

**NEW SUMMARY OF SUBMISSIONS**  
**Draft Local Planning Scheme 3 (SJ701)**  
**Formal Advertising**

Submitter	No	Submitter Comments	Officer Comment	Officer Recommendation
<b>Government Agency Submissions</b>				
<p>ATCO IN19/21960</p>	<p>1.</p>	<p>ATCO owns and operates gas mains of varying pressures and gas infrastructure in the surrounding road reserves and rail reserve, along with gas service supply lines from those gas mains to the commercial and domestic properties, within the Shire. Development within the trigger distance of the ATCO High Pressure network needs consultation to be conducted with ATCO during the design phase of any proposed development to ensure safety measures have been communicated.</p> <p>ATCO has no objection to the proposed Draft Local Planning Scheme No. 3 and the draft Local Planning Strategy, based on the information in the documentation made accessible and publicly available on the Shire’s webpage. The information included in Section 4.13.5 Gas of the Shire of Serpentine-Jarrahdale Draft Part 2 September 2019 Report is consistent with our existing network within the area, however our network also includes various pressure pipelines and not restricted to only High Pressure gas mains. Gas retailers in the Western Australian gas market are also now more numerous than just the one mentioned being Alinta.</p> <p>Based on the information and plans provided, ATCO has identified that</p> <ol style="list-style-type: none"> <li>1. A portion of the Shire of Serpentine – Jarrahdale falls within the WAPC Draft Development Control 4.3 Trigger Distance for ATCO Infrastructure (area hachured blue at WAPC link). Any development within this Trigger Distance of a High Pressure Gas Pipeline requires further consultation with ATCO prior to preliminary designs being finalised. The principles applied to development in the vicinity of the DBNGP Corridor and APA Transmission Pipeline Easement, also need to be applied to the ATCO Steel High Pressure Gas Main network.</li> <li>2. ATCO identifies that the proposed future development may require additional safety measures to be considered, identified and in place for the high pressure gas pipeline risk mitigation and may include similar protection measures as suggested for the DBP Transmission Gas Pipeline and APA Transmission Gas Pipeline.</li> <li>3. Any proposed change to an existing permissible use of land within the “Trigger Distance” from the ATCO High Pressure gas mains that becomes considered “a sensitive” landuse such as primary schools, day care centres, hospitals or aged care facilities will require additional investigation and risk mitigation will be required to be installed and costs recovered by the proponent that changes the existing landuse.</li> <li>4. Please consider the WAPC’s draft DC4.3 and also the site; Plan WA <a href="https://espatial.dplh.wa.gov.au/planwa/Index.html?viewer=planwa">https://espatial.dplh.wa.gov.au/planwa/Index.html?viewer=planwa</a> and adopting the principles of the Development Control 4.3.</li> <li>5. Future construction and any proposed access roads across the ATCO HP gas mains (including proposed roads and road upgrades) need to be</li> </ol>	<p>Noted – We appreciate your response via submission to the Draft Local Planning Strategy and Local Planning Scheme No.3.</p>	

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		<p>managed in accordance with the ATCO document Additional Information for Working Around Gas Infrastructure - AGA-O&amp;M-PR24</p> <p><a href="https://www.atco.com/en-au/for-home/natural-gas/wa-gas-network/working-around-gas.html">https://www.atco.com/en-au/for-home/natural-gas/wa-gas-network/working-around-gas.html</a></p>		
<p>Metropolitan Cemeteries Board IN19/26262</p>	<p>2.</p>	<p>The Metropolitan Cemeteries Board (MCB) is pleased to note the commencement of the formal advertising period of the Shire's Draft Local Planning Strategy and Local Planning Scheme No.3. As part of this proposal the MCB notes and endorses the continuation of the existing 'Rural' zoning under the draft scheme in the areas immediately surrounding the proposed Whitby Cemetery site.</p> <p>The 'Perth and Peel @ 3.5 million' frameworks recognise the MCB's requirements for new cemetery lands in the medium-term, specifically the enlargement of the proposed Whitby Cemetery site to meet long-term needs. To this end, the Western Australian Planning Commission as part of the Cemetery Working Group is undertaking to procure land for the MCB to the south of the proposed Whitby Cemetery site and amend said land under the Metropolitan Region Scheme as Public Purposes – Special Uses (Cemetery).</p> <p>The MCB also notes the proposed Whitby Cemetery site falls within the Special Control Area SCA2 for Darling Scarp Landscape Protection. While the preservation of the amenity deriving from the scenic value of the Darling Scarp is commendable, this must not constitute any undue restriction on the development of Whitby Cemetery as an operational and modern cemetery site. Due to the paucity of land suitable for cemetery use in the Perth Metropolitan Area, the MCB may be required to develop land on visually exposed areas, or indeed areas with a generalised slope greater than 25%.</p> <p>The MCB has high standards of design for cemetery development, and designing sites to blend with the landscape is an important priority. However, due to the complex considerations of designing a modern cemetery, practical considerations may preclude the design from blending with the landscape.</p> <p>The MCB has similar concerns regarding Special Control Area SCA5 for Extractive Industries. The one kilometre buffer from Lot 202 South Western Highway, Whitby covers a significant portion of the proposed Whitby Cemetery Site. Again, any considerations in regards to noise attenuation, siting and orientation of buildings must not constitute any undue restriction on the development of Whitby Cemetery.</p> <p>I would ask that the Shire considers these factors when formalising the Local Planning Scheme No.3, and consider either removing the Whitby Cemetery site from the Special Control Areas SCA2 &amp; SCA5 or alternatively adding an additional provision to SCA2 &amp; SCA5 to exclude cemetery land .</p>	<p>Noted – We appreciate your response via submission to the Draft Local Planning Strategy and Local Planning Scheme No.3.</p>	

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Department of Planning Lands and Heritage Director Heritage Development IN19/26945	3.	<p>Thank you for your correspondence dated 19 September 2019 on draft Local Planning Strategy and Local Planning Scheme No 3, which was referred to the Heritage Council under the provisions of Section 79 of the Planning and Development Act 2005. The proposed Planning Strategy and Scheme have been considered for potential impact on heritage places within the Scheme area and the following advice is given:</p> <ol style="list-style-type: none"> <li>1. It is encouraging to see a strong consideration of heritage within the proposed Strategy, and the references to State Planning Policy 3.5, Historic Heritage Conservation.</li> <li>2. It should be noted that Part 3 Clause 8(2)(a) of the deemed provisions states that the heritage list 'must set out a description of each place and the reason for its entry in the heritage list'. The heritage list should also provide detail on whether the building is identified as having a significant interior, as the new provisions require planning approval for interior works only where a place has been designated as having a significant interior. We recommend the Shire of Serpentine-Jarrahdale begins planning to create a heritage list which meet these requirements as part of its review of its planning framework.</li> <li>3. We note that the Scheme is designating a heritage area (SCA8 Jarrahdale Heritage Precinct). State Planning Policy 3.5 – Historic Heritage Conservation (SPP3.5) states that a heritage area should only be designated based on a clear statement of significance and supported by the identification of significant physical fabric in the area.</li> </ol> <p>It also requires that the local government adopt a local planning policy that set out the objectives and guidelines for conserving the significant heritage fabric of the area.</p> <ol style="list-style-type: none"> <li>4. Please note that the State Heritage Office is now the Department of Planning, Lands &amp; Heritage. The reference to the Inherit Places Database at Table 4-10 should be sourced to the Heritage Council.</li> <li>5. Places included on the State Register of Heritage Places should be clearly identified as such at Table 4-10.</li> </ol> <p>We hope that these comments are of value in the development of the new Strategy and Scheme. Should you have any queries regarding this advice please contact Karen Jackson at <a href="mailto:karen.jackson@dplh.wa.gov.au">karen.jackson@dplh.wa.gov.au</a> or on 6552 4150.</p>	<p>Noted – The Shire thanks the Department of Planning Lands and Heritage – Heritage department for making a submission</p>	
Department of Planning, Lands and Heritage Senior Heritage Officer IN19/26922	4.	<p>Thank you for your letter dated 19 September 2019 seeking comment from the Department of Planning, Lands and Heritage (DPLH) regarding the Draft Local Planning Strategy and Local Planning Scheme No.3 (LPS No.3). A review of the Register of Places and Objects as well as the DPLH Aboriginal Heritage Database concludes that LPS No.3 intersects the DPLH public boundary of the following 23 Aboriginal registered places and 30 Aboriginal heritage places:</p>	<p>Noted – The Shire thanks the Department of Planning Lands and Heritage – Heritage department for making a submission.</p>	

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		<p>At this stage, there are no proposed works. Should activities involving physical disturbance of any Aboriginal heritage places or sites be proposed, further advice from DPLH should be sought. Therefore based on the information held by DPLH no approvals under the Aboriginal Heritage Act 1972 (AHA) are required in this instance.</p> <p>DPLH encourages proponents to refer to the State's Aboriginal heritage Due Diligence Guidelines (Guidelines) which can be found on the DPLH website at the following link:</p>																																																																																																																	

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<p>Department of Health IN19/26693</p>	<p>5.</p>	<p>Thank you for your letter of 19 September 2019 requesting comments from the Department of Health (DOH) on the above proposal. The DOH provides the following comment:</p> <p><b>Strategy Content</b></p> <p>It is noted within the Strategy that good public health is not specifically recognised as part of the vision and planning principles. Good public health outcomes require good planning strategies. The aim of the planning Strategy should include a direct reference to "enhancing the public health of the community" or words to that effect. Public health is missing from the principles 'Liveability and Sustainability'.</p> <p>Although the document focuses on outcomes for the Shire of Serpentine Jarrahdale, it does not address potential issues in relation to disaster preparedness, recovery management, or the associated impacts on public health. The document should also consider potential anti-social issues and how the built design can minimise the potential future harm.</p> <p>A risk assessment of each of the potential outcomes and goals should be incorporated into the Strategy. For your reference, consider the Environmental Health Standing Committee document 'Risky Business - A resource to help local governments manage environmental health risks', available at: <a href="https://ww2.health.wa.gov.au//media/Files/Corporate/general%20documents/Environmental%20health/Health%20risk%20assessment/Risky-Business.pdf">https://ww2.health.wa.gov.au//media/Files/Corporate/general%20documents/Environmental%20health/Health%20risk%20assessment/Risky-Business.pdf</a></p> <p><b>Water Supply and Wastewater Disposal</b></p> <p>The Strategy and scheme should require that developments are to connect to scheme water and reticulated sewerage (if available) and be in accordance with the Government Sewerage Policy (2019)</p> <p>For non-scheme water connected areas, the development is to have access to a sufficient supply of potable water that is of the quality specified under the Australian Drinking Water Quality Guidelines 2004.</p> <p><b>On-Site Wastewater Disposal</b></p> <p>Suitable provision for an adequate on-site effluent disposal area is to be accommodated in both the structure plan and planning scheme.</p> <p>The DOH does not support any development in non-sewered areas until it can be demonstrated that the proposed lots are suitable for effluent disposal via a site-specific site and soil evaluation (SSE) report under winter conditions, in accordance with Australian New Zealand Standard 1547. The SSE shall include the following as a minimum:</p>	<p>Noted – the Shire would like to thank the Department of Health for their submission on the Local Planning Scheme No.3. The Shire acknowledges the submission and will continue to encourage healthy active living throughout the Shire planning, development and design.</p>	<p>Part 1 Clause 9 (e)</p> <p>Amend the aim to state:</p> <p>'Support community health and wellbeing by promoting active, connected, safe and secure pursuits for all;'</p>

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		<p>detailed site and soil assessment of the proposed lots under winter conditions;</p> <ul style="list-style-type: none"> <li>• the most suitable locations for effluent disposal areas on each proposed lot based on site and soil characteristics;</li> <li>• if fill is proposed, management of run off of effluent from filled effluent disposal area to be detailed including how it will be prevented ;</li> <li>• the minimum required land application area as per Schedule 2 of the Government Sewerage Policy (2019);</li> <li>• recommended design of on-site wastewater treatment and disposal systems based on the SSE, mitigating the identified risks to public health and the environment posed by the constraints of the proposed lot's site and soil characteristics;</li> <li>• long term management of proposed on-site wastewater systems; and</li> <li>• addressing all other requirements of the Government Sewerage Policy (2019) (e.g. meeting all separation distances).</li> </ul> <p>For more details please refer to the attached fact sheet 'Guidance on Site-and-soil evaluation for Onsite Sewage Management' which also provides information on the stages in the planning process and scale of development determining the timing and the level of detail of investigation and reporting. Any on-site wastewater treatment process is to be in accordance with DOH publications which may be referenced/downloaded from :</p> <p><a href="http://ww2.health.wa.gov.au/Articles/N_R/Recycled-water">http://ww2.health.wa.gov.au/Articles/N_R/Recycled-water</a>  <a href="http://ww2.health.wa.gov.au/Articles/U_ZM/ater-legislations-and-guidelines">http://ww2.health.wa.gov.au/Articles/U_ZM/ater-legislations-and-guidelines</a></p> <p><b>Development Prohibited in Proclaimed Water Catchment Areas</b>  The DOH does not support development within a proclaimed water catchment area, and developments should not encroach within a 500 metre distance to proclaimed water catchment areas. The Strategy and scheme provisions are to reflect this requirement.</p> <p><b>Public Health Impacts</b>  The enclosed DOH document 'Evidence supporting the creation of environments that encourage healthy active living' may assist you with planning elements related to this structure plan (<a href="https://ww2.health.wa.gov.au/Articles/F_1/Health-risk-assessment">https://ww2.health.wa.gov.au/Articles/F_1/Health-risk-assessment</a>).</p> <p>Further design elements that should be considered include:</p> <ul style="list-style-type: none"> <li>• a range of quality public open spaces should be provided to contribute towards the recreation, physical activity, health and social needs of the community;</li> <li>• parks and open spaces should be located within walking distance of most residents along well-lit connected routes, and be co-located with other community facilities to encourage access by walking or cycling; and</li> <li>• the design of parks and open space and the infrastructure provided within them should cater for a variety of users to undertake a mix of activities that increase physical activity, provide access to healthy nutritious foods (though community gardens), and prevent injury.</li> </ul> <p><b>Specific School Siting Considerations</b>  Health Risk Assessment Consider potential health risks of the proposed site through a health risk assessment or another methodical analysis of health impacts, including:</p>		

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		<ul style="list-style-type: none"> <li>• the location's supportiveness and safety for physical activity;</li> <li>• air pollution and asthma levels;</li> <li>• past or present contamination of the site or nearby areas; and</li> <li>• nearby sources of pollution, noise, dust or contaminants, (such as highways and potential conflicting land use; e.g. fast food locations etc.).</li> </ul> <p><u>Safe Infrastructure for Walking, Bicycling, and Public Transportation in School Vicinity</u>            Improve the safety of travel by foot, bike and public transportation near schools and on school property by providing safe infrastructure including a 'Safe Routes to School' plan to maximize opportunities for walking and biking to school, and integrate with public transport.            For example, ensure that the areas surrounding schools have footpaths, bicycle lanes, or any infrastructure necessary to allow students to safely travel to school through different modes of transportation. Ensure that site design safely accommodates students arriving and departing by all modes of transportation, including walking, bicycling, public transportation, school bus, and private vehicles: Prioritise safe access for children who are bicycling or walking (including those walking after drop-offs from cars or buses). Consider facility and transportation equity for students and families with disabilities.</p> <p><b>Industrial Estates and Precincts</b>            Enclosed is a scoping tool that highlights public health considerations that should be addressed and incorporated into the proposed industrial estate and precinct.</p> <p><b>Heatwave Guide to Cities</b>            It is extremely important for cities to undertake heat-related risk analyses and to devise plans for reducing and managing risks. This guide is available for download from:  <a href="https://www.climatecentre.org/downloads/files/IFRCGeneva/RCCC%20Heatwave%20Guide%202019%20A4%20RR%20ONLINE%20copy.pdf">https://www.climatecentre.org/downloads/files/IFRCGeneva/RCCC%20Heatwave%20Guide%202019%20A4%20RR%20ONLINE%20copy.pdf</a></p> <p>The Strategy is to be in accordance with the Environmental Protection Authority Environmental Assessment Guideline 3, 'Guidance for the Assessment of Environmental Factors No. 3 - Separation Distances between Industrial and Sensitive Land Uses'  <a href="http://epa.wa.gov.au/sites/default/files/Policies_and_Guidance/GS3-Separationdistances-270605.pdf">http://epa.wa.gov.au/sites/default/files/Policies_and_Guidance/GS3-Separationdistances-270605.pdf</a></p> <p>The DOH does not support the location of the child care centre adjacent to the commercial land use within the accepted buffer distances due to the potential negative health impacts on children from emissions related to fuel operations. The attached DOH fact sheet 'Guidelines for Separation of Agricultural and Residential Land Uses August 2012' should be acknowledged as a means to help avoid conflict and potential adverse health effects and nuisance impacts from chemical use, dust and other rural pursuits, also available at:  <a href="http://ww2.health.wa.gov.au/Articles/F_I/Guidelines-for-separation-of-agricultural-and-residential-land-uses">http://ww2.health.wa.gov.au/Articles/F_I/Guidelines-for-separation-of-agricultural-and-residential-land-uses</a></p> <p><b>Medical Entomology</b>            A Mosquito Management Plan (MMP) should be developed within the Strategy for the whole Shire, with the proviso that individual subdivisions and developments comply with the MMP thus ensuring consistency across the industrial area. Details available at:</p>		

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		<p><a href="http://ww2.health.wa.gov.au/Articles/J_M/Mosquito-management">http://ww2.health.wa.gov.au/Articles/J_M/Mosquito-management</a>  <a href="http://ww2.health.wa.gov.au/Articles/J_M/Mosquito-management">http://ww2.health.wa.gov.au/Articles/J_M/Mosquito-management</a>  Stormwater management infrastructure such as culverts, road drainage systems, etc.  should be in accordance with the Department of Water publication 'Stormwater Management Manual for Western Australia', and be to the satisfaction of the local government  <a href="http://www.water.wa.gov.au/data/assets/pdf_file/0020/4772/44217.pdf">http://www.water.wa.gov.au/data/assets/pdf_file/0020/4772/44217.pdf</a>  <b>Land Use Planning for Natural Hazards</b>  A document 'Land Use Planning for Natural Hazards' can also guide the use of land to effectively reduce risk and enhance sustainability for areas prone to hazards such as flooding (including storm surge), fire, landslide, earthquake, strong wind and erosion  <a href="https://knowledge.aidr.org.au/resources/land-use-planning-for-natural-hazardshandbook/">https://knowledge.aidr.org.au/resources/land-use-planning-for-natural-hazardshandbook/</a></p> <p><b>Refer to Further Attachments see HPRM IN19/26693</b></p>		
Main Roads  IN20/3420	6.	<p>In response to your correspondence received on 19 September 2019 and meeting on 3<sup>rd</sup> December 2019. The following comments are provided;</p> <ul style="list-style-type: none"> <li>• Main Roads commends the City on its efforts in forward planning for the local government area and incorporating strategies to protect the transport network within the Draft Local Planning Strategy and TPS.</li> <li>• The local road reservation denoted on plan does not match the Main Roads hierarchy. It is understood the model scheme provision require such reservations to match the Main Roads hierarchy (with hatching to denote local reservation). It is recommended, the shire reviews Main Roads hierarchy available on our website and amend the scheme reservations accordingly. The colours (red and blue) used are identical to the MRS reservation and create confusion when interpreting mapping. The colour coding should reflect the Main Road Hierarchy colour pallet. A background transport report should be used to inform the strategy and the TPS should inform the road designations.</li> <li>• Main Roads' and WAPC recommends is for allotments to not have direct access onto the Regional Road. This position is reflected within Development Control Policy 5.1 Regional Roads (Vehicular Access). It is formally requested the City to consider implementing a statutory clause in the future planning scheme to require lots fronting a Regional Road to be accessed via a Laneway, easement, PAW or the like. Where no such access exists then provision is to be made to enable access to be achieved through the development of adjacent land. The City of Belmont have successfully introduced a statutory provision regarding access adjacent to Orrong Road. This has greatly assisted in resolving access and reducing conflict within the transport corridor.</li> <li>• The non-standard text contained within the scheme is seeking to regulate Transport Impact Statement (TIS) and Transport Impact Assessment requirements for Fast Food Outlets. This information is already covered by the WAPC TIA Guidelines, and does not require a regulatory statutory clause to be included in the Scheme. Main Roads recommends his text be removed to avoid confusion in relation traffic assessment matters. (Clause. 42)</li> </ul>	<p>Noted – We appreciate your response via submission to the Draft Local Planning Strategy and Local Planning Scheme No.3.</p> <p>It is recommended that Part 4 Clause 42 (2) and (3) of the Draft Scheme relating to fast food outlets and traffic impacts be deleted. The Western Australian Planning Commission's Transport Impact Assessment Guidelines specify these requirements.</p> <p>The draft Scheme consolidates proposals for new development areas that have already been subject to transport assessments through scheme amendments, structure plans and the Rural Strategy. The new development areas identified with the draft Strategy also align with the areas identified under the Perth and Peel @ 3.5 Million Framework. The new development investigation areas included within the draft Strategy will be subject to transport assessment as a part of determining an appropriate land use and intensity, if any, for the area.</p>	<p><b>All Scheme Maps</b></p> <p>Review Main Roads road hierarchy classifications and amend the scheme maps accordingly.</p> <p><b>Part 4 Clause 42 (2) and (3)</b></p> <p>Delete sub-clauses (2) and (3) relating to fast food outlets and traffic impacts.</p>

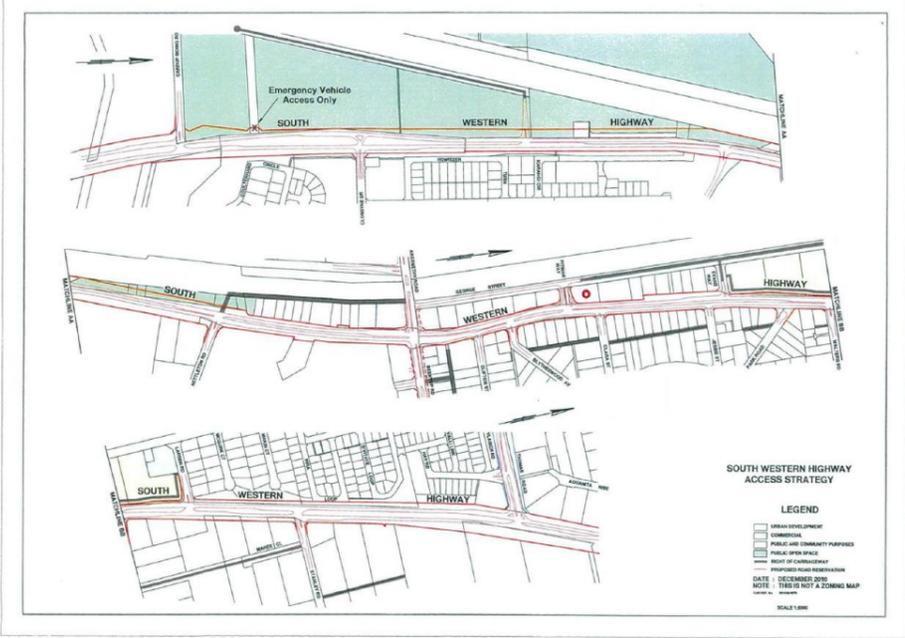
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		<ul style="list-style-type: none"> <li>• Provision of formal road access along George St between Abernethy Rd and Larsen Rd in Byford should be considered a priority, as it is key to the accessibility of developments that will take place along South Western Hwy in this vicinity.</li> <li>• A number of clauses, which relate to development standards for specific land uses (e.g. sea containers, earthworks for dams etc.) would be better accommodated in a Local Planning Policy (which is more flexible) rather than Scheme text. Concern is raised regarding some traffic of the outcomes, which have been included for Fast Food Outlets. The text as proposed has determined priority movements without any assessment of the location. The appropriate document to determine such priority movements is the TIA or TIS supporting a future Development Application.</li> <li>• Main Roads is not in a position to support an increase in density on the State Road network.</li> <li>• It is recommended the City undertakes a robust TIA (Transport Impact Assessment) to determine the impact upon the road network. Such assessment should be undertaken prior to any rezoning, structure plan, development or new planning schemes being introduced.</li> <li>• Any future TIA and associated modelling should include consideration of employment locations and trips to work. This information is critical and shall inform the planning outcomes for the shire.</li> <li>• It is recommended Main Roads base line data be reviewed as part of any background documents (e.g. TIA, traffic study or modelling) which inform the planning direction. This information is freely available on the Main Roads website.</li> <li>• Further precinct planning is required to inform the planning direction and development outcomes for the local community. From a planning perspective, Main Roads would recommends density increases <b>not</b> to be focussed on the Regional Road. Development concentrated solely on major transport routes, with associated access requirements is not encouraged, as it will result in;               <ol style="list-style-type: none"> <li>1. Ribbon development,</li> <li>2. Lower level of amenity; and</li> <li>3. An increase in traffic demands and turning movements along the whole route rather than concentrating these movements to particular nodes, which can be managed and encourage more active trips.</li> </ol> <p>The preference would be to extend and focus of development away from the regional road in order to develop neighbourhoods and town centres off or adjacent to major transport routes. To this end, the intent being a more concentrated arrangement around specific nodes. This will enhance walkability and provide greater opportunity to service lots with appropriate access. This focus off route will promote opportunities for place making and establishment of a community/civic heart.</p> </li> <li>• Within the transport portfolio There is work underway to develop planning principles to refine and improve the planning of urban corridors. " Movement and Place" planning principles have been implemented around the world will inform the future guidance document. The "Movement and Place Principals:" encourage the development of nodes located off the regional road network, creating a community heart and in which people can easily traverse. The "Movement and Place Planning Principals" align with the SJ2050 key themes being People, Prosperity and Place. As discussed above, it is recommended the City undertake</li> </ul>		

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		<p>precinct planning to inform the planning direction and development outcomes for the Shire prior to the Strategy and Planning Scheme being finalised.</p> <ul style="list-style-type: none"> <li>• As the Shire is aware, it is intended that Thomas Road may become a Primary Regional Road in the future, becoming under the care and control of Main Roads.</li> <li>• Further discussion with Main Roads shall be undertaken regarding any modifications proposed to the network. Consultation shall occur with Main Roads prior to such modifications being included in any forward planning document. This comment is made for completeness. Based on the information provided it does not appear as though any additional connections are proposed as part of this Planning Scheme/Strategy.</li> <li>• Main Roads has no objection to the inclusion of tree preservation orders within the text. Generally, the Primary Regional Road Reservation (PARR) is for the purpose of road. Tree preservation orders are not encouraged within the PARR. Main Roads is willing to work with council and discuss any tree protection matters, which impact upon Main Roads assets. With South Western Hwy a state road, direct crossovers on this road are generally not favoured.</li> <li>• In terms of future development adjacent to South Western Highway, it is important to be aware of the South Western Highway Access Strategy when considering any form of structure plan. The access plan is attached for your convenience. This plan has been developed in consultation with Council.</li> <li>• The project for the upgrading/widening of Tonkin Highway and South Western Highway is not in Main Roads current 4 year forward estimated construction program and all projects not listed are considered long term. Please be aware that timing is subject to change and that Main Roads assumes no liability for the information provided.</li> <li>• The future Tonkin Interchange with South Western Highway will result in the closure of Shanley Road. Tonkin Highway interchange project is currently under development. The project is not fully funded so there is no timing available for when the upgrade to the intersection will occur.</li> <li>• As the Shire is aware Mundijong Road will be upgraded to provide east-west freight linkages between the future Outer Harbour and freight logistics centres in the region including the West Mundijong Industrial Precinct.</li> </ul> <p>Main Roads will require a minimum of 30 days to review any revised information. Should the Shire disagree with the above advice, Main Roads requests an opportunity to meet and discuss the application further, prior to a final recommendation being made.</p> <p>Main Roads requests a copy of the City's final recommendation regarding this proposal to be sent to <a href="mailto:planninginfo@mainroads.wa.gov.au">planninginfo@mainroads.wa.gov.au</a> quoting the file reference above.</p>		

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<p>Department of Primary Industries and Regional Development  Agriculture and Food – South Perth  IN19/28319  IN19/28323</p>	<p>7.</p>	<p><b>COMMENT: Shire of Serpentine Jarrahdale Draft Local Planning Strategy and Local Planning Scheme No.3</b></p> <p>Thank you for the opportunity to comment on the Draft Shire of Serpentine Jarrahdale Local Planning Strategy and Local Planning Scheme No.3.</p> <p>The Department of Primary Industries and Regional Development (DPIRD) acknowledges that the Shire of Serpentine Jarrahdale is one of the fastest growing local government areas in Western Australia. This high rate of urban expansion is mostly characterised by low-density residential development. If urban development is not intensified, it can have a negative impact on the rural character and diverse agricultural production in the Shire.</p> <p>DPIRD provide specific comments relating to the Draft Local Planning Strategy in Attachment 1 and the Draft Local Planning Scheme No.3 in Attachment 2.</p> <p><b>Attachment 2 - Comments: Shire of Serpentine Jarrahdale Draft Local Planning Scheme No.3</b></p> <p>DPIRD notes that the draft Local Planning Scheme no longer includes the statement for Rural Residential zones (Rural living zones A and B in LPS 2) that the keeping of horses, sheep, goats and other grazing animals, where permitted, shall be subject to the prior approval of the Council. Approval to keep animals shall not exceed the stocking rates recommended by the Department of Agriculture for the applicable pasture types.</p>	<p>Noted. The Residential and Stables Policy Area allows a 2ha lot size minimum. Lots that are 2ha in size are more appropriate to sustain equine uses than 1ha lot sizes, as guided by stocking rate guidelines. Larger lot sizes are also more appropriate to minimise land use conflicts between equine activities and residential uses. Potentially doubling the number of lots within the precinct would significantly increase the amount of traffic within the area. This is not compatible with equine activities and associated trails within the area and maintaining the intended equestrian character of the area. Both the Scheme and Strategy outline and advocate for the equine industry across the Shire. The Scheme outlines in particular areas where horses can be kept subject to the discretion of the Local Government. The Shire does not support making residential and stables to a minimum of 4ha as outlined by the Department of Primary Industries and Regional Development.</p> <p>We appreciated your response via submission to the Draft Local Planning Strategy and Local Planning Scheme No.3.</p>	<p>The Shire will amend Part 6 Division 2 - Clause 55 Amend the definition of Animal Husbandry – Non-Intensive to the following:</p> <p><i>'means premises -</i></p> <p><i>(a) used for keeping, rearing or fattening of poultry (for either egg or meat production), but does not include animal husbandry – intensive; and with</i></p> <p><i>(b) not more than 300 poultry (for either egg or meat production).'</i></p> <p>To limit the land use to 300 poultry only and to exclude pigs and other livestock as the amenity impacts are considered to be significant, given that this is a discretionary use in rural living zones and may be developed on 1ha-4ha lot sizes.</p>

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		<p>DPIRD requests information about how the Shire will ensure that land degradation (specifically erosion and eutrophication) does not occur on rural residential and rural smallholding lots where livestock, such as horses, sheep, goats, cattle and other grazing animals, exceed DPIRD's recommended stocking rates. This may be as a local planning policy similar to that adopted by the Shire of Murray.</p> <p><u>9. Aims of Scheme (p8-9)</u>  'Protect and enhance the landscape, natural environment, ecological values and environmental quality and improve the sustainable management of natural resources;'</p> <p>DPIRD agrees that the sustainable management of natural resources is very important.</p> <p>'Protect rural land for agricultural production and minimise land use conflicts;'</p> <p>DPIRD supports this aim, as it is very important to ensure agricultural production into the future.</p> <p>Support the growth of the local economy to attract business, investment and tourism and generate local employment opportunities'</p> <p>DPIRD also supports this aim recognising that appropriate planning can support important growth of the regional population and economics into the future.</p> <p>Support regional development and improve connections within the broader region  DPIRD also supports this aim recognising that the Shire sits within the Peel region.</p> <p><u>40. Rural Worker's Dwellings (p29)</u>  DPIRD does not object to the provision for one (1) rural worker's dwelling on a property as long as the application fulfils all the requirements as stated in LPS No.3 and monitors levels of overcrowding in such dwellings.</p> <p><u>41. Dams (p29)</u>  DPIRD does not object to the building of dams, but does not have a role in the design, supervision or construction of (farm) dams in either in an advisory or regulatory capacity. Landholders should therefore be advised to refer any such enquiries to engineering firms or qualified earthmoving contractors.</p> <p><u>43. Horticulture, Viticulture and/or Agriculture - Intensive (p30)</u>  DPIRD agrees with the application process for these uses as it gives the applicant a clear idea of the Shire's expectation. DPIRD suggests that all applications in the Peel Harvey Catchment should not only be referred to the Department of Water and Environmental Regulation (DWER), but also to DPIRD, for assessment of land degradation hazard and risk under the Soil and Land Conservation Act 1945.</p>		

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		<p>State Planning Policy 2. 1 Peel-Harvey coastal catchment policy requires local government to consider the land suitability advice from the Department of Agriculture, now incorporated into DPIRD, for intensive agriculture developments.</p> <p>DPIRD notes that the Shire's local planning policy for new and expanded horticulture development incorporates land capability and phosphorus export hazard assessments from DPIRD.</p> <p><u>44. Animal Husbandry (p30-31)</u>  DPIRD notes that the draft local planning scheme introduces a new land use for animal husbandry which is not defined in the model scheme text and was not highlighted in red text.  The new definition applies to land uses which are not Animal husbandry -Intensive but seems to be inclusive of this definition.</p> <p>Animal husbandry - non-intensive is defined in section 55 of the draft scheme as meaning premises -  (a) used for keeping, rearing or fattening of pigs, poultry (for either egg or meat production), rabbits (for either meat or fur production) or other livestock, but does not include animal husbandry - intensive; and with  (b) not more than 1,000 pigs or other livestock, or  (c) not more than 3,000 poultry (for either egg or meat production) or rabbits (for either meat or fur production).</p> <p>DPIRD requests further discussion with the shire about the new definition, specifically about the relatively high numbers of poultry and pigs that are included in the definition.</p> <p>As the definition appears inconsistent with Schedule 1 Prescribed premises (Environment Protection Act regulations) for cattle feedlots (category 1) and piggeries (Category 2), consultation with the Department of Water and Environmental Regulation is also recommended.</p> <p>DPIRD notes that section 44 does not reference State Planning Policy 2.1 Peel Harvey coastal plain catchment policy in relation to such intensive land uses or the policy requirement for local government to consider advice on land suitability from DPIRD.</p> <p><u>54. Terms used (p37)</u>  The term "closed loop hydroponic system" has been defined in this section as meaning "a hydroponics system in which the nutrient solution is recirculated and the nutrient concentrations are monitored and adjusted accordingly. There is zero or minimal discharge of the solution or water to the environment." It relates to section 34 (4)</p> <p>DPIRD is unaware of any commercial fully closed loop hydroponic systems from which there is zero or minimal discharge of the solution or water. All hydroponic systems produce liquid and solid waste, including brine. It would be more</p>		

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		<p>appropriate for the local planning scheme to prohibit the discharge or disposal of liquid and solid waste from hydroponic systems onto land, surface or groundwater and to require that solid, highly concentrated liquid waste and brine be disposed of in an authorised waste disposal facility.</p> <p>DPIRD recommends reference closed loop hydroponic system is moved from Section 54 and is included in section 55 land use terms used, either as a subset of Agriculture - intensive or as a new (yet to be defined) land use.</p> <p><u>Schedule 3 Special Control Areas (p59)</u>  DPIRD supports SCA4 (Agri-Food Processing and Production) as this will support the current and future expansion of the poultry industry.</p>		
<p>Department of Education  IN19/28418  IN19/28884</p>	<p>8.</p>	<p>Thank you for your letters dated 19 September 2019 and 16 October 2019 to provide the Department of Education (Department) the opportunity to comment on the Shire of Serpentine-Jarrahdale's Draft Local Planning Strategy (Strategy) and Local Planning Scheme No.3 (Scheme).</p> <p>The Department has reviewed the Draft Strategy in conjunction with the Draft Scheme and therefore please accept this letter as a consolidated response for both of the draft documents.</p> <p>1. The Department acknowledges that the Shire of Serpentine-Jarrahdale (the Shire) has taken into account the Perth and Peel @3.5million planning framework document as part of its assessment of population forecasting, dwelling targets and identifying potential growth areas.</p> <p>The Department wishes to advise that it is currently undertaking a separate review of the Perth and Peel @3. 5million which includes the South Metropolitan Peel Subregional planning framework. The review is intended to identify the challenges for the future public education system of Western Australia and a range of priorities to take action on to ensure that there is sufficient provision of public primary and secondary schools to cater for the future student population. This may have implication on the Draft Strategy.</p> <p>The Department has relied on multiple information sources such as WA Tomorrow, Perth and Peel @3.5million and the Shire's data (such as forecast.id) to ascertain the population and dwelling growth for the Shire. Currently, there is no definite timeframe as to when the review will be completed but upon completion of the review, the Department will collaborate with the Shire to address any matters relating to public schools that may arise from the review.</p> <p>2. Whilst the Part 2 section 4.7.2 of the Draft Strategy acknowledged the importance of providing adequate number of public primary and secondary schools to support the future population growth, this should also be reflected in the 'Strategies' and associated 'Actions' of Part 1 section 4.1 of the Draft Strategy. The Department supports urban growth in line with the South Metropolitan Peel Sub-regional planning framework but careful consideration needs to be given to the student yields that are expected to be generated from these growth areas.</p>	<p>The Shire will continuously work with the Department on the upcoming plans/ developments which occur within the Shire.</p> <p>The Local Planning Scheme maps outline land uses once an area has been subdivided and lots have been created. Therefore the mentioned schools will be reserved under the Scheme once they have been subdivided.</p>	

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		<p>3. It is recommended that Figure 9: Community Infrastructure to distinguish public and private schools in lieu of a general school annotation for clarity.</p> <p>4. Part 2 section 4.7.2 of the Draft Strategy states that structure planning within Byford identifies the need for three new primary schools and another secondary school, in addition to the existing schools. The Department wishes to seek clarification on whether this is a public or private secondary school, the future location of the subject secondary school and the structure plan that it was approved under.</p> <p>Preliminary analysis of the dwelling and population projections in Byford identifies the need for another two new public primary schools in the locality. This equates to a total of five public primary schools and one public secondary school required, in addition to the existing public schools. This is partly due to the increased number of residential lots and density at the subdivision stage, being higher than what was originally anticipated in the approved structure plans. Accordingly, it is imperative that the last sentence of the first paragraph under the Byford heading of Part 2 section 4.7.2 of the Draft Strategy (page 64) to be amended to the following:</p> <p>'There may be a need for even more public schools given the increased number of residential lots and resultant student yield than what was originally planned and the potential urban growth in the development investigation areas surrounding Byford.'</p> <p>5. Under section 5.8 Community Facilities (page 122) of the Draft Strategy, whilst it is acknowledged that there is a good planning outcome in considering alternative sustainable models such as building 'up', the provisions of public schools are driven by the Western Australian Planning Commission's policies such as the Development Control Policy 2.4 - School Sites and Liveable Neighbourhoods.</p> <p>Public schools are planned, in part, based on the anticipated number of dwellings in a structure plan area (i.e one 4 hectare public primary school site for every 1500 dwellings). As mentioned in point 4 above, this becomes problematic when there is an increase in the dwelling number at the subsequent subdivision stage beyond what was originally anticipated at structure plan phase or where there is unexpected residential development proposed outside the planned growth areas.</p> <p>As a result, the Department will have to bear the adverse consequences in searching for a larger or additional school site or incorporating temporary teaching facilities to accommodate the higher student yield. As such, local government authorities should undertake a more proactive role in recognising that school planning will be the forefront in every land planning phase and that any increase in dwelling yield or density will have significant impact on the public school provision.</p>		

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		<p>Accordingly, this section should emphasise that one of the key challenges for public schools is to accommodate additional students from unplanned growth areas or areas subject to increased residential number or density than what was originally anticipated at a structure plan level. The Shire will collaborate with the Department at the earliest opportunity to ensure that adequate number and size of public schools are provided to support the growing student population.</p> <p>6. In reference to the draft Local Planning Scheme No. 3 Map (Scheme Map), it appears that there are several future public school sites which have been approved under a local structure plan but are not indicated on the draft Scheme Map. These include, namely:</p> <p><u>Byford</u></p> <ul style="list-style-type: none"> <li>• Byford North Central primary school {planning name} - approved on Lot 9500 Thomas Road Structure Plan.</li> <li>• Beenyup Primary School - approved on Ooley Road Precinct Local Structure Plan.</li> </ul> <p><u>Mundijong &amp; Whitby</u></p> <ul style="list-style-type: none"> <li>• Mundijong Precinct E2 primary school {planning name} - approved on Lot 50 Cockram Street &amp; Lot 119 Adams Street, Mundijong Structure Plan</li> <li>• Mundijong Precinct A (North) primary school (planning name) - approved on Whitby Local Structure Plan</li> <li>• Mundijong Precinct A (South) primary school (planning name) - approved on Whitby Local Structure Plan</li> <li>• Mundijong Precinct A High School (planning name) - approved on Whitby Local Structure Plan</li> </ul> <p>Accordingly, the Department requires that the abovementioned school sites including any other public school sites which have been approved on the relevant structure plans to be reflected on the draft Scheme Map. It is worth noting that there are other future public school sites which have yet to be structure planned in the Byford - Mundijong locality.</p> <p>The Department appreciates that the Shire continues to engage with the Department at key milestones to advise the progress of the Draft Strategy and Scheme.</p>		
Department of Water and Environmental Regulation Kwinana Peel Region IN19/27489	9.	<p>Thank you for providing the opportunity to comment on the draft local planning strategy and local planning scheme No. 3.</p> <p>The Department of Water and Environmental Regulation (Department) supports the development of the strategy and scheme.</p> <p>Attachment 1 contains the Department's comments for your consideration.            Attachment 2 contains previous EPA advice regarding the Local Planning Scheme No 3.</p> <p><b>Refer to Further Attachments see HPRM : IN19/27489</b></p>	Noted – The Shire thanks the Department of Water and Environmental Regulation for making a submission.	

