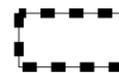


Subject Lot
Liwara Catholic Primary School
Lot 847 Plan 10409 - 4.7714 ha
5 Tuart Road, Greenwood

Local Planning Scheme No.3 Amendment No.

LEGEND

 Boundary of Amendment

REGIONAL SCHEME RESERVES

 MRS - Primary Regional Road

LOCAL SCHEME RESERVES

 Public Open Space

 Drainage / Waterways

 Local District Distributor

 Local Road

ZONES

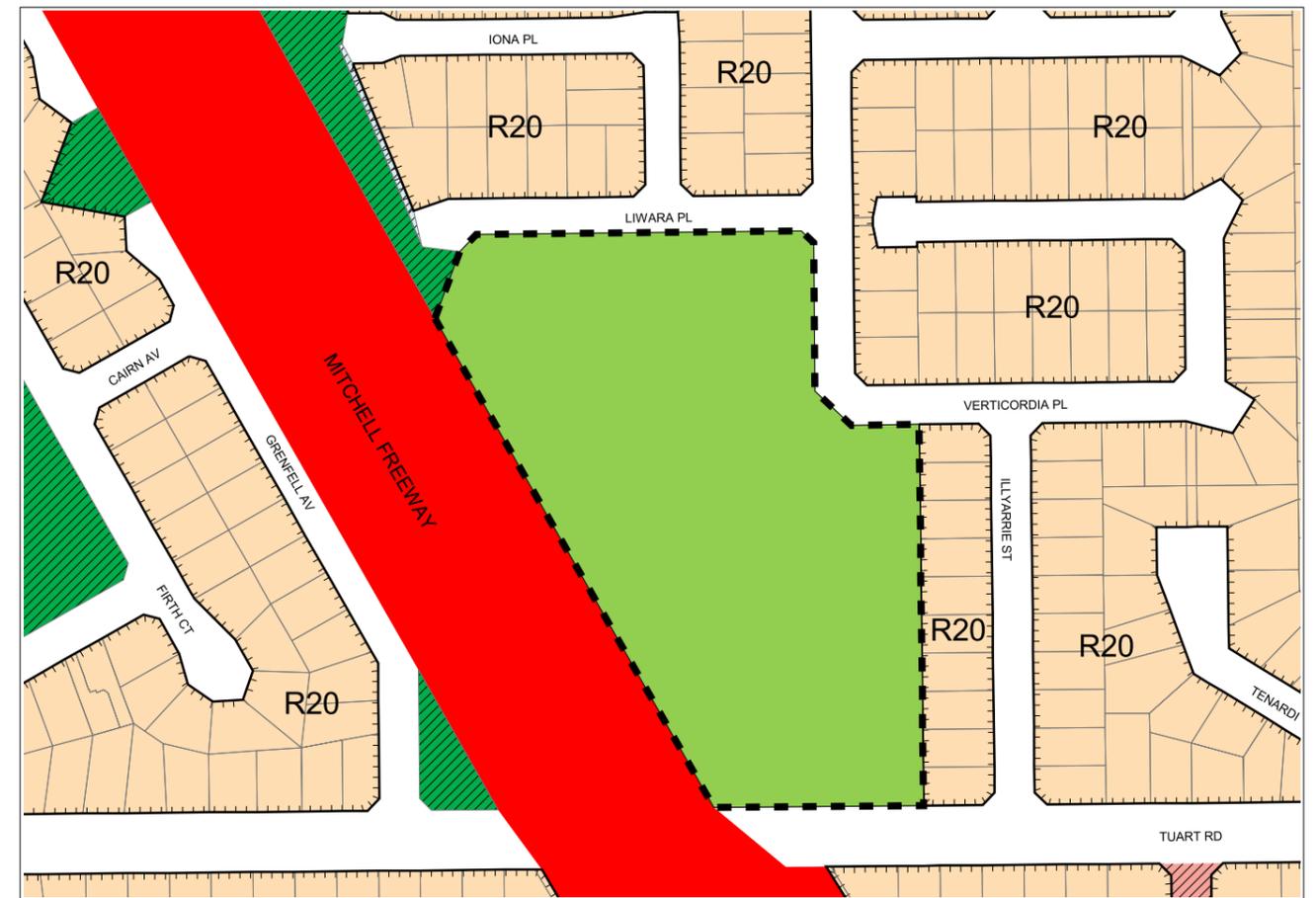
 Residential

 Private Community Purposes

 Additional Use

SCALE 1: 3500 @A3

 20 0 20 40 Meters



EXISTING ZONING



SCHEME AMENDMENT



AREAS		
Location	Area	Perimeter
Ground Floor		
(U2) ALFRESCO	20.28	25.72
(U2) HOUSE	301.27	66.63
(U2) PORCH	12.05	15.37
(U1) HOUSE	4.93	8.88
(U1) HOUSE	307.93	114.67
(U1) ALFRESCO	21.94	20.80
(U1) PORCH	38.32	24.93
(U1) GARAGE	45.35	25.02
	746.45 m²	333.02 m



LOT AREA - APPROX. 1527 sqm
 UNIT 1 AREA - APPROX. 818 sqm
 UNIT 2 AREA - APPROX. 709 sqm

REV	ITEMS	DRW	CHK	DATE
C	SCHEMATIC DESIGN	SG	YA	28/01/2022
B	BOX STUDY	YA	J	08/12/2021
A	BOX STUDY	YA	J	01/12/2021

DRAWING REVISION

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PROJECT: 5 TUART ROAD
 GREENWOOD
 CITY OF JOONDALUP

CLIENT NAME: PERCY DEVELOPMENTS

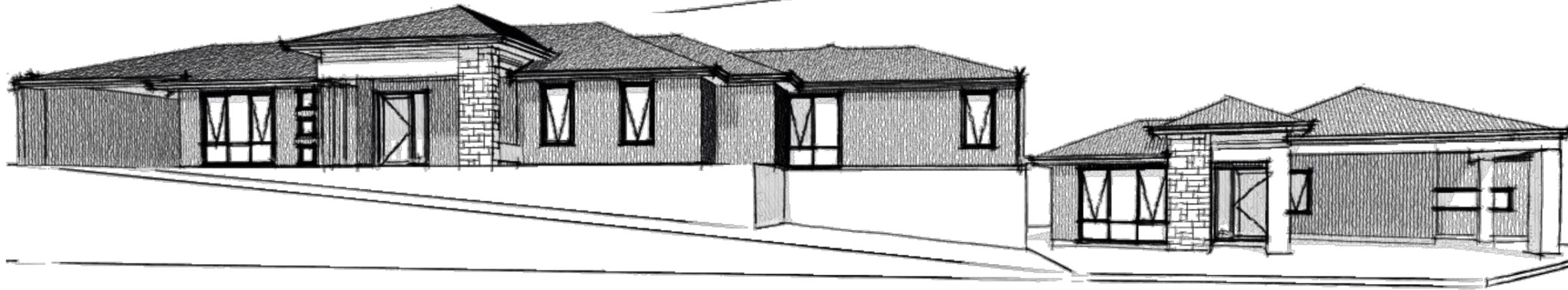
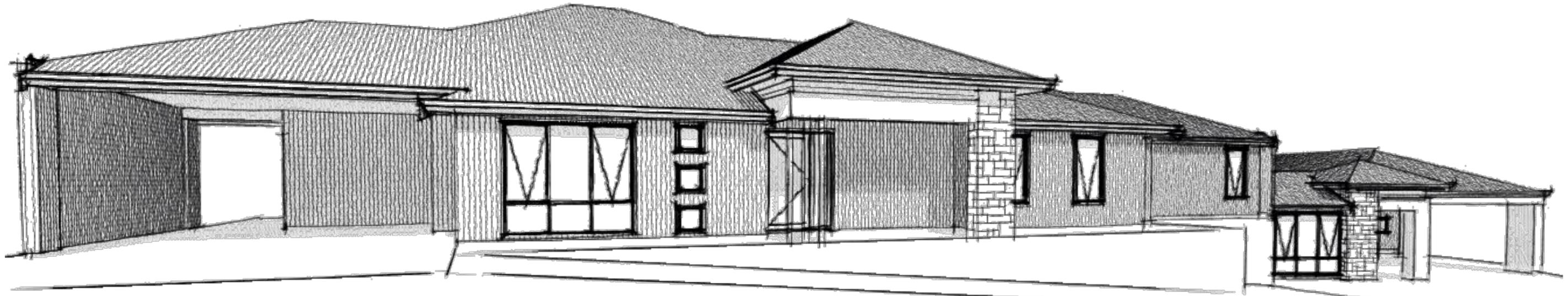
SHEET: Proposed Floor Plan

