

Applicant’s Response to Submissions – Proposed Amendment No. 2 to Burswood Lakes Structure Plan

(Updated 15/06/2022)

No.	Supportive of Proposal (Yes / No / Unsure)	Comments Received	Applicant’s Response
1	No	<p>We strongly object to the height of the buildings for the new towers as the concept was in place years ago and that's why most people bought here the height of the towers will look totally out of place why can't they stick to their original plan so over Mirvac getting their own way just because they can afford better lawyers</p>	<p>Issue No. 1 - Need for Structure Plan Review The 'deemed provisions' contained within Schedule 2 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> place a 10 year period of duration on Structure Plans. This time limit reflects a considered view that Structure Plans need to be regularly reviewed in the same manner as other planning instruments to ensure they remain current and relevant.</p> <p>The Burswood Lakes Structure Plan is now almost 20 years old and the planning framework and surrounding built environment (with the introduction of Crown Towers and the Perth Stadium as examples) has evolved significantly since this time. Consequently, the Structure Plan needs to be reviewed and updated, and this need is reflected as a key action in the Town of Victoria Park’s draft Local Planning Strategy and Corporate Business Plan.</p> <p>Issue No. 2 - Building Heights Building height is addressed in Section 4.1 of the Structure Plan Amendment Report. The following comments are made in response to the specific issues</p>

			<p>raised by the submitter. The submitter objects to the height of proposed dwellings on the basis that they will look out of place.</p> <p>The site's context is vastly different today than it was in 2003 when the original Structure Plan was adopted. There are now a number of buildings of similar or greater scale either completed, underway, approved or proposed in the immediate neighbourhood. This includes the planned high-density redevelopment of the Belmont Park Racecourse (maximum height of 53 storeys) and Burswood Station East and West precincts (up to 28 storeys).</p> <p>Additionally, there are several significant landmark building developments completed or approved including The Crest on Goodwood Parade (21 storeys) and the recently approved mixed-use development at 43 – 47 Burswood Road (22 storeys).</p> <p>In considering the height of buildings proposed on the site, it is appropriate to consider the height profile of the chain of buildings approved, constructed and proposed in and around the Burswood Peninsula. In this new context, the proposed height of buildings will not be out of place.</p> <p>It is also important to note that the general consensus of the Design Review Panel in relation to building height was that the heights proposed were acceptable.</p>
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			<p>Issue No. 3 - Legal Intervention Mirvac is not seeking to circumvent an outcome through legal means, it is simply following the statutory process set down in the State's planning legislation to request an amendment to an existing Structure Plan. Lawyers have been involved in the preparation of the proposed amendment.</p>
2	No	<p>Height / Density changes proposed to Lot 1. We are also opposed to the variation in relation to visitor parking and strongly object to the inclusion of a "no Minimum Visitor Parking Requirement".</p>	<p>Issue No. 2 – Building Height (Refer to response above)</p> <p>Issue No. 4 – Parking Visitor parking is addressed in Section 4.12 of the Structure Plan Amendment Report. In relation to the submitter's specific objection to the proposed removal of minimum visitor parking requirements, the following is noted.</p> <p>As part of the Structure Plan review process, Mirvac undertook an audit of visitor parking within the Structure Plan Area. The audit compared the number of visitor bays required under the original 2003 Structure Plan against the number of visitor bays constructed (or proposed to be constructed) on site to date. The audit demonstrated that at completion, the Structure Plan Area would provide a total of 248 visitor bays, representing 32 bays more than required under the original 2003 Structure Plan.</p>

			Given this surplus, the removal of visitor parking requirements for the two remaining undeveloped lots (Lots 1 and 21) is justified and reasonable.
3	No	Height and density changes. i.e. height 50% greater and number of units 3 and 2 times greater than original approval.	<p>Issue No. 2 – Building Height (Refer to response above)</p> <p>Issue No. 5 – Number of Dwellings Dwelling Numbers are addressed in Section 4.6 of the Structure Plan Amendment Report. The following comments are made in response to the specific issues raised by the submitter. The submitter objects to the number of proposed dwellings on the basis that the increase is “3 and 2 times greater” than the original 2003 Structure Plan.</p> <p>When considered in the context of the entire Structure Plan Area, the proposed increase in the number of dwellings on Lots 1 and 21 is relatively modest, representing an increase of 224 dwellings. This figure does not take into account the underdevelopment of other lots within the Structure Plan Area and is significantly lower than the increase of 496 dwellings permitted on Lots 9 and 25 in 2017 via Amendment No. 1 (Refer to Table 5 of the Structure Plan Report).</p> <p>The increase in the number of dwellings on Lots 1 and 21 reflects the strategic planning framework and built form context within which the site is now located. The increase is achievable in this location due to its proximity to high order road and rail infrastructure,</p>

			accessibility to the Perth city centre, the Swan River and substantial public parklands, and the ability to achieve higher residential densities without impacting on existing lower density neighbourhoods.
4	No	The new proposed buildings are going to be too high and it ruins the aesthetic of the Peninsula. They look like they have just been stuck on the end as an after thought. "	<p>Issue No. 2 – Building Height (Refer to response above). In response to the submitter’s specific comments, the height and placement of buildings on Lots 1 and 21 is based on a considered and tangible design response.</p> <p>The original 2003 Structure Plan established building heights which was based on a ‘height arc’ principle with a graduated increase in the height of towers towards the north of the site and then a stepping down. This approach was both design-led and influenced by Perth Airport height limitations applicable at the time which are no longer a restriction.</p> <p>In terms of the wider site context, the ‘height arc’ principle has lost its relevance given the changes to the built environment, and the strategic planning that has occurred in the surrounding area. In this new context, the height arc now inverts with high points at Victoria Park Drive and the Crown Towers, as illustrated in ‘Amended Figure 2 – Site Section and Elevation’ of the Structure Plan Amendment Report.</p> <p>These design discussions have been considered in the context of further planned development at Belmont Park and following feedback through five Town of</p>

			Victoria Park Design Review Panel (DRP) meetings prior to the Amendment being advertised.
5	Yes	N/A	Noted
6	Unsure	There is already not enough parking here and it is already difficult often to make right turns out of the estate due to traffic.	<p>Issue No. 4 – Parking (Refer to response above)</p> <p>Issue No. 6 – Traffic Traffic is addressed in Section 4.13 of the Structure Plan Amendment Report. Traffic modelling undertaken as part of the Structure Plan review process demonstrates that the existing road network can accommodate the increase in dwelling yield proposed by the Structure Plan Amendment without any modifications.</p> <p>In response to the submitter’s specific concern regarding right-turn movements out of the Structure Plan Area, the following is noted.</p> <p>The intersections of Victoria Park Drive with Bow River Crescent, The Circus and Vasse Rise were observed during the morning and evening peak hour periods in May 2021 and again in November 2021. Right turning movements into and out of the Structure Plan area were observed during these times and the average delay for all right turning movements was found to be between 10 and 20 seconds.</p> <p>The impact of the proposed increase in development yield is that the average delay for right turn movements at the intersection of The Circus may increase up to a</p>

