| **No** | **SUBMITTER, ADDRESS AND AFFECTED PROPERTY (IF APPLICABLE)** | **NATURE AND SUMMARY OF SUBMISSION** | **APPLICANT RESPONSE** | **PLANNING COMMENT/RECOMMENDATION** |
| --- | --- | --- | --- | --- |
| 1 | TelstraLocked Bay 2525PERTH WA 6001 | No objection to the proposed LSP. | Noted | None required. |
| 2 | Environmental Protection Authority (EPA)Locked Bag 33PERTH WA 6850 | Modifications to the proposed LSP do not raise any additional environmental issues to those previously considered by the EPA. | Noted | None required. |
| 3 | Department of WaterPO BOX 332MANDURAH WA 6210 | The DoW is satisfied with the LWMS and has no objection to the proposed LSP. | Noted.  | None required. |
| 4 | Local resident | The submitter generally has no objection to the proposed LSP; however the area of 3 hectares (Numbered 11) on the LSP is of concern.This area has been neglected and is littered with vegetation and dumped dried out green waste. This is an extreme fire hazard without maintained firebreaks. Unless this area is managed it will become a focal point in which undesirable elements congregate. | Noted.The bushland shall be subject to a Bushland Management Plan to be prepared by the landowner in conjunction with the Shire. The BMP will address these matters.  | Inclusion of new Clause 3.3.3 in Part 1 to read:*3.3.3 BUSHLAND MANAGEMENT PLAN**A Bushland Management Plan is to be prepared and approved prior to the commencement of substantive works on site and implemented through the progression of the project. The Plan is to include:** *Fire management*
* *Secure tenure*
* *Illegal ‘dumping’*
* *Edge effects (weed management, etc)*
* *Appropriate interface treatments*
* *Public and controlled access*
* *Revegetation*

Renumbering of existing clause 3.3.3 in Part 1 to 3.3.4.Modification of Clause 3.3.3 to delete “Bushland Management plan”. |
| 5 | Department of Housing99 Plain StreetEAST PERTH WA 6004 | No objection to the proposed LSP. | Noted.  | None required. |
| 6 | FESAPO BOX 1174PERTH WA 6844 | FESA believe the proposed fire management plan should be amended to include:* The specification for Emergency Access Way gates
* Consideration for the site being within the 2km Ember Attack Zone of the state forest and the consequences of such an incident.
* Fire breaks to be 4m wide.
* Emergency Access Way gates to be shown on the plan.
* 20m building protection zone to be indicated on the plan.

The Shire is the Hazard Management Agency in this instance and would be expected to apply a condition requiring compliance with WAPC DC 3.7 and the associated ‘Planning for Bushfire Protection’ document. | Clause 3.3.3 of Part 1 requires the preparation and approval of a Fire Management Plan prior to works, which can incorporate these recommendations. | None required. |
| 7 | Public Transport Authority (PTA)PO BOX 8125 PERTH WA 6849 | No objection to the proposed LSP. | Noted.  | None required. |
| 8 | Department of PlanningAlbert Facey House469 Wellington StreetPerth 6000Western Australia | DoP comment that State Strategic Policy do not support the proposed LSP in its current form and suggest efforts be made to retain and rehabilitate all vegetation in good condition and to preserve the degraded vegetation as a buffer. DoP offer the following comments for consideration:VegetationThe proposed LSP identifies a significant portion of Forrestdale complex vegetation to be cleared. Under EPA Guidance Statement 10, clearing of vegetation complexes with less than 10% representation even when (as is this case) part of the vegetation is degraded, will not generally be supported.As the LSP currently stands, it is likely that edge effects will render the small amounts of remnant vegetation that is currently in good condition severely degraded in a short period of time. | DEC/EPA are the agencies charged with protecting the Bushland and both agencies have seen fit to support the proposal, which should prevail over the DoP advice. In any case the Bushforever Office has confirmed that’s its advice should be taken as informal and do not represent the formal position of the DoP which was referred the proposal and did not make comment. The DoP will have the opportunity to assess the proposal post adoption by the Shire.  | See No 4 above.It is considered that the retention of a 3 hectare core, including all examples of good quality vegetation, with site sensitive development to retain surrounding trees, is consistent with previous Council resolutions and planning requirements for vegetation retention.Active bushland management can address issues of edge effects. |
| The road that cuts the north east vegetation does not appear to be in accordance with the Byford Structure Plan. The SP proposes the road cuts through Lot 2 at the centre of the northern boundary however the proposed LSP identifies the road as dissecting the NE corner of remnant vegetation that is classified to be retained. DoP/State Strategic Policy do not support a road that divides a limited vegetation complex such as Forrestfield. | The access points into the site reflect existing road reserves and overall the proposal facilitates the retention of the remnant vegetation on site with clearing kept to a minimum.  | None required. |
