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Western Australia.*

August 2019

Metropolitan Region Scheme Amendment 1323/41, 1324/41, 1325/41



Amendments in the
Bullsbrook Urban Precinct
(South, Central, North)

Transcript of Hearings

City of Swan

**Metropolitan Region Scheme
Amendments 1323/41, 1324/41, 1325/41**

**Amendments in the
Bullsbrook Urban Precinct (South, Central, North)**

1323/41 South Bullsbrook Urban Precinct
1324/41 Bullsbrook Central Urban Precinct
1325/41 North Bullsbrook Urban Precinct

Transcript of Hearings

City of Swan



August 2019

The Western Australian Planning Commission acknowledges the traditional owners and custodians of this land. We pay our respect to Elders past and present, their descendants who are with us today, and those who will follow in their footsteps.

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Internet: www.dplh.wa.gov.au
Email: info@dplh.wa.gov.au
Phone: (08) 6551 8002
Fax: (08) 6551 9001
National Relay Service: 13 36 77

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Introduction to Metropolitan Region Scheme major amendments

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

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

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

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

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

Amendment report

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

Environmental review report

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

Report on submissions

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

Submissions

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

Transcript of hearings

A person who has made a written submission may also choose to appear before a hearings committee to express their views. The hearings proceedings may be recorded and transcribed, and the minutes of all hearings will be published and made available.

Transcript of hearings

Recording and Transcription

This transcript is produced from live audio recordings. Whilst every care is taken in its preparation absolute accuracy cannot be guaranteed. No changes are made to grammar and syntax.

TRANSCRIPTS OF PUBLIC HEARINGS

Tuesday 25 September 2018

**MINUTES OF THE COMMITTEE HEARING SUBMISSIONS ON THE
METROPOLITAN REGION SCHEME AMENDMENTS 1323/41, 1324/41 & 1325/41
AMENDMENTS IN THE BULLSBROOK URBAN PRECINCT (SOUTH, CENTRAL, NORTH)**

Tuesday, 25 September 2018, 140 William Street, Perth

The composition of the hearings committee was endorsed by the Chairman of the Western Australian Planning Commission on 17 August 2018.

CHAIRPERSON Ms Elizabeth Taylor

MEMBERS Cr Charlie Zannino
 Cr Henry Zelones

IN ATTENDANCE Ms Marija Bubanic Department of Planning, Lands and Heritage
 Mr Anthony Muscara Department of Planning, Lands and Heritage
 Mr Steven Radley Department of Planning, Lands and Heritage

The presiding officer acknowledged the traditional owners and custodians of the land on which the meeting is taking place and welcomed those present. Presentations to the Committee commenced at 1.00 pm.

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

The following people made presentations:

- 1) Mr Tim Trefry (Roberts Day) and Mr Craig Graham (Amex Corporation) for submission number 13 (Amendment 1324/41).
Messrs. Trefry and Graham represented on behalf of Amex Corporation.
- 2) Ms Clare McLean (Peter D Webb & Associates) and Mr Jan Dvorak (West Coast Engineering) for submission number 7 (Amendment 1325/41).
Ms McLean and Mr Dvorak represented on behalf of DJM Bullsbrook Pty Ltd.
- 3) Mr Mitch Whalan (Ashton Road Investment Company Pty Ltd acting as trustee of the Ashton Road Unit Trust) for submission number 10 (Amendment 1325/41).
Mr Whalan represented Ashton Road Investment Company Pty Ltd acting as trustee of the Ashton Road Unit Trust.
- 4) Mr Noel Pomery for submission number 20 (Amendment 1325/41).
Mr Pomery represented himself.
- 5) Ms Sherri Neeling and Mr Carlo Italiano for submission number 19 (Amendment 1325/41).
Ms Neeling and Mr Italiano represented themselves.
- 6) Mr Kevin Love for submission number 32 (Amendment 1325/41).
Mr Love represented himself.
- 7) Ms Helene Dowdell, Ms Cindy Robinson, Ms Emma Robinson, Ms Carol Hohnke and Ms Naomi Jackson for submission numbers 26, 27, 28, 29 and 30 (Amendment 1325/41).
Ms Dowdell, Ms Robinson, Ms Robinson, Ms Hohnke and Ms Jackson represented Ms Helene Dowdell, Ms Carol Hohnke, Mr Jim Bennett and Ms Cindy & Mr David Robinson.

- 8) Mr Darren Evans (Rowe Group), Mr Ben Rasheed and Mr Stephen Quantrill (representing landowners) for submission number 16 (Amendment 1323/41).
Messrs. Evans, Rasheed and Quantrill represented on behalf of Marlin Bullsbrook (representative of Marlin, McRae and Park combined landholdings).

The following person was unable to attend their appointment with the Hearings Committee:

- Mr Michael Rasheed (representing landowners) for submission number 16 (Amendment 1323/41).

Ms Taylor declared the hearings closed at 3.15 pm.

Chairperson:

Elizabeth Taylor

Date:

9th October 2018

**MR TIM TREFRY (ROBERTS DAY) &
MR CRAIG GRAHAM (AMEX CORPORATION)**

representing Amex Corporation

MS TAYLOR: Welcome, Tim and Craig, Councillor Zelones, Councillor Zannino and, as you know, Anthony. Welcome. Now, we've got your submission here. 10 minutes isn't very long, I know, but we'll have to - - -

MR TREFRY: More than I need.

MS TAYLOR: Yes. We have to stick to our time frame today. It's going to be very busy, so over to you. We've read the submissions and been on site several times. So what else can you tell us?

MR TREFRY: Look, thanks for the time. It's really just wanting to go – really summarise the main points of why we're here.

MS TAYLOR: Sure.

MR TREFRY: We are supportive of the amendment obviously. So, look, there's only really two elements we wanted to present to you today.

MS TAYLOR: Sure.

MR TREFRY: One was the extension of the urban deferred into this eastern portion here, which is referred to as the (indistinct) hectares.

MR: The (indistinct).

MS TAYLOR: Two seven - - -

MR TREFRY: Yes, the - - -

MS TAYLOR: 2792. Yes.

MR TREFRY: And the second component is looking to get an urban zoning over the town centre so we can bring an early delivery because we've found that was a big component of what came out of the consultation with the local community – was new services in the town centre, so - - -

MS TAYLOR: I understand that.

MR TREFRY: So the main points we really wanted to make in relation to the urban deferred is it was originally shown in the draft 1.4 as being included and it's in the City of Swan approval of the structure plan.

MS TAYLOR: Yes.

MR TREFRY: When the draft got finalised and it was removed, we did come back to the department on several occasions and saying, "Look, can you just let us know why it was taken out?" and the initial feedback was, "Well, we think it's out of the subregional structure plans." We said, "Okay. Can you just give us the reasoning behind why the line has gone from there to here?"

MS TAYLOR: Yes.

MR TREFRY: We haven't actually had any feedback to date on that and the issue we - sort of one of the points we wanted to make in terms of why it's critical for us to be in is that there was on the original draft of the district playing fields - it's up through here - but, look, after doing 20 years on places like Ellenbrook, there's a real benefit from bringing the playing fields, the primary school and the commercial altogether in one location in the town centre.

MS TAYLOR: Yes. On the site, you know, just - - -

MR TREFRY: It actually works for the people that live there, is the simplest explanation.

MS TAYLOR: Yes.

MR TREFRY: There's a number of planning reasons you can proffer about co-location of uses, et cetera, but the real one is it actually works. The people live there and it works commercially in terms of sharing of facilities and services all in one location and they don't have to drive across the estate between the uses. What we're always required to do on that area in the east was to rehabilitate the landfill that's there at the moment and that's due to finish in 20 - - -

CR ZELONES: Late 2020.

MR TREFRY: Late 2020. So it's not - - -

MS TAYLOR: Far away.

CR ZELONES: No.

MR TREFRY: More recently with the additional work that's been done on the property, the geotechnical studies confirm that the rehabilitation of the landfill can actually get it back to a standard that's suitable for residential. Initially, I think, early days they thought we'd only ever be able to rehabilitate it to a standard that we could have a playing field on it. Now, they say, "No, no, it's fine. We can get the fill in there and actually we can compact it for residential."

With all the benefits of putting the district playing fields down here, conversely, the benefits of having the residential up the top here is it's elevated with views, so there's actually – it works out quite nicely as well. Also, it allows us to get the yield for the subregionals that have come out in the interim. There's a yield target for the whole of the Bullsbrook in terms of this. By moving the 12.42 hectares equates to around about 200 residential lots and so if it's 200, we're not going to be able to make up in terms of delivery of the land excluded.

So what we're really looking to do is we think we've got some quality land that's going to be rehabilitated when the landfill finishes. It's in a great location. If we delivered the playing fields along the primary school early on in a pre-location it would have taken us a lot longer to get to the eastern boundary. We can bring that down with the town centre and actually deliver it earlier on.

So we think from a developer's point of view as well as a community point of view, there's a lot of benefits in getting this and from a state's people of view, we know we can hit the yields then that are set out in the subregional structure plan.

MS TAYLOR: Yes.

MR TREFRY: So that's proposal 1.

MS TAYLOR: Yes.

MR TREFRY: Proposal 2 really is related to that and the fact that, as I said, the community came back to us and said they'd like the town centre addressed earlier. In getting urban zoning, there's a number of criteria that were set out in the amendment in terms of what we had to achieve to get that urban zoning, not just for this but for anywhere else. We're only looking for it for the town centre component.

The district structure plan and the (indistinct) have been endorsed by the commission and the City of Swan. The Water Corporation have come out and said they've confirmed water and waste water has been allocated here so that the services can be provided. The road network can be provided by the developers and the area for the town centre we're looking at falls outside the current one kilometre buffer from the landfill operation, not that that would have been finished by the time we got there, but it's still outside of it.

So we think we've got an opportunity to deliver that town centre if we can get an early zoning and we think it's worth asking for it now because the time and the cost of going through an MRS amendment process are both lengthy and we just think there's a real opportunity to allow the early provision of the town centre if we can get urban on that portion of the land now.

MS TAYLOR: Okay.

MR TREFRY: So, look, in summary, we think this portion of land can be serviced. You can get the yield for the subregionals and it's good urban land, given its location on an elevated site. We've addressed the requirements for the town centre in terms of going from urban deferred to urban. And we think we've – as a result of the sort of – both the MRS process and the LSP process have worked through transport and environment services and planning regions.

MS TAYLOR: Yes.

MR TREFRY: So we think we've tried to take away the hurdles for the commission in terms of supporting the two amendments.

MS TAYLOR: Yes, okay. Thank you.

MR TREFRY: That really is the main points we wanted to make. We are here to answer any questions.

MS TAYLOR: Okay. Questions?

CR ZANNINO: I don't really have a lot of questions. What Tim has explained absolutely makes sense, I think.

MS TAYLOR: Common sense, of course.

CR ZANNINO: Yes.

MS TAYLOR: Yes.

CR ZANNINO: You know, I think it – being able to deliver the commercial precinct and also having the availability of getting the schools and that in place a lot earlier makes sense for, you know, future residents.

MS TAYLOR: Yes, thanks.

MR TREFRY: And our desire to do that is also supported by the major retailers as well. So we've had discussions with them, you know. There's a strong catchment already in this locality, so early delivery is supported by their appetite as well.

MS TAYLOR: Okay. Henry?

CR ZELONES: Yes, just offhand, the town centre, what's the size, what's the area?

MR TREFRY: It's a district centre.

CR ZELONES: Yes.

MR TREFRY: It's got 20,000 square metres of floor space allocated. So it's sort of - it's two hectares. So if you timed that by three to four, you know - - -

CR ZELONES: Would that be sufficient? Would that be sufficient, do you think?

MR TREFRY: For a district? We think so - - -

MS TAYLOR: Yes.

MR TREFRY: - - - because I do know there's an Ellenbrook regional town centre down the road - - -

CR ZELONES: Yes.

MR TREFRY: - - - which is a full subregional - - -

CR ZELONES: It's a fair distance away.

MR TREFRY: Yes, it has with (indistinct) but I do know in terms of the catchment, that centre down at Ellenbrook - - -

CR ZELONES: Yes.

MR TREFRY: - - - is a - - -

CR ZELONES: I only asked that because I'm from Armadale. So a number of times we had district structure plans which were vastly different from what we put in place that time ago and when you look at, say, Harrisdale, that shopping centre was district, it's now growing to something much larger than that, but the population density has increased. So this is, what, a 20-year, 25-year rollout of a plan? I was just curious as to whether it's confined or too confined or is there room to grow that?

MR TREFRY: Well, I guess the planning framework that's in place is – it's in accordance with the district structure plan, isn't it?

CR ZELONES: Sure, yes.

MR TREFRY: And the subregionals. Whether that grows over time, I guess it's hard to answer right now.

CR ZELONES: Yes.

MR TREFRY: We will be here for the next 15 plus years in terms of the rollout of this master plan. If it were to grow in size, it's an unknown.

CR ZELONES: Okay.

MR TREFRY: I'm not saying (indistinct) having the density residential around here, that's what can eat away at the blue a little bit sometimes.

CR ZELONES: Yes, exactly.

MR TREFRY: So I think there's a good allocation of the density residential immediately adjacent.

CR ZELONES: Yes.

MR TREFRY: I think if we can develop that and keep the blue for the blue - - (indistinct) - -

CR ZELONES: Yes.

MR TREFRY: - - - I think there's a - I think there's more than enough land in there for retail commercial use in this location would be my experience.

CR ZELONES: Yes, okay.

MS TAYLOR: Okay. Any comments? No? As I said, I've been on this site many times because as, you know, I did the industrial land as well for Bullsbrook and, you know, saw the changes that had happened there and it absolutely makes sense because this (indistinct) higgledy piggledy at the moment and from what I can gather from the community and aspirations are (indistinct) town centre. So what you've said makes common sense, so thank you for coming in and - - -

MR TREFRY: Thank you.

