

City of Kalamunda – Proposed Amendment to Existing Restaurant – Lot 3 (415) Mundaring Weir Road, Piesse Brook

Submitter No.	Submission	Officer Comment	Applicant Comment
1	<p>Objection – Total Number of Submissions: 7</p> <p>Submission 1 - Objection</p> <p>The proposed amendment to existing restaurant Lot 3 (No 415) Mundaring Weir Road Piesse Brook 6076.</p> <p>This proposal should not be approved on the grounds of:</p> <ol style="list-style-type: none"> 1.Road Safety Questions that have not been addressed in the proposal such as 2. What hours is it going to be open? 3.Noise pollution 4. Is it going to be licensed? If so, who is the licensee and is that person a fit and proper person to hold it? 5. Privacy 6. Validity of Reports 7. Support of the local community? 8. Reputation of the Company or Person making this application 9. Residents closest to the development not notified. <p>1. Road Safety</p> <p>There have been a number of people killed on Mundaring Road and it could be called a BLACK SPOT. Granted there have been efforts to widen the road in places but that gives people the opportunity to increase speed. If you observe the traffic at the weekends with cyclists, motorcycles, trucks and cars you will come to the same conclusion. This proposal will make the situation much worse and there will be more deaths caused by this. This alone should give the proposal reason to reject it.</p> <p>2 & 3. Opening Hours and Noise</p> <p>If they are given freedom to open any time they have freedom to do as they like. If a function goes on to the early hours there will be cards starting, doors banging, patrons shouting etc. This is a situation that those living nearest to the place would be most affected and may not affect many people, but they are just as important as anybody. If complaints are made, what assurance have we, that action from the Council or the Police will be taken to put a stop to it. Again this alone should give the proposal reason to reject it.</p> <p>Please not! Sounds carry a lot further in a valley location.</p>	<p>Officers acknowledge the submission and have considered the reasons for the objection.</p> <p>Officers acknowledge that an increase in restaurant capacity will result in more traffic. The applicant provided a Traffic Impact Assessment demonstrating that subject to upgrades, access to the site can be acceptable.</p> <p>TOfficers acknowledge that restaurants are a generator of noise. The applicant has</p>	<ol style="list-style-type: none"> 1. Road Safety The applicant is satisfied the Transport Impact Statement produced by independent consultants (Shawmac, Jan 2020) has addressed all road safety concerns and confirms that the proposed development will have no unacceptable impact on road safety or traffic conditions. 2. Opening Hours The Operational Management Plan (Saferight, January 2020) confirms the proposed opening times of the restaurant. 3. Noise A Noise Management Plan (Evergreen, January 2020) has been produced, which will be implemented by the site operators to ensure that any noise generated from the venue falls within acceptable level as per the Environmental Protection (Noise) Regulations 1997. 4. Licensing The restaurant will be fully licensed in accordance with State and Federal legislation. The

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<p>4. Licensed or not? Assuming it is. Who is the licensee? Is he or she fit and proper people to hold one. Are they of good character? If it is licensed, then this will exacerbate the noise problem. As we know alcohol will, with some people create antisocial behaviour. This combined with late hours will create a problem.</p> <p>5. Privacy The development site overlooks the valley below and everyone’s property. From that viewpoint everyone in the area would have their privacy compromised. It is acceptable that every move you made would be overlooked by all those patrons in the establishment? Are there NO Privacy Regulations in the Kalamunda Shire?</p> <p>6. The Special Reports on Water, Fire, Traffic etc. Are they Independent Reports? The reason is, that we all know that when you pay people they provide you with what you want, like a criminal trial. One for the defence and one for the prosecution. They both have versions of the truth slanted in favour of their own interest. Have the Shire done any Independent checks? And will they be available to the residents?</p> <p>7. Support of the Local Community We have talked to most of the residents around the development (Mundaring Weir Road, Croxton and Aldersyde Roads) and not one of them is in favour of this going ahead. Without exception they are very concerned that it will affect their lifestyle adversely. Some are very worried. Some people moved to this location because of health reasons. Others simply to enjoy the peaceful environment. This development goes against any chances of these reasons and defiantly does not have local community support.</p> <p>8. Notification of Residents most people were not notified of this application. The Council Members knew of this proposal because weeks before because they treated them to a function and without question it was to promote this development. In the interests of whom they represent (the residents who voted them in) they have a duty to inform and gather opinions so that they can adequately reflect our views to represent us in matters such as this.</p> <p>We chose to live in Piesse Brook because of the quiet peaceful environment, We are similar to other people in the area who chose the same lifestyle. It would be a mistake to sacrifice us for somebody who thinks they have the right to overturn our chosen lifestyle and to change the ambiance of the area. We still should have rights, which need to be treated with due consideration.</p>	<p>provided a noise management plan and subject to minor modifications, the noise management plan is considered to reduce noise to an acceptable level. Officers note that the restaurant will still need to comply with the Environmental Protection (Noise) Regulations.</p> <p>Liquor Licencing procedures are not a planning matter.</p> <p>Officers sought a peer review of the wastewater information, however remaining reports have been assessed internally.</p> <p>The community response during the consultation period was mostly negative.</p> <p>Advertising was conducted in accordance with Local Planning Policy 11 – Public Notification of Planning Proposals. The area was expanded beyond the minimum, and the timeframe was extended from 14 days to 28 days. With responses received from 67 different submitters it appears that adequate</p>	<p>intended licensee meets the Liquor Licensing and RSA Licensing requirements and is an Approved Manager (Unrestricted Class) approved by the Dept Liqueur and Gaming (no: 0212225418-1) until 16 October 2023. The Applicant has no criminal convictions and is of good character having previously served in the Australian Armed Forces.</p> <p>5. Privacy As is the case with many restaurants and wineries in the nearby Bickley Valley, native trees and vegetation inhibit visibility of the restaurant from neighbouring properties, and vice versa. Specifically, the indoor seating area, balcony and outdoor seating area do not overlook any residential properties.</p> <p>6. Reports Appropriately qualified third-party independent consultants were engaged to produce the Water and Stormwater Management Plan (Evergreen, December 2019), Noise Management</p>
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<p>Some people close by the development were told by the developer that he has plans to build a Boutique Mini Brewery and that not to worry it would only be small. They were shocked when they heard the new plans to extend the original catering capacity from 80 persons to 480 and understood how it would affect them.</p> <p>Submission 2 - Objection</p> <p>Further comments regarding the proposal. After reading the BUSHFIRE ATTACK LEVEL REPORT we have some concerns, they are as follows.</p> <p>1.The disclaimer on Page 3. It states that “it has been derived from sources believed to be reliable and that the Author is not responsible for the results of any actions taken based in information in this report or for any error or omission from this publication”. The questions must be asked, what are the sources this report is based on? Is this a genuine report based on expert information? If anything happens the Author can disclaim responsibility is that an admission that the report is in some ways lacking and incorrect?</p> <p>2.On page 4. and throughout the report it mentions classes of buildings such as class 1,2,3 etc, Building Codes of Australia Rules and Regulations. What do these mean? What are these classes? You have to be a Lawyer to extract a meaning from this Gobbledygook writing. It should be in Plain English so as to be clearly understood. From my understanding it means that because this is a commercial site then all Regulations concerning Bushfire Related Building Requirements are not required on this site. If that is so then the requirements are insufficient.</p> <p>3. This report says nothing about dealing with the dangers if there was a fire threat.</p> <p>If there was a fire threat what are the Evacuation plans? The rule is that you hope for the best but plan for the worst. In a situation such as</p> <ol style="list-style-type: none"> 1. A “restaurant” surrounded by forests. 2. 500 people in this “restaurant” 3. Hilly terrain. 4. A fire with high winds. 5. High temperatures 6. Spot fires breaking out ahead of the fire 7. Dense smoke ahead of the fire 8. Only one way out to Mundaring Weir Road 	<p>notice to the impacted community was provided.</p> <p>The Bushfire Attack Level Assessment was prepared by a qualified Bushfire Assessor.</p>	<p>Plan (Evergreen, January 2020), Transport Impact Statement (Shawmac, Jan 2020) and Bushfire Attack Level (BAL) Report (Smith Consulting, Sept 2019). The City of Kalamunda has subsequently and independently confirmed this with the authors of each report.</p> <p>The reports will be available to residents under a Freedom of Information request, as is standard practice with developments of this nature, or via email as mbevkc@saferight.com.au Specifically, the Water Management Plan recommends a community engagement program.</p> <p>7. Community Support The applicant notes that the restaurant has received some community objection. However, it has received a great deal more community support from locals who welcome the reopening of a past favourite, including local jobs it will bring and the support it will give to local producers/growers.</p>
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<p>9. Mundaring Weir Road cut off on one side because of a falling tree. 10. The other side of Mundaring Weir Road blocked because of a traffic accident caused by panic from patrons in their cars blocking the other side of Mundaring Weir Road. 11. Buildings on site made of wood, deck etc. 12. Car park full of cars with petrol in the tanks 13. Kitchen with fats and oils 14. Gas cylinders maybe 15. Trapped</p> <p>On this item alone how could this proposal be approved knowing that many lives could be lost. <u>This a death trap in the waiting.</u></p> <p>To finish, we think the report is not genuine. It has obviously been tailored to fit the applicants wishes. It should be rejected along with the submission.</p> <p>Submission 3 - Objection</p> <p>I am very much against this increased number of people to 480. If a fire should start the numbers of cars coming out of the Chalet Rigi would be so many, I would have difficulty getting out of Croxton Road on to Mundaring Weir to escape a fire. We had a similar problem when the weir dam overflowed. There was a stream of Traffic and we were unable to get up to Kalamunda. We could be easily trapped on Croxton Road. Fires and strong winds how is the council going to get 250 cars out of Chalet Rigi. This upsets our evacuation plan and it could put us in more danger, burned out cars are not a pretty 'sight (sic) on tv!'</p> <p>Dear Madam,</p> <p>During my discussion with the Development Officer he states he wanted to find out what people thought of it and how they envisaged it would affect them by the proposal, he did not want comments or people's concerns related to the Special Reports from us. He said all matters in relation to the Special Reports were being addressed.</p> <p>We are offended by this ruling. It means the genuine concerns and their implications of the community are not being taken into account especially those who would be closest to the proposed development.</p> <p>We made a submission to your Planning Officer about Fire Hazards and he would not accept it, nor would he pass it on to DFES. We were told to give it them ourselves which we will do.</p>	<p>Officers acknowledge that an increase in restaurant capacity will result in more traffic. The applicant provided a Traffic Impact Assessment demonstrating that subject to upgrades, access to the site can be acceptable.</p> <p>Submissions are welcome on all matters, however only planning matters can be considered through the development application process. In discussions emphasis was provided to ensure submitters did not miss the opportunity to comment on amenity impacts while focusing on</p>	<p>8. Notification The applicant believes that the submission is referring to a private Kalamunda Chamber of Commerce Sundowner hosted on 30 January 2018 to introduce the local business community to the restaurant. City of Kalamunda Councillors were invited to attend; however, no staff or Councillors accepted the invitation. No member of the City of Kalamunda has attended any other "function" at the restaurant.</p> <p>Chalet Rigi operated as a purpose-built restaurant with approval for 350 patrons for over 30 years under the previous owner. A formal approval for 350 patrons was issued by the City of Kalamunda on 26 November 2012 to the new owner. This approval lapsed during redevelopment. CR has never operated with approval numbers of 80 patrons. An increase of 37% from 350 to 480 is sought.</p>
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<p>Would you please give this submission to Regan Travers. Also, your Chief Fire Officer should be given a copy.</p> <p>We must be able to express our concerns and they must be addressed we would like answers to them. It is not good enough to say that all of the issues raised by the community have or are being dealt with, how do we know that the issues we bring to the table are being dealt with properly?</p> <p>Can we get copies of your independent Reports?</p> <p>We are all worried that if a fire should happen we would be trapped by the panic and influx of 250 cars exiting from one exit down Mundaring Weir Road especially those on the opposite side of the road. Please consider the problem. 50 people plus staff may be OK but not 480 plus staff of which many could not get away in time.</p> <p>The issues raised by the community whether or not they are in a Special Report must be taken into consideration and we must have answers to our concerns.</p> <p>Submission 4 – Objection Submission 1 (4) is verbatim to Submission 1 (3).</p> <p>Submission 5 – Objection Submission1 (5) is verbatim to Submission 1 (3).</p> <p>Submission 6 – Objection Hacketts Gully, do you know of the problem we could all have that use Mundaring Weir Road. If a fire came and we try to get to Kalamunda, it would be a 'DEATH TRAP' think about it! The Chalet Rigi wishes to increase the restaurant form 80 patrons to 480 patrons. 80 would be 40 cars in a panic to Kalamunda, 480 patrons and staff, 250 cars! Dangerous! It's got a Bushfire Report in place but what about in Hacketts Gully and Piesse Brook, we have driveways and roads on to, our way to safety, up Mundaring Weir Road. It would be a traffic jam outside Chalet Rigi, no one could get pasted in a fire. We could all burn to death.</p>	<p>interpreting technical documents.</p> <p>Reports provided by the applicant, and the City's assessment of the proposal have been published as part of the Special Council Meeting process.</p>	<p>1. A disclaimer of this nature is standard practice for BAL and other professional reports. The author of the BAL report is a suitably qualified and independent professional.</p> <p>2. The BAL report, and all other third-party reports, have been prepared in accordance with relevant legislative and Australian Standard requirements. The author of the BAL report is a suitably qualified and independent professional.</p> <p>3. Refer to the Bushfire Management & Evacuation Plan (Saferight, January 2020) that outlines the intended actions should a bushfire or other emergency threaten the restaurant. The preferred option is site evacuation.</p> <p>The plan provides several evacuation routes depending on the fire's approach and instructions for sheltering on-site if instructed to do so by DFES.</p>
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	<p>Submission 7 -Objection <i>LATE SUBMISSION – This submission was received to the City on the 14th August 2019, 9 days after the submission period closed.</i></p> <p>Dear Sir,</p> <p>I do wonder what you are planning to now put in place on Mundaring weir Road for the people who live along it, a lot of us plan to get up to Kalamunda as fast as we can in a fire. Now we could have a lot more cars and coaches, from Chalet Rigi, 480 people plus staff, it could be awful for the people who live at Hackett’s Gully. A real total panic, they will no be able to get past. You are all doing a great job and looking after us. Thank you</p>	<p>As a long-term resident of the Perth Hills, bushfires are taken very seriously by the Applicant. The Applicant has strived to improve bushfire management at the restaurant and has made significant investment to reduce vulnerability and minimise the threat to people, property and infrastructure.</p> <p>The restaurant has an extensive fire management system that far surpasses requirements, including:</p> <ul style="list-style-type: none"> • Roof sprinklers on the restaurant building connected to mains and back-up water supply. • 4 x industrial firefighting hose reels. • 3 x off-grid back-up firefighting pumps. • Firefighting trailer with an independent heavy-duty built-in pump and robotic nozzle head with remote controlled access and foam capabilities. • Fire hydrant to enable fire trucks to connect to mains water. • Fixed water storage tanks with total capacity of
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			<p>89,000 L in the event of mains water failure.</p> <ul style="list-style-type: none"> • Mobile water storage tanks with total capacity of 24,000 L for additional firefighting purposes. • 10+ internal fire extinguishers. Please refer to the Bushfire Management & Evacuation Plan (Saferight, January 2020) for all details on emergency evacuation. <p>The plan provides several evacuation routes depending on the fire’s approach and instructions for sheltering on-site if instructed to do so by DFES.</p> <p>As a long-term resident of the Perth Hills, bushfires are taken very seriously by the Applicant. The Applicant has strived to improve bushfire management at the restaurant and has made significant investment to reduce vulnerability and minimise the threat to people, property and infrastructure.</p> <p>The restaurant has an extensive fire management</p>
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			<p>system that far surpasses requirements, including:</p> <ul style="list-style-type: none"> • Roof sprinklers on the restaurant building connected to mains and back-up water supply. • 4 x industrial firefighting hose reels. • 3 x off-grid back-up firefighting pumps. • Firefighting trailer with an independent heavy-duty built-in pump and robotic nozzle head with remote controlled access and foam capabilities. <ul style="list-style-type: none"> • Fire hydrant to enable fire trucks to connect to mains water. • Fixed water storage tanks with total capacity of 89,000 L in the event of mains water failure. • Mobile water storage tanks with total capacity of 24,000 L for additional firefighting purposes. • 10+ internal fire extinguishers. <p>The Transport Impact Statement produced by independent consultants (Shawmac, Jan 2020) has addressed all road safety concerns and confirms that the proposed development will have no unacceptable</p>
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			<p>impact on road safety or traffic conditions. It also confirmed that the existing road network could accommodate the increased number of cars.</p> <p>The submission’s estimate of an additional 250 cars at any one time is inaccurate and unrepresentative of future conditions.</p> <p>The intended number of 480 people includes all staff and onsite contractors.</p> <p>All third-party reports will be available under a Freedom of Information request, as is standard practice with developments of this nature. Specifically, the Water Management Plan recommends a community engagement program.</p> <p>Chalet Rigi (CR) operated as a purpose-built restaurant with approval for 350 patrons for over 30 years under the previous owner. A formal approval for 350 patrons was issued by the City of Kalamunda</p>
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			<p>on 26 November 2012 to the new owner. This approval lapsed during redevelopment. CR has never operated with approval numbers of 80 patrons.</p> <p>Please refer to the Bushfire Management & Evacuation Plan (Saferight, January 2020) for all details on emergency evacuation.</p> <p>The submission’s estimate of an additional 250 cars at any one time is inaccurate and unrepresentative of future conditions. Please refer to Transport Impact Statement (Shawmac, Jan 2020).</p> <p>The intended number of 480 people includes all staff and onsite contractors. Please refer to the Bushfire Management & Evacuation Plan (Saferight, January 2020) for all details on emergency evacuation.</p> <p>Please refer to Transport Impact Statement (Shawmac, Jan 2020).</p>
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			<p>The intended number of 480 people includes all staff and onsite contractors.</p>
<p>2.</p>	<p>Comment Only– Total Number of Submissions: 2</p> <p>Submission 1 - Objection</p> <p>We have lived in Hummerston Road for 34 years and did experience the former Chalet Rigi Restaurant. As it was operated as an inside only restaurant it was not prone to high levels of noise so did not impact on us. Our main concern with the new venture is the amount of outdoor entertainment areas of quite substantial sizes. The number of patrons of 80 per day is quite reasonable but we are totally opposed to the unreasonable number of 480 as the noise impact on us here would be substantial and add to the traffic noise that we already experience from Mundaring weir road. No doubt alcohol will be served at this venue and if the patrons were contained inside, the noise could be more reasonable. The license I am sure would not restrict the areas to inside, so the noise impact would be far greater on us. We strongly object to the probable noise impact that an outside entertainment arear would have on us with 480 patrons.</p> <p>Submission 2 - Objection</p> <p>I have submitted my written response to you but feel I could qualify my feelings better on email to you so am now forwarding it to your for your consideration please.</p> <p>We are residents of Hummerston Road at the very eastern end and have been there for 34 years so know the area well. We are as you pointed out in your letter in close proximity to the Chalet Rigi Restaurant as are a number of others as well</p> <p>We did experience the former Chalet Rigi Restaurant and it was of no consequence to us because it was a fully enclosed area operating as a normal restaurant would indoors. There was no impact on us at all due to noise or other things. It was a very quiet affair with no outdoor areas of entertainment and was in far earlier times.</p>	<p>Officers acknowledge that restaurants are a generator of noise. The applicant has provided a noise management plan and subject to minor modifications, the noise management plan is considered to reduce noise to an acceptable level. Officers note that the restaurant will still need to comply with the Environmental Protection (Noise) Regulations.</p>	<p>Chalet Rigi (CR) operated as a purpose-built restaurant with approval for 350 patrons for over 30 years under the previous owner. A formal approval for 350 patrons was issued by the City of Kalamunda on 26 November 2012 to the new owner. This approval lapsed during redevelopment. CR has never operated with approval numbers of 80 patrons. An increase of 37% from 350 to 480 people is sought.</p> <p>A Noise Management Plan (Evergreen, January 2020) has been produced, which will be implemented by the site operators to ensure that any noise generated from the venue falls within acceptable level as per the Environmental Protection (Noise) Regulations 1997. This includes consideration of the outdoor seating</p>

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	<p>We do enjoy the bush and our quiet environment so when we saw the proposal to allow 480 patrons per day to the existing site, only with the addition of a large outdoor entertainment area we were truly concerned. If the patrons were contained within the building it would not be such an issue but as it has a very large outdoor entertainment area and liquor will be involved it will no doubt have a vast increase in noise pollution to our normally quiet existence. Even 80 patrons per day will have some impact upon us but we are not opposed to anyone having a lawful business as long as it is well contained and does not interfere with our life style too much. If the proposal is not approved, it will be interesting to see how this will be policed as I am sure that it will be stretched out over time so that no one notices. I am sure that the owner would not have taken the noise aspect for local residents into account or if he did would have dismissed it to further his cause.</p> <p>We fully oppose the proposed amendment to 480 patrons per day as it will only serve the owners and not the nearby residents who would have to put up with all that running a business of this type would present especially in the finer weather on a weekend. One imagines the beer garden image and noise that this generates once people indulge in alcohol over periods of time. There is also going to be a large increase in traffic volume allowing access to and from the site. I do note that the driveway entrance is large and wide so should be able to cope and that is not our concern. The noise pollution is however of great concern to us and as I said we are totally opposed to the increase from 80 to 480 patrons per day.</p>		<p>area at varying times of the day.</p> <p>A Noise Management Plan (Evergreen, January 2020) has been produced, which will be implemented by the site operators to ensure that any noise generated from the venue falls within acceptable level as per the Environmental Protection (Noise) Regulations 1997. This includes consideration of the outdoor seating area at varying times of the day and restriction of entertainment such as music.</p> <p>The applicant is also an adjoining resident and has a vested interest in not interfering with local lifestyles.</p> <p>Please refer to Transport Impact Statement (Shawmac, Jan 2020).</p> <p>Chalet Rigi (CR) operated as a purpose-built restaurant with approval for 350 patrons for over 30 years under the previous owner. A formal approval for 350 patrons was issued by the City of Kalamunda</p>
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			<p>on 26 November 2012 to the new owner. This approval lapsed during redevelopment. CR has never operated with approval numbers of 80 patrons. An increase of only 37% from 350 to 480 is sought.</p>
<p>3.</p>	<p>Objection – Total Number of Submissions: 1</p> <p>I have submitted my written response to you but feel I could qualify my feelings better on email to you so am now forwarding it to your for your consideration please.</p> <p>We are residents of Hummerston Road at the very eastern end and have been there for 34 years so know the area well. We are as you pointed out in your letter in close proximity to the Chalet Regi Restaurant as are a number of others as well.</p> <p>We did experience the former Chalet Regi Restaurant and it was of no consequence to us because it was a fully enclosed area operating as a normal restaurant would indoors. There was no impact on us at all due to noise or other things. It was a very quiet affair with no outdoor areas of entertainment and was in far earlier times.</p> <p>We do enjoy the bush and our quiet environment so when we saw the proposal to allow 480 patrons per day to the existing site, only with the addition of a large outdoor entertainment area we were truly concerned. If the patrons were contained within the building it would not be such an issue but as it has a very large outdoor entertainment area and liquor will be involved it will no doubt have a vast increase in noise pollution to our normally quiet existence. Even 80 patrons per day will have some impact upon us but we are not opposed to anyone having a lawful business as long as it is well contained and does not interfere with our life style too much. If the proposal is not approved it will be interesting to see how this will be policed as I am sure that it will be stretched out over time so that no one notices. I am sure that the owner would not have taken the noise aspect for local residents into account or if he did would have dismissed it to further his cause.</p> <p>We fully oppose the proposed amendment to 480 patrons per day as it will only serve the owners and not the nearby residents who would have to put up with all that running a business</p>	<p>Officers acknowledge that restaurants are a generator of noise. The applicant has provided a noise management plan and subject to minor modifications, the noise management plan is considered to reduce noise to an acceptable level. Officers note that the restaurant will still need to comply with the Environmental Protection (Noise) Regulations.</p>	<p>Submission 3 is verbatim to Submission 2 above.</p> <p>Response is as above.</p>

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	<p>of this type would present especially in the finer weather on a weekend. One imagines the beer garden image and noise that this generates once people indulge in alcohol over periods of time. There is also going to be a large increase in traffic volume allowing access to and from the site. I do note that the driveway entrance is large and wide so should be able to cope and that is not our concern. The noise pollution is however of great concern to us and as I said we are totally opposed to the increase from 80 to 480 patrons per day.</p>		
<p>4.</p>	<p>Objection – Total Number of Submissions: 3</p> <p>Submission1 - Objection</p> <p>Sites for proposed ATU and dripper area are not acceptable to the Department of Water’s operational policy 4.3 on “Identifying and Establishing Waterways Foreshore Areas”. Hackett’s Gully is a <u>Priority 2</u> public drinking water source area.</p> <p>The bedrock between the proposed areas is Yilgarn Craton Granites and runoff across the north eastern boundary is likely with a high impact probable on creek water quality.</p> <p>The traditional 30 metre buffer zone for Hackett’s Gully could be achieved by relocation to areas adjacent to the south west boundary with possible impact on Lot 100 only.</p> <p>There is insufficient parking for 400 Patrons. Noise pollution would be extreme, with 400 and no allowance has been made for Firebreaks.</p> <p>Submission 2 -Objection <i>LATE SUBMISSION – This submission was received to the City on the 13th August 2019, 8 days after the submission period closed.</i></p> <p>Dear Ms Hardy,</p> <p>As we have made you aware, the owner of the Lot 3, Piesse Brook site is currently installing an ATU system.</p> <p>Our question is, is the ATU the model that was approved by the City previously? We believe that this is not the case and therefore request that you issue a stop work notice.</p> <p><i>Confidential information has been removed</i></p>	<p>The independent peer review of the applicants wastewater proposal concluded that the proposed wastewater disposal is acceptable. Officers note that the irrigation areas have been modified since community consultation.</p> <p>The proposed car parking area exceeds the Scheme requirements for parking for restaurants.</p> <p>This matter is not relevant to the current application.</p>	<p>Refer to updated Water Management and Stormwater Management Plan (Evergreen, Dec 2019) which addresses all concerns relating to water management.</p> <p>Whilst the Department of Health approval requires a 30 m setback from effluent irrigation areas and surrounding watercourses, the Applicant was keen to alleviate perceived concerns about water quality by taking supplementary measures. Additional site works were undertaken in October 2019, including drilling 10 boreholes to <1 .5 m below ground and completing additional soil permeability testing, soil classification and nutrient lab analysis.</p> <p>Based on these results, the proposed effluent irrigation area was redesigned to</p>