| The fauna section of the report contains particularly vague descriptions of species that may, or may not occur, or be of conservation significance within the NE corner of remnant vegetation. DoP/State Strategic Policy suggest a thorough spring fauna survey be undertaken that makes use of trapping and other observation techniques to produce a detailed list of identified species. Additional clarification required to provide evidence on how various observations have taken place in the Remnant Vegetation Report.  | Clause 3.3.3 of Part 1 includes the requirement for a Fauna Management Plan prior to any substantive site works. | None required.The Fauna Management Plan will be required to identify likely species to occur on site, and provide for the managed relocation of any significant species.  |
| Contrary to the statement made in the report outlining that the NE remnant vegetation lacks ecological connectivity, it is fact acts as an important linkage between the Darling Scarp vegetation and Bush Forever areas 350 and 321. It also meets all the criteria an area to be considered for protection by the Shire in accordance with the Biodiversity Strategy Discussion Paper.  |  | None required. All good quality intact vegetation is to be retained. |
| It has been incorrectly stated in the report that ‘*the 9% calculation* (of total Forrestfield vegetation complex) *does not include this* (the NE section of remnant veg) *site, as it was not mapped as remnant vegetation in the first instance’.*Even though this site is not classified as Bush Forever, it has been mapped as remnant native vegetation and has been identified as Forrestfield complex and does contribute to the 9% calculation. |  | None required. All good quality intact vegetation is to be retained. |
| DoP and Strategic Policy support DEC’s suggestion that *‘as large areas of vegetation are generally more resilient, the sustainability of this remnant vegetation would be increased if the entire area in Good Condition or better, and a suitable buffer was to be conserved. In the case of the remnant vegetation in the north east corner of Lot 2 Nettleton Road, the surrounding vegetation in Good to Completely Degraded condition would provide an excellent buffer to the ‘core area’ in best condition’.*  |  | See No. 4 above. |
| 9 | Department of Environment and Conservation (DEC)\PO BOX 1167BENTLEY WA 6983 | The DEC provide the following advice in relation to the proposed LSP:DEC notes and supports the retention of native vegetation in the proposed ‘Bushland Retention Area’ of the LSP. However, DEC considers appropriate interface treatments, including a hard road edge, fencing and an adequate fire hazard separation zone as necessary to ensure the reserve values are protected from the potential fire hazard of nearby bushland.DEC anticipates incorporation of these actions through implementation of the proposed *Bushland Management Plan* at early stages of the planning process. | Noted.  | See No. 4 above. |
| DEC recommends that all revegetation of the proposed BRA be in accordance with the principles of the Shire’s Draft LPP No.4 (Revegetation).  | Noted.  | See No. 4 above. |
| 10 | Local resident | The submitter does not see the necessity for an additional road to be proposed adjacent to his property, and believe traffic should remain focused on SW Highway and Nettleton Road. | Alternative access is not available off South West Highway or Beenyup Road. The access locations reflect existing road reserves and the DAP/DSP for the locality.  | None required. |
| 11 | Aspen GroupPO BOX 3442PERTH WA 6832 | The submitter supports the proposed LSP, and provides the following comment:The submitter believes they have appropriately consulted with key stakeholders during the preparation of the LSP, and have achieved an appropriate balance between the complex planning requirements and the need for a practical viable development outcome that will benefit local and surrounding communities. | Noted.  | None required. |
| 12 | Millers FoodsPO Box 69ARMADALE WA 6992 | Millers Food objects to the proposed LSP in its current form, as it is perceived that the increase in density and inclusion of adjacent ‘Park Homes’ will have the potential to generate noise and road usage complaints. Millers Foods business currently operates a 24 hour, 5 day a week primary manufacturing operation from within a designated light industrial area. The submitters are conscious of that fact that they emit noise and therefore increasing the number of residents in close proximity to this operation will increase the likelihood for future noise complaints despite their compliance with statutory requirements in respect of noise emission.The submitter has seen no evidence of the incorporation of any reasonable sound buffers or consideration for these potential concerns. The submitter suggests the following to ameliorate noise impacts and the potential for future noise complaints, should the LSP be approved:* The Developer should ensure prospective buyers/clients are aware of the issues prior to the purchase or lease of any properties.
