

Summary of Submissions
Proposed Aged Care Accommodation, Alterations and Additions to existing buildings (Additional 80 beds).
Public Comment Period: (January 3) 2018 to (April 30) 2018

Submitter Assess No.	Nature of Submission	Applicant/Owner Response	Response/Recommended Modifications
1	Objection General Comment I am the owner and resident of a property sharing a boundary with the Valencia nursing home. As an involved member of the Carmel and greater Kalamunda community I am well aware of the need to increase aged care facilities in the Kalamunda area and in principal I am not opposed to reasonable and responsible expansion of the Valencia nursing home. However, having assessed all currently available information, it is clear to me that the scope of the development is too large for the 1.2141 hectare (3 acre) site and, should it be approved, will have a significant negative impact on the adjoining land users. Some neighbours will be overshadowed and overlooked, others will be impacted by noise and traffic. I will be adversely impacted by the visual impact of the 3-storey building, overlooking, by light, 24-hour noise from air conditioners, pumps and other machinery and traffic in the south-east car park. The expansion poses a significant risk to me in the event of water treatment and/or storm water operation failure, which, judging from the current available information, have a strong likelihood of occurring. The proposed (extensive) site coverage is in conflict with the use of the land in the surrounding rural environment. In addition, since my property is on a lower topographical level (4.5° downhill), I will be adversely affected by any failure of the storm water dispersal plan and any malfunction of the sewage disposal system. I have been living in Carmel for just over a year in which time I have already been affected by two sewerage failure events at the Valencia nursing home property at current bed levels. Whilst the first mentioned factors will diminish my amenity, the last mentioned have the potential to have a catastrophic impact on my property and consequently my family. Of further concern is that the public is being asked to provide comment on incomplete information and once the public comment closes will have no further voice. The studies uploaded to the website have not been extended to assess the impact beyond the current development site. For example, the storm water and sewage impacts will extend beyond the development site, as will traffic impacts, yet this has not been covered in the studies currently available. The cockatoo study is able to conclude that removing 15 mature trees is "...unlikely to be considered as a significant impact...". Reports like this that ignore the bigger picture will see endangered species go extinct and reports that don't look past the individual site don't provide sufficient basis for a considered conclusion. Carmel residents do not live in isolation but are part of the greater ecosystem and every property has a flow-on effect to surrounding properties and		

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	the greater area. Developers that do not voluntarily consider this need to be held to a higher account with regard to the scope of reports prepared in support of proposals. The limited scope of study could be an oversight by the developer or, considering the absence of engaged consultation with neighbouring properties, potentially indicates a lack of due regard for neighbouring properties which is contrary to the objectives of the Kalamunda Planning Local Scheme clause 4.2.5. What may also be of concern to the public further afield is that the extent of the proposed development brings it in close proximity of a commercial poultry farm, is within an environmental public drinking water source area (Level P3) and in close proximity to adjoining property's boreholes (including mine). If the effluent treatment plant fails or contaminated storm water rushes down onto the poultry farm, into the water catchment or leaches into surrounding boreholes, people could get sick or die. The scale of this proposal is alarming for the block size and for the area, especially given the fact that the determination will apparently be made on rough concept drawings, incomplete studies and a non-binding quote from a pump supplier for a critical component (sewage treatment). When you go into the detail of all the requirements, putting the concept plan aside, there is insufficient space on the block for the equipment that will be required to add capacity for 80 additional beds. This proposal is simply too ambitious. I would like to suggest that an alternative location would be more suitable: a bigger block of land where trees have already been cleared and where the geology and topography is more suitable for large scale leach drainage. My specific concerns and questions are listed below: Regarding the development application of 24 Valencia Road, Carmel, and as owner of a property bordering Valencia nursing home, I would like to raise the following concerns: 1. Scale of expansion a. 66 beds to 146 beds (121% increase) on a 3 acre block with no connection to mains sewerage. This density is not in keeping with the surrounding area and will materially change the landscape and be particularly imposing on immediate neighbours. This loss of amenity is unacceptable. 2. Water supply		
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- a. Union road residents have been experiencing ongoing water interruptions for the last 12-18 months. The water supply is interrupted for a few hours in the early morning. The Water Corp have very recently rectified this but can the Water Corp provided certainty that they have the capacity to supply the additional water needs for the proposed extended nursing home without interruptions to surrounding properties or costly upgrades to infrastructure at rate payers expense?
- b. Could the Water Corp and Health Department comment on how regular water outages would affect the functioning of the water treatment plant?

3. Three story building

- a. The addition of 80 beds on a 3 acre block in addition to a building already accommodating 66 beds dictates a three story building. According to the Kalamunda Planning Local Scheme (Table 2, page 29) the setbacks are:

<u>ZONES</u>	<u>SETBACKS</u>				<u>SITE REQUIREMENTS</u>		
	Front	Minor Street	Side	Rear	Site Coverage	Plot Ratio	Landscaping Strip (Road Frontage)
Private Clubs and Institutions	15m	3m	3m	7.5m	50%	0.5	3m

This means the 3-story building will be so close to neighbouring properties that it will **block views** and immediate neighbours will be in the **shadow** of this building.

The development proposal indicates a lack of due regard for neighbouring properties and is contrary to the objectives of the Kalamunda Planning Local Scheme clause 4.2.5 which states the following:

Private Clubs and Institutions

- To make provision for privately owned or operated schools, clubs, recreation facilities and similar uses.
- To make provision for privately owned or operated nursing homes, retirement villages, and a range of other residential uses which would be compatible with the type of non-residential uses referred to above.
- To ensure that such uses have due regard and do not adversely impact upon the adjoining land uses.

4. Coverage

- a. According to Kalamunda Planning Local Scheme the site coverage requirements are 50% (see table above). Since the existing building will stay in place and the new building will be built in addition, can

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	the Shire please provide a definition of site coverage and is the developer able to demonstrate that <= 50% coverage will eventuate in practice? 5. Separate building vs extension a. Has the developer paid an application fee for a new building or for an extension? An entirely new and separate building is on the concept drawing. Does the proposal fall within the scope of an extension or is the developer trying to circumvent additional costs and/or requirements? b. Has the developer indicated plans to upgrade the existing building? 6. Waste water treatment & Soil Contamination Risks a. Various independent opinion have indicated that it is highly unlikely that the proposed water treatment plant and soil will be able to cope with the amount of waste water. More importantly, no party will warrant that all bacteria and/or traces of drugs, medicines and other harmful pathogens will be removed during the treatment process. What studies have been done by the developer and are they available for interested residents to read? (The Peritas pump quote uploaded to the website is not a study) b. Looking at the concept plans it is apparent that the footprint required to house the tanks and other equipment scoped by the water treatment provider has not been adequately transcribed to plan, nor is there any mention of backup power to keep the system functioning in the event of a power failure. What is the backup power plan, where will the backup power system (if any) be located and what will the noise output be? c. The leaching area will be on the boundary with my property. The land is sloping and other properties are also downhill from the proposed treatment plant. The geotechnical survey uploaded to the website is old and cannot be relied on as the scope of the study is for an entirely different purpose. Currently no valid study has been made available nor is it certain that if such a study is requested that the possible impacts on surrounding areas will be included in the scope. Will residents be left to bear the risk of contamination to their properties should the developer fail to manage the treatment plant or should the soil prove unable to cope? 7. Water catchment area a. Valencia nursing home is situated in a drinking water catchment area. Should the water treatment plant fail or should the area be subject to an extreme rain event, as happened in January 2018, there is a run-off contamination risk. Will it be the tax payer or the developer that carry the cost of water contamination and/or the investigation and lawsuit costs that will likely precede any claim?		
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	8. Stormwater a. The below proposed solution to dealing with stormwater is entirely impractical for dealing with the vast amounts of runoff that will ensue from the proposed site coverage: "Stormwater Drainage Onsite disposal of stormwater via soakwell is not appropriate for this site. We recommend to discharge the stormwater or roof runoff offsite of the property or to the council drainage system by a site specific drainage system. The drainage system has to fulfil the requirements of the Shire of Kalamunda. It is highly recommended that a competent geotechnical engineer should supervise earthworks and construction to ensure that all organic, roots, demolition debris, very soft to soft clayey material have been adequately removed from the area and that the fill material is adequately compacted." It shows a complete lack of understanding of the situation and is very concerning to residents downhill of the expected deluge. 9. Non-resident profit motive a. The area supports many profit-driven businesses, however, unlike the owners of the Valencia nursing home, these business owners are residents of the area and are part of the local community and share local community values. The aggressive development put forward for the nursing home points to economic, as opposed to community, focus. This value set is not in the interests of the neighbourhood and pressure to increase return on investment or improve the bottom line will continually drive cost cutting. Thus the risk of water treatment or other failures will be an ever-present concern to surrounding residents. b. At a significant cost per bed, Valencia nursing home is unlikely to provide better amenities or aged care support for local residents. It is more likely that local residents will be asked to bear the impost and risks of this venture but the benefits will flow to the company shareholders and wealthy outsiders. 10. Current residents a. The current residents are expected to stay on while construction of the new building is done. Have the existing residents and their families been informed of the noise, dust and disruption that will take place (other than a sign outside the building which does not specifically state that residents will be in-situ while construction takes place)? b. Has a study been done on how this may impact the dementia patients? c. Have the residents (and staff) been informed that their primary bushfire plan will be to "shelter in place" in the old building (which is not subject to new bushfire building code)? 11. Realty & Aesthetics		
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	a. The building design is not in keeping with Hills architecture and has been described by some as "institution like". b. The property is surrounded by residences in rural bushland and is not suited to the size of operation that is being proposed. The imposing nature and density will negatively affect property values bordering on the nursing home. 12. No recourse for environmental degradation & pollution a. There do not seem to be any protections in place for neighbours who, despite the best opinions of engineers and experts, find that noise levels are higher than anticipated or that are being impacted by soil contamination or water runoff. The onus for reporting and seeking remedial action for any failures on the part of the owners of Valencia nursing home is with the individual resident. As with big business driven by profits there is a substantial risk of using delaying tactics when a breach of duty of care has been exposed and the payment of relatively insignificant fines for violations could simply be a contingent in the budget. This may result in substantial angst as well as cost for persons impacted. 13. Noise a. The air conditioners and other plant are to be housed on the 3rd floor which will emit noise into a "zero noise" area. Any night time machinery noise is unfitting and unacceptable in this area and will have a direct impact on surrounding residents forever. b. Have any specific noise studies been done in the area to consider how far noise travels in this area? 14. Light a. We would like to know the type and position of outside lights on the property, as well as the hours they will need to be illuminated so that we can ascertain what impact they will have on our properties. Carmel is an excellent spot to view the night sky on dark nights and the position and amount of lighting required for the development will impact our amenity in this regard. 15. Fire a. This development is in a bushfire prone area. Evacuating 146 residents, as opposed to 66 will pose greater risks to both nursing home residents and staff as well as surrounding residents. b. Does the CoK support the "shelter in place" as indicated in the bush fire plan? c. Is the CoK satisfied that the additional of 80 residents will not put the lives of existing residents at additional risk should the need to evacuate the area arise? 16. Safety (of children)		
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	a. The increased traffic flow through the area will increase the risk to our children cycling to school or walking in the neighbourhood. b. There have been instances in the past of patients walking into surrounding properties. Patients with mental health issues (Roshana Group of companies specialise in dementia care) pose a greater risk to surrounding residents and their children should there be a security breach. 17. Traffic a. The position of the car park will have noise and light (headlights shining into our properties) impact on the immediate neighbours. 18. Power and treatment plant failures a. The plans on view at the walk-in meeting had no information regarding back up in the event of a power outage. Assuming a generator will be located on site to provide backup in the case of a power failure, where will this generator be located and how much noise will it emit and will it pose a bushfire risk? 19. Questionable footprints & relaxation of setbacks a. Working with the current information available (which is incomplete), it is apparent that insufficient space exists to fit all of the equipment. This may required the developer to make application for further concessions to setbacks and site coverage which will impact adjoining land users. 20. Impact on black cockatoos: a. The conclusion of the report is contrary to Table 3 on page 23 of the "<i>EPBC Act referral guidelines</i>" issued by the Department of Sustainability, Environment, Water, Population and Communities (see below). The removal of 17 potential breeding habitat trees, according to point 2 below, is listed as significant according to the definition of "Breeding Habitat" on page 13 of the guidelines " Maintaining the long-term supply of trees of a size to provide suitable nest hollow is particularly important in woodland stands...". b. Could the developer be asked to supply the height of the trees contained in the Strategen study please? 21. Trees a. The local Shire declined a request from nearby residents to remove several dead trees close to the development site as they are considered possible breeding sites for the 3 species of threatened black cockatoos in our area. This is admirable as these trees take many decades to grow. I would like to		
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	appeal to the Shire to give equal importance to the 15 mature trees on the Valencia site which are part of our rural amenity. b. I am also concerned that once the development commences that it will become apparent that more trees need to be removed for reasons that are not currently obvious, or that nearby trees will die. c. Are neighbours going to be made to remove trees as a result of bush fire inspections after the building has been built? d. Has the CoK considered the risk overflowing to nearby trees and flora? e. Has the CoK considered the risk of the trees dying on surrounding properties as a result of the rise in water table and/or increasing soil salinity? These trees have taken decades to grow and are irreplaceable. f. From the glossary: Known nesting trees: Any existing tree in which breeding has been recorded or suspected. Information on known nesting trees within or near the area of an action is available from the Western Australian Department of Environment and Conservation and the Western Australian Museum. Suitable nest hollow: Any hollow that appears to be deep enough and with an opening large enough to be used by black cockatoos. Usually this will be a natural hollow, but artificial hollows may also be suitable in some circumstances (for example, where the artificial hollow has been specifically designed for use by threatened black cockatoos). g. h. From the Definition of the breeding habitat from Guidelines it follows that 17 possible breeding habitat trees will need to be removed to support the proposal. Basing a conclusion on common sense alone, one would not conclude that 17 trees are "insignificant" : trees of this size take a long time to grow. <u>REQUEST FOR CONDITIONS TO BE INCLUDED:</u> I would like to request that, should the development plan be approved, the following safeguards be considered for inclusion in the approval, in the form of conditions: 1. A compulsory, periodic and transparent soil and water test campaign		
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	2. Compulsory, periodic and transparent noise level measurements 3. Significant penalties for any soil or water run-off/spillage/contamination events. Penalties should be sufficient to strongly discourage non-compliant behaviour. 4. Documented remedies for any soil or water run-off/spillage/contamination according to strict timelines and with transparent updates on the progress of the clean up/fix. 5. The onus should be moved to the developer to disprove an alleged adverse impact on an adjoining property, rather than the resident needing to prove this is the case. (The affected resident should not be the one spending time and money on lawyers to get the offending party to accept liability) 6. A documented restitution plan in case of soil contamination or contamination to the drinking water supply or boreholes 7. A compliance system with timeframes and communication guidelines to be put in place so that the developer/owners are held accountable to respond to any undue adverse impacts raised by residents and neighbouring properties within an acceptable timeframe 8. No right of request to have setbacks and site coverage rules relaxed <u>CONCLUSION:</u> From speaking to other Carmel residents I believe that most residents are supportive of improvements to Valencia nursing home. It is the scale and the lack of consultation with neighbouring properties that is concerning. Due regard to the impact that this development will have on neighbours and residents has not been included in the plans for this proposal. The plan in its current form grossly impacts the amenity of surrounding residents and as such I believe that many additional studies and significant amendment will be needed for this proposal to be in keeping with its surroundings and supported by the local community.		
2	Objection Further to our discussion on Thursday 8th February 2018 at the 6pm review session of the proposed 80 bed extension to the existing aged care facility - I wish to confirm my opposition to the proposal due to its non compliance with the current Shire of Kalamunda "Health Local Law 2011" item 7.21 requiring compliance with the requirements of the "Environmental Code of Practice for Poultry Farms in WA". This document requires a separation between poultry farms and residences of a minimum 500m and 1000m for bio security. The proposed development shares a boundary with a poultry farm which houses mainly caged birds with infrequent (2 to 3 times per year) clean out of poultry excreta . The bulk volume of rotting manure is a toxic source of odour , dust (when dry) and fly breeding. The nearest poultry shed is a mere 40m from the proposed development - well short of		

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	the minimum 500 m required by the shires Health Law 2011. The West Australian Planning Commission has produced a "Statement of Planning Policy No. 43 - Poultry Farms Policy" which recognises the issues with residential development being located near egg farms. WAPC suggest Shires require the owners of poultry farms to place a sign board at the front entrance to inform prospective home buyers and existing residents of the activities of such a facility . The sign board suggestion has specific dimensions and lettering sizes and reads as follows - " NOTICE , name of egg farm , There has been an operating poultry farm on this site since ----- , The egg farm operates 24 hrs a day , 365 days a year , The odours , dust, noise and visual impact associated with this poultry farm may be offensive to some people , Please check with either your local council or the department of Environment Protection for further information."I suggest such a sign should be erected on the poultry farms boundary with the the proposed development to warn future occupants of the risks involved in taking up residence so close to a poultry farm. We have lived next to the poultry farm for 4 years and can confirm the odour , dust and noise issues are ongoing and severe. We share a 200m boundary with the farm which includes a 133m dirt track from the entrance to the sheds with additional unsealed parking and vehicle access to sheds,silos and facilities. There are currently more than 50 residences in Carmel which fall within the buffer zone of 500m And many more within the 1000m bio security zone.Any residence constructed after 2011 appear to have been constructed in contravention of the Shires Health Law document. I urge the Shire to consider the well being of the future occupants of the aged persons facility when processing this application. To place 80 elderly and vulnerable people in a zone clearly unsuitable for habitation would be , in my opinion , a failure of the Health and Planning processes.		
3	No Objection		
4	Objection I object to the Development proposal for Aged Care facility Lot 7 24 Valencia Rd Carmel on the following grounds: Increased traffic will cause more disruptive noise. Increased traffic will cause road safety issues. Insufficient car parking spaces will lead to parking on MY verge. Car park is already overflowed by 10 - 20 cars several days of the week, on the opposite side of MY verge. Security flood lights already shine invasively into MY bedroom and living room windows at night and I feel these lights will increase in number and severity of light pollution. Valencia Rd has no public transport facility for increased staff and visitors. 11pm and 7am shift changes already cause disruptive noise and I feel this will increase in volume and severity of noise pollution. Ambulance visits currently occur 5 - 7 nights per week causing disruptive noise and I feel they will increase in frequency and volume of noise pollution. I will suffer a loss in property value from the large institution diminishing the semi-rural outlook from my front yard. I feel tree pruning will visually diminish the semi-rural outlook for the whole street. There is already noticeable rubbish from staff and visitor cars on the Valencia road verges and I feel this will increase.		
5	Objection		