MS TAYLOR: - - - adding and explaining.

MR TREFRY: Thanks for the time.

CR ZELONES: Thank you.

MS TAYLOR: Okay.

MR TREFRY: Thank you.

MS TAYLOR: Thank you very much. Sorry about the copy.

MR TREFRY: That's all right. I always bring a hard copy.

MS TAYLOR: Thank you.

MR: I never fully trust technology.

MR TREFRY: Thank you.

MS TAYLOR: Thank you very much.

**MS CLARE MCLEAN (PETER D WEBB & ASSOCIATES) &
MR JAN DVORAK (WEST COAST ENGINEERING)**
representing DJM Bullsbrook Pty Ltd.

MS TAYLOR: Good afternoon, welcome. Please have a seat. Now, time is a bit of a constraint for us today, but we've got your report here for lot 21 Kimberley Street.

MR DVORAK: Correct, correct.

MS TAYLOR: So you've read all of that and we've been on site.

MR DVORAK: Good, good, good.

MS TAYLOR: So over to you if you want to tell us a bit extra.

MS McLEAN: Okay. I'll lead in. We have got a sort of PowerPoint here.

MS TAYLOR: Okay.

MS McLEAN: So my name is Clare McLean and I am a planning consultant from Peter Webb and Associates and this is Jan Dvorak. I hope I got that right.

MR DVORAK: Correct.

MS McLEAN: A consultant engineer at West Coast Engineering. So obviously we're here to represent DJM Bullsbrook Pty Ltd, who has recently acquired lot 21 Kimberley Street. I'll just be providing a bit more detail in a written submission and then we'll present some technical advice on the site's ability to be serviced by water and waste water. So Jan has extensive knowledge in this area, having been the principal engineer of the residential development, Bullsbrook - - -

MR DVORAK: Bullsbrook Landing.

MS McLEAN: Yes, Bullsbrook Landing, which is a residential development also done by our client and it's directly to the south of lot 21 on the opposite side of Kimberley Street. So I'll just put on the first slide which shows the land and its relationship to the existing residential developed area and Bullsbrook Landing is directly to the south. So this is – and the waste water treatment plant you'll see up on the – to the west of the land.

So I'll just go on to the next slide which shows the existing advertised amendment map. So this currently only includes a portion of lot 21 and that restriction relates to an earlier odour buffer which is no longer current. The odour buffer has been revised and the extent is now illustrated here on this next slide and you'll see it no longer impacts the land.

MS TAYLOR: So very recent - - -

MS McLEAN: Yes, very recent, actually.

MS TAYLOR: Yes.

MS McLEAN: So that change I understand is known by the officers of the department and it's also been revised as part of the district structure plan for the Bullsbrook town site which was endorsed by the commission earlier in the year.

MS TAYLOR: Yes.

MS McLEAN: Which I think is on the next slide. We can move on to that. So you'll see now that it's all shown as future residential rather than being restricted by the buffer. There is this slight inconsistency which we don't quite understand to do with the north-western corner.

MS TAYLOR: Corner.

MS McLEAN: Yes. So we would ask that the commission refer to the approved buffer plan of the Water Corporation rather than that.

MS TAYLOR: Yes.

MS McLEAN: If they could consider that please. And also just moving on to our second request, which relates to all of the land being rezoned to urban deferred, it's become apparent to us that the land already meets all of the criteria listed in the amendment document to change it to the urban zone. So there was a bit of a confusion with us as to whether it should be – we should be requesting, "Please include all in the urban deferment or please could you consider it being rezoned to urban?"

MS TAYLOR: Right.

MS McLEAN: So there is that little bit of the confusion of what would be the most appropriate urban zoning for the land. So these are the criteria that is listed in the amendment documentation and I'll just go through that quickly. Point 1: the district structure plan now has been approved, so we've addressed that. The water and waste water infrastructure for this site can be met.

MS TAYLOR: Yes.

MS McLEAN: The preferred site for the high school has been confirmed and the roads upgrade requirements to support the residential development of this land are now (indistinct) so that's all of the specific criteria met. In further support of the urban zoning for the land, the land is not constrained environmentally. It's all vacant land and it's basically vegetation.

There's suitable depth to groundwater. It's 10 metres below the surface. The residential development of 21 is the logical progression of development in this area and the development contribution plans detailing all of the infrastructure requirements for the town site are now being progressed by the city as amendment 170.

So we feel that there's no real reason necessarily for this land to be retained in the deferment status zone. So, yes, that's really our main points, but what we wanted to emphasise also is that foremostly, we'd like to see all of the land rezoned to urban deferment, but we also want to let the commission know we do believe that it already meets all of the criteria that existed.

MS TAYLOR: Okay.

MS McLEAN: Yes. So we would request that that be considered and if the commission is supportive of the urban zoning we would put forward a request for a concurrent local planning scheme amendment for this land.

MS TAYLOR: Okay.

MS McLEAN: I will just let Jan just discuss the infrastructure capabilities.

MR DVORAK: Right, yes. So on this one you can actually see how far the subdivision south of Kimberley progressed and that's all constructed. So we completed the later stage, which was in the left side corner just before Christmas. So at the moment Kimberley Street, basically from that bend over there on the right all the way to the subdivision, which is the far side on the left-hand side just the corner of the screen, that all has been upgraded.

So at the moment the road is about eight metres wide and fully sealed. So as far as we are concerned, the only outstanding part of it would be just probably kerbing and the verge improvement on that side.

MS TAYLOR: Yes.

MR DVORAK: So we don't to do much in that regard. The Water Corporation advised that currently lot 21 can be serviced by the existing water, which is those red lines there in Kimberley Street.

MS TAYLOR: Yes.

MR DVORAK: Unfortunately, Water Corporation just doesn't want to deal with lot 21 on the separate. They just would like to obviously service all of it. So, for instance, lot 22 has access, lot 21 has access, lot 28 would have access, but the combined catchment area constrains the diameter 150 pipe which is in Kimberley Street, therefore, Water Corporation would like to see an improvement on that. If you don't mind, the next one.

So you can see here where the Water Corporation prepared already a planning for the north lots related to Kimberley Street and you can actually see that the existing pump station, which is the blue dot up over here, can be collected diameter 225 that's going to go along Great Northern Highway, cut into Kimberley Street and be brought into the lot, I think that was lot 20.

MS McLEAN: 22.

MR DVORAK: Yes, 22 and 23. So that is in Water Corporation's approach to the lifting of the urban and basically providing the urban zoning. The ultimate stage, they will agree to proceed with obviously the urban deferment or urban zoning. Obviously, the works needed to be funded by the developer which the client is more than happy to provide obviously and obviously there could be some cost sharing with more lots in that area as they double up and as far as we are concerned, there shouldn't be any issues.

So on the stage if we, for instance peel off 50 or 100 lots of lot 21, at this stage we could easily connect into the 150 partners already present in Kimberley because the catchment is actually much larger for the diameter 150 than it is at the moment for the Bullsbrook Landing. All right. Next one?

MS McLEAN: Next one.

MR DVORAK: This one is a picture of water and that's the reticulated scheme water where diameter 150 has been installed on the northern side of Kimberley Street and as far as we are concerned, that's bringing the ultimate solution to the area and Water Corporation is saying to us that that will be the ultimate servicing of those lots fronting Kimberley Street. So as far as we are concerned, the existing diameter and the existing capacity of the water scheme is fine and lot 22, 23, 21, even 28, can be subdivided.

MS McLEAN: Okay.

MR DVORAK: Next one? And this one is the picture of Kimberley Street. So if you went there and had a look at it, that's where you would probably stop because this is in front of lot 21. Next one? That's almost a similar photo, a little bit away from it, and this is the park which has been developed by DJ McCormack. You can see the existing park, transformer and then more land further down as we go.

This is the latest development that has been just completed. You can see the parking bays for all the proposed housing, street lights and the upgrade of the road which - - -

MS McLEAN: Which has been down to the higher level.

MR DVORAK: Which has been done to the ultimate level as far as (indistinct) is concerned.

MS McLEAN: For the higher order road.

MR DVORAK: Yes, that's correct.

MS McLEAN: Yes.

MR DVORAK: And this is the shot of the furthest part of Kimberley Street going to obviously to the west and you can see that the infrastructure is all there. There is a drainage. There is a footpath and at the back this is the furthest point of Kimberley Street which the development took place just prior to Christmas. So that would be in stage 7. And this one is related to western park and it shows basically a location of all the street lights in the street. This is an extract from 1100 which is dial before you dig – that has been just recently uploaded. So you can see all the lots, actually. If you remember the first snapshot, it wasn't actually a complete subdivision on there - - -

MS McLEAN: No.

MR DVORAK: - - - because it hasn't been updated, but this is the latest plan.

MS TAYLOR: The latest one.

MR DVORAK: It literally shows the latest development.

MS McLEAN: That's the final stage.

MR DVORAK: Yes, south of Kimberley Street, which was stage 7 at the time.

MS TAYLOR: Is there much more to go? I'm just aware of time.

MR DVORAK: I think we're - - -

MS McLEAN: That's it. That's the final stage.

MS TAYLOR: Okay.

MS McLEAN: In terms of this - - -

MR DVORAK: There is the actual high voltage snapshot as well, so it actually shows you that Western Power just recently upgraded the Kimberley Street by providing high voltage underground power in the street. So they brought all the overheads down and now we finish with this. So as far as we are concerned, that could be a possibility of extending further north from this (indistinct) which has got a transformer in there and obviously high voltage to services, you know, all the lots there.

MS TAYLOR: Thank you very much. That's fantastic.

MR DVORAK: No problem at all.

MS TAYLOR: I'll just see if my colleagues would like to ask any questions. Charlie?

CR ZANNINO: Not really.

MS TAYLOR: You're happy?

CR ZANNINO: Yes.

CR ZELONES: Yes, I'm fine. That was a good explanation and good - - -

MR DVORAK: Yes.

CR ZELONES: Yes.

MS TAYLOR: Yes.

CR ZELONES: I don't think you left anything unsaid.

MR DVORAK: No. We have - - -

MS McLEAN: We tried not to.

MR DVORAK: We tried not to.

MS McLEAN: We tried to keep to the time limit, trying to talk really fast.

MR DVORAK: We were only a few minutes late, so no issue at all.

MS TAYLOR: That's all right.

CR ZELONES: No, that's fine.

MS TAYLOR: Yes. Anthony, did you want to ask anything?

MR MUSCARA: All good.

MS TAYLOR: All right. And I'm clear with everything. That's fantastic.

MS McLEAN: That's good.

MS TAYLOR: Thanks very much for coming out.

MR DVORAK: No problem.

MS TAYLOR: I didn't say it was private. The door is closed and there's no-one here, so - - -

MR DVORAK: Fair enough.

MS TAYLOR: You asked for a private hearing.

MR DVORAK: Yes, absolutely.

MS McLEAN: Yes, thank you. That's great.

MR DVORAK: Thank you very much. We appreciate your help.

MS McLEAN: Thank you.

MS TAYLOR: Okay, thank you.

MR DVORAK: Bye bye.

MS TAYLOR: Bye now.

MR MITCH WHALAN
representing Ashton Road Investment Company Pty Ltd
(acting as trustee of the Ashton Road Unit Trust)

MR WHALAN: Thank you.

MS TAYLOR: This is Mitch.

MR WHALAN: Yes, yes. Hello.

MS TAYLOR: And we've got Councillor Zelones and - - -

CR ZELONES: How do you do.

MR WHALAN: Good, thank you.

MS TAYLOR: And Councillor Zannino and you know Marija and Anthony.

MR WHALAN: Anthony, yes.

MS TAYLOR: Thank you very much for coming in.

MR WHALAN: Yes. Thanks for having me.

MS TAYLOR: And we have your submission. You have asked for public, so the door is open.

MR WHALAN: Yes.

MS TAYLOR: We have been on site, had a look all around the place.

MR WHALAN: Good.

MS TAYLOR: And, of course, Councillor Zannino has been dealing with this for quite a long while, so he's very familiar.

MR WHALAN: Yes, yes.

MS TAYLOR: So would you like to add anything to your submission or ask us any questions or - over to you?

MR WHALAN: Look, I have a few prepared remarks, so maybe I'll just run through those and - - -

MS TAYLOR: Yes, sure. And, if you could, 10 minutes.

MR WHALAN: Yes, yes, I understand that.

MS TAYLOR: I know that's very tight.

MR WHALAN: No, no.

MS TAYLOR: We have a busy afternoon.

MR WHALAN: Yes. No, I understand you've probably got a lot of these. Just for context, I represent the owners of number 81 and 93 Ashton Road and 48 Kimberley Street.

MS TAYLOR: Yes.

MR WHALAN: So just to point that out, that's that property - - -

MS TAYLOR: At the top?

MR WHALAN: - - - for that property and that property there. Yes.

MS TAYLOR: Right, okay.

MR WHALAN: We are the proponents to this change to the MRS to urban deferred.

MS TAYLOR: Right.

MR WHALAN: Our properties account for about 41 per cent of the northern area. Just to run through the rationale for the amendment, if I can. I'm sure you probably know this, but it's just worth reiterating that this amendment is consistent with the Bullsbrook town site (indistinct) master plan.

MS TAYLOR: Yes.

MR WHALAN: And what is now a district structure plan, which was approved by the commission earlier this year. It represents a logical extension of the existing urban development and the amendment was supported by the City of Swan, which in general terms, as we understand it, the agencies are supportive, although I'm led to believe that Main Roads have expressed some concerns about the road network, but I guess our response to that is that would be addressed in the structure planning and also developer contribution plan which is funding a lot of infrastructure upgrades in the area.

MS TAYLOR: Yes.

MR WHALAN: Conversely, I suppose, if the amendment doesn't approve - it will affect the proposed development contribution scheme because it will be a smaller area contributing to it, which means smaller funds for proposed upgrades and that sort of stuff. We know that some residents are not happy about it and as we understand it, the – I should say “not all residents” some residents are supportive.