DESIGNED BY: DATE PRINTED: 28/01/2022
 PAPER PRINTED: DRAWING No. @A1 4 of 4

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DRAWING LIST

DRAWING ID	DRAWING NAME
1	3D Elevations
2	3D Elevation
3	3D Elevation
4	Proposed Floor Plan



REV.	ITEMS	DRW	CHK	DATE
C	SCHEMATIC DESIGN	SG	YA	28/01/2022
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A	BOX STUDY	YA	/	01/12/2021

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PROJECT 5 TUART ROAD
GREENWOOD
 CITY OF JOONDALUP

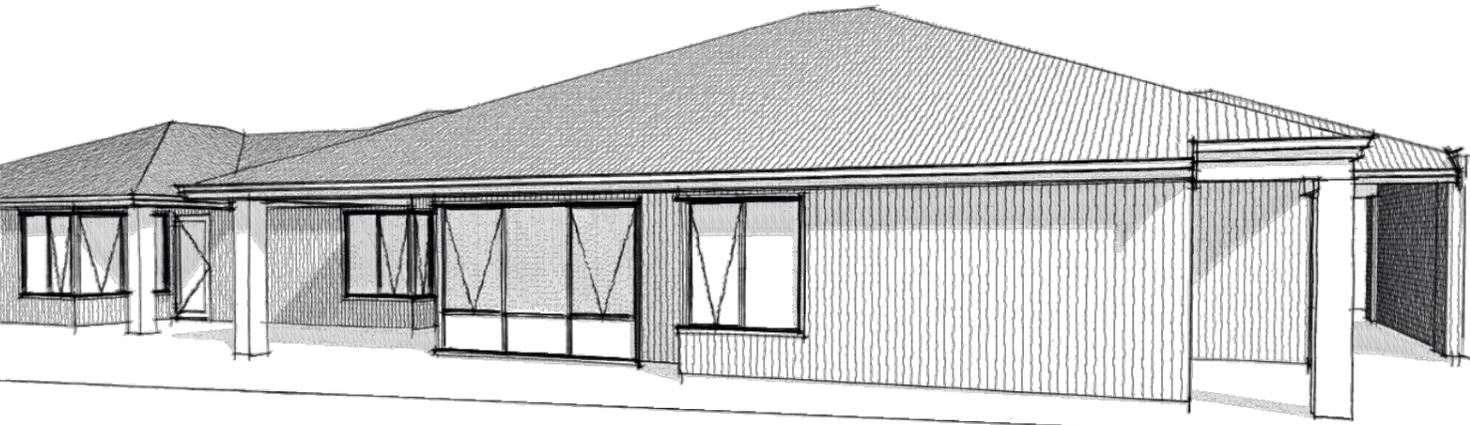
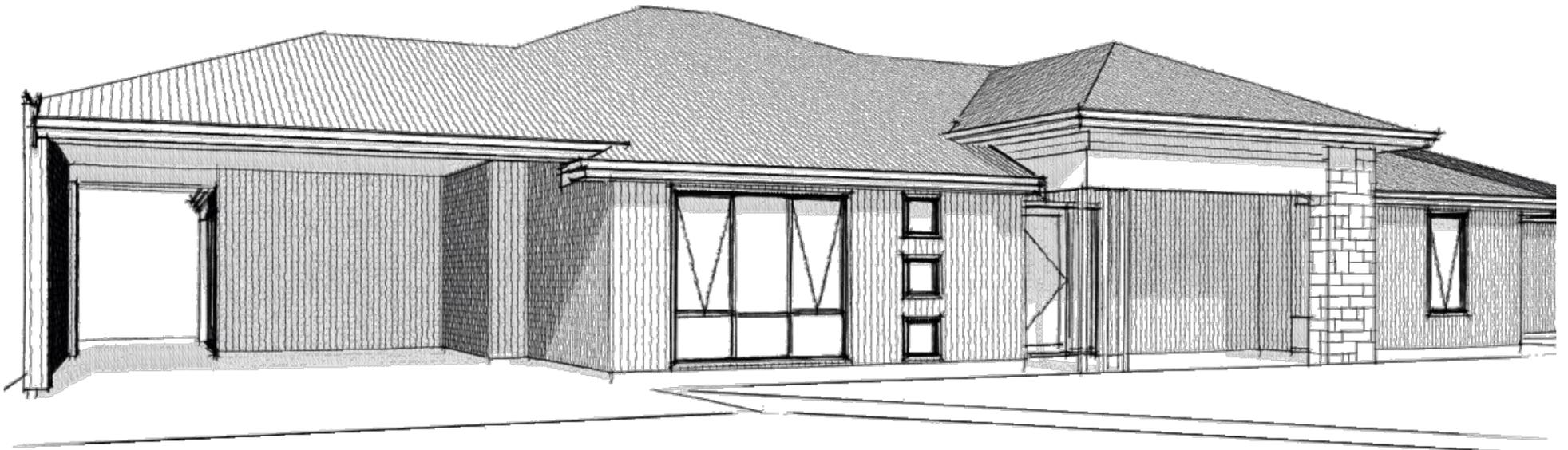
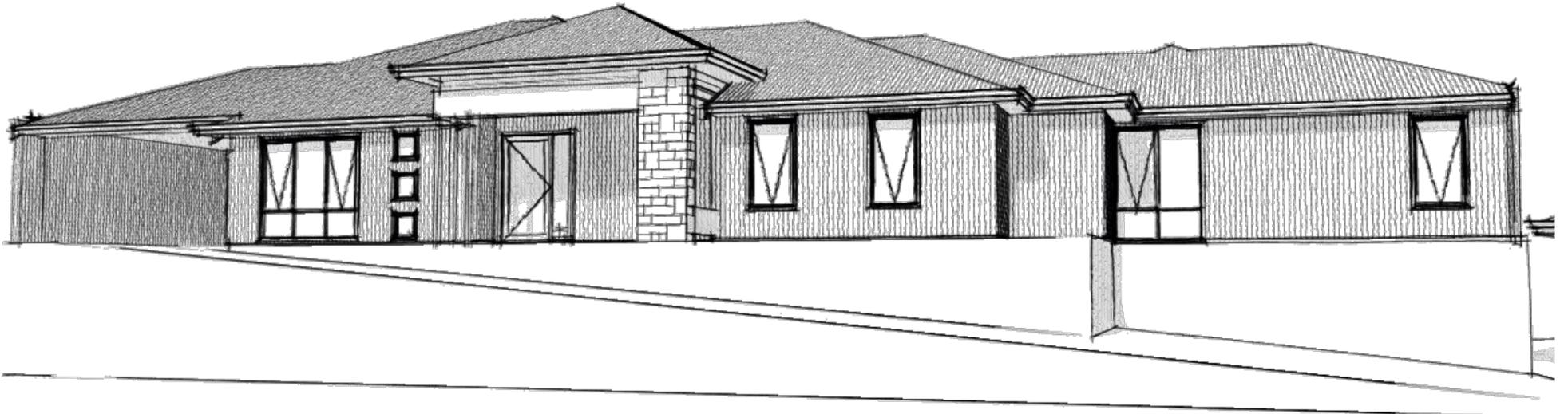
CLIENT NAME PERCY DEVELOPMENTS

