

Applicant's Response to Government Referrals and Community Submissions

Support for the Development

It is noted that of the 85 submissions received, eight were in support of the development, whilst an additional four did not object. Several additional comments provided support for the broader development, albeit with modifications or removal of the fast food outlets.

Justification for the fast food outlets are provided below.

Fast Food Outlets

Predominately, a number of submissions related to the inclusion of fast food outlets in the development. Submitters objected to the proposed use due to its proximity to the existing residential estate to the south of the site and perceived proximity to schools, consideration that there are enough existing fast food operators in the town centre, health impacts to the broader population, including a submission from the Cancer Council, as well as a perceived impact of crime.

The development proposes five fast food outlet tenancies, two of which are proposed to operate with a drive through typology. As no tenants are confirmed, it is noted that a number of operators, including those who prepare healthier takeaway options could prospectively lease the tenancies. The three non-drive through tenancies will provide additional food and drink options to patrons visiting the precinct for the showroom tenancies, as well as to residents in the neighbouring residential area (as noted by comments of support during the consultation period).

The subject site is situated within the southern portion of the Byford town centre, and is surrounded by light industrial, rural, or roads on all boundaries, including South Western Highway. Residential properties are situated to the south (approximately 150m south of the closest fast food tenancy).

The closest school is approximately 500m north, adjacent to existing fast food outlets.

Noting the above characteristics, it is considered that the subject site is the most optimal location for the fast food outlet use, balancing the provision of the use whilst not negatively impacting surrounding uses. By virtue, it is noted that it is unavoidable to have fast food outlets which are not in some proximity to sensitive land uses within urban areas.

The subject site is also suitably located along a major road, and is supported by a range of technical reporting, including waste management, transport, and acoustic which demonstrates the acceptability of the development from these perspectives. As discussed further below, the development has been designed in a manner to reflect the rural character of the locality, including built form outcomes and provision of extensive landscaping. This further helps integrate the development into neighbouring development, including the residential estate.

There is no evidence to support the comment that the development will result in an increase in crime. Conversely, the additional activity creating passive surveillance, and provision of lighting and clear open space will help detour crime, a positive outcome for the community.

The number of fast food outlets is not a relevant planning consideration.

Amenity of the Locality

A number of submissions considered the development would negatively impact the rural character of the locality and that it is not appropriate adjacent to their residential properties. Further comments proposed that the land be used for other purposes like a park.

The subject site is zoned 'Urban' under the provisions of the Metropolitan Region Scheme and 'Urban Development' under the Shire's Town Planning Scheme No. 2. Two separate structure plans – for light industrial and residential purposes have also been progressed over the land. As such, it is noted that the land has always been earmarked for development, with its current zoning predating the residential development to the south of the site.

The development has been deliberately designed to reflect the prevailing rural character of the locality, with the use of a raw and earthy colour palette and materiality. The built form and landscaping respond appropriately to the site's topography and neighbouring uses, ensuring the development integrates smoothly into its immediate surrounds. This includes the transition to residential uses to the south of the site.

Each design element has been curated to create a holistic and integrated presentation. This includes the use of face brick as corner statements, vertical ground to roof Colorbond cladding to create vertical articulation, painted cement panels and integrated signage zones. Refer **Figure 4** below.



Figure 4 - Perspective of the development's materiality, depicting face brick as corner features, vertical Colourbond cladding creating distinct parts, as well as integrated signage zones.

The built form appropriately responds to the locality, through the provision of generous setbacks and a maximum building height proportionate to the total site area. Importantly, whilst still articulated, the development's architecture does not detract from neighbouring native vegetation and views to the darling scarp. This deliberate simplicity ensures the development integrates into its surrounds in a respectful manner. Refer **Figure 5** below.



Figure 5 - Perspective of the developments simplistic form and landscaping treatments.

Further, the development proposes 7,360m² of landscaping within the subject site (10.5% of site area), with an additional 2,436m² outside the subject site. Landscaping is proposed to comprise a variety of native ground covers, shrubs, and trees, with the hardscape utilising a palette of earthy and raw materials. The landscaping is proposed to respond to the typography of the site, as well as neighbouring uses, with a strong emphasis on the interface to neighbouring residential properties.

Further to the above, the amenity of the locality is improved through the provision of additional commercial services and activities, including larger showroom development which is currently not available in Byford. The site is one of the remaining larger sites within the town centre which can facilitate a development of this nature. Further, the development provides greater employment opportunities for the growing locality.

Trees and Environmental Concerns

Further to amenity, submitters raised concerns to the loss of existing trees and vegetation on the subject site, as well as potential impact on wildlife.

The subject site is largely cleared, with existing vegetation on site being regrowth. This is in accordance with neighbouring residential properties south of the site, which is situated on land cleared from regrowth vegetation. Refer **Figure 6** below.



Figure 6 – Landgate aerial 24/12/06, demonstrating site conditions of residential properties to the south of the site prior to clearing.

Notwithstanding, the development proposes the retention of trees, where possible, as well as the planting of a significant number of additional endemic trees and shrubs. The proposed landscaping is a superior outcome to existing site conditions.

Of note, a significant amount of landscaping is concentrated along the Wilaring Street boundary to provide an appropriate interface and transition between the site and residential properties. As such, residential properties will have an attractive and curated landscaped outlook, in lieu of existing scattered vegetation. Refer **Figure 5** above.

Potential impacts to wildlife are acknowledged. It is noted that as outlined in the referral comments, the proponent will undertake the necessary obligations under the *Environment Protection and Biodiversity Conservation Act 1999*, following development approval.

Transport, Acoustic, Overshadowing Odour Impacts

Additional concerns were raised in respect to traffic impacts, including proposed modifications to the existing road network, noise from adjacent servicing areas, odour, overshadowing, and construction impacts.

A Transport Impact Assessment and Environmental Noise Assessment were prepared in support of the application, demonstrating the suitability of the development from a transport and acoustic perspective, respectively. Proposed modifications to the road network have also been demonstrated to be satisfactory through this extensive traffic reporting, which is above and beyond what is normally provided for this type of development.

Odour from fast food outlets is controlled by the *Environmental Protection Act 1986*, with cooking infrastructure to be in accordance with the provisions of the Australian Standards. This includes necessary ventilation and rangehood requirements.

The development is sufficiently setback and not at a height to overshadow neighbouring residential properties.

We understand that a condition relating to construction management will be placed on the development approval.

Antisocial Behaviour and Property Values

Several submissions raised the risk of antisocial behaviour and a perceived decrease in property values.

As noted above, it is considered that the development will deter crime through passive surveillance, activity, and lighting. The layout of the development and the built form has been designed in accordance with the principles of Crime Prevention Through Environmental Design.

Property values is not a relevant planning consideration.

Location of Development and Confirmation of Tenants

Additional comments included that the development should be situated within the town centre, the land be used for other purposes such as open space, and seeking clarification on showroom tenants.

As previously discussed, the subject site is one of the remaining lots within the locality which is of an appropriate size, zoning, and location to accommodate the type of development. Further, State Planning Policy 4.2 recommends that development so f this nature be situated on the periphery of town centres.

The subject site is optimal in acting as a transition between industrial development on the north to residential properties in the south.

Tenants have not yet been confirmed.

RESPONSE TO REFERRAL COMMENTS

We understand that the Shire received formal responses from the following external agencies:

- Department of Environment and Water Regulation.
- Department of Fire and Emergency Services.
- Main Roads Western Australia.
- Department of Planning, Lands and Heritage.
- Department of Biodiversity, Conversation and Attractions.

A response to the comments received at various times in December 2022 is provided below.

Department of Environment and Water Regulation

A written response to the matters raised by the Department of Environment and Water Regulation (**DWER**) in their letter dated 12 December 2022 is provided in **Table 3** below.

Table 3 – Response to DWER's request for further information

| DWER Comment | Applicant Response |
|---|---|
| Stormwater Management | |
| <i>Consistent with Better Urban Water Management (BUWM) (WAPC, 2008) and policy measures outlined in State Planning</i> | The Stormwater Management Plan (SMP) was prepared for a single lot development. The SMP demonstrates how |

Policy 2.9: Water Resources, local structure plans should be supported by an approved Local Water Management Strategy (LWMS).

The Department previously reviewed the Lot 806 South Western Highway, Byford - Local Water Management Strategy (Rev 2, Coterra, February 2019) and it was found suitable on 12 February 2019.

The endorsed LWMS was based on a mixed urban and commercial precinct with stormwater runoff (up to and including the 20% AEP – previously referred to as the 1 in 5 year ARI) infiltrated onsite via vegetated biofiltration basins located in public open spaces and roadside swales.

The Stormwater Management Plan (Porter, September 2022) included within this development application lacks the required detail to be considered as a LWMS. Given Consideration also needs to be given to the clay-based nature of the site, infiltration rates and also how stormwater will be treated (water quality) and released. Given that the proposed commercial centre presents a significantly different land use and stormwater management design, it is recommended that either the previously endorsed LWMS is amended to reflect this change in development, or a new LWMS is prepared demonstrating the management of small, minor and major rainfall events as well as any groundwater management. Guidance on what is required within a LWMS is found at Microsoft Word - LWMS Guideline V10 Dec08_final_comms.doc (water.wa.gov.au)

stormwater will be retained on site, is compliant with current standards, and is designed to ensure the site does not overload the receiving infrastructure.

It is noted that whilst brief, the SMP does mention potential stormwater treatment opportunities and these will be considered at detailed design stage, as per standard practise.

Ultimately, the SMP was never intended to be considered as a Local Water Management Strategy (**LWMS**) Traditionally, LWMS's are not prepared for single lot developments, with a SMP being prepared for consideration by the local authority as part of the development application being standard practise.

Contaminated Site

Land at Lot 806 on Plan 302499 (the site) was part of former Lot 523 (as described on historical Certificate of Title 1854/533) which was formerly used as an ammunitions depot. Site investigations identified asbestos-impacted areas in multiple locations across former Lot 523 including near the southern boundary of the site. However, at the time of classification, the Department held no information on the contamination status of the site and it was classified on 7 November 2008 as report not substantiated under the Contaminated Sites Act 2003 (the CS Act).

Although, the area occupied by the site does not appear to have been actively used as part of the ammunitions depot, it may be impacted by asbestos-containing material. Therefore, although the Department has no objection to the proposed development of the site, the Department recommends that the development approval should include the following advice note:

Advice:

An appropriate health and safety management plan in accordance with the 'Code of Practice How to safely remove asbestos' (Safe Work Australia, October 2018) should be prepared in advance of soil disturbing works for the proposed development to address the potential exposure of asbestos-containing material during any excavations of development on the site.

If potentially contaminated soil is identified during the excavation works required for the development, works should stop immediately, and advice sought from the Department of Water and Environmental Regulation.

Noted.

Native Vegetation

Under section 51C of the Environmental Protection Act 1986 (EP Act), clearing of native vegetation is an offence unless:

- it is undertaken under the authority of a clearing permit
- it is done after the person has received notice under Section 51DA(5) that a clearing permit is not required
- the clearing is subject to an exemption

Exemptions for clearing that are a requirement of written law, or authorised under certain statutory processes, are contained in Schedule 6 of the EP Act. Exemptions for low impact routine land management practices outside of environmentally sensitive areas (ESAs) are contained in the Environmental Protection (Clearing of Native Vegetation) Regulations 2004 (the Clearing Regulations).

Based on the information provided, should development approval be issued, the proposal may be exempt from the requirement for a clearing permit under Regulation 5, Item 1 of the Clearing Regulations. However please note that this exemption:

- does not allow the clearing of riparian vegetation; and
- does not allow for clearing of greater than five hectares within a financial year under this exemption as well as other clearing activities exempt under the Clearing regulations.

Should the above exemption not apply or all of the proposed clearing, a clearing permit would be required.