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<p>We also have a query regarding location and construction of the ATU's on our Southern boundary.</p> <p>Submission 3 -Objection <i>LATE SUBMISSION – This submission was received to the City on the 13th August 2019, 8 days after the submission period closed.</i></p> <p>Dear Minister Kelly,</p> <p>We are the owners of a property Lot XX Piesse Brook in the City of Kalamunda.</p> <p>Our Lot XX is fortunate to have a long section of the creek "Hackett's Gully" running from our Eastern boundary to empty into Piesse Brook which also bisects our land. There are two small dams (see below) on Hackett's Gully from which four households draw their water and have done for almost 100 years.</p> <p>The owners of Lot 3 have applied to the Council for planning approval for an expanded restaurant (or function centre) with seating for <u>350 patrons (480 patrons per day) after having been given approval for 80 patrons per day</u>. The application is supported by a report recommending an Aerobic Treatment Unit (ATU) system which will produce at least 14,400 litres of treated waste water per day with discharge onto land within 3X metres of our common boundary.</p> <p>This has apparently had support from the Hon. Minister for Health, Mr Roger Cook, as reported in our community newspaper. The concrete tanks for the proposed ATU are already on site (see below). This area is 21.7 metres from the Hackett's Gully creek and lies above the dams. Most residences in our valley are without scheme water or deep sewerage of course.</p> <p>Our previous ATU installations have had to be placed at least 100 metres from waterways.</p> <p>The proposal is currently before the Department of Water, we understand. It appears to be outside the recommendations of the Middle Helena Catchment Area, Land Use and Water Management Strategy.</p> <p>Will you please take this information into consideration in your deliberations concerning this proposal for waste water disposal from the planned restaurant?</p>		<p>place most of it in the south away from Hackett's Gully Creek. Most (78%) of the irrigation area has been relocated south, sitting at over 150 m distance from Hackett's Gully.</p> <p>The rest of irrigation area has also moved south, sitting at over 50 m from Hackett's Gully.</p> <p>Furthermore, the smaller area will only be used when on-site numbers go above 364 people/day or to allow for shutdown of the larger irrigation area.</p> <p>The newly proposed dispersal areas avoid the granite outcrops and adhere to all minimum setback distances required by the Department of Health and the City of Kalamunda, and in most instances, are greater than those required.</p> <p>Refer to Transport Impact Statement (Shawmac, Jan 2020) which confirms there is adequate parking on-site to meet requirements.</p>
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			<p>Refer to City of Kalamunda’s Local Planning Scheme No. 3 – onsite parking requirements state 1 bay per 4 people accommodated (i.e. 120 bays needed for 480 accommodated people on site).</p> <p>The restaurant will have 151 car parking bays which meets the City’s requirements and offers an additional 25% contingency. In addition, there will be 4 bus parking bays and separate service/delivery parking to ensure there will be no off-site parking. A Noise Management Plan (Evergreen, January 2020) has been produced, which will be implemented by the site operators to ensure that any noise generated from the venue falls within acceptable level as per the Environmental Protection (Noise) Regulations 1997.</p> <p>Refer to updated Water Management and Stormwater Management Plan (Evergreen, Dec</p>
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			<p>2019) which addresses all concerns relating to water management and the ATU.</p> <p>Whilst the Department of Health approval requires a 30 m setback from effluent irrigation areas and surrounding watercourses, the Applicant was keen to alleviate perceived concerns about water quality by taking supplementary measures.</p> <p>Additional site works were undertaken in October 2019, including drilling 10 boreholes to <1 .5 m below ground and completing additional soil permeability testing, soil classification and nutrient lab analysis. Based on these results, the proposed effluent irrigation area was redesigned to place most of it in the south away from Hackett’s Gully Creek.</p> <p>Most (78%) of the irrigation area has been relocated south, sitting at over 150 m distance from Hackett’s Gully. The rest of irrigation area has also moved south, sitting at over 50 m from Hackett’s</p>
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			<p>Gully. Furthermore, the smaller area will only be used when on-site numbers go above 364 people/day or to allow for shutdown of the larger irrigation area.</p> <p>The newly proposed dispersal areas avoid the granite outcrops and adhere to all minimum setback distances required by the Department of Health and the City of Kalamunda, and in most instances, are greater than those required.</p> <p>Chalet Rigi operated as a purpose-built restaurant with approval for 350 patrons for over 30 years under the previous owner. A formal approval for 350 patrons was issued by the City of Kalamunda on 26 November 2012 to the new owner. This approval lapsed during redevelopment. CR has never operated with approval numbers of 80 patrons.</p> <p>Approval for the ATU installation was granted by the Minister for Health and</p>
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			Department of Health in July 2019.
5.	<p>Objection – Total Number of Submissions: 2</p> <p>Submission 1- Objection</p> <p>We strongly object to this proposal on the basis that the effluent disposal system will not cope with the flood of fluid delivered to it when 500 guests and staff are using it over a brief period of time. We note that ‘tests’ were made of the soil. Were those tests performed by an independent authority? The proposed filtration/absorbent area is steeply sloping. During the winter when the hills are receiving heavy rain, how will the drainage area cope? The suggestion is that the natural bush involved will not be disturbed, however the certainty of extra nutrients will kill the native plants and introduced weeds. Piesse Brook is much too close! Some time ago, a function was held at or near ‘Chalet Rigi’ in the evening, the noise was <u>most</u> unwelcome. The noise from motor cycles is very bad at the weekends now, without the added (illegible) from ‘Chalet Rigi’.</p> <p>Submission 2- Objection</p> <p>Proposed Amendment To Existing Restaurant - Lot 3 (No. 415) Mundaring Weir Road, Piesse Brook.</p> <p>I have recently responded to the correspondence delivered to my address, inviting comment on the proposal outlined above. I find the proposal to be worrying.</p> <p>Following a visit to the Council office, where I was fortunate to meet two members of the Health Department, the Department has supplied the writer with a contour map of the land on which the restaurant is sited. The map shows that the site of the proposed dispersal bed, falls steeply, approximately 13 meters down towards Piesse Brook (slightly south of due north). The dispersal system will be required to absorb 14,000 litres per day, IT IS ASSUMED. The writer has been involved in field, and most other forms of drainage, for sixty years. In W.A. since 1969. That experience covers storm water drainage, land drainage and most interesting of all the dispersal of domestic and industrial waste water. The Council has provided some research papers on rainfall for the general area. The thinking being that very wet land can only absorb so much water. This is important due to the need for the waste water from this restaurant to</p>	<p>The independent peer review of the applicants wastewater proposal concluded that the proposed wastewater disposal is acceptable. Officers note that the irrigation areas have been modified since community consultation.</p> <p>Officers acknowledge that restaurants are a generator of noise. The applicant has provided a noise management plan and subject to minor modifications, the noise management plan is considered to reduce noise to an acceptable level. Officers note that the restaurant will still need to comply with the Environmental Protection (Noise) Regulations.</p>	<p>All reporting and testing has been undertaken by suitably qualified third party independent professionals.</p> <p>Refer to updated Water Management and Stormwater Management Plan (Evergreen, Dec 2019) which addresses all concerns relating to water management.</p> <p>A Noise Management Plan (Evergreen, January 2020) has been produced, which will be implemented by the site operators to ensure that any noise generated from the venue falls within acceptable level as per the Environmental Protection (Noise) Regulations 1997. This includes consideration of the noise in the evenings.</p> <p>Refer to updated Water Management and Stormwater Management Plan (Evergreen, Dec 2019) which addresses all concerns relating to water</p>

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	<p>disperse ON SITE. There are several major problems for this site. The gradient. Soil type the actual amount of water. Rainfall. Management.</p> <p>The gradient: - very steep Soil :- Heavy The actual amount of water:- a guess at best, for example modern lavatory systems are renowned for jamming in the flushing system, and flowing for hours unnoticed.</p> <p>Rainfall: - the council have been kind enough to supply some rainfall records which give us monthly rainfall figures. Unfortunately, these monthly figures are irrelevant. In the hills and no doubt elsewhere, rainfall is not a steady sprinkle for a day or perhaps two days. My family and I have lived within two or three kilometers of this site since 1969. Our experience is that rainfall comes with very varied volumes, varying from a gentle sprinkle as mentioned or a tropical down pour, during which surface drains become blocked with leaves and rubbish and the water simply flows over everything in its path. One event was at the Learning Centre on Mundaring Weir road, only a year or two ago. The water flushed the bituminised car park clean and blocked the large storm water drains and poured over the kerbing and washed away supporting soil from the foundations of a retaining wall. Further towards Bickley these events can be more frequent, one would note that the Bickley rainfall is often higher than most other districts. Most people assume that when the plug is pulled of lavatory flushed, we can forget about "it". This waste water system is very far from "set and forget". Due to the very steep site, any failure will result in effluent polluting the two streams nearby. If for example the sprinklers are in action after a busy nights trade and one of those tropical downpours occurs, will anyone THINK TO TURN OFF THE SYSTEM? If the weather has been persistently wet for a few days, and the processing system has been set to store the effluent, thus filling the available storage tanks, and then one the tropical down pours occurs, what happens next? There is a solution to this problem, the writer has drawn the attention of the City Health Depart officers to this. Should our earlier submission, plus this addendum, be ignored then we cannot support the proposal to increase the patronage to 480. Our concern is public health, nothing more and nothing less</p>		<p>management including topographical mapping, proposed terracing, rainfall and risk mitigation measures in "worst case scenarios".</p> <p>The Water Management and Stormwater Management Plan was prepared in accordance with all relevant guidelines and standards, including AS/NSZ 1547:2012.</p>
<p>6.</p>	<p>Comment Only– Total Number of Submissions: 1</p> <p>Have no problem to the proposal <u>only</u> if Mundaring Weir Road needs upgrading to accommodate of increase of traffic (widened) all the way to town central.</p>	<p>Officers acknowledge that an increase in restaurant capacity will result in more traffic. The applicant provided a Traffic Impact Assessment demonstrating that subject to upgrades, access to the site can be acceptable.</p>	<p>Refer Transport Impact Statement produced by independent consultants (Shawmac, Jan 2020) has addressed all road safety concerns and confirms that the proposed development will have no unacceptable</p>

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		Upgrading Mundaring Weir Road, while beneficial, would not meet the 'nexus' test required for planning conditions.	impact on road safety or traffic conditions.
7.	<p>Non- Objection – Total Number of Submissions: 1</p> <p>This will be great for tourism and outdoor education activities – Bibbulmun Track and Munda Bindi Track – Both work renowned active destination destinations.</p>	Noted.	Noted.
8.	<p>Objection – Total Number of Submissions: 1</p> <p>I object to the proposal of 480 patrons a day because I only have access to Kalamunda by driving on Mundaring Weir Road. I believe this road would have a lot of safety issues for large amounts of traffic. It is not wide enough and is very windy.</p> <p>I have enough problems on the weekend with the cyclists, especially when there is a group of them. I have had near misses with cars coming in the opposite direction when I have tried to overtake the cyclists that is because the road is very windy and you cannot see too far ahead. That sort of traffic and cyclists would be a disaster on Mundaring Weir Road,</p> <p>The other issue that concerns me are bushfires.</p>	<p>Officers acknowledge that an increase in restaurant capacity will result in more traffic. The applicant provided a Traffic Impact Assessment demonstrating that subject to upgrades, access to the site can be acceptable.</p> <p>Bushfire concerns are noted.</p>	<p>Refer Transport Impact Statement (Shawmac, Jan 2020) which has addressed all road safety concerns and confirms that the proposed development will have no unacceptable impact on road safety or traffic conditions. It also confirms that the existing road network could accommodate the increased number of cars.</p> <p>Refer BAL Report and Bushfire Emergency Evacuation Plan (Saferight, Jan 2020).</p>
9.	<p>Objection – Total Number of Submissions: 3</p> <p>Submission 1- Objection <u>General</u></p> <p>The proposed change by Chalet Rigi Pty Ltd of patron usage for Lot 3 (Nor 41) Mundaring Road Piesse Brook, from 80 to 480 per day visitations should be rejected by the City of Kalamunda as the Company's argument has fallen short in its justification and especially in its documentation as presented to the City.</p>		<p>Chalet Rigi (CR) operated as a purpose-built restaurant with approval for 350 patrons for over 30 years under the previous owner. A formal approval for 350 patrons was issued by the City of Kalamunda on 26 November 2012 to the new owner. This</p>

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	<p>Firstly, I have a query which is integral to this report: What does the Proponent currently have in respect to the City's approval? Apart from zoning for a Restaurant, does the Proponent have a number of patrons approved?</p> <p>This is asked as the ATU Installation License (for 350 patrons) has expired and a renewal is being sought (obviously for 480 patrons). Where do the 80 patrons come into this equation?</p> <p><u>Comments</u> The site bears very close inspection because of its situation and, fair to say, its unique value and especially its overall effect on the valley and its surrounds.</p> <p>Any impact on this site is significant and must therefore take into account accurate reporting and subsequent consideration of:</p> <ul style="list-style-type: none"> • Traffic • Noise • Water Management • Fire • Environmental considerations • Benefits/risk <p><u>Traffic</u> As there is no Traffic Management Plan for the site the questions are:</p> <ul style="list-style-type: none"> • How do the proponents intend to allow safe entry and exit to and from the site of 192 (possibly more) vehicles per day from Mundaring Weir Road. • The entry statement (or lack of) would need very careful planning by a competent Traffic Engineer. • Is the second entrance part of the internal traffic circulation. If so, this presents a new set of questions. • Mundaring Weir Road, in its entirety, is to say the least, challenging because it is winding, has very little verge, has significant drainage ditches and is further complicated by the new Road Laws surrounding cyclists. It has many black spots (including Fern Road) and has an unfortunate history of accidents, fatal and otherwise. The Shawman Transport Impact Statement page 20.7.1 Crash History is simply disingenuous. • How do the proponents overcome the problem with the entrance being on a bend. Site lines and motorists' driving behaviours couples with the new bridge will complicate this? 	<p>The restaurant currently has a valid planning approval for 80 patrons per day.</p> <p>Officer consideration of the application has taking into account the matters raised in the submission. Given the broad topics of the submission, Officers recommend referring to the Council Report for further detail on each matter raised.</p> <p>Officers acknowledge that an increase in restaurant capacity will result in more traffic. The applicant provided a Traffic Impact Assessment demonstrating that subject to upgrades, access to the site can be acceptable.</p>	<p>approval lapsed during redevelopment. CR has never operated with approval numbers of 80 patrons.</p> <p>Refer Transport Impact Statement (Shawmac, Jan 2020) which has addressed all road safety concerns and confirms that the proposed development will have no unacceptable impact on road safety or traffic conditions. It also confirms that the existing road network could accommodate the increased number of cars.</p> <p>All parking can be accommodated on-site. Refer to City of Kalamunda's Local Planning Scheme No. 3 – onsite parking requirements state 1 bay per 4 people accommodated (i.e. 120 bays needed for 480 accommodated people on site).</p> <p>The restaurant will have 151 car parking bays which meets the City's requirements and offers an additional 25%</p>
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	<ul style="list-style-type: none"> Do the proponents have the approval of the Owner of Lot 14 to the carparking proposal? How does the City justify its denying access on to Mundaring Weir Road for residents whose properties have frontages, Aldersyde Road North and Mundaring Weir Road. <p><u>Noise</u> The Proponent has not made available a report covering this aspect of the development. The best way of describing the impact of noise is to set out two incidents which were experienced at XXX Aldersyde Road, Piesse Brook.</p> <ul style="list-style-type: none"> A wedding with 120 persons was held at the Chalet Rigi site and the resulting noise was dreadful, penetrating and very disturbing. Many residents were affected by this. Question: if 120 people can make so much noise what will 480 people do? Past experience of noise compliance rules are simply ignored. The people of the valley and its surrounds deserve the level of quiet enjoyment, as they expected when purchasing their "home in the forest". The City's Code states "Our simple guiding principle will be to ensure anything we do will make Kalamunda socially, environmentally and economically sustainable". <p><u>Water Management</u> The reports have many contradictions and errors of omission and it is hard to conceive:</p> <ul style="list-style-type: none"> 14,400 litres of effluent per day can easily be guaranteed to dissipate into the soil, without some effect on the surrounding land and more importantly the groundwater, the Brook, dams and the overall water catchment area. The Reports have a definite resolution that the Biomix equipment will be capable of handling the waste water by dissipating the treated waste water evenly by drippers over an area of 3,650 square metres. In essence the whole system relies on the permeability of the soil and its evaporative rate. We note that the Strass Report has used: <ol style="list-style-type: none"> Temperature and rainfall statistics for the period of 1983 to 2010. Have not conducted sufficient borehole testing on the 3,650 square metres site. The borehole mentioned was dug to a depth of 1.5 metres and the extraction pits to a maximum of 0.9 metres. It does not clarify that the hole and the pit were on the irrigation site. Page 9 point 2.2.2 of the Strass Report, Site to Topography, reference clayey loam soils along with a photograph. This photograph could have been taken anywhere on the site. The Evergreen Consulting WA report is silent on the question of soils and does not mention the 3,650 irrigation site in any way. It is also silent on temperature and rainfall statistics. Out comment based on ownership of land is that the soil is not just 	<p>Officers acknowledge that restaurants are a generator of noise. The applicant has provided a noise management plan and subject to minor modifications, the noise management plan is considered to reduce noise to an acceptable level. Officers note that the restaurant will still need to comply with the Environmental Protection (Noise) Regulations.</p> <p>The independent peer review of the applicants wastewater proposal concluded that the proposed wastewater disposal is acceptable. Officers note that the irrigation areas have been modified since community consultation.</p>	<p>contingency. In addition, there will be 4 bus parking bays and separate service/delivery parking to ensure there will be no off-site parking.</p> <p>Additional widening works to Mundaring Weir Road by the State Government have increased overall road safety in the vicinity of the restaurant.</p> <p>A Noise Management Plan (Evergreen, January 2020) has been produced, which will be implemented by the site operators to ensure that any noise generated from the venue falls within acceptable level as per the Environmental Protection (Noise) Regulations 1997.</p> <p>Refer to updated Water Management and Stormwater Management Plan (Evergreen, Dec 2019) which addresses all concerns relating to water management.</p> <p>Whilst the Department of Health approval requires a 30 m setback from effluent irrigation areas and surrounding watercourses,</p>
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	<p>loamy and this has been proven by the sinking of a borehole to a depth of 120 feet. The boring produced gravel, loam, hard rock, clay and very compact gravel.</p> <ul style="list-style-type: none"> • It is also interesting that our property has a dam which is not lined, relies on soil and retains water all year. Our land on the Mundaring Weir Boundary is solid heavy gravel. The next door neighbour on the north side has a dam as well and this is white clay. This dam is used as a source of drinking water by the Owners and is located 15 metres from the irrigation area. • The Strass Environmental Report Introduction states that “water from the Helena Dam is no longer used to supplement drinking water storage and that the pumpback scheme to the Mundaring Weir has been discontinued”; and The Evergreen Consulting WA Report page 12 Regional Waste Water Management states “This site is situated within the middle Helena public drinking water sources area and is managed for Priority 2 (p2) source protection. Question: Are the water sources from the Helena Catchment Area utilised in the Mundaring Weir Operation? If so the Strass Environment Report is incorrect. • Stormwater management for the site: <ul style="list-style-type: none"> a) The site contains a total area of 24,019 square metres. Adopting the Evergreen Report as to measurements relating to the unsealed ground, an area of 23,569 square metres, we are asked to accept that all stormwater generated over this area will be contained on site. The site plan reveals that in the carpark for the 123 cars four sumps are located. b) It may be advisable for the City to seek a Foreshore Management Plan, such costs to be paid by the Proponent, to ensure that the responsibilities and warranties of the Report are jointly owned. <p><u>Fire</u> A local resident informed me, after reading the Fire Report, that the report suggested that the Restaurant represented a low level risk. There is a forest opposite and bush on the northern boundary.</p> <p><u>Environment</u> An Environmental Impact Study covering this development is essential.</p> <p><u>Benefits to Risks</u> The question of this development’s benefit to Kalamunda (as proposed) is questionable and the risks significant.</p> <p><u>Summary</u></p>		<p>the Applicant was keen to alleviate perceived concerns about water quality by taking supplementary measures.</p> <p>Additional site works were undertaken in October 2019, including drilling 10 boreholes to <1 .5 m below ground and completing additional soil permeability testing, soil classification and nutrient lab analysis.</p> <p>Based on these results, the proposed effluent irrigation area was redesigned to place most of it in the south away from Hackett’s Gully Creek. Most (78%) of the irrigation area has been relocated south, sitting at over 150 m distance from Hackett’s Gully. The rest of irrigation area has also moved south, sitting at over 50 m from Hackett’s Gully.</p> <p>Furthermore, the smaller area will only be used when on-site numbers go above 364 people/day or to allow for shutdown of the larger irrigation area.</p>
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<p>The amended proposal should not be allowed to proceed because of:</p> <ul style="list-style-type: none"> • The information contained above. • The City’s very wide definition and subsequent use of the term “Restaurant” • The Soil Permeability Report (is this the adoption of the soil morphology in the Strass Report?). If so the City would be advised to ask for a detailed report on the irrigation area of the proposal. • It does not meet the pub test and it does not meet to City’s stated aspirational values. <p>Submission 2 – Objection</p> <p><u>Additional Information</u></p> <p><u>Fire</u></p> <ul style="list-style-type: none"> • The Murray Redmond Report (Emergency and Evacuation Response Procedure) does not address the question of how 500 people can be safely evacuated from a fire. Is there a relationship between the author of the Report and Saferight Pty Ltd? • The Smith Consulting Report Figure 1 Vegetation Classification - Site Assessment is supported by photos which are very selective in their representation. I prefer to rely on the City’s map sent in the advice of 8th July 2019, copy enclosed, for a clear representation of vegetation. • Is the DFES designation of the area ‘bushfire prone’? • There is a question of accuracy on the slop determination covering the vegetation classification. • Page 15 (final paragraph) states “The highest BAL rating for portion of the building upgrade is BAL29”? What does this mean? Surely we are looking at a complete proposal. • Page 9 photo 1d photo 2 – is very relevant. Note the high granite rock. • The disclaimer on the Report is significant. <p><u>Summary</u></p> <p>The fire risk is perilous and a question of people’s safety in a bushfire-prone area is of paramount importance.</p> <p><u>Other Items</u></p> <p>The following points are further clarified.</p> <p>Noise</p> <ul style="list-style-type: none"> • It is possible to hear in the valley noise from the Mundaring Weir Hotel. • Mention is made of a 600 square metres beer garden (Evergreen Report). Is this part of the application? If it is this proposal taken on a new dimension in the form of an “events” venue and the possibility of a microbrewery. 		<p>The BAL Report was prepared by a suitably qualified third-party professional.</p> <p>The restaurant is directly complementary to the City of Kalamunda’s, and the State Government’s, future vision of Kalamunda and the Perth Hills as a key tourist destination.</p> <p>An Environmental Impact Statement is not required for reopening of an existing restaurant under current legislation. Environmental impacts to water courses are considered under the Water and Stormwater Management Plan (Evergreen, Dec 2019). Vegetation clearance will be kept to an absolute minimum and additional native vegetation will likely be planted in the dispersal areas.</p> <p>Many members of the community welcome the reopening of a past favourite restaurant, including local jobs it will bring and the support it</p>
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<p>Carparking</p> <ul style="list-style-type: none"> • With my 30 years’ experience as a Retail Shopping Centre Developer I ask does the number of carparking spaces sighted in the Shepard Site Plan satisfy the City’s carparking policy for a Restaurant License? • The number of carparking bays being promoted (123) may be difficult to locate on the site taking into account the trees, swales and other obstructions. • If the 480 patrons’ visitations occur in or around the same time (which is possible with that the Proponent has in mind (note 20 toilets)) then is there sufficient usable carparking? The number of vehicles exiting the site at one time would need lengthy stacking lanes. • It is noted that ephemeral catchment dam is on the Proponent’s northern boundary close to Mundaring Weir Road, quite some distance from the carparking grease trap. • The stormwater sump on Lot 100 has to be discounted as this site may be sold in the future. • Is the Hummerston through road proposal to Fern Road in anyway involved with the Chalet Rigi proposal? <p><u>Conclusion</u> All reports supporting this proposal have very significant disclaimers – every care but no responsibility. What is in fact accurate? As this proposal is highly sensitive it warrants very close inspection as the devil is in the detail.</p> <p>Submission 3 - Objection Thank you for your time, documentation and explanation pertaining to this amendment.</p> <p>As a result we have a query as outlined below:-</p> <p>Does the City’s town planning scheme No. 3 – Restaurant definition flexible enough to encompass:-</p> <p>A Children’s Aquatic Park – a Zipline – Miniature Train Circuit around the property and the World’s Biggest Cuckoo Clock</p> <p><i>“Future plans include a children aqua park, a zipline, miniature train circuiy sound the property and possibly the world’s biggest cuckoo clock – a link to Mack’s great-great-great grandfather, world renown clockmaker Johann Baha”</i>(Echo Newspaper, 2018)</p>	<p>The proposed car parking area exceeds the Scheme requirements for parking for restaurants.</p> <p>These elements do not form part of the current application. If physical works are required it is likely that some of the uses mentioned would need to obtain planning approval.</p>	<p>will give to local producers/growers.</p> <p>The reopening of the restaurant is directly complementary to the City of Kalamunda’s, and the State Government’s, future vision of Kalamunda and the Perth Hills as a key tourist destination.</p> <p>As a long-term resident of the Perth Hills, bushfires are taken very seriously by the Applicant. The Applicant has strived to improve bushfire management at the restaurant and has made significant investment to reduce vulnerability and minimise the threat to people, property and infrastructure. The restaurant has an extensive fire management system that far surpasses requirements, including: • Roof sprinklers on the restaurant building connected to mains water and back-up water supply. • 4 x industrial firefighting hose reels outside the restaurant connected to mains water. • 3 x off-grid back-up firefighting pumps</p>
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	<p>If so, is the reason for the proposal to increase patronage (by five times). Verification would be appreciated as many residents are confused as to the site's intended use.</p>		<p>for use in the event of power failure. • Firefighting trailer with an independent heavy-duty builtin pump and robotic nozzle head with remote controlled access and foam capabilities. • Fire hydrant to enable fire trucks to connect to mains water. • Fixed water storage tanks with total capacity of 89,000 L in the event of mains water failure. • Mobile water storage tanks with total capacity of 24,000 L for additional firefighting purposes. • 10+ internal fire extinguishers in the kitchen, cooking area, balcony and seating areas including dry chemical, wet chemical and DCP ABE types. • Fire blankets in the kitchen and all cooking areas.</p> <p>Please refer to the Bushfire Management & Evacuation Plan (Saferight, January 2020) for all details on emergency evacuation.</p> <p>The BAL Report was prepared by a suitably qualified third-party professional. Bushfire</p>
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			<p>management is taken very seriously by the applicant.</p> <p>A disclaimer of this nature is standard practice for BAL and other professional reports.</p> <p>The applicant is seeking approval for a restaurant only, not a microbrewery or events centre. Any future expansion, not currently planned, would require a separate Development Application to be submitted and considered by the City of Kalamunda, including community consultation.</p> <p>Refer to Transport Impact Statement (Shawmac, Jan 2020) which confirms there is adequate parking on-site to meet requirements.</p> <p>Refer to City of Kalamunda's Local Planning Scheme No. 3 – onsite parking requirements state 1 bay per 4 people accommodated (i.e. 120 bays needed for 480 accommodated people on site).</p>
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		<p>The restaurant will have 151 car parking bays which meets the City's requirements and offers an additional 25% contingency. In addition, there will be 4 bus parking bays and separate service/delivery parking to ensure there will be no off-site parking.</p> <p>Refer to updated Water Management and Stormwater Management Plan (Evergreen, Dec 2019) which addresses all concerns relating to water management and drainage.</p> <p>The applicant is seeking approval for a restaurant only. Any future expansion, not currently planned, would require a separate Development Application to be submitted and considered by the City of Kalamunda, including community consultation.</p> <p>Chalet Rigi (CR) operated as a purpose-built restaurant with approval for 350 patrons for over 30</p>
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			years under the previous owner. A formal approval for 350 patrons was issued by the City of Kalamunda on 26 November 2012 to the new owner. This approval lapsed during redevelopment. CR has never operated with approval numbers of 80 patrons. The increase in numbers is less than one-fold, not five-fold.
10.	<p>Objection – Total Number of Submissions: 1</p> <p>This is another example of the destruction of the peace and tranquillity we expect when we moved to the hills. Mundaring Weir Road has become a major highway with the noise and speed of trucks, motor bikes and hoon's cars are ever evident. Every effort to have the Police take action has not significantly reduces the problem. The Shire/City has not taken any action, except to plan to widen the road to exacerbate the problem! His development at Chalet Rigi will further disturb out environment – a smaller version would be acceptable.</p>	Officers acknowledge the concern regarding the scale, and that a smaller version would be the preference of the submitter.	Refer Transport Impact Statement (Shawmac, Jan 2020) which has addressed all road safety concerns and confirms that the proposed development will have no unacceptable impact on road safety or traffic conditions. It also confirms that the existing road network could accommodate the increased number of cars.
11.	<p>Objection – Total Number of Submissions: 1</p> <p>Submission 11 is verbatim to submission 10</p>	As above.	As above.
12.	<p>Objection – Total Number of Submissions: 1</p> <p>Very concerned about potential impact on traffic on Mundaring weir Road. This road is littered with crosses where people have dies between 415 Mundaring Weir Road and the start of Mundaring Weir Road in Kalamunda. This proposal for 480 patrons per day and car parking for 180 cars, suggests an increase of 180 cars travelling along Mundaring Weir Road per day. The infrastructure and design of Mundaring Weir Road with many blind bends is not built to cater</p>	Officers acknowledge that an increase in restaurant capacity will result in more traffic. The applicant provided a Traffic Impact Assessment demonstrating that subject to upgrades,	Refer Transport Impact Statement (Shawmac, Jan 2020) which addresses all road safety concerns and confirms that the proposed development will have no unacceptable impact on road safety or traffic