		<p>Also concerned about increasing further connection to public spaces. I have seen public walking through the area urinating in our garden beds in front of people on game days at the stadium; the park benches in the estate are old and some are broken. I hope all these things are to be improved on if more cars, residents and visitors are to be passing through here with these large developments</p>	<p>total of 25 seconds, with other intersections around 15 seconds. The right turn out of The Circus is predicted to operate at a level of service C during peak periods, which is perfectly acceptable.</p> <p>Issue No. 7 – Anti-Social Behaviour/Crime</p> <p>The submitter raises a concern regarding the potential for anti-social behaviour to escalate as a result of increasing public access to open spaces within the Structure Plan Area. Our understanding is that this concern relates to the suggestion of a future pedestrian connection between the Structure Plan Area and the parklands to the immediate west.</p> <p>The Structure Plan Amendment does not propose the construction of any direct pedestrian connection at this point in time, but rather identifies that if connection is to occur in the future, the most appropriate location would be in the vicinity of the publicly accessible walkway between Lots 22 and 23. This connection has always been contemplated in some form since the original design but is being more clearly articulated as a possibility now.</p> <p>In relation to the submitter’s concerns regarding damage to seating, any damage should be reported to the Town of Victoria Park and arrangements made for repair as required.</p>
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7	No	<p>Insufficient parking to accommodate the increase in residents to the already very restricted parking</p> <ul style="list-style-type: none"> - Extreme increase in residents making significant increase in traffic - noise from increased traffic, tenants - environmental impact of such a significant increase in tenants and traffic. Pollution, sewage waste <p>- when we brought our apartment years ago we were advised of the approved buildings In front of us. This change will result in a loss of our views. The value of our property will decrease at least \$200,000-300,000 and we will be seeking compensation from the Town of Victoria Park for this</p>	<p>Issue No. 4 – Parking (Refer to response above)</p> <p>Issue No. 6 – Traffic (Refer to response above)</p> <p>Issue No. 8 – Environmental Impact (Noise and Waste) The projected increase in the number of residents and vehicle movements within the Structure Plan Area is not predicted to generate noise levels beyond the restrictions imposed by the Noise Regulations.</p> <p>The removal of all waste from the site will be managed in accordance with the Town of Victoria Park’s Environmental Health requirements. In addition, a Waste Management Plan will be prepared at the Development Application stage to demonstrate how waste will be collected and disposed of following construction.</p> <p>Issue No. 9 – Property Values The site’s (lots 1 and 21) the subject of change within the Amendment are being modified to actually improve view corridors where they were not previously contemplated in the original Structure Plan. These include views to the new Perth Stadium and surrounds. The development of these Lots 1 and 21 has always been contemplated and is not new. The aim of this Amendment is to provide a more appropriate site</p>
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			<p>response, with additional height and view corridors, given the surrounding context.</p> <p>The submitter's comment that property values will be affected by Mirvac's activities in the area are not substantiated. The possible impact or otherwise of a development proposal on property values is not a reasonable basis upon which to determine the merits of the proposed Structure Plan Amendment.</p>
8	No	No need for the excessive height limits and proposed towers will dominate the skyline and be out of context of the existing development	<p>Issue No. 2 – Building Height (Refer to response above)</p>
9	No	<p>I'm more broadly concerned by the fact that amendments are being made to increase height and the number of dwellings within the area against an original Burswood Structure Plan that was created in 2003 and is referenced as being out of date.</p> <p>The original structure plan considered the higher density living and as a result considered further amenities for the area including schooling, primary schooling, etc. None of this has come to fruition. Increasing density in the absence of line of sight to the amenities that were promised to owner occupiers in the area, does not provide the lifestyle we had hoped and also continues to limit any growth in property values.</p>	<p>Issue No. 2 – Building Height (Refer to response above)</p> <p>Issue No. 5 – Number of Dwellings (Refer to response above). In relation to the submitter's comment regarding the provision of a primary school within the Structure Plan Area, the following is noted.</p> <p>The WAPC's Liveable Neighbourhoods framework and Development Control Policy 2.4 broadly recommend the provision of one primary school per 1,500 residential lots and one secondary school per 6,500 - 7,000 residential lots. Actual need, however, is determined on a case-by-case basis having regard to issues such as demographic profiles, the location of</p>

		<p>Increased density such as this will cause further problems already experienced including parking and crime due to the number of owners that choose to rent out their premises.</p>	<p>existing schools and the rate and type of development proposed.</p> <p>When the original Structure Plan was developed, the need for a primary school site was considered and it was determined that educational facilities were adequately provided for in the local and regional catchment. On this basis, <u>no</u> primary school site was required in the original structure plan.</p> <p>The Structure Plan Amendment proposes an increase in the number of residential dwellings within the Structure Plan Area however the increase is proportionally small, being an increase of 147 dwellings within Area B.</p> <p>The provision of educational facilities in the broader Peninsula was considered by the WAPC during preparation of the DSP. The DSP identifies a possible future primary school site immediately north of the Structure Plan Area along Victoria Park Drive. This site, if required in the future, would service residents within the Structure Plan Area and surrounds.</p> <p>Issue No. 4 – Parking (Refer to response above)</p> <p>Issue No. 7 – Anti-Social Behaviour/Crime (Refer to response above)</p>
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		Regarding the traffic report, whilst it might show that the volumes are manageable during peak hour, it hasn't considered event days and the risk that comes with turning right from either The Circus or Bow River Crescent onto Victoria Park Drive. It can be problematic getting across as the island in the middle feels relatively narrow and I've also had many a near miss due to poor visibility on the corner and cars travelling at excessive speed a long there. Provisioning of a roundabout to allow easy access in and out of the Peninsula would benefit all residents. "	<p>Issue No. 6 – Traffic (Refer to response above). In relation to the submitter's comments regarding right-turn movements onto Victoria Park Drive, the following is noted.</p> <p>On event days traffic volumes along Victoria Park Drive are limited, as the road is under traffic management control. Event day traffic volumes are certainly less than non-event weekday peak hours.</p> <p>There is insufficient road reserve for a roundabout controlled intersection at the intersections of Victoria Park Drive with either Bow River Crescent or The Circus.</p>
10	No	Our entire view will be taken away with these proposed amendments essentially tanking the valuation of my property.	Issue No. 9 – Property Values (Refer to response above)
11	Yes	It is nice to see a vision for the precinct and have some certainty on how it will be completed.	Noted.
12	Yes	N/A	Noted.
13	No	In the time I have been here the amount of traffic has already increased along with people struggling to get parking on the side of the road.	<p>Issue No. 6 – Traffic (Refer to response above)</p> <p>Issue No. 4 – Parking (Refer to response above)</p>
14	No	THE PLAN IS NOT COMMENSURATE WITH THE HIGH STANDARD, APPEARANCE AND LOW POPULATION DENSITY OF THE CURRENT DWELLINGS IN THE PENINSULA. CURRENT RESIDENTS TOOK LEGAL ACTION IN ORDER TO PREVENT THE CROWN TOWERS DEVELOPMENT. THIS DEMONSTRATES THE PASSION & COMMITMENT OF	<p>Issue No. 2 – Building Height (Refer to response above)</p> <p>Issue No. 5 – Number of Dwellings (Refer to response above)</p>

		RESIDENTS TO PREVENT DEGRADATION OF OUR ENVIRONMENT.	
15	Yes	As a person who uses the amenity of Burswood I am supportive of the proposed amendment including height of the built form and increased density. Adding more vibrancy and increased density will support in the creation of a more usable space for the community.	Noted.
16	Yes	N/A	Noted.
17	No	<p>I oppose the changes to the Structure Plan because the amendments allow the development of buildings well above the height and density proposed in the original plan. The scale of likely buildings under the amended Plan far exceed the heights in the original plan and look out of character with the heights of other buildings in the area. The density far exceeds those in the original plan.</p> <p>Many Burswood resident/ owners including myself , chose to live in this area after considering the height and density of buildings proposed in the original plan. To change them so dramatically is unfair to those who will lose views and the overall appearance of the estate will be detrimentally affected. The higher density will result in more traffic and an overall significant increase in the population in the area. It will be well above that anticipated by purchasers in this area in the last 15 years.</p> <p>Mirvac commenced development in the area knowing what profit they could make from the development and sale of units in the estate. There is no justification for increasing their profit simply by changing the structure plan to suit them. There will be no benefit to the existing owners in the area.</p>	<p>Issue No. 2 – Building Height (Refer to response above)</p> <p>Issue No. 5 – Number of Dwellings (Refer to response above)</p> <p>Issue No. 6 – Traffic (Refer to response above)</p>

		<p>We have lived on the estate for 6 years and in this time we have seen the standard and maintenance of public open space deteriorate throughout this period. Many plants and trees have died. None of these dead plants have been replaced and the overall estate appearance is suffering. It is well known that Mirvac wish to have the local Council take over this maintenance and they appear to be doing the bare maintenance in the area until this occurs.</p> <p>Mirvac are attempting to increase their profit to make up for the longer period which they have needed to remain in ownership of undeveloped sites. Developing land is about both profit and risk and unfortunately for Mirvac the Global Financial Crisis, real estate downturn, Covid pandemic and increased apartment supply have extended their involvement in this area well beyond what their projections were at commencement. This is the risk of the property development industry and they should not be bailed out by the State Planning Commission, approving the amendments, at the expense of other developers in the industry. They must carry the loss and deserve no favours from the State Government and Victoria Park Council. They had approval for certain heights and density and these should not be altered.</p>	<p>Issue No. 10 – POS Maintenance Mirvac continues to perform its estate-wide maintenance obligations in accordance with an agreement between the Town of Victoria Park and Mirvac. Mirvac is currently in confidential discussions with the Town of Victoria Park with regards the potential handover of our maintenance obligations.</p> <p>Issue No. 1 – Need for Structure Plan Review (Refer to response above)</p>
18	Unsure	The vegetation surrounding the ponds in front of 23 and 39 Bow River Crescent should be included in the proposed plan. The lack of landscaping detracts from the overall aesthetics of the area.	Issue No. 10 – POS Maintenance (Refer to response above)
19	No	<p><u>1. Section 4.1 Building Height</u></p> <p>On page 32, a claim is made that in terms of the wider site context, the height area principle has lost its relevance given the changes to the built environment. In this context, there is now</p>	Issue No. 2 – Building Height (Refer to response above)

