft LPS2 –** see response to Submission 19. | **Correct preparation and authority to advertise Draft LPS2 –** see response to Submission 19. |

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| | | Council to advertise the current version of Daft LPS2. The CEO has relied upon a three-year old decision (August 2020 Council Meeting) to advertise Draft LPS2 for public comment. This resolution authorised advertising Draft LPS2 "without modification". Modification did occur in that intervening period, hence there is no authority to advertise the Scheme in its current form.<br>• It appears, following an FOI application to the Department of Planning, Lands and Heritage (DPLH), that the Department did not receive an extension of time under regulation 21 (4) of the Planning and Development (Local Planning Schemes) Regulations 2015.<br>• With the AMRS process not appearing to follow the enabling motion, and the WAPC process absent of necessary procedure, LPS2 could be vulnerable to legal and other challenges.<br>• There has been no approval by elected members of the current version of Draft LPS2, or to advertise it for public comment.<br>• During the period between August 2020 and the advertising in September 2023, two council elections took place. It is a different council. This is an abuse of the democratic process. | **Treatment of lots 501, 502. 503. 504 and 783 Gnarabup -** see response to Submission 19.<br><br>**Townsites:**<br>**Augusta -** See response to Submission 687<br>**Gracetown** - See response to Submission 486<br>**Witchcliffe** - See response to submission 87. | **Treatment of lots 501, 502. 503. 504 and 783 Gnarabup -** see response to Submission 19.<br><br>**Townsites:**<br>**Augusta -** See response to Submission 687<br>**Gracetown** - See response to Submission 486<br>**Witchcliffe** - See response to submission 87. |

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| | | • Advertised Draft LPS2 is not the same document reviewed by the Environmental Protection Authority in 2021. It should be re-referred to the EPA by the AMRS and/or WAPC. It has been significantly changed.<br>**Treatment of lots 501, 502. 503. 504 and 783 Gnarabup**<br>• The elected members of AMRS Council were not briefed on the changes which were made by AMRS staff between August 2020, when Draft LPS2 was approved for advertising, and September 2023 when Draft LPS2 was first advertised. During the period between August 2020 and the advertising, two council elections took place.<br>• There is no formal record of such a briefing amongst public AMRS records. In those three years, elected members of the AMRS Council have repeatedly told the community that there is no change to the planning controls relevant to the five Gnarabup lots in Draft LPS2.<br>• To demonstrate the lack of understanding by elected members of AMRS Council of the impact of Draft LPS2 on the Gnarabup lots, on June 28, 2023, the elected members hosted a public briefing session at which the Powerpoint presentation presented by AMRS staff States that the: “Draft scheme does not change | | |

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| | | zoning of Gnarabup sites, nor development controls".<br>• This Statement, made in a Powerpoint presentation, is obviously false and misleading. While the former CEO of the Shire has represented in letters that this briefing was only on Initiated Scheme Amendment 70 and therefore not on Draft LPS2, that position is not supported by the content of the Powerpoint which covers the full range of regulatory processes underway. It is also not supported by email communications from the current Shire President who advised community members that she had requested a briefing on Gnarabup issues from staff.<br>• Advertised Draft LPS2 is not the same document reviewed by the Environmental Protection Authority in 2021. It should be re-referred to the EPA by the AMRS and/or WAPC. This is particularly relevant in relation to Lots 501 to 504 and 783 given they are subject to current EPA assessment.<br>• Emails received under FOI from the AMRS dated February 2019 indicate clearly that WAPC and AMRS staff understood that lots 501-504 should be zoned<br>Tourism and current development controls in LPS1 updated (known in LPS1 as SCA30 and that conditions | | |

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| | | should also be placed in a schedule in Draft LPS2 in order to control "development parameters", including "unrestricted length of stay". These new development controls "would need to be sufficiently detailed and comprehensive to provide the local community with certainty".<br>• However Draft LPS2 as currently advertised has the lots zoned Urban Development, and with the SCA3 development controls from LPS1 removed, and no new development controls added. These changes do not align with any decision made by Council in recent years including the Local Planning Strategy, and Initiated Scheme Amendment 70 which initiated rezoning of the lots to Tourism and was passed by a majority of Councillors in February 2021.<br>• There is no rational reason why these changes have been made to Draft LPS2. To date AMRS staff have answered questions from Preserve Gnarabup and other members of the community by arguing that the structure plan provides sufficient development control. A structure plan can be changed and does not have the standing of a Scheme.<br>• The Proposed rezoning of lots 501-504 Gnarabup to Urban Development and removal of the SCA3 development controls produces a | | |

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| | | Draft LPS2 which is now clearly aligned with the Development Application under consideration for the site. This Development Application is non-compliant with LPS1 in terms of scale, and use for purposes other than tourism. The SCA3 development controls should be reinstated in LPS2 and even strengthened to provide the community with certainty and to reflect decades of previous planning decisions and the comments made by the DPLH Manager in the emails referred to above from February 2019 which are clearly correct.<br>• I submit that Lots 501-504 have not been appropriately treated in LPS2. They should be zoned<br>• Tourism in accordance with the Local Planning Strategy and Initiated Scheme Amendment 70 and the conditions in LPS1 under SCA3 should be reinstate and even strengthened to provide the community with certainty and to reflect decades of previous planning decisions. It is not proper and orderly planning to overturn previous planning outcomes with no reasoning or rationale. It is particularly bad governance when the resulting scheme has been modified to better support a currently non-compliant Development Application. | | |

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| | | • WAPC and AMRS staff have acknowledged one mistake in the advertised Draft LPS2 and WAPC has committed to 'fixing' the mistaken rezoning of the northern portion of Lot 783 to Tourism, returning it to Parks and Recreation zoning.<br>• I submit that the northern portion of Lot 783 must be returned to public purpose zoning.<br>**Bushfire treatment in Draft LPS2**<br>***Statutory requirements:***<br>The Planning and Development Act 2005 (WA) – Section 77(a) requires the AMR Shire to have due regard to any State Planning Policy which affects its district:<br>*77 . State planning policies, effect of on scheme*<br>• *Every local government in preparing or amending a local planning scheme —*<br>• *is to have due regard to any State planning policy which affects its district;*<br>Due regard is defined in the Planning and Development (Local Planning Schemes) Regulations 2015 as:<br>*the decision-maker has a mandatory obligation to consider that document or planning instrument when making a decision on an application to which the particular document or instrument relates.*<br>***Map of Bushfire Prone areas:***<br>The official map of bushfire prone areas in Western Australia is developed with the | | |

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| | | collaboration of a variety of State Government agencies and is published online by DFES. It is to be applied in conjunction with State Planning Policy 3.7 Planning in Bushfire Prone Areas. It maps the bushfire risk level of the entire State, and is described online as:<br>*The Map of Bushfire Prone Areas identifies land in Western Australia that has the potential to be impacted by bushfires. This land is designated by the Fire and Emergency Services Commissioner. Additional planning and building requirements may apply to new proposals within a bushfire prone area. A further assessment of bushfire risk may also be required to ensure future developments in bushfire prone areas are safer.*<br>The requirements are described in State Planning Policy 3.7: Planning in Bushfire Prone Areas (SPP 3.7) and the Guidelines for Planning in Bushfire Prone Areas (Guidelines).<br>The entire AMR Shire, the subject of Draft LPS2 is designated in the Map of Bushfire Prone Areas as Bushfire Prone. LPS2 is therefore required to conform with State Planning Policy 3.7 – Planning in bushfire Prone Areas.<br>***The Policy Objective of SPP3.7***<br>The policy objective includes:<br>• *Avoid any increase in the threat of bushfire to people, property and infrastructure. The preservation of life* | | |

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| | | *and the management of bushfire impact are paramount.*<br>• *Reduce vulnerability to bushfire through the identification and consideration of bushfire risks in decision-making at all stages of the planning and development process.*<br>• *Ensure that higher order strategic planning documents, strategic planning proposals, subdivision and development applications take into account bushfire protection requirements and include specified bushfire protection measures.*<br>The Guidelines for Planning in Bushfire Prone Areas (SPP3.7) (both versions 1.3 (from 2015) and version 1.4 (from December 2021)) require attention to the threat of Bushfire in the preparation of a Local Planning Scheme.<br>Version 1.3 States<br>*5.2.4*<br>*Local planning schemes provide a mechanism to prevent development in inappropriate locations through suitable zoning and land use permissibility controls, consistent with strategic-level planning documents.*<br>*All local planning schemes include the deemed provisions relating to bushfire risk management as set out in the LPS Amendment Regulations 2015 at Schedule 2, Part 10A, Clauses c1(3) 78A–78G. Where considered appropriate, local planning schemes may* | | |

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| | | *include additional subdivision and development requirements related to bushfire risk management in line with the policy measures in SPP 3.7 and Planning Bulletin 111/2015, as amended (WAPC 2015). Clause 78B (2) of the LPS Amendment Regulations 2015 specifically acknowledges that requirements relating to development in a bushfire prone area contained within a special control area will apply, in addition to the provisions contained within the LPS Amendment Regulations 2015. When reviewing a local planning scheme, the zoning tables should be reviewed to ensure that the type of development permissible through the zoning table is compatible with the level of risk associated with any identified bushfire hazard in the local planning strategy.*<br>*Vulnerable and high-risk land uses within bushfire prone areas should be given special consideration. The locations where these types of uses are not permitted may be listed in a schedule of the local planning scheme in order to establish strengthened bushfire risk management measures. These should form part of a special control area. Where a use is likely to have a hazard level of extreme that cannot be addressed through an amended planning proposal or approval conditions, there may be a need to establish it as a restricted use area.* | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | *New local planning schemes and scheme reviews containing bushfire prone areas are to be accompanied by a Bushfire Hazard Level assessment and, where there are areas identified as moderate or extreme, a BMP. The scheme should be referred to the Department of Fire and Emergency Services for advice as well as the Department of Water and Environment Regulation and the Department of Biodiversity, Conservation and Attractions if any vegetation removal is proposed.*<br>I submit that Draft LPS2 in its current form lacks important Special Control Areas for Bushfire risk. Two such SCAs should be established to apply to areas of "extreme" bushfire risk and "very high" bushfire risk as identified in the Shire's BRMP. These should reflect the existing mapping of the AMR Shire BRMP.<br>The zoning tables should be reviewed to ensure that the type of development permissible through the zoning table is compatible with the level of risk for each SCA.<br>Vulnerable land uses should be prohibited in the "extreme" bushfire risk SCA and should only be permitted in the "very high" bushfire risk SCA where a BMP is endorsed by DFES.<br>**Fauna and flora studies/ assessments:**<br>I submit that these surveys must be made over at least two seasons of the year and | | |

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| | | with surveys at different times of the day.<br>**Environmental Assets maps:**<br>I submit that these maps need to be updated, particularly with reference to currently existing corridors that are either naturally occurring or created by landowners (particularly those which have been conditioned as part of a previous Development Approval) as well as the wildlife corridors that will be required as a condition of a Development Approval on Rural and/or Rural Residential land.<br>I submit that ALL State Forest needs to be zoned Environmental Conservation.<br>Fencing – 1.8m high ring-lock style fencing is being introduced into Rural Residential areas illegally. It needs to be clearly enunciated in the LPS2 that fencing higher than 1.2m is illegal and this needs to be monitored and penalties applied. This needs to be applied retrospectively as existing 1.8m fencing is not allowed.<br>**Town Centres**<br>***1 Gracetown***<br>*Lot 300 Salter Street, Gracetown*<br>Documents uncovered in recent FOI requests have revealed that Development WA abandoned the proposed development project on this land over 2 years ago, but has not informed any of the stakeholders – the community, the Shire, even the Department of Planning Lands and | | |

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| | | Heritage – of the decision.<br>Development WA has acknowledged internally that the project is not viable "principally due to the Western Australian Planning Commission (WAPC) being unprepared to support development approvals pending resolution of construction of a second access road for bushfire risk mitigation and native title". In addition to these, other unresolved issues include water and sewage management, community works to handle increased pressure on the bay, and environmental considerations. The Structure Plan for the development also contained a commitment that the balance of Lot 300 not required for the proposed development (approx. 231 Ha) would be transferred into the Leeuwin- Naturaliste National Park. Before the development proposal was launched in 1998, Lot 300 was zoned Unallocated Crown Land and designated as Parks and Recreation under the Local Planning Scheme. Around 2017 the whole of Lot 300 was rezoned to its current LPS1 zoning of "Future Development, National Parks and Nature Reserves, Parks and Recreation", to allow for part of Lot 300 to be developed as residential land and related infrastructure. The proposed LPS2 continues this zoning as "Urban Development, Environmental Conservation". The reasons why WAPC were unprepared to support development | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | approvals pending resolution of construction of a second access road for bushfire risk mitigation and native title are still valid, as are many other issues such as environmental considerations, unresolved water and waste management issues and, since the project commenced, the massive increase in pressure on main beach, boat ramp and local area.<br>There should not be any presumption in favour of development, as would be indicated by maintaining an "Urban Development" zoning as proposed in Draft LPS2.<br>Given the history of the proposed (and now failed) Landcorp development for Gracetown, the zoning of Lot 300 should be changed to Environmental Conservation.<br>***2. Augusta***<br>ACDA has collated a selection of allotments currently in reserve status for various public uses, with a view to preservation of remnant and recovering native vegetation, particularly where 'green corridors' may be advanced by their conservation.<br>With reference to the current planning scheme online map, we recommend changing the zoning status to "Conservation" of the following:<br>• Lots 531586, 11694355 and 2002 (Donovan Street Bushland, Augusta)<br>• Lots 390, 375 and 378 (East Augusta | | |

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| | | Timber Reserve – collective lot 18644)<br>• Lot 1491 (Gimbel reserve)<br>• Lot 4385 (Greenhill Road reserve)<br>I do not support the transfer of Shire-owned Lot 1271 Kudardup from General Agriculture to Tourism without full transparency of intentions for this site, and instead support its preservation under a Conservation zoning, to promote connection and conservation of the green corridor from Kudardup to Deepdene.<br>Furthermore, I submit incorporation of areas along the Blackwood River and Flinders Bay coastline into the "Landscape Amenity" map, as areas of "natural landscape significance" and visual management 'corridors' to help facilitate preservation and promotion of native vegetation and promote visual management controls on development in these areas, to consider the aspect both from viewpoints on roads and lookouts, but also from the river and the sea.<br>***3. Witchcliffe***<br>***Witchcliffe Reserve Rezoning***<br>The Witchcliffe bushland reserve which is both south and north of Redgate Road, including the Wadandi Trail (Lots 49 and 4483 on LPS2 map), was marked "Parks and Recreation" on the LPS1 and "Reserve" in the Local Planning Strategy 2036. This zoning has been changed to Public Open Space and Recreation in LPS2 and may have less protection. The Environmental Map highlights this area as | | |

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| | | a Baudins' breeding area and all 3 species of black cockatoo frequent this bushland. The masked owl has also been sighted and the Witchcliffe Community has recently engaged with the Shire to start a volunteer group to manage this bushland. I submit that this last area of bushland in close proximity to Witchcliffe needs to maintain its current zoning of "Reserve:" or "Park" to ensure its protection.<br>***Polocrosse Field***<br>An area of the Polocrosse field that contains a stand of remnant Marri trees frequented by Black Cockatoos was previously zoned "Reserve" in LPS1 and the Local Planning Strategy 2036. These trees are all large habitat trees and they are now zoned "Education" in LPS1.<br>I believe the previous zoning of "Reserve" must be maintained and the trees protected.<br>***Mammoth Street Extension***<br>In Draft LPS2 Mammoth Street is to be extended to run adjacent to the Wadandi track. This extension would involve the removal of many significant trees, including ones anecdotally identified as Indigenous "water trees". In LPS1 and Local Planning Scheme 2036 this road does not exist. I believe it should be rerouted or abandoned.<br>***Grandmother tree***<br>The Grandmother tree on the northern border of the current polocrosse field, a | | |

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| | | significant tree for the local community as well as a rare representative of an ancient Marri, was protected by a "Reserve" zoning in LPS1 and the Local Planning Strategy 2036. In LPS2 it is now situated in a road reserve | | |
| 701. I534501 | **Submission Subject:** 140, 143, 176 Thompson Road, Forest Grove and 4157 & Lot 2 Governor Broome Road, Scott River | **Refer to Submission No. 405 above.**<br><br>**Additional Points:**<br>**Dams :** This is DWER's responsibility and can only be conditioned under RiWI Act 1914, which is the primary legislation for water resources.<br>This clause should simply State "any application for a dam requires approval or exemption from DWER"<br>Unnecessary legislative overlap increasing red tape.<br><br>**Land Clearing :**This is the responsibility of DWER's under EP Act, which is the primary legislation for environmental protection and land clearing<br><br>The introduction of local environmental protection using the EAM is encroachment. We have sufficient State and federal regulations already in place. The Draft lps2, specifically the EAM should not involve mapping on private land/farm land. This should be voluntary.<br>We need to keep Priority Agriculture and the regulatory text and transfer all farm land in the area that is currently zoned General | See response to Submission 405 | See response to Submission 405 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | Ag to Priority Ag in order to protect Agriculture and food security alike. | | |
| 702. I534503 | **Submission Subject:** 140, 143, 176 Thompson Road, Forest Grove and 4157 & Lot 2 Governor Broome Road, Scott River | **Refer to Submission No. 405 above.**<br><br>**Additional Points:**<br>**Dams:** This is DWER's responsibility and can only be conditioned under RiWI Act 1914, which is the primary legislation for water resources.<br>This clause should simply State "any application for a dam requires approval or exemption from DWER"<br>Unnecessary legislative overlap increasing red tape.<br><br>**Land Clearing:** This is the responsibility of DWER's under EP Act, which is the primary legislation for environmental protection and land clearing<br><br>The introduction of local environmental protection using the EAM is encroachment. We have sufficient State and federal regulations already in place. The Draft lps2, specifically the EAM should not involve mapping on private land/farm land. This should be voluntary.<br>We need to keep Priority Agriculture and the regulatory text and transfer all farm land in the area that is currently zoned General Ag to Priority Ag in order to protect Agriculture and food security alike. | See response to Submission 405 | See response to Submission 405 |
| 703. I534504 | **Submission Subject:** 140, 143, 176 Thompson Road, Forest Grove and 4157 & | **Refer to Submission No. 405 above.**<br><br>**Additional Points:** | See response to Submission 405. | See response to Submission 405 |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | Lot 2 Governor Broome Road, Scott River | **Dams :** This is DWER's responsibility and can only be conditioned under RiWI Act 1914, which is the primary legislation for water resources.<br>This clause should simply State "any application for a dam requires approval or exemption from DWER"<br>Unnecessary legislative overlap increasing red tape.<br><br>**Land Clearing :** This is the responsibility of DWER's under EP Act, which is the primary legislation for environmental protection and land clearing<br><br>The introduction of local environmental protection using the EAM is encroachment. We have sufficient State and federal regulations already in place. The Draft lps2, specifically the EAM should not involve mapping on private land/farm land. This should be voluntary.<br>We need to keep Priority Agriculture and the regulatory text and transfer all farm land in the area that is currently zoned General Ag to Priority Ag in order to protect Agriculture and food security alike. | | |
| 704. I534506 | **Submission Subject:** General – tree farming | WA Plantation Resources (WAPRES) has been establishing plantations/treefarms in the Shire of Margaret River since the early 1990's and continue to have an ongoing relationship through our land leasing program with landowners within the Shire and our harvesting activities. | The submitter requests that applications for Treefarms not be subject to consultation with neighbours. Treefarms can generate significant amounts of traffic at times and raise other issues impacting neighbours such as bushfire risk. The Shire's policy regarding | No changes are required as a direct result of this submission. |

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| | | WAPRES strongly supports the need for both Food and Fibre security, an objective supported by both the WA Government and the Commonwealth. Plantations play an important role in providing a well-managed resource for economic development Trees can also provide environmental benefits to the land and the economy, including sequestering of carbon, restoring natural water balances and potentially reversing some of the adverse impacts resulting from the clearing of natural vegetation for farmland, including salinity The demand for wood fibre, particularly in a decarbonizing economy is growing. We currently import an increasing volume of timber and wood fibre products to meet local consumer demand. Growing plantations to produce the timber and fibre products for the future is essential. This creates opportunities rather than threats to regional & rural communities. Included in the State Budget 2027-22, the WA Government is committed to delivering a prosperous low-carbon future and creating climate-resilient communities through:<br>*Providing 5350 million to significantly expand the State's softwood plantation estate *Providing $118 million fund to invest in future climate-related initiatives to respond to climate change and create climate-resilient communities<br>*Investing in industries of the future, such as renewable hydrogen and carbon farming, to create sustainable WA jobs. (Western | consultation is to maximise the extent to which the community is aware and engaged with matters that would potentially impact them. As such no change is recommended as a result of the submission. | |

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| | | Australia State Budget202I-22 Climate Action Fact Sheet) In this context we appreciate the opportunity to provide our feedback on the Shire of Augusta Margaret River Draft Planning Scheme No 2, specifically in relation to the potential impact on plantation development<br><br>General and Priority Agriculture Zones combine to the Rural Zone In State Planning Policy 2.5 Rural Planning, treefarming is supported and encouraged on rural land as a means of diversifying rural economies and providing economic and environmental benefits but should not generally occur on priority agriculture land. Our view is that State Planning Policy supports the distinction between the General Agriculture Land and Priority Agriculture Land in agricultural zones, and not combining both into one Rural Zone. In the proposed Planning Scheme No 2, one of the objectives of the Rural Zone is to: Protect broadacre agricultural activities such as cropping, and grazing and intensive land uses such as horticulture as primary uses, with other rural pursuits and rural industries as secondary uses in circumstances where they demonstrate compatibility with the primary use' Any changes to in the zoning could possibly have an impact on the potential for plantation development in the Shire of | | |

# SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | Augusta Margaret River and the potential for landowners to diversify income.<br>Change from "D" to "A" in Zoning Table for Plantations/Treefarms It is proposed to change the current "D" for plantations in the zoning table to an "A" in the proposed new scheme. The reference in the Zoning Table also changes from Plantation to Treefarms. Plantations are currently considered a permitted use in both the Priority Agriculture Zone and General Agriculture Zone only if the local government has exercised its discretion by granting development approval. Being discretionary, it is not a requirement that all Development Applications be referred to neighbouring. In the proposed new scheme, Treefarms will become an " N' in the zoning table and all Treefarm Development applications will be required to be advertised to neighbouring properties for comment. Again, this could lead to a possible impact on the potential for treefarm development in the Shire. plantations can make a diverse economic, social and environmental contribution to the Shire of Augusta Margaret River and therefore should be encouraged in the agricultural zone. Both Industry and The State Government have made a commitment to invest in expansion of the softwood & hardwood plantation estate for future supply of resource, to create sustainable WA jobs, sustain communities and assist meeting community | | |

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| | | demand to reduce carbon emissions (by planting more trees). We strongly encourage the Shire of Augusta Margaret River Brook to support this initiative | | |
| 705. I534509 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>As the owner of the only yoga studio with beautiful ocean views and serene surroundings directly opposite the proposed build site, this development will ruin my business and the communities favourite movement & meditation space. This land has come to mean so much to our community and should not be rezoned for development but left as tourism as that is what attracts our many customers and the regions visitors. This development will strip away the natural beauty that brings people and money to this region and should not be considered. | See response to Submission 19. | See response to Submission 19. |
| 706. I534511 | **Submission Subject:** General | We can support the LPS2 having one rural zone.<br>We can support the prohibition of subdividing rural zoned land.<br>However, we **cannot** support the current and ongoing prohibition of second dwellings on rural zoned land. Prior to LPS1 we had an approval for a second dwelling on this land which we have owned since around | An increase to the size of an ancillary dwelling is the maximum which the Shire can achieve in order to increase options for intergenerational living on family farms without the support of the State Government. | No changes are required as a direct result of this submission. |

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| | | 2006. Unfortunately, we were not in a financial position to build before that approval expired and then subsequently, we lost that opportunity when LPS1 came into effect in 2010.<br>We appreciate the shires sentiments about allowing aging in place however the current option for a second dwelling to be rural worker accommodation or an ancillary dwelling limited to being a granny flat up to 120m2 does not really give suitable family options. Our initial development application had to be for rural worker approval as it was for the old farmhouse and its footprint was larger than 70m2 allowed as an ancillary dwelling. As it was no longer fit for purpose due to its age, the presence of asbestos and its deteriorating condition, we applied for a demolition and new build under a second rural worker development application.<br>We are now living on the land and are working towards building the new rural worker accommodation to have a second dwelling for the farm manager. We have had a condition imposed on that approval that the rural worker accommodation must be built to a Commercial Class 3 standard. This is proving to be a long and tedious task and it is also becoming cost prohibitive. Building a modest 4x2 home in the current climate has already seen significant price escalation but adding full disabled access to the entire home as required for a Class 3 has required the footprint to be significantly | Whilst once commonplace, Scheme provisions which allow more than one dwelling on a rural lot are now discouraged given that in the past they have led to unwanted pressure for land to be subdivided, thus resulting in land parcels not suitable for commercial farming. | |

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| | | larger than needed to get the required wheelchair turnarounds into every room. Other additional requirements include wide door access to every room, the addition of a fully accessible bathroom with toilet and a further second separate ambulant toilet, additional electrical light and power point requirements, increased engineering and fire rating requirements plus other additional requirements to comply with class 3 has added almost a further $200,000 to the home. To build rural worker accommodation at a cost of just under $950,000 is just not sustainable particularly for small farming families.<br>The alternate option of an ancillary dwelling at 120m2 does not suit the needs of a growing young family.<br>Allowing two dwellings without any size restriction would significantly cut red tape for farmers looking to accommodate family as part of their succession planning. Two dwellings on rural land should be considered similarly to the scalable outbuilding requirements being considered in LPS2 allowing larger lots to have larger outbuildings. Your reference on your two page Removing Red Tape summary paper States under point 2 that “Similar requirements will be explored for farm buildings”. There is no reason why this should not also be applied to farm dwellings as well.<br>In the current climate when housing is in short supply it makes sense to allow | | |

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| | | farming families to utilise their land asset and all live together on the same property. This will in turn help the local rental market as families coming to live together back on the farm will free up rental opportunities for others in the community. | | |
| 707. I534513 | **Submission Subject:** Lot 9015 John Archibald Drive and Lots 14 & 15 John Archibald Drive, Margaret River | **Clause 69 Sustainable Design and Associated Table 9 – Sustainable Design Items**<br>**Observations and Requested Modification**<br>Request Clause 69 and Associated Table 9 **be deleted** from the Draft Scheme for the following reasons:<br>a) Some of the referenced sustainable design items set out in Table 9 of the Draft Scheme (i.e solar voltaic cells/rainwater tanks/ solar energy storage/greywater systems/ double glazed windows) are not mandatory requirements set out in any State or Federal legislation. Landowners should have the option to choose if they are able to accommodate and afford implementation of such sustainable design items when proposing a Single House or Grouped Dwelling.<br>b) The proposed sustainable design items will undoubtedly negatively impact housing affordability and create a disadvantage for new dwellings to be developed in growth areas. These additional costs will be far reaching not least of all being that residents will have to pay off higher home loan principal | **Clause 69 Sustainable Design and Associated Table 9 – Sustainable Design Items Observations and Requested Modification**<br>Most of the developed world is committed to changing practices as needed to move towards 'sustainability'. This quest will not be successful if certain components of the economy (for example the land development industry) do not play a role. Thus there is a need to constantly "lift the bar" to ensure that the housing which we build now (which will be useful for the next 50 years or more) meets contemporary standard and expectations.<br>The Shire has made the conscious decision that it will move towards more sustainable housing should state and federal governments fail to do so on a more strategic and holistic basis. This is the genesis of clause 69. Home buyers have clearly embraced sustainable homes and may even pay a premium for them as has occurred on a large scale at the Witchcliffe Ecovillage. In fact, some of the sustainable design | **Clause 69 Sustainable Design and Associated Table 9 – Sustainable Design Items Observations and Requested Modification**<br>No changes are required as a direct result of this submission.<br><br>**Reference to Hamlet Design Guidelines**<br>No changes are required as a direct result of this submission.<br><br>**Clause 51 Watercourses and Wetlands Observations and Requested Modification**<br>See response to Submission 405.<br><br>**Clause 53 Environmental Assets Map & Associated Table 6 – Objectives and Requirements for Environmental Assets** |

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| | | values over the length of any money borrowed to construct the dwelling. This economic outcome diminishes any lower operating costs that may be achieved over the life of the building.<br>c) The process to apply fewer sustainability requirements for smaller dwellings and greater requirements for larger dwellings is also disproportionate and unreasonable. Its completely unreasonable to impose these criteria on the basis that larger dwellings use more resources to build, heat and to maintain as opposed to smaller dwellings. Good design and use of appropriate materials will often see sustainability efficiencies in larger homes equal to smaller homes.<br>d) In the interest of affordability, fairness and equity, careful consideration needs to be given to placing such sustainability measures as Scheme text. Consider the provision for sustainable design is already adequately provided for.<br>e) Implementation of these sustainable design standards will incur additional red take by Council having to apply more resources to assess all Single Residential and Grouped Dwelling development throughout the Shire. Applying the Sustainable Design gross floor area ratio and 'Sustainable Design Items' as proposed to all Single Dwellings/Grouped Dwellings will mean that each building license will have to be | requirements are low cost or free of any cost at all.<br><br>**Reference to Hamlet Design Guidelines**<br>The HDG's are the Shire's most effective mechanism for ensuring that greenfield development in the Shire is unique and different from that which has and is occurring the in the Perth metropolitan region. It is essential that proponents are aware of the Shire's expectation in this regard, and a request to effectively make them less visible would not appear to serve anyone.<br><br>The HDG's have been used in full collaboration with proponents in planning for new residential development in east Margaret River. Removing reference to them from the Scheme is not supported.<br><br>**Clause 51 Watercourses and Wetlands**<br>**Observations and Requested Modification**<br>See response to Submission 405.<br><br>**Clause 53 Environmental Assets Map & Associated Table 6 – Objectives and Requirements for Environmental Assets** | **Observations and Requested Modification**<br>See Response to Submission 422.<br><br>**Clause 53 Environmental Protection – Land Clearing**<br>**Observations and Requested Modification**<br>No changes are required as a direct result of this submission.<br><br>**Reference to Chalet and Guesthouse Land Use**<br>See response to Submission 17. |

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| | | assessed by a Council planner to make sure each dwelling satisfies the sustainable design criteria standards. It will mean that building licences will sit in abeyance where the Council uses more resources to determine if the proposal is exempt from requiring a planning application.<br>The sustainable design criteria will therefore extend the red tape assessment process times, which will add time to assess and obtain approvals. This coupled with additional cost of development to satisfy the Sustainable Design items, will exacerbate the timeframes and affordability problems already prevalent in the housing construction industry.<br>f) As there is no contemplation or mechanism for retrospective application of the sustainability design criteria to existing dwellings, the overburdening requirements imposed on new Single Houses and Grouped Dwellings will place higher demands on the existing dwellings to accommodate residents/families who don't want or can't afford the sustainability design criteria, which will increase rental costs and purchase prices for existing housing.<br>g) The sustainable design criteria will work against the Council planner's claim that they are proposing to reduce red tape for 'low risk forms development such as | **Observations and Requested Modification**<br>See Response to Submission 422.<br><br>**Clause 53 Environmental Protection – Land Clearing**<br>**Observations and Requested Modification**<br>The use of offsets has a long history and appears to be generally accepted by industry. It is concerning that the land development industry is an exception.<br>Trees and native vegetation (no matter whether located on private or public land) provide a benefit to all citizens. Thus there is a natural expectation that if there is removal of vegetation in order to use land for other purposes required by society than that vegetation is replaced in an agreed location.<br>The EPA does currently have the ability to require offsets however their scope is limited to the most environmentally destructive proposals of which they undertake assessment.<br><br>**Reference to Chalet and Guesthouse Land Use**<br>See response to Submission 17. | |

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| | | houses'. The design criteria standards will further complicate the process and require additional planning resources to assess Single Houses that are compliant with referenced State Polices such as the Residential Design Codes. It is therefore not compatible with the State Planning Framework, which already aims to streamline approvals for compliant single house and grouped dwelling proposals.<br>h) Any proposed requirement to include sustainability design criteria, as referenced in the Draft Scheme, is better considered through the State Government where it could review SPP 7.3 Residential Design Codes and provide the opportunity for key stakeholders to be involved in the consultative process. Such a process would ensure consistency, suitable application against existing policy, reduce confusion and potential inefficiencies among local government and the development industry.<br>i) A suggested modification in the Draft scheme would be to apply the provisions set out under Clause 68 (3) (R15/30 Code) and 68 (4) (R30/40 Code) of the Draft Scheme to be extended to relate to all residential coded areas as these provisions are considered fair and reasonable.<br>**Clause 51 Watercourses and Wetlands** | | |

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| | | **Observations and Requested Modification**<br>To avoid confusion, it is requested that Provision 51 (l) **be deleted** as is at odds with and duplicates the intent of Clause 79 (6) of the Draft Scheme.<br><br>**Clause 53 Environmental Assets Map & Associated Table 6 – Objectives and Requirements for Environmental Assets Observations and Requested Modification**<br>Request Clause 53 (7) and associated Table 6 of the Draft Scheme **be deleted** for the following reasons:<br>a) Matters relating to remnant vegetation, water courses and wetlands as referenced in proposed Table 6 of the Draft Scheme are already set out in previous clauses of the Draft Scheme under Clause 53 and Clause 51. Table duplicates these proposed Draft clauses and is therefore not required.<br>b) Matters relating to environmental corridors (as currently proposed in Table 6) could be placed within its own provision in the Draft Scheme.<br>c) Reference to specific endangered animals are not required to be specifically referenced in a table in the Draft Scheme.<br>d) It is unclear whether the information was sourced to inform the Environmental Assets Map included in the Local Planning Strategy. It would | | |

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| | | seem that the Local Planning Strategy document is the only location this map is accessible and given the scale of the map, it is difficult to assess the impacts on an individual property, creating uncertainty for landowners.<br>It is therefore requested that the Environmental Assets Map not be referenced in the Draft Scheme at all, reason that the mapping is not correct and the referencing is confusing to the reader. You can see that the actual linework applied doesn't correlate with the existing vegetation and some creek lines when viewing the aerial base data. Remove the issue by removing reference to it in the Draft Scheme.<br>**Clause 53 Environmental Protection – Land Clearing**<br>**Observations and Requested Modification**<br>Client has major concerns with this clause and seeks its removal from the Draft Scheme from the following reasons:<br>a) State government already has the WA Environmental Offsets Policy and associated Guidelines that clarify the determination and application of environmental offsets throughout WA.<br>WA Environmental Offsets Policy and associated Guidelines is applied to proposal s with significant residual environmental impacts and counterbalance these impacts. | | |

# SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | Clause 53 (4) gives Council the discretion to require a proponent to have to revegetate the equivalent area on their land or public land, or other private land with native vegetation indigenous to the area. There is no mechanism to determine the offset, nor ensure the offset is in fact relevant and fair in context with the proposal.<br>b) Clause 53 (4) will no doubt have the most significant impact on the rural sector within the Shire, where, by its very zoning objectives, is identified to be used for agricultural and associated purposes A proposal to use the land for legitimate rural and related purposes that may require removal of vegetation should not also see them having to identify a separate equivalent area of cleared land to be rehabilitated. In other words, environmental offsets should only consider like for like. If this can't be achieved on the same land, then it should not adversely impact the merits of a development application where it has been justified.<br>c) The Deemed Provisions, in addition with other clauses in the Draft Scheme, will ensure that any proposal on land requiring clearing provides the appropriate supporting technical documents to consider the environmental impacts and provide suitable and relevant rehabilitation associated with the proposal. Should | | |

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| | | be considered on a case-by-case basis where, for justified reasons, it does not mean that the proponent is required to replace like for like on land that is identified and being used for rural and associated purposes.<br>d) The clause does not provide any accountability as to when offsets are required, how to determine an appropriate offset, and ensuring the offset is relevant and proportional to the level of impact and significance of the environmental value. In other words, impacts to an environmental value are required to be offset by actions that benefit to the same environmental value.<br>e) An application to consider environmental offsets related to a proposal is clearly set out in State Policy and associated guidelines controlled under the Environmental Protection Act 1986. If the clearing vegetation is not consistent with State Policy and is justified in context with a development application, then we question the need to require environmental offsets over land that is identified for rural purposes.<br>**Reference to Hamlet Design Guidelines Observations and Requested Modification**<br>Client has consistently provided feedback through various planning documents opposing the application of the Hamlet | | |