* Prospective buyers/clients should be encouraged to report any noise or road usage related issues to one single authority (Developer or Council).
* The submitter suggests a buffer zone be incorporated for both road and general noise, to assist in the alleviation of these concerns.
* Proposed dwellings should be installed with both wall and ceiling sound reductive insulation and noise reductive window panes as a prerequisite to purchase or placement.
* The submitter welcomes Shire support in advocating with Main Roads for the upgrade of SW Highway/Nettleton Rd intersection to create a slip road entry into the existing industrial estate via Nettleton Road or to allow a slip road to directly enter into the submitters’ property.
* The submitters wish to be consulted within in the Park Home construction phase.
 | The land is zoned appropriately for the type of use proposed. A noise report was prepared and submitted with the LSP and it demonstrated that the proposal would be acceptable in the context of nearby noise generators including the mill. Clause 3.3.3 of Part 1 includes the requirement for a Noise Management Plan prior to any substantive site works.Quiet House design principles will be applied to those dwellings in proximity to the mill and any complaints will be dealt with by the manager of the Village. The proponent is prepared to notify prospective purchasers of noise and to encourage residents to complain to a single authority. An additional buffer is not supported as the acoustic report illustrates that noise can be addressed through a range of management measures that do not necessitate a buffer. The proponent would be pleased to assist in the resolution of the access issues raised in the letter. The proponent would be pleased to keep the submitted informed and is committed to a positive process/dialogue with the Mill.  | Add new section 2.2 to Part 1:*2.2 Detailed Area Plans**Detailed Area Plans shall be developed for those areas identified on Plan 2.**In addition to built form requirements, Detailed Area Plans shall include noise mitigation measures, and consideration of interface with and managed visual impact on adjacent rural residential lots.*Plan 2 to be modified to identify as requiring a Detailed Area Plan, those lots recommended for Quiet House Design on Figure 5.1 of the Lot 2 Nettleton Road, Byford Industry Noise Assessment. |
| 13 | Local resident | As adjoining landowners, the submitters feel the 15m buffer is insufficient, 20-30m would be more appropriate.The submitters also believe the SE corner of Lot 2 needs to have a proper barrier so as to avoid pedestrian access from White Gum Rise/Waterside Pass areas onto Lot 2 (or behind our Lot 33). It has the potential to invite anti-social behaviour, particularly at night.  | A buffer of this width cannot be viably accommodated. The 15 metre buffer pus setbacks to dwellings would be consistent with a standard residential outcome. The southeast corner of the site will be fenced, however, Public Access will remain through the Beenyup Brook Foreshore.  | See No. 12. |
| 14 | Local resident | The submitter strongly opposes the proposed development for the following reasons:* Potential damage to flora and fauna (kangaroos).
* Potential impacts on current aesthetic appeal and serenity of the area.