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	I object strongly to the alterations and additions to lot 7 24 Valencia Rd Carmel for the following reasons: The parking is a joke as the cars are already overflowed on both sides of the street. The noise from shift changes will increase. There will be more ambulances causing noise. The gardeners leaf blower is already ridiculously early and extremely noisy. Music from staff cars at 11pm and 7am 7 days a week is disruptive. The traffic will increase with more staff, visitors and doctors. The floodlights already reduce our enjoyment as we cant leave our windows open at night. Garbage and supply trucks are already noisy everyday. I not want any pruning of trees on Valencia Rd. The huge 3 story building will be an eyesore for the whole street. The modern look of the building does not fit in at all. Construction noise will be unbearable from earthmoving and rockbreaking and trucks. Construction employee vehicles and trucks will have nowhere to park The contract conditions are vague and allow changes to be made without consultation.		
6	Objection I am writing in objection to the shires plans to extend Lot7 24, Valencia Road, Carmel. We as with many families moved to the hills for a rural lifestyle. The Shire is slowly eroding the reason many of us live within the hills. The Shire seems to have lost touch with what the people want within this community. The existing property Valencia Nursing Home is a non obtrusive building with little impact on its surrounding environment. The traffic is minimal and any activity is hardly noticeable. To extend it would cause major disruption to our peaceful lifestyle. The environment impact, the traffic, the security, the drainage, is it an alteration to existing buildings or additional buildings to be added? Does any of this apply within the boundaries of Carmel being within a rural zone? The Shire wants to increase the parking for this new building to an additional 14 bays and yet it is increasing the bed capacity by 80, how is this effective or logical? How many trees need to be removed to make way for this construction to begin? Again the motto for this Council was a "Home among the Trees", please could someone explain when the Shire forgot that this is the reason the majority of us live here. The City of Kalamunda (COK) or as most of the residents say it is a City of Concrete (COC). There seems to be constructions evident within this Shire whereby one block of concrete after another is being erected. E.g. Auto One on the corner of Mead and Cannings Rds, The unsightly concrete construction of apartments on Barber Street, Aldi on Mead Street and every piece of land within the Shire where one home is knocked down to be replaced by multiple units or town houses. And whatever is going to be erected next door to the Best Drop Tavern on Haynes St (watch this space). So that now Kalamunda is running out of space for more concrete developments the Shire has set its eyes on Carmel a small rural, peaceful area. Next it will be Pickering Brook. How many trees have been removed and will be removed to accommodate more developments? We came here for the peace and quiet, the trees, the birds, the orchards, the wineries, the freedom that this lifestyle affords us. If I or my neighbours knew that this was a future proposal of the Shires we wouldn't have moved to Carmel. I realise that everything the Shire is invested in has some kind of monetary gain attached to it, but why don't you look elsewhere? Start listening to the people and find your way back. You have lost your way within the community of these hills. Everybody around me says that no matter what we write or do or say, or what evidence we gather, the City of Kalamunda (COK), will do exactly what it wants anyway! Shame on you.		
7	Objection		

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	Does not fit in with the aesthetic of Carmel, affects the neighbouring properties, increase noise, traffic and is at odds with the rest of the area. Not a good idea at all!!!! Not keeping with the rural area. Increase traffic, noise and affects all the neighbouring properties.		
8	Comments on Submission I have been following the case of the Valencia Nursing Home developments and have attended a number of meetings with neighbours who are expressing some concerns. I have judged this group to be a clear thinking group with legitimate concerns who are working to make sure their concerns are addressed by the Shire of Kalamunda. My concern relates specifically to the style of the facility. I support its development but request that it be designed to be aesthetically hidden away into the Carmel landscape so that it does not look like an industrial or commercial institution. I add my name in support of the Carmel action group who have formed to voice their concerns.		
9	Comments on Submission I request an extension to the closing date of 21st February, 2018, for comment on the proposed development DA17/0455 (Valencia Nursing Home Extensions). My reason for the request is that I am awaiting further information from various Government Depts.		
10	Objection I wish to lodge my objections and concerns regarding the above proposal. In July 2017, a very large sign outlining the intended additions to the Valencia Nursing Home, was erected on Lot 7. It stated Development had commenced in July 2016. When contacted, Adrian from Kalamunda City Council, denied any knowledge by Council. He stated a Building Application had not been received and that the sign would need to be removed. It was not. There was no further advice/contact or correspondence until 11th January, 2018, when a letter from Mr Ross Jutras-Minett, Senior Statutory Planning Officer, (dated 3rd January 2017), was received by surrounding neighbours. The heading for the letter: (quote) "Notice of Development Proposal for Aged Care Facility, Alterations and Additions to existing buildings Additional 80 Beds). Lot 7, 24 Valencia Road, Carmel". Note: No mention of New Building nor on the Proponent's Design Plans. Whilst acknowledging the present 66 bed Nursing Home has been in operation for many years and an upgrade of current facilities are long overdue, it has been relatively unobtrusive despite it's inappropriate and unusual zoning classification of "Clubs and Institutions" in a Special Rural Zone. I object to the following: • SIZE AND DESIGN • DISREGARD FOR THE LIFESTYLE AND AMENITY OF NEIGHBOURS • NOISE NUISANCE • LIGHT NUISANCE • DOUR NUISANCE • MAINTENANCE SHED **STATEMENT IN PROPOSAL REGARDING NATURE OF VALENCIA ROAD. SIZE AND DESIGN: A gross mismatch between low-rise Special Rural properties and a 3-level Institutional facility. The design, with its surrounding fences and walls, resembles a Detention Centre, rather than a "Home in the Forest" for Aged West Australians. At the Information evening on 8/02/2018, the Proponent acknowledged that the facility is available to any applicants seeking permanent care, and not specifically for residents of the City of Kalamunda. Therefore, the increase in size will be of scant benefit to local Frail Aged if there are no vacancies or they are unable to afford the RAD. This is a "Nursing Home IN Kalamunda, rather than a "Nursing Home For Kalamunda". Q. How will Ratepayers' monies, paid		

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	by the City of Kalamunda to further this development, be of benefit to Kalamunda Residents? DISREGARD FOR THE AMENITY AND LIFESTYLE OF NEIGHBOURS: **Statement regarding nature of Valencia Road: In the Proposal, Valencia Road is described thus, "Comprises of single residences and undeveloped land". Clearly the Proponent does not understand the nature and limitations of "Special Rural". The only "undeveloped land" in Valencia Road is the Crown land at the end of the cul-de-sac on the southern end, beyond Union Road. All properties between Carmel Rd East and Union Rd are developed. Our property at No 10, has an old cottage which was completed in 1921. NOISE NUISANCE: Q. With regard to noise, how will a 146 bed Institution, with a large sewerage treatment plant/pumps and air-conditioning, operate 24hours per day, without adversely affecting neighbours? Has the Council conducted a pre-construction ambient noise survey? Will a post-construction survey be done? What level of noise at neighbouring boundaries is considered acceptable and will Council monitor compliance? Q. Are the Developers aware of the carriage of noise through the valley at night time? I am concerned about disruption to sleep and the associated health problems caused by disordered sleep. LIGHT NUISANCE: Night lighting from upper floors and carpark floodlighting will be visible to neighbours. Q. Can the Council ensure there will be no loss of amenity to neighbouring properties by the increased light? ODOUR NUISANCE: Q. Can you assure me there will be no increase in the odours from the Nursing Home kitchen and residents? Will there be odour emanating from the Sewerage Treatment Plant and what corrective measures will be in place in the event of a power outage? Q. With one Compliance Officer in the City of Kalamunda, can the obligations of inspection of On-site Sewerage Treatment Plant (as outlined in "Draft Government Sewerage Policy Nov 2016"), be rigorously adhered to? Please explain how this will be done as on-site Sewerage Treatment Plants have been proven to be unreliable in the longer term. Ref: 2.8.2 Secondary Treatment, "Government Sewerage Policy Explanatory Notes Nov 2016. 6.4 (10) Where secondary treatment systems are proposed, local government should consider its capacity to audit, inspect and enforce compliance with the Department of Health endorsed maintenance schedules and operating standards. MAINTENANCE SHED: There is no provision on the plans for the re-siting of the existing maintenance shed when it is removed. Whilst I am not opposed to a modest increase in the number of beds available at Valencia Nursing Home, I believe the unattractive and inappropriate design and size of facility will ruin the appeal of the Bickley Valley which is enjoying much increased Tourism. Furthermore, 66% (124) of 188 Nursing Homes in the metropolitan area have 80 beds or less. I do not believe they are all operating at a loss. Just 4 Nursing Homes have more than 146 beds. (Ref. "Guide to Aged Care Western Australia 2018") The Proponent advised me he needed 80 beds to be profitable.		
11	Objection I would like to request an extension to the closure time for comment on the development proposal for the Valencia Road Nursing Home. I have sent requests for information to the Health Department and as yet have not received a reply which will assist me in making a comment or objection to the proposal.		
12	Comment To whom this concerns. I would like to apply for a two week extension for my submission date for comment on the proposed redevelopment of the Valencia Nursing Home. I live next door to the nursing home and this development would have an extraordinary impact on my family and the amenity which we currently enjoy. As a family we are unused		

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	to the complexity of this type of development and it has been extremely difficult for us to grasp the details and potential implications for us. This development proposed is viewed by us as a savage attack on our life and lifestyle. Given that we are the family most affected by it, I feel that it would be respectful to give us time to challenge what we view as a powerful, well organised and intimidating proponent. If we are given the courtesy of an extension to applications, can you please email me confirmation of the revised shut off date?		
13	Objection I am writing to you on receiving your notice of Development Proposal for Lot 7, 24 Valencia Road Carmel. Some years ago we actively chose this semi-rural area of the Kalamunda Shire because it was 30 minutes from the city of Perth and offered a peaceful and relaxing life style. We were well aware that Valencia Nursing Home was there, what a great peaceful environment it is for the clientele.. The scale of this proposed extension and its social impact on the community is of great concern especially with its height which is totally out of character with our semi-rural environment. It will become just a concrete jungle of rooms, losing its serenity with this proposed extension. The extra traffic going to and fro during and after the building of the extension will undoubtedly impact on the community with noise and safety issues? There are many young families in the vicinity of Lot 7 using the footpath and road for bike riding, walking their pets, horse riding and many age groups out walking daily. With the inevitable increase of delivery vehicles, ambulances and staff cars, not to mention the visiting family members of the patients, I do hope the 50km speed limit will be abided by especially during the construction phases with heavy duty vehicles and equipment going to and fro. The noise levels will be certainly an issue during construction phase but will be continue after, with the proposed air-conditioning plant , extra traffic through out each day and extra patients for the immediate community members to Lot 7. Another concern is that Carmel is in the Water Catchment Area, so what procedure are in place to check that the proposed waste water systems is going to be monitored. Will the large scale in ground effluent treatment system and current rock capping be causing run off during storms, and will this affect the purity of the water table? As a ratepayer to the Kalamunda Shire we get the distinct impression that Carmel is a forgotten section of your precinct, in all honesty nothing is done to maintain and enhance our area.		
14	Objection I would like to advise my objection to the proposed development at Valencia Nursing Home. I am not averse to increasing beds but not to the scale that has been proposed. My concerns are; 1. Parking by visitors - the current parking for the established building is over the proposed formula for calculation but still cars park on the verge and opposite on other side of road. Therefore, the formula would not be adequate for the expected car increase from extension. 2. Noise impact. We have zero noise here. Airconditioning plant and sewerage plant will be constantly running. 3. Height - Proposed development is as per the Shire guidelines. How the hell can you have no height restrictions in a semi-rural locale. A three story building belongs down the hill in the suburbs. Shouldn't be able to build to that height just because of the Shire's lack of foresight and responsibility in implementing restrictions. There is no 3 story building in our street. 4. Emergency evacuation - What is the impact on our community when there is 140 elderly to be evacuated. More people will be coming into the fire zone to help evacuate the nursing home. Will cause traffic		

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	congestion both incoming and outgoing traffic in a fire zone, and parking at Valencia site will be an issue for evacuation.		
15	Objection I am not averse to extra beds at nursing home but not to the scale as proposed. My concerns/objections are; Traffic impact, lack of parking available, noise from air conditioning, fire evacuation concerns regarding impact on traffic congestion, concerns on sewerage water being treated and used onsite due to this is a water catchment area and a poultry farm adjacent. The height of building is not in sync with a semi-rural locale.		
16	We are writing to you about a matter that is affecting us and which has been very difficult to deal with and would appreciate your comments. As you will see from the attached letter (from the Public Health Division of the State Department of Health) it is mentioned that the existing development at Lot 7 (24 Valencia Rd), known as Valencia Nursing Home, <i>"already exceeds the daily maximum allowable wastewater disposal limits"</i>. This would suggest the strong probability that the wastewater system is currently overloaded and subject to breaking down, including by leaching into the soil and atmosphere. We are also aware of reports of bad smells from neighbours close to the leach/septic systems and recurring and increasing invasions of small flies over the last 5 years onto our poultry farm and surrounding properties. We would like to request that the Health Department of the City of Kalamunda investigate the source and breeding of these flies. Could this current system at VNH be a habitat for these flies? They like damp, moist matter like wet or damp manure (we don't have any, but horses and other animals do live around the farm but would not harbour that many flies), wet mulch, grass and leaking septic systems – when asked, Dr David Cook, professor at UWA (who inspected our farm twice and found no breeding that could explain this invasion) he said yes, that these flies would breed in such an environment. A couple of entymologists verbally confirmed this too. These flies are a nuisance to humans, stock and leave their marks everywhere they take shelter. Flies can be a health risk and we cannot go through another wet season without further investigation to find the source of breeding and eliminate it		

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	Furthermore, the current application by the owners of VNH to extend their existing facility by 120% is of great concern to us and the community – we are addressing this in our submission to the City of K. From what we saw on the plans at the Information night last Thursday and during the conversations we had with representatives of the City and the proponent's engineer it appears that the 'planning' of their future septic/drain leach systems seems very inadequate and poorly structured. We consider that these issues ought to be a concern to your department in view of the health issues that could result from a failure of the current and proposed systems; consequences to the old, frail residents, surrounding neighbours, and the risk of contamination of soil and water to adjacent properties, water table, water catchment, bore water and our livelihood. We need re-assurance that the City is looking into all this with the safety of all as its prime objective. We accept the right for any business to operate according to their legal entitlements also including the obligations owed to those in the surrounding community. We thank you for the cordial and respectful way you and your department have always dealt with us and hope we will continue to communicate effectively and work together for the good of all.		
17	Objection I object to this development proposal because it is out of character with the environment, will cause problems with sewerage and promote too much traffic for the quiet roads in the area. I am against the idea of so many people living in such close proximity. Smaller aged care units are more homelike for the residents, especially ones surrounded by natural bush.		
18	Objection I wish to lodge my objection to the expansion of the Valencia Nursing Home. The notion that it would have a low impact upon the surrounding neighbours is a nonsense. Can you please explain how the following items will be managed immediately and in the future? • Sewage Treatment Plant • Stormwater • Scale, visual and noise impact of proposed building as a "Home in the Forest" • Traffic Management • Fire risk and impact		

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	• Safety and security of neighbours and residents Sewage Treatment Plant: The sheer scale of the Treatment Plant to cope with 146 beds within the confines of the allocated land, left me with more questions than answers after attending the City of Kalamunda's Information Session on the 8/02/2018. I understand this is a biological system. (Q 1). What measures will the Proponent put in place to prevent ingested or discarded medications and hospital-grade disinfectants from contaminating the biological filtration of the STP/ATU? Will the system cope with any surges of effluent in the event of a disease outbreak, eg Norovirus. Surely the effect of antibiotics and chemotherapy drugs must be of major consideration as this may leach into a drinking water catchment area. (Q 2). The current Geotechnical Study does not cover the ground that is to be used for the STP and 17 leach drains. When will the Proponent provide a detailed Geotechnical Survey to demonstrate the capacity of the area to absorb 24kl/day of effluent and determine the water table level? Q 3). The 64sqm area shown in the Proponent's drawings of the ATU/STP is at odds with the area shown in Peritas Report, drawing No. AF 68929-M-01. Where does the Proponent intend to situate this large treatment unit as it cannot infringe on the leach drain area? (Q 4). Once the ground has been saturated, where will the effluent flow with clay soils and cap rock known to be in the area? (Q 5). What is the potential for contamination of local bores? (Q 6). I live downhill from this proposed expansion project, is the bore-water I use on edible plants, going to impact on my health? I understand that: "With changes in hydraulic pressures, faults, fractures and fissures can change the flow of water". (Q 7). What backup is proposed in the event of a power outage, eg storms, bushfires, for continuing function of the STP? (Q 8). How often will monitoring of the STP be performed by Kalamunda Council? (Q 9). Do Council Staff have the training to regularly monitor such a large system? Stormwater: I was informed by the City of Kalamunda Engineer, that the stormwater holding tanks would be located on the south-side of the property and water "would be pumped to the current stormwater drain in the street, not the neighbours". Of great concern is, with so much extra water in an open drain in front of No's 24; 20; 16 and 14 Valencia Road, if there was a blockage where the system closes at No 14 driveway, this could overflow, flooding onto the property as has occurred previously during a summer storm event. This caused my fence to be dislodged, but with a larger volume of water, there is potential for flooding of my dwelling. At present, stormwater flows down Valencia Road, into street drains, down to Carmel Road East, through unformed, open drains continuing down Union Road, (also open drains), down to the Brook which forms part of the Helena Drinking Water Catchment Area. (Q 10). Will Council provide closed drainage in keeping with the remainder of Valencia Road to mitigate potential flooding by the increased volume of water in peak water events? Scale, Noise and Visual Impact of proposed expansion: The elevation and build-up of land and a 3-storey building rising above my neighbours' trees will have a major visual impact upon my living space and property. The proposed design resembles a prison. This building should belong in an urban rather than a Special Rural area. A "home in the forest" it is NOT. For 30years, I have lived three doors from Valencia Nursing Home with little impact, even during a previous expansion project. Current concerns are: a) Ambient light at night: Light shining from buildings and grounds at night.		
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	(Q 11) What preventative measures will be taken to reduce light nuisance to neighbours? b) Noise: Impact of water pumps and air-conditioning units operating 24 hours per day. Night time ambient noise is zero in Carmel. Noise bounces and echoes through the hills at night. (Q 12) How will the Proponent address the noise from the STP and the resultant 24hour nuisance to neighbours? c) Vehicle noise: With increased incidence of delivery vehicles, large trucks for skip bin removal and the noise from their reversing alarms. (Q 13) Will there be a curfew to prevent deliveries before 0700? d) Glass impact on birdlife: Bird-strike on windows is very common as it is seen as a flight path. (Q 14). What preventative measures can be implemented to protect wildlife from the huge areas of glass? Traffic Management: Four local intersections in Carmel have long been of concern. • Intersection of Glen Isla and Carmel Road East at “Stop” sign – obstruction by Western Power pole. • Intersection of Carmel Rd East /Valencia with corner cutting. • Valencia/Union Rd with large grass trees obscuring the left-hand view. • Empire Rd/Glen Isla T-junction and Glen Isla/Carmel Rd T-junction with limited vision in each direction and speeding vehicles. However, due to the low volume of traffic, there has only been one fatality in 20 years. With recently increased traffic of cyclists; motor-cyclists and tourists in addition to the usual horse-riders; mountain bike riders; bushwalkers; school children with parent drop-off and pickup and buses, the potential for mishaps is greatly increased with the extra personnel required to service a 146 bed Institution. There will be increases in ambulance/transport attendances; Doctors, nursing staff; cleaners, laundry workers; food delivery vans; gardening and maintenance staff; kitchen staff; café staff; ancillary staff such as podiatrist, hairdresser and pharmacy delivery staff. (Coroner/undertakers). (Q 15) What plan does the City of Kalamunda have to manage the above? Fire Risk and Impact: There was a major bushfire in this area in 2005 necessitating evacuation of Valencia Nursing Home. With an additional 80 frail-aged and bedridden residents, how will transport by ambulances and patient/relative vehicles be effected without impacting on the local evacuating neighbours who are trying to leave with horse floats, etc? (Q 16) How will the resultant traffic congestion be managed in such a crisis given staff will be extremely busy preparing patients for evacuation? Safety and Security of Neighbours and Residents: I have not seen a plan of security fencing for this proposed expansion. The current dual fences have provided security for wandering residents who frequently entered neighbours’ homes and properties. (Q 17) What type of security fencing has been proposed, and will it be in keeping with “A home in the Forest”? Your response to these questions would be appreciated.		
19	Objection I vehemently oppose the Proposal for Alterations and Additions to existing buildings (Aged Care) (DA17/0455) Lot 7, 24 Valencia Road, Carmel because		

