

10.1.7 - Proposed Byford Area D Structure Plan - Lot 57, 58 & 70 Briggs Road and Lots 53, 81, 100 & 105 Larsen Road, Byford (PA19/1223)

Responsible Officer:	Manager Strategic Planning
Senior Officer:	Director Development Services
Disclosure of Officers Interest:	No officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

Authority / Discretion

Quasi-Judicial	When Council determines an application/matter that directly affect a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of quasi-judicial authority include local planning applications, building licences, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.
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Proponent: Rowe Group Design
Multiple Land owners – Ian Noel Walton & Christine Barbara Walton, Daryl Lionel Smirk, Zia Jafar, Kaycee Tatum Forbes & Graeme Peter Wilton, James Abraham Achamma & Abraham James, George Tafti, William George Cullen & Henrietta Elizabeth Rose Cullen, Akbar Saberi & Mahfarid Mohebpour, Shauna Annette Robinson, Adrian Robert Rodway & Karlie Leigh Chr Snelgar, Elena Tobia & Bortolino Tobia, Trevor Tobia, Amandeep Singh, Kim William Hicks & Mandy Maria Hicks

Owner:

Date of Receipt: 26 November 2019
Lot Area: 16.7ha
Town Planning Scheme No 2 Zoning: Rural Living A & Urban Development
Draft Local Planning Scheme No.3 Rural Residential RR-1 & Urban Development
Metropolitan Region Scheme Zoning: Urban & Urban Deferred

Report Purpose

The purpose of this report is for Council to make a recommendation to the Western Australian Planning Commission (WAPC) on whether the proposed Local Structure Plan (LSP) for Lot 57, 58 & 70 Briggs Road and Lots 53, 81, 100 & 105 Larsen Road, Byford should be approved following public advertising. Council is also requested to make a recommendation on proposed modifications to the proposed LSP, recommended as part of the officer assessment.

Contact Us

Enquiries
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**Relevant Previous Decisions of Council***Ordinary Council Meeting – 17 December 2018 – extract**OCM147/12/18 COUNCIL RESOLUTION / Amended Officer Recommendation:**That Council:*

- 1. Pursuant to Schedule 2, Part 4, Clause 17 of the Planning and Development (Local Planning Schemes) Regulations 2015 deems the Byford District Structure Plan 2018 to be compliant with clause 16(1) and deems it satisfactory for advertising in terms of clause 18 of the Regulations.*
- 2. Pursuant to Part 5, Division 2, Clause 37 of the Planning and Development (Local Planning Schemes) Regulations 2015 deems Scheme Amendment 208 to be a Complex scheme amendment in terms of clause 35(1) and deems it satisfactory for advertising.*
- 3. Pursuant to Section 75 of the Planning and Development Act 2005 (as amended) and regulation 35(1) of the Planning and Development (Local Planning Schemes) Regulations 2015 resolves to proceed to advertise Scheme Amendment 208 Byford Development Contribution Scheme to the Shire of Serpentine Jarrahdale Town Planning Scheme No.2.*
- 4. Requests that the Western Australian Planning Commission allow the Byford District Structure Plan 2018 to be advertised for a period exceeding the maximum prescribed, to allow it to be advertised alongside Scheme Amendment 208.*
- 5. Adopt the Draft Byford Development Contribution Plan No. 5 as per in attachment OCM147.4/12/18 for the purposes of advertising for a period of 30 days and presented back to Council for the Ordinary Council Meeting in February 2019.*

The Draft Byford District Structure Plan outlined the specific subject area as Byford Area D, under the concept plan.

Background

The proposed LSP provides for the urban development of Area D, situated on the corner of Briggs Road and Larsen Road, Byford. The LSP provides the initial planning framework for the structure and guidance of the future urban residential development within Byford. Following a preliminary assessment in accordance with the planning framework, the LSP as contained in **attachment 1**, was publicly advertised.

The proposed LSP covers approximately 16.7 hectares of land and is estimated to have a 156-lot potential, with the major land uses being residential. The proposed LSP will facilitate future subdivision creating urban style lots ranging from Rural Living A (4,000sqm) interfacing Larsen Road to R60 (terrace housing) interfacing Indigo Parkway and a public open space. The proposed development of this site, bounded by Briggs Road to the west, Larsen Road to the south and Thomas Road to the north, represents a part of the greater Byford District Structure Plan area.

The framework facilitates the subdivision and development of land for residential and rural residential land uses in a manner that interacts appropriately with the developing Byford surrounds.

Officers have emphasised the importance of transition, diversity and appropriateness of lot size graduation and creating lots that will be developable into the future, as well as keeping in line with the Shire's strategic framework of the Byford District Structure Plan. This has resulted in an identified set of modifications, that relate to road structure and density allocation changes, in order to achieve acceptable transition and importantly protect the interface to Byford Trotting Complex.