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Environmental Protection Authority IN19/27490	10.	<p>After consideration of the information provided by you, the EPA considers that the proposed scheme should not be assessed under Part IV Division 3 of the Environmental Protection Act 1986 (EP Act) but nevertheless provides the attached advice and recommendations.</p> <p>Please note the following:</p> <ul style="list-style-type: none"> <li>• For the purposes of Part IV of the EP Act, the scheme is defined as an assessed scheme. In relation to the implementation of the scheme, please note the requirements of Part IV Division 4 of the EP Act.</li> <li>• There is no appeal right in respect of the EPA's decision to not assess the scheme.</li> </ul> <p>A copy of this letter and the attached advice and recommendations will be made available to the public via the EPA website.</p> <p><b>ADVICE UNDER SECTION 48A(1)(a)            ENVIRONMENTAL PROTECTION ACT 1986            Shire of Serpentine-Jarrahdale Local Planning Scheme 3</b></p> <p><b>Location: Shire of Serpentine-Jarrahdale            Determination: Scheme Not Assessed - Advice Given (no appeals)            Determination Published: 14 May 2018            Summary</b></p> <p>The Shire of Serpentine-Jarrahdale has initiated Local Planning Scheme 3 (LPS 3) to replace existing Town Planning Scheme 2.</p> <p>The Environmental Protection Authority (EPA) has considered the scheme in accordance with the requirements of the Environmental Protection Act 1986 (EP Act). The EPA considers that the scheme amendment is unlikely to have a significant effect on the environment and does not warrant formal assessment under Part IV of the EP Act. The EPA has based its decision on the documentation provided by the Shire of Serpentine-Jarrahdale (the Shire). The EPA's assessment focused on the zoning changes. Proposals outside of these areas and/or proposals raising new environmental issues which are likely to have a significant effect on the environment should still be referred to the EPA pursuant to Section 38 of the EP Act. Having considered this matter the following advice is provided.</p> <p><b>1. Environmental Factors</b></p> <p>The EPA has identified the following preliminary environmental factors relevant to this scheme:</p> <p>a) Flora and Vegetation;            b) Terrestrial Environmental Quality;</p>	<p>Noted – the Shire acknowledges the Environmental Protection Authority submission and will seek further advice as it is needed.</p>	

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		<p>c) Inland Waters Environmental Quality;  d) Air Quality; and  e) Social Surroundings.</p> <p><b>2. Advice and Recommendations regarding Environmental Factors</b></p> <p><b>a. Flora and Vegetation</b></p> <p>Some areas of land proposed to be rezoned through the Shire's LPS 3 contain remnant native vegetation. Specifically, while existing extractive industries may have approval, future land uses consistent with LPS 3 may require a permit to clear vegetation in accordance with Part V of the EP Act.</p> <p><b>b. Terrestrial Environmental Quality</b></p> <p>Existing and historical extractive industry and landfill sites within the Shire may be contaminated sites. The Contaminated Sites Act 2003 provides for the identification, recording, management and remediation of contaminated sites. These sites within the Shire should be considered with regards to the provisions of the Contaminated Sites Act 2003. The Shire may wish to liaise with the Department of Water and Environmental Regulation in this regard.</p> <p><b>c. Inland Waters Environmental Quality, Air Quality and Social Surroundings</b></p> <p>The EPA notes that the proposed 'Special Control Area 4 - Agri-Food Processing and Production' (SCA4) will allow for a range of potential land uses which may lead to environmental impacts, specifically poultry farms. As sufficient information in relation to the range of environmental impacts associated with proposals which may be allowable under SCA4 is not available to the EPA in considering the LPS, the EPA has not been able to undertake an assessment of the relevant environmental issues. Subsequently, the EPA would expect that poultry proposals within the SCA4 are likely to lead to significant environmental impacts to the above factors due to associated nutrient, noise, dust and odour issues. The Shire should refer future significant proposals to the EPA pursuant to Part IV of the EP Act. This approach would also apply to proposals within the existing zones included within the LPS, which have been transferred from the previous scheme.</p> <p>The EPA recommends that the existing SCA4 text be modified to change poultry farms from a permitted 'P' use, to an 'A' use. This means that the use is not permitted unless an application has been advertised in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015.</p> <p>The EPA also recommends that the SCA4 text require all development to be consistent with the State Planning Policy 2.5 Rural Planning, which repealed the previous State Planning Policy 4.3 Poultry Farms Policy. The SCA4 text should also require poultry development to be consistent with the Code of Practice for Poultry in Western Australia (2003), the Environmental Code of Practice for</p>		

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		<p>Poultry Farms in Western Australian (2004), and any more contemporary publications of these codes.</p> <p>The EPA supports the SCA4 requirement for poultry farms to be in 'controlled environmental sheds', which will contain and manage nutrients which would otherwise potentially impact the Peel Harvey Catchment.</p> <p><b>Conclusion</b></p> <p>The EPA concludes that the amendment can be managed to meet the EPA's environmental objectives for the above factors through the local planning scheme provisions and/or proposals to further identify, manage and protect the above environmental values and factors. The Shire should refer future significant proposals to the EPA pursuant to Part IV of the EP Act.</p>		
<p>Department of Fire and Emergency Services IN20/4279</p>	<p>11.</p>	<p>I refer to your letter dated 19 September 2018, regarding the Shire of Serpentine Jarrahdale draft Local Planning Strategy (Strategy) and Local Planning Scheme No. 3. It should be noted that this advice relates only to State Planning Policy 3.7 Planning in Bushfire Prone Areas (SPP 3.7) and the Guidelines for Planning in Bushfire Prone Areas (Guidelines). It is the responsibility of the proponent to ensure that the proposal complies with all other relevant planning policies and building regulations where necessary. This advice does not exempt the applicant/proponent from obtaining necessary approvals that may apply to the proposal including planning, building, health or any other approvals required by a relevant authority under other written laws.</p> <p><b>Assessment</b></p> <p>DFES welcomes the opportunity to provide comment on the Strategy and acknowledges the Shire's commentary on bushfire risk. The following advice is provided for the Shire to consider in refining the Strategy:</p> <ul style="list-style-type: none"> <li>- DFES supports the objective in section 5.4.1 of the Strategy which states: "Ensure the safety of the community from bushfire risk".</li> <li>- DFES notes figure 20 of the Strategy identifies several areas associated with future growth within the Shire. However, it is unclear if an assessment of the bushfire risk has been undertaken for the areas identified.</li> <li>- DFES notes strategy (d) in Table 26 of the Strategy "...that buildings will be constructed to the appropriate Bushfire Attached Level (BAL)". While research into bushfire events has demonstrated improved survival outcomes for buildings constructed to AS3959 standards, it is important to recognise that building to an appropriate BAL is no guarantee that a building will survive a bushfire event on every occasion, due to environmental and site characteristics. Further, AS3959 states that siting and design, access and water are also relevant regarding survivability of a building.</li> </ul> <p>Where the Strategy aims to identify suitable land for land use intensification within designated bushfire prone areas, it is important an assessment of the bushfire hazard issues is undertaken that informs the suitability of areas (if any) for urban</p>	<p>Noted – We appreciate your response via submission to the Draft Local Planning Strategy and Local Planning Scheme No.3. The draft Scheme consolidates proposals for new development areas that have already been subject to bushfire hazard assessments through scheme amendments, structure plans and the Rural Strategy. The new development areas identified with the draft Strategy also align with the areas identified under the Perth and Peel @ 3.5 Million Framework. The new development investigation areas included within the draft Strategy will be subject to a bushfire hazard assessment as a part of determining an appropriate land use and intensity, if any, for the area.</p>	

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		<p>expansion and/or land use intensification. The minimum requirement to satisfy SPP 3.7 is the preparation of a Bushfire Hazard Level (BHL) assessment and an assessment against the bushfire protection criteria requirements contained within the Guidelines.</p> <p>At this strategic level, it is acknowledged that bushfire management is likely to be only one consideration of the decision maker in determining the suitability of the land for proposed intensification. However, this emphasises the need for an understanding of what the bushfire risks are, so an informed decision can be made as to the suitability of areas for expansion or intensification of land use. Deferring consideration of the bushfire risk to subsequent planning stages may serve to exacerbate the situation through increased expectations from landowners regarding land use change, should the areas identified be unable to achieve compliance with the bushfire protection criteria in the Guidelines. In accordance with our advisory role, we reiterate consideration of the following information prior to the determination of the Strategy.</p> <p><b>1. Bushfire Hazard Level (BHL) assessment</b></p> <p>i. A BHL assessment is required subject to Policy Measure 6.3 of SPP 3.7. It provides a 'broad brush' means of determining the potential intensity of a bushfire for an area. This assessment assists in determining the suitability of land contained within strategic planning proposals for future subdivision and development. It is a pre-development tool used to inform decision making at subsequent planning stages to ensure a holistic understanding of the bushfire risk. Opportunities and constraints and the presentation of information within a matrix should be considered, where relevant (refer to the tables below);</p> <p>ii. A BHL assessment should be prepared for all areas identified for land use intensification which are designated as bushfire prone within the Strategy, including those areas that have not been previously tested by SPP 3.7 and are yet to be zoned or developed. This assessment can be a stand-alone document that informs the Strategy, or can form part of the document itself.</p> <p>iii. Although not specified within SPP 3.7 and the supporting Guidelines, the Shire should also consider the following:</p> <ul style="list-style-type: none"> <li>• a BHL assessment for those areas identified in the current Strategy or zoned in the current Scheme, but not yet developed. A BHL assessment will identify those areas that cannot comply with SPP 3.7; or alternatively identify measures to ensure future compliance, such as an improved road network; and</li> <li>• identification of measures to improve the resilience of those areas that are developed within or adjoining areas with an extreme bushfire hazard; this could be improved vehicular access and egress; increased hazard separation; improved water infrastructure; implementation of fire management strategies and vegetation management.</li> </ul> <p>iv. Appendix Two of the Guidelines outlines the methodology for undertaking a BHL assessment.</p>		

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		<p>v. Required outcomes of the assessment are to:</p> <ul style="list-style-type: none"> <li>• identify areas of low or moderate BHL that are most suitable for land use intensification;</li> <li>• evaluate the appropriateness of areas identified for intensification of land use;</li> <li>• identify improvements required to the broader road network to ensure that vehicular access and egress is available and safe during a bushfire event.</li> </ul> <p><b>2. Opportunities and Constraints Assessment</b></p> <p>It is critical at this level of the planning to connect the spatial understanding of the bushfire threat with strategic decisions about intensification of land use to reduce the vulnerability of people, property and infrastructure to the threat of bushfire. An understanding of the bushfire hazard provides for the identification of opportunities and constraints for the areas proposed for land use intensification. These areas can then be evaluated against each other, as well as each element of the bushfire protection criteria, to highlight the locations where it is unlikely compliance with the criteria can be achieved.</p> <p>An opportunities/constraints assessment can address issues related to the bushfire protection criteria that have arisen following the BHL assessment, including:</p> <table border="1" data-bbox="528 1108 1406 1759"> <thead> <tr> <th>Protection criteria</th> <th>Key considerations</th> </tr> </thead> <tbody> <tr> <td>Element 1: Location</td> <td> <ul style="list-style-type: none"> <li>o Consider the landscape context of the proposal, including the type and extent of vegetation, topography (particularly land with slopes of &gt;10 degrees), areas of possible fire-runs and evacuation options.</li> <li>o Identify areas which represent an extreme bushfire risk that cannot be managed and should not be supported for development.</li> <li>o Areas most suitable for land use intensification are where the bushfire hazard is low or moderate.</li> <li>o Identify conservation areas including TEC, heritage sites, nature reserves or national parks that may constrain a location.</li> <li>o Identify vulnerable and high risk land uses, and critical infrastructure.</li> </ul> </td> </tr> <tr> <td>Element 2: Siting and design</td> <td> <ul style="list-style-type: none"> <li>o Identify interfaces between development and bushfire prone vegetation which may require increased setbacks to achieve an appropriate BAL rating (in accordance with AS3959).</li> </ul> </td> </tr> <tr> <td>Element 3: Vehicular access</td> <td> <ul style="list-style-type: none"> <li>o Consider the wider road network and identify any limitations to the provision of multiple access routes both at the local and district levels.</li> <li>o Identify vehicular access routes that provide safe access and egress to two different destinations.</li> <li>o Identify opportunities to improve access and egress for existing development including incorporating emergency access ways and fire service access routes where no alternative exists.</li> </ul> </td> </tr> <tr> <td>Element 4: Water</td> <td> <ul style="list-style-type: none"> <li>o In reticulated areas, highlight locations of hydrants and existing water infrastructure.</li> <li>o In non-reticulated areas, it will be necessary to demonstrate the availability of alternative water supplies for firefighting purposes.</li> </ul> </td> </tr> </tbody> </table> <p><b>3. Bushfire Protection Criteria Matrix</b></p> <p>i. If the BHL assessment is being prepared with multiple development or investigation areas for land use intensification being considered, the assessment should provide a comparison of the areas. In particular, it should consider the</p>	Protection criteria	Key considerations	Element 1: Location	<ul style="list-style-type: none"> <li>o Consider the landscape context of the proposal, including the type and extent of vegetation, topography (particularly land with slopes of &gt;10 degrees), areas of possible fire-runs and evacuation options.</li> <li>o Identify areas which represent an extreme bushfire risk that cannot be managed and should not be supported for development.</li> <li>o Areas most suitable for land use intensification are where the bushfire hazard is low or moderate.</li> <li>o Identify conservation areas including TEC, heritage sites, nature reserves or national parks that may constrain a location.</li> <li>o Identify vulnerable and high risk land uses, and critical infrastructure.</li> </ul>	Element 2: Siting and design	<ul style="list-style-type: none"> <li>o Identify interfaces between development and bushfire prone vegetation which may require increased setbacks to achieve an appropriate BAL rating (in accordance with AS3959).</li> </ul>	Element 3: Vehicular access	<ul style="list-style-type: none"> <li>o Consider the wider road network and identify any limitations to the provision of multiple access routes both at the local and district levels.</li> <li>o Identify vehicular access routes that provide safe access and egress to two different destinations.</li> <li>o Identify opportunities to improve access and egress for existing development including incorporating emergency access ways and fire service access routes where no alternative exists.</li> </ul>	Element 4: Water	<ul style="list-style-type: none"> <li>o In reticulated areas, highlight locations of hydrants and existing water infrastructure.</li> <li>o In non-reticulated areas, it will be necessary to demonstrate the availability of alternative water supplies for firefighting purposes.</li> </ul>		
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		<p>likelihood that development in an individual area may or may not comply with the bushfire protection criteria.</p> <p>ii. This can be in the form of a matrix and provide a qualitative assessment identifying if it is considered that the areas proposed for intensification of land use are likely, possibly or unlikely to meet the criteria. It should recognise that compliance may be subject to the subsequent stages of the planning process.</p> <p><b>Recommendation – insufficient information</b>  It is critical that the bushfire risk is understood for those areas where intensification of land use is proposed by the Strategy.  A bushfire assessment may be necessary to identify opportunities and constraints for land use intensification, and the ability to achieve compliance with the bushfire protection criteria of the Guidelines. This assessment should also inform bushfire risk management measures for the Strategy to ensure all recommendations for land use intensification avoid any increase in the threat of bushfire to people, property and infrastructure.</p>		
Western Power IN19/24235	12.	<p>The structure plan, future subdivision and development processes must protect the transmission line corridor and associated assets from encroachment, mitigating public safety and network reliability risks and ensuring there is no impediment to routine and emergency land access to the network.</p> <p>1. Prior to subdivision, Western Power will need to review, assess and provide prior written consent to any proposals below or within the registered easement, in accordance with the easement conditions, including:</p> <ul style="list-style-type: none"> <li>• Landscaping plans (including mature heights and location of species);</li> <li>• Ground level changes;</li> <li>• Permanent structures;</li> <li>• Drainage plans;</li> <li>• Conservation controls.</li> </ul> <p>2. In respect to condition 1, the proponent must submit detailed design plans for the any development or change in land use proposed within the electricity infrastructure corridor to allow determination of its suitability in respect to public safety, routine and emergency land access and future network plans. Regarding public safety assessment, the requirements of the detailed study are summarised below and a required to form part of the servicing strategy:</p> <ul style="list-style-type: none"> <li>• Soil Resistivity Report outlining on-site measurement of the soil resistivity, using the Wenner method.</li> <li>• An Earth Potential Rise study to determine touch, step and transfer potentials, including documentation of all calculations.</li> <li>• A Low Frequency Induction study to investigate the effects of induced voltages from the power line for step, touch and transfer potentials, during both construction and operation of the site.</li> </ul>	Noted – The Shire would like to acknowledge Western Power’s submission to the Local Planning Scheme No.3 and will seek further advice and referral at subdivision and development stages.	

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		<ul style="list-style-type: none"> <li>• An Electrostatic Induction study to investigate the potential of hazardous charging of metallic objects in the vicinity of the line, such as fences, gates and other services.</li> <li>• An Electromagnetic Field Study to determine the impacts of Electric and Magnetic Fields as per ARPANSA guidelines.</li> </ul> <p>The studies should identify any mitigation required and be submitted to Western Power for review, record-keeping and to confirm the appropriateness of the proposal prior to subdivision. Please be advised that Western Power can provide data to assist in the preparation of the report, which will attract a fee. Costs will be estimated and funds must be received prior to assessment commencing. Generally assessments will take between three to five weeks, from receipt of funds.</p> <p>3. Western Power requires the following additional provisions to be included on the Structure Plan for consideration at the subdivision and development stages:</p> <ul style="list-style-type: none"> <li>• Provision of Section 70A Notifications on all proposed lots adjoining the existing Western Power registered easement prior to subdivision clearance advising prospective purchasers that they are in close proximity to power infrastructure which will be maintained, upgraded and expanded on a regular basis.</li> <li>• All development shall be designed and constructed to protect Western Power infrastructure and interests from potential land use conflict.</li> <li>• No development (including fill, fencing, storage or parking) will be permitted within Western Power registered easements without the prior written approval of Western Power or the relevant power line operator.</li> </ul> <p>Note: The above advice should not be construed as Western Power's support or otherwise of the land use or development proposed in the existing electricity corridors and associated registered easements. Further detailed studies will be required to determine the suitability of subdivision and development within the easement corridors.</p>		
Department of Biodiversity, Conservation and Attractions IN20/1344 (late submission)	13.	<p><b>Shire of Serpentine Jarrahdale Draft Local Planning Strategy and Local Planning Scheme No 3</b></p> <p>In reference to your correspondence dated 19 September 2019 requesting comments on the Shire of Serpentine Jarrahdale's Draft Local Planning Strategy and Local Planning Scheme No. 3, the Parks and Wildlife Service of the Department of Biodiversity, Conservation and Attractions (the department) provide the following comments.</p> <p>The department notes that the overarching strategic direction outlined in the Local Planning Strategy is to not support further urban sprawl beyond the existing supply of land zoned and planned for settlement growth, and instead the strategy promotes urban consolidation by making better use of the existing infrastructure and land.</p>	Noted – The Shire would like to thank the Department of Biodiversity, Conservation and Attractions for making a submission to the Local Planning Scheme No.3.	

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		<p><b>3.5 Transport.</b>  The proposals outlined in the Draft Local Planning Strategy to upgrade Mundijong Road, Abernethy Road and Thomas Road will require future detailed environmental assessment and approvals to ensure that the level of environmental impact is acceptable and managed. This is particularly important for the Mundijong Road reserve which provides a critical east west ecological corridor across the Swan Coastal Plan and supports occurrences of threatened ecological communities, populations of threatened flora species, Conservation category wetlands and regionally significant vegetation within Bush Forever sites.</p> <p><b>5.4 Environmental and Natural Resources Management</b>  Strategy D, “Where development is proposed in the vicinity of bushland with regional or local values, there is a presumption that any buildings will be constructed to the appropriate Bushfire Attack Level”, and Strategy E. “The broad scale clearing of vegetation as a means of addressing bush fire risk will not be supported “are noted and supported.</p> <p><b>5.4.2 Vegetation and Biodiversity</b>  Strategies A “Support the conservation of regionally significant areas and Bush Forever sites”, B “Protect natural areas for conservation purposes and limit development within such areas”, C “Identify natural corridors, including those along roads and railways to support ecological linkages”, E “Identify environmental features at rezoning and structure planning stages and promote the retention of such features within public open space” and K “Ensure the development or changes in land use do not adversely impact on the conservation values on the property”, and Actions 1 “Include vegetation protection provisions within the LPS”, 2 “Include land clearing provisions”, 3 “Include provisions for landscaping to be comprised of locally native species in LPS 3”, and 4 “Include an Environmental Conservation Zone within LPS 3 to conserve areas of environmental significance which are privately owned”, are supported.</p> <p>It is the department’s expectation that the ‘conservation of regionally significant areas’ will include threatened ecological communities, threatened species populations, significant fauna habitat, and Conservation and Resource Enhancement category wetland areas and their buffers.</p> <p>It is also the department’s expectation that fauna management issues, including the displacement of kangaroos will also be considered and addressed at rezoning and structure planning stages.</p> <p>The department has no additional comments on the proposed amendments within the draft Town Planning Scheme No 3.</p>		
Peel Harvey Catchment Council IN20/859	14.	Submission on the Shire’s Draft Local Planning Strategy and Planning Scheme The Peel-Harvey Catchment Council (PHCC) appreciates the opportunity to provide comment on these two important planning instruments, recognising that the Shire is fast-growing and covers most of the northern Peel-Harvey Catchment.	Noted – We appreciate your response via submission to the Draft Local Planning Strategy and Local Planning Scheme No.3.	

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		<p>PHCC is the peak community based, Natural Resource Management (NRM) body working across the 1.1 million hectares of the Serpentine, Murray, Hotham, Williams and Harvey River catchments. Our Mission is that we are key agents for change towards a healthier Peel-Harvey catchment. As environmental stewards we will encourage and enable effective catchment management to create a healthier natural environment in the Peel-Harvey by building community education and capacity, influencing and leading critical thought and environmental pride, and exemplifying and implementing best practice.</p> <p>PHCC recognises the challenges of planning for rapidly growing communities on the periphery of a capital city where there are significant natural, agricultural and landscape assets to be protected and enhanced. Our comments are focused on ensuring the Shire can continue to protect these natural assets and support sustainable development for the community (ecologically, socially and economically).</p> <p>Comments on the Draft Planning Strategy</p> <p><u>Section 2 Strategic Intent</u></p> <ul style="list-style-type: none"> <li>• Planning principles (page 14). The proposed planning principles are adequate, but should be complemented by the principle of 'Planning with nature' or 'Maintain ecological integrity'. This principle should be made explicit in the planning strategy. The principle of 'sustainability' (page14), which has been in use for over 20 years has been shown to be inadequate to address the decline of biodiversity, water resources or address the challenges posed by climate change.</li> </ul> <p>As we enter the next 10 years, further pressure will be placed on biodiversity, already under increased pressure due to reduced rainfall, increased temperatures and increased wildfire.</p> <ul style="list-style-type: none"> <li>• Strategic objectives (page 15). <ul style="list-style-type: none"> <li>o We recommend a new strategic objective be added under Place or Prosperity: Protection and enhancement of natural capital (land, water and biodiversity). This is a key strategic objective to achieve sustainable development across the Shire. The existing objectives relate to diversity of natural landscapes, and unique character which do not necessarily not support the productivity to sustain the community and economic activity.</li> <li>o We recommend a new strategic objective be added under People: Connect people to nature and communities. Alternatively, this could be made explicitly in the objective of an inclusive community.</li> </ul> </li> </ul> <p><u>Section 3 Place</u></p> <ul style="list-style-type: none"> <li>• Urban Design (page 19) Strategy 3.1.1 (a) should include a response to natural resources (biodiversity and water resources). Presently, it is responsive to climate, landscape and heritage.</li> </ul>		

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		<ul style="list-style-type: none"> <li>• A new Urban Design strategy (page 19) and associated implementable action should be that new developments are located within walkable public transport catchments, or planned public transport service catchments. As a general comment, we felt that the Strategy did not give public transport the priority that it requires for a rapidly growing, outer metropolitan communities.</li> <li>• The development of an Urban Forest Strategy (page 19), to be integrated into other planning and environmental instruments, is strongly supported. This should be explicitly integrated with the Shire’s local biodiversity strategy</li> <li>• Proposed Urban Investigation Areas between Byford and Mundijong (Figure 5) are not supported. The protection of larger lots and green spaces in this area is the priority objective to maintain the identity and quality of life of Byford and Mundijong communities, and avoid further sprawl.</li> <li>• A Strategy and associated implementable action should be included in the Rural Living section (page 26) to ensure all new development meets nutrient management standards to protect water quality and other natural assets. The nutrient pollution output of these lots sizes has been shown to be comparable to broadscale agricultural land use if not actively management and controlled.</li> <li>• The goal of protecting agricultural land (Section 3.3.1 page 33) is strongly supported, but the existing objectives, strategies and actions need to be strengthened. It is recommended that: <ul style="list-style-type: none"> <li>a. A new objective be added ‘Protect and enhance the natural assets on rural lands (soil, water, biodiversity and native vegetation). This objective is supported by a strategy and actions to support landcare efforts and environmental restoration on farmlands.</li> <li>b. A new strategy and associated implementable action should be to “Ensure rural land zoning and development is within land capabilities and carrying capacities.</li> <li>c. Remove the strategy 3.3.1 (h) Provide for monitoring of nutrient levels..., and replace with a strategy and action to Ensure new land uses in the rural zone meet or exceed standards for water quality improvement.</li> <li>d. As part of 3.3.3 Protecting the Rural Landscape, include a new strategy and associated implementable action to ‘Promote the Environmental Conservation Zone to those within the Rural Zone. This could be appended to Strategy 3.3.3 (a).</li> </ul> </li> </ul> <p><u>Section 4 People</u></p> <ul style="list-style-type: none"> <li>• For Public Open Space (Section 4.2, page 53), include: <ul style="list-style-type: none"> <li>a. A strategy and associated implementable action that ensures the integration of water sensitive design into Public Open Space. Such a strategy sits well with the other proposed strategies already included (correct orientation, optimise passive surveillance etc);</li> <li>b. A strategy and associated implementable action that ensures that conservation areas, where included in POS, are appropriately protected and established. (We understand this not to be ideal, but POS often is used to protect important conservation areas as a last resort).</li> </ul> </li> </ul>		

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		<p><u>Section 5 Prosperity</u></p> <ul style="list-style-type: none"> <li>• For Industrial land use (Section 5.2, page 69), include a strategy and associated implementable action to ensure that new industrial development conforms to standards of environmental design, management and sustainability (e.g. see <a href="https://www.perthnrm.com/wp-content/uploads/2016/09/Guidelines-for-industrial-development.pdf">https://www.perthnrm.com/wp-content/uploads/2016/09/Guidelines-for-industrial-development.pdf</a>)</li> </ul> <p>For Environment and Natural Resource Management (Section 5.4):</p> <ul style="list-style-type: none"> <li>• Include a new Strategy and associated implementable action to ensure that the Shire has locally relevant information on future predicted climate trends. These relate to bushfire risk, flooding and biodiversity conservation and should influence future development decision-making.</li> </ul> <p>b. Include a new Strategy and associated implementable action to ensure that a site's biodiversity values are surveyed and assessed prior to planning determinations.</p> <p>c. Change Strategy 5.4.1 (e) to: Not support the broadscale clearing of vegetation, including as a means of addressing bushfire risk. (The Shire should not support any further broadscale clearing of native vegetation).</p> <p>d. Include a new strategy and associated implementable action to complement 5.4.2 (c) and (d) and support Regional Green Linkages. Ensure development within and adjacent to Regional Green Linkages creates and enhances wildlife habitat in accordance with Shire Guidelines. The Regional Green Linkages are strongly supported, but will need proactive planning instruments to ensure they are protected and enhanced. The Guidelines for the revegetation, restoration and management of Regional Green Linkages could form part of the Urban Forest Strategy.</p> <p>e. Include a new strategy and associated implementable action in Section 5.4.2 to ensure that the scheme recognises and supports significant sites of environmental restoration and management. These areas could be designated Environmental Restoration Zones and complement the Environmental Conservation Zone, and is to reflect the importance of revegetation and environmental restoration on the coastal plain portion of the Shire. It would recognise large areas of revegetation or wetland restoration, such as bushland protection and revegetation attached to mineral sand mining, minesite rehabilitation or wetland/drainage interventions. It could also encourage new biodiversity offset sites within the shire.</p> <p>f. The Water Management objective in Section 5.4.3 (page 79) to prevent pollution of the Peel-Harvey Catchment should also include the Serpentine River System.</p> <p>g. A new strategy and implementable action in Section 5.4.3 should be to protect all riparian vegetation and revegetate appropriately to enhance habitat and protect banks</p>		

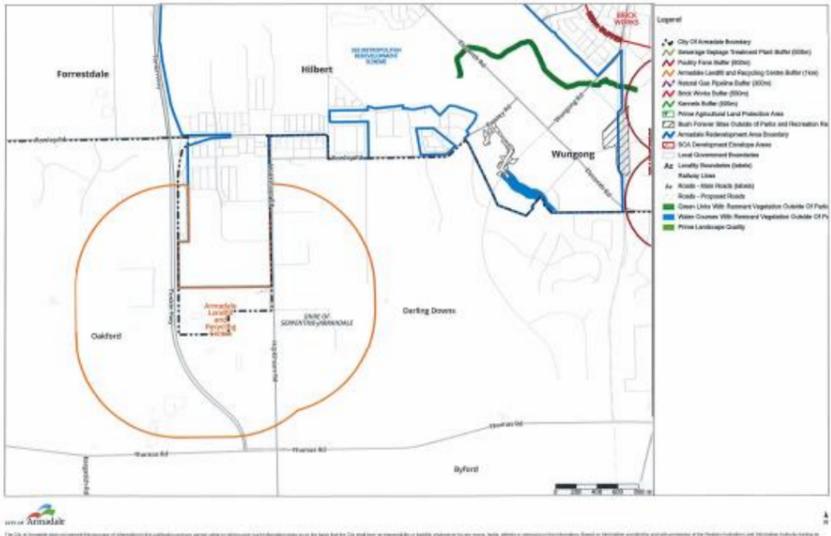
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		<p>h. A new Strategy and implementable action in Section 5.4.3 should be to Ensure development assesses, recognises and respects the significance of watercourses and wetlands to local Noongar people.</p> <p><u>Comments on the Draft Scheme</u></p> <ul style="list-style-type: none"> <li>• The aims of the Scheme (Section 9) are strongly supported.</li> <li>• The scheme does not define the land uses ‘horticulture’ and ‘viticulture’, even though Section 43 specifically refers to these two types of intensive agriculture. The definition of agriculture – intensive (definitions table) does not include reference to horticulture or viticulture. These could be amended into the ag-intensive definition. It is important to define horticulture and viticulture as Section 43 contains important clauses.</li> <li>• In Part 3 (Zones and zone objectives), the Environmental Conservation should also have the objective of providing support and incentives for the undertaking of nature conservation, especially to private landholders and non-government organisations. This is to reflect the actual practice in the Shire.</li> <li>• As per the comments above on the Planning Strategy, a new zone (Environmental Restoration Zone) should be included in the Scheme. Land in the zone need not have high conservation values, as per Environmental Conservation Zone sites, but is land being restored and managed for long-term protection of environmental values. For example, land restored as part of environmental offsets, development commitments or as part of mine-site developments, such as mineral sand mining. <ul style="list-style-type: none"> <li>• Revision of the Conservation Zone into the Environmental Conservation Zone.</li> </ul> </li> </ul> <p>i. PHCC recognises the Shire as a leader in providing incentives for private land conservation in WA.</p> <p>ii. PHCC recognises that the Conservation Zone is being renamed to the Environmental Conservation Zone in the new scheme.</p> <p>iii. While the new scheme has a different structure to the old, PHCC expects that all of the relevant components of the Conservation Zone will be retained in the Environmental Conservation Zone. These include explicit clauses that:</p> <ul style="list-style-type: none"> <li>○ Before including land within the Environmental Conservation Zone Council will require the owners of the land to prepare a submission in support of its inclusion uses but will depend upon site survey and reference to land capability and other planning data. Land uses must not conflict with, or they will contribute to, the significance of conservation values present.</li> <li>○ A management plan for each Environmental Conservation Zone shall be drafted to Council’s satisfaction by the landowner with input from other relevant organisations and the land owner’s consultant where necessary.</li> <li>○ The management plan shall establish the limits for land use and criteria that any development will have to satisfy. The plan will form the basis for site management and future management decisions.</li> <li>○ The management plan shall, as appropriate, identify buffer zones, and the required conservation management practices and other measures as</li> </ul>		

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		<p>deemed necessary to achieve a satisfactory standard of protection relative to the significance of conservation values present.</p> <ul style="list-style-type: none"> <li>○ The implementation of a management plan by the land owner is a means of longer term protection for the site and will be accompanied by a reduced Council rating on the land. The incentives for these conservation measures will be a reduction in the general rural rate which shall be set at 50% unless otherwise amended by Council.</li> <li>○ Environmental Conservation Zone lands are not intended for acquisition by the Council or State Government Agencies. Rather the general aim is to encourage and make it easier for landowners to protect and manage the conservation values present.</li> <li>• Section 29 (Other State planning policies), could be corrected to recognise SPP 2.1. Peel-Harvey Coastal Plain Catchment.</li> <li>• Section 41 Dams. It should be made explicit where dams require planning approval, and clarify any other required approvals (under state legislation).</li> <li>• Section 43 Horticulture, Viticulture and/or Agriculture – Intensive.</li> </ul> <p>i. PHCC supports the Shire’s work to complement this section of the scheme with a Local Planning Policy Horticultural development in Local Governments of the Peel-Harvey Coastal Plain Catchment.</p> <p>ii. It should be made explicit that a planning approval is required for Horticulture, Viticulture and/or Agriculture – Intensive to support the land use table.</p> <p>iii. It should be made explicit in the scheme that new horticultural enterprises are to be sited and designed to pose a low or negligible risk to catchment water quality.</p> <p>iv. As per the comment above, the scheme needs to clarify the definitions of horticulture and viticulture, otherwise explicitly state they are included in the scheme definition of agriculture – intensive.</p> <ul style="list-style-type: none"> <li>• PHCC strongly supports Section 48: Vegetation. A clause should be included to state that the local government may require a conservation covenant to be placed over vegetation as part of a planning approval, to ensure the long-term protection of the vegetation. This differs from e Tree Preservation Order in that it applies to relatively larger areas of vegetation.</li> </ul>		
City Of Armadale IN20/855	15.	<p><b>SUBMISSION ON DRAFT SERPENTINE-JARRAHDAL LOCAL PLANNING STRA TEGYAND DRAFT TOWN PLANNING SCHEME NO. 3</b></p> <p>Thank you for your letter of 11 November 2019 inviting the City to comment on the above draft documents.</p> <p>It is noted that Lots 5072 Atlantic Road, Hilbert and Lots 4788 and 5001 Rowley Road, Hilbert have been removed from the Shire’s draft Town Planning Scheme No. 3 in accordance with the boundary modification between the City and the Shire that occurred in December 2010.</p> <p>The City adopted an amendment to TPS 4 (Amendment 104) in July 2019 to extend the scheme boundary over and zone Lots 5072 and 5001 as “General Rural” under the scheme and retain Lot 4788 as “Primary Regional Roads reservation under the Metropolitan Region Scheme (MRS). The Amendment was forwarded to the WAPC for final approval in August 2019. However, WAPC</p>	Noted, we appreciate your submission on the Local Planning Scheme No.3 and Local Planning Strategy. It is recommended that a buffer to the Armadale Landfill be included within Special Control Area SCA6 Buffers under the Draft Local Planning Scheme No.3.	<p>Designate Special Control Area (SCA6) – Development Control Area/Plan on 145 Hopkinson Road, Hilbert and apply a 500m buffer.</p> <p>The site accommodates a landfill site within the City of Armadale and the buffer extends within the boundary of the Shire. This area is therefore applicable to SCA6. The buffer distance is based on the Environmental Protection Authority separation distances guidelines.</p>

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		<p>have advised the City that Amendment No. 104 will be held in abeyance at the WAPC until the Shire of Serpentine Jarrahdale progress their amendment. Please note that the buffer for the Armadale Landfill facility extends into properties within the Shire of Serpentine Jarrahdale (see attached map). The buffer zone will remain in place whilst the landfill continues to operate. It is expected that when the landfill ceases operation in the future a waste transfer station will be operated from the site. Accordingly, a buffer zone will remain in place for many years. It is important that no changes are made to the existing land zonings within the Landfill Buffer that would enable further subdivision of the land and/or intensification of any sensitive landuses such as residential dwellings. The Local Planning Strategy and TPS 3 should reflect this.</p> 		
Department of Communities IN20/503	16.	<p><b>RE: DRAFT LOCAL PLANNING STRATEGY AND DRAFT LOCAL PLANNING SCHEME NO.3</b></p> <p>The Department of Communities (Communities) supports the Shire of Serpentine-Jarrahdale (the Shire) in the preparation of its draft Local Planning Strategy (the Strategy) and draft Local Planning Scheme No.3 (LPS3). Communities acknowledges the Shire's efforts in balancing concentrated growth in existing urban centres with the preservation of its rural and natural environments.</p> <p>Communities is committed to the creation of inclusive and vibrant communities with a strong focus on the connections between people, place and home. As outlined in our Affordable Housing Action Plan 2017-18 to 2019-20 (AHAP), Communities has three goals to assist in the delivery of these communities:</p> <ul style="list-style-type: none"> <li>• housing that helps achieve better outcomes for individuals and families</li> <li>• delivery of inclusive and connected communities, and</li> <li>• creating a housing system that responds to current and future needs.</li> </ul>	<p>The Shire has outlined under the zoning table - residential aged care facility which is defined as:</p> <p><i>'A residential facility providing personal and/ or nursing care primarily to people who are frail and aged and which, as well as accommodation, includes appropriate staffing to meet the nursing and personal care needs of residents; meals and cleaning services; furnishings, furniture and equipment. May also include residential respite (short term) care but does not include a hospital or psychiatric facility.'</i></p> <p>The inclusion of 'George Street between Pitman Way and Larsen Road' in SCA9 was supported by council in December 2018. Scheme Amendment 208 to Town Planning Scheme No.2 in relation to the</p>	

