

November 2020

# **Metropolitan Region Scheme Amendment 1365/57 (Minor Amendment)**



**Pt Lot 4 Fern Road and  
Pt Lot 102 Castledare Place,  
Wilson**

Report on Submissions  
Submissions

City of Canning



---

**Metropolitan Region Scheme  
Amendment 1365/57  
(Minor Amendment)**

**Pt Lot 4 Fern Road &  
Pt Lot 102 Castledare Place, Wilson**

---

**Report on Submissions  
Submissions**

City of Canning



November 2020

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.

**Disclaimer**

This document has been published by the Western Australian Planning Commission. Any representation, statement, opinion or advice expressed or implied in this publication is made in good faith and on the basis that the government, its employees and agents are not liable for any damage or loss whatsoever which may occur as a result of action taken or not taken, as the case may be, in respect of any representation, statement, opinion or advice referred to herein. Professional advice should be obtained before applying the information contained in this document to particular circumstances.

© State of Western Australia

Published by the  
Western Australian Planning Commission  
Gordon Stephenson House  
140 William Street  
Perth WA 6000

Locked Bag 2506  
Perth WA 6001

MRS Amendment 1365/57      Report on Submissions  
File 833-2-16-42 Pt 1 & 2      Submissions

Published November 2020

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

This document is available in alternative formats on application to the Department of Planning, Lands and Heritage Communications Branch.



## Introduction to Metropolitan Region Scheme minor amendments

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

The Metropolitan Region Scheme (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.

An amendment 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 non-substantial amendment, often referred to as a minor amendment (made under section 57 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 for approval. The amendment takes legal effect with Gazettal of the Minister's approval.

In the process of making a non-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. While formal assessment would be unlikely for a non-substantial amendment, were it required then an environmental review would be 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 WAPC's recommendations 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.



# Contents

## Report on Submissions

1	Introduction .....	1
2	The proposed amendment .....	1
3	Environmental Protection Authority advice .....	1
4	Call for submissions .....	2
5	Submissions .....	2
6	Main issues raised in submissions .....	2
7	Determinations .....	11
8	Co-ordination of region and local scheme amendments .....	11
9	Conclusion and recommendation .....	11
10	Ministers decision .....	12
	Schedule 1: Alphabetical listing of submissions	
	Schedule 2: Summary of submissions and determinations	
	Schedule 3: The amendment figure – proposal 1 as advertised	
	Appendix 1: List of detail plans as advertised	

## Submissions



## Report on Submissions



# Metropolitan Region Scheme Amendment 1365/57

## Pt Lot 4 Fern Road and Pt Lot 102 Castledare Place, Wilson

### Report on Submissions

#### 1 Introduction

At its December 2019 meeting, the Western Australian Planning Commission (WAPC) resolved to proceed with this amendment to the Metropolitan Region Scheme (MRS) in accordance with the provisions of Section 57 of the *Planning and Development Act 2005*.

The principal differences between the minor and the major amendment processes are that the former includes a 60 day advertising period while the period for the latter is 90 days, the former is not required to be placed before Parliament (for 12 sitting days) while the latter is and there is not requirement for submitters to be offered hearings for minor amendments.

#### 2 The proposed amendment

##### **Purpose**

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

The purpose of the amendment is to reclassify portions of Lot 4 Fern Road and Lot 102 Castledare Place, Wilson from the Urban zone to the Parks and Recreation reserve (0.50 ha) and from the Parks and Recreation reserve to the Urban zone (1.02 ha). 1.11 ha is also proposed for removal from Bush Forever site 224.

A minor boundary adjustment is proposed for the Parks and Recreation reserve to incorporate an additional area of land that accommodates part of the Castledare Miniature Railway that has historically been left outside of the reserve boundary. The amendment will also facilitate the development of portions of the site for residential purposes and the ceding free of cost of approximately 12.5 ha of privately owned Parks and Recreation reserve to the State free of cost.

#### 3 Environmental Protection Authority advice

On 10 January 2020, the Environmental Protection Authority (EPA) advised that the proposed amendment should not be assessed under Part IV Division 3 of the *Environmental Protection Act 1986*. The EPA advised that it was not necessary to provide any advice or recommendations in relation to the amendment. The EPA noted that any potential impacts on the Canning River can be managed through future structure planning and the implementation of Local Planning Scheme (LPS) provisions.

A copy of the notice from the EPA is in Appendix A of the *Amendment Report*.

## 4 Call for submissions

The amendment was advertised for public submissions from 27 March 2020 to 5 June 2020. The amendment was made available for public inspection during ordinary business hours at:

- i) Western Australian Planning Commission, 140 William Street, Perth
- ii) City of Canning
- iii) State Reference Library, Northbridge.

During the public inspection period, notice of the amendment was published in *The West Australian* and relevant local newspapers circulating in the locality of the amendment.

## 5 Submissions

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

Four submissions were of support, 47 submissions were of objection and 10 submissions were of non-objection / comment.

A summary of each submission with WAPC comments and determinations is at Schedule 2. A complete copy of all written submissions is contained in this report.

## 6 Main issues raised in submissions

### 6.1 Supporting Submissions

Submissions in support of the amendment advised as follows:

- The Castledare Miniature Railway is a great community asset. Over the past 56 years it has been in existence, it has accommodated nearly 1,400,000 passengers providing entertainment and nostalgic experiences to young and old. The Castledare Miniature Railway is located within the existing Parks and Recreation reserve which is currently owned by the proponent of the amendment.
- The Castledare Miniature Railway is a valuable resource to the community providing not only entertainment for families but also acts as a "Men's Shed" for retired engineers. Members have been able to pass on disappearing skills to the younger members of the Club, thus preventing the loss of these skills to the community. The following information is provided:
  - The amendment will facilitate the change in tenure of the Parks and Recreation reserve (approximately 12.5 ha) which is currently under private ownership to the State.
  - Once gazetted and subdivision has occurred, the change in tenure will enable the Castledare Miniature Railway to submit for Government grants; currently the tenure precludes the Castledare Miniature Railway from obtaining public funding.



- It provides long-term security for a much-loved community asset which supports community charities including the Clontarf Foundation, Ronald McDonald House, Canning Sea Scouts, Retina, Lions Cancer Institute, Telethon, various Parents and Citizens' organisations and the Western Australian Bush Fire Disaster Appeal.
- Members of the Castledare Miniature Railway have devoted much time and effort into maintaining the associated river foreshore and wetlands.
- Request that the WAPC and Minister for Planning support the amendment, as it will assist with the longevity of a valued community asset enjoyed by the young and old alike.

*WAPC Comment: Supporting submissions are noted.*

## **6.2 Objecting Submissions**

Submissions of objection and/or which raised concerns generally advised as follows:

### **(a) Environmental Matters**

- The Bush Forever site should not be modified as it is part of the Canning River Regional Park.

*WAPC Comment: The amendment proposes the rezoning of approximately 1.02 ha of land to Urban and the associated modification of Bush Forever Site 224. This land is largely cleared of vegetation and contains few ecological values that warrant its retention for conservation purposes.*

*The amendment also provides for the ceding of approximately 12.5 ha of privately owned Parks and Recreation reserve land to the State free of cost. A legal agreement between the WAPC and landowner facilitates this outcome. This will provide for the protection and conservation of the existing foreshore vegetation and it's future rehabilitation, provision of public access including footpaths and cycle ways and consideration of appropriate interface treatments to the foreshore reserve and Urban area.*

*A Foreshore Management Plan is also being prepared which will accompany the subsequent local structure plan, where such matters are given further detailed consideration in consultation with the City of Canning and relevant State Government agencies.*

- The area is home to many native waterbirds, reptiles and insects, this also includes the Long-Necked Turtle's seasonal routes and nesting sites which will be impacted by the proposal.

*WAPC Comment: On 10 January 2020, the EPA advised that the proposed amendment should not be assessed under Part IV Division 3 of the Environmental Protection Act 1986, and that it was not necessary to provide any advice or recommendations. The EPA noted that any potential impacts on the Canning River can be managed through future structure planning and Local Planning Scheme provisions. The EPA did not raise issues regarding potential impacts on native fauna, including the Long-Necked Turtle.*

*The Department of Biodiversity, Conservation and Attractions (DBCA) and Department of Water and Environmental Regulation (DWER) did not raise issues regarding the potential impacts on native fauna. However, the DBCA advised of a range of matters requiring further consideration in the subsequent more detailed structure planning stage, this information has been provided to the proponent. In any case, the WAPC notes that all State and Federal environmental legislative requirements must be complied with at all stages of the planning and development process.*

- There is no adequate guarantee for the protection of the mature native trees within the amendment area and abutting areas. These mature native trees should be within a 'tree protection zone'.

*WAPC Comment:* *The proponent has confirmed the protection of mature trees within the proposed Urban zone wherever possible, and advises that this will be given further detailed consideration in the subsequent local structure planning stage (subject to separate public consultation).*

*In regard to the protection of trees outside the amendment area, such a request is outside the scope of this MRS amendment process. However, the WAPC notes that any development within and outside the amendment area must comply with State and Federal environmental legislative requirements at all stages of the planning and development process.*

- There is a need to keep green spaces and regreen areas to create ecological corridors linking all remnant vegetation to enable fauna and flora movement. As our population grows we need more green spaces not less.

*WAPC Comment:* *It is noted that the amendment seeks to ensure that approximately 12.5 ha of the existing Canning River Parks and Recreation reserve, which is privately owned is ceded to the State free of cost and is made publicly available. This area will be integrated with the existing Parks and Recreation reservation in the locality.*

*The amendment also proposes the rezoning of approximately 1.02 ha of primarily cleared land to the Urban zone. This area will also provide for a minimum 10% Public Open Space (POS) which will be accessible to the community. The location of the POS will be given further consideration in the subsequent more detailed structure planning stage (subject to separate public consultation).*

- The area should be retained for bird watchers and the many walkers who use the area.

*WAPC Comment:* *The amendment provides for approximately 12.5 ha of the privately-owned Canning River Parks and Recreation reserve to be ceded to the State free of cost. Currently, this area is not readily accessible and is proposed to be enhanced with public access paths, cycle ways, seating etc and made available to the community.*

*The proposed Urban area is primarily cleared of vegetation and also contributes to the recreational needs of the community, as a minimum 10%*

*POS will be provided and made publicly accessible. The actual location of the POS will be subject to further detailed consideration in the subsequent structure planning stage (subject to separate public consultation).*

*It is also noted that the amendment area is surrounded by existing local and regional reserves which provide for the recreational needs of the community. This includes the Canning River Regional Park (including approximately 12.5 ha of land which is to be ceded to the State free of cost and made publicly accessible), Bywater Park, Margaret Park and Fern Cove Park.*

#### **(b) Asbestos Contamination**

- The asbestos containment sites are not viable exchanges for land in the Canning River Regional Park. These sites should not be retained within the regional park, revegetated or available to the public.

*WAPC Comment: It is noted that contamination remediation works have been undertaken in accordance with the requirements of the DWER. This includes a Long-Term Asbestos Management Plan which is in place and sets out management requirements to ensure the land can be used for the purposes identified in the amendment in perpetuity.*

- Concerned about the proposed urban development being so close to asbestos dumping areas and impact on the Canning River.

*WAPC Comment: It is noted that the DWER raises no objections to the proposed Urban area having regard to contamination noting that a Long-Term Asbestos Management Plan is to be adhered to.*

*In relation to the potential impact of urbanisation on the Canning River, the EPA advised that the proposed amendment should not be assessed under Part IV Division 3 of the Environmental Protection Act 1986, and that it was not necessary to provide any advice or recommendations. The EPA specifically noted that any potential impacts on the Canning River can be managed through future structure planning and Local Planning Scheme provisions (subject to separate public consultation).*

#### **(c) Traffic Matters**

- The proposal will exacerbate existing traffic congestion, particularly at peak times. The extra traffic will be dangerous for the movement of nearby aged-care residents. There is not enough parking at the site.

*WAPC Comment: The amendment is not of a scale that is expected to have a significant impact on traffic, and it is noted that the City of Canning and Main Roads WA did not raise concerns. However, specific traffic impacts will be further considered in the subsequent structure planning stage in accordance with the Transport Impact Assessment (TIA) Guidelines. Such considerations are expected to benefit the level of amenity afforded to pedestrian and cyclists through the preparation of a comprehensive TIA.*

*The rezoning of the land to Urban and the subsequent development of the land over time will be accompanied by consideration of traffic, parking and access issues which may result in modifications and/or upgrades to the road network. Such matters are given further detailed consideration in the subsequent structure planning stage by the City of Canning and relevant State Government agencies, and may result in conditions at the subdivision and development approval stages.*

#### **(d) Strategic Planning Context**

- Urbanisation should be for strategic, transport-centred densification and infill, not ad-hoc development which destroys urban tree canopies and habitats.

*WAPC Comment: The proposed Urban area is consistent with the principles of Perth and Peel @ 3.5 Million and the Central Sub-regional Planning Framework to provide additional housing opportunities and contribute to the efficient use of infrastructure and services through undertaking infill development.*

*The site has been primarily cleared of vegetation and also contributes to the recreational needs of the community as a minimum 10% POS will be provided. This is further balanced with the ceding free of cost to the State of approximately 12.5 ha of privately owned Parks and Recreation reserve, which forms part of the Canning River Regional Park.*

- Increase the density of housing in existing Urban zoned areas and not this site.

*WAPC Comment: Perth and Peel @ 3.5 Million and associated Central Sub-regional Planning Strategy seeks a mixed approach of combining new housing and residential communities in new suburban areas with infill housing and residential communities within existing established suburbs.*

*This proposed amendment seeks to create a new contained Urban zone which is consistent with the surrounding development, and will be subject to further detailed planning as part of the subsequent local structure planning process. This includes the provision of 10% POS as required for any new urban area.*

*The proposed Urban area is primarily devoid of existing vegetation and seeks to maximise the benefits that established areas have in terms of physical infrastructure such as roads, drainage, parks, shopping precincts, schools and social services, inclusive of public transport. Infill residential development can also facilitate better access to employment opportunities in and around established regional centres.*

#### **(e) Heritage Matters**

- The vista of Niana Homestead is already heritage protected and is not viable collateral for the impact on the Canning River Regional Park.

WAPC Comment: It is noted that the vista of Niana Homestead may be subject to separate heritage protection measures. However, the intent of the amendment is to reserve the site as Parks and Recreation, this will ensure that the correct MRS reservation is in place to reflect its status.

- The Castledare Miniature Golf Course should be retained intact for its cultural heritage values.

WAPC Comment: The intent of the amendment is to not impact on the existing Castledare Miniature Golf Course. Rather the amendment seeks to ensure that all the Castledare Miniature Railway is within the correct MRS reservation and facilitates the ceding of the existing privately-owned Parks and Recreation reserve to the State free of cost.

The State Heritage Office has advised that the amendment is not expected to impact on the heritage values of the Castledare Boys Home or Castledare Boys Home – Miniature Golf Course. In addition, heritage values will be further considered in the subsequent local structure planning stage (subject to separate public consultation).

- The land has strong historic meaning to Indigenous people who have cultural ties to the land and foreshore areas.

WAPC Comment: There are no registered Aboriginal Heritage Sites within the amendment area, however registered Aboriginal Site 3538 (Canning River) is located adjacent to the amendment area. The Department of Planning, Lands and Heritage has advised that the proposal is not expected to impact on abutting Aboriginal Site 3538. No advice was received from the South West Aboriginal Land and Sea Council.

It is during the preparation of a detailed local structure plan that specific consideration is given as to whether identified significant sites should have some form of protection from development. Specific sites requiring protection from development are identified by way of Section 18 of the Aboriginal Heritage Act 1972, based on detailed archaeological/ethnographic studies by the proponent at the subsequent structure planning stage.

- Trees should be protected in accordance with the existing Castledare Conservation Plan.

WAPC Comment: The State Heritage Office has advised that the amendment is not expected to impact on the heritage values of the Castledare Boys Home or Castledare Boys Home – Miniature Golf Course. Furthermore, heritage values and associated environmental considerations will be further considered in the subsequent local structure planning stage (subject to separate public consultation) in consultation with the Heritage Council of WA.

#### **(f) State Planning and Environmental Policies**

- The provisions of Development Control Policy 2.3 - Public Open Space in Residential Areas (DCP 2.3) should be addressed.

WAPC Comment: DCP 2.3 applies to urban areas and seeks to ensure that all residential development in the State is complemented by adequate, well-located areas of POS that will enhance the amenity of the development and provide for the recreational needs of local residents. This may facilitate the protection and conservation of the margins of wetlands, water-courses and the foreshores adjacent to residential development.

The provision and actual location of the POS is considered in the subsequent local structure plan stage (subject to public consultation) in consultation with the City of Canning and State Government agencies, having regard to existing site constraints, topography etc. The POS will then be secured as part of the later subdivision process as determined by the WAPC.

- The EPA's Guidance Statement No. 33 - Environmental Guidance for Planning and Development states that wetlands that are to be protected require a minimum 50 metre buffer distance. However, a reduced wetland buffer is proposed.

WAPC Comment: On 10 January 2020, the EPA advised that the proposed amendment should not be assessed under Part IV Division 3 of the Environmental Protection Act 1986, and that it was not necessary to provide any advice or recommendations. The EPA noted that any potential impacts on the Canning River can be managed through future structure planning and Local Planning Scheme provisions.

Detailed negotiations have been undertaken between DBCA, the City of Canning and the proponent to seek an improved interface between Parks and Recreation reserve and Urban zoning and a good outcome for recreational users. The DBCA accepted a reduced wetland buffer in view of the site constraints, which include the works that have been undertaken to remediate asbestos contamination and requiring a road connection to Bywater Way.

The amendment seeks to maintain a continuous Parks and Recreation reserve along the Canning River foreshore and accommodates the existing cultural and environmental features, namely the Castledare Miniature Railway, a proposed Principal Shared Path (PSP) and appropriate buffers/interfaces to the Canning River and associated wetlands.

- AS 4970-2009 Protection of Trees on Development Sites (Standards Australia) should be applied.

WAPC comment: AS 4970-2009 provides guidance on how to decide which trees are appropriate for retention, and on the means of protecting those trees during construction work. It does not argue for or against development or for the removal or retention of trees nor does it consider the monetary value of trees.

The purpose of the MRS amendment process is to determine whether the land is suitable in a general sense for an Urban zone and rationalisation of the Parks and Recreation reserve (and associated Bush Forever site). It is in the subsequent stages of the planning and development process where consideration is given to more detailed matters such as to the retention of trees and the associated planning mechanism.

### **(g) Advertised Documents and Substantiality**

- The plan is difficult to understand as there are no landmarks such as the PSP or Wilson Main Drain (WMD) and should be redrafted so it can be understood.

*WAPC Comment: In accordance with all MRS amendments the advertised amendment figure identified the areas subject of the amendment, this included the proposed Urban zone and rationalisation of the Parks and Recreation reserve and Bush Forever site 224. The figure included cadastral boundaries, road names, suburb and was further supplemented by the advertised Amendment Report's description of the proposal.*

*The amendment plan did not identify more detailed features such as the WMD, PSP etc as the actual location of these features are not determined at the MRS stage, rather they are considered in much more detail in the subsequent local structure plan stage (subject to separate public consultation).*

- The proposal is not considered a "minor" MRS amendment.

*WAPC Comment: The Planning and Development Act 2005 allows for amendments to be processed as either "minor" or "major" depending on whether they are considered to constitute a substantial alteration to the MRS or not. Development Control Policy 1.9 - Amendment to Region Schemes sets out the criteria for deciding whether the "major" or "minor" process should be followed. The criteria relate to a variety of matters, not all of which relate to every amendment. The WAPC determined that this amendment be processed as a "minor" amendment, for the following reasons:*

- *The land proposed for the Parks and Recreation reserve reservation will incorporate and consolidate the Castledare Miniature Railway that has historically been left outside of the reserve boundary. In addition, the ceding of Parks and Recreation land free of cost to the Crown is also proposed.*
- *The proposed amendment is considered to represent a logical extension of the existing Urban zoned land to the west and completes the urbanisation of the site.*
- *The proposed amendment is not considered complex or a regional modification to the MRS and is consistent with State Planning Policy's 2.8, 3.0 and 3.7.*
- *The City of Canning and key State Government agencies agree to the initiation of the proposed amendment (subject to resolution of various minor issues at later stages of the planning and development process).*

*The "minor" MRS amendment process is provided for in the planning legislation, accordingly there is no implication that when it is used to administer an MRS amendment, that this constitutes a "fast track" process or an attempt to "bypass" Parliament or public consultation.*

- The amendment was released during the COVID-19 pandemic which was distracting for many people given potential health and financial impacts.

*WAPC Comment: It is noted that there is no moratorium on advertising MRS amendments during the COVID-19 pandemic. The amendment was advertised for the required minimum 60 day submission period and was made available on the WAPC's website, the City of Canning's offices and on demand.*

*This also included advertising in the West Australian and local newspaper/s circulating in the district. All submissions received have been considered and statutory requirements have been complied with.*

#### **(h) Development Matters**

- The PSP will require the removal of Bush Forever areas and needs realigning.

*WAPC Comment: A proposed PSP alignment has been identified by the proponent that aims to retain existing vegetation wherever practicable whilst providing for safe access. However, it is noted that this part of the Parks and Recreation reserve remains in private ownership and does not currently accommodate a public path network.*

*The final alignment of the PSP will be determined in the subsequent structure planning stage (subject to separate public consultation) in consultation with the City of Canning and relevant State Government agencies. A detailed engineering design will be undertaken to confirm the exact alignment with reference to existing site features, such as native vegetation and topography. In any case, any development will need to comply with State and Federal environmental legislative requirements.*

- There is only a limited buffer between the PSP and Castledare Miniature Railway. A proposed road reserve abuts the PSP and is very close to mature trees which will damage their root zone.

*WAPC Comment: It is noted that that the proposed alignment of PSP has been informed by existing native vegetation and site constraints. Detailed negotiations have been undertaken between DBCA, the City of Canning and the proponent to seek an improved interface between Parks and Recreation reserve and Urban zoning and a good outcome for the recreational users.*

*However, the final alignment of the PSP and any future local roads is outside the scope of this MRS amendment process, as it is a matter for further detailed consideration in the subsequent local structure planning stage (subject to separate public advertising) in consultation with the City of Canning and relevant State Government agencies, such the DBCA and DWER.*

- The WMD and Castledare Compensating Basin (CCB) should be reserved Public Purposes - WSD in this amendment.



WAPC Comment: *It has been requested that the WMD and CCB be reserved as Public Purposes - WSD in this amendment. However, following further consideration this would require modification of the existing Parks and Recreation reservation and associated Bush Forever site 224.*

*It is considered that such a modification is outside the scope of the advertised amendment, given it would require reconsideration by the EPA and readvertising given the changes proposed and community interest. Essentially, the MRS amendment process would need to be recommenced from the start. The WAPC proposes that such a change be further considered as part of the next Central Districts omnibus amendment.*

- The amendment should make provision for tennis courts, picnic areas, nature playground, BBQ's upgraded toilets etc.

WAPC Comment: *The purpose of the MRS amendment process is to determine whether the land is suitable in a general sense for an Urban zone and the rationalisation of the Parks and Recreation reserve and associated Bush Forever site.*

*The actual uses within the amendment area (i.e. areas of POS, lot configuration, recreation uses etc) is determined at later stages of the planning process such as the local structure planning stage (subject to separate public advertising) in consultation with the City of Canning and relevant State Government agencies. This may also include specific conditions being imposed at the subdivision and development approval stages.*

## 7 Determinations

The responses to all submissions are detailed in Schedule 2 - *Summary of submissions and determinations*. It is recommended that the amendment be adopted for finalisation without modification.

## 8 Co-ordination of region and local scheme amendments

Under section 126(3) of the *Planning and Development Act 2005*, the WAPC has the option of concurrently rezoning land that is being zoned Urban under the MRS, to a "Development" zone (or similar) in the corresponding LPS. The WAPC has resolved that the proposed Urban zone (along Fern Road) be concurrently zoned "Urban Development" under the City of Canning LPS No. 42.

## 9 Conclusion and recommendation

This report summarises the background to minor amendment 1365/57 and examines the various submissions made on it.

The WAPC, after considering the submissions, is satisfied that the advertised amendment as shown generally on the Amendment Figure - Proposal 1 in Schedule 3 and in detail on the MRS Amendment Plan listed in Appendix 1, should be approved and finalised.

The WAPC recommends that the Minister for Planning approves the amendment.

## 10 Ministers decision

Amendments to the Metropolitan Region Scheme using the provisions of section 57 of the *Planning and Development Act 2005* require the WAPC to provide a report and recommendation to the Minister for Planning and Infrastructure for approval. The Minister may approve, approve with modification or decline to approve the proposed amendment.

The Minister, after considering the amendment, has agreed with the recommendation of the WAPC and approved the amendment.

MRS Amendment 1365/57 is now finalised as advertised and shown on WAPC Amending Plan 3.2751, and has effect in the Metropolitan Region Scheme from the date of notice in the *Government Gazette* on 17 November 2020.

## **Schedule 1**

### **Alphabetical listing of submissions**



## Alphabetical Listing of Submissions

MRS Amendment 1365/57

Pt Lot 4 Fern Road and  
Pt Lot 102 Castledare Place, Wilson

Submission Number	Name
60	Biodiversity, Conservation and Attractions (Swan Region and Rivers & Estuaries Branch combined), Department of
35	Blennerhassett, Amanda
50	Buchanan, Barbara
40	Burgess Design Group
30	Canning River Regional Park Community Advisory Committee
23	Canning, City of
33	Crump, Kylie
32	Crump, Selwyn
18	Cunningham, Christine
15	Day, Antony
46	De Vries, John
47	De Vries, Karen
14	Dorst, Simon
45	Education, Department of
16	Faulds, Stephen
49	Gorton, Gay & Terry
27	Gorton, Russell (on behalf of the Wilson Wetlands Action Group)
52	Greeney, R W (Treasurer, Castledare Miniature Railway)
11	Ham, Mark
39	Hare, Teresa
44	Health, Department of
26	Heuss, Caroline
9	Hilton, John
20	Kemp, Thomas
31	Kerry, Paul
24	Krupa, Amy
6	Lannan, Sharra
42	Main Roads WA
22	Mines Industry Regulation and Safety, Department of
57	Morcombe, Peter (on behalf of the Wilson Residents and Ratepayers Association)
41	Mullins, Paul & Leanne
2	<i>Name removed at the request of the submitter</i>
4	<i>Name removed at the request of the submitter</i>
19	<i>Name removed at the request of the submitter</i>
25	<i>Name removed at the request of the submitter</i>
34	<i>Name removed at the request of the submitter</i>
36	<i>Name removed at the request of the submitter</i>
37	<i>Name removed at the request of the submitter</i>
48	<i>Name removed at the request of the submitter</i>
53	<i>Name removed at the request of the submitter</i>
54	<i>Name removed at the request of the submitter</i>
55	<i>Name removed at the request of the submitter</i>
58	<i>Name removed at the request of the submitter</i>
59	<i>Name removed at the request of the submitter</i>

Submission Number	Name
13	Parry, Anthony
21	Primary Industries and Regional Development, Department of
8	Richards, Joshua
10	Shepherd, Michael
3	Siero, Gerard
51	Smith, Leslie (Secretary, Castledare Miniature Railway)
29	Sobkowiak, Heather
7	Taplin, Helen
38	Terpstra, Peter
1	Transport, Department of
17	Trott, Cathryn
28	Wajon, Robert
43	Water and Environmental Regulation, Department of
56	Water Corporation
5	Williams, Jacob
12	Yee, Gillian

Late Submissions	Name
61	Belcher, Ken (Life Member, Castledare Miniature Railway)

## Schedule 2

### Summary of submissions and determinations





---

**REFER TO THE SUBMISSIONS SECTION FOR A FULL COPY OF EACH WRITTEN SUBMISSION AND SUPPORTING INFORMATION**

---

**Submission:** 1, 21, 22, 42, 43, 44, 45

**Submitted by:** Department of Transport, Department of Primary Industries and Regional Development, Department of Mines, Industry Regulation and Safety, Main Roads WA, Department of Water and Environmental Regulation, Department of Health, Department of Education

**Summary of Submission:** COMMENT

The above State Government agencies and infrastructure providers raise no objections, no comment or provide general comments on the amendment.

**Planning Comment:** Comments noted. Where applicable the advice of the above State Government agencies has been provided to the proponent for further consideration in subsequent stages of the planning and development process.

**Determination:** Submissions noted.

---

**Submission:** 2

**Submitted by:** *Name removed at the request of the submitter* (interested resident)

**Summary of Submission:** OBJECTION

The submission objects to the amendment as this is a Bush Forever site and should be kept that way. There is plenty of other room in Wilson and surrounding suburbs for redevelopment without impacting on natural amenities.

**Planning Comment:** Comments noted. Refer to Part 6 – Main Issues Raised in Submissions, sections (a) – Environmental Matters, (b) – Asbestos Contamination, (c) – Traffic Matters, (d) – Strategic Planning Matters, (e) – Heritage Matters, (f) – State Planning and Environmental Policies, (g) – Advertised Documents and Substantiality and (h) – Development Matters.

**Determination:** Submission dismissed

---

**Submission:** 3

**Submitted by:** Gerard Siero (interested resident)

**Summary of Submission:** OBJECTION

The submission objects to the amendment as the metropolitan region is in a biodiversity hotspot and we are losing species to rampant habitat destruction for Urbanisation. We are also facing increasing health and death risks due to Urban heat island effect in a heating climate. Our city needs greener ecological spaces, not less.

Urbanisation ought now be in the forms of strategic, transport centred densification and infill, not the present scattered approaches that are destroying Urban tree canopies and habitats. In addition to conserving all green space, we ought be regreening spaces to create a metropolitan ecological corridors network linking all remnant and ecologically restored habitats to enable fauna and flora movement and avoid isolating islands that inevitably lead to local extinctions.

We have the opportunity and ought be working to create Perth as a Biophylic City, a world leader in Ecological Landscape Urbanism. Our incredibly low Urban densities allow for that. As our population grows, we will urgently need more, not less green space and conserved habitats.

**Planning Comment:** Comments noted. Refer to Part 6 – Main Issues Raised in Submissions, sections (a) – Environmental Matters, (b) – Asbestos Contamination, (c) – Traffic Matters, (d) – Strategic Planning Matters, (e) – Heritage Matters, (f) – State Planning and Environmental Policies, (g) – Advertised Documents and Substantiality and (h) – Development Matters.

**Determination:** Submission dismissed.

---

**Submission:** 4

**Submitted by:** *Name removed at the request of the submitter* (interested resident)

**Summary of Submission:** OBJECTION

The submission objects to the amendment as this is an important stretch of waterside vegetation that is home to many species of bush dwelling and water birds, including many other native species of reptiles, insects etc. Need to leave natural bush for animals, birds but also people.

It has been proven many times that people are happier and healthier when they are able to spend time in nature. This area is important for bird watchers and walkers to enjoy.

**Planning Comment:** Comments noted. Refer to Part 6 – Main Issues Raised in Submissions, sections (a) – Environmental Matters, (b) – Asbestos Contamination, (c) – Traffic Matters, (d) – Strategic Planning Matters, (e) – Heritage Matters, (f) – State Planning and Environmental Policies, (g) – Advertised Documents and Substantiality and (h) – Development Matters.

**Determination:** Submission dismissed.

---

**Submission:** 5

**Submitted by:** Jacob Williams (interested resident)

**Summary of Submission:** OBJECTION

The submission states that they're extremely disappointed the amendment is being considered. It is a really nice bush area and it would be terrible to see it go. It will also reduce the habitat of the wildlife in the area.

**Planning Comment:** Comments noted. Refer to Part 6 – Main Issues Raised in Submissions, sections (a) – Environmental Matters, (b) – Asbestos Contamination, (c) – Traffic Matters, (d) – Strategic Planning Matters, (e) – Heritage Matters, (f) – State Planning and Environmental Policies, (g) – Advertised Documents and Substantiality and (h) – Development Matters.

**Determination:** Submission dismissed.

---

**Submission:** 6

**Submitted by:** Sharra Lannan (interested resident)

**Summary of Submission:** OBJECTION

The submission states how the rezoning can be considered in an area that has been determined Bush Forever. Too much native bushland, habitat space and greenways are being removed from Perth surroundings for greedy developers. There are enough existing development places with empty lots and houses, which can be built on first, before you steal more land and food from already struggling animals.

**Planning Comment:** Comments noted. Refer to Part 6 – Main Issues Raised in Submissions, sections (a) – Environmental Matters, (b) – Asbestos Contamination, (c) – Traffic Matters, (d) – Strategic Planning Matters, (e) – Heritage Matters, (f) – State Planning and Environmental Policies, (g) – Advertised Documents and Substantiality and (h) – Development Matters.

**Determination:** Submission dismissed.

---

**Submission:** 7

**Submitted by:** Helen Taplin (interested resident)

**Summary of Submission:** OBJECTION

The submission states that the changes result in an overall loss of park and recreation area as well as loss of Bush Forever land. The bush site is needed for native flora and fauna. Increase the density of housing in the existing Urban zoned areas, and leave the park and bush blocks alone.

**Planning Comment:** Comments noted. Refer to Part 6 – Main Issues Raised in Submissions, sections (a) – Environmental Matters, (b) – Asbestos Contamination, (c) – Traffic Matters, (d) – Strategic Planning Matters, (e) – Heritage Matters, (f) – State Planning and Environmental Policies, (g) – Advertised Documents and Substantiality and (h) – Development Matters.

**Determination:** Submission dismissed.

---

**Submission:** 8

**Submitted by:** Joshua Richards (interested resident)

**Summary of Submission:** OBJECTION

The submission states that as a previous long-time resident of Wattle Grove, they oppose the proposed rezoning of the bushland. As a regular user of the Canning River for recreational and exercise paddling, it is concerning that a proposal is being considered which would have a detrimental impact to local flora and fauna.

The Canning River is a vital ecosystem to many native animals and river dwelling native birds, including the WA emblem bird the Black Swan. The submitter witnessed 6 of the birds wading in the shallows upstream of Kent Street Weir.

The submitter is no longer shocked, only continuously disappointed by the efforts of all Councils to rezone bushland areas for just a few more town houses which ruin the aesthetic of the area for all users of the river system and its walking paths as a refuge from city living. There is absolutely no need for a development in this area, and the only possible reason for such a development is once again, financial.

The Council needs to immediately consider the ecological impact of such a development, not to mention the impact on users of this river system for recreation and refuge while being close to city life.

**Planning Comment:** Comments noted. Refer to Part 6 – Main Issues Raised in Submissions, sections (a) – Environmental Matters, (b) – Asbestos Contamination, (c) – Traffic Matters, (d) – Strategic Planning Matters, (e) – Heritage Matters, (f) – State Planning and Environmental Policies, (g) – Advertised Documents and Substantiality and (h) – Development Matters.

**Determination:** Submission dismissed.

---

**Submission:** 9

**Submitted by:** John Hilton (interested resident)

**Summary of Submission:** OBJECTION

The submission states that all this area is in the overall precinct of the Canning River riverpark. Since so little remnant riverpark exists, there should be an immediate and binding moratorium on classifications and usage of these areas for anything other than conservation.

The submitter uses the river several times a week and considers that the buffer zone around the river environment is already at its minimum extent for the long-term retention of the natural environment. You can't allow any further encroachment on the existing environment surrounding the Canning River.

**Planning Comment:** Comments noted. Refer to Part 6 – Main Issues Raised in Submissions, sections (a) – Environmental Matters, (b) – Asbestos Contamination, (c) – Traffic Matters, (d) – Strategic Planning Matters, (e) – Heritage Matters, (f) – State Planning and Environmental Policies, (g) – Advertised Documents and Substantiality and (h) – Development Matters.

**Determination:** Submission dismissed.

---

**Submission:** 10

**Submitted by:** Michael Shepherd (interested resident)

**Summary of Submission:** OBJECTION

The submission states that this area is an asset to the community, a small piece of untouched land so close to the Perth CBD. It would be a great loss if it were changed from its current state.

**Planning Comment:** Comments noted. Refer to Part 6 – Main Issues Raised in Submissions, sections (a) – Environmental Matters, (b) – Asbestos Contamination, (c) – Traffic Matters, (d) – Strategic Planning Matters, (e) – Heritage Matters, (f) – State Planning and Environmental Policies, (g) – Advertised Documents and Substantiality and (h) – Development Matters.

**Determination:** Submission dismissed.

---

**Submission:** 11

**Submitted by:** Mark Ham (interested resident)

**Summary of Submission:** OBJECTION

The submission objects to the amendment and wishes to see the parklands maintained in the Wilson area. They don't agree with area associated with Bush Forever site 224 being rezoned to Urban.

**Planning Comment:** Comments noted. Refer to Part 6 – Main Issues Raised in Submissions, sections (a) – Environmental Matters, (b) – Asbestos Contamination, (c) – Traffic Matters, (d) – Strategic Planning Matters, (e) – Heritage Matters, (f) – State Planning and Environmental Policies, (g) – Advertised Documents and Substantiality and (h) – Development Matters.

