

1. Current Position

All of Jandakot east of the Kwinana Freeway is on the Jandakot Water Mound and is so subject to State Planning Policy 2.3 – Jandakot Groundwater Protection.

Almost all properties along Jandakot Road are rural in nature, with banksia woodland predominating. Houses are typically on 2 hectare lots that were subdivided in the 1980s. There is no gas, mains water, or main sewerage. All are zoned 'Resource' in the City of Cockburn's Town Planning Scheme.

Schaffer Corporation owns Lots 101, 103, and 104 Jandakot Road, Jandakot at the Berrigan Drive end. In Cockburn's Town Planning Scheme they are all zoned 'Resource' but have an additional use AU1 – *Nursery, Masonry Production, Warehouse only where ancillary to Masonry production, and Showroom only where ancillary to Masonry Production.*

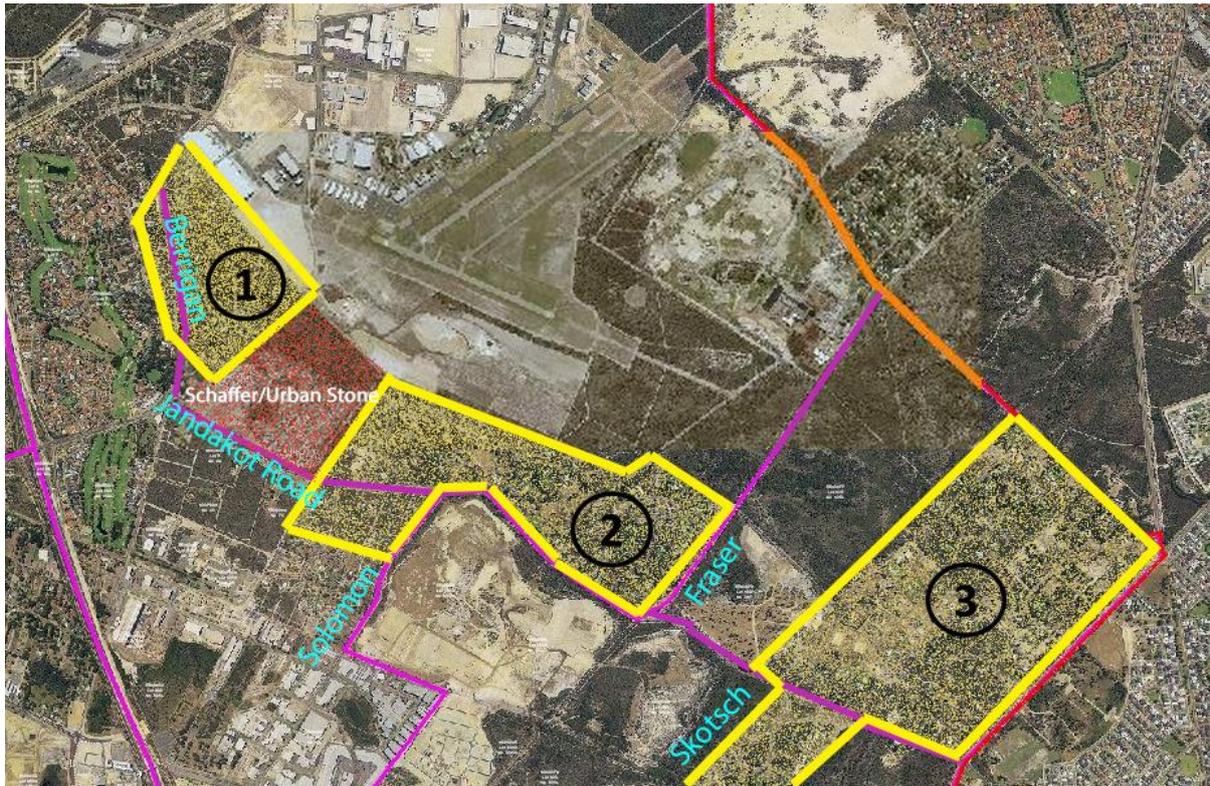
None of the rural residential properties along Jandakot Road and its side streets has additional uses permitted.