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		<p>With the AHAP in mind, Communities provides the following comments and feedback on specific parts of the Strategy:</p> <p><b>Section 3.0 - Place</b></p> <p><u>3.1 Urban Areas and Town Sites</u></p> <p>Communities supports the Shire's efforts to limit sprawl by nominating specific Development Investigation Areas adjacent to existing urban areas in Byford and Mundijong. This is generally in line with the State Government's land use planning framework the South Metropolitan Peel Sub-Regional Framework, which identifies Byford and Mundijong as district activity centres.</p> <p><u>Strategy and Action 3.1.2 a. Ensure that local structure plans and subdivision plans include a diversity of lot sizes to accommodate a range of housing types and sizes; and</u></p> <p><u>Strategy and Action 3.1.2 b. Require applicants to demonstrate how housing diversity will be achieved, which may include the incorporation and retention of a range of housing types, tenures and price ranges in new residential developments.</u></p> <p>The draft Strategy outlines that activity centres in Byford and Mundijong are suitable for higher density housing. Communities acknowledges this requires further action through the preparation of a Local Area Plan for Byford and a Development Strategy for Mundijong. In line with the AHAP, Communities encourages the Shire to explore planning incentives (plot ratio and height bonuses, site area and parking concessions) to facilitate the development of affordable and diverse housing typologies. This can further be facilitated through the planning system, by implementing mandatory requirements that a certain number of affordable homes are included in developments. This will further help to facilitate, incentivise and accommodate diversity of lot sizes and provide a range of housing tenures and sizes in the Shire.</p> <p>It is encouraged that the Shire promote applicants to provide such housing typologies (grouped sites, aged housing, affordable housing etc.) in appropriate locations. By ensuring these land uses and housing types are located in consolidated areas and well serviced by transport and community services, inclusive and well-connected communities are able to be fostered. As such, Communities encourages the Shire to promote the provision and incorporation of different housing typologies/tenures as a key consideration in future local planning in the Shire.</p> <p><u>Strategy 3.1.2 c. Encourage applicants to deliver a proportion of locally responsive housing outcomes (e.g. seasonal workers lodges, aged-care housing).</u></p> <p>Communities notes the Shire's efforts in promoting diverse housing outcomes for all members of the community. Whilst there is a growing proportion of older people</p>	<p>Byford Development Contribution Area is currently being advertised.</p>	

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		<p>who do not their own home or are reaching retirement age with a mortgage, the proportion of Western Australians over the age of 65 is projected to grow by 40 per cent to more than 500,000 by 2026. Addressing this issue presents a major challenge for all sectors. Despite an increased focus on infill development, there remains a lack of housing in a suitable size, type and location that is capable of supporting people to age in place across the State.</p> <p>The State's Ageing with Choice Directions Paper provides a five-year plan to support older people access affordable housing, so they can age well in their community of choice. Communities encourages the Shire to initiate conversation around older people's housing needs and preferences. Facilitating this conversation will help decision makers understand aged persons housing demand, providing for more informed and inclusive strategies to ensure that older people are able to age in place.</p> <p><u>Strategy 3.1.2 i. Encourage housing to confirm to universal and sustainable design principles.</u></p> <p>Communities supports the Shire's efforts in promoting universal design principles in housing within the Shire. Advocating for universal design to be an important factor when designing a house will help provide options for those who require higher levels of accessibility. It is recommended that the Shire indicates how it is intended to promote and implement universal design principles across the Shire. This will help to ensure seniors, those with disabilities and people with small children are supported and integrated more effectively across the Shire.</p> <p>Communities encourages the City to explore and incentivise minimum Liveable Design Standards for the construction of single residential and grouped dwellings (Class 1 Dwellings). This will help to support people with disabilities to live within the local area and to cater for other people who require high levels of accessibility such as seniors, carers, and people with small children.</p> <p>Additionally, Communities supports the Shire's intent to promote sustainable design principles. However, Communities encourages the Shire to indicate and expand on what policy approaches are to be implemented to achieve these outcomes. It is recommended that the Shire explore options to implement policy or design guidance to ensure sustainable design is provided for across the Shire. By doing so, sustainable design can contribute to lower running costs but more broadly can contribute positively towards more environmentally sustainable and resource efficient urban environments.</p> <p><b>Section 4.0 – People</b></p> <p><u>Strategy and Action 4.1 (3 &amp; 4) Prepare a development contribution scheme and plan for community infrastructure within Byford and Mundijong</u></p> <p>Communities recognises the importance in identifying the need for facilities within the Shire to ensure the needs of the community are being met into the future.</p>		

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		<p>Communities notes that the Shire is currently progressing Complex Amendment – Town Planning Scheme No.2 – Community Infrastructure Contribution Plan which proposes to include Development Contribution Area 4 (DCA4) into Appendix 10 of LPS2. to include areas in Byford and Mundijong. This will enable the implementation of the Community Infrastructure Development Contribution Plan (CICDP) within DCA4. It is unclear how DCA4 and the associated CICDP are intended to be incorporated into draft LPS3.</p> <p>It is recommended that the Shire provide clarity on how the proposed development contribution scheme will be implemented in the context of draft LPS3.</p> <p><b><u>Draft Local Planning Scheme No.3 (LPS3)</u></b></p> <p>Communities acknowledges the efforts made to bring the Scheme in line with the Planning and Development Act, Local Planning Scheme Regulations 2015 through the implementation of draft Local Planning Scheme No.3.</p> <p>With the above in mind, Communities wishes to provide the following comment and feedback on the Scheme:</p> <p><u>Table 3 – Zoning Table</u></p> <p>It is recommended that the Shire include Aged or Dependent Persons’ Dwellings within Table 3 and provide definition for it accordingly.</p> <p><u>Byford – Doley Road Precinct</u></p> <p>Communities is a significant landowner throughout the Shire and is actively progressing development opportunities in the area. Specifically, Communities has extensive landholdings in the Doley Road Precinct which forms part of a joint venture between Communities and Parcel Property. Currently 10 parcels of land make up approximately 25.7 hectares in the Precinct. The land is currently zoned Urban Development and is subject to the WAPC approved Byford District Structure Plan and the Doley Road Precinct Local Structure Plan. Additionally, the Beenyup Grove LDP has been prepared and endorsed by the Shire.</p> <p>Communities supports the Shire in maintaining the current Urban Development zoning of the Doley Road Precinct under draft LPS3. This will help to guide further subdivision and development through the already established Structure Plans and LDP’s.</p> <p><u>Schedule 3 – Special Control Area 9 (Byford Development Contribution Area)</u></p> <p>Draft LPS3 proposes inclusion of an item titled ‘George Street between Pitman Way and Larsen Road’. This project is identified as an Action in the draft Local Planning Strategy for the purpose of improving connectivity through the town centre. The proposal is not supported as part of the Byford DCP for the following reasons.</p>		

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		<p>George Street has already been constructed between Pitman Way and Evans Way</p> <p>In November 2019, the Shire released a public notice advising of an agreement reached with a local business operator for the sealing and kerbing of George Street between Pitman Way and Evans Way ('southern section'). The works were completed by the end of 2019 and the road is open. Inclusion of these works in the DCP would be inconsistent with the relevant State Planning Policy (SPP 3.6: Development Contributions for Infrastructure), which does not make provision for retrospective inclusion of existing infrastructure. Any outstanding works (for example, additional paths or landscaping) along the southern section are likely to be limited in extent, monetary value and external benefit. The cost of such works should be borne either by the Shire or through contributions made by local businesses benefiting directly from the resulting improvement in visual amenity and pedestrian access. Inclusion of these works in the DCP is not supported.</p> <p>The proposed standard of George Street between Evans Way and Larsen Road has not been specified or justified</p> <p>The DCP item does not specify the standard to which George Street north of Evans Way ('northern section') should be completed in terms of its position in the local road hierarchy. South of Evans Way, the Byford Town Centre Local Structure Plan provides a holistic framework to inform the design and construction of George Street. There is no approved local structure plan for the northern section. The DCP item therefore appears to have been proposed in the absence of any detailed land use planning or traffic modelling. Such modelling could only reasonably be undertaken once greater clarity on the specific nature and extent of the Highway Commercial uses envisaged in the Byford (District) Structure Plan, including access arrangements, is delivered through a local structure plan.</p> <p>The George Street item will be of only local benefit and lacks connection to the Beenyup Grove estate</p> <p>The Shire's Scheme and SPP 3.6 require DCPs items to have a demonstrated "connection between the development and the demand created". Section 2 of SPP 3.6 states that the key principle for DCPs is that "the 'beneficiary' pays" and that "consistent with this principle, developers will only fund the infrastructure and facilities which are reasonable and necessary for the development and to the extent that the infrastructure and facilities are necessary to service the development." The George Street project is more than two kilometres from the Beenyup Grove development and is not necessary for the progression of that development. There is no demonstrated connection between the two.</p> <p>The completion of works on the southern section of George Street and the construction of the northern section is likely to be of only local benefit. The southern section has been constructed already and provides rear access to a small number of commercial properties between George Street and South</p>		

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		<p>Western Highway. The northern section performs no such function as the properties with rear frontage to that section obtain access from South Western Highway. In the event that access to South Western Highway is rationalised in future, it would be reasonable for the northern section (being the alternative access) to be upgraded using contributions by the beneficiaries (the abutting landowners).</p> <p>The principles of certainty, efficiency and consistency espoused in the Scheme and SPP 3.6 do not facilitate inclusion of the George Street item in the DCP. The principle of certainty would be undermined by the inclusion of a new infrastructure item more than five years after the DCP commenced. Unlike annual cost escalations, which can be estimated and budgeted for, the inclusion of new infrastructure items undermines certainty and could set an undesirable precedent for similar requests by others. The proposed item would also diminish the efficiency of the DCP in that a significant part of the DCP area has already been subdivided and therefore cannot be liable for DCP contributions, creating a funding shortfall that the Shire would need to cover. This is considered to be an inefficient use of the Shire's financial resources and makes the uniform, consistent application of DCP costs across the DCP area impossible.</p>		
17. Consultants				
<p>Harley Dykstra  On behalf of landowner Lot 290 (No. 104) Kargotich Road, Oakford  IN19/27351</p>	18.	<p>Harley Dykstra, on behalf of the landowner of Lot 290 (No.104) Kargotich Road, Oakford ("subject land") is pleased to present this submission to the Shire of Serpentine-Jarrahdale for its consideration, regarding the proposed Local Planning Strategy and Local Planning Scheme No. 3. Our client, Mr John Rossi, is generally supportive of this planning initiative subject to the modifications set out in this submission.</p> <p><b>INTRODUCTION</b></p> <p>The Shire of Serpentine-Jarrahdale has initiated a draft Local Planning Strategy and corresponding Local Planning Scheme No. 3, which seeks to update the current planning framework to reflect the contemporary planning requirements set out within the Planning and Development (Local Planning Schemes) Regulations (2015), the State and Sub-Regional planning frameworks, as well as incorporating the Shire's community aspirations for the coming 10 years.</p> <p>This submission sets out the planning grounds for the Shire to do the following:</p> <ul style="list-style-type: none"> <li>• Favourably recognise the opportunities and benefits in providing for 1 hectare subdivision in appropriate circumstances; and</li> <li>• In so doing, designate Lot 290 (No.104) Kargotich Road, Oakford as 'Rural Residential 1' (1ha average) under LPS 3.</li> </ul> <p><b>DRAFT LOCAL PLANNING STRATEGY</b></p> <p>The Shire has prepared a draft Local Planning Strategy (LPS) that seeks to develop a set of strategic directions to guide development within the Shire for the</p>	<p>Noted. Shire officers recognise that there has been some interest in further subdivision to allow 1ha lot sizes in areas identified as Rural Residential RR-2. The Shire's draft Local Planning Strategy and Local Planning Scheme No.3 is required to be consistent with both the State and local strategic planning frameworks.</p> <p>The subject area is identified as Rural Residential (1ha – 4ha lot sizes) under the Western Australian Planning Commission's (WAPC) Perth and Peel @ 3.5 Million Sub-Regional Planning Frameworks. Under the Shire's Rural Strategy, which has been approved by the WAPC, the subject area is identified as Rural Living B (2ha lot size minimum). A large number of properties within the area are equine properties and the Shire is advocating to support the equine industry throughout the Shire.</p> <p>Lots that are 2ha in size are more appropriate to sustain equine uses than 1ha lot sizes, as guided by stocking rate guidelines. Larger lot sizes are also more appropriate to minimise land use conflicts between equine activities and residential uses. Potentially doubling the number of lots within the precinct would significantly increase the amount of</p>	

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		<p>forthcoming 10 years and beyond. The Local Planning Strategy sets out the community vision for the Shire, being “City living offering a rural lifestyle with abundant opportunities for a diverse community.” It also identifies the range of strategic objectives in order to achieve the vision. The objective that is particularly relevant to designating the subject land as ‘Rural Residential 1’ and in doing so contributing to a variety of lot sizes and efficient use of land, is as follows:</p> <p style="padding-left: 40px;">“Promote urban consolidation by making better use of existing zoned land and infrastructure through better-quality infill redevelopment and rural living development.”</p> <p>In doing so, subdivision shall respect the Shire’s natural assets by retaining all existing vegetation in accordance with the below objective:</p> <p style="padding-left: 40px;">“Maintain access to the natural environment and preservation of our high value natural assets for future generations to come.”</p> <p>As later detailed in this submission, designating the subject land as ‘Rural Residential 1’ under LPS 3 will ensure that new homes are located in areas that are well planned and make the most efficient use of existing and planned infrastructure.</p> <p><b>DRAFT LOCAL PLANNING SCHEME 3.</b></p> <p>The subject land is currently zoned ‘Special Rural 19’ (2ha minimum) under TPS 2. Under draft LPS 3, it is proposed that it will be zoned ‘Rural Residential 2’ (2ha minimum). Table 2 of the draft LPS 3 sets out the objectives of each of the zones, and accordingly, the objectives of the ‘Rural Residential’ zone are:</p> <ul style="list-style-type: none"> <li>• “To provide for lot sizes in the range of 1ha to 4ha</li> <li>• To provide opportunities for a range of limited rural and related ancillary pursuits on rural residential lots where those activities will be consistent with the amenity of the locality and the conservation and landscape attributes of the land.</li> <li>• To set aside areas for the retention of vegetation and landform or other features which distinguish the land</li> <li>• To provide a residential amenity with a rural character.”</li> </ul> <p><b>DISCUSSION &amp; REQUESTED MODIFICATION</b></p> <p>Since its preparation in 1994, the Shire’s Rural Strategy has promoted ‘Rural Living A’ (4000sqm – 1ha) in favour of ‘Rural Living B’ (2ha – 4ha) for good reasons including more efficient use of land and better land management. Historically ‘Rural Living B’ has not been considered a “viable future option for development in the Shire due to the costs to service, the waste and inefficiency of land and the increase in land management problem.” Conversely, ‘Rural Living A’</p>	<p>traffic within the area. This is not compatible with equine activities and associated trails within the area and maintaining the intended equestrian character of the area. Both the Scheme and Strategy outline and advocate for the equine industry across the Shire. The Scheme outlines in particular areas where horses can be kept subject to the discretion of the Local Government.</p> <p>The land sizing of the properties within the subject area are mostly approximately 2ha in size, which relates to the Rural Residential RR-2 designation that allows a 2ha lot size minimum. This land is also located on the most outer area of the Shire. As one of the outer most areas of the Shire on the Rural fringe, the larger Rural Residential RR-2 lots have been proposed over the area to provide a graduation of lots sizes. The Shire’s strategy for this is to develop a graduation of lot sizes from the outer areas into the urban cells (Byford) of the Shire.</p> <p>It is the strategic vision of the Shire to contain urban development within defined precincts interspersed by green corridors and rural forms of development. Preserving Rural Residential development with 2ha lot sizes is important to maintain a clear separation between the urban areas. Shire officers recommend no changes to the 2ha minimum lot size of the area.</p>	

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		<p>areas are considered to accommodate better lot sizes that provide a greater sense of privacy, space and better land management. Below are the key reasons for why 'Rural Residential 1' should be designated over Lot 290 Kargotich Road under LPS 3.</p> <p><u>Objectives of the 'Rural Residential' Zone</u></p> <p>As stated above, the 'Rural Residential' zone has as one of the objectives "to provide for lot sizes in the range of 1ha to 4ha." This objective in itself acknowledges that subdivision to 1ha 'Rural Residential' lots is able (if planned well) to maintain the rural living character of the area and also be consistent with the three other objectives of the 'Rural Residential' zone. With regard to the fourth objective, 1ha lot sizes are best suited to providing a residential amenity with a rural character as made clear in the Shire's Rural Strategy Review 2013. While it is noted that the proposed lot sizes will be smaller than the existing subdivision pattern, no conflict shall arise between the character of the 1ha and 2ha lots. As repeatedly made clear in the Rural Strategy, intentional consolidation is able to secure land from future urban expansion, and it is for this reason 'Rural Residential 1' is an appropriate designation. Lot 290 is one of the few large landholdings left in the area, which in the context of the broad precinct, presents a very unique opportunity for the Shire to preserve the rural character of the area while providing a range of lot sizes that are able to secure the land from future urban expansion.</p> <p><u>Strategies and Actions of the Draft Local Planning Strategy</u></p> <p>Table 9 of the Shire's Draft Local Planning Strategy and Actions identifies a number of strategies for Rural Residential areas that are relevant to the intent of this submission as follows:</p> <ul style="list-style-type: none"> <li>a) Provide for high amenity Rural Residential Areas which exclude potentially conflicting rural land uses and limit the establishment of rural industries</li> <li>b) Identify different forms of Rural Residential development with differing lot sizes</li> <li>c) Exclude land uses from Rural Residential areas which may result in environmental or landscape degradation</li> <li>d) Provide for a range of Rural Residential lot sizes."</li> </ul> <p>Not only will the 1ha rural residential lots maintain the rural character of the precinct, but also reduce the possibility of conflicting rural uses or rural industries establishing in the area. It is these non residential land uses that may have a negative impact on the rural character of the precinct and environmental and landscape qualities. Rural Industries are much less likely to establish on a 1ha lot than larger land holdings simply due to their land requirements. Not only will designating the subject land as 'Rural Residential 1' reduce the possibility of conflicting land uses establishing in the area, but it will also contribute to a variety of Rural Residential lot sizes that is currently lacking (lots are generally 1.75ha – 2ha in area).</p> <p><u>Efficient Use of Land</u></p>		

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		<p>As noted above, the Shire's draft Local Planning Strategy has as one of the objectives to "promote urban consolidation by making better use of existing zoned land and infrastructure through better-quality infill redevelopment and rural living development." The subject land presents a significant opportunity for the Shire to act on this objective. It is our concern that should the subject land be identified as 'Rural Residential 2' under LPS 3, the Shire will have missed an opportunity for more consolidated development that is able to retain the rural residential amenity of the locality.</p> <p><u>Increased Accessibility</u></p> <p>Subdivision of 1ha lots will provide the opportunity for an additional road connection to improve accessibility. Harley Dykstra has prepared two subdivision concept plans based on a 2ha and 1ha subdivision scenario to understand the best outcome for the land in the context of the broader precinct. In the case of 1ha subdivision, there is the opportunity to establish a road connection between Country Drive and Kargotich Road that will result in increased permeability throughout the precinct (see <b>Appendix A</b>). This may be compared to the increased traffic generation on Country Drive that will result if subdivision is designed in accordance with the Lots 175,176, 180 and Portion Lot 3, Corner of Kargotich and Rowley Roads, Oakford, Subdivision Guide Plan (see <b>Appendix B</b> and <b>Appendix C</b>). Should a road intersecting the subject land be established, the distance along this road from Kargotich Road to Country Drive will be approximately 550m. Without this road, the distance between the southern intersection of Kargotich Road and Country Drive, to the same point along Country drive where the proposed road would intersect, is approximately 1.4km.</p> <p><u>Improved Bushfire Management</u></p> <p>Modest re-subdivision of the precinct will also provide for better land management that will allow for increased safety particularly with regard to bushfire risk. As demonstrated above, subdivision of 1ha lots provides an opportunity for the establishment of an additional connection between Kargotich Road and Country Drive. From a bushfire safety perspective, this is a major advantage as the distance between the two existing entry/exit points is substantial (approximately 2.2km). The safer option for access and egress in the case of an emergency, particularly with regard to Lots 2 and 3 (refer to <b>Appendix B</b>) and existing 2ha lots along country drive (e.g. Lot 147 and 150), is to establish the road connection by subdividing the land to 1ha rural residential lots. Increased lot yield will also allow individual land owners to more effectively manage bushfire risk when compared to the management responsibility per landowner in the case of 2ha subdivision. Overall, the key benefit in terms of bushfire safety that 1ha subdivision offers to the locality is additional, safer, and more efficient access and egress options.</p> <p><u>Strengthen Local Economy</u></p>		

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		<p>In addition to the benefits of re-subdivision as listed above, designating the land as 'Rural Residential 1' shall also promote new investment in substantial new dwellings in the locality. Increased investment will strengthen the local economy of the area while also ensuring that the rural character of the area is preserved in the long term.</p> <p><b>PRECEDENT</b>  We understand that designating the subject land as 'Rural Residential 1' may set a precedent for other rural residential areas also to be designated as 'Rural Residential 1.' It should be noted that the subject land is an unsub-divided parcel of land that presents a unique opportunity for 1ha subdivision that is able to make more efficient use of the land while still retaining the overall rural residential character of the broader precinct. Should other large parcels of land also be able to demonstrate such benefits, there would be nothing preventing separate rezoning/recoding proposals supported by structure planning.</p> <p>An alternative approach for the Shire to consider is to allocate the entire North Thomas Road rural residential precinct as either 'Rural Residential 1' or 'Rural Residential 1 and 2.' This would then open the possibility for individual proposals for either 'Rural Residential 1' or 'Rural Residential 2' in coordinated sub-precincts, and where required, the recoding of land to 'Rural Residential 1.'</p> <p>In both of the above scenarios, the objective will be to achieve integrated and coordinated structure planning outcomes that avoid the possibility of ad-hoc subdivision and unprecedented lot breakdown. This will ensure the rural character of the Shire's 'Rural Residential' zone is preserved.</p> <p><b>CONCLUSION</b></p> <p>The landowners of the subject land support the intent of the proposed Local Planning Strategy and Local Planning Scheme No. 3 and accordingly propose that Lot 290 (No.104) Kargotich Road, Oakford be identified as 'Rural Residential 1.'</p> <p>In our view, the 'Rural Residential 1' designation under LPS 3 would uphold the objectives of the 'Rural Residential' zone, be consistent with the strategies and actions of the draft local planning strategy, result in the efficient use of land, increased accessibility, improved bushfire management and a stronger local economy.</p> <p><b>Refer to images IN19/27351</b></p>		
<p>Altus Planning IN19/27287</p> <p>Lot 102 (No. 8) Stevenson Place, Byford</p>	<p>19.</p>	<p>Please find below a submission on the Shire of Serpentine Jarrahdale's (the 'Shire') draft Local Planning Scheme No. 3 ('LPS3' or 'draft Scheme'). This submission has been prepared by Altus Planning on behalf of the landowner, Steve Fuller ('client'), of Lot 102 (No. 8) Stevenson Place, Byford ('land' or 'subject site').</p>	<p>The Shire's Town Planning Scheme No.2 (TPS2) zoned the Byford Old Quarter within the Urban Development zone. Urban Development provides the intention of future land use and basis for more detailed structure planning in accordance with the provisions of the Scheme. Where land is zoned as</p>	<p>The Shire will rezone on the Local Planning Scheme No.3 Maps – Map 1: Zone 2, 4, 8, 10 and 12 Stevenson Place, Byford as Residential R5.</p>

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		<p>We have been requested to investigate, assess and make a submission on LPS3 with respect to our client's land and proposed zoning. Our client has expressed concerns to the proposed zoning of their land in LPS3. More specifically, these concerns relate to the property's rezoning from its current 'R20' zoning subdivision in accordance to the existing Byford Townsite Detailed Area Plan, to a proposed "R2" zoning under the proposed LPS3.</p> <p><b>Property Description &amp; History</b></p> <p>In accordance with the Shire's current Local Planning Scheme No. 2 ('LPS2'), our client's land exists as a 9,038m<sup>2</sup> lot zoned 'Urban Development' and is situated within the Byford Structure Plan area. More specifically, it is located within Byford Townsite Detailed Area Plan ('DAP').</p> <p>Approved in November 2005, the Byford Townsite DAP outlines the Shire's vision and subsequent objectives to guide the subdivision of all residential land located within the Byford Structure Plan area east of the railway line. In the case of our client's land, the subject site is located within the Byford Townsite DAP's Residential Character Area 'A', which is also known as the Old Quarter precinct.</p> <p>Of note in the Byford Townsite DAP is the residential density coding for Residential Character 'A'. Under the Shire's current planning framework, it is apparent that our client's land is currently zoned with an R20 density coding. In accordance with Section 7.10 – Subdivision and Development Guidelines of the DAP:</p> <p><b>(i) Lot Sizes (infill)</b></p> <p style="padding-left: 40px;">Lots shall conform with the Residential Design Codes of Western Australia (R Codes) for R20 i.e. minimum 440m<sup>2</sup> average 500m<sup>2</sup>.</p> <p style="padding-left: 40px;">Applies to Residential Character Area – A, F</p> <p>The Old Quarter Precinct is defined by a mix of residential lot sizes and dwelling stock. While lots are generally of rectangular shape and in the order of 1,000m<sup>2</sup>, contemporary subdivisions reflective of the R20 density coding are also located within the precinct, most notably on Linton Street North, William Street and the south-east segment of Park Road (see Figure 1). This form of infill subdivision has occurred between the last 5-10 years.</p> <p>The subject land in this instance is located closer to the eastern perimeter of the Old Quarter whereby lot sizes are generally larger and more semi-rural in nature at the bottom of the Darling Scarp.</p> <p>Our client purchased his property in 1984 with the intention of subdividing the land. The surrounding lots have been incrementally subdivided over the years. Subdivision was granted approval in 2008 to create a new 2,405m<sup>2</sup> lot alongside Lot 100 on Ray Close (WAPC ref: 137131) but it lapsed, as with many other</p>	<p>Urban Development, there is a need for a local structure plan to be developed for the area.</p> <p>The Shire aims to provide for diversity of lot sizes and dwelling types within the Byford area to provide choice, adaptability and to accommodate a range of incomes, households, life stages and the changing demographics of Byford. Preserving historical urban development patterns to maintain the character and uniqueness of Byford is also an important objective for the Shire. Retaining existing larger lots to provide a range of housing types and lot sizes in the Byford area is important in ensuring that a diversity of housing is provided. This is also essential to preserve the existing character within the Byford Old Quarter precinct.</p> <p>For these reasons, some areas within the Byford Old Quarter that are located on the periphery of the Byford urban area have been zoned Residential and applied an R-Code to limit subdivision potential under the Draft Local Planning Scheme No.3. Retaining larger lot sizes in these locations will allow for a graduation of lot sizes to the Byford Town Centre, housing diversity, the retention of an established tree canopy coverage, and the preservation of the local character. The Shire is also seeking to prevent ad hoc, battle-axe subdivisions that are compromising the established character of the precinct.</p> <p>The Shire supports the proposed recommendations to designate the subject site R5 (minimum of 2,000m<sup>2</sup>). Any subdivision is subject to the approval of the WAPC.</p> <p>This change to the R-Codes is considered logical given the densities of the surrounding properties. This change to R5 is consistent with the objective of larger lot sizes being located further from the Town Centre, progressing towards the scarp.</p>	

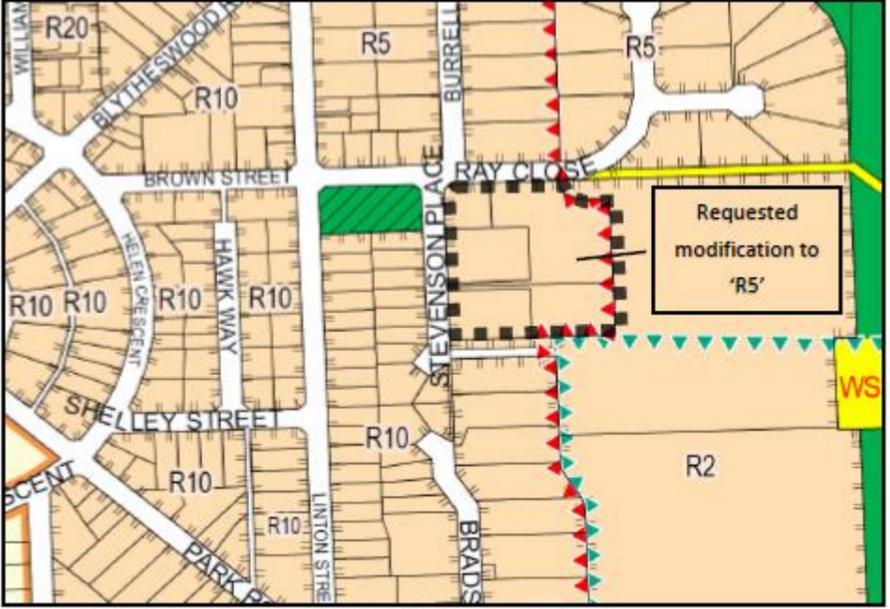
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		<p>similar approvals at the time, because of the uncertainty of the then draft developer contribution (see <b>Attachment A – 2008 approval</b>).</p> <p>In early 2015, our client received further subdivision approval from the Western Australian Planning Commission ('WAPC') to develop three (3) lots of 2,000m<sup>2</sup>, 2,426m<sup>2</sup> and 4,615m<sup>2</sup> on the subject site (WAPC ref: 150926 – see <b>Attachment B - 2015 approval and plan</b>). While the subdivision was partially completed with over \$100,000 spent as a result of costs towards the preparation of sewer and power connections, a new crossover, and a bushfire management plan, the development was ultimately abandoned and lapsed. This outcome resulted after a prospective buyer of one of the new lots withdrew their interest and it was felt that completion of the subdivision was too expensive and risky at the time.</p> <p>While all these previous approvals have subsequently lapsed, they indicate our client's intention to subdivide the land and willingness of the Shire and the WAPC to support such proposals. Consequently, our client wishes to maintain this same right to subdivide into the future.</p>  <p><i>Figure 1: Subdivision Pattern of Old Quarter Precinct, subject site located in bottom right-hand corner (Source: Shire of Serpentine Jarrahdale Intramaps, 2019).</i></p> <p><b>Concerns with Draft Local Planning Scheme No. 3</b></p> <p>Having reviewed the draft LPS3 and the Shire's accompanying draft Local Planning Strategy, it is our view that the proposed zoning changes within the existing Byford Townsite DAP area are inconsistent and only reflect the current lot size arrangements on existing properties.</p> <p>Characterised by draft LPS3's residential coding for properties within the Old Quarter precinct, the proposed lot sizes to the north and east of Park Road seem to have been selected as a reflection of what the current subdivision patterns</p>		

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		<p>have resulted in based on previous development. This is most prevalent on William Street, of which all properties that have already been subdivided on the eastern side have been zoned 'R20' under the new Scheme. Comparatively, properties on the western side of William Street, the majority of which are yet to be subdivided, are now planned to be zoned down to 'R10'.</p> <p>Similarly, our client's proposed 'R2' zoning for their property is indicative of what seems to be the Shire's assessment of existing lot sizes. It is interesting to note that properties of similar land size buffering the escarpment to the east of the subject site on Ray Close and Jamieson Rise have been zoned 'R5', as opposed to our client's 'R2'. The inconsistency of this proposed zoning does not assist in creating a clear transition from the higher densities in the Byford Town Centre to a more gradual lower of density eastward towards the scarp.</p> <p>Upon speaking to the Shire's duty planner on 7 November 2019, the planner justified the subject site's proposed zoning under the draft Scheme on the basis that it is in a "transition zone between urban and semi-rural residential living". Nonetheless, it remains confusing that some lots located further east towards the escarpment maintain a higher 'R5' density coding (most notably on Linton Street North and Stevenson Place) than lots which are located closer towards the Byford Town Centre.</p> <p>Given the information above, our client requests the Shire consider rezoning properties located on the east side of Stevenson Place to 'R5' to better align with surrounding properties as per Figure 2 overleaf.</p> <p>Aside from enabling a more justified and sensible residential zoning and density transition between the Byford Town Centre and rural escarpment, an 'R5' zoning for the subject site also fits closer with the existing arrangement under the Byford Townsite DAP. It should be noted that this minor modification to LPS3 will not extend but rather complete this pattern of subdivision within this part of the locality. This principle of completion has been adopted in case law in numerous Tribunal decisions within this State that deal with pattern of subdivision; e.g. RUFUS and WESTERN AUSTRALIAN PLANNING COMMISSION [2007] WASAT 281.</p>		

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		 <p data-bbox="519 1045 1142 1066"><i>Figure 2: Outline of properties that should be included within the R5 density code</i></p> <p data-bbox="504 1081 1484 1239">As noted in the previous section, the second difficulty that our client has is that there have already been a number of aborted attempts to complete a subdivision that would be consistent with the 'R5' code. Whilst a more personal consideration, it is the practical reality that the subdivision is effectively partially completed in terms of the infrastructure that is now available.</p> <p data-bbox="504 1270 638 1302"><b>Summary</b></p> <p data-bbox="504 1302 1484 1459">In conclusion, the landowner of Lot 102 (No. 8) Stevenson Place, Byford, <u>supports draft Local Planning Scheme No. 3 subject to a modification to the advertised version.</u> Specifically, it is requested that the new Scheme be modified by nominating Lot 100, Lot 102 and Pt Lot 104 with a residential coding of 'R5' instead of 'R2.5'.</p> <p data-bbox="504 1491 1484 1585">The down-coding of the old-quarter of Byford to reflect current lot sizes appears to have created several anomalies in the pattern and distribution of the various densities.</p> <p data-bbox="504 1585 1484 1680">As a result, it is our view that draft LPS3 should be considered with the above change prior to it being submitted for approval and endorsed by the WAPC. This modification will:</p> <ul data-bbox="549 1680 1484 1869" style="list-style-type: none"> <li>• result in a more specific and consistent density transition between the Byford Town Centre and Darling Range escarpment;</li> <li>• complete rather than extend the lot sizes on the eastern side of Stevenson Place; and,</li> <li>• acknowledge that a number of subdivision applications have previously been approved and have been partially completed on Lot 102</li> </ul>		

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Geoff Lewis Gray & Lewis Planning Consultants PO Box 234 FLOREAT IN19/27135	20.	Lots 47, 48 and 809 Shanley Road, Mardella  This submission is made on behalf of the land owner Mr Paul Gangemi. The subject land has been zoned Farmlet under TPS No2 yet is shown as Rural on the Draft TPS No 3 Maps. It should be zoned Rural Residential 2 (1.0 - 4.0ha lot) to accommodate the potential for Residential and Stables (2.0ha lots) as identified under the draft Local Planning Strategy.  A more detailed submission will be lodged prior to the close of advertising.	The Shire supports the zoning of Lots 47, 48 and 809 Shanley Road, Mardella as Rural Smallholdings to reflect the Scheme Amendment 205 to Town Planning Scheme No.2 which rezoned the land as Farmlet.  We appreciated your response via submission to the Draft Local Planning Strategy and Local Planning Scheme No.3.	<b>Scheme Map 3</b>  Zone Lots 47, 48 and 809 Shanley Road, Mardella as Rural Smallholdings.
Derek Westera on Behalf of Frederik and Alida Lancee IN19/27754	21.	No. 553 Lot 61 South Western Highway and Lot 72 Three Kangaroos Way Byford  No. 553 Lot 61 South Western Highway and Lot 72 Three Kangaroos Way Byford as recommended by the Draft Local Planning Strategy be included in the Rural Smallholding Zone under Local Planning Scheme No. 3 (LPS 3).  <b>SHIRE OF SERPENTINE JARRAHDAL LOCAL PLANNING SCHEME NO. 3            LOT 61 SOUTH WESTERN HIGHWAY AND LOT 72 THREE KANGAROOS WAY, BYFORD</b> Please find attached form and supporting documentation on behalf of Mr and Mrs Lancee owners of No. 553 Lot 61 South Western Highway and Lot 72 Three Kangaroos Way, Byford requesting;  That Lot 61 South Western Highway and Lot 72 Three Kangaroos Way as designated Rural Smallholding Zone under the new Local Planning Strategy be designated as Rural Smallholding Zone in the Local Planning Scheme No. 3 (LPS 3).  The subject lands were discussed our meeting on the 27th of August 2019 with Lauren Dujmovic and Jake Spiteri where the following points were raised: <ul style="list-style-type: none"> <li>• The new Local Planning Strategy (LPS) has recommended the subject lands be included in the "Rural Small Holding Zone"</li> <li>• The TPS 3 submission period was imminent and it was recommended to make submission for the site to be included in the "Rural Small Holding Zone" within TPS 3 in accordance with the LPS</li> </ul> Please find attached submission form signed by Mr and Mrs Lancee (the owners) and supporting documentation requesting No. 553 Lot 61 South Western Highway and Lot 72 Three Kangaroos Way Byford be included in the "Rural Smallholding Zone".  <b>SHIRE OF SERPENTINE JARRAHDAL LOCAL PLANNING SCHEME NO. 3</b>  <b>1.0 INTRODUCTION</b>	The Shire does not support the recommendation for Rural Smallholdings under the Draft Local Planning Scheme No.3, as this is considered premature rezoning to the proposed sites of No. 553 Lot 61 South Western Highway and Lot 72 Three Kangaroos Way Byford.  The Shire supports the identification of Rural Smallholdings under the Draft Local Planning Strategy for the subject site. The applicant will have to go through due process in submitting a Scheme amendment to the Local Planning Scheme and follow orderly and proper planning.  The Shire will consider any Scheme amendment based on its merit, as well as its alignment to the Local Planning Strategy. Importantly future scheme amendments will be assessed regarding there alignment with the Local Planning Strategy.  We appreciated your response via submission to the Draft Local Planning Strategy and Local Planning Scheme No.3.	