As I understand the objections, they relate to a few areas. One is that some people are not happy with a proposed school site on their land as currently shown on the structure plan, the district structure plan. Some people are objecting because their land was not included in the amendment. They wanted it added in, these people over here typically. Some people expressed environmental concerns and loss of rural amenity. As I understand it, that's what the main themes of the objections are.

I guess our response to that is that we will be doing structure planning for this area if this amendment proceeds and as part of that process, will be environmental surveys done, which will identify areas of – that are worthy of attention and the plan will have to respond to that. And, similarly, there will be an examination of the school – proposed school site and, firstly, so we'll be discussing that with the Education Department and liaising with local owners and if there are – well, we know there are some objections, as I understand it anyway, that the school site location is not fixed at this point. So there's possible flexibility with that.

Yes, I guess I just want to say that, you know, we understand that consultation with landowners is important and we're committed to taking those concerns seriously. I can't see that we necessarily agree with them in all cases, but they're not being dismissed – won't be dismissed just because they're objections. So that's really what I wanted to say and I hope that makes sense.

MS TAYLOR: Yes, thank you.

MR WHALAN: And if you've got any questions, I'm happy to talk about it.

MS TAYLOR: I guess what we're finding here is that some people that are in don't want to be in and some people that are out want to be in.

MR WHALAN: Yes, yes.

MS TAYLOR: So we've got a mixture of comments on various residents.

MR WHALAN: Yes.

MS TAYLOR: Questions, Henry?

CR ZELONES: No, as I said, I think we've covered the ground. We've seen the submission. Yours is actually very small.

MR WHALAN: I hope that's good.

MS TAYLOR: Easier to read.

CR ZELONES: Easier to read. That's exactly right.

MS TAYLOR: Yes.

MR WHALAN: Yes.

CR ZELONES: Just on your view, just some comments being made. This is going to the proposal statement - - -

MR WHALAN: Yes.

CR ZELONES: But we understand that there's a lot of the infrastructure already in place or about to be and arguments to go into urban, in other words skipping that step. Do you have a view?

MR WHALAN: Well, we actually applied to go to urban maybe two years ago and that was - - -

CR ZELONES: Yes. So you would support that?

MR WHALAN: Yes, we'd support that. Yes.

CR ZELONES: Okay.

MR WHALAN: Yes.

MS TAYLOR: And, of course, two years ago the waste water treatment plant was in a different position. It's (indistinct).

MR WHALAN: Yes. Yes, that's right. And at that time there was no district structure plan in place either.

CR ZELONES: No.

MS TAYLOR: No.

MR WHALAN: So - - -

MS TAYLOR: And that was already being - - -

MR WHALAN: Yes.

MS TAYLOR: Charlie?

CR ZANNINO: No, I think that what Mitch has described is fairly spot on. We did one – it was presented to council. We did have deputations against them for – and, as Mitch said, you know, some of the people were pretty unhappy with the school site and that sort of thing, but I mean at the end of the day the City of Swan is very supportive and we'd like to see it included because it is part of our DCPs and it would be to our benefit and to the benefit of the whole development. So I don't really have any questions, per se. I think - - -

MS TAYLOR: Anthony and I have been all over the site over about 10 years.

MR WHALAN: Good, good.

MS TAYLOR: Plenty of times and we were out there again last Friday. Things have changed - - -

MR WHALAN: Yes, yes.

MS TAYLOR: - - - quite dramatically.

MR WHALAN: This whole area should be changed a lot over the next couple of years.

MS TAYLOR: Yes. So thank you for coming in.

MR WHALAN: Thank you for your time.

MS TAYLOR: And we have a copy of your submission as well, so all good.

MR WHALAN: Okay. All right, thank you very much.

MS TAYLOR: Thank you.

MR WHALAN: Pleased to meet you.

CR ZANNINO: Thank you.

MR NOEL POMERY
representing himself

MS TAYLOR: Good morning, Noel.

MR POMERY: Hello.

MS TAYLOR: How are you? Elizabeth Taylor. Nice to meet you.

CR ZELONES: Yes, Henry Zelones.

MS TAYLOR: And Charlie.

MR MUSCARA: Anthony Muscara.

MR POMERY: Anthony.

CR ZANNINO: Noel, how are you?

MR POMERY: Good.

MS TAYLOR: Now, I know that you have asked for private so the doors are closed and no-one is here.

MR POMERY: All right, okay.

MS TAYLOR: So we've got your submission and we've been over the site, probably for me many a time and we've heard a few people this morning with different ideas.

MR POMERY: Right.

MS TAYLOR: So we have that submission and if you would like to add anything to it and if you could, maybe do the 10 minutes because we're squashed for time today.

MR POMERY: I'll try and – I should easily stick within 10 minutes.

MS TAYLOR: Okay. Thank you very much. Over to you and if you give us a few minutes to ask you some questions as well.

MR POMERY: Sure, sure.

MS TAYLOR: Thank you.

MR POMERY: What my main concern is the variety of buffers that have been for the waste water treatment plant.

MS TAYLOR: Yes. We've seen that this morning already.

MR POMERY: Yes. So if that one is down there - - -

MS TAYLOR: No, that's fine.

MR POMERY: That was a waste water – these are our two properties here.

MS TAYLOR: In the picture, yes.

MR POMERY: Right. So that was a buffer - - -

MS TAYLOR: Yes.

MR POMERY: - - - with the Bullsbrook Land Use Plan.

MS TAYLOR: Yes.

MR POMERY: That's a waste water treatment plant buffer that exists today.

MS TAYLOR: Yes.

MR POMERY: That's another one that was done by GDH for the City of Swan.

MS TAYLOR: Right.

MR POMERY: And there's our two properties again.

MS TAYLOR: Yes.

MR POMERY: So that's a different size buffer once again.

MS TAYLOR: Okay, yes.

MR POMERY: And that buffer – that's our two properties there again that's used by Transcore for a study that they did for the City of Swan.

MS TAYLOR: Right.

MR POMERY: So there's a variety of buffers and, of course, the only one that can be worked by, I suppose, is the waste water treatment plant buffer itself, but I don't know where the other buffer has come from to cause the confusion that allowed us to think that we were

in a developable area in that buffer that was provided, probably by the City of Swan, that comes through – that leaves one of our properties completely in the developable area.

So notwithstanding all of that, I don't know whether there's any kind of future plan for that area, even though that – in the district structure plan from the City of Swan there is a reference on page 39, 3.13 of a future investigation area in that area there. And then there's a further reference on 48, 3.17 where the waste water treatment plant is talking about being connected in the future to Ellenbrook.

So is that area that's shown in that most recent buffer from the WAPC with that big curved line – is that area totally going to remain outside of the developed area or is that – is it possibly going to be developed in the future?

MS TAYLOR: We have been working from the very latest waste water treatment plant buffer - - -

MR POMERY: Right.

MS TAYLOR: - - - which is the reduced one. We've had a few discussions on that this morning. What was the last date of that, Anthony? Was that April or - - -

MR MUSCARA: It was quite recent, so I think - - -

MS TAYLOR: I think it was 11 - - -

MR MUSCARA: - - - you have that plan, that's the one there.

MR POMERY: Yes.

MS TAYLOR: Yes, yes, that's the one that we - - -

MR MUSCARA: And that's the latest buffer - - -

MS TAYLOR: - - - have been working from.

MR MUSCARA: Yes.

MR POMERY: Yes.

MR MUSCARA: The latest buffer - - -

MR POMERY: That was 2017 - - -

MR MUSCARA: Yes.

MR POMERY: - - - when they probably – because I've got a quite few emails here to the water treatment – where they probably negotiated with McCormacks to cut the boundary back a little bit. Yes.

MS TAYLOR: So you want to know about the two lots, your two lots, whether they're - - -

MR POMERY: There's future potential there or not because that's what we've been sitting on for the last, you know, 10 years or more.

MS TAYLOR: Yes, okay. And there were lots – what were the lot numbers?

MR POMERY: Lot 4 and 5 Great Northern Highway.

MS TAYLOR: Four and five? Anthony, have you got an answer for that?

MR MUSCARA: I think in the endorsed district structure plan that was endorsed by the commission - - -

MR POMERY: Yes.

MR MUSCARA: - - - it shows that area within - I'm sure it shows it within a constrained by buffers area. However - - -

MR POMERY: Right.

MR MUSCARA: - - - if that waste water treatment plant were to shut down - - -

MR POMERY: Right.

MR MUSCARA: - - - which I think is intended in the near future to shut down - - -

MR POMERY: Yes.

MR MUSCARA: - - - there may be a potential for further development to occur along those lots.

MR POMERY: Right. So my question then comes down to if that was the case, would that be a separate development area to one, two and three, would that be a little separate area?

MR MUSCARA: Yes, correct. Yes. It wouldn't form part of the current process.

MR POMERY: Right.

MR MUSCARA: It would be a future process.

MR POMERY: Right.

MR MUSCARA: So if the commission did go down the path of potentially including it in an urban zoning or an urban deferred zoning - - -

MR POMERY: Right.

MR MUSCARA: - - - it would go through a similar process. You'd be contacted by us. You will receive a booklet from us and the rezoning process would commence.

MR POMERY: Right.

MR MUSCARA: Yes. That was of course contingent on the waste water treatment plant - - -

MR POMERY: Yes.

MR MUSCARA: - - - closing and relocating and also I need to find whether that land that is currently within the buffer is appropriate for residential. If it is, then we will go through a rezoning process.

MS TAYLOR: As we - - -

MR MUSCARA: Yes, that's right.

MS TAYLOR: Thanks, Anthony.

MR POMERY: I think that explains it.

MR MUSCARA: Right.

MS TAYLOR: Charlie?

CR ZANNINO: Yes. Unfortunately both four and five are very close in proximity to the water treatment plant and at this point in time until the water treatment plant either closes down or relocates, there's really not a lot that we can do because if we were to progress that at this point in time and it was subdivided, then we'd be in a heap of trouble.

MR POMERY: Yes. That's right, Charlie. I take that on board.

CR ZANNINO: Yes.

MR POMERY: That's right. But of course we had that former belief from the previous buffer.

CR ZANNINO: Yes, yes.

MR POMERY: I don't know where that previous buffer comes from.

CR ZANNINO: Well, I don't really know where that came from either.

MR POMERY: It seems to have come from the City of Swan.

CR ZANNINO: Did it?

MR POMERY: Yes.

CR ZANNINO: I'm not (indistinct) I'm not actually - - -

MR POMERY: So - - -

CR ZANNINO: I don't know what - - -

MR POMERY: Let's say then if we look past residential - - -

CR ZANNINO: Yes.

MR POMERY: - - - is there any other zoning that could match that area that wouldn't offend people with the buffer?

MR: Yes.

MS TAYLOR: It would be - - -

CR ZANNINO: I don't think so.

MR POMERY: Right.

MS TAYLOR: It would be urban deferred.

CR ZANNINO: Anthony would be the - - -

MR POMERY: Yes.

MR MUSCARA: It probably need – it would need to look at what the best use of the land is.

MR POMERY: Yes.

MR MUSCARA: What you're thinking of is either an interim use - - -

MR POMERY: No, I was actually thinking of long term.

MR MUSCARA: Of long term?

MR POMERY: Yes.

MR MUSCARA: Then unlikely.

MR POMERY: Right. With that highway - - -

MR MUSCARA: Yes, unlikely. Yes.

MR POMERY: Yes.

CR ZANNINO: No, what I'd be doing if I was you, I'd be – because it's only a matter of - - -

MS TAYLOR: Time.

CR ZANNINO: - - - a few years and - - -

MR POMERY: Yes, yes.

CR ZANNINO: - - - the water treatment plant is going to basically be downgraded and - - -

MR POMERY: Yes.

CR ZANNINO: - - - shifted and then you'll have the potential to, you know, do what you want with the property.

MR POMERY: Yes.

CR ZANNINO: If you're looking at interim measures in the meantime then you're only going to create problems for yourselves.

MR POMERY: No, I'm not going – I won't look at the interim, Charlie.

CR ZANNINO: Yes, yes.

MR POMERY: Yes, yes. All right. That's good. That's really good. I'm really pleased - - -

MS TAYLOR: It's in the not too distant future, though.

CR ZANNINO: Yes.

MR POMERY: Yes.

MS TAYLOR: I mean we're not looking at 20 years - - -

CR ZANNINO: No, no, you're only looking at - - -

MR POMERY: Yes.

CR ZANNINO: - - - two or three years, four years, you know.

MR POMERY: Yes, yes.

MS TAYLOR: Yes. So, you know, you can get back to - - -

MR POMERY: Yes.

CR ZANNINO: Yes.

MR POMERY: So I'm not moving out then.

MS TAYLOR: No, no, no. We're not asking you to.

MR POMERY: All right. That's really good.

MS TAYLOR: Okay. That answers your question.

CR ZELONES: Could I just – the current use of the land is rural. Right?

MR POMERY: Yes.

CR ZELONES: And how do you use the land? Are you using it as just a residential or are you having rural - - -

MR POMERY: Well, I've got a few sheep running along there, mainly because I love sheep.

CR ZELONES: Yes.

MR POMERY: Yes.

CR ZELONES: Is that your livelihood in terms of - - -

MR POMERY: No, no.

CR ZELONES: That's what I'm saying.

MR POMERY: Yes.

CR ZELONES: So it's really like rural residential.

MS TAYLOR: It's more a lifestyle.

MR POMERY: It is, yes.

CR ZELONES: Okay.

MR POMERY: Yes.

MS TAYLOR: Okay. Well, thank you for coming in and I hope we've answered your questions.

MR POMERY: All right. Thank you very much - - -

MS TAYLOR: Yes.

MR POMERY: - - - for your time.

MS TAYLOR: Yes.

MR POMERY: Sorry I was a bit nervous.