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| | | Design Guidelines on the urban growth areas of the Margaret River Townsite. Client considers that, as the Hamlet Design Guidelines (2009) (HDG) have never been endorsed by the WAPC and has not been properly reviewed for 15 years since its preparation, the document may not be suitable or relevant in application to urban growth areas of the Margaret River Townsite in the current context. Given the HDG do not form part of the State Planning Framework it is considered misplaced and problematic to include reference to the Hamlet Design Guidelines in a statutory land use planning document.<br><br>The HDG were advanced by the Shire prior to the current planning requirements such as Bushfire Management Plans. Inclusion of 40% productive agricultural land and 30% for ecological restoration in a designated urban growth area has a direct impact on developable area of a site and consequentially the supply of additional lots to the market.<br><br>While the HDG's have been advocated by the Shire to provide an approach to land use planning outcome through sieve mapping, land use capacity assessment, neighbourhood design principles and site responsive planning these concepts are not unique to the HDG. These approaches more suitably current and contemporary land use planning within the State Planning | | |

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| | | Framework. Indeed there are elements and approaches within HDG's which are contrary to Liveable Neighbourhoods and there is no statutory mechanism or planning framework that suitably reconciles these inconsistencies to provide a hierarchy of priorities between the two approaches, thereby creating a mire outcome to advancing urban growth areas for rezoning.<br><br>Problematically, the Draft Scheme text seeks to now **require** a proponent to have regard to the HDG, which is more prescriptive than previously contemplated in the endorsed EMRSP where it States: "Rezoning amendments are to be informed by a Development Framework – Preliminary Local Structure Plan in accordance with the Hamlet Design Guidelines or a Local Structure Plan in accordance with the WAPC Guidelines". While the EMRSP provides proponents an alternate avenue for advancing rezonings, the Draft Scheme seeks to remove the alternative pathway, requiring regard be given to the HDG. This creates additional red-tape and delays in the planning documents that sit outside the State Planning Framework, which is beyond their scope and role.<br>Noting the above points, the client considers that Clause 67 (2) should be modified to remove reference to the Hamlet Design Guidelines. If any reference is to be included, then it should refer to relevant and | | |

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| | | applicable State Planning Policy – namely 'Liveable Neighbourhoods'. This would recognise the WAPC Operational Policy for the design and assessment of structure plans and subdivision for new urban/residential areas including country centres and greenfield sites. Liveable Neighbourhoods operates as a development control policy, or code, to facilitate the development of sustainable communities and represents an integral and integrated component of the State Planning Framework.<br>We seek that due regard be made to 'Liveable Neighbourhoods' noting that it is also applicable to Structure Plan proposals in addition to the guidance provided by the EMRSP applicable for the expansion of the Margaret River growth areas. We disagree with the Shire's view that Liveable Neighbourhoods provides for a generic land use planning outcome as commented by Shire planning staff during the Local Planning Strategy review process. Rather, it provides a more su8itable approach to guide structure planning and subdivision.<br>**Reference to Chalet and Guesthouse Land Use**<br>Note that there is an anomaly in the Draft Scheme, where the Chalet and Guesthouse land uses have not be included – yet specific provisions relating to chalets are included under Clause 63 and 79 (17, 18, 19 &20), 80 (5), Part 6 (Terms) and throughout the Schedules of the Scheme. | | |

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| | | We consider it to be an oversight in context with these land uses. Otherwise we request that the land uses are reintroduced into the zoning table so as to avoid confusion and ensure that these uses are suitably able to be developed within the appropriate zones.<br>**CONCLUSION**<br>Clients Consider the current Draft Scheme will require 'avoidable' excessive requirements (leading to additional assessment time and costs to build housing) on people seeking to develop housing on suitably zoned residential and other land. The sustainable criteria will increase the up-front cost to build a single dwelling, grouped dwellings and other special purpose dwellings that may lead to people not being able to afford to develop land and/or have to take out higher loans that they will have to repay more over the length of a housing loan. This will result in increasing demand to provide other affordable housing options where we know that availability for housing is very limited in the region.<br><br>Request to delete/remove various provisions discussed in this submission are extremely important in making sure the Draft Scheme can be used for land use planning purposes and avoid unnecessary added red tape, costs to build housing and duplication of wording that is already provided for in the Deemed Provisions or under other Sate policy. Failure to remove | | |

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| | | these provisions will lead to ambiguity, uncertainty and duplication, resulting in the slowing of the development approval and construction process, which will ultimately critically and negatively impact the development sector and ability to accommodate a significant growth rate in the region. | | |
| 708.<br>I534514 | **Submission Subject:**<br>General | Thank you for the opportunity to comment on the proposed Planning Scheme 2. I hope that the time that those commenting have contributed pro bono will be respected and that the changes suggested will be incorporated in the final Scheme.<br><br>***Scheme map changes comment****:*<br>2 Townview Terrace.<br>I don't support this change, it's going backwards. you State that it's "reflecting the current pattern of development" the shire needs to take the lead here rather than just reflecting current pattern there should be future vision. given the proximity to town centre this area should be mixed use: commercial and high density residential.<br><br>4. Back yard Infill development<br>this is supported, however it's just not bold enough. It is recognised that there is a housing crisis. the only way out of this crisis is to build more homes. it is incumbent on the planning scheme to do all it can to facilitate this and make it easier. the areas noted for infill development must be upgraded to increased infill development | **2 Townview Terrace.**<br>Council has clearly indicated via the decision to support residential development at Lot 200 Townview terrace, that this precinct is not intended for commercial development.<br><br>**Back yard Infill development**<br>Support for infill is noted. There is an intention to expand this program as sought by the submitter however the Shire' view is that this needs to be preceded by considerable public consultation to ensure its success.<br><br>**Aims of Scheme.**<br>Support for randomness in design outcomes is noted. Whilst the Scheme provides parameters for development it is considered that there is considerable scope for unique architectural styles and variety in built form outcomes.<br><br>**Table 3 Zoning Table**<br>The reason a caretakers dwelling is | **2 Townview Terrace.**<br>No changes are required as a direct result of this submission.<br><br>**Back yard Infill development**<br>No changes are required as a direct result of this submission.<br><br>**Aims of Scheme.**<br>No changes are required as a direct result of this submission.<br><br>**Table 3 Zoning Table**<br>No changes are required as a direct result of this submission<br><br>**18. Interpreting the zoning table**<br>No changes are required as a direct result of this submission |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | and the areas so earmarked must be increased to all areas in proximity to the town centre. when a building is built it should be there for in excess of 60 years, it's no longer acceptable to demolish and redevelop. therefore, zoning needs to look into the future for the density that will be required over the life of the building, not just what is needed now and in the immediate future. increase the allowable density (more than what is proposed) in these areas and extend the areas of increased density to all areas proximate to the town centre.<br>I can see no justification for the requirement that additional buildings not be built in front of the existing building. Such a new building could actually enhance the existing streetscape; this clause should be removed.<br>Under table 9 the additional provisions for each of the three areas seem to be almost identical. in the interests of simplifying the development requirements so that they can be understood by a broad range of people and not just specialist planners why don't you make the same requirements apply to all the areas?<br>one of the few differences in these requirements appears to be the requirement for a lot to be 1000m2 in the Le Souef, Elva and Coronation Street Area. why not drop this requirement for the sake of consistency. dropping this requirement would be consistent with the aim of building as many new dwellings as possible to | not permitted in an industry zone relates primarily to the way in which a sensitive land use can create barriers to new and heavy industry from locating in the zone. Heavy industries must be located away from sensitive land uses making the introduction of them into industrial zones counter productive.<br><br>**18. Interpreting the zoning table**<br>The elected members will ultimately decide which land uses are 'X' and which are not. Therefore there is no diminution of 'power' as suggested by the submitter.<br><br>**37. Restrictive Covenants**<br>Support for the Scheme is noted.<br><br>**38. Carparking**<br>The grade of carparking has implication s for (in particular) people who are less mobile. Given the Shire's commitment to accessibility, removing or modifying this clause is not supported. However, it should be noted that like most scheme provisions, it can be varied where appropriate.<br><br>**Schedule 5 - Car Parking Table**<br>The Shire will be undertaking a review of its carparking standards in 2024/25, however it would be a | **39. Restrictive Covenants**<br>No changes are required as a direct result of this submission<br><br>**40. Carparking**<br>No changes are required as a direct result of this submission<br><br>**Schedule 5 - Car Parking Table**<br>No changes are required as a direct result of this submission.<br><br>**42 Building Height**<br>No changes are required as a direct result of this submission.<br><br>**43. re-purposed and second-hand dwellings**<br>No changes are required as a direct result of this submission.<br><br>**52. 'Significant tree register'.**<br>No changes are required as a direct result of this submission. |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | address the housing crisis. there are exhaustive requirements outlined for additional buildings in these areas, if they can be met on a smaller block by clever design then we should allow it to happen.<br><br>the NIMBY call of "oh it will affect my amenity" must not be allowed to get it the way of increased density. the rights of younger people to housing must not be held hostage to boomer's 'amenity "(a term with little solid meaning)<br>***Draft Scheme comment***<br>9. Aims of Scheme<br>I notice that one of the aims of this proposed scheme is to "encourage development outcomes resilient to the impacts of climate change.<br>I attach an article on 'Resiliency' at the end of my comments which stresses the need for 'bottom-up' forces being allowed to help shape a city. I implore those who control planning in this town to take heed and allow some randomness in the planning of this town and not seek to control everything about its development.<br><br>Table 3 Zoning Table<br>It is nonsensical that a 'Caretakers dwelling' is not permitted in a light industry zone. this is exactly where a caretaker is most needed. these areas are typically empty at night and on weekends so casual surveillance is not possible. I cannot see any possible reason that a caretakers | mistake to assume that in a town with no public transport, that less carparking automatically creates less car use.<br><br>**42 Building Height**<br>The height of buildings is not only influenced by height limits but also on what a particular site can sustain with regard to (for example) carparking. For this reason, the Shire are seldom presented with proposals which seek to vary height limits in the town centres.<br><br>**43. re-purposed and second-hand dwellings**<br>The clause guides but does not prevent the reuse of second hand dwellings.<br><br>**52. 'Significant tree register'.**<br>The aspect of the clause which speaks of "giving notice" relates to the entering of a tree onto the register – not the clearing of the tree.<br><br>**55.(4) "Development subject to visual management controls**<br>The clause of concern to the submitter has very limited application meaning that in most cases, roof colours can be chosen which prioritise energy efficiency. | **55.(4) "Development subject to visual management controls**<br>No changes are required as a direct result of this submission.<br><br>**57. Building Envelopes**<br>No changes are required as a direct result of this submission.<br><br>**58. Effluent Disposal**<br>No changes are required as a direct result of this submission.<br><br>**65. Design Review**<br>No changes are required as a direct result of this submission.<br><br>**68. R2.5 and R5 Code side setbacks**<br>No changes are required as a direct result of this submission.<br><br>**70. Sustainable Design**<br>No changes are required as a direct result of this submission.<br><br>**70.(3) (7)(c)**<br>See response to Submission |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | dwelling should be prohibited, amenity cannot be an argument, many people, including myself would be happy to live in a light industry zone, despite what you might think not everyone wants to live in a cottage with a white picket fence in a quiet area.<br><br>18. Interpreting the zoning table<br>Generally, the 'x' not permitted use takes away power from the elected councilors in favour of unelected planning officers. This category should be possible to override by council decision. We have a history in Margaret River where a certain anti-development head of Planning used this table (and many other tricks) to lock in her agenda in a rather undemocratic way, the repercussions of this time are still being felt.<br><br>35. Restrictive Covenants<br>I support whole heartedly the extinguishment of any covenants placed on land by developers. These covenants are too often written solely to assist with the economic interests of the developers. Things like the size of a house and surface finishes are often the subject of such covenants because the developer thinks that they will help in his ongoing sale of lots. These are not the aims that we should aspire to in the development of our locality.<br><br>36. Carparking<br>(1) whilst the provisions of AS2890.1 (you've left out the S in the clause) generally | **56. Building Envelopes**<br>See response to Submission 405.<br><br>**56. Effluent Disposal**<br>The wording of the clause as it currently appears is important. It will be necessary (in some circumstances) for developers to extend the sewer in order to provide their site (and surrounding sites) with access.<br><br>**65. Design Review**<br>Suggestions regarding the composition of the Design Review Panel are noted.<br><br>**68. R2.5 and R5 Code side setbacks**<br>The setback requirement performs a specific function. It ensures that there are large "breaks" in the streetscape between each house. This is something which residents of the R2.5/5 appreciate and seek to maintain.<br><br>**68(3) / (4)**<br>The split coding provides for the higher densities sought by the submitter subject to meeting simple criteria. | 405.<br><br>**72. District Centre Zone Requirements"**<br>See response to Submission 708<br><br>**73. Clause (1),(2) under Development in the District Centre Zone in Margaret River.**<br>Add 73 (3) to clause 72 and Delete clause 73.<br><br>**72(7).**<br>No changes are required as a direct result of this submission.<br><br>**74. Neighbourhood Centre Zone Requirements**<br>Amalgamate clauses 74 and 75 and modify such that the title and each sub clause refers to 'Neighborhood Centre and Local Centre Zone.'<br><br>**75. Local Centre Zone Requirements**<br>As above.<br><br>**Amalgamation of Zones**<br>Support for amalgamation of zones as required by WAPC |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | make sense i.e. carbay sizes, reversing areas etc...<br>Clause 2.4.6.1 has a requirement to make parking nearly completely flat 1:20. Whereas parking on street; which may be only meters away can be at the slope of the street which may be quite steep.<br>This part of the standard appears to be written with multi-story carparks in mind. If this part of the standard is enforced for open parking on a steep site it produces disruption to the natural landform that is uncomfortable and heavy handed.<br>To require all car parking to be flat has unintended consequences. for instance the carparks behind 99-109 Bussell highway. in this area there exists a huge difference in level between Higgins Lane and Bussell highway. these carparks are not difficult to park in and are an efficient use of the land. to insist that car parking here was flat would require huge earthworks and ramps. this is not in anyone's interests.<br>Despite what one might assume "Australian Standards" are not compiled by an arm of government they are a private commercial operation and they are only law if adopted by a planning scheme, the National construction Code or similar and there's no requirement to adopt the whole standard.<br>Therefore I suggest that the requirements of AS2890.1 when applied should be allowed to use a slope greater than 1:20 because AS2890.1 is intended primarily for multi-storey carparks. | **70. Sustainable Design**<br>The Sustainable Design Criteria do not supplicate the NCC although it could be argued that both attempt to achieve the same thing.<br><br>**70.(3) (7)(c)**<br>See response to Submission 405.<br><br>**72. District Centre Zone Requirements"**<br>See response to Submission 708<br><br>**73.Clause (1),(2) under Development in the District Centre Zone in Margaret River.**<br>Agree – Clause 72 and 73 could be rationalized.<br><br>**72(7).**<br>Height variations are possible within the terms of the Scheme.<br><br>**74.Neighbourhood Centre Zone Requirements**<br>Agree – this clause could be replicated in the District Centre zone.<br><br>**75.Local Centre Zone Requirements**<br>Agree - clauses 74 and 75 can be amalgamated. | is noted.<br><br>**Outbuilding policy**<br>No changes are required as a direct result of this submission. |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | (2) Urban heat Island effect is a recognized phenomenon. It is also recognized that global temperatures are warming. Black asphalt makes a significant contribution to heat Island effect. Impermeable surfaces impede the filtration of water into the soil And cause further issues with the disposal of the (often polluted) stormwater created. Therefore **requiring** large areas of heat absorbing, impermeable bitumen in the town centre is the last thing that we should be doing. There should be a presumption of light-coloured permeable surfaces for carparks in the town centre!<br><br>Schedule 5 - Car Parking Table<br>It is disappointing to see that the carparking requirements in this table do not seem to have changed for the existing Scheme. One would have hoped that there would be a move to make the Planning of our town less beholden to the motor vehicle. Do we really want to continue devoting a huge proportion of our precious town centre to black asphalt? Notes on the 'Urban heat Island effect' above.<br>Many progressive localities in Australia are moving away from a car-first approach to transport planning.<br>For Instance Moreland City Council, which governs a cluster of suburbs in Melbourne's north, hopes to reduce, and in some cases do away with, minimum requirements for | **Amalgamation of Zones**<br>Support for amalgamation of zones as required by WAPC is noted.<br><br>**Outbuilding policy**<br>Policy allows the Shire to be agile and adaptive in the sense that it is easier and quicker to change. There is therefore – good reason to continue to deal with outbuildings in this way. | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | car parking when granting planning permission to new developments, under a new transport strategy.<br>The Moreland Integrated Transport Strategy (MITS) and a companion Parking Implementation Plan were adopted by the council at a meeting on 13 March. In her foreword, Moreland mayor Natalie Abboud said the aim of the plan was to accommodate an anticipated growth in residents of 36,000 people by 2036 by moving away from a car-first approach to transport planning.<br>"*As cities grow, we need to make them more efficient*," she said. "*Cars have proven to no longer be the best way to get all of us around. Once upon a time, this may have been the case, but we need to adapt in order to keep Moreland a great place to live.*" Stephen Rowley, lecturer in urban planning at RMIT University said, "*Minimum car parking regulations are a discredited planning mechanism*."<br>"*I don't know that we can think of a planning control that's done as much harm to as many people for as undetectable a benefit as the application of minimum car parking controls*…."<br>The Planning Institute of Australia said at the time, "*We need to move to models of urban planning that encourage and facilitate non-car transport. Minimum car parking controls can increase the cost of housing, lead to poor design outcomes, and are a severe burden on new businesses in* | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | *established retail areas*."<br><br>42 Building Height<br>When a building is built it should be there for in excess of 60 years, it's no longer acceptable to demolish and redevelop. therefore height limits need to look into the future for the height that will be appropriate in the future life of the building, not just what is appropriate now and in the immediate future. therefore in order to look forward the height limit in the town centre at lease needs to be increased. Clause 72(7) calls for landmark design elements on corner sites in the town centre. there should be additional height allowance for such elements otherwise the landmark elements will not be visually prominent.<br><br>(1) the explanation of where the height limit is up to says "to the top of the ridge of the pitched roof" however a building may have a skillion roof or flat roof and therefore no ridge. to be absolutely clear it would be better to say "to the highest point of the building".<br><br>43. re-purposed and second-hand dwellings it is now recognised that buildings should not be demolished because we can no longer afford to waste the embodied energy in a building. therefore re-purposed and second-hand dwellings should be encouraged whenever possible. It would be preferable to delete this entire clause, lest it | | |

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| | | be construed as making it more difficult to use re-purposed or second-hand dwellings.<br><br>52. I is important that the Local Authority is also bound by the 'Significant tree register'. The way this clause is written the Local Authority only has to consult with itself and give notice to itself to remove 'significant trees' the Local Authority has a history of removing such trees without proper consultation with the community. This clause must be rewritten to ensure that the Local Authority is bound by its requirements.<br><br>55.(4) "Development subject to visual management controls …. must not use colours with a solar absorbtance rating less than or equal to 0.4… "<br>Yet the NCC requires J1.3 (b) "In climate zones 1, 2, 3, 4, 5, 6 and 7, the solar absorptance of the upper surface of a roof must be not more than 0.45." Therefore between the Planning rules and Building rules roof absorbtance in these cases are required to be between 0.4 and 0.45 this is ridiculous to only allow such a narrow band of values. In practice there are only 2 colorbond colours that will comply with this regulatory pincer movement. The Shire claims to be progressive and a supporter of energy efficiency therefore the scheme should allow the most energy efficient roof colours. | | |

# SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | 56. Building Envelopes and Spatial arrangement of buildings on a site (4) the requirement to cluster buildings on a rural property is not consistent with maintaining the rural character of an area. I believe this requirement has crept into planning because someone saw a TV show based in England where historic farm buildings were crowded together. this has never been the case in Australia!<br>A traditional Australian farm has the machinery buildings widely separated from the farmhouse and the hay-shed separated from them all in case it were to catch on fire. if we wish to maintain the rural character of the area as Australian then the rural zoning must be removed from the 'cluster' requirement.<br><br>57. Effluent Disposal<br>(1) Sewage is to be disposed of via a reticulated sewerage scheme, or where deemed appropriate by the relevant decision-maker, via an on-site sewage disposal system." Surely this clause needs to specifically State that on-site sewage disposal is permitted where a reticulated sewerage scheme is not available rather than leave it to the vagaries of the opinion of the 'decision-maker' otherwise a land owner could be left in the situation of not being permitted to build if reticulated sewerage is not available. Nowadays it is possible for onsite disposal systems are | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | able to treat sewerage to a higher standard than a reticulated sewerage scheme so perhaps the clause should say "if reticulated sewerage is not available sewerage must be treated by an onsite disposal system to the same or higher standard as a reticulated scheme."<br><br>65. Design Review<br>What we are selling in the Margaret River brand is not something generic. People come to Margaret River for a "site specific" experience. They come because they believe that Margaret River offers something unique.<br><br>Sure, much of this experience is nature: the beautiful coast, landscapes, the forest. However, I would argue that the build form of Margaret River, Augusta and the smaller "village centres" of the region do and should play an important part in this experience.<br>I believe that buildings should have a "genius loci' or spirit of place. (This is even referred to in the scheme under the Neighbourhood Centre Zone Requirements). Of course genius loci is important anywhere, but in a region where our brand is 'site specific' it's more important than ever. Of course, for a building to be specific to Margaret River is not as simple as sticking a bit of Jarrah and Granite on the front. In fact, it's something that is difficult or actually impossible to write | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | a set of rules to achieve.<br>If we stand back and look at the big picture it's more important that a building is 'of this place' than the exact set back, height, colour and so on.<br><br>Therefore, if we are going to have a 'Design Review Panel' it is imperative to have on that panel people who are capable of understanding what goes into making a building specific to Margaret River, not to Bunbury, Busselton or whatever. i.e., there needs to be one or more qualified Architects who have lived and worked in Margaret River for a decade or more.<br><br>68. R2.5 and R5 Code side setbacks<br>Why have a specific setback requirement for these particular R-codes? Why not just use the R-code requirements like every other density? Here's a good opportunity to simplify the Scheme just delete Clause 68(2).<br><br>68. (3) (4) There is a housing crisis. For the sake of the younger generation Local Government urgently needs to play its part in making it easier to build more housing. These clauses which seek to push housing creation to less dense alternatives are counterproductive. Rather the Scheme should at every opportunity make it easier to Increase density. Why even have R15/30 | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | coding? Just make it R30 (or preferably R40). Why even have R30/40 coding? Just make it R40 (or preferably R60).<br><br>69. Sustainable Design<br>Environmental sustainability is already heavily regulated by the National Construction Code. The requirements of this clause overlap, duplicate and act in contradiction to the NCC requirements. Just keep the Scheme simple and don't try to reiterate stuff already regulated elsewhere.<br><br>70.(3) (7)(c) The requirement to cluster out buildings on a rural property is not consistent with maintaining the rural character of an area. I believe this requirement has crept into planning because someone saw a TV show based in England where historic farm buildings were crowded together. this has never been the case in Australia!<br>A traditional Australian farm has the machinery buildings widely separated from the farmhouse and the hay-shed separated from them all in case it were to catch on fire. if we wish to maintain the rural character of the area as Australian then the requirement to 'cluster' buildings must be removed.<br><br>72. The title of this clause is "District Centre Zone Requirements" yet multiple sub clauses 3,6, etc. Refer to the "Town Centre Zone" this is confusing.<br>(11) this exact clause shows up in District | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | Centre Zone Requirements, Neighbourhood Centre Zone Requirements, Local Centre Zone Requirements and Light Industry Zone Requirements. Couldn't there be an overall heading something like "Development Applications general"? by saying it once instead of four times you'd probably make the scheme a whole page shorter.<br><br>73. What is the point of clause (1),(2) under Development in the District Centre Zone in Margaret River? They're exact duplications of clauses 72 (2),(3) in the interests of simplifying the scheme why not just delete these clauses?<br><br>72(7) calls for landmark design elements on corner sites in the town centre. there should be additional height allowance for such elements otherwise the landmark elements will not be visually prominent.<br><br>74. Neighbourhood Centre Zone Requirements<br>• says that buildings should be "*designed to address the unique character, streetscape and sense of place of each settlement to which the Neighbourhood Centre Zone applies*" (same for Local Centre requirements) this is a laudable aim, however if it's important in the Neighbourhood and Local Centre Zones why not also important in the District Centre | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | Zone?<br><br>• however there is a fear that saying "*external appearance of development on adjoining or nearby land and shall be compatible with the general character and form of development in the area.*" Will be interpreted to make new buildings mediocre. What if the nearby buildings are of poor quality? Are we expected to replicate poor buildings? Its arrogant to think that existing buildings in the area are as good as it gets and that we can't strive to make things more beautiful.<br><br>75.Local Centre Zone Requirements<br>The clauses under Local Centre Zone Requirements are exactly the same as those for Neighbourhood Centre Zone Requirements. Why not combine the headings calling clause 74 to say: 'Local and Neighbourhood Centre Zone Requirements' and delete clause 75? Better still if the requirements are exactly the same why not delete the Local Centre Zone entirely and make them all Neighborhood Centre Zones. It seems to be just trying to make the scheme needlessly complicated and repetitious.<br><br>It appears to me that all the various bushland protection, Leeuwin-Naturaliste Ridge Conservation and Leeuwin-Naturaliste Ridge Landscape Amenity Zones, Southern Ocean Foreshore | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | Protection Zone etc. etc. have been amalgamated and the number of zones simplified. I support this big time!<br><br>I notice that outbuilding sizes on other than residential zonings are controlled by a policy (and it's a well written policy the way it has acceptable development and Performance Criteria) rather than the Scheme. I don't really understand why something like this is policy rather than being incorporated in the Scheme. It makes it simpler for someone who is not a Planner if the rules can be accessed in one place. You can Imagine a lay person thinks that they've read the applicable rules but no; you need prior knowledge that there's another rule hidden over here! | | |
| 709.<br>I534515 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup | **Refer to Submission No. 402 above.** | See response to Submission 402. | See response to Submission 402. |
| 710.<br>I534516 | **Submission Subject:** General | I live in France with my partner and we visit Gnarabup often as I have strong family connections who live in the area.<br>My partner and I are opposed to this development planning scheme. We find it hard to be believe that such scheme could even be contemplated in such a pristine national park environment and will have an environmental impact and take away from the unique, pristine nature of Gnarabup. | See response to Submission 19. | See response to Submission 402. |
| 711.<br>I534517 | **Submission Subject:** 439 Cnr Bussell Highway and Gardiner Road Cowaramup | Clause 51 introduces some specific clauses about water courses and wetlands and development should be setback 100m from | See response to Submission 405. | See response to Submission 405 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | a water course or wetland unless otherwise determined in liaison with the DWER. This is an increased from previous provisions which were only specific to a 100m setback from the Blackwood River and Margaret River. Given the environmental mapping is proposed to be introduced into the Scheme there are uncertainties as to the implications of trying to achieve 100m setbacks or negotiating a lesser setback for development across the Scheme area on many rural lots. In the past a 30m setback from water courses (other than Rivers) for development has generally been a rule so this 100m setback is more onerous across the Shire. This provide unworkable on some farms due to the mapping proposed. Entire farm areas in the Scott River, Warner Glen area for example are identified as wetland which would be unworkable and overly difficult for landowners. Use of Scheme clauses for such assessment is too heavy handed.<br><br>This clause also States that native vegetation should be retained in the setback area, there should be no impact on the creek or waterway with the establishment of dams and the Shire might impose conditions in the setback area which includes rehabilitation, revegetation or weed control. This clause also States that where there is subdivision of land the Shire may require the ceding of land for foreshores particularly where this abuts a | | |

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| | | foreshore and water courses and wetlands should be suitably fenced to prevent stock.<br><br>This clause is too strong for management of buffers from wetlands and waterways when compared with what is currently in the Scheme and is more onerous than previous application of rules more generally. There has not been a requirement to plant out entire setback areas in the past. It is only reasonable to apply planting if there is a definite adjoining waterway or wetland that was devoid of vegetation nearby (and to be potentially impacted) to require revegetating the fringe of this. There is a risk through assessment of proposals that these clauses could direct assessment to be more onerous with respect to setbacks from waterways and wetlands for development and increase and onerous requirements for buffer planting, revegetation or weed management etc also thee is uncertainty in what circumstances foreshore ceding would be required.<br><br>This is not supported and should be applied by Policy with less onerous requirements. The mapping is not accurate and demonstrated by onsite analysis and so this puts the onus on the owner/farmer to demonstrate why something should not be considered as an environmental feature due to the mapping system proposed. This will be debilitating for owners/farmers. On the mapping, some waterways are farm | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | drains. Some native vegetation notated are planted belts of vegetation. Unless a clear and accurate mapping system is in place this should not be referred to in a Scheme. This would be better placed in Policy and not be so restrictive.<br><br>The way the mapping has been prepared and the extent of environmental features will unnecessarily call in many planning applications for minor development on farms not warranting of such assessment. Clause 53 indicates where possible development should be outside vegetation.<br><br>If vegetation is proposed to be removed, flora and fauna investigations would be required and there may be a need for offset planting either on the land or elsewhere of equivalent area. This is expanded from the previous scheme in respect of land clearing and objectives of the Shire. This could cause the need to undertake studies for minor works and needs to be recognised as a Policy matter not a Scheme clause.<br><br>The clause requires that the mapping is to be reviewed and any applications that have potential impact on these matters should be accompanied by information to demonstrate how management mechanism will be put in place to avoid impact. This could be very difficult to ascertain for a proponent and creates significant work to determine if necessary for and causing the | | |

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| | | need for planning applications. Much of the concerns raised by such mapping are addressed in other Legislation and the Scheme need not deal with this so specifically.<br><br>Mapping does not differentiate between obvious waterways and wetlands and substantial stands of native vegetation and very minor Drainage and creeklines and small or insignificant bushland.<br><br>Arguments against the detailed mapping and more specific clauses include:<br>• Such issues are already inherently necessary to be considered and mostly covered under other legislation.<br>• Further, has the mapping been accurately done? For example, some waterways may actually be drainage or bushland might be planted wind rows, some wetland areas are quite extensive and are they actually wetlands or just areas that are subject to inundation occasionally, this mapping could cause the need to have to demonstrate when doing a planning proposal that there is no impact on bush or waterways/wetlands when it might be tenuous as to whether there is actually native bushland or waterways/wetland.<br>• The mapping does not differentiate between obvious waterways and wetlands and substantial stands of native vegetation and very minor | | |

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| | | Drainage and creeklines and small or insignificant bushland.<br>Clause 55 refers to landscape protection and this is quite detailed. Clause 55.2 States *"This removal of vegetation which contributes to the landscape qualities of natural significance is prohibited."* Clause is too open and the clauses in respect of landscape protection need to be improved. Clause could apply too broadly and is not clear.<br><br>Clause 56 refer to building envelopes and spatial arrangement of buildings on a site. Importantly Part (4) of this clause States that on rural lots, dwellings and incidental development must be clustered together in a 2000m2 area. Previously the scheme States that such structures should be clustered but there was no mention of a 2000m2 area. This is too prescriptive for farm properties and is quite a subjective clause because how is a 2000m2 area defined? More flexibility is needed for farmers.<br><br>Clause 69 introduces potentially onerous sustainable design elements applicable to the building of houses not commonly applicable in local planning schemes. This is a new requirement applicable to those building dwellings, to incorporate forcibly sustainable elements as outlined. This is going to add to the cost of construction across the Shire. The Shire should not be | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | singled out for such requirements and this should be left to be applied as a Statewide or national approach. Again, this will cause the need for too much assessment of standard dwellings in the Shire inhibiting the process of supplying needed accommodation affordably.<br><br>Clause 79 introduces provisions that are specific to the Rural zone.<br><br>The previous scheme allowed consideration of an additional dwelling for rural workers. There is now a new workforce accommodation type development permitted instead. The definition of this States that this is for temporary purposes which is queried because any development approval might be subject to a temporary timeframe which is difficult to determine what this will be. Why can this not be also potentially permanent?<br><br>This clause also States that where multiple units are proposed, these should be distinct from a house and be dormitory style with shared facilities and located close to the main house. Adaptation of old farmhouses for this purpose is also promoted. There should be the ability to locat4e works near work sheds or the actual area where the work is to be undertaken rather than always clustered with the main house. More flexibility on farms is needed for practical | | |

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| | | reasons. Flexibility needs to be applied particularly on larger farms.<br><br>The new clause permitting 120sqm ancillary dwellings is supported as this will assist with extended family management of farms. I submitted the AMR Shire on this matter around 2009 that 2 houses should continue to be allowed but my submission was ignored.<br><br>Clause 80 deals with the Environmental Conservation zone which does affect some farming lots.<br><br>Farmers within this zone are concerned with this zoning and clause as applicable to farmland and particularly clauses 80 Part (7) and 80 Part (8). Clause 80 (7) States that no agricultural grazing on vegetated or wetland areas is permitted, and such areas should be fenced to prevent stock. This clause appears to indicate that where grazing is already occurring there is an intention to restrict this and when cross referenced with the environmental mapping system lots of areas are marked as wetland, waterway or bushland and obviously some of these areas are very good summer grazing or shade for stock. It's also Stated at Clause (8) that clearing for agriculture is not supported in this zone. The clauses should State this is not applicable to exiting enterprise so it cannot be implied this is applicable to existing use. | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | Likewise it could also be interpreted that this clause requires fencing of wetlands as shown on the mapping system which is unworkable and will affect farmers.<br><br>In summary there is a much more detailed approach to consideration of environmental and landscape matters in rural areas and more prescriptive approach to what is relevant and what needs to be addressed and this needs to be vetted and amended so that farming and minor associated development can be conducted reasonably without too much difficulty through the planning process. The environmental mapping is not correct and applies too broadly.<br><br>Why does it need to be so detailed? This could potentially create difficulties or complications or onerous requirements for farmers proposing development or change of land use. The starting point is from a stronger position environmentally. Environmental matters would be better placed in a Policy.<br><br>Setbacks from waterways and possible requirements for rehabilitation of the buffers from waterways and wetlands can be read to be a firm matter and the environmental mapping system is very detailed and not correct in some instances and particularly concerning clause is 80 Part (7) which States that there should be | | |

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| | | no agricultural grazing in vegetated or wetland areas and that these should be fenced off. this needs to be qualified that it is only applicable to new proposals and not existing land use. Otherwise, it is questionable as to whether this clause is intended to be a matter that is applied by Shire planners generally or this intended to be only when planning applications are lodged.<br><br>Many clauses are unclear, potentially onerous, unworkable for farmers, introduce very detailed considerations and potential planning applications where not necessary. The assessment process will become too complicated and careful consideration should be given to clauses affecting broad areas of the Shire including farmers and rural landholders. Much of what the Scheme introduces is covered by other legislation and or policy and need not be in Scheme provisions. | | |
| 712.<br>I534518 | **Submission Subject:** 15 (Lot 19) Valley Road Margaret River | Support new Local Planning Scheme No. 2 suggestions for a Special Control Area (No. 4)<br>This will mean that when a home is built on 15 Valley Road, Margaret River, there will be the opportunity to also build another accommodation to a maximum of 100sqm. However, like to take this opportunity to say that there appears to be inconsistencies in this enclave. Whilst block in Valley road are R15 and not allowed to be subdivided into smaller lots, considerations has been given | Support for SPA4 is noted.<br><br>20 Tunbridge is zoned Future Development and a structure plan and subdivision approval is in place which will see it developed into 25 housing lots and two commercial lots. | No changes are required as a direct result of this submission. |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | to subdivide 20 Tunbridge into smaller lots which creates a high density in between Stewart Street and Valley Road. To have high density in between these lots that back on 20 Tunbridge Street makes no planning sense and disregards the peace and tranquillity of the occupants.<br>It would be positive to see Valley Road and Stewart Street, Margaret River remains lower density in comparison to the high density going on all around. However 20 Tunbridge Street needs to meet the same requirements.<br>Once could ask, exactly what is the thinking behind this planning? Is it to have an enclave that isn't high density? Is it to preserve the uniqueness of Valley Road and Stewart Street? If so, that is supported but it must apply to 20 Tunbridge Street also. Serious consideration must be given to how 20 Tunbridge Street is developed, and it should actually have the same requirements as those for Valley Road and Stewart Street. | | |
| 713.<br>I534522 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.** | See response to submission 19. | See response to submission 19. |
| 714.<br>I534524 | **Submission Subject:** Environmental Impacts - Witchcliffe | **Refer to Submission No. 87 above.** | See response to Submission 87. | See response to Submission 87. |
| 715.<br>I534526 | **Submission Subject:** Whole Shire | As it stands the Draft Scheme:<br>• Provides very no upcoding of suitable land and otherwise very limited infill opportunities for land within existing | **Residential Infill Development:**<br>The SCA4 area is (effectively) up-coded but in a more nuanced way which is supported by the | **Residential Infill Development:** |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | residential zoned and developed areas close (within 5minute walk/ride) to principal service centres.<br>• Places unnecessary additional requirements on landowners seeking to develop Single and Grouped Dwellings, where such requirements are not mandated in legislation at State or Federal government level and will place significant up-front costs to people wanting to build.<br>• Includes clauses and tables not considered necessary and duplicates mapping and information already available from relevant environmental government authorities.<br>• Lists all properties currently zoned 'Chalet and Camping' in existing Local Planning Scheme No 1 to fall within Schedule 9 of the Draft Scheme, duplicates the role of Table 1 – Zoning Map by determining land use permissibility for each landholding placed in Schedule 9 of the Draft Scheme, and applies short stay land use density for these landholdings Schedule 9 as well. It is considered that Use Class Permissibility and density requirements for chalets and related uses could be included within the general provision relating to the 'Tourist' zone with other referenced clauses that assist in providing performance requirements for specific land uses.<br>**Residential Infill Development:** | landowners. Furthermore upcoding will be undertaken as a separate exercise together with the requisite high level of community consultation.<br>**Clause 69 Sustainable Design and Associated Table 9 – Sustainable Design Items**<br>Concerns regarding the lack of a 'head of power' are unfounded. The *Planning and Development Act 2005* lists the matters which can be dealt with by a planning scheme which includes:<br>• measures to maximise energy efficiency;<br>• conservation of the natural environment<br>• The conservation of water<br><br>Concerns over affordability are overstated. For example, the builder of a 200m$^2$ house may select 600mm eaves, a reduction in hard stand area and the addition of three trees. These are affordable and common sense modifications to standard house design.<br><br>**Clause 51 Watercourses and Wetlands Requested Modifications**'<br>See response to Submission 422 | No changes are required as a direct result of this submission<br><br>**Clause 69 Sustainable Design and Associated Table 9 – Sustainable Design Items**<br>No changes are required as a direct result of this submission<br><br>**Clause 51 Watercourses and Wetlands Requested Modifications**'<br>See response to Submission 422<br><br>**Table 6 – Objectives and Requirements for Environmental Assets**<br>See response to Submission 422<br><br>**Environmental Assets Map**<br>See Response to Submission 422.<br><br>**Tourism Zone and Application of Schedule 9 of Draft Local Planning Scheme No. 2**<br>See response to Submission 501 |