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		<p>This submission has been made on behalf of Mr and Mrs Lancee owners of No. 553 Lot 61 South Western Highway and Lot 72 Three Kangaroos Way, Byford requesting:            That Lot 61 South Western Highway and Lot 72 Three Kangaroos Way lands be included in the Rural Smallholding Zone under Local Planning Scheme No. 3 (LPS 3) as designated under the new Local Planning Strategy.</p> <p>This submission follows on from meeting points with the Shire of Serpentine Jarrahdale that:</p> <ul style="list-style-type: none"> <li>• The LPS has recommended the subject lands be included in the Rural Smallholding Zone</li> <li>• This zone provides a transition between abutting Rural Living zones and is considered appropriate and in keeping with this transitional objective with a 4 ha to 40 ha lot size</li> </ul> <p>No. 553 Lot 61 South Western Highway and Lot 72 Three Kangaroos Way Byford and associated surrounding lands are defined as Rural Smallholding Zone area under;</p> <ul style="list-style-type: none"> <li>• The Shire of Serpentine Jarrahdale Draft Local Planning Strategy (LPS) as Rural Smallholding; and</li> <li>• The Byford District Structure Plan December 2018 as Rural Smallholding and Special Residential</li> </ul> <p>Refer to excerpt from the LPS plan below depicting the subject area defined as Rural Smallholding.</p> <div data-bbox="560 1283 1311 1688" data-label="Image"> </div> <p><b>Source; Shire of Serpentine Jarrahdale LPS</b></p> <p>The following review and analysis discusses the range of Policies and provisions in place relevant to the submission objectives.</p> <p><b>2.0 STATUTORY BACKGROUND</b></p>		

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		<p>There are a range of objectives and provisions that apply to the subject lands. Relevant sections of these documents are discussed in the context of the submission objective requesting that the subject lands be designated as Rural Smallholding Zone under Local Planning Scheme No. 3 (LPS 3).</p> <p><b>SHIRE OF SERPENTINE JARRAHDAL DRAFT LOCAL PLANNING STRATEGY (LPS);</b> Excerpt from the LPS Map below depicts the subject area as Rural Smallholding and shows proximity to Byford.</p>  <p>Under Part 1 3.2.3 outlines, Table 10: Rural Smallholdings: Strategy and Actions Summary:</p> <ul style="list-style-type: none"> <li>• Accommodate various land uses and provide larger lots for equine land uses.</li> <li>• Exclude intensive rural industries from Rural Smallholdings areas to preserve amenity.</li> <li>• Exclude land uses which may result in environmental or landscape degradation.</li> <li>• Include a Rural Smallholdings zone within LPS 3 to provide for high amenity rural lifestyle and equestrian areas on larger lots between 4 ha - 40 ha, and exclude potentially conflicting land uses.</li> </ul> <p><b>SUBMISSION RESPONSE:</b> In response to LPS objectives the inclusion of the subject lands in the Rural Smallholding Zone:</p> <ul style="list-style-type: none"> <li>• Will assist in housing choice as the Byford area has a dominance of smaller rural allotments and will help to preserve the availability of larger rural living lots</li> <li>• Will improve land use compatibility through LPS zoning table requirements as the subject lands abut established rural living precincts</li> <li>• Land use activity and subdivision can be managed to ensure vegetation and landscape protection through the guidelines and provisions established under LPS 3 pertaining to rural land use controls, landscaping (section 47), vegetation (section 48 to 50)</li> </ul>		

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		<p>LPS Strategies include: Protect areas of significant landscape value and encourage the retention of vegetation and trees. Actions include a special control area for the protection of the landscape and amenity of the Darling Scarp.</p> <p>SUBMISSION RESPONSE: The rural character and landscape values can be maintained via LPS 3 provisions which includes Special Control Area 2 Environment; SCA2 Darling Scarp Landscape Protection. The subject land attributes and topography provide opportunity to allow development in compliance with Special Control Area 2 under LPS 3.</p> <p>Part 2 of the LPS report - recognises state planning policies. Under State Planning Policy 2.5 (SPP 2.5) objectives. "Importantly rural smallholdings proposals for rural land will be considered by exception in planning strategies and schemes, where topography, biodiversity values, bushfire risk, environmental matters and servicing can be managed in accordance with this and other State policies".</p> <p>SUBMISSION RESPONSE: In responding to the SPP 2. 5 objectives;</p> <ul style="list-style-type: none"> <li>• The inclusion of the subject lands in the Rural Smallholding Zone has been recommended by the LPS and Byford Structure Plan (2018).</li> <li>• Inclusion of the subject lands will provide for a recognised market for rural living and assists in providing for a range of housing and lifestyle opportunities which are connected to scheme water, power and telecommunications and abuts the Byford town site</li> <li>• Bushfire risk and natural hazards can be minimised and managed m accordance with State policy</li> <li>• Land use activity and subdivision within the site can be managed to ensure vegetation and landscape protection though the provisions established under LPS 3 pertaining to zoning table land use control, Rural Smallholding provisions, landscaping controls (section 47),and vegetation preservation (section 48 to 50)</li> </ul> <p>SPP 3.7 - Planning in Bushfire Prone Areas - The LPS states that the majority of the Shire has been identified within a Bushfire Prone Area and SPP 3.7 provides essential guidance on how the Shire can best protect its community and infrastructure from this natural hazard.</p> <p>The LPS under Part 1 5.4.1 Natural Landscape and Bushfire Risk relevant objectives are outlined as; Ensure the safety of the community from bushfire risk and achieve a balance between managing bushfire risk and preserving natural landscapes, the environment and biodiversity values.</p> <p>SUBMISSION RESPONSE: In responding to the LPS Part 1 section 5.4 1 and SPP 3. 7 objectives.</p>		

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		<ul style="list-style-type: none"> <li>• The subject lands are at the fringe of the Byford town site and have been identified as bush fire prone as has all rural living lands within the Byford town site and all lands west of the site.</li> <li>• Bushfire risk and natural hazards will need to be managed through BAL assessment and fire management planning</li> </ul> <p><b>SHIRE OF SERPENTINE JARRAHDALE LOCAL PLANNING SCHEME NO. 3 (LPS 3)</b></p> <p>LPS 3 aims relevant to this submission comprise -</p> <ul style="list-style-type: none"> <li>• Protect and enhance the landscape, natural environment, ecological values and environmental quality and improve the sustainable management of natural resources;</li> <li>• Preserve heritage values, amenity and areas of cultural significance and integrate new built environments with the existing local character;</li> <li>• Deliver a diversity of housing types and lot sizes to accommodate all sectors of the population, respond to changing needs, facilitate ageing in place and provide a range of housing choices;</li> <li>• Protect rural land for agricultural production and minimise land use conflicts;</li> </ul> <p>LPS 3 under Part 3 defines the Rural Smallholdings zone</p> <ul style="list-style-type: none"> <li>• To provide for lot sizes in the range of 4 ha to 40 ha.</li> <li>• To provide for a limited range of rural land uses where those activities will be consistent with the amenity of the locality and the conservation and landscape attributes of the land.</li> <li>• To set aside areas for the retention of vegetation and landform or other features.</li> <li>• To provide for a rural character and amenity with associated residential development</li> </ul> <p><b>SUBMISSION RESPONSE:</b> In response to LSP 3 Rural Smallholding Zone objectives.</p> <ul style="list-style-type: none"> <li>• Land use controls established within the LPS 3 Zoning Table will assist in improving and ensuring land use compatibility with adjoining rural living properties</li> <li>• Land use activity and subdivision within the site can be managed to ensure vegetation and landscape protection through the provisions established under LPS 3 pertaining to zoning table land use control, Rural Smallholding provisions, landscaping controls (section 47), and vegetation preservation (section 48 to 50)</li> <li>• The rural character and landscape values can be maintained via LPS 3 provisions which includes Special Control Area 2 Environment: SCA2 Darling Scarp Landscape Protection</li> </ul>		

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		<ul style="list-style-type: none"> <li>• Reflects the local and historical character, form and amenity of rural living taking place in the area</li> </ul> <p>LPS 3 under Schedule 4 - Additional Site and Development Requirements, 4.1 - Zone Development Requirements; Rural Smallholdings</p> <ul style="list-style-type: none"> <li>• No more than one (1) single house per lot shall be approved in the Rural Smallholdings zone.</li> <li>• Lot boundary fencing in the Rural Smallholdings zone shall be 75% visually permeable, to a maximum height of 1.2 metres and constructed of masonry, concrete, timber and/or wire. Fencing shall be unobtrusive and sensitive to the objective of maintaining rural character and visual amenity.</li> <li>• Where a lot is not connected to reticulated water, dwellings shall be provided with an adequate supply of potable water from either an underground bore, a rainwater storage system or an alternative system as approved by the local government, with a minimum capacity of 120,000 litres and an appropriate roof catchment where relevant in addition to an adequate supply of water for firefighting purposes as required by State Planning Policy 3.7 - Planning in Bushfire Prone Areas.</li> <li>• Holiday Accommodation development shall not exceed more than two (2) chalets or cabins</li> <li>• Removal of existing vegetation, which is not exempted from requiring development approval under clause 49 of this Scheme, will require a landscaping and revegetation plan to be prepared and implemented in accordance with clauses 47 and 48 of this Scheme to the satisfaction of the LGA.</li> </ul> <p>SUBMISSION RESPONSE In response to LSP 3 Rural Smallholding Zone requirements all development requirements can be complied with noting the lands are connected to scheme water, power and telecommunications. LPS 3 contains a comprehensive range of provisions to allow the subject lands inclusion within the Rural Smallholdings zone.</p> <p>The LPS Part 5 establishes under section 53. - Special control areas which are set out in Schedule 3. Special Control Area 2 Environment; SCA2 Darling Scarp Landscape Protection. Objectives include:</p> <ul style="list-style-type: none"> <li>• Preserve the amenity deriving from the scenic value of the Darling Scarp and to protect and enhance the landscape, scenic and townscape values.</li> <li>• Maintain the integrity of landscapes in the line of sight view corridor along scenic routes in the Shire, including but not limited to South West Highway, Nettleton Road, Jarrahdale Road, Admiral Road, Kingsbury Drive and both the North-South and East-West Railway lines and natural water courses.</li> </ul> <p>Additional provisions</p> <ol style="list-style-type: none"> <li>1. Development approval shall be required for all development within SCA2.</li> <li>2. Development shall not be approved on ridge lines or spur, bluff or knoll, escarpments, hill tops or visually exposed areas.</li> </ol>		

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		<p>3. Development shall not be approved in areas having a generalised slope greater than 25 percent.</p> <p>4. Development shall only be supported where the LGA is satisfied that the landscape value of the area will be protected and the development has been designed and sited to blend with the landscape.</p> <p>SCA2 Darling Scarp Landscape Protection is supported by Local Planning Policy 4.3: Landscape Protection Area which provides for the continued use and development of land along the scarp but ensures a high standard of visual appearance consistent with the local landscape qualities. The Policy addresses visual intrusiveness of development, colour schemes/materials, preservation and enhancement of the natural features and vegetation of the area including such details as:</p> <ul style="list-style-type: none"> <li>• Restricting development on visually exposed areas</li> <li>• Buildings are to be located below the skyline.</li> <li>• Driveways and private roads to be planted.</li> <li>• Minimise the amount of cut and fill.</li> <li>• Building appearance and measures to mitigate the reflectivity of building materials; and</li> <li>• Undesirable density of development visible from the South Western Highway or the coastal plain.</li> </ul> <p>SUBMISSION RESPONSE: In response to LSP 3 SCA2 Darling Scarp Landscape Protection</p> <ul style="list-style-type: none"> <li>• Development of the subject lands can be adequately assessed through requirements for development approval and subdivision</li> <li>• The subject lands are partly screened by existing trees from South Western Highway and its varied topography allows for the concealment of buildings at points throughout the land</li> </ul> <p>The lands are sufficiently varied in topography to accommodate the requirements of SCA2 Darling Scarp Landscape Protection and Local Planning Policy 4.3. The policy will limit lot configuration and sizes on the steeper sloping areas.</p> <p><b>SHIRE OF SERPENTINE-JARRAHDALE BYFORD STRUCTURE PLAN (2005 - 2018)</b></p> <p>Byford District Structure Plan December 2018 has been prepared to provide a broad framework for future land use planning and infrastructure provision for Byford. The Structure Plan proposes the subject lands on the east side of South Western Highway to be Rural Smallholding and portion of the land on the east to be Special Residential.</p> <p>SUBMISSION RESPONSE: The Byford Structure Plan Recommendations are compatible with the LPS and demonstrates the subject lands have been considered for this zoning for many years.</p>		

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		<p><b>PERTH TO PEEL@ 3.5M SOUTH METROPOLITAN PEEL - SUB-REGIONAL - PLANNING FRAMEWORK</b></p> <p>The Perth to Peel Framework is to be released for public comment in 2021. Relevant objectives include:</p> <p>Taking account of social, economic and environmental considerations including:</p> <ul style="list-style-type: none"> <li>• bushfire risk</li> <li>• containment of urban development to minimise further sprawl</li> <li>• protect regionally-significant landscape values</li> </ul> <p>Key planning framework principles;</p> <ul style="list-style-type: none"> <li>• Limited support for new rural residential development, with emphasis on areas currently zoned.</li> <li>• Facilitate increasing the number of people living close work with the identification of suitable sites for employment, with a focus on attracting strategic economic and employment land use</li> <li>• Retain land for agriculture and food production.</li> </ul> <p>The Framework document discusses Rural Residential as follows; "Rural residential areas provide alternative lifestyle and housing opportunities and may also provide a transition between urban and rural areas. However, rural residential development is a relatively inefficient form of development, places additional demand on community and service infrastructure that is difficult to meet and can prejudice other future planning options.</p> <p>State Planning Policy 2.5: Rural Planning states that within the Perth and Peel regions opportunities for rural living, including rural residential development, will become more limited with rural living proposals being considered by exception.</p> <p>Areas reviewed and classified for rural residential development in the framework include existing rural residential zones, areas identified within endorsed or draft strategies or other planning documents, and some areas of rounding-off of existing areas.</p> <p>On this basis, the creation of new rural residential lots/areas beyond those classified within the framework is unlikely to be supported by the WAPC. Rural residential land is characterised by lot sizes that are predominantly between one and four hectares.</p> <p>Areas where permitted lots sizes are predominantly larger than four hectares are considered to have a 'small holdings' character and are classified Rural, even if some lots smaller than four hectares in size are permitted. This does not exclude the creation of some lots that are less than four hectares in size in these areas,</p>		

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		<p>provided that this is already provided for in an existing scheme or strategy, prior to finalisation of the framework."</p> <p>SUBMISSION RESPONSE: In response to South Metropolitan Peel - Sub-Regional – Planning Framework:</p> <ul style="list-style-type: none"> <li>• The inclusion of the subject lands in the Rural Smallholdings zone has been provided for under the LPS and Byford District Structure Plan 2018</li> <li>• The inclusion of the subject lands in the Rural Smallholdings zone can be considered as a rounding off of an existing area</li> <li>• The inclusion of the subject lands in the Rural Smallholdings zone 1s able to adequately address SPP 2. 5 objectives through LPS 3 provisions and proper planning and design</li> <li>• The Framework states that areas where permitted lot sizes are predominantly larger than four hectares are considered to have a 'small holdings' character and are classified Rural, even if some lots smaller than four hectares in size are permitted This does not exclude the creation of some lots that are less than four hectares in size m these areas, provided that this is already provided for in an existing scheme or strategy, prior to finalisation of the framework</li> <li>• The Framework recognises the importance of rural living provided 1t can access community infrastructure and connect to all necessary infrastructure which the sub1ect lands are able to do</li> </ul> <p><b>3.0 SUMMARY OF SUBMISSION ANALYSIS</b></p> <p>The inclusion of the subject lands in the Rural Smallholding Zone has been recommended in the endorsed Byford District Structure Plan 2018 and the new LPS. These recommendations are also compatible with the objectives of the Perth to Peel @ 3.5m South Metropolitan Peel - Sub-Regional - Planning Framework. Inclusion of the subject lands in the Rural Smallholdings zone under LPS 3 can be comfortably implemented due to the comprehensive range of provisions available within the Scheme.</p> <p>In summary the subject lands are suitable for inclusion in the Rural Smallholding zone as;</p> <ul style="list-style-type: none"> <li>• <b>TRANSITION</b> - The Rural Smallholdings zone will provide a transitional zone between existing rural living areas abutting the lands which can be managed by LSP 3 provisions under which rural character and landscape values can be maintained and enhanced. The inclusion constitutes a rounding off of an existing area.</li> <li>• <b>HOUSING CHOICE</b> - The Rural Smallholdings zone caters for a recognised market for larger rural lot sizes as the Byford district which has a dominance of small 2ha allotments. This point is supported in all statutory documents reviewed above.</li> </ul>		

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		<ul style="list-style-type: none"> <li>• <b>INFRASTRUCTURE</b> - The subject lands are connected to scheme water, power and telecommunications, are located within 500m of the Byford residential area, within 2kms of the Byford primary school, shopping and community facilities. The zone will provide a range of housing based on LPS projections of population and will not occupy land with urban potential.</li> <li>• <b>COMPATABILITY</b> - The subject lands activities have been in place for 30 years, are not identified for priority agricultural land and are bracketed by rural living lands while the subject land attributes and topography provide opportunity to allow development in compliance with LPS 3 provisions.</li> <li>• <b>CHARACTER/HERITAGE</b> - The Rural Smallholdings zone will maintain rural character and will consolidate underutilised lands with the existing rural living lands that bracket the site.</li> <li>• <b>LAND USE CONTROL</b> - Land use will be managed through provisions under the LPS 3 Zoning Table which will assist in improving land use compatibility with adjoining rural living properties.</li> <li>• <b>LANDSCAPE VALUES</b> - Landscape values can be maintained through LPS 3 provisions which include - rural land use controls, landscaping (section 47), vegetation (section 48 to 50) and Special Control Area 2 Darling Scarp Landscape Protection. The subject lands attributes and topography provide opportunity for development to occur in compliance with these provisions.</li> <li>• <b>BUSHFIRE RISK AND NATURAL HAZARDS</b> - Bushfire risk and natural hazards can be managed in accordance with State policy. The lands are at the fringe of the Byford town site and have been identified as bush fire prone as has all rural living lands abutting and within the Byford town site. Development will be subject to BAL assessment and fire management planning.</li> </ul> <p>The preceding analysis supports the recommendations of the Byford District Structure Plan 2018 and the new LPS and demonstrates there are comprehensive provisions under LPS 3 ensuring the subject lands can be properly planned and regulated.</p> <p>It is requested No. 553 Lot 61 South Western Highway and Lot 72 Three Kangaroos Way Byford as recommended by the Draft Local Planning Strategy be included in the "Rural Smallholding Zone".</p>		
Allerding & Associates On behalf of Byford Hard Rock Quarry and Concrete Batching Plant	22.	Refer to IN19/27955 – add in	The current Town Planning Scheme No.2 zones the land Special Use for the purposes of extraction of hard rock/ landfill. Specifically the Special Use provisions are currently listed as follows:	The Shire will accommodate the Byford Hard Rock Quarry and Concrete Batching Plant as a new Special Use within Schedule 2 – Special Uses within the Local Planning Scheme No.3

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<p>Lot 202 South Western Highway, Whitby IN19/27955</p>			<table border="1" style="width: 100%; border-collapse: collapse; margin-bottom: 10px;"> <thead> <tr> <th style="width: 10%;">DESCRIPTION OF LAND</th> <th style="width: 10%;">PERMITTED USE</th> </tr> </thead> <tbody> <tr> <td>1. (a) Portion of Lot 8 in Diagram 67316, being Cockburn sound Location 214, 1051 and 2779 and portion of Cockburn Sound Location 326 and 422 South Western Highway, South Cardup.</td> <td>Extraction and processing of hard rock and clay.</td> </tr> <tr> <td>(b) Southern portion of Pt Lot 3 Diagram 32400 being portion Cockburn Sound Location 22 comprising an area of approximately 7.85 hectares, northern portion Lot 8 in Diagram 67316, being portion of Cockburn Sound Location 326 and 448, South Western Highway, South Cardup.</td> <td>Waste disposal, composting and associated landfill activities.</td> </tr> <tr> <td>(c) Southern portion Lot 6 in Diagram 64866 being portion Cockburn Sound Location 448 and 22 comprising an area of approximately 19.00 hectares, South Western Highway, South Cardup.</td> <td>Waste disposal, composting and associated landfill activities.</td> </tr> </tbody> </table> <p>AMD 30 GG 5/7/96</p> <p>The submitter seeks to retain these unchanged. It is noted that the waste management framework for WA has evolved significantly since the creation of this zone in 1996. With State Government objectives that seek to reduce resources being disposed of via landfill (Zero Waste Strategy), officers do not believe that a current explicit permissibility for waste disposal, composting and associated landfill activities is appropriate given the significant changes that have occurred through waste minimisation strategies. To this end officers recommend retaining a Special Use zone only for extraction and processing of hard rock and clay, which is industry – extractive.</p> <p>The effect of this would be that new application for development approval would only be limited to the extraction and processing elements, and that rehabilitation would have to be through other measures than landfill.</p> <p>Officers also recommend that SCA2 be retained with an additional provision as follows:</p> <p><i>“For industry – extractive development, the local government will require pre and post mining landscape modelling, as part of any application for development approval. This is to assist the local government is considering the merits of any such application in respect of the degree to which the landscape value of the area will be protected”.</i></p> <p>This is to ensure that the local government can set appropriate expectations for extractive industry developments in relation to the application of SCA2. This will ensure that the existing landscape</p>	DESCRIPTION OF LAND	PERMITTED USE	1. (a) Portion of Lot 8 in Diagram 67316, being Cockburn sound Location 214, 1051 and 2779 and portion of Cockburn Sound Location 326 and 422 South Western Highway, South Cardup.	Extraction and processing of hard rock and clay.	(b) Southern portion of Pt Lot 3 Diagram 32400 being portion Cockburn Sound Location 22 comprising an area of approximately 7.85 hectares, northern portion Lot 8 in Diagram 67316, being portion of Cockburn Sound Location 326 and 448, South Western Highway, South Cardup.	Waste disposal, composting and associated landfill activities.	(c) Southern portion Lot 6 in Diagram 64866 being portion Cockburn Sound Location 448 and 22 comprising an area of approximately 19.00 hectares, South Western Highway, South Cardup.	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Development shall only be approved for the purposes of extraction and processing of hard rock and clay.         </td> </tr> </tbody> </table> <p>Zone Lot 202 South Western Highway, Whitby as Special Use (SU13) on the Local Planning Scheme No.3 Maps – Map 2.</p> <p>Schedule 3 – Special Control Areas – SCA2</p> <p>Amend to include a new provision which states:</p> <p><i>‘5. For industry – extractive development, the local government will require pre and post mining landscape modelling, as part of any application for development approval. This is to assist the local government is considering the merits of any such application in respect of the degree to which the landscape value of the area will be protected.’</i></p>	No.	Description of land	Special use	Conditions	SU13	Lot 202 South Western Highway, Whitby	Byford Hard Rock Quarry	1. The following shall be considered as ‘A’ uses: <ul style="list-style-type: none"> <li>• industry – extractive</li> <li>• industry – light</li> </ul> 2. 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			attributes will be taken into account in considering how the landscape will be protected and that the extent of any degradation to the landscape from the extractive industries will be known. This will improve the implementation of SCA2 in relation to industry – extractive developments.	
Harley Dykstra on behalf of P & A Colletti IN19/27875	23.	<p><b>SUBMISSION TO LOCAL PLANNING STRATEGY AND LOCAL PLANNING SCHEME NO.3 – LOT 32 THOMAS ROAD, OAKFORD (P &amp; A. COLLETTI)</b></p> <p>I refer to the above and confirm that this correspondence represents a submission on behalf of P &amp; A Colletti, landowner of Lot 32 Thomas Road, Oakford. Lot 32 comprises 19.25Ha of rural land fronting Thomas Road, and adjoins the land immediately to the east, that has been planned for urban zoning and development pursuant to Local Planning Policy 51 (LPP 51). Lot 32 is also part of the Oakford Village development area covered by LLP 51, and it remains the landowner's clear intention to continue pursuing more intensive land use and development options given the opportunities that are available to the subject land, as further detailed in this submission.</p> <p>By way of background, the Shire will be well aware of the long-standing support for the Oakford Village Concept, that was initially identified in the Shire's 1994 Rural Strategy and ultimately made its way into LPP 51 and a subsequent MRS Amendment for urban re-zoning of portion of the precinct, adopted by the Shire in 2012 and reiterated/resubmitted to the WAPC in 2014. The Oakford Village has always been seen as a strategically located village that could function as both a village lifestyle opportunity, a rural and agricultural enterprise opportunity, and a village hub and service centre for the wider surrounding rural-residential and rural-agricultural hinterland around Oakford.</p> <p>Lot 32 adjoins the land that has been earmarked for the core of the Oakford Village under LPP 51 Concept Plan. The land within LPP 51 is increasingly being recognised as very unconstrained and developable land due to attributes including: cleared of native vegetation; elevated sand landform; excellent drainage capability; and its unfragmented status. Further, the Oakford Village Precinct is increasingly being well served by major government infrastructure including the Thomas Road – Anketell Road upgrade plans associated with Westport, new roundabout proposed for Thomas Road and Nicholson Road intersection, new traffic bridge at the corner of Nicholson Road and Armadale Road, and new rail extension to Byford which brings public transport closer to the Oakford Village Precinct. Further a new service station, convenience store and liquor store are currently being established on the land adjoining Lot 32. The existing community fire station site has also been established on the adjoining land for a very long time and is likely to be upgraded to a more substantial facility over the coming years. All this combined assists in facilitating and bringing forward the reality of Oakford Village being established in the short-medium term.</p>	<p>The subject land is outlined as Rural Enterprise on the Draft Local Planning Scheme No.3 maps.</p> <p>The Shire has identified two types of development investigation areas on the Strategy map:</p> <ul style="list-style-type: none"> <li>- Development investigation areas (Shire led)</li> <li>- State planning investigation areas (State Government led)</li> </ul> <p>These investigation areas are still subject to future planning and it should not be assumed that land use change is intended; rather the investigation is there to enable a more detailed look at the area in question to determine what if any change is appropriate. If the land use changes in the future.</p> <p>As part of the Perth and Peel@ 3.5 million, the Sub-regional Planning Frameworks (Frameworks) identified some sites as Planning Investigation Areas, where further detailed work and strategic land use decisions need to be made by Government to determine whether any possible change to current zonings may be appropriate. These areas will be considered as a part of the strategic review of Perth and Peel as well as the review of the Local Planning Strategy. Until this work has been undertaken the areas should not be construed to support for rezoning, as there is a potential that as a result of detailed investigations more intensive development may not be suitable.</p> <p>The Western Australian Planning Commission outlined that the state planning investigation areas are intended to be resolved prior to the review of the Frameworks, which is anticipated to commence in 2021.</p> <p>The Shire has identified this under the Strategy as a State development investigation area which was outlined to be reviewed and decided upon by 2021,</p>	

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		<p>It is understood that the new advertised Local Planning Framework (Strategy and Scheme) shows a portion of the land under LPP 51 as being within the rural land precinct, and then shows a portion within the rural enterprise precinct, with an overlay also illustrating the State Planning Investigation Area. In the context of the above, and given the entire Lot 32 is shown as Rural Enterprise, on behalf of A. Colletti, we submit the following:</p> <p>1. LPP 51 overlay area ought to be illustrated on the Local Planning Strategy Map, given that this represents a long held position of the Shire for its future strategic planning of the area, and given that the policy itself was accepted by both the Shire and the WAPC as a framework to clearly articulate the planning steps that need to be followed to allow and facilitate the ultimate development of the Oakford Village. To ignore such a significant project and policy when preparing a Shire-wide Local Planning Strategy is really leaving a significant piece out of the planning puzzle. It is therefore requested that the area covered by LPP 51 be identified on the Local Planning Strategy Map, and the area be referenced as a policy overlay for Oakford Village;</p> <p>2. The Local Planning Strategy illustrates the western portion of LPP 51 (including Lot 32) area as a "Rural Enterprise Precinct". Whilst it is understood that the aim for this precinct is to reflect the existing subdivision pattern and predominant land uses, it is true that this precinct identification will give rise to further rural enterprise and light industry development within the precinct. This may then be in conflict with the potential Oakford Village or other development plans that arise out of the Planning Investigation Area. It is therefore suggested that the identification of this "Rural Enterprise Area" within the Planning Investigation Area is premature and should be removed until such time as the outcomes of the Planning Investigation Area are known; and</p> <p>3. The proposed Local Planning Scheme also illustrates the same land as identified in point 2 above and includes it within the Rural Enterprise zone. It is proposed that the Rural Enterprise zone be withdrawn from the section of land that is affected by the Planning Investigation Area, for the reasons already outlined in point 2 above.</p> <p>I trust that the above submission and succinct requests are clear and also reflect the discussions that we have been having over the past months in relation to planning for Oakford Village. We would certainly appreciate the opportunity to liaise with the Shire further on this matter, so that when the final form of the Local Planning Framework is presented to Council, we have had adequate opportunity for input and discussion before the final decision.</p>	<p>subject to future planning and land capability studies.</p> <p>Local Planning Policy No.51 outlines the following policy objectives:</p> <ul style="list-style-type: none"> <li>- Provide a framework to support implementation of the Rural Economic Living Area (RELA) identified by the Jandakot Structure Plan and the Oakford Rural Village identified within the Shire of Serpentine Jarrahdale Rural Strategy.</li> <li>- Provide a framework to explore opportunities for innovation in the development of a rural village and economic living area in the Oakford locality, and</li> <li>- Provide guidance for the sequencing of planning and outlining matters to be addressed in planning for the Oakford Rural Village and RELA.</li> <li>- To provide clarity and certainty to applicants, landowners, the broader community and Council with regard to Oakford, whilst ensuring a level of flexibility and providing a framework to respond to changes in strategic direction.</li> </ul> <p>The proposed modifications to the Draft Strategy are to reflect the long-term planning for the Oakford Village that has occurred since it was originally identified in the Shire's 1994 Rural Strategy. The Oakford Village is also identified within the Jandakot Structure Plan, which was approved by the WAPC in 2007. The Jandakot Structure Plan proposed a small rural village in Oakford at the intersection of Thomas Road and Nicholson Road. The Jandakot Structure Plan envisaged that the Oakford Village would incorporate the 'key elements of traditional rural towns with a main street, focused social infrastructure and a gradation of lot sizes'. The Oakford Village concept is also identified within the Shire's Local Planning Policy 51 - Oakford Rural Economic Living Area Planning Framework (LPP51), which was adopted in 2011.</p>	
Allerding & Associates Pan Pacific Mining Pty Ltd	24.	<p>Lot 207 (#40) Tuart Road, Oakford</p> <p>We have been engaged by Pan Pacific Mining Pty Ltd to prepare a submission in respect of the Shire of Serpentine-Jarrahdale Draft Local Planning Scheme No. 3</p>	<p>The Shire does not support industry – extractive in the Rural Enterprise zone, the objectives of the zone as follows:</p>	

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<p>125 Hamersley Road,  SUBIACO  IN19/27301</p>		<p>(Draft LPS3). Our client is the owner of the land at Lot 207 (No. 40) Tuart Road, Oakford (subject site).</p> <p>The basis of this submission is to note that, whilst we do not object to the progression of Draft LPS3 generally, we have concerns with the permissibility of uses of land within the Rural Enterprise zone. We consider that the land use permissibility of certain land uses within the Rural Enterprise zone should be amended to better reflect the intended objectives and intent of the zone and the Jandakot Groundwater Protection area which covers a large portion of the zone. This includes changing the land use permissibility for an “industry – extractive” use from ‘X’ to ‘A’ in the Rural Enterprise zone under Table 3 – Zoning Table to facilitate the sequential mining of the area to extract valuable basic raw materials to prepare the land for future land use and development as anticipated under Draft LPS3. This would also facilitate the continued supply of this important sand resource to nearby urban expansion areas, including Byford, for use by the construction industry.</p> <p>The basis for this is outlined in our submission below.</p> <p>1. <u>Overview of Importance of Basic Raw Materials within the Shire of Serpentine-Jarrahdale</u></p> <p>It is well understood that basic raw material in the form of sand resource exists in this locality, which is characterised by undulating topography containing large deposits of sand suitable for the construction industry. Access to this known source of sand within and surrounding the subject site, which is located in close proximity to urban expansion and infill projects within Byford, Oakford, Cardup, Piara Waters, Harrisdale and Baldivis, results in reduced travel time with consequential and significant reductions in carbon emissions and material wear and tear which would otherwise arise if it was necessary to travel from more extraction sites. It is also recognised that extractive industry can be a temporary use and given its use in the development of urban areas for buildings, roads and infrastructure, its cost effectiveness often requires proximity to the urban areas.</p> <p>Further, in order to prepare the land for the types of industrial and intensive agricultural land uses anticipated under the Rural Enterprise zone of Draft LPS3, significant earthworks may be required to create development sites with suitable contours to facilitate these types of uses. It is an established principle under both State Planning Policy 2.4 – Basic Raw Materials (SPP2.4) and Draft State Planning Policy 2.4 – Basic Raw Materials (Draft SPP2.4) that “to facilitate the exploitation of basic raw materials whilst supporting future long-term development for urban and other purposes, sequential land use planning should be a requirement whereby extraction and rehabilitation can take place on a programmed basis in advance of longer-term use and development.”</p> <p>Given that a known sand resource exists in this locality, which will ultimately require some form of extraction to facilitate appropriate development sites for present and future land use planning, it would be inappropriate for an Industry – Extractive land use to be prohibited in the Rural Enterprise zone under Draft LPS3.</p>	<ul style="list-style-type: none"> <li>- To provide for light industrial and ancillary residential development on one lot.</li> <li>- To provide for lot sizes in the range of 2 ha to 4 ha.</li> <li>- To carefully design rural enterprise estates to provide a reasonable standard of amenity without limiting light industrial and intensive agricultural land uses.</li> <li>- To notify prospective purchasers of potential amenity impacts from light industrial land uses.</li> <li>- To ensure light industrial land uses do not adversely affect soils, watercourses and other water resources.</li> </ul> <p>Industry – Extractive land use is not considered to fit within the objectives of the Rural Enterprise zone and is defined under the Scheme as:</p> <ul style="list-style-type: none"> <li>- means premises, other than premises used for mining operations, that are used for the extraction of basic raw materials including by means of ripping, blasting or dredging and may include facilities for any of the following purposes –</li> <li>- a. the processing of raw materials including crushing, screening, washing, blending or grading;</li> <li>- b. activities associated with the extraction of basic raw materials including wastewater treatment, storage, rehabilitation, loading, transportation, maintenance and administration.</li> </ul> <p>Extractive industries are incompatible with maintaining an acceptable level of amenity expected in the Rural Enterprise zone. Also, the Rural Enterprise zone coincides with the Jandakot Water Mound in many parts where native vegetation retention and expansion is a key objective. Extractive industry is incompatible with this. The land use will create noise and emissions to the surrounding residents, businesses and agricultural land uses. The Shire does not support the changing of use under the Local Planning Scheme No.3 zoning table from X to A.</p>	

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		<p>If this was to occur, it would directly conflict with the intent of both SPP2.4 and Draft SPP2.4 which seek to prioritise the sequential extraction of basic raw materials ahead of the final intended land use.</p> <p>The recognition and protection of known basic raw materials is a key objective and strategy measure outlined in Clause 5.4.4 of Part 1 of the Shire’s Draft Local Planning Strategy. Part 2 (Background Information and Analysis) of the Draft Strategy also recognises the importance of basic raw materials in the following terms at Clause 4.10.6:</p> <p>“Basic raw materials (BRM) are construction materials <u>such as sand</u>, clay, rock and limestone. Aside from depletion, <u>local BRM supplies are now becoming increasingly constrained by the growth of the city</u> and important environmental considerations. The need to reduce future BRM requirements is an important part of the planning behind future urban and industrial development. <u>BRM resources should be protected where feasible to secure strategic basic raw material resources to meet predicted future needs.</u>”(Underline emphasis added)</p> <p>The protection of basic raw materials therefore ought to be a focus of Draft LPS3 given that it represents a critical resource to the urban expansion areas within the Shire, including nearby Byford. Draft LPS3 should not place further constraints on this important land use through zoning controls.</p> <p>Further, it is considered that the Industry – Extractive land use is one that can occur in accordance with the objectives of the proposed Rural Enterprise zone under Draft LPS3 given that it represents a land use which can be appropriately managed to avoid adverse impacts on the amenity of the surrounding area, particularly having regard to the low impact nature of sand extraction. This is also noting that the proposed Rural Enterprise zone contemplates industrial and intensive agricultural land uses which result in higher amenity impacts compared with other primarily rural-residential zones within the Shire which contemplate higher residential amenity outcomes within a rural living environment.</p> <p>However, as previously noted, the Industry – Extractive land use is also recognised as a use which is likely to occur early in the land use planning process ahead of and in preparation of the establishment of the range of land uses intended for the Rural Enterprise zone, regardless of whether or not these are ultimately accepted within the groundwater protection area.</p> <p>2. <u>Current Zoning under TPS2</u></p> <p>The subject site and surrounding properties are presently zoned Rural Groundwater Protection under the Shire’s Town Planning Scheme No. 2 (TPS2). Clause 5.20 TPS2 contains the relevant provisions for the Rural Groundwater Protection zone. 5.20.1 requires that “The use and development of land within the Rural Groundwater Protection Zone shall be in accordance with the provisions of the Scheme and Statement of Planning Policy No. 2.3”. Clause 5.20.2 lists the</p>		

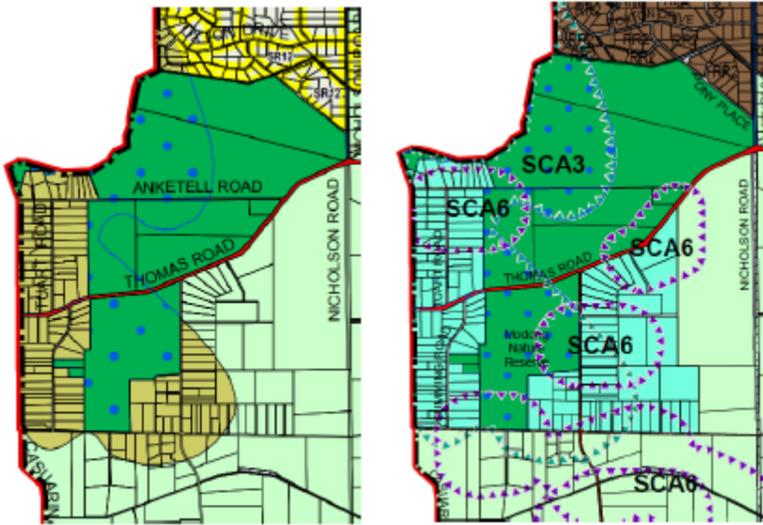
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		<p>land use permissibilities for the zone and notes that where a use is not listed, it is deemed to be prohibited in the zone. An "Industry Extractive" use is identified as an 'SA' use in the zone, meaning that "the Council may, at its discretion, permit the use after notice of the application has been given in accordance with Clause 64 of the Deemed Provisions".</p> <p>Under State Planning Policy 2.3 – Jandakot Groundwater Protection (SPP2.3), the subject site and surrounding properties are located in the P2 area. Section 6.2 of SPP2.3 contains the relevant land use policy measures, including:</p> <ul style="list-style-type: none"> <li>a) Any land use that is approved in the policy area is to maximise protection against water quality contamination risks.</li> <li>b) Best practice management is required for land uses in the policy area to protect public health and ensure the ongoing availability of a safe, reliable, low cost and good quality drinking water now and into the future.</li> <li>d) P2 areas (Rural-Water Protection zone of Metropolitan Region Scheme) The acceptability of land uses in the Rural-Water Protection zone is based on the objective of risk minimisation. Low risk and intensity of development consistent with the Rural zoning is generally supported, subject to appropriate conditions.</li> <li>e) Land use compatibility <ul style="list-style-type: none"> <li>• Guidance on the acceptability of land uses, activities and subdivision within P1, P2 and P3 areas within the policy area is provided in Water quality protection note 25: Land use compatibility tables for public drinking water source areas contained in previous versions of this policy.</li> </ul> </li> </ul> <p>Under the policy provisions of SPP2.3, the acceptability of a land use within the P2 area is determined based upon the ability for a proponent to demonstrate that land management practices will protect the groundwater resource and minimise risk.</p> <p>SPP2.3 also refers to the Water Quality Protection Note 25: Land use compatibility tables for public drinking water source areas (WQPN25) for guidance on the acceptability of land uses in P2 areas.</p> <p>WQPN 25 decrees that an extractive industry (sand) is compatible with conditions within a P2 area. WQPN 25 notes that land uses which are designated as "compatible with conditions" are generally considered to be:  "...appropriate within the applicable priority area, provided best management practices are used and any approval conditions imposed by the decision-making authority are met."</p> <p>3. <u>Proposed Zoning under Draft LPS3</u></p> <p>The subject site and surrounding properties are identified within the Rural Enterprise zone under the Shire's Draft LPS3.</p>		

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		<p>The objectives of the Rural Enterprise zone are set out under Clause 16 (Table 2) of Draft LPS3 as follows:</p> <ul style="list-style-type: none"> <li>• To provide for light industrial and ancillary residential development on one lot.</li> <li>• To provide for lot sizes in the range of 2 ha to 4 ha.</li> <li>• To carefully design rural enterprise estates to provide a reasonable standard of amenity without limiting light industrial and intensive agricultural land uses.</li> <li>• To notify prospective purchasers of potential amenity impacts from light industrial land uses.</li> <li>• To ensure light industrial land uses do not adversely affect soils, watercourses and other water resources.</li> </ul> <p>Under the zoning table (Table 3) of Draft LPS3, an “industry – extractive” use is an ‘X’ use (not permitted) in the Rural Enterprise zone.</p> <p>The subject site and surrounding properties are also within Special Control Area 3 – Jandakot Groundwater Protection (<b>SCA3</b>). The relevant provisions of SCA3 under Schedule 3 of Draft LPS3 include:</p> <ol style="list-style-type: none"> <li>1. Development within SCA3 should be consistent with State Planning Policy 2.3: Jandakot Groundwater Protection Policy and the Department of Water and Environmental Regulation’s Water Quality Protection Note No. 25 – Land Use Compatibility Tables for Public Drinking Water Source Areas (as amended). ...”</li> </ol> <p>4. <u>Discussion</u>  Based on the existing and proposed scheme provisions relating to compliance with SPP2.3 and WQPN25, there is no restriction on extractive industry uses occurring in groundwater protection areas, provided that the operation is capable of demonstrating acceptable environmental outcomes, including the minimisation of groundwater impacts.</p> <p>A comparison of the land use permissibility of the Groundwater Resource zone (under TPS2) and the Rural Enterprise zone (under draft LPS3) is provided in <b>Attachment 1</b>.</p> <p>It is recognised that the Rural Enterprise zone (under Draft LPS3) is intended to replace a large area of land currently zoned Groundwater Resource under TPS2, including the subject site (refer Figure 1). A large portion of the Rural Enterprise zone (under Draft LPS3) is also contained within the P2 area under SPP2.3 and recognised by SCA3.</p>		