		<p>broader acceptance of taller buildings in and around Burswood Peninsula.” This is an unsubstantiated claim. The fact that Belmont Park Race Course and Burswood station East & West Precincts propose taller buildings does not constitute “broader acceptance” of taller buildings from a residents point of view. In fact, consultation by Mirvac regarding proposed height changes on Lot 21 clearly demonstrate a lack of acceptance for taller buildings. It should also be noted that, aside from Belmont Park Racecourse, none of the other adjacent developments or precincts have provision for buildings any higher than 28 storeys. To then assume that a 41 storey building would be acceptable is misleading.</p> <p><u>2. Section 41. Building Height Page 34</u></p> <p>This section claims that the proposed height increase at Lot 1 considers the height profile to be an appropriate “book end” to balance the height of Crown Towers. This statement seems preposterous given the proposed height of Lot 1 is 41 storey’s, against the current 21 storeys at Crown Towers (Crown Towers 104mt, Lot 1 is proposed to be 143mt). Looking at Amended Figure 5: Updated Photo Montage, it is clear that a more appropriate “book end” would be no higher than what is currently approved for Lot 10. It should also be noted that the angle from which this photo montage positions Crown Towers at the forefront is mis-representative of the true height delta between lot 1 and Crown Towers (the actual delta would have Lot 1 at almost half as high again than the current Crown Towers).</p>	<p>Issue No. 2 – Building Height (Refer to response above). In relation to the submitter’s specific comments, the following is noted.</p> <p>Lot 1 will perform a key role in signifying a gateway/point of entry to the precinct and in this regard is very much a landmark site. The proposed building envelope for Lot 1 provides for a level of flexibility, which is appropriate at structure plan level and is consistent with the approach taken for other sites, including the undeveloped Lots 9 and 25.</p> <p>The final detailed design of Lot 1 will be assessed by the DRP and the Town of Victoria Park at the Development Application stage, with specific regard to scale, overshadowing, height and interface among other elements outlined in RDC Vol2. As noted above,</p>
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		<p><u>3. Section 4.1 Building Height Page 34</u></p> <p>This relates to the commentary of “Shadow Studies”. Whilst the shadow may not have significant impact on “streets and open spaces to the south”, it does cast a day-long shadow over ALL of the existing towers and the central public plaza for the entire day in both Summer and Winter. In Winter, the shadow also paces the circular park and lake park in shadow for much of the day. Both of these areas are high value recreational areas for residents.</p> <p><u>4. Section 4.6 Dwelling Numbers Page 44</u></p> <p>According to the report “the Structure Plan area’s proximity to public transport...offers an opportunity for reduced car usage”. This is absolutely not reflective of the current situation on Burswood Peninsula where cars are parked along most verge and garage hardstand areas due to the number of cars per household versus available parking per residence. The haphazard parking along verges, particularly along Bow River crescent in the vicinity of Lot 1 currently poses a significant accident risk to both pedestrians and other vehicles alike.</p>	<p>Council’s Design Review Panel has considered the proposed Lot 1 building height to be acceptable.</p> <p>Issue No. 11 – Overshadowing</p> <p>The shadow analysis demonstrates that the built form proposed on Lots 1 and 21 via the Structure Plan Amendment will cast a longer shadow when compared to the built form permitted under the original 2003 Structure Plan. It also demonstrates however that the shadow will travel faster and therefore effect adjoining areas for a shorter period of time.</p> <p>Issue No. 4 – Parking</p> <p>Resident parking is addressed in Section 4.12 of the Structure Plan Amendment Report. The proposed Amendment seeks to bring the car parking standards for residential development into conformity with the current requirements under the Residential Design Codes Volume 2 – Apartments, with some relaxation of the standards with regard to maximum parking provision.</p> <p>In relation to the submitter’s comments regarding the haphazard parking along verges in the vicinity of Lot 1, we suggest this matter is investigated by the Town of Victoria Park and managed in accordance with their parking by-laws.</p>
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	<p><u>5. Section 4.6 Dwelling Numbers Page 45</u></p> <p>There is a statement which reads "Adoption of DSP and Belmont Park Structure Plans have shaped community expectations for height and density in the area". This statement is misleading. Just because something is approved in another Precinct, it does not directly translate to acceptance or the setting of expectations for adjacent precincts. Once again, this statement is unsubstantiated and misleading.</p> <p><u>6. Section 4.12 Car Parking Page 51</u></p> <p>Is there a register and evidence for the dates & times of the parking audit? I find it unbelievable that an ongoing parking audit could find that there are "consistently vacant visitor bays". Did the Audit include Weekends and Weeknights? The rear of my property is on Bow River Crescent adjacent to Lot 1 and opposite the existing Aurora building. It is very rare that a visitor to our property is able to find a vacant approved car parking space on a week night evening or weekend. Further, figure 20: Visitor Parking Plan is once again misleading, given that 9 of the</p>	<p>Issue No. 5 – Number of Dwellings (Refer to response above). This statement needs to be read in context. The adoption of the DSP and the Belmont Park Structure Plan have established a clear context for future development in and around the Peninsula. This context is one of taller buildings set amongst larger areas of open space that seeks to maximise the area's proximity to the Perth CBD and the surrounding natural attractions. This context is remarkably different to that which exists in 2003.</p> <p>Given the proximity of the Structure Plan Area to these precincts, combined with the addition of new and significant buildings in the form of Optus Stadium and Crown Towers, is not unrealistic to expect that the Structure Plan Area will continue to evolve and follow a similar pattern of development intensity, land use and character.</p> <p>Issue No. 4 – Parking (Refer to response above). In relation to the submitter's specific comments, the following is noted.</p> <p>Mirvac has delivered the required number of car bays in accordance with the original 2003 Structure Plan and consistent with Town of Victoria Park approvals. Management issues should be addressed to the Town who could consider the introduction of car parking measures if supported by residents.</p>
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		<p>existing approved parking bays alongside Lots 1 & 21 are currently inaccessible. This lack of street parking is one of the most significant issues facing resident of Burswood Peninsula today and to then state that an additional 20 floors of apartment space will not require any additional parking space is completely without merit.</p> <p>SUMMARY</p> <p>As you will note through our comments on the proposed amendments, we are OPPOSED to the proposed Height / Density changes proposed to Lot 1. We are also opposed to the variation in relation to visitor parking and strongly object to the inclusion of a "no Minimum Visitor Parking Requirement". It is frustrating that the Proposed Amendment Report contains misleading information and/or diagrams which are not truly representative of the opinions and concerns of the current residents of the Burswood Peninsula. I trust that our submission will be given due consideration and that a response to the question relating to a parking audit will be addressed.</p>	
20	No	<p>Increased plot ratio will bring more residents to the area than was originally planned for. Streets and available parking are already in short supply. I would like the development to remain closer to the original design concept.</p>	<p>Issue No. 5 – Number of Dwellings (Refer to response above)</p> <p>Issue No. 4 – Parking (Refer to response above)</p>
21	No	<p>We have lived in the area for 4 years and seems the construction of new developments keep getting bigger and bigger, causing obstruction to views for people who have lived and invested in the area for a while. We are in support of the expansion of</p>	<p>Issue No. 12 – Impact on Views As part of the Structure Plan review process, the location and form of future development on Lots 1 and 21 has been examined and a revised set of building envelopes controls proposed. These controls</p>

		<p>Burswood Peninsula and are happy with the previously approved storey of buildings.</p>	<p>have been carefully developed to ensure the protection of important view corridors through the Structure Plan Area, to minimise the impact of overshadowing and to ensure an appropriate street-level interface.</p> <p>The original intent of the primary view corridors as enshrined within the original 2003 Structure Plan have been preserved as part of the proposed variations.</p> <p>The protection of important view corridors through the Structure Plan Area was a key consideration in the development of building envelope controls for Lots 1 and 21. The need to ensure views of significance from public spaces were retained and, where possible, enhanced for the benefit of all residents was paramount.</p> <p>It is acknowledged that the proposed building envelope controls on Lots 1 and 21 will impact on the views currently enjoyed by some residents. However, it is important to note that these views would have been largely affected under the original 2003 Structure Plan in any event. Buildings were always planned for Lots 1 and 21, the only difference is that these buildings are now proposed to be taller, albeit with additional setbacks. This may impact on the views enjoyed by some landowners, but not all.</p>
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			Increasing building setbacks will open-up views for some residents by reducing building bulk. This is evident in the proposal to increase the separation of buildings between Lots 1 and 21, and to separate the built form on Lot 21 into two components, therefore providing views through the lot where previously no such views would have been achievable. An assessment of view corridors through the Structure Plan Area has been undertaken and provided to the Town of Victoria Park as part of the Structure Plan Amendment request.
22	No	<ul style="list-style-type: none"> ·People density ·Traffic especially with very high tower ·Disruption to lifestyle during construction ·Insufficient street parking already an issue and will get significantly worse. I think the studies are faulty and use optimistic inputs to achieve outcomes. 	<p>Issue No. 5 – Number of Dwellings (Refer to response above)</p> <p>Issue No. 6 – Traffic (Refer to response above)</p> <p>Issue No. 4 – Parking (Refer to response above)</p>
23	No	<p>In order for the structure plan amendment to align with the overall strategic intent of this highly prominent locality, we would like to request the Town’s consideration of a number of matters in the Structure Plan that we believe are essential in creating a built form environment that fits within the urban fabric and integrates with the existing community.</p> <p>The critical issues that we wish to be reconsidered are:</p> <p>Building Height It is considered that the proposed increase in building height to Lot 1 is not sympathetic to the Structure Plan. The requested</p>	<p>Issue No. 2 – Building Height (Refer to response above). In relation to the submitter’s comments regarding the ‘height arc’, the following is noted.</p>

variation of 29 storeys or 101 metres in height, is not believed to fit into the context of the structure plan area. As indicated in **Figure 1**, the Structure Plan (2003), proposes a 'height arc' which seeks to have the taller buildings step down to both the northern and southern boundaries to acknowledge their adjoining neighbours and step up towards the centre of the site. This provides the opportunity for freedom to the built form however also ensure a cohesive overall environment.