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| | | 1, It is requested that due consideration be made to upcode the SCA4 areas shown on the Draft Scheme for the following reasons:<br>a) Residential development of the SCA4 areas (which has already seen Council support rezoning of 54 Willmott Avenue, Margaret River to Residential R60 under Amendment No. 75 to LPS No. 1 would align with a number of key actions in the Shire's Local Planning Strategy, most notably in achieving a greater balance between urban infill and outward suburban expansion. The Strategy sets a target for 40 per cent of new dwellings to be within 5 minute ride of the town centre, and the appropriate redevelopment of properties such as these SCA areas will be imperative in achieving that objectives.<br>b) 'SCA4b – Valley Road and Stewart Street Area' is surrounding by higher density development including:<br>• With R30/40 located at the northern end of Stewart Street,<br>• Lot 51 (No. 20) Tunbridge Street being zoned 'Urban Development' with a Council approved Local Development Plan (July 2022) for Residential R40 density development and mixture of residential and commercial land uses fronting Tunbridge Street. | **Table 6 – Objectives and Requirements for Environmental Assets**<br>See response to Submission 422<br><br>**Environmental Assets Map**<br>See Response to Submission 422.<br><br>**Tourism Zone and Application of Schedule 9 of Draft Local Planning Scheme No. 2**<br>See response to submission 501<br><br>**Clause 53 (4) Environmental Protection – Land Clearing**<br>Notwithstanding the views of the submitter the clause accurately describes when offset planting is required, identifies the quantum of planting required and provides options for where the planting ca occur. | **Clause 53 (4) Environmental Protection – Land Clearing**<br>No changes are required as a direct result of this submission |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | • District Centre zoning located immediately east (being Darby Apartments) and fronting Tunbridge Street to the Valley Road residential area, representing 1-3 min walk to services offered in the town centre.<br>c) SCA4 areas should be afforded flexibility in providing an increased range of housing typologies and design to support a range of accommodation needs of the community located close to services.<br>d) Relevant provisions could be introduced to ensure development at the higher coding would address high quality design, streetscape and overall amenity and relevant sustainability matters. This could be introduced into Clause 68 (Residential Zone Requirements) of the Draft Scheme.<br>e) Reflects WAPC DC Policy 4.2 where, as a Policy outcome, *"the density and diversity of housing in and around activity centres is maximised to improve land efficiency, housing choice and housing affordability, and assists with delivering the urban consolidation objectives and outcomes of the strategic planning for the applicable region.'*<br>A density increase in R Coding can still facilitate back yard infill to support | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | 'small houses'. However it is considered that such an approach will only provide limited take up by landowners. The full range of redevelopment opportunities can still provide for a variety of housing operations suitably developed at a medium or high density, and is reflective of surrounding development (Particularly for Valley Road and Stewart Street) that has already been approved/developed.<br>Unfortunately, the approach for the Draft Scheme to support small houses in back yards only, will not suit all landowners, where the intention would be to demolish an existing older dwelling and develop a more efficient, fit for purpose and modern range of dwellings that reflects the surrounding locality and its proximity the Margaret River town centre. The planning process should aim to incentivise landowners to properly redevelop land close to town centres. It should no impose design criteria that places additional cost and burden to the landowner, while offering limited 'small house' infill development only.<br>2. The residential areas identified as 'Backyard Infill – (SCA4)' in the Draft Scheme to be suitably coded to enable residential development as per Clause 68 (3) R15/30 Code and 68 (4) R30/40 Code in the Draft Scheme. Such an approach would ensure that residential redevelopment will address the | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | additional performance criteria, which is relevant and consistent with that already applied under Local Planning Scheme No. 1 . The SCA4b – Valley Road and Stewart Street area and SCA 4c – Le Souef, Elva and Coronation Street Area should, by their very close proximity to the town centre and other areas already identified for higher density development, be coded R30/40 (f not higher) to facilitate a full range of residential design outcomes.<br>**Clause 69 Sustainable Design and Associated Table 9 – Sustainable Design Items**<br>Significant concerns pertaining to applying specific Sustainable Design Criteria into the Draft Scheme It is requested that Clause 69 and associated Table 9 be deleted from the Draft Scheme for the following reasons:<br>1. The reference to sustainable design items identified in Table 9 of the Draft Scheme are not mandatory requirements set out in any State or Federal legislation. Hence there is no head of power to mandate such requirements into a Local Planning Scheme. Landowners should therefore not be forced to choose additional sustainability criteria (such as solar voltaic cells/rainwater tanks/ solar energy storage/greywater systems/double glazed windows) where it is not mandated in any State or Federal Level Policy. | | |

# SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | 2. It will have a significant negative impact on housing affordability as the listed design criteria will see additional cost being borne on to the resident/s where, in many cases will either (particularly first home owners) be priced out of developing their own house or have to pay off a higher loans over the length of any money borrowed to construct the dwelling. This diminishes any owner operating cost of the life of a new building (as claimed in the Council response to submissions on this matter in the Draft Local Planning Strategy 2036).<br>3. Apply fewer sustainability criteria to small dwellings is disproportionate and ignorant to the fact that households with a larger family, for example will be penalised by not only needing to build a larger house to accommodate their family needs, but also having to implement more sustainability measures.<br>4. It will lead to additional red tape for Council to assess Single Residential and Grouped Dwelling proposals, where current compliance with the R Codes does not require planning assessment and review of additional design criteria. This will exacerbate assessment timeframes and place additional cost pressure on developing dwellings already experienced increased costs of construction. | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | 5. Sustainability criteria, as referenced in Table 9 of the Draft Scheme, should be considered at State level, where the matters can be thoroughly considered at the time of reviewing the Residential Design Codes and involve key stakeholders through the consultation process. This would provide a consistent approach that means such criteria, if justified, is applied on a consistent basis across all municipalities. In other words, there is no obvious land use planning reason why such sustainable design criteria that is not a mandatory requirements in any State or Federal Policy should be imposed on one Local Government, when its not being consistently being applied to others.<br>**Clause 51 Watercourses and Wetlands Requested Modifications**'<br>1. Provision 51 (I) be deleted as is at odds with and duplicates Clause 79 (6) of the Draft Scheme outlines that-<br>79(6) Intensive agricultural uses shall be setback 100 metres from the Margaret, Blackwood and Scott Rivers and Hardy Inlet or 30 metres from any natural water course that flows intermittently. These may be reduced, provided that a suitably wide foreshore buffer is fenced and rehabilitated with endemic species. The minimum width of any such | | |

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| | | buffer shall be 10m either side of the watercourse or areas of seasonal inundation.<br>While clause 79 (6) of the Draft Scheme relates to intensive agricultural uses, all remaining development/land uses should be by guided by setback requirements to seasonable creek lines as justified and as deemed appropriate by the relevant decision maker.<br>**Clause 53**<br>**Environmental Assets Map and Associated Table 6 – Objectives and Requirements for Environmental Assets**<br>**Requested Modifications**<br>1. We request Clause 53 (7) and associated Tabe 6 of the Draft Scheme **be deleted** for the following reasons:<br>a) Matters relating to environmental corridors (as currently proposed in Table 6) could be placed within its own provision in the Draft Scheme;<br>b) Matters relating to remnant vegetation, water courses and wetlands as referenced in proposed Table 6 of the Draft Scheme are already set out in previous clauses in the Draft Scheme under Clause 53 and Clause 51. The table only duplicates these proposed Draft clauses, causing confusion to the reader.<br>c) Reference to specific endangered animals is not required to be | | |

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| | | referenced in a table in the Draft Scheme noting that –<br>(i) The *Planning and Development (Local Planning Schemes) Regulations 2015 – Deemed Provisions'* require any application for planning approval 'must' be accompanied by such plans that, where relevant, include –<br>• The location, height and type of all existing structures and environmental features, including watercourses, wetlands and native vegetation on the site<br>• A report on any specialist studies in respect of the development that the local government requires the applicant to undertake such as site surveys and environmental studies.<br>The deemed provisions recognise that environmental matters represent one of many factors needing to be considered when preparing and lodging development applications for Council or Development Assessment Panel approval. It means that there is a planning mechanism already in place able to be | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | applied on a case by case basis.<br><br>(ii) The deemed provisions refer to other matters, in considering an application for development approval including any environmental protection policy approved under the Environmental Protection Act 1986 and also environmental impacts of the development.<br>(iii) The deemed provisions, in addition to the State environmental protection policies set out under the Environmental Protection Act 1986, provide targeted technical guidance for Western Ringtail Possums, Carnaby Cockatoo and Baudin Cockatoo, Burrowing crayfish and White Bellied Frog where a proposal may impact on their habitat. This reflects the need for assessment of proposals to be considered on a case by case basis.<br>2. Request that all references made to the "Environmental Assets Map' **be deleted** from the Draft Scheme, by reason that the Draft Scheme is a statutory land use document that already has relevant provisions that enable development applications to | | |

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| | | consider all key land use and development factors on a case by case basis This will remove another layer of mapping not considered necessary noting that relevant environmental government agencies rightfully contain this information. The Environmental Assets Map is difficult to interpret and as outlined above, incorrect in its application. Hence it should not be referenced in the Draft Scheme, thereby removing confusion and service time delays by the user. It was also bring the Draft Scheme back in line to operating as a relevant Statutory land use planning document that can be ore easily used by Council, landowners, the community and professionals.<br>**Tourism Zone and Application of Schedule 9 of Draft Local Planning Scheme No. 2**<br>1. Unless otherwise already placed within the current Tourism Schedule of Local Planning Scheme No. 1 (where a landholding has been suitably assessed for the range of specified land uses permissible for the land), it is considered that a more efficient direction to consider land use permissibility and density for 'Tourist' zoned landholdings would be to:<br>A) Reinstate the density control for the tourist zoned lots set out in current Local Planning Scheme No. 1 into | | |

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| | | the general provisions identified at Clause 78. The provision should State – *'The density of development on land within the Tourist Zone shall not exceed a chalet/cabin or 2 guest house rooms per hectare or 10 caravan bays or camping sites per hectare, unless otherwise allowed for the Scheme subject to maximum density of development on any one lot within this Zone of 10 chalets or cabins or 50 caravan bays or camping sites.'*<br>B) Remove reference to all tourist zoned landholdings in Schedule 9 of the Draft Scheme that are currently zoned 'Chalet and Camping' and are not referenced in any existing Schedule under current Local Planning Scheme No 1.<br>C) Include additional provisions within Clause 47 that outlines criteria needing to be satisfied for various land uses (such as Motel, Serviced Apartments, Tourist Development, Brewery, Hotel, Liquor Store-small, Grouped Dwellings and Multiple Dwellings, and Fast Food Outlet) that may include-<br>• Identified as a Strategic Tourism Site in the Local Tourism Planning Strategy; or<br>• Is located within a gazetted townsite, and | | |

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| | | • Able to demonstrate adequate servicing to support the proposal.<br>Clause 78 (I) of the Draft Scheme provides the mechanism for other those tourist development lots able to be considered for an increased density and range of land uses as identified in Schedule 9.<br>The aim here is to no duplicate the role of Table 1 – Use Class Table and to streamline the inclusion of tourist related lots that are actually needing to be identified in Schedule 9 of the Draft Scheme.<br>**Clause 53 (4) Environmental Protection – Land Clearing**<br>Concerns with this provisions are as follows:<br>1. It provides Council the discretion to require a proponent to have to revegetate the equivalent area on their land or public land, or other private land with native vegetation indigenous to the area. There is no mechanism to determine the planting offset, nor ensure the offset is in fact relevant and fair in context with the proposal.<br>2. It doesn't outline if the planting offset is to be like-for-like meaning impacts to an environmental value are required to be offset by actions that benefit the same environmental value being impacted. | | |

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| | | 3. If like for like planting offset is not able to be achieved, it should not be used as the only factor where the merits of the development application have been fully justified.<br>4. It does not provide any accountability as to when offsets are required, how to determine an appropriate offset, and ensuring the offset is relevant and proportional to the level of impact and significance of the environmental value.<br>5. The provision runs the risk that the proponent will be required to rehabilitate land that is already being used for an agricultural purpose or has high classification to support a range of agricultural land uses.<br>If the provision is not able to properly address the above concerns, then it suggested the provision be removed, as the Deemed Provisions details the factors that are able to be considered by a land use proposal on a case-by-case basis.<br>**Conclusion**<br>Proposed Draft Scheme, as advertised significantly adversely impact the appropriate provision for residential infill development, place excessive red tape and cost to building a house, and includes environmental references that duplicate the role and function of existing State environmental agencies. It will lead toward pricing an increased number of people out of developing their own home. It will also | | |

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| | | place increased demand for housing sector on existing housing and have a knock-on effect for the development industry in supplying developable lots.<br><br>The Draft Scheme as proposed appears intent to applying a range of land use controls that will slow development down in the Shire However given that the Shire is experiencing the highest growth rate in the State, such a direction will prove to be very adverse in being able to accommodate people that live or seek to live in the Shire.<br><br>The Draft Scheme is required to be significantly modified as reflected in the requested modifications above. I would implore the Council, WAPC and Minister for Planning, Lands and Heritage to thoroughly consider this Draft Scheme against the State Planning Framework and in context with this submissions IF the changes are significant, then consideration should be given for the Draft Scheme to be readvertised. | | |
| 716. I534527 & I534602 | **Submission Subject:** Agricultural Zone Submission | **Refer to Submission No. 405 above.** | See response to Submission 405. | See response to Submission 405. |
| 717. I534529 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |
| 718. I534586 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 | **Refer to Submission No. 19 above.**<br><br>**Additional Points:** | See response to Submission 19 | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | Gnarabup – Standard Pro Forma Submission | Too much pressure on existing infrastructure.<br>Ruining unique and beautiful coastline.<br>Children can't do swimming lessons at Gnarabup as it is as the parking is inadequate. | In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 719.<br>I534587 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup | Involved in selling a lot of the Gnarabup lots and was under the impression that the Gnarabup Beach resort and the Break had exceeded the original plan and the sewage plant was already over the capacity.<br>Gone to great expense to install our own septics and feel that they may have to do something by increasing the capacity and will use Prevelly as an inclusion at our expense. | Comments regarding Water Corporations sewage assets are noted. | No changes are required as a direct result of this submission |
| 720.<br>I534588 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Unique beautiful place will no longer be the same.<br>Fragile environment needs to be protected not developed.<br>Bushfire risk – one road in and out.<br>Already overloaded infrastructure. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are | See response to Submission 19 |

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| | | | noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 721. I534589 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Only one road in and out which create a bushfire hazard. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 722. I534590 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Spoils the appeal and natural beauty of the area.<br>Bushfire risk.<br>Over developed. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| 723. I534591 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Wil add too many people to an already increasingly overcrowded area. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 724. I534592 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Gnarabup is such a special and unique place that can be accessed and enjoyed by all. This proposed development will limit access and potentially overwhelm the fragile ecosystem. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 725. I534593 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>This fragile environment needs to be preserved for generations to come, not sold | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | off and developed for the minority to use and abuse.<br>Existing infrastructure in Gnarabup is stretched now as more and more tourists pout into the area. More tourists mean more cars using the one road in and out of the area causing a catastrophe waiting to happen (Bushfire). | Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 726.<br>I534594 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Concerned that this resort development proposal is even being considered on our beautiful unspoilt coast. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 727.<br>I534595 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup | Feel any development more than originally intended in Gnarabup will be very detrimental. More people, more water and nowhere sewerage.<br>Prevelly/Gnarabup cannot handle the influx in holiday time, how will they handle more residential.<br>The Margaret River Beach resort and The Break were way too much occupancy originally and the Shire let it happen. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | Please do not let this Scheme happen, also there is still no secondary road out in case of another fire. | process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 728. I534599 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Development shouldn't proceed due to increased risk to residents of fire and impact on evacuation due to the significant population increase.<br>The increase in waste produced which the waste treatment plant in Gas Bay is incapable of dealing with.<br>Increased traffic impacting local residents (especially children) and beach-goers.<br>Significant impact on the fragile coastline at Gnarabup, risk of leeching into the heavily used south end of Gnarabup Beach and destruction of native habitat. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 729. Shane Ellis | **Submission Subject:** Lot 9002 Hillview Road and Lot 1242 Hart Road, Augusta | Harley Dykstra is a long-established town planning consultancy firm within the South West and has been engaged by Donald Ellis to prepare the following submission on the Draft Shire of August Margaret River Local Planning Scheme No. 2 (Draft LPS 2). This submission relates to Lot 9002 (on Deposited Plan 65005) Hillview Road and Lot 1242 (on Plan 82297) #75 Hart Road, Augusta. In summary we confirm that we request some modifications, especially in relation to the zoning of Lot 1242. We note | The landowner had previously written to the Shire with a request that Lot 1242 be rezoned to Rural in order to reduce the amount of rates payable. It appears that they have had a change of mind. As such there is no objection to maintaining a similar zoning as is currently in place for this lot (Urban Development) | Apply the 'Urban Development' zone to 75 Hart Road Augusta and include the site within the DCA1, DCA3, DCA3b Developer Contribution Areas. |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | that existing Local Planning Scheme No. 1 (LPS 1) shows Lot 9002 and Lot 1242 to be zoned 'Future Development'. Both lots are also contained within a 'Structure Plan Area (SPA32)' under LPS 1. In Schedule 11 of LPS 1, the expected land use for SPA32 is noted as residential and the associated provisions note that: "*Subdivision and development shall be generally in accordance with the Structure Plan endorsed by the WAPC on 17/9/2003 or a subsequent Structure Plan approved by the Western Australian Planning Commission in accordance with the process set out in Part 4 of the Scheme."* We note that no fundamental changes are proposed to the zoning of Lot 9002. Draft LPS 2 shows the land zoned as 'Urban Development'. However, Lot 1242 is proposed to change to a 'Rural' zoning under Draft LPS 2. This change is not supported. We request that Lot 1242 be zoned 'Urban Development' under Draft LPS 2. The key reasons are as follows:<br>• An 'Urban Development' zoning under Draft LPS 2 would be consistent with the existing 'Future Development' zoning in LPS 1;<br>• The Shire of Augusta Margaret River's Local Planning Strategy identifies Lot 1242 as 'Future Urban' (i.e. not Rural), notes that the proposed land use is residential and identifies an estimated lot yield (Planning Precinct A3). Draft LPS 2 should reflect the strategic | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | direction of the Shire's Local Planning Strategy; and<br>• Initial stages of subdivision and development have already occurred in accordance with the existing Structure Plan/ Outline Development Plan referenced in LPS 1 (see copy also attached below). The zoning of Lot 1242 needs to be maintained as 'Urban Development' for this subdivision and development to continue as approved. Alternatively, if/once a revised Structure Plan approval is issued for the property, development will occur in accordance with this revised Structure Plan | | |
| 730.<br>I534601 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Multiple Lots, Witchcliffe Ecovillage – Standard Pro Forma Submission | On behalf of the Witchcliffe Ecovillage, I make submission to the Draft Shire Augusta Margaret River Local Planning Scheme No.2 that has been available for public comment.<br><br>I refer to the previous discussions we have had about this over the last 18+ months and acknowledge your reply to my request for preliminary advice provided via email 16 November 2023 plus your recent discussions with Clare Hamilton about same. This has assisted to shape this response. My client and I recognize that there are some matters contained within this submission that would benefit from further dialogue with the Shire, and we welcome the opportunity to meet to achieve this. This includes engagement to determine the wording of new text. | **Regularising Zones**<br>As requested by the submitter, the shire intends to recommend to the WAPC that the zoning of the Eco Village be regularised so that all of the lots which have been created, have matching zone applied via the Scheme map. The submitter has raised a legitimate concern regarding Lot 32 which has been identified for backpackers accommodation which would be categorised as 'Tourist Development' in the draft Scheme (an X use). Given the recommendation at Submission 17 which reinstates the 'Guesthouse' land use, making this a D use in the Neighbourhood Centre zone would address the submitters concern. | **Regularising Zones**<br>Zone land throughout the Ecovillage in accordance with the endorsed Structure Plan.<br><br>Identify 'Guesthouse as a 'D' use in Neighbourhood Centre zone.<br><br>**Special Use Zones**<br>Include the contents of Attachment D at Schedule 3.<br><br>**Role of Structure Plan**<br>No changes are required as a direct result of this submission.<br><br>**Local Development Plans** |

# SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | Overall, the Ecovillage supports preparation of the new Scheme, and in principle, the key topics sought to be addressed.<br><br>The primary interest of the Witchcliffe Ecovillage in the new Scheme process is to ensure the important planning outcomes relative to the Ecovillage, presently espoused in the approved Witchcliffe Ecovillage Structure Plan, are not inadvertently lost, or diminished where still required, in this translation.<br>This includes via the necessary step in this new Scheme exercise to regularise away from the Future Development zone that currently applies, and which presently gives clear agency for "due regard" of the approved Structure Plan and all it espouses. This is a critical matter of principle given the extensive planning process that has guided the successful planning and development of the Witchcliffe Ecovillage to date, and which remain important to ongoing decisions and operations.<br><br>It is also important given the considerable commitments made with purchasers in the Ecovillage who also expect these same aspirations to continue, plus implementing the Ecovillage Commons Land and strata arrangements that exist, which are different to other residential estates. | **Special Use Zones**<br>The submitter has provided draft Special Use zone provisions to be applied to the Agricultural lots, common property land and the wastewater treatment plant. These have been amended by staff and can be found at Attachment D. Some of the uses requested by the submitter are not consistent with the model definitions and are hence not included.<br><br>**Role of Structure Plan**<br>The submitter requests that the Ecovillage Structure Plan be given special reference at Schedule 7 of the Scheme. Regardless of any special mention, the Structure Plan applies to land as per cause 27 Part 4 of the Deemed Provisions and must be given due regard in decision making.<br><br>**Local Development Plans**<br>The deemed provisions adequately address the submitters concerns in that they allow for LDP's to vary the R-Codes (with permissions of the WAPC) and require that the Shire need to give the LDP "due regard" in decision making. (see clause 1B Part 1 of Deemed Provisions)<br><br>**Holiday Homes** | No changes are required as a direct result of this submission<br><br>**Holiday Homes**<br>No changes are required as a direct result of this submission<br><br>**Tourism Lots.**<br>See response to 'Regularising Zones' above.<br>Include Tourism lots on Kulbardi Way at Schedule 9 – 'T34' and in the 'specific conditions and requirements column' include the following:<br>**Use**<br>*In addition to the uses provided for by Table 3 – Zoning Table, each lot may be used and developed as a single house.*<br><br>**Carparking**<br>Modify clause 36 (1) such that it reads:<br>*Car parking is to be provided on-site in accordance with Schedule 5, or an applicable car parking strategy and constructed to Australian Standard A2890.1-2004 (as amended).* |

# SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | **Background**<br>The Witchcliffe Ecovillage Structure Plan was approved in January 2018, with Amendment 1 to the Plan approved in May 2021.<br><br>As the Shire is familiar, the approved Structure Plan is unique to the Witchcliffe Ecovillage. It has been instrumental to date, not in the least given the platform it provides to implement sustainability-based development and subdivisional arrangements that are broadly different (and aspirational) to more typical, new residential estate development in Western Australia.<br><br>In particular, the Witchcliffe Ecovillage Structure Plan has enabled a carefully planned site layout alongside a curated combination of Design Guidelines, Development Plans, Restrictive Covenants and Strata by-laws to guide the specific outcomes of a sustainable ecovillage. These practices continue to successfully address the various elements of estate construction, operations, land use, infrastructure, built form, environmental response, landscaping and streetscape, and the key requirements for onsite renewable energy, water, and food production.<br><br>The Witchcliffe Ecovillage has rapidly advanced over the last 2 years and is now | See comments above re: the effect of Structure Plans. In time, the Shire's Short Stay policy will be amended to make reference to Structure Plans as a method for identifying appropriate locations.<br><br>**Tourism Lots.**<br>In addition to zoning lots shown on the structure plan as being for tourism to 'Tourism' zone, the submitter has requested that lots on Kulbardi Way also have the ability to be used for permanent residential occupation. This can be achieved by including this at Schedule 9.<br><br>**Carparking**<br>In essence, the submitter requests that carparking standards be allowed to be varied by way of precinct based planning which may occur for a particular area. Whilst the mechanism for achieving this suggested by the submitter is not supported, the addition of some wording at clause 36(1) can achieve the requested outcome.<br><br>**Clause 54**<br>The submitter raises concern over the Shires attempt to require that crossovers be located to avoid the removal of trees. This is a practical and common sense provision which | **Clause 54**<br>No changes are required as a direct result of this submission<br><br>**Clause 55 Landscape Protection**<br>No changes are required as a direct result of this submission<br><br>**Clause 34.**<br>No changes are required as a direct result of this submission.<br><br>**Aims of the Scheme**<br>No changes are required as a direct result of this submission<br><br>**Clause 41 - Landscaping**<br>No changes are required as a direct result of this submission<br><br>**Clause 59 - Telecommunications infrastructure**<br>Change from a 'D' use to an 'A' use across all zones.<br><br>**Clause 69 – Sustainable** |

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| | | completed in terms of subdivision construction. This rapid advancement has occurred since the Shire determined to initiate this new Scheme process which does account for some of the additional matters now flagged.<br><br>Although not necessarily sold, all residential, commercial, and agricultural land within the Ecovillage now has Title or at minimum super lot Title. Importantly, all roads and mains infrastructure are now constructed. The only remaining land to effectively gain Title is various subsequent strata stages that sit within serviced and titled super lots.<br><br>The Ecovillage Commons Land (ECL) now has unconditional WAPC subdivision approval that will shortly be Titled. The ECL is Witchcliffe Ecovillage community land that will be owned and managed by the not-for-profit Ecovillage Commons Limited company. The membership of the ECL company is drawn from each of the strata companies and green title lots located in the Ecovillage. Once handed over to the members upon the registration of the last Ecovillage strata, the ECL company will be managed by a board drawn from the Ecovillage strata communities. These arrangements are distinctly different to other residential estates where community land and in effect regulation of community amenity, is only the responsibility of the | provides an option for trees to be replaced where removal is unavoidable.<br><br>**Clause 55 Landscape Protection**<br>This clause cannot be removed for the eco-village only – because it applies across the Shire. Visual impact was taken into account in the development of the Structure Plan which relates to the ecovillage and hence the landuse would be unlikely to create any unexpected consequences for future development.<br><br>**Clause 34**.<br>There is nothing in the scheme which would remove the ability for LDP's to created which differ from the R-Codes subject to the approval of the WAPC where necessary – and for development to be assessed against these LDP's (rather than the R-Codes) where applicable.<br><br>**Aims of the Scheme**<br>Support for this part of the scheme is noted.<br><br>**Clause 41 - Landscaping**<br>The submitters request to have shade trees included in landscaping requirements is not supported. | **design.**<br>No changes are required as a direct result of this submission<br><br>**Renewable Energy facility**<br>No changes are required as a direct result of this submission |

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| | | Local Government.<br><br>The Ecovillage Commons Land comprises open space, dams, conservation land and the Ecovillage community centre, all of which the Ecovillage community will own and manage. The ECL constitution, combined with the by-laws in each Strata scheme, are intended to be powerful mechanisms for ensuring that shared amenity standards and management expectations are met by the Ecovillage community.<br><br>All of the community assets, land, community building, wastewater and dam infrastructure were offered to be vested in Local Government or State Authorities, but this was ruled out by these agencies during the structure planning process, so it is important that this land can be zoned in such a way that the Witchcliffe Ecovillage community can manage and maintain it as more than just land to be mowed, but not be treated as if it is commercially viable land that can be on-sold and thus rated at a commercial rate.<br><br>All of the land is either used for utility (water and waste water) and conservation (forest and creeks) at no profit to the community (income from water simply to cover depreciation of infrastructure, plus a peppercorn lease to the waste water licensee). It's very important that this | **Clause 59 - Telecommunications infrastructure**<br>Criteria applicable to the assessment of any such use is detailed throughout the Scheme as it applies to all forms of development.<br><br>That being said, changing from a 'D' to 'A' across all zones would be in keeping with the Shire's practice of undertaking consultation with respect to these forms of developments.<br><br>**Clause 69 – Sustainable design.**<br>Support for this part of the Scheme is noted.<br><br>**Renewable Energy facility**<br>Is in fact listed in the zoning table. | |

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| | | Special Use Zone confirms Not For Profit use by Ecovillage for storm water catchment, waste water services, community activation and protection of conservation zones.<br><br>These actions combined mean all land within the Witchcliffe Ecovillage has now sufficiently advanced to shift out of the Future Development zone, however a nuanced response is still necessary regarding zone and schedule, selection, and content.<br><br>**Key comments & issues**<br>The following sets out comments and issues the Ecovillage seeks to have addressed: <u>Regularising from the Future Development Zone</u><br>Thank you for your commitment to achieve as much as possible when it comes to regularising land within the Ecovillage out of the Future Development zone into typical zones. We request however that this commitment is broader and applies to all land in the Ecovillage, and not just “where possible”.<br><br>Although the advertised Scheme regularises some of the Ecovillage into typical zones, it has also not kept Scheme reference to the approved Structure plan, and it leaves areas that have now sufficiently advanced within the proposed Urban Development zone. This includes | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | the following land, plus our suggestion of which zone this land should now be within:<br>• Lot 14 and 15 (Neighbourhood Centre zone)<br>• Aged Care land, Lot 16 (Residential zone), noting Aged Care is X in all other zones so this is the required zone.<br>• Remaining residential lots in Stage 5, and Stages 3E and 4E (Residential zone + R code).<br>• All ECL land including the community centre (Special use zone – ECL).<br>• Wastewater Treatment Plant (Special use zone – WWTP). Agricultural lots (Special use zone – Agricultural Precincts A, B and C).<br>• Lot 33, creative hub (Neighbourhood Centre zone). The exact detail of the creative hub is still to be determined and may in fact organically evolve as the Ecovillage matures. This said, discretionary and permitted uses in the Neighbourhood Centre zone, such as Office, Shop, Consulting Rooms, Medical Centre, Community Purpose, Educational Establishment are all apt and appropriate, hence application of the Neighbourhood Centre to this lot.<br>• Lot 32, which is the proposed backpackers accommodation. Whilst this is logically a part of the Neighbourhood Centre, "Tourist Development", which seems the most apt definition, is an X prohibited use in the proposed Neighbourhood Centre | | |

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| | | zone. LPS1 included "Guest house" as a D land use in Village Centre, which is what the developer intended to zone this lot. Guest house does not appear as a land use in LPS, and its replacement "Tourist development" is not a permitted use in Neighbourhood Centre zone.<br><br>Given this, an option is for Tourist Development to be made a discretionary use in the Neighbourhood Centre zone, however it is appreciated this may or may not be desirable across the board in all land zoned Neighbourhood Centre. Alternatively, the Tourist Development use could be applied to Lot 33 as an Additional Use.<br><br>Retaining discretion for a backpackers use on this lot, as has long been anticipated in the approved Structure Plan, is essential and we request the new Scheme be adapted to accommodate this. It is noted that whilst "Residential Building" is an A use in the Neighbourhood Centre zone, this is not a neat fit or certain. Being geared towards other types of residential accommodation, Residential Building does not really capture the temporary or short-term nature of a backpackers.<br><br>In this context, the developer would like to retain the flexibility of the original Village Centre zone (not Tourism zone) should a backpackers not prove financially viable. | | |

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| | | • Lot 13 and part Lot 12 tourism lots (Tourism zone). It is recognised and accepted that Lot 12 will be in 2 zones, which despite not being 2 lots, the zones are applied with the intent of the approved Structure Plan.<br><br>The approved Witchcliffe Ecovillage Structure Plan sets out intention as to the future zones and development outcomes that were intended to be achieved. Given where development of the Ecovillage is at, it is unclear why not all the Ecovillage cannot be regularised in this process to avoid a future process for the Shire and the developer.<br><br>The current Scheme implements the approved Ecovillage Structure Plan through both the Future Development Zone and application of the Structure Plan Areas (SPA34) provision. Alongside regularising all the land into zones, the relevance of the approved Structure Plan is considered to remain paramount. The Ecovillage consider there is necessity to retain status of this plan within the Scheme.<br><br>Although the subdivisional works are largely complete, land use and development of lots is ongoing and there is still implementation to be achieved. For example, further Local Development Plans are yet to be prepared as required by the | | |

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| | | Structure Plan, and further Development Approvals are still be sought for which the Structure Plan will continue to have relevance.<br><br>To this end, it is requested the approved Ecovillage Structure Plan continues to apply over the whole Ecovillage, in addition to regularising the zones. It is suggested this can occur via application of Schedule 7 – *Additional site and development requirements for areas covered by a Structure Plan, activity centre plan or local development plan.*<br><br>This approach has been taken for other existing SPA areas in the proposed new Scheme that are also still in progress, and this is considered an appropriate means to ensure there continues to be an overarching Scheme reference to the approved Structure Plan. Unlike other proposed Schedule 7 provisions that run into more detail, and given the other suggestions set out below, for the Ecovillage it may be sufficient to State "*due regard to the approved Structure Plan*" rather than singling out clauses.<br><br>It is important that the original Structure Plan provisions are retained in the Scheme to ensure that the Ecovillage bylaws can't be amended by individual strata companies within the Ecovillage in the future in an effort to avoid the original sustainability and | | |

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| | | character objectives and requirements that were set out in the Structure Plan. (Strata companies can vote to change bylaws, but not if the new bylaw is in contradiction to local and State planning requirements.)<br><br><u>Special Use Zones</u><br>We have spent considerable time liaising with the Shire planners and CEO concerning the construct of the Special Use Zone over the Agricultural Lots, as well as discussing principles concerning the ECL land. This has included considerable examination of the purposes and various land uses set out.<br><br>Given the time and effort invested to ensure the Special Use zone Schedules were suitably Drafted, we trust there will be no major departures now, with this applied as per the latest form discussed, added into proposed *Schedule 3 – Special Uses*. We trust this is largely satisfactory but remain available to discuss if there are refinements sought.<br><br>The final proposed version of the Special Use zone is attached, noting this now includes specific text for the ECL and Wastewater Treatment Plant (WWTP) land. As this was all largely Drafted prior to the new Scheme being available, the following comments are also noted:<br><br>• *Apiary* is not a defined use in the new | | |