SHEET 3D Elevations

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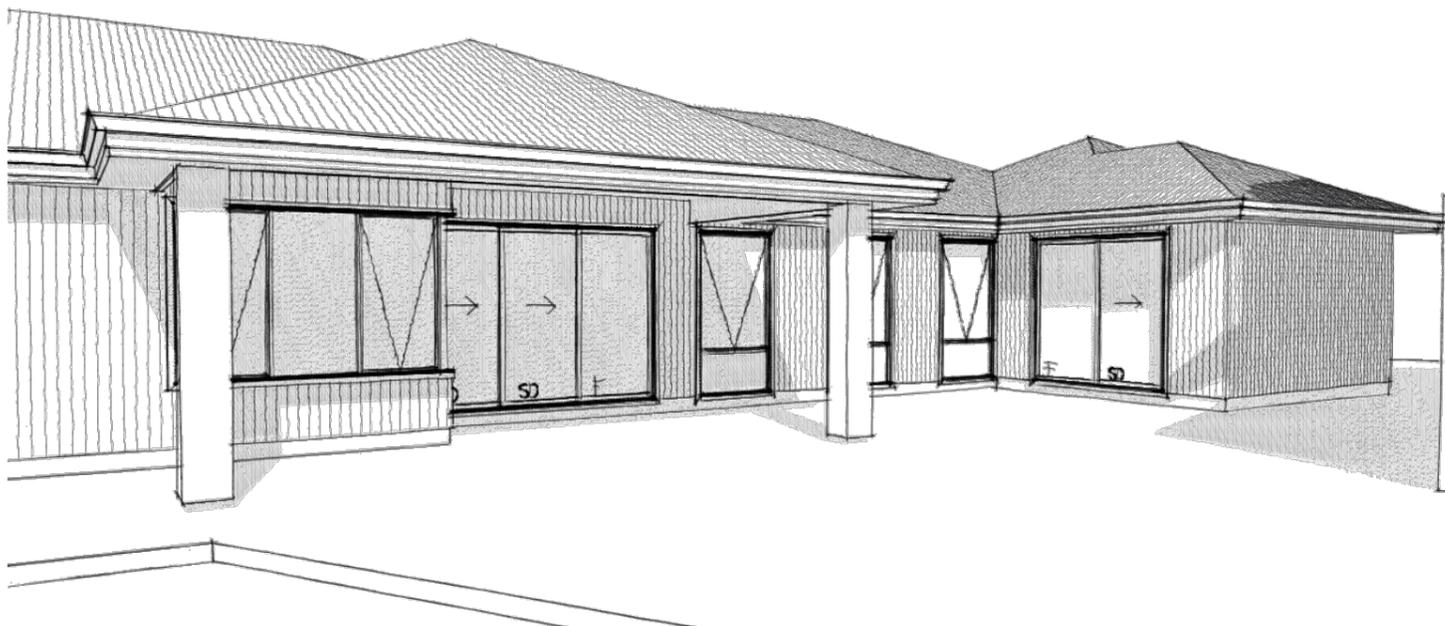
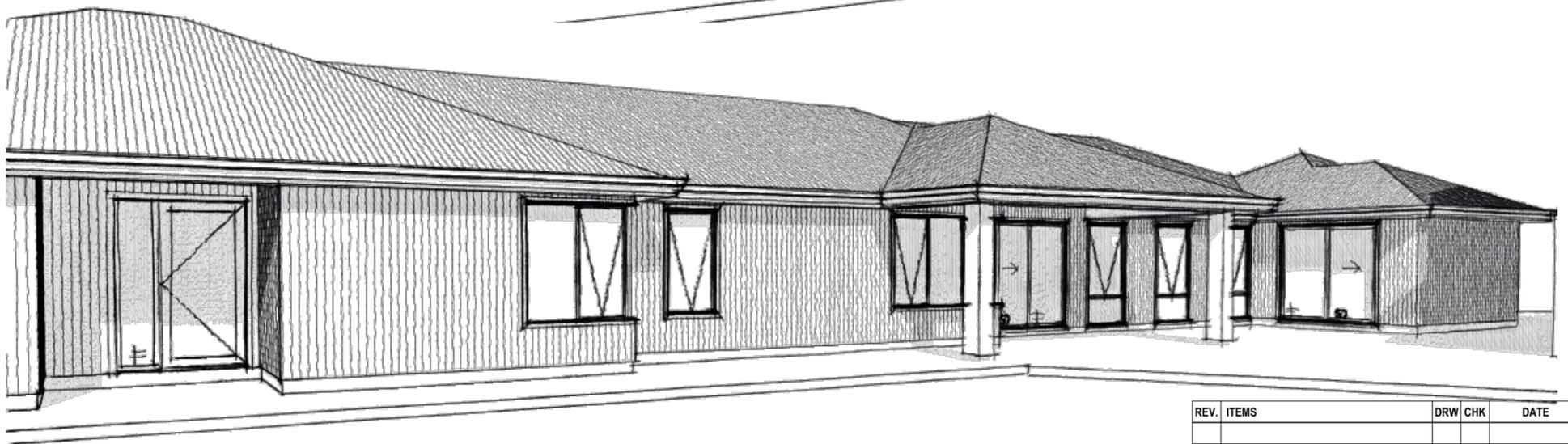
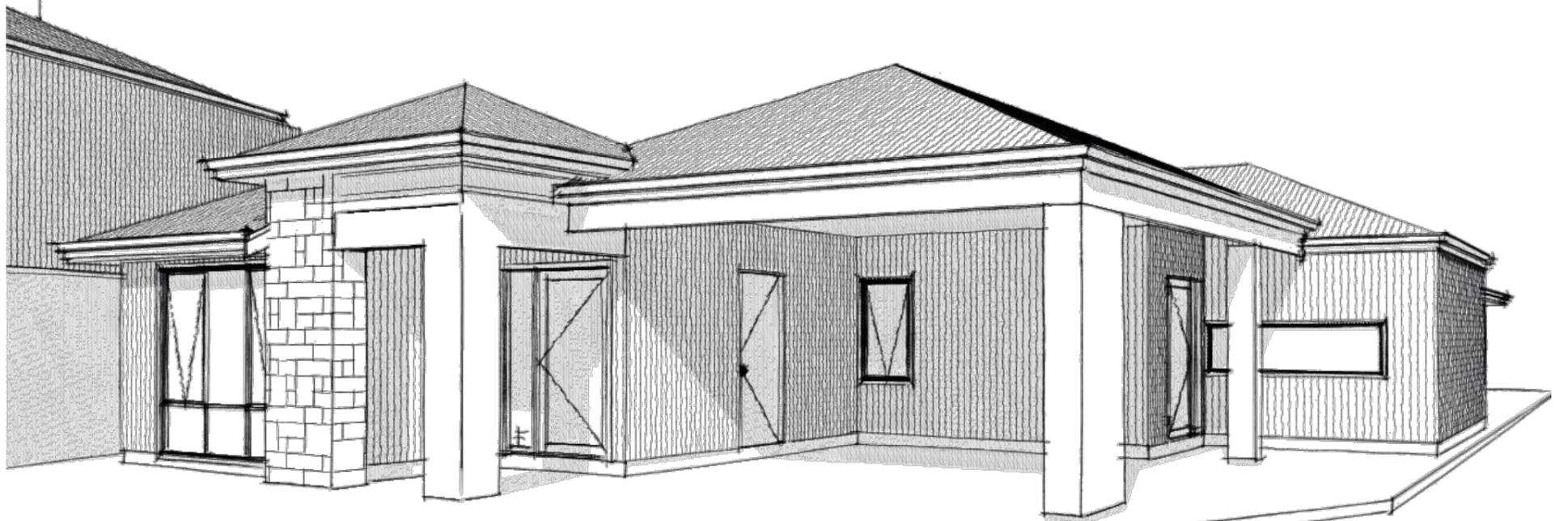
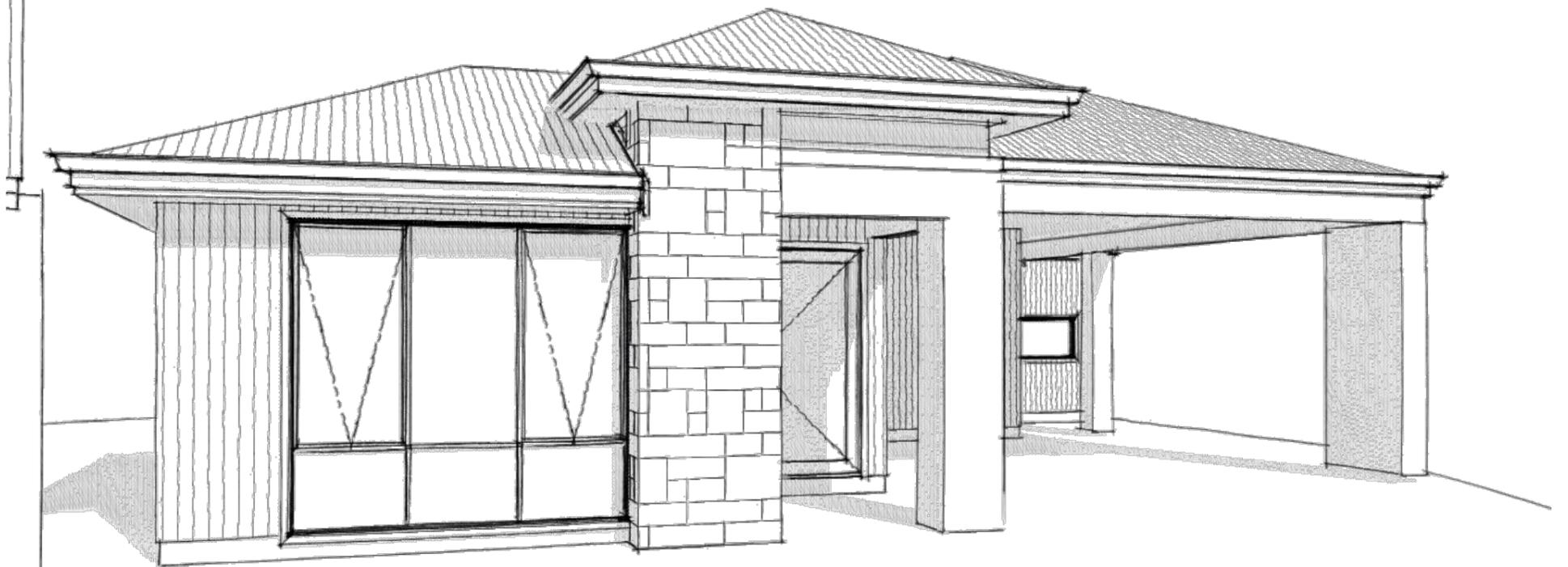
PROJECT **5 TUART ROAD
 GREENWOOD
 CITY OF JOONDALUP**