Note that this exemption does not apply prior to development approval being issued.

This exemption is described in the Departments 'A Guide to the Exemptions and Regulations for Clearing Native Vegetation'. It is the applicant's responsibility to determine compliance with these exemptions and therefore whether a clearing permit is required. If there is uncertainty, then the precautionary principle should be applied, and it is recommended applicants apply for a clearing permit.

The Department has not received a clearing permit application for this proposal. Application forms are available from

<https://www.wa.gov.au/service/environment/environment-information-services/clearing-permit-forms>

Additional information on how to apply for a clearing permit is available from Clearing permit forms | Western Australian Government (www.wa.gov.au).

Information regarding clearing permit fees can be found here: Clearing fees – frequently asked questions | Western Australian Government (www.wa.gov.au)

If further clarification is required, please contact the Department's Native Vegetation Regulation section by email (admin.nvp@dwer.wa.gov.au) or by telephone (6364 7098).

Noted. An application to clear the land in accordance with the requirements of the *Environment Protection and Biodiversity Conservation Act 1999* will be undertaken following development approval.

Groundwater Licence

The subject lot is located within the Serpentine Groundwater Area (Byford 3 sub area) which is proclaimed under the Rights in Water and Irrigation Act 1914. Any groundwater abstraction in this proclaimed area for purposes other than domestic and/or stock watering taken from the superficial aquifer, would be subject to licencing by the Department.

It is important to note that the Serpentine groundwater area is currently fully allocated and therefore there is no groundwater available for licensing from the deeper Leederville or Cattamarra Coal Measures aquifers in the area.

Noted.

An application for a licence to construct a bore to take water from these aquifers would likely be refused. There is also limited groundwater available from the Superficial (shallower water table) aquifer.

The issuing of a groundwater licence is not guaranteed but if issued, will contain a number of conditions that are binding upon the licensee. Please contact the water licensing section on 9550 4222 or www.water.wa.gov.au/licensing for further guidance.

Department of Fire and Emergency Services

In its letter dated 12 December 2022, the Department of Fire and Emergency Services (DFES) advised that they supported the application subject to minor modifications.

A written response to the matters raised by DFES is provided in **Table 4** below.

Table 4 – Response to DFES's request for further information

| DFES Comment | Applicant Response |
|---|---|
| Landscape Management Plan | |
| <p><i>The Landscape Management Plan within the Development Application Report states that a 15-metre buffer of existing vegetation will be retained to provide immediate mature screening to the residents on the southern side of Willaring Road. It is unclear if this would be compliant with Schedule 1: Standards for Asset Protection Zones contained in the Guidelines.</i></p> <p><i>The Landscape Management Plan and the BMP should align to ensure that the 15 metre buffer is either managed to low threat as per Schedule 1 of the Guidelines or classified on the basis of the retention of the existing vegetation (as per Figure 4).</i></p> <p>Modification to the BMP is required.</p> | <p>The landscaping plan has been amended to note that the 'landscape buffer will be managed as low threat vegetation'.</p> <p>Refer Attachment 3, revised landscaping plan.</p> |
| BAL Table | |
| <p><i>Table 3 of the BMP indicates that Future Development Building 6 will be impacted most by Plot 1, however it appears from the BAL Contour Map that this would be impacted more significantly by Plot 5.</i></p> <p><i>Due to the thickness of the line on the BAL Contour map, it is unclear whether development site 6 sits within BAL-40. The decision maker should be sure that all development is within BAL-29 or lower.</i></p> <p>Modification to the BMP is required.</p> | <p>Whilst it is acknowledged that the line is thick, it confirmed that no building is situated within the BAL-40 zone.</p> |
| Bushfire Emergency Evacuation Plan | |
| <p><i>The referral has not included a 'Bushfire Emergency Evacuation Plan' for the purposes of addressing the policy requirements. Consideration should be given to the Guidelines Section 5.5.4 'Developing a Bushfire Emergency Evacuation Plan'. This contains detail regarding what should be included in a BEEP and will ensure the appropriate content is detailed when finalising the BEEP to the satisfaction of the Shire.</i></p> <p>Comment only.</p> | <p>Whilst this comment is noted, a BEEP is not considered necessary for this development.</p> <p>A BEEP only becomes valuable or relevant, when the number of staff/visitors/age/able/disable is known. For commercial complexes, it is generally assumed that people will make their own way there and in the event of a bushfire, would leave in the same manner.</p> <p>The development is a complex which comprises a number of tenancies which will operate independently. It is our view that this is not a vulnerable land use as there is an unknown amount</p> |

of people, ages, physical abilities, level of supervision, times of operations, and mix of visitors and staff. As such, it is not possible to prepare an agreement from all individual owners to a BEEP. As such, there is no benefit of a BEEP or no clear indication to how it would be implemented.

Main Roads Western Australia

In its letter dated 16 December 2022, Main Roads advised that they are unable to provide a recommendation on the proposal and have requested additional information.

A response to the matters raised in provided in a Technical Note, as well as the revised Transport Impact Assessment. Refer **Attachment 5** and **1**, respectively.

Department of Planning, Lands and Heritage

In an email to the Shire dated 20 December 2022, the Department of Planning, Lands and Heritage advised that following a remap, the registered boundary of Aboriginal Heritage Site ID 16095 has been reduced to reflect the extent of the artefact scatter. As such, this site no longer intersects with the proposed development on the subject site.

In addition, a review of the Register of Places and Objects as well as the Department of Planning, Lands and Heritage's Aboriginal Heritage Database confirms that subject site intersects only with Aboriginal Heritage Place ID 21305 (Byford Village Isolated Finds), which has been resolved by the ACMC as Stored Data/Not a Site for the purposes of the *Aboriginal Heritage Act 1972*.

As there is no intersection with a site under the *Aboriginal Heritage Act 1972*, DPLH has no comment to make on the proposed development.

The above is noted.

Department of Biodiversity, Conservation and Attractions

A written response to the matters raised by the Department of Biodiversity, Conservations and Attractions (DBCA) in their letter dated 21 December 2022 is provided in **Table 5** below.

Table 5 – Response to DBCA's request for further information

| DBCA Comment | Applicant Response |
|---|--|
| Vegetation | |
| <p><i>The Cotera Environmental Assessment Report, March 2018 (Attachment 3 of the Development Application Report), which was also provided with the draft Structure Plan in 2018, outlined that stands of vegetation would be retained where possible in POS to preserve the conservation worthy vegetation and fauna habitat. A small area of vegetation that was mapped to be in very good condition, was proposed to be retained in POS, however it appears the development application proposes to develop this area.</i></p> <p><i>A previous survey undertaken by Bennet Consulting in 2010 stated that this area could be a degraded remnant of the threatened Ecological Community FCT 3a - <i>Corymbia calophylla</i> - <i>Kingia australis</i> woodlands on heavy soils of the Swan Coastal Plain. Bennett also stated that as only two <i>Kingia australis</i> were observed in the remnant, and the remainder of the understory has been replaced by weeds, it was not of significance.</i></p> | <p>Noted. The proponent is considering design options and will obtain all necessary environmental approvals.</p> |

| Native Vegetation Clearing | |
|--|--|
| <i>Any clearing of native vegetation will need to be undertaken in accordance with the Environmental Protection Act 1986 (EP Act) and the Environmental Protection (Clearing of Native Vegetation) Regulations 2004 and discussed with the Department of Water and Environmental Regulation (DWER).</i> | Noted. |
| Matters of National Significance | |
| <p><i>The proponent will need to consider their obligations for referral of the proposal to the Commonwealth Department of Climate Change, Energy, the Environment and Water. in accordance the Commonwealth Environmental Protection and Biodiversity Conservation Act 1999 (EPBC Act).</i></p> <p><i>The Coteria Environmental Assessment outlines that the proposed development would result in the clearing of foraging and potential breeding habitat for the threatened Carnaby's, Forest Red Tailed, and Baudin's Black Cockatoos</i></p> | Noted. The proponent will undertake the necessary obligations under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> , following development approval. |

SUMMARY OF SUBMISSIONS

PA22/918 – Lot 806 South Western Highway, Byford - JDAP - Mixed Commercial Development - 21 Showroom Tenancies and 5 Fast Food Takeaway Tenancies

| Submitter | No | Submitter Comments | Officer Comment |
|--|----|---|---|
| DPLH <i>Refer to submission numbers 87 and 88</i> | 1 | <p>Thank you for your letter and email dated 31 October 2022 regarding the proposed mixed commercial development at Lot 806, Southwestern Highway, Byford. Please consider this to be our preliminary response.</p> <p>A review of the Register of Places and Objects as well as the Department of Planning, Lands and Heritage's Aboriginal Heritage Database confirms that the lot in question, as depicted in the application report by Accord Property, intersects with registered Aboriginal heritage site ID 16095 (Byford 07). The lot also intersects with Aboriginal heritage place ID 21305 (Byford Village Isolated Finds), which has been resolved by the ACMC as Stored Data/Not a Site for the purposes of the Aboriginal Heritage Act.</p> <p>In regard to registered Aboriginal heritage site ID 16095 (Byford 07), it is noted that the boundary of this site may not match the extent of artefacts associated with it. A remap query has been sent to our mapping team, which will then be considered by the Registrar of Aboriginal Sites. We will therefore provide you with our formal response to the proposed development when this remap query has been resolved.</p> | Refer to the Community / Stakeholder Consultation section of the report. |
| Telstra | 2 | Please be advised that Telstra has no interest in this proposal. | Thank you for your submission. |
| A404808 | 3 | <p>We agree & are happy with the proposal for the commercial development on Lot806 SW Highway.</p> <p>Please ensure all landscaping & roadworks are completed & maintained ongoing as per the submission.</p> | Thank you for your submission. |
| A404202 | 4 | <p>We don't want any more fast food / take away development near housing. There are sufficient if not more fast food places in Byford.</p> <p>I moved to Byford to get away from this sort of development which brings undesirables and crime with this sort of development.</p> | Thank you for your submission. The concerns raised have been considered within the Land Use, Town Planning Scheme No.2 and Lot 806 South Western Highway, Byford Local Structure Plan sections of the report. |
| A399610 | 5 | I am writing to state my opposition to the proposed mixed commercial centre for the following reasons; | Thank you for your submission. The concerns raised have been |

SUMMARY OF SUBMISSIONS

PA22/918 – Lot 806 South Western Highway, Byford - JDAP - Mixed Commercial Development - 21 Showroom Tenancies and 5 Fast Food Takeaway Tenancies

| Submitter | No | Submitter Comments | Officer Comment |
|-----------|----|--|--|
| | | <p>1) Visual Amenity</p> <p>The proposed development will fundamentally deteriorate the visual amenity of this area in Byford. We chose to live on 'The Scarp' housing estate because it was in a rural location, there were many trees, wildlife, low traffic flow and noise generation and it was less developed than other suburbs with affordable housing. How this proposed development can be called 'light industrial' is beyond me, 699 parking spaces, that's massive! Two fast food outlets at the entrance! What an ugly representation of what we as a Shire and Community can do with this prime piece of land.</p> <p>Why can't we make good use of land which has been categorised as 'degraded', and upgrade it with native plants, wildflowers, water features, paths, seating areas, play areas, bbq's or skate park and make this an area that the community and endangered wildlife can use for our mutual benefit.</p> <p>There are several areas of Byford which are not located next to schools, childcare centres and housing which could be developed for industrial use. I strongly oppose further industrialisation of land which could be used for greater benefit of the community. Using careful development, it could be pleasing to the eye and promote physical and mental wellbeing for all.</p> <p>2) Health of the Community</p> <p>We do not need more fast food outlets with drive through access in Byford, especially so close to the south western highway, schools, child care centres and our housing estate. There is vast evidence that most adult Australians are overweight or obese and that we consume junk food on a weekly basis. The financial impact to all Australians is enormous. I believe the Shire of Serpentine Jarrahdale wish to design a neighbourhood which promotes good health and wellbeing. We want to promote healthy eating, healthy body weight and physical activity in our community.</p> <p>I liked the fact that if I wanted to eat junk food, I had to either get in my car or walk 30 mins to the shops. It stopped me from getting junk food. That is the whole point. Imagine how tempting this is going to be to children, and the parents trying to keep their children happy on the way to and from school.</p> <p>3) Noise, Disturbance, Traffic Generation and Highway Safety</p> <p>There will undoubtedly be increased traffic to and from this area in Byford. The noise and disturbance will not only be during daylight hours, but several fast-food outlets are open till later in</p> | <p>considered within the Form of Development, Land Use, Town Planning Scheme No.2 and Lot 806 South Western Highway, Byford Local Structure Plan, Amenity, Traffic and Access Management and Removal of Vegetation sections of the report.</p> <p>Regarding odour, it is noted that the drive-thru fast food tenancies are located away from the nearest residences.</p> |

