

SUMMARY OF SUBMISSIONS

PA23/397 – Lot 128 South Western Highway, Byford - Change of Use / Additional Car Parking

Submitter	No	Submitter Comments	Applicant's Comments	Officer Comments
Main Roads		<p>In response to correspondence received on 5 July 2023 please be advised Main Roads has no objections subject to the following conditions:</p> <p><u>Conditions</u></p> <ol style="list-style-type: none"> 1. Prior to occupation of the building Robertson Road must be constructed. <p><u>Justification for Condition</u></p> <p>Robertson Road must be upgraded to accommodate vehicle traffic to the location prior.</p> <ol style="list-style-type: none"> 2. No vehicle access shall be permitted onto the South Western Highway road reserve. <p><u>Justification for Condition</u></p> <p>Protection of the State Road network and public safety.</p> <ol style="list-style-type: none"> 3. All vehicular access shall be via Robertson Road. <p><u>Justification for Condition</u></p> <p>Condition confirms vehicular access requirements. Condition required as all lots have frontage to both South Western Highway and Robertson Road. Access to South Western Highway is not permitted. This includes the Interim Emergency Access Way referenced in the Bushfire Report table 4.</p>	No response provided.	It is recommended that Main Roads conditions be included as conditions of approval.

SUMMARY OF SUBMISSIONS

PA23/397 – Lot 128 South Western Highway, Byford - Change of Use / Additional Car Parking

Submitter	No	Submitter Comments	Applicant's Comments	Officer Comments
		<p>4. Prior to occupation of the buildings, the intersection of Robertson Road and South Western Highway must be designed and constructed to Main Roads requirements.</p> <p>See attached including the required turn treatments, at the applicants cost.</p> <p><u>Justification for Condition</u></p> <p>Robertson Road intersection with South Western Highway must be upgraded to accommodate vehicle traffic to the location prior to the building being occupied.</p> <p>5. No development and/or improvements shall be permitted on the land as shown required for future road purposes on the enclosed Main Roads Land Protection Plan 201232-0008 and 201232-0009.</p> <p><u>Justification for Condition</u></p> <p>Protection of the State Road network and public safety.</p> <p>6. The future Orton Road as nominated on plan does not form part of this approval.</p> <p><u>Justification for Condition</u></p> <p>This placement of public road is inconsistent with the structure plan applicable to the subject site. This connection to South Western Highway is not currently supported by Main Roads</p>		

SUMMARY OF SUBMISSIONS

PA23/397 – Lot 128 South Western Highway, Byford - Change of Use / Additional Car Parking

Submitter	No	Submitter Comments	Applicant's Comments	Officer Comments
		<p>due the close proximity exiting connection such a proposal may undermines the ultimate design, safety and operation of South Western Highway. Grade separation is likely to be required, it is uncertain how this will be achieved.</p> <p>7. Any vehicle crossover(s) or gates to South Western Highway are to be removed and the kerbing, verge, and footpath (where relevant) reinstated with grass or to the specifications of the local government.</p> <p><u>Justification for Condition</u></p> <p>Protection of the State Road network and public safety.</p> <p>8. The future Orton Road as nominated on plan does not form part of this approval.</p> <p><u>Justification for Condition</u></p> <p>This placement of public road is inconsistent with the structure plan applicable to the subject site. This connection to South Western Highway is not currently supported by Main Roads due the close proximity exiting connection such a proposal may undermines the ultimate design, safety and operation of South Western Highway. Grade separation is likely to be required; it is uncertain how this will be achieved.</p>		

SUMMARY OF SUBMISSIONS

PA23/397 – Lot 128 South Western Highway, Byford - Change of Use / Additional Car Parking

Submitter	No	Submitter Comments	Applicant's Comments	Officer Comments
		<p>9. Bushfire Management Plan section 5.1.2.2 must be amended refer to "local roads", rather than "public roads".</p> <p><u>Justification for Condition</u></p> <p>This section does not apply to Main Roads' roads, achieving new "low threat vegetation", allowing maintenance activities by the proponent and handover to the Shire are neither applicable nor commitments Main Roads will make in relation to South Western Highway.</p> <p>10. The landowner/ applicant shall make good any damage to the existing verge within the South Western Highway road reserve.</p> <p>11. No earthworks shall encroach onto the South Western Highway road reserve.</p> <p>12. Stormwater discharge (if any) shall not exceed pre-development discharge to the South Western Highway road reserve.</p> <p>13. Any proposed illumination of signage must not exceed 300cd.m2 (candela per square metre) between sunset and sunrise.</p> <p>14. Signage must not flash, pulsate, or chase.</p> <p>15. Signage shall not be electronic/ digital format.</p>		

SUMMARY OF SUBMISSIONS

PA23/397 – Lot 128 South Western Highway, Byford - Change of Use / Additional Car Parking