Figure 1: North - South Section through Lake Park B-B. Structure Plan 2003

As illustrated in **Figure 2**, the overall context of the 'height arc' is refuted and the tallest proposed building within the structure plan area is proposed on the northern boundary, being Lot 1 (10 storeys higher than Lot 10), in lieu of stepping down, as per the intent of the structure plan. The Structure Plan amendment states the inverted 'height arc' and subsequent increase in height is acceptable given the building height will sit comfortably within the wider Burwood site context when viewed from a distance. However, no consideration is given to the existing building in the immediate area which the majority are constructed.

Whilst it is acknowledged that the building heights proposed are important in creating a landmark development for the structure

The original 2003 Structure Plan established building heights which were based on a 'height arc' principle with a graduated increase in the height of towers towards the north of the site and then a stepping down. This approach was both design-led and influenced by Perth Airport height limitations applicable at the time which are no longer a restriction.

In terms of the wider site context, the 'height arc' principle has lost its relevance given the changes to the built environment, and the strategic planning that has occurred in the surrounding area. In this new context, the height arc now inverts with high points at Victoria Park Drive and the Crown Towers, as illustrated in 'Amended Figure 2 – Site Section and Elevation' of the Structure Plan Amendment Report.

The submitter states that no consideration is given to the existing buildings in the immediate area which the majority are constructed. This is incorrect. The 2003 bell curve is still relevant for the lower buildings along the western edge providing a transition to the two and three storey scale of the housing on Victoria Park Drive on Lots 2 through to 8 and a transition to the completed three and four storey buildings on Lots 24 and 23 to the south.

plan area, notwithstanding, the variation proposed is excessive and the overall principle of the 'height arc' should be retained.

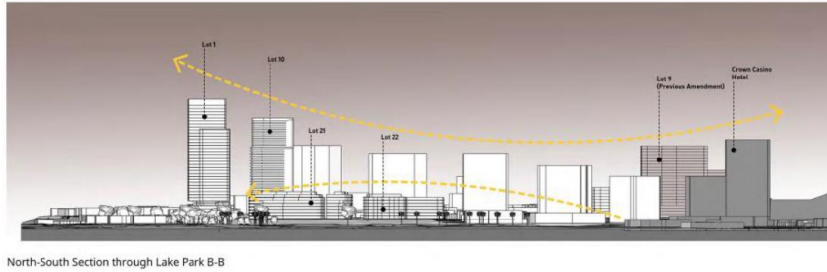


Figure 2: North - South Section through Lake Park B-B. Proposed LSP Amendment

Plot Ratio

Amendment No.2 (2022) seeks to vary the plot ratio of Lot 1 and 21, based on the previously approved variations supported as part of Amendment No.1 (2017). It is strongly believed that previous approvals should not form a precedence and that the individual lot should be assessed on merit.

The proposed plot ratio increases to Lot 1 from 2.44:1 to 8.75:1, is considered to be a substantial increase particularly as the permissible maximum plot ratio in accordance with the Residential Design Codes Volume 2 for areas codes R-AC3 is 2.0. It is considered that the plot ratio for Lot 1 and 21 should be retained as the current Structure Plan at 2.44:1, as this aligned with State Planning Policy.

In addition, the increase in plot ratio will directly impact upon the building interface with the single housing such as Lot [information redacted] Bow River Crescent to the east and create a building of immense scale.

Issue No. 13 – Plot Ratio

Plot ratio is addressed in Section 4.2 of the Structure Plan Amendment Report. As noted in the Report, the inclusion of a plot ratio development standard was originally questioned during preparation of the 2003 Structure Plan on the basis that, as a tool for influencing built form, plot ratio is imprecise. Limiting the total floor area of a building does not necessarily ensure view sharing opportunities, provide human-scale at the street, limit overshadowing of adjacent properties or public spaces, mitigate wind areas, or ensure appropriate form.

Plot ratio is largely irrelevant in the Structure Plan Area given the existence of building envelope controls which establish the extent of built form permitted via height, setback, and site coverage controls. The building

		<p>Dwelling Yield</p> <p>Amendment No.2 (2022) proposes an additional dwelling yield increase of 224 dwellings. The total dwelling yield as indicated in Table 5 for the Structure Plan area is 1,746 plus the additional 224 bringing the total dwelling yield for the structure plan area to 1,970 dwellings.</p> <p>The Amendment states that the population increase will be proportionally less than the predicted total under the Structure Plan (2003). However, the Structure Plan estimates an average of 2.5 people per dwelling (totalling 3,125 people) while Amendment No.2 applies an average ratio of 1.7 people per household. Therefore, the total population based on the population of 1,970 dwellings is 3,349 people. This represents an increase of seven (7) percent to the population base, which results in a greater reliance on the local amenities and increased traffic congestion.</p> <p>Amendment No.2 (2022) makes reference to a 'first in best dressed' scenario in regard to dwelling yield following the Amendment No.1 (2017) variation to Lot 9 and 25 (+496). The applicant states that the Structure Plan creates uncertainty and allows lots which are first to develop to take advantage of an overall dwelling limit to the detriment of the later developments</p>	<p>envelope controls proposed for Lots 1 and 21 have been carefully considered having regard to issues such as views, overshadowing and street-level (human) scale. In this context, a prescribed plot ratio is less relevant as a form of building control within the Structure Plan Area, and this is reflected in the number of plot ratio variations approved to date.</p> <p>Issue No. 5 – Number of Dwellings (Refer to response above). In relation to the submitter's specific comments, the following is noted:</p> <p>The dwelling numbers outlined in Table 5 should be read in conjunction with Figure 8 which identifies three 'Areas' within the Structure Plan. Area A has, and continues to have, a dwelling potential of 50 dwellings. Area B, being developed by Mirvac as 'The Peninsula' project, has an assumed dwelling yield of 1135 under the 2003 Structure Plan and is now proposed to accommodate 1282 dwellings, an increase of 147. Area C has not been developed but was modified in 2017 (via Amendment No.1) to accommodate 561 dwellings, an increase of 496 dwellings. This is illustrated in the attached graphic entitled 'Site Plan – Dwelling Comparison'.</p> <p>Amendment No.1 did not formally adjust the total estimated dwellings numbers from 1250 (original estimate) to 1746 (increase via Amendment No.1) as</p>
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		<p>within the precinct. This analogy and justification of the dwelling yield increase is unreasonable as it is the applicant's decision to seek the amendment in lieu of commencing construction earlier.</p>	<p>should have occurred to allow also sites to retain their established development potential.</p> <p>Whilst this Amendment No.2 proposes an additional 244 dwellings on Lots 1 and 21 (combined), the total variation within Area B (and the Structure Plan overall) is an increase of 147 as several sites in Area B have been underdeveloped (by 77 dwellings).</p> <p>The addition of 147 dwellings at a rate of 1.7 people per household equates to a predicted population increase of 250 people.</p> <p>The submitter raises a concern that the additional population base will place greater reliance on local amenities and increased traffic congestion. In relation to traffic, the submitter's comment is not supported by traffic modelling which demonstrates that the existing road network will operate within acceptable limits without any upgrade or modification to the existing network.</p> <p>In relation to the submitter's comments that the Structure Plan Amendment will result in greater reliance on existing local amenities, it is important to note that the Structure Plan Area is provided with access to an abundance of local amenities such as natural attractions and open space (Swan River and adjoining parklands), entertainment venues (Crown and Optus Stadium) and is located a short distance to the Perth</p>
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Overshadowing

A revised shadow analysis has been prepared to demonstrate the impact of the increased building height, plot ratio and setbacks proposed on Lot 1. The shadow study illustrates that during the winter solstice the single dwellings to the east are unaffected, however during the summer solstice at 3:00pm the majority of Lot [information redacted] Bow River Crescent will be cast in shadow, this includes all north openings to habitable rooms which is critical to the dwelling design due to the zero allotment to the east. It is acknowledged that the shadow analysis has informed the envelope of Lot 1, however Lot [information redacted] is detrimentally impacted.

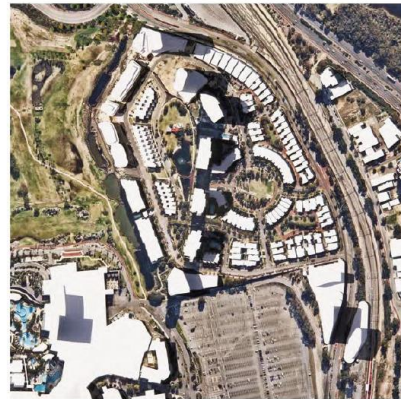


Figure 3: Shadow Analysis Diagram. Summer Solstice – December 21 – 3:00PM

CBD. The Structure Plan Area is well located to accommodate the amenity needs of its existing and future residents.