CLIENT NAME **PERCY DEVELOPMENTS**

SHEET **3D Elevation**

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A	BOX STUDY	YA	/	01/12/2021

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PROJECT

**5 TUART ROAD
GREENWOOD
CITY OF JOONDALUP**

CLIENT NAME

PERCY DEVELOPMENTS

SHEET

3D Elevation

DESIGNED BY

-

DATE PRINTED

28/01/2022

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3 of 4

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Rise Urban.



Lot 847 Tuart Road, Greenwood

Proposed Amendment to City of Joondalup Local Planning Scheme No.3

Additional Use for SDA Housing



Prepared for:	Identitywa
Prepared by:	Rise Urban Pty Ltd 3/448 Roberts Road Subiaco WA 6008 Cameron@riseurban.com.au
Project Planner	Cameron Leckey – Director
Job Code:	0612021
Doc Reference:	Rep05A-0612021
Issue No:	2 - Lodgement
Date:	19 September 2022

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Attachments

1. Attachment 1 – Proposed Scheme Map (Rise Urban, 2022)
2. Attachment 2 – SDA Housing - Development Concept Plans (KDG, 2022)

1. Purpose

The purpose of this amendment is to create an Additional Use over part of Lot 847 Tuart Road, Greenwood such that a portion of the site can be developed with two dwellings for the specific purpose of providing Specialist Disability Accommodation for members of the community with severe intellectual/cognitive or physical disabilities.

2. Background

The following sections set out the background to this proposal, including the context / objectives of the amendment and the current site and planning context.

2.1 About Identitywa

Rise Urban is proud to provide planning support to Identitywa. Identitywa is a not-for-profit outreach of the Catholic Archdiocese of Perth. A registered NDIS provider, Identitywa is one of WA's leading agencies supporting people with disabilities to live fulfilled and independent lives. Originally known as Catholic Care, Identitywa was established to provide support, care, and greater acceptance from the parish communities for people with significant intellectual and physical disabilities.

Identitywa is now an agency that supports over 550 individuals and their families, providing support services and supported living options to people with disabilities.

Recently Identitywa has embarked on a program to develop and provide its own range of brand new Specialist Disability Accommodation to meet the needs of the community.

2.2 About SDA Housing

The Federal Government established the National Disability Insurance Scheme (NDIS) and associated legislation in 2013 with a view to providing greater support and access to funding for people with severe disabilities.

As part of the overall NDIS initiative, a need was identified to support and fund Specialist Disability Accommodation (SDA), which differs significantly to more traditional housing with respect to its specific infrastructure needs.

The National Disability Insurance Scheme (Specialist Disability Accommodation) Rules 2016 describe SDA and the role of the NDIS in supporting SDA – refer extract below.