SUMMARY OF SUBMISSIONS

PA22/918 – Lot 806 South Western Highway, Byford - JDAP - Mixed Commercial Development - 21 Showroom Tenancies and 5 Fast Food Takeaway Tenancies

| Submitter | No | Submitter Comments | Officer Comment |
|-----------|----|--|-----------------|
| | | <p>the evening. This will encourage people to be driving in and around the entrance to our estate and the industrial area in the evening, and potential 'hoon' behaviours.</p> <p>Traffic will not only increase from customers to the industrial site, but also delivery drivers, waste removal trucks, and that only half of it. The traffic and noise generation from the construction will be enormous.</p> <p>4) Odour</p> <p>So have you ever sat outside of 'Hungry Jacks' or 'McDonalds' and smelt the air of the deep fat friers and the grills pumping out the odour of burger and chips to entice you to come in and buy them? Enough said, under no uncertain terms do we want this for our community and our estate, and so close to where children will be playing in their gardens and smelling it. I don't want to smell it.</p> <p>5) Loss of Trees and Nature Conservation</p> <p>Finally, I would like to state my overwhelming concern for the endangered Black Cockatoos which frequent our skies, trees and parks on a daily basis on 'The Scarp'. I have personally seen the Red Tailed Forest Black Cockatoo and Carnaby Black Cockatoos in this area, foraging in the trees and on the ground. We are at a tipping point for this species, even though Coterra have stated that the majority of the site is degraded, and removal of most of the trees with a diameter greater than 500mm will have limited impact on the species and biodiversity in the area. Why not turn this argument around, and state that due to deforestation, harvesting of the pine plantations up North, and the current mining organisations planning applications to remove massive acreage of native Threatened Ecological Community Banksia Woodland to the south and south east of Byford, every native tree offers the opportunity for essential foraging and nesting opportunity for these birds.</p> <p>I know there are many of us on this estate who adore their screech in our skies every morning, and it is a pleasure to be able to see them in amongst our trees and so close to allow us to admire them. It benefits our community, our environment and biodiversity and our mental health. To me, every tree matters, this is why I ask the Shire of Serpentine Jarrahdale to consider utilising areas such as this, to be improved, get the public involved, make this a space for us to use for our health and wellbeing, not commercial gain. There are many areas in Byford, near Coles and Woolworths which should be developed for industrial use.</p> | |

SUMMARY OF SUBMISSIONS

PA22/918 – Lot 806 South Western Highway, Byford - JDAP - Mixed Commercial Development - 21 Showroom Tenancies and 5 Fast Food Takeaway Tenancies

| Submitter | No | Submitter Comments | Officer Comment |
|-----------|----|---|--|
| | | I urge the Shire of Serpentine Jarrahdale not to permit the proposed application. | |
| A399882 | 6 | It would be good to know what type of showrooms are proposed. There are way too many fast food / takeaways in Byford without anymore. They are BOT good or healthy especially the children in the area. | Thank you for your submission. The Shire does not know which tenants are proposed across the development site at this point. |
| A400287 | 7 | Byford is well catered for with fast food. The proposal will increase traffic. Rubbish from fast food outlets (discarded). Removal of remnant bushland. We do not support the development proposed for lot 806 South Western Highway, Byford for the following reasons. 1. Byford is already well catered for with fast-food outlets and five more would just add to community problems with the consumption of fast foods. 1a. Many school students pass this location every day and may be tempted to purchase food and drink from them. 2. We are also concerned with rubbish, ie. Food packaging and drink containers from the proposed fast-food outlets being carelessly discarded. Discarded containers from existing fast-food outlets in Byford can be found on verges in our streets already. 3. This development will result in increased traffic on Wilaring Street and Diamantina Boulevard. The traffic in this area is already high and will increase with new housing both planned and currently under development. 4. We are also concerned at loss of habitat with the removal of remnant bushland to make way for a 699 bay carpark. This bushland is habitat for various species of flora and fauna including native flowers, black cockatoos, native birds, and bandicoots. | Thank you for your submission. The concerns raised have been considered within the Form of Development, Land Use, Town Planning Scheme No.2 and Lot 806 South Western Highway, Byford Local Structure Plan, Amenity, Traffic and Access Management, Waste Management and Removal of Vegetation sections of the report. |
| A401363 | 8 | I totally oppose this development. My main concerns are the access in and off South Western Highway into Wilaring Street. | Thank you for your submission. The concerns raised have been considered within the Form of |

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PA22/918 – Lot 806 South Western Highway, Byford - JDAP - Mixed Commercial Development - 21 Showroom Tenancies and 5 Fast Food Takeaway Tenancies

| Submitter | No | Submitter Comments | Officer Comment |
|-------------------|----|--|---|
| | | <p>There needs to be traffic lights for vehicles to turn right onto the Highway.</p> <p>Also, on your plans I have 2 x loading bays. Approx 20-25 yards from the front of my main bedroom window. The noise, fumes and lighting will be unacceptable. This will be 7 days a week all year round.</p> <p>Put the development where it belongs. In the town centre adjoining the Coles / Woolworths area and the new train station.</p> <p>We already have the Bronx (aka the glades) shops, half empty, falling apart, rubbish and drug use everywhere. Also shops empty at the Coles / Woolworths sites.</p> <p>And the eyesore as you enter Byford from the Armadale area on the right hand side. Plus empty shops in the Dome area.</p> <p>Get all this sorted first before you build another empty shopping area.</p> <p>And do we really need another 5 fast food outlets. REALLY???</p> <p>Put them in Mundijong! Or Whitby!</p> | <p>Development, Land Use, Town Planning Scheme No.2 and Lot 806 South Western Highway, Byford Local Structure Plan, Amenity, Traffic and Access Management, Waste Management, Local Planning Policy No 24 – Designing Out Crime and Removal of Vegetation sections of the report.</p> |
| Cancer Council WA | 9 | <p>Cancer Council Western Australia (Cancer Council WA) takes the opportunity to comment on the above proposal and urges the Shire of Serpentine Jarrahdale to refuse the development application.</p> <p>Cancer Council WA is a non-government, not-for-profit cancer organisation that has no religious or political affiliations. Cancer Council WA has been involved in the governance and distribution of peer-reviewed cancer research funding, patient support, cancer prevention, and advocacy in Western Australia (WA) for 60 years. Cancer Council WA is a leading and active member of the cancer community, which comprises people affected by cancer, whether through a personal diagnosis or as family members, carers, or health professionals.</p> <p>Cancer Council WA is aware of the rapidly growing population and fast urbanisation in the Shire of Serpentine Jarrahdale. We are supportive of the Shire's ambitious vision and goal to support the health and wellbeing of the community through well-planned, liveable, and connected places.</p> <p>The application</p> <p>A vision for the Shire of Serpentine Jarrahdale described in the shire's Health and Wellbeing Strategy 2020-2024 is "to protect, promote and enhance the health and wellbeing of the community."</p> | <p>Thank you for your submission. The Shire acknowledges potential harms and issues with fast food tenancies. However, there is no planning instrument under Clause 67 of the <i>Deemed Provisions</i> to restrict land uses based on the potential service they may offer. It is noted at this stage that no tenants have been confirmed for the fast food tenancies either.</p> |

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| | | <p>Built environments are a huge component of a supportive environment and the enhancement of overall community health. Providing local communities access to a range of affordable and healthy foods is an essential component to enable the Shire to achieve their commendable health goals and objectives.</p> <p>The proposed mixed commercial centre includes 21 showroom tenancies and five fast-food takeaway tenancies. Of concern are the five fast-food tenancies, which although have no proposed tenancies named in the development application, two have been described as 'drive-throughs.'</p> <p>Cancer Council WA's submission to the Shire of Serpentine Jarrahdale is that the inclusion of five fast-food takeaway tenancies is harmful to the health prospects of the local community. The proposal has claimed that the development will provide benefits to the Shire such as employment opportunities. Cancer Council WA notes that there are long-term negative health implications by including five fast-food outlets in a new development that are not justifiable on the grounds of employment opportunities – particularly in one of the fastest-growing local government areas in Western Australia.</p> <p>For the reasons outlined below, we urge the Shire of Serpentine Jarrahdale to exercise caution and not permit the proposed land use (drive-through fast-food outlets).</p> <p>Our interest in the application</p> <p>There is strong evidence that being above a healthy weight is a risk factor for at least 13 cancer types. Cancer Council Australia has recently commissioned research published in the International Journal of Cancer modelled over 25 years (2017-2037), in which 190,500 cancer cases could be avoided if all Australian adults achieved and maintained a healthy weight¹. There are also economic costs associated with overweight and obesity, with the cost of the WA health system from obesity related admission estimated to reach \$610.1 million a year by 2026 if increases in overweight and obesity continue².</p> <p>Unhealthy diets, overweight and obesity as the leading risk factor for death, disease, and disability in Australia. The majority of WA adults are overweight and obese – a huge concern that requires appropriate attention and solutions. Cancer Council WA manages programs that encourage healthy eating, physical activity and maintaining a healthy body weight. We have a proud history of advocating for changes to government policies with the objective of creating healthier environments,</p> | |

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| | | <p>including reducing fast-food outlets being built in neighbourhoods (especially near schools) and restricting government property being used to market junk food to children.</p> <p>There are many underlying and overlapping factors that contribute to overweight and obesity, however consumption of nutrient poor, energy dense foods has been identified as a major contributor. In 2017, about one-third of WA adults consumed fast-food at least once or twice a week³. The Western Australian Department of Health has recently released an evidence brief regarding the need to address food environments in Western Australia due to their impact on communities diets and health. The recommendations and considerations of this evidence brief must be applied by the Shire of Serpentine Jarrahdale given the importance of food environments that limit unhealthy food outlets in neighbourhoods. This proposal is of great concern to Cancer Council WA because it presents a challenge to the shire in developing and achieving a neighbourhood design that promotes better health and wellbeing.</p> <p>Cancer Council WA acknowledges the value and role of local governments in Western Australia to design environments that promote health and wellbeing. This has been recognised and incorporated in the Public Health Act 2016 (PH Act) and the State Public Health Plan for Western Australia ⁴. The State Public Health Plan provides high level strategic directions which focus on prevention and health promotion strategies to prevent disease and illness in Western Australia. Cancer Council WA recognises the vision the Shire of Serpentine Jarrahdale has for its community, including supporting the health and wellbeing of the community. We are hopeful this letter will encourage you to reject the advances of the fast-food industry to protect the health of your local community.</p> <p>1 Wilson, L. F., Baade, P. D., Green, A. C., Jordan, S. J., Kendall, B. J., Neale, R. E., Olsen, C. M., Youlden, D. R., Webb, P. M. and Whiteman, D. C. (2019), The impact of changing the prevalence of overweight/obesity and physical inactivity in Australia: An estimate of the proportion of potentially avoidable cancers 2013–2037. Int. J. Cancer, 144: 2088-2098. doi:10.1002/ijc.319</p> <p>2 Beswick AZ, Ambrosini GL, Radomiljac A, Tomlin S, Chapman AM, Maticевич J, Winstanley M, Kirkland L. The burden and cost of excess body mass in Western Australian adults and children. Perth, Western Australian Department of Health; 2020</p> <p>3 Radomiljac, A, Joyce, S, and Powell, A. 2017. Health and Wellbeing of Adults in Western Australia 2016, Overview and Trends. Department of Health, Western Australia.</p> <p>4 State Public Health Plan for Western Australia 2019 – 2024</p> | |