Issue No. 11: Overshadowing

(Refer to response above). In relation to the submitter’s comment regarding the impact of overshadowing on the adjoining single residential lots to the east of Lot 1, the following is noted. The shadow cast by a building designed in accordance with the height and setback provisions under the original 2003 Structure Plan would still cast a shadow over the adjoining lots during the summer solstice at 3.00pm. Under the proposed Structure Plan Amendment, building setbacks on Lot 1 to Bow River Crescent have been increased to reduce building depth and in doing so, create a more slender east-west orientated building. Whilst this building form produces a longer shadow, the shadow moves more quickly and therefore effects adjoining land for a shorter period of time.

Setbacks along the northern boundary on Lot 1 have also been reduced, which enables the built form to be positioned closer to the northern boundary and in doing so, moves the shadow further north. This increases the extent of shadow cast on the adjoining road reserve (Victoria Park Drive) but reduces the extent of shadow cast on the southern aspect of the adjoining single residential lots to the east.

	<p>Car Parking</p> <p>The standards relating to the provision of car parking within the structure plan are proposed to be amended to reflect the planning and design standards for residential apartments (multiple dwellings) in areas coded R-AC3 as detailed within Residential Design Codes Volume 2.</p> <p>We are supportive of this change based on the Location A provisions being applied to the future development as this would ensure that the provision of car parking bays and subsequent local traffic would be reduced.</p> <p>The parking audit provided in Table 17 confirms an increase in parking bay required as per the Structure Plan (2003) parking provisions. This increase of 122 bays is a substantial increase which will have a detrimental impact upon the amenity of the area. It is acknowledged that the applicant seeks to propose the current Residential Design Codes Volume 2 parking standards it remains unclear as to the total number of bays that will be required for the variation of 224 dwellings as sought under Amendment No.2 (2022); this being 146 dwellings for Lot 1 and 78 dwellings for Lot 21.</p> <p>Traffic Modelling</p> <p>The proposed traffic modelling demonstrates trip rates based on the rates used by Arup in the 2018 Transport Impact Statement relating to Amendment No.1 (2017). The rates (0.36 trips per dwelling in the AM peak and 0.45 trips per dwelling in the PM peak hour) are considered acceptable however it is of concern that the increase in dwelling yield as a result of Amendment No.2</p>	<p>Issue No. 4: Parking</p> <p>This issue is partially addressed above. In relation to the submitter's query regarding the total number of parking bays that will be required on Lots 1 and 21 as a result of the proposed increase in dwelling yield, the following is noted.</p> <p>The number of parking bays required for residential development under the Residential Design Codes – Volume 2 (Apartments) is determined on the basis of the number of one, two+ bedroom dwellings proposed. This information is not known at this stage and will only be confirmed once detailed design work is undertaken. The number of one and two+ dwellings has been estimated in Table 17 for the purposes of providing an indication of the number of resident parking bays expected to be required and will be refined at the Development Application stage.</p> <p>Issue No. 6 – Traffic</p> <p>This issue is partially addressed above. In relation to the submitter's concerns regarding access and egress to Lot 1, the following is noted:</p> <p>The traffic analysis has demonstrated that the internal and external road network has sufficient capacity to</p>
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		<p>will result in 176 vehicles trips entering and exiting Lot 1. As depicted below in Table 1 when the same rates are applied to the Structure Plan (2003) dwelling yield of 74 dwellings the sum of trips is 54 vehicle trips.</p> <p>A key concern we note is that the proposed variations to Lot 1 will result in a significant increase in vehicle activity directly adjacent to Lot [information redacted] Bow River Crescent due to the future vehicle access point located on the eastern lot boundary, as indicted within Amendment No. 2, 4.4 Setbacks (P.48). This will impact upon the amenity for the landowner and result in increased noise and activity adjacent to the dwelling.</p> <p>Conclusion</p> <p>Whilst the above comments are critical of a number of key matters contained within Amendment No.2 it is our view that the amendment seeks to implement some reasonable modifications. Our objective is to protect the interest of the landowner of Lot [information redacted] Bow River Crescent as well as assist in creating an environment where development is encouraged in a form that aligns with the relevant objectives, and encourages good design outcomes.</p> <p>As outlined above the key elements that we wish to see modifications are:</p> <ul style="list-style-type: none"> • Reconsideration of the 29-storey variation to the approved building height of Lot 1. Future development to align to the principle of the 'Height Arc'; 	<p>accommodate the increase in dwelling yield proposed by the Structure Plan Amendment without any modifications. This includes Bow River Crescent.</p> <p>The traffic modelling undertaken as part of the development of the Structure Plan Amendment forecasts daily traffic volumes which are lower than the forecasts contained within the original Structure Plan dating from 2003.</p>
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		<ul style="list-style-type: none"> • Reconsideration of the plot ratio increase to 8.75:1. Plot ratio to align to Residential Design Codes Volume 2, R-AC3 plot ratio of 2.0:1; • Reduction to the increase of a dwelling yield of 224 dwellings. This results in a total dwelling yield for the structure plan of 1,970 dwellings, far in excess of the 1,250 proposed in the 2003 document; • Reconsideration of the building envelope to Lot 1 to seek to modify the shadow analysis to mitigate the impact to Lot [information redacted] Bow River Crescent; • Reduction in the number of car parking bays based on the Structure Plan (2003) provisions. In addition, clarification as to the total number of car bays applicable for the proposed Lot 1 development based on the Residential Design Codes Volume 2; • Amendments to the permissible dwelling yield for Lot 1 based on the traffic modelling which results in an increase of 122 trips during peak hours period, all of which will access the site adjacent to Lot [information redacted]. <p>We appreciate being provided the opportunity to comment on the Structure Plan amendment and look forward to working with the Town in the future to further refine the documentation</p>	
24	No	I would like to express my strong opposition to any relaxation of the structure plan previously approved by Council in 2017.	

		<p>It is simply ridiculous for Mirvac to be allowed to build a high density 41 storey building beside other dwellings to a maximum height of 18 storeys.</p> <p>It is not Burswood Peninsula residents fault that Mirvac has stuffed around with this development for more than 20 years. They have previously been given approvals ... and if they don't use it, they should lose it.</p> <p>They should not be allowed to come back and destroy the previous structure plan and ambience of the development by building a giant tower that is going to cast large shadows, cause traffic issues, increase evening noise, put strain on services in the area.</p> <p>Property prices in The Peninsula have lagged other suburbs because of the delays in Mirvac completing the project and the arrogant attitude of Mirvac to float over ambitious density changes.</p> <p>The maximum height I would agree with in a new structure plan is 21 storey's height and 85 residents.</p>	<p>Issue No. 2 – Building Height (Refer to response above)</p> <p>Issue No. 11: Overshadowing (Refer to response above)</p> <p>Issue No. 6 – Traffic (Refer to response above)</p> <p>Issue No. 9: Property Values The submitter's comment that property values have potentially been affected by Mirvac's activities in the area are not substantiated. In any event, the impact or otherwise of a development proposal on property values is not a reasonable basis upon which to determine the merits of the proposed Structure Plan Amendment.</p>
25	No	<p>Please find following our comments relating to our OBJECTION to the proposed Burswood Lakes Structure Plan Amendment #2, reference number PLA/6/21</p> <p>1. <u>Section 4.1 Building Height</u></p>	<p>Issue No. 2 – Building Height (Refer to response above)</p>