2. Jandakot Rural Residents' Submission on the South Metropolitan & Peel Planning Framework

In July 2015, the Banjup Residents Group held 3 public meetings and on behalf of the overwhelming majority of Jandakot rural property owners made a submission to the WA Planning Commission in relation to the South Metropolitan & Peel Planning Framework that is a sub-set of the [Perth@3.5million](#) planning strategy.

In its submission, the BRG said that the 150 or so rural residential properties (typically 2 hectare) sandwiched between Jandakot Road, Berrigan Drive, and the airport would be severely affected by the developments proposed in the draft Planning Framework. The Framework did not address the adjoining and conflicting land uses in the north Jandakot area. It is doubtful that rural lifestyles can be sustained when surrounded by urban, commercial, and industrial activity and their associated day and night noise and traffic.

The rural residents' land areas 1,2, and 3 that are affected are shaded yellow below. Schaffer's land is shaded red:



The Banjup Residents Group urged the WAPC to rescue the residents of north Jandakot from their planning predicament. The area is close to the Roe Highway, the Kwinana Freeway, the railway, and the commercial hubs of Jandakot City and Cockburn Central. The BRG said that the area should be rezoned for urban or commercial development, contiguous then with the commercial park of Jandakot City and the urban housing arising from the old sand quarries.

3. Cockburn's Submission to WAPC

The City of Cockburn also made a submission in relation to the South Metropolitan & Peel Planning Framework. In it the City expressed its concerns about the future of the land surrounding Jandakot Airport:

Do we want to see this retained in a rural setting, typically 2ha lot sizes with the landscape containing buildings, or is this rural setting to the point that it won't deliver the intended rural amenity? It may be appropriate that this rural ribbon be maintained around Jandakot Airport, as a limitation to urban development encroaching closer to the airport. However, if the amenity in this area is so far removed from a rural setting, then should consideration be given to an alternate land use?

Clearly, Cockburn is concerned about the viability of the Jandakot rural areas in the face of the increasing urbanisation that surrounds them.

4. Schaffer's Application to the City of Cockburn

Schaffer Corporation proposes to develop about 26 hectares of land adjoining its Urban Stone operation on Jandakot Road for warehousing and showroom purposes. To facilitate this, Schaffer is requesting Cockburn to permit additional land uses.

In the WAPC's first draft for public comment of the Perth and Peel @ 3.5 million Planning Framework, Schaffer's lot 103 was proposed for 'public purposes'. However, correspondence in July 2015 between the WAPC chairman and consultants for the Schaffer Corporation (see attachment copied from Schaffer's application) indicated that an alternative site more consistent with the Canning Vale Sports Master Plan would be considered by the WAPC. In that correspondence, the WAPC chairman also encouraged Schaffer not to "constrain" its plans for lot 103 to become an industrial site.

What Schaffer submitted in relation to the Planning Framework is unknown but is not likely that they would have ignored the WAPC chairman's prompting.

5. South Metropolitan & Peel Planning Framework Outcomes

Our submission could be overtaken by events but in the absence of any guidance from the WAPC, we see 3 possible outcomes.

1. All land rezoned urban
2. No land rezoned
3. Schaffer land only rezoned urban

The 3 possible outcomes have different impacts upon nearby Jandakot rural residents and cause those residents to submit 3 different recommendations to Cockburn Council.

We recognise that if Cockburn Council did adopt our recommendations as set out below, then they would need to be endorsed by the WAPC. However, we trust that Council would prevail on behalf of its ratepayers.

5.1. All Land Rezoned Urban

This would be the best outcome for Jandakot rural residents. It would release them from the planning blight they currently suffer and allow them to make practical plans for their futures.

In this case, with the same level playing field for all, the Schaffer application for an additional land use would be superseded by the rezoning of the whole rural Jandakot area to urban, so allowing Schaffer to develop its property for commercial purposes.

However, there are transitional implications for rural property owners that are discussed in Attachment 1 of our submission.

5.2. No land rezoned

This would be a great disappointment to Jandakot rural residents. It would mean that the WAPC has ignored the plight of residents sandwiched between Treeby and Jandakot Airport. Their rural amenity will be continuously eroded; their lifestyles would be detrimentally affected by ever increasing traffic and noise on their doorsteps; and their properties will be unsaleable because of the WAPC induced planning blight.