Community / Stakeholder Consultation

Public Advertising

The proposed LSP was publicly advertised for 28 days between 5 March 2020 and 2 April 2020. The Shire received 24 submissions on the proposed LSP, comprised of 13 from government agencies and 11 from nearby landowners. All submissions from Government Agencies had no objections to the proposed LSP. The submission from Department of Water and Environmental Regulation (DWER), provided advice on the Local water Management Strategy outlining that the modelling from the District Water Management Strategy should be demonstrated throughout the LSP. This is due to the District Water Management Strategy, a previously completed study, taking into consideration the LSP area. The Department of Fire and Emergency Services (DFES) outlined that it be the responsibility of the proponent to ensure that the proposal complies with all other relevant planning policies and building regulations where necessary.

A number of nearby landowners were in objection to the LSP, the key themes from these submissions are outlined below. The Schedule of Submissions is contained within **attachment 2**. Part 4 Schedule 2 Clause 18 (1) of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) outlines the local government requirements to consider submissions and allows the local government to request further information from the proponent of the proposed LSP.

Land Owners

A range of submissions were in objection to the LSP, in relation to the following issues:

- Internal road is proposed to be backing on to the Rural Living A blocks fronting Larsen Road creating privacy and security issues for already established lots.
- Increased traffic it will cause to the existing Rural Living A zoned area.
- The high density housing proposed within the LSP.
- Concerns that density may ruin the rural character of the area.
- Movements and restrictions proposed by Main Roads with adjacent structure plan areas/subdivisions.
- Design of future roundabout at San Simeon Boulevard and Indigo Parkway.

A number of modifications have been recommended to the LSP in response to the submissions and the full technical assessment completed by officers. These modifications seek to address the concerns raised by the objections. Importantly, the strategic extent of this land does represent a natural completion of the development that has occurred, and the need to manage connectivity and integration is important in this regard. The modifications arising from submissions are considered to further enhance the Proposed Structure Plan, and the relevant strategic considerations it is seeking to respond to.



Statutory Environment

Under Part 4 Schedule 2 Clause 20 (1) of the Regulations, the Local Government is required to prepare a report to the WAPC no later than 60 days after the last day for making submissions or a day agreed by the WAPC.

Under Part 4 schedule 2 Clause 20 (2) of the Regulations, the local government report on the LSP must include the following:

- a. *A list of the submissions considered by the local government, including, if relevant, any submissions received on proposed modifications to the structure plan advertised under clause 19 (2);*
- b. *Any comment by the local government in respect of those submissions;*
- c. *A schedule of any proposed modification to address issues raised in the submissions;*
- d. *The local government's assessment of the proposal based on appropriate planning principles;*
- e. *A recommendation by the local government on whether the proposed structure plan should be approved by the Commission, including a recommendation on any proposed modifications.*

Legislation

- *Planning and Development Act 2005*
- *Planning and Development (Local Planning Schemes) Regulations 2015*

State Government Policies

- Metropolitan Region Scheme
- Perth and Peel @ 3.5 Million
- South Metropolitan Peel Sub-Regional Planning Framework
- State Planning Policy 2.5 – Rural Planning (SPP 2.5)
- State Planning Policy 3.0 – Urban Growth and Settlement (SPP 3.0)
- State Planning Policy 3.7 – Planning in Bushfire Prone Areas (SPP 3.7)
- State Planning Policy 5.4 – Road and Rail Transport Noise (SPP 5.4)
- Government Sewerage Policy

Local Planning Framework

- Shire of Serpentine Jarrahdale Town Planning Scheme No.2
- Draft Shire of Serpentine Jarrahdale Local Planning Strategy and Local Planning Scheme No.3
- Shire of Serpentine Jarrahdale Rural Strategy



Planning Assessment

Proposed Development

This Structure Plan applies to Lot 57, 58 & 70 Briggs Road and Lots 53, 81, 100 & 105 Larsen Road, Byford. The indicative subdivision and development layout, which has been prepared as a part of the LSP, identified a yield of approximately 163 dwellings comprising of a mix of residential densities. The mix comprises of Urban residential of R5 – R12 and R20 – R60 and Rural Living A zoning as the existing lots fronting Larsen Road. The LSP proposes the following:

- Residential lots with density codes ranging from R5 – R12.5
- Residential lots with density codes ranging from R20 – R60
- Continuation of the Oakland Main Drain Multiple Use Corridor
- Extension of San Simeon Boulevard
- Public Open Space
- Land use permissibility:

Residential	Rural Living A (Rural Residential RR1)
P use <ul style="list-style-type: none"> - Ancillary dwelling - Grouped Dwelling - Home business - Home occupation - Home office - Single house 	P use <ul style="list-style-type: none"> - Ancillary dwelling - Home business - Home occupation - Home office - Single house
D use <ul style="list-style-type: none"> - Display home/ land sales office - Family day care - Multiple dwelling - Residential building 	D use <ul style="list-style-type: none"> - Family day care - Industry – cottage - Rural pursuits/ hobby farm
A use <ul style="list-style-type: none"> - Bed and breakfast - Child care premises - Civic use - Community purpose - Holiday house - Industry – cottage - Residential aged care facility - Serviced apartment - Telecommunications infrastructure 	A use <ul style="list-style-type: none"> - Agriculture – intensive - Animal husbandry – non-intensive - Bed and breakfast - Civic use - Commercial vehicle parking - Community purpose - Holiday house - Rural home business - Telecommunication infrastructure

- All other uses are prohibited.