MS TAYLOR: That's all right. We don't mind, not all the time.

MR POMERY: All right.

MS TAYLOR: Any questions you have, you could give Anthony a ring.

MR MUSCARA: Yes.

MR POMERY: Yes, thanks, Anthony.

MR MUSCARA: You're right.

MR POMERY: Yes. And thanks everybody for your very kind assistance.

MS TAYLOR: It's a pleasure. Have a good week.

MR POMERY: I will.

MS TAYLOR: Thank you.

MR POMERY: I'm a better writer than a talker.

MS SHERRI NEELING & MR CARLO ITALIANO
representing themselves

MS TAYLOR: Come in.

MS NEELING: Hello.

MS TAYLOR: Hello. How are you?

MS NEELING: I'm good. How are you?

MS TAYLOR: Yes, good. Sherri?

MS NEELING: Yes.

MS TAYLOR: Lovely to meet you.

MS NEELING: Pleased to meet you, too. Hello. Councillor Zelones.

CR ZELONES: Good day, mate. How are you going?

MR ITALIANO: Yes.

CR ZANNINO: Hello.

MS NEELING: Which side of the table?

MS TAYLOR: Okay. Now, we've got your submission.

MS NEELING: Yes.

MS TAYLOR: And we've been on site several times and we've got 10 minutes for you to tell us anything extra or answer some questions that you want answers to. Over to you. If you have got any additional information or questions that you want to know about.

MR ITALIANO: Pretty much the submission is what we want to do - - -

MS TAYLOR: Yes.

MR ITALIANO: - - - which is where our particular block is. We're kind of a little bit pregnant, half in, half out, of the actual zone and - - -

MS TAYLOR: I've never been on a pregnant block.

MR ITALIANO: Well, that's how it feels. Yes, so we kind of want to be included into the scheme, but of course I know we've - - -

MS NEELING: Got a water treatment plant.

MR ITALIANO: - - - got a water treatment plant - - -

MS NEELING: And the buffer zone.

MR ITALIANO: - - - and we understand all that, but pretty much more the information that you've given out, that is eventually going and when it does go, it will all be looked at again, but - - -

MS NEELING: The problem that we actually have now is after going to the meeting for the DCP was the amount that they were putting on – what, nearly a million dollars a hectare - - -

MR ITALIANO: For development.

MS NEELING: - - - for development costs.

MS TAYLOR: Yes. And you went to the City of Swan, did you?

MS NEELING: Yes, yes.

MS TAYLOR: Yes, okay.

MS NEELING: So when you - you know, when we're sort of looking at that, we're thinking it's an extraordinarily large amount of money for very little in our section - - -

MS TAYLOR: I can understand that.

MS NEELING: - - - where we are. And you kind of get into the cycle, well nobody is going to purchase a property, you know, no-one is going to come in with the costs being so incredibly high.

MS TAYLOR: Yes.

MS NEELING: So, therefore, we got stuck in this and at the moment we're really stuck because we're half in and half out and there's - you know, we honestly don't know what's going to happen in the future, so it makes quite uncertain as well.

MS TAYLOR: I guess this is - - -

CR ZELONES: Sorry, can I just ask where your lots are - - -

MR ITALIANO: They're on the diagonal on the - - -

CR ZELONES: Okay.

MS NEELING: Right in the middle.

CR ZELONES: Got you.

MR ITALIANO: We've got a little leg in each bed.

MS NEELING: Yes.

MS TAYLOR: Okay.

MS NEELING: Yes, we're not - - -

CR ZELONES: 22 and 23?

MR ITALIANO: No, no, it's 22.

CR ZELONES: 22 and 23?

MR ITALIANO: Which one? I can't see.

MS TAYLOR: This one.

CR ZELONES: Yes, 21 has been removed from - - -

MR ITALIANO: Where are we?

MS NEELING: We're here. We're right – this one here.

CR ZELONES: Yes, that one there where the X is?

MS NEELING: Yes, where it's got a cross. So it's - - -

MR ITALIANO: 22, yes.

MS NEELING: 22.

CR ZELONES: Not the other one?

MS NEELING: Yes.

MR ITALIANO: Not the other one.

MS NEELING: No, not the other one. That's our next-door neighbour.

CR ZELONES: Okay.

MS TAYLOR: Right, okay.

MR ITALIANO: Yes, so basically - - -

MS TAYLOR: I know where you are.

MR ITALIANO: Yes.

MS NEELING: Yes.

MR ITALIANO: We just want to be included into the - - -

MS TAYLOR: Yes.

MS NEELING: So you can see our problem because we're sort of like half in and half out and, like we said, we want - - -

MS TAYLOR: You want some certainty.

MS NEELING: Yes. And we are really concerned about the cost of the development charges. I mean, they are enormous, just - - -

CR ZELONES: Albeit not unusual. I mean, particularly in the outer metropolitan areas, it is part of the urban sprawl. The further out you get the more costly it is to get those services, water treatment, power, all that sort of stuff, roads, you know, all the things that go into it.

MS NEELING: Yes.

CR ZELONES: So these are generally paid for through developer contribution schemes and obviously for those who are outside of that will be contributing to that process, obviously the more of you that are in it, the cheaper it gets for everyone. However, when you're dealing with exclusion zones – and I think you might know the future. You mentioned about them eventually going, when all of this gets up, the situation may change - - -

MS NEELING: Yes. There's - - -

CR ZELONES: So I can't predict that.

MS NEELING: Yes.

MS TAYLOR: And you (indistinct).

CR ZELONES: Yes, for sure.

MS NEELING: It probably would be (indistinct).

MR ITALIANO: Well, ideally, we'd – I mean, I know you've got the buffer zone there and I mean, yeah, our request is our block getting included in it and if it can't be, that when the buffer zone is removed - - -

CR ZELONES: Yes.

MR ITALIANO: - - - that that area there is actually automatically just with the caveat of the buffer zone on it rather than being excluded.

MS NEELING: And then have to go probably through all the - - -

MS TAYLOR: Yes.

MS NEELING: - - - everything again when it - - -

CR ZELONES: Yes. I think it's only excluded for the purpose of this particular amendment because - - -

MS NEELING: Yes.

CR ZELONES: - - - that's the existing situation. That's the Water Authority's buffer zone and we don't get to move that.

MS NEELING: No.

CR ZELONES: However, the question I think even the previous one was when that disappears does that buffer zone collapse completely? What happens to their land then? Does it go to some other use as we made - - -

MS NEELING: Well, that's exactly right.

CR ZELONES: - - - or is it a natural progression for urban to continue?

MS NEELING: Well, I did speak to the Water Authority and they said there was a report to say that it was pretty much at capacity now and they were – even the Water Authority said that they were closing it. He said they mightn't – it will probably never be a water treatment plant again, but it could be something else, that buffer zone, because it's not a water treatment plant which - - -

CR ZELONES: Indeed. Yes.

MS NEELING: So that would probably not encompass our property anyway.

CR ZELONES: Yes.

MS NEELING: So it's, you know – the only other thing that I was concerned about was when we were at the meeting, it was the - you know, if our land does get turned into urban development, what would the rates be because - - -

MR ITALIANO: (indistinct).

MS NEELING: Pardon? It doesn't matter?

MR ITALIANO: No, not here.

CR ZELONES: No, the rates aren't affected by that.

MS NEELING: They're not affected by that?

CR ZELONES: No.

MS NEELING: Okay.

MS TAYLOR: Yes, because that's how they - - -

CR ZELONES: Your rates are generated either on a UV, unimproved value, is that - - -

MS NEELING: Yes, yes.

CR ZELONES: And it would probably remain that way and the value of the changing use of the land around you – because it's what that unimproved value is and who knows what the valuer-general – how they determine that from time to time.

MR ITALIANO: I think the - - -

CR ZELONES: The bigger impact is on residential areas because they can then - all of a sudden in their gross rental value rates just seem to skyrocket.

MR ITALIANO: I think it was - - -

CR ZELONES: Yes.

MR ITALIANO: - - - Noel before us - - -

CR ZELONES: Yes.

MR ITALIANO: - - - and we've been in discussions with him. We're kind of, I think all of us, in that area there - I think there's four owners in that area – are all kind of in agreeance, I think, that - I know you've got it listed as further investigation. I mean, ideally, we'd like it as part of the expansion - - -

MS TAYLOR: You want it urban deferred.

MR ITALIANO: - - - with the caveat over it of the water treatment plant. We understand the buffer zone is there.

CR ZELONES: Yes.

MR ITALIANO: But sort of, I mean, in an ideal world when the water treatment plant goes and the buffer zone goes, it's automatically part of what - - -

CR ZELONES: Yes. This could well be part of the consideration. As you know, we're only listening to the submissions. This will eventually go to the commission for consideration and with that and taking notice - a lot of input is coming in for them to consider.

MS TAYLOR: Yes.

CR ZELONES: So this quite easily could be considered - - -

MR ITALIANO: See because when you look at it, if it's excluded for further investigation and then, to be honest with you, by the time this actually kicks off and gets going, there's a good chance that water treatment plant might not even be there.

MS TAYLOR: Yes. It's obviously - - -

MR ITALIANO: So it will be starting and all of a sudden you're going to have a square that's – then you've got to go back and try and apply for this and go through all this rigmarole again when – I mean, how long has it taken to get to this point?

CR ZELONES: Yes.

MR ITALIANO: So that's, I think - our submission is that, you know - - -

CR ZELONES: It's a logical argument, I understand that.

MS TAYLOR: Yes.

MR ITALIANO: We understand the buffer zone is there; fair enough and we also understand it's going to go, but just when it does go - - -

CR ZELONES: Yes.

MS NEELING: And we're just this little bit at the end, so we're not city, we're not rural any more. We're, again, you know – because we've sort of pushed to the margins and - - -

CR ZELONES: Yes.

MS TAYLOR: Yes.

MS NEELING: You know, we have livestock and - - -

MR ITALIANO: See that's another thing, too, you - - -

MS NEELING: - - - then you're kind of worried about, you know, sort of, is it urban - - -

MS TAYLOR: So it's a lifestyle property you've got, is it?

MR ITALIANO: Yes. It's 30 acres. We consider it rural and I actually do run rural pursuits on it, not large obviously, but if we are sort of held out and then you get built out again – and we all know what it's like - - -

MS NEELING: Especially because we're like right alongside – like our neighbour is owned by McCormacks now, so that's right up alongside our property.

MS TAYLOR: Yes.

MS NEELING: So it does make it a bit tricky.

MS TAYLOR: Yes. Charlie?

CR ZANNINO: Yes, I can understand where you're coming from, but I mean, when you look at the shape of the block and it's actually - the majority of the block is in the – within the buffer zone, so - - -

MR ITALIANO: Again, depending on which map you're looking at - - -

MS NEELING: Because there's - - -

CR ZANNINO: Well, that one is different than yours, is it?

CR ZELONES: No, I think it's the adopted one. Yes.

MR ITALIANO: Yes.

MS TAYLOR: That's the latest.

MS NEELING: There's a couple of maps floating around.

MR ITALIANO: So that map up there isn't - - -

CR ZELONES: No.

MR ITALIANO: - - - the map you've just shown us.

CR ZELONES: Yes. We're aware of that and this was changed only in recent times.

CR ZANNINO: How's it any different to – it can't be different to the one that - - -

MS TAYLOR: This is the latest one from this year.

MR ITALIANO: Yes.

CR ZELONES: Yes.

CR ZANNINO: Well, if you have a look at the block it's 22, it's very narrow at the front. It's wide at the back and it comes through there, so the majority of the block falls within the buffer.

MR ITALIANO: Yes.

MS NEELING: Yes, yes.

MR ITALIANO: Yes.

CR ZANNINO: Other than - - -

MR ITALIANO: No, no, we understand it. But that's what we're saying. We've got half and half. So hypothetically, if say the development kicks off, I could probably sell the front third of my place, but then we've got half rural being built out by housing. You've either got to be one or the other. We're not arguing to stay rural, it's just you've got to be one or the other.

MS NEELING: I mean - - -

CR ZELONES: Yes.

MS NEELING: (indistinct) previously - - -

MS TAYLOR: It has.

MS NEELING: Yes. When it's come to development - - -

MS TAYLOR: You've got the previous plans - - -

MS NEELING: Yes.

MS TAYLOR: - - - and this one is just this year.

MS NEELING: Yes.

MS TAYLOR: So it's - - -

MS NEELING: So it has been moved to accommodate more development.

MS TAYLOR: Okay.

MR ITALIANO: No, I've said enough.

MS TAYLOR: No, you're right? Are you right, Charlie?

CR ZANNINO: Yes. No, no.

MS TAYLOR: Anthony, did you want to add anything?

MR MUSCARA: No.

MS NEELING: All good?

MS TAYLOR: Yes. So thank you for coming in. If you do have any questions, though, just give Anthony a ring and he'll give you progress reports.

MS NEELING: All right.

MS TAYLOR: But we don't have to make any decision, recommendation. We just listen to all the submissions and pass them back.

MS NEELING: Okay.

MS TAYLOR: So that's it.

MS NEELING: Well, thank you very - - -

MR ITALIANO: No worries. Thank you.

MS TAYLOR: Okay.

MR ITALIANO: Yes, thank you.

MS NEELING: And I'm glad I'm not half pregnant.

MS TAYLOR: Thank you.

MR ITALIANO: No worries.

MR KEVIN LOVE
representing himself

MS TAYLOR: Now, Kevin, we've got your submission.

MR LOVE: Okay.

MS TAYLOR: We've read through it. We have been on site.

MR LOVE: You have been on site?

MS TAYLOR: Yes.

MR LOVE: Right.

MS TAYLOR: Over the last 10 years I think we've been many a time.

Mr MUSCARA: We've been many times.

MR LOVE: Okay.

MS TAYLOR: And we've brought the plans and we've read through what you've got here and now I have to say that you have actually asked for a private, but you've said these people could be included.

MR LOVE: Yes, that's fine.