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	The proposed development at Valencia Nursing Home would have significant impact on the amenity of the rural zoning of our home and the planning proposal documents are filled with what I believe to be inaccurate and/or misleading statements. I have been urged by planning officials at Kalamunda City Council to keep my response simple, but because my family and I would be the most severely affected by the proposal there are many issues that impact the amenity of our home and property which I need to address. I have endeavoured to address these as succinctly as possible and would appreciate the time that you spend examining the merit of my opposition. Please also understand that the addressing of my opposition to the development has been a difficult task for me and ask you to deliberate with the understanding that I am inexperienced in dealing with such matters. This document will A. Outline the impacts the design of the proposed building would have on our amenity. B. Question the validity of what I believe are accurate and/or misleading statements in the proposal. C. Short summary and conclusion A. Proximity, Height, Aesthetics and Privacy I have superimposed the proponent's drawings of the proposed construction on to photographs of our backyard to assist in addressing proximity, height and aesthetics. Although the perspectives and exact position may not be accurate I believe the relative scales are correct. Proximity I understand that the development has been setback in accordance with the requirements for a Private Clubs and Institutions zone, but would like to point out that the objectives of the zone also require <i>"To ensure that such uses have due regard and do not adversely impact upon the adjoining land uses."</i> • This proposal does not give due regard to or ensure that the development does not impact on the adjoining land uses. The adjoining setback requirements for a Special Rural Zone are 10m and the building is entirely out of character with the surrounding building typology. • The proposed building has been designed more appropriately for an urban area, and to put things into perspective - applying Residential Design Code setback requirements as a guide (for a built up area), would also be non-complaint. Taken from natural ground level which is the correct calculation method and going from		
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	the plans the building and earthworks equate to 11.25m at the highest point, rounded to 12m as per the R-Codes. The wall facing our property would require a 10m-11m setback if it were in an urban context and a residential building. While compliant with the standards for Clubs and Institutions, it does not give due regard to the amenity of surrounding land uses, and should not be considered to be in line with orderly and proper planning having regard to comparable policy provisions and planning theory. Height The height of the new building is not acceptable to me. • The proposed building will excessively dominate about half of the South East boundary of our backyard. • The proposed building height is 11 metres + the height of the plinth with an additional 1 - 3 metres due to the relative decreasing elevation of our property. This makes a total of height variations of between 12 -16 metres along 40metres of our boundary with only a 4.4 metre setback. Aesthetics The proposal for construction states that <i>"The building incorporates a number of classic and natural building material and colour selections that are harmonious with other buildings and the natural environment of the area."</i> • The largest portion of the building facing towards our property is largely white and "natural concrete" colour with grey window trims and green render around windows. Architecturally it has the charm of a prison. • These images were shown to the proponent, Rosh Jalagge, at a City of Kalamunda information evening and <i>his</i> immediate stated assessment was that it was "completely unacceptable." Privacy • All windows on the North West side of the proposed development will overlook our property and with the small setback it would not be possible for the proponent to plant screening trees without contravening their own fire risk reduction plan. • Our backyard would then be open to constant surveillance by residents, staff and visitors. Light • The car park is currently lit up with floodlights throughout the night so with the addition of the carpark and Main Entrance right next to our home, we assume that this will also be floodlit. • All the windows on the North West side of the proposed building bordering on our property will have lights on in the evening. This will give the effect of a sea of lights rising up close to our boundary. • The current outdoor area is left with the lights on so I am suspect that this will also be the case for the new paved outdoor area proposed on our boundary.		
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- There are at least 12 large windows on the two stories overlooking our property positioned in such a way that will cause with glare from the sun during winter months.

Trees

Trees are an essential element of rural amenity

- A large number of trees have already been removed.
- The plans show trees that are extremely close to the proposed building. It is likely that these trees would be too damaged by the building process to remain,
- The vista of the southeast boundary of our property in effect, will become a large white wall instead of trees.

Other Issues Related to Loss of Amenity

Noise

- There will be an unacceptable increase in noise.
- We have lived for nearly 20 years at our home in a very peaceful environment.
- The proposed building has a large area for plant such as industrial air conditioners on the roof which will be running 24 hours a day.
- The close proximity ensures that we will hear the voices of employees, vehicles and visitors.
- Many of the residents suffer from dementia and sometimes there are wails and cries for help from them. We presume with a 136 % increase in resident numbers that there will be a proportional increase in the frequency of these events and they will be louder due to closer proximity. Although we empathise with the patients and understand their circumstances, it can be stressful for my family members and I to listen to it.
- The proposed plan has an ambulance bay situated within 5 metres of one bedroom and within 8 metres of another two bedrooms. This is completely unacceptable. Our experience is that ambulances come and go from the facility at any time of day or night and there is the noise of engines running, doors slamming people talking and occasions calling out. This has not been a problem up until now because the ambulance bay was situated much further away.

Current Land Use of our Property

The planners have not taken into account the current land use of our property and I believe that this would impact on the staff and residents of the hospital.

- The proposed paved outdoor area is situated at the rear of my workshop I have machinery such as 15" thicknesser, dust extraction equipment, bench saws, routing equipment and other power tools which I use regularly. These machines are extremely noisy but have never been a problem for anyone due to the isolation of the shed.

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- I often have rotting compost and compost teas for vegetable gardens and fruit trees brewing behind my back shed which have never been a problem because of their isolation. The smell of these will impact staff and residents.
- The paved outdoor area is close to the area which I burn the significant amount of combustible materials generated by the trees and plants on my property. This area is clear from trees and was selected so is the safest place to for burning.

Parking

Table 3 of Local Planning Scheme No. 3 includes parking requirements for the proposed use at a rate pf 1 bay per employee plus 1 bay per 10 beds. However clause 5.7.2 of the Scheme enables the City of Kalamunda to apply at its discretion, a greater or lesser requirement for car parking than stipulated as the minimum requirement in Table 3, if in the opinion the proposed use is likely to demand a greater or lesser need for car parking bays having due regard to the scale and nature of the intended use or uses.

The proponent's application states that there will be 28 employees so the design has allowed for 28 car spaces for employees. This is misleading because:

- I believe that the proponent is stating 28 full time positions but many of the employees are part time so the number of employees is vastly understated. On any given weekday there are currently 30-40 cars (and up to 50) parked at Valencia Nursing home. These numbers do not include the afternoon and night shifts.
- There is a constant stream of trades people, health professionals and others visiting the hospital. These are not included in the number of employees.
- The parking provided by the facility is currently inadequate and up to 16 cars parked on the street verge which I believe is already unacceptable.

The proponent states that "Of particular note are the following inclusions: cafe, hairdressing salon, gym, commercial kitchen to replace current facility (120sqm) and commercial laundry also to replace current facility (120sqm)."

Have these employees been included in the number of people employed at the site?

Sewage Disposal

I believe that the plans submitted for sewage disposal were at best vague and incomplete.

- The plans submitted for effluent/sewage disposal had very little detail. To my knowledge there have been no answers to the questions raised about the effluent disposal by the proponent.
- There has been no relevant geotechnical advice submitted and it is difficult to imagine how 22,000 litres of treated sewage could be placed into such a small area given that there is solid granite within a few metres of the ground surface.

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- Valencia Nursing Home has experienced constant issues with effluent disposal over the years and has demonstrated apathy and unwillingness to tackle effluent problems.

Construction

This would be an industrial sized building and during the more than two years projected construction time of what is an extraordinarily large building for its location, our home and backyard will:

- Be subject to high levels of noise and elevated dust levels.
- Lose all privacy. Workman and other visitors of the site will have unimpaired viewing of our back garden. Our back garden is extremely important to our quality of life.
- Lose security. Due to the complete lack of privacy, our back garden and home will have greatly increased chance of opportunistic theft and unwanted incursion, especially during the construction period. Our property has had no theft in twenty years.
- Have a very high likelihood of being damaged by the large amount of rock breaking that would be required due to the solid granite below the building site.

B. Comments and Questions related to the Valencia Nursing Home Proposal.

The following quotes are excerpts I have been drawn from the Valencia Nursing Home planning documents. These all have given me concern and I have commented and/or asked questions on them.

"The proposed development is a state-of-the-art facility that provides a high level of amenity for the anticipated residents while providing a respectful presence in the semi-rural locale and surrounding neighbours."

- The design of the building and the proponent's complete lack of communication with any of the local residents demonstrates this to be untrue.

"Burswood Care Pty Ltd has also specified that the building is to have the aesthetic feel of an upmarket residential building, that is both modern and has character."

- The boast of an "upmarket residential building" is inconsistent with the local rural zoning.

"Burswood Care Pty Ltd has also requested the investigation and inclusion of sustainability initiatives to reduce long term running costs including rainwater collection and potential recycling of grey water."

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	- The plans do not effectively indicate rainfall collection or how rainwater runoff in extreme rainfall events would be dealt with. Given that the new building and the large number of leach drains and underground tanks will stop natural soaking of rain into the ground, what plans have been made for stormwater, particularly extreme rain weather events? <i>"It is also expected that the architect will be open to cost saving initiatives that can reduce the overall cost of the building where possible"</i> - The proponent has indicated that cost cutting measures might take place. What oversight will be given to any architectural decisions for cost cutting? <i>"Initial area calculations indicate that the client's desired area requirements and the area available on the site for the building are achievable however some concessions may be required in order to achieve a reasonable outcome."</i> - On face value and within the context of this document, it would appear that the proponent's definition of a <i>"reasonable outcome"</i> would mean as many possible beds to be squeezed into insufficient space and <i>"concessions"</i> means exceeding limits of planning regulations. <i>"The client has requested that the new building not join the existing building in order to avoid the mandatory updating of the existing building to current code requirements (where 50% or more area is added to an existing building).</i> - This is purely a statement on cost cutting. If the brief allowed the extension to join with existing buildings, the result may have been a design with considerable less impact on the amenity of neighbouring properties. <i>"There is a service road along the SE boundary which provides access to the rear of the site and it is proposed that this road will be used as a new service road that can drive to a loading dock at the rear of the laundry and kitchen for deliveries."</i> - The service road is only large enough for one vehicle so there will be times when services vehicles will need to reverse back out to allow other vehicles to pass which would result in reversing horns being sounded more often than necessary. <i>The proposed building exceeds the prescribed setbacks from all boundaries as described in the Shire of Kalamunda's local planning policy. It is acknowledged that the building is closest to the boundary on the North-Western side of the site where the building setback is 4.4m.</i>		
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	• What is the purpose of this acknowledgement? • The setback for other boundaries is not acknowledged. • Is it because the designer was acknowledging the proximity may be a problem? <i>"Plot Ratio is .517 ***Note the total floor area exceeds the Shire's plot ratio requirements by .017 or 206sqm of floor area which is equivalent to the size of the plant rooms on the top level of the building."</i> • My understanding is that the plant rooms are not taken into account when calculating total floor area so it would appear that deliberate use of language here is to deliberately mislead the reader into believing plot ratio requirements have not been exceeded. If this is true then the plot ratio is exceeded by the size of an average house. • What is the actual floor area of the extension when correct guidelines are followed and has the development exceeded the allowable plot ration? <i>"Should further privacy measures be required, in particular for the upper level bedrooms, mitigating techniques such as obscure glazing film to eye level, vision obscuring external louvres to complement landscaping and external screens <u>could</u> be considered."</i> • My understanding is that the ground floor is also overlooking our property due to its elevation so all windows should be covered with obscuring glass. The use of the term "could" is not sufficient. <i>"The Peritas design features the siting of retaining walls along parts of the site boundary which could be detrimental to the amenity of the neighbouring properties. During consultation with the Shire of Kalamunda, a solution to improve the visual amenity of this element was discussed to replace the walls with natural rock stabilised embankments with areas of plantings to create a softer visual impact."</i> • Do I have assurance from the developer and the council that there will be no seepage of treated water underneath these retaining walls onto any part of my property? • Will these structures be outside the setback requirements? C. Conditions, Summary and Conclusion In the event that this development or any other revised development was to proceed, I would ask that the following conditions be imposed. PLEASE NOTE – This should not be interpreted in any way as acceptance of the current plan that has been submitted		
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- A construction management plan to address building site issues such as dust, noise, workers parking, deliveries, temporary fencing, security and vibration. A copy of this would be given to all neighbours.
- The construction management plan should also provide for a dilapidation survey of our property and other surrounding properties prior to works commencing so is a record available in the event of damage occurring to our property during construction.
- Any fencing on or near our boundary should only be constructed after consultation with my wife and I. We would require detail of what type of fencing would include materials and height.
- Detailed condition requiring the protection retention of perimeter trees and to be worded in a manner that does not allow for the removal and replacement in a different location, and in the event of damage/death of a tree, the developer replant in the same location the same species or similar.
- All windows on the north-western boundary should be amended to be highlight windows, or at the very least obscured glazing. The use of foggy stickers is unacceptable.
- The second storey of the development should be removed or at the very least, amended to be stepped back sufficiently to reduce the bulk and scale of the development.
- All lighting on the site should comply with relevant Australian standards so as to not cause light spill and nuisance. Again the developer should consult with us and discuss light issues with us before installation.

Conclusion

In conclusion I would like to make it clear that I am agreeable to a smaller scale development but the plan currently proposed is completely out of scale, out of character and destructive to the amenity of our home and surrounds. We would certainly support a smaller scale development with a single story building with design, colours and materials sympathetic to the existing rural amenity. I believe that this is also the general view of others in our community

I believe that the developer is overly ambitious at the scale of this development and has not effectively consulted or provided information to the community surrounding his business through consultation or provision of information. I personally have contacted the developer's office with no reply and arranged two different meetings which were subsequently cancelled by the developer without rescheduling.

In no way should this be viewed as a criticism of the developer but when coupled with the inconsistent and incomplete information provided in the Planning Report, my wife and I have had little opportunity to develop trust that the

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	developer has any real concern for local residents. We would urge the developer to reach out and genuinely communicate with residents in our beautiful rural community. The past six months have been stressful for my family and we, along with our neighbours, have spent an inordinate amount of time in discussion, seeking information and preparing our feedback on the Valencia Nursing Home extension Planning Report . We all place enormous value and respect for each other and the amenity provided in our rural community. I am sure that the beautiful, idyllic rural location of the Carmel would be a significant feature in future promotion of the developer's business. It would be a sad irony if the developer were to destroy the rural amenity which has been created, protected, respected and enjoyed by the long term residents of the community whilst simultaneously using that same charm to its financial benefit.		
20	Objection This list is not final. As more information becomes available from the proponents / council we reserve the right to make further comment. 1. The overall size of the expansion. The scale of the development proposal for the nursing home at 24 Valencia Rd Carmel is out of character with the rest of the area. We came to live in Carmel due to the quiet, natural bush & rural surroundings. The Valencia Nursing Home was already here, we have had to live with it and for the majority of the time it has been non intrusive . The addition of what is effectively a 3 story institutional building on our boundary will impact negatively on our sense of privacy and amenity. Whilst the development might be a masterpiece of urban design & function it is unsightly in this semi-rural area – and altering the building materials/finishes is not going to hide it or allow it to fit into the neighbourhood “respectfully”. 2. Septic System / Waste Water Treatment / Leach Drains & waste water dispersal. Leachate – from the septic system leach drains, will percolate down thru the filled area and sit on top of the original ground. Due to the increased amounts of water from 140 residents and other processes on site (max 24000litres per day as per the suggestion in the request for the exemption from the government sewerage policy letter, Dept of Health ref: 33-37376) the ground will become saturated quicker than has been the case previously. Due to the high clay content of the soil and the shallow cap rock in the area that water will follow the contours of the sloping ground into the adjoining properties, Lot 100, Lot 101 Union Rd & Lot 20 Carmel Rd East, the egg farm. During the hotter months of the year evaporation rates may be high enough to cope with that much waste water but in the colder months with the addition of rain onto the ground it is not likely the waste water will simply disappear. There will likely be erosion damage at the site of the proposed retaining walls as the leachate attempts to make its way under gravity into the		