The already developed Rural Living A zone creates a buffer for the Trotting Complex area located further south creating a graduation of increased densities from south to north. The Rural Living A area ranges from lot sizes of 7,800sqm to 4,000sqm in accordance with the guidelines of the Rural Strategy and Town Planning Scheme No.2. The proposed LSP area is zoned 'urban and 'urban deferred' under the Metropolitan Region Scheme. The proposed residential type development is in accordance with this zoning. The Byford Area D, LSP is made up of 16 lots with 13 of them taking access from Larsen Road and three of them taking access from Briggs Road, stretching over a total land area of 16.7ha.

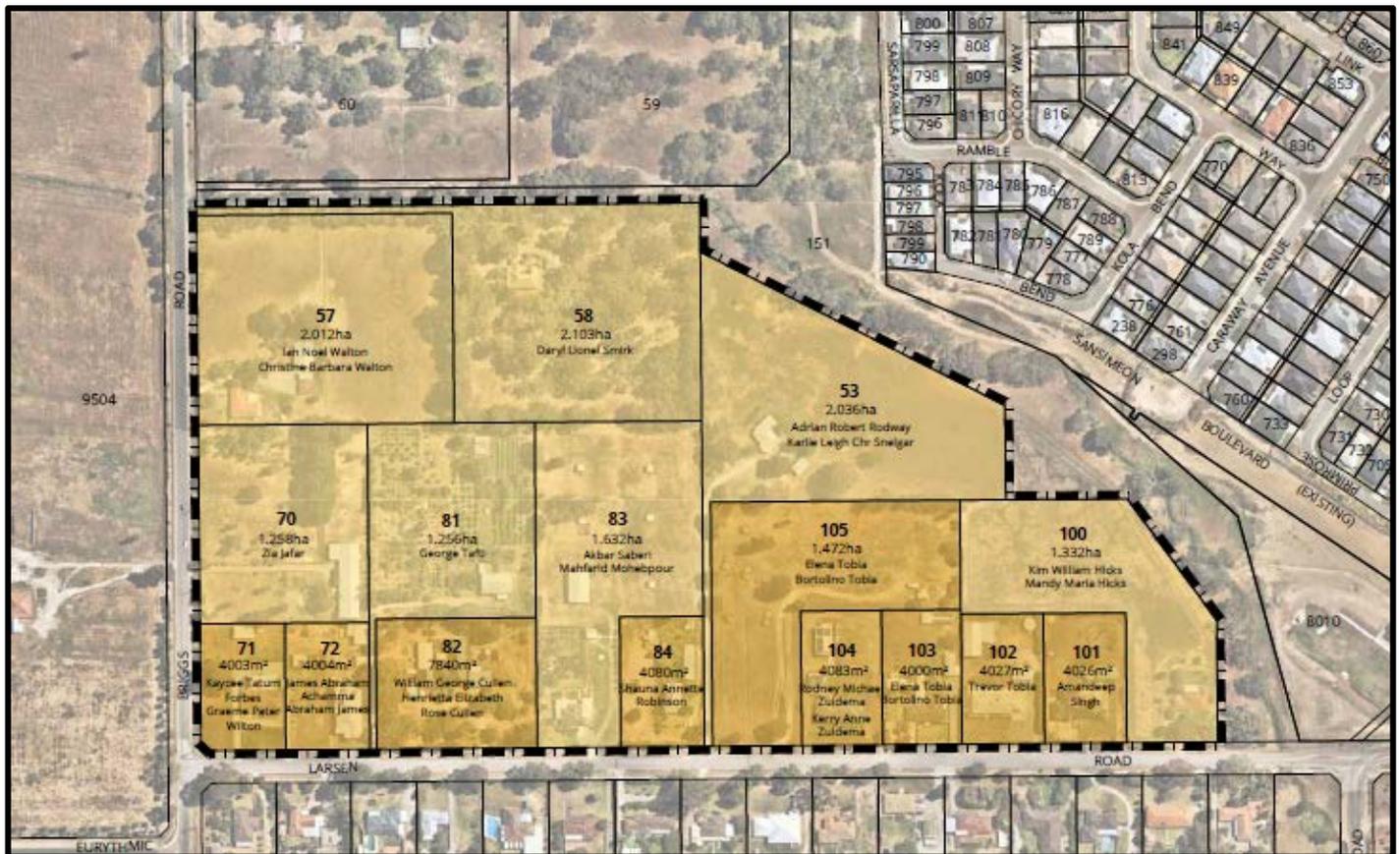


Figure 1: Subject Land – Local Structure Plan Area

The subject land currently accommodates a dwelling on each lot. The subject properties have been mostly cleared and primarily used for rural residential purposes and are developed with a main residence and associated outbuildings. The majority of the subject lots have been cleared, though some vegetation remains, particularly on Lot 58 Briggs Road. It is understood the majority of this vegetation is non-native, having been planted by the landowner.