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| | | <p>Submission to the application</p> <p>The environments in which we live, work, play and learn can encourage and facilitate healthy behaviours. Enabling fast-food outlets to be built near homes, childcare centres, schools, and community infrastructures will impact community's diet and cause potential long-term health implications. It undermines the community's aspiration for a vibrant, sustainable neighbourhood that enables access to healthy food, good health, and overall well-being.</p> <p>The evidence brief by the Department of Health highlighted previous research which stated that moving to a new residential development with a higher number of unhealthy food outlets near the home is significantly associated with an increased intake of unhealthy foods. Conversely, relocating to an area with a greater percentage of healthy food outlets near the home is significantly associated with an increased intake of fruit and vegetables⁵. The Shire of Serpentine Jarrahdale prides itself as being one of the fastest-growing local government areas in Western Australia. As such, creating environments that protect and promote access to healthy foods, rather than creating areas swamped with fast-food outlets will support existing and new residents to the Shire.</p> <p>The location of the proposed site is on a busy major road with drive-through fast-food outlets situated on South West Highway which will have high exposure to pedestrians, families in cars and users of public transport including buses and trains. The site will be only 600m from the Byford train station which will be eagerly anticipated by community and the outlet will benefit from the public transport users.</p> <p>The site is situated within 1.5 km of several schools including Byford Primary School, Byford Community Kindergarten and Marri Grove Primary School, Salvado Catholic College, Byford Secondary College and Byford John Calvin School. It is additionally situated in proximity to several childcare centres, including but not limited to, Busy Bees at Byford South and Great Beginning Byford. It will have large exposure to families driving past as they pick-up children from school and participate in their daily activities.</p> <p>This location, surrounded by schools, reflects data collected by Telethon Kids Institute that demonstrates Perth primary schools on average have two fast-food outlets within only 400m and seven within 1km⁶. Secondary schools are higher, with three fast-food outlets within only 400m and 13 fast-food outlets within 1km. They also found that almost 50 per cent of secondary school students frequent fast-food outlets near their schools to purchase unhealthy food on a weekly basis,</p> | |

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| | | <p>and it more likely when the fast-food outlets are the most common chain outlets (McDonalds, KFC, Hungry Jacks, Subway).</p> <p>The Health and Wellbeing Strategy 2020-2024 has already revealed that one in five children are overweight and obese in the Shire of Serpentine Jarrahdale. It is crucial that healthy food outlets are developed, supported, and maintained to guarantee young people will grow up in a neighbourhood that promotes a healthy lifestyle. Inviting drive-through fast-food outlets into residential areas, particularly near schools and childcare centres, can be seen as tolerating and normalising fast-food outlets.</p> <p>There is a growing food swamp developing in the Shire, with the number of unhealthy fast-food outlets greatly outnumbering food outlets providing healthy food options. Existing fast-food outlets in Byford</p> <p>5 Department of Health. Evidence brief: food, built environments and obesity. Perth, Government of Western Australia; 2022</p> <p>6 Trapp G & Hooper P. 2020. Junk-food filled neighbourhoods: building an evidence base for change. Telethon Kids Institute, Centre for Child Health Research, The University of Western Australia.</p> <p>that are close to the proposed site include Hungry Jacks, Chicken Treat and Dominos. This is particularly concerning as the Shire's Health and Wellbeing Strategy 2020-2024 states that one-third of people aged 16 and over eat fast-food at least weekly. As such, supportive built environments that facilitate opportunities for communities to eat healthier is an important policy area.</p> <p>Cancer Council WA has surveyed representative samples of the Western Australian population and almost 80 percent of the community are in favour of a policy requiring local governments to consider community health, if for example, the development application is a fast-food outlet built near schools. The Shire of Serpentine Jarrahdale's Health and Wellbeing Strategy 2020-2024 revealed results from a community perception survey determining what residents believed were the biggest health risk concerns. Unsurprisingly, overweight and obesity were ranked third, only behind mental health and crime. As local governments are the level of government closest to the community, placing appropriate health promoting strategies and policies should be taken seriously to support community health.</p> | |

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| | | <p>Conclusion and recommendation</p> <p>Cancer Council WA supports measures that promote vibrant, liveable neighbourhoods. The health and wellbeing of neighbourhoods must be supported by health promoting environments to prevent behaviours associated with chronic diseases including cancer.</p> <p>We urge the Shire of Serpentine Jarrahdale to reconsider the development application which involves five fast-food outlets, two of which are drive-through. There is overwhelming evidence that supports our concerns with fast-food outlets being built in neighbourhoods, particularly near schools and childcare centres. Accepting this development application undermines parents, community and public health agencies which are trying to support communities to live a healthier life.</p> <p>We are aware of the inherent failure of Western Australia's planning laws to address community health concerns. While there is no legal obligation to consider community health and local interests, Cancer Council WA is determined to ensure decision makers within the Shire of Serpentine Jarrahdale adopt a holistic approach to the design of communities. Cancer Council WA is supportive of your vision to provide and enhance the wellbeing of the Shire and writes this letter to ensure it comes closer to fruition.</p> <p>We therefore urge the Shire of Serpentine Jarrahdale to exercise its discretion to refuse the application for development approval on the ground that the proposed use (Drive-through Food Outlet) would likely have an adverse impact on the health of the community.</p> <p>If you have any questions about this submission, we welcome further discussion on this issue.</p> | |
| A401363 | 10 | <p>I am writing to raise my concerns to the proposed development of lot 806 South Western Highway, Byford.</p> <p>My husband and I live on Wilaring Street so will be significantly impacted by this development.</p> <p>I understand that areas can be redefined for use but I visited the shire offices in April 2021 when we were buying our house to find out plans for the other side of the road. I was told it would be residential.</p> <p>- Commercial is a completely different proposition.</p> <p>I've looked at the proposed plan, my concerns are:</p> | <p>Thank you for your submission. The concerns raised have been considered within the Form of Development, Land Use, Town Planning Scheme No.2 and Lot 806 South Western Highway, Byford Local Structure Plan, Amenity, Traffic and Access Management and Removal of Vegetation sections of the report.</p> |

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| | | <ul style="list-style-type: none"> - Loading bays of large showroom/ bulk goods store will be opposite our home, noise will be a problem from delivery truck and forklifts etc. - Noise also from air con or plant rooms. - Traffic to and from the development will impact Wilaring Street, as shown in the traffic impact report. Deemed limited with the small amount of residences impacted but for us on this street the impact will be high. - Plans for 5 fast food outlets, seriously? We have an abundance of fast food outlets in Byford already. Surely we don't need more. This will add to the noise and traffic in our street and likely increase the litter burden locally. - The 2018 plans showed approximately 108 residential lots and green spaces, why was this dropped? It seems more in keeping to the area. - Black cockatoos feed and roost in the trees on this plot. Can you ensure that these will not be disturbed? <p>There is vacant land near the town centre where Coles and Woolworths stores are. Would this be a better options for more stores?</p> <p>I sincerely hope that our (residents) concerns will be given consideration.</p> | |
| A400296 | 11 | I would be pleased to see development for a more pleasing setting landscape and we certainly don't need another 5 food outlets – young and old are eating too much junk food now. Showrooms maybe. | Thank you for your submission. The concerns raised have been considered within the Land Use, Town Planning Scheme No.2 and Lot 806 South Western Highway, Byford Local Structure Plan, Amenity and Form of Development sections of the report. |
| A401362 | 12 | Diamantina Blvd and Wilaring Street are extremely busy as it is, and The Scarp was promoted as one of the better/quieter estates in Byford. By opening these two streets into another estate, which also includes fast food venues, is going to completely destroy this peaceful estate and the family lifestyle created in this area. I understand this land has been intended for development, however, | Thank you for your submission. The concerns raised have been considered within the Land Use, Town Planning Scheme No.2 and |

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| | | <p>the original plan conveyed was for industrial buildings only and they were to back onto our streets with no access from our estate, keeping the small bit of bush in between us. This plan was fine from my perspective.</p> <p>Byford already has a large amount of fast food outlets with many of them located no more than a kilometre down the road. Please reconsider your initial plan for industrial development of this land, as making it a fast food area will cause significant traffic issues and disrupt the peace of our estate.</p> | Lot 806 South Western Highway, Byford Local Structure Plan, Amenity, Traffic and Access Management and Form of Development sections of the report. |
| Online | 13 | We do not need anymore fast food take or restaurants in Byford. We have lots of endangered red tail cockatoo's that use that bush, we need as much natural bushland for these species, wasn't it enough that the kangaroos lost their homes . I do not want to be residing within a fast food cafe strip we need to retain some natural bushland and the country feel of Byford. | Thank you for your submission. The concerns raised have been considered within the Removal of Vegetation section of the report. |
| Online | 14 | Gross misuse of open land. Unsightly views from our front door. The current industrial area is already quite loud day & night, having more closer to our house would be worse. Not to mention the increase in traffic through the estate for fast food outlets (which we have enough of in Byford) Wilaring is already dangerous to our kids and estate kids due to increased traffic since opening to the highway. | Thank you for your submission. The concerns raised have been considered within the Amenity and Form of Development section of the report. |
| Online | 15 | <p>Byford's commercial hub has had no forward planning by the Shire and is already so disjointed within the Byford precinct with commercial developments consisting of fast food and retail being spread willy-nilly throughout the whole suburb with no central location for this sector.</p> <p>It's absurd that the Shire would even contemplate such a development at this site which makes Byford's commercial hub even more disjointed than what it already is!</p> <p>This development will heavily increase vehicle and pedestrian traffic and the tranquil lifestyle that the Scarp residents currently enjoy will be interrupted with noise and lights.</p> <p>There is a reason why the residents in this estate have moved into this area - to get away from the busy hub of Byford, only to find out that fast food and retail are following us. Why not set aside the vacant land near Woolworths and Coles for this type of development so that it's all centrally located</p> | Thank you for your submission. The concerns raised have been considered within the Land Use, Town Planning Scheme No.2 and Lot 806 South Western Highway, Byford Local Structure Plan, Amenity and Traffic and Access Management sections of the report. |

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| | | <p>in the one place instead of spreading out commercial precincts into small pockets of land throughout the Shire, imposing on the quiet residential estates.</p> <p>If this development goes ahead, it just goes to show how useless the Shire are at planning for the future of Byford and it's residents.</p> | |
| Online | 16 | We do not need any more development the reason why we live here is for the beautiful bush areas I feel the Suburb is losing its roots of being in the country | Thank you for your submission. The concerns raised have been considered within the Removal of Vegetation section of the report. |
| Online | 17 | Hi we live right near the planned proposal. I love where I live, I love the nature and bush and you guys just keep destroying it! Who would want to live that close to fast food and commercial? just because of greed Byford is being destroyed! So many of the scarp residents are so unhappy about this! Please consider how it feels to be looking at ugly concrete shops instead of nature! why is Byford being destroyed? We don't need all this crap, Armadale is 10 minutes down the road! Please don't destroy all our homes that love the natural bush and the wildlife that comes with it please put it somewhere else! The scarp was the best estate that will now be wrecked! No wonder everyone's selling and moving and constantly complaining about our Shire. I also love our little shops, Coles is the best we don't want to turn into Cockburn who wants a busy hectic suburb Byford was much better 5 years ago when we moved here! | Thank you for your submission. The concerns raised have been considered within the Removal of Vegetation and Form of Development sections of the report. |
| Online | 18 | I live on Barraberry Way and the impact it will have on my family is the amount of traffic flow this is going to bring into our street, we have young children that ride up and down the path most days and with the traffic hazards this will bring to them is significant. We don't want nor do we need more take away in the area there is more than enough as is. We don't need the trouble that it will bring to the area. We have a beautiful street FULL of children not just my own that will all be heavily impacted. | Thank you for your submission. The concerns raised have been considered within the Traffic and Access Management sections of the report. |