MS TAYLOR: That's fine with you?

MR LOVE: Yes, yes.

MS TAYLOR: That's just on my notice here I have to say that.

MR LOVE: Yes.

MS TAYLOR: Okay. Now, so over to you. If you want to add any more information to what you've already given us or ask us any questions, that's fine, too, and you've got 10 minutes.

MR LOVE: Yes. Okay. I wrote out some things because - - -

MS TAYLOR: Okay.

MR LOVE: - - - last time I did one at the City of Swan I forgot half the things I wanted to raise, so I thought I'd better write it out this time.

CR ZELONES: A good idea.

MS TAYLOR: Good idea, yes.

MR LOVE: I don't want to sound - - -

MS TAYLOR: You might (indistinct).

MR LOVE: Exactly, yes. I just don't want to be boring. So do I proceed now or - - -

MS TAYLOR: Sure. Go on, yes.

MR LOVE: Yes, okay. Well, thank you very much for the opportunity to voice my objections to the North Bullsbrook Precinct Plan, scheme number 1325/41 and rezoning from general rural to urban deferred. My objections to this development not just centred on concerns for my property of 69 Ashton Road, but also for my two neighbours and the impact on the environment of the area and the visual impact of high density housing lots creeping along the escarpment along Chittering Road and Ashton Road.

There's already one development along Chittering Road and it looks so out of place with its limestone retaining walls around each small housing lot.

MS TAYLOR: Could I interrupt there for a second.

MR LOVE: Yes, of course.

MS TAYLOR: We've got lot numbers here, so you've said 69.

MR LOVE: Yes.

MS TAYLOR: So what's your lot number?

MR LOVE: It's 82 of 69 Ashton Road.

MS TAYLOR: 82?

MR LOVE: Yes.

MS TAYLOR: Okay, got the position.

MR LOVE: Yes, yes. Okay?

MS TAYLOR: Yes.

MR LOVE: We've been (indistinct) by (indistinct) in the Bullsbrook area since 1981 and after searching for a suitable block we eventually purchased lot 69. This property is located in an ideal area for us, being zoned general rural and located on the west side of the escarpment and near the school. Properties zoned rural and located near the school have always been tightly held and hard to find.

We waited many years to find the right property and we only found this one by chance. The desire for room and not have neighbours pressed in beside one is perhaps the main reason that people moved to Bullsbrook in the first place. This plus the ability to store their boats and caravans, et cetera. We built facilities to store and maintain our buses and gained approval from the City of Swan for our bus depot.

Now, at the beginning of this year, we were dismayed to find our property part of a development scheme. Our neighbours are in a similar situation. Their land has been earmarked for public open space. They are second generation to their family to live there and at no time were we actually contacted to say that our properties were going to be rezoned for public open space and for a school ours has been earmarked for a future primary school.

We had planned to retire on this land and hand it down to our children in due course. If it is zoned as a future school which option will be denied us. The property is approximately six acres and we had hoped to eventually subdivide it into two lots. Now, we will be caretakers for the Education Department until they decide they need it. We have no incentive to improve a property, even maintain it as it is.

The type of development that's occurring in Bullsbrook is more suitable for high density housing close to the city and railway stations. Obviously costs are a major consideration, but to totally clear the whole area, terrace the undulating land and enclose each little block with ugly limestone retaining walls. They're so alien to our area, being a rural shire and a rural area. By looking at the blocks being developed now on the east side of Chittering Road creeping up the escarpment, it just looks so wrong for Bullsbrook.

Chittering Road is a gateway to the beautiful Chittering Valley and in spring and summer tourists flock to the area to enjoy the natural beauty, the orange groves, the vineyards and everything else. In my humble opinion, this is one of the most attractive tourist routes in WA and to see high density housing, it just gives people the wrong – to me it would be the wrong aspect to drive into town and see this on your way to the valley.

People move out to have room into this rural type area so they're not living in compact areas. They don't want people right next door to them. There's many other areas where they can seek that type of stuff nearer facilities. My other major concern is for the environment and the flora and fauna of the area. The red-tail and the Carnaby Cockatoo flock to the area from September. They're just starting to arrive now, heaps of them, and they stay there till late April and I guess they move up around Badgingarra or somewhere.

They arrive in their hundreds to feast on the gum nuts on the marri trees and the parrot bush that grow here. These birds are critically endangered and clearing their marri trees will drive them closer to extinction. Of the 63 hectares in this precinct, almost half is fairly heavily wooded with marri, white gum, black butt and parrot bush. All these species are vital for the survival of the cockatoos.

This is not merely insignificant; saplings and scrub – some of the marri trees are very old and exceptionally large. There's one between our place and Helene's and it's almost two metres through the trunk and that's quite an exceptional tree. They provide not just the tonnage of gum nuts, they also provide nesting sites in their hollow branches where parts of the trees have died and that's where the birds all nest.

I'm concerned that no environmental study, as far as I can see, has been undertaken. It's a bit like once development has been approved and commenced – because of my concerns I have contacted BirdLife WA and it is their opinion that the matter should be referred to the proponent – by the proponent to the Commonwealth Department of Environment and Energy for consideration under the Environmental Protection and Biodiversity Act of 1999.

They will ensure that they will provide input to any proposal which threatens to adversely impact on bird habitat and other environmental issues. I have a copy of the correspondence from them if anybody wants to have a look at it. Another major concern is the impact that rapid high density housing has on the housing market. Baldivis grew from a population of 6000 in 2006 to over 30,000 today. It's now the bankrupt capital of Perth. There's a scathing article by Josh Zimmerman in The Sunday Times, August 26, highlighting how the four Ds, death, divorce, debt and desperation saw Baldivis become Australia's capital of fiscal heartbreak.

Do we really need this type of development in Bullsbrook? There's more than enough development happening in Ellenbrook and elsewhere that would be better to restrict this high density housing to proximity to railway stations, et cetera. We should try to keep Bullsbrook – keep what makes Bullsbrook special, keep it.

I'd like to see our properties, and those of our neighbours, excised from this development and to retain their general rural zoning. This is the only way the area will retain its rural character and protect the bush from destruction and that's about basically what I wanted to say. I'd prefer to have done it without (indistinct) but it's the only way I could remember it.

MS TAYLOR: You did it very well.

MR LOVE: Thank you.

MS TAYLOR: I'll just ask my colleague members.

CR ZELONES: Yes. Kevin, that is what you really wanted to expand on was in your original submission.

MR LOVE: That's right.

CR ZELONES: Can I just ask, you mentioned the issue about the high school and the Education Department and so on as being one of the reasons (indistinct).

MR LOVE: Yes.

CR ZELONES: Because they want (indistinct) Ashton Road. If that land was not considered for that particular use, would that change your view?

MR LOVE: I'd hate to see the bush cleared.

CR ZELONES: Okay. So that - - -

MR LOVE: That is one of my biggest concerns.

CR ZELONES: So clearly more about the other issues, lifestyle - - -

MR LOVE: Yes. And the aspect of the whole area and the fact that it's right near Chittering Road. We've got international tourists that flock out on Chittering Road every weekend. There's hundreds of them.

CR ZELONES: I'm familiar with it.

MR LOVE: Yes.

CR ZELONES: Yes (indistinct) not that I live up that way but - - -

MR LOVE: Yes.

CR ZELONES: - - - I guess what I was saying was that if the uncertainty of what was going to happen, your land notwithstanding, the rezoning of - - -

MR LOVE: For selfish things it would, but I'm more concerned for the whole - - -

CR ZELONES: Yes, yes. That your land would be compulsory acquired to put houses on it and suchlike, the issue (indistinct) different factors, educational factors when that comes along. They will be approaching you to acquire it.

MR LOVE: Yes.

CR ZELONES: And as far as I'm aware, I'm not sure you have to sell it, but at some point compulsory acquisition could be talked about. So the issue is if that doesn't occur, you can continue to enjoy your lifestyle block - - -

MR LOVE: Yes, yes.

CR ZELONES: Notwithstanding what's going to happen around you. And you could still be enjoying that, including your neighbours as well.

MR LOVE: Yes.

CR ZELONES: But it will put pressure probably on you and your family the traffic - - -

MR LOVE: No doubt, no doubt. Yes.

CR ZELONES: And there's other concerns that you raised that fundamentally - - -

MR LOVE: Yes.

CR ZELONES: - - - wouldn't go away. Okay.

MR LOVE: Okay.

CR ZELONES: Thank you.

MR LOVE: All right, thank you very much for the opportunity.

MS TAYLOR: Just - - -

MR LOVE: Sorry, sorry. I'm sorry, getting out too quick.

CR ZANNINO: I don't have a lot to add. As far as the future school prospects, I think that's purely indicative at this point in time because it may never happen.

MR LOVE: But, in effect, it puts a caveat on my property, doesn't it, in a sense, you know, like if I decided I wanted to sell it, well, you know, "Hey, don't buy that place. It's going to be a school one day."

CR ZANNINO: What, you're saying that they've already put a caveat - - -

MR LOVE: No, no, not that - - -

MS TAYLOR: You're saying they could.

MR LOVE: They could or, in effect, they have, you know, without actually putting one on and – they would, if they decided they were going to put a school there.

MS TAYLOR: Yes.

MR LOVE: It ties my property up, doesn't up?

CR ZANNINO: Well, if that was a firm decision, but I mean - - -

MR LOVE: Yes, yes.

CR ZANNINO: - - - at this point in time, it's only indicative.

MR LOVE: Yes, yes.

CR ZANNINO: So you really don't know what's going to happen in the - - -

MR LOVE: No, no, we don't know. No.

CR ZANNINO: Yes.

MR LOVE: No, no.

CR ZANNINO: Yes. No, no, I understand where you're coming from and I mean everybody, you know – you obviously moved there for a reason and - - -

MR LOVE: That's right, yes.

CR ZANNINO: Yes. I mean - - -

MR LOVE: Yes, well, properties like that are - they've always been hard to come by.

CR ZANNINO: Yes.

MR LOVE: People want a little bit of room. They don't want to be jammed up.

CR ZANNINO: Yes.

MR LOVE: Like the ones they're trying to sell now in Bullsbrook, if you go out about 10 K's out to Rosa Park, you can buy the same size property – I mean for the same price, you can buy five acres and I don't see how they're ever going to sell them myself.

CR ZANNINO: Yes.

MR LOVE: People want a little bit of room. That's why they move out that way.

CR ZANNINO: Yes, but unfortunately, you know, the population is growing and, you know, development is a - - -

MR LOVE: I know. I know. But it's just such a shame to - a nice area like that to see it go under housing.

CR ZANNINO: Yes, yes.

MR LOVE: That's my opinion, anyhow.

MS TAYLOR: Yes, you're okay?

CR ZANNINO: Yes.

MS TAYLOR: Kevin, I just wanted to talk to you about your environmental situation that you find yourself in - - -

MR LOVE: Yes.

MS TAYLOR: - - - because I do – I live in Kalamunda so I know the situation that you're talking about. We did have some advice from the Environmental Protection Act - - -

MR LOVE: Yes.

MS TAYLOR: - - - regard the flora and fauna and the vegetation. I won't read it all to you, but it says here:

There is a potential habitat for threatened species, including the black cockatoos and the - - -

MR LOVE: That's right.

MS TAYLOR: Which you mentioned in your submission:

All species of black cockatoos and Chuditch are protected under the Wildlife Conservation Act. The EPA expects flora and vegetation and fauna surveys to be undertaken prior to local scheme amendments being referred to the EPA. This scheme amendment shall include provisions to retain, protect and manage consolidated and, where required, linked areas of native vegetation to protect threatened flora and vegetation and fauna values.

So I just wanted to say that that is actually in there. So what you're talking about, the values that you see in the property and your surrounding area - - -

MR LOVE: Absolutely.

MS TAYLOR: Yes, it will be protected under the - - -

MR LOVE: I was a little bit concerned - thank you for saying that, but I did read something that it described the vegetation as being along the fence lines and along a creek line and I

think they're actually referring to the second precinct, the middle one, whatever it's called, the central precinct.

MS TAYLOR: Yes. Yes, there's three altogether. Yes.

MR LOVE: But that is definitely not the case in the north ward especially on three properties. They're mostly fully wooded with marri and black butt and parrot bush. It's not confined to the fences. On my own property, I've got almost – well, there's over half an acre on the front of the property on the front paddock that's just total trees and some of them are very big old trees.

MS TAYLOR: Yes. You said there was one two metres wide. Yes.

MR LOVE: Yes, yes.

MS TAYLOR: Okay. Well, I thought I'd just explain that to you that we're not - - -

MR LOVE: Yes, yes.

MS TAYLOR: - - - you know, just hearing your comments and not doing anything about it because - - -

MR LOVE: Yes. You know, I just don't want it to go too far and then all of a sudden they haven't done an environmental study and that's got to be done, you know.

MS TAYLOR: Yes, okay. There was a lot more to read though.

MR LOVE: Of course there is, yes.

MS TAYLOR: Yes.

MR LOVE: Yes.

MS TAYLOR: I won't bore you with all of that, but there is - - -

MR LOVE: Yes.

MS TAYLOR: There is comments in here, you know, reports, so - - -

MR LOVE: Yes.

MS TAYLOR: So thank you for coming.

MR LOVE: Okay.

MS TAYLOR: Is there anything else you want to ask us? I mean, you can always ring Anthony if you need any information and - - -

MR LOVE: Okay, that's good. Yeah. No, I just appreciate being given the chance to have my say and - - -

MS TAYLOR: Yes. And that's what we - - -

CR ZANNINO: And just to reiterate, you live on lot 19 - - -

MR LOVE: Lot 82 of 69 Ashton Road.

CR ZANNINO: 82.

MR LOVE: Yes.

CR ZANNINO: Okay. Thanks for that.

MS TAYLOR: Yes.

MR LOVE: Okay. Well, thank you very much.