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	<p>for this large increase in traffic. It will endanger the lives of locals, visitors, motorists, motorcyclists and cyclists.</p> <p>Very concerned about noise levels on residents in the Piesse Brook Valley. People choose to live in Piesse Brook exactly because it is rural, peaceful and quiet. To increase patronage to 480 people, allow music to be played all day and all night it contrary to the amenity of the Piesse Brook Valley.</p> <p>Very concerned about impact of increased activity – number and noise of vehicles, number and noise of people, noise of loud music at all hours on the native wildlife of the area. The white tailed and red-tailed black cockatoos are on the threatened species list and Piesse Brook is their home. This proposal will undoubtedly have an adverse impact on these birds and other native wildlife in the area.</p> <p>Very concerned about impact of Waste water treatment proposal. This property is in a water catchment area. The proposed waste water treatment will leach into the Piesse Gully creek. Further bores operation in adjacent properties prove that ground water is readily accessible in the area. We vehemently oppose this proposal.</p>	<p>access to the site can be acceptable.</p> <p>Officers acknowledge that restaurants are a generator of noise. The applicant has provided a noise management plan and subject to minor modifications, the noise management plan is considered to reduce noise to an acceptable level. Officers note that the restaurant will still need to comply with the Environmental Protection (Noise) Regulations.</p> <p>The independent peer review of the applicants wastewater proposal concluded that the proposed wastewater disposal is acceptable. Officers note that the irrigation areas have been modified since community consultation.</p>	<p>conditions. It also confirms there is sufficient parking space on-site to meet requirements.</p> <p>Refer to City of Kalamunda’s Local Planning Scheme No. 3 – onsite parking requirements state 1 bay per 4 people accommodated (i.e. 120 bays needed for 480 accommodated people on site).</p> <p>The restaurant will have 151 car parking bays which meets the City’s requirements and offers an additional 25% contingency. In addition, there will be 4 bus parking bays and separate service/delivery parking to ensure there will be no off-site parking.</p> <p>A Noise Management Plan (Evergreen, January 2020) has been produced, which will be implemented by the site operators to ensure that any noise generated from the venue falls within acceptable level as per the Environmental Protection (Noise) Regulations 1997.</p>
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			<p>Refer to updated Water Management and Stormwater Management Plan (Evergreen, Dec 2019) which addresses all concerns relating to water management.</p>
<p>13.</p>	<p>Objection – Total Number of Submissions: 1</p> <p>In addition to the water concerns raised by the Department of Water, we have valid concerns relating to noise. At the current 80 patron capacity we have experience excess noise issues during functions.</p> <p>A 5 fold increase in capacity would therefore increase noise to an unacceptable level.</p> <p>We object to any increase.</p>	<p>Officers acknowledge that restaurants are a generator of noise. The applicant has provided a noise management plan and subject to minor modifications, the noise management plan is considered to reduce noise to an acceptable level. Officers note that the restaurant will still need to comply with the Environmental Protection (Noise) Regulations.</p>	<p>A Noise Management Plan (Evergreen, January 2020) has been produced, which will be implemented by the site operators to ensure that any noise generated from the venue falls within acceptable level as per the Environmental Protection (Noise) Regulations 1997.</p> <p>Chalet Rigi (CR) operated as a purpose-built restaurant with approval for 350 patrons for over 30 years under the previous owner. A formal approval for 350 patrons was issued by the City of Kalamunda on 26 November 2012 to the new owner. This approval lapsed during redevelopment. CR has never operated with approval numbers of 80 patrons. The proposed increase is less than one-fold.</p>

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<p>14.</p>	<p>Non -Objection – Total Number of Submissions: 1</p> <p>Please consider a bicycle path next to Mundaring Weir Road. We have many, hundreds on weekends, coming up Mundaring Weir Road. It is only a matter of time until someone is hurt or killed.</p>	<p>Officers acknowledge the submission. Bicycle parking is conditioned to be provided at the facility, but requiring a bicycle path is not within the scope of this application.</p>	<p>Noted – the applicant supports all measures to increase road safety for cyclists and other road users.</p>
<p>15.</p>	<p>Objection – Total Number of Submissions: 1</p> <p>We are concerned over the proposal for the following reasons</p> <ul style="list-style-type: none"> • Traffic – Additional traffic is likely to make Mundaring Weir Road a high risk black spot. • Noise - Large and more frequent events is likely to increase noise emissions to the Piesse Brook. The additional noise would affect (negativity) the quiet nature and amenity of Piesse Brook. • Water – It is unclear how water would be treated from the 480 people, restaurant and bar without impacting the nearby Piesse Brook. We have concern that the water treatment system would be wither inadequate un capacity or would impact the downstream water course. 	<p>Officers acknowledge that restaurants are a generator of noise. The applicant has provided a noise management plan and subject to minor modifications, the noise management plan is considered to reduce noise to an acceptable level. Officers note that the restaurant will still need to comply with the Environmental Protection (Noise) Regulations.</p> <p>The independent peer review of the applicants wastewater proposal concluded that the proposed wastewater disposal is acceptable. Officers note that the irrigation areas have been modified since community consultation.</p>	<p>Refer Transport Impact Statement (Shawmac, Jan 2020) which has addressed all road safety concerns and confirms that the proposed development will have no unacceptable impact on road safety or traffic conditions. It also confirms that the existing road network could accommodate the increased number of cars. A Noise Management Plan (Evergreen, January 2020) has been produced, which will be implemented by the site operators to ensure that any noise generated from the venue falls within acceptable level as per the Environmental Protection (Noise) Regulations 1997.</p> <p>Refer to updated Water Management and Stormwater Management Plan (Evergreen, Dec 2019) which addresses all</p>

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			<p>concerns relating to water management.</p>
<p>16.</p>	<p>Objection – Total Number of Submissions:</p> <p>480 from 80 is a large increase. How can they guarantee the creek will not get contaminated and what events will be there to attract this number of people? Is there opening hours + days and any restrictions or curfew? Support local business but the numbers seem extreme * up to 780 patrons per day (as in the Transport Impact Statement page 8 (3.2 Proposed Development)).</p>	<p>The independent peer review of the applicants wastewater proposal concluded that the proposed wastewater disposal is acceptable. Officers note that the irrigation areas have been modified since community consultation.</p> <p>Officers acknowledge that restaurants are a generator of noise. The applicant has provided a noise management plan and subject to minor modifications, the noise management plan is considered to reduce noise to an acceptable level. Officers note that the restaurant will still need to comply with the Environmental Protection (Noise) Regulations.</p>	<p>Chalet Rigi (CR) operated as a purpose-built restaurant with approval for 350 patrons for over 30 years under the previous owner. A formal approval for 350 patrons was issued by the City of Kalamunda on 26 November 2012 to the new owner. This approval lapsed during redevelopment. CR has never operated with approval numbers of 80 patrons.</p> <p>Refer to updated Water Management and Stormwater Management Plan (Evergreen, Dec 2019) which addresses all concerns relating to water management.</p> <p>The current application is for 480 people including staff and on-site contractors.</p>
<p>17.</p>	<p>Objection – Total Number of Submissions: 1</p> <p>Dear Chief Executive Office,</p> <p>I wish to make the following submission in relation to the below proposal:</p>		<p>Please refer to the Bushfire Management & Evacuation Plan (Saferight, January 2020) for all details on emergency evacuation.</p>

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	<p><u>Proposed amendment to Existing Restaurant – Lot 3 (No. 415) Mundaring Weir Road, Piesse Brook</u></p> <p>We OBJECT to this proposal due to the following concerns:</p> <p>Increased risk to Bush Fires/ poor evacuation procedures/ Limited evacuation routes:</p> <p>Noise Levels: I am concerned about the impact of noise levels on neighbours and other residents in the valley. Recently a past function at Chali Rigi (prior to increasing from 80 patrons) created excess noise up until midnight heard by neighbours and residents up 1 km across the valley. As Piesse Brook is a natural amphitheatre, noise automatically travels up and across. If the venue was to increase to 480 patrons targeting weddings as intended, it would be a 5 fold increase. Will residents be affected possibly more than 3 nights a week and during the day?</p> <p>Have residents received any consultation on time limits and measures that will be put in place to reduce music levels? As it is an outside venue overlooking the valley, will they be restricting music to be played inside? I encourage the shire to ensure that regular unwanted or unreasonable noise does not have significant impact on the amenity of our area.</p> <p>Surely, it would be wise to consult other shires that have approved similar venues and investigate if local residents are impacted and the restraints that they now abiding by. Avocados Restaurant & Reception Centre, Kelmscott is similar in that it sits within a valley and caters for over 100 guests.</p> <p>Wildlife Threats: Reports from Department of Biodiversity, Conservation and Attractions, state the White-Tailed Black Cockatoo and Forest Red-Tailed Black Cockatoo are local to Piesse Brook, and are in fact, two out of the three threatened species of black cockatoos in WA and which are likely to become extinct. Considering these birds nest and breed in the valley, will such a venue increase this risk? Will their natural habitat be impacted by regular increased noise levels, affecting nesting and breeding habits? Has the Shire consulted agencies such as Perth Zoo and Karaakin Black Cockatoo Conservation Centre ensuring that we are not in breach of such protection laws?</p>	<p>Officers acknowledge that restaurants are a generator of noise. The applicant has provided a noise management plan and subject to minor modifications, the noise management plan is considered to reduce noise to an acceptable level. Officers note that the restaurant will still need to comply with the Environmental Protection (Noise) Regulations.</p> <p>No information provided with the application indicates that there is a risk to cockatoo species.</p>	<p>A Noise Management Plan (Evergreen, January 2020) has been produced, which will be implemented by the site operators to ensure that any noise generated from the venue falls within acceptable level as per the Environmental Protection (Noise) Regulations 1997, including consideration of outdoor noise.</p> <p>There have been no “functions” at Chalet Rigi with the exception of private family gatherings which are permitted under typical property ownership legislation and are not subject to the same “rules” as licensed restaurants.</p> <p>Chalet Rigi (CR) operated as a purpose-built restaurant with approval for 350 patrons for over 30 years under the previous owner. A formal approval for 350 patrons was issued by the City of Kalamunda on 26 November 2012 to the new owner. This approval lapsed during redevelopment. CR has never operated with approval numbers of 80 patrons. The proposed</p>
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<p>Motorist & Cyclist Safety If this venue was to go ahead, there is no question that the safety of cyclists and motorists (who travel on Mundaring Weir Road) would be under impact. Driving into town on a weekend requires motorists to overtake on average 7 cyclists in a trip, one way. Counting up to 78 cyclists on a weekend, along with increased tourism in the Bickley Valley, (and in addition to the possible influx of 300 cars travelling to and from Chalet Rigi), would be an act of stupidity adding more traffic? There is no doubt the road has no technical defaults and could cope with increased motorists, but has the Shire considered that this route is steep and very windy in places and promoted by Cycle Life HQ as one of the most scenic and popular rides in Perth. You would seriously have to question any such action.</p> <p>Furthermore such a volume of people wanting and waiting for taxis at the end of an event would present negative challenges.</p> <p>Wastewater Concerns: In relation to the "Waste Water Treatment and Effluent Notes" provided by Sheppard Design & Drafting Services, the fine print quotes that the proposed Biomax C80 water system could process 14 400 litres per day and will be connected to a surface dripper system (subsurface leach drains). This volume of waste water is equivalent to the same volume of a 50m Olympic swimming pool accumulated over a 6 month time frame. According to the plan provided, it mentions this dripper system will be located as close as 30m from a creek that runs into Piesse Gully creek (which is 200 metres away). Has the Shire conducted an additional feasibility report to qualify the safety of such a system protecting our waterways which runs into the Helena Valley Catchment? Concerning me further, is reference within the report to the fact that groundwater was not encountered and is anticipated to be present at significant depths, given that the site's considerable elevation. How can it be that private bores are operating (over 20L per minutes) higher in elevation to this site, no more than 100 metres from this dripper site?</p> <p>Character of the Owner: Talking to over 30 residents in the valley, (ranging from as far west as Croxton Road to as far west as Fern Road), I heard many concerns. These were predominantly the same of mine (as above). However, what concerned me the most were the repeated conversations in reference to the character and antics of the individual who will be operating this venue. Such references included physical and verbal assaults, restraining orders, verbal assaults, intimidation antics and a</p>	<p>Officers acknowledge that an increase in restaurant capacity will result in more traffic. The applicant provided a Traffic Impact Assessment demonstrating that subject to upgrades, access to the site can be acceptable.</p> <p>The independent peer review of the applicants wastewater proposal concluded that the proposed wastewater disposal is acceptable. Officers note that the irrigation areas have been modified since community consultation.</p> <p>This is not a relevant planning consideration.</p>	<p>increase is less than one-fold, not five-fold.</p> <p>An Environmental Impact Statement is not required for reopening of an existing restaurant under current legislation. Environmental impacts to water courses are considered under the Water and Stormwater Management Plan (Evergreen, Dec 2019). Vegetation clearance will be kept to an absolute minimum and additional native vegetation will likely be planted in the dispersal areas.</p> <p>The applicant is not aware of any consultation with Perth Zoo or Karaakin for any other winery or restaurant operation in the City of Kalamunda, including the nearby Bickley Valley and Carmel wine region.</p> <p>The applicant is satisfied the Transport Impact Statement produced by independent consultants (Shawmac, Jan 2020) has addressed all road safety concerns and confirms that</p>
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	<p>sense aloofness and a law to his own. Knowing it is wrong to make judgements on someone I do not know, I am feeling an obligation to ensure that we ask the correct questions now, and not when it is too late.</p>		<p>the proposed development will have no unacceptable impact on road safety or traffic conditions.</p> <p>Refer to the updated Water and Stormwater Management Plan (Evergreen, Dec 2019) which addresses all concerns relating to water management.</p> <p>The restaurant will be fully licensed in accordance with State and Federal legislation. The intended licensee meets the Liquor Licensing and RSA Licensing requirements and is an Approved Manager (Unrestricted Class) approved by the Dept Liqueur and Gaming (no: 0212225418-1) until 16 October 2023. The Applicant has no criminal convictions and is of good character having previously served in the Australian Armed Forces.</p>
<p>18.</p>	<p>Non -Objection – Total Number of Submissions: 1</p> <p>I think it would be wonderful to have a restaurant there again. I’ve always thought it a shame to waste such a lovely location. I love living up here, and it would be lovely to have something other than bush walks as a means of enjoying the environment. I’m very much in favour of this development idea.</p>	<p>Noted.</p>	<p>Noted.</p>

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The applicant owns a 4WD vehicle and uses that vehicle to move around his own property, as permitted under various legislation.

<p>19.</p>	<p>Objection – Total Number of Submissions: 1</p> <p>Lot 13 (No. 434) Mundaring Weir Road, Piesse Brook</p> <p><u>1. Background</u> We purchased our land in XXXX from my wife’s father, XXX XXX. The block was totally undeveloped until we built and moved into our house March XXXX. My wife’s grandparents bought Location XXX and XXX in XXXX (XXX acres).</p> <p>Various portions of the two locations were subdivided off the original locations and sold over the years including Lot 3 (Chalet Rigi). The remaining estate of XX Acres was sold in XXXX by the family to XXX XXX. We have seen many changes within Piesse Brook Valley since we first moved to our current house.</p> <p>Apart from Mr XXXX in Hummerston Road we are the longest residents of the valley in particular in relation to the Chalet Rigi</p> <p><u>2. History</u> The Chalet Rigi started operating as a restaurant in in the early 1970’s, not long before we built. Previously it had operated as Robbie’s Tearooms for many years but not long after the change of owner ship the old tearooms burnt down and the Chalet Rigi was built further down the slope to the west of the old tearooms.</p> <p>The Chalet operated as a restaurant, tearooms and function centre for weddings etc. It was noisy at times particularly when there was a wedding or function.</p> <p><u>3. Previous Application</u> Sometime after the purchase of the Chalet Rigi in 2006 by Mr McCormack. He applied to the City of Kalamunda (then Shire) to re-open the Chalet as a Restaurant. The, then Shire sent a letter to the surrounding residents informing them of this application and whether they approved or not. My wife and I at the time approved the application to re-open with a maximum of 80 patrons at any one time. We also stated that our application was conditional re noise levels.</p>	<p>A small amount of vegetation has been cleared at the site, which has been conducted in accordance with City of Kalamunda bushfire regulations including the requirement to maintain a clear firebreak of 1.5 m inside property boundaries.</p> <p>On-site soils have been “pushed up” along the western site boundary to maintain a fully accessible fire break on severely sloping land in accordance with City of Kalamunda regulations. The soil is natural soils derived from the site.</p> <p>The applicant is satisfied the Transport Impact Statement produced by independent consultants (Shawmac, Jan 2020) has addressed all road safety concerns and confirms that the proposed development will have no unacceptable impact on road safety or traffic conditions.</p> <p>Shawmac are a fully qualified and experienced</p>
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<p>In the Shire’s letter they stated the application was subject to various Shire conditions. I cannot remember clearly all of the conditions but one I can clearly remember was that there was to be no clearing of trees on the south and west sides of the existing Chalet. This condition has since been clearly and seriously breached as there has been massive clearing of trees on the south and west sides. The other conditions were in relation to storm water runoff and treatment of waste water.</p> <p>In the original application there was no mention of the extensive filling on the south side covering all of the original bushland and trees. Was this City of Kalamunda approved? If so was it subject to proper engineering regulations? As we observed the filling was entirely random with a mixture of gravel, rubble and large laterite rocks. There was no select fill place as is normal in large fills such as this.</p> <p>The application for the re-opening was approved by the then Shire. Not long after this Mr McCormack actively turned the Chalet Rigi into a 4WD Training Facility. He also leased a portion of an Orchard further along Mundaring Weir Road and utilised it as part of the 4WD Training Facility all without Shire approvals. As part of the training he also started using State Forest fire trails for 4WD driving (Totally illegal).</p> <p>This was stopped by the Shire and CALM not long after.</p> <p>4.Traffic <u>Reference: Transport Impact Statement by Shawmac</u> I have read through this report and have found it very lacking in some areas relating to traffic impact on Mundaring Weir Road. We can fill in some of those vital details particularly the increased road traffic if the patronage increases to the proposed 480 patrons. This could be up to 600 to 700+ vehicles per day on weekends.</p> <p>a) Road Bicycles Over the last few years there has been a large increase of road bicycles on Mundaring Weir Road. The majority of these riders are from outside Kalamunda District. There are many single riders, groups of riders and competition riders. As you are aware there is no cycleway between Kalamunda Town and Mundaring Weir. So this is a shared road. What is of ongoing concern the section of Mundaring Weir Road from Croxton Road to Fern Road is very winding, steep drop-offs and steep inclines. There is a lot of potential conflict between vehicles and bicycles in this stretch of road. This conflict is even</p>	<p>Officers acknowledge that an increase in restaurant capacity will result in more traffic. The applicant provided a Traffic Impact Assessment demonstrating that subject to upgrades, access to the site can be acceptable.</p>	<p>third party independent professional company and can be relied upon to produce accurate assessments.</p> <p>The applicant welcomes all additional measures to improve road safety, especially for cyclists, after one of his own employees was killed on the Mundaring Weir Road. The applicant raised cycle safety with the City of Kalamunda and the local MP over 16 months ago and the possibility of diverting cyclists away from Mundaring Weir Road and onto a cycle path.</p> <p>The applicant is not aware or responsible for who approved the moving of a black spot but can only assume it would be either a State Government department, Main Roads or</p>
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<p>more emphasized on weekends when there is a large increase in all types of traffic and at times a large increase of bicycles when there is competition rides. Increased traffic to and from the Chalet will only exacerbate this situation. As we know most drivers these days are impatient and will force their way past the bicycles in total disregard to other road users.</p> <p>b) Motor Bikes Most motor bikes using Mundaring Weir Road treat the road as a racetrack, travelling at excessive speeds at all times of the day and night. There have been 5 motor bike deaths in the stretch between Croxton Road and Fern Road. Two of these deaths were collisions with other vehicles (on tight bends). The others were impacts with trees. All of these accidents were caused by excessive speed and loss of control. There have also been two motor bike accidents in our vicinity (gone over the bank) resulting in minor injuries.</p> <p>c) Vehicles In the time we have lived in the area there has been 7 motor vehicles go off the road between Croxton and Fern Roads, resulting in one death. All of these accidents were due to excessive speed and loss of control either going over the bank or running into the bank. There has been one collision on Piesse Brook Bridge.</p> <p>It is possible other accidents have occurred that we are unaware of.</p> <p>d) Black Spot In recent years the stretch of Road between the Junction of Aldersyde Road (North) and just beyond the Chalet Rigi, was declared a <u>Black Spot</u> and the appropriate signs placed. These signs were removed at some stage and re-appeared further up on Mundaring Weir Rd just prior to the start of the widening project from Fern Rd to Mundaring Weir.</p> <p>Who approved the moving of this Black Spot?</p> <p>e) Mountain Bikes In the last few years with the installation of both legal and illegal mountain bike riding trails off Mundaring Weir Road there has been a large increase in vehicles driving from the Metropolitan Region with their mountain bikes to access these trails. This traffic occurs all times of the day every day with a large increase on weekends.</p> <p>f) Kookaburra Outdoor Theatre</p>		<p>the City of Kalamunda (or a combination of the three).</p> <p>See previous response regarding traffic – the submission’s estimate of an additional 400+ cars on the road is inaccurate and not in accordance with the Transport Impact Statement.</p> <p>Chalet Rigi (CR) operated as a purpose-built restaurant with approval for 350 patrons for over 30 years under the previous owner. A formal approval for 350 patrons was issued by the City of Kalamunda on 26 November 2012 to the new owner. This approval lapsed during redevelopment.</p> <p>CR has never operated with approval numbers of 80 patrons.</p> <p>The applicant agrees that kangaroos are a hazard and welcome additional signage by Main Roads of the City of Kalamunda to warn all motorists of kangaroo presence.</p>
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<p>The Kookaburra operates during the summer months at Mundaring Weir. The theatre opens Friday, Saturday and Sunday nights. There is increased traffic from Kalamunda and other suburbs early evening travelling to the theatre and then peak traffic returning when the theatre closes. This traffic will conflict with the evening traffic to and from the Chalet.</p> <p>g) Traffic Summary From the above detail it can be seen that since the 80 seats of the original Chalet Rigi and then the next approval in 2006, there has been a dramatic increase of all types of traffic on Mundaring Weir Road. Add to this the potential of 400 + vehicles a day on weekends and the possibility of alcohol in the mix the potential for an increase in the accident rate is obvious. Kangaroos are a constant hazard on this road particularly in the evening.</p> <p>We personally have noted that many of the vehicles using Mundaring Weir Road do not adhere to the designated speed limit of 60km. The project manager and workers on the recent Bridge re-build outside the Chalet Rigi can attest to this.</p> <p>5.Noise As noted in Section 3 re the original application our approval for then was conditional on noise levels. We feel with 480 patrons possible at any one time, and with the extension to the building of Chalet Rigi allowing for alfresco type dining (the large doors/windows can be opened right up on the deck) the noise levels will be excessive. The noise sources would be general patron conversation, music and vehicles arriving and leaving. We feel that our usual semi-rural lifestyle will be seriously impacted How can the City control noise levels in an area such as the valley? Being a very “quiet area” this would be very difficult particularly at night when there are no general daytime background noise. Cold nights will even exacerbate the noise level. A very recent example was in late June this year when the workers building the new residence at 160 Hummerston Road had their radio on it was clearly audible at our home which is diagonally opposite the Chalet Rigi.</p> <p>6.Water Hacketts Gully creek once flowed all year round through our property and through Lot 12. Over the last few years the flow has decreased to a winter flow only of about 5 months mainly due to Domus Plant Nursery using large amounts of water 7 days a week.</p>	<p>Officers acknowledge that restaurants are a generator of noise. The applicant has provided a noise management plan and subject to minor modifications, the noise management plan is considered to reduce noise to an acceptable level. Officers note that the restaurant will still need to comply with the Environmental Protection (Noise) Regulations.</p>	<p>A Noise Management Plan (Evergreen, January 2020) has been produced, which will be implemented by the site operators to ensure that any noise generated from the venue falls within acceptable level as per the Environmental Protection (Noise) Regulations 1997.</p> <p>Refer to the updated Water and Stormwater Management Plan (Evergreen, Dec 2019) which addresses all concerns relating to water management and stormwater capture.</p> <p>The applicant is seeking approval for a restaurant only, not a function centre.</p> <p>The BAL report was prepared by a fully qualified and experienced third party independent professional company and can be relied upon to produce accurate assessments.</p>
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<p>As there is now only a limited supply of water from the Hacketts Gully it has become precious to those of us valley residents who are not on mains water supply and reliant on this water supply.</p> <p>The previous owner of the Chalet Rigi attempted several times to illegally source the creek water from Lot 12 without permission from the owner my father-in-law. He was reliant on this water to sustain his commercial orchard in Aldersyde Road.</p> <p>Mr. McCormack since buying the Chalet Rigi has also attempted to illegally source water from Hacketts Gully through Lot 12 without permission of the owner, Mr Bowers.</p> <p>The Chalet Rigi is connected to Mains Water.</p> <p>The Chalet Rigi can supplement their water supply by storing more storm water from the roof of the Chalet.</p> <p>I have 205000 litres of water storage from a much smaller roof area.</p> <p>The Piesse Valley is also subject to the Water Authorities "Sub Catchment to the Helena River Pipehead Dam" from where water is piped to Mundaring Weir.</p> <p>This policy imposes strict controls on land usage, water usage, waste water disposal and what businesses can and cannot operate in the Sub Catchment.</p> <p>Function Centres are not permitted.</p> <p><u>7. Bush Fire Attack Level</u></p> <p>In reference to the Bush Fire Attack Report, Page 2, Smith Consulting have declared a BAL of 29 for the Chalet Rigi.</p> <p>I dispute this level of BAL. According to the City of Kalamunda's online map of the BAL levels in Piesse Valley (derived from DFAS Mapping) the whole valley between Piesse Brook Bridge and Elson road is designated BAL 40 except for a very small strip either side of Hummerston Road in the bottom of the valley.</p> <p>Previous discussions recently with the City about my requirements for an extension to our existing house they confirmed the rating was BAL 40.</p> <p>Our house is only about 300m from the Chalet Rigi. How can the BAL change in such a short distance especially as the whole valley is designated BAL 40?</p> <p><u>8. Summary</u></p> <p>(Transport Impact Statement Page 7 3.2 Proposed Development – Consisting of 350 Seats)</p> <p>From the above details we feel that the area does not lend itself to having a venue that will have potentially 780 patrons a day or as per application 350 patrons at a time.</p>	<p>A 'determined BAL' can take into account further actions to be taken to reduce a BAL, that may explain the difference from one property to the next.</p>	<p>The applicant is seeking approval for 480 people per day including staff. This number is the maximum amount of people who can be on site in 1 day, not at any 1 time. The restaurant will be open for breakfast, lunch and dinner, so the number of people on site at any one time will be far less than the submission has guessed.</p> <p>480 people represents less than one-fold increase from the previously approved number of 350 people, approved by the City of Kalamunda in 2012.</p> <p>The submission's estimate of 1540 patrons per day is vastly inaccurate, as is their estimate of vehicle numbers. Please refer Traffic Impact Statement (Shawmac, Jan 2020) for further details on vehicle numbers.</p> <p>The applicant will continue to comply with all legislation (or face having their licence revoked).</p>
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	<p>Under the new Proposed Amendment of 480 seats this would mean a potential maximum of 1540 patrons per day. This would translate into 700+ vehicles/day at 2 people/vehicle.</p> <p>Thus we oppose this proposal. The main reasons are the traffic issues and the noise levels. We do not want the general atmosphere and character of the valley disturbed by this Proposed Amendment to increase the patronage at the Chalet Rigi. This size development is more suited to a larger tourist precinct such as the Swan Valley. The valley is more suited to discreet eating venues such as the various wineries further south along the Piesse Valley.</p> <p>As stated in Section 3, Mr McCormack has a total disregard to State and Local Council rules and regulations. We are also aware of his disregard to State Regulations in relation to his business operations over the past few years. So we feel that any conditions/regulations imposed on Mr McCormack by the City of Kalamunda in relation to the operating of the Chalet Rigi as a restaurant will be disregarded to the detriment of the surrounding residents. Noise levels will be of particular concern.</p> <p>One of our main concern is if and when Mr McCormack breaches any conditions as he has in the past, how is the City of Kalamunda going to address these problem?</p>		
<p>20.</p>	<p>Objection – Total Number of Submissions: 1</p> <p>It would appear that the developers of this project have shown a complete disregard for the City of Kalamunda Laws and Regulations in that site works, building, land modifications have been done without prior consultation, approvals and public consideration. The site is in an environmentally fragile and vulnerable area with potential traffic issues without major road upgrades. Traffic accidents and evacuation issues are of prime concern. To accommodate the number of patrons predicted one has to wonder just how much bush land will (or already) has been sacrificed. On the subject of patrons, one has to question the noise factor if capacity crowds are achieved, over the natural amphitheatre feature of the valet and the disposal of waste in the restaurant is not connect to approved and proved sewerage systems.</p> <p>The audacity of the developers to seek retrospective approval is an insult to existing business owners, and their integrity should be questioned. If retrospective approval is given by the City then the same questions should be asked.</p>	<p>Officers acknowledge that an increase in restaurant capacity will result in more traffic. The applicant provided a Traffic Impact Assessment demonstrating that subject to upgrades, access to the site can be acceptable.</p> <p>Officers acknowledge that restaurants are a generator of noise. The applicant has provided a noise</p>	<p>A small amount of vegetation has been cleared at the site, which has been conducted in accordance with City of Kalamunda bushfire regulations including the requirement to maintain a clear firebreak of 1.5 m inside property boundaries.</p> <p>All development work on the restaurant was completed in accordance with the original building approvals.</p>