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	surrounding saturated ground of the adjoining properties. As these retaining walls are proposed to be at the property boundary there is nowhere for any remedial works to be performed once erosion has occurred. What geo-technical testing has been performed to prove the site is capable of supporting the disposal of this large amount of waste water? The geo-technical report on the councils website does not cover the scope of the proposed development and cannot be considered accurate or representative of the ability of the site to absorb/dissipate that water. Depending on the concentration & types of chemicals in the leachate this extra water could kill or poison our neighbours chickens and other lifeforms eating / drinking it or eating insects in it. Native Quendas (Bandicoot), lizards, echidnas, birds etc do eat & drink in the area. Residual chemicals in the leachate are not plant safe in high levels and when they do finally leach into the earth they will likely slowly kill the native vegetation at the rear of the properties at lot 100 & 101 Union Rd & Lot 20 Carmel Rd East due to uptake by the vegetation. We are trying to conserve both the flora & fauna on our lot and are not prepared to take a risk with such a large effluent treatment system being positioned so close to our property. It is all well and good for the developer to promise he will use environmentally friendly products in the effluent treatment system and dispose of the waste water in an approved manner but once damage is done to the surrounding bush land it is too late. Why has a proper survey of the native fauna in the surrounding area has not been undertaken? The breeding areas of Black Cockatoos in the area is hardly a representative study of what fauna is on the ground. What plan is to be put in place for the event of a system / power failure for the septic treatment plant? The plant must be running 24/7 to cope with the nursing homes needs. Untreated sewage flowing into neighbouring properties (and in a water catchment area) is not acceptable. There has been a large increase in the number of flies in this area at certain times of the year and the type of fly (determined to be the "Lesser House Fly" by an etymologist) breeds in a wet environment. It is likely becoming a health hazard. There is anecdotal evidence that the fly's breeding area is in and around septic leach drains (read: damp areas). Is the additional waste water generated by the proposed development going to help increase the breeding areas for these insects? 3. Storm Water Run-off. Given the added roof space and paved areas shown on the plans storm water runoff is likely to cause much erosion at the rear of the development and in the adjoining properties. As the storm water is not permitted to pass into the septic treatment plant / leach drains what mitigations are proposed to deal with the extra water? - If there is a storm event		
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	similar to the one in the recent past (139mm of rain in Jan 2018) thousands of litres of storm water has to go somewhere; it is not reasonable to allow it to run unchecked into the adjacent properties. 4. Security around the development. Security does not seem to be a priority in the development proposal. The raising of the ground level above the natural sloping ground level by 1.5m at the rear of the block puts the entire development above the original fence height and it doesn't take much imagination to envisage people (staff, residents or public visitors) taking advantage of the height to observe and make an easy entrance into the rear of the neighbouring properties from the nursing home. Given the public nature of the development, access by the public is an obvious temptation. What measures are envisaged to prevent the elderly, infirm residents from falling down the retaining walls? What measures are being put in place by the proponents to prevent undesired access both to and from the development as well as to and from the adjoining properties during construction and later during normal operation of the facility? 5. Fire Breaks and access. Where are the 3m fire breaks around the edge of the development? All other property owners are expected to have fire breaks at the fence-line, the change of zoning at the nursing home border should not negate the need for a firebreak on the nursing home side nor restriction of access for emergency vehicles. 6. Loss of Amenity for the immediate neighbours. There will be a significant increase in the overall noise & light levels at our rear boundary. All the large trees at the rear of the nursing home have been (is council aware of this?) or will need to be removed to accommodate the development – and cannot be replanted over the tops of the proposed leach drains. The development cannot be hidden from our view. A 1.5m high retaining wall, covered with stone or not, cannot be ignored. There will be added light pollution at night from the rooms facing our property. Also, the currently empty house at the rear of the property, suggested to be used for administration, will pour more light and noise pollution into our property as it will need to be occupied round the clock. There will be added noise from the residents every day, possibly all day, due to the location of the lawns and gardens & cafe shown in the development proposal. The air conditioning plant room on the 3rd story of the proposed development will by design need to direct its machinery noise away from the building – or the residents will be unhappy. We do not want any more noise than we already receive from the existing facility. 7. Increased Traffic / Parking Impact on the local area. What will be the impact of extra traffic on the local area? The increase in capacity of the nursing home will cause a knock on effect for the rest of the Carmel community in that higher volumes of traffic will be using the roads in the		
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	area. There will be more staff & service vehicles as well as visitors to the nursing home, especially on weekends, interacting with the rest of the local road users and this will cause congestion at the intersections immediately surrounding the nursing home. Already with the new road rules concerning separation between motor vehicles & cyclists in force there are issues at Glen Isla & Carmel Rd intersections. Increasing volumes of traffic in the area due to tourist traffic & cyclists combined with traffic to & from the nursing home and the Seventh Day Adventist school will cause further congestion in the area. There is already insufficient parking for the current number of staff & visitors to the nursing home judging by the number of vehicles parked at the kerb and on the verges outside. The development plans do not show a significant increase in the number of parking places for staff or visitors and the submitted traffic analysis report appears to have been a desktop exercise using Google! The reality is very different. The proponents appear to be making an "Ambit Claim" with regard to the size of the development and the number of residents to be accommodated. By that we mean they are proposing the largest size / number they would like all the while knowing it will be beaten down during the planning process. It is disappointing that the reality of rural living does not feature highly in the proposal. A serious re think the size of the development (both number of residents & size of building) is required.		
21	Objection This development is too ambitious for the block and will have a significant negative impact on my amenity and that of my neighbours and community. Matters that have not been adequately addressed include water treatment, stormwater, the imposition of a three storey building in our area, noise, light pollution, bushfire concerns, traffic and removal of trees. Valencia nursing home currently have problems with their leach drain which has impacted me. I am not supportive of the current plan.		
22	Objection This ugly modern building will be a blight on the urban landscape. It will have a devastating affect on the whole of Valencia Rd with the increased amount of traffic. There will be an extended time of disruption also from the trucks etc, during the building period. The present one storey building is unobtrusive in contrast to the proposed extension, and is in keeping with the adjacent area. There will be many trees removed to make way for the extension not in keeping with the delightful area.		
23	Objection I think the size and scale of the project is not in fitting with the nature of a quiet suburban street. The proposed 3 storey design is just not in keeping with the surrounding area. Currently the car parking allowance is inadequate for the number of cars attending (both staff and visitors). Many cars currently park on the verges on both sides of the road. The proposed increase in parking bays shown on the plans is woefully inadequate for the large increase in beds (and visitors expected). Also many trees are bring removed. Shouldn't they be replaced?		

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24	Objection I am a resident of Carmel living in Valencia Road and I object to the proposal mentioned above. The root cause for my objection is the scale or magnitude of the development however the contributing factors are: 1) The proponent's wish exceed the plot ratio; 2) Amenity infringements on neighbours from the effects of visual intrusion due to the prison like style of the building, its height and close proximity to the boundaries; 3) Potential increased noise from air-conditioning and sewage treatment plant operation 24 hours per day and possible back-up generator during blackouts; 4) Potential light nuisance to neighbours at night from area floodlighting; 5) Potential smell nuisance from an on-site sewerage treatment plant; 6) Permeability of local soils to absorb the estimated hydraulic load of 24,000 litres per day of effluent without affecting neighbouring properties and watercourses which feed into the Middle Helena Public Drinking water catchment area.		
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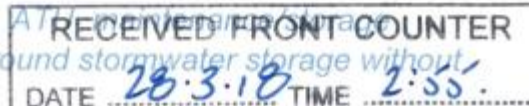
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Point 1 Plot Ratio Exceedance

The size of the proposed development is a commercial decision of the proponent. The 146 bed proposal will make the development one of the largest Aged Care facilities in the metropolitan area. Reference to the DPS Guide To Aged Care WA 2018 shows that 2.1% (4 facilities) of the aged care facilities in the metropolitan area have greater than 146 beds. The majority of aged care facilities (66%) have 80 beds or less. The size of this development is completely out of character with the Special Rural zoning of the surrounding area.

The proponents desire to build 80 new beds has necessitated a three storey high design to facilitate all the bedrooms and infrastructure required but is limited by the 50% plot ratio. The proponents Planning Report shows they even wish to exceed this limit by 206sqm. The drawings provided by the proponent do not show area calculations for, or where they will locate a maintenance shed or generation unit if needed to back up the sewage secondary treatment plant/aerobic treatment unit(ATU). The 64sqm area assigned for the ATU is grossly insufficient to house the plant footprint shown in the Peritas report General Layout drawing AF-68929-M-01. This, coupled with other facilities which need to be allowed for such as a stowage area for waste skip bins do not appear to have been allowed for in any of the drawings provided.

1. *Where will the proponent place the skip bins, ATU, maintenance shed/s, possible generation unit and underground stormwater storage without*



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compromising parking areas, driveways and the leach drain segregated areas but at the same time allow staff and contractors to access, service and maintain these facilities?

2. *Will any of these additional facilities add to the area used to calculate plot ratio?*

Point 2 Amenity Infringement

In an endeavour to fit the proposed new building in the constrained area available after allowing for bushfire attack levels, driveways, parking areas, separation from existing buildings, leach drain areas and other infrastructure, the designers have been forced to propose multi story building situated as close as possible to the northern boundary. There is a massive mismatch in many parameters of the different zoning requirements of Private Clubs & Institutions and Special Rural as specified in Kalamunda City's Local Planning Scheme No 3. There is an even greater mismatch between the respective height limitations of the two zones. Section 5.14.1 of the Planning Scheme specifies: "*A person shall not erect a building which by virtue of colour or type of materials, architectural style, height or bulk, ornamental or general appearance has an exterior design which in the opinion of the local government is out of harmony with existing buildings or the landscape character of the area.*"

The proponent has admitted to encroaching 100mm on the 4.5m cone of vision for a bedroom overlooking a neighbour on the northwest side of the building but they have omitted to mention that they will encroach 2m on the 6m cone of vision from the lounge and general living area on the northeast corner of the building.

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3. *Does the City of Kalamunda agree or disagree that the height or bulk, architectural style and setback of the proposed three story building is in harmony with existing buildings or landscape of the area? If deemed not in harmony, will they ask the proponent to address the offending items?*
4. *How will the proponent ensure the privacy of the affected neighbour will not be infringed near the two affected areas if the proposed side setback is approved?*

Point 3. Noise Nuisance

Air conditioning units on top of the building and a sewage treatment plant with 12 electric motors and pumps situated on the back boundary of the property will cycle continuously and create noise. If a back- up generator is deemed necessary for the sewage treatment plant, it will also create noise.

5. *Will the City of Kalamunda or the proponent commission a pre-construction noise survey and a post construction survey to ensure that when the installation is in full operation it does not exceed limits and also minimises noise to remain in keeping with the existing quiet ambient noise levels in this suburb?*
6. *What noise level at the boundary will the City of Kalamunda deem acceptable*

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Point 4 Light Nuisance

Ambient light in this suburb at night is low. The proponent has not provided any designs for lighting of the facility in the concept drawings posted on the City website.

7. Will the City of Kalamunda require the proponent to provide a lighting plan showing how it will minimise light nuisance to neighbours before the proposal is approved/rejected?

8. What guidelines or criteria will be used to assess whether lighting levels are unacceptable to near neighbours?

Point 5 Sewerage System Soil Permeability

The estimate of 24Kl of treated sewage per day has to be absorbed in a relatively small area at the rear of the nursing home block. It seems from information provided on the City of Kalamunda website regarding this proposal that there has not been a site and soil assessment report provided by the proponent regarding the hydraulic loading capacity of the area where the leach drains are to be situated. The geotechnical report commissioned by the proponent does not address this issue. The objectives of the "Report on Geotechnical Site Classification 24 Valencia Road Carmel WA" are to "to obtain information on the sub-surface conditions so as to classify the site in accordance with the definitions provided in Australian Standard AS2870 – 2011 and to provide recommendation on stormwater drainage."

In other words, the report was commissioned for compaction requirements for the foundations of a **single story building** in the area where the proposed **3 story building** is to be situated using an Australian Standard applicable to single story dwellings.

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	Schedule 2 of the Draft Government Sewerage Policy states that there should be a site & soil evaluation carried out by the proponent complying with: <i>"AS/NZS 1547 On-site domestic wastewater management, which includes details of:</i> <i>• soil type and depth to water table4; and</i> <i>• any likely vegetation clearing, buffer requirement and/or site earthworks.</i> With regard to soil permeability in the area of the new building, Section 8.3 of the proponents geotechnical report states: <i>"Onsite disposal of stormwater via soakwell is not appropriate for this site."</i> which suggests soil permeability in that area is poor, and by extrapolation, it could be assumed the area where the new leach drains are be situated has similar poor permeability. Section 9 of the report says <i>" Given the limited number of test pit and limited field and laboratory testing carried out with respect to the overall site area, variations between investigation locations is likely and ground conditions different to those presented in this report may be present within the subject site area. The risk associated with this variability and the impact it will have on the proposed development should be carefully considered. "</i> Explanatory notes to the Draft Government Sewerage Policy Section 2.8.2 suggests that land owners responsibilities with respect to secondary treatment units should: <i>"Avoid disposal of heavy duty bleaches, ammonia or antibacterial cleaners or excess cooking oils into system.</i> <i>Ensure land application area is setback and maintained as per approval. Activities within the land application area need to be controlled so that interference with the function of the system is</i>		
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	minimised and people avoid potential contact with effluent residues. In accordance with the design requirements of most systems, the land application areas must: — not be built on or paved in a manner which precludes reasonable access; — not be subject to regular foot traffic such as pathways and clothes line areas;" Landscape plan SD010 shows a considerable proportion of the area over the leach drains at the rear of the property is to be paved and also has pergola and seating areas for residents to spend time in this area. <i>9. Will CoK insist that the proponent conduct a proper geotechnical report in accordance with AS/NZS 1547 on site and soil conditions in the area where the leach drains will be situated to determine 2m separation between the lowest component of the sewage system and the end of wet season water table level and also the soil permeability under the septic leach drains?</i> <i>10. Will CoK insist that the proponent conduct a geotechnical report in accordance with the appropriate Australian standard for foundation preparation for a three story building?</i> <i>11. Where and how will stormwater from this property be directed and handled when it cannot be channelled into the septic drain area?</i> <i>12. How will the proponent segregate heavy duty bleaches, ammonia or antibacterial cleaners and cooking oils from entering the ATU?</i> <i>13. In contradiction to the Draft Government Sewerage Policy Will the proponent be allowed to pave large areas covering the leach drains thus reducing their efficiency?</i>		
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14. How will the proponent ensure there is no contact between residents and effluent residues if the pergolas, seating areas and paths are approved in the leach drain area?

Point 6 On-site Secondary Sewage Treatment Plant Capacity

The proponent will need to install an on-site ATU as there is no reticulated sewerage system in Carmel. The ATU is a complicated system comprised of tanks, aerobic media, 12 dosing, recirculating and discharge pumps, an ozone sanitising system and an electronic control system.

To ensure the system works continuously within specification, the system will need to be correctly installed, commissioned and operated within manufacturer's specifications with regular performance monitoring.

Explanatory notes to the Draft Government Sewerage Policy Section 2.7 suggests:
In public drinking water source areas:

- The lowest component of any sewage disposal system shall be located at least two metres above the end of wet season groundwater level.
- Secondary disposal systems with demonstrated nutrient removing capability that result in discharges of less than 1mg/L of phosphorous and 10mg/L of nitrogen should be used. Applicants should confirm that a particular unit meets these targets.

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	The discharge levels of the secondary treatment plant shown in Kalamunda Nursing Home – Peritas Group document are 15mg/L for phosphorous and nitrogen but desired discharge levels in drinking water catchment areas are 1 and 10mg/L respectively. <i>15. Can the proponent confirm that the system to be employed will meet the 1mg/L phosphorous and 10mg/L nitrogen discharge levels given the sensitivity of the area in which the system is located?</i> <i>16. Can CoK formally acknowledge that in accordance with AS/NZS 1547 “ that prior to assessment of the best practicable option for sewerage servicing, robust institutional arrangements which enable sustainable management of on-site sewage systems should be in place”?</i> <i>17. Is CoK confident that it has the administrative capacity to monitor, audit and enforce compliance of such an on-site secondary treatment system?</i>		
25	Objection		

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	As a long-time resident of Carmel I wish to make representation to the City of Kalamunda in its capacity as the regulatory authority responsible for management of the application for approval of the above proposal. I also wish to put on record my concerns related to at times vexatious ease of access to information at the outset of enquiry, and of subsequent transparency and obfuscation encountered during the period provided for public comment when seeking clarification and information from relevant City of Kalamunda officers. The level of these concerns were mitigated to some extent when it became evident that the local Carmel Community was not content to accept the development without question or comment. Extensions of the public submission time frame have contributed somewhat to more satisfactory process for a development proposal which is totally unacceptable in the format as initially lodged and published. I wish to emphasis that my concern is not an objection to the concept of growth <i>per se</i> but of the magnitude of the expansion from 66 to 146 beds. My concerns related to specific aspects of the proposal are listed below. Each topic has been appropriately expanded and where appropriate, clarification sought where information provided to date appears inadequate or is not provided by the proponent.		
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1. Process and timing adopted by the proponent with regard to addressing community concerns about the expansion proposal. A large prominent notice board was erected by the proponent on the proposed development site long before (July 2017) any formal application for approval was lodged, which clearly indicated the expansion was going to happen. No other community consultative process was undertaken by or on behalf of the proponent until a formal application was lodged in December 2017, when the City of Kalamunda advised local residents in Carmel by letter in early January 2018 (letter is dated January 3rd 2017).

Question

- Why was the proponent not required to remove the above notice board when no formal application for development had been lodged?
2. The magnitude of the proposed expansion on the available area of land described, appears by many criteria to be incapable of being integrated into the landscape either functionally or aesthetically whilst remaining in compliance with regulatory obligations, meeting reasonable community expectations and avoiding conflict with exisiting, surrounding, legitimate land uses.

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N.B. A document described as a Geotechnical Site Classification, by 'Local Geotechnics' and dated August 16th 2016 was added to the list of documents supporting the application on the City of Kalamunda "Engage Kalamunda" website less than one week before the then closing date for public comment! The document is difficult to read due to poor use of language and grammar, makes no reference to hydrology or drainage and freely states the description of soils is based not on study of the development site *per se* by the consultant but is a desktop regurgitation of historical soil mapping data documented by the former WA Geological Survey Department. This document appears to have been commissioned for determination of suitability for surface building construction. IT DOES HOWEVER NOTE IN PARAGRAPH 8.3 "STORMWATER DRAINAGE – ONSITE DISPOSAL OF STORMWATER VIA SOAKWELL IS NOT APPROPRIATE FOR THIS SITE."

This last observation notwithstanding, the document contributes little or no technically sound information relating to my concerns regarding compliant, wastewater and stormwater management. It does however draw attention to the unsuitability of the hydrogeology of the proposed development site and adjacent areas for extensive, ongoing water infiltration.

Lot 4 Valencia Road occupies a position high in the landscape relatively close to the south eastern boundary of the Middle Helena designated drinking water catchment. The existing aged care nursing home is integrated visually and functionally into a landscape which includes significant numbers of large, mature native trees. Other private properties adjacent to Lot 4 are, on three sides of the proposed development area, downslope, also within the water catchment area.