MS TAYLOR: Thanks very much. Thanks for coming over. Now, who have we got, Marija?

**MS HELENE DOWDELL, MS CINDY ROBINSON, MS EMMA ROBINSON,
MS CAROL HOHNKE & MS NAOMI JACKSON**

**representing Ms Helene Dowdell, Ms Carol Hohnke, Mr Jim Bennett and
Ms Cindy & Mr David Robinson**

MS BUBANIC: We have Helene Dowdell, who has got her - - - Daughter speaking – Cindy Robinson speaking on her behalf. We also have Carol Hohnke and her daughter Naomi Jackson.

MS TAYLOR: Right. Who have we got? I'm Elizabeth Taylor.

MS JACKSON: Naomi Jackson.

MS TAYLOR: Nice to meet you, Naomi.

MS JACKSON: Hi. How are you?

CR ZANNINO: Hi, Naomi. How are you today?

MS JACKSON: Good.

CR ZELONES: Good afternoon.

MS TAYLOR: Good afternoon (indistinct).

CR ZANNINO: How are you?

MS HOHNKE: Hi. How are you?

MS TAYLOR: Hello.

MS: How are you?

MS JACKSON: That's my mum Carol Hohnke.

MS HOHNKE: Yes, yes.

MS TAYLOR: Hello. You're calling me mum?

MS HOHNKE: How are you going, mum? Carol Hohnke.

MS TAYLOR: Charlie.

MS ROBINSON: Hi.

MS JACKSON: Hello, Charlie.

MS ROBINSON: Hi.

MS TAYLOR: Okay.

CR ZELONES: Chair, before you start, can I just indicate which lots we're - - -

MS ROBINSON: We're lot 81.

CR ZELONES: And you're - - -

MS ROBINSON: Not a (indistinct).

CR ZELONES: (indistinct) you're 81.

MS TAYLOR: 81, yes.

CR ZELONES: And - - -

MS ROBINSON: Lot 59, number 59 or 81.

CR ZELONES: We only have lot numbers, sorry.

MS ROBINSON: Okay.

CR ZELONES: I'm just trying to get an idea of where you are. You're together?

MS JACKSON: So this is my mum.

CR ZELONES: Yes, okay. And the other two?

MS JACKSON: We're lot 58.

MS TAYLOR: 58.

CR ZELONES: Lots?

MS JACKSON: 28.

CR ZELONES: The big one?

MR: 28.

MS ROBINSON: Lot 28.

CR ZELONES: 28?

MS TAYLOR: You're in Kimberley, aren't you?

MS JACKSON: Yes.

MS HOHNKE: We're lot 28 Kimberley Street.

CR ZELONES: Yes. What was the names again?

MS JACKSON: It's Carol Hohnke.

CR ZELONES: Carol?

MS HOHNKE: Carol Hohnke.

CR ZELONES: Okay, thank you.

MS TAYLOR: Right.

MS HOHNKE: I back on to Kevin and Helene's.

CR ZELONES: Yes, all right.

MS TAYLOR: Right, okay. So we've got 81, 82 and 28.

MS JACKSON: Yes.

MS TAYLOR: And number - - -

CR ZELONES: Kevin Love was on 82.

MS ROBINSON: Yes.

CR ZELONES: Okay.

MS TAYLOR: Okay. Welcome, after that. Now, we have your submissions and read them all. I've been up there over the last 10 years a lot and Anthony and I were up there last week, so we've been all – had a look all around - - -

MS HOHNKE: So you've been up there and had a look.

MS JACKSON: So you're the suss vehicles that have been driving around?

MS TAYLOR: It was beautiful, actually.

MS JACKSON: There's a lot - - -

MS TAYLOR: Mind you, from the last time that I was there, I've seen such a change, especially in the town bit.

MS ROBINSON: Yes.

MS TAYLOR: You know, it's sort of really grown.

MS ROBINSON: Yes.

MS TAYLOR: We couldn't find a coffee.

MS JACKSON: There's two coffee houses there.

MS HOHNKE: Yes, but do you call it coffee?

MS TAYLOR: So, anyway, apparently there's a Muzz Buzz that we missed, but anyway - - -

MS HOHNKE: No, you haven't missed it.

MS: You haven't missed it.

MS: There used to be a Muzz Buzz but it's no - - -

CR ZANNINO: It's gone, has it?

MS: (indistinct) at the newsagents.

MS TAYLOR: I saw the newsagent.

MS HOHNKE: They've closed. And the Muzz Buzz itself has been taken over by (indistinct).

MS ROBINSON: Yes.

MS TAYLOR: Right.

MS HOHNKE: Don't go there.

MS TAYLOR: Okay.

CR ZANNINO: Okay.

MS TAYLOR: We did have a very pleasant day driving around and looking at all the sites.

MS HOHNKE: Lovely.

MS TAYLOR: And we've got your submission and read it and we've read it through with the report and over to you to explain to us, or tell us, anything that you want to add extra.

MS JACKSON: Do you want to talk?

MS HOHNKE: Yes.

MS TAYLOR: You're going to go first?

MS HOHNKE: Well, the only reason I'm here with my daughter is because I'm legally blind so I can't read so I can talk from my head a lot of stuff that you probably don't want to hear so we've written it down for my daughter to read out to you to have a look - - -

MS TAYLOR: That's perfectly fine and then if, like, Carol you want to - - -

MS HOHNKE: I didn't come prepared because I didn't actually get an invite to come. It was only Helene rang on Friday to see if I could come.

MS TAYLOR: Or you - - -

MS HOHNKE: Yes. So I never had any pre-warning to write anything down.

CR ZANNINO: Yes, but if there's anything you want to say, you're welcome to - - -

MS HOHNKE: Yes.

MS TAYLOR: Yes, sure.

MS HOHNKE: Yes, I want to stay home.

CR ZANNINO: Yes.

MS HOHNKE: I don't want anybody to take my dirt. I said it.

MS TAYLOR: So who are we going to start with?

CR ZANNINO: Cindy?

MS ROBINSON: I'll start.

MS TAYLOR: Yes, you start.

MS ROBINSON: And you can interject if you want to interject.

MS HOHNKE: Yes.

MS TAYLOR: And just say your name for the tape.

MS C. ROBINSON: All right, okay. I'm Cindy Robinson.

MS TAYLOR: Yes.

MS C. ROBINSON: I am the owner with my partner on lot 81, number 59 Ashton Road.

MS TAYLOR: Yes.

MS C. ROBINSON: Mum and dad bought the property in 1987.

MS HOHNKE: 78 – 87.

MS C. ROBINSON: Sorry.

MS HOHNKE: Yes, been there for 30 years.

MS C. ROBINSON: And Dave and I took over the ownership of the property in about 1990 - - -

MS HOHNKE: 99.

MS C. ROBINSON: Yes, 99. And my third generation would be my daughters – or I've got one of my daughters here today, but we're in the same situation as what Kevin said. If this happens, if it all happens, she loses the opportunity to become like the third generation in that property. So we've just got – on behalf of the three landowners, Mr Kevin Love, Carol Hohnke, Dave and Cindy Robinson, being myself, we thank you for giving us the opportunity to speak today.

The reasons why we are against our zoning being changed from rural to urban and the reason why we are asking you to excise us from the change in the zoning argument, we ask that we can – our three properties can be excised from the rest of the properties for the following three reasons: for not wanting to change; is purely land grabbing and building density housing does not belong in a perfect world.

Our three reasons are: (1) being childhood obesity. How many times do we hear the word "diet" for the obese kids? With our new concept of living, ie, high rise buildings and density housings, we are not giving the children of the future any chance of living a long life. You do not see sheds, trampolines, swings, swimming pools or a backyard to play with a dog, build a cubbyhouse, build a soap box. Instead, we're now bringing them up in the front of a TV and get them a mobile phone or an iPad and that is their whole life.

How many children know where milk comes from? From a carton from the supermarket or does it actually come from the cow. We've forgotten or are unable to have chooks in the backyard as there is no room. The chooks eat the leftovers from food not being eaten. We have to go to the park to play on a swing or go down the slide and beware of the needles buried in the sand.

Childhood obesity is easily rectified; give them a house with land. We see more and more kids become street kids, involved in drugs and alcohol. Australia has one of the best climates in the world and there is no reason to have density housing everywhere. We have some density and some real availability for those who choose to live either inside or outside.

The schools today have started teaching children outside as they pay attention more and enjoy the outside. The teachers are finding that the children are responding better. Option 2 or number 2, the water: we live in an arid countryside. We seem to build high density housing without thinking of the water issue. Our dams have been at a low for years and we blame the rain. It's not the rain. Our tanks are full of – it's not the rain. Our tanks are full all the time on our block of land.

Our population has grown since the 1960s and yet we seem to do nothing of our water supply to ease the pain. In South Australia, they are now allowed to build a house with - they're not allowed to build a house without putting a bladder under the house, of which the roof is the catchment area or the owners who build the house must put in the water tanks to accommodate the household to a certain degree.

We have just built a new tank in Ellenbrook not only for Ellenbrook, it will be for another tsunami of density housing to be built between Ellenbrook and Bullsbrook. Every bit of arable land is being utilised just to fill the pockets of developers and the government. We are also raping the water system. Underground water does dry up eventually. Our catchment water will never catch up and then sucking water out of our oceans at a great expense and charging every increasing water rates without a thought of who can sustain this.

And number 3, environment and native animals. The Environmental and Protection and Biodiversity Conservation Act of 1999, that act protects matters of the national significance which includes the threatened species and ecological communities. It seems that not many developers, councils and governments have adhered to this act as bulldozers rage through the lands as if there is no tomorrow.

The koala community is so low that a council has put on a levy to put in new trees to save their habitats of what they have left. Koalas get thrown out of trees and if they survive the fall, they get run over by the bulldozer. We have logged and cleared more land than the size of Tasmania. We have lost up to where our echidnas - are lastly losing our Carnabys, red-tailed, white-tailed or black-tailed and kookaburras and many other species too many to mention.

We have told council of the impending loss and if we keep on doing what we are doing – if we keep doing on what we are doing. Hopefully, with the help of our councillors that have agreed to look for other sites so that we stay and give the native animals a chance in life. Our three blocks, we have all sorts of trees with a lot of marri trees for the Carnabys. To develop and bulldoze, this would be sacrilege and immoral. We need trees as well. An average tree gives four people oxygen.

We need a lot more trees if, like our water supply, it will run out eventually and will not be able to survive. Without oxygen, we have more noxious air and they filter the air we breathe and to sustain more and more people, we have to look at the oxygen levels. Like the Swan River, life is short in the river as poisons are delivered to the river every year with the run off from the farmland using urea and super and other ways of dealing with their crops.

We feel that the run of the density housing has had their day. Lots of empty blocks ready to build on are standing empty where once there used to be bushes and birdlife. Before we make Bullsbrook into a forgotten desert, can we please put the whole of the zoning on hold? We were told the other day that Bullsbrook people were in favour of having these density housing, but we did a petition to see how many people wanted our land for a school and all the people living around us were against us going urban.

Maybe the question was raised in a different way, but I will guarantee you that if there were – we were to call a meeting of all the residents, they would vote against whatever is left of Bullsbrook going urban. Let us learn from the past mistakes and let's keep Bullsbrook rural as rural. Bullsbrook the suburb, or country town as we are known, in any service we are not listed as metro. We are listed as rural. So I ask you to keep it that way and let the people live in a rural community they bought into. Thank you for listening and I please hope you take this on board.

MS TAYLOR: Thank you. That was very much on your submission.

MS C. ROBINSON: Yes.

MS TAYLOR: So we really appreciate that.

MS DOWDELL: Just to follow through on our blocks - - -

MS TAYLOR: Sure.

MS DOWDELL: - - - the council did on 1 August decide not to follow through on having the store there. It's going to be revisited when, and if, the time comes, maybe 30 years' time. I'll be under the ground looking up, but by then - - -

MS TAYLOR: Maybe you will be up looking down.

MS DOWDELL: Sorry?

MS TAYLOR: You will be up there looking down.

MS ROBINSON: Yes, looking down.

MS DOWDELL: No, it might be the other way. I might be burning, too. But, no, they're going to look at it when and they find another – there's plenty of land around us that they want to sell, farmland already cleared ready to go, and that's what they've argued about now. So the council has agreed to let us off the hook until it becomes a problem and then they're going to start looking for other areas to build the school.

MS TAYLOR: And your name was, for the tape?

MS DOWDELL: Helene.

MS TAYLOR: Helene.

MS DOWDELL: Helene, the blind one.

MS TAYLOR: Okay. I appreciate – I really appreciate the time and effort that you've taken to come and say that today and - - -

MS DOWDELL: Sorry? Oh, yes.

MS ROBINSON: She's just thanking us.

MS DOWDELL: Yes. No, that's cool. Thank you.

MS TAYLOR: Anything from you two ladies, anything else to add? No? All right. I'll put it to the panel to ask questions. Charlie?

CR ZANNINO: Well, I don't really have a lot of questions. It's just that the properties in question where you obviously reside is 81, 82, 28 and then there's 19 at the end, there are the other properties. There's 17, 18 - - -

MS TAYLOR: 27.

CR ZANNINO: - - - 83, 27 and 21 because now 21 with the buffer being realigned is also now – I mean, if you put all those properties in as one, that equates to a fairly large area and if they're all in favour of, you know, the urbanisation, it kind of - - -

MS C. ROBINSON: Sorry, Charlie, the unfortunate part about it is that 17 and 18 and 19 – is that right, Kev – is owned by the developer.

CR ZANNINO: Right.

MS C. ROBINSON: Is already - - -

MS C. ROBINSON: You know that?

MR LOVE: (indistinct).

MS C. ROBINSON: Yes.

CR ZANNINO: Okay. Yes. Well, that's what I'm saying. You've got all those properties that are basically - - -

MS TAYLOR: Agreeing.

CR ZANNINO: - - - agreeing to go ahead with the development.