State Strategic Framework

Perth and Peel @ 3.5 Million – South Metropolitan Peel Sub-Regional Planning Framework

The subject site is identified as Urban under the Framework. The proposed LSP is consistent with the strategic planning framework currently endorsed by the WAPC. Officers consider a sensitive transition of lot sizes throughout the subject site is key to being able to develop this area appropriately in a manner, which protects and enhance expected levels of amenity of the Byford Trotting Complex precinct.

State Planning Policy 2.5 – Rural Planning (SPP 2.5)

State Planning Policy 2.5 Rural Planning (SPP 2.5) establishes the objectives for the management and protection of rural and rural living land in Western Australia. Under Clause 4.3 of the Policy, the WAPC recognises that there is a market for rural living development, and that it provides for a range of housing and lifestyle opportunities. The policy notes, however, that this type of use can sterilise rural land and should be carefully planned. The policy notes the guidance of State Planning Policy 3.0 – Urban growth and settlement (SPP 3.0) with respect to the strategic identification of settlement patterns and guidance on rural living use. Rural Residential areas are identified to have a lot size range between 1ha – 4ha under SPP 2.5. It is noted above that the Shire's Draft Local Planning Strategy designates a lot size of 1ha in the Rural Residential RR-1 policy area to align with SPP 2.5.

As mentioned, it is noted that this proposal represents a natural completion of the lot sizes and character of development that has occurred. In essence, this shows the creation of 4,000sqm allotments which have already been planned and developed. Officers consider a high priority the need for sensitive transition of lot sizes throughout the subject site. A modification is recommended to guide the subdivisional stages of the LSP, that emphasises this as a response particularly to the planning assessment and concerns raised by submissions.

This includes an adjustment in the south east corner of the structure plan area, to remove what is considered an unnecessary road link that could inadvertently create traffic conflict once connected through to Larsen Road. This modification is talked about further on in the report.

State Planning Policy 3.7 – Planning in Bushfire Prone Areas (SPP 3.7)

SPP3.7 requires that any Structure Plan incorporate a Bushfire Hazard Level assessment to consider hazard levels. The policy notes that development should occur only where moderate or low hazard rating can be achieved.

Bushfire Safety Consulting have completed a Bushfire Management Plan (BMP) for the subject site, in accordance with SPP3.7 and having regard to the form of development contemplated. The detail within the BMP is discussed further in this report, and demonstrates compliance of the proposal with the objectives of SPP3.7.



State Planning Policy 5.4 – Road and Rail Noise (SPP 5.4)

SPP 5.4 requires that “Sensitive Land Uses” (as defined within SPP 5.4) within 300m of a ‘Strategic’ freight and major traffic routes pavement edge and/or; 200m of an ‘Other’ significant freight/traffic routes pavement edge; are to be assessed against the noise criteria provided in SPP 5.4. The policy requires that future dwellings will not be subject to noise levels above the assigned maximum noise levels produced by passing traffic. If noise levels do exceed the maximum level, notifications are required to be placed on future titles. Additionally, sensitive uses, such as residential dwellings, are to be constructed to prescribed standards that provide protection against higher noise levels.

It is noted that a small portion of POS in the north west of the LSP is identified within the SPP 5.4 “trigger distance” of Thomas Road. The affected area of POS is not considered to be a noise sensitive land use and therefore not subject to the guidelines of SPP 5.4.

Government Sewerage Policy

It should be noted that subject land, and this LSP seek to provide for subdivision and development of the land in accordance with this policy. The proposed residential uses within the LSP will be serviced appropriately by gravity sewers and a 150mm gravity sewer extended along Briggs Road which will be connected to the 400mm sewer in Thomas Road.

Town Planning Scheme No.2 (TPS2)

The subject site is predominately zoned ‘Urban Development’ under the TPS2. The southernmost lots fronting Larsen Road are zoned Rural Living A. The subject land bounded by a ‘Public Open Space’ reserve in relation to Oaklands main drain multiple use corridor.

Clause 5.18 of LPS2 outlines the purpose of the ‘Urban Development’ zone:

The purpose of the Urban Development zone is to provide for the orderly planning of large areas of land in a locally integrated manner and within a regional context, whilst retaining flexibility to review planning with changing circumstances.

Clause 5.18 indicates that the purpose and objectives of the zone are facilitated by means of “*establishment of Structure Plans to ensure that development takes place in conformity with those Plans*”.

The preparation of this structure plan is consistent with the zoning objectives of TPS2.