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		<p>management plan and subject to minor modifications, the noise management plan is considered to reduce noise to an acceptable level. Officers note that the restaurant will still need to comply with the Environmental Protection (Noise) Regulations.</p>	<p>Environmental impacts to water courses are considered under the Water and Stormwater Management Plan (Evergreen, Dec 2019). Vegetation clearance will be kept to an absolute minimum and additional native vegetation will likely be planted in the dispersal areas.</p> <p>A Noise Management Plan (Evergreen, January 2020) has been produced, which will be implemented by the site operators to ensure that any noise generated from the venue falls within acceptable level as per the Environmental Protection (Noise) Regulations 1997.</p>
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<p>21.</p>	<p>Objection – Total Number of Submissions: 1</p> <p>We have been residents of Hummerston Road for the past 23 years. Our property has dual access to both Hummerston and Mundaring Weir Roads and during our time here we have seen a steady increase in the number of motor vehicles, motor bikes and cyclists travelling past our property on both roads. All too often we hear sirens as in ambulance rushes to the aid of another road accident. In increasing the volume of traffic further on a residential road that is unsuited to heavy traffic will potentially result in even more accidents.</p> <p>We therefore have an objection to the significant increase in the traffic that the proposal would entail.</p> <p>While we can appreciate the improving commercial activity and the high-class food and drink now available in the Bickley Valley, we feel these are predominately daytime activities. The attached proposal would appear to endorse a major increase in night time activity. Entertaining large numbers of guests on a regular basis will undoubtedly result in an increase in the night time noise levels in the valley. We feel it is unfair that residents be subjected to night time noise on a regular basis.</p> <p>We therefore have an objection to the significant increase in night time traffic and the entertainment noise levels that the proposal would entail.</p>	<p>Officers acknowledge the submission and have considered the reasons for the objection.</p> <p>Officers acknowledge that an increase in restaurant capacity will result in more traffic. The applicant provided a Traffic Impact Assessment demonstrating that subject to upgrades, access to the site can be acceptable.</p> <p>Officers acknowledge that restaurants are a generator of noise. The applicant has provided a noise management plan and subject to minor modifications, the noise management plan is considered to reduce noise to an acceptable level. Officers note that the restaurant will still need to comply with the Environmental Protection (Noise) Regulations.</p>	<p>A Noise Management Plan (Evergreen, January 2020) has been produced, which will be implemented by the site operators to ensure that any noise generated from the venue falls within acceptable level as per the Environmental Protection (Noise) Regulations 1997, including consideration of external noise in the evening.</p> <p>The applicant is satisfied the Transport Impact Statement produced by independent consultants (Shawmac, Jan 2020) has addressed all road safety concerns and confirms that the proposed development will have no unacceptable impact on road safety or traffic conditions.</p>
<p>22.</p>	<p>Objection – Total Number of Submissions: 1</p> <p>I would very much like the Chief Executive (sic) Officer to take notice of our objection. The said proposal we object to this restaurant noise complaints we already have enough coming from</p>	<p>Officers acknowledge that restaurants are a generator of noise. The applicant has provided a noise</p>	<p>A Noise Management Plan (Evergreen, January 2020) has been produced, which will be implemented by the</p>

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	<p>the Kalamunda Hotel let alone another restaurant in this peaceful (sic) valley of Piesse Brook let alone traffic problems building up in this area as Kalamunda traffic is building up and Mundaring Weir Road is not coping well with traffic. Now we all so have a fire risk high in the said area Piesse Brook, Bickley Valley, Paulls Valley let along the wild life animals.</p> <p>I object to you accepting parking for 480 vehicles plus the extensions of this restaurant I would love to put this restaurant next door to where you live.</p>	<p>management plan and subject to minor modifications, the noise management plan is considered to reduce noise to an acceptable level. Officers note that the restaurant will still need to comply with the Environmental Protection (Noise) Regulations.</p> <p>Officers acknowledge that an increase in restaurant capacity will result in more traffic. The applicant provided a Traffic Impact Assessment demonstrating that subject to upgrades, access to the site can be acceptable.</p> <p>The proposed car parking area exceeds the Scheme requirements for parking for restaurants.</p>	<p>site operators to ensure that any noise generated from the venue falls within acceptable level as per the Environmental Protection (Noise) Regulations 1997.</p> <p>The applicant is satisfied the Transport Impact Statement produced by independent consultants (Shawmac, Jan 2020) has addressed all road safety concerns and confirms that the proposed development will have no unacceptable impact on road safety or traffic conditions.</p> <p>Refer to Transport Impact Statement (Shawmac, Jan 2020) which confirms there is adequate parking on-site to meet requirements.</p> <p>Refer to City of Kalamunda’s Local Planning Scheme No. 3 – onsite parking requirements state 1 bay per 4 people accommodated (i.e. 120 bays needed for 480 accommodated people on site). The submission’s guess of 480+ vehicles is vastly inaccurate.</p>
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			<p>The restaurant will have 151 car parking bays which meets the City's requirements and offers an additional 25% contingency. In addition, there will be 4 bus parking bays and separate service/delivery parking to ensure there will be no off-site parking.</p>
<p>23.</p>	<p>Objection – Total Number of Submissions: 1</p> <p>I wish to raise concerns regarding the following:</p> <p>Traffic/Parking Given the problems residents in Pickering Brook have encountered with the Core Coder House on Merrivale Road and surrounding streets, Overflow parking on Mundaring Weir Road is not an option.</p> <p>Noise Levels. How will this be governed? The valley is a natural amphitheatre!!</p> <p>Waste Water (black and grey) the close proximity to Piesse Brook and Hacketts Gully Creek? Too Close (20 Metres)</p>	<p>The proposed car parking area exceeds the Scheme requirements for parking for restaurants.</p> <p>Officers acknowledge that restaurants are a generator of noise. The applicant has provided a noise management plan and subject to minor modifications, the noise management plan is considered to reduce noise to an acceptable level. Officers note that the restaurant will still need to comply with the Environmental Protection (Noise) Regulations.</p> <p>The independent peer review of the applicants wastewater proposal concluded that the</p>	<p>Refer to Transport Impact Statement (Shawmac, Jan 2020) which confirms there is adequate parking on-site to meet requirements.</p> <p>Refer to City of Kalamunda's Local Planning Scheme No. 3 – onsite parking requirements state 1 bay per 4 people accommodated (i.e. 120 bays needed for 480 accommodated people on site).</p> <p>The restaurant will have 151 car parking bays which meets the City's requirements and offers an additional 25% contingency. In addition, there will be 4 bus parking</p>

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		<p>proposed wastewater disposal is acceptable. Officers note that the irrigation areas have been modified since community consultation.</p>	<p>bays and separate service/delivery parking to ensure there will be no off-site parking.</p> <p>A Noise Management Plan (Evergreen, January 2020) has been produced, which will be implemented by the site operators to ensure that any noise generated from the venue falls within acceptable level as per the Environmental Protection (Noise) Regulations 1997.</p> <p>Refer to the updated Water and Stormwater Management Plan (Evergreen, Dec 2019) which addresses all concerns relating to water management and protection of adjacent watercourses including setback distances that meet all DoH and CoK requirements.</p> <p>Whilst the Department of Health approval requires a 30 m setback from effluent irrigation areas and surrounding watercourses, the Applicant was keen to alleviate perceived concerns about water</p>
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			<p>quality by taking supplementary measures.</p> <p>Additional site works were undertaken in October 2019, including drilling 10 boreholes to <1 .5 m below ground and completing additional soil permeability testing, soil classification and nutrient lab analysis.</p> <p>Based on these results, the proposed effluent irrigation area was redesigned to place most of it in the south away from Hackett’s Gully Creek. Most (78%) of the irrigation area has been relocated south, sitting at over 150 m distance from Hackett’s Gully.</p> <p>The rest of irrigation area has also moved south, sitting at over 50 m from Hackett’s Gully. Furthermore, the smaller area will only be used when on-site numbers go above 364 people/day or to allow for shutdown of the larger irrigation area.</p>
24.	Objection – Total Number of Submissions: 1	The independent peer review of the applicants wastewater proposal	See above comment.

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	<p>Concerns (sic) effluent discharge being near the Piesse Brook Creek and noise level concerns given the valley is a natural amphitheatre and traffic congestion as not set up for large amounts of traffic and parking.</p>	<p>concluded that the proposed wastewater disposal is acceptable. Officers note that the irrigation areas have been modified since community consultation.</p> <p>Officers acknowledge that an increase in restaurant capacity will result in more traffic. The applicant provided a Traffic Impact Assessment demonstrating that subject to upgrades, access to the site can be acceptable.</p> <p>The proposed car parking area exceeds the Scheme requirements for parking for restaurants.</p>	
<p>25.</p>	<p>Objection – Total Number of Submissions: 1</p> <p>I could not find any acoustic report or modelling reports. Given the outdoor nature of the venue and topography of the area I would think it would be difficult to meet the Environmental Protection (Noise) Regulations 1997.</p> <p>If the City did approve such a change I would expect and require to fulfil their obligation to proactively monitor and enforce compliance with the noise regulations.</p>	<p>Officers acknowledge that restaurants are a generator of noise. The applicant has provided a noise management plan and subject to minor modifications, the noise management plan is considered to reduce noise to an acceptable level. Officers note that the restaurant will still need to</p>	<p>A Noise Management Plan (Evergreen, January 2020) has been produced, which will be implemented by the site operators to ensure that any noise generated from the venue falls within acceptable level as per the Environmental Protection (Noise) Regulations 1997.</p>

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		<p>comply with the Environmental Protection (Noise) Regulations.</p>	<p>Note that the outdoor area forms only a very small part of what is largely an indoor restaurant.</p>
<p>26</p>	<p>Objection – Total Number of Submissions: 1</p> <p>I object to the increase in capacity from 80 to 480 plus. This is too high.</p> <p>My concerns are</p> <ol style="list-style-type: none"> 1) Environmental Pollution/the effect on ground water. As I rely on this water for household use. (also catchment area). 2) Noise Pollution – 480+ people and an outdoor venue – what restrictions are there in place? 3) Traffic increase/safety entering and exiting Chalet Rigi 4) What will be the actual times + use of the area i.e Restaurant indoor/outdoor, reception, music ect 	<p>The independent peer review of the applicants wastewater proposal concluded that the proposed wastewater disposal is acceptable. Officers note that the irrigation areas have been modified since community consultation.</p> <p>Officers acknowledge that restaurants are a generator of noise. The applicant has provided a noise management plan and subject to minor modifications, the noise management plan is considered to reduce noise to an acceptable level. Officers note that the restaurant will still need to comply with the Environmental Protection (Noise) Regulations.</p> <p>Officers acknowledge that an increase in restaurant capacity will result in more traffic. The applicant provided a Traffic Impact Assessment demonstrating that subject to upgrades,</p>	<p>Refer to Transport Impact Statement (Shawmac, Jan 2020) that addresses all road safety concerns and confirms that the proposed development will have no unacceptable impact on road safety or traffic conditions.</p> <p>The Noise Management Plan (Evergreen, Jan 2020) will be implemented to ensure that any noise generated from the venue falls within acceptable level as per the Environmental Protection (Noise) Regulations 1997.</p> <p>Refer to the updated Water and Stormwater Management Plan (Evergreen, Dec 2019) which addresses all concerns relating to water management.</p> <p>Refer Operational Management Plan (Saferight, Jan 2020) for operating hours.</p>

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		access to the site can be acceptable.	
27	<p>Objection – Total Number of Submissions: 1</p> <p>Dear Kalamunda Residents,</p> <p>A small selection of residents in Piesse Brook recently received the accompanying letters and supportive documents in the mail from the Shire.</p> <p>Consulting the Shire I have asked permission if this same letter can be further distributed ensuring that other residents are also fully informed. Please take time to read through the information provided and comment on the provided form if you wish. All comments need to be received by the Shire by the 5th August. I have outlined my concerns below for your perusal.</p> <p>I oppose the proposed amendment to Existing Restaurant – Lot 3 (N0.415) Mundaring Weir Road, Piesse Brook for the following reasons:</p> <p>I am concerned about the impact of noise levels on neighbours and the other residents in the valley. Recently a past function at Chalet (sic) Rigi (prior to increasing from 80 patrons) created excess noise up until midnight heard by neighbours and residents up to 1km across the valley. As Piesse Brook is a natural Amphitheatre, noise automatically travels up and across. If the venue was to increase to 480 patrons targeting weddings as intended, it would be a 5 fold increase. Will residents be affected possibly more than 3 nights a week and during the day?</p> <p>Have residents received any consultation on time limits and measures that will be put in place to reduce music levels? As it is an outside venue overlooking the valley, will they be restricting music to be played inside? I encourage the shire to ensure that regular unwanted or unreasonable noise does not have significant impact on the amenity of our area.</p> <p>Surely, it would be wise to consult other shire that have approved similar venues and investigate if local residents are impacted and the restraints that they no abiding by. Avocados Restaurants & Reception Centre, Kelmscott is similar in that it sits within a valley and caters for over 100 guests.</p> <p>Reports from Department of Biodiversity, Conservation and Attractions, state the White-Tailed Black Cockatoo and Forest Red-Tailed Black Cockatoo are local to Piesse Brook, and are in fact, two out of the three threatened species of black cockatoos in WA and which are likely to</p>	<p>Officers acknowledge that restaurants are a generator of noise. The applicant has provided a noise management plan and subject to minor modifications, the noise management plan is considered to reduce noise to an acceptable level. Officers note that the restaurant will still need to comply with the Environmental Protection (Noise) Regulations.</p> <p>No information provided with the application indicates that there is a risk to cockatoo species.</p>	<p>The Noise Management Plan (Evergreen, Jan 2020) will be implemented by the site operators to ensure that any noise generated from the venue falls within acceptable level as per the Environmental Protection (Noise) Regulations 1997.</p> <p>Chalet Rigi operated as a purpose-built restaurant with approval for 350 patrons for over 30 years under the previous owner. A formal approval for 350 patrons was issued by the City of Kalamunda on 26 November 2012 to the new owner. This approval lapsed during redevelopment. CR has never operated with approval numbers of 80 patrons. The proposed increase is 37% i.e. less than one-fold, not five-fold.</p> <p>Note that the outdoor area forms only a very small part of what is largely an indoor restaurant.</p>

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	<p>become extinct. Considering these birds nest and breed in the valley, will such a venue increase this risk? Will their natural habitat be impacted by regular increased noise levels, affecting nesting and breeding habits? Has the Shire consulted agencies such as Perth Zoo and Karaaking Black Cockatoo Conservation Centre ensuring that we are not in breach of such protection laws?</p> <p>If this venue was to go ahead, there is no question that the safety of cyclists and motorists (who travel on Mundaring Weir Road) would be under impact. Driving into town on a weekend required motorists to overtake an average 7 cyclists in a trip, one way. Counting up to 78 cyclists on a weekend, along with increasing tourism in the Bickley valley, (and in addition to the possible influx of 300 cars travelling to and from Chalet (sic) Rigi), would be an act of stupidity adding more traffic? There is no doubt the road has no technical defaults and could cope with increased motorists, but has the Shire considered that this route is very steep and very windy in places and promoted by Cycle Life HQ as one of the most scenic and popular rides in Perth. You would seriously have to question any such action.</p> <p>Furthermore such a volume of people wanting and waiting for taxis at the end of an event would present negative challenges.</p> <p>In relation to the "Waste Water Treatment and Effluent Notes" provided by Sheppard Design & Drafting Services, the fine print quoted that the proposed Biomax C80 Water System could process 14 400 litres per day and will be connected to a surface dripper system (subsurface leach drains.) This volume of waste water is equivalent to the same volume of 50m Olympic swimming pool accumulated over a 6 month time frame. According to the plan provided, it mentions this dripper system will be located as close as 30m from a creek that runs into Piesse Gully creek (which is 200 metres away). Has the Shire conducted as additional feasibility report to qualify the safety of such a system protecting out waterways which runs into the Helena Valley Catchment? Concerning me further, is reference within the report to the fact that groundwater was not encountered and is anticipated to be present as significant depths, given that the site's considerable elevation. How can it be that private bores are operating (over 20L per minutes) higher in elevation to this site, no more than 100 metres from this dripper site?</p> <p>We need to be ensuring we are making the right decisions NOW, not after the event.</p>	<p>DBCA were consulted, and provided a 'no comment' on the proposal.</p> <p>Officers acknowledge that an increase in restaurant capacity will result in more traffic. The applicant provided a Traffic Impact Assessment demonstrating that subject to upgrades, access to the site can be acceptable.</p> <p>The independent peer review of the applicants wastewater proposal concluded that the proposed wastewater disposal is acceptable. Officers note that the irrigation areas have been modified since community consultation.</p>	<p>An Environmental Impact Statement is not required for reopening of an existing restaurant under current legislation. Environmental impacts to water courses are considered under the Water and Stormwater Management Plan (Evergreen, Dec 2019). Vegetation clearance will be kept to an absolute minimum and additional native vegetation will likely be planted in the dispersal areas.</p> <p>The applicant is not aware of any consultation with Perth Zoo or Karaakin for any other winery or restaurant operation in the City of Kalamunda, including the nearby Bickley Valley and Carmel wine region.</p> <p>Refer to Transport Impact Statement (Shawmac, Jan 2020) that addresses all road safety concerns and confirms that the proposed development will have no unacceptable impact on road safety or traffic conditions.</p>
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			<p>Refer to the updated Water and Stormwater Management Plan (Evergreen, Dec 2019) which addresses all concerns relating to water management and protection of adjacent watercourses.</p>
<p>28.</p>	<p>Objection – Total Number of Submissions: 1</p> <p>We object to the planned amendment due to the noise pollution, increased traffic and environmental impact concerns to Kalamunda National Park.</p>	<p>Officers acknowledge that restaurants are a generator of noise. The applicant has provided a noise management plan and subject to minor modifications, the noise management plan is considered to reduce noise to an acceptable level. Officers note that the restaurant will still need to comply with the Environmental Protection (Noise) Regulations.</p> <p>Officers acknowledge that an increase in restaurant capacity will result in more traffic. The applicant provided a Traffic Impact Assessment demonstrating that subject to upgrades, access to the site can be acceptable.</p> <p>The independent peer review of the applicants wastewater proposal</p>	<p>As above.</p>

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		<p>concluded that the proposed wastewater disposal is acceptable. Officers note that the irrigation areas have been modified since community consultation.</p>	
<p>29.</p>	<p>Objection – Total Number of Submissions: 1</p> <p>Not happy for the proposed amendments to be made for the following reasons.</p> <ol style="list-style-type: none"> 1. Additional traffic on local roads 2. Additional noise in the valley 3. Additional waste water runoff into Piesse Brooke <p>The proposed upgrades/re-design seem very excessive for out small valley. There is no need for so many people to attend the property. We have a close knit group of people living in the valley and I feel these changes would negatively effect all who currently live in Piesse Brook.</p> <p>Fell free to contact me if ever needed.</p>	<p>Officers acknowledge that restaurants are a generator of noise. The applicant has provided a noise management plan and subject to minor modifications, the noise management plan is considered to reduce noise to an acceptable level. Officers note that the restaurant will still need to comply with the Environmental Protection (Noise) Regulations.</p> <p>Officers acknowledge that an increase in restaurant capacity will result in more traffic. The applicant provided a Traffic Impact Assessment demonstrating that subject to upgrades, access to the site can be acceptable.</p> <p>The independent peer review of the applicants wastewater proposal concluded that the</p>	<p>As above.</p>

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		<p>proposed wastewater disposal is acceptable. Officers note that the irrigation areas have been modified since community consultation.</p>	
<p>30.</p>	<p>Objection – Total Number of Submissions: 1</p> <p>Proposed amendment to existing restaurant – Lot 3 (No.415) Mundaring Weir Road, Piesse Brook</p> <p>I have several concern relations to the above proposed amendment which I list below. In general, I think the development of the hills area as a tourist destination focusing on thoughtful and sustainable development will be of significant benefit to the Hills residents and business operators as well as the broader Perth population. The development of the Draft Tourism Strategy 2019-2025 (which involved Mr McCormak, owner of Chalet Rigi Restaurant – the property at 415 Mundaring Weir Road) provides a thoughtful framework, to consider future development. The Hills provides a very different experience than for example the Swan Valley, it is significantly restricted by its natural landscape and proximity to extensive forests. This means that most venues are more intimate, specialized and niche; providing a unique experience for visitors. Focusing on a amore exclusive experience ensures that we are respectful of our environment as well as the residents who have chosen to live in the hills and enjoy the exceptional lifestyle offered by this unique environment.</p> <p>I oppose the proposed amendment because of the following:</p> <p>Increased Traffic A function Centre to cater for 480 people, as suggested in this proposal, seems to be at odds with the purpose and objectives of the Draft Tourism Strategy. Accommodating this number of patrons suggests that there will be considerable more cars, or alternatively, busloads of people being transported down Mundaring Weir Road which, particularly on the weekends, is used by numerous cyclist. Mundaring Weir Road is narrow and winding with little to no shoulder for considerable distances; any increase in traffic will impact severely on the safety of motorists and cyclists.</p> <p>Noise impact</p>	<p>Officers acknowledge that restaurants are a generator of noise. The applicant has provided a noise management plan and subject to minor modifications, the noise management plan is considered to reduce noise</p>	<p>Refer to Transport Impact Statement (Shawmac, Jan 2020) that addresses all road safety concerns and confirms that the proposed development will have no unacceptable impact on road safety or traffic conditions.</p> <p>The Noise Management Plan (Evergreen, Jan 2020) will be implemented by the site operators to ensure that any noise generated from the venue falls within acceptable level as per the Environmental Protection (Noise) Regulations 1997, including consideration of outdoor noise.</p> <p>Refer to the updated Water and Stormwater Management Plan (Evergreen, Dec 2019) which addresses all concerns relating to water</p>

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	<p>Chalet Rigi is situated in a natural Amphitheatre which means that any noise will be amplified and captured within the Valley. This will impact profoundly on current residents who share the valley with the venue. In addition, as a significant part of the venue is outdoors it would be difficult to contain noise levels.</p> <p>Impact on ecosystem I am not convinced that the proposed waste water/ effluent treatment is suitable for the proximity to Piesse Brook which runs along the bottom of the property. Any change to this ecosystem will impact the entire valley and into Kalamunda Forrest. Even a minor fault could have a devastating effect on the environment and impact residents and visitors coming into the Forrest.</p> <p>The Kalamunda Shire has a unique opportunity to develop and nature an outstanding experience for visitors to the hills region as well as provider a truly special lifestyle for residents. Every decision the Shire makes need to be carefully considered within the framework of the overall strategy and plan for the Hills area. In my opinion this planning amendment contravenes the Shires vision for the region and should not be granted.</p>	<p>to an acceptable level. Officers note that the restaurant will still need to comply with the Environmental Protection (Noise) Regulations.</p> <p>Officers acknowledge that an increase in restaurant capacity will result in more traffic. The applicant provided a Traffic Impact Assessment demonstrating that subject to upgrades, access to the site can be acceptable.</p> <p>The independent peer review of the applicants wastewater proposal concluded that the proposed wastewater disposal is acceptable. Officers note that the irrigation areas have been modified since community consultation.</p>	<p>management and protection of adjacent watercourses in “worst-case” scenarios.</p>
<p>31.</p>	<p>Objection – Total Number of Submissions: 1</p> <p>I object due to water pollution from sewage and noise</p>	<p>The independent peer review of the applicants wastewater proposal concluded that the proposed wastewater disposal is acceptable. Officers note that the irrigation areas have been modified since community consultation.</p>	<p>Refer to the updated Water and Stormwater Management Plan (Evergreen, Dec 2019) which addresses all concerns relating to water management and protection of adjacent watercourses. There will</p>

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		Officers acknowledge that restaurants are a generator of noise. The applicant has provided a noise management plan and subject to minor modifications, the noise management plan is considered to reduce noise to an acceptable level. Officers note that the restaurant will still need to comply with the Environmental Protection (Noise) Regulations.	be no “pollution” of watercourses. The Noise Management Plan (Evergreen, Jan 2020) will be implemented by the site operators to ensure that any noise generated from the venue falls within acceptable level as per the Environmental Protection (Noise) Regulations 1997, including consideration of outdoor noise.
32.	Objection – Total Number of Submissions: 1 <i>No comments received</i>	Noted.	Noted.
33.	Objection – Total Number of Submissions: 1 In response to your letter on the 8 th July 2019 ref: DA18/0405, regarding the proposed amendment of Chalet Rigi Restaurant – Lot 3 (No 415) Mundaring Weir Road, Piesse Brook 6076. We have reviewed the information disclosed as provided by the planning department from the following link: **link expired** in conjunction with the Shire of Kalamunda’s Core Values, stated below: Service: We deliver excellent service by actively engaging and listening to each other. Respect: We trust and respect each other by valuing our differences, communicating openly and showing integrity in all we do. Diversity: We challenge ourselves by keeping our minds open and looking for all possibilities and opportunities.		Chalet Rigi operated as a purpose-built restaurant with approval for 350 patrons for over 30 years under the previous owner. A formal approval for 350 patrons was issued by the City of Kalamunda on 26 November 2012 to the new owner. This approval lapsed during redevelopment in 2014. The increase is only 37% from 350 to 480 patrons. CR has never operated with approval numbers of 80 patrons.