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| | | Scheme however it remains an intended use on the Agricultural and ECL lots. Previous Shire advice via email 31 August 2023 explored this being considered as a Rural Pursuit. This approach has been adopted, noting the new Scheme definition for Rural Pursuit/ Hobby Farm refers to "an occupier of a premises" not a dwelling, recognising a dwelling is not possible on these lots, and this definition refers to bee keeping.<br><br>• *Artist studio* is not a defined land use in the proposed new Scheme however the Ecovillage ideally seeks to have this referenced in the applicable Special use zones. Artist studio is where an artist can undertake their craft, including in a building, but without residing on the lot. Prior Shire advice was to include this as Art Gallery.<br><br>• Likewise, *Distillery* is not a defined land use in the proposed new Scheme. This is a land use sought to occur in the Ecovillage so has been included in the proposed Special use zones. Although Distillery is arguably captured under the Winery definition, it can be slightly different, and intent is not to inadvertently exclude this.<br><br>• Rural Produce Store has been included to enable the sale of produce grown on the land. This Model Scheme Text | | |

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| | | definition seems to capture what has historically been defined as a rural or roadside stall. The selling of produce grown on the land is however also included in the definition of Rural Pursuit / Hobby Farm, and arguably, sale of produce grown on the land could also be considered an incidental part of Agriculture Intensive / Extensive. In any event, the sale of produce grown on the land is intended and it is requested to cater for this in the Special Use zone provisions.<br><br>• The proposed Special use zone schedules include reference to "*Processing of agricultural products within agricultural buildings (Ecovillage packing sheds) for produce grown within the Ecovillage"*. It is intended to allow development of building/s for packing produce grown in the Ecovillage however this is not a land use specifically defined by the Scheme. Arguably it can be captured across various Scheme definitions, but as it may be packing produce not grown on that lot, but the Ecovillage more broadly, specific reference has been included.<br><br>• *Renewable Energy facility* has been included in the Special use zone for ECL and WWTP land, but with condition of a scale suited to the locality. This matter is discussed further below. | | |

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| | | • Additional land uses are included for the ECL land, limited in scale suited to the locality, with focus on open space and community purposes given this land will not be reserved as would usually occur.<br><br>Whilst the purpose of the ECL land is clear and will not necessarily involve development per say outside of the Community Centre and usual open space / maintenance infrastructure, the Ecovillage continues to evolve and the ethos of the Ecovillage is closely aligned with innovation, sustainability, shared community use and education, which may in the future involve other discrete, alternative use of the ECL land.<br><br>This opportunity should not be unduly constrained, so long as any uses are for the Not for Profit benefit of the membership, noting the ECL is a Not for Profit company of which there are no shareholder, only members.<br><br>**<u>Neighbourhood Centre</u>**<br>As set out above, there is land identified in the Structure Plan for Neighbourhood Centre that has not been zoned as such in the advertised new Scheme maps.<br><br>All centre land now has Title or at least super lot title, but even if it did not, all the road network and necessary mains | | |

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| | | infrastructure to service it is constructed to enable this zone application to occur.<br><br>The extracts below identify the land missing from the Neighbourhood Centre zone, with the proposed Scheme on the left and the approved Structure Plan on the right (noting the comments, particularly concerning Lot 32, backpackers set out earlier).<br><br>In terms of the proposed Objectives of the Neighbourhood Centre zone, these are generally supported however they have not recognised the townsite strategies and/or approved Structure Plans that may also apply and which provide important land use and development direction within this zone.<br><br>To ensure the ethos of the Ecovillage is not lost in regularising away from the Urban Development zone, and presumably this applies to other new Neighbourhood Centres as well, the Ecovillage requests the following new Objective (underlined) for the Neighbourhood Centre zone, and for this to be included in addition to the overarching Schedule 7 request above:<br><br>• *To provide a variety of retail shopping, commercial and recreational facilities and services that meet the daily needs of the retail catchment area population.*<br>• *To offer a range of supporting health, welfare and community facilities and services in conjunction with* | | |

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| | | *opportunities for medium density living within a walkable distance of the Neighbourhood Centre.*<br>• *To ensure the design and landscaping of development provides a high standard of safety, convenience and amenity and contributes towards a sense of place and community.*<br>• *To implement outcomes unique to individual neighbourhood centres as specified in approved Townsite Strategies and / or Structure Plans.*<br><br>Proposed Clause 74 – *Neighbourhood Centre zone requirements* are largely supported. In line however with the request above, we note Clause 74(1) and (2) only reference townsite strategies, without reference to an approved Structure Plan.<br><br>For the Neighbourhood Centre zone land within the Ecovillage, the approved Witchcliffe Ecovillage Structure Plan has refined, implemented, and superseded the broader Witchcliffe Townsite Strategy. The updated wording suggested for these 2 clauses is:<br><br>*74. (1) Buildings within the Neighbourhood Centre zone shall be designed to address the unique character, streetscape and sense of place of each settlement to which the Neighbourhood Centre Zone applies, and where applicable the requirements of a townsite strategy or approved Structure* | | |

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| | | *Plan*.<br><br>*74. (2) New development within the Neighbourhood Centre zone shall have due regard to the siting, design and external appearance of development on adjoining or nearby land and shall be compatible with the general character and form of development in the area, and where applicable the requirements of a townsite strategy or approved Structure Plan.*<br><br>Further to the above comments, it is noted that proposed Schedule 4 *Zone development standards,* incorrectly references the Witchcliffe Ecovillage as a Local Centre, not a Neighbourhood Centre. This requires clarity to ensure nexus back to the Witchcliffe Ecovillage Structure Plan, as well as the Witchcliffe Townsite Strategy for other parts of this Neighbourhood Centre, noting the Ecovillage centre land is now part of the Witchcliffe town centre.<br><br>Scheme discretion<br>The discretion afforded by Clauses 34 and 81 is supported. This is consistent with other new format Scheme's that allow all Part 4 requirements to be varied. Removing this discretion would not be supported. The City of Busselton for example has a Supreme Court decision which in part deals with an inadvertent lack of discretion to vary Part 4 requirements clearly specified in the Scheme text, and it is hoped a | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | circumstance like this can be avoided (see Pennock v City of Busselton [2021] WASC 29).<br><br>Discretion is however queried concerning Clause 26, Modification of R-codes. The intent is generally supported, however this clause and associated Clause 68 Residential Zone requirements, Clause 61 *Development for which development approval is not required* and Schedule 4 *Zone development requirements* may compel refinement to ensure sufficient discretion remains for R Code variations.<br><br>In context of the Ecovillage, Local Development Plans (LDP) for each strata stage have deliberately varied R-Code requirements, as well as established design guidelines for built form. This ability, guided by the approved Ecovillage Structure Plan, is critical to retain, and operating in its existing arrangement. Clause 61 for example exempting single dwellings on a lot does not appear to contemplate variations to R-codes, or variations or additional requirements captured in LDP's, Design Guidelines etc.<br><br>Whilst there may be a view that the Deemed Provisions adequately cater for this circumstance, for the avoidance of doubt the Ecovillage seeks to have a clear mandate in the Scheme to still require LDP's in the Ecovillage as per the approved | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | Structure Plan, and for there to be ability to vary R-Codes in the Ecovillage, again as anticipated in the approved Structure Plan, retaining the current status quo.<br><br><u>Acceptable holiday home locations</u><br>The approved Witchcliffe Ecovillage Structure Plan identifies "acceptable holiday home locations". As per my separate email to you concerning the proposed updates to the Shire LPP Short Stay Accommodation, until now, the Ecovillage has been under the impression that no changes were proposed to this policy that would impact on the holiday home matters dealt with under the Ecovillage Structure Plan, appreciating that the policy is presently, effectively silent on this.<br><br>In relation to your email reply about this dated 8 January, yes, further wording within this LPP to State "other identified locations" is supported, both generally but also specific to the Ecovillage. The Ecovillage supports the further wording as suggested being added to the LPP, however this is considered a first step, and not sufficient to totally resolve this matter with certainty.<br><br>As you are aware, Amendment 1 to the Ecovillage Structure Plan has specifically addressed Short Stay for the Ecovillage, effectively allowing holiday homes to occur in the Ecovillage, but not necessarily as per the preferred areas Stated in the Shire's | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | broader policy. Ultimately this was recognition of the functional differences in the Ecovillage to elsewhere, and recognition that the Ecovillage is and will continue to be somewhat of a tourist destination, for those wishing to experience and learn about the Ecovillage way of life.<br><br>The Ecovillage Commons Limited Company, comprising representatives of every Strata, as well as the Development Guidelines, Local Development Plans and Restrictive Covenants, are in combination, further powerful mechanisms for regulating activities within the Ecovillage. For example, strata bylaws for the short stay cottage lots also strongly control the appropriate management of the short stay accommodation.<br>In addition to the LPP, preference is to recognise these preferred locations for Holiday Homes via *Schedule 1 - Additional Use*. An Additional Use is more certain, including in context of increasing regulation of the short stay sector in general, and relative to proposed Clause 64 – *Development of Holiday homes*.<br><br><u>Tourism lots</u><br>Thank you for confirming lots identified in the Structure plan for tourism are proposed to be included within the Tourism Zone, presumably to the 2 areas shown in brown:<br><br>In addition to the Tourism Zone matters | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | discussed above, it is requested that a Schedule 9 – *Special Provisions - Tourism Zone* clause, also be Drafted and applied to reflect the tourism nuances of the Ecovillage, the same as the recognition that has been afforded other like, but unique tourism offerings in the Shire in the new Scheme.<br><br>The proposed objectives of the Tourism Zone are supported however a generic approach to tourism in the Ecovillage fails to recognise and support the unique type of eco-educational tourism and mix of tourist accommodation options that are proposed. As per the approved Structure Plan, this is specific to guests experiencing and learning about the Ecovillage way of life.<br><br>In the Ecovillage, and opposite to the preferred Holiday Home locations matter discussed above where these may occur in preferred locations in the Residential zone, it is also fundamentally intended that lots in the tourism zone, will have scope to be used for dwellings. The run of Tourism lots on Kulbardi Way are in effect constructed as single dwellings. Whilst the primary intent for these lots is tourism, and this is the basis upon which these lots have been marketed, in our rapidly changing world, adaptability and future proofing is key.<br><br>As the proposed Scheme has single dwelling as an X use in the Tourism zone, | | |

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| | | this could be dealt with by making single dwelling D or A in the Tourism zone. It appears this may have validity across the board, elsewhere in the Shire. Alternatively, and if a more nuanced approach for the Ecovillage is desired, this could be dealt with by Schedule 1 - *Additional use* or Schedule 9 – *Special Provisions - Tourism Zone*.<br><br>The triangular shaped Tourism zone land at the eastern end of Kulbardi / corner Mannitj has different characteristics to the run of tourism lots just described. It is requested the ability for other tourism uses here, that may or may not be associated with accommodation, also be permitted on this particular lot. This includes uses such as Day Spa (Medical Centre or Consulting Rooms) which is also considered to be a tourism activity. Like single dwelling, it is suggested this could be catered for by Schedule 1 - *Additional use* or Schedule 9 – *Special Provisions - Tourism Zone*.<br><br><u>Car parking</u><br><br>Clause 36 sets out the matters to consider when determining car parking for new use / developments, referencing Schedule 5 – *Car parking table* and AS A2890.1-2004.<br><br>As the Shire is familiar, parking within the Ecovillage has been carefully planned and catered for, noting implementation for | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | commercial uses acknowledges the contribution of on street bays, plus anticipates lower than typical car use by residents in line with Ecovillage principles. Further, Amendment 1 to the Structure Plan also specified *"Village Centre Parking Strategy"* in Part 1, Table 4 Additional Information required. Some steps have been taken towards this, but it is not yet approved per say.<br><br>Clause 36 – *Car parking* can but does not readily cater for this. To achieve this, it is suggested new text is added into the Scheme at Clause 36 as follows:<br><br>• Add a new Clause 36 (4) (e) *Any approved Townsite Strategy, Structure Plan, Local Development Plan and/or approved Parking Strategy.*<br><br>• Where a land use is not listed in Schedule 5 – *Car parking,* this clause sets out matters the Local Government is to have due regard to when determining the required number of parking bays. For completeness, these other mechanisms should be referenced. Parking Strategy may also cater to cash-in-lieu schemes that could be approved via a Parking Strategy as well as in circumstances like the Ecovillage.<br><br>• Amend the wording in Clause 36 (8) to | | |

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| | | State:<br>*"The local government may, at its discretion, reduce the standard parking requirement ~~by~~ ~~10%, up to a maximum of 5 bays~~ in the following circumstances:*<br><br>• Whilst this fixed rate can still be varied as per Clause 81 (which is supported), a 10% reduction as a preferred starting point could be quite minimal and there may be circumstances where a much greater reduction is suitable.<br><br>• Add a new Clause 36 (8) (e) *Any approved Townsite Strategy, Structure Plan, Local Development Plan and/or approved Parking Strategy.*<br><br>An approved Structure Plan or Parking Strategy or LDP, like in the Ecovillage, has also catered to parking demand and supply and these mechanisms should be specified so they can also be given regard when considering car parking reductions.<br><br>Clause 37 – *Reciprocal and Shared Parking* can also be utilised and is further reason to add the suggested text above at Clause 36, however fundamentally for the Ecovillage, the approved Structure Plan, if not actions underway through either a Parking Strategy or LDP's has already catered to this. It is important to recognise that the majority of commercial uses being established are for the benefit of ecovillage residents (there will | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | be 800 residents in time) and significant parking offsets should be enabled to recognise the fact that all residents live within the walkable ped-shed zone.<br><br>I acknowledge your recent advice via email dated 12 January concerning parking calculation and expression in the Ecovillage Village Centre LDP. A separate response will be provided to you concerning this, however in principle, allocating parking within this LDP to in effect be the approved Parking Strategy / bay allocation including public parking, is supported. Although this is a separate matter, the Ecovillage is firmly of the view this LDP should not be advertised.<br><br><u>Clause 54 Environmental Asset provisions</u><br>Thanks, Matt, for your feedback on my questions about this, and your reference to WASAT Hutchings v AMR Shire. Whilst an interesting read with some guidance applicable / useful, I would disagree this has established precedence or comprehensive authority. The individual SAT member places emphasis on certain matters relative to this one unique circumstance, but it also dismisses and queries just as many others. This aside, the principles proposed by these provisions are supported in principle by the Ecovillage, indeed environmental protection for our future generations is at the heart of their community vision too.<br>This said, without a sound scientific basis, | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | there is risk of creating red tape and cost burden. For the Ecovillage, and presumably most other landowners, this is arbitrarily identifying all vegetation as important simply because it exists, without understanding type, value, contribution, even land tenure etc. The new Scheme material has not outlined any method for identifying this vegetation, or evaluating this widespread vegetation is of a type that warrants additional protection in the first instance, the typical precursor to inclusion of a new Scheme control.<br>For example, there is vegetation identified in the proposed mapping in Shervington Avenue. This vegetation is largely within the road reserve. On what basis is this vegetation, which I understand includes a mix of introduced as well as native shrubs and trees (but not necessarily remnant) of varying size, included in this provision? Is this provision intended to elevate vegetation status and limit or worse, prevent access to lots? This mapping seems unduly onerous.<br>This matter of vegetation in a road reserve also appears largely addressed by proposed Clause 54 - *Street Tree's* which requires vehicle access points to be located so as to avoid vegetation, and where no alternative options exist, the removed trees are to be replaced. Clause 54 (b) does compel some clarification in the wording however because it does not say where and how the removed trees should be replaced. | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | What does equivalent size practically mean?<br>A further example is the waterways and vegetation identified in the proposed mapping in the north east of the Ecovillage. The mapping does not appear accurate and like above, on what basis is this waterway and vegetation included in this provision?<br>In terms of environmental value, and necessity to add new environmental controls over the Ecovillage, the Ecovillage Structure Plan process has already thoroughly considered the environmental values of the subject land. The development outcome being realised already encapsulates response to these features, which are already being responded to if not protected via the development layout, zoning and tenure arrangements being executed.<br>Clause 51 – *watercourse and wetlands* for example requires new development to be setback 100m from a watercourse or wetland identified by the Environmental Assets Map. This may not be feasible or relative to the prior subdivision or Structure Plan approvals being implemented.<br>100m is also a considerable setback and this is excess of what is required for some categories of wetlands, for example a 30m setback is often accepted as the land reservation, and development setback for lower order waterways. It is unclear the rationale for specifying this setback. For the Ecovillage, this waterway and vegetation is | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | reserved for perpetuity within the Special Use – ECL land. Further, there should be no limitation on ability to undertake use and development as per the approved Structure plan within abutting lots, which includes active uses and development within the Special Use - Agricultural lots.<br><br><u>Clause 55 Landscape Protection</u><br>In relation to your November advice concerning the proposed Landscape Protection provisions, although there may be a view this will not cause harm on the Ecovillage Highway frontage, we request for consistency and certainty this be deleted.<br>The purpose of these provisions relates to landscape level, vista protection in non-urban areas of the Shire. These provisions have not been constructed with any relevance to developed urban land within townsites. The Ecovillage is now part of the Witchcliffe townsite.<br>Further, this interface to the Highway is already, sufficiently regulated under the approved Structure Plan as well as SPP 5.4 – *Road and rail noise*.<br>In the interests of removing red tape, we seek for this to be removed from the full extent of the Witchcliffe townsite, specifically the Ecovillage frontage to the Bussell Highway.<br><br><u>Other comments</u><br>• The contents list of the Draft Scheme is missing some clauses, for example | | |

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| | | Clause 34.<br><br>• Aims of the Scheme are generally supported, particularly that these are nuanced and particular to the character and environmental related outcomes sought by the Shire of Augusta Margaret River.<br><br>• Clause 41 - *Landscaping* part (f) excludes shade tree planting at 1 per 5 parking bays from the required landscaping areas calculation set out at Schedule 4. Whilst the principle of more shade is supported, this is onerous. Shade trees also contribute to the areas of landscaping and should not be excluded from this calculation.<br><br>• Clause 59 - *Telecommunications infrastructure* requires a DA for such, however it does not specify any criteria for determining suitability. The Scheme has emphasis on visual and environmental impact but not this type of infrastructure that can also have considerable impact?<br><br>• Also, *telecommunications infrastructure* is a D use across all zones. Given the scale such facilities can comprise, and the focus on the landscape and environment in the Scheme, perhaps these should be an A use, or at least in select instances? | | |

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| | | • The Ecovillage supports proposed Clause 69 – *Sustainable design*, noting the Ecovillage Development Guidelines, Local Development Plans and Restrictive Covenants already exceed these requirements.<br><br>• *Renewable Energy facility* is defined in the Scheme however it is not listed in the use table. Like other infrastructure, the emergence of such facilities, at variable scales is considered essential. Given the focus of the scheme on the environment, indeed the Ecovillage on sustainable lifestyle, acceptance of and planning for this land use, is considered important, but necessary to be managed ensuring it is scale / location appropriate.<br><br>• It is understood that there are no changes proposed to the Development Contribution Areas that presently apply.<br><br>**Conclusion**<br>The Ecovillage reserves the right to add to these comments. As indicated, my client and I request opportunity to discuss these matters with you further, particularly when it comes to Drafting of text. | | |
| 731. I534611 | **Submission Subject:** Agricultural Zone submission | I am writing to have my objection noted to any changes to the zoning of Priority Agriculture to Rural. | See response to submission 405 and 87. | See response to submission 405 and 87. |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | Agriculture and farming is of major importance to our region as well as Australia as a whole. It should be protected and kept in place at all costs. Priority Agriculture overrules environmental conservation and this over rules Rural. So a change in zoning to Rural will not only place risks on Agricultural land it will also place risks on environmental conservation land.<br>I will note that this proposed change has been rejected by other councils, i.e.; Nannup, and I urge AMR council to do the same.<br><br>Future subdivisions should have protection in place for native trees. Farmers are restricted on removal of native trees but other parties, developers and the like, buy land and native trees are allowed to be removed for subdivision purposes.<br><br>Crown land should be kept as such and not changed to public spaces.<br><br>Small businesses and a light industrial area is an important aspect of the future growth of Witchcliffe and should be included in planning. | | |
| 732.<br>I534613 | **Submission Subject:** Lots 59 & 60 Salkilld Place, Augusta | Just to confirm our earlier discussion regarding the above in relation to Lots 59 & 60 Salkild Place and our request for both lots to retain Town Centre Zoning and NOT revert to Residential as proposed in the | Lots 59 and 60 Salkild Place are shown on the draft Scheme map as being zoned 'Neighbourhood Centre' which is the equivalent zone to the existing 'Town Centre'. | See response to Submission 454 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | SCHEME 2 plan produced for public comment.<br><br>Lots 59 & 60 Salkild Place are considered most important in any redevelopment of the Augusta Hotel for Parking, access to the areas below the Motels and as a buffer between the Hotel and the residential development nearby.<br><br>Our further comment on SCHEME 2 is that we believe that all areas in existing Town Plan 1 shown as Town Centre should remain as Town Centre and NOT have any areas revert to Residential, with the exception of the west side of Ewing Street behind the existing commercial premises from the Medical Centre to the Museum & Historical Society on the corner of Green Street. We consider future offices, doctor, dentist, accountant etc, appropriate however not commercial premises that create a good deal of traffic and a high demand for parking.<br><br>We have attended most local community forums and public meetings held to discuss SCHEME 2 and are in support in the main with the submission prepared by the Augusta Community Development Association. | See response to Submission 454 | |
| 733. I534618 | **Submission Subject:** Environmental Impacts - Witchcliffe | **Refer to Submission No. 87 above.** | See response to Submission 87 | See response to Submission 87 |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| 734.<br>I534619 | **Submission Subject:** Various | 1. We object to the removal of SCA3 conditions in relation to Lots 501, 502, 503 and 504 Gnarabup. They should be placed into LPS2 and the sites should be zoned tourism in line with the Local Planning Strategy.<br>2. We support the zoning of the northern portion of Lot 783 to be confirmed as public open space, not Tourism.<br>3. We are concerned that the rules around setbacks from wetland and riparian areas on rural properties have not been adequately thought through in terms of their impact on agriculture and fire risk.<br>4. We believe LPS2 should contain a Special Control Area for areas of extreme and very high fire risk (as per recommendation of SPP3.7. These Special Control Areas should carefully control which uses are appropriate in these areas. | See response to Submission 19 | See response to Submission 19 |
| 735.<br>I534495 | **Submission Subject:** Lot 1393 & 814 Lawrence Road, Deepdene | This submission is made on behalf of the owners of the above properties and objections are raised to certain aspects of the Draft Scheme as it relates to the above lots.<br>The subject lots are currently zoned Leeuwin Naturaliste Ridge Conservation under Local Planning Scheme No. 1 and it is noted that the proposed zoning under Draft Local Planning Scheme No. 2 is Environmental Conservation. Further, there is an allocation of additional development requirements ASR1 which also applies | **Private Recreation**<br>The submitter has correctly identified that "Private Recreation has changed from an 'A' to 'X' in the zone applicable to the subject land (Environmental Conservation). This can be changed in the interests of creating consistency between the existing and proposed Schemes.<br><br>**Chalets and Guesthouse** | **Private Recreation**<br>Change Private Recreation in the Environmental Conservation zone from an 'X' to 'A' use at table 3 - Zoning Table.<br><br>**Chalets and Guesthouse**<br>See response to submission 17. |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
|---|---|---|---|---|
| | | additional requirements to the land. It is apparent that the general intention is to try and carry over the existing provisions however, there are subtle changes and clauses which could be considered ambiguous which should be modified. Further there are some land use opportunities that are potentially being lost which should be reinstated. This is explained further below. The objectives of the Environmental Conservation Zone are quite limited and it is considered that it would be reasonable to include an objective that recognises that the zone is to allow for low impact tourist development where appropriate.<br>It is noted under the current Scheme that Recreation Private is permitted whereas under the Draft Scheme this is removed. Recreation Private uses on such lots could be very beneficial for example, eco tourism tours or other similar type uses have been considered and approved in the past and would be a beneficial opportunity in such areas. The land use of Recreation Private should be reinserted into the Scheme as permissible within the relevant zone. There are concerns with respect to the interpretation of the use class of Chalet & Guesthouse. It is noted that holiday accommodation use includes 2 dwellings used for short stay purposes and there are terms used in the Scheme referencing chalets. This however limits holiday accommodation to 2 or more which | See response to submission 17.<br><br>**Subdivision in the Environmental Conservation Zone**<br>The submitter objects to the Shire indicating its intentions to recommend refusal to conservation based subdivision where the environmental consequences of completing the subdivision are at odds with the reason the subdivision incentive arises. If the submitter is concerned that subdivision would not be supported, then that concern should be addressed to the WAPC and not the Shire given that the WAPC are responsible for determining subdivision applications.<br><br>**Table 8 – clause 3 and 4**<br>In relation to the subject land which is almost entirely vegetated, the Shire would not support clearing for agricultural purposes and this is entirely consistent with State Planning Policy 6.1. | **Subdivision in the Environmental Conservation Zone**<br>No changes are required as a direct result of this submission<br><br>**Table 8 – clause 3 and 4**<br>No changes are required as a direct result of this submission |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | removes the opportunity to apply for a single chalet. This should be fixed so that a single chalet can be applied for and it would be be/er to include a land use of chalet so there is a clear correlation between the use of chalet and the clauses in the Scheme (Clause 80 part 5) which makes reference specifically to chalets and cabins. In addition, there is uncertainty as to whether a guest house is permissible within the zone because the land use no longer exists and it is hard to determine what use class this would fall under. Again, Clause 80 (5) includes clear indication that guest houses are permitted with certain scale (replicating the previous Scheme) however, there is uncertainty as to how the use would be considered under the Use Class table. Again, it is reiterated that this use (Guesthouse) should be continued moving forward with the Draft Scheme and the best way to do this would be to reintroduce the Guesthouse use under the Scheme and make this permissible within the zone. It is noted that the land use of 'Tourist Development' is one that may be considered to be intentionally the land use that would be applied to use of Guesthouse however, this is not permitted within the Environmental Conservation Zone. This is an issue. The land use of Tourist Development is ambiguous and it is probably better to include the use of Guesthouse and make this permissible within the Environmental Conservation | | |

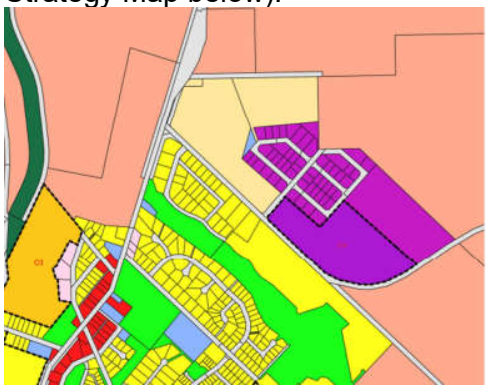
# SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | Zone particularly given guesthouses are promoted within the Zone under the clauses relevant to tourism in the Environmental Conservation Zone. With respect to subdivision within the Environmental Conservation Zone (Clause 80 (6)), this States that subdivision will be considered in accordance with the ASR1 classification which clearly allows for subdivision with potential impact on vegetation. This is contradictory to Clause 30 of the Scheme which States that subdivision of land within the ASR1 and ASR2 Special Control Areas will only be supported where protection of remnant vegetation is maximised. There is potential risk that this could be interpreted to mean that vegetation cannot be affected which will be inevitable on lots such as Lot 1393 and Lot 814 which are almost fully vegetated. It should continue to be clearly acknowledged that impact on vegetation may be necessary for the installation of development on such lots in the interests of enabling development and also recognising that conservation covenants may be applied through subdivision and / or following tourist development.<br>Under ASR1 Table 8 of the Scheme, Clause 3 & 4 are also objected to. Clause 3 States that Agriculture Extensive and Agriculture Intensive will not be supported however there may be circumstances where such use may be demonstrated as | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | suitable subject to either land being demonstrated as not native vegetation or where clearing is determined as appropriate. This clause should be amended to allow such uses in circumstances where land is already cleared or has been approved to be cleared. Objection is made in respect to Clause 80 part 2 which States that development is to be confined to cleared areas. This is impossible on some lots within this area including the subject land (Lots 1393 and 814). This Statement is contrary to other clauses within the Scheme and the Leeuwin Naturaliste Ridge Statement of Planning Policy. It is inevitable that some vegetation will need to be affected for development on some of these lots in the interest of facilitating even the construction of dwellings, ancillary dwellings and outbuildings. This clause should be amended to acknowledge that the intention is to locate development in less sensitive vegetated areas where suitable cleared areas do not exist. Objection is also made with respect to Clause 80 part 3 which States broadly that development approval may require a proponent to rehabilitate cleared or degraded areas. The test of a reasonable condition is that this should fairly and | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | reasonably relate to the development proposed. Applying conditions of this nature should only be in circumstances where there is an impact on the site in respect of clearing necessitating some rehabilitation or development is located in association with areas that require rehabilitation or are degraded.<br>**Summary**<br>In summary, the objectives for the Draft Scheme should carry over the exact situation under the current Scheme because nothing in the Planning Framework has changed to suggest that a different way of approaching new land use, subdivision and consideration of development within the area should be modified. Careful attention to these clauses should be given and the same land uses should be applicable. | | |
| 736.<br>I534603 | **Submission Subject:** Lots 46 & 47 Treeton Road, Cowaramup | This submission is made on behalf of Ken and Mem Wrigglesworth, and Darryl Black owners of the above sites. Under the current Scheme Lot 47 (Wrigglesworth) is zoned Rural Residential (with Notification (on RR7) and under the Draft Scheme the site is zoned Rural (refer to plans below). Lot 46 (Black) is zoned Industrial and Composite Industrial with Restricted Use reference.<br>As the Planning Department would be aware, Lot 47 is identified for Industrial (with potential for | The submitter has advised that they would like this request (as it relates to Lot 47) to be withdrawn. Lot 47 will therefore continue to be zoned 'Rural'.<br><br>Lot 46 is intended to be zoned 'Industry'' as sought by the submitter. Given that the 'composite Industry' zone (which currently applies a portion of Lot 46) is no longer in use, an Additional Use for 'caretakers dwelling' could be added to ensure | Add an Additional Use to Schedule 1 applicable to that portion of Lot 46 which is currently zoned 'Composite Industry, for the purposes of 'Caretakers Dwelling'. |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | Composite Industrial) under the Local Planning Strategy and Cowaramup Townsite Strategy (refer to Local Planning Strategy Map below).<br>  <br>It is noted that under the Draft Scheme, there is no Composite Industrial Zone and as a result, this cannot be identified for the land which has been the case for Lot 46 (under Scheme No.1).<br>It is noted that the Draft Scheme does not permit a Caretakers Dwelling within the Light Industrial Zone and this would therefore be at odds with the objectives for the subject land. This is also at odds with the existing zoning and endorsed Structure Plan for Lot 46 to the north. Given it is clearly an objective for Lot 47 (and currently identified for Lot 46) Treeton Road for the land to be developed for Light Industrial purposes with some lots suitable for | that the original intent of the zoning and relates Structure Plan can be implemented.<br>  | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | composite (caretakers dwellings), it is requested that Lot 47 (and Lot 46) be identified as Light Industrial with additional use right for caretakers dwelling subject to caretakers dwelling suitability only as identified on an endorsed Structure Plan. This request would be consistent with the Local Planning Strategy, consistent with an endorsed Structure Plan for Lot 46 and consistent with pre-planning already underway for Lot 47 with Scheme Amendment and concept Structure Plan already submitted. The structure plan for lot 46 should certainly be referred to in Draft+ Scheme no. 2. We would welcome the opportunity to discuss the detail of the above matters with Shire and DPLH | | |
| 737. I534604 | **Submission Subject:** Lot 4 Wallcliffe Road, Margaret River | This submission is made in respect of Draft Scheme No. 2 on behalf of the Margaret River Golf Club.<br>The subject site is Lot 4 Wallcliffe Road, Margaret River<br>Under the current Scheme the subject land is Special Use with reference S9. This clearly provides for development of the land with residential clustered dwellings and various land uses based on a development and subdivision guide plan. This provides for significant opportunities and adds considerable value to the land of the Golf Club which is important for borrowing capacity for the maintenance of the course which is an expensive exercise. Further, the land is | The submitter requests some minor amendments to the uses allowable at 'S5' which have been carried over from LPS1. The request can be accommodated for the reason that they do not alter the intended outcomes for the land as previously approved. | Modify 'S5' at Schedule 3 such that "Short Stay Use of Single Dwelling "A"' is replaced with:<br>"Holiday Home "A"; and<br>"Residential Building "A"" is replaced with:<br>"Residential Building (Guesthouse) "A"" |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | identified within a Rural Residential precinct under relevant policy and this is why it has been identified for a Rural Residential Cluster along with tourism uses associated with a golf course which makes sense. The golf course is a significant tourism icon in the Margaret River area and it is logical to embed the ability for tourism uses to be established in association with such a facility. This is particularly given the club house already provides food and beverage opportunities and excellent amenity. In respect of this submission a comparison has been made with respect to the proposed zoning under Draft Scheme No. 2 and it is noted that the Golf Club site is identified as Special Use (S5). It is noted that the land use is generally carried over from the previous Special Use Zoning to the new Special Use Zoning. One shortcoming in respect to this is the Rural Residential Cluster use of Short Stay Use of a single dwelling 'A'. The intention was always to allow Short Stay use within the Rural Residential Cluster and for clarity it is requested that this use be changed to Holiday House 'A'. This would therefore allow any dwelling whether in a grouped or single dwelling format to be used for short stay within the cluster. It is noted that the conditions of the zoning are generally carried over and so the intentions for the land are effectively retained. With | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | respect to the use of residential building, this was intended to be applied for the use of Guesthouse when the use of Guesthouse was not included in Local Planning Scheme No. 1 and it is important to ensure that the residential building land use under Draft Scheme No. 2 is again intended to allow for a guesthouse / lodge type tourist accommodation facility. If the Shire is to amend uses associated with providing for guesthouse use it is requested that the zoning for the Margaret River Golf Club site include this land use. To address this issue it may be advisable to put in brackets after the residential building use within the Draft Scheme the word 'Guesthouse'. Provided the Draft Scheme carries over the intentions for the land clearly so that subdivision and development opportunities existing under Local Planning Scheme No. 1 can be achieved similarly under Draft Scheme No. 2 the Draft Scheme would be supported by the Golf Club. | | |
| 738. I534606 | **Submission Subject:** Lot 1479 Mammoth Caves Road, Redgate | This submission is made on behalf of the owner of the above lot and objections are raised to certain aspects of the Draft Scheme as it relates to the above lot.<br>The subject lot is currently zoned Leeuwin Naturaliste Ridge Conservation under Local Planning Scheme No. 1 and it is noted that the proposed zoning under Draft Local Planning Scheme No. 2 is Environmental Conservation. Further, there is an allocation | See response to submission 735 | See response to submission 735 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | of additional development requirements ASR1 which also applies additional requirements to the land. It is apparent that the general intention is to try and carry over the existing provisions however, there are subtle changes and clauses which could be considered ambiguous which should be modified. Further there are some land use opportunities that are potentially being lost which should be reinstated. This is explained further below. The objectives of the Environmental Conservation Zone are quite limited and it is considered that it would be reasonable to include an objective that recognises that the zone is to allow for low impact tourist development where appropriate. It is noted under the current Scheme that Recreation Private is permitted whereas under the Draft Scheme this is removed. Recreation Private uses on such lots could be very beneficial for example, ecotourism tours or other similar type uses have been considered and approved in the past and would be a beneficial opportunity in such areas. The land use of Recreation Private should be reinserted into the Scheme as permissible within the relevant zone.<br>There are concerns with respect to the interpretation of the use class of Chalet & Guesthouse. It is noted that holiday accommodation use includes 2 dwellings used for short stay purposes and there are terms used in the Scheme referencing chalets. This however limits holiday | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | accommodation to 2 or more which removes the opportunity to apply for a single chalet. This should be fixed so that a single chalet can be applied for and it would be be/er to include a land use of chalet so there is a clear correlation between the use of chalet and the clauses in the Scheme (Clause 80 part 5) which makes reference specifically to chalets and cabins. In addition, there is uncertainty as to whether a guest house is permissible within the zone because the land use no longer exists and it is hard to determine what use class this would fall under. Again, Clause 80 (5) includes clear indication that guest houses are permitted with certain scale (replicating the previous Scheme) however, there is uncertainty as to how the use would be considered under the Use Class table. Again, it is reiterated that this use (Guesthouse) should be continued moving forward with the Draft Scheme and the best way to do this would be to reintroduce the Guesthouse use under the Scheme and make this permissible within the zone. It is noted that the land use of 'Tourist Development' is one that may be considered to be intentionally the land use that would be applied to use of Guesthouse however, this is not permitted within the Environmental Conservation Zone. This is an issue. The land use of Tourist Development is ambiguous and it is probably be/er to include the use of Guesthouse and make this permissible | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | within the Environmental Conservation Zone particularly given guesthouses are promoted within the Zone under the clauses relevant to tourism in the Environmental Conservation Zone. With respect to subdivision within the Environmental Conservation Zone (Clause 80 (6)), this States that subdivision will be considered in accordance with the ASR1 classification which clearly allows for subdivision with potential impact on vegetation. This is contradictory to Clause 30 of the Scheme which States that subdivision of land within the ASR1 and ASR2 Special Control Areas will only be supported where protection of remnant vegetation is maximised. There is potential risk that this could be interpreted to mean that vegetation cannot be affected which will be inevitable on lots such as Lot 1479 which are almost fully vegetated. It should continue to be clearly acknowledged that impact on vegetation may be necessary for the installation of development on such lots in the interests of enabling development and also recognising that conservation covenants may be applied through subdivision and / or following tourist development.<br>Under ASR1 Table 8 of the Scheme, Clause 3 & 4 are also objected to. Clause 3 States that Agriculture Extensive and Agriculture Intensive will not be supported however there may be circumstances where such use may be demonstrated as suitable subject to either land being | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | demonstrated as not native vegetation or where clearing is determined as appropriate. This clause should be amended to allow such uses in circumstances where land is already cleared or has been approved to be cleared. Objection is made in respect to Clause 80 part 2 which States that development is to be confined to cleared areas. This is impossible on some lots within this area including the subject land (Lot 1479). This Statement is contrary to other clauses within the Scheme and the Leeuwin Naturaliste Ridge Statement of Planning Policy. It is inevitable that some vegetation will need to be affected for development on some of these lots in the interest of facilitating even the construction of dwellings, ancillary dwellings and outbuildings. This clause should be amended to acknowledge that the intention is to locate development in less sensitive vegetated areas where suitable cleared areas do not exist. Objection is also made with respect to Clause 80 part 3 which States broadly that development approval may require a proponent to rehabilitate cleared or degraded areas. The test of a reasonable condition is that this should fairly and reasonably relate to the development proposed. Applying conditions of this nature should only be in circumstances where there is an impact on the site in respect of clearing necessitating some rehabilitation or development is | | |

