

## SUMMARY OF SUBMISSIONS

### Amendment to Character Area H of Byford Townsite Detailed Area Plan (DAP)

Advertising Date: from 23 March 2023 to 20 April 2023

Submitter	No	Submitter Comments	Shire Officer Comment and Recommendation
<b>Government Agencies</b>			
Department Planning, Lands and Heritage - Metronet	1.	The METRONET Station Precincts team have no comment on this proposed amendment, other than to ensure that OMTID and MRWA are the key referral agencies.	The proposed amendment to Character Area H of the Byford Townsite Detailed Area Plan has been referred to the Public Transport Authority and Main Roads Western Australia.
Public Transport Authority	2.	<p><u>Referral response dated 16 May 2023:</u></p> <p>The PTA appreciates the Shire's intention for the DAP to manage and support the vision and development within the Byford Townsite. However, the PTA hopes that the Shire can appreciate its objection of the DAP. The reasons for the PTA's objection to the DAP are as follow:</p> <ol style="list-style-type: none"> <li>1. Future works to the railway network in this area includes the removal of the Abernethy Road Level Crossing (LXR). The proposal for the LXR is for grade separation ('flyover') which would require sufficient area to provide an appropriate gradient, clearance height and descent over Abernethy Road. As part of PTA's consultation with the Shire on previous project including Byford Rail Extension, designs for a 'flyover' in this location were discussed.</li> <li>2. A rail stabling area is proposed south of Abernethy Road. This stabling area will allow for more efficient running of trains by allowing trains to service Byford Station at the start of the trip. The stabling area would also reduce the extent of 'dead running' to Byford Station and to the future Mundijong rail extension.</li> <li>3. The PTA is continuing to investigate future alignments for Bunbury Fast Rail (BFR) based on feedback from Government agencies and retaining the current alignment through Byford is being considered as an option. With this alignment, preliminary estimates indicate that two</li> </ol>	<p>There is an established process surrounding the planning of future rail infrastructure. The PTA advised that no formal proposals or plans regarding future railway infrastructure south of the Byford Station have occurred.</p> <p>Shire Officers met with PTA following receipt of submission, advising that there had been no formalised approach to the Shire for the requirement of the subject land for future railway works, and that there appears to be a range of options for the evolution of rail infrastructure south of Byford.</p> <p>Given the lack of certainty regarding future rail planning south of Byford, the Shire does not consider this submission to provide a sufficient reason to prevent the progression of the amendment. The Byford Townsite DAP is an existing Local Development Plan, and the proposed amendment does not propose changes to the ability of this land to be developed into the future. This land is also within walking distance of the future Byford Rail Extension, and should be preserved for development. The approval</p>

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		<p>new tracks adjacent to the two electrified passenger rail tracks would be required for the future BFR.</p> <p>To date, no formal plans or designs have been developed for the expansion of the railway corridor, south of Abernethy Road. This is mainly due to other State Government public transport priorities, including the Byford Rail Extension and other high priority level crossing removal projects as part of the ongoing METRONET program. However, to achieve the future projects noted previously, acquiring the land identified in the proposed amendment will be necessary for upgrades/expansion works to increase infrastructure capacity and service a growing community.</p> <p>The PTA also advises that additional to the land within <i>Character Area H</i>, the land identified in Figure 1 is also required for future projects.</p> <p>Should the Shire have any queries in respect to the above, in the first instance please feel free to contact [REDACTED], Transport and Land Use Planning Officer, 9326 [REDACTED] or <a href="mailto:WAPCreferrals@pta.wa.gov.au">WAPCreferrals@pta.wa.gov.au</a>. The PTA requests a copy of the final determination on this proposal to be sent to <a href="mailto:WAPCreferrals@pta.wa.gov.au">WAPCreferrals@pta.wa.gov.au</a>.</p> <p><u>Response dated 12 July 2023, following a meeting held on 5 July 2023:</u></p> <p>PTA has prepared a position paper to outline the intent and need to protect space for four tracks (two additional tracks) within the existing Armadale Line rail corridor, between Victoria Park Station and the ultimate end-of-line station. The protection of the railway reserve for up to four tracks within the Armadale Line corridor is paramount to preserving future options for track capacity and network expansion. Thus, the Proposed Amendment to Character Area H of the Byford Townsite Detailed Area Plan is not supported by PTA.</p>	<p>of the LDP amendment is recommended to allow for the development of the intended 'Highway Commercial' area, and to ensure the deliverance of the Shire's planning framework.</p>