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| Online | 19 | There will be no impact to us. We need this in Byford as we are lacking in retail place and have to travel to other suburbs to get what we need. I hope this goes through it will improve Byford | Thank you for your submission. |
| Online | 20 | Looking at the plan they need to build a large and visually appealing noise cancelling retaining wall □ blocking out the loading bay noises from affecting houses south of the loading facilities. The bush barrier is not enough and will adversely affect close houses including mine but a large wall will mitigate this noise. Please provide me with feedback on my above comment. | Thank you for your submission. The concerns raised have been considered within the Amenity section of the report. |
| Online | 21 | Traffic impacting on my street, safety of the area with an access roundabout in an area where kids ride their bikes. The wildlife in that area (birds) will lose their habitat. The earthworks will likely cause structural damage to my house. | Thank you for your submission. The concerns you have raised have been considered within the Traffic and Access Management sections of this report. A construction management plan has also been requested to address your concerns. |
| Online | 22 | I am fine with the land being developed. What I am not fine with is that there will be another two fast food places coming. We really do not need this in Byford. The same goes with shops. We have everything we need. More shops mean more alcohol sold and there is too much sold already. What Byford needs is some decent exercise equipment that people can enjoy, not high calorie outlets that are contributing to high obesity rates. The smell is another story. At first it will be nice but it will get sickening. This parking lot will also be an invitation for hoons to go and make a huge racket which will affect the residents quite negatively. | Thank you for your submission. The concerns you have raised have been considered within the Town Planning Scheme No.2 and Land Use sections of this report. |
| Online | 23 | People purchased properties in the Scarp mainly because it still retained some country feel. This will be destroyed. The area is not populated enough to sustain businesses and we will end up with run down vacant properties that will attract delinquents using it as a 'hang out'. People from the Brook will go to the other part of part and over the train line will definitely find it easier to stay there side. As a resident and also from a business perspective I think it is a ridiculous idea. It will end up like the Glades just missing the IGA. | Thank you for your submission. The concerns you have raised have been considered within the Land Use, Town Planning Scheme No.2, Lot 806 South Western Highway, Byford Local Structure Plan, and Local Planning Policy No 24 - Designing Out Crime sections of this report. |

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| Online | 24 | I think that the proposal for commercial building next to Wilaring road should not go through, the traffic for one would be a disaster and I believe it is too close to housing. The bush land there is home to many native animals and by establishing all the land in Byford the snakes and other sorts will have nowhere to go. | Thank you for your submission. The concerns you have raised have been considered within the Land Use, Town Planning Scheme No.2, Lot 806 South Western Highway, Byford Local Structure Plan, Removal of Vegetation and Traffic and Access Management sections of this report. |
| Online | 25 | <p>I object for a number of reasons:</p> <ol style="list-style-type: none"> 1. Too large a development for this area of Byford - right next door to the sleepy suburb of the Scarp - with no separate of industry and residential homes. The current bushland provides an amazing buffer from the noise of the current industrial area. 2. Too many empty shops/buildings in Byford already - a large potentially underused development just attracts unwanted attention. The large car park will become a burn-out pit for local hoons... 3. Too many fast food outlets in Byford already. Shire is sending the wrong message if it keeps approving more and more fast food stores. 4. Relocated entry will frustrate residential as they are 'forced' into / confronted by a commercial area when all they want to do is go home.... 5. The buildings are ugly and are like large tin sheds. There is nothing ascetically pleasing about the design that enhances the area. Adding native murals does nothing to improve the overall presentation of the area. (PLEASE NOTE: SJ Shire STOP approving developments that are ugly, JUST because it has a painted mural on it - it's like putting lipstick on a pig)!!! 6. Considering the pending developments around the existing COLES and WOOLIES - surely we do not wish to create two retail areas. The COLES Woolies location is better served to look after the needs of a development like this... 7. The HWY entry into this developed is right after the South West Hwy goes from two lanes to one - a most appalling place to include a major entry into this new development - the HWY will need to be reconfigured and surely we don't need another HWY stuff - up like there is 100 metres now the | Thank you for your submission. The concerns you have raised have been considered within the Land Use, Town Planning Scheme No.2, Lot 806 South Western Highway, Byford Local Structure Plan, Form of Development, Removal of Vegetation and Traffic and Access Management sections of this report. |

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| | | road with the National Storage turn-off lanes - PLEASE GET THIS RIGHT if it proceeds. More could be said - but I feel like I am ranting. | |
| Online | 26 | Your not taking that bush | Thank you for your submission. The concerns you have raised have been considered within the Removal of Vegetation section of this report. |
| Online | 27 | Increased traffic to estate area. Destruction of bush land. Removal of natural habitat. Traffic and development will bring a major contributor to climate change through greenhouse gas outputs, and rainfall and temperature dynamics. Landscape change to the area. | Thank you for your submission. The concerns you have raised have been considered within the Removal of Vegetation, Environment, Stormwater Management and Traffic and Access Management sections of this report. |
| Online | 28 | This would increase traffic which would be dangerous but also effect the atmosphere of the scarp as a peaceful estate. People purchased here to be away from shops and take seats to destroy bush land move habitat would be a travesty for our community | Thank you for your submission. The concerns you have raised have been considered within the Removal of Vegetation and Traffic and Access Management sections of this report. |
| Online | 29 | This development would destroy what is a very peaceful estate by increasing traffic effecting climate change destroying bush land effecting the scenery the entrance the safety of the estate | Thank you for your submission. The concerns you have raised have been considered within the Removal of Vegetation and Traffic and Access Management sections of this report. |
| Online | 30 | Visual impact through a large, bulky or close building. Visual impact on the streetscape. traffic problems Impacts on climate. Loss of natural habitat. Destroy bush land | Thank you for your submission. The concerns you have raised have been considered within the Removal of Vegetation, Traffic and Access Management, and Form of |

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| | | | Development sections of this report. |
| Online | 31 | The existing road ie Wilaring st, cannot take the volume of traffic this site wants, we already have traffic racing up and down the street, with speeds in excess of well over 60 klms/hr, and we will be parking our cars OUT on the street. Also do we need Another 5 fast food outlets!!!, I thought the land was for residentail development | Thank you for your submission. The concerns you have raised have been considered within the Lot 806 South Western Highway, Byford Local Structure Plan, Land Use and Traffic and Access Management sections of this report. |
| Online | 32 | This block of land is home to many established trees that the black cockatoos love. And trees that we love. I like our quiet estate and don't want extra traffic and have to wait for traffic from the purposed shops to exit our estate. We don't need any showrooms or more fast food places. A swimming pool complex would be a better use of space. More houses built. But not showrooms on this end of Byford. If Byford needs this stores it should be put in central Byford where the train station is or on Abernathy Road next to the Bunnings. | Thank you for your submission. The concerns you have raised have been considered within the Traffic and Access Management, Land Use and Removal of Vegetation sections of this report. |
| Online | 33 | I believe that a commercial development of this size is not suitable for this area of town. This area was always bookmarked for light industrial with minimal access and effect to the estate. This current plan has a residential road as the major entry into this large shopping complex. There is currently 2 entries into the estate by having the estate as the only access to this complex I believe this would increase traffic into the estate as the public would use the other entrance as a rat run to avoid traffic congestion hence increasing unnecessary traffic in the estate. I am not against progress in the area but believe this would be more suitable on the western side of the Hwy where it would have less impact on the estate. | Thank you for your submission. The concerns you have raised have been considered within the Traffic and Access Management section of this report. |
| Online | 34 | It will create a lot of extra traffic in and out of the Scarp, and slow down Scarp residents abilitly to enter and exit the estate safely. It will create a lot of extra litter in our parks here, as people are too lazy to use bins. We do not need more fast food in Byford!! What we need is fruit/veg shops, clothing shops, a hardware (Bunnings!). Destroying the bush that is on that stretch of land to put shops there instead is disgraceful. Endangered black cockatoos are regularly feeding there. Put a decent park with basketball courts etc like that there instead. | Thank you for your submission. The concerns you have raised have been considered within the Traffic and Access Management, Land Use, Removal of Vegetation and Local Planning Policy No 24 - |

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| Submitter | No | Submitter Comments | Officer Comment |
|-----------|----|---|--|
| | | Fast food and alcohol consumption is enough of an issue without more food places! Encourage physical activity rather than eating fat food.. | Designing Out Crime sections of this report. |
| Online | 35 | I think it will be a great idea to have some shops near the Scarp as we don't have anything around the Scarp. My family and I will be happy to have some shop , cafe nearby so we can walk there and enjoy a coffee. | Thank you for your submission. |
| Online | 36 | Visual impact when entering and leaving the Estate. Loss of more native bushland and disruption to colony of Black Cockatoos. Traffic impact for those on the Scarp will be significant. Noise from extra development and extra litter etc from fast food outlets. Quite likely the development would attract more thieves to the area, and we seem to have more than enough of those already. Most people bought in this area because of it's semi-rural bushland and wildlife. The Shire seems intent upon destroying this quality lifestyle just to raise extra rates revenue. The concerns of the community seem not to matter. | Thank you for your submission. The concerns you have raised have been considered within the Removal of Vegetation, Traffic and Access Management, Land Use, Removal of Vegetation and Local Planning Policy No 24 - Designing Out Crime sections of this report. |
| Online | 37 | You will be destroying the natural look and feeling of the environment for lots of flora and fauna and it will impact me because i will move away from this nice area, and just to mention what we have now in Byford is already too much it is really disgusting place at the moment with all the smelly fast food and the annoying people it attracts to the area making Byford not nice to live in anymore | Thank you for your submission. The concerns you have raised have been considered within the Land Use, Removal of Vegetation and Local Planning Policy No 24 - Designing Out Crime sections of this report. |
| Online | 38 | I object for the reasons below and would like them considered for the estate Suburb and my property. <ul style="list-style-type: none"> • Noise. • Disturbance. • Nuisance. • Shading / loss of daylight. • Overshadowing • Overlooking/loss of privacy | Thank you for your submission. The concerns you have raised have been considered within all the different sections of this report. |

SUMMARY OF SUBMISSIONS

PA22/918 – Lot 806 South Western Highway, Byford - JDAP - Mixed Commercial Development - 21 Showroom Tenancies and 5 Fast Food Takeaway Tenancies

| Submitter | No | Submitter Comments | Officer Comment |
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| | | <ul style="list-style-type: none"> • Car parking or traffic congestion • Loss of significant vegetation • Visual bulk of building • Drainage • Negative changes to the amenity of the area • Loss of light or overshadowing; • Smells; • Street safety; • Traffic generation; • Disabling person's access to some party of the land; • Road access; • Environmental issues or nature conservation; • Loss of privacy; • Loss of trees; | |
| Online | 39 | It will create jobs for the area. Much needed complex in Byford so we don't need to go outside the shire for all of our shopping needs. It won't impact us.I would say it would improve the area value. | Thank you for your submission. |
| Online | 40 | Property prices will drop. And will bring extra people to the area making it no so family friendly area | Thank you for your submission. |
| Online | 41 | We built here for the country outlook if development goes ahead we will be looking at concrete buildings | Thank you for your submission. The concerns you have raised have been considered within the Form of Development section of this report. |
| Online | 42 | The proposed mixed commercial development is way too close to the existing residential housing area of the Scarp. The ongoing earthworks will create more airborne dirt and dust pollution. Traffic to and from the proposed development will have potential to cause accidents and traffic disruption. Once the development is completed the residences within the surrounding area will be under | Thank you for your submission. The concerns you have raised have been considered within the Form of Development, Amenity, |