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		 <p><b>Figure 1 – Comparison of Rural Groundwater Protection Zone under TPS2 (left) with Rural Enterprise Zone under Draft LPS3 (right)</b></p> <p>As demonstrated in the comparison table at <a href="#">Attachment 1</a>, a number of proposed land uses for the Rural Enterprise zone have been included as permissible uses within the zone, despite being identified as incompatible in the P2 area under WQPN25, including:</p> <ul style="list-style-type: none"> <li>• Agriculture – Intensive;</li> <li>• Animal Establishment (some forms);</li> <li>• Brewery;</li> <li>• Civic Use (some forms);</li> <li>• Community Purpose;</li> <li>• Fuel Depot;</li> <li>• Garden Centre;</li> <li>• Industry – Light;</li> <li>• Industry – Service;</li> <li>• Motor Vehicle Repair;</li> <li>• Resource Recovery Centre;</li> <li>• Rural Industry; and</li> <li>• Shop.</li> </ul> <p>This represents potentially 13 of the 29 uses recognised as either permitted or discretionary uses within the Rural Enterprise zone under Draft LPS3, but which are incompatible in the P2 area under WQPN25. This is also noting that the Industry – Extractive land use is identified within WQPN25 as compatible in P2 areas, subject to conditions, despite being identified as an 'X' use (not permitted) "industry – extractive" use in the Rural Enterprise zone.</p> <p>The constraints on land use arising from the application of the WQPN25 has the potential to restrict the very land uses required for the achievement of the</p>		

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		<p>objectives of the Rural Enterprise zone due to the large proportion of the zone covered by the Jandakot Groundwater Protection area.</p> <p>We submit that the land uses permissibilities ought to be reconsidered to better reflect the compatible land uses under WQPN25, including the inclusion of the Industry – Extractive use as a permissible use within the Rural Enterprise zone.</p> <p>5. <u>Conclusions</u></p> <p>It is our submission that the proposed land uses identified for the Rural Enterprise zone under Draft LPS3 should be reviewed to better reflect the groundwater protection outcomes of SPP2.3 due to the extent to which the groundwater protection area covers the zone. We also submit that the Industry – Extractive land use is one which ought to be afforded protection by the Shire given its importance in the construction industry and therefore be included as a discretionary land use in the Rural Enterprise zone under Draft LPS3 as it:</p> <ul style="list-style-type: none"> <li>• is capable of operating in accordance with the objectives of the zone and SPP2;</li> <li>• represents a use which is capable of facilitating the achievement of future land use within the zone through the sequential mining of the sand resource and subsequent rehabilitation for future uses;</li> <li>• is well located to support nearby urban expansion and infill projects; and</li> <li>• would also avoid the sterilisation of access to this valuable basic raw material for utilisation in future development occurring within the zone.</li> </ul>		

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		 <p>A comparison of the land use permissibility of the Groundwater Resource zone (under TPS2) and the Rural Enterprise zone (under draft LPS3) is outlined below:</p> <table border="1" style="width: 100%; border-collapse: collapse; margin: 10px auto;"> <thead> <tr> <th style="width: 30%;">Use and Development Class</th> <th style="width: 20%;">Scheme Reference:</th> <th style="width: 20%;">Groundwater Resource zone (TPS2)</th> <th style="width: 30%;">Rural Enterprise zone (Draft LPS3)</th> </tr> </thead> <tbody> <tr><td>Agriculture – Intensive</td><td>TPS2 / Draft LPS3</td><td>X</td><td>D</td></tr> <tr><td>Ancillary Dwelling</td><td>TPS2 / Draft LPS3</td><td>X</td><td>P</td></tr> <tr><td>Animal Establishment</td><td>Draft LPS 3</td><td>-</td><td>A</td></tr> <tr><td>Animal Husbandry</td><td>TPS2 / Draft LPS3</td><td>AA</td><td>X</td></tr> <tr><td>Aquaculture</td><td>TPS2</td><td>AA</td><td>-</td></tr> <tr><td>Brewery</td><td>TPS2 / Draft LPS3</td><td>X</td><td>D</td></tr> <tr><td>Caretaker's Dwelling</td><td>TPS2</td><td>AA</td><td>-</td></tr> <tr><td>Civic Use</td><td>Draft LPS 3</td><td>-</td><td>A</td></tr> <tr><td>Commercial Vehicle Parking</td><td>TPS2 / Draft LPS3</td><td>X</td><td>D</td></tr> <tr><td>Community Purpose</td><td>Draft LPS 3</td><td>-</td><td>D</td></tr> <tr><td>Dam</td><td>Draft LPS 3</td><td>-</td><td>D</td></tr> <tr><td>Dwelling</td><td>TPS2 / Draft LPS3</td><td>AA</td><td>P</td></tr> <tr><td>Equestrian Activity</td><td>TPS2</td><td>SA</td><td>-</td></tr> <tr><td>Floriculture (Extensive)</td><td>TPS2</td><td>AA</td><td>-</td></tr> <tr><td>Fodder and Pasture</td><td>TPS2</td><td>AA</td><td>-</td></tr> <tr><td>Fuel Depot</td><td>TPS2 / Draft LPS3</td><td>X</td><td>I</td></tr> <tr><td>Garden Centre</td><td>TPS2 / Draft LPS3</td><td>X</td><td>A</td></tr> <tr><td>Hobby Farm</td><td>TPS2 / Draft LPS3</td><td>AA</td><td>P</td></tr> <tr><td>Holiday House</td><td>Draft LPS 3</td><td>-</td><td>A</td></tr> <tr><td>Home Business</td><td>TPS2 / Draft LPS3</td><td>AA</td><td>P</td></tr> <tr><td>Home Occupation</td><td>TPS2 / Draft LPS3</td><td>AA</td><td>P</td></tr> <tr><td>Home Office</td><td>Draft LPS 3</td><td>-</td><td>X</td></tr> <tr><td>Industry Cottage</td><td>TPS2 / Draft LPS3</td><td>X</td><td>D</td></tr> <tr><td>Industry Extractive</td><td>TPS2 / Draft LPS3</td><td>SA</td><td>X</td></tr> <tr><td>Industry Light</td><td>TPS2 / Draft LPS3</td><td>X</td><td>D</td></tr> <tr><td>Industry Service</td><td>TPS2 / Draft LPS3</td><td>X</td><td>A</td></tr> <tr><td>Mining Operations</td><td>Draft LPS 3</td><td>-</td><td>A</td></tr> <tr><td>Motor Vehicle Repair</td><td>Draft LPS 3</td><td>-</td><td>D</td></tr> <tr><td>Orcharding</td><td>TPS2</td><td>AA</td><td>-</td></tr> <tr><td>Poultry Farm (Housed)</td><td>TPS2 / Draft LPS3</td><td>SA</td><td>X</td></tr> <tr><td>Private Tree Plantation</td><td>TPS2 / Draft LPS3</td><td>AA</td><td>X</td></tr> <tr><td>Public Utility</td><td>TPS2</td><td>AA</td><td>-</td></tr> <tr><td>Radio, TV and Communication Installation</td><td>TPS2 / Draft LPS3</td><td>AA</td><td>A</td></tr> <tr><td>Recreation Public</td><td>TPS2</td><td>AA</td><td>-</td></tr> <tr><td>Renewable Energy Facility</td><td>Draft LPS 3</td><td>-</td><td>A</td></tr> <tr><td>Resource Recovery Centre</td><td>Draft LPS 3</td><td>-</td><td>A</td></tr> <tr><td>Rural Home Business</td><td>Draft LPS 3</td><td>-</td><td>P</td></tr> </tbody> </table> <p style="font-size: small; margin-top: 10px;">191202/URB OAK GE</p>	Use and Development Class	Scheme Reference:	Groundwater Resource zone (TPS2)	Rural Enterprise zone (Draft LPS3)	Agriculture – Intensive	TPS2 / Draft LPS3	X	D	Ancillary Dwelling	TPS2 / Draft LPS3	X	P	Animal Establishment	Draft LPS 3	-	A	Animal Husbandry	TPS2 / Draft LPS3	AA	X	Aquaculture	TPS2	AA	-	Brewery	TPS2 / Draft LPS3	X	D	Caretaker's Dwelling	TPS2	AA	-	Civic Use	Draft LPS 3	-	A	Commercial Vehicle Parking	TPS2 / Draft LPS3	X	D	Community Purpose	Draft LPS 3	-	D	Dam	Draft LPS 3	-	D	Dwelling	TPS2 / Draft LPS3	AA	P	Equestrian Activity	TPS2	SA	-	Floriculture (Extensive)	TPS2	AA	-	Fodder and Pasture	TPS2	AA	-	Fuel Depot	TPS2 / Draft LPS3	X	I	Garden Centre	TPS2 / Draft LPS3	X	A	Hobby Farm	TPS2 / Draft LPS3	AA	P	Holiday House	Draft LPS 3	-	A	Home Business	TPS2 / Draft LPS3	AA	P	Home Occupation	TPS2 / Draft LPS3	AA	P	Home Office	Draft LPS 3	-	X	Industry Cottage	TPS2 / Draft LPS3	X	D	Industry Extractive	TPS2 / Draft LPS3	SA	X	Industry Light	TPS2 / Draft LPS3	X	D	Industry Service	TPS2 / Draft LPS3	X	A	Mining Operations	Draft LPS 3	-	A	Motor Vehicle Repair	Draft LPS 3	-	D	Orcharding	TPS2	AA	-	Poultry Farm (Housed)	TPS2 / Draft LPS3	SA	X	Private Tree Plantation	TPS2 / Draft LPS3	AA	X	Public Utility	TPS2	AA	-	Radio, TV and Communication Installation	TPS2 / Draft LPS3	AA	A	Recreation Public	TPS2	AA	-	Renewable Energy Facility	Draft LPS 3	-	A	Resource Recovery Centre	Draft LPS 3	-	A	Rural Home Business	Draft LPS 3	-	P		
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R Blackburn & J Bowen 1908 South Western Highway, Mardella IN19/27967	25.	Ref to IN19/27967 <b>SUBMISSION</b> <b>DRAFT LOCAL PLANNING SCHEME NO.3 (SJ701)</b> Lot 1908 South Western Highway This submission is focused on Lot 1908 Southwestern highway and will provide justification for the removal of the Special Control Area S (SCAS) buffer currently encumbering the lot resulting from an extractive industry approved on a lot in its proximity. <b>1. Background</b>	The buffers for the particular special control areas SCA5 and SCA6 have been identified from the Environmental Protection Authority (EPA) <i>Guidance for the Assessment of Environmental Factors: Separation Distances between Industrial and Sensitive Land Uses</i> . Where a separation distance range is recommended, the separation distance shall be based on the scale of the industry.																																					

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		<p>Lot 1908 Southwestern highway is located about two kilometres to the south of Mundijong on the western side of the Southwestern highway. There is an extractive industry on the eastern side of the Southwestern highway to the northeast of the property that imposes a buffer zone on Lot 1908.</p> <p>Lot 1908 Southwestern highway (Red dotted circle) is affected by SCAS (Purple polygon) centred on Lot 7 Jarrahdale Road, Jarrahdale (Blue dotted circle).</p> <p>The buffer zone affects the north-eastern portion of Lot 1908 and affects the entrance to the lot and the structure (quarantine station) in this vicinity. This is indicated on the aerial photo of the northern portion of Lot 1908.</p> <div style="display: flex; justify-content: space-around;">   </div> <p><b>2. The provisions of Special Control Area S (SCAS)</b>  SCAS contains the following:</p>	<p>SCA5 and SCA6 were included within the Draft Scheme to protect extractive industries and to be able to control development in close proximity to industries which may have offsite impacts. The identification of these buffers enables specific development controls to be implemented to ensure the amenity of any development in close proximity to these industries. Appropriate measures such as noise attenuation, siting and building orientation can be applied to minimise land use conflicts and to ensure an adequate level of amenity is achieved. For these reasons, officers recommend that SCA5 and SCA6 be retained within the Draft Scheme and updated with any new industries that have been approved since the Draft Scheme was prepared.</p> <p>The Shire is going to retain the subject SCA5 designation as per the EPA guidance of 500m.</p>	

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		<p>Whilst there is no immediate effect on the entrance (except for the requirement for a Development Application for future development) having the uncertainty of a buffer zone over the only entrance to the property onto the highway is disconcerting, if not unfair on the current landowner.</p> <p>It also potentially affects a structure that serves as a quarantine station for plants that are brought to the property from international destinations. SCAS would require a Development Application to be lodged for approval if changes were required (whether by law or otherwise) to this or any other structures that would be required. This would not only result in further costs but also time constraints on a business that sometimes needs to respond to requirements within short timeframes.</p> <p>The owner of the lot for obvious reasons is concerned that such an encumbrance on the lot may result in adverse effects, even if through unintended consequences, that will be detrimental to his nursery on the property.</p> <p>Whilst not strictly a planning consideration the inclusion of SCAS could have an impact on the value of the lot, even though the landowner had little say in the imposition of the buffer and has resided on the property for many years before the extractive industry was approved.</p> <p><b>5. The Submission</b></p> <p>The Shire and Western Australian Planning Commission are hereby requested to remove the encumbrance of SCAS from Lot 1908 Southwestern highway and further consider removing it from the scheme in its entirety. It does not serve its originally intended purpose and only serves to bring uncertainty to adjacent owners and possibly the future development of Lot 1908.</p>		

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		<div style="text-align: center;">  </div> <p>Our Ref : 29-50075-1  Your Ref : P03386/01  Enquiries : Lisa Powell (Ph 6551 9487)</p> <p style="text-align: center;">METROPOLITAN REGION SCHEME</p> <p>Shire of Serpentine-Jarrahdale</p> <p style="text-align: center;">APPROVAL TO COMMENCE DEVELOPMENT</p> <p>Name and Address of Owner and Land on which Development Proposed:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Owner</td> <td style="padding: 2px;">: Redire Pty Ltd P O Box 2175 MALAGA WA 6944</td> </tr> <tr> <td style="padding: 2px;">Lot Number</td> <td style="padding: 2px;">: 4, 5, 6 &amp; 7</td> </tr> <tr> <td style="padding: 2px;">Location</td> <td style="padding: 2px;">: -</td> </tr> <tr> <td style="padding: 2px;">Plan / Diagram</td> <td style="padding: 2px;">: Diagram 60877</td> </tr> <tr> <td style="padding: 2px;">Volume/Folio</td> <td style="padding: 2px;">: 1598/873, 1634/797, 1598/875, 1598/876</td> </tr> <tr> <td style="padding: 2px;">Locality</td> <td style="padding: 2px;">: Transit Road &amp; Jarrahdale Road, Jarrahdale</td> </tr> <tr> <td style="padding: 2px;">Application Date</td> <td style="padding: 2px;">: 8 June 2012</td> </tr> <tr> <td style="padding: 2px;">Application Receipt</td> <td style="padding: 2px;">: 4 July 2012</td> </tr> <tr> <td style="padding: 2px;">Development Description</td> <td style="padding: 2px;">: Extractive Industry - Sand</td> </tr> </table> <p>The application for approval to commence development in accordance with the plans submitted thereto is granted subject to the following condition(s):</p> <ol style="list-style-type: none"> <li>1. The approval is valid for 5 years from the date of approval, after which a new application for planning approval must be obtained.</li> <li>2. The areas of the site subject to the Metropolitan Region Scheme reservation for the widening of South Western Highway and extension of Tonkin Highway are to remain unaffected/excluded from extraction and the current levels maintained.</li> <li>3. An Environmental Management Plan is to be submitted and approved by the Shire of Serpentine Jarrahdale, in consultation with the Department of Parks and Wildlife, prior to the commencement of works.</li> </ol>	Owner	: Redire Pty Ltd P O Box 2175 MALAGA WA 6944	Lot Number	: 4, 5, 6 & 7	Location	: -	Plan / Diagram	: Diagram 60877	Volume/Folio	: 1598/873, 1634/797, 1598/875, 1598/876	Locality	: Transit Road & Jarrahdale Road, Jarrahdale	Application Date	: 8 June 2012	Application Receipt	: 4 July 2012	Development Description	: Extractive Industry - Sand		
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		 <p>If the development the subject of this approval is not substantially commenced within a period of two years from the date of this letter, the approval shall lapse and be of no further effect. Where an approval has so lapsed, no development shall be carried out without the further approval of the responsible authority having first been sought and obtained.</p> <p> Neil Thomson Acting Chairman Western Australian Planning Commission 20 August 2013</p>		

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		 <p>Our Ref : 29-50075-1 Your Ref : P03386/01 Enquiries : Lisa Powell (Ph 6551 9487)</p> <p>Chief Executive Officer Shire of Serpentine-Jarrahdale 6 Paterson Street MUNDIJONG WA 6123</p> <div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 10px auto;"> <p align="center">SHIRE OF</p> <p align="center">23 AUG 2013</p> <p align="center">SERPENTINE JARRAHDALE</p> </div> <p>Application for Approval to Commence Development dated 8 June 2012 received 4 July 2012.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td>Lot Number</td><td>: 4, 5, 6 &amp; 7</td></tr> <tr><td>Location</td><td>: -</td></tr> <tr><td>Plan / Diagram</td><td>: Diagram 60877</td></tr> <tr><td>Volume/Folio</td><td>: 1598/873, 1634/797, 1598/875, 1598/876</td></tr> <tr><td>Locality</td><td>: Transit Road &amp; Jarrahdale Road, Jarrahdale</td></tr> <tr><td>Owner</td><td>: Redire Pty Ltd P O Box 2175 MALAGA WA 6944</td></tr> </table> <p>Under the provisions of the Metropolitan Region Scheme this application has been referred for determination by the Western Australian Planning Commission.</p> <p>The application has now been considered by the Commission and the formal notice setting out the terms of the decision is attached.</p> <p>A copy of this decision has been forwarded to the Local Government for information.</p> <p>You are advised of the need to consult with the Local Government with regard to the gaining of all necessary approvals and the issuing of the requisite building licence.</p> <p>This decision is issued pursuant to the provisions of the Metropolitan Region Scheme, and has been made by the Commission after due consideration of the regional planning implications of the proposal. The development must also comply with the requirements of Council's Local Planning Scheme(s) and any determination in this regard must be made by the local government. The Commission's decision, therefore, is made without prejudice to any others that may be separately required from Council.</p> <p>Should the applicant be aggrieved by this decision there is a right to apply for a review pursuant to the provisions of Clause 33 of the Metropolitan Region Scheme. Such an application for review must be submitted to the State Administrative Tribunal, 12 St Georges Terrace, Perth in accordance with Part 14 of the <i>Planning and Development Act 2005</i>. It is recommended that you contact the State Administrative Tribunal for further details (telephone 9219 3111) or go to its website: <a href="http://www.sat.justice.wa.gov.au">http://www.sat.justice.wa.gov.au</a>.</p> <p><small>140 William Street, Perth, Western Australia 6000. Locked Bag 2506 Perth, 6001 Tel: (08) 6551 9000; Fax: (08) 6551 9001; InfoLine: 1800 626 477 e-mail: <a href="mailto:corporate@planning.wa.gov.au">corporate@planning.wa.gov.au</a>; web address <a href="http://www.planning.wa.gov.au">http://www.planning.wa.gov.au</a> ABN 35 482 341 493</small></p>	Lot Number	: 4, 5, 6 & 7	Location	: -	Plan / Diagram	: Diagram 60877	Volume/Folio	: 1598/873, 1634/797, 1598/875, 1598/876	Locality	: Transit Road & Jarrahdale Road, Jarrahdale	Owner	: Redire Pty Ltd P O Box 2175 MALAGA WA 6944		
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		 <p>ADVICE NOTE(S)</p> <ol style="list-style-type: none"> <li>1. With regard to Condition 3, the Environmental Management Plan shall include, but not necessarily be limited to the following plans and/or address the following matters: <ul style="list-style-type: none"> <li>* Vegetation/Landscape/Rehabilitation Plan,</li> <li>* Water/Drainage Manager Plan, and</li> <li>* Dust Management Plan.</li> </ul> </li> <li>2. In the event that the Shire of Serpentine Jarrahdale issues an approval for the development application (Extractive Industry - Sand) at the subject site under Town Planning Scheme No. 2, it is the expectation of the Western Australian Planning Commission that conditions to require a Traffic Management Plan and a Noise Management Plan will be imposed as conditions.</li> <li>3. The landowner/applicant is advised of the need to consult with the Local Government with regard to the gaining of all necessary approvals required under Town Planning Scheme No. 2 and the issuing of the requisite extractive industry licence.</li> </ol> <p>  Neil Thomson  Acting Chairman  Western Australian Planning Commission  20 August 2013</p>		

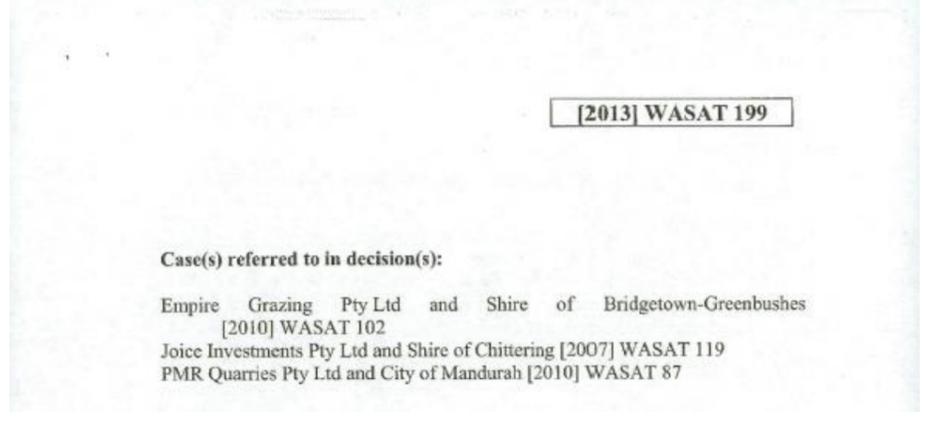
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		<div style="text-align: center; border: 1px solid black; width: fit-content; margin: 0 auto; padding: 2px;">[2013] WASAT 199</div> <hr/> <p><b>JURISDICTION</b> : STATE ADMINISTRATIVE TRIBUNAL</p> <p><b>STREAM</b> : DEVELOPMENT &amp; RESOURCES</p> <p><b>ACT</b> : LOCAL GOVERNMENT ACT 1995 (WA) PLANNING AND DEVELOPMENT ACT 2005 (WA)</p> <p><b>CITATION</b> : REDIRE PTY LTD and SHIRE OF SERPENTINE-JARRAHDAL [2013] WASAT 199</p> <p><b>MEMBER</b> : MR J JORDAN (MEMBER) DR A HINWOOD (SESSIONAL MEMBER)</p> <p><b>HEARD</b> : 29 AND 30 OCTOBER 2013</p> <p><b>DELIVERED</b> : 9 DECEMBER 2013</p> <p><b>FILE NO/S</b> : DR 77 of 2013 DR 311 of 2013</p> <p><b>BETWEEN</b> : REDIRE PTY LTD Applicant</p> <p style="text-align: center;">AND</p> <p style="text-align: center;">SHIRE OF SERPENTINE-JARRAHDAL Respondent</p> <hr/> <p><i>Catchwords:</i></p> <p>Town planning - Development refusal - Proposed extractive industry - Extraction of sand - Rural zone - Landscape protection area - Impact on visual amenity - Dust - Plan for excavation and rehabilitation management - Use of basic raw materials Extractive industry licence - Refusal - Planning approval first required</p> <hr/> <p style="text-align: right; font-size: small;">Page 1</p>		

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		 <p style="text-align: center;"><b>[2013] WASAT 199</b></p> <p><b>Case(s) referred to in decision(s):</b></p> <p>Empire Grazing Pty Ltd and Shire of Bridgetown-Greenbushes  [2010] WASAT 102  Joice Investments Pty Ltd and Shire of Chittering [2007] WASAT 119  PMR Quarries Pty Ltd and City of Mandurah [2010] WASAT 87</p>		

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		<p style="text-align: center;"><b>[2013] WASAT 199</b></p> <p style="text-align: center;"><b>REASONS FOR DECISION OF THE TRIBUNAL:</b></p> <p><i>Introduction</i></p> <p>1 Redire Pty Ltd (applicant) filed applications for review of each of two decisions made by the Shire of Serpentine-Jarrahdale (Shire) in respect of proposed sand extraction from Lots 4 and 5 Transit Road and Lots 6 and 7 Jarrahdale Road, Jarrahdale (site). The applications were:</p> <ol style="list-style-type: none"> <li>1. DR 77 of 2013 - an application pursuant to s 252(1) of the <i>Planning and Development Act 2005</i> (WA) for review of the refusal of an application for planning approval for an extractive industry (sand); and</li> <li>2. DR 311 of 2013 - an application pursuant to s 9.7(1)(a) of the <i>Local Government Act 1995</i> (WA) for review of the refusal to grant an extractive industry licence for the sand extraction.</li> </ol> <p>2 At a directions hearing on 20 September 2013, the Tribunal ordered that:</p> <p>Pursuant to s 51(1) of the <i>State Administrative Tribunal Act 2004</i> (WA), proceeding[s] DR 311 of 2013 and DR 77 of 2013 are consolidated into one proceeding.</p> <p>3 The site has an area of 76.75 hectares and sits to the east of, but with frontage to, South Western Highway. It is bounded to the north by Jarrahdale Road, to the south by Transit Road, and to the east by lots that extend to the foot of the Darling Scarp. The site falls from about 130 AHD at the south-eastern corner to about 57 AHD at Jarrahdale Road. The site had previously been used for a pine plantation which has been cleared with limited remnant vegetation remaining.</p> <p>4 Proposed was extraction of approximately 190,000m<sup>3</sup> of sand covering 7 hectares of the site to a depth of 2 metres to 4 metres. Excavation would be over a five year period and the area eventually excavated would be about 150 metres wide extending about 600 metres from between the centre of the western boundary of the site and the south-western corner. The sandpit would be set back about 40 metres from South Western Highway and Transit Road.</p> <p>5 The proposal involved the construction of a bund of overburden about 2 metres to 3 metres high to screen the operation. The bund was originally proposed adjacent to the northern, western and southern sides of</p> <p style="text-align: right; font-size: small;">Page 4</p>		

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		<p style="text-align: center;">[2013] WASAT 199</p> <p>the excavated area, and also for about 100 metres at the south-eastern corner.</p> <p>6 About 200 metres to the east of the excavation area on the southern side of Transit Road is the entrance to a Baptist Youth Camp (youth camp). The youth camp has mature vegetation along its road frontage with recreation buildings closest to the road, beyond which are accommodation buildings. To the west of the southern end of the site across South Western Highway are the sheds of a plant propagation business with an associated house.</p> <p>7 It was proposed that the site would be excavated from north to south using a front end loader as required to meet specific contracts. It was not anticipated the use would be operational every day. No processing of sand on site was proposed and it was anticipated that the sand extraction would be completed within the five year period.</p> <p>8 It was proposed that as each stage was completed, it would be progressively rehabilitated, as provided for in an <i>Excavation - Rehabilitation Management Plan</i>, May 2013 prepared for the applicant by Mr Lindsay Stephens, an environmental consultant of landform research.</p> <p><b>Planning framework</b></p> <p>9 The site is zoned Rural under the <i>Metropolitan Region Scheme</i> (MRS). In the Western Australian Planning Commission's (WAPC) <i>State Planning Policy 2.4 - Basic Raw Materials</i> (SPP 2.4), the site is not identified in Figure 2 as either a priority resource location, a key extraction area or an extraction area. Sand is identified as a basic raw material and, although the site is not identified as a 'known' resource, SPP 2.4 does state that:</p> <p style="padding-left: 40px;">A ready supply of basic raw materials close to established and developing parts of the metropolitan region is, therefore, essential in keeping down the costs of land development and contributing to affordable housing.</p> <p>10 The objectives of SPP 2.4 at c15.1 do include ensuring that the development of land for the extraction of basic raw materials does not adversely affect the environment or amenity of the locality during or after extraction.</p> <p>11 Under the <i>Shire of Serpentine-Jarrahdale Town Planning Scheme No 2</i> (TPS 2) the site is zoned 'Rural'. The extraction of sand falls under the defined use class 'Industry - Extractive' under TPS 2. Within the zoning table of TPS 2 this use class has the designation 'AA' which under</p> <p style="text-align: center;"><small>Page 5</small></p>		

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		<p style="text-align: center;"><b>[2013] WASAT 199</b></p> <p>cl 3.2.2 means that there is discretion to permit the use. The proposed use was advertised and submissions received included objections.</p> <p>12 Clause 6.4.2 of TPS 2 requires that certain matters be considered when determining an application for planning consent and these include the provisions of any policy affecting the land, any comments received in response to public notice of the application and for the preservation of the amenity of the locality.</p> <p>13 The site is also located within the area of the <i>Shire of Serpentine-Jarrahdale Local Planning Policy No 8 - Landscape Protection (LPP 8)</i>. The objectives of the policy are:</p> <ol style="list-style-type: none"> <li>1. To preserve the amenity [derived] from the scenic value of the Darling Scarp;</li> <li>2. To maintain the integrity of landscapes within the Landscape Protection Area;</li> <li>3. To protect and enhance the landscape, scenic and townscape values through control over ... siting of development and land uses rather than prohibition of development and land use as such;</li> <li>4. To maintain the integrity of landscapes in the line of sight view corridor along identified scenic routes in the Shire, including but not limited to South West Highway ... Jarrahdale Road ...;</li> <li>5. ...</li> </ol> <p>14 The applicant also required a licence for the extractive industry operations under the Shire's <i>Extractive Industries Local Law (EI Local Law)</i>.</p> <p><b>Refusal by the Shire</b></p> <p>15 The Shire considered the application for the extractive industry in February 2013 and again at its meeting on 22 July 2013, when invited to do so under s 31 of the <i>State Administrative Tribunal Act 2004 (WA)</i> (SAT Act). At both meetings the Shire resolved to refuse the application on the following grounds (summarised):</p> <ul style="list-style-type: none"> <li>• the proposal does not meet the objectives of LPP 8;</li> <li>• the proposal does not meet the criteria of cl 6.4.2 of TPS 2;</li> </ul> <p style="text-align: right; font-size: small;">Page 6</p>		

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		<p style="text-align: center;">[2013] WASAT 199</p> <ul style="list-style-type: none"> <li>• the proposal does not fall within the area of SPP 2.4 or any other designated resource area;</li> <li>• the proposal would have an unacceptable impact on the visual amenity of the locality because of visibility from South Western Highway, Jarrahdale Road and other locations;</li> <li>• the proposed screening measures would be unlikely to adequately minimise or mitigate adverse visual impact of the excavation;</li> <li>• management measures for dust outside normal operating hours and during periods of inactivity were inadequate; and</li> <li>• public submissions were received opposing the application.</li> </ul> <p>16 At the same meetings the Shire also refused to grant an approval for the extractive industry licence for the proposed sand extraction.</p> <p>17 The Shire further resolved to recommend to the WAPC that the development be refused under the MRS.</p> <p><i>The WAPC decision</i></p> <p>18 Pursuant to cl 32 of the MRS an application for an 'extractive industry' in the Rural zone of the MRS also requires determination by the WAPC. The WAPC granted planning approval for the proposed 'extractive industry - sand' on 20 August 2013 subject to the following conditions:</p> <ol style="list-style-type: none"> <li>1. The approval is valid 5 years from the date of approval, after which a new application for planning approval must be obtained.</li> <li>2. The areas of the site subject to the Metropolitan Region Scheme reservation for the widening of South Western Highway and extension of Tonkin Highway are to remain unaffected/excluded from extraction and the current levels maintained.</li> <li>3. An Environmental Management Plan is to be submitted and approved by the Shire of Serpentine-Jarrahdale, in consultation with the Department of Parks and Wildlife, prior to the commencement of works.</li> </ol> <p style="text-align: right; font-size: small;">Page 7</p>		

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		<div style="text-align: center; border: 1px solid black; width: fit-content; margin: 0 auto; padding: 2px;">[2013] WASAT 199</div> <p><i>The issues</i></p> <p>19 At the commencement of the hearing on 29 October 2013, it was common ground between the parties that if the development were to proceed certain issues could be managed by conditions in the management plan. These included noise, surface and groundwater management, traffic, emergency management and hazardous chemicals.</p> <p>20 The substantive issues in contention between the parties were:</p> <ol style="list-style-type: none"> <li>1) whether the proposed development would have an acceptable impact on the visual amenity of the locality;</li> <li>2) whether the proposed development would be consistent with LPP 8; and</li> <li>3) whether dust emissions from the excavation would adversely affect the local amenity.</li> </ol> <p>21 The respondent said it would not object to an excavation licence being granted if the Tribunal determined that the proposed development was to be granted conditional planning approval.</p> <p><i>Discussion</i></p> <p><b>Visual amenity</b></p> <p>22 Trees have been planted along the perimeter of the site, but the parties agreed that it would be some years before these trees provided any meaningful screening. Ms Elizabeth Bushby, a planner called by the applicant, and Mr Stephen Allerding, a planner called by the respondent, agreed that adequate bunding would screen the extraction pit from most roadways and view locations.</p> <p>23 Mr Allerding remained concerned however, that although it was not a designated view corridor, Transit Road rose toward the east and there would likely be a view of the workings from the road and particularly from the entrance and buildings of the youth camp. He considered this impact on the visual amenity of the locality would be inconsistent with LPP 8 and suggested that the bunding be extended to the youth camp entrance to screen the operations on the site.</p> <p>24 Ms Bushby was of the opinion that the sensitive premises to the south-west of the site would be shielded from the view of the excavation by the topography, trees and the bunding. In her opinion, the sensitive</p> <hr style="width: 20%; margin-left: 0;"/> <p style="text-align: right; font-size: small;">Page 8</p>		

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		<p style="text-align: center;"><b>[2013] WASAT 199</b></p> <p>premises to the south, including the accommodation buildings of the youth camp would not be affected due to the screening by other buildings, vegetation and the sloping topography. In support of her argument Ms Bushby referred to the contours and the cross-section of the site at Figure 8 of the <i>Excavation - Rehabilitation Management Plan</i>, May 2013.</p> <p>25 In the course of the hearing the applicant proposed that the bunding extend around the entire perimeter of the excavation area prior to the commencement of any excavation on, or removal of material from, the site. Mr Allerding said this would address his concerns about the view of the operation from the south and south-east. The respondent said that an appropriate condition would be required.</p> <p>26 The parties commented to the Tribunal that the intent of LPP 8 would be satisfied if an appropriate condition was imposed to achieve the screening of the works by bunding.</p> <p><b>Dust</b></p> <p>27 This extractive industry when operating will generate dust. It was Mr Stephens' submission that most of the dust generated would be from the removal of the overburden, and its stockpiling and forming into bunds, and by heavy vehicles using the access road between Jarrahdale Road and the excavation area. Mr Andrew Mack, the environmental expert called by the respondent, and Mr Stephens agreed that the dust mitigation, suppression and management measures described in s 5.4 of the <i>Excavation - Rehabilitation Management Plan</i>, May 2013 would be appropriate and adequate when the site was in operation. These measures included the application of water trucks and a complaint based system to deal with dust emissions.</p> <p>28 The main concern expressed by the Shire was dust generation when the site was not occupied and the subsequent impact on the two neighbouring sensitive residences - the youth camp to the south and the house to the west.</p> <p>29 The management of dust and the specific dust management actions are guided by <i>A Guideline for managing the impacts of dust and associated contaminants from land development sites, contaminated sites, remediation and other related activities</i>, Department of Environment and Conservation, March 2011 (Guideline document). The Guideline document outlines the assessment of risk of dust generation and recommends management action required to address the risk. Both experts used the Guideline document, but generated different risk</p> <p style="text-align: right;"><small>Page 9</small></p>		

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		<p style="text-align: center;">[2013] WASAT 199</p> <p>estimates and hence provided different opinions on the management responses considered acceptable to address the issue of dust from the development area.</p> <p>30 Mr Stephens arrived at a low risk score for dust impact on each of the two sensitive premises. He contended that in periods of inactivity, the use of water on operational and traffic areas would cause these surfaces to bind and for a crust to develop, reducing the potential for dust 'lift-off'. The applicant proposed the use of a complaint based system when the site is not being operated. If a complaint is made of visible dust seen leaving the site, then the applicant would respond and use water tankers to wet areas subject to the dust lift-off.</p> <p>31 Mr Stephens provided evidence (that was not disputed) that because of the predominantly easterly and south-westerly direction of the prevailing wind, any dust from the site would mostly be blown away from the youth camp, which is located to the south of the site, and mostly away from the house to the west. The site would be excavated in stages as demand dictated and each stage would be rehabilitated when complete. Only the area currently available for extraction would be a dust risk and the required extension and vegetation of the bund would reduce the movement of dust off site.</p> <p>32 Mr Mack arrived at a medium risk score for dust generation during non-operational times. He said that the higher risk score requires a high level of management and the need for dust monitoring. He noted the difficulty in identifying whether the dust monitored by a machine was from the site, but referred to establishing baseline measurements before the use commenced and the possible deployment of sophisticated monitoring equipment that required regular checking to provide a reasonable response time should an elevated particulate concentration be measured. When questioned, Mr Mack conceded that no other similar sand excavation uses in Western Australia required this type of monitoring, but that there was such a requirement in other States.</p> <p>33 Mr Stephens, in his witness statement, provided examples of licence conditions used by the former Department of Environment and Conservation. He also said the dust mitigation, suppression and management measures described in s 5.4 of the <i>Excavation - Rehabilitation Management Plan</i>, May 2013 have been endorsed as conditions by the Tribunal in <i>PMR Quarries Pty Ltd and City of Mandurah</i> [2010] WASAT 87, <i>Empire Grazing Pty Ltd and Shire of Bridgetown-Greenbushes</i> [2010] WASAT 102, as well as in</p> <p style="text-align: right;"><small>Page 10</small></p>		

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		<p style="text-align: center;">[2013] WASAT 199</p> <p><i>Joice Investments Pty Ltd and Shire of Chittering</i> [2007] WASAT 119. The developments to which these conditions attached were not examined before the Tribunal for comparability with the current proposal, but the approvals were taken to be examples of sand excavation where conditions did not require equipment based monitoring but did require the applicant to ensure that no visible particulates crossed the boundary of the site.</p> <p>34 Mr Mack and Mr Stephens agreed that if the development were allowed to proceed, a separate dust management plan should be prepared and submitted to the Shire and the plan should form part of agreed conditions of approval.</p> <p>35 The Tribunal formed the view, on the evidence before it and the submissions of the parties, that a dust management plan along the lines advocated by the applicant would be appropriate. This was because of the rural location, the relative location of sensitive premises, the topography, local climate factors (particularly prevailing winds), the limited area of excavation and the five year lifespan of the use. Approval conditions of the type requested by the applicant would be consistent with what appears to be the current practice for dust management of sand extraction as proposed for the site.</p> <p><b>Conclusion</b></p> <p>36 Sand of the type found on the site is a basic raw material, but the site is not identified on the resource protection map (Figure 2 of SPP 2.4). It was not, however, controversial that sand of the type found on this site is a raw material particularly important in the development of new residential subdivisions. There was evidence at the hearing of the ongoing development of suburban areas in the area between Byford and Armadale to the north of the site. Identifying raw materials and determining if they can be excavated prior to a locality being used for urban development is consistent with the intent of SPP 2.4, as well as more generally consistent with the principle of orderly and proper planning. It remains important, however, that raw materials, such as in this matter, should only be exploited when it can be demonstrated that any impact on the local amenity and the environment is properly managed.</p> <p>37 In this matter, the Tribunal has been satisfied that the proposed excavation of the sand on the site can be managed to address the environmental concerns, particularly dust, and that the impact of the use will be consistent with the objectives of LPP 8, particularly in regard to addressing the impact of the development on the visual amenity of the locality.</p> <p style="text-align: center;"><small>Page 11</small></p>		