**Determination:** Submission dismissed

---

**Submission:** 12

**Submitted by:** Gillian Yee (interested resident)

**Summary of Submission:** OBJECTION

The submission objects to the amendment and learnt about the proposed residential development of the site at a meeting. The proposal was for the section of land marked - in particular, portions of the parklands and reserved areas were not to be included that are now being proposed to be included for development.

It is not a minor amendment. The proposed rezoning of land currently used by the public has long-term consequences, not just to residents in the area but also to the general public who use the land for recreation etc.

When the proposal was first discussed at a meeting in 2019, there was a strong suggestion to the Committee that the development will only be confined to the marked areas, not the land held in trust for the use of the public for recreational purposes. The reserved land and parklands are very meaningful to all who use them. The lands have a very strong historic meaning to Indigenous Peoples who continue to have a strong and continuing cultural ties with the land.

**Planning Comment:** Comments noted. Refer to Part 6 – Main Issues Raised in Submissions, sections (a) – Environmental Matters, (b) – Asbestos Contamination, (c) – Traffic Matters, (d) – Strategic Planning Matters, (e) – Heritage Matters, (f) – State Planning and Environmental Policies, (g) – Advertised Documents and Substantiality and (h) – Development Matters.

**Determination:** Submission dismissed.

---

**Submission:** 13

**Submitted by:** Anthony Parry (interested resident)

**Summary of Submission:** OBJECTION

The submission objects to the amendment given the impact it will have on the area. Fern Road is currently very busy, and the proposed development will increase the traffic. Although there is a bike path along some of Fern Road, most cyclists prefer the road and the submitter witnessed near misses and road rage between these two groups.

There is an aged care and homes for the aged next to the development and they use the area for recreation, some are very frail and extra traffic during and after the development would be a disaster. There are a lot of young families in the area who live on small lots and who use the open space regularly. It is also very popular for walking and taking dogs for runs, given areas of this size aren't that common.

**Planning Comment:** Comments noted. Refer to Part 6 – Main Issues Raised in Submissions, sections (a) – Environmental Matters, (b) – Asbestos Contamination, (c) – Traffic Matters, (d) – Strategic Planning Matters, (e) – Heritage Matters, (f) – State Planning and Environmental Policies, (g) – Advertised Documents and Substantiality and (h) – Development Matters.

**Determination:** Submission dismissed.

---

**Submission:** 14

**Submitted by:** Simon Dorst (interested resident)

**Summary of Submission:** OBJECTION

The submission objects to the amendment and advises as follows:

- The zoning of Bush Forever speaks for itself, and the rezoning seems to go against the reason for the original classification.

- The rezoning removes Bush Forever land, but also reduces the overall parkland area which is a precious commodity.
- Not only will the proposal reduce bushland and parkland, Urban development would add further stress on the remaining parkland and surrounding areas.

**Planning Comment:** Comments noted. Refer to Part 6 – Main Issues Raised in Submissions, sections (a) – Environmental Matters, (b) – Asbestos Contamination, (c) – Traffic Matters, (d) – Strategic Planning Matters, (e) – Heritage Matters, (f) – State Planning and Environmental Policies, (g) – Advertised Documents and Substantiality and (h) – Development Matters.

**Determination:** Submission dismissed.

---

**Submission:** 15

**Submitted by:** Antony Day (interested resident)

**Summary of Submission:** OBJECTION

The submission states that Bush Forever should be taken literally. The scale of piecemeal destruction of bush is unacceptable. Perth is quickly losing precious bushland and the many species of plant, animal and birds that rely on it. This short-sighted decision should be rejected immediately.

**Planning Comment:** Comments noted. Refer to Part 6 – Main Issues Raised in Submissions, sections (a) – Environmental Matters, (b) – Asbestos Contamination, (c) – Traffic Matters, (d) – Strategic Planning Matters, (e) – Heritage Matters, (f) – State Planning and Environmental Policies, (g) – Advertised Documents and Substantiality and (h) – Development Matters.

**Determination:** Submission dismissed.

---

**Submission:** 16

**Submitted by:** Stephen Faulds (interested resident)

**Summary of Submission:** OBJECTION

The submission objects to the amendment and advises as follows:

- There is no adequate guarantee for protection of the mature native trees around the site. They should be given permanent Tree Protection zones.
- The asbestos containment sites are not viable collateral in exchange for land within the Regional Park. It is not appropriate to include asbestos containment sites within the Regional Park.
- The Vista of Niana Homestead is already heritage protected and is not viable collateral in exchange for land within the Regional Park.

- There is no adequate guarantee for protection of current Long Necked Turtle seasonal routes and nesting areas.
- The Mini Golf Course should be preserved intact for its cultural heritage value.

**Planning Comment:** Comments noted. Refer to Part 6 – Main Issues Raised in Submissions, sections (a) – Environmental Matters, (b) – Asbestos Contamination, (c) – Traffic Matters, (d) – Strategic Planning Matters, (e) – Heritage Matters, (f) – State Planning and Environmental Policies, (g) – Advertised Documents and Substantiality and (h) – Development Matters.

**Determination:** Submission dismissed.

---

**Submission:** 17

**Submitted by:** Cathryn Trott (interested resident)

**Summary of Submission:** OBJECTION

The submission states that the rezoning to Urban will lead to structural development close to the Canning River. Despite the EPA ruling that no further assessment is required, this site allows expansive views to the railway and river from Fern Road, and exists within a native bushland setting.

Redevelopment with tree plantings would suit the area. Fern Road currently has no development next to the river, and this path space is natural due to this. Development of this site will ruin that effect and with the Fern Road / Bungaree Road roundabout, would be a completely Urban site. The submitter feels strongly about the following statement, and its implications:

*"Two additional areas of Bush Forever removal within the Parks and Recreation reserve reservation have been proposed which accord with the alignment of the PSP.*

*The proponent has identified the retention of significant trees on-site in an initial concept plan, and will consider the protection of these trees as part of future structure planning."*

There are at least two very large, old trees that are close to the path on Fern Road, including a Salmon Gum. This is the submitters favourite tree in the area, given its age and beauty. Any rezoning and development of this site must retain these trees. They have heritage value and are valued by the local community.

**Planning Comment:** Comments noted. Refer to Part 6 – Main Issues Raised in Submissions, sections (a) – Environmental Matters, (b) – Asbestos Contamination, (c) – Traffic Matters, (d) – Strategic Planning Matters, (e) – Heritage Matters, (f) – State Planning and Environmental Policies, (g) – Advertised Documents and Substantiality and (h) – Development Matters.

**Determination:** Submission dismissed.

---

**Submission:** 18

**Submitted by:** Christine Cunningham (interested resident)

**Summary of Submission:** OBJECTION



Please do not cut down the trees.

**Planning Comment:** Comments noted. Refer to Part 6 – Main Issues Raised in Submissions, sections (a) – Environmental Matters, (b) – Asbestos Contamination, (c) – Traffic Matters, (d) – Strategic Planning Matters, (e) – Heritage Matters, (f) – State Planning and Environmental Policies, (g) – Advertised Documents and Substantiality and (h) – Development Matters.

**Determination:** Submission dismissed.

---

**Submission:** 19

**Submitted by:** *Name removed at the request of the submitter* (interested resident)

**Summary of Submission:** OBJECTION

The submission objects to the amendment and advises as follows:

- This area contains Australian flora that represents the beauty of West Australian plants. The Eucalypts that are growing are absolutely magnificent structures, and knocking them down seems unnecessary and a waste of plants that instead could be cared for and retained, making the area nicer in the process.
- A shared path runs continuously next to the amendment area. If houses are built, you will be required to build driveways over that path, therefore making it difficult for those wishing to ride on their bikes or walk along that path.
- Lot 224 is home to a wide range of important Australian fauna. With all the media coverage about habitat destruction of Black Cockatoos, it seems unwise to invest in a project that will destroy this landscape. Every tree here is hundreds of years old, and every tree holds a home to an animal unable to survive without it. Therefore, it is not the correct decision to knock down the homes of animals we try hard to protect.
- The area should remain reserved as Parks and Recreation reserve. The trees there have a heritage dating back hundreds of years, and it seems wrong to destroy them.

**Planning Comment:** Comments noted. Refer to Part 6 – Main Issues Raised in Submissions, sections (a) – Environmental Matters, (b) – Asbestos Contamination, (c) – Traffic Matters, (d) – Strategic Planning Matters, (e) – Heritage Matters, (f) – State Planning and Environmental Policies, (g) – Advertised Documents and Substantiality and (h) – Development Matters.

**Determination:** Submission dismissed.

---

**Submission:** 20

**Submitted by:** Thomas Kemp (interested resident)

**Summary of Submission:** OBJECTION

The submitter objects to the amendment and advises as follows:

- Existing lots in Wilson are subject to Urban infill, with many being approved to have 20 or more dwellings. As more families are squeezed into the area, the need for POS increases. If this area is lost for housing it can never be recovered.
- Proposed Lot 224 is within the boundaries of the Canning River Regional Park and should remain.
- Lot 224 is adjacent to a POS drain known for asbestos dumping and within 30 m of the Canning River. These are 'red flags' to not approve the site for housing.
- Access to Canning River walks will be reduced if this area is fenced.
- Traffic congestion at the Fern Road/Bungaree Road intersection is at capacity at peak times, and will be further exacerbated by this proposal.
- An alternative is to allow some housing next to the Castledare Place entry to the retirement village.

**Planning Comment:** Comments noted. Refer to Part 6 – Main Issues Raised in Submissions, sections (a) – Environmental Matters, (b) – Asbestos Contamination, (c) – Traffic Matters, (d) – Strategic Planning Matters, (e) – Heritage Matters, (f) – State Planning and Environmental Policies, (g) – Advertised Documents and Substantiality and (h) – Development Matters.

**Determination:** Submission dismissed.

---

**Submission:** 23  
**Submitted by:** City of Canning  
**Summary of Submission:** COMMENT

The City of Canning advises as follows:

#### Heritage

The area subject of the proposed amendment is registered as having cultural heritage significance in both the State Register of Heritage Places (Heritage Place 04579) and the City's Heritage List (Management Category 1). The City recommends the proposed amendment is referred to the State Heritage Office for comment. In addition, the City recommends that consideration is given to the 1996 Heritage Assessment and Conservation Policy for Former Castledare Boys Home, Wilson (1996 Castledare Conservation Plan) prepared by Allom Lovell Hocking Conservation Consultants in determining the proposed amendment, and any further proposed developments on the site.

#### Protection of Significant Trees

A number of significant, mature trees are located within or in close proximity to the land subject of the proposed amendment. A *Corymbia citridora* on the Fern Road verge near Cahill Avenue is being considered for inclusion on the City's future Significant Tree Register. The City's preference is to retain the ten Red Gum trees (*Eucalyptus camaldulensis*) located within Lot 4 Fern Road and Lot 102 Castledare Place. To retain these trees in accordance with Australian Standard AS 4970-2009 Protection of Trees on Development Sites will

require a design which provides sufficient curtilage around the trees to avoid damage to root systems.

In acknowledgement of community feedback, the City recommends that the narrow portion of Parks and Recreation reserve along the Fern Road boundary of Lot 102 Castledare Place should be extended in a south-westerly direction to cover the length of the Fern Road lot boundary.

#### Containment Cell

The City has previously noted a portion of the proposed Parks and Recreation reserve encompasses a containment cell which, under the Swan Coastal Plain South Management Plan 2016, the City would assume management responsibility over. The City confirms it is satisfied in principle that the portion of the Parks and Recreation reserve is situated over the containment cell, subject to further verification of the nature of contamination and confirmation of the adequacy of containment.

#### Foreshore Vegetation and River Wall

The existing foreshore vegetation is in varying condition. The Riverbank Foreshore Management System Data for Shoreline 2019 notes the section of the foreshore in front of Niana Train Station to be in poor condition. Riverbank recommends that sufficient setback is provided and provision for controlled access. Unfortunately, the 2019 Riverbank assessment for built structures did not identify the river wall. In the 2008, the Swan and Canning Rivers Foreshore Assessment and Management Strategy assessed the river wall to be in fair condition and recommended its removal and replacement, or the bank be revegetated.

In 2019, City officers conducted an inspection of the river wall and noted it was adequately holding up the riverbank, however large cracks existed that pose a hazard for foreshore users. The river wall also incorporates a concrete ramp that leads into deep water which requires immediate repairs and may require appropriate fencing. The repair or replacement of the river wall should be completed by the landowner prior to the land being ceded to the State, and prior to management responsibility being passed to the City.

#### Local Structure Planning Matters

The City recommends that the applicant is advised of the following matters that require consideration during the development of any Local Structure Plan as follows:

*Heritage:* The applicant is advised that the area subject of the proposed amendment is included on the State Register of Heritage Places (Heritage Place 04579) and the City of Canning Heritage List (Management Category 1). Particular consideration should be given to the 1996 Heritage Assessment and Conservation Policy for Former Castledare Boys Home, Wilson (1996 Castledare Conservation Plan) in the preparation of any Local Structure Plan or subdivision plan for the areas subject of the proposed amendment.

The City notes that a portion of the existing Castledare Miniature Golf Course is located within the proposed MRS Urban zone. The Castledare Miniature Golf Course is identified in the City's 2017 Municipal Heritage Inventory under Management Category 4: Limited Significance. While the Castledare Miniature Golf Course is not included in the City of Canning Heritage List, consideration should be given to the social and historical value of the place in the Local Structure Plan, with appropriate measures to acknowledge this significance investigated during the Local Structure Plan stage.

*Protection of Significant Trees:* The 1996 Castledare Conservation Plan assessed the mature Fig Tree (*Ficus rubiginosa*) on the corner of Castledare Place and Fern Road as having an exceptional level of significance. While this particular tree is located outside the area of the proposed amendment, any Local Structure Plan needs to give due consideration to providing sufficient curtilage around the tree to avoid damage to the root systems, in accordance with Australian Standard AS 4970-2009.

*Shared Path:* A Shared Use Path is to be constructed by the applicant as a connection between Fern Road and Bywater Park. The specific location and design of the shared path is subject to future liaison with the City, and the shared path should be depicted on the Local Structure Plan (a 'pinch' point between any future path and the existing railway line should be avoided for safety purposes and to avoid placement of unnecessary barriers).

*Emergency Access:* The Local Structure Plan should avoid a lot arrangement where lots are directly adjacent to the Parks and Recreation reserve. Rather, public roads should be located directly adjacent to the Parks and Recreation reserve to facilitate emergency access to the Parks and Recreation reserve area. The Local Structure Plan is to maintain emergency access over the containment cell to the shared path and more broadly between the MRS Urban zone and Parks and Recreation reserve.

*Redevelopment of Ablution Facilities:* The City notes that existing public ablution facilities serving the Castledare Miniature Railway will require upgrading or redevelopment to meet universal access standards in the future. The applicant is advised to ensure that sufficient space is provided between the existing ablution facilities and any land proposed to be developed as part of a future Local Structure Plan (including public roads, access ways and open space) to ensure upgrading or redevelopment of the public ablution facilities is not compromised.

**Planning Comment:** Comments noted. Refer to Part 6 – Main Issues Raised in Submissions, sections (a) – Environmental Matters, (b) – Asbestos Contamination, (c) – Traffic Matters, (d) – Strategic Planning Matters, (e) – Heritage Matters, (f) – State Planning and Environmental Policies, (g) – Advertised Documents and Substantiality and (h) – Development Matters.

The City's in-principle support to accepting management responsibility for the containment cell is noted. Comments relating to the presence and/or condition of a river wall within the site are also noted. The City's comments regarding the subsequent local structure plan have also been provided to the proponent for further consideration.

In relation to the request to modify the amendment to extend to the south-west the narrow Parks and Recreation reserve along the Fern Road boundary of Lot 102 Castledare Place to cover the length of the Fern Road lot boundary. The modification of the amendment to include new areas (e.g. within a Parks and Recreation reserve) is outside the scope of the advertised amendment, as it will require reconsideration by the EPA and readvertising, essentially the MRS amendment process would be recommenced from the start. It is recommended that this modification be further considered as part of a future Central Districts omnibus process.

**Determination:** Submission noted.

---

<b>Submission:</b>	24
<b>Submitted by:</b>	Amy Krupa
<b>Summary of Submission:</b>	OBJECTION

The submission advises that the green zones proposed to become part of the Canning River Regional Park (Canning River Regional Park) by changing them to Parks and Recreation reserve are not a gain to the community or the park, as follows:

- The green zone identified to the south adjacent to the Castledare Miniature Railway is mostly within a flood fringe. This is confirmed when referencing the Department of Water and Environmental Regulation Floodplain mapping tool. Accordingly, it would not likely be subdividable, resulting in this portion of land being incorporated into the Canning River Regional Park at time of subdivision.
- The vista between Niana Homestead and the Canning River was listed as a 'Vista of Exceptional Significance' for Niana Homestead as part of the Conservation Plan and was always to be protected and therefore is not a gain to the community or the Canning River Regional Park. As the area has been used in recent years as an asbestos containment cell it is now a contaminated landfill site. Accordingly, this land parcel is now a liability not an asset and cannot be considered a gain to the Canning River Regional Park.

The northern parcel of land which has been recommended to be deleted from Bush Forever, east of Lot 100 (the Catholic Church) has both significant mature trees and built infrastructure established in the 1950s. The built asset is the remnants of a mini golf course. The amendment should be adjusted to the north to avoid the remnants of the mini golf course and mature trees and that these assets remain in the Canning River Regional Park and be protected so that this locally recognised historical infrastructure can be maintained and established as a heritage link, to be entrusted and managed by the City of Canning when the land tenure is resolved.

The proponent has identified the retention of significant trees on-site in an initial concept plan, and will consider the protection of these trees as part of future structure planning. This statement is interpreted as only a possible protection of trees along Castledare Place and Fern Road. The trees to the south-west located along Fern Road between Cahill Court and Bungaree Road do not appear to be protected as they are within the footprint of the proposed amendment.

However, from this amendment the trees located along Fern Road from Cahill Court north-east towards Hyland Way are excluded from the plan. It is recommended that the amendment be reduced to protect all trees that are within this proposed amendment and that AS 4970-2009 Protection of trees on development sites (Standards Australia) Determining Tree Protection Zones be applied.

There are also significant trees identified in the Conservation Plan, located along Castledare Place within the Urban zone, but not included in this amendment, that should also be recognised as having conservation values and warrant protection, particularly the large Tuart tree located approximately 20 m from the Fern Road intersection.

The WMD constructed in the late 1990s is located in both Lot 4 and Lot 102 of the estate and the amendment should recognise the WMD's footprint in Lot 4. For more than 17 years the Wilson Wetlands Action Group has been actively restoring the drainage corridor to provide an extension of the conservation wetlands into the drainage corridor.

The WMD should be recognised for its conservation values. A 50 m buffer to the west from the centre line of the drain will provide a sensible amount of space for all native fauna. Southwestern snake-necked turtles are regularly observed nesting in the grass

areas of Lot 102 and Lot 4 adjacent to the WMD and a suitable buffer to protect nesting habits should be considered. The drain and buffer would be a sensible and logical extension of the conservation bushland and wetlands located to the east of the drain and the greater Canning River Regional Park.

**Planning Comment:** Comments noted. Refer to Part 6 – Main Issues Raised in Submissions, sections (a) – Environmental Matters, (b) – Asbestos Contamination, (c) – Traffic Matters, (d) – Strategic Planning Matters, (e) – Heritage Matters, (f) – State Planning and Environmental Policies, (g) – Advertised Documents and Substantiality and (h) – Development Matters.

**Determination:** Submission dismissed.

---

**Submission:** 25

**Submitted by:** *Name removed at the request of the submitter* (interested resident)

**Summary of Submission:** OBJECTION

The submission objects to the amendment and advises as follows:

Unnecessary Development that will forever destroy the last patch of "Unspoiled Environment" on Fern Road

The submitter has lived opposite the proposed amendment area for over 14 years. The opposite open park and recreational land adjacent to Canning River, with beautiful historic trees, was one of the main factors for the decision. The Street Directory showed this site as a regional park, an open place for people, for birds and other living wildlife living in the wet areas along Canning River. Construction of residential buildings will forever destroy this valuable, small patch of unspoiled environment. Not to mention the large variety of birds living in this space, who will lose their home. Please consider the beautiful historic trees and large flocks of cockatoos that constantly occupy this open space.

Increasing Traffic & Congestion on Fern Road

10 years ago, Fern Road was a quiet road. But now the traffic on Fern Road has significantly doubled due to: the number of houses and population in the area has significantly increased, largely due to changes in zoning where land can be subdivided into multiple lots; the public utilizing Fern Road as a detour to avoid travelling on Leach Highway or Manning Road.

More housing constructed in the proposed open lot will definitely result in more traffic and crowding on Fern Road and in the area, making it more risky, dangerous for local residents. Traffic congestion at Fern Road/Bungaree Road intersection is already a problem at peak times, this will be further impacted if proposed amendment to Urban zone is given.

Asbestos Dumping Ground

It has been public knowledge that asbestos tailings were dumped in the swamp around the area, as early back as in 1950s. Even though much remedial work had been done after the court case, no one can be ascertained that no trace of asbestos is left in the ground. If the amendment is approved and construction is permitted, can we be absolutely sure that no fibre-ridden dust would be floating and blowing around? What will be the guarantee that the asbestos fibres would not be in the air? What assurance is the State and the local governments given to all these residents living opposite the park and nearby for their

exposure to this uncertainty of the existence of asbestos remnants which may cause long-term harm to them and their families? How about the exposure of the residents in the Retirement village? This should be the utmost important issue the WAPC should address beyond their slightest doubts.

#### Lot 224 is a Gazetted Regional Park

Lot 224 is within the gazetted boundaries of the Canning River Regional Park. It should remain as an open park as designated. As more and more subdivisions shall be approved on the currently categorized Urban lots, more and more people shall be living around this area in near future, hence it is even more essential to preserve this small, precious, open space/park, especially as it is already gazetted and designated as a Regional Park. The environmental value and the well-being of the people should outweigh the pecuniary gain of demolishing the park and converting it into a cluster of bricks and steels, which if done, can never be recovered.

**Planning Comment:** Comments noted. Refer to Part 6 – Main Issues Raised in Submissions, sections (a) – Environmental Matters, (b) – Asbestos Contamination, (c) – Traffic Matters, (d) – Strategic Planning Matters, (e) – Heritage Matters, (f) – State Planning and Environmental Policies, (g) – Advertised Documents and Substantiality and (h) – Development Matters.

**Determination:** Submission dismissed.

---

**Submission:** 26

**Submitted by:** Caroline Heuss (interested resident)

**Summary of Submission:** OBJECTION

The submission objects to the amendment and advises as follows:

#### Lack of Open Space

The plan is difficult to understand and as there are no landmarks given to show a proposed open space. My understanding that this POS will be reduced and lost to the public for ever.

I have been waiting for some time for the proposed pathway to be built across the northern side of the regional park. The plan mentions a proposal of PSP however it looks to me that the footprint of the MRS development has drastically reduced the room left for this to be built in some areas.

*Recommendation:* The plan needs to be redrafted with proper landmarks in place and better explanations so the whole of the community can understand exactly what the proposed changes are going to be in the area.

It appears the proposal for the amendment will remove approximately 95% of the POS. This is by no means fair and should be rejected and a more balanced amount of space be provided for all users of the Canning River Regional Park. This is important, so the community can continue to use it as a recreational open space.

### Mini Golf Next to Church Carpark Located in Canning River Regional Park

It appears to be removed from the regional park's footprint and is included in with the proposed amendment. It may be lost forever if development goes ahead and removes or significantly reduces its footprint.

*Recommendation:* Reduce the amount of proposed developable space and to keep the mini golf in the regional park. Protect this site as a local historical asset and give it to the City of Canning to restore and manage.

The above concerns should be considered and addressed in accordance with *Development Control Policy 2.3 – Public Open Space in Residential Areas* (DCP 2.3).

**Planning Comment:** Comments noted. Refer to Part 6 – Main Issues Raised in Submissions, sections (a) – Environmental Matters, (b) – Asbestos Contamination, (c) – Traffic Matters, (d) – Strategic Planning Matters, (e) – Heritage Matters, (f) – State Planning and Environmental Policies, (g) – Advertised Documents and Substantiality and (h) – Development Matters.

**Determination:** Submission dismissed.

---

**Submission:** 27, 28, 55

**Submitted by:** Russell Gorton (on behalf of Wilson Wetlands Action Group), Robert Wajon, *Name removed at the request of the submitter*

**Summary of Submission:** OBJECTION

The submitters object to the amendment and generally advise as follows:

#### Executive Summary

The Wilson Wetlands Action Group (WWAG) has been volunteering at the Castledare Estate and the Canning River Regional Park for 22 years. The WWAG seeks to achieve a balanced outcome at the Castledare Estate between POS and urban development while protecting the adjacent wetland and Canning River corridor. This will benefit the community, particularly people who become property owners in the new residential estate.

The WWAG recognises the need for adjustment to the MRS boundaries to provide for the residential development. However, the proposed boundaries will have a direct and potential adverse impacts on public use and safety, remnant mature trees, unique heritage infrastructure, adjacent wetlands and wildlife. This submission addresses each of these impacts and recommends alternative boundaries to provide for:

- future development of community infrastructure;
- enhanced public access and safety near the Castledare Railway line and along the proposed PSP;
- protection of all mature trees located in Lot 102 and Lot 4 within the Canning River Regional Park;
- better protection of Conservation Category Wetlands;
- preservation of the line of mature trees bordering the southern sides of Fern Road and Castledare Place;



- preservation of the remains of one of Australia's oldest mini golf courses and surrounding mature trees;
- protection of wildlife habitat in and around the WMD, particularly the south-western snake-necked turtles (*Chelodina colliei*).

The WWAG requests the opportunity to present their vision when the WAPC is deliberating on the amendment, to appreciate the views of community members who have a long and deep association with this area.

## Background

### *WWAG's Long Involvement with the Castledare Estate and Wilson Wetlands*

The WWAG is a community-based volunteer organisation formed in 1998 which has dedicated itself to the protection and restoration of the wetlands of Wilson in the Canning River Regional Park.

The WWAG has worked with more than 4000 volunteers who have contributed over 11,000 volunteer hours planting, weeding and restoring the fringe and buffers of conservation areas in and around the Castledare Estate, aiming to extend habitat and protect the diversity of the area. In this time WWAG has secured more than \$300,0000 in grant funding. The WWAG has been actively involved in:

- conservation, restoration, protection and acquisition of the conservation wetlands and river floodplain;
- protection of all mature trees identified as significant assets in the Conservation Plan, protection, preservation and restoration of heritage structures associated with the Castledare estate and located in the Canning River Regional Park;
- bushland restoration to expand buffers surrounding the conservation category wetlands in the Canning River Regional Park; and
- restoration of the WMD to improve conservation values.

WWAG continues to advocate for developments that enhance the enjoyment and use of the area by the general public such as the PSP and upgraded public ablution facilities with disabled access when the site becomes state-owned.

### *Limitations of the Amendment and Supporting Documents*

The amendment and supporting documents provided for comment do not clearly identify the proposed adjusted boundary in reference to other assets and as a result it is difficult to assess the proposal on-ground in reference to any natural assets or built infrastructure that is referred to in our submission below. This is of particular concern as the amendment proposes to reduce the POS in the Canning River Regional Park.

## Issues and Recommendations

### *Allowance for Community Infrastructure Development*

"Land Reserved for community purposes. It may be reserved to protect a resource or to provide areas for infrastructure."

*Recommendation:* The WAPC should set aside sufficient space in the Canning River Regional Park POS at Castledare Estate for future upgraded infrastructure required for the general public and Castledare Miniature Railway.

This includes new public toilet facilities with disabled access that are connected to modern sewerage facilities and overflow parking on days the Castledare Miniature Railway is running. The current toilet facilities are antiquate, do not meet the needs of the general public and are connected to a septic system.

#### *Impact on Mature Trees from the PSP, Infrastructure and Housing Developments*

“Parks and recreation: land of regional significance for ecological, recreation or landscape purposes.”

The amendment does not identify the location of the PSP in the document or map provided. However, when considering the quote above and referring to the amendment under the heading Environment, the amendment mentions the PSP.

Richard Noble's consultant, in consultation with WWAG, has provided general advice on the proposed alignment of the PSP in reference to the Castledare Miniature Railway, the trees along the south-east corner of Lot 102, and the remnant mini golf course and its associated grove of mature trees adjacent to the church car park. The WWG's concerns about the proposed PSP and amendment are:

- At the eastern corner of the proposed amendment there is a change in topography where it slopes down towards the wetland. This may require backfilling, structural development and possibly a retaining wall to establish suitable levels for the PSP and the adjoining road reserve.
- The PSP corridor between the amendment and the Castledare Miniature Railway line has a limited buffer of only 1.5 metres for a length of approximately 50 metres. This buffer is quite inadequate for public safety. Children or dogs on extendable leads, for example, could run in front of a moving train which cannot stop quickly. The problem posed by this pinch point between the proposed PSP and railway line could be alleviated with fencing or a retaining wall, however this solution is not in keeping with the site and may prohibit the movement of fauna, predominantly nesting South-western snake-necked turtles which are listed as 'near threatened' by the International Union of Conservation and Nature (IUCN).
- Advice provided by Richard Noble's consultant suggests that there will be a road reserve skirting the new MRS boundary adjacent to the PSP, running very close to a line of large, mature Eucalypts in the south-eastern corner. These superb trees form an impressive edge of the boundary of trees that separates the open space from the Canning River. They provide habitat for birds and insects and have very high canopy value, consistent with the objectives of the City of Canning Urban Forest Strategy. With their extensive lateral root zone, broad canopy and very close proximity to the proposed developments they are expected to pose some distinct risks for people and for infrastructure:
  - The PSP will be constructed directly under the tree canopy line. These Eucalypts are susceptible to dropping limbs which pose a risk to the safety of PSP users.
  - The tree roots may push up under all proposed impervious surfaces requiring regular maintenance to the PSP, future road reserve and any other proposed infrastructure.
  - Evidence of this type of tree root damage is noted on Fern Road and the adjacent pathway at Castledare.
  - Any development adjacent to these trees will have a detrimental impact on their lateral roots.

- The substantial increase in the combined area of impervious surfaces with housing, driveways, road and PSP may have a negative impact on the long-term health of the trees, causing undue stress, disease or death due to a reduction in surface water recharge.

*Recommendation:* The WAPC should increase the buffer in the south-eastern corner under AS 4970-2009 Protection of trees on development sites (Standards Australia) to protect the mature Eucalypts and allow the PSP to be constructed further away from the tree line whilst also protecting PSP users from falling branches. WWAG's alternative plan will allow for a more natural flow of the PSP by removing the dogleg at the eastern corner and reducing the pinch point and will also provide an appropriate buffer for the mature trees. The mature trees adjacent to Castledare Place that shade the mini golf course are natural assets currently located within the Canning River Regional Park boundary.

"The proponent has identified the retention of significant trees on-site in an initial concept plan, and will consider the protection of these trees as part of future structure planning."

If this amendment proceeds, the trees that are recognised in the Conservation Plan will have an uncertain future because of their location in relation to the proposed new boundary. The WAPC should adjust the amendment by realigning the proposed boundary to the north of these trees to permanently protect and retain them as POS in the Canning River Regional Park. The WAPC must consider acquiring adequate POS along the eastern boundary taking into consideration the information below.

#### *Wetland Buffer Too Narrow*

"The amendment area is located adjacent to the Wilson Wetlands and part of these proposed changes are within 50 metres of this CCW. The Environmental Protection Authority's (EPA) Guidance Statement 33 states that wetlands that are to be protected require a minimum 50 metre buffer distance."

When scaling this amendment to other maps, not provided in this public comment process, it is clear there is a reduced buffer to the conservation wetlands of approximately 35 metres in the eastern corner of Lot 4 and Lot 102. This reduced buffer does not comply with the above policy.

*Recommendation:* WAPC should adjust the proposed boundary of the amendment to provide the required 50 metre buffer at the eastern end of this amendment in compliance with the EPA Guidance Statement 33.

#### *Protection of All Trees Bordering Fern Road and Castledare Place*

"The proponent has identified the retention of significant trees on-site in an initial concept plan, and will consider the protection of these trees as part of future structure planning."

The WWAG concludes from this amendment that the trees located along Fern Road from Cahill Court, north-east towards Hyland Way, are excluded from the plan and are protected but that there will only be possible protection of trees along Castledare Place and Fern Road between Cahill Court and Bungaree Road because they are within the footprint of the proposed amendment.

*Recommendation:* The WWAG recommends that the amendment be reduced to protect all trees along Castledare Place and Fern Road and that AS 4970-2009 Protection of trees on development sites (Standards Australia) Determining Tree Protection Zones be applied.

### *Protection of Remnant Mini Golf Course and Surrounding Mature Trees*

The northern parcel of land that has been recommended to be deleted from Bush Forever and therefore from the Canning River Regional Park, east of Lot 100 (Catholic Church), has both significant mature trees and remains of a mini golf course built in the 1950s located in Lot 102.

The course is listed on the City of Canning 2017 Municipal Heritage Inventory. Six holes remain in poor to moderate condition. Construction is concrete with inlaid ceramic tiles that were also used in the heritage-protected church forecourt. As mini golf, or Putt Putt as it was originally called, only came to Australia in the 1950s, it is quite probably one of the oldest, relatively intact remnants of a mini golf course in the country, let alone in Western Australia.

The mini golf course was not formally recognised in the Conservation Plan because it was covered by a large sand pad when the Plan was being prepared. Volunteers removed the sand in 2007 to expose the mini golf course. Most of the other Castledare buildings and assets recommended for protection by the Conservation Plan have been lost to development, which has increased the importance of the mini golf course and need to preserve it as an unusual local heritage asset in POS within the Canning River Regional Park. Apart from its historical significance, the course provides an excellent opportunity to share stories with the broader community about the history of this location. With some restorative work and interpretive signage, it could again become a valuable community recreational asset close to the proposed PSP.

*Recommendation:* The WWAG requests that the amendment be adjusted to the north to avoid the remnants of the locally recognised, historically significant mini golf course and mature trees and that these assets remain protected in the Canning River Regional Park so that the mini golf course can be maintained and established as a heritage link, entrusted to and managed by the City of Canning when the land tenure is resolved.

The mature trees adjacent to Castledare Place that shade the mini golf course enhance the value of this location. They are recognised in the Conservation Plan and should be afforded total protection by the WAPC, not just the possibility of protection as suggested in the amendment.

### *WMD*

The WMD is an open drain constructed in the late 1990s with permanent water and conservation value. For more than 20 years WWAG has been actively restoring the drainage corridor to provide an extension of the conservation wetlands. The drain provides habitat and nesting for South-western snake-necked turtles, Gilgie (*Cherax quinquecarinatus*), Marron (*Cherax cainii*), snakes, water birds, frogs and macroinvertebrates. A rehabilitation plan for the WMD prepared by consultants Tranen Rehabilitation Systems for the Perth Region Alliance (Water Corporation) is currently being implemented. It appears the WMD is identified only in Lot 102 of the amendment which: "notes that a final decision on the appropriateness of reserving the Water Corporation's drainage infrastructure as Public Purposes - WSD) will be further considered prior to a final determination being made on the Amendment."

*Recommendation:* The WWAG believes that the WMD should be recognised for its direct links to the conservation wetlands and the Canning River and that the amendment should recognise the WMD's footprint in Lot 4 and Lot 102. WWAG has submitted an alternative plan as part of our submission showing our recommendation for an alternative alignment of the PSP, POS and amendment.

A 50-metre buffer to the west from the centre line of the drain should be negotiated and acquired to provide a reasonable amount of space for all native fauna. This will negate any possible requirement for levelling or backfilling of the site and will eliminate the need for any additional infrastructure such as retaining walls or fencing which may inhibit the movements of nesting South-western snake-necked turtles. The turtles are regularly observed nesting in the grass areas of Lot 102 and Lot 4 adjacent to the WMD and a suitable buffer to protect nesting habitat must be considered. The drain and buffer would be a sensible and logical extension of the conservation bushland and Wilson wetlands located on the eastern side of the drain and the greater Canning River Regional Park.

The WAPC must give due consideration to the needs of community and the environment and set aside adequate space for Parks and Recreation reserve particularly in the east and south-eastern corner of this amendment and apply DC 2.3 and reserve this space “as a separate lot pending acquisition by the Commission pursuant to that scheme.”

### Additional Matters

#### *Welcome Transfer of Bush Forever Site to the State*

“As part of the negotiations for the rezoning of the 1.02 hectares to the Urban zone, the landowner has agreed to cede all the Parks and Recreation reserve reservation (and Bush Forever area) within their ownership within Lot 102 Castledare Place and Lot 4 Fern Road to the State free of cost, equating to approximately 12.5 hectares.” The WWAG has been advocating for this change for 22 years and we are very pleased with this outcome.