Submitter	No	Submitter Comments	Applicant's Comments	Officer Comments
		<p>16. Signage must not contain fluorescent, reflective, or retro reflective colours or materials.</p> <p><u>Advice</u></p> <p>a) Main Roads notes the following with regards to the Bushfire Management Plan.</p> <p>b) With regards to Main Roads Management Actions, Main Roads' routine maintenance includes regular inspections, weed control, mowing and slashing of grasses, removal of overhanging growth and excess dead material as required. However, Main Roads cannot commit to specific scopes and timeframes as these vary according to resourcing and priorities across the whole Main Roads' Metropolitan road network.</p> <p>c) With regards to Table 4, Main Roads is not supportive of an interim Emergency Access Way (EAW).</p> <p>d) The applicant is required to submit an Application form to undertake works within the road reserve prior to undertaking any works within the road reserve. Application forms and supporting information about the procedure can be found on the Main Roads website> Technical & Commercial > Working on Roads.</p>		

SUMMARY OF SUBMISSIONS

PA23/397 – Lot 128 South Western Highway, Byford - Change of Use / Additional Car Parking

Submitter	No	Submitter Comments	Applicant's Comments	Officer Comments
		<p>e) The upgrading/widening of South Western Highway is not in Main Roads current 4-year forward estimated construction program and all projects not listed are considered long term. Please be aware that timing information is subject to change and that Main Roads assumes no liability for the information provided.</p> <p>f) In terms of the Orton Road connection Main Roads is willing to discuss the matter further with the shire.</p> <p>The following comments are made for the Shire's consideration:</p> <p><u>Parking Bays</u></p> <p>Parking bays for the facility are based on patron numbers attending group fitness and pilates classes, however staff parking is not addressed and would be additional to the operation of the facility. City to consider this matter further.</p> <p><u>Waste Management</u></p> <p>On-site waste management has not been addressed under the proposed reconfiguration of the hardstand area. The Shire's is recommended to obtain an updated Waste Management Plan.</p> <p><u>Traffic Impact Statement (TIS)</u></p> <p>On-site manoeuvring areas and loading / unloading zones have not been addressed under the proposed</p>		

SUMMARY OF SUBMISSIONS

PA23/397 – Lot 128 South Western Highway, Byford - Change of Use / Additional Car Parking

Submitter	No	Submitter Comments	Applicant's Comments	Officer Comments
		<p>reconfiguration of the hardstand area. Shire to consider internal vehicular movements. The TIS assumes one peak period in the PM. This is not justified as there would be an AM and PM peak capturing all on-site staff and visitor movements for the development as a whole.</p> <p><u>Bushfire Management Plan (BMP)</u></p> <p>The BMP requires amendment to incorporate the change of use proposed and unit reconfiguration to the site as a whole. The proposed changes may have an impact on requirements under the State Planning Policy 3.7 – Planning in Bushfire Prone Areas.</p> <p>Main Roads encourages local government in liaising with applicants to promote and capitalise on our pre-lodgement consultation service, prior to lodgement of planning proposals, especially where development plans involve land adjacent to or have the potential to impact on the State road network.</p> <p>Further information on the pre-lodgement consultation process can be found on Main Roads website at mainroads.wa.gov.au > Technical & Commercial > Planning & Development</p>		


SUMMARY OF SUBMISSIONS

PA23/397 – Lot 128 South Western Highway, Byford - Change of Use / Additional Car Parking

Submitter	No	Submitter Comments	Applicant's Comments	Officer Comments
		Should the Shire disagree with or resolve not to include as part of its conditional approval any of the above conditions or advice, Main Roads requests an opportunity to meet and discuss the application further, prior to a final determination being made.		
A398959		I see we have yet another proposal to amend an already approved development. This would seem to be the norm lately - just push for a little bit more. It would be helpful to know what exactly is meant by "light industry" in this proposal. Also, if the Recreation area is going to start classes very early in the morning, has the impact of the music noise (there will be music attached to any group classes) been considered. The sound carries straight up the scarp, and not everyone wants to be awakened before 5.00am.	<p>As stated in the supporting development application submission (which is available for public inspection) "In July 2021 the Shire of Serpentine Jarrahdale (SJ) granted planning approval to the development of a mixed commercial project on the subject land. The approval consisted of 11 tenancies for either Warehouse, Light Industrial or Showroom use (and associated car parking)." Light industry is defined per the description contained in the Shire's planning scheme. <u>Objection irrelevant, invalid.</u></p> <p>The Scarp is a residential area quite separate to the western side of South West Highway (which is to be zoned Service Commercial under the Shire's new planning scheme). <u>Incorrect statement, invalid.</u></p> <p>The subject land is positioned on the western side of South West Highway, over 80 metres from residential dwellings in Byford on the Scarp. Specifically, the entries to the tenancies subject of the</p>	<p>The site falls within the Lots 1, 3 and 128 South Western Highway Local Structure Plan (LSP) and is designated 'Mixed Business'. Within the 'Mixed Business' zone under TPS2, a 'Health Studio' is a 'P' (permitted) use and therefore consistent with the intended use of land within the LSP area.</p> <p>The subject site is located within a mixed business precinct between the railway corridor to the west, South Western Highway to the east, and vacant commercial land to the north and south. The nearest residential area is located approximately 75m to the east on the opposite side of South Western Highway. Given these factors, noise generated by the Health Studio use will not have any adverse impact on the amenity of any residential area by way of noise. Also, a condition of approval is recommended and states "The proposed operations, during and after construction, must comply with the</p>