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		<p style="text-align: center;"><b>[2013] WASAT 199</b></p> <p>38 The Tribunal has therefore decided to uphold these applications for review. The Tribunal has determined that planning approval is granted for the proposed extractive industry (sand) under TPS 2 and that an extractive industry licence be granted under the Shire's EI Local Law, both subject to appropriate conditions.</p> <p>39 During the course of the hearing the parties and witnesses made comment on what conditions might be appropriate if the development were allowed. The respondent's original schedule of recommended 'without prejudice' conditions was subject to some modification and the inclusion of a requirement for a dust management plan. An amended set of draft 'without prejudice' conditions was submitted by the respondent on 30 October 2013 (Exhibit I4) and, subject to some minor amendments, accepted by both parties.</p> <p><i>Orders</i></p> <ol style="list-style-type: none"> <li>1. The application for review is allowed and the respondent's decisions of 22 July 2013 to refuse the application for planning approval and the application for an extractive industry licence for the extraction of sand on the site (Lots 4 and 5 Transit Road and Lots 6 and 7 Jarrahdale Road) is set aside.</li> <li>2. In the matter of DR 77 of 2013, planning approval is granted for the proposed use 'extractive industry (sand)' on the site subject to the following conditions: <ol style="list-style-type: none"> <li>(i) This approval is valid for a period of five years from the date of approval.</li> <li>(ii) The applicant shall submit an amended Excavation - Rehabilitation Management Plan, incorporating a dust management plan as an appendix, for approval by the Shire of Serpentine-Jarrahdale.</li> <li>(iii) Except to the extent inconsistent with any other conditions set out hereunder, all development on the site shall comply with the Excavation - Rehabilitation Management Plan as approved by the Shire of Serpentine-Jarrahdale and any subsequent amendments to that Management Plan as may be agreed in writing</li> </ol> </li> </ol> <p style="text-align: right; font-size: small;">Page 12</p>		

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		<p style="text-align: center;">[2013] WASAT 199</p> <p>between the applicant and the Shire from time to time.</p> <p>(iv) Operating hours are restricted to 7.00 am to 5.00 pm Monday to Friday, excluding public holidays. The site shall not operate on Saturdays, Sundays or on any public holiday.</p> <p>(v) The applicant shall not undertake any screening or washing of excavated material on the development site.</p> <p>(vi) The applicant shall submit an annual report to the Shire of Serpentine-Jarrahdale by 31 March each year. The annual report shall include an internal compliance audit of all the development and licence approval conditions and Management Plan requirements, to the satisfaction of the Director Planning. The annual report shall also provide details of complaints and complaint responses.</p> <p>(vii) The applicant shall ensure that all vehicle loads of sand, soil or other particulate material leaving the premises are to be enclosed or completely covered by a secure impermeable tarpaulin or some other effective mechanism used to prevent or minimise dust nuisance.</p> <p>(viii) The applicant shall implement dust management measures in accordance with the approved Management Plan, so as to minimise dust emissions and ensure that visible dust is not emitted beyond the boundaries of the development site.</p> <p>(ix) In the event of the bunds being determined by the Director Planning to be unstable and leading to sand movement, measures are to be taken by the applicant to stabilise the sand by the use of appropriate measures such as windbreaks, vegetation planting or soil amendments.</p> <p style="text-align: right; font-size: small;">Page 13</p>		

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		<div style="text-align: center; border: 1px solid black; width: fit-content; margin: 0 auto; padding: 2px;">[2013] WASAT 199</div> <p>(x) The applicant shall at all times ensure sufficient water is accessible on site to undertake dust management measures pursuant to condition (viii) as required, including, if necessary and required, by means of water transported by tanker onto the site.</p> <p>(xi) During periods of inactivity when excavation is not being undertaken, the applicant must ensure, prior to and during the period of inactivity as required, that the access road to all trafficable areas and other operational areas on the site, are watered down or treated in a manner which prevents or minimises the generation of visible dust crossing beyond the boundaries of the site.</p> <p>(xii) The applicant shall implement noise mitigation measures in accordance with the Noise Assessment Report (Herring Storer Acoustics, May 2013) and the management plan, so that no unreasonable noise (as defined in reg 5 of the <i>Environmental Protection (Noise) Regulations 1997 (WA)</i> is emitted from the development site. If a second front end loader is required on site, the applicant shall submit to the Shire of Serpentine-Jarrahdale a revised noise assessment report demonstrating the management of noise emissions, and that compliance with <i>Environmental Protection (Noise) Regulations 1997 (WA)</i> can be maintained to the satisfaction of the Director Planning.</p> <p>(xiii) The applicant shall implement the water management measures detailed in the approved Management Plan so that the development does not adversely affect groundwater or surface water quality in any manner.</p> <p>(xiv) All stormwater is to be disposed of within the property. Direct disposal of stormwater onto the road, neighbouring properties, water courses and drainage lines is prohibited.</p> <p style="text-align: right; font-size: small;">Page 14</p>		

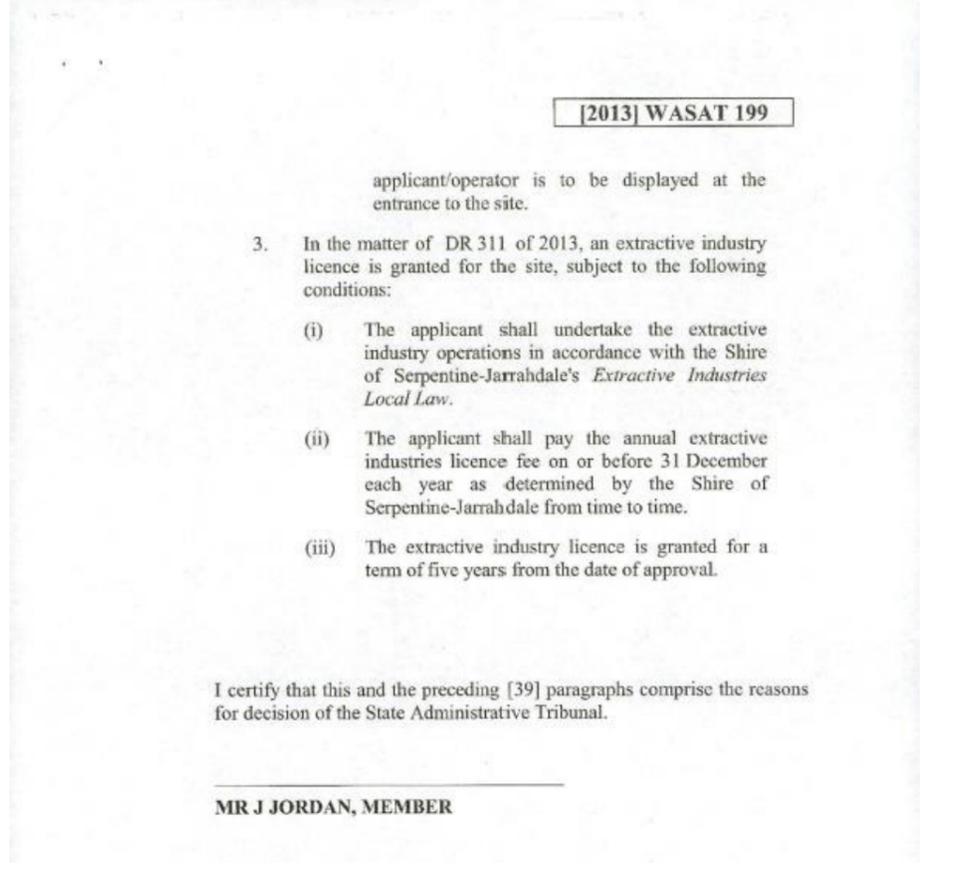
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		<p style="text-align: center;"><b>[2013] WASAT 199</b></p> <p>(xv) No earthworks, including batters, shall intrude into any buffer areas described in the Management Plan, unless otherwise approved by the Director Planning.</p> <p>(xvi) The perimeter of the area to be worked must be pegged and clearly marked to ensure that all earthworks are contained within the approved area.</p> <p>(xvii) A plan showing the location and design of the access and crossover to the site from Jarrahdale Road is to be submitted and approved by the Director of Engineering prior to commencement of any excavation or removal of materials from the site. During operations, signs are to be erected on Jarrahdale Road warning 'Caution - trucks entering'.</p> <p>(xviii) The applicant shall implement suitable fire protection measures in accordance with the Management Plan.</p> <p>(xix) No onsite fuel storage or major servicing of equipment shall take place on the site.</p> <p>(xx) The applicant shall implement measures to minimise the risks of spills or leaks of chemicals including fuel, oil or other hydrocarbons in accordance with the Management Plan and shall ensure that no chemicals or potential liquid contaminants are disposed of on site.</p> <p>(xxi) The applicant shall keep a register of the extent, location, environmental implications and remedial actions taken for any accidental contamination of soil or water resources in a logbook to be kept on site and available for immediate inspection by the Shire of Serpentine-Jarrahdale.</p> <p>(xxii) The applicant shall provide a 40 metre buffer from the western and southern boundaries of the site to the edge of the excavation area and as</p> <p style="text-align: right; font-size: small;">Page 15</p>		

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		<p style="text-align: center;"><b>[2013] WASAT 199</b></p> <p>shown on Figure 2 (proposed extraction area) in the Management Plan. The buffer area shall be planted with three rows of trees prior to the first winter following the grant of approval. The applicant shall maintain and replant the trees which die after the first planting.</p> <p>(xxiii) Prior to the commencement of excavation or the removal of materials from the site, the applicant shall undertake the construction of landscaped bunds as described in the Management Plan around the entire perimeter of the excavation area, to screen the excavation area from South Western Highway, Jarrahdale Road and the entry to Transit Road.</p> <p>(xxiv) Notwithstanding anything contained within the Management Plan, no excavation is to occur within 2 metres of groundwater.</p> <p>(xxv) The applicant shall control declared weeds throughout the site to the satisfaction of the Shire of Serpentine-Jarrahdale.</p> <p>(xxvi) The excavation area is to be no larger than 3 hectares at any one time.</p> <p>(xxvii) The excavation area shall be progressively rehabilitated when final contour levels and grades for each stage are achieved and within six months of the closure of each stage, with such rehabilitation being in accordance with the Management Plan.</p> <p>(xxviii) The applicant/operator is to provide a copy of the dust management plan (comprising an appendix to the Management Plan) to the operators of the premises located at No 22 (Lot 1) Transit Road (Baptist Youth Camp) and No 1908 (Lot 99) South Western Highway (WA Cactus and Succulent Supply Company). During operations a sign displaying telephone and email contact details of the</p> <p style="text-align: right; font-size: small;">Page 16</p>		

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		 <p style="text-align: center;">[2013] WASAT 199</p> <p>applicant/operator is to be displayed at the entrance to the site.</p> <p>3. In the matter of DR 311 of 2013, an extractive industry licence is granted for the site, subject to the following conditions:</p> <ul style="list-style-type: none"> <li>(i) The applicant shall undertake the extractive industry operations in accordance with the Shire of Serpentine-Jarrahdale's <i>Extractive Industries Local Law</i>.</li> <li>(ii) The applicant shall pay the annual extractive industries licence fee on or before 31 December each year as determined by the Shire of Serpentine-Jarrahdale from time to time.</li> <li>(iii) The extractive industry licence is granted for a term of five years from the date of approval.</li> </ul> <p>I certify that this and the preceding [39] paragraphs comprise the reasons for decision of the State Administrative Tribunal.</p> <p style="text-align: center;">_____  MR J JORDAN, MEMBER</p>		
<p>Planning Solutions (Aust) Ltd on behalf of Wayne Marron Lot 5076 Thomas Road OAKFORD IN19/28230</p>	<p>26.</p>	<p><b>DRAFT LOCAL PLANNING STRATEGY AND DRAFT LOCAL PLANNING SCHEME NO. 3</b></p> <p>Planning Solutions acts on behalf of Wayne Joseph Marron as trustee for The W J Marron Family Trust No.2, the owner of Lot 5076 Thomas Road, Oakford (<b>subject site</b>).</p> <p>Thank you for the opportunity to review and comment on the Shire of Serpentine Jarrahdale's Draft Local Planning Strategy (<b>Strategy</b>) and Draft Local Planning Scheme No. 3 (<b>LPS3</b>). On behalf of our client, we support the draft Strategy and draft LPS3 which provides for tourism opportunities on rural land, subject to the following modifications being made:</p> <ol style="list-style-type: none"> <li>1. Action 2 in Table 25 of the Strategy being modified as follows (changes in red): <ul style="list-style-type: none"> <li>2. Allow some non-rural land uses, such as boutique food and beverage outlets <b>and private recreation</b> to be considered in rural zones under LPS 3 to encourage tourism.</li> </ul> </li> <li>2. The fifth objective for the Rural zone under clause 16(2) of LPS3 being modified as follows (changes in red):</li> </ol>	<p>Noted – We appreciate your response via submission to the Draft Local Planning Strategy and Local Planning Scheme No.3.</p> <p>The Shire outlines that the current zoning of the land under the Draft Local Planning Scheme No.3 and Local Planning Strategy is Rural. The objective of the Rural land within the Shire is:</p> <ul style="list-style-type: none"> <li>- To provide for the maintenance or enhancement of specific local rural character.</li> <li>- To protect and accommodate broad acre agricultural activities such as cropping and grazing and intensive uses such as horticulture as primary uses, with other rural pursuits and rural industries as secondary uses in circumstances where they</li> </ul>	<p><b>Part 3 Clause 17 Table 3 – Zoning Table</b></p> <p>Amend the permissibility of Exhibition Centre to a 'A' use within the Rural zone.</p>

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		<p>• To provide for a range of non-rural land uses <b>including tourism opportunities</b> where they have demonstrated benefit and are compatible with surrounding land uses.</p> <p>3. The permissibility of 'exhibition centre' in the Rural zone under the Zoning Table of LPS3 being modified from 'X' to 'D'.</p> <p>Our detailed submission follows.</p> <p><b>DRAFT LOCAL PLANNING STRATEGY</b></p> <p>The subject site is identified as 'rural land' under the draft Strategy. The draft Strategy provides the following rationale for rural lands:  Rural land can also support the expansion of the tourism economy by providing a combination of attractive landscapes ranging from pastoral and horticultural to natural bushland, and accommodating a range of tourist activities and attractions. [emphasis added]</p> <p>This aspect of the draft Strategy is supported.</p> <p>The draft Strategy states promoting and facilitating tourism is extremely important to the growth of the local economy and creating activated and thriving communities. Tourism is clearly an important component of the draft Strategy. The draft Strategy includes the following strategy in table 25:</p> <p>f. Attract and encourage the diversification and development of businesses which are likely to contribute to local tourism through appropriate land use planning.</p> <p>This strategy is supported.</p> <p>Relevant to the above strategy is the following action in table 25:</p> <p>2. Allow some non-rural land uses, such as boutique food and beverage outlets to be considered in rural zones under LPS 3 to encourage tourism.</p> <p>It is submitted the above action could be broadened to include adventure tourism so as to reduce the emphasis on food and beverage as the only type of tourism facility that can be contemplated in rural zones. By way of rationale, it is noted figure 16 of the draft Strategy identifies several 'adventure' tourism sites in rural areas. Suggested wording for the modified action is:</p> <p>2. Allow some non-rural land uses, such as boutique food and beverage outlets <b>and private recreation</b> to be considered in rural zones under LPS 3 to encourage tourism.</p> <p>The draft Strategy is supported subject to this minor modification.</p> <p><b>DRAFT LOCAL PLANNING SCHEME NO. 3</b></p>	<p>demonstrate compatibility with the primary use.</p> <ul style="list-style-type: none"> <li>- To maintain and enhance the environmental qualities of the landscape, vegetation, soils and water bodies including groundwater, to protect sensitive areas especially the natural valley and watercourse systems from damage.</li> <li>- To provide for the operation and development of existing, future and potential rural land uses by limiting the introduction of sensitive land uses in the Rural zone.</li> <li>- To provide for a range of non-rural land uses where they have demonstrated benefit and are compatible with surrounding rural uses.</li> </ul> <p>The Shire agrees that the following proposal fits under a private recreational use but takes the form of a tourism development land use under the LSP3. Private recreation is and should be an outlet the Shire seeks to promote and encourage tourism for the Shire community and its visitors.</p> <p>Modifications are recommended to the Draft Local Planning Strategy to promote tourism uses within the Rural zone.</p> <p>An exhibition centre is an 'X' use prohibited in the Rural zone under draft LPS3. The Shire considers an exhibition centre is a tourism-related land use and one which should be permissible in the Rural zone at the Shire's discretion.</p> <p>An exhibition centre is defined as: Means premises used for the display, or display and sale, of materials of an artistic, cultural or historical nature including a museum.</p> <p>The permissibility of 'exhibition centre' in the Rural zone under the Zoning Table of LPS3 being modified from 'X' to 'A'.</p>	

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		<p>The subject site is zoned Rural under the draft LPS3. The draft LPS3 objectives for the Rural zone include:</p> <ul style="list-style-type: none"> <li>To provide for a range of non-rural land uses where they have demonstrated benefit and are compatible with surrounding land uses.</li> </ul> <p>This objective does not reflect the rural land description of the draft Strategy, which states:</p> <p>The Rural land use category provides for a full range of rural land uses, <u>tourism opportunities</u>, rural enterprise and the preservation of the natural landscape. [emphasis added]</p> <p>The purpose of the Strategy is to provide the rationale for any zoning of land under LPS3. So while the draft Strategy places particular and specific emphasis on tourism opportunities, its absence from the Rural zone objectives can not be adequately explained. It is submitted the tourism opportunities should be specifically mentioned in the Rural zone objectives, with suggested wording as follows:</p> <ul style="list-style-type: none"> <li>To provide for a range of non-rural land uses <b>including tourism opportunities</b> where they have demonstrated benefit and are compatible with surrounding land uses.</li> </ul> <p>The draft LPS3 is supported subject to the above modifications being made to the Rural zone objectives.</p> <p>We have reviewed the Zoning Table of LPS3 and consider the use class permissibilities in the Rural zone to be generally appropriate, allowing for a range of tourism opportunities. The only use class which we consider should be reviewed is 'exhibition centre' defined as:</p> <p><b>Exhibition centre</b> means premises used for the display, or display and sale, of materials of an artistic, cultural or historic nature including a museum.</p> <p>An exhibition centre is an 'X' use prohibited in the Rural zone under draft LPS3. We consider an exhibition centre is a tourism-related land use and one which should be permissible in the Rural zone, having the same use permissibility as an 'art gallery' (a 'D' use in the Rural zone under the draft LPS3).</p> <p><b>CONCLUSION</b></p> <p>The draft Strategy and draft LPS3 support tourism opportunities on Rural land, including the subject site. The general intent is supported. We have recommended minor modifications in order to strengthen and support this intent. We consider the draft Strategy and draft LPS3 should be approved with the modifications identified above.</p>		

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		<p>We respectfully request we are advised of and invited to attend any Council meeting at which this matter is considered. Should you have any queries or require further clarification in regard to the above matter please do considered. Should you have an not hesitate to contact the writer.</p>		
<p>Harley Dykstra  On behalf of landowners  Serpentine River P/L  Lot 9 (46) Hall Road,  Serpentine  IN19/28258</p>	<p>27.</p>	<p>Harley Dykstra, on behalf of our client Serpentine River Pty Ltd ('the landowner'), is pleased to present this submission to the Shire of Serpentine – Jarrahdale for its consideration, regarding the proposed Local Planning Strategy and Local Planning Scheme No. 3. Our client is generally supportive of this planning initiative subject to the modifications set out in this submission.</p> <p><b>INTRODUCTION</b></p> <p>The Shire of Serpentine-Jarrahdale has initiated a draft Local Planning Strategy and corresponding Local Planning Scheme No. 3, which seeks to update the current planning framework to reflect the contemporary planning requirements set out within the Planning and Development (Local Planning Schemes) Regulations (2015), the State and Sub-Regional planning frameworks, as well as incorporating the Shire's community aspirations for the coming 10 years.</p> <p>This submission sets out the planning grounds providing the conditional support for the draft Local Planning Strategy and corresponding Local Planning Scheme No. 3 (LPS 3), as it relates to our client's property. The landowner has entered the initial concept planning stage of a Community Education facility to be developed on Part Lot 9 (No. 46) Hall Road, Serpentine. Ultimately, this submission requests specific recognition be given to our client's intention for their land, particularly given the nature of the mix of land uses proposed, and for it be reflected within the Special Use schedule of LPS 3 to provide a reasonable level of certainty to the landowners as they move forward with this project.</p> <p><b>BACKGROUND</b></p> <p>The landowners of proposed Lot 9 (No. 46) Hall Road, Serpentine, have recently been granted subdivision approval for four (4) 'Farmlet' zoned lots, with three (3) lots deriving access from Gull Road. Proposed Lot 4 ('the subject land') retains its original access from Hall Road, frontage to Serpentine River and a Municipal and Local Heritage listed building, the Serpentine Falls Cheese &amp; Butter Factory (Heritage Place No. 8602)</p> <p>The landowners have recently met with the Shire of Serpentine-Jarrahdale's Chief Executive Officer and Shire President, expressing their desire to develop a new Community Education facility on the subject site. The proposal, while still in the conceptual stage, will seek to provide a site for a community educational facility managed by the Baha'I community to offer courses that are intended for people of all backgrounds, with onsite facilities available for use by all members of the community. In its preliminary stages, the concept proposal seeks to provide a campus to accommodate weekly classes</p>	<p>Noted – We appreciated your response via submission to the Draft Local Planning Strategy and Local Planning Scheme No.3.</p> <p>The Shire would like to acknowledge the request to add Lot 9 Hall Road as a special use under the Draft Local Planning Scheme. The Shire suggests the request is premature due to the lack of development which has occurred on the site prior to the submission. The applicant will have to go through due process in submitting a Scheme amendment to the Local Planning Scheme and follow orderly and proper planning and exercise discretion. The Shire also recommends that it be an additional use.</p> <p>The Shire will consider any Scheme amendment based on its merit, as well as its alignment to the Local Planning Strategy. With regard to the Rural Smallholdings section of the Local Planning Strategy, Strategy C states; to exclude land uses from Rural Smallholdings areas which may result in environmental or landscape degradation. Based on the submission received, the applicant may be able to seek to demonstrate how a future scheme amendment to include additional uses would be consistent with Strategy C. Importantly future scheme amendments will be assessed regarding there alignment with the Local Planning Strategy.</p> <p>We appreciated your response via submission to the Draft Local Planning Strategy and Local Planning Scheme No.3.</p>	

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		<p>and intermittent seminars teaching the principles and philosophy developed by the Baha'i Faith, which are primarily focused on increasing the capacity of individuals to engage in community building. While the Baha'i Community would be the managing body of these courses and the establishment, they are intended for the entire community and it is often the case that the majority of attendees are not adherents of the Baha'i Faith.</p> <p>As part of the development, the landowners wish to restore and repurpose the heritage building as a meeting and seminar room, while retaining and promoting its heritage features where appropriate. Some of the courses would run over a couple of days, and therefore accommodation for participants has been included within various chalet style dormitory buildings throughout the site. A Concept Site Plan has been included at <b>Appendix A</b>. This plan was developed to illustrate one potential for the site to be developed, to assist the landowners communicating their concept proposal to Shire officers.</p> <p>The subject site has been identified as an appropriate site for this type of development due to its tranquil setting, afforded by the rural landscape, existing vegetation and the Serpentine River. These types of environments are often perceived as conducive to educational activities, particularly those that are more spiritual and contemplative in nature, which are sought to be taught within this Community Education facility.</p> <p><b>DRAFT LOCAL PLANNING STRATEGY</b></p> <p>The Shire has prepared a draft Local Planning Strategy (LPS) that seeks to develop a set of strategic directions to guide the development within the Shire for the forthcoming 10 years and beyond. The LPS sets out the community vision for the Shire, being "City living offering a rural lifestyle with abundant opportunities for a diverse community". It also identifies the range of strategic objectives in order to achieve the vision. These are as follows:</p> <ul style="list-style-type: none"> <li>• <u>Unique Character</u> – Ensure the diversity of natural and cultural landscapes in the Shire continue to offer an array of unique experiences to visitors and communities, enhancing social cohesion and a shared sense of place.</li> <li>• <u>Consolidated Urban Form</u> – Promote urban consolidation by making better use of existing zoned land and infrastructure through better-quality infill redevelopment and rural living development.</li> <li>• <u>Inclusive Communities</u> – Attract people to the Shire's many places and spaces supported by iconic landscapes, unique histories, range of activities and integrated settlement structures.</li> <li>• <u>Infrastructure &amp; Technology</u> – Explore incentives for the continued investment in research and development to ensure ongoing</li> </ul>		

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		<p>innovation and training help the Shire remain competitive, resilience and sustainability.</p> <ul style="list-style-type: none"> <li>• <u>Economic Diversity and Regional Development</u> – Enhance our local competitiveness by seizing opportunities to diversity through innovation, research and development, to create value-added goods, services and increased efficiencies.</li> </ul> <p>Ensure, as the Shire grows, new homes, employment areas and places to shop are located in areas that are well planned, connected and affordable.</p> <p>Ensure, as the Shire grows, strong governance will guide well designed growth that makes the most efficient use of existing and planned infrastructure and investment.</p> <ul style="list-style-type: none"> <li>• <u>Environment and Water</u> – Maintain access to the natural environment and preservation of our high value natural assets for future generations to come.</li> </ul> <p>The LPS also sets out the planning objectives for a new, ‘Rural Smallholdings’ zone under the LPS 3. The objectives are as follows:</p> <ul style="list-style-type: none"> <li>• Preserve and enhance the existing larger rural living lots and equestrian character of Rural Smallholdings areas.</li> <li>• Accommodate a variety of land uses and types of properties to provide choice.</li> <li>• Maintain a strong equestrian identity and the continued development of the equine industry as a significant contributor to the local economy.</li> <li>• Ensure Rural Smallholdings areas are sensitive to, and enhance environmental values and water systems.</li> </ul> <p><b>DRAFT LOCAL PLANNING SCHEME NO. 3</b></p> <p><b>The draft Local Planning Scheme No. 3 (LPS 3) is proposed to update the existing Town Planning Scheme No. 2 in various ways, including amending the relevant formatting, zoning and land use definitions for consistency with the model provisions set out in the Regulations. It has been prepared to supersede the existing Town Planning Scheme, which was originally gazetted in 1989.</b></p> <p><b>The subject site is currently zoned “Farmlet” under TPS 2; however it is proposed that it will be rezoned to “Rural Smallholdings”. Table 2 of the draft LPS 3 sets out the objectives of each of the zones, and accordingly, the objectives of the Rural Smallholdings zone are:</b></p> <ul style="list-style-type: none"> <li>• To provide for lot sizes in the range of 4 ha to 40 ha.</li> </ul>		

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		<ul style="list-style-type: none"> <li>• To provide for a limited range of rural land uses where those activities will be consistent with the amenity of the locality and the conservation and landscape attributes of the land.</li> <li>• To set aside areas for the retention of vegetation and landform or other features which distinguish the land.</li> <li>• To provide for a rural character and amenity with associated residential development.</li> </ul> <p><b>For reference, the land uses contemplated within our client’s concept planning for their land are set out in Part 6, as follows:</b></p> <p style="padding-left: 40px;"><b>“Community Purpose means premises designed or adapted primarily for the provision of educational, social or recreational facilities or services by organisations involved in activities for community benefit.</b></p> <p style="padding-left: 40px;"><b>Educational Establishment means premises used for the purposes of providing education including premises used for a school, higher education institution, business college, academy or other educational institution.</b></p> <p style="padding-left: 40px;"><b>Holiday Accommodation means two (2) or more dwellings, including cabins or chalets on one lot used to provide short term accommodation for persons other than the owner of the lot.”</b></p> <p><b>It is our observation that such mixes of land uses, particularly when developed by a spiritually affiliated group, have the potential to be classified with undue emphasis on the spiritual aspect of the use; rather than the actual and more properly categorised land uses occurring on-site. Further reference is therefore made to the Scheme’s definition of Place of Worship.</b></p> <p><b>Place of Worship means premises used for religious activities such as a chapel, church, mosque, synagogue or temple.”</b></p> <p>‘Table 2 – Zoning Table’ provides for the permissibility of each land use within the various Scheme zones. In particular, the permissibility of land uses relevant to the subject site are proposed as follows in the ‘Rural Smallholding’ zone.</p> <table border="1" style="margin-left: auto; margin-right: auto; border-collapse: collapse; text-align: center;"> <thead> <tr> <th style="padding: 2px;">LAND USE</th> <th style="padding: 2px;">PERMISSIBILITY</th> </tr> </thead> <tbody> <tr> <td style="padding: 2px;">Community Purpose</td> <td style="padding: 2px;">A</td> </tr> <tr> <td style="padding: 2px;">Educational Establishment</td> <td style="padding: 2px;">D</td> </tr> <tr> <td style="padding: 2px;">Holiday Accommodation</td> <td style="padding: 2px;">A</td> </tr> <tr> <td style="padding: 2px;">Place of Worship</td> <td style="padding: 2px;">X</td> </tr> </tbody> </table> <p style="text-align: center;"><b>TABLE 1 – PROPOSED LAND USE PERMISSIBILITY</b></p>	LAND USE	PERMISSIBILITY	Community Purpose	A	Educational Establishment	D	Holiday Accommodation	A	Place of Worship	X		
LAND USE	PERMISSIBILITY													
Community Purpose	A													
Educational Establishment	D													
Holiday Accommodation	A													
Place of Worship	X													

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		<p><b>DISCUSSION &amp; REQUESTED MODIFICATIONS</b></p> <p>Overall, our client commends the Shire for its efforts in preparing both the Local Planning Scheme and Local Planning Strategy No. 3. We support the Shire’s strategic direction to promote its community’s objectives, as well as promoting community services and heritage retention throughout the Shire, particularly located in the township nodes, as expressed within the draft Local Planning Strategy.</p> <p>Our client, however, is apprehensive about pursuing this community education establishment development, particularly given the tendency for the abovementioned land uses (specifically ‘Community Purpose’, ‘Educational Establishment’ and ‘Place of Worship’) to be misinterpreted and perceived as being interchangeable.</p> <p>Harley Dykstra is confident that the proposed development can comfortably be classified within the permissible land uses of Community Purpose, Educational Establishment and Holiday Accommodation, and thus, that the concept development could therefore capable of approval subject to the various technical management strategies required. However, given the likely amenity impacts of the proposed development are one and the same, irrespective of the proposed land use mix, we consider that it would be imprudent to restrict the spiritual aspect of the proposed uses; given their close ties to the Baha’i Faith.</p> <p>This submission therefore requests that the subject site be included within ‘Schedule 2 – Special Use Zones’ of LPS 3, with each of the following land uses being ‘A’ (subject to public advertising), as shown in Table 2 below. It is noted that any community education facility land use has the potential for a range of amenity impacts to occur, and as such, we also suggest a suite of appropriate conditions to be included in Schedule 2 to ensure the orderly and proper future development and ongoing management of the site. It is proposed that the following is inserted into Schedule 3 of LPS 3 for this purpose (Refer overleaf to <b>Table 2</b>).</p> <p>The inclusion of the subject site within Schedule 2 of the proposed LPS 3 would support and promote the community objectives set out in the Strategy, and provide encouragement for our Client’s investment of this site, particularly in relation to the potential for the existing heritage building to be refurbished. A similar mechanism has been applied to the lots occupied by the Bodhinyana Monastery and Retreat on Kingsbury Drive.</p> <p>It is considered that the proposed mix of uses are very similar to the abovementioned monastery, and will ultimately have the same potential impacts on amenity which will be required to be managed, no matter the category of land use applied. Further, by including this site as a Special Use site within the Scheme, it ensures that public access, restoration and ongoing management of the existing Serpentine Falls Butter and Cheese Factory is achieved. This is not considered</p>		

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		<div style="border: 1px solid black; padding: 2px; margin-bottom: 5px;"> <ul style="list-style-type: none"> <li>Drainage;</li> <li>Bushfire risk;</li> <li>Heritage management.</li> </ul> </div> <p style="text-align: center;">TABLE 2 – PROPOSED ADDITION TO DRAFT LPS 3</p> <p><b>CONCLUSION</b></p> <p>The landowners of the subject land support the intent of the proposed Local Planning Strategy and Local Planning Scheme No. 3. However, our clients are seeking to have some assurance provided for their emerging intentions of the subject land, by having it recognised as a 'Special Use' site for a Community Education facility and associated land uses. It would further provide certainty to the broader community and the local government that public access, restoration and ongoing management of the existing Serpentine Falls Butter and Cheese Factory is achieved.</p> <p>In our view, including the subject land within Schedule 2 of the Scheme (subject to specific management provisions) would encourage our client's certainty and commitment to continue planning for such a development on the site, and is entirely consistent with the other sites and land uses within the Schedule.</p> <p><b>See attachment Appendix IN19/28258</b></p>	sold	
Larry Smith Planning S. Randazzo and A. Randazzo Lot 8 Thomas Road, OAKFORD IN19/28278	28.	<p>Submission            Shire of Serpentine Jarrahdale            Draft Local Planning Scheme No.3            Ref: SJ701            Comments:            We are the owners of Lot 8 Thomas Road, Oakford, WA, 6121 (our "Land"). Our Land is currently zoned "Rural Land" and under the Draft Local Planning Scheme NO.3 (the "Scheme") our Land remains zoned as "Rural Land" (refer Map 1 attached).</p> <p>The objective of this submission is to make our case for the Scheme to be amended to <u>rezone our Land as Rural Residential 1</u>. Justifications to support changing our Land zoning from "Rural Land" to "Rural Residential 1" follow:</p> <ol style="list-style-type: none"> <li>Our Land abuts Thomas Road and is approximately 400 metres from the intersection of Nicholson Rd and Thomas Roads in Oakford. Both Thomas and Nicholson Roads are very high volume traffic roads. Furthermore, the intersection of Thomas and Nicholson Roads is reported as a "Black Spot" due to the excessive number of motor vehicle accidents occurring at that intersection, the main cause of which is the high volume of traffic.</li> </ol> <p>It has been reported that due to the high volume of traffic on Thomas Road, the Main Roads Department is proposing that Thomas Road be widened and converted to a dual carriage way road. Nicholson Road is also to be widened and Main Roads has already commenced resuming land for the widening that road. Furthermore, we understand that traffic management measures (including a</p>	<p>The Shire is does not support the rezoning of the land to Rural Residential RR-1 under the Draft Local Planning Scheme No.3.</p> <p>Further studies and investigations are required to support a potential rezoning under the Local Planning Scheme to determine the capability of the land being subdivided and developed for this purpose. It is important that these investigations are undertaken prior to the land being rezoned to ensure that the land can accommodate the intended development and to ensure that appropriate provisions and design considerations are incorporated. The Shire will consider rezoning the land in the future through the applicant submitting a Scheme Amendment with the appropriate planning studies to outline if the land is capable of being developed. Importantly future scheme amendments will be assessed regarding their alignment with the Local Planning Strategy. Scheme Amendments are subject to future planning and capability studies which will be assessed by the Shire and the Western Australian Planning Commission.</p>	

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		<p>roundabout) are to be installed at the intersection of Thomas and Nicholson Roads as an interim measure in an attempt to reduce the incidence of traffic accidents.</p> <p>The Shire of Serpentine Jarrahdale (the "Shire") has published a document titled "Local Planning Strategy Draft Part 1 September 2019" (the "Strategy Document"). This Strategy Document is being advertised at the same time as the Scheme. Important to this submission is the fact that the Strategy Document describes rural land as an ".. amenity living environment with strong connections to nature" (page 26 section 3.2 of the Strategy Document). The extremely high volume of traffic on Thomas Road, in Oakford clearly does not endure itself to a living environment with strong connections to nature.</p> <p>It is therefore submitted that land abutting Thomas Road in Oakford is not conducive to the rural lifestyle as described in your Strategy Document and should therefore not be zone as Rural Land but instead zoned as "Rural Residential 1".</p> <ol style="list-style-type: none"> <li>2. Rural Land and its permitted uses generally require heavy machinery, including trucks and tractors, to have access to such land. Access to the Land and indeed to all our neighbours' properties is only available via Thomas Road. The high volume of speeding traffic makes access to and from such land extremely dangerous. The danger level increases further for commercial vehicles which generally have a much slower take off speed. The difficulty in accessing Thomas Road tends to entice drivers to take risks they should not be taking. The transport of equipment, machinery, animals is part of the normal day to day operations of Rural Land. It is submitted that our Land and the land of our neighbours on the northern side of Thomas Road are not suited for Rural Land uses that by necessity require safe access for Commercial vehicles. Accordingly, our Land and that of our neighbours on the northern side of Thomas Road should not be zoned "Rural Land" but should instead be zoned "<u>Rural Residential 1</u>".</li> <li>3. We have consulted with all 5 of our neighbours that also own adjoining land abutting the north side of Thomas Road. The smallest of these properties has a land area of 7.3 hectares. Without exception all 5 land owners are supportive of this submission to rezone our properties from Rural Land to Rural Residential 1. The attached <u>Map 2</u> highlights the 6 properties (5 neighbours plus our Land) which we submit should be rezoned to Rural Residential 1. These 6 properties cover a contiguous area of 74.7 hectares/184 acres (see <u>Table 2 attached</u>). Collectively these 6 contiguous properties provide a substantial parcel of land that would be conducive to a well structured Rural Residential development. Furthermore this would allow for a new road to be potentially located on the northern boundaries of the 6 properties which could be accessed from Spiers Drive and therefore eliminating the need to access these properties via the very dangerous Thomas Road.</li> </ol>	<p>The subject site is identified as Rural Residential RR-2 under the Draft Local Planning Strategy.</p> <p>The Shire does not support the change under the Draft Local Planning Scheme No.3. We appreciate your response via submission to the Draft Local Planning Strategy and Local Planning Scheme No.3.</p>	

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		<p>4. The attached <u>Map 3</u> highlights what we submit is the preferred and most sensible area that should be rezoned from Rural Land to Rural Residential 1. This extends the highlighted area shown in <u>Map 2</u> (74.7 hectares) to include an additional 4 properties (all greater than 4 hectares) which abut the east side of Nicholson Road. Together with the 6 properties (all abutting Thomas Road) covered in point 3 above, the addition of these 4 Nicholson Road properties results in 10 contiguous properties encompassing 96.3 hectares (see table 2) that should be rezoned from Rural Land to Rural Residential 1. Rezoning all 10 properties to Rural Residential 1 would allow for an even better and more flexible structured Rural Residential development than that described in point 3 above. Importantly the inclusion of the additional 4 properties abutting the east side of Nicholson Road would allow for the new road described in point 3 above to extend from Spiers Drive through to Nicholson Road. This would not only benefit the 10 properties mentioned but would also allow residences of the Mary Ellen Estate, who are travelling south along Nicholson Road to bypass the dangerous Nicholson and Thomas Roads intersection to access their homes.</p> <p>5. Our Land is approximately 7.7 km by direct route heading east along Thomas Road to the South West Highway intersection in Byford and 11 km by direct route heading west along Thomas Road to the Kwinana Freeway / Thomas Road interchange. The location of our land and its proximity to amenities can be compared to the suburb of Harrisdale near to the Nicholson Road / Armadale Road intersection. Harrisdale is approximately the midpoint between the Kwinana Freeway/Cockburn train station and the Armadale town centre/Armadale train station. Our land is also at the approximate midpoint to access both the Kwinana Freeway and the Kwinana train Station and the Byford Town centre and the proposed new Byford train station. These important amenities are designed to support more populated areas commensurate with urban living (not Rural Living).</p> <p>As is the case with the popular Harrisdale development along Armadale Road, the land area described in Map 3 (including our Land) is well located in that it is in close proximity to the amenities necessary for rural residential living. In particular:</p> <ul style="list-style-type: none"> <li>• The nearby Byford township will provide retail and commercial centres for residence;</li> <li>• The proposed Byford train station and the existing Kwinana train station are in close proximity to our Land and will provide residence with very good access to public transport;</li> <li>• Thomas Road and Nicholson Road are existing and important arterial roads. These are high-capacity urban roads that will provide residences with the arterial thoroughfare to access the nearby Kwinana Freeway, Tonkin Highway and South West Highway.</li> </ul> <p>It is submitted that, for the reasons stated in this point 6, the land highlighted in Map 3 should be zoned Rural Residential 1 (1 hectare subdivision).</p>		

