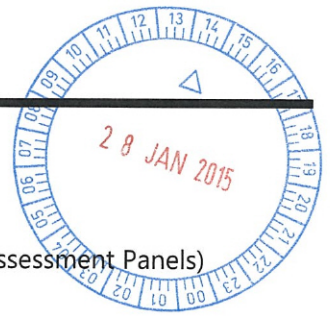


Legislation, Uniform

From: Helen
Sent: Wednesday, 28 January 2015 2:47 PM
To: Legislation, Uniform
Subject: submission - Planning and Development (Development Assessment Panels) Regulations 2011



The Honourable Catherine (Kate) Esther Doust MLC
Chairperson
Uniform Legislation and Statutes Review Committee
Legislative Council
Parliament House,
WEST PERTH WA 6005

Dear Hon. Catherine Esther Doust

Planning and Development (Development Assessment Panels) Regulations 2011

I wish to make a submission regarding the Planning and Development (Development Assessment Panels) Regulations 2011.

The approval of a R100+ (high) density development at 94 Kitchener Road, Myaree on an R40 coded site in a low-density R20 suburb is one demonstration of the current flaw in the JDAP system. This proposal had been rejected both by the community and the council. However, once the developer took its proposal to the JDAP it was approved.

My concerns with their approved development are as follows:

- the development will be four stories tall in a maximum two story area;
- houses will be overlooked;
- the proposal is too dense (R100 on R40 zone);
- backstreets will be choked with cars;
- local amenities (small primary school catchment, transport etc.) will not be able to cope with such large numbers of people;
- house prices will plummet; and

- constant pumping of groundwater is likely to be required for the basement car area.

The concerns of the community and local council were ignored. Although two Melville council members were on the JDAP committee they were instructed to disregard the communities concerns. I consider that the erroneous decision to approve the development is due to the apparent lack of training and understanding of local development and relevant state planning requirements by the members of the JDAP. It is my understanding that the JDAP committee is made up of unelected and people who are heavily influenced by industry. There is no recourse to appeal the decisions made by the JDAP or gain a clear understanding of the reasoning behind the decisions which shows a lack of transparency.

It is my belief that the development is not “at a bulk and scale indicated in the local planning scheme and is consistent with the existing or future desired built form of the locality” as stated required by Design Principle 6.1.1 of the R-Codes. To allow decisions such to continue will only lead to more poor planning decisions and greater voter dissatisfaction.

I am aware that the Minister for Planning considers that “due process has been followed” in this case. I recommend that the due process be amended to ensure that errors in planning judgement like this do not occur again in the future.

Please be aware that I have never made a submission before. Although I know there is nothing to be done now about the 94 Kitchener Road decision and that I must now live in the mess made by the JDAP, I am concerned that decisions like this will be made again and other communities will suffer. I have therefore made this submission and hope that you will take it into consideration.

Yours sincerely

Helen Lafuente

28 January 2015