		<p>On page 32, a claim is made that “in terms of the wider site context, the height area principle has lost its relevance given the changes to the built environment. In this context, there is now broader acceptance of taller buildings in and around Burswood Peninsula.”</p> <p>This is an unsubstantiated claim, that Belmont Park Race Course and Burswood station East & West Precincts propose taller buildings that does not constitute “broader acceptance” of taller buildings from a residents point of view. In fact, consultation by Mirvac regarding proposed height changes on Lot 21 clearly demonstrate a lack of acceptance for taller buildings.</p> <p>It should also be noted that, aside from Belmont Park Racecourse, none of the other adjacent developments or precincts have provision for buildings any higher than 28 storeys so to assume a 41 storey building would be acceptable is misleading.</p> <p>2. <u>Section 41. Building Height Page 34</u></p> <p>This section claims that the proposed height increase at Lot 1 considers the height profile to be an appropriate “book end” to balance the height of Crown Towers. How can one bookend be the proposed height of Lot 1, that is 41 storeys (143m) against the current 21 storeys (104m) at Crown Towers – 39m is a huge height difference? Looking at Amended Figure 5: Updated Photo Montage, it is clear that a more appropriate “book end” would be no higher than what is currently approved for Lot 10. It should also be noted that the angle</p>	<p>Issue No. 2 – Building Height (Refer to response above)</p>
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		<p>from which this photo montage positions Crown Towers at the forefront is mis-representative of the true height delta between lot 1 and Crown Towers (the actual delta would have Lot 1 at almost half as high again than the current Crown Towers).</p> <p>3. <u>Section 4.1 Building Height Page 34 – Direct Impact to our house and lifestyle.</u></p> <p>This relates to the commentary of “Shadow Studies”. Whilst the shadow may not have significant impact on “streets and open spaces to the south”, it does cast a day-long shadow over ALL of the existing towers and the central public place for the entire day in both Summer and Winter. It also impacts our residence directly from 3pm onward on the Summer Solstice Diagram taken in December 2021, we will have NO sunshine on the front of our house (our living area and study downstairs and our Bedrooms upstairs) or in our outdoor area, this directly impacts us and our lifestyle in a NEGATIVE way. In Winter, the shadow also paces the circular park and lake park in shadow for much of the day. Both of these areas are high value recreational areas for residents.</p> <p>4. <u>Section 4.6 Dwelling Numbers Page 44 - Direct Impact to our house and lifestyle.</u></p> <p>According to the report “the Structure Plan area’s proximity to public transport...offers an opportunity for reduced car usage”.</p>	<p>Issue No. 11 – Overshadowing</p> <p>This issue is partially addressed above. In response to the submitter’s specific comments, the following is noted. The submitter’s comment that the proposed buildings on Lot 1 and 21 will cast a day-long shadow over all of the existing towers and the central public place is incorrect. Whilst it is not clear which part of the Structure Plan Area the submitter is referring to, the proposed buildings on Lots 1 and 21 will cast a shadow over some of the buildings and some of the open spaces periodically at different times of the day as the shadow moves. The shadow will not remain in the same place for the entire day.</p> <p>In relation to the central area of open space, the shadow analysis demonstrates there will be no change to the shadow cast on this area of open space as a result of the additional building height. This is due to the distance between these lots and the central open space and the existence of buildings in between.</p> <p>Issue No. 4 – Parking (Refer to response above)</p>
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		<p>This is does not reflect the current situation on Burswood Peninsula where cars are parked along most verge and garage hardstand areas due to the number of cars per household versus available parking per residence. The haphazard parking along verges, particularly along Bow River crescent in the vicinity of Lot 1 currently poses a significant accident risk to both pedestrians and other vehicles alike. Cars parking along Bow River Cres, directly opposite us create a bottleneck that only allows one car to pass through the road at a given time and not the two way road access that is implied.</p> <p>Another issue is regarding the Lane Way that is behind us (shown on Amended Figure 11 – Projected Future Traffic Volumes) it narrows to a one lane blind corner at the back corner of our property and we (and the neighbors) have had multiple near misses and accidents with residents and other drivers using this as an access way to Victoria Park Drive. Our garages are all along that laneway and I fear that more traffic will increase the usage and thus more accidents and near misses.</p> <p>5. <u>Section 4.6 Dwelling Numbers Page 45</u> There is a statement which reads “Adoption of DSP and Belmont Park Structure Plans have shaped community expectations for height and density in the area”. This statement is misleading. Just because something is approved in another Precinct, it does not directly translate to acceptance or the setting of expectations for adjacent precincts.</p>	<p>Issue No. 5 – Number of Dwellings (Refer to response above)</p>
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	<p>6. <u>Section 4.12 Car Parking Page 51 - Direct Impact to our house and lifestyle.</u></p> <p>Is there a register and evidence for the dates & times of the parking audit? I find it unbelievable that an ongoing parking audit could find that there are "consistently vacant visitor bays". Did the Audit include Weekends and Weeknights?</p> <p>The front of my property is on Bow River Crescent adjacent to Lot 1 and opposite the existing Aurora building. It is very rare that a visitor to our property is able to find a vacant approved car parking space when they visit, especially weeknights and weekends.</p> <p>Further, figure 20: Visitor Parking Plan is once again misleading, given that 9 of the existing approved parking bays alongside Lots 1 & 21 are currently inaccessible.</p> <p>This lack of street parking is one of the most significant issues facing resident of Burswood Peninsula today and to then state that an additional 20 floors of apartment space will not require any additional parking space is completely without merit.</p> <p>SUMMARY As you will note through our comments on the proposed amendments, we are OPPOSED to the proposed Height / Density changes proposed to Lot 1. We are also opposed to the variation in relation to visitor parking and strongly object to the inclusion of a "no Minimum Visitor Parking Requirement".</p>	<p>Issue No. 4 – Parking (Refer to response above)</p>
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		<p>We are also opposed due to the Shadow and the loss of sunlight after 3pm in Summer over our property and how this will negatively affect our lifestyle and outdoor time.</p> <p>We are also extremely concerned regarding the traffic and the usage of the partially single lane Laneway behind our property, where a car garage is, it is ok to say that residences will use the main roads but they don't as it appears quicker and easier.</p> <p>It is frustrating that the Proposed Amendment Report contains misleading information and/or diagrams which are not truly representative of the opinions and concerns of the current residents of the Burswood Peninsula.</p>	
26	No	<p>Having read the plan and attended a Mirvac community feedback meeting we would like to voice our concerns as follows:</p> <p>The proposal for Lot 21 which will have a higher density than the approved Ador building will obviously result in lower quality apartments due to there being more one bed apartments. This will have a negative impact as all the existing Towers have a minimum of two bed apartments.</p> <p>Lot 1, the proposed Tower 7 being 3 ½ times higher at 41 storeys than the original plan of 12 storeys and over twice the height of all the existing Towers is completely out of step with the rest of the area.</p> <p>Both these buildings with their increased density will have a negative impact on the available amenities [e.g. car parking, road access] services and lifestyle of the existing residents; as</p>	<p>Issue No. 14: Quality of Apartments The submitter's comment that an increase in the number of dwellings will lower the quality of apartments and result in more one-bedroom dwellings is incorrect. To date Mirvac has not delivered a single one-bedroom apartment which is an important offering within an inclusive community.</p> <p>Issue No. 2 - Building Height (Refer to response above)</p> <p>Issue No. 4 – Visitor Parking (Refer to response above)</p>

		<p>this will increase the number of apartment properties in the area by approx. 50%.</p>	
27	No	<p>Proposed Amendment Lacks Independence I question the appropriateness of having a party with a vested interest in the development area preparing Amendment No. 2 to the approved Structure Plan and previously approved amendments. Mirvac has a conflict of interest in this proposal as the developer of the two Lots in question. Supported by "the amendments proposed in this document are primarily focused on Mirvac's undeveloped sites located at Lots 1 and 21 Bow River Crescent".</p> <p>Absence of Town's Report I note the absence of the Town of Victoria Park's prepared review report of the Burswood Lakes Structure Plan (internal paper) setting out the matters that needed to be considered as part of the Structure Plan review in the Document Library for this matter.</p> <p>Lack of Justification I do not believe the proposed Amendment provides sufficient justification for the hugely increased number of dwellings in Lots</p>	<p>Issue No. 1 - Need for Structure Plan Review (Refer to response above). In response to the submitter's comment that it is inappropriate for Mirvac, as a landowner, to prepare the Structure Plan Amendment, the following is noted. It is common practice for landowners to prepare amendments to structure plans that relate to their own landholdings. This was the case in relation to Amendment No. 1, which was prepared by the owners of Lots 9 and 25.</p> <p>The Structure Plan review process and the subsequent preparation of proposed Structure Plan Amendment No. 2 has been undertaken in conjunction with the Town of Victoria Park. In June 2020, the Town prepared a review report of the Burswood Lakes Structure Plan (internal paper) setting out the matters that needed to be considered as part of the Structure Plan review.</p> <p>This review report formed the basis of the work undertaken by Mirvac and has been used to inform the preparation of proposed Amendment No. 2. It has been a specific request of the Town that this review and amendment occur as the Structure Plan is now almost 20 years old.</p> <p>Issue No. 5 – Number of Dwellings (Refer to response above)</p>