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<p>Ethics: We provide honest, open, equitable and responsive leadership by demonstrating high standards of ethical behaviour.</p> <p>In summary we find the reports and recommendations provided incomplete, bias in favour of the applicant and inconsistent with the values we should all abide by and therefore we object this proposal for the following specific reasons and concerns.</p> <p>Scope of Use – there has been no clear indication of the proprietor’s current, proposed nor future plans for this venue. Information varies from it being currently approved as a “restaurant” licenced for up to 80 patrons/day, there was mention of prior licence approval for 350 patrons/day which expired in 2014, it appears the current proposed redevelopment is for a licence of 480 patrons/day and in the <u>Traffic Impact Statement</u> it states the venue will be licenced to serve 780 patrons/day. Please provide a clear overview of the current, proposed and future intended Use of this venue.</p> <p>Health & Environmental – it is recognized that the Middle Helena catchment area is facing competing pressures from urban development and an increasing demand for recreation opportunities close to Perth, but this does not negate our responsibility to carefully plan and manage land use and development that protects our water quality and maintains its suitability as a public drinking water source. As a rural water protection zone, designated Priority 2, our obligation is to ensure there is No Increased risk of pollution to this water source, and land use should be restricted to low key / intensity development. Land use for restaurants may be deemed compatible, but should be subject to limitations on the scale of the proposed developments and the <u>adoption of best practices</u> (such as the use of grease traps and appropriate waste and stormwater technologies and management there-off). The waste and storm water management plan proposed by the proprietors of Chalet Rigi appears flawed based on the following:-</p> <ul style="list-style-type: none"> - the proposed effluent treatment technology was downgraded from Membrane ATU (ie best practice), and as a result, quality of water discharged compromised. Have Department of Water reviewed and agree with the amendments to the WWTP as outlined in the addendum water management report by Evergreen Consultants? - Stass Environmental report states irrigation sprays will be used to disperse effluent over disposal area, the Evergreen report states a dripper system will be adopted, either option will add risk of contaminating the nearby ephemeral creek, ie Hackets Gully Creek which is located within ~30m of the dispersion areas’ northern boundary. Note: applications such as prescribed for the dispersion of treated effluent should be located >150m from sensitive riparian areas. 	<p>Restaurant with a maximum daily capacity of 480 patrons, including staff.</p> <p>The independent peer review of the applicants wastewater proposal concluded that the proposed wastewater disposal is acceptable. Officers note that the irrigation areas have been modified since community consultation.</p>	<p>The applicant is seeking approval for a restaurant only, for a maximum of 480 people per day including staff and on-site contractors. Additional numbers were assessed for the traffic and transport assessment, in order to be conservative.</p> <p>The application is similarly scaled compared to other establishments within a few km of Chalet Rigi, such as Core Cider.</p> <p>Refer to the updated Water and Stormwater Management Plan (Evergreen, Dec 2019) which addresses all concerns relating to water management, the ATU system, rainfall, nutrient management, vegetation cover, protection of adjacent watercourses, water monitoring and in-depth discussion of the LUMS (2010).</p> <p>The Water Management Plan demonstrates that the site is capable of safely disposing of treated effluent from 480 persons</p>
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	<ul style="list-style-type: none"> - average temperature and rainfall statistic’s from 1983 – 2010 are incorrect for the designated area, ie average local rainfall is ~30% higher, and temperatures are lower than stated which would decrease evaporation and or infiltration rates, increasing risk of run-off into the Hackets Gully creek. Reference: Bureau of Meteorology – Bickley site number 009240. - There is a small dam located below the proposed effluent disposal area on the Hackets Gully creek line which supplies water for household use to neighbouring residents, when in flow. - It is unlikely the proposed irrigated area will support pasture of kikuyu grass to remove/reduce nutrient loading given it is heavily treed, encouraging native ground vegetation to dominate. - There is no mention of Hackets Gully creek being tested for water quality, up and down stream of the site on a fortnightly basis, when flowing, before and after commissioning of the WWTP. - It is proposed the BioMAX ATU be operated without duty & standby critical equipment and therefore reliant on personnel taking prompt action by way of a “red flashing light” to prevent an uncontrolled discharge of potentially untreated effluent. <ul style="list-style-type: none"> o The alarm is not audible and could be overlooked! o Emergency storage buffer is calculated to only ~30hrs before overflow occurs! o Holding critical spare parts is considered unnecessary! o There is no backup emergency power to maintain operation in case of a power outage! <p>It is my opinion that the reliability of the proposed WWTP has been compromised and falls short of “best practise”.</p> - There is no evidence to ensure all residual stormwater run-off will/can be contained within the ephemeral drainage dam. - All residual stormwater should be contained on plot ie within the boundary of Chalet Rigi’s premises, not on a neighbouring property. <p>Environmental – the proprietors of Chalet Rigi have not advised how they proposed to manage/control noise from the proposed venue. It is requested that a Noise Management Plan be submitted which clearly articulates the following:</p> <p><u>Purpose</u></p> <ul style="list-style-type: none"> - <i>Scope of Use</i> - <i>Objectives.</i> - <i>Purpose & Approach</i> - <i>Roles and Responsibilities</i> <p><u>Context</u></p>	<p>Officers acknowledge that restaurants are a generator of noise. The applicant has provided a noise management plan and subject to minor modifications, the noise management plan is</p>	<p>without adverse impact on the environment and surrounding water courses.</p> <p>Reopening the restaurant will have no adverse impact on surrounding water courses.</p> <p>Refer to the updated Water and Stormwater Management Plan (Evergreen, Dec 2019) which addresses all concerns relating to “worst case” scenarios including power outages, emergency storage and alarm warning systems.</p> <p>The selected ATU, a BioMAX C80 is Department of Health approved and complies with all legislation and guidelines.</p> <p>The Noise Management Plan (Evergreen, Jan 2020) will be implemented by the site operators to ensure that any noise generated from the venue falls within acceptable level as per the Environmental Protection (Noise) Regulations 1997, including consideration of outdoor noise.</p>
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	<ul style="list-style-type: none"> - <i>Location</i> - <i>Context of Noise Emission</i> - <i>Applicable Legislation</i> - <i>Acoustic Assessment</i> - <i>Roles and Responsibilities</i> <u>Administrative Noise Controls</u> - <i>Opening Hours/Operations</i> - <i>Staff Induction & Training for the purpose of monitoring noised levels.</i> - <i>Noise Level Measurement Procedures</i> - <i>Set Noise Levels</i> - <i>Noise Measurement Register</i> <u>Structural Controls to abate noise</u> <u>Communication</u> - <i>Protocols</i> - <i>Complaints</i> <u>Records & Review</u> 	<p>considered to reduce noise to an acceptable level. Officers note that the restaurant will still need to comply with the Environmental Protection (Noise) Regulations.</p>	
<p>34.</p>	<p>Objection – Total Number of Submissions: 2</p> <p>Submission 1 – Comment Only</p> <p>I write in response to your letter of 8 July 2019 concerning the above proposal. Your letter invited comments on the proposal with any submissions to be received by Council by Close of Business on 5 August 2019.</p> <p>My wife and I are the owners and occupiers of Lot XXX (formerly Canning Location XXX) (XXXX Hummerston Road, Piesse Brook). My wife, XXXX XXXX, although not named on the title, is effectively joint owner of the property which is where we both live.</p> <p>Location XXX lies to the north of Hummerston Road on the eastern flank of the Piesse Brook valley as is XX hectares in area. The title was created in the years immediately after the First World War and formed part of a soldier settlement scheme that operated at the time. About four hectares of the property was developed as an orchard in the years after the War and operated as a commercial venture until the 1970s. Land on the higher part of the property is covered with poorer soil; while it was cleared of timber and bush that land was never developed and is now covered with eucalypt and other native regrowth.</p>		<p>Vegetation clearance will be kept to an absolute minimum and additional native vegetation will likely be planted in the dispersal areas.</p> <p>Refer to the updated Water and Stormwater Management Plan (Evergreen, Dec 2019) which addresses all concerns relating to water management and water course protection.</p> <p>Chalet Rigi operated as a purpose-built restaurant with approval for 350 patrons for over 30 years</p>

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<p>The property was purchased by us in 1982 with the purpose of establishing a family home, running horses and other livestock and making supplementary income from the 500 or so established fruit trees then growing on the land. Our home was built in 1987-88 and we became residents of Piesse Brook in 1988.</p> <p>Our home is located in the centre of Lot XXX and is about XXX XXXX northwest of the Chalet Rigi Restaurant site. The restaurant building is screened from our view by trees immediately in front of the restaurant be we have uninterrupted view of the land around it. Any proposed development on Lot, and particularly clearing of any vegetation on the site, could affect our amenity in terms of landscape views, noise, traffic movement and other activities.</p> <p>None of our land lies downstream of the Chalet Rigi site and is unlikely to be affected by any stormwater or effluent runoff issues that might occur as a result of the development and operation of the proposed restaurant. However, as residents and community members we are extremely concerned about the scale of the proposed activities and proximity to sensitive water courses which are protected catchments under the terms of the Middle Helena Catchment Area Land Use and Water Management Strategy which came into operation in June 2010.</p> <p>Because of these concerns we have determined to object to the proposal as it currently stands and have completed the attached pro-forma letter accordingly. A statement is attached to the pro-forma letter setting out our concerns in more detail. We have deliberately not included our names and property details in the statement as we understand the content of this document will be included in the future Council Agenda.</p> <p>We believe that a scaled down proposal with fewer impacts and risk might have more chance of gaining community acceptance in Piesse Brook. We urge the City of Kalamunda to put this alternative to the proponent.</p> <p>Submission 2 - Objection</p> <p>We are owners and occupiers of land in Piesse Brook, located less than 1 kilometre from the site of the proposed increase in capacity of the Chalet Rigi Restaurant. We see the proposed expansion of the restaurant by increasing the seating capacity by 600%, from 80 to 480 persons as an action that will have a number of potential and serious impacts on the amenity of our property and the wider environment of the lower reaches of Piesse Brook.</p>	<p>The independent peer review of the applicants wastewater proposal concluded that the proposed wastewater disposal is acceptable. Officers note that the irrigation areas have been modified since community consultation.</p>	<p>under the previous owner. A formal approval for 350 patrons was issued by the City of Kalamunda on 26 November 2012 to the new owner. This approval lapsed during redevelopment in 2014. The increase is only 37% from 350 to 480 patrons.</p> <p>The application is similarly scaled compared to other establishments within a few km of Chalet Rigi, such as Core Cider.</p> <p>Refer to the updated Water and Stormwater Management Plan (Evergreen, Dec 2019) which addresses all concerns relating to water management and water protection.</p> <p>Chalet Rigi (CR) operated as a purpose-built</p>
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<p>We will expand on our concerns regarding various issues which form the basis of our objection to the proposal as follows:</p> <p><u>Water flow in the Hacketts Gully water catchment</u> Almost all properties in the rural areas of Piesse Brook are not connected to the Metropolitan water supply scheme. Each property must rely on its own resources to find, harvest and store an adequate supply of water to underpin whatever activities the landowner may wish to undertake on the land. This situation applies to the various rural properties surrounding Lot3, the site of the proposed restaurant expansion. In the 30 years that we have lived in Piesse Brook we have observed a measurable decrease in rainfall and run off and a lowering of the water table in boreholes and dams. Water management has become a critical and time-consuming part of our daily lives. We have learnt from experience that the surface and shallow groundwater sources that we rely on can be extremely fragile. Ground disturbing activity in the way of earthworks can alter water flows in unexpected ways.</p> <p>Any activity to curtail or redirect water flows on Lot 3 may have unintended consequences that affect the vital water supply on neighbouring properties or even those further afield. We can understand the concerns of those landholders whose properties abut or are close to Lot 3 and their wish to ensure continuity of their current and future water supplies.</p> <p>We suggest the City and other authorities responsible for water management give due attention to this issue when considering the proposal for development on Lot 3.</p> <p><u>Water quality in the Hacketts Gully and Piesse Brook water catchments</u> We note in the letter from the City of Kalamunda dated 8 July 2019 that, and we quote that letter, “the <i>previous restriction to a maximum of 80 patrons was based on Department of Water advice that to avoid risk of groundwater contamination a maximum of 80 patrons would be appropriate</i>’. That number was approved in 2011 and remains in force.</p> <p>The current proposal, if approved, would permit a 600% increase to 480 patrons from the outset. If 80 patrons was considered a safe limit to accommodate on the site eight years ago it is a bold call to say that the number can be increased to 480 patrons without incurring any further risk to groundwater contamination.</p> <p>We acknowledge that waste water treatment technology has evolved since 2011 but remain concerned that successful operation of the proposed ATU (Aerobic Treatment Unit) throughout the life of the expanded restaurant will require careful and diligent management on a day-to-</p>		<p>restaurant with approval for 350 patrons for over 30 years under the previous owner. A formal approval for 350 patrons was issued by the City of Kalamunda on 26 November 2012 to the new owner. This approval lapsed during redevelopment in 2014.</p> <p>CR has never operated with approval numbers of 80 patrons. The increase is less than one-fold from 350 to 480 patrons. The figure of 600% is vastly inaccurate.</p> <p>All staff and site operators will be trained in the use of the ATU. The ATU will be serviced every 3 months by qualified and independent professionals.</p> <p>Refer to the updated Water and Stormwater Management Plan (Evergreen, Dec 2019) which addresses all concerns relating to water management and water protection, including topography, effluent disposal, rainfall, and the LUMS (2010).</p>
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	<p>day basis. There has to be concern that unqualified restaurant staff may not be best equipped people to manage a critical industrial process.</p> <p>We are also concerned about the area selected for dispersal of the treated effluent discharged by the restaurant complex. The addendum Water Management Report (Evergreen 2019) described the effluent dispersal area as “predominantly flat”. A one-metre contour map provided by the City of Kalamunda shows this area has a slope of 10% which is not flat. During a major rainfall event runoff would be considerable, including whatever recently dispersed effluent was lying on the surface at the time.</p> <p>In our view the effluent dispersal method and site carry and element of risk that requires further study. In the event of a heavy rainfall event there is nowhere for stormwater to go except on to neighbouring properties. Affected property owners downstream from the Chalet Rigi need to have a guarantee that their properties will not be flooded by stormwater runoff, possibly polluted by treated effluent from the restaurant.</p> <p>The Hacketts Gully catchment forms part of the Middle Helena Catchment Area. That area was the subject of detailed study and community consultation in 2002-2003 to formulate a strategy to protect the supply and quality of water feeding into Piesse Brook and ultimately the Helena Pump back Dam. Water from that dam can then be pumped to Mundaring Weir to supplement water collected and stored in Lake CY O’Connor. That consultative process resulted in the issue of the Middle Helena Catchment Area Land Use and Water Management Strategy in June 2010. That document sets out procedures and safeguards to be followed when development in the Catchment Area and it is important that the strategy is recognised and followed in assessing this proposal.</p> <p><u>Noise Abatement</u> There is no mention of noise or noise abatement in any of the documents provided by the proponent and forwarded to us by the City of Kalamunda. If noise has not featured in any of the documents provided by the proponent to the City we see this as a serious deficiency in the proposal.</p> <p>It is almost certain that features of a restaurant with the proposed capacity of 480 will include amplified music and a public address system, audible for some considerable distance. At our home, some 800 meters from the restaurant, we can clearly hear the sounds of vehicles on the stretch of Mundaring Weir Road passing the restaurant. The sound of amplified music and PA systems could well be at a similar level to traffic noise.</p>	<p>Officers acknowledge that restaurants are a generator of noise. The applicant has provided a noise management plan and subject to minor modifications, the noise management plan is considered to reduce noise to an acceptable level. Officers note that the restaurant will still need to</p>	<p>The Noise Management Plan (Evergreen, Jan 2020) will be implemented by the site operators to ensure that any noise generated from the venue falls within acceptable level as per the Environmental Protection (Noise) Regulations 1997, including consideration of outdoor noise, amplified music, and evening operations.</p> <p>The Operational Management Plan (Saferight, 2020) details operating hours and provides more information on how noise will be managed.</p> <p>Refer to Transport Impact Statement (Shawmac, Jan 2020) that addresses all road safety concerns and confirms that the proposed development will have no unacceptable impact on road safety or traffic conditions.</p>
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<p>It is also likely that Patrons dining in an alfresco setting will generate significant noise from conversation and laughter and this may well carry to the homes of nearby residents. Motor vehicles arriving and departing, sometimes well into the night, will also contribute to noise and further disturb the neighbourhood.</p> <p>We suggest the proponent should be asked to provide a management plan covering potential sources of noise and abatement plans where needed. It would also help if information could be provided regarding likely hours of operation, when music would be part of the entertainment and any other pertinent information.</p> <p>Intrusive noise may be further augmented by the physical profile of the Piesse Brook Valley which forms a natural Amphitheatre below the Chalet Rigi. Sound can be heard over remarkable distances in this locality. In the right conditions one can hear a conversation that is taking place several hundred meters away.</p> <p>Noise from the restaurant, which would be near-continuous feature of its operation, is an unwelcome intrusion which could have a serious and damaging impact on our lifestyle and even health and over which we have no control.</p> <p><u>Road Traffic</u> This section is included more as a comment than grounds for objection to the proposed amendment to the existing restaurant on Lot 3.</p> <p>The Traffic Impact Statement provided by the proponent to the City anticipates an increase in the number of vehicle movements arriving at and departing from the restaurant as a result of the expansion. The study has developed forecast traffic movements using a statistical approach, with no comment on the behaviour of traffic, or rather the behaviour of drivers, on Mundaring Weir Road.</p> <p>The section of road could be described as the highway of choice in the eastern Perth region for young drivers to hone their skills (or lack of) in high speed driving and cornering. Motor cycling groups also use Mundaring Weir Road for their weekend outings, often travelling in large convoys. There are other increasing traffic conflicts on Mundaring Weir Road such as cars vs bicycles. All these factors increase the risk of accidents on this road.</p> <p>Any increase in traffic on Mundaring Weir Road resulting from the expansion of the Chalet Rigi restaurant will put the road under further pressure. The nature of the terrain in the Piesse</p>	<p>comply with the Environmental Protection (Noise) Regulations.</p> <p>Officers acknowledge that an increase in restaurant capacity will result in more traffic. The applicant provided a Traffic Impact Assessment demonstrating that subject to upgrades, access to the site can be acceptable.</p>	
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	<p>Brook Valley would make it prohibitively expensive to upgrade road safety by widening the road between Kalamunda and Fern Road and improving corners and sight lines.</p> <p>The search for an alternative route between Kalamunda and Mundaring could lead to a revival of the proposal to re-open Hummerston Road to through traffic. This proposal was vigorously opposed by the community last year, primarily for road safety reasons. Circumstances have not change, and any future proposal to re-open the road would meet the same level as opposition.</p>		
<p>35.</p>	<p>Objection – Total Number of Submissions: 1</p> <p>The license application for 480 guests/day is too high. If this many people are allowed here the noise level in the surrounding valet will be very high. The valley is like a natural amphitheatre and sound travels so well through it so we can hear our neighbours talking on the other side of the valley. On still nights we can hear the Lesmurdie Club, Kalamunda Pub and parties from all the way up the Valley around Carmel. I am concerned there has been no mention of any noise management plan in the Chalet Rigi proposal. This is hugely important and will affect the entire area if it isn't considered.</p> <p>The other point of concern is the ATU dripper area being so close to Hacketts Gulley. The soil here is very heavy and it will leach into the creek. NOT GOOD ENOUGH!</p>	<p>Officers acknowledge that restaurants are a generator of noise. The applicant has provided a noise management plan and subject to minor modifications, the noise management plan is considered to reduce noise to an acceptable level. Officers note that the restaurant will still need to comply with the Environmental Protection (Noise) Regulations.</p> <p>The independent peer review of the applicants wastewater proposal concluded that the proposed wastewater disposal is acceptable. Officers note that the irrigation areas have been</p>	<p>The Noise Management Plan (Evergreen, Jan 2020) will be implemented by the site operators to ensure that any noise generated from the venue falls within acceptable level as per the Environmental Protection (Noise) Regulations 1997, including consideration of outdoor noise, amplified music, and evening operations.</p> <p>Refer to the updated Water and Stormwater Management Plan (Evergreen, Dec 2019) which addresses all concerns relating to water management.</p>

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		modified since community consultation.	
36.	<p>Objection – Total Number of Submissions: 1</p> <p>The noise of huge functions will not be good for the peaceful valley and neighbours.</p> <p>I am also concerned about the black water waste treatment system being able to deal with the large number of guests as the restaurant is in a water catchment area.</p>	<p>Officers acknowledge that restaurants are a generator of noise. The applicant has provided a noise management plan and subject to minor modifications, the noise management plan is considered to reduce noise to an acceptable level. Officers note that the restaurant will still need to comply with the Environmental Protection (Noise) Regulations.</p> <p>The independent peer review of the applicants wastewater proposal concluded that the proposed wastewater disposal is acceptable. Officers note that the irrigation areas have been modified since community consultation.</p>	<p>The applicant is seeking approval for a restaurant only, not a function centre.</p> <p>Refer to the updated Water and Stormwater Management Plan (Evergreen, Dec 2019) which addresses all concerns relating to water management.</p>
37.	<p>Objection – Total Number of Submissions: 1</p> <p><i>No comment provided</i></p>	Noted.	Noted.
38.	<p>Comment Only – Total Number of Submissions: 1</p> <p>Keen to not see an overload of extra traffic/noise in the valley.</p>	Noted.	Noted.

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	Please keep within sustainable levels to protect the magic of this area.		
39.	<p>Comment Only – Total Number of Submissions: 1</p> <p>I approve for the proposal to go ahead, however only to a limit amount of patrons at the time. This number should not exceed 100 at a time. Also regular audits at the premise should be conducted, to make sure the business adheres to hygiene and environmental laws and regulations</p>	Noted.	Noted.
40.	<p>Objection – Total Number of Submissions: 1</p> <ol style="list-style-type: none"> 1. Road Safety – Enough road deaths now on this section of the road, narrow bitumen, windy & dangerous, a bad hairpin bridge. 2. A pristine natural water catchment, effluent and other rubbish pollutant the catchment. * A bio-Max effluent within 20m of the Hacketts Gully Water stream. 3. Noise to this quiet valley – A privilege for the residents and will impact on the quiet enjoyment of the area. <p>We were married in this restaurant in 1994 and had 180 guests – and would like other to have the same privilege but not any more numbers that that in law to previous owner (180 Maximum)</p>	<p>Officers acknowledge that restaurants are a generator of noise. The applicant has provided a noise management plan and subject to minor modifications, the noise management plan is considered to reduce noise to an acceptable level. Officers note that the restaurant will still need to comply with the Environmental Protection (Noise) Regulations.</p> <p>Officers acknowledge that an increase in restaurant capacity will result in more traffic. The applicant provided a Traffic Impact Assessment demonstrating that subject to upgrades, access to the site can be acceptable.</p>	<p>Refer to Transport Impact Statement (Shawmac, Jan 2020) that addresses all road safety concerns and confirms that the proposed development will have no unacceptable impact on road safety or traffic conditions.</p> <p>Refer to the updated Water and Stormwater Management Plan (Evergreen, Dec 2019) which addresses all concerns relating to water management.</p> <p>The Noise Management Plan (Evergreen, Jan 2020) will be implemented by the site operators to ensure that any noise generated from the venue falls within acceptable level as per the Environmental Protection (Noise) Regulations 1997,</p>

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		<p>The independent peer review of the applicants wastewater proposal concluded that the proposed wastewater disposal is acceptable. Officers note that the irrigation areas have been modified since community consultation.</p>	<p>including consideration of outdoor noise, amplified music, and evening operations.</p> <p>The previous owner was licensed for 350 people, despite the number of people invited to the submitter’s wedding.</p>
<p>41.</p>	<p>Objection – Total Number of Submissions: 1</p> <ul style="list-style-type: none"> • Increase noise from the restaurant travelling through the valley – I have experienced this personally when the Chalet Rigi was operating. The noise of the band could be heard at the opposite end of the valley. • Always has been a catchment area with developments restrictions because of pollution of water catchment. Why is this any different? • The road – Mundaring Weir Road, particularly west of the valley (Piesse Brook) is very narrow, steep and windy and will be a danger to residents and other road users with increased traffic. The bridge across Piesse Brook is also a danger with increased numbers of cars in my opinion. • Numbers to be catered at restaurant need to be kept under 200 people, as was catered for by Chalet Rigi in the past. 	<p>Officers acknowledge that restaurants are a generator of noise. The applicant has provided a noise management plan and subject to minor modifications, the noise management plan is considered to reduce noise to an acceptable level. Officers note that the restaurant will still need to comply with the Environmental Protection (Noise) Regulations.</p> <p>Officers acknowledge that an increase in restaurant capacity will result in more traffic. The applicant provided a Traffic Impact Assessment demonstrating that subject to upgrades, access to the site can be acceptable.</p>	<p>See above.</p>

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		<p>The independent peer review of the applicants wastewater proposal concluded that the proposed wastewater disposal is acceptable. Officers note that the irrigation areas have been modified since community consultation.</p>	
<p>42.</p>	<p>Objection – Total Number of Submissions: 1</p> <p><u>Proposed amendment to existing Restaurant – Lot 3 (No.415) Mundaring Weir Road, Piesse Brook</u></p> <p>Object to the Proposal. I, my wife and son (plus 4 grand-children) OBJECT TO THE PROPOSAL.</p> <p>The planned increase from a Restaurant of 80 patrons to 480 patrons for Restaurant and wedding functions is a huge increase and will significantly increase vehicular movement will also contribute. The noise levels from this elevated location will transmit and reverberate across the valley disrupting most families living in the valet, especially at night. What controls and policing will be in place to limit unreasonable noise levels.</p> <p><u>Concerns with upgraded sewerage system for 480 patrons.</u></p> <p>The upgraded sewerage system should be over designed to ensure that it performs under the most adverse conditions as well as a regime for independent testing of local ground water sources and uses. This will provide backup data ensuring the sewerage system is functioning correctly.</p> <ul style="list-style-type: none"> • Maximum numbers of functions in a week. • Maximum number of patrons attending these functions • Extended discharge of maximum stores volumes of effluent. • Worst wet weather conditions form the same week period, • Malfunction of 50% of the System <ol style="list-style-type: none"> 1. Are there any historical records of contaminants in the Piesse Book Gully creek? (Families and children often play in this creek) 2. Any historical records of water purity of ground water used by local Residents for consumption, watering farm animals or orchard reticulation. 	<p>Officers acknowledge that restaurants are a generator of noise. The applicant has provided a noise management plan and subject to minor modifications, the noise management plan is considered to reduce noise to an acceptable level. Officers note that the restaurant will still need to comply with the Environmental Protection (Noise) Regulations.</p> <p>The independent peer review of the applicants wastewater proposal concluded that the proposed wastewater</p>	<p>Chalet Rigi (CR) operated as a purpose-built restaurant with approval for 350 patrons for over 30 years under the previous owner. A formal approval for 350 patrons was issued by the City of Kalamunda on 26 November 2012 to the new owner. This approval lapsed during redevelopment in 2014. CR has never operated with numbers of 80 patrons. The increase is less than one-fold from 350 to 480 patrons.</p> <p>The applicant is seeking approval for a restaurant only, not a function centre.</p> <p>The Noise Management Plan (Evergreen, January 2020) will be implemented to ensure that any noise generated from the venue</p>

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	<p>3. It would be prudent if not already happening to commence testing of local water systems NOW for run-off contamination prior to approving this upgrade.</p> <p>There needs to be a high level of confidence in the new sewerage system will perform efficiently to a high standard under all conditions.</p>	<p>disposal is acceptable. Officers note that the irrigation areas have been modified since community consultation.</p>	<p>falls within acceptable level as per the Environmental Protection (Noise) Regulations 1997, including consideration of outdoor noise, amplified music, and evening operations.</p> <p>Refer to the updated Water and Stormwater Management Plan (Evergreen, Dec 2019) which addresses all concerns relating to water management and water protection, including prior and future monitoring of surrounding water courses.</p> <p>The BioMAX C80 ATU is Department of Health approved and complies with all legislation and guidelines.</p>
<p>43.</p>	<p>Objection – Total Number of Submissions: 1</p> <p>I object to the numbers given regarding clientele. I feel strongly that the 480 odd customers is excessive given the site location. I am primarily concerned about the environmental impact on the area. I am concerned about the roads and traffic in the area and the danger to visitors, wildlife and cyclists. I am also very concerned about the noise pollution in a valley.</p>	<p>Officers acknowledge that restaurants are a generator of noise. The applicant has provided a noise management plan and subject to minor modifications, the noise management plan is considered to reduce noise to an acceptable level. Officers note that the restaurant will still need to</p>	<p>See above.</p>