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PA22/918 – Lot 806 South Western Highway, Byford - JDAP - Mixed Commercial Development - 21 Showroom Tenancies and 5 Fast Food Takeaway Tenancies

| Submitter | No | Submitter Comments | Officer Comment |
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| | | constant annoyance by way of cooking odours and traffic noise. The areas surrounding the current fast food restaurant outlets are prime example of the pollution we residences are forced to endure. The areas within, and surrounding, the proposed development are home to many native wildlife. The wildlife habitats will be destroyed causing distress and potential loss of life to the wildlife. | Traffic and Access Management and Removal of Vegetation sections of this report. A construction management plan has also been requested to address your concerns. |
| Online | 43 | I am very against this! Especially due to the recent spike in crime in the area, it will bring more here and it will also lower property value significantly | Thank you for your submission. The concerns you have raised have been considered within the Local Planning Policy No 24 - Designing Out Crime section of this report. |
| Online | 44 | Devalue the Byford on scarp estate also bring unwanted crime to residential area. Commercial property should be in semi industrial areas like others such as Kelmscott and Armadale. The are blocks away from Residents | Thank you for your submission. The concerns you have raised have been considered within the Local Planning Policy No 24 - Designing Out Crime and Lot 806 South Western Highway, Byford Local Structure Plan sections of this report. |
| Online | 45 | This small parcel of land is not the ideal spot for a light commercial area and is better off to be more residential houses if anything. People want shops to be in the one area not scattered throughout a town. It would be a much better idea to do this plan near the coles/woolworths shopping centre or in the land near the new storage yard, keep all the shops together in one place! Dont squish it into this random area swuished between houses and a flour mill! If this plan goes ahead it will really impact the nearby homes. Traffic in and out of the estate is already very busy and the noise will be a huge problem during the day for homes on wilaring. Also alot of endangered red tailed cockatoos feed in the trees in that bush land not that that will be taken into consideration though. During construction sand and debris will be a huge issues so close to homes as the wind is bad up here. I truely hope you seek a better section of land to go ahead with this proposal. | Thank you for your submission. The concerns you have raised have been considered within the Land Use, Lot 806 South Western Highway, Byford Local Structure Plan, Traffic and Access Management and Removal of Vegetation sections of this report. A construction management plan has also been requested to address your concerns. |

SUMMARY OF SUBMISSIONS

PA22/918 – Lot 806 South Western Highway, Byford - JDAP - Mixed Commercial Development - 21 Showroom Tenancies and 5 Fast Food Takeaway Tenancies

| Submitter | No | Submitter Comments | Officer Comment |
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| Online | 46 | - increased traffic through the scarp estate making Wilaring Street dangerous for young children and impacting resident access - increased noise and traffic, likely including large delivery trucks and frequent waste disposal - no need for more fast food in Byford - breaks up Byford shopping area even more. Why do need a 3rd shopping area? | Thank you for your submission. The concerns you have raised have been considered within the Land Use, Byford District Structure Plan, Traffic and Access Management sections of this report. |
| Online | 47 | To much extra traffic. Was proposed as a LIA not a shopping centre with more fast food | Thank you for your submission. The concerns you have raised have been considered within the Land Use and Traffic and Access Management sections of this report. |
| Online | 48 | The entry/exit into the Scarp estate via Willaring road is already busy during peak periods. Adding a driveway for a shopping centre is going to make this issue much worse. The view along Willaring road will also be impacted with concrete walls instead of bush land. There is plenty of vacant land in the shire that would be better for this kind of building. The vacant block would be better suited to a youth activities area including pump tracks, skate park and dirt jumps etc as other councils in Perth have been building recently. | Thank you for your submission. The concerns you have raised have been considered within the Land Use, Byford District Structure Plan, Traffic and Access Management and Form of Development sections of this report. |
| Online | 49 | What a ridiculous spot to put a shopping centre on the outskirts of Byford. I object to all these shopping precincts spread out around Byford - put them all in one central area please. As a small business owner, even thinking about renting a shop at a plot like this is disaster. Small businesses rely a lot on foot traffic to support each other. The businesses in the Glades, and the Businesses near Mcdonalds are all struggling because of this ridiculous idea to spread them out, surely the owners of these untenable properties are also struggling. I will support only a strong CBD district in Byford where businesses and foot traffic help each other. Put them near the Woolies and Coles please. Not only this, but with the amount of stray cats bred in and around the flour mill - this is only going to create a stray cat precinct around the takeaways. I advocate for the cats and down at the Caltex frequently getting cats in to rescue. Buck up and make some smart decisions in this shire for once. Only a CBD district will support small businesses to thrive. | Thank you for your submission. The concerns you have raised have been considered within the |

SUMMARY OF SUBMISSIONS

PA22/918 – Lot 806 South Western Highway, Byford - JDAP - Mixed Commercial Development - 21 Showroom Tenancies and 5 Fast Food Takeaway Tenancies

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| Online | 50 | Concerned about wildlife especially Red and White Tail Black Cockatoos, whilst filling this in I can hear them in the trees, and other native birds. Also added traffic and people, The Scarp used to be a safe area, but now there are more break ins, people walking around sussing out homes, with this proposed site I fear it will get even worse. Even though Byford is expanding it still has that quiet semi rural feeling especially on The Scarp, don't ruin it with this proposal. | Thank you for your submission. The concerns you have raised have been considered within the Local Planning Policy No 24 - Designing Out Crime and Removal of Vegetation sections of this report. |
| Online | 51 | Byford on the Scarp is a beautiful little pocket. The only traffic going in or out of the suburb are the people who live there or visitors. This will change with this new plan. Also the shire is slowly spreading shops and other commercials businesses out of the town. Businesses should all be closer to each..easier for business owners and clients alike. Also the noise levels. The application does not mention what is going there, but when you say commercial this will involve noise. I feel sorry for the people living on Wilaring. We can already hear the Mill noise day and night and we live further away. That noise is ongoing. So no I don't support this at all. K Keep commercial sites away from housing. That site would be beautiful if made into a lovely family orientated PARK. | Thank you for your submission. The concerns you have raised have been considered within the Land Use, Town Planning Scheme No.2, Lot 806 South Western Highway, Byford Local Structure Plan and Amenity sections of this report. |
| Online | 52 | Fully endorse this project | Thank you for your submission. |
| Online | 53 | I do not believe there is enough people in the area to substantially keep the vendors making a decent profit, creating a high turn over of Tennants, vacant buildings will be graffitied and vandalised due to the lack of security in the area. There is enough take away vendors in the town, with some struggling at the best of times, not needing to compete with extra retailers would help the small businesses. If you believe we need more, why can't you look into fixing the old garage area from which is an eyesore, or behind coles and push for the bunnings project with add on's. Keeping everything contained will help Byford still feel country. Cheers. | Thank you for your submission. The concerns you have raised have been considered within the Local Planning Policy No 24 - Designing Out Crime and Town Planning Scheme No.2 sections of this report. |

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PA22/918 – Lot 806 South Western Highway, Byford - JDAP - Mixed Commercial Development - 21 Showroom Tenancies and 5 Fast Food Takeaway Tenancies

| Submitter | No | Submitter Comments | Officer Comment |
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| Online | 54 | Rubbish, noise, vandalism, devaluation of property | Thank you for your submission. The concerns you have raised have been considered within the Local Planning Policy No 24 - Designing Out Crime section of this report. |
| Online | 55 | Will help byford a growth | Thank you for your submission. |
| Online | 56 | Destroying more bushland, extremely close to housing for a development like this, why not put it over the other side near Coles and Woolworth so all shopping area is in one spot and not spread out all over the place! | Thank you for your submission. The concerns you have raised have been considered within the Town Planning Scheme No.2 and Removal of Vegetation sections of this report. |
| Online | 57 | Why destroy more bushland we are losing enough as it is, it's extremely close to housing for a development like that and why not put it over near Coles so that all shopping is in one spot and not spread all over the place. | Thank you for your submission. The concerns you have raised have been considered within the Town Planning Scheme No.2 and Removal of Vegetation sections of this report. |
| Online | 58 | The residents especially those directly on Wilaring will be impacted by the following. * Increase in light Pollution due to spotlights - carpark lighting * Increase in traffic noise - Increase in traffic to the area to visit the shops, also encouraging hoon behaviour in the carparks of a nighttime * Foot traffic access will increase via Benalla to the proposal. * Aesthetic view lost; we have an amazing view of parkland with an ever-growing population of endangered Red-tailed cockatoos which will be under threat * Increase in noise pollution from an | Thank you for your submission. The concerns you have raised have been considered within the Traffic and Access Management, Lot 806 South Western Highway, Byford Local Structure Plan, Local Planning Policy No 24 - Designing Out Crime and Removal of Vegetation sections of this report. A construction management plan |

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PA22/918 – Lot 806 South Western Highway, Byford - JDAP - Mixed Commercial Development - 21 Showroom Tenancies and 5 Fast Food Takeaway Tenancies

| Submitter | No | Submitter Comments | Officer Comment |
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| | | <p>increase of foot traffic & vehicle. Visitors, all day and night if fast food shops are located there. * Exposure to dust pollution and noise whilst construction is underway. Sand and rubbish blowing directly onto our properties. * Unless something permanent is erected traffic will continue to use the shortcut which cars currently do access the development and short from Nettleton if this links up? We have had a fence erected this lasted 4 days, fixed 1 week ago and lasted 3 days.</p> <p>* I believe this will reduce my house value from open bushland to concrete jungle across the road. Unless the 15m easement will be thick forest to hide the concrete walls. and also, to stop the shortcut behaviour continuing.</p> | and lighting plan have also been requested to be provided. |
| Online | 59 | <p>People have bought here for a reason...just out of the business of Byford town and now even the Scarp is going to turn into a very busy place as its surrounds. And why not keep some of the natural surrounds as is, like the bush opposite Wilaring. It's part of what makes this place lovely to live rather than having everything commercialised. We've already lost so much bush due to storage units and the other building being built on the highway outside of the estate. And we have enough fast food places...why even more? Would be very dissapointed if this proposal went ahead!</p> | Thank you for your submission. The concerns you have raised have been considered within the Land Use, Lot 806 South Western Highway, Byford Local Structure Plan and Traffic and Access Management sections of this report. |
| Online | 60 | <p>The bush along railway line will be gone will not be happy as it has flora significance</p> | Thank you for your submission. The concerns you have raised have been considered within the |

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PA22/918 – Lot 806 South Western Highway, Byford - JDAP - Mixed Commercial Development - 21 Showroom Tenancies and 5 Fast Food Takeaway Tenancies

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| | | | Removal of Vegetation section of this report. |
| Online | 61 | Air and noise pollution, influx of traffic, this is a RESIDENTIAL estate and was sold to me that way as it should stay | Thank you for your submission. The concerns you have raised have been considered within the Amenity, Traffic and Access Management and Land Use sections of this report. |
| Online | 62 | I am looking forward to the opportunity of having a complex within walking distance to visit for shopping, or takeaway (vote one for Nandos). I think being away from the Byford cbd allows more residents the opportunity to be active and walk places instead of having to drive. Plus this should also work as a noise deterrent from the very noisy flour mill. | Thank you for your submission. |
| Online | 63 | The traffic at the entry of the estate would be horrendous. Im not opposed to the buildings, but feel the entry into the industrial area should be seperate to the estate entry. By having seperate entrances the traffic wouldnt impact the residents in the estate as drastically. | Thank you for your submission. The concerns you have raised have been considered within the Traffic and Access Management and Lot 806 South Western Highway, Byford Local Structure Plan sections of this report. |
| Online | 64 | Ugly buildings next to lovely estate, additional unnecessary noise and pollution | Thank you for your submission. The concerns you have raised have been considered within the Form of Development and Amenity sections of this report. |
| Online | 65 | Increased noise and crime to the area, decreasing the natural bush land which we moved her for | Thank you for your submission. The concerns you have raised have been considered within the Removal of Vegetation and Local |