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| | | located in association with areas that require rehabilitation or are degraded.<br>**Summary**<br>In summary, the objectives for the Draft Scheme should carry over the exact situation under the current Scheme because nothing in the Planning Framework has changed to suggest that a different way of approaching new land use, subdivision and consideration of development within the area should be modified. Careful attention to these clauses should be given and the same land uses should<br>be applicable. | | |
| 739.<br>I534608 | **Submission Subject:**<br>General Submission | With respect to Clause 26, Part E and also Clause 69 which requires development to comply with sustainable design requirements, this is questioned as to whether this should be removed from the Scheme as it will certainly add to the cost of development in certain respects which is a significant impediment in this area. Building costs in the Shire of Augusta Margaret River are higher than the City and this is clearly inhibiting the provision of affordable housing. Providing additional sustainable design elements, whilst being a good objective, should be something that is dealt with more at a National Building Code level rather than locally. This application of sustainable design requirements will call in much more red tape for the assessment of standard single dwellings and other typical | **Sustainable Design**<br>The sustainable design requirements in the scheme reflect the Shire's aim to act to address climate change. It is not clear as to how any perceived cost increases would reduce the provision of affordable housing which is a housing type provided by the State Government which is exempt from the need for development approval.<br><br>**Clause 30**<br>The fact that vegetation may need to be removed to provide for a dwelling does not take way from the fact that the Shire via the Scheme seek to minimise the removal of vegetation and hence the clause accurately reflects the Shire's intent. | **Sustainable Design**<br>No changes are required as a direct result of this submission<br><br>**Clause 30**<br>No changes are required as a direct result of this submission<br><br>**Table 8**<br>No changes are required as a direct result of this submission<br><br>**Clause 36.2**<br>No changes are required as a direct result of this submission |

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| | | residential development and will be a matter that is different to all other Shires and therefore a more difficult playing field for standard residential development. It is likely to call in a lot of work for the Shire and some unnecessary Planning Applications.<br>With respect to Clause 30, this modification should recognise that in certain circumstances it is inevitable that vegetation may need to be cleared simply to establish a dwelling on a lot within these particular special control areas.<br>Some of the additional requirements under Table 8 as applied on the Scheme Map are not correct. For example, the ASR Classification for Lot 541 Caves Road, Burnside is incorrectly applied. A review of the Scheme Maps should be made to ensure that ASR Classifications across the Scheme Maps are correct transfer from the Leeuwin Naturaliste Ridge Policy. Clause 36.2 should make reference to the acceptability of unsealed standard of carparking in nonurban settings. With respect to Clause 40, Part B the area of service court being not less than 10m2, this is onerous particularly for very small scale developments. This requirement should be amended so that the dimension and scale of service courts are considered as necessary to the development they will be supporting. Clause 46 of the Scheme referring to development adjoining primary distributor roads should be modified to clarify that referral to Main Roads will only | **Table 8**<br>The Scheme maps accurately depicts Lot 541 as being within the ASR1 area.<br><br>**Clause 36.2**<br>This clause as is presently worded addresses the submitters concern.<br><br>**Clause 40**<br>These requirements are consistent with the model scheme text.<br><br>**Clause 51**<br>See response to Submission 405.<br><br>**Clause 46**<br>The clause accurately describes the circumstances when a referral ought to be made to Main Roads.<br><br>No changes are required as a direct result of this submission<br><br>**Clause 53**<br>Without clause 53, there would be no way to exempt certain forms of clearing given that clearing does not always form part of a development proposal. | **Clause 40**<br>No changes are required as a direct result of this submission<br><br>**Clause 46**<br>No changes are required as a direct result of this submission<br><br>**Clause 51**<br>No changes are required as a direct result of this submission<br><br>**Clause 53**<br>No changes are required as a direct result of this submission<br><br>**Clause 55**<br>Remove clause 55 subclause (2)<br><br>**Clause 70(9)**<br>Replace this clause with:<br>*The re-subdivision of land, including proposals to specify minimum lot sizes at Schedule 8 which would allow for the re-subdivision of land, will only be considered where:* |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | be necessary where access to the primary distributor road is being proposed. With respect to Clause 51, Watercourses and Wetlands, the Statement and call in of the Environmental Assets Map is concerning. The environmental mapping showing watercourses and wetlands across the Scheme area is significant. Much of the wetlands and watercourses shown are not confirmed as completely accurate. Many areas are not necessarily wetlands and not necessarily watercourses. This means that all development should be setback 100 metres from features that are mapped incorrectly in some instances. Presently under the current Scheme, only a 100 metre setback from the Margaret River and Blackwood River is applicable. Requirement of this matter across the entire Shire based on the Environmental Assets Map will call in many applications into the future and cause significant red tape for no reason. For example, a hay shed may be proposed on a rural property 95 metres away from a drainage line (which is not actually a clarified watercourse) and nevertheless this would call in a Planning Application. The Environmental Assets Map is incorrect and should not be applied as a trigger point for consideration of Planning Applications. It should be left as a Policy Reference Map and not embedded within the Town Planning Scheme. There is also no reason for many types of development to be setback 100 metres from a | **Clause 55**<br>Whether or not any particular vegetation contributes to the landscape qualities of land the subject of a planning application will be a matter for the Local Government to determine at that time. That being said, subclause (2) could be seen as being problematic, in that the removal of vegetation would also be subject to first gaining approval for its removal. This part of the clause could be removed to address the submitters concerns.<br><br>**Clause 70(9)**<br>It is agreed that this clause could be more descriptive.<br><br>**Clause 72(3)**<br>Agree that reference to Town Centre should be changed to District Centre.<br><br>**Clause 72(10)**<br>Clarification as sought by the submitter could be achieved by changing the words *"development approval"* to *"non residential development".*<br><br>**Clause 75**<br>Agree that references to Neighbourhood Centre should be changed to 'Local Centre'. | **Clause 72(3)**<br>Change reference from 'Town Centre' to 'District Centre'.<br><br>**Clause 72(10)**<br>Change the words *"development approval"* to *"non residential development".*<br><br>**Clause 75**<br>Change references from 'Neighbourhood Centre' to 'Local Centre'.<br><br>**Clause 75.6**<br>Correct spelling of the word *"compromise".*<br><br>**Clause 79.6**<br>Correct spelling of the word *"Scott"*<br><br>**Clause 79.10**<br>No changes are required as a direct result of this submission<br><br>**Guest house in Rural Zone**<br>See response to Submission 735.<br><br>**Clause 80** |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | watercourse. The physical development of land close to watercourses is not the issue generally. It is usually any contaminants or outputs from particular development that should be located at a further distance from watercourses. The clause should simply make reference again to the Margaret River and Blackwood Rivers consistent with the current Scheme and should only reference development that may generate outputs that could impact on the river requiring such setback. Clause 53 referencing Land Clearing need not be incorporated within the Scheme in all aspects as indicated. Clearing is exempt in certain circumstances and in others where it is not, a clearing permit is required. An assessment of clearing is inherently part of development and the clearing of vegetation is assessed as a change of use or for the purposes of establishment of an activity. There is no need to have specific provisions which outline restrictions on clearing as a result. With respect to Clause 53, Part 6 & 7 reference to the Environmental Assets should be embedded within Policy and not incorporated within the Scheme. All of such matters such as vegetation, watercourses, wetlands, ring tail possums, black cockatoos, burrowing crayfish and white bellied frog habitat is all covered under other legislation and can be dealt with thorough policy direction rather than being a Scheme provision that essentially replicates other legislative protection | **Clause 75.6**<br>Agree that the word "comprise" should be changed to "compromise".<br><br>**Clause 79.6**<br>Agree the word "Scot" should be changed to "Scott"<br><br>**Clause 79.10**<br>Units of accommodation are not directly comparable to "dwellings", and hence are not relevant to the intent of the clause.<br><br>**Guest house in Rural Zone**<br>See response to Submission 735.<br><br>**Clause 80**,<br>See response to Submission 405.<br><br>**Special Control Areas**<br>Disagree. The provisions provide a pathway for infill development without the need to remove an existing house.<br><br>**Lot 1396 Lawrence Road, Deepdene**<br>The Additional Use that exists in LPS1 wasn't carried over because the subdivision, and the uses listed (Single Dwelling and Home Occupation) are already allowed by the Environmental Conservation Zone. In other words the zoning | See response to Submission 405.<br><br>**Special Control Areas**<br>No changes are required as a direct result of this submission<br><br>**Lot 1396 Lawrence Road, Deepdene**<br>No changes are required as a direct result of this submission<br><br>**Lot 102 Bussell Highway, Karridale**<br>Zone land in accordance with LPS1. |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | measures. As such reference to Environmental Assets through the Scheme and the relevant mapping should be removed. The introduction of the Environmental Assets Mapping into the Scheme will cause significant red tape for applications which need not be covered. Under Clause 55, Landscape Protection, it is difficult to determine what vegetation may constitute vegetation contributing to landscape qualities of natural significance. Again, such clauses should be very carefully worded if necessary and again, most requirements in this regard should be embedded in policy. With regard to Clause 56, Part 4 which States that development should be clustered together within a 200m2 area or 10% of the lot whichever is the lesser, it is difficult to determine. How would this be shown? This could be a trigger for whether a Planning Application is required or not? This is a subjective Statement and difficult to interpret so that landowners could not be sure whether or not development is clustered enough in order to be simply straight through for Building Licence or whether a Planning Application is required. This will cause significant backwards and forwards with the Shire's Planning Department on many applications into the future. Applying setbacks would be generally better if the intent is to remove red tape. Clause 65, Design Review – Is there a need to incorporate provisions in the Scheme | provisions which relate to all Environmental Conservation land allow for the things that were specifically listed for this property – by LPS1.<br><br>All of the information which has been prepared to date will be useful in terms of accompanying any future subdivision application that might be lodged.<br><br>**Lot 102 Bussell Highway, Karridale**<br>Agree zoning should be consistent with the Scheme amendment to LPS1 which has occurred since LPS2 was initiated. | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | regarding Design Review? Again, this is covered by Policy and can easily be addressed through that process.<br>With respect to Clause 68, Part 2 which refers to a 5 metre setback from side boundaries, this requirement emanated from a single estate (Basildene Residential Estate) within the old Scheme No. 17. This has continued to expand and now is included across the entire Shire and is inhibiting development particularly on un-serviced lots. The clause should be modified so that small sheds and water tanks can be located inside setbacks in the interests of making development on un-serviced lots more viable. Clause 69, Sustainable Design. Again these requirements are onerous and will call in significant assessment by the Planning Department on every Building Licence Application. Whilst such objectives are honourable these would be requirements that are different to anywhere else in the State and be confusing for builders and landowners moving into the area. Most landowners implement much of what is included in sustainable design items and it is expected that such requirements will continue to be embedded in National Construction Codes in any case. The Sustainable Design Items aspect will result in significant consideration ongoing and red tape which is contrary to general objectives and also will increase significantly the cost of development in many cases in a situation | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | where the cost of construction is already expensive. Clause 70, Part 7. Increasing the ancillary dwelling size to 120m2 is supported in the interests of affordable housing.<br><br>Clause 70 (8 & 9) are difficult to interpret. It appears that Clause 9 intends to State that where clauses re to be inserted into Schedule 8 so that lots less than 3 hectares can be facilitated, that provisions under Clause 9 would need to meet. This could be interpreted to mean that meeting Clause 70.9 is separate to meeting Clause 8. The interrelationship between these 2 clauses and their meaning should be improved. For example, Clause 70.9 should State where subdivision are to be inserted into Schedule 8 and the minimum lot size is varied therefore under Clause 70.8, this may only be considered where …… reference Parts A-E. Under Clause 72, Part 3, references made to the Town Centre Zone under requirements referencing the District Centre Zone. The words Town Centre under Clause 72.3 should be changed to District Centre.<br><br>Clause 72, Part 10 should be clarified to State where the development is to be publicly available. For example parking for individual multiple dwellings may not necessarily be accessible to the general public. | | |

# SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | Clause 75.1, 2 and 4 refer to Neighbourhood centre when these clauses fall underneath the Local Centre Zone. Modifications are required.<br>Clause 75.6 States the word comprise when this should be compromise.<br>Clause 79.6, The word Scot should include two Clauses 79.8, 9 and 10 is supported because workforce accommodation is desperately needed. Perhaps consideration of workforce accommodation may be able to be expanded to allow where there is a need in the particular area not just on the subject lot. Under Clause 79.10 Part E, where workforce accommodation is provided in the form of dormitory accommodation units, how would this be determined as relevant to the number of dwellings on the site? Would more than one dormitory in addition to the existing dwelling be considered to be more than 2 dwellings?<br>In respect to tourism in the Rural Zone, Clauses 18, 19 and 20, why have the opportunities for Guesthouse been removed? This is a legitimate form of development, appropriate for the area and this should continue to be permissible within the rural zone particularly given other clauses in the Scheme make reference to this.<br>In respect to Clause 80.2, some lots within the Environmental Conservation Zone are completely vegetated. This means that in some circumstances it is impossible to site development in cleared areas. This clause | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | should be modified to State 'where cleared areas exist'. Under the Clause, Tourism Development in the Environmental Conservation Zone, this makes references to guestrooms. This provides additional emphasis to ensure that guesthouse development is permissible and this should be clear. The use of Guesthouse and Chalets should be reintroduced into the Scheme because it is cumbersome to read the Scheme and interpret land uses through other definitions such as holiday accommodation and tourist accommodation. Given that the Shire is within a tourism area, the use of guesthouse and Chalet should be continued and this would make the Scheme simpler to understand and be consistent with long term planning that has occurred in the area including the many approvals that have been issued.<br>Clause 80, Part 7 where it States 'no agriculture or grazing to occur in vegetated or wetland areas'. The Environmental Mapping shows extensive wetland areas and vegetation that is not actually native on many rural lots throughout the Shire. This calls into question whether this clause is intended to stop existing agriculture and grazing from occurring in these areas. This clause should be removed or amended to State that where establishment | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | of new uses of this nature. With respect to Special Control Areas, the infill SCA4C extends over an area where most of the land is zoned Residential R20 or R30/40. This already provides for development opportunities. As such, it is unlikely that the opportunity for an additional dwelling of 100m2 would be taken up in much of this area. Special Control Area SCA4C should be located in areas where opportunities already don't exist for example the Nixon Crescent area or Bovell, William Place areas where sewerage currently does not exist and this could be expanded. Further upcoding should be provided in the Scheme given there is no upcoding whatsoever identified within well established areas close to the Town Centre of main towns within the Shire. It is noted that the specific subdivision opportunities identified for Lot 1396 Lawrence Road, Deepdene have been removed from the Scheme. This would have involved significant work by the landowners and the Shire should confirm with the landowner before removing these opportunities to confirm whether or not this was intentional and is supported by the landowner. The zoning of Lot 102 Bussell Highway, Karridale, should be modified to Urban Development given the land has already been rezoned under the Local Planning Scheme No. 1 as has been the subject of subdivision approval and is likely to be developed in the near future. | | |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| 740. I534621 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Gnarabup beach is the best and safest place to take kids swimming.<br>Infrastructure is already struggling to keep up with demand, with car parks overflowing and public areas congested. Adding hundreds more people into this mix would be a travesty, and a severe degrading of access for ratepayers in this shire.<br>Furthermore, emotional damage is immeasurable and the fire dangers (due to only road in/out) unimaginable. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |
| 741. I534622 | **Submission Subject:** Lot 497 Albany Terrace, Augusta | There has been ongoing building construction and major earthworks in the area between Lots 76 A-E and lot 497 zoned as POS. Major earthworks in the R17.5 zoned 2,702sqm area have severely impinged upon the wetland in Lot 497 with rubble, rocks, pipes etc dumped south of Blain St. Drainage, dewatering and soil removal has also been extensive during this period.<br>Firm opinion that this last vestige of remaining wetland along Albany Terrace be changed in the LPS to become an Environmental Conservation area to ensure its survival as a habitat for aquatic life and vegetation, White Bellied frog habitat. | The earthworks referred to were approved by the Shire to facilitate development on the adjoining lot to the south. Ther land is zoned Residential and has an R Code of R17.5. It is understood that the submitter would like the vegetation on the lot protected in perpetuity. In order to achieve this, the Shire would need to purchase the land. It is not recommended that the land be purchased. | No changes are required as a direct result of this submission |
| 742. I534623 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup | Development of Lots 501-504 Seagrass Place, Gnarabup is not consistent with advice from DFES and the Wallcliffe Fire | See response to Submission 19 | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | Brigade who consider the area a catastrophic fire zone and the addition of more people, cars, children to an area with only one road in and out is putting the lives of current residents as well as these people and all others who recreate at the beach at an unacceptable risk. Has the appropriate fire assessment advice been applied to this amendment. | It is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 743. I534633 | **Submission Subject:** MRREC Standard Submission - Various Issues | **Fully supports comments outlined in Margaret River Environment Centre Submission No. 321.** | See response to Submission 321 | See response to Submission 321 |
| 744. I534635 | **Submission Subject:** MRREC Standard Submission - Various Issues | **Fully supports comments outlined in Margaret River Environment Centre Submission No. 321.** | See response to Submission 321 | See response to Submission 321 |
| 745. I534638 | **Submission Subject:** Various Issues | **<u>Aim of PS2</u>**<br>Urban, region, infrastructure, services, economic and other planning is undertaken to achieve either or both of two objectives:<br>a) To make the processes and achievements around development and service provision efficient and effective – this is the objective 'project or program management' aspect of planning, and<br><br>b) To guide and promote development and service provision to support the | With respect to the comment relating to both the **aims** and **zones** include in LPS2:<br>The submitters comments caution against replacing locally appropriate planning controls with 'generic' standard controls. Unfortunately, much of LPS2 has been mandated by the State Government and seeks very deliberately to standardise planning controls across the state. With out State Government support, it is not possible for the Shire to | **Aims and zones**<br>No changes are required as a direct result of this submission<br><br>**Gnarabup** – see response to Submission 19. |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | needs and aspirations of relevant communities within a context of sustainability and resilience to unplanned and unexpected changes and impacts – this is the normative 'achieving community well-being and vitality' aspect of planning.<br>Planning thus is concerned with both making development easier through good processes, and complicating and allowing development through identifying a range of factors that must be met so that development will make a positive contribution to the well-being and vitality of the community, locality and region within which it is proposed while meeting the aspirations of land owners.<br>AMRSC Planning Scheme 2 (PS2) sets out the aims in relation to the first of these objectives – efficiency and effectiveness - in section 9 (a), (b) and (c).<br>PS2 sets out the aims in relation to the second of these objectives – community well-being and vitality - in section 9 (d) to 9(q).<br>But the overall functional goal of planning is to ensure that a development is appropriate for the place it occurs (considering a range of factors including safety) and that places are used (developed) to achieve the greatest beneficial outcomes – social, economic and environmental for the broader community, and personal, financial | address the submitters comments to the extent that might be desirable.<br><br>**Gnarabup** – see response to Submission 19. | |

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| | | and creative for the land owner or developer.<br>To pursue this goal requires a plan to assess the location-development nexus suitability at several levels – nominally regional, local and hyperlocal. But in the case of the AMRS, the plan must also consider this location–development nexus in State and national terms, as the Cape to Cape Region is well recognized as holding a unique set of attributes and attractions in Australia and indeed globally.<br>The Capes region and the AMRS therefore merits and requires that the potential benefit to Australia and WA of suitable development in the AMRS be carefully considered and also require that the losses resulting from unsuitable development be identified and such developments should be declined, avoided or at least scaled down.<br>*<u>Recommendation 1:</u> Include a Statement in Section 9 to the effect that the overall aim of PS2 is to support development in the AMRS that will build on and enhance the unique set of attributes found in AMRS and the Capes Region more broadly and to avoid developments that do not build on and enhance these attributes for long term sustainability.*<br>What are these unique attributes? The combination of globally-recognised world class surfing and wine production, nationally-recognised long-distance trails, national parks, coastal landscapes, forests, | | |

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| | | and historical tourist attractions (e.g. the two lighthouses that anchor the Cape to Cape region), and State-recognized restaurants, micro-breweries, chocolate makers, family beaches, and respite from the increasing summer heat.<br>These assertions of globally-recognised attributes are supported by a scan of 61 references to Margaret River in the Financial Times (UK) and 66 references to Margaret River in the New York Times – all of this global interest in relation to a town of about 10,000 people over 15,000<br>km distant from each publication's home ground.<br>The national recognition of this region? – the most overt evidence is the establishment of regularly scheduled direct interstate flights from Melbourne and (soon) Sydney.<br>The State recognition – any listing of best restaurants and the like, and the projection in a report by the WA Tourism Commission to the Garnault Commission on climate change that summer tourism would increasingly focus on the region as other locations closer to Perth experience ongoing increasing summer heat.<br>These unique attributes were also recognized 30 years ago by the WAPC when it determined in the late 1980s that a Cape to Cape Region Plan should be developed, only the second such regional plan to be prepared, and subsequently by the preparation of SPP6.1.1. | | |

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| | | What does all of this mean for PS2?<br>In essence, it means that it is not appropriate to lay out a standard planning framework and zoning structure across the Cape to Cape region or, in this case, the AMRS.<br>The plan needs to recognize the unique attributes of the Capes region and the AMRS, and to explicitly work with them, build on them and protect and enhance them through a detailed zoning and planning strategy that is appropriate to the region.<br>It means that planning should increase the diversity and complexity of the region, rather than limiting or reducing it.<br>Some of this is included implicitly within PS2, but the current and potential significance of the Cape to Cape region and AMRS for WA and more broadly requires greater support in PS2.<br><br>**<u>Zoning in PS2</u>**<br>Land use (or community) planning is concerned with enabling appropriate activities in suitable locations (and conversely denying inappropriate activities) through a process termed zoning so that:<br>a) potentially problematic activities are limited to places where they will not cause difficulties or distress to other activities or people;<br>b) activities are enabled in places where there are few or no conflicting | | |

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| | | values or activities currently or within the planning horizon;<br>c) large developments are not allowed in hazardous locations;<br>d) rare or unique locations, in terms of amenity, opportunity or other factors, are used for activities that will be able to thrive in the location and thus contribute to broader community or regional economic or social well-being.<br>AMRSC Planning Scheme 2 (PS2) proposes a simple zoning system that reduces the distinction between what is allowed in different zones and areas. There is some benefit to this in terms of simplifying development procedures and processes, but it misses the opportunity for the AMRSC, the community and entrepreneurs to build on the inherent diversity within the Capes region generally and the AMRS specifically. PS2 should have a greater emphasis on those areas within the ARMSC that provide opportunities that are rare or not available elsewhere in the region.<br>Regional and local resilience and sustainability are primarily protected and promoted through diversity. In addition to the discussion in part 1, above, planning for diversity requires that high value and rare locations within the AMRS are provided tightly-defined zones for current and prospective uses. | | |

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| | | For example, on an operational level, PS2 should facilitate appropriate development, but not co-locate potentially conflicting uses within a single zone, promote intensive development in inherently dangerous locations, or allow development types or levels in places that will destroy the values that currently make those places attractive – i.e. avoid the proverbial 'turn paradise into a parking lot'.<br>Long term planning for sustainability must protect and promote regional and local resilience and diversity. Resilience is especially important for sustainability in times of change, such as those we are currently experiencing.<br>Change is often beneficial, as it has been in the AMRS during the past 70 years as the Shire evolved from a remote rural region with an economy based on farming, mainly sheep (wool and meat) and cattle (milk and meat), to a globally connected region known primarily for surfing and wine, and with a significant number of people who work remotely or in fifo roles. But note – sheep and cattle farming are still important and contribute to the Shire's economy, its cultural amenity and its diversity.<br>The scale of the current wine and surfing industries was barely imagined even in the 1970s, and good planning through the 1980s laid the basis for the growth of wine production, surfing and associated tourism businesses. As a result of good planning, the AMRS has become one of the most | | |

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| | | attractive wine regions and surf centres in Australia and, arguably, globally. Poor planning, that didn't recognize and effectively guide the development of these growing industries, could have yielded a much less attractive outcome, with consequent loss of ancillary industries such as tourism, cafes, micro-breweries, chocolateries, crafts and arts makers and so on, with the loss of local employment and income.<br>People don't visit AMRS to specifically go to a chocolate factory or microbrewery or café – it is the landscapes, surf, coastline and wineries that attract large numbers of people to Margaret River. But the rich diverse combination of activities keeps them here longer and enables them to spend more money than they would otherwise do.<br>The success of past strategic planning, initially by the AMRSC and then around 1990 by the WAPC in the Cape to Cape Region Plan, is clear, and the resultant economic development has been reflected not only in the highly diverse economic basis that is found in the AMRS, but even in the development of infrastructure, especially transport infrastructure and services. Transport services include WA's most effective road link between a regional centre and the Perth Metropolitan Region, and an airport that has regular scheduled air services to Melbourne and soon to be to Sydney, as well as to regional centres in the | | |

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| | | north of WA. No other place in regional WA has this level of connection to the State, Commonwealth or world.<br>More importantly, no other regional place in WA has the economic diversity and vitality found in the Capes region and the AMRS.<br>So – how can PS2 continue to promote and guide development in a way that will be as successful as past planning for the AMRS has been?<br>1. Promote diversity through applying a diverse set of zones that clearly define what is allowed and what is not allowed throughout WMRS. Don't co-locate potentially conflicting uses.<br>2. Enforce zoning to ensure that diversity can survive and thrive.<br>3. Treat special areas with special care – that is, don't apply general zones to specific areas that merit special consideration. This is especially important in places such as the few coastal localities where development is possible.<br>4. Avoid intense or large developments in locations that are inherently inappropriate.<br>These four elements will avoid the fine planning tapestry that has served AMRS so well for decades turning into a diffuse zoning mélange of possibilities and problems.<br>*<u>Recommendation 2:</u> Don't apply zoning and other generalized planning tools to the* | | |

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| | | *AMRS that will derogate from the current and potential future diversity, resilience and sustainability of the Capes region and AMRS.*<br><br>**<u>Comments on development at Gnarabup</u>**<br>The first planning report on the development at Gnarabup, produced by two of WA's leading planners at the time, recommended against development to the west of Wallcliffe Road, for good planning reasons, including the potential scale of the overall development considering natural hazards such as fire and so on. The ultimate plan broadly followed this planning report but diverted from the report by containing areas for tourism development on an area to the west of Wallcliffe Road. Here the plan was to isolate tourism development from residential areas to avoid almost certain conflict between people who are seeking private quiet enjoyment of their homes and properties (residents) and people who are seeking recreation, activity, parties, late nights, loud music and other joys of being on holiday or travel. Both desires are valid, each conflicts with the other.<br>Development on the area concerned has not yet occurred. Whatever development does occur on the area concerned will be in place for at least 50 years, so considerable care is required before any kind of development approval is made. | | |

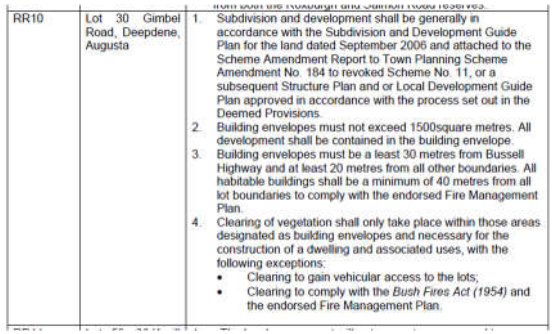
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| | | As noted above, it is patently problematic to allow potentially conflicting uses within a single zone, so the current zoning needs to be tight and limited to tourism use – that is short stay, non-residential, use.<br>Regarding the nature of development, that is the design and placement within the property, this development should generate awe rather than merely being OK, given its location in one of the very few locations between Dunsborough and Albany where a significant tourism development is possible or will be possible in the foreseeable future. This is not a location for what would elsewhere be a merely acceptable structure and layout – it needs to be exceptional, worthy of coverage in the Financial Times or the New York Times, and worthy of flying from Melbourne or Sydney to stay in. Whatever development occurs on this site should not be merely a fairly reasonable hotel with a few planks of jarrah, some flower boxes and statuary, and similar attenuation, it should be a representation of the Capes region that will be a destination in itself.<br>A true landmark tourism development would contribute to diversity and resilience in the region, rather than leaching from it by being yet another unremarkable development in a rare and remarkable location.<br>Other submissions are likely to raise other matters in relation to this development, such as whether there should be | | |

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| | | development there at all, implications of climate change, geophysical stability, fire and access and so on.<br>But there is also a further matter – ecological and social carrying capacity for what is the 'town beach' for a rapidly growing Margaret River. Gnarabup beach is safe enough for pre-primary swimming lessons and calm enough for boat launching. But parking has been problematic in holiday periods for many years. Demand for accessing the Gnarabup beach and locality has grown considerably in the past few years, and parking demand has increased correspondingly. This issue of unmanaged and unlimited growth in visitor and tourist demand is also being experienced on Rottnest Island, at WA's national park camp grounds and other holiday spots in WA.<br>Serious consideration is required, and sound and effective response measures are required if Gnarabup is to retain both its 'local' nature and also meet some level of tourist and visitor interest, visitation and activity.<br>Determination of the size and nature of any development west of Wallcliffe Road must explicitly take into account how demand can be managed so that the Gnarabup locality retains its essence and attractiveness to both tourists and visitors as well as residents. | | |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| 746. I534585 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.** | See response to Submission 19 | See response to Submission 19 |
| 747. I534645 and I534647 | **Submission Subject:** Various | Whilst KKAC's vision for the area is in its infancy we believe that there is a special and unique opportunity presenting to the Corporation, and the Shire, with reference to the development of this land, including:<br><br>• A museum standard Cultural Centre on the degraded land contained within parcels 122320025 / 11950091.<br>• A KKAC Joint venture tourism accommodation development on the decommissioned Water Corp block.<br>• An interconnected series of walk and cycle trails across the Boodjidup Road NLE providing for immersive cultural interpretation nodes and experiences in the forest.<br>• The whole precinct could / should be linked to town, via the Wadandi track and spur trails.<br><br>So, at this point, as discussed, KKAC wants to register this opportunity with the Shire of Augusta Margaret River, and work with you to ensure that the Town Planning Scheme can be flexible and agile to allow for this Cultural Precinct (on the doorstep of the Margaret River townsite), to be developed. | The land referred by the submitter is intended to be zoned 'Public Purpose' (Water Corp. site) and 'Public Open Space'.<br><br>The more minor works contemplated in the submission would be possible without a change to the zone however tourism and museum uses would not.<br><br>It would be appropriate to await the receipt of more detailed plans and proposals before judging the merit of the land uses mentioned by the submitter. With that being the case, it would also be appropriate to leave the zoning as it appears in the advertised draft until that time. | No changes are required as a direct result of this submission. |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| 749. I534651 | **Submission Subject:** Lot 30 Gimbel Road, Deepdene | I noticed right at the back of the planning scheme the conditions which applied to a former subdivision permit are still listed for our property - not sure if they should be removed now the permit has expired - could you please advise?<br><br>Is there any benefit to changing the zone at our place to environmental conservation? It looks to me like it would still be subdividable to rural residential minimum lot sizes, which we are opposed to.<br><br>  <br>RR10 \| Lot 30 Gimbel Road, Deepdene, Augusta \| 1. Subdivision and development shall be generally in accordance with the Subdivision and Development Guide Plan for the land dated September 2006 and attached to the Scheme Amendment Report to Town Planning Scheme Amendment No. 184 to revoked Scheme No. 11, or a subsequent Structure Plan and or Local Development Guide Plan approved in accordance with the process set out in the Deemed Provisions.<br>2. Building envelopes must not exceed 1500square metres. All development shall be contained in the building envelope.<br>3. Building envelopes must be a least 30 metres from Bussell Highway and at least 20 metres from all other boundaries. All habitable buildings shall be a minimum of 40 metres from all lot boundaries to comply with the endorsed Fire Management Plan.<br>4. Clearing of vegetation shall only take place within those areas designated as building envelopes and necessary for the construction of a dwelling and associated uses, with the following exceptions:<br>• Clearing to gain vehicular access to the lots;<br>• Clearing to comply with the *Bush Fires Act (1954)* and the endorsed Fire Management Plan. | In line with the owners request, the site could be rezoned to 'Environmental Conservation' and the extent of RR10 modified to exclude the lot. | Rezone Lot 30 Gimbel Road to Environmental Conservation and remove from the lot, the RR10 designation. |
| 750. I534657 | **Submission Subject:** Various | Urbis is pleased to provide, on behalf of its client Wormall Group, this submission to the Shire of Augusta-Margaret River (the Shire) regarding the Draft Local Planning Scheme No. 2 (Draft LPS2), currently subject to public comment. Wormall has established itself as a key contributor to the ongoing development of the South West region, not only undertaking significant civil and infrastructure works, but also providing critical basic raw materials for both private | The provisions included at ASR2 which the submitter objects to are applied to all land which falls within the LNRSPP and which is identified as 'Ridge Landscape Amenity Area.' Therefore the Shire seeks to make the Schem consistent with the LNRSPP in accordance with its requirement to give that document "due regard". | Change the wording of ASR2 (5) at Table 8, from "Development will comply with the *protection and enhancement of the environmental integrity of ecological linkages and their landscape qualities."*<br><br>To: |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | development and the Shire itself. In this context, Wormall Group appreciates the opportunity to engage in this process and looks forward to ongoing discussions with the Shire regarding Draft LPS 2. Among its other activities, Wormall Group, via its operating subsidiaries, currently operates two key Basic Raw Materials activities:<br>• Lot 1197 (No. 5260) Caves Road, Gracetown. This property is currently zoned 'Leeuwin Naturaliste Ridge Landscape Amenity' and is proposed to be zoned 'Rural' under Draft LPS 2. It is also proposed to be included in an Additional Site Requirements Area – ASR2' which prescribes a suite of development parameters beyond the general requirements.; and<br>• Lot 68 Tanah Marah Road, Bramley. This property is currently zoned 'Priority Agriculture' and proposed to be zoned 'Rural' under Draft LPS 2. The rezoning of both of the above sites to 'Rural' is supported by Wormall Group and will re-affirm the ongoing operation of extraction and associated activities through the 'Industry' land use. However, the provisions outlined under ASR2 lack some detail with regard to practical development requirements and appear to present a potential implementation issue for Lot 1197. Condition 5 under ASR2 reads:<br>*Development will comply with the protection and enhancement of the environmental* | That being said, the provision (which applies to many lots and not just Lot 1197) and which is taken directly from the LNRSPP State Planning Policy, could be better worded.<br><br>The submitter requests that controls be put in place to ensure future development in the surrounding area appropriately recognises the proximity to the Ellenbrook sand pit. An application for approval of the sandpit is currently with the Shire and is yet to be decided. If it is approved, it would be expected to be taken into account by surrounding developments and it is not considered to warrant special reference in the Scheme. | *"Development is to be designed in such a way as to protect and enhance any natural ecological linkages which may be present and to preserve the existing landscape qualities of the land".* |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | *integrity of ecological linkages and their landscape qualities.*<br>The wording of this condition is vague and it is unclear exactly what the compliance requirements are, as ecological linkages are not referenced or defined under Draft LPS2, nor is it clear exactly what the words 'environmental integrity' refer to. It is understood that the intent of this condition is to ensure that development appropriately considers identified environmental and landscape qualities associated with the area within the ASR2 designation. However, there are no defined or specific development parameters reflecting this. In addition, the opportunity for post-extraction rehabilitation of environmental values has not been considered.<br>It is therefore suggested that the wording be modified to reflect the intent as an objective, rather than a matter that requires strict compliance: *Development should consider and facilitate the appropriate protection and enhancement of identified environmental qualities and landscape values where possible. With respect to the extraction of basic raw materials, where impacts are judged unavoidable, opportunities for post-extraction rehabilitation of environmental values should be considered.*<br>The above wording appropriately captures the intent of the conditions without presenting undue complexity in terms of implementation and compliance when | | |