In this case, Cockburn councillors could remedy the invidious position of their ratepayers by permitting to all rural property owners in Jandakot an additional land use of 'Showroom and Warehouse/Storage', exactly as requested by Schaffer in their own planning application to the City of Cockburn. There would be some transitional implications that are discussed later in our submission.

Jandakot rural residents would be even further disappointed if Council did not adopt this recommendation. However, if that were to occur, then, in all conscience, Council should not permit the additional land use to Schaffer – it would only exacerbate Jandakot rural residents' plight by squeezing the urban sandwich around them with a further 26 hectares of commercial activity to their west.

In summary, in this outcome all rural Jandakot properties should be permitted the same additional land use or none should.

5.3. Schaffer land only rezoned urban

This would be a travesty.

In this case, Jandakot rural residents would query the WAPC decision as showing clearly the influence of the 'big end of town' over the WAPC.

As with the no land rezoned outcome, Cockburn councillors could remedy the invidious position of their ratepayers by permitting to all rural property owners in Jandakot an additional land use of 'Showroom and Warehouse/Storage'. This should have the effect of 'homogenising' the land uses between urban Treeby and the Airport commercial park.

As before, this recommendation would have some transitional implications as discussed in Attachment 1.

6. Future of Jandakot Rural Areas and Need for a Structure Plan

Clearly, Schaffer's application and the outcome of the WAPC's deliberations call into question the future of the whole of the Jandakot rural area. Rather than the City of Cockburn approach piecemeal the planning of the area, it would be a far better outcome if the City were to develop a formal structure plan for the whole area from Berrigan Drive to Warton Road. The Schaffer application would form an important part of the structure plan but so, too, would residents' considerations.

7. Resolutions for Council

Our position is simple: by whatever means either all Jandakot rural properties are permitted commercial land uses or none are. We urge the Council of the City of Cockburn to ensure equality of opportunity between residential ratepayers and commercial developers, as formalised in a clear Structure Plan for the whole area. To realise this, we recommend these resolutions to the Council of the City of Cockburn:

EITHER

- Defer any decisions on Schaffer's application and on alternative land uses for current residential landowners in rural Jandakot until after the publication of the WAPC's final South Metropolitan & Peel Planning Framework; then
- Develop a formal structure plan for the whole of the Jandakot rural area from Berrigan Drive to Warton Road that includes:
 - Schaffer's application
 - Residents' considerations

OR

- Defer a decision on Schaffer's application until the City of Cockburn has developed a formal structure plan for the whole of the Jandakot rural area from Berrigan Drive to Warton Road that includes:
 - Schaffer's application
 - Residents' considerations

ATTACHMENT 1

Transitional Implications

Even if changes in land use or zoning are approved for all Jandakot rural properties and for Schaffer's land, it is likely that current rural property owners would reside in their properties for several years. During this interim period, the commercial development of Schaffer's land will proceed apace and create considerable noise nuisance for the nearby residents that remain.

As Schaffer concedes in its application, the proposed developments would cause excessive noise levels in nearby homes. Based on our experience with Jandakot Airport operations, we know that it is very difficult to mitigate noise once it is in place, and very difficult even to monitor or effectively raise and manage complaints.

Significant noise sources should be prohibited initially from Schaffer's developments. Schaffer's application identified refrigerated truck operations as a major source of excessive noise nuisance. Consequently, we recommend that over a transitional period this should be a condition of any approval:

- 1. Construction of refrigerated facilities must be specifically excluded from any land use and any access to the site by refrigerated trucks prohibited.**

Even without refrigerated trucks, noise limits would be exceeded. Schaffer's own noise modelling studies show that, even with a buffer zone of 50 metres around its property, neighbours would experience excessive noise, as conceded in Schaffer's own Noise Report in Appendix 1 of its application.

To reduce noise levels to an acceptable level will therefore require a wider buffer zone; we suggest 120 metres on the south-eastern boundary of Lot 103, subject to detailed noise studies. Consequently, we recommend that over a transitional period this should be a condition of any approval :

- 2. Any development or amendment to land use on Lot 103 should is not permitted in a buffer zone of at least 120 m to the north-west of the boundary with the rear of Lots 19 to 25 Boeing Way. This buffer zone, including the existing incline escarpment and vegetation, must be excluded from any land use changes and remain intact and untouched.**