SUMMARY OF SUBMISSIONS

PA23/397 – Lot 128 South Western Highway, Byford - Change of Use / Additional Car Parking

Submitter	No	Submitter Comments	Applicant's Comments	Officer Comments
		<p>We bought in The Scarp because it was such a lovely residential development, and now we are rapidly becoming part of an industrial estate, which will no doubt be to the detriment of ratepayers here.</p> <p>Wouldn't it have been better to leave a significant area for screening trees to be planted. That would act as a sound barrier and be much more visually pleasing than the monstrosity that has been built there now.</p>	<p>development application are over 100 metres from the same residential dwellings and face west toward the rail corridor. In addition, South West Highway separates the subject land and residential dwellings.</p> <p>Between the subject tenancies and residential dwellings in the Scarp there is three (3) lines of landscaping (mature trees and vegetation – see aerial below). Additionally, landscaping is required across the rear of the approved development (to be undertaken before completion). <u>Incorrect/contrary statement, invalid.</u></p> 	<p>Environmental Protection (Noise) Regulations 1997.”</p>
A404202		<p>The bushland proposed for car park extension will affect the black red tailed cockatoo's that regularly nest and feed in this patch of bushland every year.</p>	<p>The subject proposal does not affect any bushland that black red tailed cockatoo's nest and feed in. <u>Incorrect statement, invalid.</u></p>	<p>No new buildings and works are proposed (other than a redesign of the car parking area) while no vegetation removal is proposed.</p>

SUMMARY OF SUBMISSIONS

PA23/397 – Lot 128 South Western Highway, Byford - Change of Use / Additional Car Parking

Submitter	No	Submitter Comments	Applicant's Comments	Officer Comments
A400288		I just feel we don't need the extra traffic, and it takes away from the country feel.	As described in the TIS accompanying the DA, "South Western Highway near the subject site is an approximately 7.5m wide, two-lane undivided road. South Western Highway is classified as Primary Distributor road in the Main Roads WA road hierarchy (Figure 5) and operates under a speed limit of 60km/h (Figure 6). Primary Distributor roads are the responsibility of Main Roads Western Australia and are typically for the movement of inter-regional and/or cross town/city traffic (Figure 7). Traffic count data obtained from Main Roads WA indicates that South Western Highway carried approximately 11,450 vehicles per day in 2021, with 85th percentile speeds of 65.7km/h."	Units 6 and 7 to be used as a Health Studio will not operate at the same time and there will be 10 minute intervals between classes. Such will also operate outside the normal operating hours of the light industry, warehouse and showroom tenancies, creating opportunities for shared parking. Furthermore, the car parking layout has provided three common property car spaces to the front of the development that can be used by all customers / visitors should no spaces be available for any individual unit within the mixed tenancy development.
A399854		I live directly across the road from this new development, the original submission for the land was for clearing of one small block. The Shire has then gone and removed all of the native trees from area and is now seven times larger than the original proposal. It's a disgrace, people can't trim branches down on their own property but the council can completely remove hundreds of trees in the name of development.		No vegetation removal is proposed.