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| | | assessing and determining development applications.<br>**SENSITIVE LAND USES**<br>Lot 1197 is identified under State Planning Policy 2.4 – Basic Raw Materials as having "Significant Geological Supplies" representing the highest priority areas for the Extraction of strategic, long-term basic raw. As such, the protection of Extraction activities on this site is critical for the local region. In particular, the impingement of on-site operations as a result of sensitive land uses being approved in the vicinity of the operation, as well as along key travel routes, should be carefully considered and closely managed. It is noted that Draft LPS2 allows for limited tourism-related development to be approved within the 'Rural' zone. It is critical that these uses avoid conflict with the operational necessities of basic raw material Extraction. With respect to Lot 1197, there is concern regarding the encroachment of tourism-related uses in proximity to the operations themselves, but also along Ellen Brook Road. Ellen Brook Road serves as the primary access route to and from the site, providing a key connection to Bussell Highway. The potential for additional tourism related uses along Ellen Brook Road has the potential to result in the generation of complaints and conflict with smaller, slower vehicles with regard to heavily-laden truck movements. It Is acknowledged that a specific buffer to Ellen | | |

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| | | Brook Road to address this issue may not be appropriate for the scheme itself; however, additional provisions under clause 78, within the section titled 'Tourism Development in the Rural Zone', could be provided. In this regard, it is recommended that three additional clauses be added as follows: *Development should consider appropriate separation from the primary road frontage to maintain the rural amenity of the area and to mitigate potential traffic-related noise impacts. Where tourism uses are proposed along a rural road, appropriate upgrades to the access and road infrastructure (such as construction of dedicated deceleration and turning lanes for light vehicles) should be considered to ensure safe access and egress from the site in the context of rural vehicle movements, including heavily-laden trucks. Where tourism uses are proposed along a rural road, appropriate signage must to be provided ensuring guests accessing and exiting the site are warned of the presence of large, heavily vehicles on the road they are existing or entering. In addition, proposed tourism uses must provide appropriate visual and acoustic screening from the road, to avoid amenity impacts from passing heavy truck traffic.* These requirements would assist in managing any potential conflict between visitor traffic and truck movements associated with the Extraction activities. It will also ensure that any potential impacts associated with | | |

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| | | vehicle noise from trucks, is appropriately mitigated through separation from the road.<br>**CONCLUSIONS**<br>Whilst the consolidation of the various zones and the rezoning of the subject properties are supported, the operation of key basic raw material Extraction activities needs to be protected through Draft LPS2. The provisions of the current Draft of LPS2 contain elements that may unintentionally restrict the ability for development in the form of enlarging Extraction areas to be undertaken, particularly for Lot 1197. The provisions relating to tourism development within the 'Rural' zone also require refinement to ensure the ongoing management of any potential land use conflict. To facilitate this outcome, we request the following modifications and inclusions in Draft LPS2: Under Clause 32, Table 8, No. ASR2 replace requirement 5 with the following: *5. Development should consider and facilitate the appropriate protection and enhancement of identified environmental qualities and landscape values where possible. Where impacts are judged unavoidable, opportunities for post-Extraction rehabilitation of environmental values should be considered.*<br>Under Clause 78, and under the Tourism Development in the Rural Zone' heading, insert the following sub-clauses:<br>(22) *Development should consider appropriate separation from the primary* | | |

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| | | *road frontage to maintain the rural amenity of the area and to mitigate potential traffic-related noise impacts.*<br>*(23) Where tourism uses are proposed along a rural road, appropriate upgrades to the access and road infrastructure (such as construction of dedicated deceleration and turning lanes for light vehicles) should be considered to ensure safe access and egress from the site in the context of rural vehicle movements, including heavily-laden trucks.*<br>*(24) Where tourism uses are proposed along a rural road, appropriate signage must to be provided ensuring guests accessing and exiting the site are warned of the presence of large, heavily vehicles on the road they are existing or entering.*<br>And renumber subsequent clauses accordingly.<br>It is respectfully requested that the recommendations set out in this submission are considered and adopted to ensure the ongoing viability and access to the basic raw materials located within the subject sites | | |
| 751.<br>I534661 | **Submission Subject:** Lot 991 Mitchell Drive, Prevelly, Lot 992 Lake View Crescent Prevelly, Lot 999 Bessell Road, Rosa Brook | 1. Family have been proprietors Lot 991 Mitchell Drive and Lot 992 Lakeview since 1976. In this time we have been owners and Managers of Prevelly Caravan Park, incorporating the General Store and the Prevelly Liquor Store and Preveli Wines.<br>2. In 1995 suburb of Gnarabup opened, the Shire initiated a new planning scheme to | As with all caravan parks throughout the Shire, the specific provisions which relate to the submitters property have been devised to protect the site form being transitioned away from low cost tourist accommodation. | No changes are required as a direct result of this submission. |

# SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | review land uses in the area. Alto Pty Ltd engaged local town planners Koltasz Smith to represent them through this process that took until 2010 (15 years) for the scheme to be adopted.<br>3. A subdivision R15/30 was approved on vacant land on the southern portion of Lot 99 surrounded by Prevelly townsite. Which became Lot 992 and northern portion of Lot 991.<br>4. Applications to rezone Lot 991 in 2010 as general tourism zoning were not allowed on the grounds that the Shire did not have an existing Tourism Strategy in place and the WAPC raised objections on the grounds that the site was a Strategi Tourism site. Strong belief (as it was in 1995) the North astern portion of Lot 991 incorporating the General Store and land comprising 4 beach cottages and Managers residence should be strongly considered for a scheme amendment by Shire planning officers.<br>5. The Caravan Park zoning that exists now is not consistent with the land uses on the northern portion of Lot 991, In 1992 the right to apply for a liquor licence was granted as an additional use to existing camp ground.<br>6. Fire point of view, the Park has survived intact the 2001 Bushfires that destroyed many coastal properties by incorporating a reticulated fire hose system, U.V. Filtered water and most | At the time of finalising the current scheme, the then Minister responded to a request from the landowner to rezone a proportion of the property to Residential. The request was based on the premise that this would create the potential for capital to be raised to improve the caravan park including the provision of a sewer connection. The residential land remains undeveloped.<br><br>It is recommended that the proposed zoning (Tourism 'T28') be retained. | |

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| | | recently an upgrade to the Mains Electrical Circuit board fitted with a 100 kilo watt diesel back up generator that can provide 28 hours of electricity with full diesel tanks. Property has its own 800 litre fast attack slip on firefighting unit with petrol powered pump for 4wd utility. Not only can we keep our firefighting equipment running during mains power loss we can also keep food stuff in good shape and also trade throughout power blackouts and has recently been connected to scheme water.<br>7. Existing beach cottages built by Geoff Edwards in the 1950s have more than come to the end of their life span and are not what a modern day visitor is seeking. When looking at land use criteria set out for the Tourist Zone use of Caravan Park there is a long list of what is not permitted : holiday house, motel, resort, serviced apartment, Cellar Door Sales, Liquor Store, tavern, Consulting rooms, fast food outlet etc.<br>To summarise, several of these uses are existing on this site and have done for three decades and in our view should no longer be zoned caravan park but considered for rezoning as commercial, possibly incorporating strata titling.<br>8. **Future:** Land where the cottages presently stand would be ideal for Serviced Apartments from 1/3 bedrooms. Most Easterly boundary | | |

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| | | could also have several chalet/Holiday House style buildings on the highest points. This area is not prominent against the back drop of the Leeuwin Ridge, which rises up behind our Eastern boundary. With good modern contemporary design and incorporating flat skillion roof tops on the steeply sloping hillside and compliment the Budget aesthetic of the Caravan Park that sits in the adjacent south by North Valley. Feel its long overdue that this land use zoning be changed to reflect its location, its topography and its potential to service the local townsite of Prevelly and the numerous visitors to the area.<br>9. Would very much welcome the opportunity to meet Town Planners or Councillors on site so they can see in person the land and its natural beauty and potential as an iconic tourism site. | | |
| 752.<br>I534662 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Respect community ahead of those of developers, which are primarily their own.<br>Current proposal is less appropriate than what was previously approved several years ago, despite strong community opposition.<br>Imperative that we stop expanding coastal development, the environmental and social costs are too high.<br>Need to consolidate and densify existing centres. | See response to Submission 19.<br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| 753. I534694 & I534701 | **Submission Subject:** Lot 17 Jane Road, Augusta | Halsall and Associates have been engaged by the landowner of the above site to prepare and submit this application for consideration of a submission on the Draft Local Planning Scheme at Lot 17 Jane Road, Augusta. The request is for consideration of the subject site (and possibly adjoining allotments) to be incorporated under the 'RR22' provisions under Schedule 8 of the Draft Scheme.<br>The subject site is currently zoned Rural Residential and adjoins the Mathews Road Rural Residential 'RR 30' designation under LPS No. 1 ('the Scheme') to the immediate south. This provides for consideration of 1 Hectare minimum lot area in accordance with an endorsed Structure Plan. Many of the lots associated with the Structure Plan area have acted on this opportunity and the frontage along this portion of Matthews Road is characterized by lots to a 1 Hectare minimum lot area.<br>Under the Draft scheme the Rural Residential zoning is carried over and the immediate Structure Plan area identified under the designation of 'RR22' where the special provisions reflect that currently applicable to the area under Schedule 8.<br>It is noted that Clause 70 of the Draft Scheme provides development standards for the Rural Residential zone with subdivision in the zone detailed under subclause (8) – (11).<br>Sub-clause (8) provides that the minimum lot size in the area is three (3) Hectares | See response to Submission 5. | See response to Submission 5. |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
|---|---|---|---|---|
| | | unless specified under Schedule 8. Sub-clause (9) provides for subdivision provisions which vary clause 70(8). Review of the provisions in relation to the subject site and associated precinct area have identified the following;<br>The subject site accommodates a lot area in excess of 3 hectares and is maintained in a parkland cleared and is outside of environmental corridors and consistent with visual management controls incorporated into the Draft scheme. The subject site exhibits the same characteristics to those accommodated within the adjoining 'RR22' designation identified as suitable for subdivision to a 1 hectare minimum.<br>Contemporary bushfire considerations can also be addressed for consideration of subdivision to accommodate future infill development and importantly there is an established and well constructed interlinked road throughfare to the broader area.<br>The site can therefore address requirements for consideration of variation from the 3 hectare minimum under the Draft Scheme at Clause (9) and it is also noted that the Planning Commission WA is moving away from the Structure Planning process for infill in rural residential area in many instances. Identification of the subject site under the 'RR22' designation will avoid the cumbersome requirements of the Scheme Amendment process, with subdivision providing a robust process to demonstrate various requirements and | | |

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|---|---|---|---|---|
| | | objectives can be achieved for infill to be considered. This will also provide for initiation of consideration of infill in an existing rural residential area which is promoted under the LNSRPP and Local Planning Strategy at a location where this is considered appropriate a short distance from the Augusta townsite.<br>Additionally, it is further noted that the scheme provision at Clause 70(9) relevant to consideration of subdivision in the rural residential zone is unclear and that this be altered to clarify that '*variation to the three (3) hectare minimum lot size under Schedule 8 may be considered where the following criteria has been met'* or wording to that affect.<br>Consideration of inclusion of the subject site under Schedule 8 under 'RR22' of the Draft Local Planning Scheme No.2 is respectfully requested. | | |
| 754.<br>I535619 | **Submission Subject:**<br>Various Issues | Thank you for the opportunity to comment on this Draft local planning scheme. Nature Conservation Margaret River Region is a non-profit community-based environmental organisation working on key environmental challenges facing the southwest of Western Australia. Nature Conservation has more than 2000 local supporters (including members, donors, active volunteers and project partners/participants). We advocate for best practice environmental land use and management in caring for the natural | ***Zoning table***<br>The Environmental Conservation Zone is being applied to areas of the shire which support ongoing agricultural enterprises – sometimes in conjunction with land under conservation covenant. The zone contains adequate controls for preventing removal of vegetation and hence making agricultural uses X is not required | ***Zoning table***<br>No changes are required as a direct result of this submission.<br><br>***Residential High-Density Infill and 'In Town / City' Development.***<br>No changes are required as a direct result of this submission. |

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|---|---|---|---|---|
| | | environment in our region.<br>**General Comments**<br>***Zoning map***<br>One of our key concerns with zoning is to ensure that the fragmentation of the landscape is reversed, to allow for wildlife corridors for movement to seek food, water, habitat and refuges from threatening processes such as development (habitat loss), predators, water scarcity and heat. In general terms, this means we advocate for connectivity and linked areas of native vegetation (zoned as Environmental Conservation or Foreshore Reserve) extending from inland areas to the coast, and particularly around waterways.<br><br>We commend the improvements in creation of conservation linkages where State Forest has been changed to Environmental Conservation zoning. We see this as important beneficial outcome of the Draft Planning Scheme.<br><br>We recommend that additional areas of State Forest should also be changed to Environmental Conservation or Foreshore Reserve zoning. In particular, all State Forest located within a ten-kilometre radius of the centre of Margaret River town should be changed in this way to create additional and much-needed conservation linkages and biodiversity preservation zones. This change would | ***Residential High-Density Infill and 'In Town / City' Development.***<br>A deep soil zone is required for some forms of residential development by the Residential Design Codes.<br><br>***Clause 36 – Car parking***<br>The standards which the Shire apply to public parking sit outside of the Scheme.<br><br>***Clause 37 – Reciprocal and Shared Car Parking***<br>The Scheme is not the best mechanism for 'encouraging' certain outcomes. It sets rules which address the concerns of the submitter in that it protects vegetation and provides the option for reciprocal parking.<br><br>***Clause 50 – Dams***<br>Support for this clause is noted.<br><br>***Clause 51 – Watercourses and wetlands***<br>Support for this clause is noted. The clause adequately addresses the submitters request that riparian vegetation may be either retained or enhanced dependant on its condition. | ***Clause 36 – Car parking***<br>No changes are required as a direct result of this submission.<br><br>***Clause 37 – Reciprocal and Shared Car Parking***<br>No changes are required as a direct result of this submission.<br><br>***Clause 50 – Dams***<br>No changes are required as a direct result of this submission.<br><br>***Clause 51 – Watercourses and wetlands***<br>No changes are required as a direct result of this submission.<br><br>***Clause 52 – Significant Tree Register***<br>No changes are required as a direct result of this submission.<br><br>***Clause 53 – Environmental Protection Land clearing***<br>See submission 321. |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
|---|---|---|---|---|
| | | be consistent with the scheme's climate change and biodiversity objectives.<br><br>There are also Rural zoned areas located within a ten-kilometre buffer of the Margaret River that would make a significant contribution to biodiversity linkages if the existing vegetation were retained for conservation and some additional key areas revegetated or rehabilitated. Nature Conservation recognises the important value that biodiversity preservation initiatives on private land have, in addition to Shire and State Government managed lands, and encourage the AMR Shire to promote such initiatives via the planning process. With these areas we would recommend that landholders are provided with incentives to carry out strategic biodiversity enhancement, conservation and revegetation with a view to the long-term protection of these areas for conservation.<br><br>***Zoning table***<br>We suggest that the Class 'Environmental Conservation' should mark 'X' for 'Agriculture – Extensive' and for 'Agriculture – Intensive'. These uses should not be permitted in conservation areas. | ***Clause 52 – Significant Tree Register***<br>Support for this clause is noted<br><br>***Clause 53 – Environmental Protection Land clearing***<br>See submission 321.<br><br>***Environmental Assets***<br>Support for this clause is noted.<br><br>***Clause 56 – Building Envelopes and Spatial arrangement of buildings on a site***<br>On the basis that the minimum amount of clearing that can be done is 'none' then the word "minimise" is effective in achieving the submitters aim.<br><br>**Clause 64 – Development of Holiday Houses**<br>The level of clearing necessitated to support new holiday homes is not set by the Scheme rather, it is set by the Planning for Bushfire Prone Area Guidelines created by the State Government. The Shire did attempt to include scheme provisions which would reduce the amount of clearing required for APZ's but were prevented from | ***Environmental Assets***<br>No changes are required as a direct result of this submission.<br><br>***Clause 56 – Building Envelopes and Spatial arrangement of buildings on a site***<br>No changes are required as a direct result of this submission.<br><br>**Clause 64 – Development of Holiday Houses**<br>No changes are required as a direct result of this submission.<br><br>***Clause 69 – Sustainable Design***<br>No changes are required as a direct result of this submission.<br><br>***Clause 70 – Rural residential***<br>No changes are required as a direct result of this submission. |

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|---|---|---|---|---|
| | | ***Residential High-Density Infill and 'In Town / City' Development.***<br>In the interests of promoting sustainability, in reducing vegetation / habitat clearing and reducing urban sprawl that is currently widely prevalent, we recommend that the planning scheme promotes residential development in established town sites (i.e. Margaret River, Augusta) and infill development, as opposed to out-of-town developments on existing reserves, farmland, other areas. Sustainable housing practices such as terrace houses / buildings with common walls should be promoted, and importantly the inclusion of strict deep soil zone requirements, which also will contribute to the village / community ethos enunciated in this planning document. We recommend that a Clause to this effect be included in the document, and planning directions consistent with the objective therein.<br>***Clause 36 – Car parking***<br>We recommend that car parking surfaces are encouraged to be constructed using permeable products, that allow for water infiltration and groundwater recharge, as well as reducing runoff and associated impacts such as erosion, sedimentation and weed encroachment. This also aids the growth (and reduced maintenance and watering) for planted trees and vegetation. NCMRR notes that there are | advertising the scheme whilst it included that clause.<br><br>***Clause 69 – Sustainable Design***<br>The submitter seeks a level of detail to be included in the scheme which would normally be sought by planners as part of the development application process. It is therefore not required.<br><br>***Clause 70 – Rural residential***<br>The submitters suggestions are sound but not essential to achieve a reasonable degree of clarity.<br><br>***Clause 79 – Rural Zone Requirements***<br>Support for provisions are noted.<br><br>***Clause 80 – Environmental Conservation Zone Requirements***<br>One of the functions of the Environmental Conservation zone is to enable the implementation of State Planning Policy 6.1 which applies to the Leeuwin Naturaliste Ridge. This policy provides subdivision and development incentives for the protection of vegetation by way of conservation covenants. Removing the incentives could have the effect of reducing the amount of land that | ***Clause 79 – Rural Zone Requirements***<br>No changes are required as a direct result of this submission.<br><br>***Clause 80 – Environmental Conservation Zone Requirements***<br>No changes are required as a direct result of this submission.<br><br>**<u>Zoning changes</u>**<br>No changes are required as a direct result of this submission. |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
|---|---|---|---|---|
| | | useful and helpful precedents from other Shires / Councils in this regard and can provide guidance if required. This could also be included as a sustainability choice in clause 69 – Sustainable Design.<br>***Clause 37 – Reciprocal and Shared Car Parking***<br>It is noted that the provision of carparking to current standards can result in the clearing of relatively large areas (relative to lot size) of remnant vegetation and mature trees. We recommend that the following provision be added to Clause 37:<br>• Options for reciprocal and shared carparking are encouraged where it prevents the clearing of remnant vegetation and mature trees.<br>*Clause*<br><br>***41 – Landscaping***<br>In clause 41(f) we recommend that the ratio of trees per car parking bay should be 1:4 (instead of 1:5). This will assist with future climate change mitigation, in particular guarding against the urban heat island effect, as carparks become hotter and shade trees become more important. Trees also contribute significantly to the water cycle and general amenity.<br>In clause 41(1)(c), we recommended adding "with first preference for endemic species from local provenance." | will be protected via this mechanism in the future.<br><br>**<u>Zoning changes</u>**<br>The submitter raises concern that properties currently zoned Chalet and Camping will be zoned Tourism. This is seen as increasing their development potential. This is incorrect. Special provisions apply to each of the sites mentioned such that the existing limitations on their use will be carried over to the new Scheme. In regard to the list of properties which are intended to be zoned Rural and which the submitter would like to be zoned Environmental Conservation, this has not been subject to a period of consultation which would necessarily involve the land owners. The stated aim of the submitter in changing the zoning of these properties is "to ensure they remain undeveloped". Zoning the land Environmental Conservation would not achieve this aim which could only be realised if the Shire bought the land. | |

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| | | ***Clause 50 – Dams***<br>Clauses 50(3), (4) and (5) are supported to preserve environmental flows and reduce the impact of dams on the landscape in times of water scarcity. This includes the installation of low flow bypass requirements, revegetation, and restriction of dams for specific agricultural uses only.<br><br>***Clause 51 – Watercourses and wetlands***<br>We commend the 100m setback included in Clause 51(1), based on best practice riparian zone management practices.<br>In clause 51(2) we recommend including a requirement for the enhancement of native vegetation endemic to the area in setback areas, unless the vegetation is already assessed as excellent condition:<br>• Native vegetation within the watercourse or wetland setback area shall be maintained <u>where it is assessed as excellent, and otherwise shall be enhanced in accordance with conditions under Clause 51(4)(a);</u><br><br>***Clause 52 – Significant Tree Register***<br>We agree with the inclusion of this provision and we recommend the following improvements:<br><br>• Provision of interim protection for the time between nomination of a | | |

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|---|---|---|---|---|
| | | tree and the final decision to include the tree on the register.<br>• Clarify (if necessary) that 'ecological significance' of a tree (or trees) can include significance for biodiversity support or climate change mitigation.<br><br>***Clause 53 – Environmental Protection Land clearing***<br>In clause 53(1)(c) we suggest removing the words 'dead, or'. Dead trees are an important source of habitat for native wildlife and they form part of functioning ecosystems, for example in the provision of habitat hollows, nutrient cycling and fungal / microbial biodiversity. Dead trees should only be removed for an additional reason, such as safety or fire risk (which are covered elsewhere), not just for being dead.<br>In clause 53(1)(l) clearing is permitted where a residential lot is less than 2,000m2 in size. We are unclear about the rationale for this size limit and suggest consideration is given to reducing this to 1,000m2.<br>In clause 53(4) we suggest including an option for conditions designed to mitigate the environmental impacts of clearing, as well as offsets. We also suggest providing for a timeframe to be imposed for offset planting to be carried out. We are also unclear as to why the permanent protection of offsets should not be imposed where the offset site is the same | | |

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|---|---|---|---|---|
| | | land as the impact site. For these reasons, we suggest the following amendments would be helpful:<br>*Where the removal of vegetation is required, the local government may require that mitigation measures and/or offset planting be undertaken by the proponent. Offset planting shall be an equivalent area of land to be revegetated with native vegetation indigenous to the locality on the land the subject of the application, or on public land managed by the local government or with the consent of the landowner(s) on other land in their ownership to ensure that there is no net loss of native vegetation to the local government. The local government may require that offset planting is to be commenced or completed prior to the land clearing taking place. Offset planting shall be protected in perpetuity through a conservation covenant or equivalent legal instrument. Offset planting should be managed and maintained under a bond for a least three years.*<br><br>***Environmental Assets***<br>With respect to the ***Western Ringtail Possum*** Map we suggest that this map excludes significant habitat to the east of the mapped area. Well known and documented critical habitats include Molloy Island and East Augusta (which possibly has some of the highest density | | |

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|---|---|---|---|---|
| | | WRP populations within the Shire). It is also noted that both of these populations have recently been recognised as containing important genetic diversity. We believe that many other important habitat areas and populations are likely to occur east of the mapped areas but have not been recognised due to a paucity of survey effort.<br>Reference to 'Western Ringtail Possum Habitat Areas' in Table 6 should include marri *(Corymbia calophylla*) as well as peppermint trees, which are recognised within the Capes as very important WRP habitat tree species. The focus on peppermint trees as has been adopted on the Swan Coastal Plain is less relevant in the Capes and not in keeping with the objective<br>With respect to the ***Baudin's and Carnaby's Black Cockatoo breeding areas*** we suggest that the important forest areas to the east of the Shire be included as should the key corridors along the Blackwood, Forest Grove, Witchcliffe and the Margaret River. Additional information could be provided by Ron Johnstone at the WA Museum.<br>With respect to the ***Strategic Environmental Corridors*** layer we suggest that the layer extend through the river foreshore and surrounding private properties (north and south of the river) between Wooditjup National Park and the Leeuwin Naturaliste NP to reflect the | | |

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|---|---|---|---|---|
| | | value and importance of the East West Margaret River corridor.<br>With respect to the ***Vegetation Remnants*** layer, we strongly support the objective as Stated to "Preserve and protect isolated stands of endemic vegetation" however we suggest that the mapped layer be replaced with the full remnant vegetation layer. The existing layer as presented is misleading and would not adequately achieve the objective.<br>Clause 53(8) States:<br><br>*The local government may refuse to grant development approval if the proposal **would** result in a deleterious impact on the features identified by the 'Environmental Assets Map' contained in the Local Planning Strategy.*<br>We suggest that the requirement "would result in a deleterious impact" might be considered ineffective if interpreted as requiring a very high level of certainty, which is not always possible to accurately assess at the early planning stages. We therefore recommend amending this wording by replacing 'would' with - 'may'.<br><br>***Clause 56 – Building Envelopes and Spatial arrangement of buildings on a site***<br>Clause 56(4)(c) sets out a requirement for land without a building envelope, | | |

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| | | stating it must be in an area of the site that 'minimises the removal of remnant vegetation'. We recommend adding a clear preference for avoidance, in accordance with the mitigation hierarchy, and we suggest the wording be amended to read:<br>*avoids -, or otherwise minimises the removal of remnant vegetation, provides a suitable area for on-site effluent disposal (if applicable), achieves an acceptable BAL rating and minimises erosion and;*<br><br>We also recommend that proponents should be required to provide evidence of how vegetation clearing has been avoided or minimised, inc accordance with the above requirement.<br><br>***Clause 64 – Development of Holiday Houses***<br>We note that the construction of increasing numbers of holiday houses in the region, with the accompanying requirements on clearing to meet fire management requirements (e.g. firebreaks, Asset Protection Zones (APZ) etc.), is resulting in significant clearing of vegetation in the Shire. We recommend a clause be added that prioritises the retention of vegetation and restricts clearing of vegetation for holiday housing purposes.<br>We recommend in Clause 64(2), the | | |

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|---|---|---|---|---|
| | | requirement to minimise the clearing of remnant vegetation and mature trees be included in provisions for carparking. Refer to prior comments on shared carparking arrangements (Clause 37).<br><br>***Clause 69 – Sustainable Design***<br>As noted above, we recommend including construction of a permeable driveway/carpark area as a sustainable design choice (if it is not included as a requirement for car parks).<br>For item 8 (new trees on site) we recommend adding wording to ensure the new trees are able to thrive. For example, the wording could be amended to:<br>*A minimum of 3 trees are added to the site that are listed in the Shire of Augusta Margaret River Revegetation Guidelines. Each tree must have an adequate planting area and access to sufficiently deep soil to ensure its long term survival.*<br>We also recommend allowing scope to improve or add to the table in future, or to increase the number of sustainable design features required in developments.<br><br>***Clause 70 – Rural residential***<br>We suggest rewording clause 70 (9) slightly to clarify some of the requirements.<br><br>*Subdivision provisions which vary clause* | | |

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| | | *70(8) may only be considered where:*<br>• *There is limited remnant vegetation and subdivision and development will not result in an undesirable environmental outcome, would ~~likely~~ not put future residents at higher risk of bushfire, and would not have greater potential to be inconsistent with the environment and landscape provisions of the Leeuwin Naturaliste Ridge Statement of Planning Policy (LNRSPP);*<br>• *Located outside environmental corridors identified on the Shires Environmental Assets Map or National Park Influence Area (LNRSPP);*<br>• *Consistent with the Visual Management Controls, taking into account the corridors, areas and landscape qualities of a given location;*<br>• *Subdivision ~~would complete rather than~~ does not commence or reinforce a pattern of subdivision inconsistent with the character of the locality, ~~or otherwise forms a complete~~ ~~precinct~~; and*<br>• *Development can achieve compliance with the Planning for Bushfire Protections Guidelines or substantially improves the community safety outcomes for an area outside the immediate subdivision area.* | | |

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| | | ***Clause 79 – Rural Zone Requirements***<br>We support restrictions on subdivision of rural zoned land (e.g. Clause 79(1), for the preservation of remnant vegetation, biodiversity assets, corridors and food production land uses.<br>Re Clause 79(6) natural watercourse buffers, we recommend that the reduction in buffer from 30m (i.e. to 10m as Stated) be removed from the clause.<br><br>***Clause 80 – Environmental Conservation Zone Requirements***<br>We do not support clauses (5) Tourism Development in the Environmental Conservation Zone and (6) Subdivision in Environmental Conservation Zone, and suggest that they are removed from the scheme, but provide that any pre-existing approved and established Tourism Development uses in newly zoned Environmental Conservation Zone areas shall be allowed to continue. Environmental Conservation zoning for conservation purposes is a critical planning step in biodiversity preservation and enhancement, and in minimising the increasing threats to it in the region.<br>**<u>Zoning changes</u>**<br>We are concerned to see a number of locations along or near the Leeuwin Naturaliste ridge currently zoned for amenity or camping/caravan park use are proposed to be changed to Tourism use. It is our position that these areas should | | |

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|---|---|---|---|---|
| | | be subject to stricter development controls and not a zoning that is even more permissive than the existing use. Increased tourism, and particularly accommodation, in these areas is a key threatening process to the ecosystems and biodiversity of this region. For this reason, we strongly advocate for a number of new 'Tourism' locations to be zoned 'Environmental Conservation' instead. To our understanding, this still allows for existing uses for camping and holiday accommodation but places the environmental conservation as the predominant use.<br>It is also clear that many locations currently zoned 'Rural' to the west of Caves Road or near to the Margaret River or other watercourses require additional environmental protection to ensure they remain undeveloped and can form part of a significant vegetation corridor. Existing native vegetation should be preserved and cleared areas revegetated in the longer term. If more protections are not put in place, there will be increased temptation to engage in illegal clearing, as is evident from recent history. We seek that these areas be rezoned from Rural to Environmental Conservation. Environmental Conservation zoning is a critical planning step in biodiversity preservation and enhancement, and in minimising the increasing threats to it in the region. | | |

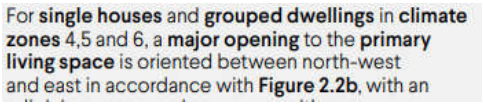
# SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