- 1.2 *One of the supports that may be funded for some participants who have an extreme functional impairment or very high support needs is SDA. SDA refers to accommodation for people who require specialist housing solutions, including to assist with the delivery of supports that cater for their extreme functional impairment or very high support needs. SDA does not refer to the support services, but the homes in which these are delivered. SDA may, for example, have specialist designs for people with very high needs or a location or features that make it feasible to provide complex or costly supports for independent living.*

At present there is a shortage of SDA housing in the northern suburbs, with current demand for an additional 23-25 dwellings in the Joondalup / Wanneroo region alone ([source](#)). This shortage has resulted in people with disabilities having to be accommodated in aged care facilities (often despite not being elderly), hospitals, or in other unsuitable / undesirable

At present the subject land accommodates the Liwara Catholic Primary School and associated facilities and playing fields, as well as the All Saints Catholic Church and the Chapel of the Blessed Sacrament.

The main infrastructure associated with the school is located at the southern and eastern sides of the site, while the playing fields are located along the western boundary and buffer the school from the adjoining freeway. The church is located on the corner of Liwara Place and Orkney Road, in the north eastern corner of the site, with the Chapel of the Blessed Sacrament immediately adjacent fronting Liwara Place.

There is an undeveloped and under-utilised portion of the site of approximately 1,530m² located in the north western corner fronting Liwara Place and the Mitchell Freeway as depicted in Figure 2 below.



Figure 2 – Proposed SDA Site Location (source: MNG Access, 2022)

An opportunity exists to develop this underutilised area for Specialist Disability Accommodation to provide high-support housing for people with severe disabilities. The purpose of this amendment is to put in place the statutory planning framework that will enable this portion of the site to be developed for SDA housing.

2.4 Current Planning Context

The subject land is zoned ‘Urban’ under the Metropolitan Region Scheme, and ‘Private Community Purposes’ under the City of Joondalup Local Planning Scheme No.3 (“LPS3”).

Clause 16 (Table 2) of LPS3 sets out the objectives of the Private Community Purposes Zone as follows:

- *To provide sites for privately owned and operated recreation, institutions and places of worship.*

- *To provide for a range of privately owned community facilities, and uses that are incidental and ancillary to the provision of those facilities, which are compatible with surrounding development.*
- *To ensure that the standard of development is in keeping with surrounding development and protects the amenity of the area.*

Despite referencing the use ‘*Aged and Dependent Persons Dwellings*’ on multiple occasions, LPS3 does not include this use as a stand-alone use class in the Zoning Table (Table 3). Instead, officers have consistently taken the position that accommodation for aged or dependent persons ought to be classified as single, grouped or multiple dwellings depending on the built form proposed in each circumstance.

Amendment 6 to LPS3 was gazetted on 21 June 2021, and had the effect of changing the use class permissibility for *Grouped Dwelling* and *Multiple Dwelling* in the Private Community Purposes zone from ‘D’ to ‘X’ meaning that these uses are now prohibited in this zone. It is understood that this amendment was brought about on the advice of the Western Australian Planning Commission (“WAPC”) who advised the City that residential uses are not aligned with the objectives of the zone and no residential density code (R-Code) has been assigned.

With the exception of the use classes *Residential Building* and *Residential Aged Care Facility* all permanent residential uses are now prohibited in the Private Community Purposes zone unless specified pursuant to clause 19 and Table 4 of LPS3 (Additional Uses).

The same amendment also recognised that there are some exceptions within the Private Community Purposes zone that might be well suited to grouped or multiple dwellings in the future (subject to not undermining the predominant use of the area) and listed them as Additional Uses in Table 4 of the Scheme (additional uses 15-17).

Clause 19 and Table 4 of LPS3 set out those specific sites that are:

- (a) *classes of use for specified land that are additional to the classes of use that are permissible in the zone in which the land is located; and*
- (b) *the conditions that apply to that additional use.*

This amendment is seeking to include ‘Grouped Dwelling’ as an additional use for the northern portion of the subject land, with the inclusion of appropriate conditions that restrict the use / occupancy of the Grouped Dwellings to SDA / dependent persons, and ensure that the predominant use of the site remains for Private Community Purposes consistent with the conditions to existing Additional Uses 15-17 of Table 4.

3. The Proposed Amendment to LPS3

This amendment proposes the following two modifications to LPS3:

- i. Insert Additional Use No.18 in Table 4 ‘*Specified additional uses for zoned land in Scheme area*’ as shown below.

Table 4 - Specified additional uses for zoned land in Scheme area

No.	Description of land	Additional use	Conditions
18	Lot 847 Tuart Road, Greenwood	Grouped Dwelling	<p><i>Purpose / use of the grouped dwellings is restricted to housing for dependent persons as defined in State Planning Policy 7.3 Residential Design Codes Volume 1, and may include provision for on site care and support services.</i></p> <p><i>A residential density code of R20 shall apply.</i></p> <p><i>The predominant form of development over the site is for Private Community Purposes.</i></p>

- ii. Amend the Scheme Map to designate the Additional Use by including an 'A18' notation over Lot 847 Tuart Road, Greenwood.

The proposed amendment to the Scheme Map is shown indicatively at Attachment 1.

Having regard to regulation 34 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the proposed amendment is considered to be a *Standard* amendment as the proposal:

- a) Is consistent with the objectives of the Private Community Purposes zone of the City's LPS3;
- b) Will have minimal impact on land in the scheme area that is not the subject of the amendment;
- c) Will not result in any significant environmental, social, economic or governance impacts on land in the scheme area; and
- d) Aligns with Amendment 6 to LPS3 which also added additional uses into the Private Community Purposes zone, and was also treated as a Standard amendment.

4. Planning Justification

The following paragraphs set out the justification for the proposed amendment in the context of the City's strategic planning framework.

4.1 Land Use

As noted above, the purpose of this amendment is to facilitate the development of two grouped dwellings for the purposes of providing permanent accommodation for people with severe physical and / or mental disabilities.

Although the built form will appear as traditional single storey grouped dwellings from the street, the dwellings will be custom built to meet the NDIS rules associated with SDA housing, and to ensure high quality and fit-for-purpose residential accommodation for the tenants.

Although the land use is listed as Grouped Dwelling in Table 4, the conditions that are proposed to be added will restrict the use of the grouped dwellings to SDA housing, and will ensure that the development will be very limited in scope.

4.2 Objectives of the Zone

As noted above, Identitywa is a Western Australian based outreach service provided by the Catholic Church. Although its services are non-denominational, Identitywa retains a close affiliation with the Catholic institution.

The proposed amendment, and the resultant SDA dwellings are consistent with the objectives of the Private Community Purposes zone in that:

- It will allow for a site to be developed as a privately owned and operated institution with close affiliations to the adjoining church and school.
- It will deliver a use and form of development that is compatible with the adjoining school, church, and residential properties on the opposite side of Liwara Place.
- The SDA housing is a low-impact and low-intensity form of development comprising two single-storey dwellings, which is in keeping with the surrounding development and the amenity of the area. Furthermore, the proposal will ensure the retention of a number of the existing trees within the development site (to be confirmed at DA stage), ensuring that the existing character is respected.

The proposed amendment is consistent with the principle established in Additional Uses 15-17 as listed in Table 4 of LPS3, where grouped dwellings and multiple dwellings are permissible in the Private Community Purposes zone subject to the predominant use of the site continuing as private community purposes. This proposal will not replace or remove the existing private school or place of worship located on the site, and instead will provide a complementary use that will not undermine the overall purpose of the zone.

It is noted that Residential Aged Care is a permissible use in the Private Community Purposes zone. SDA housing performs a very similar function to residential aged care, and it follows that if aged care is an appropriate use in this zone, then SDA housing should also be permitted on a discretionary basis.

4.3 Special Conditions

The amendment proposes to include three special conditions in Table 4 that will remove the potential for any unintended consequences of the amendment being approved.