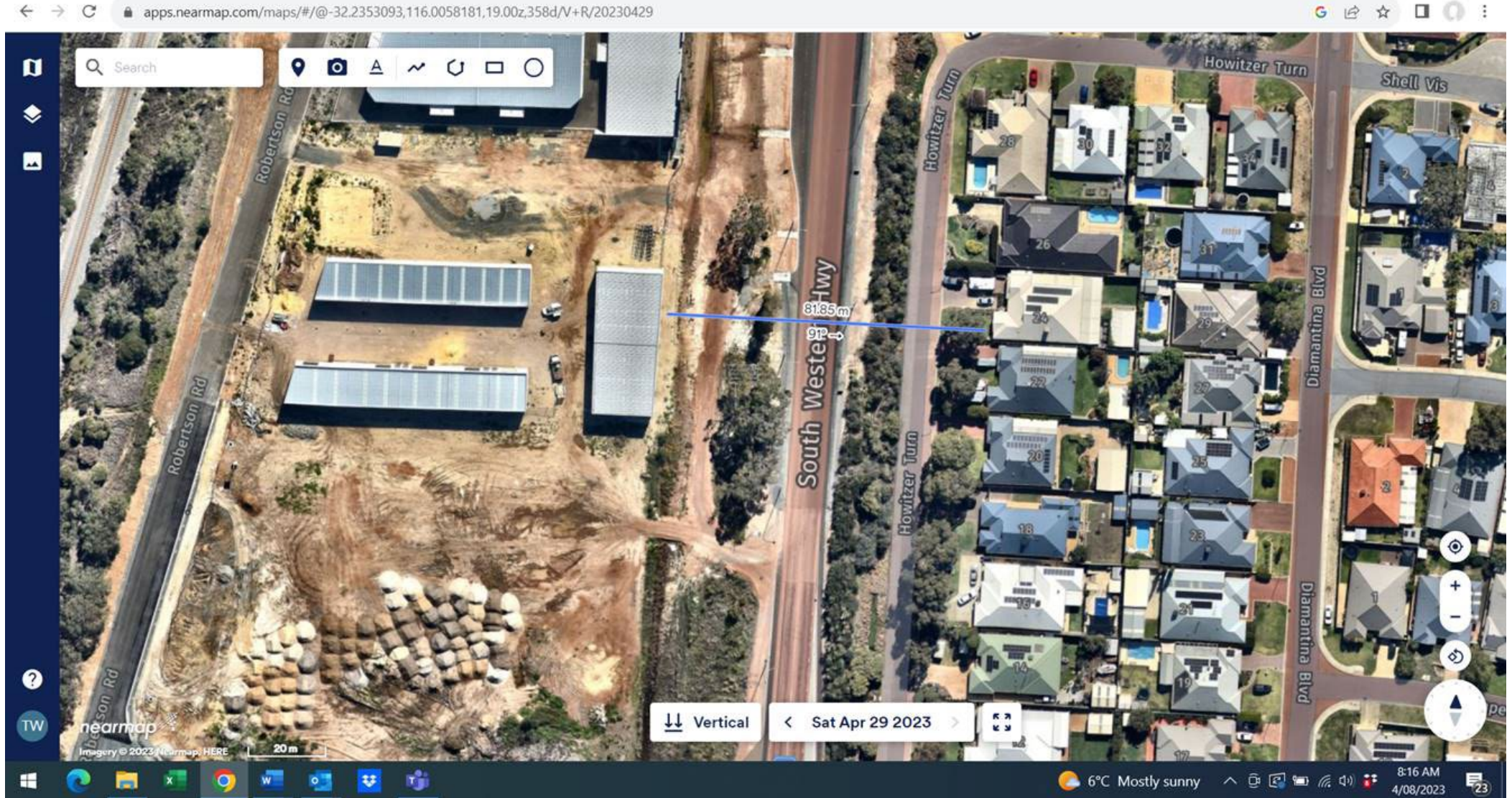
SUMMARY OF SUBMISSIONS

PA23/397 – Lot 128 South Western Highway, Byford - Change of Use / Additional Car Parking

Submitter	No	Submitter Comments	Applicant's Comments	Officer Comments
		<p>We suffer enough from vehicle traffic noise and air pollution from the brickwork's and light industrial down the street and now we have to face more traffic issues, noise and air pollution 50m from my front door. What is the mitigation plan for this????</p>	<p><u>Concern in relation to noise is speculative, noting the influencing factor in this locality is South Western Highway. To further dismiss any concerns around noise, the proposed use will operate in concealed buildings constructed using pre-cast tilt-panel walls that are 125mm thick.</u></p> <p>Aerials below depicting distances mentioned (Source: Nearmaps).</p>	<p>In relation to traffic, Assessment Guidelines for Developments (2016) sets out that an increase of less than 10% of capacity would unlikely impact on the capacity of a road network. These Guidelines state that an increase in 100 vehicles per hour for any lane and be considered as equating to around 10% of capacity. Based on this, the road network is considered to have an appropriate capacity to accommodate the proposal.</p>

SUMMARY OF SUBMISSIONS
PA23/397 – Lot 128 South Western Highway, Byford - Change of Use / Additional Car Parking

Submitter	No	Submitter Comments	Applicant's Comments	Officer Comments
-----------	----	--------------------	----------------------	------------------



SUMMARY OF SUBMISSIONS
PA23/397 – Lot 128 South Western Highway, Byford - Change of Use / Additional Car Parking

Submitter	No	Submitter Comments	Applicant's Comments	Officer Comments
-----------	----	--------------------	----------------------	------------------