#### *Correcting the Context for Extra Reservations of Public Land*

“A minor boundary adjustment is also proposed for the Parks and Recreation reserve to incorporate an additional area of land that accommodates part of the Castledare Miniature Railway [CMR] that has historically been left outside of the reserve boundary.”

Amending Plan 3.2751 identifies green zones as gains to the Canning River Regional Park. Technically that is correct but in reality, the zones comprise land that could never be developed:

- The green zone identified to the south adjacent to the Castledare Miniature Railway is mostly within a flood fringe area. This is confirmed when referencing the Department of Water and Environmental Regulation floodplain mapping tool. Accordingly, it would not likely be subdividable resulting in this portion of land being incorporated into the Canning River Regional Park at the time of subdivision.
- Vista between Niana Homestead and the Canning River. It is suggested in the amendment that this land, marked green on the plan, is a new gain for the community and the Canning River Regional Park. That is totally incorrect for two reasons:
  - It was listed as a “Vista of Exceptional Significance” for Niana Homestead, as part of the Conservation Plan, and therefore was always to be protected as an open vista to the river.
  - It has been used in recent years for an asbestos containment cell and is therefore now a contaminated landfill site.

Various attachments were included with Submission 27.

**Planning Comment:** Comments noted. Refer to Part 6 – Main Issues Raised in Submissions, sections (a) – Environmental Matters, (b) – Asbestos Contamination, (c) – Traffic Matters, (d) – Strategic Planning Matters, (e) – Heritage Matters, (f) – State Planning and Environmental Policies, (g) – Advertised Documents and Substantiality and (h) – Development Matters.

In relation to the request to modify the amendment to further rationalise the Urban zone and Parks and Recreation reserve, such a modification is considered to be outside the scope of the advertised amendment as it will require reconsideration by EPA, City of Canning and other State Government agencies prior to readvertising the amendment, essentially the MRS amendment process would be recommenced from the start.

It is recommended that a separate MRS amendment request be submitted, accompanied by sufficient planning justification, for consideration as part of a future MRS amendment process.

**Determination:** Submissions dismissed.

---

**Submission:** 29

**Submitted by:** Heather Sobkowiak (interested resident)

**Summary of Submission:** OBJECTION

The submitter has lived in Wilson for many years and has been interested in the land matters at Castledare for a long time. The people of Canning have always expected to have the land in question reserved as POS.

It appears the developers are seeking to take more than 95% of the POS for development which is not acceptable. The submitter walks across the POS every day and often sees long neck turtles.

The amendment is not providing enough space for safe access and movement through the Canning River Regional Park. Understands a pathway is to be constructed between the proposed development and the railway. However, there doesn't appear to be enough space to create a landscaped area supporting a pathway and maintaining enough space to provide for the turtles.

The remnant mini golf site is an asset in the regional parks boundary and if this development is to be approved, it will be the developers' responsibility and not protected for the community.

The WAPC should review the proposed boundary and reduce the amount of space for the developer in order to protect the mini golf course and surrounding trees. In addition, provide approximately 30% more space in the eastern corner to allow for a more natural path alignment to Bywater Way, providing space to beautify and landscape the area for conservation whilst providing more space for nesting long neck turtles.

**Planning Comment:** Comments noted. Refer to Part 6 – Main Issues Raised in Submissions, sections (a) – Environmental Matters, (b) – Asbestos Contamination, (c) – Traffic Matters, (d) – Strategic Planning Matters, (e) – Heritage Matters, (f) – State Planning and Environmental Policies, (g) – Advertised Documents and Substantiality and (h) – Development Matters.

**Determination:** Submission dismissed.

---

**Submission:** 30

**Submitted by:** Canning River Regional Park Community Advisory Committee

**Summary of Submission:** OBJECTION

This submission objects to the amendment and advises as follows:

- The advertised amendment documents do not identify the regional park boundary on as the proposed development boundary. This has the potential to mislead the community.

WAPC Policy 3.3.1. "Where a proposed subdivision includes land which is designated as a Parks and Recreation reserve under the MRS, or a regional planning scheme, and cannot be dealt with as either a foreshore reserve under the provisions of Section 3.2, or as part of a subdivider's 10 percent POS contribution under the provisions of sub-clause 3.3.2, the WAPC will require that the land so reserved shall be shown on the survey documents as a separate lot pending acquisition by the Commission pursuant to that Scheme.

- The site in front (the vista) of Niana Homestead that was always identified as part of the heritage of the homestead now (as of ~2017) has a Department of Health approved containment of asbestos within it. The asbestos was removed from the adjoining block which is now [sic]. This makes this block of land a contaminated site and is thus regarded as a liability not an asset and should not be considered as suitable collateral in exchange for clean land that could be rehabilitated as buffer to the CCW.
- The river foreshore and floodplains that are within Castledare ownership will be moved over to Regional Park's Management, however we understand that that is a requirement anyway as the foreshore is a required buffer to the river and the wetland a conservation category so planning requirement apply.

See WAPC Policy 3.3.2 & 3.2.6 "It should be noted that where the Commission considers that a foreshore reserve is to be given up as a condition of subdivision, the area of foreshore so required will not be included in the gross subdivisible area on which the POS requirement is assessed and will be in addition to the land required for POS."

- The proposal does not include the cultural heritage value of the mini golf course recently fully uncovered by Wilson Wetlands Action group and other local community members with permission from the Christian Brothers. It contains tiles that match the tiles within the Catholic Church and its tiled forecourt. This site should be recognised for its Cultural Heritage and protected accordingly.
- There are many large trees on site. The community are very concerned that there is no definite protection outlined for the large trees surrounding the development except for 4 of 7 trees alongside Fern Road. One tree is a very large Tuart tree that is not within the proposed development but resides within the verge of the adjoining very small existing Urban zone alongside Castledare Place. The community is concerned that although some trees appear to be safe, they may be made unsafe or suffer damage after interference with their root structure during road construction or residential development construction.

- All trees may potentially interfere with the building of residential homes, or the provision of safe living conditions for the homes being constructed within their fall zone. Many people commented that the very large Eucalypts could be impacted after development by homeowner's who don't like the natural leaf and/or flower/stick fall, or root intrusion that will continue to occur. The acceptance of these trees staying as is should become a required agreement with new residential owners.
- In the corner of the proposed development closest to the Miniature Railway line there is concern that the site will need retaining structures built to maintain site slopes and that that retainment may damage the large trees present alongside. Retainers will also prevent long necked turtles from gaining access to nesting sites.
- There is concern expressed about the proximity of the proposed PSP to the Miniature Railway line at this location – possible safety concerns for path users when the train is operating, and that the provision of a fence to improve safety could also affect turtle access.
- Asbestos containment is also covered by sandstone along the WMD alignment buffer and along half of the Fern Road tree zone. Sandstone is permeable and thus not a suitable containment. The community understand that the asbestos within this part of the development was found amongst buried homestead rubble that apparently came from the previous Watts Homestead that was previously situated on that allotment. These sites are also being excluded by the developer from the proposed development area and given as collateral for the clean development sites which is not acceptable to the Canning River Regional Park Community Advisory Committee (CAC).
- Asbestos covered up by Geofabric and 250 mm of degradable mulch under trees along Fern Road. Discovered by the Canning River Regional Park CAC members upon a visit to the site. Previous to this site meeting, the reason for the inclusion of only half of the treed Fern Road verge section was unknown to the broader community. The asbestos contamination has now solved the confusion of why only half of the Fern Road tree zone was marked as being given up in exchange for clean Regional Park designated land. The community members present were concerned by the lack of detail associated within the proposed amendment. Planting will not be able to occur in these areas so again this land is not able to be rehabilitated and difficult to manage in the future as part of the Regional Park.
- There is a general threat to the long necked turtles within the site proposed as the area has ideal nesting sand close by to their natural habitat. Long necked turtles return to nesting areas and will try anything to try to regain access thus the road surrounding the development must ensure that they can move freely.
- Concern was raised about adequate space for on-site drainage to be retained.
- Concern about whether the development, including the roads met the required CCW buffer requirements and that the drainage or future bore use would not interfere with the wetland ground water or surface waters.
- The Canning River Regional Park CAC do not accept asbestos contaminated land as a suitable exchange for clean land that could be rehabilitated for the benefit of the environment and the local community. It is the responsibility of the current land owner to remove the unsecured asbestos from the site or provide a suitable permanent containment which should remain in their management.



**Planning Comment:** Comments noted. Refer to Part 6 – Main Issues Raised in Submissions, sections (a) – Environmental Matters, (b) – Asbestos Contamination, (c) – Traffic Matters, (d) – Strategic Planning Matters, (e) – Heritage Matters, (f) – State Planning and Environmental Policies, (g) – Advertised Documents and Substantiality and (h) – Development Matters.

**Determination:** Submission dismissed.

---

**Submission:** 31

**Submitted by:** Paul Kerry (interested resident)

**Summary of Submission:** OBJECTION

The submitter objects to the amendment and advises how an area of natural beauty used by the local community can be turned into another housing estate. There is no community benefit only another asset owner and developer eager for a profit.

The area was classified Bush Forever, local residents and visitors to the railway have used this area for years to walk their dogs, family picnics and other recreational uses, the area borders Canning River Regional Park and is an area of natural beauty. Building a housing estate will deprive people living in the area, and future generations the opportunity to observe and interact at this location, surely there is so much more we can do with this area that will benefit local residents and visitors who use the railway.

Building houses would be a wasted opportunity to enhance the community especially in this difficult time of Covid-19 where people are being encouraged to come together as a community.

The submitter notes that Urban infill that has taken place, which has caused problems with the volume of traffic on Fern Road. It is not uncommon to have queue's of stationary traffic in the mornings from the Leach Highway Traffic lights to the Riverton Bridge. The Council has added speed bumps on Fern Road as it used as a rat run, adding more traffic will exacerbate the problem.

**Planning Comment:** Comments noted.

**Determination:** Submission dismissed.

---

**Submission:** 32

**Submitted by:** Selwyn Crump (interested residents)

**Summary of Submission:** OBJECTION

The submitter objects to the amendment and requests that the land be used to improve recreational activities in the suburb. Tennis courts? Picnic area? Nature play and grass area with BBQs like Woodbridge in Midland. It would be used by the elderly when families visit with young children.

Also concerned that the increased traffic in the area from development will be detrimental to Fern Road and it's walk/cycle path safety.

**Planning Comment:** Comments noted. Refer to Part 6 – Main Issues Raised in Submissions, sections (a) – Environmental Matters, (b) – Asbestos Contamination, (c) – Traffic Matters, (d) – Strategic Planning Matters, (e) – Heritage Matters, (f) – State Planning and Environmental Policies, (g) – Advertised Documents and Substantiality and (h) – Development Matters.

**Determination:** Submission dismissed.

---

**Submission:** 33

**Submitted by:** Kylie Crump (interested resident)

**Summary of Submission:** OBJECTION

The submission objects to the amendment as it likely to negatively impact on Wilson, especially if high-density housing is permitted. Wilson is a sought-after location because it offers past lifestyle choices where people know their neighbours, have homes with backyards and have spaces to roam and explore and enjoy in their free time.

The submitter regularly walks through this area with young children and chats with residents at Castledare, some who have purposely chosen that facility for the proximity to the open space. Elderly residents and young families frequently use the paths and an increase in traffic would likely decrease the safety of this area.

The site is a perfect location for recreation purposes that could facilitate community based activities such as a naturescape discovery park, BBQ's, picnic tables, a cafe or a small corner shop. Being located between busy Lo Quay and (at times crowded) Kent Street Weir, it would provide an excellent alternative and being further from the river provides piece for mind for families.

A parkland for Castledare residents and other retirees to mingle with families would strengthen the community that makes Wilson such a unique and desirable place to live. Need to respect the integrity of the neighbourhood by retaining existing unique features, rather than cramming extra housing and becoming like everywhere else with no connection with their neighbour or the space they live in.

**Planning Comment:** Comments noted. Refer to Part 6 – Main Issues Raised in Submissions, sections (a) – Environmental Matters, (b) – Asbestos Contamination, (c) – Traffic Matters, (d) – Strategic Planning Matters, (e) – Heritage Matters, (f) – State Planning and Environmental Policies, (g) – Advertised Documents and Substantiality and (h) – Development Matters.

**Determination:** Submission dismissed.

---

**Submission:** 34

**Submitted by:** *Name removed at the request of the submitter* (interested resident)

**Summary of Submission:** OBJECTION

This area should complement the beautiful river environment, not be turned into high density housing. Repurposing green space is irreversible.

**Planning Comment:** Comments noted. Refer to Part 6 – Main Issues Raised in Submissions, sections (a) – Environmental Matters, (b) – Asbestos Contamination, (c) – Traffic Matters, (d) – Strategic Planning Matters, (e) – Heritage Matters, (f) – State Planning and Environmental Policies, (g) – Advertised Documents and Substantiality and (h) – Development Matters.

**Determination:** Submission dismissed.

---

**Submission:** 35

**Submitted by:** Amanda Blennerhassett (interested resident)

**Summary of Submission:** OBJECTION

The submitter objects to the amendment as the area alongside Fern Road (near Castledare retirement village) is unique in its outlook and acts as a gateway between the wetlands and existing housing.

Wilson is well known for its natural bush area that surrounds the riverbank, and this land is a well-used area for local residents to walk through.

Wilson is already become highly populated with subdivided blocks of land in the area. What Wilson needs is to keep its natural bush, it does not need high density housing. This land should be developed into a picnic area for families with a nature themed playground alongside it.

**Planning Comment:** Comments noted. Refer to Part 6 – Main Issues Raised in Submissions, sections (a) – Environmental Matters, (b) – Asbestos Contamination, (c) – Traffic Matters, (d) – Strategic Planning Matters, (e) – Heritage Matters, (f) – State Planning and Environmental Policies, (g) – Advertised Documents and Substantiality and (h) – Development Matters.

**Determination:** Submission dismissed

---

**Submission:** 36

**Submitted by:** *Name removed at the request of the submitter* (interested resident)

**Summary of Submission:** OBJECTION

I feel very concerned about the plans for the Fern Road property, about the increase of people, cars, property and the loss of the bush amenity and space. The space could be used for a naturescape playground for all of the southeast corridor to use and visit.

Something like lawn bowls to provide further recreational options for the community would also be a welcome addition. Fern Road is not equipped to deal with an increase in road traffic and the local area would be negatively affected.

**Planning Comment:** Comments noted. Refer to Part 6 – Main Issues Raised in Submissions, sections (a) – Environmental Matters, (b) – Asbestos Contamination, (c) – Traffic Matters, (d) – Strategic Planning Matters, (e) – Heritage Matters, (f) – State Planning

and Environmental Policies, (g) – Advertised Documents and Substantiality and (h) – Development Matters.

**Determination:** Submission dismissed.

---

**Submission:** 37

**Submitted by:** *Name removed at the request of the submitter* (interested resident)

**Summary of Submission:** OBJECTION

The submitter objects to the amendment and advises they settled in Wilson given the serenity of the parkland. Most visitors admire the nature reserve and are envious of the quality of the bushland.

To destroy the natural surrounds and replace it with more Urban sprawl would be a retrograde step and the appeal of the area diminished. Many families are involved with the Castledare Railway and diminishing the area reserved for community recreational activities would be devastating.

A far better alternative would be to pursue the idea of an adventure playground for the community. Recreational areas are being reduced for the quick fix of a few dollars. You will regret any reduction of this area as it distinguishes Wilson from most suburban sprawl. Keep this point of difference for future generations.

**Planning Comment:** Comments noted. Refer to Part 6 – Main Issues Raised in Submissions, sections (a) – Environmental Matters, (b) – Asbestos Contamination, (c) – Traffic Matters, (d) – Strategic Planning Matters, (e) – Heritage Matters, (f) – State Planning and Environmental Policies, (g) – Advertised Documents and Substantiality and (h) – Development Matters.

**Determination:** Submission dismissed.

---

**Submission:** 38

**Submitted by:** Peter Terpstra (interested resident)

**Summary of Submission:** OBJECTION

The submission objects to the amendment and states as follows:

- Traffic is an increasing problem on Fern Road, and the shortcut to Carousel, via Fleming and George Street is congested.
- Bush Forever should be maintained and developed into a public facility similar to the Kent Street Weir. There is not enough parking on the weekends, an additional area to mirror the facility at the Weir would be a much needed and popular addition to the area.
- Community facilities should be developed as there is a shortage of good quality facilities. Generally, the facilities in the suburb of Wilson are old, small and not to current needs and standards.

**Planning Comment:** Comments noted. Refer to Part 6 – Main Issues Raised in Submissions, sections (a) – Environmental Matters, (b) – Asbestos Contamination, (c) – Traffic Matters, (d) – Strategic Planning Matters, (e) – Heritage Matters, (f) – State Planning and Environmental Policies, (g) – Advertised Documents and Substantiality and (h) – Development Matters.

**Determination:** Submission dismissed.

---

**Submission:** 39

**Submitted by:** Teresa Hare (interested resident)

**Summary of Submission:** OBJECTION

The submission objects to the amendment as the use a small portion of this land is acceptable but only as an extension to retirement living. This area was always part of the regional park and should remain so.

From the plan it seems access to the Miniature Railway will be very restricted. Concerned that the mature gum trees along the edge of the land will be removed and as the City of Canning is short of mature trees which is tragic.

**Planning Comment:** Comments noted. Refer to Part 6 – Main Issues Raised in Submissions, sections (a) – Environmental Matters, (b) – Asbestos Contamination, (c) – Traffic Matters, (d) – Strategic Planning Matters, (e) – Heritage Matters, (f) – State Planning and Environmental Policies, (g) – Advertised Documents and Substantiality and (h) – Development Matters.

**Determination:** Submission dismissed.

---

**Submission:** 40

**Submitted by:** Burgess Design Group (On behalf of landowners)

**Summary of Submission:** COMMENT

The submitter supports the amendment and requests the modification of the amendment as follows:

#### Modification

An additional 645 m<sup>2</sup> of Urban zoned land is proposed within the northern portion of the site. This additional area follows the edge of the proposed PSP corridor, consistent with the approach used in the existing proposed Urban area to which it abuts. The proposed change will 'round out' the northern Urban area by filling in the gaps and using the PSP to delineate the boundary between the Urban zone and Parks and Recreation reserve.

The proposed change affects an area for which the existing amendment figure shows the Bush Forever area designation to be removed, therefore no change is required to the Bush Forever.

## Rationale

The proposed additional Urban zoned land will facilitate the delivery of necessary drainage infrastructure to satisfy *Better Urban Water Management* guidelines. Specifically, the project's Civil Engineer has identified the additional Urban area will provide sufficient space to accommodate drainage as part of an overall stormwater management strategy. Importantly, this will ensure drainage is provided outside any Parks and Recreation reserve. This is vital, given the significant local and regional context of the adjacent Canning River and Wetlands.

## Conclusion

By supporting the proposed change, the WAPC will facilitate the pursuit of opportunities that provide protection to significant environmental features, the details of which will be refined through a future structure planning process.

**Planning Comment:** Comments noted. In relation to the request to modify the amendment to include an additional new Urban area (approximately 645 m<sup>2</sup>) such a modification is outside the scope of the advertised amendment, as it will require reconsideration by the WAPC, EPA (and other State Government agencies) and readvertising, essentially the MRS amendment process would be recommenced from the start.

It is recommended that a separate MRS amendment request be submitted, accompanied by sufficient planning justification, for future consideration.

**Determination:** Submission dismissed.

---

**Submission:** 41

**Submitted by:** Paul & Leanne Mullins (interested resident)

**Summary of Submission:** OBJECTION

The submission objects to the amendment and advises as follows:

- The EPA have approved this application without doing an assessment, this is a major concern due to the proximity of the development to the Canning River wetlands.
- Closeness of the development to the wetlands and the negative impact it will have on the flora and fauna.
- Asbestos dump site situated very close to the development, what future health concerns will there be in years to come.
- Increase traffic on Fern/Bungaree Roads. There is already a large volume of traffic that banks down Fern Road in the early mornings this will only add to the congestion. Situated on a very busy roundabout already.
- Huge Gum trees drop branches without notice.
- Future need for POS due to small yards- why can't it be left as is or turned into a green oval for public use/playground or dog park. Not many big nature strips this side of Leach Highway in Wilson.
- It is an access to river walks and has a nice Rural feel.

- The impact to an iconic Miniature Railway which has been there for many decades and volunteers spend their time providing a great attraction for families.
- Not in line with City of Canning Local Biodiversity Strategy.
- If developed unable to reclaim for POS in future.

**Planning Comment:** Comments noted. Refer to Part 6 – Main Issues Raised in Submissions, sections (a) – Environmental Matters, (b) – Asbestos Contamination, (c) – Traffic Matters, (d) – Strategic Planning Matters, (e) – Heritage Matters, (f) – State Planning and Environmental Policies, (g) – Advertised Documents and Substantiality and (h) – Development Matters.

**Determination:** Submission dismissed.

---

**Submission:** 46, 47

**Submitted by:** John De Vries, Karen De Vries (interested residents)

**Summary of Submission:** OBJECTION

The submissions objection to the amendment and requested a reserved area be setback to protect the remaining trees and their root systems along Fern Road from the round-about shown on the map to a point opposite Hyland Way.

The setback is requested to protect the heritage listed trees along Hyland Way and Fern Road from potential impacts associated with development. Removing development covenants from the open area between the trees and nature reserve permits development.

A likely scenario is that development either damages the root system or development impacts the immediate zone of the tree and excessive branch/limb removal permanently damages or kills the trees. Given the desire to maximise green space, the mature heritage listed trees should be afforded a reasonable level of cultural and heritage protection.

**Planning Comment:** Comments noted. Refer to Part 6 – Main Issues Raised in Submissions, sections (a) – Environmental Matters, (b) – Asbestos Contamination, (c) – Traffic Matters, (d) – Strategic Planning Matters, (e) – Heritage Matters, (f) – State Planning and Environmental Policies, (g) – Advertised Documents and Substantiality and (h) – Development Matters.

**Determination:** Submissions dismissed.

---

**Submission:** 48

**Submitted by:** *Name removed at the request of the submitter* (interested resident)

**Summary of Submission:** OBJECTION

The submitter opposes the amendment as the amendment plan is hard to understand as there are no landmarks. The change proposes to reduce the POS in the Canning River Regional Park, it should have been made much clearer, and has made it hard to work out the exact changes.

The amendment proposal mentions a PSP. This pathway across the northern side of the regional park was to be built and the community has been wanting for a long time. However, it appears there is very little room left for this to be built in some areas, and the community wants more space for enjoyment.

The proposed amendment will remove approximately 95% of the POS in the Canning River Regional Park. This land was always going to become part of the regional park as POS. This proposal should not be supported as a more balanced amount should be provided for the community and have and continue to use this area to recreate along Fern Road through Castledare and across to Bywater Way.

The proposed amendment appears to provide inadequate space for conservation areas abutting this area and will impact on wildlife. For many years, the submitter has seen large long neck turtles moving across the open field in the spring and early summer months to nest.

On occasions, small baby turtles move toward the grassy plain towards the river and wetlands. Concerned that a housing development will greatly interfere with the nesting and hatching of these unique creatures.

The submitter is disappointed that the developer wants to remove most of POS parkland at Castledare and fill it with houses. The northern side of the Canning River Regional Park has much less POS compared to the southern side. Therefore, this area and its open spaces should be protected. Please adjust this proposal to provide enough space for everyone and everything to safely enjoy the place.

Request the WAPC to negotiate with the developer and acquire a more balanced amount of POS for a fair value. This should provide the community with a more equitable amount of POS for conservation and future development to protect as much POS next to the wetland and river within the Canning River Regional Parks boundary. Please consider the overall needs of people and wildlife that use and rely on the Canning River Regional Park.

**Planning Comment:** Comments noted. Refer to Part 6 – Main Issues Raised in Submissions, sections (a) – Environmental Matters, (b) – Asbestos Contamination, (c) – Traffic Matters, (d) – Strategic Planning Matters, (e) – Heritage Matters, (f) – State Planning and Environmental Policies, (g) – Advertised Documents and Substantiality and (h) – Development Matters.

**Determination:** Submission dismissed.

---

**Submission:** 49, 50

**Submitted by:** Gay & Terry Gorton, Barbara Buchanan (interested residents)

**Summary of Submission:** OBJECTION

The submitters have lived at this location for many years and changes that occurred have not always benefited the Canning River Regional Park. Many very old heritage trees have been bulldozed without regard for the impact on the surrounding nature and the community.

The amendment has identified the retention of significant trees onsite in an initial concept plan for consideration in future structure planning. The submitter is concerned about the only possible protection of these trees. These trees are acknowledged by the City of Canning as heritage listed and are of considerable significance to the landscape and the community.



Request written protection to ensure that these trees do not disappear and remain for the pleasure of wildlife and community for generations to come.

Concern about the protection of the mini golf course which is surrounded by very old mature trees. The mini golf course is listed on the City's Municipal Heritage Inventory which affords some protection from the developers. The mini golf course was built for the recreation of students at the former school on the Castledare Estate, and was built at the same time as the Catholic Church. The mini golf course is located in the regional park and deserves preservation as it is part of the local history of the area and is used by residents.

Over the years many other buildings and trees, of local historical significance, have been lost in the name of progress. Wilson is a special area in which generations of families choose to remain because of a connection to the unique area in which they live.

Request that the WAPC guarantee the protection of the trees along Fern Road, the mini golf and surrounding grove of trees for the pleasure and connection of community living in Wilson.

**Planning Comment:** Comments noted. Refer to Part 6 – Main Issues Raised in Submissions, sections (a) – Environmental Matters, (b) – Asbestos Contamination, (c) – Traffic Matters, (d) – Strategic Planning Matters, (e) – Heritage Matters, (f) – State Planning and Environmental Policies, (g) – Advertised Documents and Substantiality and (h) – Development Matters.

**Determination:** Submissions dismissed.

---

**Submission:** 51 - 53, 61 (Late submission)

**Submitted by:** Leslie Smith (Secretary, Castledare Miniature Railway),  
R W Greeney (Treasurer, Castledare Miniature Railway),  
*Name removed at the request of the submitter,*  
Ken Belcher (Life Member, Castledare Miniature Railway)

**Summary of Submission:** SUPPORT

The submitters support the amendment and advise that the Castledare Miniature Railway is a great community asset, which over the past 56 years it has been in existence, has accommodated nearly 1,400,000 passengers providing entertainment and nostalgic experiences to young and old. Castledare Miniature Railway is located within the existing Parks and Recreation reserve which is currently owned by the proponent of the amendment.

Castledare Miniature Railway is a valuable resource to the community providing not only entertainment for families but also acts as a "Men's Shed" for retired engineers. We are able to pass on our rapidly disappearing skills to the younger members of the Club thus preventing the loss of these skills to the community. The following information is provided:

- The amendment will facilitate the change in tenure of the Parks and Recreation reserve (approximately 12.5 hectares) which is currently under private ownership to the State;
- Once gazetted and subdivision has occurred, the change in tenure will enable Castledare Miniature Railway to submit for Government grants; currently the tenure precludes Castledare Miniature Railway from obtaining public funding;

- It provides long-term security for a much-loved community asset which supports community charities including Clontarf Foundation, Ronald McDonald House, Canning Sea Scouts, Retina, Lions Cancer Institute, Telethon, various Parents & Citizens organisations and the Western Australian Bush Fire Disaster Appeal; and
- Members of Castledare Miniature Railway have devoted so much time and effort into maintaining the associated river foreshore and wetlands.

Trust the WAPC and Minister for Planning will support the amendment, as it will assist with the longevity of a valued community asset enjoyed by the young and old alike.

**Planning Comment:** Support noted

**Determination:** Submissions noted.

**Submission:** 54

**Submitted by:** *Name removed at the request of the submitter* (interested resident)

**Summary of Submission:** OBJECTION

The submitters advise it is difficult to determine the amendment boundaries as there are no measurements and the WMD is not shown. The map shows a possible extension of Hyland Way, which is where the drain enters near (at the Fern Road end) and then the drain goes on angle from Fern Road toward the river, veering towards Castledare Place. This means the area excluded from Urban is not as large. There is no indication of where the Castledare Miniature railway runs or the proposed dual use path and these should have adequate buffering from future development for the safety of patrons and uses of the site.

Mature trees adjacent to Fern Road, not included in the exclusion area of the subdivision, should be excluded from Urban use as they are very old (probably planted in the 1950's or before), they are roosting and nesting hollows for many birds which inhabit the area or come home to roost in the evening, and add much to the amenity of the adjacent residential area. These trees are significant as they have heritage value being part of the original Castledare Boy's Town.

This area was part of the POS land which is proposed to be reduced and is not a good outcome for either the Urban or parkland environments. Request the Urban area be reduced to allow for a greater buffer between Fern Road and the proposed subdivision so that the trees adjacent to Fern Road and their roots will be protected, and to prevent damage to nearby buildings. The area towards the river and WMD need to have a greater buffer to allow for the protection of trees and animal habitats.

Infrastructure needs, and parking should also be allowed for and this should not encroach into the parkland areas. Somewhere there is a proposed dual-use path but this is not on the plan. This should be shown so people know where it is. Request that the Urban area be reduced near the river and should include the mature trees.

Not opposed to some Urban development but prefer that all the land be parkland. Request a reduction in the area to ensure a greater buffer from the Urban zone, protecting the environment and animal habitats around WMD, the river and Fern Road.

**Planning Comment:** Comments noted. Refer to Part 6 – Main Issues Raised in Submissions, sections (a) – Environmental Matters, (b) – Asbestos Contamination, (c) – Traffic Matters, (d) – Strategic Planning Matters, (e) – Heritage Matters, (f) – State Planning and Environmental Policies, (g) – Advertised Documents and Substantiality and (h) – Development Matters.

**Determination:** Submission dismissed.

---

**Submission:** 56

**Submitted by:** Water Corporation

**Summary of Submission:** COMMENT

The Water Corporation advises as follows:

Water and Wastewater: Reticulated water and sewerage is currently available for the subject area. If the Corporations assets are affected, the future developer may be required to fund new works or the upgrading of existing works and protection of all works.

Drainage: The amendment area is within the Wilson Drainage Catchment. The Corporations drainage system can only take predevelopment flows. Therefore, the developer will need to compensate any additional flows on their own land.

Major drainage infrastructure including the WMD and Castledare Compensation Basin (CB) is located within the subject land. The drain should be referred to and indicated on the proponents plans with the easement on Lot 102.

The Corporation understands the WWAG is interested in the conservation of the area around the drain. The Corporation is supportive of the WMD becoming a living stream. The actual profile and width of the future open drain would need to be determined by the City of Canning and the developer with the appropriate zoned in the City's Town Planning Scheme.

Land Matters: The Corporation owns Lot 56 in Freehold. This is an old drainage corridor that is no longer required as the actual drain veers off the south west into Lot 4 and 104 owned by the Christian Brothers. It is understood the Christian Brothers have agreed to surrender the Parks and Recreation reserved land to the WAPC at the future subdivision stage.

The Corporation notes that it has in-principle agreement that once the above transaction has occurred, the Corporation's redundant Lot 56 will be surrendered, and a Crown Reserve will be created over the actual WMD drain alignment and the Castledare CB. The WAPC will then transfer this new reserve to the Corporation.

The Corporation's operational drainage corridor and Castledare CB should not be located within a Parks and recreation Reserve (or Bush Forever). The Corporation recommends that the land is reserved Public Purpose - WSD, this would differentiate the operational drain and Castledare CB from the recreational land.

General Comments: The Corporation will need to provide approval prior to any development taking place. The Developer is expected to provide all water and sewerage reticulation if required. A contribution for water, sewerage and drainage headworks may also be required. In addition, the developer may be required to fund new works or the upgrading of existing works and protection of all works.

**Planning Comment:** Comments noted. It has been requested that the WMD and Castledare CB be reserved as Public Purposes-WSD as part of this amendment. However, following further consideration this would require the deletion of the Parks and Recreation reservation and associated Bush Forever site 224.

It is considered that such a change is outside the scope of the advertised amendment, given it would require consideration by the EPA (and associated environmental agencies), City of Canning and potential readvertising given the changes proposed. Essentially, the MRS amendment process would need to be recommenced from the start. The WAPC proposes that such a change is considered as part of the next Central Districts omnibus amendment.

**Determination:** Submission noted.

---

**Submission:** 57

**Submitted by:** Peter Morcombe (on behalf of Wilson Residents & Ratepayers Association)

**Summary of Submission:** OBJECTION

The submitter objects to the amendment and advises as follows:

- The two areas of land on Lots 4 and 102 that are asbestos containment cells cannot be revegetated or be open to the public and should not be rezoned into the Canning River Regional Park.
- The large trees surrounding the proposed residential development should be given the highest level of protection. The developers have indicated they will consider the protection of the trees. Previous experience with the developers (at Cygnia Cove) would suggest that the trees could be removed if they impact on the planned development.
- The WAPC should set aside or acquire sufficient land as POS on the eastern side of Lots 4 and 102 aligned with the western side of the WMD. This will provide the minimum 50 m buffer to the CCW, land for the Castledare Miniature Railway, the proposed PSP connecting Fern Road with Bywater Way and the existing large trees.
- The land set aside or acquired for POS should include all large trees within the boundary of the Canning River Regional Park (CRRP) allowing for an adequate protected root zone and to ensure falling leaves and branches do not affect the safety of the residents.
- In determining the area of land to be set aside or acquired as POS and the proposed development, should consider the migratory nesting habits of Long Necked Turtles, resident in both the CCW and the WMD - no walls and fences impeding access to nests - and impacts from water bores and surface water runoff on the water table and water quality in the CRRP.

**Planning Comment:** Comments noted. Refer to Part 6 – Main Issues Raised in Submissions, sections (a) – Environmental Matters, (b) – Asbestos Contamination, (c) – Traffic Matters, (d) – Strategic Planning Matters, (e) – Heritage Matters, (f) – State Planning

and Environmental Policies, (g) – Advertised Documents and Substantiality and (h) – Development Matters.

**Determination:** Submission dismissed.

---

**Submission:** 58

**Submitted by:** *Name removed at the request of the submitter* (interested resident)

**Summary of Submission:** OBJECTION

The submission objects to the amendment and advises as follows:

- The amendment has been released for comment during the COVID-19 pandemic. At the time of publication, the major concerns for most people was the impact on their health and financial security not on an obscure notification buried within a paper fully focused on an impending State of Emergency.
- Public access to information, documents and assistance has been impacted by COVID-19 restrictions. Government Departments have not been able to provide full services since the beginning of March 2020.
- Much has been made of the ceding of land to the Crown from the landowner at no cost. Not surprising really given the history of asbestos contamination within the precinct and the extensive remedial and containment works already undertaken. Any new issues will become the State's problem to manage and pay in future.
- Why has the DBCA gone against their protocols and recommendations and agreed to a reduced wetland buffer zone for future Urban development? Surely given the locality to the Canning River and the fragility of some of the species who make this whole area their home, the minimum should be applied?
- Approval for the District / Local Water Management Strategy has not been obtained at the time of advertising. What happens if this is not approved and is this made public?
- The water and wastewater proposals have also not been finalised and approved by the Water Corporation. This is fundamental to the process given the area and its proximity to the Canning River. Why was this not sought prior to the amendment comment period. What happens if the Water Corporation doesn't support the proposal?
- An assumption has been made this development will not impact on Aboriginal heritage values. Noted there is to be consultation during the advertised period for public comment, however where is the transparency in this as a process? What happens if this assumption is not supported by the South West Aboriginal Land and Sea Council? What access do the public have to any agreements or MOU's entered into?
- The proposed Urban development area is bound by significant trees all of which need to be retained, not just those identified by the developer. This includes all the trees running along the Fern Road border to Castledare Place.

**Planning Comment:** Comments noted. Refer to Part 6 – Main Issues Raised in Submissions, sections (a) – Environmental Matters, (b) – Asbestos Contamination, (c) – Traffic Matters, (d) – Strategic Planning Matters, (e) – Heritage Matters, (f) – State Planning

and Environmental Policies, (g) – Advertised Documents and Substantiality and (h) – Development Matters.

The DWER raises no objections to the D/LWMS which has since been approved by the DBCA. All documents supporting the MRS amendment remain the property of the proponent, however these documents are provided to the relevant Local and State Government organisations for assessment.

The Water Corporation raises no objections to the proposed amendment and has provided advice regarding future reticulated water and wastewater services. In accordance with standard practice, further detailed consideration will be given to servicing matters in the subsequent structure planning stage in consultation with the Corporation.

**Determination:** Submission dismissed.

---

**Submission:** 59

**Submitted by:** *Name removed at the request of the submitter* (interested resident)

**Summary of Submission:** OBJECTION

The submitter concurs with the City of Canning and the Wilson Wetland Action Groups submissions. The following concerns have been raised:

- The conservation of significant vegetation.
- The possible loss of breeding habitat.
- Preservation of the heritage listed mini golf course.