1. Occupancy of the grouped dwellings is restricted to dependent persons as defined in the R-Codes Volume 1:

Dependent person: *A person with a recognised form of disability requiring special accommodation for independent living or special care.*

2. A density code of R20 has been allocated in order to ensure that the grouped dwellings are designed and constructed to a comparable standard and density to the surrounding residential areas, which also have a R20 density code.

3. Consistent with Additional Uses 15-17, a condition has been included that ensures the predominant use of the site will remain as Private Community Purposes and will not be undermined or replaced by the proposed SDA housing.

These conditions will ensure that the grouped dwellings can only ever be used as SDA housing, that they will be of a scale and form that is consistent with the surrounding residential context, and that the predominant use of the site as a private community facility is not undermined.

5. Next Steps

This Amendment, if approved, does not in and of itself enable development to occur on the site. There are a number of subsequent steps in the process including planning approval, building certification and construction. Although difficult to predict in this current climate, we estimate that the SDA housing will be completed and ready for occupation within 24 months.

5.1 Development Application

Once the amendment is further progressed to the point that it has been advertised and is considered to be 'seriously entertained', and it is clear that both the City and WAPC are supportive of the proposed additional use, Identitywa will proceed to lodge a development application with the City.

The dwellings will be designed in accordance with the Residential Design Codes Volume 1 and the City's local planning framework. As well as the standard information, the development application will likely provide:

- A site and feature survey;
- An earthworks / retaining strategy;
- An environmental assessment of trees / vegetation and other environmental attributes of the site and identification of those trees / attributes to be retained; and
- An acoustic assessment to address noise mitigation from the Mitchell Freeway.

5.2 Concept Plans

Although the detailed design is yet to be finalised, the preliminary concept plans at Attachment 2 demonstrate a likely built form outcome for the two SDA dwellings fronting Liwara Place. Key aspects of the preliminary concept design include:

- Both dwellings are single storey, and as such are consistent with the local housing character / typology.
- Existing trees are recognised and retained within the outdoor living areas where practicable, having regard to the need to deliver a level development site to ensure sufficient mobility for its future occupants and achieve the necessary NDIS certification.
- Adequate car parking for carers and visitors is provided on site to ensure minimal impact on the street and to meet the NDIS rules for SDA housing.

As demonstrated in the concept plans, the grouped dwellings are consistent with the surrounding scale and form of development, and are a low-impact, low-scale development that will make a positive contribution to the streetscape and the community.

6. Conclusion

There is a significant shortage of suitable SDA housing options for those in need in the northern suburbs at present. The proposed amendment to create an additional use over a portion of Lot 847 Tuart Road will result in the development of two grouped dwellings, accommodating up to eight individual dependent persons. The homes are custom-designed with the end user in mind, and allow the occupants to live independently or semi-independently with dignity. Once completed, the homes will relieve some of the pressure from aged care facilities and hospitals in the locality which are currently struggling to cope with demand.

Overall, the proposed amendment will facilitate a form of development that meets a specific need in the community, whilst also making use of surplus land that would otherwise remain vacant.

From a planning perspective the proposal is very limited in nature, and does not undermine the objectives of the zone or the amenity / character of the area. Further, the site-specific nature and the special conditions associated with the additional use ensure that approval of the amendment will not set any form of precedent for other sites within the Private Community Purpose zone.

On this basis it is requested that the City of Joondalup proceed to initiate the standard amendment to create this additional use over Lot 847 Tuart Road, Greenwood.

**PROPOSED AMENDMENT NO 12
SCHEDULE OF SUBMISSIONS FOLLOWING ADVERTISING
LOT 847 (5) TUART ROAD, GREENWOOD
(Closed 4 May 2023)**

Submi- sion Number	SUBMISSION SUMMARY	APPLICANT RESPONSE TO SUBMISSIONS	ADMINISTRATION COMMENTS
Support			
1	It would be wonderful if this accommodation goes ahead as far more are needed and not only for the disability sector.	Agreed.	Noted.
6	A marvellous project for very needy people.	Agreed.	Noted.
13	Support proposal as there is an identified shortage of specialist disability accommodation (SDA) housing in the northern suburbs. This results in people with disabilities having to be accommodated in aged care facilities, hospitals or other accommodation. Beneficial use of an underutilised portion and create opportunities for SDA housing. The housing should not produce inappropriate noise or traffic congestion.	Agreed. Specialist Disability Accommodation does not produce noise or traffic beyond that produced by typical residential dwellings.	Noted.
14	Identitywa is one of Western Australia's leading agencies supporting people with disability and their families throughout the Perth metropolitan area. They have identified shortage of specialist disability accommodation (SDA) housing in the northern suburbs. This results in people with disabilities having to be accommodated in aged care facilities (often despite not being elderly), hospitals, or in other unsuitable / undesirable accommodations that does not meet their needs. The additional use of the proposed land will make beneficial use of an underutilised portion of Lot 547, along Liwara Place and create opportunities for SDA housing in accordance with the National Disability Insurance Scheme requirements. The development will alleviate the pressure from aged care facilities and hospitals in the locality. The area proposed to be utilised for the two SDA dwellings is located opposite existing residential dwellings, coded R20, and the SDA housing should not produce inappropriate noise or traffic congestion in the area.	Agreed. Specialist Disability Accommodation does not produce noise or traffic beyond that produced by typical residential dwellings.	Noted.
16	No comment.	Noted.	Noted.
18	Proposal would permit the independent living of people with disabilities in accordance with the requirements of the NDIS. Minimal impact on neighbouring residences as it is part of a housing scheme.	Agreed.	Noted.
20	The proposal will enhance the immediate area. Providing suitable housing is a challenge. This will provide an ideal setting while not disturbing nearby neighbours.	Agreed.	Noted.
27	We must, if we are to judge ourselves humane, provide accommodation for the increasingly ageing disabled community. The development would provide this and, by its location, perhaps also assist in attenuating the anti-social behaviour which impacts on the church, school and their surrounding environment.	Agreed.	Noted.
Objection			
3	Loss of vegetation after already so many trees have been taken down. Additionally, disruption to the school and parish community.	We have obtained a professional environmental assessment for this site, which determined that the vegetation on this site is degraded and is not environmentally significant in terms of flora or habitat for fauna, and is therefore not necessary to conserve. This Scheme amendment has also been considered by the Environmental	The submitter may be referring to the removal of trees on adjoining sites associated with Freeway works however it is noted that this is not related the current proposal under consideration. The applicant has advised that it is intended to retain trees on the site where possible.