  | The proposal will address the anti-social behaviour associated with the current lack of surveillance and development on the site.The land is zoned for the purpose proposed. The proposal will allow for weed removal and foreshore upgrades. A net environmental improvement is anticipated. The issue of the kangaroos has been addressed in the LSP report and will be managed through construction staging.Clause 3.3.3 of Part 1 includes the requirement for a Fauna Management Plan prior to any substantive site works. | None required. |
| 15 | Local resident | The submitter supports the overall LSP and its intentions, and believes all aspects of the site have been addressed, particularly with regards to topography and natural features.The submitter believes that some of the proposed natural features will present alternatives to indoor recreation such as bushwalking and the provision of space for picnics on the foreshore of the creek.However, the submitter does raise some concerns:* Provision of space for local kangaroos – by pushing them back towards the hills and no longer have access to the paddock, there may not be sufficient food.
* The location of the hostel may be too close to major roads.
* The location of the recreation centre may be too close to the proposed commercial activity.
 | The relocation of the kangaroos will be carried out according to the recommendations of an expert in the field. Clause 3.3.3 of Part 1 includes the requirement for a Fauna Management Plan prior to any substantive site works.The potential hostel is not too close to major roads according to the transport and noise studies submitted with the LSP. The recreation centre is considered to be a compatible use with the town centre.  | None required. |
| 16 | Department of Mines and Petroleum (DMP)Mineral House100 Plain StreetEAST PERTH WA 6004 | No objection to the proposed LSP. | Noted. | None required. |
| 17 | Nile Enterprises Pty LtdPO Box 503SERPENTINE WA 6125 | The submitters provide the following comments in response to the proposed LSP:The proposed link road connecting Beenyup Road to the northern part of the development will be servicing over 90% of the dwellings in the development (between 850 and 900 dwellings).The submitter questions this road, particularly in respect of the following:* Whether the width of the road is sufficient to handle proposed traffic?
* Consideration of adverse affects on Lot 102?
* Possibility to create more than one access way for the northern part of the development?
* Development options for Lot 102 other than residential?
 | The width of the road has been confirmed appropriate in the Transport Assessment submitted with the proposal. The dwelling yield is lower than stated in the submission and access to the dwellings will be split amongst three access points (2 off beenyup Road, 1 off Nettleton Road). Given the existing subdivision and development along Beenyup Road it is not possible to create another access point to Beenyup Road. The access point reflects an existing road reserve and is also reflected in the DAP and DSP for the land.  | None required. |
| The submitter has previously expressed concerns regarding the development on Lot 101 Beenyup Road. These concerns revolve around the proximity of commercial development on Lot 101 to the proposed Retirement Village on Lot 2 Nettleton Road, and the potential effects the commercial development may have on the future Retirement Village (lighting, security, noise etc)Consideration should be given to locating public facilities in close proximity of Lot 101 Beenyup Road. | The clubhouse and administration will be located adjacent to Lot 102 thereby helping to minimise any impacts.  | A DAP is identified as being required for that portion of Lot 2 that abuts Lot 101. Issues of integration will need to be addressed adequately through both the progression of the DAP and also development applications for Lot 101 Beenyup Road.  |
| 18 | Western PowerLevel 4363 Wellington RoadPERTH WA 6000 | No objection to the proposed LSP.All work must comply with Worksafe Regulation 3.64 – Guidelines for Work in the Vicinity of Overhead Power Lines.  | Noted.  | None required. |
| 19 | Department of Indigenous AffairsLevel 1, 197 St Georges TerracePERTH WA 6000 | No objection to the proposed LSP. | Noted.  | None required. |
| 20 | Department of HealthPO BOX 8172PERTH WA 6849 | The Department has no objection to the proposed LSP subject to all developments being connected to sewer to comply with the Government Sewerage Policy.  | Noted.  | None required. |
| 21 | Water Corporation | The proposed development layout and land uses within the LSP are generally in accordance with the adopted Byford Structure Plan and accordingly the Corporation has no concerns with it. | Noted.  | None required. |