On a satellite map the submitter has marked four areas that include several significant, mature trees, breeding habitat of native fauna and the mini golf course.

#### Area 1

Contains eight trees, six that are shown in the submitters plans. The north-eastern corner is currently pegged to exclude an area of capped asbestos contamination. A magnificent *Corymbia citridora* lies within it. Another five large trees are inside Lot 102, along the southern side of Fern Road towards Castledare Place.

There are also two smaller trees that are not shown in the submitters plans. The six large trees provide significant breeding hollows for Pink and Grey Cockatoos as well as a food supply for smaller birds. To protect all eight trees, in accordance with Australian Standard (AS4970-2009), a Tree Conservation Zone should be established as shown on the submitters plans. The area, measuring 120 m by 25 m is designed on Tree Protection Zones including Tree Root Zones and Crown Protection and should be included in the final decision depending on the width of the verge (6 m to 8 m), the area within Lot 102 would be between 19 m and 17 m wide.

The reserve would also act as a safety zone as dwellings and fences should not be built under the canopy, thus preventing damage from falling branches. To accommodate the reserve, the owners would be required to contribute between 0.14 and 0.17 hectares. This could be designated as part of the POS required in new residential developments. Final decision/contribution should be negotiated with the City of Canning.

Without a survey of the area, Appendix 2 is a reasonable mathematical representation of the area. Measurements are accurate to within 10 centimetres. No attempt has been made for a true representation of the round-about, the large Ficus and the realignment of the Dual Use Path at the intersection of Fern Road and Castledare Place.

The southern boundary of the proposed amendment to Lot 102 should be aligned in accordance with the City of Canning's submission. Areas 2, 3 and 4 are along this boundary.

## Area 2

Contains eight significant trees and the Heritage listed mini golf course. One is a Queensland Iron Bark, five a cluster of Peppermint trees and two Flame Trees, all providing excellent shade over the golf course. The largest Peppermint encroaches on one hole. The trees and the golf course should remain in situ and the mini golf course restored (not necessarily by the developer) as a recreational area.

## Areas 3 and 4

There is a total of seven mature Eucalypts in Areas 3 and 4. Four in Area 3 and three in Area 4. By a minor realignment of the PSP and proposed southern road these trees can be retained. As with Area 1, the trees in all areas are in excellent condition and provide food and breeding areas for native birds, both large and small.

The final tree that should be retained is a mature Tuart on the eastern side of Castledare Place, between the Ficus and the large Lilli- Pilli. The retention of trees is in line with:

- City of Canning's Draft LP 09 –Tree Retention and Planting - Development
- Draft City of Canning Urban Forest Strategy

Both policies are nearing Council's acceptance. The Urban Forest Strategy emphasises that,

*'Urban forests play an important role in the health and wellbeing of people and the liveability of cities. Trees in cities provide significant economic, social, health, environmental and aesthetic benefits and make significant measurable contributions to ecosystem services.'*

Page three (3) of the Amendment Scheme states, *'The proponent has identified the retention of significant trees on-site in an initial concept plan and will consider the protection of these trees as part of future structure planning'*.

The phrase 'will consider' is not a commitment to fully protect this ecosystem and any destruction of trees, mentioned in my submission, should not be considered nor permitted by the City of Canning or any other statutory authority.

Area 4 is at the lowest point of the development. As well as the importance of its trees, this area is a breeding zone for the 'semi-endangered' South-western snake-necked turtle (*Chelodina colliei*).

*'Breeding occurs within the wetland during winter and spring. Nesting occurs later in the year, within two distinct seasons: Spring (September to November), and Summer (December to January).' 'Nesting sites can be anywhere from one to 800 m from the water's edge, but generally within 500 m'.*

During the nesting seasons, these turtles may be observed emerging from the creek and southern end of the WMD, moving through the low area to nest in the sand nearby. Further east along Fern Road they cross the road to nest in nearby gardens.

Consideration needs to be given to the low point and the surrounding area to accommodate these reptiles. This could be achieved by retaining the trees in Area 4, realigning the road and PSP and constructing tunnels under both.

This submission was accompanied by a number of supporting documents.

**Planning Comment:** Comments noted. Refer to Part 6 – Main Issues Raised in Submissions, sections (a) – Environmental Matters, (b) – Asbestos Contamination, (c) – Traffic Matters, (d) – Strategic Planning Matters, (e) – Heritage Matters, (f) – State Planning and Environmental Policies, (g) – Advertised Documents and Substantiality and (h) – Development Matters.

**Determination:** Submission dismissed.

---

**Submission:** 60

**Submitted by:** Department of Biodiversity, Conservation and Attractions  
(Swan Region and Rivers & Estuaries Branch combined)

**Summary of Submission:** COMMENT

The Department of Biodiversity, Conservation and Attractions (DBCA) advises as follows:

#### Revision to MRS Amendment Report

The EPA's *Guidance Statement 33 Environmental Guidance for Planning and Development* states that "*Wetlands that are to be protected require a minimum 50 metre buffer distance.*"

It is important to clarify the statement in the *Amendment Report* that states: "A *site-responsive reduced wetland buffer has been supported by DBCA*". The report should be revised to state that "A *reduced wetland buffer was accepted in view of the site constraints.*" The site is constrained by works that have been undertaken to remediate asbestos contamination and by requiring a road connection to Bywater Way.

#### Parks and Recreation Reserve

The DBCA advised the proponent and the WAPC that a 50-metre buffer to a CCW is required, and that there should be no reduction in the Parks and Recreation reserve reservation. The proposed amendment leaves the width of the foreshore reserve narrow in some areas to achieve an adequate buffer.

However, detailed negotiations have been undertaken between the DBCA, the City of Canning and the proponent to seek an improved interface between Parks and Recreation reserve and Urban zoning and a good outcome for recreational users.

As a result of these negotiations the MRS amendment is to accommodate shared path corridor width of 5 metres within the Parks and Recreation reserve and a minimum distance of 1.5 metres from the centre of the rail line to the edge of the shared path. The DBCA notes the layout will need to be to the satisfaction of the City of Canning, as the future manager of the site.



Should the amendment be approved, it is acknowledged that progression of the current proposal will expedite public ownership of the regionally significant portion of the foreshore reserve, through the ceding of 12.5 hectares of land within the Parks and Recreation reserve to the State of Western Australia.

#### District/Local Water Management Strategy

A combined District/Local Water Management Strategy (D/LWMS) for Lots 4 & 102 Fern Road has been undertaken and submitted to the DWER for approval. The *Amendment Report* states that the D/LWMS will need to be approved by DWER prior to a final determination being made on the amendment. The MRS amendment should not be approved until the issues raised by DBCA have been satisfactorily addressed in a revised D/LWMS.

The DBCA has advised the proponent that the proposed biofiltration areas are to be located within the Urban zoned area and not within the Parks and Recreation reserve reservation or within the wetland buffer.

The proponent is to allocate sufficient space for the first 15 mm of stormwater drainage within the plan. The proponent and the City of Canning should be advised of the following issues arising from the development:

#### Issues Requiring Resolution at Structure Planning and/or Subdivision Stages

The City of Canning has advised that a concurrent Local Planning Scheme amendment is likely, should the Urban area be zoned "Urban Development", it would require approval of a structure plan to be resolved during the preparation of a structure plan.

*POS:* Further consultation with DBCA is required to improve the wetland buffers and regional park interface through appropriate POS design.

*Development within Bush Fire Prone Area:* Bushfire mitigation measures are to be contained within the development area and must not place impositions or reliance upon the management of adjoining Parks and Recreation reserve. Opportunities for some revegetation utilising local native species within the river foreshore will be undertaken - where necessary.

*Protection of Trees:* It is noted that the avenue of mature trees that are currently within the Bush Forever site along Fern Road and Castledare Place, as shown in the proponent's Land Use Concept Plan, will be retained through the structure planning process. These trees provide amenity value to the regional park and potential habitat for fauna.

The structure plan text should require the provision of sufficient curtilage around trees identified for protection by the City of Canning in order to protect their roots from damage (this is to include street trees along Fern Road and Castledare Place and trees in proximity to the shared path).

*Provision of a Shared Path:* The DBCA recommends the structure plan text requires the provision of a shared path within the Parks and Recreation reserve on the boundary of the Urban zoning. The proponent has advised that further adjustments can be made to the location of the shared path corridor during the structure planning and subdivision stages. The DBCA would support adjustments to address safety concerns where shared path users are in close proximity to the railway lines.

Co-location of the road with the shared path provides a better interface between the reserve and the Urban development for reasons of public safety, protection of bushland within the reserve and fire safety for residents.

*Subdivision Layout:* The proponent has previously presented an indicative plan that included a retaining wall adjacent to the shared path and the existing train track, at the northern end of the site. The subdivision should comply with setback requirements of the DBCA Corporate Policy Statement No. 48 - *Planning for Development Setback Requirements Affecting the Swan Canning Development Control Area*.

The DBCA's preference is that lots should not immediately back onto the shared path or adjacent reserve. The WAPC's *Liveable Neighbourhoods* policy outlines that "*Streets with lots fronting them should surround the majority of POS as this provides amenity, safety and security for both POS users and residents.*"

*Containment Cell:* The DBCA notes that the proposed amendment includes a Containment Cell which is required to be managed in accordance with the Long-Term Asbestos Management Plan prepared for the site. The City of Canning is to assume future management responsibility for the adjoining part of the regional park as shown in the *Swan Coastal Plain South Management Plan* so further consultation with the City of Canning is recommended regarding future management of the Containment Cell.

*Amalgamation and Subdivision of Lots 4 and 102:* Should the amendment and development be approved, the landowner has agreed (through a Deed of Agreement) to cede approximately 12.5 hectares of private freehold land within the Parks and Recreation reserve to the State. It is DBCA's expectation that the land will be free of any encumbrances (including contamination) prior to subdivision and amalgamation to create Crown Reserves, either for management by the City of Canning or the DBCA.

In regard to the Bush Forever sites that are to be transferred to the DBCA for management, there is a requirement for operational improvements such as fencing, rubbish removal, signage, track closure and rehabilitation, weed mapping and control. A management plan that addresses these actions will need to be prepared prior to transfer. The management boundaries within the Canning River Regional Park are shown in the *Swan Coastal Plain South Management Plan*.

**Planning Comment:** Comments noted. The WAPC notes that in relation to the reduction in the generic 50 m CCW buffer setback the advertised *Amendment Report* stated that a *A site-responsive reduced wetland buffer has been supported by DBCA*. However, the DBCA has clarified that *A reduced wetland buffer was accepted (by the DBCA) in view of the site constraints*.

The DBCA noted that the site is constrained by works that have been undertaken to remediate asbestos contamination and by requiring a road connection to Bywater Way. Detailed negotiations were undertaken between the DBCA, the City of Canning and the proponent to seek an improved interface between Parks and Recreation reserve and Urban zone and a good outcome for recreational users.

The DBCA raises no objections to the finalisation of the amendment, noting that the revised D/LWMS will need finalisation as part of the subsequent Local Structure Planning process. The proponent has also been advised of the DBCA's comments regarding requirements for consideration in the subsequent structure planning stage.

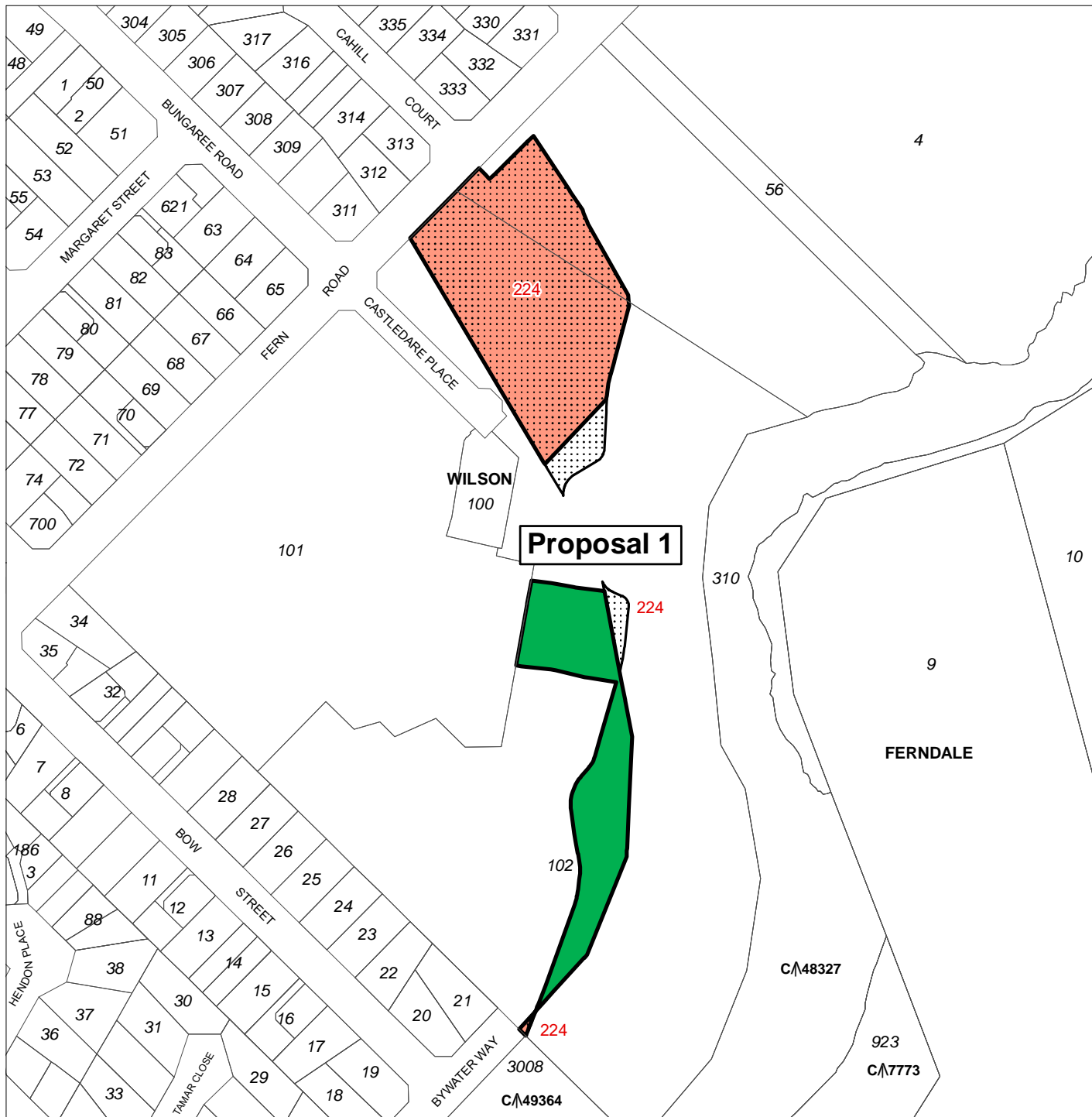
**Determination:** Submission noted.

---

### Schedule 3

The amendment figure - proposal 1  
as advertised






**Pt Lot 4 Fern Road & Pt Lot 102 Castledare Place, Wilson  
proposed minor amendment  
as advertised**

11 December 2019


Proposal 1

Proposed Amendment:

 Parks and recreation reservation

 Urban zone

Notice of Delegation

 (Site No) Bush Forever area for removal

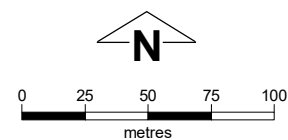
Oracle reference no: 2970

File number: 833/02/16/0042P

Version number: 3



Date: 13/12/2019  
Produced by Data Analytics, Department of Planning, Lands and Heritage, Perth WA  
Base information supplied by Western Australian Land Information Authority SLIP 1096-2018-1





## **Appendix 1**

**List of detail plans as advertised**





Metropolitan Region Scheme  
Amendment 1365/57

Pt Lot 4 Fern Road &  
Pt Lot 102 Castledare Place, Wilson

**as advertised**

**Amending Plan 3.2751**

**Detail Plans**

1.6402, 1.6418



**Submissions**



**From:** [Anthony Muscara](#)  
**To:** [mrs](#)  
**Subject:** FW: Metropolitan Region Scheme Proposed Amendment 1365/57: Pt Lot 4 Fern Road & Pt Lot 102 Castledare Place, Wilson  
**Date:** Friday, 3 April 2020 3:14:15 PM  
**Attachments:** [image002.png](#)

---

**From:** Fogarty, Louise [mailto:Louise.Fogarty@transport.wa.gov.au]  
**Sent:** Friday, 3 April 2020 1:59 PM  
**To:** Anthony Muscara <Anthony.Muscara@dplh.wa.gov.au>  
**Subject:** Metropolitan Region Scheme Proposed Amendment 1365/57: Pt Lot 4 Fern Road & Pt Lot 102 Castledare Place, Wilson

Your ref: 833-2-16-42 (RLS/0861)  
Our ref: DT/15/05049  
Attn: Anthony Muscara

Dear Anthony

**Metropolitan Region Scheme Proposed Amendment 1365/57  
Pt Lot 4 Fern Road & Pt Lot 102 Castledare Place, Wilson**

I refer to your letter dated 24 March 2020 regarding the above proposed MRS amendment.

The Department of Transport has no comments to provide.

Thank you for the opportunity to comment.

Regards,  
Louise

**Louise Fogarty**  
**Senior Transport Planner | Urban Mobility | Department of Transport**  
Level 8, 140 William Street, Perth WA 6000  
Tel: (08) 6551 6840 | Fax: (08) 6551 6492  
Email: [Louise.Fogarty@transport.wa.gov.au](mailto:Louise.Fogarty@transport.wa.gov.au) | Web: [www.transport.wa.gov.au](http://www.transport.wa.gov.au)



» CLEAR DIRECTION » FRESH THINKING » EXCELLENT SERVICE » GREAT PEOPLE

DISCLAIMER This email and any attachments are confidential and may contain legally privileged and/or copyright material. You should not read, copy, use or disclose any of the information contained in this email without authorization. If you have received it in error please contact us at once by return email and then delete both emails. There is no warranty that this email is error or virus free.'. If the disclaimer can't be applied, attach the message to a new disclaimer message.

Submitted to **MRS minor amendment 1365/57 – Pt Lot 4 Fern Road and Pt Lot 102 Castledare Place, Wilson**  
Submitted on **2020-04-05 20:33:35**

## Introduction

### 1 What is your first name?

First name: *Name removed at the request of the submitter*

### 2 What is your surname?

surname:

### 3 Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?

Yes

### 4 What is your email address?

Email:

### 5 What is your address?

address:

### 6 Contact phone number:

phone number:

### 7 Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?

Oppose

### 8 Submission (reasons for support/opposition). Please type your submission into the box below or copy and paste text from a Microsoft Word document.

#### Submission:

This is a bush forever site and should be kept that way. There is plenty of other room in Wilson and surrounding suburbs for redevelopment without impacting on natural amenities.

#### File upload:

No file was uploaded

#### File upload:

No file was uploaded

#### File upload:

No file was uploaded

#### File upload:

No file was uploaded

#### File upload:

No file was uploaded

Submitted to **MRS minor amendment 1365/57 – Pt Lot 4 Fern Road and Pt Lot 102 Castledare Place, Wilson**  
Submitted on **2020-04-06 00:05:08**

## Introduction

### 1 What is your first name?

**First name:**

Gerard

### 2 What is your surname?

**surname:**

SIERO

### 3 Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?

No

### 4 What is your email address?

**Email:**

siero.architect@telstra.com

### 5 What is your address?

**address:**

5a Teague Street Burswood 6100

### 6 Contact phone number:

**phone number:**

0417950061

### 7 Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?

Oppose

### 8 Submission (reasons for support/opposition). Please type your submission into the box below or copy and paste text from a Microsoft Word document.

#### Submission:

Our metropolitan region is in a biodiversity hotspot and we are losing species to rampant habitat destruction for urbanisation.

We are also facing increasing health and death risks due to urban heat island effect in a heating climate.

Our city needs more green ecological space, not less.

Urbanisation ought now be in the forms of strategic, transport centred densification and infill, not the present scattered approaches that are destroying urban tree canopies and habitats.

In addition to conserving all green space, we ought be greening spaces to create a metropolitan ecological corridors network linking all remnant and ecologically restored habitats to enable fauna and flora movement and avoid isolating islands that inevitably lead to local extinctions.

We have the opportunity and ought be working to create Perth as a Biophylic City, a world leader in Ecological Landscape Urbanism. Our incredibly low urban densities allow for that.

As our population grows, we will urgently need more, not less green space and conserved habitats.

Thank you for your consideration.

#### File upload:

No file was uploaded

#### File upload:

No file was uploaded

#### File upload:

No file was uploaded

#### File upload:

No file was uploaded

#### File upload:

No file was uploaded

Submitted to **MRS minor amendment 1365/57 – Pt Lot 4 Fern Road and Pt Lot 102 Castledare Place, Wilson**  
Submitted on **2020-04-06 12:09:18**

## Introduction

### 1 What is your first name?

First name: *Name removed at the request of the submitter*

### 2 What is your surname?

surname:

### 3 Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?

Yes

### 4 What is your email address?

Email:

### 5 What is your address?

address:

### 6 Contact phone number:

phone number:

### 7 Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?

Oppose

### 8 Submission (reasons for support/opposition). Please type your submission into the box below or copy and paste text from a Microsoft Word document.

#### Submission:

This is an important stretch of waterside vegetation that is home to many species of bush dwelling and water birds plus many other native species of reptiles, insects etc... We need to leave natural bush for animals, birds but also people.

It has been proven many times that people are happier and healthier when they are able to spend time in nature. This area is important for bird watchers and walkers to enjoy.

#### File upload:

No file was uploaded

#### File upload:

No file was uploaded

#### File upload:

No file was uploaded

#### File upload:

No file was uploaded

#### File upload:

No file was uploaded



Submitted to **MRS minor amendment 1365/57 – Pt Lot 4 Fern Road and Pt Lot 102 Castledare Place, Wilson**  
Submitted on **2020-04-06 18:02:40**

## Introduction

### 1 What is your first name?

**First name:**

Jacob

### 2 What is your surname?

**surname:**

Williams

### 3 Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?

No

### 4 What is your email address?

**Email:**

jbwilliams321@hotmail.com

### 5 What is your address?

**address:**

8 tarragon place

Thornlie

WA 6108

### 6 Contact phone number:

**phone number:**

0482677087

### 7 Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?

Oppose

### 8 Submission (reasons for support/opposition). Please type your submission into the box below or copy and paste text from a Microsoft Word document.

**Submission:**

I'm extremely dissapointed this is being considered!

It is a really nice bush area and it would be terrible to see it go! Not to mention reducing the habitat of the wildlife in the area

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded

Submitted to **MRS minor amendment 1365/57 – Pt Lot 4 Fern Road and Pt Lot 102 Castledare Place, Wilson**  
Submitted on **2020-04-06 18:07:00**

## Introduction

### 1 What is your first name?

**First name:**

Jacob

### 2 What is your surname?

**surname:**

Williams

### 3 Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?

No

### 4 What is your email address?

**Email:**

jbwilliams321@hotmail.com

### 5 What is your address?

**address:**

8 tarragon place

Thornlie

WA

6108

### 6 Contact phone number:

**phone number:**

0482677087

### 7 Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?

Oppose

### 8 Submission (reasons for support/opposition). Please type your submission into the box below or copy and paste text from a Microsoft Word document.

**Submission:**

I'm extremely disappointed that this is being considered,  
It's a beautiful bush area and it would be a shame to lose it,  
Not to mention the habitat lose for the wildlife in the area

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded

Submitted to **MRS minor amendment 1365/57 – Pt Lot 4 Fern Road and Pt Lot 102 Castledare Place, Wilson**  
Submitted on **2020-04-06 20:53:56**

## Introduction

### 1 What is your first name?

**First name:**

Sharra

### 2 What is your surname?

**surname:**

Lannan

### 3 Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?

No

### 4 What is your email address?

**Email:**

sharralannan@gmail.com

### 5 What is your address?

**address:**

3 sittella plaza Brookdale, WA 6112

### 6 Contact phone number:

**phone number:**

### 7 Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?

Oppose

### 8 Submission (reasons for support/opposition). Please type your submission into the box below or copy and paste text from a Microsoft Word document.

**Submission:**

How can you even consider rezoning an area that has been classed as "Bush forever?"

Too much native bushland, habitat space and Greenway are being removed from Perth surroundings for the greed of developers. There are plenty of existing development places with empty lots and houses, require those to be built on first before we steal more land and food from animals already struggling.

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded

Submitted to **MRS minor amendment 1365/57 – Pt Lot 4 Fern Road and Pt Lot 102 Castledare Place, Wilson**  
Submitted on **2020-04-07 10:12:22**

## Introduction

### 1 What is your first name?

**First name:**

Helen

### 2 What is your surname?

**surname:**

Taplin

### 3 Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?

No

### 4 What is your email address?

**Email:**

htaplin@aapt.net.au

### 5 What is your address?

**address:**

37 Halliday Street  
Bayswater wa 6053

### 6 Contact phone number:

**phone number:**

0420930639

### 7 Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?

Oppose

### 8 Submission (reasons for support/opposition). Please type your submission into the box below or copy and paste text from a Microsoft Word document.

**Submission:**

The changes result in an overall loss of park and recreation area as well as loss of bush forever land.

We need the bush site for our native flora and fauna. Increase the density of housing on the current urban zone and leave the park and bush blocks alone.

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded

Submitted to **MRS minor amendment 1365/57 – Pt Lot 4 Fern Road and Pt Lot 102 Castledare Place, Wilson**  
Submitted on **2020-04-07 18:41:19**

## Introduction

### 1 What is your first name?

**First name:**

Joshua

### 2 What is your surname?

**surname:**

Richards

### 3 Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?

No

### 4 What is your email address?

**Email:**

joshua647@gmail.com

### 5 What is your address?

**address:**

125 st Kilda Road Rivervale

### 6 Contact phone number:

**phone number:**

0433552260

### 7 Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?

Oppose

### 8 Submission (reasons for support/opposition). Please type your submission into the box below or copy and paste text from a Microsoft Word document.

#### Submission:

As a long time resident of Wattle Grove in the shire of Kalamunda, before moving to my current address, I wholeheartedly oppose the planned rezoning of bushland as outlined in this proposal. As a regular user of the canning river for both recreational paddling and exercise paddling, I find it abhorrent that such a proposal is being considered which would have a detrimental impact to local flora and fauna. The Canning River is a vital ecosystem to many native animals a river dwelling native bird, not the mention our WA emblem bird the black swan. Infact this very week I witness 6 of these creatures wading in the shallows upstream of Kent St weir.

I am no longer shocked, only continuously disappointed by continued efforts by all councils to rezone bushland areas for "just a few more town houses" which ruin the aesthetic of the area for all users that use the river system and its walking paths as a refuge from city living. There is absolutely no need for a development in this area, and the only possible reason for such a development is once again, financial.

The council needs to immediately consider the ecological impact of such a development, not to mention the impact on users of this river system for recreation and refuge while being close to city life.

#### File upload:

No file was uploaded

#### File upload:

No file was uploaded

#### File upload:

No file was uploaded

#### File upload:

No file was uploaded

#### File upload:

No file was uploaded

Submitted to **MRS minor amendment 1365/57 – Pt Lot 4 Fern Road and Pt Lot 102 Castledare Place, Wilson**  
Submitted on **2020-04-07 22:04:03**

## Introduction

### 1 What is your first name?

**First name:**

John

### 2 What is your surname?

**surname:**

Hilton

### 3 Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?

No

### 4 What is your email address?

**Email:**

fiasco\_j@iinet.net.au

### 5 What is your address?

**address:**

31 Casserly Drive  
Leeming, WA

### 6 Contact phone number:

**phone number:**

0403849498

### 7 Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?

Oppose

### 8 Submission (reasons for support/opposition). Please type your submission into the box below or copy and paste text from a Microsoft Word document.

#### Submission:

All this area is in the general and overall precinct of the Canning River Riverpark. Since so little remnant riverpark exists there should be an immediate and binding moratorium on classifications and usage of these areas for anything other than conservation. I use the river several times a week and I consider that the buffer zone around the river environment is already at its minimum extent for the long term retention of the natural environment.

We can't allow any further encroachment on the existing environment surrounding the Canning River.

#### File upload:

No file was uploaded

#### File upload:

No file was uploaded

#### File upload:

No file was uploaded

#### File upload:

No file was uploaded

#### File upload:

No file was uploaded

Submitted to **MRS minor amendment 1365/57 – Pt Lot 4 Fern Road and Pt Lot 102 Castledare Place, Wilson**  
Submitted on **2020-04-08 20:57:34**

## Introduction

### 1 What is your first name?

**First name:**

Michael

### 2 What is your surname?

**surname:**

Shepherd

### 3 Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?

No

### 4 What is your email address?

**Email:**

shepski44@hotmail.com

### 5 What is your address?

**address:**

17 Cornell Place, East Cannington WA 6107

### 6 Contact phone number:

**phone number:**

0421007308

### 7 Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?

Oppose

### 8 Submission (reasons for support/opposition). Please type your submission into the box below or copy and paste text from a Microsoft Word document.

**Submission:**

This area is an asset to the community, a small piece of untouched land so close to the CBD. It would be a great loss if it were changed from its current state.

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded

Submitted to **MRS minor amendment 1365/57 – Pt Lot 4 Fern Road and Pt Lot 102 Castledare Place, Wilson**  
Submitted on **2020-04-09 14:45:07**

## Introduction

### 1 What is your first name?

**First name:**

Mark

### 2 What is your surname?

**surname:**

Ham

### 3 Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?

No

### 4 What is your email address?

**Email:**

m\_hammy@hotmail.com

### 5 What is your address?

**address:**

6A Cahill Court

Wilson

WA 6107

### 6 Contact phone number:

**phone number:**

08 9356 1001

### 7 Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?

Oppose

### 8 Submission (reasons for support/opposition). Please type your submission into the box below or copy and paste text from a Microsoft Word document.

**Submission:**

I wish to see the parklands maintained in the Wilson area. I don't agree with area associated with Bush Forever site 224 being reclassified as Urban zone. Firmly oppose this amendment.

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded



Submitted to **MRS minor amendment 1365/57 – Pt Lot 4 Fern Road and Pt Lot 102 Castledare Place, Wilson**  
Submitted on **2020-04-10 12:26:09**

## Introduction

### 1 What is your first name?

**First name:**

Gillian

### 2 What is your surname?

**surname:**

Yee

### 3 Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?

No

### 4 What is your email address?

**Email:**

yeeperth@gmail.com

### 5 What is your address?

**address:**

8 Bebington Court, Wilson 6107

### 6 Contact phone number:

**phone number:**

0435315130

### 7 Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?

Oppose

### 8 Submission (reasons for support/opposition). Please type your submission into the box below or copy and paste text from a Microsoft Word document.

#### Submission:

I first came to know about the proposed residential development of the site at a meeting. The proposal was for the section of land marked - in particular, portions of the parklands and reserved areas WERE NOT TO BE INCLUDED THAT ARE NOW BEING PROPOSED TO BE INCLUDED FOR DEVELOPMENT. It is NOT a minor amendment; the proposed conversion of the land from land opened to public enjoyment and use has long term consequences, not just to residents in the area but also to the general public who use the land for recreation, etc.

When the proposal was first mooted at the meeting in 2019, there was a strong suggestion to the Committee that the development will only be confined to the marked areas, NOT the land held in trust for the use of the public for recreational purposes. The reserved land and parklands are very meaningful to all who use them. Moreover, the lands have a very strong historic and meaning to Indigenous Peoples who continue to have a strong and continuing cultural ties with the land.

I thoroughly oppose to the proposed amendment.

#### File upload:

No file was uploaded

#### File upload:

No file was uploaded

#### File upload:

No file was uploaded

#### File upload:

No file was uploaded

#### File upload:

No file was uploaded

Submitted to **MRS minor amendment 1365/57 – Pt Lot 4 Fern Road and Pt Lot 102 Castledare Place, Wilson**  
Submitted on **2020-04-10 13:41:05**

## Introduction

### 1 What is your first name?

**First name:**

Anthony

### 2 What is your surname?

**surname:**

Parry

### 3 Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?

No

### 4 What is your email address?

**Email:**

tonyparry\_10@BIGPOND.COM

### 5 What is your address?

**address:**

1Cahill Crt Wilson

### 6 Contact phone number:

**phone number:**

0438506906

### 7 Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?

Oppose

### 8 Submission (reasons for support/opposition). Please type your submission into the box below or copy and paste text from a Microsoft Word document.

#### Submission:

I oppose the changes because of the impact it will have on the area. Fern road is a very busy road as it is and this development will increase the traffic . Although there is a bike path along some of Fern road most cyclists prefer the road and I have witnessed near misses and road rage between these two groups. Also there is a aged care and homes for the aged next to the development and they use the area for recreation some are very frail and extra traffic during and after the development would be a disaster. There are a lot of young families in the area and with smaller lot sizes use the open space regularly for playing it is a very popular with all ages for walking and taking dogs for runs areas of this size aren't that common.

Regards Anthony Parry

#### File upload:

No file was uploaded

#### File upload:

No file was uploaded

#### File upload:

No file was uploaded

#### File upload:

No file was uploaded

#### File upload:

No file was uploaded

Submitted to **MRS minor amendment 1365/57 – Pt Lot 4 Fern Road and Pt Lot 102 Castledare Place, Wilson**  
Submitted on **2020-04-16 08:06:14**

## Introduction

### 1 What is your first name?

**First name:**

Simon

### 2 What is your surname?

**surname:**

Dorst

### 3 Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?

No

### 4 What is your email address?

**Email:**

canning.zoning@famdorst.nl

### 5 What is your address?

**address:**

69 Fleming Avenue, Wilson, WA 6107

### 6 Contact phone number:

**phone number:**

0421084693

### 7 Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?

Oppose

### 8 Submission (reasons for support/opposition). Please type your submission into the box below or copy and paste text from a Microsoft Word document.

**Submission:**

1) I think the zoning of bushland FOREVER speaks for itself and thus rezoning seems to go against the reason for the original classification (of bushland ... forever)

2) The rezoning not only removes bushland forever land, but also effectively reduces the overall parkland area, which is a precious commodity

3) Not only will the proposal reduce bushland & parkland, a urban development would add further stress on the remaining parkland (as well as the surrounding area).

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded

Submitted to **MRS minor amendment 1365/57 – Pt Lot 4 Fern Road and Pt Lot 102 Castledare Place, Wilson**  
Submitted on **2020-04-20 13:44:42**

## Introduction

### 1 What is your first name?

**First name:**

Antony

### 2 What is your surname?

**surname:**

Day

### 3 Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?

No

### 4 What is your email address?

**Email:**

antony.day@gmail.com

### 5 What is your address?

**address:**

26 Minerva Way, Carine

### 6 Contact phone number:

**phone number:**

+61416345575

### 7 Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?

Oppose

### 8 Submission (reasons for support/opposition). Please type your submission into the box below or copy and paste text from a Microsoft Word document.

**Submission:**

Bush forever should be taken literally.

The scale of piecemeal destruction of our bush is unacceptable. We are losing our precious bushland and the many species of plant, animal and bird that rely on it quickly.

This kind of shortsighted decision should be rejected immediately.

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded

Submitted to **MRS minor amendment 1365/57 – Pt Lot 4 Fern Road and Pt Lot 102 Castledare Place, Wilson**  
Submitted on **2020-05-16 14:26:23**

## Introduction

### 1 What is your first name?

**First name:**

Stephen

### 2 What is your surname?

**surname:**

Faulds

### 3 Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?

No

### 4 What is your email address?

**Email:**

stephen.faulds@bigpond.com

### 5 What is your address?

**address:**

27 Belvedere Way Lynwood WA 6147

### 6 Contact phone number:

**phone number:**

0419195594

### 7 Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?

Oppose

### 8 Submission (reasons for support/opposition). Please type your submission into the box below or copy and paste text from a Microsoft Word document.

**Submission:**

There is no adequate guarantee for protection of the mature native trees around the site. They should be given permanent Tree Protection Zones (Standards Australia.)

The asbestos containment sites are not viable collateral in exchange for land within the Regional Park.

It is not appropriate to include asbestos containment sites within the Regional Park.

The Vista of Niana Homestead is already heritage protected and is not viable collateral in exchange for land within the Regional Park.

There is no adequate guarantee for protection of current Long Necked Turtle seasonal routes and nesting areas.

The Mini Golf Course should be preserved intact for its cultural heritage value.

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded

Submitted to **MRS minor amendment 1365/57 – Pt Lot 4 Fern Road and Pt Lot 102 Castledare Place, Wilson**  
Submitted on **2020-05-20 18:36:23**

## Introduction

### 1 What is your first name?

**First name:**

Cathryn

### 2 What is your surname?

**surname:**

Trott

### 3 Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?

No

### 4 What is your email address?

**Email:**

cath.trott@gmail.com

### 5 What is your address?

**address:**

2 Waterside Rtt

Wilson 6107

### 6 Contact phone number:

**phone number:**

0412962232

### 7 Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?

Oppose

### 8 Submission (reasons for support/opposition). Please type your submission into the box below or copy and paste text from a Microsoft Word document.