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		<p>comply with the Environmental Protection (Noise) Regulations.</p> <p>Officers acknowledge that an increase in restaurant capacity will result in more traffic. The applicant provided a Traffic Impact Assessment demonstrating that subject to upgrades, access to the site can be acceptable.</p> <p>The independent peer review of the applicants wastewater proposal concluded that the proposed wastewater disposal is acceptable. Officers note that the irrigation areas have been modified since community consultation.</p>	
<p>44.</p>	<p>Objection – Total Number of Submissions: 1</p> <ul style="list-style-type: none"> • Noise level at night as it echoes through the valley. • The deck faces out property, so it projects the noise towards us, being in the valley. • If you allow one large venue in the valley you set a precedent and sooner or later the Bickley Valley will be full of large venues and will lose its unique boutique winery culture that adds so much ambiance to the valley. • The Bickley Valley is unique in Western Australia and should be protected from large scale commercial ventures for the generations to come, as it is one of Perth's gems. • 	<p>Officers acknowledge that restaurants are a generator of noise. The applicant has provided a noise management plan and subject to minor modifications, the noise management plan is considered to reduce noise to an acceptable level. Officers note that the restaurant will still need to comply with the</p>	<p>The applicant believes that appropriate measures are in place to protect the environment from unacceptable noise levels.</p> <p>Chalet Rigi operated as a purpose-built restaurant with approval for 350 patrons for over 30 years under the previous owner. A formal approval for 350 patrons was issued by the</p>

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		<p>Environmental Protection (Noise) Regulations.</p>	<p>City of Kalamunda on 26 November 2012 to the new owner. This approval lapsed during redevelopment in 2014. The increase is only 37% from 350 to 480 patrons.</p> <p>The application is similarly scaled compared to other establishments within a few km of Chalet Rigi, such as Core Cider.</p>
<p>45.</p>	<p>Objection – Total Number of Submissions: 1</p> <p>We, the undersigned acknowledge that the City has approved on Lot 3, No.45 (The Chalet Rigi Site) Restaurant with patronage number set at 80 per day.</p> <p>We further understand that the proponent is seeking to increase the patronage number to 480 (an increase of 400).</p> <p>We are against this patronage increase as the restaurant does not need 480 to operate and especially as it is situated in the middle of Helena Public Drinking Water Source area and which is managed for Priority 2 (P2) source protection.</p> <p>There are concerns as to traffic issues, water management, fire and environmental considerations and uncontrollable noise sure to where it is situated at the top of a valley. There is also the concern as to why there is a need to increase the number of patronage by so many people for a restaurant. This number of patronage reflects someone seeking to run a large events venue rather than a 'family run restaurant'.</p> <p>We agree that the City's amendment to increase the patronage numbers from 80 to 400 should not be allowed.</p>	<p>The independent peer review of the applicants wastewater proposal concluded that the proposed wastewater disposal is acceptable. Officers note that the irrigation areas have been modified since community consultation.</p> <p>Officers acknowledge that restaurants are a generator of noise. The applicant has provided a noise management plan and subject to minor modifications, the noise management plan is considered to reduce noise to an acceptable level. Officers note that the restaurant will still need to comply with the</p>	<p>Chalet Rigi (CR) operated as a purpose-built restaurant with approval for 350 patrons for over 30 years under the previous owner. A formal approval for 350 patrons was issued by the City of Kalamunda on 26 November 2012 to the new owner. This approval lapsed during redevelopment in 2014. The restaurant has never operated at 80 patrons per day. The increase is less than one-fold from 350 to 480 patrons, representing a 37% increase.</p> <p>Refer to the updated Water and Stormwater Management Plan (Evergreen, Dec 2019) which addresses all concerns relating to water</p>

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		<p>Environmental Protection (Noise) Regulations.</p> <p>Officers acknowledge that an increase in restaurant capacity will result in more traffic. The applicant provided a Traffic Impact Assessment demonstrating that subject to upgrades, access to the site can be acceptable.</p>	<p>management and water protection.</p> <p>The applicant is seeking approval for a restaurant only, not an events venue.</p>
<p>46.</p>	<p>Objection – Total Number of Submissions: 1</p> <p>Please find below our concerns regarding the development Lot 3 Mundaring Weir Road Piesse Brook.</p> <p>Water Contamination – Due to the large number of prospective visitors there is as possible chance of water contamination to the Hackett’s Gully Creek. There are a number of residents which collect their water from this creel which is also part of the water catchment.</p> <p>Noise- Trading hours are unknown. We are very concerned with the amount of noise that will be made especially in the evening’s the monitoring and regulation is also a concern.</p> <p>Security and Privacy and Fire Risk – Our property line backs onto the Chalet Rigi. When the restaurant was operating 20 years ago we had a problem with visitors going for an afternoon walk in the bush then entering our property. With an even large amount of patrons this is a concern with our privacy, security and also potential fire risk (cigarette butts ect). Due to the potential fire risk and trespassing it would be feasible for the development to erect a fence around the property at their expense.</p> <p>In summary we believe that the development is too large, too many people and is not fitting with the Piesse Brook environment. The Chalet Rigi was originally a quaint little restaurant in the hills. The proposed development looks like a large entertainment complex.</p>	<p>Officers acknowledge that restaurants are a generator of noise. The applicant has provided a noise management plan and subject to minor modifications, the noise management plan is considered to reduce noise to an acceptable level. Officers note that the restaurant will still need to comply with the Environmental Protection (Noise) Regulations.</p> <p>The independent peer review of the applicants wastewater proposal concluded that the proposed wastewater disposal is acceptable. Officers note that the irrigation areas have been</p>	<p>Refer to the updated Water and Stormwater Management Plan (Evergreen, Dec 2019) which addresses all concerns relating to water management and water protection.</p> <p>The Noise Management Plan (Evergreen, January 2020) will be implemented to ensure that any noise generated from the venue falls within acceptable level as per the Environmental Protection (Noise) Regulations 1997, including consideration of outdoor noise, amplified music, and evening operations.</p> <p>Refer to Operational Management Plan</p>

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		<p>modified since community consultation.</p>	<p>(Saferight, 2020) for operating hours and conditions. Signage will be erected to ensure that patrons do not leave designated areas. Installing a fence around the perimeter is unnecessary and would prevent native animal movement such as kangaroo and emus.</p>
<p>47.</p>	<p>Objection – Total Number of Submissions: 1</p> <p>We wish to make following submission in relation to the above proposal: Object to the proposal Comment on the proposal</p> <p>If this matter requires a decision to be made at a public Council meeting then the planning related comments you provide on this form will be included in the relevant Council Agenda and therefore be publicly available. In line with City Policy requirements your name and address details will remain confidential.</p> <p>Comments: We strongly object to this proposed amendment to Existing Restaurant at Lot 3 Mundaring Weir Road, Piesse Brook. Such a development would impact hugely and adversely on our life at our property at XXXXXX, XXXXX, Piesse Brook. The most detrimental aspect for us would be noise. The human voice carries clearly across the valley, and this alone would be unpleasant – exacerbated by the use of public address systems. The noise produced by vehicle traffic and any music would be unbearable.</p> <p>We have previously lived adjacent to a restaurant – guests’ loud conversations, car doors being closed, and car engines being started late at night impacted horribly on our sleep patterns. Such noise from Lot 3 Mundaring Weir Road would reverberate across and along the valley affecting us and many of our neighbours.</p>	<p>Officers acknowledge that restaurants are a generator of noise. The applicant has provided a noise management plan and subject to minor modifications, the noise management plan is considered to reduce noise to an acceptable level. Officers note that the restaurant will still need to comply with the Environmental Protection (Noise) Regulations.</p>	<p>The applicant is seeking approval for a restaurant only, not an events venue.</p> <p>The Noise Management Plan (Evergreen, January 2020) will be implemented to ensure that any noise generated from the venue falls within acceptable level as per the Environmental Protection (Noise) Regulations 1997, including consideration of outdoor noise, PA systems, amplified music, and evening operations.</p> <p>Refer to Transport Impact Statement (Shawmac, January 2020) that addresses all road safety concerns and confirms that the proposed development will have no unacceptable</p>

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	<p>With regards to increased vehicle traffic: it is doubtful that 180 parking bays would be sufficient for staff and guests' vehicles – let alone the vans and trucks driven by suppliers and providers of services - such musicians, event co-ordinators, etc.</p> <p>The development proposed will have an adverse effect on the safety of the users of Mundaring Weir Road.</p> <p>We have concerns regarding the effect on the environment and endorse the comments of neighbours about drainage, sewerage etc.</p>	<p>The proposed car parking area exceeds the Scheme requirements for parking for restaurants.</p>	<p>impact on road safety or traffic conditions.</p> <p>Please refer to City of Kalamunda's Local Planning Scheme No. 3 – onsite parking requirements state 1 bay per 4 people accommodated (i.e. 120 bays needed for 480 accommodated people on site).</p> <p>The restaurant will have 151 car parking bays which meets the City's requirements and offers an additional 25% contingency. In addition, there will be 4 bus parking bays and separate service/delivery parking to ensure there will be no off-site parking.</p> <p>Refer to the updated Water and Stormwater Management Plan (Evergreen, Dec 2019) which addresses all concerns relating to water management and water protection.</p>
<p>48.</p>	<p>Objection – Total Number of Submissions: 4</p> <p>Submission 1 - Objection</p>		<p>Chalet Rigi operated as a purpose-built restaurant with approval for 350 patrons for over 30 years</p>

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<p>We wish to make the following submission in relation to the above proposal. We object to the proposed amendment.</p> <p>Most reasonable people would likely consider the 80 patrons to be housed indoors appropriate for a restaurant given the current location. Having only recently been given a copy of the application we feel the site is inappropriate for a number 6 times this at 480 patrons per day.</p> <p>In the application it was not clear to me why there is a need to increase the number by six times 480/day? Why do they want the additional 400 customers, what has changed since their initial application when they were granted 80? The only reference I could find was that the number was the maximum allowed based on the site sewerage treatment plant. To me this is not a valid or responsible reason for the allocated of the additional 400 patrons and noise and pollution that accompanies such a development.</p> <p>Noise-Hours of Operation- types of Entertainment I am concerned that the applicant has not supplied the City or community with any information relating to how they intend to service or operate the facility. Does this therefore mean that are proposing to change the facility from being a restaurant to becoming a large entertainment and function centre. We are very concerned as neighbours about the level of noise being emitted from such a site and the hours of operation.</p> <p>There was no mention of noise abatement as part of the application. We feel this is essential for any proposal. The amplification of sound across the valley is significant. As we and other residents in different valleys in the area are experiencing. We are asking therefore for the City of Kalamunda to provide a noise assessment report as part of any approval process.</p> <p>Waste Water Treatment Major Concern to us. Sewage treatment and discharge of treated water on site is of great concern to us as owners neighbouring property. We are located on the southern boundary as we rely on the ground water and stream water (Piesse Brook) for all our water supply.</p> <p>I am very concerned as the site is located in the Middle Helana Catchment area and is managed for Priority 2 source protection. Hackett’s Gully Creek passes only meters from the boundary of Lot3 and is allocated for the 14,000L/day of effluent on its way to Piesse Brook. The water in the creek and brook is used by (sic) local residents and the surrounding nearby national park so it is essential to protect.</p>	<p>Officers acknowledge that restaurants are a generator of noise. The applicant has provided a noise management plan and subject to minor modifications, the noise management plan is considered to reduce noise to an acceptable level. Officers note that the restaurant will still need to comply with the Environmental Protection (Noise) Regulations.</p> <p>The independent peer review of the applicant’s wastewater proposal concluded that the proposed wastewater disposal is acceptable. Officers note that the irrigation areas have been modified since community consultation.</p>	<p>under the previous owner. A formal approval for 350 patrons was issued by the City of Kalamunda on 26 November 2012 to the new owner. This approval lapsed during redevelopment in 2014.</p> <p>CR has never operated with numbers of 80 patrons. The increase is less than one-fold from 350 to 480 patrons. This approval is requested to make the venue financially viable.</p> <p>The applicant is seeking approval for a restaurant only, not an events venue or function centre.</p> <p>The Noise Management Plan (Evergreen, January 2020) will be implemented to ensure that any noise generated from the venue falls within acceptable level as per the Environmental Protection (Noise) Regulations 1997, including consideration of outdoor noise, amplified music, and evening operations.</p>
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<p>I am also very concerned about the storm water runoff from the 125 car bays. Does it adequately accounted for the possible erosion and pollution due to the runoff? It is a pristine location and environment that we would not want contaminated by such (sic) a large project. The land contours natural slope down towards our property from Lot 3 water would flow accordingly.</p> <p>Our property, XXX XXXXX included the triangular section above the allocated 125 car bays. I would like to clarify a possible misconception from the site plan drawings that the label of the 125 car bays is superimposed over our property. They have neglected to place an arrow to the parking area.</p> <p>As an owner for the neighbouring property to Lot 3 we object to the proposal to any amendment to expand the Chalet Rigi restaurant to 480 customers.</p> <p>Submission 2 – Objection <i>LATE SUBMISSION – This submission was received to the City on the 17th August 2019, 12 days after the submission period closed.</i></p> <p>Submission 48 (2) is verbatim to Submission 48 (1)</p> <p>Submission 3 – Objection <i>LATE SUBMISSION – This submission was received to the City on the 18th August 2019, 13 days after the submission period closed.</i></p> <p>Submission 48 (3) is verbatim to Submission 48 (1)</p> <p>Submission 4 – Objection <i>LATE SUBMISSION – This submission was received to the City on the 12th August 2019, 7 days after the submission period closed.</i></p> <p>Dear Hon Tim Clifford,</p> <p>I am writing in the hope that you are interested in assisting us with an important environmental issue in your electorate. We would very much like your help to gain some attention on this issue.</p>		<p>Refer to the updated Water and Stormwater Management Plan (Evergreen, Dec 2019) which addresses all concerns relating to water management, water protection and stormwater drainage.</p> <p>Please refer to City of Kalamunda’s Local Planning Scheme No. 3 – onsite parking requirements state 1 bay per 4 people accommodated (i.e. 120 bays needed for 480 accommodated people on site).</p> <p>The restaurant will have 151 car parking bays which meets the City’s requirements and offers an additional 25% contingency. In addition, there will be 4 bus parking bays and separate service/delivery parking to ensure there will be no off-site parking.</p> <p>Refer to the updated Water and Stormwater Management Plan (Evergreen, Dec 2019) which addresses all</p>
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	<p>My family own a property in Piesse Brook which our family has held for over 40 years. I am very concerned over a proposed expansion of the Chalet Rigi which is adjoining our property. I met with 22 members of a newly formed group calling ourselves the "Piesse Brook Preservation Association". We are all concerned about the size of the development proposed would significantly impact our way of life and most importantly from an environmental point of view potentially cause significant damage.</p> <p>The property is on Mundaring Weir Rd and at the top of the Piesse Brook Valley.</p> <p>The proposal is to expand a restaurant permit from 80 to 480 persons per day in the heart of the Hellena Valley Catchment There The site does not have access to mains sewage, so the developer is proposing a large onsite sewage treatment plant. Potentially 14,000 litres/ day of effluent discharged could be released on to the ground approximately 25 metres from a creek running through Hackets Gulley. This creek runs down the hill directly into Piesse Brook which in turn runs into the catchment dam. The small creek is used for drinking water for the local residents and is a pristine environment. There are other significant issues that impact the local residents including the noise and traffic should such an amendment be approved.</p> <p>The proposal is before the Kalamunda Council and they have requested the review of the Water Minister and already got some approvals from the Health Minister. I hope you see the importance of this issue and protecting our water supply not only for the locals but the wider public and the local wildlife.</p> <p>I appreciate you time in considering our request.</p>		<p>concerns relating to water management and water protection.</p> <p>Chalet Rigi (CR) operated as a purpose-built restaurant with approval for 350 patrons for over 30 years under the previous owner. A formal approval for 350 patrons was issued by the City of Kalamunda on 26 November 2012 to the new owner. This approval lapsed during redevelopment in 2014.</p> <p>CR has never operated with numbers of 80 patrons. The increase is less than one-fold from 350 to 480 patrons.</p>
<p>49.</p>	<p>Objection – Total Number of Submissions: 1</p> <p>Although we do not live within close proximity of Lot 3 (No.415) Mundaring Weir Road, Piesse Brook we are long term residents of the Shire/City of Kalamunda. While the re-opening of Chalet Rigi as a restaurant offers benefits to the community and a return of a much loved local icon, we object to the proposed amendment to existing permission which would increase the capacity of the restaurant from 80 to 480 patrons a day.</p> <p>The basis is as follows:</p> <ul style="list-style-type: none"> We have concerns regarding noise pollution. This area is predominantly rural and the expected noise from such a development can only adversely impact on the resident's quality of life. 	<p>Officers acknowledge that restaurants are a generator of noise. The applicant has provided a noise management plan and subject to minor modifications, the noise management plan is considered to reduce noise to an acceptable level. Officers note that the restaurant will still need to comply with the</p>	<p>Chalet Rigi (CR) operated as a purpose-built restaurant with approval for 350 patrons for over 30 years under the previous owner. A formal approval for 350 patrons was issued by the City of Kalamunda on 26 November 2012 to the new owner. This approval lapsed during redevelopment in 2014. CR has never operated</p>

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	<ul style="list-style-type: none"> • We have concerns regarding traffic pollution. Mundaring Weir Road is challenging to drive. This is evidenced by its attraction to rally drivers and professional cyclists. We feel that significantly increasing the level of traffic on Mundaring Weir Road will again, adversely impact on residents’ quality of life and present a considerable danger to other users of the road. • We have concerns about environmental pollution. Residents in this area rely on dams for their household water supply. Despite assurance from ‘qualified consultants’. Council should undertake separate and independent water management, waste water and soil permeability studies to be completely satisfied that this development will not impact a very delicate and precious environment. • We have concern about the danger of bush fires. This site appears to have extremely limited access and evacuation of the site would be problematic with potentially deadly consequences. 	<p>Environmental Protection (Noise) Regulations.</p> <p>Officers acknowledge that an increase in restaurant capacity will result in more traffic. The applicant provided a Traffic Impact Assessment demonstrating that subject to upgrades, access to the site can be acceptable.</p> <p>The independent peer review of the applicants wastewater proposal concluded that the proposed wastewater disposal is acceptable. Officers note that the irrigation areas have been modified since community consultation.</p>	<p>with numbers of 80 patrons. The increase is less than one-fold from 350 to 480 patrons. The Noise Management Plan (Evergreen, January 2020) will be implemented to ensure that any noise generated from the venue falls within acceptable level as per the Environmental Protection (Noise) Regulations 1997, including consideration of outdoor noise, amplified music, and evening operations.</p> <p>Refer to the updated Water and Stormwater Management Plan (Evergreen, Dec 2019) which addresses all concerns relating to water management. The author of the Water Management Plan is a fully qualified and experienced independent environmental scientist.</p> <p>Refer to Transport Impact Statement (Shawmac, Jan 2020) that addresses all road safety concerns and confirms that the proposed development will have no unacceptable impact on</p>
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			<p>road safety or traffic conditions.</p> <p>Refer BAL Report and Bushfire Emergency Evacuation Plan (Saferight, 2020).</p>
<p>50.</p>	<p>Objection – Total Number of Submissions: 2</p> <p>Submission 1 - Objection</p> <p>We object to this proposal for the following reasons:</p> <p>Comment</p> <p>This is a massive development. This is not just a restaurant. It is a large entertainment and function centre.</p> <p>We cannot believe that it has got as far as being ready for opening, with all infrastructure in place, has public approval from the Health Minister, with an exemption on wastewater requirements, and unequivocal support from Local MLA Matthew Hughes – all before local residents who will be hugely affected by the development, are made aware of the application for 480 patrons per day by the City of Kalamunda.</p> <p>It is impossible not to believe that this application has been made by Mr McCormack in the full confidence that it will be granted by the City of Kalamunda.</p> <p>Also of concerns is our personal evidence of Mr McCormack’s apparent disregard for rules and regulations, for example illegally using the fire track along the back of our property for his 4WD training, doing great damage to the steep surfaces. What else will he do?</p> <p>Noise</p> <ul style="list-style-type: none"> • The Piesse Brook is a natural Amphitheatre. A recent function at the Chalet Rigi (presumably with no more than 80 patrons) significantly impacted residents up to one kilometre across the valley. An increase to 480 patrons during the day or evening up until midnight with music and noise would be intolerable. • The decibel rating of the human voice is 65. A rock band or orchestra is 120, and that decibel rating would reverberate over the entire valley, impacting on everybody in 	<p>Officers acknowledge that restaurants are a generator of noise. The applicant has provided a noise management plan and subject to minor modifications, the noise management plan is considered to reduce noise to an acceptable level. Officers note that the restaurant will still need to comply with the Environmental Protection (Noise) Regulations.</p> <p>Officers acknowledge that an increase in restaurant capacity will result in more traffic. The applicant provided a Traffic Impact Assessment demonstrating that subject to upgrades, access to the site can be acceptable.</p> <p>The independent peer review of the applicants wastewater proposal concluded that the proposed wastewater</p>	<p>The applicant is seeking approval for a restaurant only, not an events venue or entertainment function centre.</p> <p>Surrounding residents have been aware of the applicant’s desire to reopen the restaurant since before 2006.</p> <p>The applicant maintains fire breaks along his property perimeters, as required by the City of Kalamunda.</p> <p>The Noise Management Plan (Evergreen, January 2020) will be implemented to ensure that any noise generated from the venue falls within acceptable level as per the Environmental Protection (Noise) Regulations 1997, including consideration of outdoor noise, amplified music, and evening operations.</p>

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	<p>Aldersyde East, bottom half of Croxton Road, Fern Road, Mundaring Weir Road. With any large event, this level would typically go on until midnight, never mind what happens during the day.</p> <ul style="list-style-type: none"> • There is a Code of Practice for the Control of Noise in the Music Entertainment Industry (Ministry of Consumer & Employment Protection). Has this body been consulted? • It seems that the applicant has not supplied the City or Community with any information relating to how they intend to service or operate the facility. Under the application, this could be a weekday and weekend, days and nights. • Are there to be any restrictions from music in terms of time limits, inside or outside the venue ect? What is the Noise Management Plan? Has an acoustic survey been undertaken? • What is the City’s Noise Abatement policy? • In addition would be the noise of buses, taxis and cars leaving the venue at all hours <p>We ask, therefore, that the City of Kalamunda provide a noise assessment report as part of any approval process.</p> <p>Traffic We have lived at XXX Mundaring Weir Road for the last 14 years, and the traffic on this extremely winding part of the road with its steep drop-offs and inclines, has been an increasingly worrying problem.</p> <p>Some motorcyclists use it as an exciting testing of how fast they can go, hooners tear up and down in their high-powered cars at excessive speed (especially on weekends and Friday nights) and cyclists come down the hill into the valley at a frightening speed.</p> <p>We have had five cars come round the corner closes to us and go over the right hand edge into the gully, into the drain, and even overturn in our driveway. And to our knowledge, there have been three or four deaths in the stretch between Croxton and Fern Roads in that time. It is possible other accidents have occurred that we are unaware of.</p> <p>This indeed a Black Spot (although there is no sign as such) and yet the speed signs are 60 kp/h in the main, with 30kph over the Piesse Brook bridge corner,</p> <p>On weekends there is a large increase in all types of traffic, bicycle competition rides and people using the bicycle trails off Mundaring Weir Road.</p>	<p>disposal is acceptable. Officers note that the irrigation areas have been modified since community consultation.</p>	<p>There have been no “functions” at Chalet Rigi with the exception of private family gatherings which are permitted under typical property ownership legislation and are not subject to the same “rules” as licensed restaurants.</p> <p>Refer to Transport Impact Statement (Shawmac, Jan 2020) that addresses all road safety concerns and confirms that the proposed development will have no unacceptable impact on road safety or traffic conditions.</p> <p>Recent widening of Mundaring Weir Road by the State Government and City of Kalamunda was welcomed by the applicant, alongside all future measures to improve road safety.</p> <p>The submission’s estimate of 400+ vehicles per day is vastly inaccurate, as is their estimate of vehicle numbers. Please refer Traffic Impact Statement (Shawmac, Jan 2020) for</p>
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<p>Add this to another 400+ vehicles a day on weekends, and the possibility of alcohol in the mix, and the potential for an increase in the accident rate is obvious.</p> <p>We believe that the safety of cyclists, motorcyclists and motorists will be further compromised with the impact of buses, taxis and cars for 480 patrons arriving and leaving the venue.</p> <p>Waste Water Treatment</p> <p>We would be extremely concerned that the City conduct an additional feasibility report in addition to that provided by Sheppard Design to ensure that safety of our waterways.</p> <p>We understand that the waste water dispersal system in place could be seriously detrimental to the environment, as it is located in the Middle Helena Catchment area and is managed for Priority P2 source protection. This policy imposes strict controls on land usage, water usage, waste water disposal and what businesses can and cannot operate in the sub catchment. Function Centres are not permitted.</p> <p>Has the Water Minister given final approval of the waste management system outlined in the proposal according to the current rules and regulations and for the special exemption granted by the Health Minister?</p> <p>Impact on homes in the area A development of this size in the area would threaten ours and everyone’s lifestyle in the valley, with the capacity to destroy outside living completely. A reputation of noise and disturbed nights, once gained, will, without questions, heavily detract from the value of people’s properties.</p> <p>Submission 2 – Objection</p> <p>Apart from the issues of noise, waste management and traffic issues, which are enormous in themselves, we cannot see how this development has been allowed to get as far as it has without notice being given to the residents in the area. Mr McCormack has proceeded as though it is a done deal, confident in the knowledge that he will get what he is asking for. For instance, why would the Minister for Health give his tick of approval (with an exemption on waste water requirements) at this stage – has he by-passed the City of Kalamunda?</p> <p>We sincerely ask that you will take into account the concerns of the residents of this area in the discussions on this application.</p>		<p>further details on vehicle numbers.</p> <p>Refer to the updated Water and Stormwater Management Plan (Evergreen, Dec 2019) which addresses all concerns relating to water management and water protection.</p> <p>The applicant is seeking approval for a restaurant only, not an events venue or entertainment function centre. The approval is given by the Minister of Health – his approval was granted in July 2019.</p> <p>Surrounding residents have been aware of the applicant’s desire to reopen the restaurant since before 2006.</p>
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			The submitter does not understand the process and timing by which approvals are sought. Approval is first required to be granted to install an ATU by the Minister for Health before approval is requested from the City of Kalamunda.
51.	<p>Objection – Total Number of Submissions: 1</p> <p>I have concerns about the impact of waste water affecting the quality of the water and plant/animal life at Piesse Brook Gully.</p>	The independent peer review of the applicants wastewater proposal concluded that the proposed wastewater disposal is acceptable. Officers note that the irrigation areas have been modified since community consultation.	Refer to the updated Water and Stormwater Management Plan (Evergreen, Dec 2019) which addresses all concerns relating to water management and water protection.
52.	<p>Objection – Total Number of Submissions: 1</p> <p>We are writing to formally respond to your letter of the 8th July 2019 regarding the proposed amendment to the Chalet Rigi Restaurant at Lot 3 (No. 415) Mundaring Weir Road, Piesse Brook.</p> <p>We strongly object to the proposed 500% increase in patronage, from the existing approved 80 persons per day to 480 persons per day. We believe this application, if approved without substantial amendment, would have severe and deleterious environmental and amenity impacts on the locality.</p> <p>Our more particular concerns are outlined below.</p> <p>1. Set back from Hacketts Gully Creek</p> <p>The City's guidelines for installing waste water aerobic treatment units, such as applicant proposes to use at the Chalet Rigi, require a minimum setback from creeks of thirty meters.</p>	Officers acknowledge that restaurants are a generator of noise. The applicant has provided a noise management plan and subject to minor modifications, the noise management plan is considered to reduce noise to an acceptable level. Officers note that the restaurant will still need to comply with the Environmental Protection (Noise) Regulations.	<p>Chalet Rigi (CR) operated as a purpose-built restaurant with approval for 350 patrons for over 30 years under the previous owner. A formal approval for 350 patrons was issued by the City of Kalamunda on 26 November 2012 to the new owner. This approval lapsed during redevelopment in 2014.</p> <p>CR has never operated with numbers of 80 patrons. The increase is</p>