Draft Shire of Serpentine Jarrahdale Local Planning Strategy and Local Planning Scheme No.3

The Shire has recently taken both the Draft Local Planning Strategy and Draft Local Planning Scheme No.3 to the Special Council Meeting on the 22 June 2020 to provide a recommendation to the WAPC following advertising. The draft Strategy indicates that the subject site has been identified for Rural Residential RR-1 and urban settlements development. Rural Residential RR-1 provides for lot sizes ranging from 1ha – 4ha and provides opportunities for a range of limited rural and related ancillary pursuits. Urban settlement outlines any urban area or town site providing key infrastructure such as housing, shops, offices, health, financial and social services, educational establishments, and community and cultural facilities.

This creates one of the primary planning considerations for the LSP, the designation of lot sizes ranging from 1ha – 4ha under the draft Strategy in accordance with WAPC policy and the



proposed LSP identifying 4,000sqm lots. This has been justified on the basis of the rounding off and completion of development patterns that have occurred.

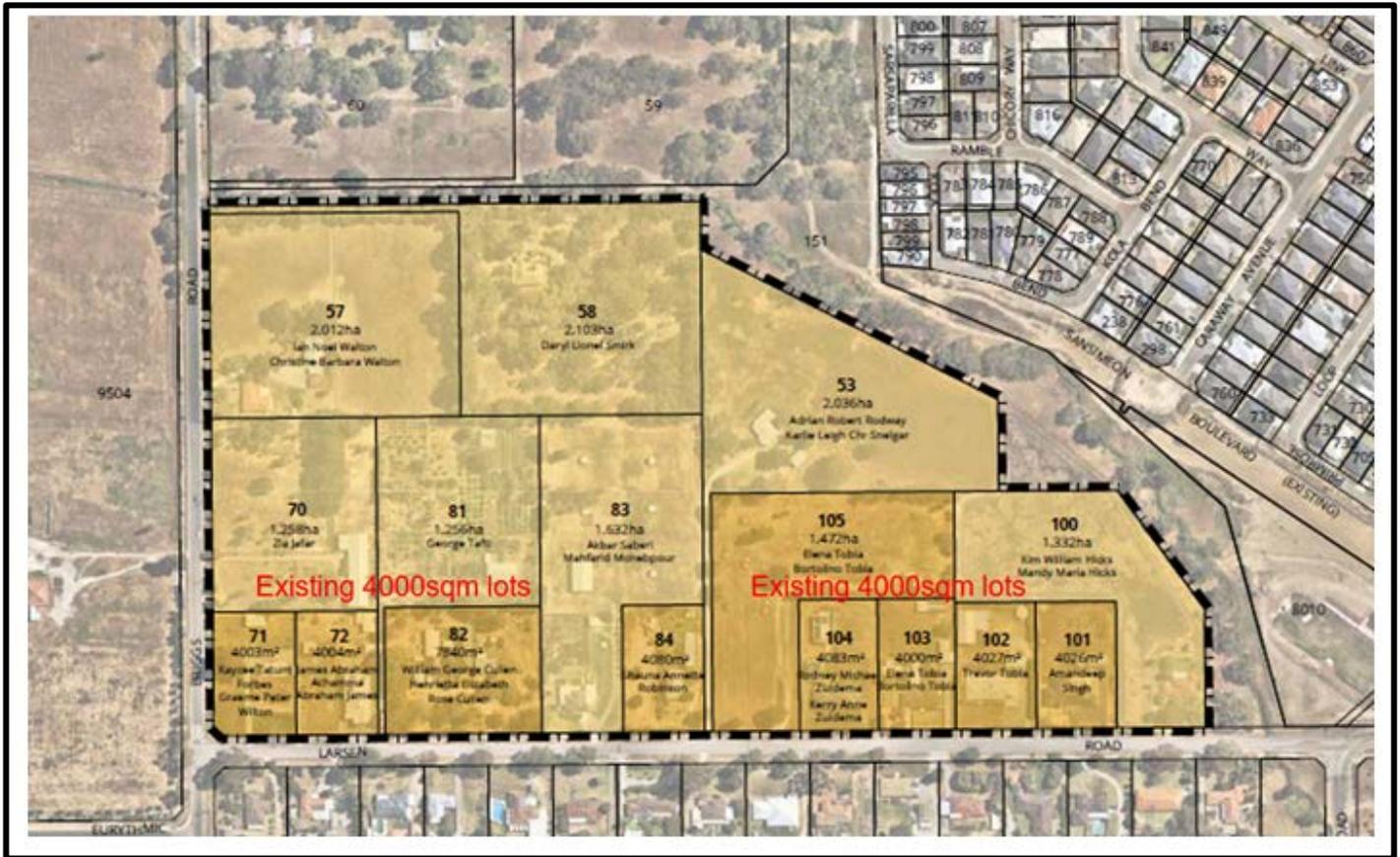


Figure 2: Existing Rural Living A Lots – Local Structure Plan Area

Form of Development

Land Use, Landform & Topography

The LSP provides opportunity for the creation of urban residential lots that are consistent with the Shire's current strategic planning and development within the locality. The road network has been designed to facilitate the creation of regular shaped lots, capable of accommodating single dwellings and associated outbuildings, which can have direct access to a public street. The design also provides for a range of potential lot sizes at the subdivision stage.