#### Submission:

The rezoning of this land from Parks and Recreation to Urban will lead to structural development close to the Canning River. Despite the EPA ruling that no further assessment is required by them, this site is situated such that it allows expansive views to the railway and river from Fern Rd, and exists within a native bushland setting. Re-development of this land with tree plantings would suit the area much more. Fern Rd currently has no development on this side next to the river, and this path space is very natural due to this. Development of this site with structures will ruin that effect and have the Fern Rd / Bungaree Rd roundabout be a completely urban site.

I feel much more strongly about this statement in the proposal, and its implication:

"Two additional areas of Bush Forever removal within the Parks and Recreation reservation have been proposed which accord with the alignment of the PSP. The proponent has identified the retention of significant trees on-site in an initial concept plan, and will consider the protection of these trees as part of future structure planning."

There are at least two very large, old trees that are close to the path on Fern Rd in this lot, including one gorgeous salmon gum. It is my \*favourite\* tree in the area, because of its age and beauty. \*Any\* rezoning and development of this site must retain these trees. They have heritage value and are valued by the local community.

#### File upload:

No file was uploaded

#### File upload:

No file was uploaded

#### File upload:

No file was uploaded

Submitted to **MRS minor amendment 1365/57 – Pt Lot 4 Fern Road and Pt Lot 102 Castledare Place, Wilson**  
Submitted on **2020-05-22 10:46:18**

## Introduction

### 1 What is your first name?

**First name:**

Christine

### 2 What is your surname?

**surname:**

Cunningham

### 3 Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?

No

### 4 What is your email address?

**Email:**

c.cunningham@ecu.edu.au

### 5 What is your address?

**address:**

4/50 Leach Highway, Wilson (investment property now).

### 6 Contact phone number:

**phone number:**

0433379443

### 7 Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?

Oppose

### 8 Submission (reasons for support/opposition). Please type your submission into the box below or copy and paste text from a Microsoft Word document.

**Submission:**

Please do not cut down the trees.

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded

Submitted to **MRS minor amendment 1365/57 – Pt Lot 4 Fern Road and Pt Lot 102 Castledare Place, Wilson**  
Submitted on **2020-05-22 20:42:20**

## Introduction

### 1 What is your first name?

First name: *Name removed at the request of the submitter*

### 2 What is your surname?

surname:

### 3 Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?

Yes

### 4 What is your email address?

Email:

### 5 What is your address?

address:

### 6 Contact phone number:

phone number:

### 7 Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?

Oppose

### 8 Submission (reasons for support/opposition). Please type your submission into the box below or copy and paste text from a Microsoft Word document.

#### Submission:

My name is , and I am an 11 year old living near the area that you wish to turn into a suburban lot. I strongly oppose this proposal, and I believe that my reasons for this belief are very important and should be well considered during your final decision.

My first point is the fact that this area holds a piece of Australian flora that represents the beauty of West Australian plants. The eucalypts that are growing there are absolutely magnificent structures, and knocking them down seems unnecessary and a waste of plants that instead could be cared for and retained, making the area nicer in the process.

Another important point to consider, is the fact that a shared path runs continuously next to the planned area. If you do decide to build houses there, you will be required to build driveways over that path, therefore making it difficult for those wishing to ride on their bikes or walk along that path.

My final, and most important point, is that lot 224, the one you wish to rezone, is home to a wide range of important Australian fauna. With all the media coverage about the habitat destruction of black cockatoo, it seems unwise to invest in a project that will destroy this precious landscape. Every tree in that area is hundreds of years old, and every tree holds a home to an animal unable to survive without it. Due to this, I believe that it is not the right decision to knock down the homes on animals we try so hard to protect.

In conclusion, I believe that you should keep that area zoned as parks and recreation. The trees there have a heritage dating back hundreds of years, and it seems wrong to destroy them.

#### File upload:

No file was uploaded

#### File upload:

No file was uploaded



**Section 57 Amendment (Minor)**  
Form 57

**Submission**

**Metropolitan Region Scheme Amendment 1365/57**

**Pt Lot 4 Fern Road & Pt Lot 102 Castledare Place, Wilson**

Department of Planning,  
Lands and Heritage  
Received

Scanned - 4 MAY 2020  
Attachments  
Scan QA A10461138  
Doc No.  
File No. RLS/0888

OFFICE USE ONLY

SUBMISSION NUMBER

**20**

RLS/0888

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

Title (Mr, Mrs, Miss, Ms) MR First Name THOMAS

Surname KEMP (PLEASE PRINT CLEARLY)

Address 103 FERN ROAD WILSON Postcode 6107

Contact phone number 94515309 Email address tkemp83501@bigpond.net.au

Submissions will be published as part of the consultation process. Do you wish to have your contact details removed from your submission? ☐ Yes ☒ No

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

The proposal to create Lot 224 and allow housing to be erected on this lot, should not be approved because of the following reasons.

(a) Existing lots in Wilson are subject to the Urban Infill program, with many lots being approved to have 2 or more dwellings. As more families are squashed into the suburb, the need for public open space increases. Lose this area for housing and it can never be recovered.

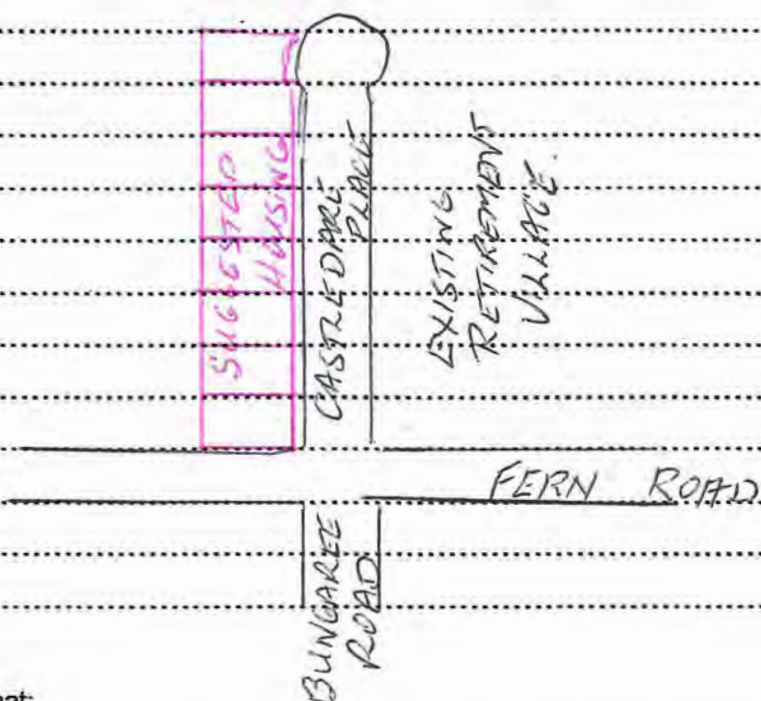
(b) Proposed Lot 224 lies within the gazetted boundaries of the Canning River Regional Park and therefore should remain as so designated.

(c) Lot 224 is next to an open drain, known asbestos dumping site, and within 30 metres of the Canning River. All these factors should be red flagged to not approve housing for this site.

**turn over to complete your submission**

- (d) Access to the Canning River walks will be reduced if this area is fenced.
- (e) Traffic congestion at Fern Road/Bungaree Road which is already a problem at peak traffic times, and will be further impacted if this development is allowed.

An alternative suggestion is to allow some housing development beside the existing Castledare Place entry to the retirement village.



You should be aware that:

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

**To be signed by person(s) making the submission**

Signature .....

Date .....

28 April 2020.

**Note: Submissions MUST be received by the advertised closing date, being close of business (5pm) on 5 JUNE 2020. Late submissions will NOT be considered.**



Department of  
**Primary Industries and  
Regional Development**

Your reference: 833-2-16-42 Pt 1  
(RLS/0861)  
1365/57  
Our reference: LUP 817  
Enquiries: Heather Percy

Ms Sam Fagan  
Secretary  
Western Australian Planning Commission  
Locked Bag 2506 Perth WA 6000  
[mrs@dplh.wa.gov.au](mailto:mrs@dplh.wa.gov.au)  
Attention: Anthony Muscara

Date: 14 May 2020

Dear Ms Fagan

**Metropolitan Region Scheme Amendment 1365/57  
Pt Lot 4 Fern Road & Pt Lot 102 Castledare Place, Wilson**

Thank you for inviting the Department of Primary Industries and Regional Development (DPIRD) to comment on the Metropolitan Region Scheme Amendment (Ref: 1365/57).

DPIRD does not object to the proposed scheme amendment as the changes do not impact primary industries and is not located in a regional area.

For more information please contact Heather Percy on 0429 378 851 or  
[heather.percy@dpird.wa.gov.au](mailto:heather.percy@dpird.wa.gov.au)

Yours sincerely

Dr Melanie Strawbridge  
**Director Agriculture Resource Management Assessment  
Sustainability and Biosecurity**





Your ref 833-2-16-42 Pt 1 (RLS/0861)  
Our ref A0781/201901  
Enquiries Hannah Wallace  
9222 3235  
Hannah.WALLACE@dmirs.wa.gov.au

Ms Sam Fagan  
Secretary  
Western Australian Planning Commission  
Locked Bag 2506  
Perth WA 6001

**Attention:** Mr Brett Pye

Dear Ms Fagan

**METROPOLITAN REGION SCHEME PROPOSED AMENDMENT 1365/57  
PT LOT 4 FERN ROAD AND PT LOT 102 CASTLEDARE PLACE, WILSON**

Thank you for your letter dated 24 March 2020, inviting comment on the above proposal to reclassify portions from the 'Urban zone' to 'Parks and Recreation reserve' (0.50 hectare) and 'Parks and Recreation reserve' to the 'Urban zone' (1.02 hectares).

The Department of Mines, Industry Regulation and Safety (DMIRS) has determined that this proposal raises no significant issues with respect to mineral and petroleum resources, geothermal energy, and basic raw materials.

Yours sincerely

*Samantha Carter*

---

Samantha Carter  
Acting Manager Land Use Planning  
Minerals and Petroleum Resources Directorate  
22 April 2020

**Enquiries:** Chris Schooling  
**Our Ref:** PL.H6.1  
**Your Ref:** 833-2-16-42 Pt 1 (RLS/0861)

26 May 2020

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

Dear Madam,

**METROPOLITAN REGION SCHEME PROPOSED AMENDMENT 1365/57 – PT LOT 4 FERN ROAD & PT LOT 102 CASTLEDARE PLACE, WILSON**

I refer to your letter dated 24 March 2020 regarding public advertising of the above Metropolitan Region Scheme (MRS) amendment. The City of Canning (the City) has reviewed the amendment documents and has the following comments to make.

The City supports the proposed MRS amendment, subject to the following considerations:

1. Heritage

The area subject of the proposed MRS amendment is registered as having cultural heritage significance in both the State Register of Heritage Places (Heritage Place 04579) and the City's Heritage List (Management Category 1). The City recommends the proposed MRS amendment is referred to the State Heritage Office for comment. In addition, the City recommends that consideration is given to the 1996 Heritage Assessment and Conservation Policy for Former Castledare Boys Home, Wilson (1996 Castledare Conservation Plan) prepared by Allom Lovell Hocking Conservation Consultants in determining the proposed MRS amendment, and any further proposed developments on the site.

2. Protection of significant trees

A number of significant, mature trees are located within or in close proximity to the land subject of the proposed MRS amendment. A *Corymbia citridora* on the Fern Road verge near Cahill Avenue is being considered for inclusion on the City's future Significant Tree Register. The City's preference is to retain the ten Red Gum trees (*Eucalyptus camaldulensis*) located within Lot 4 Fern Road and Lot 102 Castledare Place. To retain these trees in accordance with Australian Standard

AS 4970-2009 Protection of trees on development sites will require a design which provides sufficient curtilage around the trees to avoid damage to root systems.

In acknowledgement of community feedback, the City recommends that the narrow portion of MRS 'Parks and Recreation' reserve along the Fern Road boundary of Lot 102 Castledare Place should be extended in a south-westerly direction to cover the length of the Fern Road lot boundary.

3. Containment cell

The City has previously noted a portion of the proposed MRS 'Parks and Recreation' reserve encompasses a containment cell which, under the Swan Coastal Plain South Management Plan 2016, the City would assume management responsibility over. The City confirms it is satisfied in-principle that the portion of the Parks and Recreation reserve is situated over the containment cell, subject to further verification of the nature of contamination and confirmation of the adequacy of containment.

4. Foreshore vegetation and river wall

The existing foreshore vegetation is in varying condition. The Riverbank Foreshore Management System Data for Shoreline 2019 notes the section of the foreshore in front of Niana Train Station to be in poor condition. Riverbank recommends that sufficient setback is provided and provision for controlled access. Unfortunately, the 2019 Riverbank assessment for built structures did not identify the river wall. In the 2008 the Swan and Canning Rivers Foreshore Assessment and Management Strategy assessed the river wall to be in fair condition and recommended its removal and replacement, or the bank be revegetated. In 2019 City officers conducted an inspection of the river wall and noted it was adequately holding up the riverbank, however large cracks existed that pose a hazard for foreshore users. The river wall also incorporates a concrete ramp that leads into deep water which requires immediate repairs and may require appropriate fencing. The repair or replacement of the river wall should be completed by the landowner prior to the land being ceded to the State, and prior to management responsibility being passed to the City.

In addition, the City recommends that the applicant is advised of the following matters that require consideration during the development of any Local Structure Plan for the sites:

1. Heritage

The applicant is advised that the area subject of the proposed MRS amendment is included on the State Register of Heritage Places (Heritage Place 04579) and the City of Canning Heritage List (Management Category 1). Particular consideration should be given to the 1996 Heritage Assessment and Conservation Policy for Former Castledare Boys Home, Wilson (1996 Castledare Conservation Plan) in the preparation of any Local Structure Plan or subdivision plan for the areas subject of the proposed MRS amendment.

The City notes that a portion of the existing Castledare miniature golf course is located within the proposed MRS 'Urban' zone. The Castledare miniature golf course is identified in the City's 2017 Municipal Heritage Inventory under Management Category 4: Limited Significance. While the Castledare miniature golf course is not included in the City of Canning Heritage List, consideration should be given to the social and historical value of the place in the Local Structure Plan, with

appropriate measures to acknowledge this significance investigated during the Local Structure Plan stage.

2. Protection of significant trees

The 1996 Castledare Conservation Plan assessed the mature Fig Tree (*Ficus rubiginosa*) on the corner of Castledare Place and Fern Road as having an exceptional level of significance. While this particular tree is located outside the area of the proposed MRS amendment, any Local Structure Plan needs to give due consideration to providing sufficient curtilage around the tree to avoid damage to the root systems, in accordance with Australian Standard AS 4970-2009.

3. Shared Path

A Shared Use Path is to be constructed by the applicant as a connection between Fern Road and Bywater Park. The specific location and design of the shared path is subject to future liaison with the City, and the shared path should be depicted on the Local Structure Plan (a 'pinch' point between any future path and the existing railway line should be avoided for safety purposes and to avoid placement of unnecessary barriers).

4. Emergency access

The Local Structure Plan should avoid a lot arrangement where lots are directly adjacent to the MRS 'Parks and Recreation' reserve. Rather, public roads should be located directly adjacent to the MRS 'Parks and Recreation' reserve to facilitate emergency access to the MRS 'Parks and Recreation' reserve area. The Local Structure Plan is to maintain emergency access over the containment cell to the shared path and more broadly between the MRS 'Urban' zone and MRS 'Parks and Recreation' reserve.

5. Redevelopment of ablution facilities

The City notes that existing public ablution facilities serving the Castledare Miniature Railway will require upgrading or redevelopment to meet universal access standards in the future. The applicant is advised to ensure that sufficient space is provided between the existing ablution facilities and any land proposed to be developed as part of a future Local Structure Plan (including public roads, access ways and open space) to ensure upgrading or redevelopment of the public ablution facilities is not compromised.

If you have any questions please contact Mr Chris Schooling, Senior Strategic Projects Planner on (08) 9231 0594 or [chris.schooling@canning.wa.gov.au](mailto:chris.schooling@canning.wa.gov.au).

Yours sincerely



Graeme Bride  
**Director Canning Sustainable Development**

Submitted to **MRS minor amendment 1365/57 – Pt Lot 4 Fern Road and Pt Lot 102 Castledare Place, Wilson**  
Submitted on **2020-05-26 11:54:07**

## Introduction

### 1 What is your first name?

**First name:**

Amy

### 2 What is your surname?

**surname:**

Krupa

### 3 Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?

No

### 4 What is your email address?

**Email:**

amykrupa@sercul.org.au

### 5 What is your address?

**address:**

1 Horley Road, Beckeham, WA, 6107

### 6 Contact phone number:

**phone number:**

94585664

### 7 Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?

Oppose

### 8 Submission (reasons for support/opposition). Please type your submission into the box below or copy and paste text from a Microsoft Word document.

#### Submission:

The green zones that are indicated to become part of the Canning River Regional Park (CRRP) by changing them to Parks and Recreation are not a gain to the community or the park -

1. The green zone identified to the south adjacent to the Castledare Miniature Railway is mostly within a flood fringe. This is confirmed when referencing the Department of Water and Environmental Regulation Floodplain mapping tool. Accordingly it would not likely be subdividable, resulting in this portion of land being incorporated into the CRRP at time of subdivision.

2. The vista between Niana Homestead and the Canning River was listed as a 'Vista of Exceptional Significance' for Niana Homestead as part of the Conservation Plan and was always to be protected and therefore is not a gain to the community or the CRRP. As the area has been used in recent years as an asbestos containment cell it is now a contaminated landfill site. Accordingly, this land parcel is now a liability not an asset and cannot be considered a gain to the CRRP.

The northern parcel of land which has been recommended to be deleted from Bush Forever, East of Lot 100 (the Catholic Church) has both significant mature trees and built infrastructure established in the 1950s. The built asset is the remnants of a mini golf course. The MRS Scheme Amendment should be adjusted to the north to avoid the remnants of the mini golf course and mature trees and that these assets remain in the CRRP and be protected so that this locally recognised historical infrastructure can be maintained and established as a heritage link, to be entrusted and managed by the City of Canning when the land tenure is resolved.

'The proponent has identified the retention of significant trees on-site in an initial concept plan, and will consider the protection of these trees as part of future structure planning.' This statement is interpreted as only a possible protection of trees along Castledare Place and Fern Road. The trees to the south-west located along Fern Rd between Cahill Court and Bungaree Road do not appear to be protected as they are within the footprint of the proposed MRS Amendment. However, from this MRS Scheme Amendment the trees located along Fern Rd from Cahill Court north-east towards Hyland Way are excluded from the plan and are protected. It is recommended that the MRS Scheme Amendment be reduced to protect all trees that are within this proposed MRS Scheme Amendment and that AS 4970-2009 Protection of trees on development sites (Standards Australia) Determining Tree Protection Zones be applied.

There are also significant trees identified in the Conservation Plan, located along Castledare Place within the urban zone, but not included in this MRS Scheme Amendment, that should also be recognised as having conservation values and warrant protection, particularly the large Tuart tree located approximately 20m from the Fern Rd intersection.



The Wilson Main Drain (WMD) constructed in the late 1990s is located in both Lot 4 and Lot 102 of the estate and the MRS Scheme Amendment should recognise the WMD s' footprint in Lot 4. For more than 17 years the Wilson Wetlands Action Group has been actively restoring the drainage corridor to provide an extension of the conservation wetlands into the drainage corridor.

The WMD should be recognised for its conservation values. A 50 metre buffer to the west from the centre line of the drain will provide a sensible amount of space for all native fauna. Southwestern snake-necked turtles are regularly observed nesting in the grass areas of Lot 102 and Lot 4 adjacent to the WMD and a suitable buffer to protect nesting habits should be considered. The drain and buffer would be a sensible and logical extension of the conservation bushland and wetlands located to the east of the drain and the greater CRRP.

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded

Submitted to **MRS minor amendment 1365/57 – Pt Lot 4 Fern Road and Pt Lot 102 Castledare Place, Wilson**  
Submitted on **2020-05-31 16:53:38**

## Introduction

### 1 What is your first name?

First name: ***Name removed at the request of the submitter***

### 2 What is your surname?

surname:

### 3 Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?

Yes

### 4 What is your email address?

Email:

### 5 What is your address?

address:

### 6 Contact phone number:

phone number:

### 7 Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?

Oppose

### 8 Submission (reasons for support/opposition). Please type your submission into the box below or copy and paste text from a Microsoft Word document.

#### Submission:

The proposed amendment, MRS minor amendment 1365/57 – Pt Lot 4 Fern Road and Pt Lot 102 Castledare Place, Wilson, that the WAPC is considering to amend the current classification of these lots from "Park and Recreational Use" to "Urban Resident Zone" which will allow for many houses to be constructed on this lot, is strongly opposed. This should not be approved and request WAPC to seriously consider this because of the following reasons:

1) Unnecessary Development that will forever destroy the last patch of "Unspoiled Environment" on Fern Road.

My family and I have live directly across the proposed amendment lot, We have lived in the area for over 14 years. When my husband and I decided to purchase our property and make it our home, the opposite "Open Park and Recreational Land" adjacent to Canning River, with beautiful historic trees, was one of the main factors of our decision. On the Street Directories Map, it was shown as "Regional Park" - an open place for people, for birds and other living wide life living in the wet areas along Canning River. Construction of residential buildings will forever destroy this valuable, small patch of "unspoiled environment". Not to mention the large variety of birds living in this space, who will lose their home. Please consider the beautiful historic trees and large flocks of cockatoos that constantly occupy this open space.

2) Increasing Traffic & Congestion on Fern Road.

10 years ago, Fern Road was a quiet road. But now the traffic on Fern Road has significantly doubled due to: the number of houses and population in the area has significantly increased, largely due to changes in zoning where land can be subdivided into multiple lots; the public utilizing Fern Road as a detour to avoid travelling on Leach Highway or Manning Road.

More housing constructed in the proposed Open lot will definitely result in more traffic & crowding on Fern Road and in the area, making it more risky, dangerous for local residents.

Traffic congestion at Fern Road/Bungaree Road intersection is already a problem at peak times, this will be further impacted if proposed amendment to "Urban Zone" is given.

3) Asbestos Dumping Ground

It has been public knowledge that 'Abestos tailings' were dumped in the swamp around the area, as early back as in 1950s. Even though much remedial work had been done after the court case, no one can be ascertained that no trace of asbestos is left in the ground. If amendment is approved and constructions are permitted, can we be absolutely sure that no fibre-ridden dust would be floating and blowing around? What will be the guarantee that the asbestos fibres would

not be in the air? What assurance is the State and the local governments given to all these residents living opposite the park and nearby for their exposure to this uncertainty of the existence of asbestos remnants which may cause long-term harm to them and their families? How about the exposure of the residents in the Retirement village? This should be the utmost important issue the WA Planning Commission should address beyond their slightest doubts.

4) Lot 224 is a Gazetted Regional Park.

Lot 224 proposed for amendment, lies within the gazetted boundaries of the Canning River Regional Park. It should remain as a 'Open Park', as designated. As more and more subdivisions shall be approved on the currently categorized urban lots, more and more people shall be living around this area in near future, hence it is even more essential to preserve this small, precious, open space/park, especially as it is already gazetted and designated as a Regional Park. The Environmental value and the well-being of the people should outweigh the pecuniary gain of demolishing the park and converting it into a cluster of bricks and steels, which if done, can never be recovered.

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded

Submitted to **MRS minor amendment 1365/57 – Pt Lot 4 Fern Road and Pt Lot 102 Castledare Place, Wilson**  
Submitted on **2020-06-01 10:53:03**

## Introduction

### 1 What is your first name?

**First name:**

Caroline

### 2 What is your surname?

**surname:**

Heuss

### 3 Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?

No

### 4 What is your email address?

**Email:**

caroline.heuss@gmail.com

### 5 What is your address?

**address:**

83 Fern Road, WILSON WA 6107

### 6 Contact phone number:

**phone number:**

0417485441

### 7 Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?

Oppose

### 8 Submission (reasons for support/opposition). Please type your submission into the box below or copy and paste text from a Microsoft Word document.

**Submission:**

**File upload:**

MRS Amendment Submission.docx was uploaded

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded

**Metropolitan Region Scheme Amendment 1365/57 (Minor Amendment)  
Pt Lot 4 Fern Rd & Pt Lot 102 Castledare Place Wilson.**

Caroline Heuss  
83 Fern Rd  
Wilson 6107

I live on Fern Road and have done so for many years. I am also an employee at Castledare Retirement Village.

I have the following concerns listed below regarding the current MRS Amendment together with recommendations on how to address these concerns.

**CONCERN:**

**Lack Of Open Space:**

- The plan is difficult to understand and as there are no landmarks given to show a proposed open space. My understanding that this public open space will be reduced and lost to the public for ever.
- I have been waiting for some time for the proposed pathway to be built across the northern side of the regional park. The plan mentions a proposal of PSP however it looks to me that the footprint of the MRS development has drastically reduced the room left for this to be built in some areas.

**RECOMMENDATION**

- The plan needs to be redrafted with proper landmarks in place and better explanations so the whole of the community can understand exactly what the proposed changes are going to be in the area.
- It appears the proposal for the MRS Amendment will remove approximately 95% of the public open space. This is by no means fair and should be rejected and a more balanced amount of space be provided for all users of the Canning River Regional Park. This is important so the community can continue to use it as a recreational open space.

**CONCERN:**

Mini Golf Next To Church Carpark Located In Canning River Regional Park:

- It appears to be removed from the Regional Parks footprint and is included in with the proposed MRS Amendment.
- It may be lost forever if development goes ahead and removes or significantly reduces its foot print.

**RECOMMENDATION**

- Reduce the amount of proposed developable space and to keep the mini golf in the regional park.
- Protect this site as a local historical asset and give it to the City of Canning to restore and manage.

I would like my above concerns presented to be considered and addressed by the WAPC These concerns should be acted upon in accordance with the Policy Number: DC2.3 Public Open Space Residential Areas.

Kind Regards

Caroline Heuss

Submitted to **MRS minor amendment 1365/57 – Pt Lot 4 Fern Road and Pt Lot 102 Castledare Place, Wilson**  
Submitted on **2020-06-03 18:32:30**

## Introduction

### 1 What is your first name?

**First name:**

Russell

### 2 What is your surname?

**surname:**

Gorton

### 3 Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?

No

### 4 What is your email address?

**Email:**

wilsonwetland@gmail.com

### 5 What is your address?

**address:**

12 Hyland Way Wilson 6107

### 6 Contact phone number:

**phone number:**

0481918858

### 7 Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?

Oppose

### 8 Submission (reasons for support/opposition). Please type your submission into the box below or copy and paste text from a Microsoft Word document.

#### Submission:

I called and spoke to Anthony Muscara today and explained I sent the incomplete document yesterday and he advised that I should resubmit. As a result I am resubmitting the correct submission today on behalf of the Wilson Wetlands Action Group.

Please replace yesterdays submission and attachments with these documents attached

#### File upload:

MRS Amendment, WWAG submission.docx was uploaded

#### File upload:

MRS Attachment 1 Tree root damage to infrustruture.docx was uploaded

#### File upload:

MRS Attachment 2 Mini Golf Course.docx was uploaded

#### File upload:

MRS Attachment 3 Wilson Main Drain History.docx was uploaded

#### File upload:

MRS Attachment 4 WWAG Alternative Plan.jpg was uploaded

**METROPOLITAN REGION SCHEME AMENDMENT 1365/57**  
**(MINOR AMENDMENT)**  
**PT LOT 4 FERN RD & PT LOT 102 CASTLEDARE PLACE WILSON.**

**Submission by Russell Gorton to the Western Australian Planning Commission DPLH  
(WAPC) on behalf of the Wilson Wetlands Action Group**

**A. EXECUTIVE SUMMARY**

WWAG has been actively volunteering at the Castledare Estate and the Canning River Regional Park (CRRP) for 22 years. One of our central objectives is to achieve a balanced outcome at the Castledare Estate between public open space (POS) and urban development while protecting the adjacent wetland and Canning River corridor. This will benefit the whole community including particularly people who become property owners in the new residential estate.

WWAG recognises the need for adjustment to the MRS boundaries to provide for the residential development. However, the proposed boundaries in the MRS Amendment will have serious direct and potential adverse impacts on public use and safety, remnant mature trees, unique heritage infrastructure, adjacent wetlands and wildlife. The following submission addresses each of these impacts and recommends alternative boundaries to provide for:

- future development of community infrastructure (section 3 below)
- enhanced public access and safety near the Castledare Railways line and along the proposed principal shared path (PSP) (section 4);
- protection of all mature trees located in Lot 102 and Lot 4 within the Canning River Regional Park (section 4);
- better protection of Conservation Category wetlands (section 5);
- preservation of the line of mature trees bordering the southern sides of Fern Road and Castledare Place (section 6);
- preservation of the remains of one of Australia's oldest mini golf courses and surrounding mature trees (section 7); and
- protection of wildlife habitat in and around the Wilson Main Drain (WMD), particularly the South-western snake-necked turtles (*Chelodina colliei*) (section 8).

WWAG requests the opportunity to present in more detail our vision for the site when the WAPC is deliberating on this MRS Amendment so the Commission can have a thorough appreciation of the views of community members who have a long and deep association with this area.



## **B. BACKGROUND**

### **1/ WWAG's long involvement with the Castledare Estate and Wilson Wetlands**

The Wilson Wetlands Action Group (WWAG) is a community-based volunteer organisation formed in 1998 which has dedicated itself to the protection and restoration of the wetlands of Wilson in the CRRP.

The WWAG has worked with more than 4000 volunteers who have contributed over 11,000 volunteer hours planting, weeding and restoring the fringe and buffers of conservation areas in and around the Castledare Estate, aiming to extend habitat and protect the diversity of the area. In this time WWAG has secured more than \$300,000 in grant funding.

WWAG has been actively involved in:

- conservation, restoration, protection and acquisition of the conservation wetlands and river floodplain,
- protection of all mature trees identified as significant assets in the Conservation Plan,
- protection, preservation and restoration of heritage structures associated with the Castledare estate and located in the CRRP,
- bushland restoration to expand buffers surrounding the conservation category wetlands in the CRRP, and
- restoration of the Wilson Main Drain (WMD) to improve conservation values.

WWAG continues to advocate for developments that enhance the enjoyment and use of the area by the general public such as the Principal Shared Path (PSP) and upgraded public ablution facilities with disabled access when the site becomes state-owned.

### **2/ Limitations of the MRS Amendment and supporting documents**

The MRS Amendment and supporting documents provided for comment do not clearly identify the proposed adjusted boundary in reference to other assets and as a result it is difficult to assess the proposal on-ground in reference to any natural assets or built infrastructure that is referred to in our submission below. This is of particular concern as the MRS Amendment proposes to reduce the POS in the CRRP.

## **C. ISSUES AND RECOMMENDATIONS**

### **3/ Allowance for community infrastructure development**

- MRS Amendment. Reservations (Page vi)

“Land Reserved for community purposes. It may be reserved to protect a resource or to provide areas for infrastructure.”

#### Recommendation

The WAPC should set aside sufficient space in the CRRP POS at Castledare Estate for future upgraded infrastructure required for the general public and Castledare Miniature Railway (CMR). This includes new public toilet facilities with disabled access that are connected to modern sewerage facilities and overflow parking on days the CMR is running. The current toilet facilities are antiquated, do not meet the needs of the general public and are connected to a septic system.

### **4/ Impact on mature trees from the PSP, infrastructure and housing developments**

– MRS Amendment. Reservations (Ref Page vi)

“Parks and recreation: land of regional significance for ecological, recreation or landscape purposes.”

The MRS Amendment does not identify the location of the PSP in the document or map provided. However, when considering the quote above and referring to the MRS Amendment under the heading Environment, (page 3, para 3) the MRS Amendment mentions the PSP.

Richard Noble’s consultant, in consultation with WWAG, has provided general advice on the proposed alignment of the PSP in reference to the CMR, the trees along the south-east corner of Lot 102, and the remnant mini golf course and its associated grove of mature trees (further discussed in sections 6 and 7 of this submission) adjacent to the church car park.

Our concerns about the proposed PSP in association with the MRS Amendment are:

- At the eastern corner of the proposed MRS Amendment there is a change in topography where it slopes down towards the wetland. This may require back filling, structural development and possibly a retaining wall to establish suitable levels for the PSP and the adjoining road reserve.

- The PSP corridor between the MRS Amendment and the CMR line has a limited buffer of only 1.5 metres for a length of approximately 50 metres. This buffer is quite inadequate for public safety. Children or dogs on extendable leads, for example, could run in front of a moving train which cannot stop quickly. The problem posed by this pinch point between the proposed PSP and railway line could be alleviated with fencing or a retaining wall, however this solution is not in keeping with the site and may prohibit the movement of fauna, predominantly nesting South-western snake-necked turtles which are listed as 'near threatened' by the International Union of Conservation and Nature (IUCN).
- Advice provided by Richard Noble's consultant suggests that there will be a road reserve skirting the new MRS boundary adjacent to the PSP, running very close to a line of large, mature Eucalypts in the south-eastern corner. These superb trees form an impressive edge of the boundary of trees that separates the open space from the Canning River. They provide habitat for birds and insects and have very high canopy value, consistent with the objectives of the City of Canning Urban Forest Strategy. With their extensive lateral root zone, broad canopy and very close proximity to the proposed developments they are expected to pose some distinct risks for people and for infrastructure:
  - The PSP will be constructed directly under the tree canopy line. These Eucalypts are susceptible to dropping limbs which pose a risk to the safety of PSP users.
  - The tree roots may push up under all proposed impervious surfaces requiring regular maintenance to the PSP, future road reserve and any other proposed infrastructure. Evidence of this type of tree root damage is noted on Fern Rd and the adjacent pathway at Castledare (Attachment 1).
  - Any development adjacent to these trees will have a detrimental impact on their lateral roots.
  - The substantial increase in the combined area of impervious surfaces with housing, driveways, road and PSP may have a negative impact on the long-term health of the trees, causing undue stress, disease or death due to a reduction in surface water recharge.

### Recommendation

The WAPC should increase the buffer in the south-eastern corner under AS 4970-2009 Protection of trees on development sites (Standards Australia) to protect the mature Eucalypts and allow the PSP to be constructed further away from the tree line whilst also protecting PSP users from falling branches. WWAG's alternative plan (Attachment 4. Referred to in section 8 of this submission) will allow for a more natural flow of the PSP by removing the dogleg at the eastern corner and reducing the pinch point and will also provide an appropriate buffer for the mature trees.

### Recommendation Continued

The mature trees adjacent to Castledare Place that shade the mini golf course are natural assets currently located within the CRRPs' boundary. The MRS Amendment on page 3, para 4. second sentence states: "The proponent has identified the retention of significant trees on-site in an initial concept plan, and will consider the protection of these trees as part of future structure planning." If this MRS amendment proceeds unaltered these trees, that are recognised in the Conservation Plan, will have an uncertain future because of their location in relation to the proposed new boundary. The WAPC should adjust the MRS Amendment by realigning the proposed boundary to the north of these trees to permanently protect and retain them as POS in the CRRP.

The WAPC must consider acquiring adequate POS along the eastern boundary taking into consideration sections 5 and 8 of this submission.

#### **5/ Wetland buffer too narrow**

- MRS Amendment. Statutory Planning Context. Environment. (page 3, para 2)

"The MRS Amendment area is located adjacent to the Wilson Wetlands and part of these proposed changes are within 50 metres of this Conservation Category Wetland. The Environmental Protection Authority's (EPA) Guidance Statement 33 states that wetlands that are to be protected require a minimum 50 metre buffer distance."

When scaling this MRS Amendment to other maps, not provided in this public comment process, it is clear there is a reduced buffer to the conservation wetlands of approximately 35 metres in the eastern corner of Lot 4 and Lot 102. This reduced buffer does not comply with the State Government policy referred to above.

### Recommendation

WAPC should adjust the proposed boundary of the MRS Amendment to provide the required 50 metre buffer at the eastern end of this MRS Amendment in compliance with the EPA Guidance Statement 33 referred to in the MRS Amendment.

#### **6/ Protection of all trees bordering Fern Road and Castledare Place**

- MRS Amendment. Statutory Planning Context.  
Environment (page 3, para 4, second sentence)

"The proponent has identified the retention of significant trees on-site in an initial concept plan, and will consider the protection of these trees as part of future structure planning."

WWAG concludes from this MRS Amendment that the trees located along Fern Rd from Cahill Court, north-east towards Hyland Way, are excluded from the plan and are protected but that there will only be *possible* protection of trees along Castledare Place and Fern Road between Cahill Court and Bungaree Road because they are within the footprint of the proposed MRS Amendment.

#### Recommendation

WWAG recommends that the MRS Amendment be reduced to protect all trees along Castledare Place and Fern Road and that AS 4970-2009 Protection of trees on development sites (Standards Australia) Determining Tree Protection Zones be applied.