		<p>1 and 21 other than to give Mirvac a greater return on investment. Changes in the area like Optus Stadium, Matagarup Bridge do not in themselves justify the increased scale of the developments proposed on Lots 1 and 21.</p> <p>Local Parking Having lived in the area for more than seven years, it is evident that roadside parking is heavily utilised and scarce particularly after hours when most residents are home. This is made more so by residents who have insufficient parking allocations within their residence (whether apartments in towers or other townhouses). Consequently, the 'spill over' for this parking demand is into the surrounding streets and visitor parking bays. There is very limited 'street space' in the proximity of Lots 1 and 21 so the increased number of dwellings will generate parking demand that cannot be accommodated in the very limited street parking that will be available.</p> <p>Summary I urge the Town of Victoria Park and the Western Australian Planning Commission to consider reviewing the proposed Amendment adjusting the developments of Lot 1 and 21 to more modest levels. The proposed Amendment presents unacceptable impacts to the adjoining lower scale residential area, its potential impact on the locality in terms of traffic and parking and the potential for existing residents to live in the shadow of the proposed developments.</p>	<p>Issue No. 4 – Parking (Refer to response above)</p> <p>Issue No. 6 – Traffic (Refer to response above)</p>
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28	No	<p>Amendments to proposed structure are not supported as from original structure due to:</p> <ul style="list-style-type: none"> * Increase plot Ratio - New amendment exceeds significantly of plot ratios as number of increased storeys exceeding the state planning guidelines plot ratio * Build Height - Exceeded significantly as Building 6 - 15 to 31, Building 7 - 12 to 41 and Fairways 4 to 8 is exceeds the original approved as whole area development as overdevelopment * Dwelling Density - the proposed amendment significantly exceeds total number of dwellings for number of residents in the area * Public Open space - With increased number of dwellings and persons living in extra apartments the already limited public open space as parks in the area will cause social issues as to public open space and availability of parks in estate <p>Overall the proposed amendments of increasing number of dwellings as per original proposal significantly of would be more social issues as noise, parking, traffic, disturbances, open spaces, facilities, ascetic from Perth rivershore line, short term accommodation issues (as issues faced as per AirBnb rentals) as clearly evident as to consideration by the State Planning Guidelines for development structure.</p> <p>Thank you for opportunity to convey our concerns as we live and love the area as one of original purchasers in the area as to portray the development to Perth and visitors of Perth Stadium.</p>	<p>Issue No. 13 – Plot Ratio (Refer to response above)</p> <p>Issue No. 2 - Building Height (Refer to response above)</p> <p>Issue No. 5 – Number of Dwellings (Refer to response above)</p> <p>Issue No. 7 – Anti-Social Behaviour/Crime (Refer to response above)</p> <p>Issue No. 6 – Traffic (Refer to response above)</p> <p>Issue No. 4 – Parking (Refer to response above)</p>
29	No	<p>In the Executive summary Mirvac states. “The Structure Plan Amendment has been designed to be read in conjunction with the original Structure Plan (2003) and Amendment No. 1 (2017) Unless modified by the Structure Plan Amendment No. 2 (this</p>	<p>Issue No. 15: Amenity Benefits to Existing Residents The submitter raises a concern that the proposed increase in the number of dwellings on Lots 1 and 21 will provide no benefit to the amenity of existing</p>

		<p>document), the provisions contained within the Burswood Lakes Structure Plan (2003) and Amendment No. 1 (2017) continue to apply.”</p> <p>I contend that this Structure Plan Amendment No 2:</p> <ul style="list-style-type: none"> • By its proposed density uplift serves no benefit to the amenity of existing residents and enhances the return to the developer without any community amenity being offered in return. • Serves only to benefit the developer’s financial interests by delivering a significant uplift in development opportunity to a developer who failed to deliver their own stated objectives of completing development of the Estate by 2013 • Will result in the estate having a significant increase in DU’s without any community amenity having been offered such as convenience shopping being planned. This is not sound planning practice. 	<p>residents. This is incorrect. As part of the proposed Structure Plan Amendment, the landowner (Mirvac) will be providing additional public open space on Lot 6 and providing additional private open space for residents by way of increased developed setbacks between Lots 1 and 21, and within Lot 21. This will provide an improved amenity outcome for both existing and future residents. Additional view corridors are now proposed within or between these sites to afford views to the Perth Stadium and surrounds not currently required or contemplated.</p> <p>Issue No. 16: Community Amenities</p> <p>The submitter raises a concern that the additional population base will place greater reliance on local amenities, such as shopping. The Structure Plan Amendment proposes an increase in the number of residential dwellings within the Structure Plan Area however the increase is proportionally small, representing just 147 dwellings.</p> <p>The provision of shopping/retail facilities in the broader Peninsula was considered by the WAPC during preparation of the DSP. The DSP identifies mixed-use precincts north of the Structure Plan Area to be developed as part of the Belmont Racecourse Redevelopment Structure Plan, and a larger mixed-use precinct south of the Structure Plan Area along Great Eastern Highway to be developed as part of the Burswood Station East and West Precincts.</p>
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		<p>In the Structure Plan Amendment document summary the following is stated: The total combined number of constructed (662), approved (275) and estimated (732) dwellings is 1,669; This exceeds the 2003 Structure Plan dwelling yield of 1,250, which should have been updated by an additional 496 dwellings to a new total of 1,746 at the time of Amendment No.1 to properly account for the amendment changes; and The above estimates are subject to further amendment for sites 1 and 21 via this Amendment. Amendment No. 1 (2017) to the Structure Plan varied the allowable dwelling yield on Lots 9 and 25 by 496 however the overall allowable dwelling yield (1,250) was not adjusted up in proportion. Without this anomaly being corrected, the Structure Plan creates uncertainty and reflects a 'first in best dressed' scenario with regard to dwelling yield. Put simply, those lots that develop first could seek to take advantage</p>	<p>It is also important to note that the Structure Plan Area is provided with access to an abundance of local amenities such as natural attractions and open space (Swan River and adjoining parklands), entertainment venues (Crown and Optus Stadium) and is located a short distance to the Perth CBD. The Structure Plan Area is well located to accommodate the amenity needs of its existing and future residents.</p> <p>Issue No. 1 - Need for Structure Plan Review (Refer to response above)</p> <p>Issue No. 5 – Number of Dwellings (Refer to response above – in particular the response to Submission No. 23).</p>
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		<p>of an overall dwelling limit to the detriment of later developments and the broader precinct. This is a most astounding comment and flies in the face of statements to the Town, JDAP and WAPC in 2013, 2016/17, 2018, 2019 and 2021. I have made submissions regarding this very matter in 2013, 2016/17, 2018, 2019 and 2021 to the effect that the number of DU's on the Estate will exceed 1250 DU's and this has been refuted on every occasion. The Town has been complicit in a planning process of a 'death by a thousand cuts' and this has been pointed out to the Town on every occasion. To now consider brushing that planning failure aside and approving yet another DU uplift without significant benefit to the existing fabric of the Estate is unconscionable.</p> <p>To add further to this, the proposal document states: "To accommodate the variations granted to date and enable some limited increase in the number of dwellings permitted on Lots 1 and 21, this Amendment proposes to remove the maximum overall dwelling yield provision under the Structure Plan and, in its place, apply indicative dwelling yields for each Lot. For those lots which have already been developed, or are subject to an approved Development Application, the constructed and/or approved dwelling numbers for that lot will be shown on Amended Figure 19" An uplift on two lots of some 224 Du's can hardly be characterised as "enable some limited increase".</p> <p>And also "An increase in the number of allowable dwellings will contribute to a greater population base within the Structure Plan however the increase is expected to be proportionally lower than predicted under the 2003 Structure Plan. In 2003, population estimates were based on an average of 2.5 people per dwelling</p>	
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		<p>(3,000 people accommodated in 1,200 dwellings). Changes in demographic profiles have increased the demand for single bedroom and more compact affordable dwellings. This is reinforced in the WAPC's Central Metropolitan Perth Sub-Regional Strategy which assumes an average of 1.7 people per household and a reduction in dwelling size from the current Western Australian average of 244 square metres. Applying an average ratio of 1.7 people per houseful, the addition of 224 extra dwellings on Lots 1 and 21 via the proposed Amendment would generate a population increase in the order of 380 people.</p> <p>The 380 people cited above is 224 additional DU's on lots 1 and 21 only at 1.7p/DU and is disingenuous.</p> <p>By my calculation: 662 existing Du's at 2.5 p/DU = 1655people 1231 remaining DU's at 1.7pDu = 2093 people</p> <p>That's a conservative population density based on the uplift from 1250 Du's to the developers stated 1893 Du's within the Dwelling Yield Breakdown table contained within the document. It should also be noted the Actual dwellings on lots 23 and 24 are incorrect calling into question the veracity of the calculations within the Structure Plan document.</p> <p>As stated, such a significant uplift should be accompanied by a requirement for the remaining lots to provide a significant component of convenience shopping. The plan should also be amended to allow the Small Bar on Lot 13 to 'sell' liquor to the public.</p> <p>Regarding the Traffic Modelling document within the Proposed Amendment 2, I make two points:</p>	
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		<ul style="list-style-type: none"> • The traffic counts were completed in November 2021 at a time when people were in various stages of isolating and working from home. Reliance on Traffic count information taken during this Covid period should be regarded as spurious. • At page 21 the Traffic report acknowledges vehicle access to Lot 9 from Bow River Crescent should be located as far as possible from the intersection with Victoria Park Drive. It takes no cognizance that a Development Approval is already in place for both Lots 9 and 25 and has been since around 2017 when the WAPC approved the development, giving rise to Structure Plan amendment 1 in 2017. 	<p>Issue No. 6 – Traffic (Refer to response above). In relation to the submitter’s specific comments, the following is noted.</p> <p>To our knowledge, an Application for Development Approval has not been submitted in relation to Lots 9 and 25.</p>
30	No	The new height limits are far too high for the context of that they are in. 41 storeys is essentially double any other building in the Burswood peninsula precinct and therefore totally unnecessary. The building will not fit into the built fabric around it and will be isolated against the other buildings in the area. Will not fit into the Burswood peninsula precinct.	<p>Issue No. 2 - Building Height (Refer to response above)</p>

Schedule of Referral Agency comments – Proposed Amendment No. 2 to Burswood Lakes Structure

No.	Agency Name	Comments Received	Applicant's Response
1	Perth Airport	<p>See referral advice enclosed in separate email.</p> <p>No objections raised but Conditions recommended as follows:</p> <ol style="list-style-type: none"> 1. All developments within the structure plan area proposed to exceed 80m AHD must be referred to Perth Airport for assessment and approval. 2. Future developments shall not exceed 150m AHD in height. 3. The applicant or responsible contractor for each development shall lodge an online application to Perth Airport's Protected Airspace Assessment Tool (PAAT) prior to the erection on the subject site of a crane, concrete pump or other construction equipment which is proposed at a height. Cranes may not exceed 150m AHD. <p>Advice i. In relation to Condition 2, developers are advised tower cranes will also be subject to the 150m AHD maximum height limit. It is recommended developers and planners consider how this constraint to tower cranes may constrain the height of a development even further and impact constructability.</p> <p>Advice ii. In relation to Condition 3, applicants are to be made online at https://paat.perthairport.com.au/.</p>	Noted.