**PROPOSED AMENDMENT NO 12
SCHEDULE OF SUBMISSIONS FOLLOWING ADVERTISING
LOT 500 (5) TUART ROAD, GREENWOOD
(Closed 4 May 2023)**

Submi- sion Number	SUBMISSION SUMMARY	APPLICANT RESPONSE TO SUBMISSIONS	ADMINISTRATION COMMENTS
		<p>Protection Authority, which determined that the proposal does not require assessment due to the lack of environmental impacts.</p> <p>Notwithstanding, trees will be retained where possible to maintain the amenity of the site.</p> <p>The site is topographically and visually separated from the school site, and will also operate separately, and will therefore not disrupt the school or parish.</p>	
4	<p>Concern that group housing on the lot at Liwarra School will put children at risk. There may potentially be members housed that make the school unsafe. The proposed site looks directly onto the oval.</p> <p>Parking is already terrible with only a one-way entrance to the school oval. Group Housing will congest this even more with their visitors using the school carpark instead of the proposed carpark.</p> <p>Not in the best interest of the Catholic School especially since all the developments to the freeway have impacted negatively on school safety/noise increase to environment and therefore children learning.</p>	<p>Refer to our response to submission 3 regarding interface with the school.</p> <p>Sufficient parking will be proposed on site at development application stage to cater for all occupant and visitor demand. The anticipated demand will be consistent with that reasonably expected on a typical residential street.</p> <p>Also note that there is no evidence to suggest that SDA accommodation would put children at risk. This claim is completely unfounded.</p>	<p>There are many examples where housing adjoins or has views to school sites. Visual privacy will be assessed at development application stage in accordance with the provisions of the Residential Design Codes.</p> <p>The road network is capable of accommodating the traffic that the additional use will generate. Notwithstanding, parking and access arrangements will be assessed at development application stage. The application for the scheme amendment has been made on behalf of the owners of the site.</p>
7	<p>With the clearing that MRWA has undertaken down the Mitchell Freeway corridor, the City should focus on retaining existing vegetation in residential areas. The church has already cleared vegetation for the recently built parish centre. Vegetation is being cleared at an exponential rate in urban areas and this needs to be a true and important consideration.</p> <p>The provision of parking spaces for services seems superfluous when the church has a carpark in the vicinity.</p>	<p>Refer to our response to submission 3 regarding vegetation and submission 4 regarding car parking and traffic.</p>	<p>The proposal has been referred to the Environmental Protection Authority who have reviewed the Environmental Assessment Report and determined that the proposal did not warrant formal assessment. The applicant has advised that it is intended to retain trees on the site where possible.</p> <p>Parking and access arrangements will be assessed at development application stage.</p>
11	<p>Limited access into the site. Adjoining roads are already under pressure and congested at school and church times. Parking at supported housing is very limited relying on verge parking.</p> <p>The amendment approved by the Minister for Planning in June 2021 should stand and not be interfered with.</p> <p>Large hardwood Tuart/Marri trees were destroyed unnecessarily so the church hall could be built. Proposal would likely destroy others.</p>	<p>Refer to our response to submission 3 regarding vegetation and submission 4 regarding car parking and traffic.</p> <p>Each dwelling will be required to provide on-site parking in accordance with the Residential Design Codes.</p>	<p>The road network is capable of accommodating the traffic that the additional use will generate. Notwithstanding, parking and access arrangements will be assessed at development application stage.</p> <p>Amendment No 6 was supported to address an anomaly in LPS3. The amendment acknowledged that there may be circumstances where residential development may be appropriate on a site zoned 'Private Community Purposes' where it would not be the predominant use.</p> <p>The applicant has advised that it is intended to retain trees on the site where possible.</p>
15	<p>Increased vehicle traffic.</p> <p>Established hardwood trees plus others with large canopies would be removed. Trees should be kept and green space preserved.</p> <p>Ample community housing nearby including Freemason Homes, Brightwater, Kingsley Lakeside, Bethanie, Amana Living, Opal, St Ives, Barridale Lodge, Aegis.</p>	<p>Refer to our response to submission 3 regarding vegetation and submission 4 regarding car parking and traffic.</p> <p>There is a demonstrated shortage of Specialist Disability Accommodation in Perth, and the northern suburbs in particular.</p>	<p>The proposed development is unlikely to generate significant additional traffic.</p> <p>The applicant has advised that it is intended to retain trees on the site where possible.</p>

**PROPOSED AMENDMENT NO 12
SCHEDULE OF SUBMISSIONS FOLLOWING ADVERTISING
LOT 500 (5) TUART ROAD, GREENWOOD
(Closed 4 May 2023)**

Submi- sion Number	SUBMISSION SUMMARY	APPLICANT RESPONSE TO SUBMISSIONS	ADMINISTRATION COMMENTS
			Should the proposed scheme amendment proceed, the applicant has advised the type of housing provided and designed for specialist disability accommodation, which is lacking in the community.
19	<p>Rezoning will deny the school any future possibility of using the land for legitimate school purposes. It will diminish the ability for the school to provide broader benefit of the broader school community in the future.</p> <p>The proposed development will restrict any benefit specifically to a select though deserving, group within the community.</p> <p>Additionally, the Parish Church has advised that Identity WA intend to pay the Parish an ongoing Lease Fee for the land if development is approved. This seems to indicate the exercise is as much a commercial venture as a charitable service by Identity WA, engineered to be presented in a form to appear to have a Private Community Service</p> <p>The current proposal is inappropriate and unsuitable for the area.</p>	<p>This proposal is not to rezone the site and will therefore not prevent the land from being used for school purposes in the future should the dwellings cease being used for Specialist Accommodation purposes.</p> <p>The proposal represents a broader community benefit and is therefore consistent with the intent of the 'Private Community Purposes' zone. The location of the site in a broader residential area makes it well suited for Specialist Disability Accommodation.</p> <p>Identitywa wishes to confirm this proposal forms a core part of its not-for-profit activities and is not a commercial venture.</p>	<p>Should the proposed scheme amendment proceed, a condition is proposed to ensure that the site will still be predominantly used by the existing school or other uses permitted in the 'Private Community Purpose' zone.</p> <p>The proposed restriction on the housing for use by dependent persons is no different to the restriction on the use of housing by aged persons, for example. The proposal will provide for a diversity in housing accommodation.</p> <p>The commercial arrangement between parties is not a relevant consideration for the proposed scheme amendment.</p>
21	<p>Rezoning to residential is a strategic shift from the original purpose of this zone in LPS3. If approved, it will set a precedent and undermine the fundamental strategic purpose of an LPS.</p> <p>Strategic guidance should be through a local planning policy for dependent dwellings.</p> <p>Ad-hoc change that will in turn fundamentally alter the way developers view this zone classification in the City. Infill needs to happen through well planned mixed-use in existing commercially zoned precincts.</p> <p>It makes sense to locate the development in existing residential areas which are better served by road access.</p> <p>The land should be purchased by the City for the purposes of public open space to benefit the environment and local residents in the area.</p>	<p>This proposal is limited to Specialist Disability Accommodation only, and typical residential uses will remain prohibited on this site.</p> <p>No comment regarding the local planning policy.</p> <p>This proposal is limited to Specialist Disability Accommodation and is subject to stringent conditions, which will ensure that it does not set a precedent.</p> <p>It is challenging for providers such as Identitywa to secure residential zoned land when competing with the open market, and so this surplus land is well suited for a viable Specialist Disability Accommodation development.</p> <p>The land is not for sale by the Catholic Church.</p>	<p>Amendment No 6 was supported to address an anomaly in LPS3. The amendment acknowledged that there may be circumstances where residential development may be appropriate on a site zoned 'Private Community Purposes' where it would not be the predominant use.</p> <p>Conditions have been proposed as part of this amendment to supplement the additional use, intending to limit the additional use to only dependent persons dwelling developments and at a scale (R20) to ensure compatibility with the surrounding context.</p>
22	<p>The development is counter to the letter of scheme amendment No. 6. Inconsistent with the objectives of the Primary Community Purposes Zone. Will create a precedent for future development applications on the site and other sites. A flexible interpretation of scheme amendment No. 6. The condition is indeterminate.</p>	<p>Refer to our response to submission 21 regarding precedent concerns.</p>	<p>Amendment No 6 was supported to address an anomaly in LPS3. The amendment acknowledged that there may be circumstances where residential development may be appropriate on a site zoned 'Private Community Purposes' where it would not be the predominant use.</p>
24	<p>If approved will set a precedent for other owners of 'Private Community Purpose' and is contrary to Scheme Amendment 6. Will create a precedent for future development applications on the site and other sites.</p> <p>The condition which requires "the predominant use of the site remains for Private Community Purposes consistent with the conditions to existing Additional Uses 15-17 of Table 4..." is indeterminate.</p> <p>This development will also result in the loss of amenity from the school and neighbouring homes through the loss of remnant bushland.</p>	<p>Refer to our response to submission 21 regarding precedent concerns.</p> <p>The proposal is limited to a small unused portion of the site, with the significant majority used for school and/or religious purposes. It is therefore clear that this proposal will not be the predominant use of the site.</p> <p>Refer to our response to submission 3 regarding vegetation.</p>	<p>Amendment No 6 was supported to address an anomaly in LPS3. The amendment acknowledged that there may be circumstances where residential development may be appropriate on a site zoned 'Private Community Purposes' where it would not be the predominant use.</p> <p>The applicant has advised that it is intended to retain trees on the site where possible.</p>