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| | | | Planning Policy No 24 – Designing Out Crime sections of this report. |
| Online | 66 | <p>We do not need anymore shopping or fast food precincts in Byford. Have a look at the local establishments within the township already. There are a lot of empty shops as it's is . How about we fill those up first before building more. further more my property price will decrease ! traffic noise and general noise will increase which I am opposed too. The last thing I would approve of for this area is more business/shops/food outlets they are just not required in byford currently or in the near future. When we built in the scarp 10 or so years ago we were lead to believe it would be bush forever site due to the local flour mill. There is a lot of bird life and wild life that reside in the bushland where you are proposing this new shopping/business precinct including some visiting red tail black cockatoo's. We enjoy watching and listening to the birds that visit the area or reside in the area. I am very anxious about this proposal and do not want it to go ahead. I am worried about the implications it will have on our peaceful environment. it will increase traffic, and activity in our area which is just not what i signed up for when we built our house.</p> | <p>Thank you for your submission. The concerns you have raised have been considered within the Traffic and Access Management, Amenity and Removal of Vegetation sections of this report.</p> |
| Online | 67 | <p>Lots more traffic, noise, more hooning!! Far to much of that on Diamantina already unfortunately, making it unsafe for our kids to play outside!!</p> | <p>Thank you for your submission. The concerns you have raised have been considered within the Traffic and Access Management section of this report.</p> |

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PA22/918 – Lot 806 South Western Highway, Byford - JDAP - Mixed Commercial Development - 21 Showroom Tenancies and 5 Fast Food Takeaway Tenancies

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|-----------|----|---|---|
| Online | 68 | The planned entrance design will just cause too much congestion into our estate and traffic will be ridiculous. All in favour for new developments but have been living in this estate for 13 years and bought here as it was outside of Byford and quiet on the roads. | Thank you for your submission. The concerns you have raised have been considered within the Traffic and Access Management section of this report. |
| Online | 69 | 1, Byford already has a good selection of fast food outlets. 2. Fast food outlets near schools is predatory business behaviour undermining the health of children. 3. Drive through fast food outlets are more likely to be health damaging to infants and children under 7 where parents do not want to unbuckle children from special car seats to gain food. 4. If SAT does not reject fast food outlets then communities will never benefit from businesses whom want to deliver healthy food options such as Zambrero, Guzman, Nandos, and non franchise family businesses that provide Noodles, Dumplings, Thai food, Italian Food, Vietnamese Bakeries etc. 5. The SJ Shire has a policy seeking to discourage fast food outlets from being near schools. https://www.sjshire.wa.gov.au/documents/676/lpp-424-childminding-centres 6. The State Government is also moving towards preventing fast food outlets from being placed near schools https://consultation.dph.wa.gov.au/land-use-planning/childcare/consultation/intro/ | Thank you for your submission. The concerns you have raised have been considered within the Land Use section of this report. |
| Online | 70 | I object to the realignment of Wilaring Street. I believe this change to | Thank you for your submission. The concerns you have raised have been considered within the |

SUMMARY OF SUBMISSIONS

PA22/918 – Lot 806 South Western Highway, Byford - JDAP - Mixed Commercial Development - 21 Showroom Tenancies and 5 Fast Food Takeaway Tenancies

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| | | the main road entering The Scarp Estate will create a lot of unnecessary traffic into and out of the estate. This road should continue to lead straight out onto South West Hwy | Traffic and Access Management section of this report. |
| Online | 71 | <p>As a home owner and resident of the Scarp, I believe this development will reduce our property values, but more importantly, I moved to Byford 12 years ago for peace and quiet. I moved to here to get away from all that type of commercial development on our doorstep. I'm devastated to think this development might happen. The traffic in our area will be terrible. The traffic on the SW hwy will be a lot worse, with yet more noise pollution. Will it be even harder to exit the Scarp? This development would be better suited to the land on the western side of the railway line behind Coles or Woolworths. Why can't Lot 806 SW Hwy be regenerated as bushland/parkland for people, wildlife and birds to use? It could be a community project. Why not plant marri and jarrah trees and encourage our endangered birds to stay here! What an example that could be to other suburbs! Maybe include a community garden! There is so much clearing of the bush now. I am a keen wildlife and bird photographer. We have so many birds here, especially the red-tailed cockatoo and the endangered Carnabys and Baudins cockatoos. Soon there will be nothing left for wildlife. It breaks my heart. I urge the shire of Serpentine/ Jarrahdale NOT to approve this development on our</p> | <p>Thank you for your submission. The concerns you have raised have been considered within the Land Use, Traffic and Access Management and Removal of Vegetation section of this report.</p> |

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PA22/918 – Lot 806 South Western Highway, Byford - JDAP - Mixed Commercial Development - 21 Showroom Tenancies and 5 Fast Food Takeaway Tenancies

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|-----------|----|--|--|
| | | doorstep. | |
| Online | 72 | <p>The proposed development will deeply and grossly damage Byford. We chose to live on 'The Scarp' housing estate because it was in a rural location, there were many trees, wildlife, low traffic flow and noise generation and it was remote from high density urban development. Shortly after moving in over 10 years ago, having researched the proposed development in the area (no "light industrial", no "industrial", intended to be residential only, no possible development of the old military ammunition storage area, brickworks being closed down, Byford would not allow large lighted signage as it would "deteriorate" the area) we found out by word of mouth that there would be a bottle shop and fast food restaurant located across Clondyke Drive from the pond. This was authorized by the S-J council. This was successfully blocked. I have noted in the last few years: Extensive large lighted signage in the Byford Town Center area. Brickworks having life extended Extensive development in the area of the old ammunition storage area 2 pubs, 5 bottle shops in the Byford town center area. An extremely large industrial area across the Southwest Highway from the Scarp, with continuing extensive development, promising congestion and danger on the highway. Fast food restaurants with oversized garish lighted signs, distributing litter, attracting vermin, and disseminating offensive odours throughout the</p> | <p>Thank you for your submission. The concerns you have raised have been considered within the Land Use, Town Planning Scheme No.2, Lot 806 South Western Highway, Byford Local Structure Plan, Removal of Vegetation and Traffic and Access Management sections of this report.</p> |

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| | | <p>area. This has already caused extensive damage to the reputation of the area, significantly affected property values in a negative way, severely increased the danger on the Southwest Highway, and caused congestion on the roads (along with the dangerous and unjustified changes to speed limits and access points) On a personal level, I deplore the industrialization of the area, especially as there is no real justification for the building of high density shopping precincts in the area. Already two large and extremely badly planned and designed shopping centers have been built in the area (Coles and Woolworths), increasing traffic in congested areas and crossings, and building fast food shops adjacent to schools. The design of the carparks alone cause congestion and danger on the roads adjacent and have led to many near-miss incidents I have seen while passing through the area. The saddest point is that we moved here due to the council making definite statements on their care and husbanding of the Byford "feel", intending to keep the rural / small-town atmosphere. This has been abrogated to an extreme degree, and sets a bad precedent for the future of the area. So many violations of this trust have already occurred that all trust and credibility has been squandered, and we expect to see this happen again and again. I am not by any means unaware of the increased population in the area, and if the Woolworths and Coles areas had been well-designed, they</p> | |

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| | | would not be completely objectionable, merely eyesores (Like the new two-story pub and the ALDI). This does not even cover the environmental and ecological damage to the area. Already the areas denuded of trees, razed of flora, and having their native animals killed or driven out, hasve changed the feel of the area. The use of the land should be responsible and conservative. There is absolutely no need for any such developments in the Byford area, and the chance to rehabilitate the used property should not be wasted. Rehabilitate the land, refuse to deliberately and grossly denigrate the decent and peaceful feel of the area, take advantage of the chance to do something good for the Byford Center area and take a reasonable step to return Byford to the same place we chose to move to. Please allow Byford to stop the descent into dense urbanization and utter loss of personality, livability and peace that has continued so grossly over the last few years. I strongly urge the Shire of Serpentine Jarrahdale not to permit the proposed application. | |
| Online | 73 | This is not a place for such thing. The spot cant handle the traffic as it's already hard enough not to mention the noise level. Keep shops in the heart of byford not in a small estate | Thank you for your submission. The concerns you have raised have been considered within the Traffic and Access Management section of this report. |
| Online | 74 | I wont be affected as im really looking forward to it more amenities close to the home. Yayyy | Thank you for your submission. |

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| Submitter | No | Submitter Comments | Officer Comment |
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| Online | 75 | Finally something coming near the estate. Otherwise everything is minimum 30 minutes away apart from woolies and coles. Hopefully this project will start soon unlike Kiernan street recreation centre, byford train station and tonkin highway extension which are taking ages. | Thank you for your submission. |
| Online | 76 | I will not be personally affected by this proposal as I will not be using the proposed Fast Food outlets that are proposed for this site. However, I strongly object to the proposed inclusion of 5 fast food outlets and particularly the drive -through versions. There is clear evidence from multiple sources that fast food outlets in NEW residential areas contributes to the increasing burden of chronic diseases associated with obesity. | Thank you for your submission. The concerns you have raised have been considered within the Land Use section of this report. |
| Online | 77 | I strongly object to the proposal to include 5 Fast Food Outlets within the proposal for Mixed Use Commercial. There are already an alarming number of Fast Food outlets in and around Byford. Given the current acceptance of fast foods being a contributor to many health issues within the community I believe it is time that these outlets are restricted in number. | Thank you for your submission. The concerns you have raised have been considered within the Land Use section of this report. |
| Online | 78 | We moved to this area six months ago, from a lower socio economic area. We have seen how fast food outlets attract undesirable people and problematic situations. We are not in favour of having fast food | Thank you for your submission. The concerns you have raised have been considered within the Land Use, Byford District Structure Plan, Traffic and Access |

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| | | outlets so close to this beautiful and prestigious estate. | Management and Form of Development sections of this report. |
| Online | 79 | As a resident of Byford on the Scarp the increased traffic, noise and reduction of flora and fauna is not what I want. | Thank you for your submission. The concerns you have raised have been considered within the Removal of Vegetation and Traffic and Access Management sections of this report. |
| Online | 80 | This will make more fast food options and some shopping available within easy walking distance of my home. That this area was earmarked for commercial development was one of the positives for me when buying my block 7 years ago. | Thank you for your submission. |
| Online | 81 | Fast food outlets - Why so many fast food outlets? As this is so close to the Scarp subdivision it is encouraging people to make poor health choices by having more fast food outlets in such close proximity, especially having 2 drive through outlets. Can we request having fewer fast food outlets in this development? Design/ Layout - Concerns with having loading bays and waste bin areas facing the houses along Wilyaring Street. The width of the buffer planting is insufficient to provide adequate visual buffering for these residents. One is that should the waste management be poor then the houses could be impacted by rubbish blowing into their yards and into the bush area. The loading bays backing onto the flour mill is a very good idea. But is there enough room for trucks to be able to unload and | Thank you for your submission. The concerns you have raised have been considered within the Form of Development, Amenity, Traffic and Access Management, Land Use, Waste Management, Stormwater Management, Removal of Vegetation and Local Planning Policy No 24 - Designing Out Crime sections of this report. A condition has been recommended to ensure the realignment of the pedestrian pathway to the west of site and an amended Landscaping Plan has been requested. |