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|---|---|---|---|---|
| | | Table of suggested zoning changes<br>Location / Current zoning / Suggested zoning change<br>Lot 101 (Kilcarnup Road) / Chalet and camping / ~~Tourism~~ → Environmental Conservation<br>39 Forest Road / Leeuwin Naturaliste Ridge landscape amenity / ~~Tourism~~ → Environmental Conservation<br>744 Cowaramup Bay Road / Caravan park / ~~Tourism~~ → Environmental Conservation<br>3 Old Ellen Brook Road / Chalet and camping / ~~Tourism~~ → Environmental Conservation<br>750 Wallcliffe Road / Chalet and camping / ~~Tourism~~ → Environmental Conservation<br>Lot 18 (Corner of Orchid Ramble and Wooditch Rd) / Chalet and camping / ~~Tourism~~ → Environmental Conservation<br>23 Mitchell Drive / Caravan park / ~~Tourism~~ → Environmental Conservation<br>422 Sebbes Road / Chalet and camping / ~~Tourism~~ → Environmental Conservation<br>248 Sebbes Road / Chalet and camping / ~~Tourism~~ → Environmental Conservation<br>5903 Caves Road / Chalet and camping / ~~Tourism~~ → Environmental Conservation<br>Lot 501 (Corner Wallcliffe Rd and Wooditch Rd) / Rural / ~~Rural~~ → Environmental Conservation<br>89 Wooditch Road / Rural / ~~Rural~~ → Environmental Conservation<br>90 Wooditch Road / Rural / ~~Rural~~ → Environmental Conservation<br>6006 Caves Road / Rural / ~~Rural~~ → Environmental Conservation<br>805 Redgate Road / Rural / ~~Rural~~ → Environmental Conservation<br>797 Redgate Road / Rural / ~~Rural~~ → Environmental Conservation<br>737 Redgate Road / Rural / ~~Rural~~ → Environmental Conservation<br>6982 Caves Road / Rural / ~~Rural~~ → Environmental Conservation<br>7087 Caves Road / Rural / ~~Rural~~ → Environmental Conservation<br>7031 Caves Road / Rural / ~~Rural~~ → Environmental Conservation<br>6036 Caves Road / Rural / ~~Rural~~ → Environmental Conservation<br>622 Wallcliffe Road / Rural / ~~Rural~~ → Environmental Conservation | | |
| 755.<br>I536106 | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>Its essential to retain the amenity and to protect the pristine values of this glorious coast. | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a | See response to Submission 19 |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | | separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | |
| 756.<br>I537036 | **Submission Subject:**<br>Table 9 Sustainable Design Items | I've provided some commentary and suggestions below for you against Table 9.<br><br>**Table 9**<br>**Sustainable Design Items**<br>1 A solar photovoltaic system greater than 3.5-kilowatts.<br>2 A Rainwater tank of at least 3,000-litres, plumbed to automatically supply toilet cisterns and washing machines whenever rainwater is available.<br>3 A solar energy storage system greater than 2.5 kilowatt hours.<br>4 A grey water system that diverts water from laundry and bathrooms to be used as irrigation for garden areas, and preferably to a deep planting zone.<br>5 Double glazed windows throughout.<br>6 Garden and External Spaces<br>• No more than 20% of the external area can be unshaded hardstand. Shaded hardstand must be shown as protected from direct sunlight by a tree, shade structure or part of the building from 9a.m. to 3p.m. throughout Summer.<br>• No more than 40% of the external area can be hardstand.<br>• Not less than 25% of external areas must be Deep Root Zone – allowing for planting of full-size trees into free draining soil.<br>7 The retention of a significant existing tree on the site which meets the following criteria:<br>• healthy specimens with ongoing viability; and<br>• species is not included on a State or local area weed register; and<br>• height of at least 4m; and/or<br>• trunk diameter of at least 160mm, measured 1m from the ground; and/or<br>• average canopy diameter of at least 4m.<br>8 A minimum of 3 trees are added to the site that are listed in the Shire of Augusta Margaret River Revegetation Guidelines.<br>9 The placement of a designated primary living space with a minimum internal dimension of 4m, directly accessible from the garden area, on the northern side of the site with appropriate glazing to achieve passive solar heating.<br>10 Horizontal shading devices such as eaves, window hoods or fins, or verandas, or pergolas, are to be provided to north facing windows to a depth of 600mm.<br>11 At least one dwelling is fully accessible suitable for independent living (Platinum standard – Livable Housing Australia).<br><br>***Item 1 –***<br>Most systems provide for a 3kW inverter, which means people usually have about 3.6kW of panels on their roof. Most stockists provide for 1.5kW, 3kW and 5kW inverters, this could be forcing smaller systems to use larger inverters which makes them exponentially inefficient. | Item 1<br>Noted – a change to a requirement for a 3kw system would address this issue.<br><br>Item 4<br>Given that there is a range of available sustainability options set out by the clause, it is inevitable that not all will be achievable for every circumstance. This is not a reason to delete them.<br><br>Item 5<br>It is intended that the provisions relate to new builds only.<br><br>Item 6<br>A change to the words 'Deep Soil Zone' would address the submitters comments and be in line with the residential design Codes.<br><br>Item 7 | Item 1<br>Change reference from '*3.5 kilowatts'* to '*3.0 kilowatts'*.<br><br>Item 4<br>No changes are required as a direct result of this submission.<br><br>Item 5<br>No changes are required as a direct result of this submission.<br><br>Item 6<br>Change reference from *'Deep Root Zone'* to *'Deep Soil Area'.*<br><br>Item 7<br>No changes are required as a direct result of this submission.<br><br>Item 9<br>Remove the words: |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | Is it the capacity of the PV array or the inverter that is the prescription, here?<br><br>***Item4–***<br>Greywater systems are not supported for Grouped and Multiple Dwellings by the Department of Health. Unfortunately, I've found that one out the hard way. Discharging any effluent water into a scheme is expressly prohibited. Limiting this for Single Houses might be your only option here.<br><br>***Item 5 –***<br>Double glazed windows trigger the need for a full framing change, whereby for a renovation / alteration / existing upgrade, working with the standard frame is the most economical method. For example, I'm changing my 3mm single glazing to 5.38mm laminated with Low-E – this allows me to keep the standard frame with vastly improved glazing performance on an old 80s house.<br>May I suggest you consider a term like "improved glazing performance" instead, to avoid the only option being the most expensive outcome?<br><br>***Item 6–***<br>The use of the term "Deep Root Zone" is independent of existing definitions.<br>If you use the term "Deep Soil Zone" then you could rely on the definition that exists | The inclusion of Item 8 which provides for the replacement of trees addresses the submitters comments.<br><br>Item 9 – the removal of the 4m dimension will provide greater flexibility as sought by the submitter.<br><br>Item 11 – Agree – the standard for accessible housing should be consistent with the R-Codes.<br><br>In addition to the items raised by the submitter, additional options can be included at Table 9 to create a wider range of low cost ways for home builders to create sustainable housing. | *"with a minimum internal dimension of 4m"* from (9) at Table 9.<br>Item 11<br>Change reference from *'(Platinum standard – Liveable Housing Australia)'* to A4 Universal Design Requirements (Gold level) of the Residential Design Codes V1.<br><br>Include the following as items 12 and 13:<br><br>• Water heating is by a solar hot water system or heat pump hot water system.<br>• One car parking bay provided with a minimum 7kW electric vehicle charger.<br><br>Modify clause (69)(1)(c) by deleting the full stop and replacing with "; or"<br><br>Introduce a part (d) stating as follows:<br>In the case of single or grouped dwellings one of the following is achieved: |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | within Volume 2 of the R Codes (Apartment Code) for a more robust control.<br><br>***Item 7 –***<br>I'd like to turn your attention to WALGA's Model LPP for Tree Retention, including the sizes specified which aligns with a "Medium Tree" within the Medium Density Housing Code (Table 1.2b) and Apartment Code. https://walga.asn.au/getattachment/Policy-Advocacy/Our-Policy-Areas/Environment/Urban-Forest/Model-Local-Planning-Policy-Tree-Retention-(1).pdf?lang=en-AU<br>The size specified in Shire of AMR's Table 9 can be readily bought from a nursery. It would be a shame to disincentivise good design for an 'adolescent' tree that is easily replaceable. Otherwise, maybe, an option for the replacement for trees at this smaller size?<br><br>***Item 9 –***<br>Room sizes have been removed from the Draft R Codes because they inhibit flexibility in design. For example, I'm not sure many infill (or even regular houses) provide for a 4m x 4m dining room they access their alfresco area from.<br>The orientation is also A LOT more prescriptive than the industry-tested definition at Part 2.2 of the Medium Density Code in which are all favourable for a NatHERS assessment and Specification 44 of NCC2022 for the heating load when | | i) The dwelling is designed and certified to a 'Passivhaus' (Passive House) standard as certified by a Passive House Institute accredited Building Certifier; or<br>The dwelling is deigned to be carbon neutral and use less than 57kl water per occupant per year as demonstrated through a Life Cycle Assessment in Accordance with EN15978 - Sustainability of construction works – Assessment of environmental performance of buildings – Calculation. |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | shaded.<br>This underwent SIGIFICANT testing for favourable outcomes, and the orientation options here make very little difference to an assessment so the flexibility was encouraged.<br><br>  <br>For **single houses** and **grouped dwellings** in **climate zones** 4,5 and 6, a **major opening** to the **primary living space** is oriented between north-west and east in accordance with **Figure 2.2b**, with an<br><br>***Item 11 –***<br>Platinum LHA is fine to include, but more appropriate standards exist such as **AS1428** ***Design for access and mobility*** and **AS4299** ***Adaptable housing*** – which are also referenced in the R Codes.<br>LGAs are allowed to adopt Codes and standards within the PD (LPS) Regs – but the Platinum LHA is not a code nor a standard.<br>If you do choose to reference an Australian Standard, its vitally important you leave the edition (year of publication) off the reference, otherwise legally you are locked to that year of publication despite any improvements, additions and changes it may undergo in further editions. | | |
| 757.<br>I537037 | **Submission Subject:**<br>Gracetown | Please find attached the Gracetown Cowaramup Bay Community's (GCBC) submission on the Draft Local Planning Strategy 2 - as it affects our community.<br>We acknowledge the submission is a little late. | See response to Submission 486. | See response to Submission 486. |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | However up until 4 days before the Consultation session held in Gracetown on LPS 2 by Planning Staff from the Shire - we were under the impression that there was very little change …or opportunity for positive change in our locality within the LPS 2 or matters surrounding it over LPS 1. This came about because - like the Shire - the Community had not been informed over 2 years previously by Development WA that it had quit its "Gracetown Expansion" development proposal which had been on foot since 1998. We have since had it confirmed that the Shire was not aware of this either.<br>Subsequently this has resulted in us seeking legal, planning and strategic advice and also holding a significant amount of consultation.<br><br>Whilst that process is ongoing for us …this submission is responding to advice provided by the current Shire CEO - Mr Arthur Kyron in his correspondence dated 27 February 2024.<br><br>We also look forward to hearing of the results of the Shire's discussions with DPLH - which were referenced in that correspondence.<br><br>We stand ready to meet for any discussions that you may wish. | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | In the meantime Mr David Martin and one of our Committee members Mr Paul Manners (Both previous Presidents of GPA Inc./GCBC Inc ) will be seeking to meet with Mr Nick Logan for further discussions on this matter.<br>**INTRODUCTION**<br><br>Around mid 1998, Landcorp commenced planning to almost double the size of Gracetown hamlet by adding a further 140 residential lots.<br><br>In 2000… there is a record of a local landowner and part time resident – Mr Wayne Martin – lodging an appeal with the Office of The Information Commissioner against the decision by the Department of Land Administration and the Ministry of Planning to refuse of access to documents relating to a proposal to expand Gracetown. In that case the decisions of the Ministry for Planning; and the Department of Land Administration to refuse Mr Martin access were set aside by the Commissioner and the information was provided.<br><br>However, it was the start of a long and at times difficult 20 years of the Gracetown Community holding Landcorp and other Government agencies to account over what always was – and is even more so now – an inappropriate development proposal. | | |

# SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | The Gracetown Progress Association (GPA), which represented the local community, spent much of the period from 1998 to 2018 participating constructively in discussions with Landcorp, the Shire and other Government agencies such as the WA Planning Commission in relation to the proposed development. Unfortunately, over time Landcorp and the Government resiled from many of the early commitments made to the community in connection with the development, including a second access road, a fire refuge for the community and community facilities. The community was also concerned about the viability of the proposed wastewater treatment facilities and the introduction of special area rates that would have left the community with unacceptable financial exposures. During this period Landcorp also attempted to introduce a hotel development proposal for Gracetown, which was met with fierce opposition from the community and was quickly abandoned. These actions eroded community trust and fostered increasing opposition to the proposed development, but did not deter Landcorp from pressing ahead with their proposal.<br><br>Finally in mid 2016 the Development plan was approved by the Minister for Planning – just before he left the portfolio and moved to Health. | | |

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| | | The Community was dismayed. After 18 years of engaging constructively, albeit robustly, on the proposal it was not given the opportunity to put its view to the Minister before he finally signed it off.<br>At the time…David Martin, president of the Gracetown Progress Association, said Minister Day's decision was disappointing, particularly as recommendations were made to him without the community being able to voice concerns about "significant un-resolved issues" in the plans.<br>"*It's not unexpected but they (Gracetown residents) will be disappointed we did not get the chance to put our submission to a higher authority*," he said.<br>After the development was approved by the Minister for Planning, the GPA made submissions to the South West Planning Commission specifically regarding the need for a second access road for Gracetown for bushfire risk mitigation, as a result of which the SWPC recommended that a second access road should be built before subdivision approval was granted for the development. Since then (6+ years) there has been no progress or communication by LandCorp or Development WA, and the Gracetown community has remained waiting on tenterhooks for the next step.<br><br>Just 3 months ago – in mid-December 2023 (as a result of Freedom of Information Applications by the Save Gnarabup Group)….the Gracetown Cowaramup Bay | | |

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| | | Community Inc (the renamed Gracetown Progress Association) discovered that Development WA had actually **quit** the project nearly 2½ years ago - but did not inform the community. Indeed, Development WA did not inform the Shire of Augusta Margaret River, nor does it seem either the WA Planning Commission nor the Department of Planning Lands and Heritage.<br><br>The reasons that Development WA quit the Gracetown Development are given in the Executive Decision sheet, released under FOI, as: -<br>***"A combination of adverse Western Australian Planning Commission conditions, reduced Government support for development outcomes from Gracetown……. exit from the project."***<br><br>There was further comment that :-<br>***"Development WA has been unable to progress the development of the land principally due to the Western Australian Planning Commission (WAPC) being unprepared to support development approvals pending resolution of construction of a second access road for bushfire risk mitigation and native title. Support from*** | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | ***local and State Government has waned and there remains significant objection to coastal development from the local community."***<br><br>**Now that the development has been abandoned by Development WA and the State Government it is critical that the zoning of the entire Lot 300 – including the designated Development WA Gracetown Expansion site - be restored to the equivalent of its original status of "Environmental Conservation" without delay.**<br><br>**<u>REASON FOR IMMEDIATE RESTORATION OF THE CORRECT ZONING OF THE LAND.</u>**<br><br>Development WA acknowledged in the discovered documents that the project is not viable :-<br>*"principally due to the Western Australian Planning Commission (WAPC) being unprepared to support development approvals pending resolution of construction of a second access road for bushfire risk mitigation; and native title"*.<br><br>With respect to Bushfire risk…the frailty and exposure of the Gracetown community to entrapment was demonstrated on 8 March last year (2023). On that day a powerline | | |

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| | | came down on Cowaramup Bay Road, half way between the Gracetown caravan park and the Main beach. It started a bushfire; and live wires were straddling the road and blocking traffic both into and out of Gracetown and all points south and north of the hamlet along the coast.<br>Fortunately, winds were light, the blaze was spotted by a Volunteer fire fighter almost as soon as it started and other volunteers were able to bring the fire trucks up from the Gracetown Volunteer Bushfire Brigade and prevent the uncontrollable spread of the fire without need to pass the live wires.<br>Meanwhile Western Power attended from the eastern end of Cowaramup Bay Road and disconnected the power and the fire could then be fully extinguished.<br><br>However, this was a classic case of had there been strong north or north east winds, and the blaze not been spotted sooner the entire Gracetown and visitor community would have been at risk with potentially no escape route.<br><br>A similar situation occurred on 24 January 2012, when a fire was started at the Gracetown main beach car park. The only access road for Gracetown was immediately cut off, leaving only the Gracetown Volunteer Bushfire Brigade to defend the town, and all residents and visitors trapped in Gracetown at one of the busiest times of the year leading into the | | |

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| | | Australia Day long weekend. A second access road would at least have enabled access by other firefighters, and could have been used to evacuate residents had the need arisen.<br><br>It is for exactly this reason the WAPC had insisted on the construction of a second road prior to the commencement of the development of the subdivision.<br>Given recent weather and fire conditions, and an increasingly drying climate, this need is even greater now than it was 10 years ago.<br>With respect to native title issues the Gracetown townsite is surrounded by Aboriginal sites, including burial sites (registered and unregistered), sacred and mythological sites (registered and unregistered), artefact scatters (registered and unregistered), middens (registered and unregistered), a massacre site (registered), fish traps (unregistered) as well as numerous places of continuing cultural significance.<br><br>There were supposedly ongoing negotiations between Landcorp and two Native Title claimants, but it is believed they were not concluded. Landcorp applied for consent from the Minister for Indigenous Affairs via a Section 18 application to disturb the sites and Landcorp claimed this was approved in 2009. However much has | | |

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| | | changed in respect to Native Title and Traditional Owner aspirations in that time.<br><br>In addition to the bushfire and native title issue, other unresolved matters included water and sewage management, community works to handle increased pressure on the bay, and a myriad of environmental considerations including significant risks to native fauna.<br><br>The bushland of the proposed site above Gracetown has been described by the Environmental Protection Authority (EPA) as “pristine to very good condition” and to be habitat for threatened native animals including the following:<br>• Western Ringtail Possum (Critically endangered (next stop extinction)).<br>• Carnaby (endangered) and Baudins (endangered) Cockatoos.<br>• SW Carpet Python (specially protected).<br>• Quenda/Bandicoot (priority 4).<br><br>The bushland nearby to Gracetown has also been reported to contain the Quokka (vulnerable), Chuditch (vulnerable), Woylie (Brush tailed bettong (Critically Endangered)) Red Tailed Cockatoo (vulnerable) (Naturebase website (DBCA). The Barking Owl (Priority 2) and Masked Owl (Priority 3) and Brush Tailed Phascogale (Conservation Dependent) are | | |

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| | | also likely to be in the bushland around Gracetown.<br>There are also numerous threatened coastal, marine and freshwater species and two Priority 2 ecological communities in and around the Bay area. The bushland is also home to two priority (threatened) flora species. Australia has one of the worst records of native mammal extinction and very often the reason is a loss of habitat (sacrificed for residential housing), weeds, disease, interaction with human activity and predation by feral animals. The development proposal for Gracetown will directly increase these pressures on the LNNP and its conservation values.<br><br>The LNNP is part of Australia's only internationally recognised biodiversity hotspot (one of 35 worldwide) because of its exceptionally rich plant diversity, high endemism and the degree to which these values are under threat (Leeuwin-Naturaliste Capes Area Parks and Reserves Management Plan 2015 (DBCA)). The LNNP is also especially important for nature conservation due to its ecological linkages which may allow movement across the landscape to help maintain genetic diversity and mitigate the effects of climate change.<br><br>Given the rapid onset of climate change and the Dramatically increased extreme fire risk along the Capes – especially in that | | |

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| | | inaccessible heath area - the issue of Bushfire is even more compelling now.<br>Any Authority that supports or allows additional development in an area that has recently been designated by both DEFS and the AMRS itself as an "Extreme Fire Danger Area" would be placing itself at serious risk of being held liable for permitting inappropriate and even negligent development.<br>And were the Shire simply seek to have further vast areas around any urban development zone cleared to mitigate such risk ….. it would be guilty of destruction of very fragile and valuable fauna and flora and Aboriginal sites (noted above).<br><br>If Lot 300 is left zoned as "Future Development, National Parks and Nature Reserves, Parks and Recreation" … whilst LPS 2 is under Drafting, consideration and consultation it is still at high risk of having a development application by the private sector submitted. Given there is another State election due by 8 March 2025….it is highly unlikely – given Caretaker Protocols and then bedding in of new portfolios - that LPS 2 will be gazetted until well into 2025 or even early 2026. Thus there is an 18 month to 2 year window at least for a developer to act on this "opportunity" …. which with the State Development Assessment Unit now active – would likely lead to an approval for residential or resort development | | |

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| | | Hence immediate restoration of either the "Nature Parks and Nature Reserves" or preferably the proposed "Environmental Conservation" zoning should be placed over all of Lot 300.<br><br>Before the development proposal was launched by Landcorp in 1998, Lot 300 was designated Unallocated Crown Land and zoned as ***"Parks and Recreation"*** under the Local Planning Scheme.<br><br>Around 2017 the whole of Lot 300 was rezoned to its current LPS1 zoning of "***Future Development, National Parks and Nature Reserves, Parks and Recreation***". This allowed for part of Lot 300 to be developed as residential land and related infrastructure.<br>The proposed LPS2 ***continues*** this zoning as "**Urban Development, Environmental Conservation**", meaning that the Government could sell all or part Lot 300 to another developer to recoup the $4.1 million Development WA claims to have spent on its original flawed and failed proposal. The only way to protect the community and the environment from unprincipled future development is to rezone Lot 300 now . **Any reference to "Urban Development" must be removed immediately from the zoning of this land.** | | |

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| | | Any future proposed development of Lot 300 will need to return to first principles in dealing with all development issues including extreme bushfire risk and negative environmental and cultural impacts; and would have to undergo extensive scrutiny in accordance with the planning laws and community expectations at the relevant time. There should not be any presumption in favour of development, as would be indicated by maintaining an "Urban Development" zoning as proposed in LPS2.<br><br>**<u>CONCLUSION AND RECOMMENDATIONS</u>**<br><br>**Given the history of the proposed (and now failed) Landcorp development for Gracetown, the Shire of Augusta Margaret River should : -**<br><br>**1) Immediately change the recommended zoning of the <u>entire</u> Lot 300 in LPS 2 to "Environmental Conservation". Any reference to "Urban Development" zoning must be deleted.**<br><br>2) **In order to prevent opportunistic development of this land during the period that LPS 2 progresses to Gazettal, the Shire of AMR should - on behalf of the entire** | | |

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| | | **Shire community - immediately lodge an application for a restoration of the status quo by seeking a rezoning of Lot 300 to "Environmental Conservation" prior to the completion of LPS 2 .** | | |
| 758.<br>I537035 | **Submission Subject:** 4812 (Lot 112) Caves Road, Gracetown | 1. The Draft LPS2 will affect future planning and development for the property located at 4812 (Lot 112) Caves Road, Gracetown due to the removal of the reference to the approved structure plan and associated provisions.<br>2. January 2017 Amendment 39 was gazetted for Lot 112 Caves Road and included the following amendments to LPS 1.<br>a) Amending the maps to rezone Lot 112 from 'Caravan Park' to 'Rural Residential';<br>b) Removing the provisions referring to Lot 112 at reference number T13 under the relevant schedule;<br>c) Introducing specific provisions to the relevant schedule applicable to Lot 112 under Reference RR34 and amending the maps accordingly; and<br>d) Including Lot 112 in the relevant schedule through reference number 'A58' with provisions being introduced and amending the maps accordingly.<br>3. Structure plan was prepared in accordance with requirements of LPS1 | It is agreed that there is a Structure Plan which relates to the submitters land.<br><br>There is no need for the Structure plan to be referred to by the Scheme in order to give it effect.<br><br>In fact, the WAPC have advised that they no longer require pre-planning to be undertaken in rural residential zoned areas in order to facilitate subdivision.<br><br>The Structure Plan shows that the land can be divided into two lots.<br>Given that the land is over 6ha in size and the general minimum lot size included in the scheme is 3ha, the land continues to have subdivision potential. | No changes are required as a direct result of this submission. |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | which, at clause 4.22.1 requires the preparation of a structure plan prior to the subdivision of Rural Residential zoned land. Structure plan approved in December 2016 and date of expiry is May 2026.<br>4. The structure plans shows 2 proposed lots no less than 3ha with building envelopes. The building envelope on proposed Lot 102 has been located in consideration of environmental impacts and fire management requirements. A FMP was also prepared for the purpose of the Approved Structure Plan and Amendment No. 39.<br>5. Amendment 39 and Approved Structure Plan were prepared taking into consideration the requirements of State Planning Policy No. 6.1.<br>6. Zoning of Lot 112 under Draft LPS2 fails to refer to the Approved Structure Plan and fails to include the conditions referred to in Schedule 7 of LPS 1.<br>The approved Structure Plan has not be implemented and has not expired. The Structure plan is still in effect until it is revoked. There is also an opportunity to extend the duration of the approval in accordance with schedule 2, cause 28 of the Regulations.<br>As provided for at schedule 2, clause 29A of the Regulations and affirmed by the Manual, approval from the landowner who prepared the structure plan will be necessary in order to revoke | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | the structure plan. It is noted that I am the landowners of Lot 112 and I prepared the Approved Structure Plan. I have not been made aware of any proposed to revoke the Approved Structure Plan. My agreement to a revocation is required in accordance with the Regulations.<br>It is not orderly and proper planning for an approved structure to remain in effect it is not referred to in the local planning scheme.<br>Further, the preparation of a structure plan is a costly and lengthy exercise for proponents as demonstrated by the process set out at Schedule 2 of the Regulations.<br>Also if the Approved Structure Plan is not included in Draft LPS 2 the Commission may require the preparation of a structure plan for the proposed subdivision of Lot 112 given the Commission's discretion under schedule 2, clause 15 of the Regulations. This is not orderly and proper planning given that there was an approved Structure Plan which had not yet expired.<br>The structure plan is consistent with the provisions relating to development and subdivision of Rural Residential zoned land under Draft LPS 2. Accordingly, there is no justification for not including the Approved Structure Plan in Draft LPS2. | | |

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| | | 7. It is requested that the Approved Structure Plan for Lot 112 and the provisions relating to it as referred to in schedule 7 of LPS1 be included by:<br>a) Inserting a reference in the Draft LPS2 map; and<br>b) Inserting the LPS1 schedule 7 provisions at schedule 8 of Draft LPS2. | | |
| 759.<br>I537138 | **Submission Subject:** Lot 101 Wallcliffe Road, Lot 2 Roxburgh Road, Lot 30 Boodjidup Road and Lot 3713 Wilkes Road Margaret River | Taylor Burrell Barnett (TBB), on behalf The Landsmith Collection, is pleased to make the following submission in relation to the Shire of Augusta Margaret River Draft Local Planning Scheme 2 (LPS2). The Landsmith Collection, through subsidiary entities, owns a number of properties within the Shire of Augusta Margaret River, and some of those properties are affected by the proposed new scheme. The purpose of this submission is to provide comment on Draft LPS2 in respect of the affected properties (subject land) the details of which are contained in Table 1 below.<br><br>**Subject Land**<br>The Landsmith Collection, through its entities Wallcliffe House Pty Ltd and Voyager Estate Pty Ltd, own the properties listed in **Table 1** below (among others).<br>Table 1 – The Landsmith Collection's Landholdings in Scheme Area | **Schedule 9**<br>The change in wording from LPS1 comes given the introduction of the 'Holiday Accommodation' landuse. By way of a response to a separate submission this land use is proposed to be deleted. Hence the provisions in Schedule 9 applicable to site 'T5' should revert to what is currently in LPS1 as sought by the submitter.<br><br>**Scheme Map**<br>The submitter has identified a mapping anomaly whereby there is an area adjacent to the site with 'no zone'. This land should be zoned 'Drainage-Waterway' | **Schedule 9**<br>Modify Condition 2 applicable to T5 in Schedule 9 such that it reads:<br>*The local government may also approve applications for the following tourist uses: Restaurant/Cafe, Hotel or Guesthouse and Chalets limited to a maximum of 40 keys, Small Bar, Recreation – Private (in the form of a spa) and activities related to public viewing of the buildings and grounds, where it can be demonstrated that bushfire mitigation measures can be achieved and such uses do not conflict with the heritage values of the site. Exhibition Centre, Reception Centre and conference uses may also be approved on the site, provided the uses are* |

# SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| Address | Area | Title detail | Owner |
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| **Wallcliffe House** | | | |
| Lot 101 (#752) Wallcliffe Road, Margaret River | 5.2494ha | C/T 2673/257 DP 49026 | Wallcliffe House Pty Ltd |
| **Rural Properties** | | | |
| Lot 2 (#103) Roxburgh Rd, Margaret River | 74.12ha | C/T 1976/881 D085101 | Voyager Estate Pty Ltd |
| Lot 30 (#203) Boodjidup Rd, Margaret River | 75.16ha | C/T 2146/135 D096078 | Voyager Estate Pty Ltd |
| Lot 3713 Wilkes Rd, Margaret River | 21.97ha | C/T 1107/761 P231027 | Voyager Estate Pty Ltd |

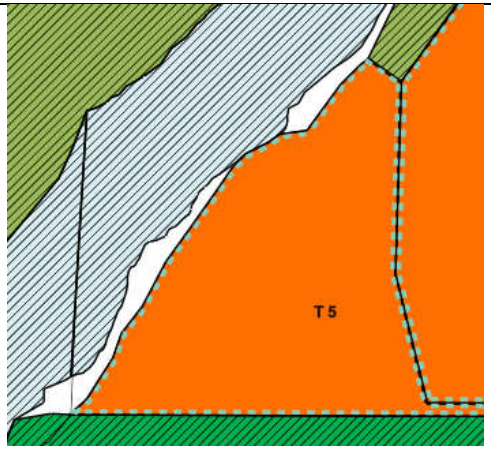
### Wallcliffe House

***Scheme Text - Schedule 9***

Wallcliffe House is zoned Tourism and included in Tourist Area 5 (T5) under Local Planning Scheme No1 (LPS1). Schedule 12 of LPS1 contains conditions relating to Tourist zones which apply to Lot 101. As the Shire is aware, The Landsmith Collection is planning to transform the Wallcliffe House property into a boutique hotel, in line with the current zoning provisions of LPS1.

In reviewing the commensurate provisions for the site in Schedule 9 of Draft LPS2, there appear to be some differences in the wording of the development conditions. It is understood that some of the provisions have been updated to align with the land use definitions contained in the Model Scheme Text. However, in undertaking this change the wording of Condition 2 has been modified to the point that it is now less clear in relation to the limit on key numbers – specifically, the limit of 40 keys appears to now only apply to the Guesthouse and Chalets, whereas it should also include the Hotel.

**Table 2** below provides a comparison of the existing and proposed wordings of




**Rural Properties.**

As identified by the submitter, there is no need for the DCA 1 and 2 boundaries to include Lot 2 Roxburgh Rd, Lot 30 Boodjidup Rd, and Lot 3713 (Wilkes Rd) which are zoned Rural and do not (at the present time) have the potential for future residential development.

**Workforce Accommodation**

The intention of LPS2 (as was the case in LPS1) is to limit workforce accommodation in rural areas to that which is necessary for that site/farm.

That being said, the submitters difficulties in finding suitable accommodation for the significant number of workers required to staff Wallcliffe House and other ventures,

*incidental to the predominant use of the land.*

**Scheme Map**

Zone the land with 'no - zone' situated between Lot 101 and the river to 'Drainage-Waterway'.

**Rural Properties.**

Realign the DCA 1 and 2 boundaries such that they exclude Lot 2 Roxburgh Rd, Lot 30 Boodjidup Rd, and Lot 3713 (Wilkes Rd)

**Workforce Accommodation**

See response to Submission 321

# SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
|---|---|---|---|---|
| | | Condition 2 with the relevant portion in bold.<br><br>Table 2 – Comparison of T5 Condition 2 between LPS1 and draft LPS2<br>LPS1 – Schedule 12 T5 Condition 2: *"The local government may also approve applications for the following tourist uses: restaurant, tearooms, hotel or **guesthouse and chalet limited to a maximum of 40 keys**, small bar, spa and activities related to public viewing of the buildings and grounds, where it can be demonstrated that bushfire mitigation measures can be achieved and such uses do not conflict with the heritage values of the site. Exhibition centre, reception centre and conference uses may also be approved on the site, provided the uses are incidental to the predominant use of the land."*<br>Draft LPS2 – Schedule 9 T5 Condition 2: *"The local government may also approve applications for the following tourist uses: Restaurant/Cafe, Hotel or **Holiday Accommodation (in the form of Guesthouse and Chalets limited to a maximum of 40 keys)** Small Bar, Recreation – Private (in the form of a spa) and activities related to public viewing of the buildings and grounds, where it can be demonstrated that bushfire mitigation measures can be achieved and such uses do not conflict with the heritage values of the site. Exhibition Centre, Reception Centre and conference uses may also be approved on the site, provided the uses are incidental to the predominant use of the land."*<br><br><u>Requested Modification</u><br>To ensure the condition continues to properly reflect the intent behind the 40 keys limit we propose a minor modification to Condition 2 of T5, as follows:<br>*"The local government may also approve applications for the following tourist uses: **Restaurant/Cafe, Hotel or Holiday Accommodation (in the form of Guesthouse and Chalets) limited to a maximum of 40 keys,** Small Bar, Recreation – Private (in the form of a spa) and activities related to public viewing of the buildings and grounds, where it can be demonstrated that bushfire mitigation measures can be achieved and such uses do not conflict with the heritage values of the site. Exhibition Centre, Reception Centre and conference uses may also be approved on the site, provided the uses are incidental to the predominant use of the land."*<br>***Scheme Map***<br>The Scheme Map of Draft LPS2 identifies a strip of land along the edge of Lot 101 which | is acknowledged. The submitter has suggested that the scheme could be modified to enable a Workforce Accommodation facility to be established on Lot 2 Roxburgh Rd, by introducing an Additional Use being Workforce Accommodation 'A'.<br><br>Lot 102 is ideally located for this purpose. Whilst it is zoned Rural it provides easy access not Margaret River via Boodjidup Road. It is predominantly cleared and abuts vegetated reserves on two sides, lessening potential for perceived impacts on neighbors. Its proximity led to it formerly being considered a spart of Margaret River's long term growth Strategy although this has since been amended.<br><br>Changing the permissibility for workforce accommodation relative to this lot from I (incidental) to A (discretionary with advertising) would given the land owner the potential to develop more detailed concepts for the Shire's consideration before committing to a development approval and would also allow for the views of the surrounding community to be taken into consideration. | |

# SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | abuts the Margaret River as No Zone. The strip of land extends further north-east, beyond the boundary of Lot 101. The Margaret River is reserved Drainage/Waterway under Draft LPS2. This land is currently reserved for Waterways under Local Planning Scheme No. 1 (LPS1), refer **Figure 1**. The matter has been discussed with the Shire who has confirmed that this is a Drafting anomaly. We therefore request that the Scheme Map be modified to rectify the anomaly to show the land to be reserved for Drainage/Waterway consistent with the broader reservation for the Margaret River and with the existing zoning arrangement.<br>  <br>Figure 1 Wallcliffe House Zoning – LPS1 vs Draft LPS2<br><br><u>Requested Modification</u><br>It is requested that the scheme map be modified to show the portions of land with no zone along the edge of Lot 101 as Reserve for Drainage/Waterway, consistent with the broader reservation for the Margaret River and with the existing zoning under LPS1. |  | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | **Rural Properties**<br>***Development Contribution Area Designation***<br>We note that the rural properties listed in Table 1 are contained within the boundaries of Development Control Areas (DCA) 1 and 2, the detailed provisions of which are contained in Schedule 10 of the Draft Scheme. In essence, the DCAs are intended to assist in funding various infrastructure items the need for which are primarily driven by urban growth. A comparison with existing LPS1 shows that the existing provisions are similar or identical to those contained in Draft LPS2.<br>A review of the Shire's Local Planning Strategy indicates that there is no intention to alter the existing rural use or character of the subject land within the life of the strategy, and this is reflected in the Draft LPS2 which proposes to maintain the Rural zoning of the land.<br>Therefore, there appears to be no basis to include this land in a contribution scheme for the funding of new urban infrastructure. From discussion with Shire officers, we understand that the DCA boundaries were historically defined by previous planning strategies which had identified this area for future urban growth, and it is acknowledged that this should now be modified to reflect the current Local Planning Strategy.<br><br><u>Requested Modification</u><br>It is requested that Draft LPS2 be modified | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | to amend the DCA 1 and 2 boundaries to exclude Lot 2 Roxburgh Rd, Lot 30 Boodjidup Rd, and Lot 3713 (Wilkes Rd).<br><br>***Permissibility of Workforce Accommodation***<br>As previously mentioned, Voyager Estate Pty Ltd is part of the Landsmith Collection, which also includes Wallcliffe House as part of its portfolio, and The Landsmith Collection is planning to create a Boutique hotel, which will see the re- creation of Wallcliffe House as a boutique hotel that will feature a strong respect for Indigenous culture, European heritage, and the natural environment.<br><br>One of the challenges for the new Wallcliffe House will be finding accommodation for its workforce during both the construction and operational phases. This is not unique to Wallcliffe house, it is a perennial issue for tourism, food and beverage operators throughout the region; however, as a high-end facility, it will be necessary to attract and retain highly trained and skilled workers. Therefore, it will be important to ensure that accommodation will be available as and when needed.<br>To this end, The Landsmith Collection is considering, subject to the Shire's support, developing a Workforce Accommodation facility on Lot 2 Roxburgh Rd. Such a facility could initially house some construction workers (recognising that employment of | | |

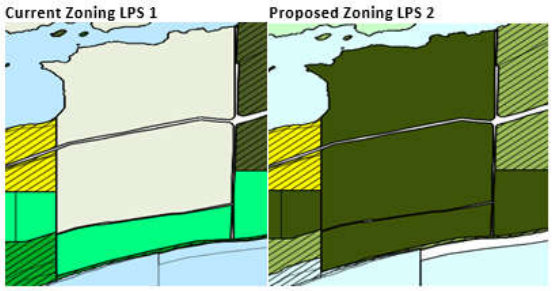
| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | local workers will be prioritised where possible) and then be available to house operational staff after Wallcliffe House is completed.<br>We note that, under Draft LPS2, Workforce Accommodation is permissible as an 'I' (incidental) land use in the Rural zone, meaning that the use must be *"consequent on, or naturally attaching, appertaining or relating to the predominant use of the land".* This implies that the use needs to have a relationship with the predominant use on the same site.<br>However, the owners are looking to be able to house workers associated with activities on other sites – primarily Wallcliffe House and Voyager Estate Winery and Restaurant – in addition to the farming operations within the rural properties themselves. Therefore, while the land use definition of Workforce Accommodation could be applicable to the intended facility, the limitation to an 'I' classification would be too constraining.<br><u>Requested Modification</u><br>It is requested that the scheme be modified to enable a Workforce Accommodation facility to be established on Lot 2 Roxburgh Rd and we request that Council consider one of the two following options:<br>**A change to the permissibility classification from 'I' to 'A' in the Rural Zone**<br>Rather than this being a unique circumstance to Wallcliffe House, the shortage in Workforce Accommodation is a | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | broader challenge, particularly for the tourism sector, as businesses need to look beyond the local community to fill jobs and yet struggle to attract staff because of the lack of affordable local accommodation. We therefore submit that it would be broadly advantageous for the Shire to encourage the development of Workforce Accommodation within rural areas to serve the need for workers beyond just those on the property itself.<br>In addition, demand for rural workers is often seasonal, meaning that purpose-built accommodation may lie vacant for many months in between peak times. It would make sense that farm owners could offer such accommodation to other local workers during those times<br>To this end we would recommend enabling Workforce Accommodation facilities to be used for workers other than those employed on the property on which it is built.<br>**A site-specific amendment**<br>As an alternative to a broad change to the zone, Council could consider a site-specific amendment, in the form of a Additional Use, applying to Lot 2 Roxburgh to enable workforce accommodation as an 'A' use only on that site.<br>In terms of the specific merits of this site, it is strategically well positioned to service The Landsmith Collection's main local assets, being Voyager Estate Winery & Restaurant, the future Wallcliffe House Boutique Hotel, and the rural properties the | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | subject of this submission. The Roxburgh Rd property is 74ha in area and would be capable of accommodating a workforce accommodation facility with little discernible impact on local amenity.<br>Classifying the use as 'A' maintains the discretion for a decision-maker to only approve a proposal if it is deemed satisfactory, taking into account design, location, scale and impact. It would also require advertising giving local residents an opportunity to comment.<br><br>**Conclusion**<br>We thank the Shire for the opportunity to comment on the proposed new LPS.<br>You will note that most of our requested modifications relate to apparent anomalies in the Scheme text and mapping. The exception is our request to provide additional discretion to enable the development of a Workforce Accommodation facility on Lot 2 Roxburgh Rd. We trust that the Shire will give due consideration and support the above requests. | | |
| 760.<br>I537747 | **Submission Subject:**<br>Various | At the BFAC meeting held in February this year, I was tasked with providing a submission to the Draft Local Planning Scheme No. 2 on behalf of the committee.<br><br>The Shire's BFAC has asked me to express their strong desire that they believe that any changes to the Local Planning Scheme should recognise that our Shire is | **That the proposed Scheme should encourage a reduction of bushfire risk from current levels.**<br>The Scheme is not a document which. Functions in way so as to encourage or discourage residents to take certain actions. What it does do is set rules which determine whether development should be | No changes are required as a direct result of this submission |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | predominantly a bushfire prone area and that any change to the scheme should take that into account. The committee believes that LPS No. 2 should contain an opportunity to make good planning decisions that will enhance the community's ability to protect itself from the threat of bushfire and the impact that fire can bring to an unprepared community.<br><br>Below is the Recommendation from the February 2024 BFAC meeting.<br><br>Recommendation<br>That the Chair, on behalf of the Bush Fire Advisory Committee, provide a submission on the Draft Local Planning Scheme No. 2 which contains the following:<br>1. That the proposed Scheme should encourage a reduction of bushfire risk from current levels.<br>2. That the proposed Scheme should encourage planners/landowners/applicants to address bushfire risk mitigation policies and plans in order to reduce the threat of bushfire.<br>3. That any requirements made on landowners to "offset" developments by creating conservation zones should not increase bushfire risk to their own or to neighbouring properties.<br>4. That State Planning Policy 3.7 point 5: Policy Objectives are to be prioritised.<br>MOVED: M NIELD, KUDARDUP BFB | approved or refused. To a certain extent, the Bush Fire Risk Treatment Standards 2020 allow clearing of vegetation within 20m of a house without the need for any other approvals including development approval.<br><br>**That the proposed Scheme should encourage planners/ landowners/applicants to address bushfire risk mitigation policies and plans in order to reduce the threat of bushfire.**<br>This is mandated by the Scheme and other aspects of the planning framework.<br><br>**That any requirements made on landowners to "offset" developments by creating conservation zones should not increase bushfire risk to their own or to neighbouring properties.**<br>Understanding that the ability to assess the relative increase/decrease in bushfire risk created by planting vegetation in one location over another would be difficult to quantify, the idea that planting should be undertaken in sensible areas is supported. | |