### **7/ Protection of remnant mini golf course and surrounding mature trees**

The northern parcel of land that has been recommended to be deleted from Bush Forever and therefore from the CRRP, east of Lot 100 (the Catholic Church), has both significant mature trees and remains of a mini golf course built in the 1950s (Attachment 2) located in Lot 102.

The course is listed on the City of Canning 2017 Municipal Heritage Inventory. Six holes remain in poor to moderate condition. Construction is concrete with inlaid ceramic tiles that were also used in the heritage-protected church forecourt. As mini golf, or Putt Putt as it was originally called, only came to Australia in the 1950s, it is quite probably one of the oldest, relatively intact remnants of a mini golf course in the country, let alone in Western Australia.

The mini golf course was not formally recognised in the Conservation Plan because it was covered by a large sand pad when the Plan was being prepared. Volunteers removed the sand in 2007 to expose the mini golf course. Most of the other Castledare buildings and assets recommended for protection by the Conservation Plan have been lost to development, which has increased the importance of the mini golf course and need to preserve it as an unusual local heritage asset in POS within the CRRP. Apart from its historical significance, the course provides an excellent opportunity to share stories with the broader community about the history of this location. With some restorative work and interpretive signage, it could again become a valuable community recreational asset close to the proposed PSP.

#### Recommendation

WWAG requests that the MRS Amendment be adjusted to the north to avoid the remnants of the locally recognised, historically significant mini golf course and mature trees and that these assets remain protected in the CRRP so that the mini golf course can be maintained and established as a heritage link, entrusted to and managed by the City of Canning when the land tenure is resolved. The mature trees adjacent to Castledare Place that shade the mini golf course enhance the value of this location. They are recognised in the Conservation Plan and should be afforded total protection by the WAPC, not just the possibility of protection as suggested by the proponent on page 3, para 4 of the MRS Amendment.

## 8/ Wilson Main Drain

- MRS Amendment - (page 4, para 6).

The WMD is an open drain constructed in the late 1990s with permanent water and conservation value. For more than 20 years WWAG has been actively restoring the drainage corridor to provide an extension of the conservation wetlands (Attachment 3). The drain provides habitat and nesting for South-western snake-necked turtles, Gilgie (*Cherax quinquecarinatus*), Marron (*Cherax cainii*), snakes, water birds, frogs and macroinvertebrates. A rehabilitation plan for the WMD prepared by consultants Tranen Rehabilitation Systems for the Perth Region Alliance (Water Corporation) is currently being implemented.

It appears the WMD is identified only in Lot 102 of the MRS Amendment which “*notes that a final decision on the appropriateness of reserving the Water Corporation’s drainage infrastructure as PUBLIC PURPOSES – WSD) will be further considered prior to a final determination being made on the Amendment.*”

### Recommendation

WWAG strongly believes that the WMD should be recognised for its direct links to the conservation wetlands and the Canning River and that the MRS Amendment should recognise the WMD’s footprint in Lot 4 and Lot 102. WWAG has submitted an alternative plan as part of our submission (Attachment 4) showing our recommendation for an alternative alignment of the PSP, POS and MRS Amendment. A 50-metre buffer to the west from the centre line of the drain should be negotiated and acquired to provide a reasonable amount of space for all native fauna. This will negate any possible requirement for levelling or backfilling of the site and will eliminate the need for any additional infrastructure such as retaining walls or fencing which may inhibit the movements of nesting South-western snake-necked turtles. The turtles are regularly observed nesting in the grass areas of Lot 102 and Lot 4 adjacent to the WMD and a suitable buffer to protect nesting habitat must be considered. The drain and buffer would be a sensible and logical extension of the conservation bushland and Wilson Wetlands located on the eastern side of the drain and the greater CRRP.

The WAPC must give due consideration to the needs of community and the environment and set aside adequate space for Parks and Recreation particularly in the east and south eastern corner of this MRS Amendment and apply WAPC Policy No DC 2.3 (ref 3.3 Regional Open Space 3.3.1) and reserve this space “as a separate lot pending acquisition by the Commission pursuant to that scheme.”

## **D. ADDITIONAL MATTERS**

### **9/ Welcome transfer of Bush Forever site to the State**

- MRS Amendment. 2 Background (page 1, para 2).

“As part of the negotiations for the rezoning of the 1.02 hectares to the Urban zone, the landowner has agreed to cede all the Parks and Recreation reservation (and Bush Forever area) within their ownership within Lot 102 Castledare Place and Lot 4 Fern Road to the State free of cost, equating to approximately 12.5 hectares.”

#### Comment

WWAG has been advocating for this change for 22 years and we are very pleased with this outcome.

### **10/ Correcting the context for extra reservations of public land**

- MRS Amendment. 1. Purpose (page 1, para 2)

“A minor boundary adjustment is also proposed for the Parks and Recreation reserve to incorporate an additional area of land that accommodates part of the Castledare Miniature Railway [CMR] that has historically been left outside of the reserve boundary.”

Amending Plan 3.2751 identifies green zones as gains to the CRRP. Technically that is correct but in reality, the zones comprise land that could never be developed:

- (i) The green zone identified to the south adjacent to the CMR is mostly within a flood fringe. This is confirmed when referencing the Department of Water and Environmental Regulation Floodplain mapping tool. Accordingly, it would not likely be subdividable resulting in this portion of land being incorporated into the CRRP at the time of subdivision.
- (ii) Vista between Niana Homestead and the Canning River.  
It is suggested in the MRS Amendment that this land, marked green on the plan, is a new gain for the community and the CRRP. That is totally incorrect for two reasons:
  - It was listed as a “Vista of Exceptional Significance” for Niana Homestead, as part of the Conservation Plan, and therefore was *a/ways* to be protected as an open vista to the river.
  - It has been used in recent years for an asbestos containment cell and is therefore now a contaminated landfill site.

Russell Gorton  
12 Hyland Way Wilson 6107  
Chairman  
Wilson Wetlands Action Group

## E. APPENDICES

### 11/ Abbreviations

<b>Metropolitan Region Scheme</b>	<b>MRS</b>
<b>Wilson Wetland Action Group</b>	<b>WWAG</b>
<b>Canning River Regional Park</b>	<b>CRRP</b>
<b>Public Open Space</b>	<b>POS</b>
<b>Wilson Main Drain</b>	<b>WMD</b>
<b>Principal Shared Path</b>	<b>PSP</b>
<b>Western Australian Planning Commission</b>	<b>WAPC</b>
<b>Castledare Miniature Railway</b>	<b>CMR</b>

### 12/ References:

**Metropolitan Region Scheme (MRS) Amendment 1365/57** (Minor Amendment) Pt Lot 4 Fern Rd & Part Lot 102 Castledare Place Wilson.

**Conservation Plan. Former Castledare Boys Home Wilson**

Prepared by Allom Lovell Hocking Conservation Consultants, June 1996

Referred to as the "Conservation Plan".

**Department of Water and Environmental Regulation** Floodplain mapping tool.

**City of Canning Municipal Heritage Inventory** (City of Canning. Intramaps).

**AS 4970-2009 Protection of trees on development sites** (Standards Australia)

Determining Tree Protection Zones.

**WAPC Policy No DC 2.3** (3.3 Regional Open Space 3.3.1)



## Attachment 1 Tree root damage to impervious infrastructure



Tree root causing damage to Fern Rd and adjacent footpath located at Castledare between Cahill Court and Bungaree Rd



## Attachment 1 Tree root damage to impervious infrastructure



Lateral root width approximately 230mm



## Attachment 1 Tree root damage to impervious infrastructure



Significant council staff and resources were required to restore the road and pathway on this occasion and this is expected to occur again in time as this tree root continues to grow and becomes larger



## Attachment 2 Remnant Mini Golf course and adjacent trees located in the CRRP



Mini Golf course and adjacent trees looking to towards the Catholic Church. This unique site is in the Canning River Regional Park but the developer is seeking to have this space removed from the CRRP and included in the MRS Amendment



**Attachment 2 Remnant Mini Golf course and adjacent trees located in the CRRP**



Mini Golf course looking towards the Canning River



**Attachment 2 Remnant Mini Golf course and adjacent trees located in the CRRP**



The 4<sup>th</sup> tee of the Mini Golf Course showing inlaid roman numeral tiles



### Attachment 3 Wilson Main Drain Restoration to support conservation



Restoration of the Wilson Main Drain undertaken by volunteers of the Wilson Wetlands Action Group began in 1999



In 2019 follow up photos were taken of each location to show the significance of the conservation efforts by volunteers



### Attachment 3 Wilson Main Drain Restoration to support conservation



These photos show what was once a trunk drain with unstable embankments converted into areas which provide habitat and stability to the drains embankments





### Attachment 3 Wilson Main Drain Restoration to support conservation



In 2010 (shown above) further works were approved and supported by Water Corporation to proceed with the remainder of the drainage corridor and the photo taken in 2019 (shown below) depicts the success of the project at that time





### Attachment 3 Wilson Main Drain Restoration to support conservation




In recent times the project has suffered a setback and Water Corporation and Perth Region Alliance have accepted responsibility and committed to the restoration of the site to its former status. This work is being undertaken by Tranen Rehabilitation Systems and funded by the Perth Region Alliance










LEGEND

 Cadastre

 CRBP BOUNDARY


 CASTLEDARE MINIATURE RAILWAY


 PROPOSED MRS AMENDMENT


 LWAG PROPOSED MRS BOUNDARY-CHANGE

 PROPOSED PSP

 FLOOD WAY & VISTA TO NIANA

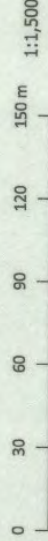
 MINI GOLF SITE

 CONSERVATION WETLAND

 WILSON MAIN DRAIN RESTORATION PROJECT

MAPPED FEATURES NOT TO SCALE

INFORMATION



Submitted to **MRS minor amendment 1365/57 – Pt Lot 4 Fern Road and Pt Lot 102 Castledare Place, Wilson**  
Submitted on **2020-06-03 21:13:38**

## Introduction

### 1 What is your first name?

**First name:**

Robert

### 2 What is your surname?

**surname:**

Wajon

### 3 Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?

No

### 4 What is your email address?

**Email:**

wajonfam@iinet.net.au

### 5 What is your address?

**address:**

199 Bishopsgate Street Carlisle

### 6 Contact phone number:

**phone number:**

0893619546

### 7 Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?

Oppose

### 8 Submission (reasons for support/opposition). Please type your submission into the box below or copy and paste text from a Microsoft Word document.

#### Submission:

Metropolitan Region Scheme Amendment 1365/57

Part Lot 4 Fern Road and part Lot 102 Castledare Place Wilson.

Submission by Robert Wajon as a frequent user of the area adjacent to the proposed amendment.

Having read the proposed amendment, I am concerned about a number of issues.

The first of these is the proposed Principle Shared Path (PSP).

The MRS Amendment does not identify the location of the PSP in the document or map provided. However, when referring to the MRS Amendment under the heading Environment, (page 3, para 3) the MRS Amendment mentions the PSP.

Richard Noble's consultant, in consultation with WWAG, has provided general advice on the proposed alignment of the PSP in reference to the Castledare Miniature Railway (CMR), the trees along the south-east corner, and the remnant mini golf course and its associated grove of mature trees adjacent to the church car park.

My concerns about the proposed PSP in association with the MRS Amendment are:

- At the eastern corner of the proposed MRS Amendment there is a change in topography where it slopes down towards the wetland. This may require back filling, structural development and possibly a retaining wall to establish suitable levels for the PSP and the adjoining road reserve.
- The PSP corridor between the MRS Amendment and the CMR line has a limited buffer of only 1.5 metres for a length of approximately 50 metres. This buffer is quite inadequate for public safety. Children or dogs on extendable leads, for example, could run in front of a moving train which cannot stop quickly. The problem posed by this pinch point between the proposed PSP and railway line could be alleviated with fencing or a retaining wall, however this solution is not in keeping with the site and may prohibit the movement of fauna, predominantly nesting South-western snake-necked turtles which are listed as 'near threatened' by the International Union of Conservation and Nature (IUCN).
- Advice provided by Richard Noble's consultant suggests that there will be a road reserve skirting the new MRS boundary adjacent to the PSP, running very

close to a line of large, mature Eucalypts in the south-eastern corner. These superb trees form an impressive edge of the boundary of trees that separates the open space from the Canning River. They provide habitat for birds and insects and have very high canopy value, consistent with the objectives of the City of Canning Urban Forest Strategy. With their extensive lateral root zone, broad canopy and very close proximity to the proposed developments they are expected to pose some distinct risks for people and for infrastructure:

- The PSP will be constructed directly under the tree canopy line. These Eucalypts are susceptible to dropping limbs which pose a risk to the safety of PSP users. The tree roots may push up under all proposed impervious surfaces requiring regular maintenance to the PSP, future road reserve and any other proposed infrastructure. Evidence of this type of tree root damage is noted on Fern Rd and the adjacent pathway at Castledare .
- Any development adjacent to these trees will have a detrimental impact on their lateral roots.
- The substantial increase in the combined area of impervious surfaces with housing, driveways, road and PSP may have a negative impact on the long-term health of the trees, causing undue stress, disease or death due to a reduction in surface water recharge.

Recommendation:

The WAPC should increase the buffer in the south-eastern corner under AS 4970-2009 Protection of trees on development sites (Standards Australia) to protect the mature Eucalypts and allow the PSP to be constructed further away from the tree line whilst also protecting PSP users from falling branches. WWAG's alternative plan will allow for a more natural flow of the PSP by removing the dogleg at the eastern corner and reducing the pinch point and will also provide an appropriate buffer for the mature trees.

Another area of concern is that the Wetland Buffer is too narrow.

- MRS Amendment. Statutory Planning Context. Environment. (page 3, para 2)

"The MRS Amendment area is located adjacent to the Wilson Wetlands and part of these proposed changes are within 50 metres of this Conservation Category Wetland. The Environmental Protection Authority's (EPA) Guidance Statement 33 states that wetlands that are to be protected require a minimum 50 metre buffer distance."

When scaling this MRS Amendment to other maps, not provided in this public comment process, it is clear there is a reduced buffer to the conservation wetlands of approximately 35 metres in the eastern corner of Lot 4 and Lot 102. This reduced buffer does not comply with the State Government policy referred to above.

Recommendation:

WAPC should adjust the proposed boundary of the MRS Amendment to provide the required 50 metre buffer at the eastern end of this MRS Amendment in compliance with the EPA Guidance Statement 33 referred to in the MRS Amendment.

Yours sincerely,  
Robert Wajon

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded

Submitted to **MRS minor amendment 1365/57 – Pt Lot 4 Fern Road and Pt Lot 102 Castledare Place, Wilson**  
Submitted on **2020-06-04 16:17:26**

## Introduction

### 1 What is your first name?

**First name:**

Heather

### 2 What is your surname?

**surname:**

Sobkowiak

### 3 Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?

No

### 4 What is your email address?

**Email:**

sobkowiakh@hotmail.com

### 5 What is your address?

**address:**

6 Hyland Way Wilson 6107

### 6 Contact phone number:

**phone number:**

0419933830

### 7 Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?

Oppose

### 8 Submission (reasons for support/opposition). Please type your submission into the box below or copy and paste text from a Microsoft Word document.

#### Submission:

I have lived in Wilson for more than 25 years and have been interested in the land matters at Castledare for a long time.

The people of Canning have always expected to have the land in question reserved as public open space.

It looks like the developers are seeking to take more than 95% of the public space and turn it into a development and this is not acceptable.

I walk across the open space every day and I often see long neck turtles moving through the grass going out to nest.

The MRS Amendment is not providing enough space for safe access and movement through the Canning River regional Park.

I am of the understanding that a pathway is to be constructed between the proposed development and the railway but looking at the map it is hard to see how this will be done as there is not enough room for public open space to create a landscaped area supporting a pathway and maintaining enough space to provide for the turtles nesting needs.

Also of significant interest to me and others in the community is the remnant mini golf site, this asset is in the Regional parks boundary and if this development is to be approved then it will be left in the hands of the developer and not necessarily protected for the community .

The WAPC should review the proposed boundary changes and reduce the amount of space that is being sought by the developer to protect the mini golf course and surrounding trees, provide approximately 30% more space in the eastern corner of the proposal to allow for a more natural path alignment across to Bywater Way and providing space to beautify and landscape the area in line with conservation of the park whilst providing more space for the nesting long neck turtles.

#### File upload:

No file was uploaded

#### File upload:

No file was uploaded

#### File upload:

No file was uploaded

#### File upload:

No file was uploaded

Submitted to **MRS minor amendment 1365/57 – Pt Lot 4 Fern Road and Pt Lot 102 Castledare Place, Wilson**  
Submitted on **2020-06-04 18:17:18**

## Introduction

### 1 What is your first name?

**First name:**

Julie

### 2 What is your surname?

**surname:**

Robert

### 3 Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?

No

### 4 What is your email address?

**Email:**

majprob@iinet.net.au

### 5 What is your address?

**address:**

5 Renville Way Lynwood WA 6147

### 6 Contact phone number:

**phone number:**

0408363825

### 7 Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?

Oppose

### 8 Submission (reasons for support/opposition). Please type your submission into the box below or copy and paste text from a Microsoft Word document.

#### Submission:

This Submission is from the Canning River Regional Park Community Advisory Committee. As Chair of the committee I (Julie Robert) submit these concerns.

1. An overall complaint that the map documents attached to MRS amendment do NOT clearly identify the Regional Park Boundary on the same map as the proposed development boundary. This has the potential to mislead the community. I refer you to the WAPC Policy 3.3.1. "Where a proposed subdivision includes land

which is designated as a Parks and Recreation reserve under the Metropolitan Region

Scheme, or a regional planning scheme, and cannot be dealt with as either a foreshore

reserve under the provisions of Section 3.2, or as part of a subdivider's 10 percent public open space contribution under the provisions of sub-clause 3.3.2, the Commission will require that the land so reserved shall be shown on the survey documents as a separate lot pending acquisition by the Commission pursuant to that scheme.

2. The site in front (the vista) of Niana Homestead that was always identified as part of the heritage of the homestead now (as of ~2017) has a Dept of Health approved containment of asbestos within it. The asbestos was removed from the adjoining block which is now This makes this block of land a contaminated site and is thus regarded as a liability NOT an asset and should not be considered as suitable collateral in exchange for clean land that could be rehabilitated as buffer to the Conservation Category wetland.

3. The river foreshore and floodplains that are within Castledare ownership will be moved over to Regional Park's Management However we understand that that is a requirement anyway as the foreshore is a required buffer to the river and the wetland a conservation category so planning requirement apply. See WAPC Policy 3.3.2 & 3.2.6 "It should be noted that where the Commission considers that a foreshore reserve is to be given up as a condition of subdivision, the area of foreshore so required will not be included in the gross subdivisible area on which the public open space requirement is assessed and will be in addition to the land required for public open space."

4. The proposal does not include the cultural heritage value of the Mini golf course recently fully uncovered by Wilson Wetlands Action group and other local community members with permission from the Christian Brothers. It contains tiles that match the tiles within the Catholic Church and its tiled forecourt. This site should be recognised for its Cultural Heritage and protected accordingly.

5. There are many large trees on site. The community are very concerned that there is no definite protection outlined for the large trees surrounding the development except for 4 of 7 trees alongside Fern Road. One tree is a very large Tuart tree that is not within the proposed development but resides within the verge of the adjoining very small (already zoned) urban zone alongside Castledare Place. The community are concerned that although some trees appear to be safe, they may be made unsafe or suffer damage after interference with their root structure during road construction or residential development construction.

6. All trees may potentially interfere with the building of residential homes, or the provision of safe living conditions for the homes being constructed within their fall zone. Many people commented that the very large Eucalypts could be impacted after development by homeowner's who don't like the natural leaf and/or flower/ stick fall, or root intrusion that will continue to occur. The acceptance of these trees staying as is should become a required agreement with new residential owners.

7. In the corner of the proposed development closest to the Miniature Railway line there is concern that the site will need retaining structures built to maintain site slopes and that that retainment may damage the large trees present alongside. Retainers will also prevent long necked turtles from gaining access to nesting sites.

There is concern expressed about the proximity of the proposed principal shared path (PSP) to the miniature railway line at this location – possible safety concerns for path users when the train is operating, and that the provision of a fence to improve safety could also affect turtle access.

9. Asbestos containment is also covered by sand stone along the Wilson Main Drain alignment buffer and along half of the Fern Road tree zone. Sand stone is permeable and thus NOT a suitable containment. The community understand that the asbestos within this part of the development was found amongst buried homestead rubble that apparently came from the previous Watts Homestead that was previously situated on that allotment. These sites are also being excluded by the developer from the proposed development area and given as collateral for the clean development sites which is NOT acceptable to the CRRPCAC.

10. Asbestos covered up by Geofabric and 250mm of degradable mulch under trees along Fern Road. Discovered by the CRRPCAC members upon a visit to the site.

Previous to this site meeting, the reason for the inclusion of only ½ of the treed Fern Road verge section was unknown to the broader community. The asbestos contamination has now solved the confusion of why only half of the Fern Road tree zone was marked as being given up in exchange for clean Regional Park designated land. The community members present were disgusted by the apparent lack of detail associated within the proposed amendment. Planting will not be able to occur in these areas so again this land is NOT able to be rehabilitated and difficult to manage in the future as part of the Regional Park.

10. There is a general threat to the long-necked turtles within the site proposed as the area has ideal nesting sand close by to their natural habitat. Long Necked turtles return to nesting areas and will try anything to try to regain access thus the road surrounding the development must ensure that they can move freely.

11. Concern was raised about adequate space for on site drainage to be retained.

12. Concern about whether the development, including the roads met the required CCW buffer requirements and that the drainage or future bore use would not interfere with the wetland ground water or surface waters.

13. The CRRPCAC do NOT accept Asbestos Contaminated Land as a suitable exchange for clean land that could be rehabilitated for the benefit of the environment and the local community. It is the responsibility of the current land owner to remove the unsecured asbestos from the site or provide a suitable permanent containment which should remain in their management.

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded



Submitted to **MRS minor amendment 1365/57 – Pt Lot 4 Fern Road and Pt Lot 102 Castledare Place, Wilson**  
Submitted on **2020-06-04 19:44:34**

## Introduction

### 1 What is your first name?

**First name:**

Paul

### 2 What is your surname?

**surname:**

Kerry

### 3 Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?

No

### 4 What is your email address?

**Email:**

paulwkerry@inet.net.au

### 5 What is your address?

**address:**

16 Hyland Way

Wilson

WA

6107

### 6 Contact phone number:

**phone number:**

0432491246

### 7 Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?

Oppose

### 8 Submission (reasons for support/opposition). Please type your submission into the box below or copy and paste text from a Microsoft Word document.

**Submission:**

Dear Sirs,

I am struggling to understand how we can give consideration to turn an area of natural beauty that is extensively used by the local populous into another housing estate, I see no benefit to the community only another asset owner and developer eager to turn a profit, if someone could explain the benefit then I may change my opinion.

The area was classified Bushland forever for a reason, local residents and visitors to the railway have used this area for years to walk their dogs, family picnics and other recreational uses, the area borders Canning River Regional Park and is an area of natural beauty. Building a housing estate will deprive not only people currently living in the area but future generations the opportunity to observe and interact in this beautiful spot, surely there is so much more we can do with this area that will benefit local residents and visitors for which we get many to the railway.

Building houses would be a wasted opportunity to enhance the community especially in this difficult time of Covid 19 where people are being encouraged to come together as a community.

Since I have lived in Wilson some 15 years I have noted the urban infill that has taken place, this infill has brought its own problems with volume of traffic on Fern Road. It is not uncommon that you have queue's of stationary traffic in the mornings tailing back from the Leach Highway Traffic lights on Bungaree Road to as far as Riverton Bridge. The Council have added speed bumps on Fern Road for a reason as people use this road as a rat run in the morning and evenings, it gets pretty busy some days adding to traffic would not be helpful to local residents.

There is so much wrong about this proposal for the local community and no benefit that I can see for anyone apart from turning a piece of Bushland forever into a profit for a unthoughtful asset owner and an eager developer.

Please think seriously about this as if you agree to this proposal then this land will become "Bushland gone forever"

Thank you and Kind Regards

Paul Kerry

**File upload:**  
No file was uploaded

**File upload:**  
No file was uploaded

**File upload:**  
No file was uploaded

**File upload:**  
No file was uploaded

**File upload:**  
No file was uploaded

Submitted to **MRS minor amendment 1365/57 – Pt Lot 4 Fern Road and Pt Lot 102 Castledare Place, Wilson**  
Submitted on **2020-06-04 19:59:02**

## Introduction

### 1 What is your first name?

**First name:**

Selwyn

### 2 What is your surname?

**surname:**

Crump

### 3 Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?

No

### 4 What is your email address?

**Email:**

thecrump@hotmail.com

### 5 What is your address?

**address:**

15 pelican street Wilson

### 6 Contact phone number:

**phone number:**

0415689439

### 7 Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?

Oppose

### 8 Submission (reasons for support/opposition). Please type your submission into the box below or copy and paste text from a Microsoft Word document.

#### Submission:

I believe that the land should be used to improve some recreational activities in the suburb. Tennis courts? Picnic area? Nature play and grass area with BBQs like wood bridge in Midland. It would be used with the elderly when families visit and as a family with young children I can say it would be popular. I am also concerned that the increased traffic in the area from development will be detrimental to fern road and it's walk/cycle path safety.

#### File upload:

No file was uploaded

#### File upload:

No file was uploaded

#### File upload:

No file was uploaded

#### File upload:

No file was uploaded

#### File upload:

No file was uploaded

Submitted to **MRS minor amendment 1365/57 – Pt Lot 4 Fern Road and Pt Lot 102 Castledare Place, Wilson**  
Submitted on **2020-06-04 20:15:58**

## Introduction

### 1 What is your first name?

**First name:**

Kylie

### 2 What is your surname?

**surname:**

Crump

### 3 Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?

No

### 4 What is your email address?

**Email:**

kyliemci@yahoo.com.au

### 5 What is your address?

**address:**

15 Pelican Place Wilson WA

### 6 Contact phone number:

**phone number:**

0498099074

### 7 Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?

Oppose

### 8 Submission (reasons for support/opposition). Please type your submission into the box below or copy and paste text from a Microsoft Word document.

#### Submission:

I feel that the reclassification of this area is likely to negatively impact the suburb of Wilson, especially if high-density housing is permitted. I believe Wilson is a sought after location because it offers lifestyle choices of a bygone era where people know their neighbours, have homes with backyards and have spaces to roam and explore and enjoy in their free time.

We regularly, if not daily walk by this lot with our young children and chat with the residents at Castledare, some who have purposely chosen that facility for the proximity to the open space near by. Elderly residents and young families frequently use the paths around the lot and an increase in traffic that urbanisation would no doubt cause is looking likely to decrease the safety of this area significantly.

In addition, the lot is in a perfect location for recreation purposes that could facilitate community based activities such as a naturscape discovery park, BBQ's, picnic tables, a cafe or a small corner shop. Being located between busy Lo Quay &, at times crowded, Kent St Weir it would provide an excellent alternative to these two locations, also being a bit further from the river provides piece for mind for families with young children. A parkland for Castledare residents and other retirees to mingle with families would strengthen the community spirit that makes Wilson such a unique and desirable place to live. I believe we need to respect the integrity of the neighbourhood by retaining what sets us apart, rather than cramming in extra housing and becoming like everywhere else where everyone lives on top of each other but has no connection with their neighbour or with the space they live in.

#### File upload:

No file was uploaded

#### File upload:

No file was uploaded

#### File upload:

No file was uploaded

#### File upload:

No file was uploaded

Submitted to **MRS minor amendment 1365/57 – Pt Lot 4 Fern Road and Pt Lot 102 Castledare Place, Wilson**  
Submitted on **2020-06-04 20:43:55**

## Introduction

**1 What is your first name?**

First name: *Name removed at the request of the submitter*

**2 What is your surname?**

surname:

**3 Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?**

Yes

**4 What is your email address?**

Email:

**5 What is your address?**

address:

**6 Contact phone number:**

phone number:

**7 Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?**

Oppose

**8 Submission (reasons for support/opposition). Please type your submission into the box below or copy and paste text from a Microsoft Word document.**

**Submission:**

This area should complement the beautiful river environment, not be turned into high density housing. Repurposing green space is irreversible.

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded

Submitted to **MRS minor amendment 1365/57 – Pt Lot 4 Fern Road and Pt Lot 102 Castledare Place, Wilson**  
Submitted on **2020-06-04 20:52:31**

## Introduction

### 1 What is your first name?

**First name:**

Amanda

### 2 What is your surname?

**surname:**

Blennerhassett

### 3 Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?

No

### 4 What is your email address?

**Email:**

blenner\_bros@bigpond.com

### 5 What is your address?

**address:**

56 Alderley Square, Wilson

### 6 Contact phone number:

**phone number:**

0409220297

### 7 Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?

Oppose

### 8 Submission (reasons for support/opposition). Please type your submission into the box below or copy and paste text from a Microsoft Word document.

#### Submission:

To whom it may concern, the area alongside Fern Road, Wilson near Castledare retirement village is unique in its outlook and acts as a gateway between the wetlands and existing housing.

Wilson is well known for its natural bush area that hugs the riverbank, and this aforementioned piece of land is a well used area for local residents to walk through.

Wilson is already become highly populated with subdivided blocks of land popping up in every street. What Wilson needs is to keep its natural bush, it does not need high density housing.

My proposal is to develop this parcel of land into a picnic area for families with perhaps a nature themed playground alongside it.

#### File upload:

No file was uploaded

#### File upload:

No file was uploaded

#### File upload:

No file was uploaded

#### File upload:

No file was uploaded

#### File upload:

No file was uploaded

Submitted to **MRS minor amendment 1365/57 – Pt Lot 4 Fern Road and Pt Lot 102 Castledare Place, Wilson**  
Submitted on **2020-06-04 20:54:16**

## Introduction

### 1 What is your first name?

First name: *Name removed at the request of the submitter*

### 2 What is your surname?

surname:

### 3 Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?

Yes

### 4 What is your email address?

Email:

### 5 What is your address?

address:

### 6 Contact phone number:

phone number:

### 7 Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?

Oppose

### 8 Submission (reasons for support/opposition). Please type your submission into the box below or copy and paste text from a Microsoft Word document.

#### Submission:

I feel very concerned about the plans for the fern Rd property , about the increase of people, cars , property -and the loss of the bush amenity and space . The space could be used for a naturescape playground for all of the south east corridor to use and visit. Something like lawn bowls to provide further recreational options for the community would also be a welcome addition. Fern rd is not equipped to deal with the massive increase in road traffic that would be a result of the proposal and the local area would be negatively affected.

#### File upload:

No file was uploaded

#### File upload:

No file was uploaded

#### File upload:

No file was uploaded

#### File upload:

No file was uploaded

#### File upload:

No file was uploaded

Submitted to **MRS minor amendment 1365/57 – Pt Lot 4 Fern Road and Pt Lot 102 Castledare Place, Wilson**  
Submitted on **2020-06-04 20:56:49**

## Introduction

### 1 What is your first name?

First name: *Name removed at the request of the submitter*

### 2 What is your surname?

surname:

### 3 Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?

Yes

### 4 What is your email address?

Email:

### 5 What is your address?

address:

### 6 Contact phone number:

phone number:

### 7 Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?

Oppose

### 8 Submission (reasons for support/opposition). Please type your submission into the box below or copy and paste text from a Microsoft Word document.

#### Submission:

The reason we settled in Wilson was the serenity of the parkland. Most visitors to the area admire the nature reserve and are envious of the quality of the bushland.

To demolish the natural surrounds and replace it with more urban sprawl would be a retrograde step and the appeal of the area diminished.

Many families are involved with the Castledare Railway and diminishing the area reserved for community recreational activities would be devastating.

A far better alternative would be to pursue the idea of an adventure playground for the community. Recreational areas are being reduced for the quick fix of a few dollars. We will regret any reduction of this area as it distinguishes Wilson from most suburban sprawls. Let's keep that point of difference for the future generations.

#### File upload:

No file was uploaded

#### File upload:

No file was uploaded

#### File upload:

No file was uploaded

#### File upload:

No file was uploaded

#### File upload:

No file was uploaded



Submitted to **MRS minor amendment 1365/57 – Pt Lot 4 Fern Road and Pt Lot 102 Castledare Place, Wilson**  
Submitted on **2020-06-04 20:58:06**

## Introduction

### 1 What is your first name?

**First name:**

Peter

### 2 What is your surname?

**surname:**

Terpstra

### 3 Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?

No

### 4 What is your email address?

**Email:**

peter@com-al.com.au

### 5 What is your address?

**address:**

12 Calleen Court, Wilson

### 6 Contact phone number:

**phone number:**

0438960620

### 7 Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?

Oppose

### 8 Submission (reasons for support/opposition). Please type your submission into the box below or copy and paste text from a Microsoft Word document.

**Submission:**

I oppose the proposed amendments for the following reasons:

1. Traffic is an increasing problem on Fern road already, including congestion in the short cut via Fleming and George Street to Carousel.
2. Bush forever should be maintained and developed into a public facility such as similar at the Kent Street Weir. Already there is not enough parking on the weekends, an additional area to mirror the facility at the Weir would be a much needed and popular addition to the area.
3. Community Facilities should be developed in this area as there is a real shortage of good quality facilities. Generally the facilities in the suburb of Wilson are old, small and not to current needs and standards.

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded

Submitted to **MRS minor amendment 1365/57 – Pt Lot 4 Fern Road and Pt Lot 102 Castledare Place, Wilson**  
Submitted on **2020-06-05 09:01:35**

## Introduction

### 1 What is your first name?

**First name:**

Teresa

### 2 What is your surname?

**surname:**

Hare

### 3 Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?

No

### 4 What is your email address?

**Email:**

tessa\_hare@bigpond.com

### 5 What is your address?

**address:**

17 Pelican Place Wilson 6107

### 6 Contact phone number:

**phone number:**

0406474646

### 7 Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?

Oppose

### 8 Submission (reasons for support/opposition). Please type your submission into the box below or copy and paste text from a Microsoft Word document.

#### Submission:

To use a small portion of this land is acceptable but only as an extension of the retirement living, This area was always part of the regional park and should remain so. From the plan it seems aces to the miniature railway will be very restricted. I am also concerned that the mature gum trees along the edge of the land will be removed and as the city of canning is rather short of mature trees this would be rather tragic.

#### File upload:

No file was uploaded

#### File upload:

No file was uploaded

#### File upload:

No file was uploaded

#### File upload:

No file was uploaded

#### File upload:

No file was uploaded

Submitted to **MRS minor amendment 1365/57 – Pt Lot 4 Fern Road and Pt Lot 102 Castledare Place, Wilson**  
Submitted on **2020-06-05 10:54:50**

## Introduction

### 1 What is your first name?

**First name:**

Mitch

### 2 What is your surname?

**surname:**

Bisby

### 3 Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?

No

### 4 What is your email address?

**Email:**

mitchell@burgessdesigngroup.com.au

### 5 What is your address?

**address:**

101 Edward Street Perth WA 6000

### 6 Contact phone number:

**phone number:**

08 9328 6411

### 7 Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?

Support

### 8 Submission (reasons for support/opposition). Please type your submission into the box below or copy and paste text from a Microsoft Word document.

**Submission:**

Refer attached.

**File upload:**

200604LWAPC\_MRS Amendment 1365-57 submission.pdf was uploaded

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded



04 June 2020

Our Ref: RNC CAS/200604LWAPC\_MRS Amendment 1365-57 submission.docx

WAPC Ref: MRS Amendment 1365/57

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

Dear Sir/Madam

**RE: METROPOLITAN REGION SCHEME AMENDMENT 1365/57  
SUBMISSION SEEKING ADDITIONAL URBAN ZONED LAND  
LOT 4 FERN ROAD & LOT 102 CASTLEDARE PLACE, WILSON**

We write with regard to the above Amendment, and in our capacity as the Applicant, to request the Western Australian Planning Commission's (WAPC) consideration to include an additional portion of Urban zoned land (refer **attached** plan).

#### **PROPOSED CHANGE**

An additional 645m<sup>2</sup> of Urban zoned land is proposed within the northern portion of the site. This additional area follows the edge of a planned Shared Path (SP) corridor, consistent with the approach used in the existing proposed Urban area to which it abuts. In effect, the proposed change will 'round out' the northern urban area by filling in the gaps and using the SP to delineate the boundary between the Urban and Parks and Recreation Reserve areas.

The proposed change affects an area for which the existing Amendment Map shows the Bush Forever Area designation to be removed, so no change is required to the Bush Forever Area.

#### **RATIONALE**

The proposed additional Urban zoned land will facilitate the delivery of necessary drainage infrastructure to satisfy the WAPC's *Better Urban Water Management (2008)* guidelines. Specifically, the project's Civil Engineer has identified the additional Urban area will provide sufficient space to accommodate drainage as part of an overall stormwater management strategy. Importantly, this will ensure drainage is provided outside of any areas identified as Parks and Recreation Reserve.