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The hydro-geological characteristics of this area of the catchment are typical of the western side of the Darling Range comprising usually shallow surface soils (shallowest higher in the landscape) overlaying a weathered, lateritic caprock above parent granite. Abundant evidence exists within other areas of the Darling Range and in agricultural areas of WA demonstrating that elimination of significant vegetation upslope of a natural water pathway is likely to destabilise the downslope hydro-geology leading to downslope waterlogging of soils, surface intrusion of subsurface springs, and soil erosion. Should the upslope soils contain materials considered as potential water contaminants or pathogens (such as the spores of the dieback fungus *Phytophthora cinnamomic* or *pathogenic bacteria*) these are likely to be mobilised and contaminate the catchment watercourse. Creation of a significant, ongoing water discharge source in the area cleared will greatly exacerbate the catchment erosion and contamination potential.

It is reported in the material presented by the development proponent that significant quantities of treated wastewater are to be generated daily by the activities of the expanded facility (24,000-32,000 litres per day).

Throughout the year stormwater runoff will increase beyond present levels as a direct result of increased area of water shedding surfaces from expanded roofed and sealed surfaces.

Vegetation removal, especially mature, native trees will reduce soil moisture utilisation and further contribute to destabilisation of subsurface hydro-geology.

The wording of the proponent's proposal describes the final process in the wastewater management strategy as "infiltration via installed flatbed septic leach drains" and surface rain/stormwater runoff will be "discharged"

It would appear therefore that the hydrogeology of the downslope areas of the proposed development site are entirely incapable of sustaining the methods of water management and disposal described in the application without causing significant, if not devastating, disruption of activities on a number of properties and damage to related infrastructure (culverts, bridges and roads) adjacent to the Piesse Gully creek.

Furthermore, if the septic leach drains fail to perform as proposed (as is likely when the absorbing soil profile becomes saturated and overloaded) subsurface flow of only partially

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treated wastewater will result, with potential, after sustained rainfall to trigger emergence of above ground springs. Such biological contamination of the catchment watercourse, particularly at times of peak flow (winter) will render the Piesse Brook no longer acceptable as a drinking water source.

N.B. It is noteworthy that wastewater management at the existing facility during recent weeks leading up to the closing date for public comment on the expansion proposal, has been deficient, triggering complaints by neighbours to the City of Kalamunda of septic odours emanating from the facility. The complaints were investigated and confirmed by the City Environmental Health Officer and the proprietors of the facility were required to undertake appropriate remedial action. The proposed expansion of the facility incorporates discharge of partially treated wastewater to leach drains and soil infiltration on a site which its own submitted geotechnical report recommends as being unsuitable.

Questions

- Have appropriate geotechnical and hydrological studies been undertaken by or on behalf of the proponent which support the proposed wastewater and stormwater management strategies. Were any studies undertaken with due regard to recent, current and predicted future rainfall data and did the studies relate to the existing or proposed expanded facility?
- Were all surrounding land uses included in these studies together with any predicted impacts which could result from the proposed development were it to be approved as is described in the present application submission?
- Have appropriate studies been undertaken by the Environmental Health Directorate (EHD) of the WA Department of Public Health which address the vague terminology in paragraphs 3 and 4 of the letter from the WA Deputy Commissioner of Public Health, dated February 3rd 2016. The exemption granted in paragraph 4 appears to be based on Environment Health Directorate (EHD) advice that it is **'POSSIBLE to dispose of wastewater onsite'** and that **'The Lot is reasonably large and there appears to be adequate room.....etc.'** IF such studies have been undertaken were they based on data relevant to the size of the proposed increase in patient numbers - from 66 beds to 180 beds?
- Were the design parameters for the wastewater and stormwater management strategies based upon utilisation ONLY of the land owned by the proponent?

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3. A Road Traffic Study has been commissioned by the proponent which wholly inadequately addresses potential impacts of the development as proposed on surrounding roads.

In recent years, the Carmel, Bickley, Pickering Brook areas have attracted many visitors to the numerous and steadily increasing number of tourism venues. The offsite roads accessed by the existing nursing home

The Road Traffic Study presents a detailed review of vehicle visits to and from the existing and enlarged facility together with existing and planned provision of parking bays. There is limited differentiation in types of vehicle, and interaction with traffic on offsite roads, with the exception of Valencia Road, appears not to have been considered in any depth.

The report makes no reference to vehicle interactions at the unsigned intersections between Valencia Road and Carmel Road East and Valencia Road and Union Road and of much greater significance, to vehicle interactions at the crossroad intersection of Carmel Road East and Glen Isla Road.

Glen Isla Road has become a heavily utilised tourism road both for visitors to local venues and as a major thoroughway to Mundaring. Traffic is invariably heaviest at weekends on Glen Isla Road and is a popular component of car and motor cycle group/club outings. Large numbers of cyclists also use this road, particularly at weekends and regularly travel in groups of from 4 to 20. A length of Glen Isla Road within the Carmel boundary, of approximately 100metres is speed limited to 60km/hr from 70km/hr on either side. The main entry to Carmel Adventist

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College lies just inside the 60km/hr zone. It is a straight stretch of road and motorists often take the opportunity to pass a cycling group here (in very recent times taking care to provide required passing gap between vehicle and cyclist(s). Glen Isla Road is also intersected approximately 250m south of the crossroads by Carmel Road, Empire Road and the recently created Kalamunda to Pickering Brook Heritage cycling and walking trail (all within approximately 25 metres of each other and all entering Glen Isla Road within the 70km /hr speed zone.

Many visitors seeking the existing nursing home are unfamiliar with the area and are hesitant when selecting roads among those mentioned. Tourism visitors (including some cyclists) are also often hesitant at these intersections. Such hesitancy can and does at times create minor but nevertheless unsafe congestion at or near the intersections. The potential for vehicle/vehicle or vehicle/cycle collision is significant already and likely to increase with further traffic volume growth

Questions

- Has there been or will there be a more detailed study undertaken of the potential impact of the proposed development on nearby offsite roads as described above?
- Has the City of Kalamunda considered the construction of traffic flow/speed control structure such as a roundabout at the Glen Isla/Carmel Road East intersection?

4. Bushfire Hazard

Carmel is designated by the Department of Fire and Emergency Services as a bushfire prone area and the submitted Draft Bushfire Management Plan (DBMP) deems the proposed development site as 'VULNERABLE.' The wider surrounding area and the Carmel townsite also, is regularly affected by smoke from seasonal, protective and planned control burns and has in more recent years been significantly affected by smoke and ash from a few unplanned bushfires.

An Emergency Evacuation plan is appended to the DBMP. Paragraph 1.1 of the Emergency Evacuation Plan section of the BMP recognises that... "the medical condition of residents, occupancy rates of residents vs low staff numbers and time required to provide evacuation transport may (?) provide evacuation challenges and accordingly determines the option which provides greatest caution - that of sheltering in place". Relocating all patients and staff to the front of the facility nearer to Valencia Road.

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	<u>Questions</u> • Can it be confirmed that adequate room exists at the front of the facility to accommodate all patients and staff to be relocated inside buildings not affected by smoke. • Has the Draft Bushfire Management Plan, including the Evacuation Plan, been approved and accepted by DFES? End of submission.		
26	We live at 37 Carmel Road East, Carmel, which land backs onto the rear of Lot 7, 24 Valencia Road, Carmel, the site of the current Valencia Nursing Home (VNH). Since 1970 a commercial egg producing poultry farm has operated from our property, with our company, Railaw Pty Ltd trading as Treetops Farm, having managed and operated the farm since 1989. The farm has provided produce to VNH for all the years since 1970. We are writing in reference to the proposed alteration and additions (Project) to the nursing home. We have many concerns about the Project, including in relation to the impact to the environment and neighbourhood, our property and to our business. We are advised that the proponent has been requested to provide several reports to the City, but that, as at the date of this letter, several reports remain outstanding. Our concerns are set out in this letter, however we reserve our right to provide further information and submissions once all relevant information, including the reports to be provided by the proponent, are made available to us and publicly.		

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	For the moment, our main concerns about the Project are: 1. The Geotechnical Site Classification Report (Geo Report) is deficient and, we understand that to date a more comprehensive report has not been lodged by VNH. 2. There does not appear to be sufficient land allocated for the placement of the waste water treatment plant as well as the proposed effluent system. 3. The magnitude and scale of the Project does not fit or blend with the environment and neighbourhood and is likely to cause a loss in amenity to the community. 4. It is apparent that there is conflicting land use – between the nursing home and the operation of our poultry farm (business), giving rise to the potential for a catastrophic interruption to our business and livelihood. Geo Report 5. The Geo Report identifies the proposed construction as a single storey nursing home. No plans of the proposed construction are included in the Geo Report. Given that the proposed alterations are for the construction of a three storey complex, a serious question arises as to the foundation of the Geo Report. 6. It is notable that the Geo Report did not deal with or consider the proposed effluent system of leach drains. 7. The Geo Report does indicate however that:		
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	(a) On-site disposal of stormwater via soakwells was not appropriate for the site; and (b) Stormwater should be discharged offsite to the property or to the council drainage system. 8. We are aware that the City will not accept stormwater being discharged into the local drainage system and that storm water must be contained within the boundaries of the project. 9. Our property lies below, topographically, the nursing home. Offsite discharge, will normally run downslope, and therefore likely to enter into our property. In January 2018 we have a severe storm event with near 100 millilitres of rain falling over a couple of days. Such a deluge caused significant watershed from the nursing home land, in its present condition, onto and over our property, gouging a channel and eroding much soil. 10. Given that the proposed roof area of the Project will increase the water catchment for this property, all heavy rain events will create a significant amount of runoff water, which water will most likely enter onto our property.		
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	Water and Effluent 11. In consequence of the nursing home site not being suitable for onsite stormwater discharge, it is almost certainly unlikely to be suitable for the use of leach drains to cater for effluent from the facility. 12. The current proposal is for the installation of some 17 leach drains, each being 40 meters long by 2 meters wide and high. These drains will therefore be able to hold some 27,200 cubic meters of effluent, in liquid, solid and semi-solid form. Where: (a) the soil profile is said to vary from very loose to dense and firm to hard; (b) the soil is said to have variable permeability; and (c) the site is said to be unsuitable for soakwells this amount of fluid and semi-fluid should not be allowed to enter the ground. There is a real prospect that this fluid and semi-fluid will itself leach into the surrounding ground, and as a consequence of the slope of the land, likely enter our property, either above or below ground.		
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	our property, either above or below ground. 13. The topography of the area shows the land sloping towards our property and we are very concerned about the potential for the proposed effluent system to leach onto our land and contaminate our land. This land is where our hens roam. Our eggs are classified as "free range" and as such require regular testing for an array of chemicals and pathogens prior to being sold to the public. Any leaching of effluent onto our property would likely destroy the commercial viability of our business. 14. Additionally, we understand that the site is within the defined boundary of the Middle Helena Catchment. In the event of accidental or unplanned wastewater discharge the receiving waters are part of a WA Water Authority designated catchment. 15. In summary: (a) Most of the stormwater falling on to the proposed development site will likely flow downhill toward and across our and adjacent properties; (b) With an increase in "smoother" man-made surfaces (through paving and grasses), focussed water flow from building downpipes and drains and water dropping from additional heights provided by roofs and retaining walls on the property boundary, it is highly likely that there will be a heightening of erosion within our property;		
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	(c) The subsurface effluent flow from the leach drains will also move downslope and towards our property. These contaminants will affect the surrounding ground, whether below or on the surface and likely enter the ground water and (possibly) the catchment area and may contaminate bore water used by others down the slope (winery and other crops); (d) As the permeable gravels overlaying the bedrock appear to be relatively thin, and that there is not (in the current design) an impermeable below ground barrier and retaining wall proposed for our boundary, there is a significant risk that effluent will leach from the proposed drains and flow under or across the surface and on to our land; and (e) The environmental contamination risks caused from untreated effluent release would be increased if any significant amount of stormwater enters the proposed leach drain sewer system. Scale 16. The Project cannot reasonably be said to be alterations and additions to an existing facility. The plans show that the Project is for the construction of a separate stand-alone three storey complex adjacent to the existing building on the site.		
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	17. We consider that the Project: (a) is not in keeping with the stylistic context or scale of the local area; (b) will have a negative impact on the amenity of other properties in close proximity, through noise, overlooking, overshadowing, smells, light pollution, loss of daylight, loss of privacy, dust, vibration or late night activities; (c) is likely to create traffic problems such as traffic generation, access or safety problems; and (d) will create parking problems as there is insufficient street parking and an insufficient allocation of parking space on the proposed site. Conflicting land use 18. The VNH is zoned Private Clubs and Institutions. Our property is zoned special rural with an addition for intensive animal husbandry. We are not aware of any impact study undertaken by VNH in relation to the potential conflicts between the nursing home and our business.		
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	19. We consider that the City, as a duty of care for its residents should request the provision of an impact study to assess how the two businesses might impact on each other, given the scale of the Project and the proposed significant reduction of the current buffer zone. 20. We consider that such an impact study ought to also cover other neighbouring land, most of which are zoned rural, special rural and residential. See Local Planning Scheme Regulations 2015 Deemed provisions for L.P.S Schedule 2 Cl 67 (r) (m). 21. We also feel that under the EPA Guidance Statement 3 the City is obligated to consider <i>Separation Distances</i> between industrial/commercial/intensive and sensitive land uses (like VNH). Treetops Farm was built in 1970 and in 1971 the nursing home was allowed to be built with a 'buffer' zone of only 70m between our last poultry shed and the nursing home buildings 22. Under the current application of the Project this buffer zone will be further reduced to about 30m from the new building to our shed and the proposed 'garden area' of the nursing home will come to 5m of our boundary, bringing the distance down to 17m from our poultry shed. 23. We would like to also bring to your attention SPP2.5 (after several State Planning Policies had been reviewed and revoked – 1998, 2003 and 2016 for SPP2.5) where the Policy states:		
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	<u>5.12 Preventing and Managing Impacts in Land Use planning</u> <i>One of the key elements in achieving the objectives of this policy is ensuring that zones and sites are suitable for their intended purpose. As a result, at each stage of the planning framework, planning decision-makers need to consider the broad suitability of land uses and the ability to manage offsite impacts prior to determining whether the use of a buffer is necessary.</i> <u>5.12.1 Avoiding land use conflict</u> <i>Planning decision-makers shall take the following approach to avoid land use conflict:</i> <i>(a) where an existing land use that may generate impacts is broadly compatible with surrounding zones and land uses, a separation distance should be indicated in a local planning strategy so there is broad awareness of the land use;</i> <i>(b) where a development is proposed for a land use that may generate off-site impacts, there should be application of the separation distances used in environmental policy and health guidance, prescribed standards, accepted industry standards and/or Codes of Practice, followed by considering –</i> <i>(i) whether the site is capable of accommodating the land use; and/or</i> <i>(ii) whether surrounding rural land is suitable, and can be used to meet the separation distances between the nearest sensitive land use and/or zone, and would not limit future rural land uses; and</i> <i>(iii) whether if clauses (i) and/or (ii) are met, a statutory buffer is not required;</i> <i>(c) where a development is proposed for a land use that may generate off-site impacts and does not meet the standard outlined in clause 5.12.1 (b) then more detailed consideration of off-site impacts will be required, in accordance with clause 5.12.3 of this policy; and</i> <i>(d) where a development is proposed that could be contemplated in the zone, and has been assessed under clause 5.12.3 as having unacceptable offsite impacts that cannot be further mitigated or managed, the proposal should be refused.</i>		
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5.12.2 Planning approach for sensitive land uses in rural zones potentially affected by a rural land use

This policy seeks to limit the introduction of sensitive land uses that may compromise existing and future primary production on rural land. In considering these zones and land uses, WAPC's position is that:

- (a) single dwellings on rural land are a sensitive land use;*
- (b) single dwellings and other sensitive land uses on rural land should be afforded a reasonable standard of rural amenity;*
- (c) the introduction of single dwellings and other sensitive land uses should not occur where they would limit primary production;*
- (d) the extent of a sensitive land use on rural land is a distance (as opposed to the property boundary) from the perimeter of the use that provides a reasonable standard of rural amenity;*
- (e) where primary production sites require caretakers' dwellings for management or operational purposes, these dwellings should not be considered a sensitive land use, noting that occupational health and workplace safety requirements will apply;*
- (f) rural land uses are compatible with the preservation of rural character and amenity in rural zones;*
- (g) where single dwellings or other sensitive land uses are proposed in an area potentially impacted by a primary production site of State significance, prospective purchasers may be advised of potential impacts by notifications on title at subdivision stage.*

5.12.3 Determining a buffer

In addition to those matters required under a scheme, where detailed consideration of off-site impacts is required in accordance with clause 5.12.1 (c), determination of a buffer should, take into account:

- (a) separation distances recommended in Government policy and guidance;*
- (b) whether the design and/or operation of the proposal is in accordance with prescribed standards, accepted industry standards or codes of practice;*
- (c) whether, prior to issuing an approval, any management plans associated with the proposal are capable of being implemented;*
- (d) the existing or potential requirement for environmental licensing and/or works approval;*
- (e) potential cumulative impacts;*
- (f) whether modelling is required where impacts on sensitive land uses outside the property boundary are anticipated to exceed the parameters used in environmental policy, prescribed standards, accepted industry standards and/or codes of practice; and*
- (g) odour modelling, when required, is to be undertaken in accordance with a methodology outlined in Government policy or guideline, or an agreed equivalent, by the proponent of the primary production or the proponent of the sensitive zone or land use.*

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	<u>5.12.4 Planning approach for buffers</u> Where a buffer has been determined in accordance with clause 5.12.3 and off-site impacts can be managed by planning controls, planning decision-makers should adopt the following approach as applicable: (a) for a scheme review or amendment, generally a statutory buffer should be applied and take the form of a special control area with related scheme provisions; (b) for a structure plan, designate buffers, noting that their effect is one of 'due regard'; (c) for a subdivision, include a condition that notifies prospective purchasers of either a statutory buffer, or a land use that may affect residential amenity; and (d) for a development application, the requirements of clause 5.12.1 (b) must be satisfied, as it is not possible to implement a statutory buffer through a development application. Where clause 5.12.1 (b) cannot be satisfied, a scheme amendment may be required. Where the right to construct a single dwelling on rural land exists in a scheme, it cannot be extinguished over the entire site by a statutory buffer. <u>Separation distance</u> As defined in Government environmental policy, a separation distance is a recommended distance necessary to separate a source of emissions (gaseous and particulate emissions, dust, odour and noise) from sensitive land uses in order to avoid impacts to human health and amenity. A separation distance is an important consideration in determining a buffer.		
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	<i>Buffer</i> <i>The strategic or statutory designation of land in which sensitive land uses are constrained or prohibited. The extent of a buffer comprises the following elements:</i> •the type and scale of the proposal •Government policy on separation distance •existing or potential requirement for environmental licensing and/or works approval •industry-specific guidelines •technical studies •potential cumulative impacts •amenity, visual impact •environmental and topographic features •cadastre •the continuation and/or expansion of the land use in the context of surrounding land uses. <i>A buffer is measured from activity to activity, and does not necessarily relate to cadastral boundaries. A strategic buffer is one shown in a local planning strategy or other strategic planning document. A statutory buffer is one shown in a region or local planning scheme where there are land use planning controls that give effect to the buffer.</i>		
24.	By reference to policy statements 5.12.1 (a) and (b) we note the provisions of the 2005 Guidance Statement No. 3: Separation between Industrial and sensitive land uses, which recommends, for poultry farming, a buffer zone between the intensive farm business and a sensitive use facility of between 300 to 1000 meters, depending on the size of the farm business, due to the impact factors of noise, dust and odours.		