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		<p>6. The attached Table 1 has been extracted from the Strategy Document. It is submitted that the rezoning of land highlighted in Map 3 (including our Land) to Rural Residential 1 will satisfy the main/key Rural Residential Strategy points outlined in that Strategy Document. In particular:</p> <ul style="list-style-type: none"> <li>• Is the land subject to this submission contained within a defined area? Yes it is. The area highlighted in Map 3 is contained within the bounds of Nicholson Rd, Thomas Rd, Spiers Drive and the Water Corporation drain that abuts the northern boundaries of the properties. Furthermore, the area to the immediate north and east of the Land is already zoned RR2 and as stated in point 6 above the area is in close proximity to the Byford town centre and public transport;</li> <li>• Will the Rural Residential 1 area provide a buffer to rural land uses? Yes it will. The area on the south side of Thomas Rd is zoned Rural Land and the area west of Nicholson Rd is the Jandakot Regional Park. The land highlighted in Map 3 can be adequately set back from both Thomas Road and Nicholson Roads so as to provide the RR1 residences with a buffer to the Rural Land on the south side of Thomas Rd.</li> <li>• Will the land be a high amenity Rural Residential Area which excludes potentially conflicting rural land uses? Yes it will. As stated in point 2 above, the proximity of the land highlighted in Map 3 to major arterial roads (Thomas and Nicholson Roads) with a high volume of traffic discourages rural land activities as it is very difficult and dangerous for commercial vehicles to access the properties.</li> <li>• Can the boundaries of the Rural Residential area be clearly defined? Yes they can. The boundaries for the area highlighted in Map 3 already exist. That is, Nicholson Road, Thomas Road, Spiers Drive and the Water Corporation drain located to the immediate north of each property; and</li> <li>• Maintain a network of bridle trails to support equestrian activities. An existing bridle trail is located alongside the Water Corporation drain located to the immediate north of the area highlighted in Map 3. Rezoning the area highlighted in Map 3 to Rural Residential 1 does not interfere with this existing Bridle trail.</li> </ul> <p>7. We are strongly of the view all the land (10 properties) highlighted in Map 3 should all be rezoned Rural Residential 1, however we acknowledge that we have not consulted the owners of the 4 properties which abut Nicholson Road. If the 4 owners of these properties are not supportive of this submission then at the very least the 6 properties highlighted in Map 4 should be rezoned Rural Residential 1. The owners of these 6 properties have been consulted and all support a rezoning to Rural Residential 1. This alternative has been described in Map 4 as our second preferred "Option 2".</p> <p>8. For the reasons stated above and more particularly the key facts dealt with in points 5 and 6 above, we believe Rural Residential 1 is the most appropriate for rezoning the areas included within this submission. If however such zoning is not forthcoming then at the very least the 6 properties highlighted in Map 5 should be rezoned to Rural Residential 2.</p>		

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		<p>This alternative has been described in <u>Map 5</u> as our third preferred "Option 3".</p> <p>9. We refer you to the attached <u>Map 6</u>. This map was extracted from figure 6 at page 36 of the Strategy Document. The area highlighted within the red free hand marking is intended to outline the same area highlighted in <u>Map 3</u>. You will note the yellow area is described in the map legend as "Rural Residential 2". The Scheme as advertised states the area highlighted within the red free hand marking is to be zoned as Rural Land. Accordingly, the Scheme zoning for the land highlighted in <u>Map 3</u> clearly contradicts the zoning for that same area as outlined in the Strategy Document. Put simply, the Scheme is inconsistent with the Strategy.</p> <p>10. Table 2 attached provides a summary of the properties discussed in this submission. We have consulted with the land owners listed in the Thomas Road section of this table. We have not however consulted with the owners of 4 properties listed in the Nicholson Road section of this table.</p> <p>11. We understand that all 5 of our neighbours listed in the Thomas Road section of Table 1 intend to also make a submissions to the Shire in relation to the Scheme along the same lines as this submission.</p> <p><b>See attachments IN19/28278</b></p>		
<p>Element on behalf of Claradon Property IN19/28363</p>	<p>29.</p>	<p><b>DRAFT LOCAL PLANNING STRATEGY &amp; DRAFT LOCAL PLANNING SCHEME NO. 3 SUBMISSION – LOT 12 THOMAS ROAD &amp; LOT 50 NICHOLSON ROAD, OAKFORD</b></p> <p>element on behalf of Claradon Property (Claradon) has prepared this submission in response to the Shire of Serpentine-Jarrahdale (the Shire) draft Local Planning Strategy (draft Strategy) and draft Local Planning Scheme No.3 (draft LPS 3) that are being advertised for public comment.</p> <p>The submission has been prepared with regard to Lot 12 Thomas Road and Lot 50 Nicholson Road, Oakford (subject site).</p> <p><u>Executive Summary</u>  An objection is made to the land use permissibility applicable to the subject site which prevents the 'Service Station' use within the Rural zone.</p> <p>It is respectfully requested that the City make modification to draft LPS 3 to provide for an 'Additional Use' for a 'Service Station' (and other complementary commercial / retails uses) for the subject site. These modification will provide for consistency between the planning framework and recent Development Approval granted for a Service Station at the subject site by Metro East Joint Development Assessment Panel (JDAP), which will benefit the local area and provide an economic opportunity for the surrounding community.</p> <p><u>Background</u>  The subject site is currently zoned 'Rural' under the Metropolitan Region Scheme (MRS) and 'Rural' under the Shire's Town Planning Scheme No.2 (TPS 2). The current land use permissibility within the Rural zone for a 'Service Station' land use is 'SA', being a land use, which can be permitted by Council after consultation</p>	<p>The Shire's objective in the Rural zone is to prevent the proliferation of service stations, rather supporting the development of a more strategic road house uses. While the objectives of the Rural zone allow for some non-rural land uses to be considered where they have demonstrated benefit and are compatible with surrounding rural uses, officers do not consider that the land use of service station provides such benefit or is compatible with rural uses.</p> <p>A Road House is a discretionary use within the 'Rural' zone and can therefore be accommodated subject to planning approval.</p> <p>Existing approvals can continue under non-conforming land uses rights.</p>	

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		<p>has occurred in accordance with the requirements of the Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations).</p> <p>Development Approval was granted on 29 October 2018 by Metro East Joint Development Assessment Panel (JDAP) for a 'Service Station' development at the subject site (DAP/18/01394). The proposal featured refuelling bays, a 220m2 retail building, landscaping, signage and associated parking. The approval has a 2 year timeframe, expiring on 29 October 2020.</p> <p>Due to the future and required upgrading Thomas Road and the provision of a roundabout at the intersection by Main Roads Western Australia (MRWA), the approval features interim and ultimate access arrangements. The ultimate access arrangement takes into account the future works to the roads and intersection. As upgrades to Thomas Road are not anticipated to be completed until circa 2023 construction of the development with an interim access arrangement would be impractical. Commencement of construction of the development is now awaiting completion of the road upgrades.</p> <p>It should be noted at this junction that our Client was instrumental in assisting in securing funding for the proposed roundabout at the intersection of Thomas and Nicholson Roads.</p> <p>A Form 2 application has been lodged to request an extension of time to the approval. An additional three years to the approval timeframe has been requested to buffer any potential delays in the proposed construction of the necessary road upgrades by Main Roads Western Australia (MRWA) that are required to facilitate the development. Concomitant to this, the appropriate zoning of the land under the draft LPS 3 is requested.</p> <p>It is further understood that our Client has had preliminary discussions with Mr Andrew Trosic (Director Development Services) at the Shire. It is understood that from these discussions there is no immediate objections, subject to further review, of the use of the subject site for a Service Station.</p> <p><u>Draft Local Planning Scheme No.3</u>  The Shire's draft LPS 3 seeks to maintain the current 'Rural' zoning for the subject site. The land use permissibility of the Rural zone under the Zoning Table, however, differs to that of the current Scheme and assigns Service Station as an 'X' use (not permitted).</p> <p>This change will significantly impact the subject site and will result in the Service Station development being a not permitted use under LPS 3, or non-conforming use if substantial commence is achieved.</p> <p>Further to the above, should the development of the Service Station be delayed by the works associated with the required road upgrades, there is potential for the Development Approval to expire, and uncertainty in extension being granted</p>		

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		<p>should the Scheme in its current form be gazetted in the interim to prohibit a Service Station use within the zone.</p> <p><u>Draft Local Planning Strategy</u>            The subject site is identified under the draft Local Planning Strategy (draft Strategy) as Rural Residential (RR-2). The draft Strategy does not align with the Scheme which assigns the subject site and surrounding land (which is bound by an existing Rural-Residential estate to the north) with a Rural zoning. It is considered a Rural zone is appropriate for the subject site, with additional uses as set out later within this advice.</p> <p>The draft Strategy sets out actions relating to the Rural zone with the specific intent of protecting agricultural land. The actions relate to support for continuation of pastoral and extensive agricultural activities, preservation of land with high land capability for agricultural use, and prevention of fragmentation of large rural land. It is considered that the subject site has little utility for agricultural production due to the lot size, remnant vegetation and high voltage power lines.</p> <p>The subject site is shown in the draft Strategy at the intersection of a Primary Distributor (Thomas Road) and Integrator Arterial Road (Nicholson Road). The location of the site at this strategically important intersection makes it appropriate to accommodate non-rural uses compatible with the area which can take full advantage of the future road network and passing trade.</p> <p>The section of Thomas Road to which the subject site abuts is also designated as a Primary Freight Route under the Western Australian Planning Commission's Sub Regional Planning Framework.</p> <p><u>Requested modifications</u>            To facilitate the Service Station and future incidental development, it is requested an 'Additional Use' is applied to the subject site in accordance with the following:</p> <table border="1" data-bbox="522 1402 1389 1606"> <thead> <tr> <th>No.</th> <th>Description of Land</th> <th>Additional Use</th> <th>Conditions</th> </tr> </thead> <tbody> <tr> <td>A5</td> <td>Lot 12 Thomas Road and Lot 50 Nicholson Road, Oakford</td> <td> <ul style="list-style-type: none"> <li>• Service Station 'P'</li> <li>• Freeway Service Centre 'P'</li> <li>• Fast Food Outlet 'P'</li> <li>• Convenience Store 'P'</li> <li>• Motor Vehicle Wash 'P'</li> </ul> </td> <td>Nil</td> </tr> </tbody> </table> <p>A Service Station, Freeway Service Centre, Fast Food Outlet, Convenience Store and Motor Vehicle Wash are respectively defined under draft LPS 3 as follows:</p> <p>Service Station - means premises other than premises used for a transport depot, panel beating, spray painting, major repairs or wrecking, that are used for –</p> <p>(a) the retail sale of petroleum products, motor vehicle accessories and goods of an incidental or convenience nature; or</p> <p>(b) the carrying out of greasing, tyre repairs and minor mechanical repairs to motor vehicles.</p>	No.	Description of Land	Additional Use	Conditions	A5	Lot 12 Thomas Road and Lot 50 Nicholson Road, Oakford	<ul style="list-style-type: none"> <li>• Service Station 'P'</li> <li>• Freeway Service Centre 'P'</li> <li>• Fast Food Outlet 'P'</li> <li>• Convenience Store 'P'</li> <li>• Motor Vehicle Wash 'P'</li> </ul>	Nil		
No.	Description of Land	Additional Use	Conditions									
A5	Lot 12 Thomas Road and Lot 50 Nicholson Road, Oakford	<ul style="list-style-type: none"> <li>• Service Station 'P'</li> <li>• Freeway Service Centre 'P'</li> <li>• Fast Food Outlet 'P'</li> <li>• Convenience Store 'P'</li> <li>• Motor Vehicle Wash 'P'</li> </ul>	Nil									

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		<p>Freeway Service Centre - means premises that has direct access to a freeway and which provides all the following services or facilities and may provide other associated facilities or services but does not provide bulk fuel services –</p> <ul style="list-style-type: none"> <li>(a) service station facilities;</li> <li>(b) emergency breakdown repair for vehicles;</li> <li>(c) charging points for electric vehicles;</li> <li>(d) facilities for cyclists;</li> <li>(e) restaurant, cafe or fast food services;</li> <li>(f) take-away food retailing;</li> <li>(g) public ablution facilities, including provision for disabled access and infant changing rooms;</li> <li>(h) parking for passenger and freight vehicles;</li> <li>(i) outdoor rest stop facilities such as picnic tables and shade areas.</li> </ul> <p>Fast Food Outlet - means premises, including premises with a facility for drive-through service, used for the preparation, sale and serving of food to customers in a form ready to be eaten –</p> <ul style="list-style-type: none"> <li>(a) without further preparation; and</li> <li>(b) primarily off the premises.</li> </ul> <p>Convenience Store - means premises –</p> <ul style="list-style-type: none"> <li>(a) used for the retail sale of convenience goods commonly sold in supermarkets, delicatessens or newsagents; and</li> <li>(b) operated during hours which include, but may extend beyond, normal trading hours; and</li> <li>(c) the floor area of which does not exceed 300 m2 net lettable area.</li> </ul> <p>Motor Vehicle Wash means premises primarily used to wash motor vehicles. The range of uses proposed it's to allow for additional services to be offered to passing trade in additional to the Service Station Use. It is considered that low scale retail and commercial development as proposed by the additional uses is appropriate given the sites location on the intersection of two major roads and transit route.</p> <p><u>Planning Justification</u>  As described above, Development Approval has been recently granted for a Service Station development at the subject site.</p> <p>In granting the approval, the Shire and JDAP determined the land was compatible with the Rural zone in its specific context. It was stated in the Responsible Authority Report that the use would not detract from the amenity of the rural area and would not adversely impact on the TPS2 objective which states 'the purpose</p>		

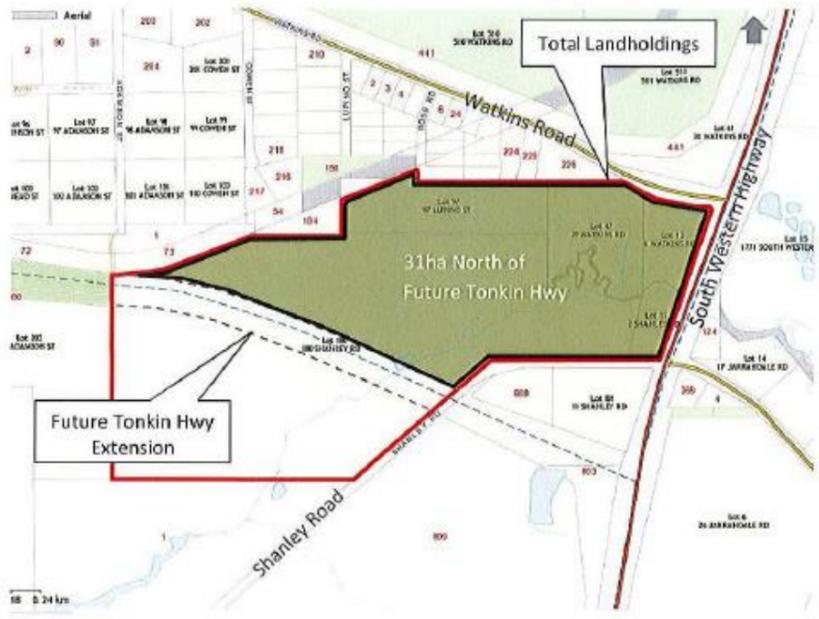
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		<p>and intent of the Rural Zone is to allocate land to accommodate the full range of rural pursuits and associated activities conducted in the Scheme Area'.</p> <p>The mechanism of an 'Additional Use' would enable the City's new planning framework to align with current Development Approval applicable to the subject site without prejudicing future planning of the Rural zone. Based on consideration of previous Development Application a Service Station land use is considered appropriate for the location in the context of a rural setting.</p> <p>Our Client wishes to put in place Additional Use provision to allow for the approval of a Service Station on site in perpetuity and to allow for complementary uses. Development, and ultimately the operation of a Service Station, until the road works are complete is not considered the best outcome at this time. Thus, our Client wishes to wait for the road works to be complete before the necessary works are undertaken. It is understood that it is Main Roads WA preference to aggregate all works within the road reserve into one upgrade package.</p> <p>The subject site contains two high voltage transmission lines (330kV) through Lot 50 and along the southern border (132kV). This makes the use of the site undesirable for rural residential land uses given potential amenity impacts. Concomitant to this, given the RAV 7 classification of Thomas Road the residential use would be impacted by heavy vehicle movements (noise and vibration).</p> <p>In order to allow for some flexibility in respect to the use of the site, and the additional of some low scale commercial / retail uses, it is proposed that the additional uses include a Service Station, Freeway Service Centre, Fast Food Outlet, Convenience Store and Motor Vehicle Wash. Whilst this spatial constraints of the site would likely be unable to accommodate all of the uses the range of uses offers some flexibility for the development of the land.</p> <p>A 'Fast food outlet' has been proposed as an additional use. A fast food outlet land use, which would permit take-away food retailing, is complementary to the function of a Service Station and would accommodate passing traffic without undue additional impacts on the surrounding area.</p> <p>A 'Convenience Store' is also proposed as an additional use to allow for limited convenience retailing for passing trade. This also aligns with the 24 hour operation of the Service Station, as the Convenience Store use allows for trading outside of normal business hours.</p> <p>The objectives of the 'Rural' zone under draft LPS 3 are modified and now include the following:</p> <ul style="list-style-type: none"> <li>• To provide for the maintenance or enhancement of specific local rural character;</li> <li>• To protect and accommodate broad acre agricultural activities such as cropping and grazing and intensive uses such as horticulture as primary uses,</li> </ul>		

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		<p>with other rural pursuits and rural industries as secondary uses in circumstances where they demonstrate compatibility with the primary use;</p> <ul style="list-style-type: none"> <li>• To maintain and enhance the environmental qualities of the landscape, vegetation, soils and water bodies including groundwater, to protect sensitive areas especially the natural valley and watercourse systems from damage;</li> <li>• To provide for the operation and development of existing, future and potential rural land uses by limiting the introduction of sensitive land uses in the Rural zone;</li> <li>• To provide for a range of non-rural land uses where they have demonstrated benefit and are compatible with surrounding rural uses.</li> </ul> <p>A Service Station use at the subject site is consistent with the objectives of the Rural zone, specifically with regard to demonstrated benefit to the community in providing an economic opportunity for the rural community.</p> <p>With regard to compatibility with surrounding rural uses, the immediate area is characterised by large rural lifestyle lots and businesses relating to kennels and equestrian, with large agricultural land to the south of Thomas Road. To the west of the site is Jandakot Regional Park. The site is positioned to enable sufficient separation to ensure compatibility of the Service Station use with uses in the surrounding area. Additionally, the use would not create traffic and noise impacts beyond the existing impacts generated by existing traffic on Thomas Road.</p> <p>Importantly, the subject site is located at the intersection of Thomas Road (an Important Regional Road under the MRS) and Nicholson Road (an Other Regional Road under the MRS). Thomas Road provides for a significant east west connections between Byford and Kwinana and is an RAV 7 route connecting Perth Airport and the Welshpool / Kewdale industrial areas to the Kwinana Industrial Area. Thus, a Service Station and associated uses are considered appropriate.</p> <p><u>Conclusion</u>  For the reasons set out previously in this advice it is requested that the draft LPS3 be amended to allow for the additional uses of Service Station, Freeway Service Centre, Fast Food Outlet and Convenience Store on the subject site.</p> <p>It is respectfully requested that the Shire considers the information contained within the above discussion and amends the draft LPS3 to apply an Additional Uses for the subject site to facilitate the Service Station development and future related complementary development.</p> <p>We trust that this submission provides sufficient information to assist the City in progressing Draft LPS3 and please do not hesitate to contact the undersigned on 9289 8300 should you require any further clarification in regard to the above.</p>		
G & G Corp Pty Ltd on behalf of Pino Gangemi and Panache Investments	30.	<p>Lots 120, 106, 47, 12 Watkins Road  Lots 180, 11 Shanley Road  Lot 97 Lupino Street, Mundijong</p>	<p>The Shire does not recommend any changes under the Draft Local Planning Scheme No.3.</p> <p>The Shire will consider any Scheme amendment based on its merit, as well as its alignment to the</p>	

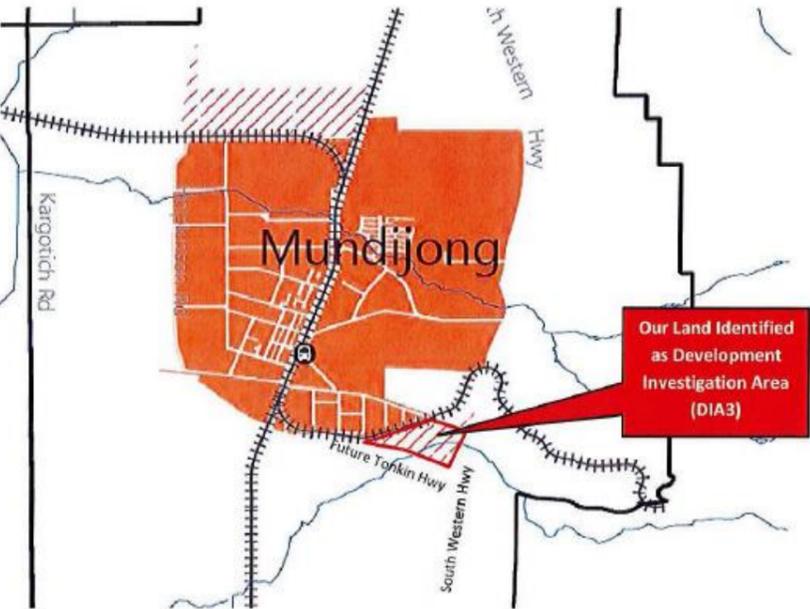
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IN19/28416 IN19/28426		<p>Thank you for the opportunity to comment on the Draft Local Planning Strategy and Draft Local Planning Scheme No. 3 (herein referred to as 'the Draft Proposal').</p> <p>We act on behalf of Pino Gangemi and Panache Investments Pty Ltd who own a number of properties in Mundijong that are affected by the Draft Proposal. These properties are located on the corner of Watkins Road and South Western Highway as indicated below:</p>  <p><b>Draft Local Planning Strategy</b>  We support the Proposed Draft Local Planning Strategy, which identifies the northern portion of our landholdings cell north of the future Tonkin Highway Extension as Development Investigation Area (DIA3). Although our land has been identified as Urban Expansion under the South Metropolitan Peel Sub-regional Planning framework, the natural landscape of the area south of Watkins Road does not lend itself to being developed as a typical housing estate.</p> <p>As a landowner, we are very interested in creating a purposely designed precinct that is responsive to the property and landscape. Our family have owned the land since the 1970s and want to investigate the potential for a unique urban development solution that is specifically designed and we can be proud of.</p> <p>We seek to propose a range of lot types from 2000m<sup>2</sup> to 1ha lots that will complement the Mundijong-Whitby urban cell to the north while staying on the rural fringe providing an appropriate transition to the Rural Smallholdings Zone, Residential and Stables Area to the south. This will integrate urban development in Mundijong-Whitby with our Special Residential land types and natural areas as well in a sensitive manner.</p>	<p>Local Planning Strategy. Importantly future scheme amendments will be assessed regarding their alignment with the Local Planning Strategy.</p> <p>The Shire recommends that additional text be included within the Draft Local Planning Strategy to outline the vision and intent of the Development Investigation Area identified within the Draft Strategy.</p>	

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		<p>A land capability assessment has been carried out for our land and it supports a range of lot types from 2000m2to 10,000m2 . The assessment was carried out by Emerge and Associates in relation to:</p> <ul style="list-style-type: none"> <li>• land use assumptions/controls that may be employed at the site that could affect the potential for nutrients to discharge from the site.</li> <li>• an assessment of nutrient loading likely from the proposed development.</li> <li>• an assessment of the proposed special residential lot type against the provisions of the Government Sewerage Policy.</li> </ul> <p>The land capability assessment supports the capacity and suitability of the land north of the Tonkin Highway Extension to provide graduation of lot sizes from 2000m2 to lha.</p> <p>We believe that housing affordability in Mundijong is achieved through lot diversity. The bulk of the housing cost is tied to the land, the smaller the land parcel the cheaper it is and the bigger the blocks the more expensive they are generally. It is, therefore, critically important to provide for a range of different lot sizes as we are proposing. This will help the cost of housing and its impact on households, as well as supporting a diversity of land stock that meets the needs of the current and future population in Mundijong and the Shire of Serpentine-Jarrahdale.</p> <p>Importantly, provision of lot diversity will improve affordability and provide housing choice:</p> <ul style="list-style-type: none"> <li>• That is appropriate to varying household needs in terms of size and physical attributes;</li> <li>• That is affordable to households of varying financial capacity;</li> <li>• That is varied and in locations that have good accessibility to amenities and services;</li> <li>• That promotes affordable living.</li> </ul>		

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		 <p>Given the continued growth of the Serpentine-Jarrahdale district and the importance of maintaining an equine heritage within the Shire, the expansion of the Southern Equine Hub is vitally important. The reviews of the Rural Strategy to include the area south of the Tonkin Highway Extension alignment for equestrian related activities is sensible and logical because it follows natural geographical features like a major arterial road for ease of access, and clearly delineates the Mundijong urban area from the equine activities, but keep them close enough for convenience to attract the future equestrian related residents.</p> <p>We believe that our land located between the existing southern boundary of the Mundijong urban area and north of the proposed Tonkin Highway extension to South Western Highway is ideally suited to provide a responsive development solution to existing and planned centres to the north, equine hub facilities to the south and the surrounding natural landscape features.</p> <p>Our desire to provide a diversity of lot types to provide choice, adaptability and to accommodate a range of incomes, households and life stages and to provide lifestyle lots will attract people to live on the rural fringe of Mundijong.</p> <p><u>Draft Local Planning Scheme No. 3</u></p> <p>The draft LPS3 identifies the land as 'Rural' (i.e. no change to the existing zoning) and 'Special Control Area 2' (SCA2) - Darling Scarp Landscape Protection.</p> <p>Schedule 3 of LPS3 specifies the following objectives for SCA2:</p> <ul style="list-style-type: none"> <li>➤ To preserve the amenity deriving from the scenic value of the Darling Scarp.</li> </ul>		

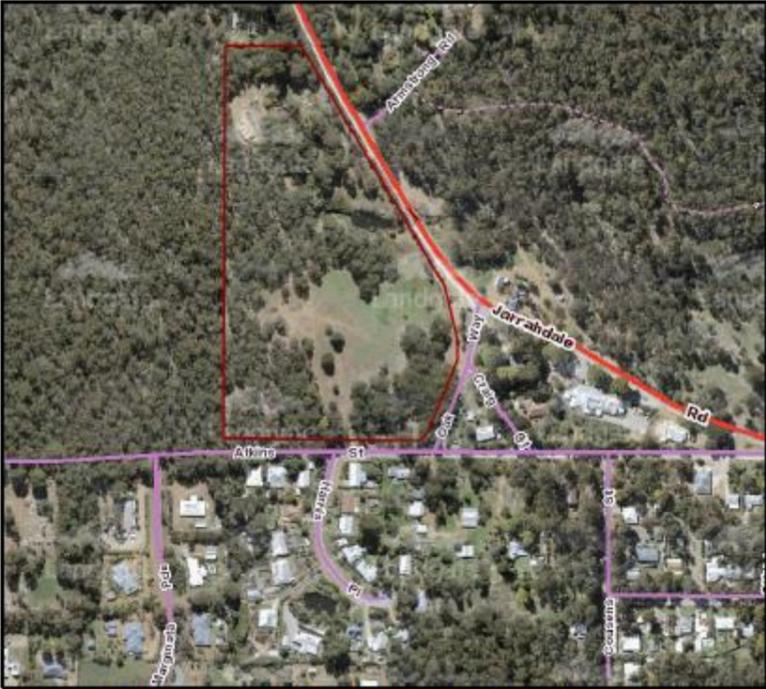
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		<p>➤ To protect and enhance the landscape, scenic and townscape values</p> <p>➤ To maintain the integrity of landscapes in the line of sight view corridor along scenic routes in the Shire, including but not limited to South West Highway, Nettleton Road, Jarrahdale Road, Admiral Road, Kingsbury Drive and both the North-South and EastWest Railway lines and natural watercourses.</p> <p>Schedule 3 of LPS3 specifies the following provisions for SCA2:</p> <ol style="list-style-type: none"> <li>1. Development approval shall be required for all development within SCA2.</li> <li>2. Development shall not be approved on ridge lines or spur, bluff or knoll, escarpments, hill tops or visually exposed areas.</li> <li>3. Development shall not be approved in areas having a generalised slope greater than 25percent.</li> <li>4. Development shall only be supported where the local government is satisfied that the landscape value of the area will be protected and the development has been designed and sited to blend with the landscape.</li> </ol> <p><b>LPS No. 3 Proposed Framework</b></p> <p>We understand the primary objectives relevant to our site and its surrounds are:</p> <ol style="list-style-type: none"> <li>1. To identify the site and set a clear boundary for possible urban uses; and</li> <li>2. To ensure any development respect the landscape value of the site and its surrounds.</li> </ol> <p>As a landowner, we concur with these objectives on the basis that the LPS No. 3 makes provisions in Schedule 3 -SCA 2 that enable the landowner to explore alternative development options that presents an excellent opportunity to deliver a more site-responsive outcome for this land. That is a performance-based outcome specific for the site, within an area that has outstanding landscape value, with views from South Western Highway and part of Watkins Road.</p> <p>We believe these features could provide a setting for a highly considered and tailored design that provides an excellent development outcome and character statement at the southern gateway of Mundijong. Such an outcome would be consistent with the principles set out under Section 3.1.1 of the Strategy to guide urban design in future development areas.</p> <p>Moreover, this is consistent with the WAPC Development Control Policy 2.5-Special Residential Zone that sets out the requirement of the WAPC for the creation of special residential zones in terms of location, internal design and servicing and statutory provisions. The Policy objectives are:</p> <ul style="list-style-type: none"> <li>• To provide for the creation of lots between 2,000m2 and 1ha in suitable locations.</li> <li>• To ensure that the use and development of such lots are subject to appropriate standards and controls.</li> </ul>		

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		<ul style="list-style-type: none"> <li>To protect the character and amenity of adjacent rural areas.</li> </ul> <p>Our land also has topographical features such as undulating and distant views are all considered landscape value characteristics suitable for Special Residential in accordance with DCP 2.5.</p> <p>The land has been demonstrated through a land capability assessment that can sustain a range of lot types greater than 2000m2 using an alternative effluent treatment system. The ability for the landowner to explore and provide a site-responsive solution ahead of the development timeframes envisaged in the South Metropolitan Peel Sub-regional Planning Framework (2018) would provide an important impetus to kick start the Mundijong Equine Precinct, thus, stimulate the economic equine activity as well as meeting the objectives of SCA 2 at the same time.</p> <p>The Mundijong-Whitby urban cell to the north of our site will provide typical standard residential housing for many years to come. However, not all land in Mundijong should be developed in the same way with the same density and built form. Our land (SCA 2) is identified as a unique parcel of land located on the rural fringe with unparallel landscape value that deserves a highly considered and tailored design solution.</p> <p>The Draft Local Planning Scheme No. 3, specifically Schedule 3 - SCA 2 should be modified to allow the landowner to investigate and prepare an appropriate response to the outstanding value of the site, ahead of the Planning Framework long term (2031 +). Sitting on the land for the next 12 years and not exploring a creative and practical responsive solution for the land is not an option nor acceptable to the to us as a landowners.</p> <p>I trust the above comments clarify our position in relation to the proposed Draft Local Planning Strategy and the Draft Local Planning Scheme No. 3</p>										
Altus Planning on behalf of R. Iannello IN19/28341	31.	<p>Lot 199 Jarrahdale Road</p> <p>1. Please find below a submission on the Shire of Serpentine Jarrahdale's ('the Shire') draft Local Planning Scheme No. 3 ('LPS3' or 'draft Scheme'). This submission has been prepared by Altus Planning on behalf of the landowner, Ron Iannello ('client'), of Lot 199 Jarrahdale Road, Jarrahdale ('land' or 'subject site').</p> <p>2. We have been requested to investigate, assess and make a submission on LPS3 with respect to our client's land and the proposed zoning under the draft Scheme. Our client has expressed concerns to the proposed zoning of their land in LPS3. More specifically, these concerns relate to restrictions the LPS3 zoning will place on the land given its unique location in the Jarrahdale townsite, as well as its extensive site and planning history.</p> <p><b>1.0 Property Description</b>  <b>1.1 Location</b></p>	<p>Noted – The Shire will update the Scheme to include the subject site within a Special Use zone for Commercial/Tourism and Rural purposes that reflect the provisions of Scheme Amendment No.179 to Town Planning Scheme No.2.</p> <p>Any other land uses than those identified under the Special Use zone will be subject to a Scheme Amendment to Local Planning Scheme No.3. The applicant will have to go through due process in submitting a Scheme amendment to the Local Planning Scheme and follow orderly and proper planning. The Shire will consider any Scheme amendment based on its merit, as well as its alignment to the Local Planning Strategy.</p>	<p>To properly reflect the history of planning for the site, particularly the gazettal of Amendment No. 179, the site's unique attributes and tourism potential, the subject land should be included within its own 'Special Use' zone with provisions which reflect Amendment No. 179.</p> <p>The Shire will insert the following Special Use within the Local Planning Scheme No.3:</p> <table border="1" data-bbox="2178 1682 2917 1940"> <thead> <tr> <th>No.</th> <th>Description of land</th> <th>Special use</th> <th>Conditions</th> </tr> </thead> <tbody> <tr> <td>SU12</td> <td>Lot 199 Jarrahdale Road, Jarrahdale</td> <td>Commercial / Tourism and Rural</td> <td>1. The following shall be considered as 'D' uses: <ul style="list-style-type: none"> <li>ancillary dwelling</li> <li>art gallery</li> <li>civic use</li> <li>community purpose</li> </ul> </td> </tr> </tbody> </table>	No.	Description of land	Special use	Conditions	SU12	Lot 199 Jarrahdale Road, Jarrahdale	Commercial / Tourism and Rural	1. The following shall be considered as 'D' uses: <ul style="list-style-type: none"> <li>ancillary dwelling</li> <li>art gallery</li> <li>civic use</li> <li>community purpose</li> </ul>
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		<p>3. The subject land is located approximately forty-five (45) kilometers south-east from the Perth Central Business District. The subject land exists adjacent to the centre of the Jarrahdale Townsite.</p> <p>4. The subject land exists along Jarrahdale Road, the main thoroughfare to the town and is a prominent feature for vehicle movements in and out of the town site to the north and west. A locality plan of the site is illustrated in Figure 1 below.</p>  <p style="font-size: small;">Figure 1: Subject Site Locality Plan and Immediate Surrounds (Source: Landgate 2019).</p> <p><b>1.2 Land Description</b></p> <p>5. The subject land measures approximately 7.2073ha. The site has 3 approved crossovers via Jarrahdale Road, Oak Way, and Atkins Road, and is dissected by Gooralong Brook; located in its northern half and sloping downwards moderately from approximately 240m to 210m in a north-eastern direction.</p> <p>6. The subject land is currently undeveloped; however, it is connected to power and scheme water mains with two fire hydrants. It also maintains access tracks, a large combination workshop / living quarters, a bridge and temporary picnic facilities to compliment the developed botanic gardens adjacent to the creek bed.</p> <p>7. The eastern portion of the land is predominantly cleared of native vegetation. There are, however, a number of white gums planted near the Oak Way frontage of the subject land. The more elevated western part of the subject land contains native vegetation, much of which maintains a cleared understory. There is limited re-growth vegetation in this regard.</p> <p><b>1.3 History</b></p>		<ul style="list-style-type: none"> <li>• convenience store</li> <li>• educational establishment</li> <li>• family day care</li> <li>• home business</li> <li>• home occupation</li> <li>• home office</li> <li>• shop</li> <li>• single house</li> </ul> <p>2. The following shall be considered as 'A' uses:</p> <ul style="list-style-type: none"> <li>• aged care facility</li> <li>• bed and breakfast</li> <li>• brewery</li> <li>• caravan park</li> <li>• childcare premises</li> <li>• cinema/theatre</li> <li>• exhibition centre</li> <li>• holiday accommodation</li> <li>• holiday house</li> <li>• market</li> <li>• motel</li> <li>• place of worship</li> <li>• reception centre</li> <li>• recreation – private</li> <li>• restaurant/café</li> <li>• road house</li> <li>• small bar</li> <li>• tavern</li> <li>• telecommunications infrastructure</li> <li>• tourist development</li> </ul> <p>3. Development approval will not be granted and subdivision will not be supported unless a structure plan has been approved for the land in accordance with Part 4 of the Deemed Provisions.</p> <p>4. The structure plan shall delineate the boundaries of each of the following Special Use Precincts:</p>

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		<p>8. The property was purchased from the original owners Millars (W.A) P/Ltd (Bunnings) by Ron and Lyn Iannello on the 6 December 1999. The subject site was formerly known as Murray Location 86 and comprised of one parcel of land of 27.29ha which was then divided by Jarrahdale Road into Lot 200 (approx. 20ha) and Lot 199 to the south of Jarrahdale Road (approx. 7.2073ha).</p> <p>9. Both these lots are now known respectively as Lot 199 and Lot 200 since the issue of new titles on 13 August 1999. Lot 200 was donated by Millars (Bunnings) to the National Trust for the Heritage Park Project and contains the original Mill Managers home, which has recently been restored by the National Trust.</p> <p>10. Lot 199 originally comprised of several timber cottages, a church, a manse, a garden centre, and a store. The lot was one of the first town developments in Jarrahdale, dating back to the late 1800s.</p> <p><b>2.0 Planning History</b>  <b>2.1 Early Planning History</b></p> <p>11. The land was originally part of the same title (Lot 86) that is now known as Jarrahdale Heritage Park. A Heritage Park concept was devised in the 1990s which required a Conservation Plan to be carried out, which also included the preparation of a Village Concept Plan (September 1997) to build on the conclusions of the conservation plan. As result of the above, the subject land was initially nominated as 'Conservation' in the Shire's first Rural Strategy which was later recognized as an error.</p> <p>12. Since this period, the subject land has been subject to three (3) separate rezoning attempts under Town Planning Scheme No. 2 ('TPS2'), the last of which was gazetted as Amendment No. 179 on 18 December 2015.</p> <p><b>2.1 Rezoning 1 (2005)</b></p> <p>13. The first rezoning application was lodged in July 2005. This application advocated the rezoning of the subject land from the existing 'Rural' zoning to allow for the subdivision of 12 'Special-Residential' lots. This proposal was formally considered by the Council on the 19 December 2005, but the amendment was not initiated as it was hampered by varying views of the then Shire Officers. Principally, it was felt that the proposal did not adequately take into account the Shire's landscape characteristics of the site nor the visual prominence of the site at the entrance of the Jarrahdale town site.</p> <p><b>2.2 Rezoning 2 (Amendment 151)</b></p> <p>14. The second application was lodged in June 2007. The application further developed the earlier proposal by suggesting the zoning of 'Special Use' rather than 'Special- Residential'. The intent of the 'Special Use' zoning was to create a 'Jarrahdale Eco- Living Precinct' which effectively divided the subject land into 3 precincts being ten (10) Special Residential lots, one (1) Tourism/Commercial lot and 1 large 'Rural strata' development incorporating 11 small part lots and a balance area of common property, principally located around the Gooralong Brook.</p>					<ul style="list-style-type: none"> <li>• Commercial/Tourism, and</li> <li>• Rural</li> </ul> <p>5. The structure plan must be accompanied by a Bushfire Management Plan in accordance with State Planning Policy 3.7 Planning in Bushfire Prone Areas.</p> <p>6. Regardless of whether the land has been designated as bush fire prone, any residential buildings to be erected within this Special Use zone shall comply with the requirements of AS3959-2009.</p> <p>7. A Local Water Management Strategy to address issues including but not limited to – flood protection measures for future development, erosion control internally and to adjacent road reserves, surface water management and nomination of proposed drainage easements shall be approved prior to subdivision or development.</p> <p>8. All development shall be set back from the Gooralong Brook, as required under any relevant legislation or policy including this Scheme and State Planning Policy 2.9 – Water Resources.</p>