**BURGESS** | DESIGN  
GROUP  
TOWN PLANNING + URBAN DESIGN

We believe this to be vital, given the significant local and regional context of the adjacent Canning River and Wetlands.

## CONCLUSION

By supporting the proposed change, the WAPC will facilitate the pursuit of opportunities that provide due protection to these significant environmental features, the details of which will be refined through a future structure planning process.

Should you require any additional information or wish to discuss this matter further, please do not hesitate to contact the undersigned on 9328 6411.

Yours faithfully

**BURGESS DESIGN GROUP**



**MARK SZABO**  
**ASSOCIATE DIRECTOR**

CC

- Peter Dockett – Senior Development Manager, Richard Noble

Enc

- Modified MRS Amendment Plan (RNC CAS 07-02m-07)

## Proposed Metropolitan Region Scheme



Plan No: **UNC CAS 07-02m-01** Client: **Richard Noble**  
Date: **03.06.20** Planner: **MS/MB**

CITY OF CANNING

Submitted to **MRS minor amendment 1365/57 – Pt Lot 4 Fern Road and Pt Lot 102 Castledare Place, Wilson**  
Submitted on **2020-06-05 12:52:11**

## Introduction

### 1 What is your first name?

**First name:**

Paul and Leanne

### 2 What is your surname?

**surname:**

Mullins

### 3 Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?

No

### 4 What is your email address?

**Email:**

leemullins@iinet.net.au

### 5 What is your address?

**address:**

105 Fern road Wilson

### 6 Contact phone number:

**phone number:**

0402483875

### 7 Do you support/oppose the proposed amendment to the Metropolitan Region Scheme?

Oppose

### 8 Submission (reasons for support/opposition). Please type your submission into the box below or copy and paste text from a Microsoft Word document.

**Submission:**

Reasons for Opposing the Amendment.

1. The EPA have approved this application without doing an assessment, this is a major concern due to the proximity of the development to the Canning River Wetlands.
2. Closeness of the development to the wetlands and the negative impact it will have on the Flora and Fauna.
3. Asbestos dump site situated very close to the development- what future health concerns will there be in years to come.
4. Increase traffic on Fern/Bungaree roads- There is already a large volume of traffic that banks down Fern road in the early mornings this will only add to the congestion. Situated on a very busy roundabout already.
5. Huge Gums trees drop branches without notice.
6. Future need for public open space due to small yards- why can't it be left as is or turned into a green oval for public use/playground or dog park. Not many big nature strips this side of Leach Hwy in Wilson.
7. It is an access to river walks, it has a nice rural feel.
8. The impact to an iconic miniature railway which has been there for many decades and volunteers spend their time providing a great attraction for families.
9. Not in line with Canning Councils local biodiversity strategy.
10. If developed unable to reclaim for public open space in future.
11. History of the area - Priests and Orphans should be kept as a memorial park.

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded

**File upload:**

No file was uploaded





**mainroads**  
WESTERN AUSTRALIA

**Submission 42**

Enquiries: Thai Truong on (08) 9323 4815  
Our Ref: 18/9003 (D20#460057)  
Your Ref: 833-2-16-42 Pt 1

3 June 2020

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

Email: [mrs@dplh.wa.gov.au](mailto:mrs@dplh.wa.gov.au)

Dear Sir/ Madam

**METROPOLITAN REGION SCHEME PROPOSED AMENDMENT 1365/57  
PT LOT 4 FERN ROAD & PT LOT 102 CASTLEDARE PLACE, WILSON**

Main Roads has reviewed the information received on 1 April 2020. It is advised, Main Roads has no comments to offer regarding the proposed MRS amendment.

Main Roads requests a copy of the Commission's final determination to be sent to [planninginfo@mainroads.wa.gov.au](mailto:planninginfo@mainroads.wa.gov.au) quoting the file reference above.

Yours Sincerely

Lindsay Broadhurst  
**Director Road Planning & Development**



Your ref: 833-16-42 Pt 1 (RLS/0861)  
Our ref: RF78-04 PA 033239  
Enquiries: Corey Boivin  
Tel: 6250 8027

Rosa Rigali  
Western Australian Planning Commission  
Locked Bag 2506  
PERTH WA 6001

Via email: [referrals@dplh.wa.gov.au](mailto:referrals@dplh.wa.gov.au)

Dear Sir/Madam,

***METROPOLITAN REGION SCHEME PROPOSED AMENDMENT 1365/57 PT LOT 4 FERN ROAD & PT LOT 102 CASTLEDARE PLACE, WILSON***

Thank you for providing the scheme amendment for the Department of Water and Environmental Regulation (Department) to consider.

The Department has identified that the proposed scheme amendment has the potential for impact on water values and management. While the Department does not object to the proposal, key issues and recommendations are provided below and these matters should be addressed:

The Department was generally satisfied with the District/Local Water Management Strategy associated with this proposed scheme amendment however deferred endorsement to the Department of Biodiversity, Conservation and Attractions (DBCA). As such, the Department has no comment to provide and does not object to the scheme amendment and again defers to DBCA for approval.

Should you require any further information on the comments please contact Corey Boivin at [corey.boivin@dwer.wa.gov.au](mailto:corey.boivin@dwer.wa.gov.au) or at 6250 8027

Yours sincerely

**Bree Lyons**  
**A/Senior Natural Resource Management Officer**  
**Planning Advice**  
**Swan Avon Region**

**27 / 05 / 2020**



Your Ref: 833-2-16-42 Pt 1 (RLS/0861)  
Our Ref: F-AA-22336/3 D-AA-20/39900  
Contact: Vic Andrich (08) 9222 2000

Ms Sam Fagan  
Secretary  
Western Australian Planning Commission  
Locked Bag 2506  
PERTH WA 6000

Attention: Mr Anthony Muscara

Via email: [referrals@dph.wa.gov.au](mailto:referrals@dph.wa.gov.au)

Dear Ms Fagan

**MRS AMENDMENT 1365/57 – REZONE FROM ‘URBAN’ ZONE TO ‘PARKS AND RECREATION’ (0.50 HEACTARE) AND ‘PARKS AND RECREATION’ TO ‘URBAN’ (1.02 HECTARE) AND REMOVAL OF BUSH FOREVER SITE 224 (1.11 HECTARES) – PART LOT 4 FERN ROAD AND PART LOT 102 CASTLEDARE PLACE, WILSON**

Thank you for your letter of 24 March 2020 requesting comments from the Department of Health (DOH) on the above proposal.

The DOH has no objection to the proposed amendment.

Should you have any queries or require further information please contact Vic Andrich on 9222 2000 or [ehinfo@health.wa.gov.au](mailto:ehinfo@health.wa.gov.au)

Yours sincerely

Dr Michael Lindsay  
**A/EXECUTIVE DIRECTOR  
ENVIRONMENTAL HEALTH DIRECTORATE**

3 June 2020



Your ref	:	833-2-16-42 Pt 1 (RLS/0861)
Our ref	:	D20/0282631
Enquiries	:	Matthew Cosson 9264 4008

Ms Sam Fagan  
Secretary  
Western Australian Planning Commission  
Locked Bag 2506  
PERTH WA 6001

Attention: Mr Anthony Muscara

Dear Ms Fagan

**Proposed Metropolitan Region Scheme Amendment No. 1365/57  
Pt Lot 4 Fern Road and Pt Lot 102 Castledare Place, Wilson**

I refer to your letter dated 24 March 2020 providing the Department of Education (Department) the opportunity to comment on the proposed Metropolitan Region Scheme Amendment.

The Department has reviewed all of the relevant information in support of the amendment and has no objection to the proposal. The Department acknowledges that the amendment will result in a negligible increase in land zoned 'Urban' under the Metropolitan Region Scheme. The additional residential development is not expected to compromise the enrolment capacity of the public schools within the area.

Should you have any questions in relation to the above, please do not hesitate to contact Mr Matthew Cosson, Senior Consultant – Land Planning on (08) 9264 4008 or email [matthew.cosson@education.wa.edu.au](mailto:matthew.cosson@education.wa.edu.au)

Yours sincerely,

Matt Turnbull  
A/Director  
Asset Planning and Services

4 June 2020

**Section 57 Amendment (Minor)**  
Form 57

**Submission**

**Metropolitan Region Scheme Amendment 1365/57**

**Pt Lot 4 Fern Road & Pt Lot 102 Castledare Place, Wilson**

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

OFFICE USE ONLY

SUBMISSION NUMBER

**46**

PLS/0888

Title (Mr, Mrs, Miss, Ms) **Mrs** First Name **John**

Surname **de Vries** (PLEASE PRINT CLEARLY)

Address **5 Celosia Way, Riverton** Postcode **6148**

Contact phone number **0438356590** Email address **de\_vries@bigpond.net.au**

*Submissions will be published as part of the consultation process. Do you wish to have your contact details removed from your submission?* ☐ Yes ☒ No

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

This submission requests a reserved set back on Lot 4 , Fern Rd to protect the remaining trees and their root systems along Fern Rd from the round-about shown on the map to a point opposite Hyland Way. The set back is requested to protect the hertiage listed tress along Hyland Way and Fern road from potential impacts associated with development. While not explicitly stated in the propoal; removing develoment covenants from the open area between the trees and nature reseve permits development. Alikely scenario is that development either damages the root system or development impacts the immediate zone of the tree and excessive brack/limb removal permatently damages or kills the trees. Given the desire to maximise green space, mature heritage listed trees should be afforded a resonable level of cultural and hertiage protection.

**turn over to complete your submission**



This image shows a full page of white paper with horizontal dotted lines. The lines are evenly spaced and run across the width of the page, providing a guide for handwriting practice. There are no margins, text, or other markings on the page.

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



**Note: Submissions MUST be received by the advertised closing date, being close of business (5pm) on 5 JUNE 2020. Late submissions will NOT be considered.**

**Section 57 Amendment (Minor)**  
Form 57

**Submission**

**Metropolitan Region Scheme Amendment 1365/57**

**Pt Lot 4 Fern Road & Pt Lot 102 Cadell Place, Wilson**

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

OFFICE USE ONLY

SUBMISSION NUMBER

**47**

RL S0888

Title (Mr, Mrs, Miss, Ms) **Mrs** First Name **Karen**

Surname **de Vries** (PLEASE PRINT CLEARLY)

Address **5 Celosia Way, Riverton** Postcode **6148**

Contact phone number **0400538700** Email address **de\_vries@bigpond.net.au**

*Submissions will be published as part of the consultation process. Do you wish to have your contact details removed from your submission?* ☐ Yes ☒ No

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

This submission requests a reserved set back on Lot 4, Fern Rd to protect the remaining trees and their root systems along Fern Rd from the round-about shown on the map to a point opposite Hyland Way. The set back is requested to protect the heritage listed trees along Hyland Way and Fern road from potential impacts associated with development. While not explicitly stated in the proposal, removing development covenants from the open area between the trees and nature reserve permits development. A likely scenario is that development either damages the root system or development impacts the immediate zone of the tree and excessive brack/limb removal permanently damages or kills the trees. Given the desire to maximise green space, mature heritage listed trees should be afforded a reasonable level of cultural and heritage protection.

**turn over to complete your submission**

This image shows a full page of white paper with horizontal dotted lines. The lines are evenly spaced and run across the width of the page, providing a guide for handwriting practice. There are no margins, text, or other markings on the page.

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

Signature Kamal Date 5 June 2020

Contacts: Tel - (08) 6551 8002 Fax - (08) 6551 9001 Email - [mrs@dph.wa.gov.au](mailto:mrs@dph.wa.gov.au) Website - <http://www.dph.wa.gov.au/mrs-amendments>



Section 57 Amendment (Minor)

Form 57

Submission

Metropolitan Region Scheme Amendment 1365/57

Pt Lot 4 Fern Road & Pt Lot 102 Castledare Place, Wilson

Department of Planning,  
Land and Heritage  
Received

29 MAY 2020

A10485794

RLS/0888

OFFICE USE ONLY

SUBMISSION NUMBER

48

RLS/0888

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

Title (Mr, Mrs, Miss, Ms) ..... First Name .....

Surname *Name removed at the request of the submitter* ..... (PLEASE PRINT CLEARLY)

Address ..... Postcode .....

Contact phone number ..... Email address .....

Submissions will be published as part of the consultation process. Do you wish to have your contact details removed from your submission? ☒ Yes ☐ No

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

*Please refer to my letter attached.*

turn over to complete your submission

[illegible]

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

Signature ..... Date 27/05/2020

Contacts: Tel - (08) 6551 8002 Fax - (08) 6551 9001 Email - [mrs@dplh.wa.gov.au](mailto:mrs@dplh.wa.gov.au) Website - <http://www.dplh.wa.gov.au/mrs-amendments>

**Metropolitan Region Scheme Amendment 1365/57 (Minor Amendment)  
Pt Lot 4 Fern Rd & Pt Lot 102 Castledare Place Wilson.**

*Name removed at the request of the submitter*

I am a long-standing volunteer at Castledare and I am involved with the church supporting the elderly at the village.

**I want to express my concerns and recommendations below**

To start with the plan that was shown on the website is hard to understand because there are no landmarks and given that this change proposes to reduce the public open space in the Canning River Regional Park, it should have been made much clearer, as a result this has made it hard for me to work out the exact proposed changes to the area.

On page 3 of the MRS amendment proposal it mentions a PSP. This pathway across the northern side of the regional park was always to be built and community have been wanting this to be done for a very long time however it appears that there is very little room left for this to be built in some areas and community want more space so that we can enjoy the place when we walk along the pathway.

Given that this proposal will remove approximately 95% of the public open space at this location This MRS Amendment will reduce the amount of public open space in the Canning River Regional Park. This land was always going to become part of the regional park as public open space. It seems only fair that this proposal be rejected and a more balanced amount of space be provided for the community that have and continue to use this area to recreate along Fern Rd through Castledare and across to Bywater Way.

This MRS Amendment appears to provide inadequate space for the conservation areas directly abutting this area and this will impact on all wildlife.

For many years I have seen large long neck turtles at Castledare moving across the open field in the spring and early summer months going this way to nest.

On occasions I have also seen small baby turtles scrambling one by one across the grassy plain towards the river and wetlands, they are a joy to witness and I am concerned that a housing development will greatly interfere with the nesting and hatching of these unique creatures at this location.

I am disappointed that the developer wants to take away most of our open space parkland at Castledare and fill it with houses, the northern side of the Canning River Regional Park has much less open space when compared to the southern side of the park and as such this area and its open spaces should be protected. Please adjust this proposal to provide enough space for everyone and everything to safely enjoy the place.

I urge Department of Planning, Lands and Heritage to negotiate with the developer and acquire a more balanced amount of public open space for a fair value, and provide community with a more equitable amount of public open space between the conservation landscape and the future development to protect as much public open space next to the wetland and river as possible at Castledare within the Canning River Regional Parks' boundary.

Please consider the overall needs of the people and wildlife that use and rely on the Canning River Regional Park at this location.

Yours sincerely





**Section 57 Amendment (Minor)**  
Form 57

**Submission**

**Metropolitan Region Scheme Amendment 1365/57**

**Pt Lot 4 Fern Road & Pt Lot 102 Castledare Place, Wilson**

Department of Planning,  
Lands and Heritage  
Received

Scanned: 29 MAY 2020  
Attachments  
Scan QA  
Doc No. A10485793  
File No. RLS/0888

☐  
☐  
☐

OFFICE USE ONLY

SUBMISSION NUMBER

**49**

RLS/0888

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

Title (Mr, Mrs, Miss, Ms) ..... GAY ..... First Name ..... TERRY .....  
Surname ..... GORTON ..... (PLEASE PRINT CLEARLY)  
Address ..... 4 CAHILL CT WILSON ..... Postcode ..... 6107 .....  
Contact phone number ..... 9451 4012 ..... Email address ..... tugorton@gmail.com .....

Submissions will be published as part of the consultation process. Do you wish to have your contact details removed from your submission? ☐ Yes ☒ No

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

*Please see my submission attached*

**turn over to complete your submission**

[illegible]

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

Signature Gay Gordon Date 27-5-2020

Contacts: Tel - (08) 6551 8002 Fax - (08) 6551 9001 Email - [mrs@dplh.wa.gov.au](mailto:mrs@dplh.wa.gov.au) Website - <http://www.dplh.wa.gov.au/mrs-amendments>

May 27<sup>th</sup> 2020

Gay and Terry Gorton  
4 Cahill Court  
Wilson 6107

**Metropolitan Region Scheme Amendment 1365/57**

As long-term residents of Wilson for over 40 years we are voicing our concerns about the proposed changes as outlined in the MRS Amendment 1365/57 (minor amendment). In the time we have lived here we have seen many changes in the name of progress and not all of which have been to the benefit of the wonderful natural area that is Canning River Regional Park. During this time, we have seen many beautiful, very old heritage trees bulldozed without regard for the impact on the surrounding nature and the community.

On page 3 of the MRS Amendment we read that "The proponent has identified the retention of significant trees onsite in an initial concept plan and will consider the protection of these trees as part of future structure planning". We are highly concerned at such a vague suggestion as it would seem that only possible protection is offered to the trees to the south west located along Fern Road between Cahill Court and Bungaree Road. These trees are acknowledged by the City of Canning as heritage listed and are of considerable significance to the landscape of the area and the community in general, who have enjoyed and talked about these trees for many years. we strongly urge that written protection is issued to ensure that these trees do not disappear and remain for the pleasure of wildlife and community for generations to come.

We are also voicing our concern about the protection of the remnant mini golf course on the site which is surrounded by very old mature trees. The mini golf course is listed on the City of Canning Municipal Heritage inventory which hopefully affords it some protection from the developers. The mini golf course was built for the recreation of the students at the then school on the Castledare Estate and was built at the same time as the Catholic Church. The mini golf course is located in the regional park and deserves preservation as it is part of the local history of the area and is used today by residents enjoying the outdoors with their families.

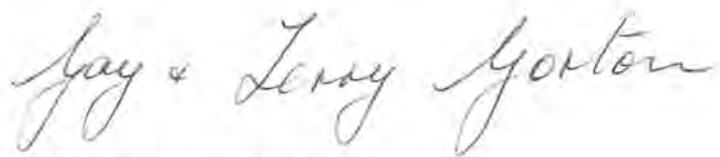


May 27<sup>th</sup> 2020

Over the years we have seen many other buildings and trees which are of local historical significance be lost in the name of progress. Wilson is a special area in which generations of families choose to remain because they feel a connection to the unique area in which they live.

Can the WAPC guarantee the protection of the trees along Fern Road, the mini golf and surrounding grove of trees for the pleasure and connection of community living in the beautiful suburb of Wilson.

Yours sincerely

A handwritten signature in cursive script that reads "Gay & Terry Gorton". The ink is dark and the handwriting is fluid.

Gay and Terry Gorton

**Section 57 Amendment (Minor)**  
Form 57

**Submission**

**Metropolitan Region Scheme Amendment 1365/57**

**Pt Lot 4 Fern Road & Pt Lot 102 Castledare Place, Wilson**

Department of Planning,  
Lands and Heritage  
Received

Scanned 02 JUN 2020  
Attachments  
Scan CA  
Doc No. A10487059  
Page No.

OFFICE USE ONLY

SUBMISSION NUMBER

**50**

RLS/0888

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

Title (Mr, Mrs, Miss, Ms) ..... First Name Barbara.....

Surname Buchanan..... (PLEASE PRINT CLEARLY)

Address 24 Duff Road, Riverton..... Postcode 6148.....

Contact phone number 0411 643 369... Email address barbara24buchanan@gmail.com

Submissions will be published as part of the consultation process. Do you wish to have your contact details removed from your submission? ☐ Yes ☒ No

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

Please see attached for my  
written submission

**turn over to complete your submission**

[illegible]

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

Signature B. A. Buchanan Date 27/5/20

Contacts: Tel - (08) 6551 8002 Fax - (08) 6551 9001 Email - [mrs@dplh.wa.gov.au](mailto:mrs@dplh.wa.gov.au) Website - <http://www.dplh.wa.gov.au/mrs-amendments>

May 28<sup>th</sup>, 2020

Mrs Barbara Buchanan  
24 Duff Road  
Riverton 6148

**Metropolitan Region Scheme Amendment 1365/57 (minor amendment)  
Pt Lot 4 Fern Road & Lot 102 Castledare Place, Wilson**

I am a long term resident of Riverton who specifically chose to live in the area as I wanted to be close to Canning River Regional Park. I am concerned that when I read this MRS Amendment it has been presented in a particularly vague manner with a vague sketch of a map. Plan detail is omitted on which residents can accurately make comment on the proposed urban development of the area.

On page 3 of the MRS Amendment I read that "The proponent has identified the retention of significant trees onsite in an initial concept plan, and will consider the protection of these trees as part of future structure planning". I am highly concerned at such a vague suggestion as it would seem that only possible protection is offered to the trees of significance within the proposed development parcel. The trees of major significance include;

- The grove of mature trees surrounding the mini golf course
- The mature trees to the south west located along Fern Road between Cahill Court and Bungaree Road are of considerable significance to the landscape of the area and the broader community. It is also important to retain sufficient POS around the trees to protect the root systems and the potential for the trees to shed limbs.

I strongly urge that written protection is issued to ensure that these trees do not disappear and remain for the pleasure of wildlife and community for future generations.

As someone who enjoys walking and cycling in our beautiful city of Perth, I am familiar with many of the Principal Shared Pathways (PSP) and have seen both the positive and negative in the planning, construction of these pathways in urban areas. The MRS Amendment does not identify the location of the PSP in the document or map provided making it difficult for local community to assess and comment on proposed infrastructure. What is obvious is that too little Public Open Space has been put aside to adequately service the needs of the PSP.

- The PSP corridor between the MRS Amendment and the Castledare Miniature Railway (CMR) has a limited buffer which is unsafe for both users of the PSP and for the CMR trains. The narrow amount of space is an accident waiting to happen as trains cannot stop quickly and risks injury or death to children and animals.




May 28<sup>th</sup>, 2020

- It appears that the PSP will run beneath a number of mature trees in the south eastern corner of the proposed site. These trees are susceptible to dropping large limbs without warning . Also of concern is the potential damage of the large lateral roots of these trees which will in time push up and disrupt the impervious surfaces of proposed infrastructure
- When reviewing this MRS Amendment the WAPC is urged to consider increasing the buffer under AS 4970-2009 Protection of Trees on Development Sites (Standards Australia).

I urge the WAPC to take a close look at this MRS Amendment to consider the needs of the community who use the PSP and Public Open Space on a daily basis. Adequate safe space for the PSP is vital to endusers and cannot be underestimated to prevent potential injuries. The trees are important to the local community and I request the WAPC to guarantee their preservation. Wilson is a unique suburb and I urge the support of the WAPC in retaining the heritage, nature and community safety of the area.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Barbara Buchanan', with a stylized initial 'B'.

Barbara Buchanan

Planning and Development Act 2005

**Section 57 Amendment (Minor)**  
Form 57

**Submission**

**Metropolitan Region Scheme Amendment 1365/57**

**Pt Lot 4 Fern Road & Pt Lot 102 Castledare Place, Wilson**

Department of Planning,  
Lands and Heritage  
Received

Scanned 02 JUN 2020  
Attachments  
Scan QA  
Doc No. A10487057  
File No.

OFFICE USE ONLY

SUBMISSION NUMBER

**51**

RLS/0888

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

Title (Mr, Mrs, Miss, Ms) MR First Name LESLIE

Surname SMITH (PLEASE PRINT CLEARLY)

Address P.O. Box 337 BENTLEY Postcode 6981

Contact phone number 0415 826 854 Email address Secretary@castledare.com.au

Submissions will be published as part of the consultation process. Do you wish to have your contact details removed from your submission? ☐ Yes ☒ No

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

Please refer to attached letter dated 28<sup>th</sup> May 2020

From Secretary, Castledare  
Miniature Railway Inc.  
(2 pages)

**turn over to complete your submission**

This image shows a full page of white paper with horizontal dotted lines. The lines are evenly spaced and run across the width of the page, providing a guide for handwriting practice. There are no margins, text, or other markings on the page.

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

Signature [Signature] Date 22/5/2020

Contacts: Tel - (08) 6551 8002 Fax - (08) 6551 9001 Email - [mrs@dplh.wa.gov.au](mailto:mrs@dplh.wa.gov.au) Website - <http://www.dplh.wa.gov.au/mrs-amendments>



# Castledare Miniature Railways Inc.

## Run Days:

1<sup>st</sup> Sunday of each month from Niana Station  
Lot 102, 14 Castledare Place, Wilson, WA, 6107  
3<sup>rd</sup> Sunday of each month from  
Wilson Park Station, Kent Street Wilson  
www.castledare.com.au



ABN: 75 688 568 369

All correspondence to:

The Secretary

PO Box 337

Bentley WA 6981

secretary@castledare.com.au

Home of the great little trains of Western Australia

Secretary (Sam Fagan)  
Western Australian Planning Commission  
Locked Bag 5206  
PERTH WA 6001

Dear Sam,

**Subject :- METROPOLITAN REGION SCHEME AMENDMENT 1365/57 – PART LOT 4  
FERN ROAD AND PART LOT 102 CASTLEDARE PLACE, WILSON**

I provide this submission as a member of the Castledare Miniature Railway ("CMR"). CMR is located on the foreshore of the Canning River in Wilson and adjoins the area subject of Metropolitan Region Scheme Amendment 1365/57 ("Amendment").

The CMR is a great community asset, which over the past 56 years it has been in existence, has accommodated nearly 1,400,000 passengers providing entertainment and nostalgic experiences to young and old. CMR is located within the existing "Parks and Recreation" reserve which is currently owned by the proponent of the Amendment.

I provide this submission in support of the Amendment:

- as the Amendment will facilitate the change in tenure of the "Parks and Recreation" reserve (approximately 12.5 hectares) which is currently under private ownership to the State;
- once gazetted and subdivision has occurred, the change in tenure will enable CMR to submit for government grants; currently the tenure precludes CMR from obtaining public funding; and
- because it provides long-term security for a much-loved community asset which supports community charities including Clontarf Foundation, Ronald McDonald House, Canning Sea Scouts, Retina, Lion's Cancer Institute, Telethon, various P & C organisations, and recently the Western Australian Bush Fire Disaster Appeal.
- members of CMR have devoted so much time and effort into maintaining the associated river foreshore and wet-lands

We trust the Western Australian Planning Commission will support the Amendment and recommend accordingly to Minister for Planning, as it will assist with the longevity of a valued community asset enjoyed by the young and old alike.

Regards,

  
Secretary CMR 28/5/2020



# Castledare Miniature Railways Inc.

## Run Days:

1<sup>st</sup> Sunday of each month from Niana Station  
Lot 102, 14 Castledare Place, Wilson, WA, 6107  
3<sup>rd</sup> Sunday of each month from  
Wilson Park Station, Kent Street Wilson  
[www.castledare.com.au](http://www.castledare.com.au)



ABN: 75 688 568 369  
All correspondence to:  
The Secretary  
PO Box 337  
Bentley WA 6981  
[secretary@castledare.com.au](mailto:secretary@castledare.com.au)

Home of the great little trains of Western Australia





30 May 2020

Secretary  
Sam Fagan  
Western Australian Planning Commission  
Locked Bag 5206  
PERTH WA 6001

Department of Planning, Lands and Heritage Received	
Scanned	04 JUN 2020
Attachments	
Scan CA	A10489870
Doc No.	
File No.	RIS/0888

Dear Sam

## **METROPOLITAN REGION SCHEME AMENDMENT 1365/57 – PART LOT 4 FERN ROAD AND PART LOT 102 CASTLEDARE PLACE, WILSON**

I provide this submission as treasurer of the Castledare Miniature Railway ("CMR"). CMR is located on the foreshore of the Canning River in Wilson and adjoins the area subject of Metropolitan Region Scheme Amendment 1365/57 ("Amendment").

CMR is a valuable resource to the community providing not only entertainment for families but also acts as a "Men's Shed" for retired engineers. We are able to pass on our rapidly disappearing skills to the younger members of the Club thus preventing the loss of these skills to the community.


Since I joined the Club in 2000, it has provided an excellent opportunity for me to meet with others with similar interests, to use our skills to benefit others, to help maintain the river foreshore and wetlands and of course assist with the provision of train rides to the general public. I believe the Club to be an invaluable asset to the Community.

The Club has also supported a number of Community Charities including a recent donation to the Western Australian Bush Fire Disaster Appeal. We are a "not for profit" group with a clear focus on Community support and we intend to continue to be so.

I support the Amendment as it will provide us with some security of tenure. Transferring the "Parks and Recreation" reserve from private ownership to the state will provide this. The change will also allow us to apply for Government grants which are precluded under current arrangements. I also believe that we currently have a considerable investment in maintaining the associated river foreshore and wetlands and the continuation of this into the future is ensured with the transfer of the asset to the State.

I request that the Western Australian Planning Commission supports the Amendment and therefore recommends it to the Minister for Planning, as it will assist with the longevity of a valued community asset enjoyed by the young and old alike.


Regards,



(R.W. Greeney)  
Treasurer Castledare Miniature Railway)

This image shows a full page of white paper with horizontal dotted lines. The lines are evenly spaced and run across the width of the page, providing a guide for handwriting practice. There are no margins, text, or other markings on the paper.

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

Signature  Date 30/5/2020

Contacts: Tel - (08) 6551 8002 Fax - (08) 6551 9001 Email - [mrs@dplh.wa.gov.au](mailto:mrs@dplh.wa.gov.au) Website - <http://www.dplh.wa.gov.au/mrs-amendments>



(Submission continued. Please attach additional pages if required)

You should be aware that:

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

**To be signed by person(s) making the submission**

Signature ..... Date 2nd JUNE 2020

---

**Note: Submissions MUST be received by the advertised closing date, being close of business (5pm) on 5 JUNE 2020. Late submissions will NOT be considered.**

---

29 May 2020

Secretary  
Sam Fagan  
Western Australian Planning Commission  
Locked Bag 5206  
PERTH WA 6001

Dear Sam

**METROPOLITAN REGION SCHEME AMENDMENT 1365/57 – PART LOT 4 FERN ROAD AND  
PART LOT 102 CASTLEDARE PLACE, WILSON**

I provide this submission as a member of the Castledare Miniature Railway ("CMR"). CMR is located on the foreshore of the Canning River in Wilson and adjoins the area subject of Metropolitan Region Scheme Amendment 1365/57 ("Amendment").

CMR has been active and part of the community for close to 57 years. My grandfather was previously involved in the railway for some years and I have now been involved for the past 4 years.

Our club provides many opportunities for members to acquire and expand on many technical skills as well as becoming part of a community of like minded individuals.

Over the years, the club has also been involved in several charitable events and has made several donations to local community groups. And following the bushfires that devastated our country, we made a donation to the Western Australia Bush Fire Disaster Appeal.

Over the years we have cleaned out rubbish and fallen tree debris from our wetlands and Wilson route, providing a non-recognized service to make the area an attractive and safe walking route.

This letter is provided in support of the Amendment which will allow Castledare to apply for grants and provide us with opportunities to continue providing great experiences to our patrons.

The amendment will also provide us with confidence to continue our charitable work that has supported many community organisations through donations.

We trust the Western Australian Planning Commission will support the Amendment and recommend accordingly to Minister for Planning, as it will assist with the longevity of a valued community asset enjoyed by both the young and old alike.

Regards,

President  
Castledare Miniature Railway



**Section 57 Amendment (Minor)**

Form 57

**Submission**

**Metropolitan Region Scheme Amendment 1365/57**

**Pt Lot 4 Fern Road & Pt Lot 102 Castledare Place, Wilson**

OFFICE USE ONLY

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

SUBMISSION NUMBER
<b>54</b>
RI 5/0888

Title (Mr, Mrs, Miss, Ms):

First Name: *Name removed at the request of the submitter*

Surname

(PLEASE PRINT CLEARLY)

Address

Postcode

Contact phone number:

Email address:

*Submissions will be published as part of the consultation process. Do you wish to have your contact details removed from your submission?*    ☒ Yes

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

It is difficult to determine the boundaries on the ground as there are no measurements given and it appears that the Wilson Main drain is not shown. The map shows a possible extension of Hyland Way, which is where the drain enters near (at the Fern Road end) and then the drain goes on angle from Fern Road toward the river, veering towards Castledare Place, not being at right angles to Fern Road. This feature means that the area put aside for exclusion from the urban land proposed is not as large as is inferred. Further there is no indication of where the Castledare Miniature railway runs or the proposed dual use path and these should have adequate buffering from the subdivision for the safety of patrons and attendees to the site. (note the railway and proposed path runs alongside the Wilson Main Drain to the western part of the drain)

Mature Trees adjacent to Fern Road, not included in the exclusion area of the subdivision should be excluded from the urban use proposed as they are very old (probably planted in the 1950's or before), they are roosting and nesting hollows for the many birds which inhabit the area or come home to roost in the evening, and are magnificent trees which add

much to the amenity of the adjacent residential area and to people driving and walking through the area. These trees are also significant as they have heritage value being part of the original Castledare Boy's Town.



*Note: car included to show tree sizes. Views are along Fern Road*



This whole area was part of the POS land and so the POS will have reduced acreage which is not a good outcome for either the urban or parkland environments. To this end we would ask that the urban area shown be reduced to allow for a bigger buffer between Fern Road and the edge of the proposed subdivision so that the trees adjacent to Fern Road and their roots will be protected from buildings and as a safety measure to prevent damage to buildings constructed close to them (they would probably be removed if the subdivision goes ahead as they have large canopies). Further that the area towards the river and Wilson

Main Drain need to have a greater buffer to allow for the adequate protection of trees and animal habitats within the area.



*Photo shows area looking toward the river where it appears large trees would be removed for subdivision, which we believe should be retained*

Infrastructure needs and parking should also be allowed for and this should not encroach into the parkland areas. Somewhere there is a proposed dual use path going through the area but again this is not on the plan. There is no mention of these in the plan nor it appears that there is any provision for such. This should be shown in any map showing the proposed subdivision so that people know that it has been thought about and included.

We would request that the urban area be reduced in the area near the river and should include the mature trees in this area.

We are not opposed to some urban development even though we would prefer that all the land be parkland (not just the contaminated sites) but we would request a reduction in the area of it so that the areas we have noted have more buffering from the urban zone, thereby protecting the environment and animal habitats around Wilson Main Drain, the river and Fern Road.



Planning and Development Act 2005

**Section 57 Amendment (Minor)**  
Form 57

**Submission**

**Metropolitan Region Scheme Amendment 1365/57**

**Pt Lot 4 Fern Road & Pt Lot 102 Castledare Place, Wilson**

Department of Planning,  
Lands and Heritage  
Received

Scanned 04 JUN 2020  
Attachments  
Scan QA A10489864  
Doc No. R1510888  
File No.

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

OFFICE USE ONLY

SUBMISSION NUMBER

**55**

R1510888

Title (Mr, Mrs, Miss, Ms) ..... First Name .....

Surname **Name removed at the request of the submitter** ..... (PLEASE PRINT CLEARLY)

Address ..... Postcode .....

Contact phone number ..... Email address .....

Submissions will be published as part of the consultation process. Do you wish to have your contact details removed from your submission? ☒ Yes ☐ No

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

I have been an active member of Wilson Wetlands Action Group (WWAGS) for more than 20 years and to be part of the contribution that WWAGS has played in the restoration + conservation of this site has been an absolute joy. Weeds have been eradicated + species native to the area have been planted and are now flourishing in their natural habitat. This can be especially appreciated when taking a ride on the iconic Castledare Railway through the beautiful, natural wetlands.

This whole area is such an important part of Canning's history + although I understand development needs to take place too, we cannot afford to lose the historical significance of this precious site.

The many children who were sent to Castledare from England form a significant part of WA's history + the Mini Golf course which WWAGS uncovered some years ago is part of their story. It would not require a great deal of work or money to restore this

**turn over to complete your submission**

Mini Golf area which as part of its construction includes remnant tiles from the Church forecourt which highlights its importance + connection to the site. This Mini Golf could be come an active memorial to this time as a valuable community asset + part of the Castledare experience.

The magnificent trees edging the site along Fern Rd provide habitat for numerous birds + insects making them extremely important to the whole ecosystem of the area. Add to this their beauty + important role in combatting climate change they should be preserved at all costs.

Finally, I would respectfully ask that you take into consideration the importance of this very special site when making decisions on the new development. Thank you.

PS Although I moved from Wilson to Kardinya some 2 years ago, I still remain actively involved in WUAGS + a frequent visitor to this unique + important area of Perth's story.

You should be aware that:

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

**To be signed by person(s) making the submission**

Signature ..... Date 2/6/2020

**Note: Submissions MUST be received by the advertised closing date, being close of business (5pm) on 5 JUNE 2020. Late submissions will NOT be considered.**





Your Ref: 833-2-16-42 Pt1 (RLS/0861)  
Our Ref: 97824330 - MRS366389  
Enquiries: Kevin Purcher  
Direct Tel: 9420 2385  
Email: land.planning@watercorporation.com.au

04 June 2020

The Secretary  
Western Australian Planning Commission  
LOCKED BAG 2506  
PERTH WA 6001

Attention of: Anthony Muscara

**Re: MRS Proposed Amendment 1365/57 –  
Pt Lot 4 Fern Road & Lot 102 Castledare Place Wilson**

Thank you for your letter dated 24 March 2020. Water Corporation offers the following comments in regard to this proposal.