The subject site is relatively flat with a high point of approximately RL38m AHD in the southeastern corner, grading gently to a level of RL33m AHD in the northwest corner allowing for the opportunity for the creation of urban residential lots consistent with the Shire strategic planning and development for the locality. The road network allows for a flexible staged development creating access via the newly developed Indigo Parkway to the north. San Simeon Boulevard is recognised as a Neighbourhood Connector, connecting Briggs Road to the Town Centre of Byford.

The road network, as advertised, did show a further connection through to Larsen Road. This is considered an unnecessary road link, and would not serve a functional or accessible planning need. This forms part of the recommended adjustments to the south east corner of the structure plan area.



Access – Movement Networks

The subject land is connected by road to the wider metropolitan area. Briggs Road has direct connection to Thomas Road, which subsequently connects to Tonkin Highway approximately 1.5km west of the site. Tonkin Highway is identified for further expansion south towards Mundijong and will provide for better connection to surrounding suburbs and localities for the subject site. San Simeon Boulevard as mentioned is a Neighbourhood Connector with a 27.5m road reserve width and all other roads within the proposed LSP range from 15 – 18m road reserves.

The Draft Byford District Structure Plan 2018 identifies a new east-west link, being the extension of Indigo Parkway through to Briggs Road and ultimately further west to Malarkey Road and a planned Neighbourhood Centre at that location. Similarly, Indigo Parkway will be extended to connect to San Simeon Boulevard as a part of this LSP south to Abernethy Road to more directly access the Byford Town Centre and schools. As Indigo Parkway/ San Simeon is an infrastructure item funded via the Development Contribution Scheme (DCS) for Byford, the timing of these extensions is likely tied to the timing of remaining residential development and the receipt of (DCS) funds by the Shire. This proposed LSP respects the planned alignment of Indigo Parkway on the northern edge of the subject site.

Remaining roads shown within the subject site, shown indicatively on the Concept Plan, are subject to detailed design at subdivision stage.

One modification has been identified however, to eliminate a local road connection in the southeast corner through to Larsen Road. This is intended to remain part of the Rural Residential 1 interface to Larsen Road (and the Byford Trotting Complex), and doesn't provide for a critical access leg in to the subdivision area.

The anticipated total daily traffic volume associated with the proposed urban development at the subject land is considered acceptable as has been demonstrated in the preparation of a Traffic Impact Statement. The report investigates the existing road network and intersections in the context of increased traffic, which will be brought about the development of the site. The proposed road network does have the capacity to accommodate the anticipated traffic and will not have an adverse impact on traffic operations. Subject to the removal of the road access in the southeast corner of the subject land, the road layout is considered functional and accessible.

Throughout the advertising process, the LSP was referred to the surrounding residents within the LSP area. A number of the residents along Larsen Road outlined within their submission to the Shire they did not support the proposed LSP road network for a number of concerns, these included; the location of proposed road at the back of properties fronting Larsen Road.

Concerns relate to the east-west road outlined in the advertised version of the LSP. To address these privacy, surveillance and streetscape issues, officers recommend that the proposed LSP be modified to move the road further north. A comparison of the advertised LSP and recommended modification is outlined in Figure 2 below. The modification would change the location of the road further north to accommodate a band of lots that would back onto the retained rural residential properties that front Larsen Road. This change would ensure that the east-west road would have dwelling frontages on both sides of the road addressing the surveillance and privacy concerns raised. As shown in the image below, this modification is recommended.

The modification also addresses the strategic objective for officers in keeping separation between urban traffic and activities, by not connecting a road link through to Larsen Rd. This necessitates adjustments in the southeast corner of the structure plan area, but importantly still enables a well design outcome for that portion of the land.



The advertised LSP concept plan is outlined below in **Figure 3** this shows the east-west road from Briggs Road directly behind the Rural Living A lots.



Figure 3: Advertised Local Structure Plan – Byford Area D



The proposed modification in response to submissions outlined in **Figure 4** below.



Figure 4: Comparison of advertised LSP and recommended modification

The LSP shows a northern directed connectivity objectivity, in order to help focus urban activities to the future (once constructed) main town centre boulevard of Indigo Parkway. The rural residential area to the south is made up of approximately 4,000 sqm lots and will be connected to the structure plan road network via Larsen Road. The Indigo Parkway connection runs east west to another residential subdivision and structure plan area. Lastly the area to the north and east are both residential areas with lots zoned approximately R20 and larger.

Shire Officers support the proposed modification to the road reserve network providing greater flexibility and safety for the lots currently developed at the southern portion of the LSP. The modified access plan outlined in figure 4 is accepted and is considered to create better access for the LSP.