MS C. ROBINSON: Because it's owned by one person or one conglomerate.

CR ZANNINO: Yes. There's only your three properties, which is 81, 82 and 28.

MS C. ROBINSON: Yes.

MS HOHNKE: Yes.

CR ZANNINO: Which you're against.

MS HOHNKE: It seems that we're outnumbered.

CR ZANNINO: Well, I'm just saying that - - -

MS C. ROBINSON: I know what you're saying. The others are against us is what you're trying to say.

CR ZANNINO: Well, I mean at the end of the day, this property – the properties around you may go ahead and be developed and your properties can stay as they are - - -

MS C. ROBINSON: Stay.

CR ZANNINO: - - - but what you're going to do is you're going to end up being surrounded by urban development which you may not be happy with.

MS HOHNKE: No, that's what we're trying to stop.

MS ROBINSON: Are they going to be in the same - - -

CR ZANNINO: I don't know. I mean, I'm just putting it out there because if the developer already owns those, then obviously there's a potential for those properties to be developed.

MS ROBINSON: Yes.

CR ZANNINO: So you're going to have urban development all around you, so you're going to be surrounded.

MS DOWDELL: Yes, that's fine. I can live with that.

MS HOHNKE: Yes. It just doesn't seem right that they can do that and force us out of what is our property.

CR ZANNINO: Well, they're not forcing you.

MS: It's our home, it's our - - -

CR ZANNINO: They're not forcing you out, it's just that - - -

MS: If they rezone it they - - -

CR ZANNINO: I mean, if they own the land, they've got the same entitlement as you - - -

MS: Yes, that's right.

CR ZANNINO: - - - because they're landowners.

MS: They're allowed to develop that.

CR ZANNINO: Yes.

MS: Yes, I understand that.

CR ZELONES: The rezoning process though in the end doesn't change what you're able to do with the land.

MS ROBINSON: No.

CR ZELONES: If you want to continue to live on that land for the next 20, 30, 40 years - - -

MS ROBINSON: Except the rates go up. Yes.

CR ZELONES: No, no, that's not the case.

MS TAYLOR: No.

CR ZELONES: That's a – it doesn't quite work that way.

MS TAYLOR: No.

CR ZELONES: The land valuation, and you're particularly on probably UV at the moment, I would have thought.

MS TAYLOR: Yes, on a - - -

MS ROBINSON: UV.

MS: Yes, yes.

CR ZELONES: Okay. What happens with rezonings though is that the council may decide to change that to a rural living or an urban area, but you'll still be valued on the value of what that property is in terms of rental. That's what they call GRV.

MS HOHNKE: Yes.

MS DOWDELL: Yes.

CR ZELONES: Now, if you can imagine how many people are going to be renting your property to live on, I imagine it would be very few. The reason why residential housing rates are quite often valued so high is because there's a huge rental market for them, so it's very competitive and particularly in the new areas where you have this new beautiful housing with all of the fancy infrastructure and playgrounds and recreation and God knows what else, that drives up those values. In older areas of residential, you find that they generally fall because they're less attractive.

So it's nothing to do with: (1) the value of your property or its use. It's based on that other valuation. So as I said, you could live there for as long as you like. At some point your children or your children's children may decide, "This is not the lifestyle." This is what's happening.

MS: Yes.

CR ZELONES: Of course, I mean, I went through the same thing in the area I live, which is now – we don't call it high density, it's medium density, but it's four or five hundred square metre lots, which is kind of the thing that we'd probably see out here. The fact is, is that that's what each generation seems to want to get, more compact. They want to be in walking distance of coffee shops and all of that.

That's a lifestyle they choose, but that's what's bringing pressure on these kind of developments. So we see multi-rise in the inner city areas and this kind of urban sprawl in the outer areas. It's not the choice of the decision-makers. It's the choice of the people who

want to live there. They're putting the pressure on it. So developers do make money out of it. That's what they get up every day to do. Sorry. But the fact of it is, is that if the landowners don't want to sell out, the land developers don't have land to develop.

MS ROBINSON: And you've got to - - -

CR ZELONES: So I think you said 17, 18. They've already – those landowners sold out to a bigger developer. That's kind of how this thing changes whole communities.

MS ROBINSON: Yes.

MS DOWDELL: But we've still got to go through the process of - - -

CR ZANNINO: They want to acquire your land.

MS DOWDELL: - - - the structure, like whether they want 20, 30 houses per hectare or whatever they're (indistinct) we've still got to go through that business.

CR ZELONES: Look, yes, the density, that will come through some other structure planning and so on to decide that.

MS DOWDELL: Yes.

CR ZELONES: I think there is a structure plan over the area already.

MR MUSCARA: There's a district structure plan.

CR ZELONES: A district structure plan. So that's kind of been laid out how that might go.

MS TAYLOR: It's might and it's time.

MS C. ROBINSON: Is that density? Can you tell us? Is it - - -

MR MUSCARA: No, it - - -

MS C. ROBINSON: - - - 22 and - - -

MS TAYLOR: No, that's way down the track.

MR MUSCARA: No, it's still not at that level of planning yet.

MS C. ROBINSON: All right.

MR MUSCARA: So - - -

CR ZELONES: That's some time away.

MS TAYLOR: At the moment what we're doing is looking at urban deferred - - -

MS C. ROBINSON: Yes.

MS TAYLOR: - - - and there's still plenty of time for all of this to happen.

MS C. ROBINSON: Yes, yes.

MS TAYLOR: It will be many years down the track.

MS DOWDELL: Yes, I know. All of 30 years.

MS ROBINSON: And we'll get an opportunity to comment on that?

MS TAYLOR: Sure.

MR MUSCARA: Correct.

CR ZELONES: Yes, absolutely.

MS TAYLOR: Absolutely, yes.

MR MUSCARA: Yes.

CR ZELONES: Just in terms of – you don't particularly have a strong town centre up there, as I understand it, but generally the way that works is when they establish a town or a district centre, usually you get more density around that because that's where - - -

MS TAYLOR: A town centre.

CR ZELONES: - - - your transport, your shopping - - -

MS TAYLOR: Yes.

CR ZELONES: - - - and generally quite often your schools are much closer to that so - - -

MS DOWDELL: Yes. And that's what the developer had said – sorry to cut in.

CR ZELONES: Yes.

MS DOWDELL: He had said that – when we had a meeting about six weeks ago, he had said that because usually when they do the new development, they get the houses sold and then they do the shops and, you know, the medical centres and stuff - - -

CR ZELONES: Correct.

MS DOWDELL: - - - where they've got to do this one in reverse because we've already got the population there and - - -

CR ZELONES: Yes.

MS DOWDELL: - - - like we have an existing shopping centre, which is – we all know that it's not - - -

CR ZELONES: Yes.

MS DOWDELL: - - - equivalent for what is there and, yes, we've all said that. We'd love a new shopping centre and I think that's where the miscommunication – sometimes people have gone, "Oh, yeah. They want a new shopping centre, so they want the urban - - -"

MS TAYLOR: So we'll give them - - -

CR ZELONES: Yes.

MS DOWDELL: Yes, you know - - -

CR ZELONES: You've got to have a population to support that sort of thing.

MS DOWDELL: Yes.

CR ZELONES: And we know with competition and (indistinct) and costs, that's becoming harder and harder.

MS DOWDELL: We don't mind sort of developing, but I hate the density housing for - - -

MS TAYLOR: Well, the - - -

CR ZELONES: And, as I said - - -

MS DOWDELL: You know, I'm of that age and you're probably getting near mine as well, it's one of those things that you've lived your life on - - -

CR ZELONES: I'm probably past you.

MS DOWDELL: I'm fifty-nine.

CR ZELONES: I've got one on you.

MS DOWDELL: But you know what I'm saying, we're used to the space - - -

MS TAYLOR: Yes, yes, I thank you.

MS DOWDELL: - - - and having kids with go-karts and bicycles - - -

CR ZELONES: Yes.

MS DOWDELL: - - - and making their own - - -

CR ZELONES: But generally, as I say, as you get away from the centres, the density gets less as well.

MS DOWDELL: Yes, yes.

MS: Yes.

CR ZELONES: So, hopefully, you'll find in any future plans for this area you might get that mixture, so you do get backyards.

MS: Yes.

CR ZELONES: I've got a backyard, but other people, you know what I mean, they don't want them. It's - - -

MS: Yes, well, they live in the city, like if they don't want it - - -

MS ROBINSON: They live in a high rise building.

CR ZELONES: Well, yes - - -

MS ROBINSON: Or closer to the city.

CR ZELONES: Yes (indistinct) but anyway that's the position. All I'm saying is that's generally how these things roll out.

MS: Yes.

MS: Yes.

CR ZELONES: But from your perspective, you won't be forced to live like that. That's, I guess, the point that's important to say.

MS: Yes.

MS: Yes.

CR ZELONES: Nobody is going to force you to - - -

MS DOWDELL: Well, the council has been good to us, like, they've really (indistinct) along and helped us out.

CR ZELONES: Yes.

MS DOWDELL: And hopefully we'll make a mark on the ground a bit more.

CR ZELONES: Yes. The children will probably end up making that decision.

MS DOWDELL: Good luck to them (indistinct) grand kids.

MS TAYLOR: Did you want to say something?

MS JACKSON: Yes. There's a letter that mum has received about a road coming up from Kimberley Street and it's coming up through the property.

CR ZELONES: Yes.

MS JACKSON: And the costings it will be if we own the land.

MS C. ROBINSON: No, it won't be any costing to – this is what I learnt the other day, sorry. It won't be any costing to you. Like they're saying the other night that it's going to be \$1.1 million per hectare.

MS HOHNKE: Yes, that's right.

MS C. ROBINSON: Only if you're going to develop the land. If you're a single landowner and you're not doing anything with your property, it's not going to cost you a cent.

MS HOHNKE: But they're still going to take some of my dirt to make the road, though.

CR ZELONES: They might - - -

MS HOHNKE: It's only going to be a gravel road.

CR ZELONES: Yes, they may require land if they're road widening and so on, but that's only if they - - -

MS: Yes.

CR ZELONES: But they will pay you for that.

MS: There is no actual road there. It's only part - - -

MS: It's only - - -

CR ZELONES: That will be in the structure plan for that, which I don't have a - - -

MS DOWDELL: They've got to have an exit in case of fires.

MS: Yes.

CR ZELONES: Yes.

MS: Sorry?

MS DOWDELL: They've got to have an exit in case of fire.

MS: Yes.

MS DOWDELL: If you can't use the main road.

MS HOHNKE: That's Darryl's driveway that's up the - - -

MS: Yes, that's right.

CR ZELONES: We don't have that level of detail.

MS: No, no.

MS TAYLOR: Okay.

CR ZELONES: But you're quite right, if you're not a participant in the development, you won't be part of - - -

MS TAYLOR: That's right.

CR ZELONES: - - - what they call the developer scheme.

MS TAYLOR: Yes.

CR ZELONES: Then that won't impact on you.

MS: Thank you.

CR ZELONES: But sometime in the future it might.

MS: Yes.

MS: Yes.

MS HOHNKE: If they're going to do that road up there - - -

CR ZELONES: Yes.

MS HOHNKE: - - - they say in the planning, which takes in some of my block - - -

CR ZELONES: Yes.

MS HOHNKE: - - - what happens then?

CR ZELONES: Well, they'll acquire that, but you'll be compensated for it and you'll be compensated at current market value.

MS: 1.1 million per hectare.

MS: Yes.

CR ZELONES: It's the cost of the land and then the - - -

MS: Yes.

CR ZELONES: That's that - - -

MS TAYLOR: Good try.

MS DOWDELL: You've got to try these things, you know. We had a meeting on Monday night, coming off the (indistinct) there was a meeting with the councillors in the office of the council and they told us about developers. They've got to pay 1.1 million per hectare to get what they want.

CR ZELONES: Yes. I think that's a local one as well, isn't it, Charlie?

CR ZANNINO: Yes.

MS TAYLOR: It's the local one.

CR ZELONES: That's what (indistinct).

MS ROBINSON: The local road, yes, going from Stock Road – going from the north link, Stock Road, into the new subdivision right down here - - -

MS: It's down the bottom.

MS ROBINSON: So it's going to come from the north link across wherever Stock Road is - - -

CR ZELONES: Yes.

MS ROBINSON: - - - and then it's going to go up through there, up through there and that's going to meet up the top part up there.

CR ZELONES: Yes.

MS DOWDELL: Yes, 1.1 million, I would have (indistinct) so I don't think we're going to get development through on time.

CR ZELONES: Well, that's another thing. It will take a considerable amount of time.

MS DOWDELL: Yes.

MS TAYLOR: Just to explain, we are not the decision-makers here.

CR ZELONES: Yes.

MS TAYLOR: We are just listening to all the reports that have come through from all the submissions.

CR ZELONES: Yes, yes.

MS TAYLOR: And then - - -

CR ZELONES: We're just going to hand them on to the commission.

MS TAYLOR: Yes.

MS: Which is - - -

MS TAYLOR: But I hope that we have been able to satisfy some of your questions this afternoon.

MS: Yes.

MS TAYLOR: And maybe a tiny bit put your mind at risk.

MS DOWDELL: Oh, yes, I'm – yes, I'm right, because I'm quite happy with the council. I'm overjoyed, so I'm - - -

MS TAYLOR: Are you?

MS DOWDELL: Yes. We're just following suit now to see what the others do next.

MS TAYLOR: Are you still on there, Charlie?

CR ZANNINO: Yes.

MS TAYLOR: You are?

MS DOWDELL: You weren't there the other night when we were there.

MS ROBINSON: How would you know, you can't see?

MS DOWDELL: I can see - - -

CR ZANNINO: I've been on leave.

MS DOWDELL: - - - a 58-year-old bloke there.

CR ZANNINO: I've been away for three weeks.

MR: Have you?

MS: No, we were there on - - -

MS DOWDELL: 1 August.