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<b>Landowners/Residents</b>			
L Maring & K Groenewold	3.	<p>After careful consideration to the amendment to the Byford Townsite detailed area plan (Character H), we would like to oppose this proposal.</p> <p>As the owners of 907 South Western HWY we are concerned about our new investment. We bought the house in December 2022, and have been investing in it with renovations. This scheme will drastically affect us.</p> <p>We are also unsure if there will be any benefit in going forth with these plans. Some further explanations and more details plans would be greatly appreciated.</p>	<p>The purpose of the LDP is to depict how future development could evolve within the Byford Townsite area. The LDP does not compel any landowner to develop at any time, with development being an entirely private decision. Shared access arrangements can be staged over time, and as such this amendment supports interim and future development.</p> <p>It should be noted that this proposal is an amendment to the existing Byford Townsite LDP, which currently identifies Character Area H as 'Highway' Commercial'. This is further supported by the 'Mixed Use' zoning allocated by the Shire's Draft Local Planning Scheme No.3 (LPS3) and the Byford District Structure Plan, allowing for commercial land uses that are compatible with residential areas. The land uses and the location of the Highway Commercial area as prescribed by the existing LDP are not proposed to be changed by this amendment.</p> <p>The benefit of the existing LDP is that it provides necessary guidance for future commercial development, delivering a cohesive and well-planned Highway Commercial strip. This will provide opportunity for moderate scale, mixed use commercial development complementary to residential land uses and the Central Retail Core.</p> <p>The benefit of the proposed amendment is that it will provide up-to-date guidance which is reflective of changes</p>

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			<p>to the transport network, aligning with the Byford Metronet Project and the Shire's Draft Access Strategy.</p> <p>More detailed plans will occur at the development stage.</p>
Survey #1	4.	<p>Object to the proposal.</p> <p>Loss of home. The proposal has a car park erected on our family home site, we have lived here for 12 years and to relocate is beyond our practical financial ability, to acquire a similar residence close to town is not only financially unachievable but also none are available. As I am overdue for retirement than borrowing funds to make up the shortfall is not possible. My wife and I have spent years of our time and considerable moneys improving the residence which would not be recouped in the market value. If approved there are many hardships that this would cause us personally and financially – we did not sleep last night after receiving the Concept only amendment in the post – it is already causing substantial stress and anxiety that we may lose our house, after all we have done to make it comfortable for our later years. There is no way that the market value would cover this loss and we are not able to afford a house that comes anywhere near what 901 offers, in its location and size. I have called the Shire twice today to talk with a Development Office and was told they were busy and would call back on both occasions – no one has called back today. (please arrange a face to face meeting for myself and my wife to understand the full impact and so we can explain the impact on us should the proposal go ahead). If it were to be approved, we would have to move from the area and possibly never be able to afford another house – and with the current rental market we could become homeless.</p>	<p>The purpose of the LDP is to depict how future development could evolve within the Byford Townsite area. The LDP does not compel any landowner to develop at any time, with development being an entirely private decision. Shared access arrangements can be staged over time, and as such this amendment supports interim and future development. Land acquisition within Character Area H is not proposed as part of this LDP amendment.</p> <p>It should be noted that this proposal is an amendment to the existing Byford Townsite LDP, which currently identifies Character Area H as 'Highway' Commercial'. This is further supported by the 'Mixed Use' zoning allocated by the Shire's Draft Local Planning Scheme No.3 (LPS3) and the Byford District Structure Plan, allowing for commercial land uses that are compatible with residential areas. The land uses and the location of the Highway Commercial area as prescribed by the existing LDP are not proposed to be changed by this amendment.</p> <p>A Shire Officer returned the submitter's phone call. The above was explained, and it was determined that no face-to-face meeting was required.</p>
Survey #2	5.	<p>Object to the proposal.</p>	<p>The purpose of the LDP is to depict how future development could evolve within the Byford Townsite area. The LDP does not compel any landowner to develop</p>

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		<p>We always go to 901 South Western Highway for Christmas lights every year. Once it's gone there's no more enjoyment. No more wildlife. Lots of animals have claimed this lot as their habitat. Council is killing the wildlife.</p>	<p>at any time, with development being a private decision. Shared access arrangements can be staged over time, and as such this amendment supports interim and future development.</p> <p>The changes proposed by this amendment serve to enhance environmental protection within this area. The proposed amendment no longer requires the construction of a road reserve along the rear of the lots, as is prescribed by the existing LDP. As the construction of this road reserve would have required the removal of trees, the amendment is expected to have a lower environmental impact than that of the existing LDP.</p> <p>Additionally, the existing Byford Townsite LDP contains vegetation provisions.</p>
Survey #3	6.	Object to the proposal.	Objection is noted.
Survey #4	7.	Object to the proposal.	Objection is noted.
Survey #5	8.	<p>Object to the proposal.</p> <p>Due to the lack of parking, catering for not just Byford residents but Serpentine and Mundijong, it would be ill conceived to put in such a small place. In behind Coles would be a far better option, with more parking facilities.</p>	<p>This proposal is an amendment to the existing Byford Townsite LDP, which currently identifies Character Area H as 'Highway Commercial'. Therefore, the location and suitability of the Highway Commercial area as prescribed by the LDP are not proposed to be altered by this amendment. The location of the 'Highway Commercial' area has been shown based on a desire for a vibrant, mixed use town centre experience to take place over time.</p> <p>The location and lot sizes of Character Area H are suitable for providing mixed use commercial development at a</p>

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			<p>moderate scale, to support and complement the nearby Central Retail Core. Additionally, the suitability of Character Area H for commercial development is further supported by the Byford District Structure Plan and the Draft Local Planning Scheme No.3, which zones this land as 'Mixed Use', allowing for commercial development which is compatible with residential land use, as are prescribed by the LDP.</p> <p>Given the smaller scale, mixed-use nature of Character Area H, on-site carparking is deemed appropriate to a yield prescribed by the prevailing Town Planning Scheme.</p>