**PROPOSED AMENDMENT NO 12
SCHEDULE OF SUBMISSIONS FOLLOWING ADVERTISING
LOT 500 (5) TUART ROAD, GREENWOOD
(Closed 4 May 2023)**

Submi- sion Number	SUBMISSION SUMMARY	APPLICANT RESPONSE TO SUBMISSIONS	ADMINISTRATION COMMENTS
25	<p>Not enough consideration has been given to the people that will be living in the new accommodation and the amenities that they will require; as well as the potential impacts on local residents caused by developing and modifying the usage of this Lot.</p> <p>The proposed amendment indicates that new dwellings will be for aged and assisted living. Generally, people that fall into this category will require extra infrastructure and support in terms of the following;</p> <p>Accessibility – not access to public transport within a reasonable distance. No footpath on the verge which is not appropriate for wheelchair access. Liwara street is steep and difficult to access.</p> <p>Amenity – Few shopping centres and entertainment/outdoor activities within close proximity.</p> <p>Noise – the site is located very close to the freeway which will result in noise exposure 24/7.</p> <p>Traffic/Parking - Currently there is extremely limited street parking on Liwara Place, there needs to be more parking to support the current activities on this property. Adding new dwellings to Lot 847 will increase the parking and traffic load on Liwara Place by increasing vehicle numbers by residents, visitors and services. There is no indication of new parking facilities on the concept plans except for two carports which are inadequate.</p> <p>Vegetation and streetscape - Removing this last piece of bush land will negatively affect the look and feel of the area. The bush area on the site serves purpose in that it; buffers the freeway, is an important habitat for local birds and wildlife, helps regulate the temperature in the surrounding area, and acts as a windbreak from south westerly winds.</p> <p>Construction – Construction associated within the development in conjunction with the traffic and parking issues will cause major disruption to the local residents.</p> <p>There has been no support from the caretaker to help resolve or mitigate any of these issues.</p>	<p>The dwellings have been designed to meet NDIS requirements for Specialist Disability Accommodation and will meet the needs of their future occupants, which are well understood by Identitywa.</p> <p>The occupants will be transported to and from amenities by carers given their high needs.</p> <p>The development and building application will be required to confirm that the dwellings will be acoustically attenuated to reduce noise from the freeway to an acceptable level in accordance with State Planning Policy 5.4.</p> <p>Refer to our response to submission 3 regarding vegetation and submission 4 regarding car parking and traffic.</p> <p>Construction will be managed in accordance with all applicable and legislative requirements, and will have no greater impact on the amenity of the nearby residents than a typical residential dwelling or dwellings.</p>	<p>A separate development application would need to be made and determined by the City, at which time the development would be assessed in accordance with the Residential Design Code provisions including the provision of open space. In addition, given the applicant's intent to develop specialist disability accommodation, the housing will be designed to meet the needs of the people who will be living there.</p> <p>While the proximity to shopping centres and public transport may be an added benefit, it is not considered that this should be a limiting factor to where specialist disability accommodation is appropriate to be provided as this would likely significantly restrict the locations where this form of accommodation could be provided.</p> <p>Given the subject site is located near the Mitchell Freeway, any residential development on the site would be subject to <i>State Planning Policy 5.4 Road and Rail Noise</i> and may require measures to ensure that there is no adverse impact on residents from road noise.</p> <p>The road network is capable of accommodating the traffic that the additional use will generate. Notwithstanding, parking and access arrangements will also be assessed at development application stage.</p> <p>The proposal has been referred to the Environmental Protection Authority who have reviewed the Environmental Assessment Report and determined that the proposal did not warrant formal assessment. The applicant has advised that it is intended to retain trees on the site where possible.</p> <p>Construction issues are not relevant to the consideration of the scheme amendment proposal.</p>
Agencies			
2	<p><u>ATCO Gas Division Australia</u></p> <p>ATCO Gas Australia has no objection to the proposed application, based on the information provided.</p>	No comment.	Noted.
5	<p><u>Public Transport Authority of WA</u></p> <p>1. The site is within 100m of the passenger railway (Joondalup Line) and as such future development on the site must be supported by a noise assessment prepared by a suitably qualified consultant, in accordance with <i>State Planning Policy 5.4 (SPP 5.4)</i>.</p>	<p>The development application will confirm that the requirements of State Planning Policy 5.4 will be met.</p> <p>The requirement for an application for third party access is noted.</p>	<p>The comments relate to future development on the site. A separate development application will need to be made and approved by the City, at which time the potential implications would be assessed in detail, taking into account these comments.</p>

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	<p>2. The future development must also take into consideration vibrations from the Joondalup Line on this sensitive land use.</p> <p>Given the site is located approximately 42m to the nearest rail, hence within 50m from the PTA railway reserve, it places future development inside the PTA Protection Zone. Therefore, an application for third party access is required prior to the commencement of any works within the Protection Zone.</p>		
8	<p><u>Main Roads WA</u></p> <p>Future development application will need to implement measures to ameliorate the impact of transport noise. Future development is to comply with WAPC State Planning Policy 5.4 Road and Rail Noise and implement Noise Insulation “Deemed to Comply” packages for residential development.</p> <p>Vehicular access shall be achieved from the local road or side roads.</p> <p>Mitchell Freeway is control of access under the Main Roads Act 1930. No access to this road is permitted.</p>	<p>The development application will confirm that the requirements of State Planning Policy 5.4 will be met.</p> <p>No access will be proposed to Mitchell Freeway – only Liwara Place.</p>	<p>The comments relate to future development on the site. A separate development application will need to be made and approved by the City, at which time the potential implications would be assessed in detail, taking into account these comments.</p>
9	<p><u>Department of Water and Environmental Regulation</u></p> <p>No objections or comments.</p>	No comment.	Noted.
10	<p><u>Department of Biodiversity, Conservation and Attractions</u></p> <p>No comments.</p>	No comment.	Noted.
12	<p><u>Water Corporation</u></p> <p>No objections.</p>	No comment.	Noted.
17	<p><u>Department of Communities</u></p> <p>Supportive of the scheme amendment to facilitate the development of dependent persons dwellings as an ancillary component of the predominant use of the site.</p>	The Department of Communities is thanked for its support.	Noted.
23	<p><u>Department of Fire and Emergency Services – Land Use Planning</u></p> <p>No comments.</p>	No comment.	Noted.
26	<p><u>Department of Education</u></p> <p>No objections.</p>	No comment.	Noted.