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	25. Given all these matters, we consider that the proponent, VNH, should be required to undertake an impact study which would include an assessment of: (a) the impact of noise, dust, smell, light and fumes on the residents of the proposed facility; and (b) the impact of the effluent and water treatment plants, light and noise of the nursing facility and its residents on our land, animals and business. The Process We also have concerns about the process that has evolved regarding this Project, that: 26. The way <i>due process</i> was not followed: 27. Incorrect sign erected months in front of VNH prior to application being made to the City. Incorrect sign not removed. Sign has been up since last year and yet, the City had not received any application and for months neighbourhood was left in the dark as to what was happening. See Cl 64. 3 (d) of the Local Planning Scheme Regulations 2015 Deemed provisions for L.P.S Schedule 2.		
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	28. The proponent has not responded to the requests for information made of it by the City (or the neighbours) and has not provided sufficient data and assessment to enable a properly informed response to the proposal. This had led to a situation where we, and other landowners, have had to keep asking for extensions of time for lodging submissions, with the inevitable result, as now evident, that we must make our submission without full knowledge and understanding. 29. In view of all the above we can only object to this application.		
27	Questions		

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To aid in a sensible assessment of potential material adverse effects which impact upon existing land use as a result of the proposed development could you please provide responses to the following:

Traffic Engineer

- The Road Traffic Assessment provided by the proponent is a desktop study only and appears lacking in certain areas. Has there been an assessment of:
 - Medium Rigid Vehicle (MRV) numbers accessing the site, average and peak numbers
 - The number of vehicle movements along Valencia Road during the daylight hours vs night time hours, broken into MRV and light vehicles
 - Existing vehicle movements/parking on site, so as to use real data as a “check” to establish adequacy of the purely desktop traffic assessment provided thus far.
 - If so, please provide a copy of the assessment document or otherwise supply relevant information.
 - The traffic assessment report demonstrates that MRV access along the south-eastern driveway to the delivery area will not be two-way. This raises the very likely situation where there are MRVs reversing out on to Valencia Road. Is this consistent with Shire planning requirements/policies/guidelines?

Traffic Engineer

- Will Kalamunda Shire be undertaking a cumulative effects study as part of the assessment to examine the impact of additional traffic flow along Valencia Road and surrounding roads (figures provided by the proponent indicate an average vehicle movement every 2 minutes during daylight hours). Will this include an examination of:
 - increasing numbers of road users as a result of increased local tourism and a trend toward more cyclists on the road
 - potential interaction with recreational cyclists, bushwalkers and horse riders using the local bush tracks
 - safety requirements around the nearby school
 - need for increased road maintenance and traffic furniture in the area

Applicant

- Other Commercial Activities
 - Are the proposed café and hairdressing salon to be run by the Aged Care Facility and their employees, or are these facilities to be leased out to third parties to be run on commercial terms?
 - Other than residents, will these facilities be available to visitors and/or the general public?

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	○ If these are commercial ventures available to the general public are they consistent with the zoning and permitted activities either approved or applied for in relation to the site? Assets. • Verge Parking ○ Will Kalamunda Shire be decommissioning the hardstand carpark established on the verge of the development property? ○ If not, why has this carpark not been considered as part of the development proposal? Health. • Noise ○ Have baseline noise emission studies been undertaken? ○ Has an assessment been made of the noise levels that will emanate from the development of the site and related activities? ○ Will forklifts be utilised in the delivery area? ○ If rubbish is to be stored in skips and removed from site, what noise mitigating factors have been considered? ○ What mitigation measures are intended, in particular in reference to: ▪ Vehicle access within the site, including an assessment of MRVs vs light vehicles. ▪ Reversing beacons (typically ~80 to 100dB) on MRVs, SVs (and forklifts) ▪ Hours of operations for MRV and ambulance access ○ If so, please provide a copy of the assessment document or otherwise supply relevant information. Health. • Dust ○ Have baseline dust emission studies been undertaken? ○ Has an assessment been made of the dust levels (including asbestos residue) that will emanate from the development site and related activities after construction? ○ If so, please provide a copy of the assessment document or otherwise supply relevant information. ○ What dust mitigation measures are proposed for the site? ○ Are the driveways and carparks as proposed in the development going to be paved or remain as a gravel surface? ○ If the verge parking remains in use for vehicle parking, is it going to be paved or remain as a gravel surface?		
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	Applicant/ Planning. • Overlooking ○ Has an assessment been made of the impact on neighbours in relation to the fact that (elevated) ground floor and second storey balconies and communal lounge/dining areas have been designed to deliberately and exclusively overlook the houses and yards of neighbouring properties? This includes line of site in respect to household windows, swimming pools and play areas utilised by young children. ○ What mitigating solutions (e.g. vegetation/ window louvres, screens on balconies and etc.) have been assessed? ○ If so, please provide a copy of the assessment document or otherwise supply relevant information. • Light emissions		
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	Planning Applicant ○ The current facility has external lights operating during hours of darkness which are not directed away from neighbouring properties. Has an external lighting plan been developed for the proposed development, and has the impact of this design on neighbouring properties been assessed? ○ Has an assessment been made of the light emissions to be generated by the three storey building during hours of darkness on neighbouring properties? ○ If so, please provide a copy of the assessment document or otherwise supply relevant information. ● Aesthetics/Visual Impact ○ Has there been an assessment of the visual impact of the large scale, ~10 metre high development (built-up pad plus 3 storey building) on neighbouring properties? ○ Has there been an assessment of the large expanse of some windows in the new development and how light will be reflected to create glare which will impact of neighbouring properties, particularly if tinting or other reflective films are utilised? ○ If so, please provide a copy of the assessment document or otherwise supply relevant information. ○ Has the architect actually visited site in the process of developing the proposed (out of character) colour scheme for the exterior of the new building? ○ Has an assessment been made of the appropriateness of a three storey development that rises ~10m above the natural surface (other than for financial return on investment) in the context of that fact that there are no other structures of this height in the area? ○ Has an assessment been made of shadow generated over neighbouring properties? ○ If so, please provide a copy of the assessment document or otherwise supply relevant information.		
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	Environment • Wildlife ○ Has there been an assessment of the large expanse of some windows in the new development and how this will affect bird deaths through impacting with the glass (a not uncommon occurrence in the area from our experience), particularly if tinting or other reflective films are utilised? Of particular concern are the various species of black cockatoo which reside in the area. ○ If so, please provide a copy of the assessment document or otherwise supply relevant information. ○ Has there been an assessment of rubbish that will be generated on site, and how vermin will be controlled; including: ▪ disease risk associated with vermin if no controls are in place ▪ impact of poisons/baits on local wildlife (for example three boobook owls that have been regularly roosting on neighbouring Lot 11 (http://www.abc.net.au/news/2017-12-06/boobook-owls-victims-of-rat-poison-study-finds/9227944) ▪ similarly, the impacts of baits/poisons on family pets within neighbouring properties ▪ Impact on snake population in the immediate area that would be predated upon vermin.		
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	o If so, please provide a copy of the assessment document or otherwise supply relevant information. Building • Construction o The proponent indicated at the recent community meeting that the construction is to be phased, which will likely require a prolonged period of construction to cater for movement of staff, residents and related services as part of keeping the site operational. This means that construction activities will be an integral part of the proposed development operations, and not just a phase of pre-commissioning works. As such construction activities should be included in the proposed development impact assessments and approvals process. Has an assessment been made of: ▪ dust emissions (including asbestos), noise emissions, site and neighbourhood security, stormwater, sewage/effluent and related emissions, hydrocarbon spills and exhaust emissions, traffic management, parking and etc., and has an assessment made of mitigation measures required? ▪ If so, please provide copies of relevant assessment documents and management plans, or otherwise supply relevant information. ▪ Has a comprehensive safety and environmental risk-hazard assessment been made in relation to construction activities, and have management plans (perhaps in draft form) been formulated? o If so, please provide copies of relevant assessment documents and management plans, or otherwise supply relevant information.		
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	<i>Building / Engineering</i> • Stormwater ○ Has there been an assessment made of stormwater in relation to the proposed development and what control measure will be put in place to manage: ▪ stormwater impacting on the site, including stormwater that will be entering site from the road verge (particularly hard stand car park area) ▪ increased impermeable surface area in the form of additional roof area and paved roads, pathways and etc., ▪ an expected increase in velocity of surface water across the site due to smoother surfaces (bitumen, paving as opposed to naturally rough gravel surfaces); ▪ a decrease in diffuse surface water flow and a commensurate increase in focussed surface water flow due to the catchment of water on the increased roof surfaces and into downpipes and diversion down sloping driveways ▪ an increase in the energy of flowing water and erosion capacity due to water dropping from man-made elevated areas (e.g. driveway and parking area "B") which are up to ~1.5m height above neighbouring properties ▪ high rainfall events which are likely to occur over the life of the development project, such as those that occurred on 30th July 2001 (137mm in 24 hours) and 16th January 2018 (139.2mm), and intense short term events that are otherwise hidden in daily rainfall measurements, such as occurred at Perth Airport on 30th March 2003 where 29mm of rain fell in half an hour (<i>Natural Hazard Risk in Perth, Western Australia</i> –		
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	<i>comprehensive report, Geoscience Australia; 2005). These events are likely to cause catastrophic damage if not properly managed.</i> ▪ stormwater flow on to neighbouring properties ▪ impact of stormwater on the effluent treatment system ▪ retained surface water and insect control ○ If so, please provide copies of relevant assessment documents and management plans, or otherwise supply relevant information. • Dangerous Goods & Hazardous Waste ○ Has an assessment been made around dangerous goods and hazardous materials that will be stored, utilised and/or generated on site, including volumes involved and control/mitigation measures? This would include, but not be limited to: ▪ hydrocarbons (fuel, gas, solvents and etc.) ▪ poisons (rat poison, insecticides, herbicide, and etc.) ▪ medical (drugs, solid and liquid medical waste and etc.) ▪ asbestos ▪ waste products from proposed Café, hairdresser, commercial laundry and commercial kitchen ▪ materials (e.g. cleaning agents, detergents & solvents) used by Café, cleaning staff, hairdresser, commercial kitchen and commercial laundry ▪ chemicals used for treatment of effluent, potable water and etc. ○ If so, please provide copies of relevant assessment documents, and management plans, or otherwise supply relevant information Health. • Odours and fumes ○ Has an assessment been made and mitigation measures proposed for odours arising from: ▪ commercial kitchen ▪ commercial laundry ▪ rubbish storage (skips or otherwise) ▪ effluent treatment plant ▪ pumping of effluent solids and removal from site ○ If so, please provide copies of relevant assessment documents, and management plans, or otherwise supply relevant information		
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Summary of Submissions

Proposed Aged Care Accommodation, Alterations and Additions to existing buildings (Additional 80 beds).

Public Comment Period: (January 3) 2018 to (April 30) 2018

	<i>Engineering</i> • Groundwater ○ Has an assessment been undertaken of: ▪ groundwater conditions of the site and adjacent properties ▪ the longer term impact from leaching of effluent and other materials (e.g. hydrocarbons) into the bedrock ▪ impact on water quality within bores in the vicinity (e.g. Lot 11, ~100m from effluent leach site) from which water is currently drawn for the purpose of irrigation (including orchard & vegetable patch) and swimming pool. ▪ impact on the commercial vineyards downslope from the site which rely on groundwater for irrigation? ○ If so, please provide copies of relevant assessment documents, and management plans, or otherwise supply relevant information • Engineering & Design		
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Summary of Submissions

Proposed Aged Care Accommodation, Alterations and Additions to existing buildings (Additional 80 beds).

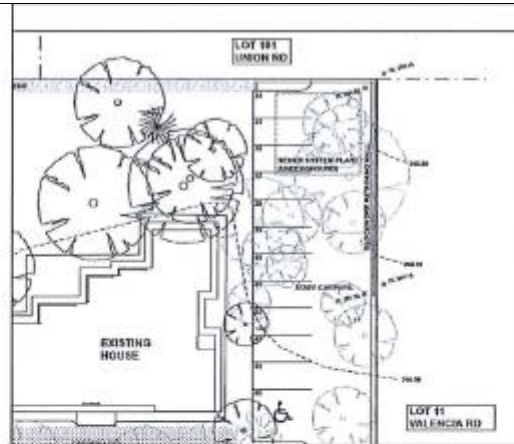
Public Comment Period: (January 3) 2018 to (April 30) 2018

	Applicant / planning ○ The architectural plans provided appear to lack detail around certain items which are a cause of concern in terms of safety and adverse impact mitigation on immediate neighbours. Queries around dust, noise and stormwater aspects are queried elsewhere in this document. Has assessment been made and controls/designs formulated around the following: ▪ Driveway area "B" • light vehicles falling off the ~1.5m high car park and into neighbouring properties • how will this be managed for MRVs (which can readily pass over standard curbing heights for example) • what design features will be emplaced to ensure that MRVs which suffer a loss of control (brake failure, driver error) to ensure they do not run off the driveway and into neighbouring properties and structures • Does the retaining wall of driveway and parking area "B" constitute a structure that lies within statutory setback limits? Applicant — ▪ Where will rubbish (e.g. in bins or skips) be stored on site? Applicant — ▪ Where will hazardous materials and dangerous goods (refer dangerous goods as outlined above) be stored on site? Health / Applicant — ▪ What is the purpose of the underground "Sewer System Plant" located on corner near Lot 101 and Lot 11? • Does this lie within statutory setback limits? • Has there been an assessment of large trees on adjoining properties and their potential impact on this structure (and the retaining wall) over time?		
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Health

- In relation to the effluent treatment system; the plans and images provided as part of the documentation possibly appear too large to fit within the Sewer System Plant area as outlined above.
 - Does this mean that there will be above ground tankage and pumps for the effluent treatment system?
 - Will these be in the open or within a building?
 - Either where will the system be located?

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	Health/ Engineering. ▪ Will there be a grease trap for the commercial kitchen and the café to ensure the effluent system is not impeded, and where will the trap be located? How will this be pumped? ▪ Will electrical power to the development site and within the development site be through underground or overhead power lines? Will there be a transformer on site and, if so, where will it be located? Will there be a backup generator on site and, if so, where will it be located? • Effluent Treatment ○ In terms of effluent generated and/or treated on site, has an assessment been made of: ▪ geotechnical conditions of bedrock (primarily thin lateritic gravels over fresh granite) and the ability for this to manage drainage downslope from the leach drains such that no surface flow will occur ▪ volume of solids, and also brines if reverse osmosis system used as part of treatment, and periodicity and mode of removal from site ▪ impact of stormwater including peak rainfall events as outlined elsewhere) on the capacity of the proposed leach drains, downslope bedrock flow capacity, storage of solid waste/brines ▪ design capacity and management plans for unplanned shutdown of the system, including management of untreated effluent and prevention of unlicensed emissions ▪ The above item is critical as, unlike say a factory or a hotel which may be completely shut down until systems are restored, this facility will be full of vulnerable residents and complete shutdown the some effluent generating processes for any amount of time (hours to days) will likely not be possible without endangering the health of patients.		
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Summary of Submissions

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	Applicant , • Security ○ The ground level as proposed will be built up beyond the height of existing property boundary fences, and there will be a significant increase in public access along driveways down the side of the development property. What fencing or other measures (e.g. boom gates) will be put in place to ensure that: ▪ at a minimum neighbouring properties retain current levels of security, particularly keeping people and roaming dogs out, and pets and children in. ▪ highly vulnerable patients do not leave the site without supervision ▪ there is no increase “unwanted visitors” potentially giving rise to an increase in burglaries, graffiti/property damage and personal attacks on neighbouring properties It would be greatly appreciated if these questions and any responses/documents be lodged on the council website if possible please.		
Objection			

Summary of Submissions

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Executive Summary

The proponent for the Valencia Nursing Home Expansion development has lodged an application to significantly increase the Valencia Nursing Home facility to cater for up to 146 beds (66 existing, 80 new) and approximately 30 staff. The proposed design as it stands will have significant environmental and social impacts that will impact adversely upon on adjoining land use should the development be approved in anything close to its current form. Fundamentally, the proposed development is very much out of scale in relation to the size of the development site. Oversizing of the design has therefore resulted in locating most of the negative impact sources (listed below) right on the development property boundary where they impact most on adjacent land use and where they cannot be effectively managed with appropriate containment and mitigation measures. The impacts include:

- Noise emissions (traffic, delivery and pickup by trucks, reversing beacons, leaf blowers, liquid waste pumping, air conditioners, extraction fans, elevated driveway and delivery areas located on property boundary)
- Dust emissions (traffic on gravel driveways, rubbish removal)
- Fumes & odours (commercial kitchen, café, laundry, septic & effluent systems, solid waste)
- Stormwater (increased erosion capacity, overloading of effluent leach system, localised and cumulative downslope impact on poultry farm, vineyards and water catchment).
- Groundwater contamination (long term effect of effluent release; no practicable way to shut down sewage treatment system in the event of non-compliance and resultant surface water & groundwater contamination, impact of such contamination on current bore water use)

Summary of Submissions

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	• Visual impact (~10 metre high building close to the property boundary, retaining walls on boundary, elevated delivery areas and driveways on property boundary, removal of almost all vegetation, window glare, external lighting) • Physical security and mental wellbeing (overlooking of young children's play areas and swimming pool, a lack of any screening of windows or second storey balconies, increased property and personal security risk) Based on available information, the only conclusion that we can arrive at is that the proposed development application should be rejected in its current form. If, however, the proponent was to resubmit an application for a smaller scale development that takes into consideration requisite mitigation requirements, it would most likely receive a more favourable response from us.			
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Introduction

The proponent for the Valencia Nursing Home Expansion development, Burswood Care Pty Ltd, has lodged an application to significantly increase the Valencia Nursing Home facility to cater for up to 146 beds (66 existing, 80 new) and approximately 30 staff. It is recognised that any development, such as that proposed for the Valencia Nursing Home, needs to be assessed on the basis of its impact, both positive and negative, on the financial investor, the community and the environment. The proponent of this proposed development will certainly be looking for a significant financial return on capital invested, the broader community undoubtedly see an increasing need for aged care facilities in the Kalamunda area, and an expanded facility will provide several employment opportunities. However; these outcomes must be balanced against negative impacts of the proposed development on the natural environment, local residents and the broader community. Only then will a sensible and balanced outcome be achieved.