### **Water and Wastewater**

As mentioned in the MRS Amendment Report reticulated water and sewerage is currently available for the subject area. If our assets are affected, the future developer may be required to fund new works or the upgrading of existing works and protection of all works.

### **Drainage**

As also mentioned in the report the subject area falls within the Wilson Drainage Catchment. The Water Corporations drainage system can only take predevelopment flows. So the developer will need to compensate any additional flows on their own land.

Major drainage infrastructure including the Wilson Main Drain (MD) and Castledare Compensation Basin (CB) is located within the subject area. The drain should be referred to within the report and indicated on a plan most likely the Land Use Concept Plan Figure 3 along with the easement on Lot 102. Please also refer to the points under Land Matters below.

The Water Corporation understands that the Wilson Wetland Action Group is interested in the conservation of the area around the drain. The Water Corporation would be supportive of the Wilson Main Drain becoming a living stream. But the actual profile and width of the future open drain would need to be determined by the City of Canning and the developer with the appropriate land zonings needed to achieve this being included into the future Town Planning Scheme.

### **Land Matters**

Water Corporation owns Lot 56 in Freehold (marked Orange on the attached Landgate Diagram see below). This is an old drainage corridor that is no longer required as the actual drain veers off to the south west into Lot 4 and 104 owned by the Christian Brothers. It is understood the Christian Brothers have agreed to surrender the MRS Parks and Recreation/Bush Forever Reserved land to the WAPC at subdivision stage.

Water Corporation has been in consultation with Tim Hillyard at WAPC, and has in-principle agreement to a transaction whereby once the above transaction has occurred, our redundant Lot 56 will be surrendered and a Crown Reserve will be created over the actual Wilson MD drain alignment and the Castledare CB (as per the attached Proposed Land Take plan see below). WAPC will then transfer this new Reserve to the Water Corporation.

The Water Corporations operational drainage corridor and CB should not be located within a Parks and Recreation Reserve (or be Bush Forever). The Water Corporation again recommends that the land becomes MRS Public Purpose reservation as per the attached "Proposed Land Take" plan (see below). This would effectively differentiate our operational drain and CB from the recreational land.

### **General Comments**

The Corporation's Procurement and Property Branch will need to provide approval prior to any future development taking place.

The future developer is expected to provide all water and sewerage reticulation if required. A contribution for water, sewerage and drainage headworks may also be required. In addition the future developer may be required to fund new works or the upgrading of existing works and protection of all works.

The information provided above is subject to review and may change. If the proposal has not proceeded within the next 6 months, the Water Corporation should be contacted to confirm if the information is still valid.

Please provide the above comments to the land owner, developer and/or their representative.

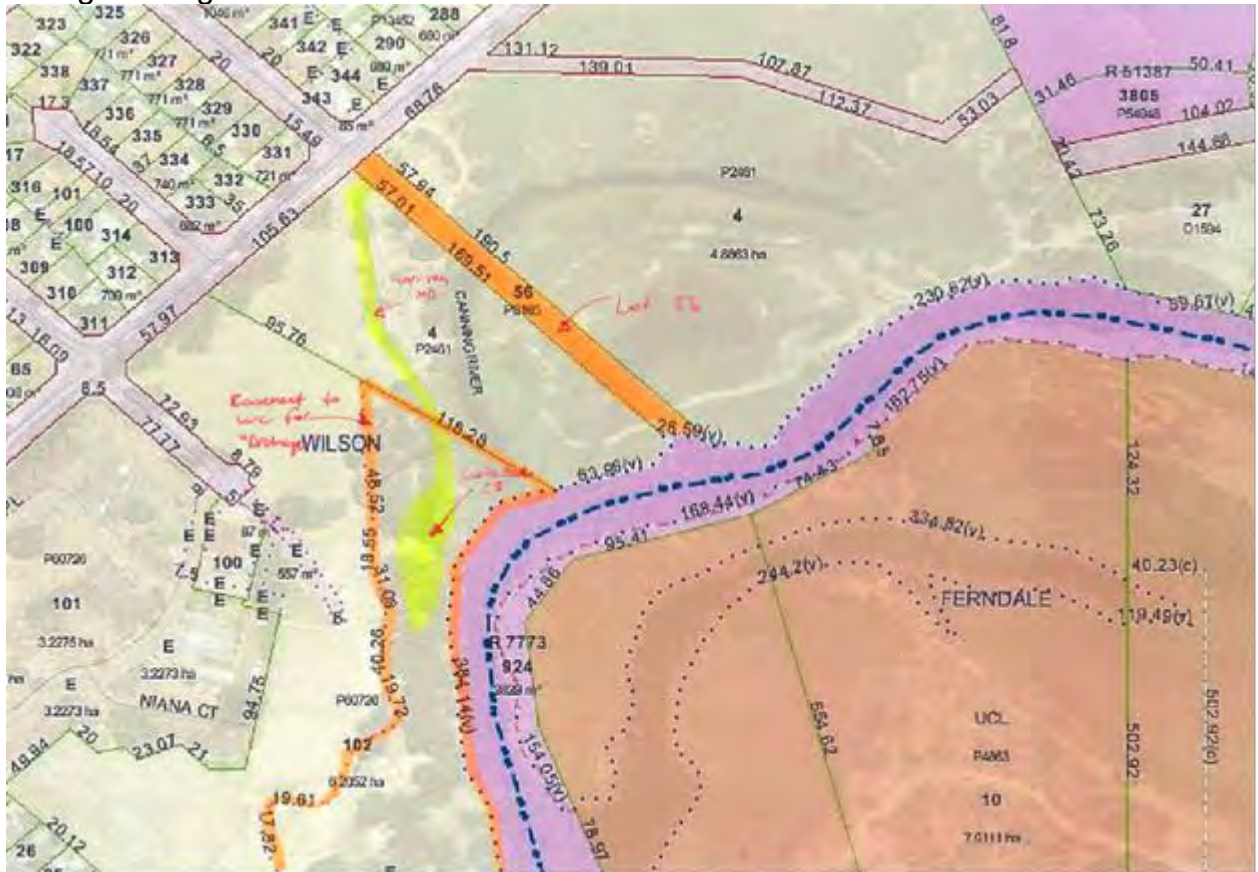
Should you have any queries or require further clarification on any of the above issues, please do not hesitate to contact the Enquiries Officer.



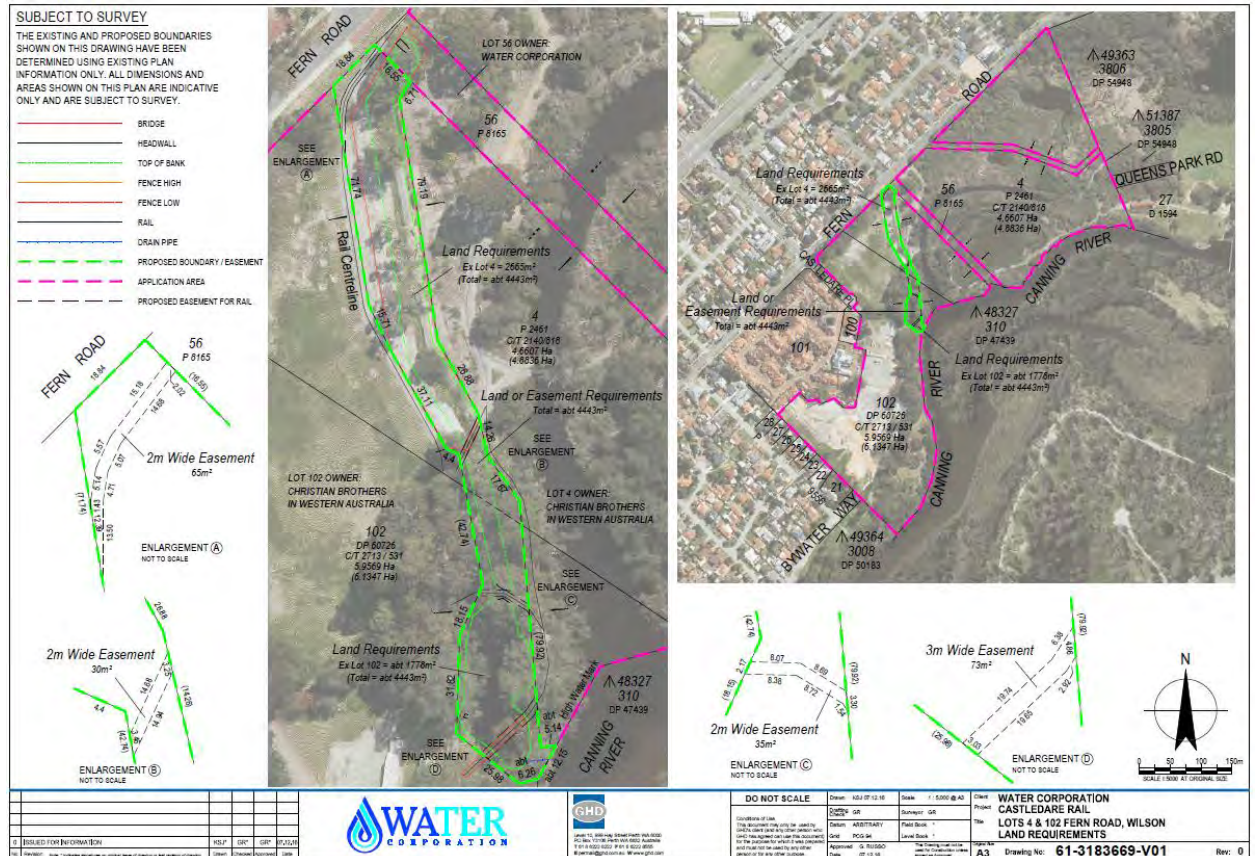
Kevin Purcher  
Senior Planner  
Development Services



## Landgate Diagram



## Proposed Land Take



Planning and Development Act 2005

## Section 57 Amendment (Minor)

Form 57

## Submission

**Pt Lot 4 Fern Road & Pt Lot 102 Castledare Place, Wilson**

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

OFFICE USE ONLY

## Metropolitan Region Scheme Amendment 1365/57

SUBMISSION NUMBER
RLS/0888

Title (*Mr, Mrs, Miss, Ms*) MR....First Name PETER

Surname MORCOMBE

Address 23 DARING PLACE, WILSON..... Postcode 6107.....

Contact phone number .0477700951...

Email address .secretary@wrra.org.au

*Submissions will be published as part of the consultation process. Do you wish to have your contact details removed from your submission?* ☐ Yes ☒ No

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

**This submission is made on behalf of the Wilson Residents and Ratepayers Association**

## Issues with the proposed Amendment to the MRS

1. The two areas of land in Lot 4 and Lot 102 that are 'asbestos containment cells' cannot be revegetated or be open to the public and should not be rezoned into the CRRP.
2. The large trees surrounding the proposed residential development should be given the highest level of protection. The developers have indicated they will 'consider' the protection of the trees. Previous experience with the developers (at Cygnia Cove) would suggest that the trees could be removed if they impact on the planned development.
3. The WAPC should set aside or acquire sufficient land to be rezoned as Public Open Space (POS) on the eastern side of Lot 4 and Lot 102 aligned with the western side of the Wilson Main Drain (WMD) which will

provide, at the least, the required minimum 50m buffer to the Conservation Category Wetland (CCW), land for the Castledare Miniature Railway, the proposed Principle Shared Path connecting Fern Road with Bywater Way and the existing large trees.

4. The land set aside or acquired for POS should include all the large trees within the boundary of the CCRP allowing for an adequate protected root zone and to ensure falling leaves and branches do not affect the safety of the residents.
5. The WAPC, in determining the area of land to be set aside or acquired as POS, and the proposed development, should consider the migratory nesting habits of Long Necked Turtles, resident in both the CCW and the WMD - no walls and fences impeding access to nests - and, impacts from water bores and surface water runoff on the water table and water quality in the CCRP.

You should be aware that:

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

### **To be signed by person(s) making the submission**

Signature ..Peter William Morcombe, Secretary WRRRA.....Date 02/06/20....

**Note: Submissions MUST be received by the advertised closing date, being close of business (5pm) on 5 JUNE 2020. Late submissions will NOT be considered.**

Contacts: Tel - (08) 6551 8002 Fax - (08) 6551 9001 Email - [mrs@dplh.wa.gov.au](mailto:mrs@dplh.wa.gov.au) Website - <http://www.dplh.wa.gov.au/mrs-amendments>

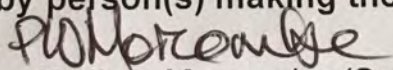


- zone and to ensure falling leaves and branches do not a  
the residents.
5. The WAPC, in determining the area of land to be set as  
POS, and the proposed development, should consider t  
nesting habits of Long Necked Turtles, resident in both  
WMD - no walls and fences impeding access to nests -  
water bores and surface water runoff on the water tak  
quality in the CCRP.

You should be aware that:

- The WAPC is subject to the *Freedom of Information Act 1992* and  
made to the WAPC may be subject to applications for access under
- In the course of the WAPC assessing submissions, or making its r  
submissions, copies of your submission or the substance of that su  
disclosed to third parties.

**To be signed by person(s) making the submission**

  
Signature ..Peter William Morcombe (Secretary, WRRRA).....

**Note: Submissions MUST be received by the advertised close  
business (5pm) on 5 JUNE 2020. Late submissions will NOT**

contacts: Tel - (08) 6551 8002 Fax - (08) 6551 9001 Email - [mrs@dplh.wa.gov.au](mailto:mrs@dplh.wa.gov.au)  
<http://www.dplh.wa.gov.au/mrs-amendments>

Section 57 Amendment (Minor)  
Form 57

Submission

Metropolitan Region Scheme Amendment 1365/57

Pt Lot 4 Fern Road & Pt Lot 102 Castledare Place, Wilson

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

OFFICE USE ONLY

SUBMISSION NUMBER

58

RLS/0888

Title (*Mr, Mrs, Miss, Ms*) ..... First Name .....

Surname **Name removed at the request of the submitter** ..... (PLEASE PRINT CLEARLY)

Address ..... Postcode .....

Contact phone number ..... Email address .....

*Submissions will be published as part of the consultation process. Do you wish to have your contact details removed from your submission?* ☒ Yes ☐ No

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

Please refer to attached 2 page submission.

turn over to complete your submission

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

Signature ..... Date 04/06/2020

Contacts: Tel - (08) 6551 8002 Fax - (08) 6551 9001 Email - [mrs@dph.wa.gov.au](mailto:mrs@dph.wa.gov.au) Website - <http://www.dph.wa.gov.au/mrs-amendments>



Thursday 04 June 2020

Metropolitan Region Scheme Amendment 1365/57 (Minor Amendment)

Pt Lot 4 Fern Road &

Pt Lot 102 Castledare Place, Wilson

Submission by *Name removed at the request of the submitter*

I would like to put forward the following concerns/comments with regard to the proposed amendments and the due processes being followed;

- These amendments have been released for public comment during the COVID-19 pandemic. At the time of publication for most people the major concerns centred around the impact on their health and financial security not on an obscure notification buried within a paper fully focused on an impending state of emergency
- Public access to information, documents and assistance has been impacted by COVID-19 restrictions; government departments have not been able to provide full services since the beginning of March 2020.
- Much has been made of the ceding of land to the Crown from the Landowner at no cost. Not surprising really given the history of asbestos contamination within the precinct and the extensive remedial and containment works already undertaken. Any new issues will become the State's problem to manage and pay for moving forward.
- From an Environmental perspective why has the Department of Biodiversity gone against their protocols and recommendations and agreed to a reduced wetland buffer zone for future urban development? Surely given the locality to the Canning River and the fragility of some of the species who make this whole area their home, this minimum should be applied?
- Approval for the District Local Water Management Strategy has not been obtained at the time the amendment proposal was advertised, why, what happens if this is not approved and is this made public?
- The Water and Waste Water proposals have also not been finalised and approved by the Water Corporation. Again this would seem fundamental to the process given the area and its proximity to the Canning River? Again why was this not sought prior to the amendment comment period being released, what happens if the Water Corp doesn't support the proposals and is this made public?
- An assumption has been made this development will not impact on Aboriginal heritage values. Noted there is to be consultation during the advertised period for public comment, however where is the transparency in this as a process? What happens if this assumption is not supported by the South West Aboriginal Land and Sea Council? What access do the public have to any agreements or MOU's entered into?
- The proposed urban development area is bound by significant trees all of which need to be retained, not just those identified by the developer. This includes all the trees running along the Fern Road border to Castledare Place.

- The so called cleared land marked for urban development is regularly used by members of the public, it is a shared open space. The attached Proposal 1 shows no detail as to how the developer will maintain access to the Parks and Recreation zone, which remains open for the public to use. Any walkways will need to be safe and have good distance between pedestrians and the railway track, in line with current WAPC policy, has this adequately been addressed by the developers in terms of planning and if not why not?
- The Castledare Estate is of historical interest not only to the City of Canning but to Perth in general. The Castledare Miniature Railway and amenities, the remnants of the mini golf course, and the current open space are of historical value which needs to be given due weight when deciding the future plans for urban development in this precinct.
- Recent announcements made by the McGowan government highlighting fast track processes being introduced to enable WAPC to steam-line development proposals and cut through “red tape”. Very convenient given the location of this proposed urban development and the amendment process currently underway. My concern is this amendment and the development proposals will be rubber stamped without due consideration to the environmental, social and heritage impacts to local residents and the general community.

## Submission 59

Planning and Development Act 2005

### Section 57 Amendment (Minor) Form 57

#### Submission

Metropolitan Region Scheme Amendment 1365/57

Pt Lot 4 Fern Road & Pt Lot 102 Castledare Place, Wilson

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



Title (Mr, Mrs, Miss, Ms) ..... First Name .....

Surname **Name removed at the request of the submitter** ..... (PLEASE PRINT CLEARLY)

Address ..... Postcode .....

Contact phone number ..... Email address .....

*Submissions will be published as part of the consultation process. Do you wish to have your contact details removed from your submission?* ☒ Yes ☐ No

#### Submission by William Prince

I have read both the City of Canning and the Wilson Wetland Action Groups Submissions and concur with both adding additional comments of my own. I have added four (4) appendices and refer to them in context.

I will concentrate on three (3) concerns:

1. the conservation of significant vegetation.
2. the possible loss of breeding habitat.
3. Preservation of the heritage listed mini golf course.

On the Satellite Map (Appendix 1), I have marked four (4) areas that include several significant, mature trees, breeding habitat of native fauna and the mini golf course.

**Area 1** contains eight (8) trees, six (6) that are shown in Appendix 2. The north eastern corner is currently pegged to exclude an area of capped asbestos contamination. A magnificent *Corymbia citridora* lies within it. Another five (5) large trees are inside Lot 102, along the southern side of Fern Road towards Castledare Place. There are also two (2) smaller trees that are not shown on Appendix 2. The six (6) large trees provide significant breeding hollows for Pink and Grey Cockatoos as well as a food supply for smaller birds

To protect all eight trees, in accordance with Australian Standard (AS4570-2009), a Tree Conservation Zone should be established as shown on the diagram in Appendix 2. The area, measuring 120m by 25m is designed on Tree Protection Zones including Tree Root Zones and Crown Protection and should be included in the final decision on MRSA1365/57.

Depending on the width of the verge (6m to 8m), the area within Lot 102 would be between 19 m and 17 m wide. The reserve would also act as a safety zone as dwellings and fences should not be built under the canopy, thus preventing damage from falling branches.

To accommodate the reserve, the owners would be required to contribute between 0.14 and 0.17 hectares. This could be designated as part of the Public Open Space required in new residential developments. Final decision/contribution should be negotiated with the City of Canning.

**Note:** *Without a survey of the area, Appendix 2 is a reasonable mathematical representation of the area. Measurements are accurate to within 10 centimetres. No attempt has been made for a true representation of the round-about, the large Ficus and the realignment of the Dual Use Path at the intersection of Fern Road and Castledare Place.*

The southern boundary of the proposed amendment to Lot 102 should be aligned in accordance with the City of Canning's submission. Areas 2, 3 and 4 are along this boundary.

**Area 2** contains eight (8) significant trees and the Heritage listed Mini Golf Course. One (1) is a Queensland Iron Bark, five (5) a cluster of Peppermint trees and two (2) Flame Trees, all providing excellent shade over the golf course. The largest Peppermint encroaches on one hole. The trees and the golf course should remain in situ and the mini golf course restored (not necessarily by the developer) as a recreational area.

There is a total of seven (7) mature Eucalypts in **Area 3 and Area 4**; four (4) in Area 3 and three (3) in Area 4. By a minor realignment of the Principal Shared Path and proposed southern road these trees can be retained.

As with **Area 1** the trees in all areas are in excellent condition and provide food and breeding areas for native birds, both large and small.

The final tree that should be retained is a mature Tuart on the eastern side of Castledare Place, between the Ficus and the large Lilli- Pilli.

The retention of trees is in line with:

- a) City of Canning's Draft LP.09 – Tree Retention and Planting- Development (Ref 1)
- b) Draft City of Canning Urban Forest Strategy (Ref 2)

Both policies are nearing Council's acceptance. The Urban Forest Strategy emphasises that, *'Urban forests play an important role in the health and wellbeing of people and the liveability of cities. Trees in cities provide significant economic, social, health, environmental and aesthetic benefits and make significant measurable contributions to ecosystem services.'*

Page three (3) of the Amendment Scheme states, *'The proponent has identified the retention of significant trees on-site in an initial concept plan and will consider the protection of these trees as part of future structure planning'*. The phrase *'will consider'* is not a commitment to fully protect this ecosystem and any destruction of trees, mentioned in my submission, should not be considered nor permitted by the City of Canning or any other statutory authority.

**Area 4** is at the lowest point of the development. As well as the importance of its trees, this area is a breeding zone for the 'semi- endangered' South-western snake-necked turtle (*Chelodina colliei*). (Ref 3)

*'Breeding occurs within the wetland during winter and spring. Nesting occurs later in the year, within two distinct seasons: Spring (September to November), and Summer (December to January).'*

*'Nesting sites can be anywhere from one to 800 m from the water's edge, but generally within 500 m'.*

During the nesting seasons, these turtles may be observed emerging from the creek and southern end of the Wilson Main Drain, moving through the low area to nest in the sand nearby. Further east along Fern Road they cross the road to nest in nearby gardens.

Consideration needs to be given to the low point and the surrounding area to accommodate these reptiles. This could be achieved by retaining the trees in Area 4, realigning the road and PSP and construction tunnels under both.

I request full consideration and support is given to my submission.

#### Appendices (by email attachment)

1. MRS 1365/57 Amendment Map 1 - Satellite View
2. MRS 1365/57 Amendment Plan 1
3. MRS 1365/57 Amendment Map 2

#### References

1. <https://www.yoursaycanning.com.au/42434/widgets/228272/documents/105642>
2. <https://www.yoursaycanning.com.au/36567/documents/114851>
3. <https://rivers.dwer.wa.gov.au/species/chelodina-colliei/>

#### Acknowledgement

Google maps

You should be aware that:

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

#### **To be signed by person(s) making the submission**

Signature ..... Date 4 June 2020 .....

**Note: Submissions MUST be received by the advertised closing date, being close of business (5pm) on 5 JUNE 2020. Late submissions will NOT be considered.**

Contacts: Tel - (08) 6551 8002 Fax - (08) 6551 9001 Email - [mrs@dplh.wa.gov.au](mailto:mrs@dplh.wa.gov.au) Website - <http://www.dplh.wa.gov.au/mrs-amendments>



Appendix 1—MRS 1365/57 Amendment Map 1. —Satellite View (WT Prince)








Appendix 2 —MRS 1365/57 Amendment Plan 1. (WT Prince)

Scale	Each square = 5m x 5m
-------	-----------------------

All measurements in Metres (±0.01m)

Trees	From Kerb	Between Trees	Radius	TRZ	Cumulative Distance	Key		
1	11.30	22.2	0.66	7.91	22.20 *		Tree Root Zone (TRZ)	Capped Asbestos Contamination Area
2	11.35	23.25	0.68	8.12	45.45		Central Axis	Castledare Place
3	11.40	20.25	0.70	8.40	65.70		Minimum Road Reserve Boundary	Fern Road
4	12.10	21.10	0.53	6.40	86.80			Duel Use Bike Path
5	13.70	13.20	0.25	3.06	100.00			
6	4.50	16.20	0.77	9.26	116.20			

Distance from Inside Kerb of Castledare Place to Tree 1

22.20 \*

Maximum Canopy Distance from Fern Road Kerb

24.10

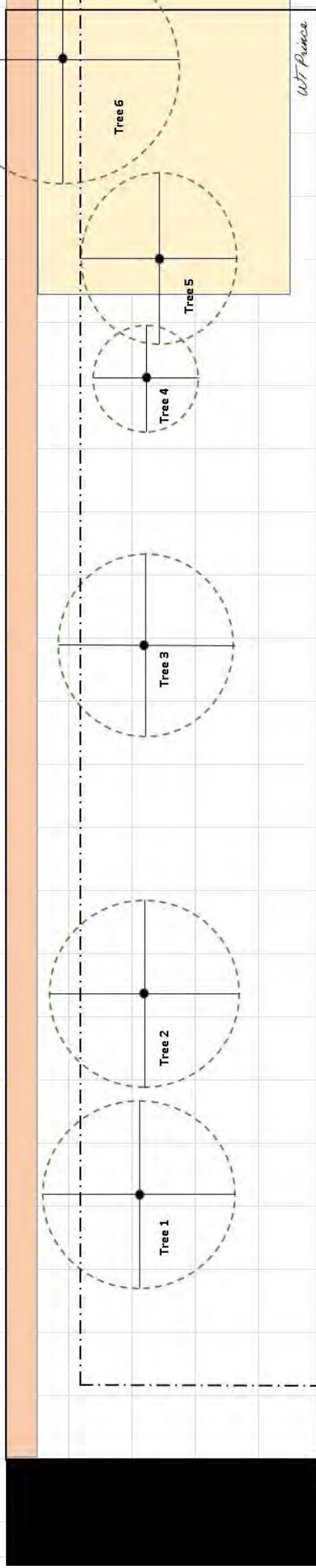
Total Distance from Tree 1 to Castledare Place Kerb

116.20

Distances from Inside of Kerb and Between Trees measured to Central axis

Area Required for Reserve from Developer is between 0.14 and 0.17 Hectares

Proposed Tree Protection Reserve Along Fern Road



WT Prince



### Appendix 3—MRS 1365/57 Amendment Map 2 . —Satellite View (WT Prince)



**Area 1** includes all the area for development minus Castledare Village, the Canning River Buffer Zone, the Castledare Miniature Railway, Road Reserves and Other Required Buffer Zones.

**Area 2** is the major area to be ceded to the State excluding the Canning River Buffer Zone and Road Reserves . It is of no commercial value, consisting of an area of capped asbestos contamination and Wetlands Conservation Zone (primarily swamp).





Department of Biodiversity,  
Conservation and Attractions



Your ref: 833-2-16-42 Pt 1 (RLS/0861)  
Our ref: 2017/001854 (PRS 43077)  
Enquiries: Catherine Prideaux  
Phone: 08 9442 0300  
Email: Catherine.Prideaux@dbca.wa.gov.au

Ms Sam Fagan  
Secretary  
Western Australian Planning Commission  
Locked Bag 2506  
PERTH WA

Attention: Mr Anthony Muscara

Dear Ms Fagan

**METROPOLITAN REGION SCHEME PROPOSED AMENDMENT 1365/57  
PT LOT 4 FERN ROAD & LOT 102 CASTLEDARE PLACE, WILSON**

I refer to the letter dated 24 March 2020 requesting comment on the proposed amendment to reclassify 0.5 hectares of land from the Urban zone to Parks and Recreation reserve and to reclassify 1.02 hectares of land from Parks and Recreation reserve to the Urban zone in the Metropolitan Region Scheme (MRS). The amendment also proposes removal of 1.11 hectares from Bush Forever Site 224: *Canning River Regional Park and Adjacent Bushland, Riverton to Langford*.

The subject site (Lot 4 and Lot 102) is owned in freehold and is adjacent to Canning River Regional Park and contains the Castledare Miniature Railway. The Department of Biodiversity, Conservation and Attractions (DBCA) provides the following comments for your consideration, having provided formal preliminary comments regarding the proposed amendment to the Western Australian Planning Commission (WAPC) on 12 October 2018 and 29 November 2018, and informal comments at various other times.

**Revision to the MRS Report**

The Environmental Protection Authority's *Guidance Statement 33 Environmental Guidance for Planning and Development* states that "Wetlands that are to be protected require a minimum 50 metre buffer distance." Prior to commenting on the subject amendment, it is important to clarify the statement in the MRS amendment report that states "A site-responsive reduced wetland buffer has been supported by DBCA" (page 3). The report should be revised to state that "A reduced wetland buffer was accepted in view of the site constraints." The site is constrained by works that have been undertaken to remediate asbestos contamination and by requiring a road connection to Bywater Way.

**Swan Region**  
**Cnr Australia II Drive and Hackett Drive, Crawley WA 6009**  
Locked Bag 104, Bentley Delivery Centre, Western Australia 6983  
catherine.prideaux@dbca.wa.gov.au  
www.dbca.wa.gov.au

## **Parks and Recreation Reserve**

DBCA has advised the proponent and the WAPC that a 50 metre buffer to a Conservation category wetland is required and that there should be no reduction in the Parks and Recreation reservation. The proposed amendment leaves the width of the foreshore reserve too narrow in some areas to achieve an adequate buffer. Detailed negotiations have been undertaken between DBCA, the City of Canning and the proponent to seek an improved interface between Parks and Recreation reserve and Urban zoning and a good outcome for the recreational users.

As a result of these negotiations the MRS amendment plan is understood to accommodate a shared path corridor width of 5 metres within the Parks and Recreation reserve and a minimum distance of 1.5 metres from the centre of the rail line to the edge of the shared path. DBCA also notes the layout will need to be to the satisfaction of the City of Canning, as the future manager of the site.

Should the amendment be approved, it is acknowledged that progression of the current proposal will expedite public ownership of the regionally significant portion of the foreshore reserve, through the ceding of 12.5 hectares of land within the Parks and Recreation reserve to the State of Western Australia.

## **District/Local Water Management Strategy**

A combined District/Local Water Management Strategy (D/LWMS) for Lots 4 & 102 Fern Rd, Wilson has been prepared by Hyd2o Hydrology (November 2019) and submitted to the Department of Water and Environmental Regulation (DWER) for approval. The MRS amendment report states that the D/LWMS will need to be approved by DWER prior to a final determination being made on the amendment. The MRS amendment should not be approved until the issues raised by DBCA have been satisfactorily addressed in a revised D/LWMS.

DBCA has advised the proponent that the proposed biofiltration areas are to be located within the urban zoned area and not within the Parks and Recreation reservation or within the wetland buffer. The proponent is to allocate sufficient space for the first 15 mm of stormwater drainage within the development site.

## **Issues Requiring Resolution at Structure Planning and/or Subdivision Stages**

The City of Canning has advised that a concurrent Local Planning Scheme amendment is likely; should the amendment be to 'Urban Development' it would also require approval of a structure plan. The proponent and the City of Canning should be advised that the following issues are to be resolved during the preparation of a structure plan.

- Public Open Space

Further consultation with DBCA is required to improve the wetland buffers and regional park interface through appropriate Public Open Space design.

- Development within Bush Fire Prone Area

Bushfire mitigation measures are to be contained within the development area and must not place impositions or reliance upon the management of adjoining Parks and Recreation reserve. Opportunities for some revegetation utilising local native species within the river foreshore will be undertaken where necessary.

- Protection of Trees

It is noted that the avenue of mature trees that are currently within the Bush Forever Site along Fern Road and Castledare Place, as shown in the Land Use Concept Plan (Figure 3 of Request to

Initiate Amendment - Burgess Design Group 2018) will be retained through the structure planning process. These trees provide amenity value to the regional park and potential habitat for fauna.

Structure plan text should require the provision of sufficient curtilage around trees identified for protection by the City of Canning in order to protect their roots from damage (this is to include street trees along Fern Road and Castledare Place and trees in proximity to the shared path).

- Provision of a Shared Path

DBCA recommends the structure plan text requires the provision of a shared path within the Parks and Recreation reserve on the boundary of the Urban zoning. The proponent has advised that further adjustments can be made to the location of the shared path corridor during the structure planning and subdivision stages. DBCA would particularly support adjustments to address safety concerns where shared path users are in close proximity to the railway lines.

Co-location of the road with the shared path provides a better interface between the reserve and the urban development for reasons of public safety, protection of bushland within the reserve and fire safety for residents.

- Subdivision Layout

The proponent has previously presented an indicative plan that included a retaining wall adjacent to the shared path and the existing train track, at the northern end of the site. The subdivision should comply with setback requirements of the DBCA Corporate Policy Statement No. 48 *Planning for Development Setback Requirements Affecting the Swan Canning Development Control Area*.

DBCA's preference is that lots should not immediately back onto the shared path or adjacent reserve. WAPC's draft *Liveable Neighbourhoods* (2015) policy outlines that "Streets with lots fronting them should surround the majority of public open space (POS) as this provides amenity, safety and security for both POS users and residents."

- Containment Cell

DBCA notes that the proposed amendment includes a purposefully constructed 'Containment Cell' which is required to be managed in accordance with the Long-Term Asbestos Management Plan prepared for the site. The City of Canning is to assume future management responsibility for the adjoining part of the regional park as shown in the *Swan Coastal Plain South Management Plan* (Department of Parks and Wildlife 2016) so further consultation with the City of Canning is recommended, in relation to future management of the 'Containment Cell'.

- Amalgamation and Subdivision of Lots 4 and 102

Should the MRS amendment and development be approved, the landowner has agreed, through a Deed of Agreement, to cede approximately 12.5 hectares of private freehold land within the Parks and Recreation reserve to the State of Western Australia. It is DBCA's expectation that the land will be free of any encumbrances (including contamination) prior to subdivision and amalgamation to create Crown Reserves, either for management by the City of Canning or for management by DBCA. As for other Bush Forever sites that are to be transferred to DBCA for management there will be a requirement for operational improvements such as fencing, rubbish removal, signage, track closure and rehabilitation, weed mapping and control. A management plan that addresses these required actions will need to be prepared prior to transfer.

The management boundaries within the Canning River Regional Park are shown in the *Swan Coastal Plain South Management Plan* (Department of Parks and Wildlife 2016).

Should you have any queries regarding the above comments, please contact Planning Officer Catherine Prideaux of this office on telephone 9442 0300 or by email [catherine.prideaux@dbca.wa.gov.au](mailto:catherine.prideaux@dbca.wa.gov.au).

Yours sincerely

A handwritten signature in dark ink, appearing to read 'Benson Todd', is positioned above the printed name.

Benson Todd  
REGIONAL MANAGER

19 June 2020



2<sup>nd</sup> June 2020

**Late Submission 61**

Secretary  
Sam Fagan  
Western Australian Planning Commission  
Locked Bag 5206  
PERTH WA 6001

Department of Planning, Lands and Heritage Received	
Scanned	10 JUN 2020
Attachments	
Scan QA	
Doc No.	
File No.	

Dear Secretary

**METROPOLITAN REGION SCHEME AMENDMENT 1365/57 – PART LOT 4 FERN ROAD  
AND PART LOT 102 CASTLEDARE PLACE, WILSON**

I provide this submission as a Life Member of the Castledare Miniature Railway ("CMR"). The CMR is located on the foreshore of the Canning River in Wilson and adjoins the area subject of Metropolitan Region Scheme Amendment 1365/57 ("Amendment").

CMR has been active since 1963 and together with my family, I joined the club in October 1988 and we have been continuous active members since that time. I was Secretary for some 25 years and my wife, Sue, also served several terms as a committee member. Together with our son, are still very actively involved. Our involvement at Castledare Miniature Railway has been, and continues to be, an important part of our social and recreational lives.

I provide this letter in full support of the proposed Amendment:

- as the Amendment will allow CMR to apply for "grants" to assist in continuing to provide a great experience to the public.
- at CMR over the years, along with other members, we have cleaned out the rubbish that had been dumped in the "wet-lands" thus providing a non-recognized service to make the area as attractive as it is now.
- not being on private land in the future will provide the club the confidence to continue maintaining and improving the railway and grounds and also enable us to continue our charity work that has given thousands of dollars to many organisations over the past years.

I trust that the Western Australian Planning Commission will support the Amendment and recommend accordingly to the Minister for Planning, as it will assist with the longevity of a valued community asset enjoyed by the young and old alike.

Regards,



Ken Belcher  
Life Member, Castledare Miniature Railway