| The Corporation completed a review of its water supply planning within the subject area, in April 2009, which does not require the construction of any water supply headwork items within the subject land. Notwithstanding this, the proponents should be advised to be mindful of allocating appropriate land for internal reticulation mains to facilitate the servicing of the proposed development. | Noted.  | None required. |
| The subject land falls entirely within the *SD086 Byford Wastewater Scheme Catchment Area*, and the Corporation’s planning accounts for servicing of the land, based on similar land uses and development densities as those proposed.The proponents should however, be aware that appropriate land for service mains will be required to facilitate servicing of the proposed development. | Noted.  | None required. |
| 22 | Health ServicesShire of Serpentine Jarrahdale | The recommendations of the noise consultant to construct noise walls and implement Quiet House Design principles should form part of the requirements of the Detailed Area Plans for this proposal.  | Noted.  | See No. 12. |
| Has been partially considered by the inclusion of Detailed Area Plans (DAPs) being included in Plan 2 which forms part of the Statutory Planning section of the LSP. However, only some of the proposed lots recommended by the acoustic consultant to be subject to Quiet House Design principles have been included on this plan. In particular, those lots recommended in the Industry Noise Assessment (all of the ‘Aspen Village Site (Brook)”) are not shown as requiring DAPs on Plan 2. | Noted. Plan can be modified as a condition of approval. Clause 3.3.3 of Part 1 includes the requirement for a Noise Management Plan prior to any substantive site works. | See No. 12. |
| 23 | Main Roads Western Australia | The proposed structure plan is acceptable to Main Roads. Main Roads offers the following comments which may result in a requirement to reassess various parts of the structure plan. | Riley Consulting originally used 14700 vpd for South West Highway. MRWA advise it is now 17000 vpd. The small change in peak hour traffic is unlikely to significantly change the intersection operation and levels of service. The future traffic growth on the highway will be from other developments well after this proposal. The proponent should not be responsible for managing the future impacts. The development access will be off the side roads and less affected by future traffic increases.The 2031 traffic numbers is a regional issue not for the proponents of this LSP.  | The land use assumptions for the base data provided by Main Roads does not reflect true land uses in its given area of study. The Shire’s resident engineers and statutory planning staff are in the process of having this base data attuned to reflect true land uses. As a result, the traffic modelling undertaken to support the structure plan is based in incorrect base data and assumptions, therefore needs to be revised.Incorrect base data has a direct impact on the functionality of arterial roads at a district level, and can influence their classification and reserve requirements. However, no arterial roads are located within the LSP area, therefore the only impact updated traffic modelling will have is in regard to developer contributions payable, and detailed intersection design for access to Nettleton Road. The layout of land uses and movement networks proposed by the LSP would not change.No modification is required to the LSP layout, however revised traffic modelling is required to supports its implementation. |
|  |  | Main Roads current traffic data depicts that the annual average weekday traffic for this section of South Western Highway is approximately 17,000 vehicles per day. |
|  |  | By 2031, it is anticipated that the annual average weekday traffic will increase to approximately 24,000 vehicles per day. |
|  |  | It is strongly recommended that the applicant undertakes a revised traffic impact assessment and intersection analysis for Beenyup Road/ Abernethy Road/South Western Highway and Nettleton Road/South Western Highway based on the anticipated figure for the design year of 2031. |
|  |  | The noise report may require a re-assessment due to the increased differences in the forecasting with the 2031 traffic volumes which may result in slightly higher noise walls or further noise attenuation measures. | The acoustic consultant used over 24,000 for future traffic volumes, which is what MRWA have indicated it will be. Hence modelling is accurate based on latest information form MRWA.  | None required. |
|  |  | The statement in the report "No vehicular access from South Western Highway is permitted or proposed except in the case of emergency". Main Roads concurs with the developer that no access will be permitted to or from South WesternHighway. Main Roads believes that direct access to South Western Highway in the event of an emergency is not warranted as the local roads provide adequate connectivity. It should be noted that a priority 1 vehicle will always have right of way within traffic. | Noted.  | None required. |