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| | | SECONDED: S HANSON, KARRIDALE BFB<br>CARRIED: 9/0<br>FOR: DA HOLLAND, T GARSTONE, T MOSTERT, L KEENE, I EARL, N JONES, DI HOLLAND<br>AGAINST: NIL | **That State Planning Policy 3.7 point 5: Policy Objectives are to be prioritised.**<br>The planning framework is designed in such a way so as to require decision makers to give state planning policies 'due regard' in their entirety (rather than some aspects of the policy having priority over others). | |
| 761. | **Submission Subject:** 2127 Scott River Road, Scott River (Southern Shores) | Thank you for our recent meeting with regards to the above property, and the opportunity to make a delayed submission in relation to LPS No 2 in light of the fact that we have only recently completed the successful purchase of the property.<br><br>We confirm that we are duly authorised to make this submission on behalf of SMJ Enterprises Pty Ltd, the registered proprietor of the property described as 2127 (Lot 10) Scott River Road, Scott River.<br><br>The current zoning of the property under Local Planning Scheme No 1 is partly "Southern Ocean Foreshore Protection" zone (coloured green on the below map) with the balance of the property zoned "General Agriculture".<br><br>The proposed zoning according to Draft Local Planning Scheme No 2 is for the entire property to be zoned | The submitters land currently has a 'dual zoning' which is unusual and is generally avoided. As such the Shire has selected and applied the 'Environmental Conservation' zone which replaces the current Southern Ocean Foreshore Protection.<br><br>Given that there is a clear delineation between the portion of the land used for farming and that which contains significant environmental assets it is recommended that Council agree in part to the submitters request by applying the Environmental Conservation Zone to the portion of the lot south of the road reserve which traverses the lot and applies the 'Priority Agriculture' to the northern section. | Apply the Environmental Conservation Zone to the portion of Lot 10 Scott River Road (south of the road reserve which traverses the lot) and apply the 'Priority Agriculture' zone to the northern section. |

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| | | "Environmental Conservation".<br><br>The below maps indicate the proposed zoning changes:<br><br>  <br><br><br>The proposed zoning represents a significant departure from the current zoning and long term land use history of the site as a viable farming property and agricultural enterprise.<br><br>As such, we do not support the inclusion of the <u>entire</u> property into the newly proposed "Environmental Conservation" zone.<br><br>**LONG TERM VISION FOR THE SITE**<br>Subject to detailed planning investigations for the site, our long term vision for the property is to continue the | | |

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| | | sustainable farming enterprise on the already existing cleared and improved farm land areas, and establish defined eco-tourism development nodes in proximity of both the river and ocean frontage areas of the property.<br><br>Any eco-tourism development is envisaged to be low impact and incidental to the predominant agricultural use, and would be sited and designed so as to minimise impact on the amenity, landscape and environmental values of the locality.<br><br>The existing internal "race way" on the property can potentially provide linkage between the river and ocean eco-tourism development nodes without impacting the continuing farming enterprise, which would be seen as integral to the overall nature based eco- tourism experience.<br><br>The property has areas of environmental significance such as wetlands, inland watercourses, native vegetation and dune systems which we would seek to preserve as part of any future environmentally sensitive development proposal.<br><br>**"SOUTHERN OCEAN FORESHORE PROTECTION" ZONE TO "ENVIRONMENTAL CONSERVATION" ZONE** | | |

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| | | We understand that the State Government wishes to standardise zoning classifications across local governments throughout Western Australia.<br><br>In this context, the "Southern Ocean Foreshore Protection Zone" is proposed to be replaced by the "Environmental Conservation" zone.<br><br>We have no objection to the changing of this zone on our property, provided that:<br><br>• The newly proposed "Environmental Conservation" Zone simply replaces the area currently zoned "Southern Ocean Foreshore Protection" and the existing boundaries of this zone as defined under LPS No 1 are not altered or expanded; and<br>• The uses currently permitted in the "Southern Ocean Foreshore Protection" zone are maintained under the proposed "Environmental Conservation" zone<br><br>In respect to point 2 above, our reading of the proposed Scheme text is that the use and development provisions do appear to have been carried over from LPS No 1, as follows:<br><br>***Built Form Development***<br>• One dwelling permitted on any | | |

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| | | particular lot<br>• Tourism development to be "low impact" with the number of chalets/ cabins or guest house accommodation permitted on lots having areas greater than 20 hectares not to exceed six (6) chalets/ cabins<br><br>***Subdivision***<br>Additional Site and Development Requirements (ASR 4) identified for this part of the property reflect the provisions of the Augusta-Walpole Coastal Strategy with the potential for future subdivision to a minimum lot size of 40 hectares in recognition of environmental constraints and provision of public coastal access.<br><br>**"GENERAL AGRICULTURE" ZONE TO "ENVIRONMENTAL CONSERVATION" ZONE**<br>We do not support this proposed change, as it does not allow for continuation of the existing viable farming enterprise on the property, which will effectively become a non- conforming use if the Scheme is adopted as proposed.<br><br>Removal of viable agricultural land of this size from the Local Government Area is considered to be contrary to one of the key objectives of the proposed Scheme – namely "Supporting Agriculture" .<br><br>Following is an excerpt from the Draft | | |

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| | | Scheme documents in the Shire's own words:<br><br>***"Agricultural output in the Shire is worth around :80m, and is the second largest employment area. The Shire forms part of the Margaret River wine region, regarded internationally for its premium wine production, and contains the Scott River plain, which is of regional and State significance (for agriculture)"…***<br><br>***"The development and use of this area (land in the Shire zoned for agriculture) is significant not only in terms of food production, but for economic development (exports), tourism experiences, and its inherent landscape values and visual character"***<br><br>We agree with the Shire's summary of the importance of agricultural land in the Shire.<br><br>Much of the land zoned for agriculture throughout the Shire has been subdivided over the years to much smaller parcels. Many of these could be classified as "lifestyle" farms as opposed to viable and sustainable farming operations. | | |

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| | | The Scott River plain is one of the few remaining areas in the Shire with the capacity for larger scale farming operations.<br><br>With regards to the subject property, approximately 70% of the 1,900 acres total land area is improved and currently used for agricultural purposes, representing one of the larger broad acre grazing properties in the Shire.<br><br>We understand that the "Lower South West Growers Group" a representative group of local farmers and land owners, has recently made a joint submission to Shire in relation to LPS No 2 with regards to the protection of land zoned for agriculture in the Scott River area, and we are generally supportive of this viewpoint.<br><br>A summary of this submission resulting from a General Electors Meeting was documented in the Minutes of the Ordinary Meeting of Council on 28 February 2024 as follows:<br><br>*"…the Shire include the highly productive Scott River farmland and Margaret River catchment farming land that are currently zoned General Agriculture in the priority agriculture zone in order to prioritise, support and protect valuable farmland and farming businesses into the future"* | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | Following the above submission Shire voted in favour of initiating an Economic Development – Agricultural Policy document with the objective of providing guidance and information to inform future Council decisions. This document will focus on the trends, infrastructure, profile, and sustainability of farming throughout the entire shire and act as a supplement to the Shire's Local Planning Strategy 2022 and associated schemes.<br><br>For the above reasons, we respectfully request that the balance of the lot remain zoned for agricultural use, accepting that the agricultural zones are proposed to be combined into one "Rural" zone.<br><br>This is on the basis that the opportunity for low impact tourist development is the same in both the "General Agricultural" and proposed "Rural" zones, and the ASR 4 designation remains in place across the entire property (as proposed) to reflect the provisions of the Augusta-Walpole Coastal Strategy.<br><br>**EXECUTIVE SUMMARY**<br>In summary, our submission requests Shire to recognise the historical and present agricultural use of the land, and preserve this into the future – while at the same time maintaining the intended outcomes of the Augusta Walpole Coastal Strategy via the ASR 4 | | |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | designation (i.e. subdivision to 40 hectare minimum lot size), and the opportunity for low impact tourist development already defined the Scheme.<br><br>We believe this is achieved by the following amendments to LPS No 2:<br><br>• Southern Ocean Foreshore Protection zone replaced with Environmental Conservation zone – with ASR 4 designation as proposed<br>• Balance of land to be contained within the proposed "Rural" zone – with ASR 4 designation as proposed | | |
| 762. | **Submission Subject:** Lots 501, 502, 503, 504 and 783 Gnarabup – Standard Pro Forma Submission | **Refer to Submission No. 19 above.**<br><br>**Additional Points:**<br>**Roads:**<br>• Roads in Gnarabup are already at capacity especially during peak holiday times.<br>• Footpaths are either non existent or dangerously close to the roads.<br>• Any additional development should be protected by a comprehensive coastal plan or road and path upgrades to ensure safety has not be compromised.<br>**Parking:**<br>• Common knowledge already a problem for ratepayers throughout the Shire trying to access the beach, especially in the Gnarabup area.<br>• Will the development add to the congestion without very clear guidelines | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically relevant to the item at hand being a review of the Local Planning Scheme. | See response to Submission 19 |

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| | | regarding off site parking being accessed during events.<br>**Sewerage:**<br>• This is and will continue to be an issue unless there is a plan in place to mitigate the potential impact of such an increase in use. Has this been fully investigated.<br>**Fire:**<br>• One road access is already slightly problematic. An additional influx of people will not alleviate the immense challenge for not only those trying to exit Gnarabup but also for the emergency personnel faced with trying to organise that exodus.<br><br>Not opposed to development though it is paramount importance that the infrastructure is in place to support any development before it proceeds, rather than having a development in place with all the future problems that will be a burden on future ratepayers of the Shire for decades to come. | | |
| 763. | **Submission Subject:** 16 Tunbridge Street, Margaret River | I agree with infill development close to town. In my opinion the town is getting spread to wide at the moment and strongly believe change of zoning (no.4) to residential with a special control area is a step in the right direction. | Support for the Draft Scheme is noted. | No changes are required as a direct result of this submission |
| 764. | **Submission Subject:** Sussex loc 934...13669 Bussell Highway Westbay Retreat CP and Lot 1242, 9002 / OLD 1435, Hart Rd, | Negative...Years of generational planning erased. Total dis-respect of our past ODP approvals. | See response to Submission 729 | See response to Submission 729 |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | Augusta, Westbay Valley Estate. | | | |
| 765. | **Submission Subject:** 6A Elva Street, Margaret River | Re corner Elva and Willmott - This area is residential, Not High density thus I object to the change of zoning. I have lived in this peaceful environment for thirty-six year and appreciate it as it is. High density living will destroy this. | The submitter refers to the rezoning of the Water Corporation site which has been the subject of a separate process.<br>The Scheme will reflect the outcome of that process which is that the site be rezoned to Residential with an allowable density code of 40/60 | No changes are required as a direct result of this submission |
| 766. | **Submission Subject:** 63C Devon Drive, Margaret River | We are in support for the amendment to rural and rural residential zoning to allow 120m2 ancillary dwelling. With aging parents and an aging population, we believe this allows for better options.<br><br>We may have to accommodate/ care for parents not from the same family unit.<br><br>Given the cost to build and the current rental/ accommodation crisis, 120m2 allows for far more functionality and is suitable for rural and rural residential block sizes. | Support for the Draft Scheme is noted. | No changes are required as a direct result of this submission |
| 767. | **Submission Subject:** Lots 501, 502, 503, 504 and 783 in Gnarabup | As a Gnarabup resident and property owner, I strongly object to the proposed changes in development conditions of Lots 501, 502, 503, 504 and 783 in Gnarabup. It is not in the original spirit of the Gnarabup development. | See response to Submission 19. | See response to Submission 19. |
| 768. | **Submission Subject:** Gnarabup Development | The rezoning has no regards for the hard work of the local citizens who clearly object to the development of the coast and gives the developer the opportunity to further develop the land by adding residential accommodation as well as tourism. | The Draft scheme as advertised does not increase the capacity for the development of residential (as opposed to tourism) uses on the site. | No changes are required as a direct result of this submission |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| 769. | **Submission Subject:** Gnarabup Development | Consultation and correct procedure. There is currently an EPA investigation into the appropriateness of the development which should guide any changes to the planning scheme. | This statement is incorrect. The EPA has considered and supported the Scheme. As a separate matter, it is also in the process of considering the development itself. | No changes are required as a direct result of this submission |
| 770. | **Submission Subject:** 74 and 76 Blackwood Avenue and Town Centre | It is very important that there is no median strip blocking our entrance and exit at 74 and 76 Blackwood Avenue. Traffic from both North and South need to be able to turn into the driveway. | Noted. However, the Scheme does not control in any way the location of median strips. | No changes are required as a direct result of this submission |
| 771. | | Minor comment from a planning practitioner. | Noted. | No changes are required as a direct result of this submission |
| 772. | **Submission Subject:** General | Modify 'Use Table' to reflect no Holiday Homes in Residential and Extreme Fire Risk areas to eliminate any confusion of where holiday homes are allowed to align with Short Stay Policy regarding holiday homes. Eliminate confusion and strengthen regulation.<br><br>There is no requirement to increase the size of Granny Flats. 80sqm is more than ample for this purpose. 120sqm could be a 2 or small 3 bedroom dwelling. The Use Table should be amended so granny flats don't become holiday homes in residential areas. | The suggestion of the submitter would not create alignment. This is because the Shire's policy does allow holiday homes in some residential areas.<br><br>Ancillary dwelling is not a zone and therefore the zoning table would not be the appropriate place to exclude holiday home use. However, the Shire's policy on Short Syat Accommodation has proven to be an effective mechanism by which to ensure that ancillary dwellings are not used in this way. | No changes are required as a direct result of this submission |
| 773. | **Submission Subject:** Tourism in Rural Residential Land | WRT Rural Residential land - Support the restriction on tourism development, holiday accommodation, serviced accommodation (AirBnB style) in these areas. The risk of a tourist being killed in a fire is too high. This should be made retrospective. | The submitter refers to a separate planning project being review of the Shire's short stay policy. Council resolved to put this project on hold until the next iteration of the State Bushfire Guidelines comes into effect. | No changes are required as a direct result of this submission |

## SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| 774. | **Submission Subject:** 8955 Caves Road, Karridale | I want to apply for "wild camping" on my property on Caves Rd. I am at the current end of the Wardandi track (formerly Rails to Trails) and beside the existing Boranup Forest Maze. | The site is zoned Environmental Conservation and ASR No. 2 is applicable. A camp ground is a land use which can be applied for in this zone. | No changes are required as a direct result of this submission |
| 775. | **Submission Subject:** Modular Housing | Approval of MODULAR housing on all future land developments. | There are no requirements contained within the draft Scheme which would prevent modular housing anywhere in the Shire. Limitations of this sought are frequently imposed, not by the Shire, but by developers by way of restrictive covenants to which the purchasers agree to when buying the land. | No changes are required as a direct result of this submission |
| 776. | **Submission Subject:** 4B Wise Road, Margaret River | I'm writing in regards to infill development and wish to request that the Merchant Street area SCA4a be expanded to include the adjacent areas to the south of Wallcliffe Road. | Urban infill can be a contentious issue for some residents and consultation is a key factor in ensuring widespread support. No consultation has been undertaken within the area suggested by the submitter and therefore it would be unwise to expand the area in advance of that occurring. | No changes are required as a direct result of this submission |
| 777. | **Submission Subject:** 7981 Caves Road, Boranup | Since the WA government has ended the native timber industry this site has relied on please consider the zoning is expanded to general tourism. I can see this site as evolving into an experiential tourism site. Food, distillery, local art. | See response to Submission 10 | See response to Submission 10 |
| 778. | **Submission Subject:** Ancillary Dwellings. | In support of increased of granny flat from 70sqm to 120sqm. | Support for Scheme is noted. | No changes are required as a direct result of this submission |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
|---|---|---|---|---|
| 779. | **Submission Subject:** General | I object to the removal of the club and sports facilities - removal of the creekline - construction of noise attenuation walls at the entry to our town. - removal of the lifestyle village - removal of the vegetation buffers along the western boundary. | This submission appears to relate to a separate process being the consideration of a Structure Plan for land in Cowaramup east of the Bussell Hwy. | No changes are required as a direct result of this submission |
| 780. | **Submission Subject:** Road Access Yacht Club and Blackwood River Houseboats | That the access track to Blackwood River Houseboats, Augusta Yacht Club, Augusta Community Rowers be recognised as a dedicated access road. | The access track to Blackwood River Houseboats is not a public road and therefore it is not proposed to be zoned as such. If (by way of a separate process) it was to ever become a rad, then rezoning would be appropriate. | No changes are required as a direct result of this submission |
| 781. | **Submission Subject:** General | Have some concerns on the side of some of the new developments - T32 and T3 being so close to the ocean and to the water. Need to know if the planned buildings will have a limit on the height - no more than two storeys. | The general height limits set out in the Scheme would apply to these sites. | No changes are required as a direct result of this submission |
| 782. | **Submission Subject:** Gnarabup Development | I do not support the LPS2 in its current state. | Noted. | No changes are required as a direct result of this submission |
| 783. | **Submission Subject:** Gnarabup Development | The EPA reviewed the 2020 (Council authorised) version of the Draft LPS2 but not the currently advertised Draft LPS2, which is a significantly modified document and which accordingly must be referred to the EPA for its review. | The EPA do not require the Scheme to be reassessed. Some of the changes which may been made to the Scheme post EPA assessment were required by the EPA.<br>The Shire have been following the correct and proper process to develop the Scheme in full collaboration with the EPA and WAPC. | No changes are required as a direct result of this submission |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| 784. | **Submission Subject:** Lot 154 Parkwater | My feedback is for lot 154 Parkwater, this site is not suitable for tourism. It is perfect for a retirement/lifestyle village where residents can enjoy the natural settings & be a part of the community. | The zoning of this site together with applicable development controls is being transferred into LPS2 in the same way which it exists in LPS1. Special Use 2 provides for a wide range of uses which could include aged and dependant persons housing. | No changes are required as a direct result of this submission |
| 785. | **Submission Subject:** Lot 201 Illawarra Avenue, Margaret River | Opposition | Noted. | No changes are required as a direct result of this submission |
| 786. | **Submission Subject:** Lot 102, 750 Wallcliffe Rd, Margaret River | I would like to make a late submission requesting my land be re-zoned from tourism to residential.<br><br>It would be greatly appreciated if the Shire of Augusta Margaret River allowed me the opportunity to do so. | The subject land is currently zoned chalet and camping. Given that this zone no longer exists it was proposed to zone the lot 'Tourism'. If the lot was to be zoned to allow only residential use the 'Rural Residential' would be the preferable zone. A change of this type is likely to significantly reduce the potential for future development on the lot to which there is no objection. | Change the zoning of Lot 102 Wallcliffe Road from 'Tourism' to 'Rural Residential' and remove the entry at T22 of Schedule 9. |
| 787.<br>I545350 | **Submission Subject:** Resort development at Gnarabup | 1) Fire safety - there is only 1 access road. The greatly increased population will make evacuation much more dangerous. And there will not be anyway of preventing a disaster nor easily escaping from it. And there is no longer a fire engine at Gnarabup.<br>2) Volume of traffic. Roads will become clogged.<br>3) Lack of sufficient resources and local facilities - water, sewerage, electricity, shopping. Damage by sewerage to the | See response to Submission 19<br><br>In relation to 'Additional Points' it is evident that the submitter is concerned with development at Gnarabup which is subject to a separate process (being administered and determined by the State Government), and one which has undergone its own consultation process. Whilst the concerns are noted they are not specifically | See response to Submission 19 |

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| | | beaches - any ocean outfall needs to be at least 10km out.<br>4) Effect on local beaches. Too many people. Beaches spoilt by added facilities. Natural environment not maintained. The nature and individual character of the beaches not maintained.<br>Architectural design - pictures look not as bad as it could be. Gnarabup is not architecturally stylish and beautiful however it is not as bad as Smiths Beach. | relevant to the item at hand being a review of the Local Planning Scheme. | |
| 788.<br>I545348 | **Submission Subject:** Lots 501, 502 and 504 Reef Drive, lot 503 Seagrass Place and Lot 783 Mitchell Drive, Gnarabup | I strongly object to the Shire of Augusta-Margaret River Shire advertising draft Local Planning Scheme 2 (LPS2). In August 2020, the Council voted to approve draft LPS2 to be advertised '**without modification**'. 3 years later the document now advertised contains several unjustified, inexplicable changes pertaining to the proposed housing and resort development at Gnarabup that is currently being assessed by the WAPC. **There is a concerning lack of transparency here.** In relation to the draft LPS2:<br>• I object to the removal of conditions from Lots 501, 502, 503, 504 and 783 Gnarabup. Conditions from Special Control Area 3 in LPS1 should be retained. There appears to be no meaningful justification to remove these conditions and **doing so at this time appears to greatly favour the applicant.** The conditions in SCA3 result from a long history of planning decisions | See response to Submission 19. | See response to Submission 19. |

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | designed to prevent inappropriate, exploitative development of the site. The new scheme should respect this long history: the Local Planning Strategy, the Local Planning Tourism Strategy, the structure plan for these lots, and consistent strongly expressed community wishes.<br>• Lots 501, 502, 503 and 504 have been rezoned from "Tourism" to "Urban Development". Again there appears to be no meaningful justification to remove these conditions and **doing so at this time will likely favour the applicant.** Right from it's conception the community, the Shire and its councillors have seen this site as one of low-key, low-impact, family-friendly **tourism**.<br>• I object to the rezoning of the northern portion of Lot 783 from "Parks and Recreation" to "Tourism". It should remain "Public Purpose", as shown in LPS1. There is no apparent reason to gift this land to the developer to develop. Doing so makes no sense whatsoever. **Once again, doing so at this time will favour the applicant.**<br>• This version of draft LPS2 has not been referred to the Environmental Protection Authority (EPA) for review as required by law. The EPA reviewed the 2020 version but the advertised draft LPS2 is not the same document. **It must be reviewed by the EPA**. | | |

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| | | In December 2021, the EPA determined to undertake an environmental impact assessment of the proposal. My understanding is that this will delay a decision on the Development Application for at least 12 months, possibly 2 years. Despite this, the Department of Planning, Lands and Heritage still saw fit to rush through a woefully short 6-week public consultation on the Development Application from 6 January 2022 following the EIA's announcement. Why the hurry? And **surely the public is entitled to read the EPA's report before they can give informed feedback on the environmental impact the Development Application?**<br><br>During the 6-week public consultation, the community cumulatively spent **thousands of hours** assessing the Development Application against LPS1. Further, community groups spent **tens of thousands of dollars**, raised through concerts, raffles, cake sales, merchandise sales and donations, on expert consultants to help assess the DA against LPS1. More than 2,000 people and organisations made submissions to DPLH during the consultation period, all responding to LPS1.<br><br>It is **unjust** to change the underlying planning scheme in relation to these five lots while the Development Application is still being assessed, particularly given the enormous investment by the public and | | |

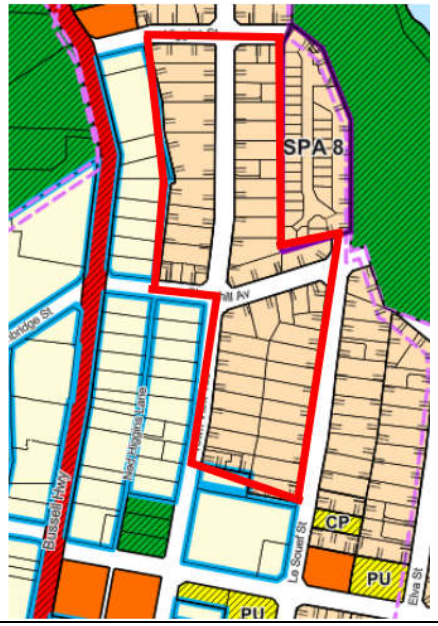
| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | community organisations in responding to LPS1.<br><br>The Shire's consultation webpage on LPS2 says "Our new planning rules have been developed to align with the recently endorsed Local Planning Strategy." This is not correct in relation to the Gnarabup lots. Draft LPS2 deviates from the Local Planning Strategy and **will likely deliver millions of dollars of extra value to the developer.** The changes to draft LPS2 requested above are fair and will simply make LPS2 consistent with the Local Planning Strategy. | | |
| 789.<br>I544792 | **Submission Subject:** Rezone lots from R30/40 to R60 (area bounded South of Higgins St, West of Formosa St and west of Le Souef Street, Margaret River | • Rezoning the below lots from R30/40 to R60.<br>• South of Higgins St, west of Formosa St and west of Le Souef St.<br>• Approx. 53-56 lots affected.<br>• Increase in potential housing supply of ~20%.<br>**Proposal:**<br>• Will increase the provision of green title and survey strata lots.<br>• Is in accordance with outcome PL 2.3 (increase affordable housing in infill areas) in the *Shire's 2040 Strategic Community Plan*.<br>• Is in accordance with the goal of increasing the creation of new lots in the town centre and Rapids Landing zones to 80% as per the endorsed *Local Planning Strategy 2022* (p. 21). This also corresponds to the PH6 | The submitter requests increasing the density code in a significant precinct impacting on a number of landowners. Whilst the concept has merit, it ought not to progress until/unless the Shire has had an opportunity consult with all landowners. | No changes are required as a direct result of this submission |

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| | | requirement on page 28 that at least 40% of new dwellings created will be a five-minute ride of the Town Centre. The current rate of new lots in the town centre zone sits at 22%.<br>• Is in accordance with the need to increase land supply due to Margaret River's population growth consistently being higher than projected as per the endorsed *LPS* (p. 18).<br>• Is in accordance with the explicit goal of increasing "up-coding", tiny houses, backyard infill and other non-conventional means of infill as per the endorsed *LPS* (p. 21).<br>• Is in accordance with the explicit goal of increasing housing affordability and social housing stock as per the endorsed *LPS* (p. 22).<br>• All are in reasonable proximity to retail, recreational amenities, schools and hospitals as per the endorsed *LPS* (p. 22).<br>• Will improve housing variety in the shire – townhouses and units as opposed to stand alone dwellings (p. 21 of the *LPS*)<br>• Will increase accommodation options to aged and dependent residents of the shire.<br>• Will increase accommodation options for First Nations residents to reside close to the culturally significant site of *Wooditchup Bilya*. This is in line with the Shire's core principles of social justice and equity. | | |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | • Many lots are 500-1000sqm; increasing to R60 will allow greater commercial incentive to subdivide.<br>• All lots serviced by asphalt walkways, on town water and deep sewer.<br>• Low maintenance costs for infill development due to the already existing public amenity (p. 48 - 50 of *LPS*).<br>• Is amenable to the transition to micro-grid technology, green energy and battery storage (p. 52 of *LPS*) as higher density living requires less infrastructure to power sustainable communities.<br>• Development of infill that encourages the modal shift away from vehicle travel to walking and cycling as per planning response TP4 on page 62 of the *LPS.* | | |

# SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS
## Local Planning Scheme No. 2

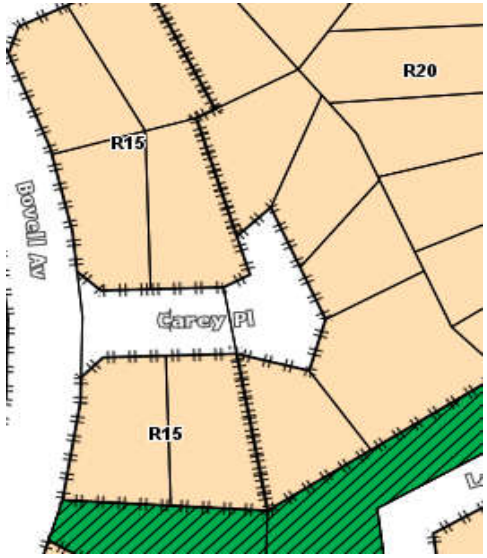
| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | Area in question indicated by red line:<br>  | | |
| **LATE SUBMISSIONS** | | | | |
| 790.<br>I552050 | **Submission Subject:**<br>Lot 211 Zani Place, Margaret River | We contacted the Department of Planning, Lands & Heritage to determine whether the Commission would be open to a subdivision application despite the fact that subdivision of the land is not envisaged on the endorsed Structure Plan for the area and the provisions in the Scheme allow for a minimum lot size of 1 hectare rather than an average lot size of 1 hectare.<br><br>The subdivision of the land would result in two lots at approximately 0.765 hectares or an average thereof and the Department of | The subject land is in a rural residential area (RR15) in the current scheme wherein there is a minimum lot size of 1ha. This is intended to be carried over into the draft Scheme (via RR11).<br><br>The subject area has already been subject to re-subdivision' and there are no strategic plans in place to allow further subdivision throughout this precinct. As such, there is no | No changes are required as a direct result of this submission |

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| | | Planning have advised that in their opinion even though the Commission is not fettered by the Local Planning Scheme, it would be advisable to make a submission on the Draft Scheme to see if the Shire and therefore the Commission, could modify Scheme Provisions so that the two existing dwellings could be separated via subdivision.<br><br>Obviously, subdivision of the land would not cause any significant interruption to the amenity of the area or be out of character because the two dwellings exist. A subdivision configuration would ensure that both lots encapsulate dwellings, outbuildings, effluent systems and service connections can be rectified. The intention would be to use the existing driveway serviced by easement, ensuring that both lots have frontage to Zani Place.<br><br>Given the Department suggested we make a submission in relation to the Draft Scheme, we contacted the landowners and advised them of this and they have requested that we lodge a submission notwithstanding the fact that it is relatively late. We were hoping you would be able to accept this correspondence as a late submission and effectively a request to identify the subject site as potentially suitable for subdivision under the relevant schedule of the Scheme. Again, this is justified on the basis that two substantial | proposal to change the minimum lot size in this area. | |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | dwellings exist and subdivision would effectively only allow for release of the sale of dwellings separately which would be a useful exercise given the current housing crisis. | | |
| 791. I553407 | **Submission Subject:** 166 Bushby Road, Karridale | Thank you for our conversation earlier.<br><br>As mentioned we would like to put a request to potentially change our zoning of to allow the following:<br><br>4 x campsites -<br>This would enable us to create a peaceful wellness awareness retreat of 10-20 participants wholly involved in yoga, meditation , Qi gong, breath work and physical activities including kayaking and standup boarding. We will be focusing on two areas: a retreat for foster children/youths and FIFO workers to promote good mental health and provide a haven of nature and education on wildlife etc.<br><br>Please let me know if I can assist more. | The Shire refused 4 campsites on this property due to the limitations on the amount of tourism development which can be accommodated on Rural zoned land. As such the owner has requested a change to the zoning which would allow more expansive tourism opportunities.<br>The most suitable zone would therefore be 'Tourism'.<br>The site has had a long history with noncompliance both in terms of land use and development.<br>Consultation undertaken with respect to the development application (recently refused) revealed strong objections by neighbours. The same could be anticipated relative to any rezoning of the land.<br>Rezoning of the land is not supported, particularly as there has not been an opportunity for any associated consultation. | No changes are required as a direct result of this submission |
| 792. I553406 | **Submissions Subject:** 4 Carey Place, Margaret River | In the interests of a legible streetscape and density arrangement within streets such as cul-de-sacs in an urban area such as this, it only makes sense that all the lots within the street should have the same density so that | There are two R-Codes which apply to Carey Place as shown in the except below. In street, the submitter requests (on behalf of the owner of number 4 Carey Place) that the R- | No changes are required as a direct result of this submission |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
|---|---|---|---|---|
| | | anticipated format of development is consistent. This is also an important consideration when considering the need for housing presently in the area and the fact that this particular area is already well serviced and sewer extensions could be investigated.<br><br>Carey Place is also within easy walking distance of Schools and the town centre as per below. Around 600m to MR Primary and 826m to the main street.<br>The advertised Draft Local Planning Scheme No. 2 does not increase the density for 4 Carey Place, Margaret River and other lots in the area and we note that you have received a number of submissions from others that have requested a potential upcode in this part of town. Upcoding to R20 would allow further subdivision of some lots in this area which would provide impetus for installation of sewer services and this would be an improvement from an environmental perspective and allow gentrification of the area. Further, opportunities may present for single bedroom dwellings or aged or dependent persons dwellings, which again would serve the need demonstrated under the Shire's Local Planning Strategy whereby it is noted that there is a shortfall for such type of housing and it is noted that around 50% of households in the Shire are only occupied by 2 people. | coding be changed so that all lots in the street are coded R20.<br><br>This is supported in principle however consultation would need to be undertaken with all owners and thus it would make sense for a rezoning of this type to be subject to a separate process, to allow consultation to occur.<br><br>  <br> | |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| 793<br>I557654 | **Submission Subject:**<br>Lots 153 and 154 Blue Gum Place (S2) and Lot 544 Wandoo Place (S4), Cowaramup. | Hatch acts for the landowner of Parkwater Estate in Cowaramup in seeking the Shire's consideration of the following submission on Draft Local Planning Scheme No. 2. The review of the Scheme has only recently come to our client's attention, and we appreciate the Shire's consideration of this submission outside of the nominated public consultation period.<br><br>The landowner proposes modifications as set out in the table below to the draft provisions applicable to Special Use zones 2 and 4 included at Schedule 3 – Special Uses of the draft Scheme. The proposed provisions are intended to amend / replace the draft provisions in their entirety. The proposed modification to Special Use zone 2 focus principally on removal of references to the now outdated Cowaramup Village Development Concept Plan 2002 and the need for updates to this plan prior to development, and modifications to the list of permitted uses to more closely align with existing land-use permissibility in LPS No. 1.<br><br>The proposed modifications to Special Use zone 4 remove the restriction on permanent buildings on the land to facilitate the potential development of a large lot rural-residential style development. For the Shire's internal use only a copy of an Indicative Development Concept is provided at Attachment 1 illustrating current | Changes to S2 to remove reference to the now outdated 'Cowaramup Village Development Concept Plan (dated 4 June 2002)' are supported however, the draft Scheme as advertised Required that an alternative plan first be prepared in advance of any future subdivision or development. Whilst the wording of the intended provision could be improved, it is considered important that a change to the statutory planning environment impacting the site should be subject to community consultation and therefore the need for a plan should not be removed altogether.<br><br>There has been no justification put forward to inform small changes to the land uses requested for S2 and therefore it is not possible to assess what their potential contribution could be towards the ultimate vision for the area, again highlighting the need for a more contemporary structure plan to guide it.<br><br>The modifications provide for S4 are more considerable given that they would allow the area to be subdivided and developed for residential and tourism purposes as opposed to the current provisions which prevent any permanent buildings or structures. | Modify Conditions 1 and 2 applicable to S2 at Schedule 3, by replacing them with:<br><br>*"Prior to any subdivision or development being approved an updated Structure Plan is to be prepared and endorsed."* |

**SCHEDULE OF SUBMISSIONS – PRIVATE SUBMISSIONS**
**Local Planning Scheme No. 2**

| SUB-MISSION NO. | SUBMISSION SUBJECT | SUMMARY OF COMMENTS | OFFICER COMMENT | RECOMMENDATION |
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| | | thinking in respect of the development proposition. | Such a change warrants community consultation based on a firm proposal rather than a suite of options as is requested by the submitter. Until/unless a proposal has been considered it would not be wise to modify the Scheme. | |