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<p>This proposal does not meet this minimum standard as the setback between the waste water irrigation area and the Hacketts Gully Creek, which runs through the neighbouring property to the immediate north-east of the Chalet Rigi, is eighteen meters.</p> <p>On these grounds alone this application should progress no further until such time as the applicant makes substantial amendment to their application.</p> <p>2. Setback from neighbours dam used for household water The owners of XX Aldersyde Road, Piesse Brook, Mr & Mrs XX, source water for household use from a dam into which the Hacketts Gully Creek flows. In a recent email MR XX stated "Our dam, which collects water for household use and has done for almost 100 years we believe, lies below the Chalet site and will be polluted by this ridiculous and inappropriate expansion".</p> <p>Given that the applicant's proposed expansion of the Chalet Rigi would generate up to 14,000 litres of waste water per day, one could reasonably expect Mr Bower's dam and the Hacketts Gully Creek, which in turn flows into the Piesse Brook, to become contaminated with effluent.</p> <p>As with point (1) above, the application should progress no further until such time as the applicant makes substantial amendments to their application, particularly with regard to setbacks.</p> <p>3. False assumptions about local rainfall and soil saturation The calculations used to determine the appropriate area for waste water disposal are based on the average annual rainfall for Perth rather than for this locality.</p> <p>The average annual rainfall for Perth is 733 millimetres. By contrast, the neighbouring locality of Bickley (there are no known publicly available figures for Piesse Brook) receives an annual average rainfall of 1029 millimetres, which is some 40% higher than for Perth.</p> <p>The above is extremely important as the higher rainfall in this locality impacts the level of soil saturation. The higher the natural level of soil saturation (due to a 40% greater rainfall than is assumed by the applicant) the lower the capacity for the soil to absorb additional waste water from the proposed effluent system. In turn the level of soil saturation determines the area of land required for waste water disposal and in this case, has resulted in a significant understating of the area of land required to be irrigated.</p> <p>As with points (1) and (2) above, the understatement of rainfall in the locality, which in turn</p>	<p>The independent peer review of the applicants wastewater proposal concluded that the proposed wastewater disposal is acceptable. Officers note that the irrigation areas have been modified since community consultation.</p>	<p>37% from 350 to 480 patrons. The submission's guess of 500% increase is vastly inaccurate.</p> <p>Refer to the updated Water and Stormwater Management Plan (Evergreen, Dec 2019) which addresses all concerns relating to water management and water protection, including revised and increased setback distances.</p> <p>There will be no adverse impact on surrounding water courses.</p> <p>Refer to the updated Water and Stormwater Management Plan (Evergreen, Dec 2019) which addresses all concerns relating to water management and water protection, including rainfall and soil saturation / permeability testing.</p> <p>The Noise Management Plan (Evergreen, January 2020) will be implemented to ensure that any noise generated from the venue falls within acceptable level as per the Environmental</p>
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<p>impacts the calculations for the area of land required for the waste water disposal, is so significant as to warrant substantial amendment to the application. Given the obvious conflict of interests that can arise with such applications any recalculation of the land area required for waste water disposal should be done by an expert nominated by the City of Kalamunda or the Department of Water, rather than by an agent of the applicant.</p> <p>4. Storm water runoff and disposal</p> <p>The applicants site plans indicate that storm water runoff from the proposed car parking area is to be captured and disposed of on an adjoining property. Presently the adjoining property happens to also be owned by the applicant, however, it cannot be assumed that it will always be so.</p> <p>Property developments usually outlive their owners and should a future owner of the applicants residential property object to the Chalet Rigi using their land for the purpose of disposing of storm water runoff how will this dispute then be resolved? In this case, as with every other, the practise of requiring onsite disposal of storm water runoff should apply.</p> <p>Again, this will warrant significant amendment to the application.</p> <p>5. Noise Management Plan</p> <p>The traditional approach the City has adopted to residents concerns regarding noise emissions from proposed developments has been to point out the overarching need for compliance with state environmental law regarding noise emissions. This is not an unreasonable approach given that it can be extremely difficult to know in advance what, if any, noise emissions will arise from the ongoing operation of a development before the event.</p> <p>The particular case of the Chalet Rigi, however, is different as it already has a track record which gives rise to legitimate concerns.</p> <p>When the Chalet Rigi previously operated with a license for eighty persons there were times when it generated significant noise. Long term residents of the area, Mr & Mrs Garwood of 415 Mundaring Weir Road, Piesse Brook, who have resided at their house since 1976, have stated in their submission to the City that when the Chalet Rigi previously operated it "was noisy at times particularly when there was a wedding or function". And more recently there have been functions at the Chalet Rigi, including a wedding, where the noise generated was extreme.</p> <p>It seems reasonable in this particular case to require the applicant to provide a Noise Management Plan (NMP) as a part of their application. This is a common practise with applications in other localities. For example, in 2010/11 the Shire of Northam required that a</p>	<p>Officers acknowledge that restaurants are a generator of noise. The applicant has provided a noise management plan and subject to minor modifications, the noise management plan is considered to reduce noise to an acceptable level. Officers note that the restaurant will still need to comply with the Environmental Protection (Noise) Regulations.</p>	<p>Protection (Noise) Regulations 1997, including consideration of outdoor noise, amplified music, and evening operations.</p> <p>CR has never operated with numbers of 80 patrons. The previous owner was approved for 350 people for 30 years. The new owner secured approval for 350 people from the City of Kalamunda in 2012 (this approval lapsed during redevelopment in 2014).</p> <p>There have been no "functions" at Chalet Rigi with the exception of private family gatherings which are permitted under typical property ownership legislation and are not subject to the same "rules" as licensed restaurants.</p> <p>The Noise Management Plan (Evergreen, January 2020) and Operational Management Plan (Saferight, 2020) provide more information on how noise will be managed to</p>
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	<p>Noise Management Plan (NMP) be developed as a part of an application to operate the guesthouse and reception centre, known as Laurelville, in York. It's Noise Management Plan states its key objective as being "to actively engage with affected properties to address . . . the amenity impacts of noise emissions during outdoor reception events with amplified noise". Their NMP required an "acoustical assessment of noise emissions from a wedding/reception event" in order to determine acceptable levels of noise. Their acoustical assessment also determined that it would be preferable to have "more smaller speakers as opposed to larger speakers".</p> <p>Should an amended application be subsequently approved, the NMP would then mandate relevant practises, including volume and permitted hours, for the venue's management to adhere to in order to mitigate noise emissions.</p> <p>The above is not an exhaustive list of our concerns. The fact that the Chalet Rigi is situated along winding part of Mundaring Weir Road ought to warrant a reduction in road speeds either side of the venue given that once open the venue will generate additional vehicle traffic. The need for slip lanes will also need to be considered given that functions are likely to generate intense bursts of traffic.</p> <p>Thank you for seeking comment from residents on this proposal. We trust the City's Planning Officers will consider the points raised and seek further amendments from the applicant.</p>	<p>Officers acknowledge that an increase in restaurant capacity will result in more traffic. The applicant provided a Traffic Impact Assessment demonstrating that subject to upgrades, access to the site can be acceptable.</p>	<p>meet Environmental Protection (Noise) Regulations 1997.</p> <p>Refer to Transport Impact Statement (Shawmac, Jan 2020) that addresses all road safety concerns and confirms that the proposed development will have no unacceptable impact on road safety or traffic conditions.</p>
<p>53.</p>	<p>Objection – Total Number of Submissions: 1</p> <p>This response is based on information provided in the Proponent’s submission documents recently circulated to Piesse Brook residents by the City of Kalamunda and on discussion with current and former residents.</p> <p>This response does not support the Proposal to increase the maximum capacity from 80 patrons per day to 480 patrons per day.</p> <p>The proposed expansion of Lot 3 - the Chalet Rigi site, is a significant change and would have major impacts and risks were it to proceed. Here are some objections.</p> <ol style="list-style-type: none"> 1. Lack of Information to Support the Proposal: The Documentation provided does not explain the purpose of the development or how its significant impact on the community, the environment and the general ethos of the Bickley Valley will be addressed, managed and mitigated. Of the seven documents provided, information lacking or not provided publicly includes: - Statement of Proposed Uses - restaurant, bar, wedding venue, licensing 		<p>Chalet Rigi (CR) operated as a purpose-built restaurant with approval for 350 patrons for over 30 years under the previous owner. A formal approval for 350 patrons was issued by the City of Kalamunda on 26 November 2012 to the new owner. This approval lapsed during redevelopment in 2014.</p> <p>CR has never operated with numbers of 80 patrons. The increase is</p>

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	<p>arrangement, hours of operation, consultation with impacted residents to ensure considerate co-existence between the proposed development and residents of Piesse Brook.</p> <p>- Issues and Risk Management Plan - Noise Management/Abatement Plan</p> <p>2. Piesse Brook Community Relations: Considering the history of poor relationships between the Proponent and present and past residents of the valley, this is an impediment to sound business and community relations that the City of Kalamunda should take into account in reviewing this Proposal.</p> <p>3. Inconsistencies in Information Provided: There are significant inconsistencies between the documents provided to support the Proposal. The <i>Traffic Impact Statement</i> (Section 3.2) refers to a 350 seat restaurant "... licensed to serve 780 patrons per day" (100 for breakfast, 340 for lunch, 340 for dinner). The initial <i>Wastewater Treatment Chalet Rigi Restaurant Kalamunda, WA</i> (June 2012) has based its entire calculations on the figure of 350 patrons per day. The <i>Addendum Water Management Report Chalet Rigi Restaurant, Piesse Brook, Kalamunda WA</i> also references the figure of 350 patrons in its Introduction.</p> <p>The current Proposal to expand patronage to 480 per day therefore has no credibility and can only be rejected as the submitted supporting wastewater documents do not, in fact, support the proposed expansion.</p> <p>Although one expects appropriate scrutiny of submitted documentation by the approving committee, we appreciate that their workload is significant so it is concerning that such a clearly self-contradictory proposal should have to come before the committee and that it should have received so little scrutiny as to gain the support of the State Minister for Health and our local MLA Matthew Hughes, as reported in a recent article in <i>The Echo</i>.</p> <p>This type of approach and public endorsements, if successful, further entrench mistrust and disengagement between communities and their elected representatives at all levels of government.</p> <p>4. Risk of Water and Odour Pollution in Piesse Brook: The risk of polluted wastewater entering Piesse Brook is a major concern to residents who make use of the water and to locals who enjoy walking along the creek. It should also concern the City</p>	<p>Officers acknowledge that restaurants are a generator of noise. The applicant has provided a noise management plan and subject to minor modifications, the noise management plan is considered to reduce noise to an acceptable level. Officers note that the restaurant will still need to comply with the Environmental Protection (Noise) Regulations.</p> <p>The independent peer review of the applicants wastewater proposal</p>	<p>37% from 350 to 480 patrons. The submission's guess of 500% increase is vastly inaccurate.</p> <p>The applicant is seeking approval for a restaurant only, not an events venue or entertainment function centre.</p> <p>Refer Operational Management Plan (Saferight, 2020) for more details on operating times and conditions.</p> <p>The Noise Management Plan (Evergreen, January 2020) and Operational Management Plan (Saferight, 2020) provide more information on how noise will be managed to meet Environmental Protection (Noise) Regulations 1997.</p> <p>Refer to the updated Water and Stormwater Management Plan (Evergreen, Dec 2019) which addresses all concerns relating to water</p>
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	<p>of Kalamunda that local residents, city folk and international visitors to the hills enjoy the brook throughout the year. Children particularly, play in the stream and in Rocky Pool. There are likely to be periods when wastewater will be required to be stored due to heavy rainfall or malfunction of the system or when the system remains active at periods of ground saturation during winter.</p> <p>The area for disposal of treated wastewater described in the <i>Addendum Water Management Report</i>, which uses information from Galt Geotechnics <i>Technical Memorandum</i>, does not provide sufficient disposal area for the proposed 480 patrons per day.</p> <p>The inconsistency of information provided by the Proponent creates a sense of mistrust in the proposed expansion, that the business will not apply due diligence to the requirements to manage its wastewater, possible odours and other obligations. The information provided is misleading and calls into question the capacity of the business to manage compliance and to mitigate risks related to water pollution and odour control.</p> <p>5. Storm Water Run-off: It is noted that the stormwater runoff from the site will be diverted away from the effluent disposal area. However, stormwater falling on the effluent disposal area, should be retained onsite and prevented from flowing into either Hackett Gully or Piesse Brook.</p> <p>It is also noted on the Site Plan (Drawing 1 of 7) that the overflow from the stormwater run-off, grease trap and 9,000 firefighting tank, is captured on an adjacent property. This arrangement is likely to cause future challenges if the Proponent or the owner of the adjacent property (presumably also the Proponent) sells either the business or the residential property.</p> <p>6. Noise: As the Chairperson of a Corporate Body in Kalamunda, I have personal experience of the lack of noise regulations/policy/management plan at the City of Kalamunda. The City is currently ineffective at managing this significant nuisance to residents’ wellbeing.</p> <p>This deficiency needs to be addressed by the City and noise levels mandated for public venues, even for a restaurant licensed for 80 patrons. The impact of a licensed venue with loud music is likely to have a very significant impact on residents throughout the</p>	<p>concluded that the proposed wastewater disposal is acceptable. Officers note that the irrigation areas have been modified since community consultation.</p>	<p>management and water protection for 480 persons. There will be no adverse impact on the environment or surrounding water courses.</p> <p>Personal opinions should have little to no bearing on development applications – considerations should be impartial and based on regulation compliance and scientific fact.</p> <p>The Noise Management Plan (Evergreen, January 2020) and Operational Management Plan (Saferight, 2020) provide more information on how noise will be managed to meet Environmental Protection (Noise) Regulations 1997.</p> <p>The applicant has faith in the City of Kalamunda’s ability to manage noise in adherence with the Environmental Protection (Noise) Regulations 1997.</p> <p>Refer amended Bushfire Emergency Evacuation Plan (Saferight, 2020).</p>
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	<p>area.</p> <p>7. Bush Fire Management & Evacuation Risk: The <i>Emergency & Evacuation Response Procedure</i> (08/04/2019) does not include evacuation of patrons and staff from the Chalet Rigi site in case of a bush fire. Given that the BAL (Bushfire Attack Rating) of 29, equating to “high risk”, the evacuation of the proposed 490 patrons plus staff from the restaurant site with limited egress, to a place of safety several kilometres away, would be expected to require a detailed and approved plan/procedure.</p> <p>It is noted that the <i>Addendum Water Management Report</i> indicates that “...The ATU will be positioned in the northern portion of the site with a minimum distance of 1.2 m from any site boundary”. Apart from the impact on the value and amenity of the neighbouring property this calculation also does not allow for a sufficient firebreak at the boundary.</p> <p>It is also noted that the aerial photo of the site provided in the Galt Geotechnics document (Site & Location Plan Figure 4 Rev. A) does not reveal any view of the expected 3 metre firebreaks on the property. Are there adequate fire breaks on this property?</p> <p>8. Traffic Risk along Mundaring Weir Rd: The Traffic Impact Statement does not address the constant use of Mundaring Road by cyclists. The road is winding and there are few opportunities for vehicles to overtake for many kilometres. Cyclists from throughout the metropolitan area, use the road particularly during weekends, and breakfast the cafes in Kalamunda. The road is already busy and increased traffic would create additional risks.</p> <p>While we residents appreciate the need for appropriate business development in the Perth Hills, the Chalet Rigi expansion Proposal under review is clearly not acceptable. We would prefer to believe that our Council undertakes appropriate scrutiny of the documentation, to address the significant concerns of Piesse Brook residents related to this Proposal and that its decision represents the best interests of the whole community.</p>	<p>The high risk category only applies to development such as service stations, landfill sites, storage of hazardous materials, fuel depots among others. See section 5.6 of the Guidelines for Planning in Bushfire Prone Areas.</p> <p>Officers acknowledge that an increase in restaurant capacity will result in more traffic. The applicant provided a Traffic Impact Assessment demonstrating that subject to upgrades, access to the site can be acceptable.</p>	<p>Refer to the updated Water and Stormwater Management Plan (Evergreen, Dec 2019) which addresses all concerns relating to water management and water protection, including revised placement of the ATU and disposal areas.</p> <p>The ATU has been relocated to sit at least 3 m from the site boundary in accordance with fire break regulations.</p> <p>Refer to Transport Impact Statement (Shawmac, Jan 2020) that addresses all road safety concerns and confirms that the proposed development will have no unacceptable impact on road safety or traffic conditions.</p>
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54.	<p>Objection – Total Number of Submissions: 1</p> <p><i>No Comment Provided</i></p>	Noted.	Noted.
55.	<p>Comment Only – Total Number of Submissions: 1</p> <p>Please find attached our comments regarding the proposal to Lot 3 Mundaring Weir Road.</p> <p>In short, we are in favour of the development, but do have some concerns. We believe it would be a great asset to the area, make use of an existing facility which has a strong recognition value, and bring jobs and tourism dollars to the area.</p> <p>However we are concerned that the Water management report is based on 350 patrons, not the 480 the owners have applied for. We also would like it clarified what 480 patrons entails, it says per day, but how is this monitored? Would be easier to visualise if it were how many seats/tables the restaurant would have. We would like to see the number of patrons reduced to approx. 300.</p> <p>We are also concerned with the quantity of effluent treatment and its effective distribution in the area, will it affect locals who do not have scheme water? Also the effect on Piesse Brook itself. Friends and family we have taken there love it, as do we. Finally of course there is the additional noise and traffic, that may not affect all, but has to potential to change those closest to the restaurant.</p> <p>Thanking you for your time and the councils consideration.</p> <ul style="list-style-type: none"> • We have concerns that the water management/ waste water report notes the biomax/ability to treat waste water report is acceptable for 350 patrons per day. • Application for 480 patrons well above this limit. 	<p>The operator is required to keep a log of patrons, which is available for City staff to review at any time to ensure patron numbers are being recorded correctly and that the number does not exceed 480 including staff.</p>	<p>Refer to the updated Water and Stormwater Management Plan (Evergreen, Dec 2019) which addresses all concerns relating to water management and water protection for 480 persons.</p> <p>490 people includes all staff and on-site contractors. The number will be maintained by use of a hand-held tally counter, as is customary for most restaurants.</p> <p>The Noise Management Plan (Evergreen, January 2020) and Operational Management Plan (Saferight, 2020) provide more information on how noise will be managed to meet Environmental</p>

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	<ul style="list-style-type: none"> • Although application says 480 patrons per day how will this be governed? If a restaurant opens for breakfast/lunch + dinner is this 480 patrons each meal provided? This needs clarification. • Additional traffic given road is shared by bikeriders • Concerns regarding noise pollution to neighbouring areas that choose a particular "country" lifestyle • Protection of out natural resources such as Piesse Brook. This part of why tourists come here. If there is a chance of waterways being polluted with effluent, this is not acceptable. 	<p>It is 480 patrons per day, all inclusive.</p> <p>Officers acknowledge that restaurants are a generator of noise. The applicant has provided a noise management plan and subject to minor modifications, the noise management plan is considered to reduce noise to an acceptable level. Officers note that the restaurant will still need to comply with the Environmental Protection (Noise) Regulations.</p> <p>The independent peer review of the applicants wastewater proposal concluded that the proposed wastewater disposal is acceptable. Officers note that the irrigation areas have been modified since community consultation.</p>	<p>Protection (Noise) Regulations 1997.</p> <p>Refer to Transport Impact Statement (Shawmac, Jan 2020) that addresses all road safety concerns and confirms that the proposed development will have no unacceptable impact on road safety or traffic conditions.</p> <p>There will be no adverse impacts on surrounding water courses.</p>
<p>56.</p>	<p>Objection – Total Number of Submissions: 1</p> <p>I strongly object to the proposal of 480 patrons at this site.</p> <ol style="list-style-type: none"> 1. Noise <ul style="list-style-type: none"> - The Piesse Brook valley and residents currently enjoy the peace and quiet of the valley and it is why we reside here. This proposal will destroy their proposal residential amenity. 	<p>Officers acknowledge that restaurants are a generator of noise. The applicant has provided a noise management plan and subject to minor modifications, the noise management plan is</p>	<p>Chalet Rigi (CR) operated as a purpose-built restaurant with approval for 350 patrons for over 30 years under the previous owner. A formal approval for 350 patrons was issued by the City of Kalamunda</p>

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	<ul style="list-style-type: none"> - This restaurant has not yet even started to function at the level of 80 yet you seek to consider 480. As such there is no history of management of Noise, Traffic, Waste – water and rubbish by the applicant – at the 80 patron level. As such this would better be described as a new application for a new venue at 480 because the 80 patron venue has not functioned as yet by this applicant. Private events to date have not been managed well and have impacted residents. - I find it absurd that council embraces Tourism at this scale in this location. Tourism is all fine but don't destroy the peace of this valley for the mighty dollar of one operator. <p>2. Traffic</p> <ul style="list-style-type: none"> - This section of Mundaring Weir Road is already a black spot from Croxton Road to Fern Road. How is this volume of traffic going to be managed and integrated with residential use and cyclist use? <p>3. Water</p> <ul style="list-style-type: none"> - This is a catchment area. 480 patrons (even handled by a bio cycle) represents massive flow of waste. <p>4. Fire</p> <ul style="list-style-type: none"> - The logistics in the event of an approaching fire front are sixfold. 	<p>considered to reduce noise to an acceptable level. Officers note that the restaurant will still need to comply with the Environmental Protection (Noise) Regulations.</p> <p>Officers acknowledge that an increase in restaurant capacity will result in more traffic. The applicant provided a Traffic Impact Assessment demonstrating that subject to upgrades, access to the site can be acceptable.</p> <p>The independent peer review of the applicants wastewater proposal concluded that the proposed wastewater disposal is acceptable. Officers note that the irrigation areas have been modified since community consultation.</p>	<p>on 26 November 2012 to the new owner. This approval lapsed during redevelopment in 2014. The increase is only 37% from 350 to 480 patrons.</p> <p>The application is similarly scaled compared to other establishments within a few km of Chalet Rigi, such as Core Cider.</p> <p>The Noise Management Plan (Evergreen, January 2020) and Operational Management Plan (Saferight, 2020) provide more information on how noise will be managed to meet Environmental Protection (Noise) Regulations 1997.</p> <p>Refer to Transport Impact Statement (Shawmac, Jan 2020) that addresses all road safety concerns and confirms that the proposed development will have no unacceptable impact on road safety or traffic conditions.</p> <p>Refer to the updated Water and Stormwater Management Plan (Evergreen, Dec 2019)</p>
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			<p>which addresses all concerns relating to water management and water protection for 480 persons.</p> <p>Refer amended Bushfire Emergency Evacuation Plan (Saferight, 2020) and BAL report. The applicant is not sure what the submission is referring to when it says the logistics in the event of a fire approaching are sixfold.</p>
57.	<p>Non - Objection – Total Number of Submissions: 1</p> <p>Letter of Support for Chalet Rigi Restaurant</p> <p>To City of Kalamunda (Staff & Councilors)</p> <p>Please accept this Letter of Support as confirmation of my strong support for the Chalet Rigi Restaurant development located in Piesse Brook, Kalamunda. I wholly support licensing this venue for a minimum of 480 persons and would urge the Council to approve this development in a timely manner for the benefit of our community.</p> <p>I am the Owner and Principal Certified Financial Planner at XXXXX Consultants, which I established here in Kalamunda over 30 years ago in 1986. I am also a Board Member of the Kalamunda Chamber of Commerce, a Justice of the Peace in Kalamunda and a Kalamunda resident. As such, I have a vested interest in Kalamunda, its growth and economic development, and the facilities available to residents and local business owners.</p> <p>Chalet Rigi is a highly impressive development and the owners, Mack and Kathryn McCormack, should be commended for creating such a high-quality and flagship venue for our city. It has been garnered the interest of many State politicians, including the State Premier, Deputy State Premier and the Minister for Tourism, who have all identified Chalet Rigi as a flagship venue that will be of huge benefit to the Kalamunda area.</p>	Noted.	Noted.

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	<p>It is my understanding that the owners have taken great care and expense to restore the original building and preserve this important piece of Kalamunda history. Where they have expanded the original restaurant, they committed to the use of recycled or historical materials where possible, such as use of the Busselton Jetty timber for construction, to ensure the development is environmentally conscious and in-keeping with the feel of the area.</p> <p>Their state-of-the-art wastewater system will ensure that all wastewater is treated to drinking water standard before being disposed, leading the way in providing technologically advanced solutions to a problem which faces all businesses in the Bickley Valley and Piesse Brook areas (i.e. not being connected to the sewerage system)</p> <p>I believe that Chalet Rigi has huge potential to be a key draw card to bring tourists to Kalamunda. Once opened to the public, Chalet Rigi will undoubtable attract many visitors to the region, having a “knock-on” effect for other local businesses. It will provide the missing large attraction needed in this area – a facility for visitors to use all week round. There are currently very limited options for visitors to “the valley” to have lunch during the week and this will rectify that issue by providing a high-quality and family friendly venue for all ages.</p> <p>Finally, the owners intention to use only local produce and local staff should also be commended. Cross promotion and support for other local businesses, e.g. growers, producers, vineyards, breweries etc, will be a much-needed boost for the economy. Engagement of local staff will provide local employment and training opportunities for those who may otherwise have “gone down the hill” to look for work, keeping our work force here in Kalamunda.</p> <p>In short, Kalamunda needs this development. It has been a long-time coming and I very much look forward to its opening and to the ongoing benefits it will bring to our region.</p>		
58.	<p>Objection – Total Number of Submissions: 1</p> <p><i>No Comment Provided</i></p>	Noted.	Noted.
59.	<p>Objection – Total Number of Submissions: 1</p> <p><i>No Comment Provided</i></p>	Noted.	Noted.
60.	<p>Objection – Total Number of Submissions: 1</p> <p><i>No Comment Provided</i></p>	Noted.	Noted.