Drainage Infrastructure & Local Water Management Plan

A Local Water Management Strategy (LWMS) has been prepared by 360 Environmental in support of this Structure Plan and incorporates the details from the District Water Management Strategy from the Draft Byford District Structure Plan. The general stormwater management is to ensure that urban development does not increase the peak flow discharging to the receiving environment, and that runoff water quality is maintained or approved.

In accordance with the processes defined under Better Urban Water Management, an Urban Water Management Plan ('UWMP') will be required to be prepared and implemented at the time of subdivision. The UWMP will refine and implement the proposed drainage network/system, as identified under the LWMS.

Landowner concerns raised about drainage are front of mind for Shire officers. It should be noted that the Local Water Management Strategy has been accepted by the Department of Water and Environmental Regulation and the Shire.

Open Space

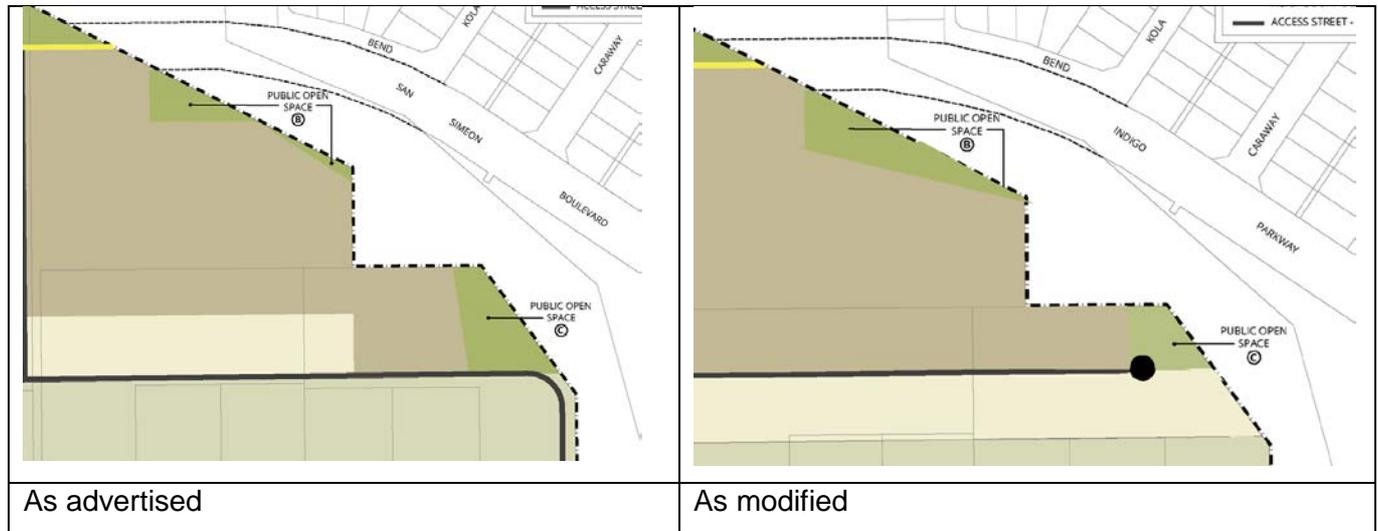
The LSP proposed a total of three areas of public open space (POS) total of 10.03% of POS for the entire site. The POS contributes to the three following POS features:

- Continuation of a district stormwater 'living stream' through the alignment of the existing Oaklands main drain as a multiple use corridor (MUC);
- Integration of urban water management principles with a supporting LWMS; and
- Recognition of the linear POS network established through the Byford DSP that encourages walking and cycling.

The site responsive parkland has been developed to address the district, neighbourhood and local needs of current and future residents. The changes in the southeast corner, however, result in some reconfiguration of open space so that there is a more equitable share across individual allotments. In specific respect of the southeast most allotment, the landowner has raised concerns that in excess of 10% open space was shown on their land. While the structure plan aims to create an acceptable urban structure for the future urbanisation of the area, it is noted that the southeast allotment could have open space reduced (to better match a 10 per cent allocation) and reallocated in order to also widen and strengthen the multiple use corridor slightly to the northwest.



This is shown following:



Noise Management

The policy references noise sensitive land uses as being determined by a local planning scheme or structure plan that is occupied or designed for occupation or use for residential purposes, caravan park, camping ground, education, childcare, hospital, or place of worship.

It is noted that a small portion of POS in the north west of the LSP is identified within the SPP 5.4 “trigger distance” of Thomas Road. The affected area of POS is not considered to be a noise sensitive land use and therefore not subject to the guidelines of SPP 5.4.

Proposed Subdivision

The Concept Plan is shown for explanatory purposes only and is subject to further review and detailed design at subdivision stage. The indicative subdivision layouts shown in the LSP and associated appendices are for the conceptual purposes only and are subject to further detailed design at subdivision stages.

The density code range facilitates a diversity of lot product across the site, providing for a range of dwelling types. The preparation of Local Development Plans will also assist in facilitating the delivery of lot product diversity.