Thus far the proponent may (or may not) have followed correct statutory process, but in our opinion, they have failed to adequately engage with the local residents in a way that modern society now sees as a key component to achieving a real social licence to operate. The proponent has instead left the Kalamunda Shire to passively engage with the local community through letters to residents and an open night. Fortunately for us as residents; Kalamunda Shire staff members have been willing to take our calls and answer our queries in a professional fashion. The approach taken by the proponent is disappointing to say the least, and the “respectful presence” claimed in the opening paragraph of the proponent’s Planning Report is demonstrably without foundation.

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	The proponent has submitted a proposal which clearly maximises the scale of the development and potential financial return, at the same time appearing to cater for an expected “push back” from neighbouring residents on some design elements. This has resulted in a development design that is far too large for the site. The proposal is also totally lacking in any material mitigating design features or operational plans that will counteract significant environmental and social issues that have the potential to impact adversely upon on adjoining land use should the development be approved in anything close to its current form.			
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Summary of Submissions

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Noise & Dust

- The proponent's architectural design has deliberately located several areas of high impact activity away from the aged care residents to the edges of the development site, which will have a material detrimental impact upon adjacent properties.
 - The delivery area and car park area "B" are located immediately along the boundary with Lot 10 and Lot 11 on the south-eastern side of the development site (Figure 1).
 - The driveway element includes construction of a retaining wall and ignores any setback requirements in relation to the property boundary.
 - The driveway is elevated by up to 1.5 metres above the natural land surface.
 - The residence on Lot 10 is only ~10 metres from the driveway and only ~25 metres from the delivery area (Figure 2).
 - The driveway will be utilised daily by Medium Rigid Vehicles ("MRV's") for delivery of supplies and most likely waste pickup (rubbish skips), by staff vehicles accessing parking area B, and by MRV's removing liquid and solid waste derived from the sewer system, and from grease traps associated with the commercial kitchen.
 - MRV's will be expected to reverse into the delivery area, and will also have to reverse out of the driveway on occasion, as the proponent's traffic assessment diagrams indicates that there is insufficient clearance for two MRV's to pass.
 - The driveway is currently proposed to be gravel rather than paved.
 - Essentially all existing vegetation would be removed from the development site, which might otherwise aid in diminishing the effects of sound and noise emissions.
 - There is a total lack mitigating design features that will reduce dust or sound emissions affecting neighbouring properties

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	• Gravel roads typically create more dust during vehicle use than paved roads, and the elevated nature of the driveway, combined with removal of existing vegetation along the boundary, will significantly promote dust dispersion on to neighbouring properties. • MRV's and ambulances typically have audible reversing alarms installed that emit loud (~80-100dB) high pitched (~1200Hz) sound (Table 1). The delivery area located adjacent to Lot 10 and Lot 11, and within 25 metres of the residence on Lot 10, will require MRV's to reverse within a confined space. Building walls adjacent to the delivery area will add to the issue by reflecting sound toward Lot 10 and Lot 11. • Noise emitted by MRV's, waste vehicles, and the emptying of skip bins is typically around 90dB across a range of frequencies (Table2). • Vehicle noise emissions are a material issue given the proximity of residences.		
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	• Various other noise emission sources will be located on the proposed development site, including: ○ Air-conditioning plant located on the third floor of the proposed building ○ Sewer system plant located on the boundary of Lot 11 ○ Leaf blowers, which are already in use to clear fallen leaves, and use is expected to increase with more hard surfaces put in place. Most leaf litter is blown from neighbouring properties. ○ Lawn mowers ○ Air/fume extraction systems associated with the industrial kitchen, café, and the industrial laundry facility. • The cumulative noise levels arising from day to day operations of the development site will have a detrimental effect on neighbouring residents, particularly in terms of sleep, and impact upon the ability of residents to continue to utilise their land in the same manner as they do currently.			
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	Stormwater Water Management • The development site, covering 12,421m², currently comprises a mix of impermeable man-made surfaces and natural surfaces (e.g. soil, gravel, grass) of varying permeability, across which surface water will flow during a rainfall event. The proposed development, with a significant increase in both roof area and paved area (pedestrian and vehicle access) will logically result in the following: ○ An increase in the total surface water moving across the site due to a significant loss of permeable ground surfaces across the site; ○ A decrease in diffuse surface water flow and a commensurate increase in focussed surface water flow due to increased capture of water from the roof surfaces and channelling into downpipes prior to release; ○ An increase in the velocity of surface water flow and a commensurate increase in erosion capacity with the potential to negatively impact on neighbouring properties due to:		
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	▪ An increase across the site of smoother surfaces (i.e. bitumen, compacted gravel & paving as opposed to rough natural surfaces), and ▪ Water dropping from built-up surfaces (e.g. driveway and parking area "B") that are up to ~1.5 metres higher than the natural surface level on neighbouring properties, including Lot 11 and Lot 101. ○ Rainfall records for Bickley (the most appropriate recording station for comparison) commenced in 1969 (www.bom.gov.au), and they provide some insight into the intensity of rainfall events that can occur. Since 1969 there have been; ▪ 47 days where rainfall has totalled or exceeded 60mm during a 24 hour period (i.e. once each year on average), ▪ 6 days where rainfall totalled or exceeded 90mm in a 24 hour period, and ▪ Peak rainfall events of 137mm (30th July, 2001) and 139.2mm (16th January, 2018). ○ As an indication of what this means in practical terms for stormwater management on the proposed development site; this translates to a total stormwater volume over a 24 hour period of; ▪ ~729m³ for a 60mm rainfall event ▪ ~1,093m³ for a 90mm rainfall event, or ▪ ~1,690m³ for a 139.2mm rainfall event.		
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| | <ul style="list-style-type: none">• Evaluation of stormwater impacts should not be restricted to daily rainfall events, but must also consider high intensity rainfall events over shorter periods of time. These high intensity events are typically hidden within daily rainfall data records. Geoscience Australia has over the last several decades been tasked by the Federal Government to assess and monitor natural hazards and to advise other levels of government.○ A 2005 report prepared by Geoscience Australia (Natural Hazard Risk in Perth, Western Australia, Comprehensive Report) highlights the fact that <i>“Heavy rainfall events are not confined to a 24-hour period. Intense rainfall of short duration can result in flash flooding; causing gutters and drains to overflow in five to ten minutes On 30 March 2003, for example, the State Emergency Service responded to over 100 requests for flood-related damage when a thunderstorm caused 29 mm of rain in half an hour at Perth Airport.”</i> This demonstrates that daily rainfall totals do not provide a full picture of the potential impact of rainfall events.○ The report then goes on to outline how these brief high intensity events should be properly assessed: <i>“To assist in hydrological design procedures the frequency analysis of rainfall data can be indicated by derived intensity–frequency–duration (IFD) design rainfall curves. IFD curves for Perth are shown in Figure 2.7. These show the rainfall rate for periods ranging from 5 minutes to 72 hours, which correspond to average recurrence intervals (ARI) ranging from 1 year to 100 years. The ARI of 2 years, for example, corresponds with 20 mm of rainfall in one hour, and an ARI of 50 years corresponds with the occurrence of 40 mm of rainfall in one hour.”</i> (Figure 3) | | |
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| | <ul style="list-style-type: none">• The key negative impacts of concern due to uncontrolled stormwater derived from the development site are;<ul style="list-style-type: none">○ The physical management of stormwater on the proposed development site, such that resultant surface water crossing on to Lot 11 or other neighbouring properties does not cause:<ul style="list-style-type: none">▪ Physical erosion resulting in the removal of existing soil and vegetation particularly along the existing the firebreak. If the existing gravel cover is eroded, the exposed bedrock will cause firebreak maintenance to become difficult and potentially costly. Erosion may also destabilise large trees which may then fall.▪ Foreign materials (e.g. rubbish, hydrocarbons, sewage spills & soil) to be washed on to Lot 11, particularly as the delivery and pick-up area is located adjacent to the boundary of Lot 11.▪ Untreated effluent or other chemical contaminants to wash on to Lot 11 due to the influx of stormwater in to the sewage treatment system and associated leach pads whether that is via surface or sub-surface flow.○ A current lack of appropriate stormwater management design and a control plan that will take into consideration peak rainfall events such as those discussed above (whether periods of 24 hours or less), as these peak events have a very real capacity to cause significant environmental damage to neighbouring properties in a very short period of time.• Kalamunda Shire has publicly acknowledged the potential impact of climate change (Local Biodiversity Strategy: Natural Planning in the Shire of Kalamunda, 2008). The expected increase in extreme weather events, particularly high rainfall events, must be considered when assessing stormwater management for the site over the expected life of the project (at least 50 years based on life of the facility to date). | | |
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	• At a slightly broader scale, excessive stormwater runoff from the proposed development site has the capacity to impact upon Treetops Farm (Lot 20) and then move further down the valley. Located immediately downslope from the Valencia Nursing Home and its proposed flat bed sewer system, Treetops farm is a free range egg producer with poultry sheds located only ~20 metres from the development site. In the event of an excessive flow of stormwater there is the potential for chemical and biological contaminants to be moved, both from the proposed development site and from Treetops Farm, downslope toward Myattsfield Winery (cellar door and vineyard) and ultimately in the direction of the storage dam belonging to Cosham Winery (Figure 4). Stormwater drains along Carmel Road East may divert water flowing downslope toward Myattsfield, but the result would be contaminated stormwater flowing along Union Road, resulting in essentially the same outcome. The risk of organic chemical		
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and biological contamination of surface waters on those businesses downslope from the proposed development site, and the potential for contamination of Piesse Gully and the water catchment in which it lies, is a concern that must be adequately addressed.

Groundwater

- One of the key issues in terms of sewage treatment and the disposal of treated water is what will happen if there is any failure of the treatment system resulting in the release of contaminated water, either at or below surface. Unlike a box factory (for example), where operations may be shut down until water emission compliance is achieved, it will not be practicable for Valencia Nursing Home to shut down operations for more than a short period of time without compromising the health and well-being of the residents. This means that, as no system is fail-proof, contaminated water will at some stage enter the environment outside of the proposed development site.
- Regolith and bedrock geology within the development site and adjacent properties typically comprises thin (typically less than 1 metre thick) transported lateritic gravel over Archaean granite. The proposed development includes a flat bed sewer system/leach drain built above the natural surface. However, there does not appear to have been assessment of the ability of the underlying gravels and granite bedrock to receive treated effluent at the rate projected by the proponent (~24,000 litres/day), particularly during periods when stormwater will add to the volume of water entering the leach drain. Unless the bedrock has the requisite permeability, water from the leach drain may flow along the interface with the underlying granite and exit at or near surface on adjacent properties located downslope. This potentially includes Lot 11. (Note: the proponent's architectural plans contain more detailed topographic data demonstrating a south-easterly slope for a portion of the development site adjacent to Lot 11).

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	• Geotechnical studies should also examine: ○ Depth to current groundwater table during both summer and winter months. ○ The potential for groundwater to breach surface further the valley as seeps or springs. This will require physical investigation on neighbouring properties. • There exists on Lot 11: ○ A number of chestnut, almond, olive and carob trees located between 5 to 40 metres downslope from the boundary of the development site, and downslope of both the south-eastern end of the proposed effluent leach drain and the proposed sewer system plant location as outlined on the architectural plans (Figure 6). The nuts, olive and carob pods are used for human consumption, and carob pods are also provided to the Perth Zoo every February for consumption by resident giraffes and orangutans.		
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	○ An operating water bore is located less than 100 metres downslope from the boundary of the development site and the sewage treatment system, water from which is utilised to reticulate gardens, including fruit and vegetables used for human consumption, and to fill a swimming pool. ○ Several large eucalypt trees are located within a few metres of the proposed (underground) sewer system plant located under parking zone B (Figure 6). • In this context, there is a real concern around the potential for: ○ Short term release of water, at or near surface, from the site that contains chemical and biological contaminants. ○ Longer term build-up of contaminants in the water table which will affect groundwater quality. ○ Native tree mortality due to detrimental nutrient release (e.g. phosphate). • Monitoring of the quality of treating effluent leaching from the leach drain into the bedrock should be monitored via purpose-built water monitoring bores located along the boundary with neighbouring properties so as to measure the impact of any breach of emissions that may occur.		
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	Traffic & Parking • The Road Traffic Assessment provided by the proponent is a brief desktop study only and appears lacking in key areas, including impacts on pedestrian traffic, visual screening, and noise and dust emission issues outlined elsewhere in this submission. At the very least, the study lacks an assessment of: ○ Medium Rigid Vehicle (MRV) numbers accessing the site, average and peak numbers. ○ The number of vehicle movements along Valencia Road during the daylight hours vs night time hours, broken into MRV and light vehicles ○ A measure of existing vehicle movements/parking on site, so as to use real data as a test of the veracity of the desktop traffic study. ○ Existing use of the Valencia Road verge for public and staff parking. ○ Those aspects covered by the Local Planning Scheme in relation to section 5.7 <i>Car Parking Requirements</i>, in particular under section 5.7.1: <i>"v) the location of the car bays on the site and their effect on the amenity of adjoining development, including the potential effect if those bays should later be roofed or covered;</i> <i>vi) the locations of proposed public footpaths, vehicular crossing, or private footpaths within the lot, and the effect on both pedestrian and vehicular traffic movement and safety;</i> <i>vii) the suitability and adequacy of proposed screening or landscaping;"</i> • Figure 8 of the proponent's traffic assessment report demonstrates that MRV access along the south-eastern driveway to the delivery area cannot be two-way as the		
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	access route will not be wide enough, particularly if any fencing is put in place. This raises the very likely situation where MRVs will be reversing across the pedestrian footpath and on to Valencia Road. • A random count of vehicles parked at the Valencia Nursing Home over the last few weeks has been undertaken (Table 3). The survey is clearly not of sufficient size to provide anything more than an indicative measure of maximum and minimum numbers of vehicles on site during daylight hours across the timeframe of the survey. However, some important inferences can be made. ○ The maximum number of vehicles observed (51 light vehicles, 1 motorbike & 1 ambulance on 13th February) clearly demonstrates that current use does on occasion significantly exceed the requirement for 21 car spaces modelled by the proponent for existing site requirements (c.f. actual of 24 bays), and in fact it also exceeds the total of 45 parking bays modelled for the proposed expansion. If the 53 vehicles observed were to be scaled up by the same factor that has been applied to calculate total projected parking requirements for an expanded facility, there would have been 114 vehicles parked on and around the expanded site.		
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	• On a more measured note; observations in Table 3 clearly indicate that ~30 vehicles are regularly parked on site each weekday morning (c.f. current approved 24 bays on site plus verge parking of ~15 vehicles), which when scaled up to reflect the development proposal would indicate that there will actually be a regular requirement for at least 64 parking bays to cater for the expanded development. • Empirical observations made in terms of actual daily parking use, although obviously limited in number, would indicate that at least 20 vehicles will be parked on the street or street verge along Valencia Road each weekday morning if the facility is developed as planned and implemented without additional parking bays being added to the site • Any significant increase in on-street parking along Valencia Road will cause issues both with regular kerbside rubbish collection and daily school bus access. It will also impact on the safety of pedestrians and cyclists that use the pathway and road daily, including both adults and children. • Valencia Nursing Home currently utilises the entire street verge in front of the facility for public and staff parking (~15 vehicle capacity in addition to the 24 approved bays on site), and the verge has been covered in gravel and compacted for this purpose. Vehicles typically reverse across the public footpath to leave the Nursing Home site via Valencia Road. The verge parking, in conjunction with the 3 proposed driveway access points on to the proposed development site, will effectively result in a ~100 metre long extent of the only public paved pedestrian pathway along Valencia Road being continuously crossed by (mostly reversing) vehicles. The majority of those vehicles will be reversing across the pedestrian pathway. This represents a serious risk to pedestrians and cyclists utilising the only pedestrian pathway on the north-eastern side of Valencia Road. This risk will be increased with any overflow street parking associated with an expanded development.		
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	• The proponent's traffic assessment report focusses on the additional traffic in relation to the site, and not the overall traffic flow. Based on assumptions presented in the development application (~360 trips to or from the site each day), and with most traffic (based on our observations around 75%) likely restricted to a 12 hour "daytime" period, the overall number of vehicle trips along Valencia road to/from the site will be ~240. This equates to a vehicle passing the along Valencia Road every three minutes, and it is not inclusive of other residential, public transport (including school busses) and visitor traffic. This is an excessive vehicle load in what is a quiet rural-residential street. • The proponents traffic assessment report also refers to the document "Guide to Traffic Generating Developments.; 2002", which will have been weighted heavily toward urban sites within Sydney. It is therefore unlikely to have considered additional traffic in peri-urban or rural areas associated with, for example, regular pumping of septic/sludge tanks and a lack of site access by public transport. This indicates that the proponent has likely significantly underestimated levels of vehicular traffic associated			
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	with the proposed development. This is also reinforced in part by the clear underestimation of proposed parking requirements by the proponent as outlined above. • On a more general note, there is a wider impact on nearby land use caused by an increased traffic load, including; ○ Recreational off-road cyclists, pedestrians and horse riders regularly utilise existing off-road tracks that cross Carmel Road, Carmel Road East and Glen Isla Road. An increase in traffic will increase the hazards in relation to those activities. This includes members of our family. • Significantly increased vehicular traffic associated with the proposed development does not appear consistent with the Shire of Kalamunda Local Planning Strategy (2010) document, in which there is a clearly stated strategy to: ○ <i>"Stem the trend of 'urban' uses such as trucks intruding into rural areas"</i> (page 25), and ○ In the context of the Bickley and Carmel Valley Wine Trail, <i>"preserve the unique and picturesque landscape ideal for tourism"</i> (page 118).		
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Visual Impact, Overlooking, Lighting

- The major new building, as currently proposed, will comprise a structure that extends vertically for ~10 metres above the immediately adjacent natural surface within Lot 11 (~8.6 metres distant), and there is no consideration in the proposed design that would in any way diminish or screen the visual impact of such a large structure as seen from both Lot 10 and Lot 11. This is an overly imposing structure for an area where adjacent properties are zoned Special Rural
- The large expanse of windows in the proposed 10 metre high, 3 storey building will undoubtedly:
 - Create glare which will impact of neighbouring properties, particularly if tinting or other reflective films are utilised.
 - Increase the likelihood of birds flying into windows, resulting in injury or death (unfortunately, a not uncommon occurrence in the area from our experience). This will occur more often if tinting or other reflective films are utilised. Of particular concern are the various species of black cockatoo which reside in the area. We have over the last 7 years observed ~45 different native bird species within Lot 11, either resident or itinerant, including the occasional sighting of a peregrine falcon (a species declared to be fauna that is in need of special protection (Government Gazette, WA 16th January, 2018)).