		<p>Queries can be directed to Perth Airport's airspace line on 6278 8122.</p> <p>Advice iii. All other precinct structure plans should be sent to PAPL for review as their heights will vary and require specific advice as to the aviation constraints that will impact them.</p>	
2	Department of Water and Environmental Regulation - EIA Planning- EPA Services	The EPA has a statutory role under Part IV of the Environmental Protection Act 1986 (EP Act). The EPA does not generally consider structure plans or provide comment outside of its statutory role. The City should consider any previous EPA advice provided under section 48A (s. 48A) of the EP Act related to the zoning of the land, its obligations under s.38 and s. 48I to refer significant proposals, and any conditions of MS526 which may apply to the structure plan area (including preparation of an EMP prior to ground disturbing works).	Noted.
3	Department of Water and Environmental Regulation - Contaminated Sites, Science and Planning	<p>Based on available information, and consistent with historical advice from the department, Lot 9001 is considered to be suitable for the proposed residential land use. The Department has reviewed the summary of proposed amendments to the structure plan and advises that the amendments are minor and do not change the overall risk profile associated with the identified residual contamination.</p> <p>Therefore, the Department has no objection to the proposed amendments to the Burswood Lakes Structure Plan. However, consistent with previous advice, the department reiterates that all future development works are to be managed as per the requirements of the environmental management plans developed in accordance with the provisions of Ministerial</p>	Noted.

		<p>Statement 526, dated 7 December 1999, under Part IV of the <i>Environmental Protection Act 1986</i>.</p> <p>Although it is noted that Lot 9001 is located within a high-risk acid sulfate soil area, due to the placement of one to two metres of clean fill above the geofabric warning barrier, and waste fill beneath the warning barrier, the Department considers it unlikely that significant acid sulfate soil disturbance will occur during future development and construction activities.</p>	
4	Department of Planning, Lands and Heritage	<p>The proposed Amendment has been considered for its potential impact on heritage places within the affected area and the following advice is given:</p> <ul style="list-style-type: none"> • It is noted that Lots 1, 21 and 26 in the Structure Plan partially affect the State Registered Old Burswood Canal. • The original structure plan proposed a Heritage Agreement and interpretative signage in an area of Public Open Space adjacent Lot 26 to acknowledge the heritage significance of the canal. <p>The proposed amendment includes specific development provisions for lots 1 and 21. As per lot 26, an area adjacent to Lots 1 and 21 should be designated as Public Open Space and include interpretative elements specific to the history and significance of Old Burswood Canal. The owner of the development should enter into a Heritage Agreement to ensure the implementation of the interpretation.</p>	<p>Noted.</p> <p>This is being undertaken for Lot 22 as a Condition of Development Approval and will be required prior to clearances being obtained.</p>
5	VenuesWest	Further to your request for comments pertaining to the Proposed Amendment No.2 to Burswood Lakes Structure Plan,	Noted.

		<p>VenuesWest and the operator of Optus Stadium, Venueslive provide the below comments:</p> <p>Traffic Management</p> <p>We default to the position of the PTA regarding the implications on traffic management on both event and non-event operations and provide the below additional considerations:</p> <p>Access to Optus Stadium in and outside of event periods may be affected by the anticipated increased traffic movements during construction.</p> <p>Access to and from the Stadium is currently served by one major road – Victoria Park Drive, with Roger MacKay Drive and Camfield Drive also allowing entry in and out of the precinct. During large events these roads are subject to a detailed traffic management program, limiting vehicle movement to prioritise the use of public transport to and from the venue. It can't be overstated how important game day traffic management is to ensure the access and egress of up to 60,000 fans and several thousand staff before and after major events. The existing road system and management plan is tight – even one vehicle accident has the potential to render the plan inoperable and both cars and buses would be unable to properly enter or exit the stadium. Again, this needs to be considered in the context of additional dwellings and vehicle movements. In addition to this, the on and off-ramps to the Graham Farmer Freeway require close management on event days, and again new dwellings and an increase in local traffic would need to be considered in the context of major events.</p>	<p>When considered in the context of the entire Structure Plan Area, the proposed increase in the number of dwellings on Lots 1 and 21 is relatively modest, representing an increase of 147 dwellings. Event day traffic volumes associated with the additional dwellings are likely to very low, and exceedingly unlikely to derail the detailed traffic management plans which are applied on event days.</p>
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	<p>Parking Public parking was deliberately limited when the Stadium precinct was designed. This would need to be considered in the context of an increase in the number of people living and moving around the precinct. VenuesLive would be interested in being involved in the evolution of a Parking Management Plan for the development to support ongoing operations and manage the expectations of new residents in the area on event days.</p> <p>Public transport Currently Stadium Station only operates on weekends and there are no bus routes operating to and from the precinct, outside major events. VenuesLive would welcome the opportunity to work jointly with the Town and the Public Transport Authority on the scaling of this facility, to better connect the Peninsula to public transport.</p> <p>Noise All events at the Stadium are required to meet Government-mandated noise regulations. We would be interested in gaining a better understanding of what requirements will be placed on the developer to ensure properties are properly sound proofed to minimise the impact from established event programming.</p> <p>Other impacts An increased load on service infrastructure i.e sewer, gas, water and electricity may impact the stadium operations.</p>	
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6	Burswood Parks Board	<ul style="list-style-type: none"> • The current stormwater drainage system that collects the majority of runoff from the Mirvac site enters in a lake system on the western side of the Mirvac development. This lake system removes the excess stormwater from Mirvac site to the river. In its current state there are several problems with this system. Such as the capacity to effectively remove flood water from the site to the river, storm water in the lower lakes at the Northwest end tend to overflow the banks and cause flooding in the park. The wells and outlets at the end of the lake system struggle to cope with excess flows. Also, contamination that comes through the soil water profile from below the Mirvac site is calcifying in the pipes and wet wells (see attached picture), reducing pipe diameters that cannot cope with excess water and therefore create a backup in the whole drainage system. • There is also an issue with the large concrete drainage pipe that carries the stormwater from lake system to river. It has been poorly designed (pipe is almost level) therefore sediment that travels through the pipe does not flush out and cases build-up inside the pipe which intern reducing the diameter of the pipe and the flow that it can cope with. The main pipe outlet at the river end is also low and as often happens, tide fluctuations, cause stormwater flow issues.(river travels back up the pipe) • The issue of managing this lake system into the future will need some serious consultation on maintenance and ownership, as the maintenance of these lakes will only 	<p>Mirvac, Burswood Park Board and Burswood Casino had a productive call on the 9th June 22 to discuss the matters as listed.</p> <p>It was agreed that further meetings and a greater level of co-operation between the parties will be required to progress the matters as raised.</p> <p>It was also mentioned that the Town of Victoria Park participation would also be beneficial to progress the matters under discussion.</p>
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		<p>become more difficult to access as the area becomes developed.</p> <ul style="list-style-type: none"> • How the interface between the parkland and Mirvac development is to be landscaped or addressed. This area has a huge land height discrepancy between Burswood parkland and the Mirvac site, which exposes the embankment to wind water and foot traffic erosion. • Connectivity between the Mirvac development and the Parkland, I see as important concept in providing people corridors for easy access to the river foreshore, recreational activities, and events all which are a vital link to promoting wellbeing. 	
7	Public Transport Authority	<p>Area A – Lot 26 held by the State Government and leased to the PTA is critical to the operation of Special Event Bus Services for Perth (Optus) Stadium. PTA requires ongoing access to this land or will not be able to provide adequate public transport capacity for events at the Stadium. The PTA is open to discussions regarding the relocation of this facility to another appropriate site in the vicinity of the area but the new site will need to fulfill a number of criteria to be deemed acceptable.</p>	<p>The Structure Plan Amendment does not propose any modifications to vehicle access that would affect Lot 26.</p>