Officers outlined that there needs to be further consideration of sensitive transition of lot sizes throughout the LSP area. There also needs to be changes to the concept plan, given the LSP is recommended for further modification as discussed above. This modification makes it clear that officers wish to work with the applicant at the future subdivision stage to ensure transition occurs appropriately, as a way of addressing the planning framework and concerns raised by submitters.



These modifications are listed also below:

Schedule of Modifications

No.	Section	Modification Required
1	Byford Area D – Local Structure Plan - Part 1 – Implementation – “new section 4.6 Future Subdivision	Modify to include a sub-section for subdivision that states ‘ <i>All indicative subdivision layouts shown in this Local Structure Plan and associated appendices are for conceptual purposes only and are subject to further investigation and detailed design at subdivision stage.</i> ’
2	Byford Area D – Local Structure Plan - Part 1 Implementation – “new section 4.6 Future Subdivision	Sensitive transition of lots sizes in the future subdivision and development of the subject site. The diversity of lots within a space of approximately 250 m changes from Rural Living A to R60, a very intense transition. Include a sub-section for subdivision which states ‘ <i>Further explore a less intense transition of lot sizes from Rural Living A to Urban Residential.</i> ’
3	Byford Area D – Local Structure Plan – Part 1 – Local Structure Plan Concept Map	<p>Updated Plan with east – west internal road shifting further north to not back on to the Rural Living A lots; to delete the southeast road connection to Larsen Road; to adjust public open space in order to widen the MUC to a useable extent. This creates strategic protection to the trotting complex and helps to reinforce the MUC as a key green corridor for the area.</p> 
4	Byford Area D Local Structure Plan & Appendices	Update the LSP and all appendices with the modified plan with the revised road reserve location.



Options and Implications

Option1

That Council recommend the WAPC APPROVES the LSP subject to modifications.

Implications – This option supports the LSP, though allows for modifications to be made to address issues raised in the submission and from the assessment of the LSP by officers.

Option 2

That Council recommend the WAPC DO NOT approve the LSP.

Implications – This option does not support the LSP to provide a framework for the development of the subject lot. Sufficient justification would need to be provided to not support the LSP for approval.

Option 1 is recommended.

Conclusion

The proposed LSP is generally consistent with the zoning of the Shire's Town Planning Scheme No. 2 and Draft Local Planning Scheme No.3 to develop the subject land as an Urban and Rural Living A mix under the strategic planning framework. Officers have identified some issues relating graduation of lot sizes, road design, open space design and allocation, proposed residential lot sizes, traffic management and connection to surrounding major roads within the precinct, the movement network from the planning assessment of the LSP and the submissions received. To address these issues discussed in detail above, Officers recommend that the LSP be modified prior to approval in accordance with the schedule of modifications contained in **attachment 3**.

Attachments (available under separate cover)

- **10.1.7 - attachment 1** – Proposed Byford Area D Local Structure Plan (IN20/3129)
- **10.1.7 - attachment 2** – Schedule of Submissions (E20/5475)
- **10.1.7 - attachment 3** – Schedule of Modifications (E20/7092)

Alignment with our Strategic Community Plan

Outcome 1.1	A healthy, active, connected and inclusive community
Strategy 1.1.2	Provide a healthy community environment
Outcome 2.1	A diverse, well planned built environment
Strategy 2.1.1	Actively engage in the development and promotion of an effective planning framework
Outcome 2.3	A productive rural environment
Strategy 2.3.1	Identify and promote rural and agriculture industry opportunities

Financial Implications

There are no direct financial implications relating to this application.



Risk Implications

Risk has been assessed on the basis of the Officer's Recommendation.

Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
That Council support the LSP without requiring modifications to address issues	Possible (3)	Moderate (3)	Moderate (5-9)	Reputation - 2 Minor - Substantiated, localised impact on key stakeholder trust or low media item	Accept Officer Recommendation

Risk Matrix

Consequence / Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

A risk rating of **9** has been determined for this item.

Voting Requirements: Simply Majority

Officer Recommendation

That Council

1. Pursuant to Schedule 2 Part 4 Clause 19 (1) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, ENDORSES the schedule of submissions and comments contained within attachment 2;
2. Pursuant to Schedule 2 Part 4 Clause 20 of the *Planning and Development (Local Planning Schemes) Regulations 2015* recommend to the Western Australian Planning Commission that the proposed Byford Area D be APPROVED subject to modifications as outlined in the Schedule of Modifications contained within attachment 3, and forward to the Western Australian Planning Commission the following:
 - a. A list of the submissions considered by the local government, as outlined within the Schedule of Submissions contained in attachment 1;



- b. Any comments by the local government in respect of those submissions, as outlined within the Schedule of Submissions contained in attachment 1;**
- c. A schedule of any proposed modifications, as outlined in the Schedule of Modifications contained within attachment 3;**
- d. The local government's assessment of the proposal based on appropriate planning principles, as contained within this Council report; and**
- e. A recommendation by the local government to approve the proposed structure plan, subject to modifications, as contained within this Council resolution.**