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<p>61.</p>	<p>Objection – Total Number of Submissions: 1</p> <p>We object to increasing the patrons to 480 per day, leaving the patrons at current 80 is sufficient. Patrons at approx. 100-200 is understandable with the idea that weddings will enjoy the venue. However, increasing to 480 will impact the natural environment. We live approx 1km away and the Valley bounces sounds and amplifies sound. Therefore, huge amounts of patrons and cars will ruin our peaceful and tranquil environment.</p>	<p>Officers acknowledge that restaurants are a generator of noise. The applicant has provided a noise management plan and subject to minor modifications, the noise management plan is considered to reduce noise to an acceptable level. Officers note that the restaurant will still need to comply with the Environmental Protection (Noise) Regulations.</p> <p>Officers acknowledge that an increase in restaurant capacity will result in more traffic. The applicant provided a Traffic Impact Assessment demonstrating that subject to upgrades, access to the site can be acceptable.</p> <p>The independent peer review of the applicants wastewater proposal concluded that the proposed wastewater disposal is acceptable. Officers note that the irrigation areas have been modified since community consultation.</p>	<p>Chalet Rigi (CR) operated as a purpose-built restaurant with approval for 350 patrons for over 30 years under the previous owner. A formal approval for 350 patrons was issued by the City of Kalamunda on 26 November 2012 to the new owner. This approval lapsed during redevelopment in 2014.</p> <p>CR has never operated with numbers of 80 patrons. The increase is 37% from 350 to 480 patrons.</p>
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<p>62.</p>	<p>Objection – Total Number of Submissions: 1</p> <p>Way too much noise and traffic on our small road.</p>	<p>Officers acknowledge that restaurants are a generator of noise. The applicant has provided a noise management plan and subject to minor modifications, the noise management plan is considered to reduce noise to an acceptable level. Officers note that the restaurant will still need to comply with the Environmental Protection (Noise) Regulations.</p> <p>Officers acknowledge that an increase in restaurant capacity will result in more traffic. The applicant provided a Traffic Impact Assessment demonstrating that subject to upgrades, access to the site can be acceptable.</p>	<p>Refer to Transport Impact Statement (Shawmac, Jan 2020) that addresses all road safety concerns and confirms that the proposed development will have no unacceptable impact on road safety or traffic conditions.</p> <p>The Noise Management Plan (Evergreen, January 2020) and Operational Management Plan (Saferight, 2020) provide more information on how noise will be managed to meet Environmental Protection (Noise) Regulations 1997.</p>
<p>63.</p>	<p>Objection – Total Number of Submissions: 1</p> <p>The increase of Chalet Rigi from 80 patrons to 480 patron is a fire death trap for my family. Living on Mundaring Weir Road in the event of an evacuation, (which is increased due to the fact of the venue operating), my family and I will be trapped in and will not be able to enter the road due to a massive exodus,</p>	<p>Officers acknowledge the submission and have considered the reasons for the objection.</p>	<p>Chalet Rigi (CR) operated as a purpose-built restaurant with approval for 350 patrons for over 30 years under the previous owner. A formal approval for 350 patrons was issued by the City of Kalamunda on 26 November 2012 to the new owner. This approval lapsed during redevelopment in 2014.</p>

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			<p>CR has never operated with numbers of 80 patrons. The increase is 37% from 350 to 480 patrons.</p> <p>Refer amended Bushfire Emergency Evacuation Plan (Saferight, 2020) and BAL report.</p>
<p>64.</p>	<p>Objection – Total Number of Submissions: 1</p> <ul style="list-style-type: none"> - Strongly concerned for over 14 000L per day of waste water going into Hacketts Gully creek (150 metre away), which then transfers to Piesse Brook, which is the catchment for Helena Catchment, Chemicals over time will have an impact. - Concerns for wildlife, endangered Red Tail Cockatoo and Echidnas that live in the valley. - Strongly concerned for the safety of my family in the event of fire evacuation. Large numbers and access. - Active Bore 140m from dripping site - Restaurant swale creates from dripping site fire risk in the area. - Noise impact – Amphitheatre/ noise travelling - Traffic on a very windy/ well-travelled road by cyclists. Plus, numbers will increase over time. Death of cyclists. - WE DON'T WANT THIS IN OUR VALLEY - THE OWNER IS RUDE, ARROGANT, MAN WHO THINK HE IS A LAW TO HIMSELF. <u>WELL</u> DISLIKED IN VALLEY. HAD PHYSICALLY ASSULTES 2 PEOPLE ARE THERE ARE 3 PEOPLE WHO ARE SCARED TO MENTION THEIR NAMES ON SUBMISSIONS. - Make a good chose Shire of Kalamunda rather than living out of his pocket \$\$ 	<p>Officers acknowledge that restaurants are a generator of noise. The applicant has provided a noise management plan and subject to minor modifications, the noise management plan is considered to reduce noise to an acceptable level. Officers note that the restaurant will still need to comply with the Environmental Protection (Noise) Regulations.</p> <p>Officers acknowledge that an increase in restaurant capacity will result in more traffic. The applicant provided a Traffic Impact Assessment demonstrating that subject to upgrades, access to the site can be acceptable.</p>	<p>Refer to the updated Water and Stormwater Management Plan (Evergreen, Dec 2019) which addresses all concerns relating to water management and water protection for 480 persons. No wastewater will enter any surrounding water courses at any time.</p> <p>The Noise Management Plan (Evergreen, January 2020) and Operational Management Plan (Saferight, 2020) provide more information on how noise will be managed to meet Environmental Protection (Noise) Regulations 1997.</p> <p>Refer amended Bushfire Emergency Evacuation Plan (Saferight, 2020) and BAL report.</p>

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		<p>No information provided with the application indicates that there is a risk to cockatoo species. DBCA were consulted, and provided a 'no comment' on the proposal.</p> <p>The independent peer review of the applicants wastewater proposal concluded that the proposed wastewater disposal is acceptable. Officers note that the irrigation areas have been modified since community consultation.</p>	<p>Personal opinions should have little to no bearing on development applications – considerations should be impartial and based on regulation compliance and scientific fact.</p> <p>The intended licensee meets the Liquor Licensing and RSA Licensing requirements and is an Approved Manager (Unrestricted Class) approved by the Dept Liqueur and Gaming (no: 0212225418-1) until 16 October 2023. Assault is a criminal offence. The Applicant has no criminal convictions and is of good character having previously served in the Australian Armed Forces.</p> <p>The submission's comments are false and defamatory. Defamation is a criminal offence under the WA Criminal Code s345.</p>
65.	<p>Objection – Total Number of Submissions: 2</p> <p>Submission 1 - Objection</p> <p>To whom it may concern: City of Kalamunda</p>		<p>Refer to Transport Impact Statement (Shawmac, Jan 2020) that addresses all road safety concerns and confirms that the proposed development will have no</p>

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<p>I am writing to you to voice my opinion about the proposed development of Chalet Rigi, 415 Mundaring Weir Road, Piesse Brook.</p> <p>I am OPPOSED to this development for many reasons:</p> <p>TRAFFIC MANAGEMENT Increased traffic on Mundaring Weir Rod and other roads feeding into it.</p> <p>I invite you to travel Mundaring Weir Road, between Fern Road and Kalamunda (by far the worst section of this road) on a Saturday or Sunday and witness the traffic/cyclist that we have to drive with, every trip to and from Kalamunda.</p> <ul style="list-style-type: none"> -Vehicles on the wrong side of the road on blind corners -Sudden braking in what the perceive to be a narrow section of the road when meeting oncoming traffic -Driving at speeds down to 20kmph so they can take in the views. -People who are not able to pass a single cyclists, therefore creating a traffic hold up of up to 10-15 cars from Aldersyde Road to King road in Kalamunda. This is a regular event. -Cyclist who, when travelling downhill at speeds well above the speed limit, taking up the whole lane. One honkey nut and they will be under the front of an oncoming vehicle in no time. -People who are lost and pull up (on the road or slightly off the road) to check online mapping, that will not work wither side of Aldersyde because of poor internet, holding up traffic, creating a traffic hazard and mostly having no regard for the other traffic. - Trucks on the road are particularly dangerous, being wider and longer than cars. I had an incident in the last 3 months whereby I was entering the bridge at Piesse Brook (near Aldersyde Road), met a truck who had clearly overshot the corner, coming straight at me, about 2 feet over the white line – on the bridge. I moved as far to the left as possible, closed my eyes and hoped I would survive. This is not an isolated incident at many sections of the road – for all residents using this dangerous road. -The list goes on and my dash cam records it all. My 3 kids have had to learn to drive on the very dangerous piece of road, thankfully with no incidents, but several close calls. <p>Since I moved to Fern Road, the traffic on Mundaring Weir Road has increased significantly and I wonder if I would have made the same decision to live there, had I known that Mundaring Weir Road would become such a dangerous daily event for me and my family.</p> <p>The report provided shows traffic stat that is almost 2.5 years old and I do not believe that it would reflect current traffic in the area. Mountain bike traffic traveling to and from the tracks has increased during this time, as has the road cyclists using the road.</p>	<p>Officers acknowledge that an increase in restaurant capacity will result in more traffic. The applicant provided a Traffic Impact Assessment demonstrating that subject to upgrades, access to the site can be acceptable.</p>	<p>unacceptable impact on road safety or traffic conditions.</p> <p>Recent widening of Mundaring Weir Road by the State Government and City of Kalamunda was welcomed by the applicant, alongside all future measures to improve road safety.</p> <p>Allowance has been made for cyclists to park their bikes at the restaurant. The number of 480 people would stand regardless of their mode of transport to the site.</p> <p>Refer to Transport Impact Statement (Shawmac, Jan 2020) for revised assessment of pedestrian and cyclist patrons.</p> <p>Refer to Transport Impact Statement (Shawmac, Jan 2020) which confirms there is adequate parking on-site to meet requirements.</p> <p>Refer to City of Kalamunda’s Local Planning Scheme No. 3 – onsite parking</p>
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<p>The report also stated that Pedestrian and Cyclists access is not relevant in the area is incorrect as the amount of cyclist on the road is huge. Cyclists will no doubt increase in the are if the venue was to go ahead as this would provided a coffee/ toilet stop for them, making it even more dangerous for road users, people trying to find the venue, driveway access and parking at the venue. Has an allowance been made for cyclist to park their bikes?</p> <p>Given that we have no choice in seeking and alternative route to get to and from our home, this also then makes me question about Hummerston Road being opened, predominantly for local traffic only, as most non local people would not know about it even existing.</p> <p>As a side not: Mundaring Weir Road, from Fern Road towards Mundaring Weir is having extensive road works. This just astounds me that a section of road, that was a decent bit of road, is now going to become a super highway for the night time hoons, who will travel faster because they can, as the road will no doubt be awesome. Fern Road to Kalamunda is by far a much more dangerous bit of road that will need upgrades far more than the one being done now. I have to wonder who made the decision to do fern Road out, rather than Fern Road in?</p> <p>Increased traffic of, say an extra 200 cars per day, is going to put an enormous strain on Mundaring Weir Road, its residents and any people who use this road every day, just to get from A to B – as this is the only road available to them.</p> <p>Could you imagine after lunch/ dinner/. Event that 480 people (plus staff, musicians, event coordinators, cleaners ect) are trying to ger out of OBE driveway, on the bend at Chalet Rigi. They don't know the road or which way to go out, they have had a couple of wines, they are not paying attention, they are tired, they are making dangerous moves to get out of the ONE driveway as there is 199 cars behind them waiting to get out.....And all I or my kids want to do is drive on my only road to get form A -B. This is a suicide run for us, Lets propose that we run some tests on this and I will happily provided 200 cars to test out this theory (in the very biases rubbish report supplies), that this will work out ok. It will not be okay and many other regular users of this road will support me on this matter.</p> <p>The Traffic report states that the road is ok for this extra traffic....did they actually travel on the road itself, or are they just looking at the immediate area of Chalet Rigi. I think that there are 9 crosses (deaths) on the side of Mundaring Weir Road, between Fern Road and Croxton. Not all have occurred in the previous 5 year period the report talks about. Nonetheless, they have occurred, and many residents of this area have been first responders and witnesses to these events.</p>		<p>requirements state 1 bay per 4 people accommodated (i.e. 120 bays needed for 480 accommodated people on site).</p> <p>The restaurant will have 151 car parking bays which meets the City's requirements and offers an additional 25% contingency. In addition, there will be 4 bus parking bays and separate service/delivery parking to ensure there will be no off-site parking.</p> <p>The applicant is seeking approval for a restaurant only, for a maximum of 480 people per day including staff and on-site contractors.</p> <p>Additional numbers were assessed for the traffic and transport assessment, in order to be conservative – a best practice methodology to ensure an adequate safety buffer.</p> <p>Refer amended Bushfire Emergency Evacuation Plan (Saferight, 2020) and BAL report.</p>
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<p>The Traffic Management report talks about the Proposed Development allowing for the 780 patrons and as such has based their report on this number.</p> <p>This has raised the question about how many numbers we are talking for this venue as the report is perhaps incorrect? Or is allowing for future growth for the venue?</p> <p>Wither way the Mundaring Weir Road and feeding roads are not made for this type of traffic numbers, whether it be any of the following to get people to and from the venue.</p> <ul style="list-style-type: none"> - Personal Vehicles - Uber - Taxi - Shuttle busses - Coaches - Push bikes - Motorbikes <p>People still have to get there one way or another and Mundaring Weir Road needs a serious upgrade or it will become a huge accident blackspot and death trap for all users of it.</p> <p>BUSHFIRE SAFETY We live in a very vulnerable area for bush fires. Paulls Valley and surrounding areas have 1 way in, 1 way out.</p> <p>If a fire was to start and Chalet Rigi needs to be evacuated, lets assume there is an event and 100/200 cars need to get out....now. The chaos that will happen is unthinkable.</p> <p>What if I need to get out via Mundaring Weir Road to Kalamunda – through this chaos?</p> <p>What is the fire safety plan for Chalet if there is no escape, power is disconnected, and the pump will not start? Who will be responsible for the upkeep of the pumps and operation of same should they be needed?</p> <p>If the fire is blocking Mundaring Weir Road, our only hope of escape is via the track that is the old Hummerston Road – Fern Road.</p> <p>I cannot imagine the carnage when all these cars try to escape via the track...</p>	<p>Officers acknowledge the submission and have considered the reasons for the objection on bushfire grounds.</p> <p>The landowners is responsible.</p>	<p>The maintenance and upkeep of firefighting equipment at the restaurant is currently tested and tagged every 6 months as per Australian Standards.</p> <p>The applicant is unable to comment on the access track as it is located off their property.</p> <p>The Noise Management Plan (Evergreen, January 2020) and Operational Management Plan (Saferight, 2020) provide more information on how noise will be managed to meet Environmental Protection (Noise) Regulations 1997, including consideration of noise in the evenings and outside.</p> <p>Neighbours will be able to contact the venue operator to voice concerns about noise. All concerns will be recorded and addressed appropriately.</p> <p>The applicant has faith in the City of Kalamunda’s ability to manage noise in</p>
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<p>The council have blocked off with chain, bollards and padlock. We have to rely on someone unlocking this only possible escape route for use. Who is responsible to unlock this when a fire is blocking Mundaring Weir Road and we have no escape? It astounds me that this have been allowed to happen and we are at the mercy of the mystical ` key holder` (who might be away for the day??) and does not have a clue that a fire is about to engulf me, my family and my worldly possessions (and other residents and visitors to the area).</p> <p>I would like some clarification on this matter now and find out why the access track is not open at all times – not just when a fire happens (this is thankfully, yet to be tested, but I dread the day when I need to open and the keyholder cannot get there to open it)</p> <p>Duty of care would suggest that the Council would like us to be able to escape and I would expect that if available, two or more exit outs should be able to be used at all time.....Not at the mercy of the key holder.</p> <p>NOISE I question if a Noise Management Plan should be put in place and in fact even investigated? There is a Noise act that should also be adhered to.</p> <p>An acoustic survey needs to be done by an independent business undertaken by the COK (paid for by the application), but not biased towards the applicant. There is no way a venue like this can function, without having a noise impact on the local people with sounds carrying enormous distances, especial at night.</p> <p>If there is a Noise Management Plan and there are strict guidelines about the noise factors.....who in fact will police this? Can the local residents call the Councillors at midnight when the noises are still going on? Who will be the point of contact, when the noise it actually happening? Not the next day when an office opens, and a report can be filed. He said/ she said, the venue operator will get a warning and continue on like nothing has happened.</p> <p>I have sighted an excellent Noise Management Plan for a similar venue less than an hour drive from Chalet Rigi. It talks about neighbours being able to contact the neighbours being able to contact the venue operators to voice concerns about noise outside of the regulated guidelines. This is probably not really an option for the Piesse Brook residents as the owner/ applicant in this case has zero regards for anyone or anything except himself and would not doubt bully and intimidate, as is his normal behaviour.</p>	<p>Officers acknowledge that restaurants are a generator of noise. The applicant has provided a noise management plan and subject to minor modifications, the noise management plan is considered to reduce noise to an acceptable level. Officers note that the restaurant will still need to comply with the Environmental Protection (Noise) Regulations.</p>	<p>adherence with the Environmental Protection (Noise) Regulations 1997.</p> <p>Personal opinions should have little to no bearing on development applications – considerations should be impartial and based on regulation compliance and scientific fact.</p> <p>The applicant is seeking approval for a restaurant only. Any future expansion, not currently planned, would require a separate Development Application to be submitted and considered by the City of Kalamunda, including community consultation.</p> <p>Refer to the updated Water and Stormwater Management Plan (Evergreen, Dec 2019) which addresses all concerns relating to water management, including worst case scenarios.</p> <p>The author of the Water Management Plan is a fully qualified and experienced independent environmental scientist</p>
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<p>I live on Fern Road and when Mundaring Weir Hotel used to run it concerts, I hear them quite clearly from my property. I can hear planes taking off from Perth Airport, trains shunting at Welshpool and Midland, Kalamunda Hotel music events, fireworks events ect. Sound travels and can be particularly clear on still nights, cloud cover nights and nights in general.</p> <p>I have many friends who live in the immediate area of Chalet Rigi (Aldersyde Road and Mundaring Weir Road). I cannot imagine what their peaceful lives will come to if this venture is to go ahead and become a function centre/ restaurants / music venue in the future. These people bought these properties for the quiet enjoyment and peaceful atmosphere in the area. Aside from traffic noise, there are rarely any other noise interruptions.</p> <p>Properties in this area will decrease in value due to the expected constant noise coming from this venue, in an otherwise tranquil location.</p> <p>WASTE WATER I am no expert on waste water, but I do live in a P2 water catchment area. I use rain and bore water for our water use as no scheme water is available to use. If one of my neighbours decided to spread the waste water from a venue such as this, on the ground, there my water is coming from, I would not be happy.</p> <p>480 patrons, plus all waste water from kitchens to provide food and water for all of these people?? How can this be allowed to happen? I am horrified that the poor neighbours of this property are being subjected to this outrageous scheme that has been 'approved' by someone who</p> <ul style="list-style-type: none"> a) Has probably never been to the area b) Does not live in the area c) Does not need his family to drink water from the ground where this waste water will be spread d) Has no clue about how this ATU system will affect the ground on an ongoing basis, year after year of being subjected to this amount of waste. <p>I note in the report provided the following phrases....</p> <p>"No fruit, vegetables or other plant for human consumption will be planted in the dispersal area"</p> <p>"WARNING – RECLAIMED EFFLUENT NOT SUITBLE FOR HUMAN CONTACT OR CONSUMPTION"</p>	<p>The independent peer review of the applicants wastewater proposal concluded that the proposed wastewater disposal is acceptable. Officers note that the irrigation areas have been modified since community consultation.</p>	<p>who lives in the Hills on a property not connected to mains sewerage and within the P2 catchment.</p> <p>Wastewater will not enter any surrounding water courses at any time. There will be no adverse impact on the surrounding water courses or environment.</p> <p>The applicant is aware that the City of Kalamunda has engaged an independent third-party scientist to check and verify the contents of the Water Management Plan. Disclaimers are common practice for any consultant report written in Australia.</p> <p>Personal opinions should have little to no bearing on development applications – considerations should be impartial and based on regulation compliance and scientific fact.</p> <p>The intended licensee meets the Liquor Licensing and RSA Licensing requirements and is an Approved Manager (Unrestricted Class) approved by the Dept</p>
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	<p>Yet it seems the approval has been given to have the system very close to the source of drinking water for one of the neighbours??</p> <p>Piesse Brook will be turned into a sewerage cesspit. What happens if this system fails for any length of time?</p> <p>I live in a P2 Catchment property (the same as Chalet Rigi) and I am not allowed to have more than two hooved animals on my property for fear of water catchment contamination.</p> <p>How can this be ok?</p> <p>ENVIRONMENT I do not claim to be an expert on environmental issues, but I can certainly see there will be an environmental impact this venue is to go ahead. Disruption to the wildlife, birds and ground level housing for the animals and water ways is going to occur.</p> <p>REPORTS BAISED I would ask the COK to have new independent reports for all of the issues raised and to back up or question that validity of the reports presented by the applicant. These reports have been arranged and paid for by him, with disclaimers. What is there actual worth in terms of the information provided? I would expect that at least all issues should have another report done, with no influence by the owner on their results and reporting.</p> <p>OWNER I do not know the owner personally, but I hear the stories.</p> <p>Bullying, intimidation, 2x current assault charges, gun owner, total disregard for the rules/ laws ect ect. I question is this the type of person who should be in charge of such a venue and its potential issues.</p> <p>I look forward to hearing back from you about this matter in the near future.</p> <p>Submission 2 – Objection Submission 65 (2) is verbatim to Submission 65(1).</p>	<p>No information provided with the application indicates that there is a risk to cockatoo species. DBCA were consulted, and provided a 'no comment' on the proposal.</p> <p>The City sought an independent peer review of reports relating to wastewater, which were verified as being acceptable.</p> <p>These are not matters relevant to a planning application.</p>	<p>Liqueur and Gaming (no: 0212225418-1) until 16 October 2023.</p> <p>Assault is a criminal offence. The Applicant has no criminal convictions and is of good character having previously served in the Australian Armed Forces.</p> <p>The submission's comments are false and defamatory. Defamation is a criminal offence under the WA Criminal Code s345.</p>
<p>66.</p>	<p>Non- Objection – Total Number of Submissions: 1</p> <p><i>Letter of Support for Chalet Rigi</i></p>	<p>Noted.</p>	<p>Noted.</p>

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<p>I write to you to give my strong support for the Chalet Rigi Restaurant development located in Piesse Brook, Kalamunda.</p> <p>Upon review of available public information, I wholly support licencing this venue for the proposed 480 patrons and would urge the Council to approve this development in a timely and effective manner.</p> <p>Whilst I am not a Kalamunda resident, I have a keen interest in tourism and the economic growth of Kalamunda. I am the current Manager of the Kalamunda Chamber of Commerce, I recently held the position of Chairperson of the Kalamunda Tourism Community Reference Group, and I authored the recent six-year Tourism Development Strategy for the City of Kalamunda. In addition, I am the Managing Director of Evergreen Consultancy and recently produced the Water Management Report for Chalet Rigi which has now been approved by the Department of Health (DoH) and the Department of Water and Environmental Regulation (DWER). As such, I have a fair bit of background knowledge on this development, as well as a keen interest in the growth of Kalamunda and the Perth Hills a key tourist destination.</p> <p>The Chalet Rigi development is a wonderful example of a high-quality destination that would attract large numbers of visitors and locals alike to Kalamunda. It is a tremendous asset for the area and is testament to the hard work and significant financial commitment expended by the Owners, Mack and Kathryn McCormack, who have dedicated over 13 years to developing the property into the incredible venue it is today.</p> <p>Chalet Rigi’s potential as a tourist destination is huge and cannot be understated. It is a one-of-a-kind venue with many unique elements, including a large balcony affording breathtaking views of the bush and collection of rare heritage items painstakingly restored and incorporated into the development, that offer unparalleled experiences that we so desperately need to attract those large visitor numbers to Kalamunda. The 2019 Kalamunda Tourism Development Strategy identifies the issue of the “missing” food and beverage venue for visitors to the Bickley Valley, Carmel and Piesse Brook area in the week. Most of the wineries and cideries are only open at weekend, meaning that tourists who visit in the week have nowhere to go and often leave disappointed. This venue would provide an authentic and impressive location for visitors in the week to sample local produce and enjoy the magic of the surrounding bush and state forest, in very close proximity to Kalamunda town centre. The Owners intent to use local-only produce will be a wonderful showcase for our local producers and growers, helping to stimulate the wider economy. In addition, the “extras” provided by the Owners, including children’s play areas, will ensure the venue is family friendly and suitable for all ages.</p>		
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	<p>Chalet Rigi is an intoxicating mix of the old and new. Whilst tourists to Kalamunda will be impressed by the striking modern architecture and attention to detail, locals will be fondly reminded of days gone by. As you are no doubt aware, under previous ownership, Chalet Rigi was once an incredibly popular destination in Kalamunda and was much loved by local residents. Many local residents celebrated special events at the venue, including weddings and birthdays, and many are excited to see a return by their “old favourite”. A very brief look on the Chalet Rigi Facebook group shows hundreds of supportive comments from locals who are eagerly awaiting the reopening so they can make a return visit.</p> <p>Finally, as author of the Chalet Rigi Water Management Plan, I am keen to congratulate the Owners on the ultramodern and technologically advanced wastewater treatment system which will be employed (Biomax C80). This highly sophisticated system is capable of treating wastewater to drinking water standard prior to disposal, utilizing microbiological processes to ensure the upmost protection of underlying groundwater and surface water bodies. This system, whilst very costly, will ensure there are no adverse impacts to our beautiful natural environment.</p> <p>Chalet Rigi is a development we can all be proud of. It has received a lot of support from State Government, with a range of interested parties including the Premier, Deputy Premier and Tourism Minister, all of which is great for putting us on the map. I look forward to it being a large draw card to Kalamunda for locals and visitors alike once it is reopened. Thank you for your consideration. Please don’t hesitate to contact me if you have any questions both as author of the Water Management Report and author of the City’s Tourism Development Strategy.</p>		
<p>67.</p>	<p>Objection – Total Number of Submissions: 1</p> <p><i>LATE SUBMISSION – This submission was received to the City on the 15th August 2019, 10 days after the submission period closed.</i></p> <p>We are very concerned that the peace and quiet of our home (located in Elson Road) is at risk. 480 guests plus staff has too much potential for noise. There should be a strict curfew time of say midnight, particular if it is going to be seven days each week.</p> <p>We are also very concerned about the over clearing of the site.</p>	<p>Officers acknowledge the submission and have considered the reasons for the objection.</p> <p>The independent peer review of the applicants wastewater proposal concluded that the proposed wastewater disposal is acceptable.</p>	<p>Refer to the updated Water and Stormwater Management Plan (Evergreen, Dec 2019) which addresses all concerns relating to water management, including worst case scenarios.</p> <p>The author of the Water Management Plan is a fully qualified and experienced</p>

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	<p>Though we are not directly affected, the pollution of the two creeks is also a factor, causing us to object this proposal. Therefore we object to the proposal as it in its current format.</p>	<p>Officers note that the irrigation areas have been modified since community consultation.</p>	<p>independent environmental scientist who lives in the Hills on a property not connected to mains sewerage and within the P2 catchment.</p> <p>Wastewater will not enter any surrounding water courses at any time. There will be no adverse impact on the surrounding water courses or environment.</p> <p>The Noise Management Plan (Evergreen, January 2020) and Operational Management Plan (Saferight, 2020) provide more information on how noise will be managed to meet Environmental Protection (Noise) Regulations 1997, including consideration of noise in the evenings and outside.</p> <p>The restaurant will operate at restricted hours to minimise noise and will never operate later than midnight.</p> <p>Vegetation clearance will be kept to an absolute minimum and additional native vegetation will likely</p>
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			<p>be planted in the dispersal areas.</p>
<p>Petition</p>	<p>Objection – Total Number of Signatures on the petition: 82</p> <p>To the Mayor and Councillors of the City of Kalamunda,</p> <p>We, the undersigned, all being electors of the City of Kalamunda do respectfully request the Council reduce the proposal for the Piesse Brook restaurant/wedding venue to cater for 480 patrons back to the previous restriction of 80 patrons.</p> <p>Issues of most concern are;</p> <ul style="list-style-type: none"> • Increase risk to cyclists and motorists on Mundaring Weir Road – extra +200 cars • Wastewater treatment 14 400L per day – close proximity (150)m from active brook • Noise disruption to breeding & nesting habits of endangered Red Tailed Cockatoo • Hours of operation weekdays/weekends – extended trading hours • Operation as a wedding reception venue on Saturdays and Sundays • No public transport infrastructure – presents negative challenges • Impact of outside music on residents in the valley • Loss of valley amenity <p>Please sign to request that the Shire does not support this amendment</p>	<p>Officers acknowledge the submission and have considered the reasons for the objection.</p>	<p>Chalet Rigi (CR) operated as a purpose-built restaurant with approval for 350 patrons for over 30 years under the previous owner. A formal approval for 350 patrons was issued by the City of Kalamunda on 26 November 2012 to the new owner. This approval lapsed during redevelopment in 2014. CR has never operated with numbers of 80 patrons. The increase is 37% from 350 to 480 patrons.</p> <p>Refer to Transport Impact Statement (Shawmac, Jan 2020) that addresses all road safety concerns and confirms that the proposed development will have no unacceptable impact on road safety or traffic conditions.</p> <p>Refer to the updated Water and Stormwater Management Plan (Evergreen, Dec 2019) which addresses all concerns relating to water management, including worst case scenarios and</p>

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			<p>increased setback distances.</p> <p>The Noise Management Plan (Evergreen, January 2020) and Operational Management Plan (Saferight, 2020) provide more information on how noise will be managed to meet Environmental Protection (Noise) Regulations 1997, including consideration of noise in the evenings and outside music.</p> <p>The restaurant will operate at restricted hours to minimise noise and will never operate later than midnight.</p> <p>The applicant is seeking approval for a restaurant only, not a function centre.</p> <p>The applicant believes reopening the historical restaurants adds to the valley's amenity.</p>
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