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	• The proposed development includes elevated ground floor and second storey balconies and communal lounge/dining areas that have been designed to deliberately and exclusively overlook houses and yards of neighbouring properties (including Lot 11). No screening of the balconies or windows has been included in the proposed design. Views from the balconies and communal windows will allow direct line of site into neighbouring household windows, swimming pools and play areas commonly utilised by young children. This represents a serious impact on the privacy and psychological well-being of neighbours, and potentially represents an increased security risk for children living and playing on neighbouring properties. • Valencia Nursing Home currently has external lights installed and operating during hours of darkness. These have been installed such that bright light is directed away from site buildings toward neighbouring properties and residences. Additional external lighting and increased light emission from large windows proposed for the new building (principally the upper storeys), and removal of essentially all vegetation			
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	that might otherwise provide a degree of screening, will significantly increase the discomfort for neighbours and negatively affect local wildlife (e.g. Robert et al; 2015, http://dx.doi.org/10.1098/rspb.2015.1745). • The current design requires almost total removal of vegetation along the boundary with Lot 10 and Lot 11, and there is no consideration in the current design for replacement with suitable screening plants, fences or other visual barriers along the boundary with those properties. Within the current design, there is physically no room for screening plants along the boundary with Lot 10 and Lot 11. The design, if implemented as it stands, will therefore result in the owners of the adjacent properties, including us, having to bear a significant financial cost in mitigating the visual impact of the development. The cost of putting in place suitable mature screening plants and other screening structures is likely to run into tens of thousands of dollars. • A local arborist (Tree Aesthetics) was recently consulted to evaluate what impact the proposed removal of several large trees from the development site would have on trees located within the adjacent Lot 11. This includes a number of marri and jarrah trees with diameter at breast height (DBH) of greater than 50cm. The verbal advice we received was that removal of large trees from the development site would require that the canopies of several of our large and medium sized trees located on Lot 11 would have to be thinned so as to balance up the tree as an aid in preventing significant damage or loss from wind and storms. This would obviously incur a significant financial cost that would again have to be met by us. • Assurance will need to be sought from the proponent, in written form, that work undertaken on the development property will not (without a mutual agreement in writing) result in the damage or destruction of large trees within our property, or of the common boundary fence (which is currently in good standing as it was recently replaced at our sole cost). • The building materials and colour scheme as proposed are very much out of character in relation to the local environment. Those materials and colours used in the design appear more suited to a beachside suburb. Any redevelopment must be more in tune with the colours and materials of the rural setting.		
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	Security • Several design and management factors in the proposed development will increase personal and property risk for immediate neighbours, including our family: ○ The ground level, as proposed for the driveway access between Valencia Road and parking area B, will in places be built up above the height of existing property boundary fences, thereby allowing easy access by unwanted guests into the back yards of neighbouring residences. This may include vulnerable Nursing Home residents (that have been known to occasionally wander from			
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the Nursing Home without supervision despite management strategies that are in place), members of the public (whether legitimate Nursing Home visitors or otherwise) and stray dogs.

- Proposed driveway access between Valencia Road and parking area B will allow public access to the back of neighbouring properties, placing children, pets, and belongings at increased risk of injury or damage by unwanted visitors.
- These concerns are significantly elevated as residents of several properties adjacent to the development site, including us, are engaged in fly in – fly out employment within the mining industry. This means that there already exists a heightened security risk for our family members remaining at home.

Dangerous Goods & Hazardous Waste

- Aside from the location of a gas tank in the western corner of the development site; there has been no indication of the range of dangerous goods and hazardous materials that will be stored, utilised and/or generated on site, the volumes involved or control measures that will be put in place. It is reasonable to assume that this may include, but not be limited to:

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	○ Hydrocarbons (fuel, gas, solvents and etc.) ○ Poisons (rat poison, insecticides, herbicide, and etc.) ○ Medical (drugs, solid and liquid medical waste and etc.) ○ Asbestos (existing buildings) ○ Waste products from proposed Café, hairdresser, commercial laundry and commercial kitchen ○ Materials (e.g. cleaning agents, detergents & solvents) used by Café, cleaning staff, hairdresser, commercial kitchen and commercial laundry ○ Chemicals used for treatment of effluent, potable water and etc. • The concern is that some of these materials represent a potential risk in terms of: ○ Allergic reactions, including asthma, caused by allergens (e.g. dust, hydrocarbons) ○ Potential threat to life in terms of young children, pets (dogs and cats) through the use of rat poison, pesticides and/or herbicides. ○ Potential threat to life in terms of local wildlife. Three boobook owls have regularly been roosting on Lot 11, for example, and recent studies have indicated that use of rat poison is significantly reducing the local owl population (http://www.abc.net.au/news/2017-12-06/boobook-owls-victims-of-rat-poison-study-finds/9227944).		
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	Odours and fumes • Of concern is the impact of unpleasant odours arising from day to day operation of: ○ The commercial kitchen ○ The commercial laundry ○ Rubbish storage (skips or otherwise) ○ The sewage treatment plant ○ Pumping of effluent solids and removal from site • Some of these elements, such as the sewage treatment plant for example, are slated to be located right on the property boundary, which limits the capacity of the proponent to prevent odours from impinging on adjacent properties.		
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General Project Design Elements

- Based on available documentation as lodged by the proponent:
 - There is no engineering in place to prevent vehicles, including fully loaded MRV's and waste disposal vehicles, accidentally (driver fatigue, loss of brakes etc.) leaving the elevated driveway access to parking area B and falling up to 1.5 metres down on to the adjacent Lot 11, an area where young children routinely play.
 - The raised driveway access to parking area B and the delivery area, being located immediately on the property boundary (and elevated by up to 1.5 metres relative to neighbouring land surfaces), will leave no ability for contaminant spills from vehicles (e.g. hydrocarbons, sewage) to be fully contained and managed on site.
 - Both the sewage treatment plant and the flat bed sewage system (i.e. the leach pads) are planned to be located right on the development property boundary), which leaves absolutely no capacity for the on-site containment of surface spills of sewage, the solid and liquid waste derived from treatment of sewage, or chemicals used in treatment of sewage, particularly during rainfall events. The sewage treatment system, particularly the sewage system plant, needs to be relocated centrally within the development site so as to ensure any spillages can be contained and managed wholly within the Valencia Nursing Home site.

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	It should be noted that is unclear exactly which sewer plant components will be located underground, if any, and how vehicle parking can occur over the site shown in Figure 6. It should also be noted that other documentation lodged by the proponent also has the sewer system plant located above ground in the same location (which would remove several planned parking bays). ○ The placement of driveways, retaining walls and other structures right up against the development property boundary, and well within the setback areas, will result in: ▪ Removal of essentially all vegetation from the development site. ▪ Little or no scope for physical screening elements to be put in place to materially control noise and dust emissions. ▪ Little or no scope to put in place appropriately engineered stormwater containment features to ensure stormwater is fully captured and managed on site. ▪ The positioning of significant noise sources closer to neighbouring residences than should otherwise occur. ▪ Little or no scope to put in place appropriately sewage or hydrocarbon stormwater containment features to ensure contaminants are fully captured and managed on site. ○ A range of noise, dust and odour emission sources, including areas such as those used for goods delivery, waste storage, backup power generators, and the sewage plant (if placed above ground), should be fully enclosed within buildings so as to control and mitigate the risk of environmental emission breaches (noise, dust, sewage and etc.). ○ The proponent has provided detail of the building footprints and overall floor area as a measure of the Plot ratio (Table 4). The proposed design has a plot ratio of 0.517, which is in excess of the Shire's plot ratio requirement of 0.50		
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	However; there has been no consideration by the proponent of the likelihood that additional buildings will be required for hazardous materials storage (for example), and will also potentially be required to fully enclose areas as an environmental impact mitigation measure, such as those areas used for goods delivery, waste storage, backup power generators, and the sewage plant (if placed above ground). Any of these additional buildings will take the plot ratio further over the limit. The proponent has significantly underestimated the number of parking bays required on site with an expanded development as proposed. There will be a need for ~60 to 65 parking bays on site, with overflow parking on the street and verge as required. The development site is too small to contain the proposed development and the expanded parking capacity required to service it.			
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Summary & Conclusions

The Valencia Nursing Home development will, as it is currently proposed, have a material impact on adjacent land use. It will undoubtedly have a significant impact on the existing use and enjoyment of our property, Lot 11 – 38 Valencia Road, located in what is essentially a peaceful rural setting.

Fundamentally, the proposed development is very much out of scale in relation to the size of the development site. Oversizing of the design has therefore resulted in the positioning of all material issues of concern (listed below) right on the development property boundary where they will undoubtedly impact negatively on adjacent land use, and where appropriate containment and mitigation measures cannot be fully implemented. The impacts include:

- Noise emissions (traffic, delivery and pickup by trucks, reversing beacons, leaf blowers, liquid waste pumping, air conditioners, extraction fans, elevated driveway and delivery areas located on property boundary)

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	• Dust emissions (traffic on gravel driveways, rubbish removal) • Fumes & odours (commercial kitchen, café, laundry, septic & effluent systems, solid waste) • Stormwater (increased erosion capacity, overloading of effluent leach system, localised and cumulative downslope impact on poultry farm, vineyards and water catchment). • Groundwater contamination (long term effect of effluent release; no practicable way to shut down sewage treatment system in the event of non-compliance and resultant surface water & groundwater contamination, impact of such contamination on current bore water use) • Visual impact (~10 metre high building close to the property boundary, retaining walls on boundary, elevated delivery areas and driveways on property boundary, removal of almost all vegetation, window glare, external lighting) • Physical security and mental wellbeing (overlooking of young children's play areas and swimming pool, a lack of any screening of windows or second storey balconies, increased property and personal security risk) Based on available information, the only conclusion that we can arrive at is that the proposed development application should be rejected in its current form. If, however, the proponent was to resubmit an application for a smaller scale development that takes into consideration requisite mitigation requirements, it would most likely receive a more favourable response from us.		
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	Preamble: While I do not object to a re-development of an old nursing home building, I do very strongly object to an additional building of any size on the block currently occupied by what was the Valencia Nursing Home. The current building has very primitive security facilities, as can be testified by the fact that the local CARMEL residents have been involved from time to time in helping to locate patients who have left the Nursing Home of their own accord, particularly at night. 1) It is noted that the licence for the new building is for 120 beds so why is the design for the new building shown as 146 beds allowed? Does the licence involve both buildings or just the new building? 146 beds means that up to 300 people could be on the site on any given day. A more reasonable suggestion would be to re-develop the old building involving some 80 beds. 2) Has anybody done a geotechnical survey? Most residents know that the proposed area to be occupied by the new building is squarely on a very large slab of cap-rock. I can testify to the presence of the cap-rock by virtue of the point that I was involved in the removal of two very large trees, sited at approximately at the centre of the proposed new building. Both trees had no tap root, implying the presence of cap-rock. Those trees were removed 25 Years ago. The intention then was to build a motor cycle dirt race training track. That was stopped! Black water from 300 daily itinerant people means that the said water has to be drained and absorbed on the site. The cap-rock will see to it that the black water will break the surface at the point of the absorption trenches. Other nearby residents have seen that problem happening, from black water emanating from just 6 residents, on their sites. The cap-rock is there! There is no deep infill sewerage in CARMEL, implying that all drainage from CARMEL leads to the Helena Valley water catchment. Helena Weir is pumped back into Mundaring Weir, implying that black water from CARMEL and elsewhere is being reticulated to the Wheatbelt and Kalgoorlie, as drinking water. Good idea folks! Best of luck in trying to cut through the cap-rock. Other have tried it, and failed.		
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	3) If one is going to have a problem with the absorption of black water, then one is also going to have a problem of absorption of storm water. The drainage of storm water is impaired by the proposed amount of buildings, car parks, paved walkways, the maintenance shed (not shown) and backup generator (not shown). In January 2018 there was 136mm rainfall in 24 hours; an extreme event, but 60mm in one hour has been recorded several times a Year. With over 50% of the site covered there is very little land surface left to take up this volume of storm water. The implied presence of the cap-rock does not help in the relief of the situation at all. What provision has been made for handling this volume of storm water on a regular basis?		
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	4) It is noted that there is a secondary treatment system going in for the sewerage system. Is there any documentation showing that the style of secondary treatment system chosen to be effective? Is there any guarantee that the current developers will use the quality system proposed and not replace it with a cheaper and maybe less effective system than has been described? The output of any such system is still black water, finishing up being pumped to Kalgoorlie and elsewhere, as drinking water, in any event. Now you know why when GREEN'S LANDING (HEIDELBERG) (CARMEL) when first established was the home orchard for CARMEL COLLEGE. There was then and is now, no possibility for deep infill sewerage reticulation in the CARMEL area. You won't drain black water, however treated, into cap-rock. The home orchard did not ever present that kind and scale of a problem. Obviously, a MUCH better use of the available land area in what is now, CARMEL. 5) The drainage of the treated water (black water) is shown as going into raised infill. This is not the best absorption material and is not sufficient for the volume of (black) water generated (by the said 300 daily itinerant people) and in this size establishment, particularly if there is an outbreak of infections which could double the flow rate. The addition of heavy rains will further exacerbate the problem. What provision has been made for regular environmental testing to be done by the Shire Health Department? 6) Grey (black) water systems and treatment plants do not function if antibacterial solutions, medications and fats are introduced into the system. How can a nursing home function without anti-bacterial cleaning agents? What provisions have been made to contain modern drug resistant bacteria? What provisions have been made to dispose of biological hazard materials?		
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	7) The presence of three stories detracts from the rural presence of CARMEL. The setback of 4.4m on the North side is insufficient. The retaining wall is 1.5m with two floors and plant room on top. This will create an echoing area when traffic goes up and down Valencia Road (including ambulances) and disturb the adjacent houses, particularly at night. The required plant room will generate noise on a 24 hour per day basis. The entire locality of CARMEL to date has never been subject to this kind of continual noise generation. 8) There will be an increase in vehicular traffic generated by staff (both nursing and auxiliary staff), visitors and ambulances. Valencia Road is narrow, as is most other roads in the locality of CARMEL. There has already been an incident where speeding staff (running late) have hit animals on the road. What provision is being made to control speed on the road and accidents at the intersections of Carmel Road East, Glen Isla Road and Valencia Road? Continually, motorists continue to ignore the 'STOP' signs at Glen Isla Road, and also continue to make an illegal right hand turn into Valencia Road. That happens at present, daily. What will increased traffic flows do to the number of near misses visited at present? There are no traffic cameras in the locality of CARMEL. 9) Many nursing homes employ part-time staff, artificially increasing the numbers of daily itinerant people necessarily being present on a 168 hour per week basis. The parking is already inadequate as the staff are parking on the verge, at the nursing home and across the street. The additional staff and visitors will exacerbate this problem despite additional parking bays being built. Parking for itinerant staff will be an on-going problem, possibly never to be solved.			
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	10) Most of the residents of CARMEL have chosen to live here for the rural atmosphere, or maybe because Valencia Road is cut off from the rest of the World. Any new building permitted should not impact on the adjoining land use (special rural). Rural amenity includes trees whose roots will be impacted by the construction works and compaction in the process of building. What measures are in place to protect the adjoining properties trees which also house birds and other wildlife? The proposed building looks remarkably like Fremantle Prison (designed by the British Navy). When one stops and thinks about it, the function of the nursing home is the same as any other prison, hence the building has to be made physically secure. Do we really want a prison like structure in a special rural environment, particularly by a building proposed to be built on the crown of a hill? An enduring monument to studied stupidity indeed!		
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	I object to the size development of the Valencia Nursing home. We need more beds but the size of the site does not allow for 146 beds, nor suite the rural nature of the site. 1. The licence is for 120 beds so why is the design for 146 beds allowed? 80 beds is a more reasonable number. 2. Has a geotechnical survey been done? The area has caprock underneath it at a shallow level, which means there is very little absorption of water. The water may resurface further down the valley with minimal treatment. This leads to the Helena Valley water catchment. Do you wish to drink this? How will it affect the primary industry further down the valley? 3. The drainage of storm water is impaired by the proposed amount of buildings, carparks paved walkways and the maintenance shed (not shown) backup generator (not shown). In January there was 136mm rainfall in 24 hrs, extreme, but 60 mm in 1hr has been recorded several times a year. With over 50% of the site covered there is very little land left to take up this water. What provision has been made for handling this volume of water on a regular basis? 4. There is a secondary treatment going in for the sewerage system. Is there any documentation showing that the style chosen is effective? Is there any guarantee that they will use the quality system proposed and not replace it with a cheaper and maybe less effective system then has been described? 5. The drainage of the treated water is shown to be going into raised infill. This is not the best absorption material and is not sufficient for the volume of water generated in this size establishment, particularly if there is an outbreak of infections which could double the flow rate. The addition of heavy rains will further exacerbate the problem. What provision has been made for regular environmental testing to be done by the shire health department?		
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	6. Grey water systems and treatment plants do not function if antibacterial solutions, medications and fats are introduced into the system. How can a nursing home function without anti-bacterial cleaning agents? 7. The presence of three stories detracts from the rural presence of Carmel. The setback 4.4 m on the north side is insufficient. The retaining wall is 1.5 m with two floors and plant room on top. This will create an echoing area when traffic goes up and down (including ambulances) and disturb the adjacent houses, particularly at night. 8. There will be an increase in traffic, staff, (both nursing and auxiliary staff), visitors, and ambulances. There has already been an incident where speeding staff (running late) have hit animals on the road. What provision is being made to control speed on the road and accidents at the intersection of Carmel Rd East and Glen Isla Rd? 9. Many nursing homes employ part-time staff, so stating only an extra 25 bays are required is a false claim. The parking is already inadequate as the staff are parking on the verge, at the nursing home, and across the street, the additional staff, and visitors will exacerbate this despite the additional bays being built. 10. Most of the residents of Carmel have chosen to live here for the rural atmosphere. Any building should not impact on the adjoining land use (special rural). Rural amenity includes trees whose roots will be impacted by the construction works and compaction of the soil in the process of building. What measures are in place to protect the adjoining properties' trees which also house birds and other wildlife?		
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