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| Submitter | No | Submitter Comments | Officer Comment |
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| | | <p>park behind the stores without obstructing the access to other vehicles? Fill- I am to understand that this development has proposed a huge amount of fill be brought in and used on site. I question whether this is feasible and visually would put this development well above the level of the housing estate to the south. If the housing development to the south were able to successfully achieve their drainage with the fill levels that they used, then why cant this developer do the same? This will have a huge negative impact to the residents and would probably be against the Shires Landscape policy for developments east of the South Western Highway. Traffic/ Road design - Do not support the proposed amalgamation of the entrances to the estate and the development using a round about. These entrances should remain separate, with the development entrance focussed more to the northern corner of the property, with a turning lane or at least 50-60 m north of the current entrance to the estate. Again the turning lane will need to be extended to suit the additional traffic. Pedestrian - Where are the links for the pedestrians to come from the Scarp estate into the development other than the footpath along South Western Highway. Should there be some footpaths installed in other areas through the buffer zones to accommodate the residents into this development. Service station - I note in the minutes with the meeting with Main Roads that they mention a service station</p> | |

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| | | <p>for this location, however this has not been put forward as part of this proposal. Would this be considered if it was in this proposal, considering there is already a service station located within 230m to the north? Hydrological report - has statements in it regarding a past report that had been completed, yet was not provided in the information. It states that there was no ground water found at the time of that assessment, however there is no notes on what time of year this assessment was completed, therefore you don't know if they picked the time of year where the water table will be at its lowest. This is strange considering there is almost always ground water moving through the storm water drainage located along Wilyaring Street at any time of the year. Does this need re-visiting to confirm this information? Landscaping - Even though they have portrayed lots of big trees in their concept plans, looking closer at the design of the car park there is hardly any room for any trees to be even able to survive in the spaces that have been allocated for them. Over all there is not much room left for greenery in this development and the landscaping ideas are very poor, so the heat island effect of this development is going to be huge. They should be made to ensure that all landscaping is going to be created so that it will actually survive and thrive, this does not seem to be the case within the actual development. Where are the rain gardens that could be used to</p> | |

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| | | <p>capture the large amount of water that will be coming off the hardstand? This doesn't even look like it has been considered or addressed. The actual species that they have selected for their landscaping needs to be addressed as there are some species that the Shire does not support any more, such as the Hardenbergia. As they say they have addressed their bare minimum of 10% space, I notice the potential for drainage along the southern side of the vegetation buffer area. This should not be an open drain which would minimise the actual amount of vegetation in this space, and hopefully it is part of the pit and pipe drainage system. Tree retention - Is so poor its ridiculous. They have pin pointed the significant trees, and in the diagram it appears that only 1 significant tree is located outside of the internal footprint and could potentially be saved if it isn't in the way of the northern loading road. There is a huge potential for this development to retain so many more trees, especially on the southern side of the development between the estate and the development. If they keep the fill levels the same in this area then there is so much more potential to save native vegetation, which they can add species to as part of their landscaping. The developers should also be not touching the landscaping that has been completed for the Scarp residential estate. They should also be following Australian Standard 4970 - Protection of Trees in Development sites,</p> | |

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| | | <p>where tree protection zones are put in place while development occurs around these trees. Environmental report - As this report was conducted in 2018, with surveys completed in 2010, there has been some changes in legislation that will need to be considered now. They will need to check whether the Multiple use wetland has been reclassified into a higher or lower status, and then work out the impacts of the development on this. However the most significant legal change has been the inclusion of the 3 Black cockatoos into the EPBC Act, where there are thresholds that need to be assessed as to whether the impact on the habitat of these birds need to be referred to the Federal government. These thresholds will include impacts on Breeding, Foraging and roosting habitats, and there are a large amount of <i>Corymbia calophylla</i> in this property that would fit into this new referral process. It should be recommended that they address these issues in a new environmental report, as if they do not, they can be reported and fined. Essentially development needs to occur in this location eventually, it is just getting the right design for this location that will suit most people.</p> | |
| Online | 82 | Fast food outlets so close to a rural setting estate brings crime, youth on streets etc rates up. We live on Diamantina Bvd which is already such a busy road with no slow points despite requesting them multiple times from the shire. This proposal was not in the plans when we | Thank you for your submission. The concerns you have raised have been considered within the Local Planning Policy No 24 – Designing Out Crime, Traffic and Access Management and Form of |

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| | | purchased our property and is something that should be closer to the town centre and new train station. The flour mill is not moving any time soon so the development will end up being an eye sore with empty shops like the plaza in the glades. | Development sections of this report. |
| Online | 83 | A study shows living near fast food lowers your house price by 24%. The Scarp is still being advertised for sale as a calm place to live leaving busy behind. We bought our dream home here to get away from the hustle and bustle. A house near fast food is the last place we would have bought. Please consider the residents that would be looking at this facility. We absolutely love being next to bush and not having to wait for too many minutes leaving the estate in the morning for school and work. This proposal would be devastating if it was to go through. | Thank you for your submission. The concerns you have raised have been considered within the Land Use, Traffic and Access Management and Form of Development sections of this report. |
| Online | 84 | This was meant to be a peaceful, bush preservative neighbourhood. It doesn't make sense to have a sprawling, disconnected CBD. | Thank you for your submission. The concerns you have raised have been considered within the Land Use and Byford District Structure Plan section of this report. |
| Online | 85 | My family and I object to the proposal. Living in the Shire is about nature, space and peace. Driving into The Scarp is a pleasant experience right now with beautiful trees and nature. This proposal will join the residential Scarp with a huge car park and fast food and takeaway shops, greatly increasing the traffic and noise in the area. All the big trees on the left hand side of the entrance appear to be on | Thank you for your submission. The concerns you have raised have been considered within the Land Use, Byford District Structure Plan, Traffic and Access Management and Form of Development sections of this report. |

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| | | <p>the "other" side of the fence and presumably will be destroyed. These shops will be disjointed from the major shopping area within Byford and increase traffic coming out of Byford, putting further strain on the already busy Abernethy Road and South West Highway intersection around peak times. The 21 show rooms will likely be empty for years to come as well, and the people that live on Wilaring will have all the trees removed and replaced with the concrete slabs and rubbish bins at the back of the show room tenancies. There are already many empty show rooms in Byford and this development would negatively impact the residents of Byford on the Scarp and create another area of empty show rooms. I didn't want to include all my personally identifiable information in my submission because it is said that it will be public accessible on the Internet. However, I am happy to receive correspondence on my email address about this matter.</p> | |
| Online | 86 | <p>I object to the development proposed at Lot 806 South Western Highway, Byford, on the grounds that it is incompatible with the surrounding land uses and detracts from the aspirations set out in the Byford District Structure Plan. While I am not opposed to developing the site, I believe that this proposal is incompatible with the surrounding land uses on the basis that they are of very low activity. The current zoning for the land in the Byford District Structure Plan and the Local Structure Plan for Lot 806 South Western Highway, is</p> | <p>Thank you for your submission. The concerns you have raised have been considered within the Land Use and Byford District Structure Plan section of this report.</p> |

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| | | <p>light industrial, and this lends itself to a similar lower level of activity and style of development. This proposed development will generate an increase in activity that would be better suited to the Byford Town Centre precinct where activity levels will be much higher. Section 1.1.3 of the Byford District Structure Plan highlights the aspiration of a “A vibrant town centre containing a mix of retail, commercial, civic, recreation, residential uses consistent with its role as a District Centre” and “The location of major store anchors, high quality shop front environments and car parking areas contribute to an active main street environment”. This development is located approximately 1km from the Town Centre and would detract from those aspirations. Additionally, this style of development lends itself to auto-dependent transport modes irrespective of the developer’s intention to provide ample cycling infrastructure. I recommend the JDAP refuse planning approval for this proposal, and a new proposal based on the current DSP and LSP be put forward instead.</p> | |
| Main Roads | 87 | <p>Thank you for your correspondence dated 19 January 2022 providing revised information for the abovementioned application.</p> <p>Main Roads has reviewed the revised information and is unable to provide a recommendation at this point in time. The revised Traffic Impact Assessment (TIA) does not address key concerns which must be included for Main Roads to determine long-term impacts of the proposed development on the adjacent road networks. It is challenging to confirm the suitability of the proposed internal traffic management plan and its ability to handle development traffic and potential future growth without negatively impacting the State road network.</p> | Refer to the Community / Stakeholder Consultation section of the report. |

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| | | <p>Main Roads notes that electronic SIDRA Intersection files were not received with the latest revision of the TIA, as was requested in Main Roads response letter dated 16 December 2022 (attached).</p> <p>Please provide the following items:</p> <ul style="list-style-type: none"> • Transport Impact Assessment (TIA) prepared in accordance with Transport Impact Assessment Guidelines (August 2016) and electronic SIDRA Intersection files (.sip) in Version 9. <p>The TIA is to address the following:</p> <ul style="list-style-type: none"> o As per the requirements outlined within Volume 4 of the WAPC Traffic Impact Assessment Guidelines (August 2016), the modelling analysis in the TIA should include the 'post full development' assessment (10 years after opening or similar). o As per the above, the suitability of the internal traffic management arrangement needs to be further assessed beyond the opening year of the development. The proposed four-way intersection north of the roundabout should not be supported due to concerns over its efficiency and safety. The close proximity of this cross-intersection to the main entry/exit roundabout could lead to confusion for drivers and result in blockages and queue backups onto the South Western Highway/Wilaring Street intersection. Additionally, this arrangement poses a road safety risk and may lead to driver misperception by overlooking the presence of the intersection and perceive the two opposing crossovers as a minor road continuing straight ahead. A roundabout, if feasible within the available space, is a safer and more efficient option. Another suggestion is to investigate the provision of an acceleration lane for traffic turning right from Wilaring Street to South Western Highway northbound as this would help clear traffic flows which are likely to queue along Wilaring Street. If an acceleration lane is not viable then strong consideration should be given to a Seagull Island treatment as this will assist in preventing 'piggy backing' within the median. A painted apron should also be installed to assist motorists to yield as close to a 70 degree angle so that sight over left shoulder is not compromised. o ROM24 demand data (with a growth rate of 3% per year) is to be used as a guide when considering assumptions about traffic growth and determining future demand flows. This will ensure that the analysis considers the background growth rate and considers the impact of surrounding developments on future land use yields and trip generation. | |

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| | | <ul style="list-style-type: none"> o As the development will provide connection to Dougall Street, which links to Wilaring Street and Diamantina Boulevard, confirmation is required to determine whether RAV4 heavy vehicle access is required. o The same mid-day peak hour assessment should be undertaken using +10 years post development traffic projections. o According to the RTA NSW – Guide to Traffic Generating Developments”, as referenced in the TIA, a 25% cross trade discount is recommended for commercial developments smaller than 10,000sqm. However, the proposed development encompasses a much larger total floor area, and therefore a lower 15% discount rate as per the same guidelines would be more suitable in this instance (with the discount figure rate reducing with increasing centre size). o The land uses being proposed in every tenancy are to be clearly defined to ensure cross-trade trip reduction considerations are applied appropriately. The “862: Home Improvements Superstore” land use classification doesn’t align with the size of the proposed development. The “820 – Shopping Centre” classification would be deemed more appropriate. <p>The revised modelling outputs will only be reviewed once the proposed development trip generation and distribution, and SIDRA modelling as resolved.</p> <p>Please provide the above information at your earliest convenience, noting that Main Roads will require 30 days to review this information once received.</p> <p>As stated above, Main Roads is not in a position to support the subject proposal until the above information has been received and reviewed.</p> | |
| Main Roads | 88 | Further to Main Roads referral response, which was sent to the Shire this morning, I can confirm that Main Roads does not support stormwater discharge onto South Western Highway. | Refer to the Community / Stakeholder Consultation section of the report. |