MS: - - - like – it was the end of July.

MS: July.

MS: No, we weren't there on 1 August.

MS DOWDELL: No, sorry, the week before.

CR ZANNINO: Yes. I was there in August.

MS DOWDELL: Can you remember us standing up at the - - -

CR ZANNINO: Yes, you did. Yes.

MS DOWDELL: Did you laugh?

CR ZANNINO: No. Why should I laugh?

MS: That we weren't (indistinct).

MS TAYLOR: Anyway, thank you very much for coming in.

MS DOWDELL: Thank you very much.

MS TAYLOR: And we've taken heaps of notes and if you've got any questions in the meantime, you can ring Anthony.

MR MUSCARA: You're more than welcome to ask me.

MS TAYLOR: Okay.

MS: Anthony.

MS TAYLOR: Anthony Muscara.

MR MUSCARA: Yes.

MS DOWDELL: Is that Planning and Heritage we've got to ring – don't we?

MR MUSCARA: Yes.

MS TAYLOR: Yes.

MR MUSCARA: That's right.

MS TAYLOR: Yes.

MR MUSCARA: Yes.

MS DOWDELL: (indistinct) for a coffee.

MR MUSCARA: Lovely to meet you. Thank you so much.

MS: Thank you.

MS: Thank you.

MS TAYLOR: Thank you very much.

MS DOWDELL: Thank you very much.

MS TAYLOR: Thank you.

CR ZELONES: Thank you.

MS DOWDELL: I'll see you at the next council meeting, Charlie.

CR ZANNINO: Yes.

MS DOWDELL: Thank you.

MR LOVE: See you later.

MS TAYLOR: Thank you.

MR LOVE: Thank you very much.

MS TAYLOR: Thank you.

**MR DARREN EVANS (ROWE GROUP), MR BEN RASHEED &
MR STEPHEN QUANTRILL (REPRESENTING LANDOWNERS)**
representing Marlin Bullsbrook
(representative of Marlin, McRae and Park combined landholdings)

MS TAYLOR: Have a seat. I'm Elizabeth Taylor.

MR QUANTRILL: Hello, Elizabeth.

MS TAYLOR: Nice to meet you.

MR QUANTRILL: Nice to meet you.

CR ZANNINO: Mr Evans, Charlie.

MR QUANTRILL: Hello, Charlie, Stephen Quantrill.

MS TAYLOR: Nice to meet you.

CR ZANNINO: Yes, how are you going?

MR EVANS: Henry.

MS TAYLOR: That's Henry.

MR QUANTRILL: Good day.

CR ZELONES: Good day, Stephen.

MR EVANS: Nice to meet you.

MR RASHEED: Ben Rasheed from - - -

CR ZELONES: Henry.

MR RASHEED: How are you?

MR EVANS: Hi, Charlie.

MR RASHEED: Why don't you sit in the middle, Darren?

MR EVANS: Yes, thank you.

MS TAYLOR: Okay, we'll start. Sorry to have kept you waiting.

MR EVANS: That's okay.

MS TAYLOR: Now, we've got your submissions, your written submission, and we've got some extra paperwork, I think, has come through.

MR EVANS: Yes. We have done a PowerPoint if you - - -

MS TAYLOR: Do you?

MR EVANS: Well, we can flick through it if you - - -

CR ZANNINO: (indistinct)

MR EVANS: Yes.

MS TAYLOR: Yes. No, so we'll have a listen to what you have to say and any questions we'll put to you or you can put to us.

MR EVANS: Yes.

MS TAYLOR: And hopefully we'll have some extra notes, so any further detail that you haven't got here, I'm happy to talk about, so over to you.

MR EVANS: Okay. Cheers, thank you very much. I have prepared this as if I was in front of the room, so talking to a larger audience. Thank you very much. Darren Evans from Rowe Group. I have with me today Ben Rasheed and Stephen Quantrill, representing the landowners. We, just on the first slide, act on behalf of Marlin Bullsbrook which represents the Marlin, McRae and Park combined land holdings in the southern Bullsbrook precinct. Our client is the major landowner in that precinct.

We have been working with the department, the City of Swan and other major landholders for many years to progress the planning of Bullsbrook. We're currently working with the city on the developer contribution plan for Bullsbrook and we're working on our local structure plan for the southern precinct. All three of the advertised precincts are consistent with the three and a half million Perth and Peel framework spatial plan in the documents and a district structure plan has now been endorsed for all the precincts by the WAPC and we confirm we support all the precincts being zoned urban deferred and, particularly, we're talking about our southern area.

On the next page just a snapshot of our submission, which I'll go through in more detail. As mentioned, our client is the major landholding. They own about 70 per cent of the southern precinct. Broadly speaking, land across our precinct is cleared pasture land suitable for urban development. Of note, our client's landholding also includes some land on the eastern edge, rural residential land, to the east of – on that slide, effectively lot 302, is part of our client's landholdings and further south is lot 301 and it's this topic that is the main part of our submission today.

That land has an approved structure plan for 219 rural residential lots and in terms of our submission we're specifically seeking the adjustment of that eastern alignment of the urban area. We're also seeking confirmation of the urban deferred lifting requirements, but generally again we're here to support the amendments.

On the next slide you'll see on the right-hand side a greeny coloured plan. That is the amendment to our approved rural residential structure plan on lot 301 and lot 302 Lage Road. The amendment has seen the structure plan undergo some detailed design review to address a number of engineering, design and planning matters in relation to that plan itself. Significantly, the design review has resulted in the change to the configuration on the rural link road and you might not be able to see it on that small plan, but that's the yellowy road that – the yellow road through here is the rural link road. That basically goes up over the scarp and connects to the existing communities.

MS TAYLOR: Yes.

MR EVANS: It's needed from a fire safety point of view for the existing rural residential areas. The rural link road has been redesigned so it avoids the steeper portions of lot 302 to effectively assist the development of the rural residential structure plan. Effectively, this road will become the interface between the rural residential and the urban area. It's all approved on the plan. The vast majority of the land inclusive of the rest of the rural link road is in the zero to 10 per cent flatter grade and predominantly clear of vegetation. That is, it's similar to the balance of our landholding and proposed to be urban deferred.

In the next slide – so the advertised extent of the urban deferred area is the portion shown in grey on our plan there and in this instance the three and a half million – sorry, I'll go back a bit. That line was based on the three and a half million Perth and Peel framework, the advertised version of the amendment.

MS TAYLOR: Yes.

MR EVANS: In this instance, the three and a half million framework zoning line is a simplified and arbitrary line that does not reflect the balance of other planning matters in the area, including the already approved local structure plan for the rural residential. As mentioned, the rural residential structure plan has been amended and what we're going to see is there's going to be a gap between the two areas. So the grey area didn't line up with the approved structure plan in the first place, but we put that aside. The amendment is now progressing through and we're going to end up with a bit of land that's in between both that effectively has to be planned for.

Also further south, there is a clay quarry, the Midland Brick Clay Quarry and there's a little bit of our lot 201 that is outside of the buffer and inside our (indistinct) boundaries and also is included in the urban deferred area. So, effectively, our submission is to clean up that eastern alignment - - -

MS TAYLOR: Okay.

MR EVANS: - - - and make sure everything marries up and (indistinct) seamlessly. Just of note, the eastern boundary of lot 201, that was approved under a WAPC subdivision approval, which was based entirely on the eastern boundary – was based entirely on the clay quarry buffer. I've jumped around from my notes there, but I think I've covered it all.

The next slide, this is just repeating a little bit, so the wedge - I've just shown the area that we are proposing also be urban deferred in that brown colour there.

MS TAYLOR: Yes.

MR EVANS: Again, it's cleared pasture land generating zero to 10 per cent flatter grade. The rural residential structure plan is a logical eastern extent of the urban area with the alignment of the rural link road and the extent of the structure plan agreed with the City of Swan staff through the planning department there.

It's important that the zoning of the structure plan ties in seamlessly with one another in this area to avoid leaving any unplanned wedges between the rural residential and the urban. Of note, the clay quarry on Midland Brick's landholding is proposed to move southwards over time. There's three stages in it and eventually the northern stage will be closed. That's the expectation and then the buffer will slowly move southward and away from the urban area.

That is one of the main reasons why, even in the advertised amendments, some of the land is proposed to be run on the inside of the buffer because it's only a temporary situation, although it might be there for a few years yet. It will eventually keep going south. And that's the point. One of the reasons for lifting the urban deferral requirement, sorry, is the confirmation that the buffer is closed for those (indistinct) side.

Moving again to the next slide. So that is again the same plan. I've just taken the rural residential structure plan off it. We're proposing that that area also be urban deferred. It's about 29.4 hectares of land – I should say, sorry, is 29.4 hectares of land, which is about a seven per cent increase in the urban area for the southern precinct alone that was advertised, which will equate to about 441 dwellings based on 15 dwellings per hectare.

This will increase the deficiency of urban land and consolidation around the Bullsbrook town site as well as assist in the cohesive local structure planning across this area. Of note, the City of Swan in its submission on the MRS amendment also requested the adjustment of the eastern alignment on the zoning area. So that's all on that eastern alignment of the zoning area.

The other item we wanted to cover were the requirements to lift urban deferred. So the next slide is just listing out those requirements that are in the document. So just as a high level, it's district structure planning which was required to address, amongst other things, the staging of development, developer contributions, location of a high school site, road grades

and other bits and pieces; confirmation of water and waste water, which is really a Water Corporation advice that we've satisfied their requirements, confirmation of a high school location, confirmation of road upgrading requirements and then there's the two buffer matters. One is the confirmation of a landfill operation in the central precinct is closed, so that's not on our landholdings, and then confirmation of the clay quarry buffer.

The next slide just shows the good progress that has been made since the WAPC initiated the amendment. So the City of Swan and the department have worked closely to approve the district structure plan, which is great. We're very happy with that and that has addressed a lot of the matters that those conditions of urban deferment were seeking effectively to be held back and resolved at a later point.

So the district structure plan indicates land for primary schools. It indicates a high school site adjacent to the central precinct. It shows public open space and conservation areas, includes activity centres, other employment nodes and all the residential area. It also deals with the staging that was a requirement of the WAPC. So that's in there and it deals with the regional road upgrades, particularly Great Northern Highway.

The other good progress is now the city is advertising its developer contribution plan and associated scheme amendment. That includes the regional road upgrades of Great Northern Highway and Stock Road as well and includes details of cost apportionment between the industrial areas and residential areas and also the existing and future regional traffic outside of Bullsbrook. So good progress on those items.

The next slide is just the reduced list of requirements we are seeking as part of the finalisation of the amendment. Given the structure plan and contribution plan are well - structure plans approved and the contribution plan well progressed, we'd be seeking that - just confirmation of water and waste water remains and then the two buffer matter remains as items to be addressed; urban deferred lifting, particularly with regard to the buffers. That only relates to a small portion of our land, mainly the perimeter of it in very small sections to the north and the east, not the whole cell.

That is all except for my conclusion, which is a repetition of everything I've said. I can avoid that if you like.

MS TAYLOR: Yes, okay. No, we'll take that bit.

MR EVANS: So it's really just confirmation of the eastern alignment, confirmation of the reduced conditions and we're happy things are progressing and happy to keep working with the department on the - - -

MS TAYLOR: Thank you.

MR EVANS: (indistinct) all matters.

MS TAYLOR: Okay. Well, I think you have explained it on your submissions, which is fantastic. I didn't say at the beginning, but we have actually been on site – well, we've been on site for the last 10 years, for myself.

MR EVANS: Yes.

MS TAYLOR: So we have seen the changes, what can actually occur, and how the changing of the colour of the map for this particular – well, this (indistinct) what a difference that that can make. So I'll put it to Henry, a question?

CR ZELONES: I don't really have any. You've done a damn good job - - -

MS TAYLOR: Covered it all.

CR ZELONES: - - - of covering it all.

MS TAYLOR: Indeed.

CR ZELONES: And this was a useful addition, I might add.

MS TAYLOR: Yes.

MR EVANS: Thank you.

CR ZELONES: But I'm happy with your presentation.

MS TAYLOR: You're happy with that. Charlie?

CR ZANNINO: No, I don't think I've got any questions or anything to add.

MS TAYLOR: No.

CR ZANNINO: It's basically something that, as far as the city is concerned, we're basically supportive.

MS TAYLOR: Right. Any questions?

MR EVANS: No.

MS TAYLOR: No? Okay. As you know, we don't make any decisions from here.

MR EVANS: No.

MS TAYLOR: But we will go through everyone's submissions that we've heard today and if you've got any questions at all, just give Anthony a call and he'll be able to have - - -

MR MUSCARA: (indistinct).

MS TAYLOR: There will be time frames and things, a lot of - - -

MR EVANS: Yes.

MS TAYLOR: - - - what, you know, you would understand, but a lot of people don't understand how long these things take.

MR EVANS: Yes.

MS TAYLOR: Are we changing the colour on the map and - - -

MR EVANS: Yes.

MS TAYLOR: - - - all this other stuff that happens after we've got the changing to the zoning, which of course you know that anyway. So I really appreciate what you've told us today. You've given us some extra information.

MR EVANS: Thank you.

MS TAYLOR: And if you haven't got any other questions, I'll - - -

MR EVANS: Just one question.

MS TAYLOR: Sure.

MR EVANS: Did any other party make a submission in relation to our land today or any issues that we would need to address?

MS TAYLOR: No.

CR ZELONES: No.

MR EVANS: Okay.

MS TAYLOR: No.

CR ZELONES: You're good.

MR EVANS: Okay. Thank you.

MS TAYLOR: Breathe a sigh of relief.

MR EVANS: Thank you for your time.

MS TAYLOR: Thank you very much for coming in.

CR ZELONES: With all the (indistinct).

MS TAYLOR: And for the extra, that was quite helpful, too.

MR EVANS: Thank you.

MS TAYLOR: Thank you very much.

MR EVANS: Thank you everyone.