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		<p><b>15.</b> This proposal was formally considered by Council at its meeting on 23 July 2007 and it was unanimously recommended that Scheme Amendment No. 151 be initiated for advertising, subject to a number of requirements and conditions.</p> <p><b>16.</b> The Applicant did not proceed with the amendment in its then form, principally due to a number of onerous and detailed conditions that would be tied to the proposed zone. Many of these conditions and issues should have been more appropriately dealt with at development or subdivision stage, especially in regard to matters such as fencing and possible road upgrading requirements.</p> <p><b>2.3 Rezoning 3 (Amendment 179)</b></p> <p><b>17.</b> On 14 November 2011, the Shire initiated a third rezoning attempt from 'Rural' to 'Special Use' which became known as Amendment No. 179. The landowner decided to abandon the strata cluster component in this updated proposal as it did not take into consideration the impacts of any buffer requirements to Gooralong Brook.</p> <p><b>18.</b> In essence, this modified proposal abandoned the strata cluster components and in lieu, it simply retained a balance rural lot. As a result, it was a much-simplified proposal that otherwise remained consistent with the originally proposed 'Special Use' zoning initiated by Council in 2007.</p> <p><b>19.</b> On 22 October 2012, an approval at the Shire's Ordinary Council Meeting was given for ten (10) quarter-acre residential blocks, a 9,881sqm commercial zone, and a 3.56ha rural precinct as an illustrative concept to accompany the proposed 'Special Use' zone – see Attachment 1.</p> <p><b>20.</b> On 10 May 2013, a modified concept at the request of Craig Shephard (then Department of Planning) illustrated that the land would now effectively be developed into three (3) precincts; a 'Residential Precinct' containing 6 lots of approx. 4,000- 5,000sqm, a 'Commercial Precinct' (approx. 1.21ha) and a balance rural precinct (approx. 3.15ha). At this time, the Bushfire Management Plan ('BMP') was updated and a slope analysis plan was prepared – see Attachment 2.</p> <p><b>21.</b> Due to various issues raised by the then Department of Planning, the 'Special Residential Precinct' was ultimately abandoned. Namely, matters relating to State Planning Policy 2.5 ('SPP2.5') and Development Control Policy 2.5 ('DCP2.5'), the WAPC's resolution in 2014 regarding rural-residential developments in the context of the Strategic Assessment of the Perth and Peel Regions ('SAPPR'), the precinct being located in areas of 'Moderate' and 'Extreme' bushfire risk, and the 'Conservation' designation under the Shire's then planning framework.</p> <p><b>22.</b> Approval of Amendment No. 179 was published in the Government Gazette on 18 December 2015 without a 'Special Residential Precinct'. The provision of 'Special Use Zone No. 13' which exists within TPS2 to this day are as follows:</p>					<p>9. A Landscape and Vegetation Management Plan shall be approved prior to subdivision or development.</p> <p>10. Reticulated water supply shall be provided to all of the proposed lot(s) at the time of subdivision and/or development to the satisfaction and specifications of the Water Corporation. As part of the reticulated water system, fire hydrants shall be provided to the specifications of the Department of Fire and Emergency Services.</p> <p>11. On-site effluent disposal systems servicing development on the lots shall be to the specifications and satisfaction of the Local Government.</p> <p>12. No indigenous vegetation or trees shall be destroyed, damaged or cleared, unless the clearing is authorised by a clearing permit obtained from the relevant State Department, or is of a kind that is exempt in accordance with Schedule 6 or Regulation 5 (Clearing of Native Vegetation Regulations) of the <i>Environmental Protection Act 1986</i>.</p>

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		<p><i>13. Lot 199 Jarrahdale Road, Jarrahdale</i></p> <p><i>The following development controls apply to use and development of the land.</i></p> <p><b>1. General Provisions</b></p> <p><b>1.1</b> <i>A Subdivision and Development Guide Plan shall be submitted to and approved by Council and endorsed by the Western Australian Planning Commission (WAPC) prior to any commencement of subdivision or development. Within 10 days of adopting the Subdivision and Development Guide Plan the local government is to forward a copy of the Subdivision and Development Guide Plan to the WAPC for endorsement.</i></p> <p><b>1.2</b> <i>The Subdivision and Development Guide Plan shall delineate the boundaries of each of the following Special Use Precincts:</i></p> <p style="padding-left: 40px;"><i>i) Commercial/Tourism; and</i>  <i>ii) Rural</i></p> <p><b>1.3</b> <i>The subdivision and development shall be generally in accordance with the general provisions and respective Special Use provisions for each precinct.</i></p> <p><b>1.4</b> <i>Any variation to the Subdivision and Development Guide Plan shall be submitted to the local government for approval and endorsed by the WAPC. Within 10 days of adopting any variation to the Subdivision and Development Guide Plan to the WAPC for endorsement.</i></p> <p><b>1.5</b> <i>The Subdivision and Development Guide Plan must be accompanied by a Bush Fire Hazard Assessment in accordance with the Planning for Bush Fire Protection Guidelines (refer to Appendix 1).</i></p> <p><b>1.6</b> <i>The Subdivision and Development Guide Plan and subdivision and development of land must be in accordance with the WAPC's Planning for Bush Fire Guidelines, which includes but is not limited to:</i></p> <p style="padding-left: 40px;"><i>a) Identifying appropriate hazard separation zones and building protection zones;</i>  <i>b) Construction to AS3959-2009 (noting (c) below);</i></p>			<p>13. Post and wire stand fencing shall be provided on the western boundary of the lot abutting the Serpentine National Park and on the northern boundary.</p> <p>14. There shall be a general presumption against further subdivision of the site is protected.</p>
				<p>Zone Lot 199 Jarrahdale Road, Jarrahdale as Special Use (SU12) on the Local Planning Scheme No.3 Maps – Map 4.</p>	

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		<p style="text-align: center;"><i>c) No residential development within the bush fire attack level (BAL) zones BAL-FZ or BAL-40; and</i></p> <p style="text-align: center;"><i>d) Consideration of ember protection features incorporated in all dwelling design within the precinct.</i></p> <p><i>1.7 Regardless of whether the land has been designated as bush fire prone, any residential buildings to be erected within this Special Use zone shall comply with the requirements of AS3959-2009.</i></p> <p><i>1.8 A Local Water Management Strategy to address issues including but not limited to – flood protection measures for future development, erosion control internally and to adjacent road reserves, surface water management and nomination of proposed drainage easements shall be prepared prior to an application being made for subdivision or development approval.</i></p> <p><i>1.9 All development shall be set back from the Gooralong Brook, as required under any relevant legislation or policy including the Local Planning Scheme and State Planning Policy 2.9 – Water Resources.</i></p> <p><i>1.10 A Landscape and Vegetation Management Plan shall be prepared prior to application being made for subdivision or development approval.</i></p> <p><i>1.11 Reticulated water supply shall be provided to all of the proposed lot(s) at the time of subdivision and/or development to the satisfaction and specifications of the Water Corporation. As part of the reticulated water system, fire hydrants shall be provided to the specifications of the Department of Fire and Emergency Services.</i></p> <p><i>1.12 On-site effluent disposal systems servicing development on the lots shall be to the specifications and satisfaction of the Local Authority.</i></p> <p><i>The use of "non-standard" effluent disposal systems may be required and in any event, the following requirements shall be satisfied:</i></p> <p style="text-align: center;"><i>i) A 2-metre separation is achieved between the base of the leach drain and the highest recorded groundwater level unless otherwise approved by the Local Authority; and</i></p>		

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		<p><i>ii) At least a 100-metre horizontal separation is achieved between the disposal system and existing drains, water courses or water bodies; and</i></p> <p><i>iii) The areas around each effluent disposal system shall be planted with indigenous trees and shrubs by the landowners and be maintained to the satisfaction of the Local Authority; and</i></p> <p><i>iv) Prevention of direct movement of wastewater and nutrient from the locality of each disposal area.</i></p> <p><i>1.13 No indigenous vegetation or trees shall be destroyed, damaged or cleared, unless the clearing is authorized by a clearing permit obtained from the Department of Environment and Conservation, or is of a kind that is exempt in accordance with Schedule 6 or Regulation 5 (Clearing of Native Vegetation Regulations) of the Environmental Protection Act 1986. Planning approval may also be required to be obtained from Council for the removal of any trees in accordance with the Scheme provisions.</i></p> <p><i>1.14 The keeping of horses, sheep, goats or other grazing animals is not permitted.</i></p> <p><i>1.15 Keeping of cats shall be prohibited unless they are kept at all times in the confines of any dwelling or a cat run which has been approved by the Shire.</i></p> <p><i>1.16 Post and wire stand fencing shall be provided on the western boundary of Lot 199 abutting the Serpentine National Park and on the northern boundary of Lot 199.</i></p> <p><i>1.17 Planning consent is to be obtained from Council prior to the commencement of any development in this precinct.</i></p> <p><b>2. Commercial/Tourism Precinct</b></p> <p><i>2.1 Design Guidelines may be recommended as a condition of subdivision or imposed as part of the development approval.</i></p> <p><i>2.2 Reticulated water supply shall be provided to all of the proposed lot(s) at the time of subdivision and/or development to the satisfaction and specifications of the Water Corporation. As part of the reticulated water system, fire hydrants shall be provided to the specifications of the Department of Fire and Emergency Services.</i></p>		

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		<p><i>2.3 Land use permissibility within this precinct shall be in accordance with the following use permissibility. All other uses are prohibited within the Zone.</i></p> <ul style="list-style-type: none"> <li>- Holiday Accommodation - (AA)</li> <li>- Exhibition Centre - (AA)</li> <li>- Restaurant - (AA)</li> <li>- Industry-Cottage - (AA)</li> <li>- Bed and Breakfast - (AA)</li> <li>- Interpretive/Tourism Centre - (AA)</li> <li>- Car Park - (IP)</li> <li>- Caretaker's Dwelling - (IP)</li> <li>- Civic Buildings - (SA)</li> <li>- Consulting Rooms - (SA)</li> <li>- Reception Centre - (SA)</li> <li>- Health Studio (SA)</li> <li>- Recreation Public (SA)</li> <li>- Child Minding Centre (SA)</li> <li>- Club Premises (SA)</li> <li>- Convenience Store (SA)</li> <li>- Market (SA)</li> </ul> <p><i>All other uses are not permitted.</i></p> <p><b>3. Rural Precinct</b></p> <p><i>3.1 There shall be a general presumption against further subdivision of the land to ensure that the integrity and conservation value of the site is protected.</i></p> <p><i>3.2 Permissibility of uses within this precinct include:</i></p> <ul style="list-style-type: none"> <li>- Single House - (P)</li> <li>- Ancillary Accommodation - (IP)</li> <li>- Home Office - (P)</li> <li>- Home Occupation - (AA)</li> <li>- Home Business - (AA)</li> <li>- Industry-Cottage - (AA)</li> <li>- Bed and Breakfast - (AA)</li> <li>- Holiday Accommodation - (SA)</li> </ul> <p><i>All other uses are not permitted.</i></p> <p><b>23.</b> The provisions of the 'Special Use' zone which was created under Amendment No. 179 requires a Subdivision Guide Plan to be prepared ahead of subdivision and/or development. With the advent of the Planning and Development (Local Planning Schemes) Regulations 2015, a Guide Plan is now considered a Local Structure Plan.</p> <p><b>24.</b> Subsequently, a Local Structure Plan was prepared in September 2016 to effectively facilitate the subdivision of the subject land into the two (2) identified precincts – see LSP Map at Attachment 3.</p> <p><b>25.</b> During its assessment, the Shire issued a letter requesting further information, including a series of technical appendices, before the LSP could be accepted.</p>		

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		<p><b>26.</b> In consultation with the WAPC, it was advised that the WAPC would support an exemption from the requirement to prepare an LSP provided that any subdivision application be accompanied by a series of technical appendices</p> <p><b>27.</b> The project was ultimately put on hold as the landowner considered that it was not viable to proceed without a residential component.</p> <p><b>3.0 Draft Local Planning Strategy</b></p> <p><b>28.</b> The subject land is nominated as 'Rural' in the Shire's Draft Local Planning Strategy ('Draft Strategy').</p> <p><b>29.</b> The Draft Strategy does not directly refer to the property itself but does contain some interesting discussion about Jarrahdale. This includes Jarrahdale being: "a tourist destination that could be further promoted and enhanced with complimentary development and activities that do not detract from its unique and picturesque character"</p> <p><b>30.</b> The strategy also goes on to state that Jarrahdale is a "key tourism precinct" for the Shire of Serpentine-Jarrahdale.</p> <p><b>4.0 Draft Local Planning Scheme No. 3</b></p> <p><b>4.1 Proposed Special Use Zone No. 7 ('SU7')</b></p> <p><b>31.</b> According to Draft LPS3's Jarrahdale Townsite Map (No. 4), the subject land is zoned 'SU7'. Nonetheless, it is important to note that Schedule 2 – Special Use Zones does not list the subject land (Lot 199 Jarrahdale Road) as part of the 'SU7' description of land within Draft LPS3. We assume that the subject land's absence in the SU7 description on pages 55-56 of draft TPS3 is an oversight by the Shire.</p> <p><b>32.</b> Currently, the SU7 zoning applies to Lot 200 Foster Way, Lots 1338, 801, 2495, 804, 4, 5, 815, 814 Jarrahdale Road, Lots 816, 817, 818, 819, 820, 821 Staff Road, and Lots 807, 808, 809, 810, 811, 812, 2090 Millars Road Jarrahdale.</p> <p><b>33.</b> The proposed SU7 zone simply lists the Special Use zone as the 'Jarrahdale Heritage Precinct' which appears to fulfill the legacy of the 'Heritage Park Precinct' conceived in the Shire's original Rural Strategy of the original Lot 86 landholding.</p> <p><b>34.</b> Accordingly, draft LPS3 proposes conditions for the following land use classifications in SU7:</p>		

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		<div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p><i>'D' uses:</i></p> <ul style="list-style-type: none"> <li><i>Ancillary dwelling</i></li> <li><i>Art gallery</i></li> <li><i>Civic use</i></li> <li><i>Community purpose</i></li> <li><i>Convenience store</i></li> <li><i>Educational establishment</i></li> <li><i>Family day care</i></li> <li><i>Home business</i></li> <li><i>Home occupation</i></li> <li><i>Home office</i></li> <li><i>Shop</i></li> <li><i>Single house</i></li> </ul> <p><i>'A' uses:</i></p> </div> <div style="border: 1px solid black; padding: 5px;"> <ul style="list-style-type: none"> <li><i>Aged care facility</i></li> <li><i>Bed and breakfast</i></li> <li><i>Brewery</i></li> <li><i>Caravan park</i></li> <li><i>Childcare premises</i></li> <li><i>Cinema/theatre</i></li> <li><i>Exhibition centre</i></li> <li><i>Holiday accommodation</i></li> <li><i>Holiday house</i></li> <li><i>Market</i></li> <li><i>Motel</i></li> <li><i>Place of worship</i></li> <li><i>Reception centre</i></li> <li><i>Recreation – private</i></li> <li><i>Restaurant/café</i></li> <li><i>Road house</i></li> <li><i>Small bar</i></li> <li><i>Tavern</i></li> <li><i>Telecommunications infrastructure</i></li> <li><i>Tourist development</i></li> </ul> </div> <p><b>4.2 Proposed Special Control Area (SCA8)</b></p> <p><b>35.</b> We acknowledge the subject land is also located within Special Control Area 8 ('SCA8') – Jarrahdale Heritage Precinct under Draft LPS3. The landowner has no objections about the proposed heritage and character objectives, as well as the additional provisions for SCA8.</p> <p><b>5.0 Recommended modifications</b></p>		

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		<p><b>36.</b> The unique location of the subject site as a gateway parcel of land to the Jarrahdale Townsite provides multiple development opportunities, primarily of commercial nature. Furthermore, it is already located between an outer portion of residential zoned on the approach to the townsite in the vicinity of Berwick and Lang Streets along Jarrahdale Road. Accordingly, we submit that the subject land, having regard to both its location and unique history should be nominated as its own Special Use category.</p> <p><b>37.</b> Having specific regard to the current permitted and discretionary use under the current Special Use Zone No. 13 of TPS2, it is considered that there is justifiable scope to broaden land uses permissibility through the introduction of land uses which are currently discretionary under the proposed 'Rural Townsite' zone of LPS3.</p> <p><b>38.</b> In accordance with clause 16 of the Draft LPS3, it is noted that the objectives of the Rural Townsite are as follows:</p> <ul style="list-style-type: none"> <li>• To provide for a range of land uses that would typically be found in a small country town.</li> <li>• To preserve and enhance the rural character and amenity within townsites.</li> </ul> <p><b>39.</b> It is submitted that the above objectives would neatly reflect the planning aspirations of the land as they are currently reflected in TPS2.</p> <p><b>40.</b> The Rural Townsite zone is currently proposed for three (3) lots adjacent to the subject land located on the opposite side of Oak Way. These lots contain a speciality 'tea' retailer, the Jarrahdale Tavern and a currently vacant lot.</p> <p><b>41.</b> In preparing this submission, consideration was given to requesting the subject land to be included within the 'Rural Townsite' zone but we ultimately resolved that the range of land uses available would be too restrictive, particularly given that it would not include land uses such as 'Caravan Park' or 'Reception Centre' which are considered appropriate potential land uses for this site given its location.</p> <p><b>42.</b> As per the current arrangement under TPS2 and additional 'D' and 'A' uses for the Rural Townsite zone in draft LPS3, we request the following land use permissibility for the new/revised 'Special Use' zoning for the subject site:</p> <div data-bbox="522 1409 1338 1530" style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p><i>D' uses:</i></p> <p style="margin-left: 20px;">Art gallery</p> <p style="margin-left: 20px;">Ancillary dwelling</p> </div>		

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		<p> <i>Civic use</i>  <i>Community purpose</i>  <i>Convenience store</i>  <i>Educational establishment</i>  <i>Family day care</i>  <i>Grouped Dwelling</i>  <i>Home business</i>  <i>Home occupation</i>  <i>Home office</i>  <i>Home store</i>  <i>Hospital</i>  <i>Industry – cottage</i>  <i>Liquor store – small</i>  <i>Lunch bar</i>  <i>Medical centre</i>  <i>Multiple dwelling</i>  <i>Office</i>  <i>Residential aged care facility</i>  <i>Residential building</i>  <i>Shop</i>  <i>Single house</i>  <i>Veterinary centre</i> </p> <p>'A' uses:</p> <p> <i>Aged care facility</i>  <i>Bed and breakfast</i>  <i>Brewery</i>  <i>Caravan park</i>  <i>Car park</i>  <i>Childcare premises</i>  <i>Cinema/theatre</i>  <i>Club premises</i>  <i>Consulting rooms</i>  <i>Exhibition centre</i>  <i>Fast food outlet</i>  <i>Garden centre</i>  <i>Holiday accommodation</i>  <i>Holiday house</i>  <i>Hotel</i> </p>		

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		<div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p><i>Market</i></p> <p><i>Motel</i></p> <p><i>Place of worship</i></p> <p><i>Reception centre</i></p> <p><i>Recreation – private</i></p> <p><i>Restaurant/café</i></p> <p><i>Road house</i></p> <p><i>Service station</i></p> <p><i>Small bar</i></p> <p><i>Tavern</i></p> <p><i>Telecommunications infrastructure</i></p> <p><i>Tourist development</i></p> </div> <p><b>43.</b> Having considered the above, it is also our submission that the ‘Rural’ nomination under the Draft Strategy is inappropriate as the subject land is uniquely placed to serve as a bridge between acceptable urban land uses whilst retaining Jarrahdale’s rural character.</p> <p><b>44.</b> In its current form, the land use nominations on the strategy map have a hard distinction between urban and rural. In our view, the subject land should not be considered as ‘Rural’ given its history and location, but we also acknowledge that ‘Urban’ is perhaps not appropriate either. Accordingly, we submit that the Shire should consider an alternative or additional land use nomination such as a ‘Tourist’ or ‘Heritage’ precinct which could equally be applied alongside the urban settlements or the rural categories, and that the subject land should be included within such a nomination.</p> <p><b>6.0 Summary</b></p> <p><b>45.</b> Having regard to all the above, it is our submission that the Draft Planning Strategy needs to properly reflect the site, its history and its tourism potential for the Jarrahdale locality.</p> <p><b>46.</b> Accordingly, it is requested that the Rural Strategy be modified to provide for a third land use nomination of ‘Tourist’ or ‘Heritage’ precinct and that the subject land be contained within such a designation.</p> <p><b>47.</b> In relation to the draft LPS3, our client also <b>does not support the draft Scheme</b> in its current form. To properly reflect the history of planning for the site, particularly the gazettal of Amendment No. 179, the site’s unique attributes and tourism potential, the subject land should be included within its own ‘Special Use’ zone with land use permissibility which reflects Amendment No. 179 to TPS2, the proposed ‘SU7’ zoning under the draft Scheme, as well land uses from the ‘Rural Townsite’ zone.</p> <p><b>48.</b> Should any of the matters raised above require clarification, please contact Altus Planning on Ph. 9474 1449 or via email at <a href="mailto:contact@altusplan.com.au">contact@altusplan.com.au</a>. We would be happy to answer any questions in this regard.</p>		

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Taylor Burrell Barnett on behalf of Mal Dempsey IN19/28386	32.	<p>On behalf of our client, Taylor Burrell Barnett (TBB) is pleased to lodge this submission in relation to the Shire's draft Local Planning Scheme No. 3. Our client is the registered proprietor of Lot 7, No. 619 Orton Road, Oakford. The site has a legal area of 20.2570 hectares (ha) and has access via a battle-axe leg to Orton Road.</p> <p>Our client:</p> <p>a) Supports a zone change to 'Rural Enterprise' zone, subject to greater flexibility;</p> <p>b) Requests the Shire to remove the minimum lot size for flexibility, or introducing a smaller lot size range from 2,000m<sup>2</sup> would allow for more innovative planning.</p> <p>IN19/28422  ng outcomes consistent with the zone objectives; and</p> <p>c) Considers the area is suitable for small lot sizes as planning could achieve tangible economic, social and environmental outcomes in this area.</p> <p><b>Rural Enterprise Zone</b></p> <p>The draft Local Planning Scheme No. 3 proposes to change the zoning from 'Rural' under the current scheme, to 'Rural Enterprise' under the draft scheme. We understand the 'Rural Enterprise' zone objectives support light industrial and ancillary residential development on the lots.</p> <p>The zone acknowledges the priority is on developing an economically productive zone, with potential composite development with dwellings. This zone should be more flexible and not require minimum lot sizes, where there are other objectives to ensure compatibility between lower impact uses and dwellings.</p> <p>We acknowledge there are similar forms of such zones across Western Australia, where landowners could reside at their property and also operate a business that is compatible with the character and amenity of the area. This form of zoning could ensure the land is productive, and helps with affordability whereby landowners can reside and operate a suitable business.</p> <p>In this regard, it is considered that the Rural Enterprise zone could have a range of lot sizes to meet a range of light industrial, intensive agricultural, and residential development outcomes. By improving flexibility by not specifying lot sizes, the zone effectively can become more performance-driven for achieving the zone objectives.</p> <p><b>Context</b></p> <p>We have had regard to the following matters:</p>	<p>The Draft Local Planning Strategy and Local Planning Scheme No.3 has identified an area of land in Oakford within the Rural Enterprise zone for the following reasons:</p> <ul style="list-style-type: none"> <li>- To reflect existing lot sizes and land use.</li> <li>- To provide for light industrial and ancillary residential development on one lot.</li> <li>- To carefully design rural enterprise estates to provide a reasonable standard of amenity without limiting light industrial and intensive agricultural land uses.</li> <li>- To notify the prospective purchasers of potential amenity impacts from light industrial land uses</li> <li>- To ensure light industrial land uses do not adversely affect soils, watercourses and other water resources.</li> </ul> <p>A significant proportion of lots within the Oakford area are already operating as a Rural Enterprise land uses and are within the lot size range of 2ha to 4ha. This zone allows lots to accommodate a dwelling in addition to light industry and intensive agricultural land uses. This categorisation formalises the already existing lot layout and operations in this area. The Rural Enterprise zone also contains objectives and provisions to ensure land uses do not have a detrimental effect on the environment.</p> <p>The lot size range for the Rural Enterprise zone must align with State Planning Policy 2.5 Rural Planning. The lot size range of 2ha to 4ha reflects the existing lot sizes in this location and environmental constraints.</p>	

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		<ul style="list-style-type: none"> <li>• It is currently zoned 'Rural' under the Metropolitan Region Scheme. Consistent with SPP 2.5 Rural Planning and DC Policy 3.4 Subdivision of Rural Land, new lots for rural use of land can be approved by the WAPC. Lots can potentially range from 1 hectare and above. This requires Strategy and Scheme guidance, which the Shire is providing through the Rural Enterprise zone.</li> <li>• The land was within a 'rural economic living' zone under the Jandakot Structure Plan which was released in 2007. The Structure Plan considered the land for composite land uses for ensuring that land may be put to compatible uses and to incorporate amenity controls.</li> <li>• The land is within a State Planning Investigation Area, which may result in future guidance for sustainable land use and development outcomes. Outcomes of the land assessment from the Planning Investigation Area process could lead to higher and better use of land being identified.</li> <li>• The subject area is situated immediately east of the Wellard urban area and is a transitional area comprising rural residential and special rural land uses. The subject area is easily accessible via Thomas Road and Mortimer Road to the Kwinana Townsite; Wellard train station and village centre and Kwinana Freeway to the west; and via Thomas Road and Orton Road eastwards towards Byford and Mundijong.</li> <li>• Surrounding land has been used for a range of activities including livestock grazing, market gardens and sand resource extraction and so land in the Rural Enterprise zone is relatively cleared of vegetation or would need to be cleared of vegetation for development. Flexible lot sizes may contribute towards helping retain vegetation and achieve bushfire management outcomes.</li> <li>• The subject land is not identified as high-quality agricultural or light industrial purposes. The subject land is outside of buffers to basic raw material extractive industries. It is not within a public drinking water source area.</li> <li>• The zone acknowledges priority is to be given to developing an economically productive zone, with potential composite development with dwellings. Flexible lot sizes would allow for innovative planning and design. A well-designed mix of lot sizes could strike a balance between delivering light industrial, intensive agricultural and residential development whilst achieving reasonable standards of amenity and not adversely impacting on soils, watercourses or other water resources.</li> <li>• Part of the site is a conservation category wetland (CCW), which would likely be retained with a standard 50m setback for any development. Smaller lot sizes would offset the preservation of the CCW and would also</li> </ul>		

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		<p>enable flexibility of lot sizes to accommodate environmental features and other site attributes.</p> <p><b>Flexibility for future trends in urban farming</b></p> <p>In our view, a 'Rural Enterprise' zone with objectives that are more performance driven would also lend itself encouraging and facilitating urban farming practices. Urban farming involves growing racks of plants vertically stacked above one another, minimising the footprint of the development and indirectly mitigating against land clearing for new crop fields.</p> <p>A vertical farm can look like a high-tech building the approximate size of a warehouse. Leafy green foodstuffs and fruiting plants can be grown in such conditions. By controlling ideal growth conditions, such farming practises can boost output for producers when compared to growing in open fields which in a hotter and drier climate may not be as suitable.</p> <p>Urban farming may fit into the 'Agriculture-intensive' land use, which is a D discretionary use in the zone. Urban farming is an emerging response to consumer preferences for purchasing foodstuffs grown closer to market. This is important given the highly urbanised population of Western Australia. There are benefits to consumers given the high level of interest and preference for Australian grown produce, and minimising the number of kilometres travelled to get food to market.</p> <p>As a local example, Vertical Farm Systems is an agribusiness in Australia that is investing in highly automated modular designs that can range from 158 m2 to 4,424 m2 in size and potentially have eight levels of plant stacks for production. In 2017 the company constructed a warehouse as a vertical farm in the Sunshine Coast. The company now works with international clients, for human and animal food production, protein production, and fodder growing systems.</p> <p>These methods are going to enable younger farmers incentives to work in agriculture and food production. Other benefits can include employment, investment, research and development, new horticultural techniques, increased bio-security control, and growth of an emerging agricultural sector.</p> <p><b>Conclusion</b></p> <p>We consider the Rural Enterprise zone needs to be more flexible to harness a range of opportunities for landowners.</p> <p>We request that the Shire review the zone objectives to remove the 2-4ha lot range from the objectives and if necessary, to stipulate lot sizes, consider a range from 2,000m2.</p> <p>We believe this could further enhance opportunities for landowners and for delivering upon the objectives of the Rural Enterprise zone.</p>		

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<p>Allerding &amp; Associates on behalf Stati Investments Pty Ltd IN19/28411</p>	<p>33.</p>	<p>Lot 78 (732) Punrak Road, Keysbrook Lot 400 (146) Wigg Road, Hopeland</p> <p>We have been engaged by the Stati Group to prepare a submission in respect to the Shire of Serpentine Jarrahdale's Draft Local Planning Scheme No. 3 (LPS3). The Stati Group is the owner of Lot 78 (#732) Punrak Road, Keysbrook and Lot 400 (#146) Wigg Road, Hopeland and the proponent of the Keysbrook Motorsport Facility.</p> <p>The basis of this submission is that since the Application for the Motorsport Facility was first lodged, a number of key changes have occurred to reflect the strategic significance of the Motor Sport Facility that should warrant a specific incorporation into the Shire's LPS3. These include:</p> <ul style="list-style-type: none"> <li>• The facility has been strategically recognised in the State Government's WA Motorsport Strategy;</li> <li>• The Shire's Economic Development Strategy 2018-2023 recognises motorsport as part of the diversification of economic activities in the Shire; and</li> <li>• The Shire's Tourism Strategy 2018-2023 recognises the Keysbrook Motorsport Facility as a development that has the capability to be a major tourism and event catalyst for the Shire and the wider Perth and Peel regions.</li> </ul> <p>The proposed zoning of the land under LPS3 is to be retained within the Rural zone and also comprises a number of surrounding special control areas that facilitate productive uses, including Agri-Food Processing and Production, Extractive Industries and Buffer areas (for nuisance and offensive land uses).</p> <p>Whilst this zoning, as a productive and active Rural zone (not a Rural Living zone) is capable for the Motorsport Facility, it is considered that the land should be afforded a specific zoning to recognise its strategic function for motor sport and related facilities. We submit this would be best accommodated within a Special Use zone over both of the above lots.</p> <p>It is also submitted that the Shire consider the zoning of surrounding lands for the opportunity for other synergistic uses with the Motorsport Facility and industries that would further assist this areas capability as a productive precinct. A Draft Special Use Table is outlined below proposing the recommended changes as it applies to the above Lots.</p> <p>We seek that the amendment to Schedule 2 – Special Use Zones of Draft LPS3 be included in the following terms.</p> <p>1. To Amend Schedule 2 – Special Use Zones of the Shire of Serpentine-Jarrahdale Draft Local Planning Scheme No. 3 to read as follows:</p>	<p>The Shire would like to acknowledge the submission on behalf of Stati Group. Officers note that the Environmental Protection Authority (EPA) have resolved to formally assess the development. This process is currently underway.</p> <p>On 5 April 2020, the EPA released an initial request for public comment on whether or not the EPA should assess a proposal and, if so, what level of assessment is considered appropriate. In light of this process now being completed, the Chairman of the EPA has determined that the proposal is to be formally assessed, with the level of assessment set at Public Environmental Review.</p> <p>The process going forward in respect of the EIA process is as follows:</p> <ol style="list-style-type: none"> <li>1. Scoping the proponent environmental review</li> </ol> <p>When additional assessment information is required, an Environmental Scoping Document is prepared by either the EPA or the proponent which defines the proposal specific requirements of the proponent's environmental review. The Environmental Scoping Document includes the preliminary key environmental factors that the proponent needs to address and the required work (including studies and investigations) that the proponent needs to carry out.</p> <ol style="list-style-type: none"> <li>2. Preparation of additional assessment information</li> </ol> <p>The EPA may require a proponent to undertake an environmental review and provide a report on the environmental review to the EPA. The EPA refers to this report as the Environmental Review Document.</p> <p>The EPA may require that the proponent produce Environmental Management Plans to demonstrate how proposed management measures will reduce environmental impacts to an acceptable level.</p> <p>The EPA may also require any person to provide it with information, including requests for advice from relevant decision making authorities and other government agencies.</p>	<p><b>Draft Local Planning Strategy</b></p> <p><b>Part 1 Section 5.3 – Rationale</b></p> <p>Insert the following text:</p> <p><i>'Tourism fulfills not only a social and recreational function but is also an important driver of economic development and employment. Employment generating tourism activities are therefore an important component of the sustainability of the Shire and are encouraged where appropriate.'</i></p> <p><b>Part 1 Section 5.3 – Table 25</b></p> <p>Amend Strategy f to state:</p> <p><i>'Attract and encourage the diversification and development of businesses which are likely to contribute to local tourism and employment (such as the Motorsport and Tourism facility in Keysbrook) through appropriate land use planning.'</i></p> <p><b>Part 1 Section 5.3 – Table 25</b></p> <p>Amend to include a new action which states:</p> <p><i>'5. Provide flexible economic employment opportunities such as the Motorsport and Tourism facility with compatible incidental uses.'</i></p>

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		<table border="1" style="width: 100%; border-collapse: collapse; margin-bottom: 10px;"> <thead> <tr> <th style="width: 5%;">No.</th> <th style="width: 20%;">Description of land</th> <th style="width: 20%;">Special use</th> <th style="width: 55%;">Conditions</th> </tr> </thead> <tbody> <tr> <td>SU10</td> <td>Lot 78 (732) Punrak Road, Keysbrook and Lot 400 (146) Wigg Road, Hopeland</td> <td>Keysbrook Motorsport Facility and associated activities</td> <td> <ol style="list-style-type: none"> <li>1. The following shall be considered in accordance with Table 3: <ul style="list-style-type: none"> <li>• All 'P', 'I', 'D' and 'A' uses in the Rural zone.</li> </ul> </li> <li>2. The following additional uses are provided as 'I' uses to the Motorsport Facility: <ul style="list-style-type: none"> <li>• Industry Light.</li> <li>• Industry Service.</li> <li>• Motor vehicle repair.</li> <li>• Office.</li> <li>• Warehouse/Storage.</li> </ul> </li> </ol> </td> </tr> </tbody> </table> <p>We would be pleased to elaborate on the above and meeting with you in due course as part of our ongoing engagement with the Motor Sport Facility.</p>	No.	Description of land	Special use	Conditions	SU10	Lot 78 (732) Punrak Road, Keysbrook and Lot 400 (146) Wigg Road, Hopeland	Keysbrook Motorsport Facility and associated activities	<ol style="list-style-type: none"> <li>1. The following shall be considered in accordance with Table 3: <ul style="list-style-type: none"> <li>• All 'P', 'I', 'D' and 'A' uses in the Rural zone.</li> </ul> </li> <li>2. The following additional uses are provided as 'I' uses to the Motorsport Facility: <ul style="list-style-type: none"> <li>• Industry Light.</li> <li>• Industry Service.</li> <li>• Motor vehicle repair.</li> <li>• Office.</li> <li>• Warehouse/Storage.</li> </ul> </li> </ol>	<p>3. Public review</p> <p>The EPA may require the proponent to make the Environmental Review Document and any other information or report available for public review.</p> <p>The EPA may also require the proponent to respond to any submissions received during the public comment period.</p> <p>4. Preparation of EPA draft assessment report</p> <p>Once the EPA has adequate assessment information it will assess the proposal, based on information including:</p> <ul style="list-style-type: none"> <li>- referral information,</li> <li>- additional assessment information, including an Environmental Review Document,</li> <li>- submissions (if information is made available for public review) and the proponent's response to any submissions, if required</li> <li>- additional assessment information obtained during the assessment, including the EPA's own investigations and inquiries.</li> </ul> <p>The EPA will also:</p> <ul style="list-style-type: none"> <li>- consider whether Environmental Management Plans provided during the assessment are adequate;</li> <li>- consider whether conditions are necessary and if so, develop draft conditions; and</li> <li>- prepare a draft assessment report</li> </ul> <p>5. Completion of the EPA assessment</p> <p>The EPA completes its assessment when the EPA considers the draft assessment report and any conditions and:</p> <ul style="list-style-type: none"> <li>- agrees on the key environmental factors identified in the course of the assessment</li> <li>- agrees to recommend whether or not the proposal may be implemented</li> <li>- agrees to adopt the draft assessment report as the basis for the EPA's final assessment report</li> </ul>	
No.	Description of land	Special use	Conditions									
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			<ul style="list-style-type: none"> <li>- resolves that the EPA prepare and approve the final assessment report and give that report to the Minister.</li> </ul> <p>Upon conclusion of this process, the Shire will be able to recommence its consideration of the Development Application for the proposal. The Shire notes that the Draft Local Planning Scheme No.3 already includes zoned based objectives for the Rural zone as follows:</p> <ul style="list-style-type: none"> <li>- to provide for a range of non-rural land uses where they have demonstrated benefit and are compatible with surrounding land uses.</li> <li>- To maintain and enhance the environmental qualities of the landscape, vegetation, soils and water bodies including ground water, to protect sensitive areas especially the natural valley and water course systems from damage.</li> </ul> <p>The EPA process will assist officers both in respect of determining the current Development Application and what a Scheme Amendment may seek to affect. Officers note that the land use recreation – private is a discretionary use within the Rural zone.</p> <p>The Shire will consider any Scheme amendment based on its merit, as well as its alignment to the Local Planning Strategy. Importantly future scheme amendments will be assessed regarding their alignment with the Local Planning Strategy.</p> <p>The Shire recommends that text be included within the Draft Local Planning Strategy to highlight the economic and employment benefits of promoting tourism activities and developments in the Rural zone.</p> <p>We appreciate your response via submission to the Draft Local Planning Strategy and Local Planning Scheme No.3.</p>	
Dynamic Planning and Developments on behalf of WPG Landholdings P/L	34.	<p>Lots 272, 273 &amp; 274 Mundijong Road, Oldbury (Mundijong Road / Kargotich Road)</p> <p>See IN19/28422 (233 pages)</p>	<p>Shire officers would like to acknowledge Dynamic Planning and Developments for proposing to outline the properties Lots 272, 273 &amp; 274 Mundijong Road, Oldbury as urban expansion area outside of the Mundijong Town Centre. The Shire does not support the urban expansion area on the grounds that it is</p>	

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IN19/28422			<p>identified under Perth and Peel @3.5 million South Metropolitan Peel sub-regional planning framework, Draft Local Planning Scheme No.3 and Local Planning Strategy as Rural land.</p> <p>The objectives of the Rural Land are;</p> <ul style="list-style-type: none"> <li>- To provide for the maintenance or enhancement of specific local rural character.</li> <li>- To protect and accommodate broad acre agricultural activities such as cropping and grazing and intensive uses such as horticulture as primary uses, with other rural pursuits and rural industries as secondary uses in circumstances where they demonstrate compatibility with the primary use.</li> <li>- To maintain and enhance the environmental qualities of the landscape, vegetation, soils and water bodies including groundwater, to protect sensitive areas especially the natural valley and watercourse systems from damage.</li> <li>- To provide for the operation and development of existing, future and potential rural land uses by limiting the introduction of sensitive land uses in the Rural zone.</li> <li>- To provide for a range of non-rural land uses where they have demonstrated benefit and are compatible with surrounding rural uses.</li> </ul> <p>The Shire has met with the applicant and outlined that this is not within the State or local strategic planning framework. The outcomes from the last meeting include:</p> <ul style="list-style-type: none"> <li>- The development is remote from the centre of Mundijong</li> <li>- It is separated by industry from Mundijong</li> <li>- There is no corridor proposed along Mundijong road</li> <li>- The importance of rural land within the Shire</li> <li>- The fact that there is already 16-1700 ha of developable land in and around Mundijong</li> <li>- That the boundary of West Mundijong has a clear edge.</li> <li>- The proposal will require an urban node opposite industrial area away from public transport, services and utilities.</li> </ul>	

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Submitter	No	Submitter Comments	Officer Comment	Officer Recommendation
			<ul style="list-style-type: none"> <li>- It is not part of and is has not previously been contemplated as a planning investigation area it is not in line with Council planning framework.</li> <li>- That rural land uses are important for broadacre farming, stocking &amp; grazing and we need to consider food security issues and see rural land as a strategic land resource.</li> <li>- That Shire officers are currently working through the submissions and there was no need or intent to give a specific response to any questions today other than those previously expressed.</li> <li>- Cautioned against further studies to be done as we are not agreeing to the proposal.</li> </ul> <p>The Shire is clear that the densities surrounding the future Metronet / Mundijong station are required to be higher than what is outlined in the Draft Mundijong Structure plan and therefore it is not possible to contemplate a future average lot size, as these studies are still yet to be undertaken or finalised. The WAPC has not identified Mundijong or the subject site as a planning investigation area for the Perth and Peel sub region.</p> <p>The Shire outlines it does not support the proposal in the Draft Local Planning Strategy and Local Planning Scheme No.3 and therefore will not make any changes for the subject site. The proposal seeks to provide land potentially for years beyond 2050, which should be required to go through the due process to follow orderly and proper planning.</p>	
Burgess Design Group on behalf of P. Rokich IN19/28449 IN20/1170 IN20/1224	35.	<p>Lot 2 on diagram 71452 (831) Nettleton Road, Karrakup  <b>RE: SUBMISSION ON DRAFT LOCAL PLANNING STRATEGY &amp; DRAFT LOCAL PLANNING SCHEME NO.3</b>  <b>LOT 2 ON DIAGRAM 71452, (#831) NETTLETON ROAD, KARRAKUP</b>            On behalf of Paul Rokich, the registered landowner of the abovementioned site, we are pleased to submit this submission on the draft Local Planning Strategy (2019) (Strategy) and Local Planning Scheme No.3 (LPS3).  <b>LOCAL PLANNING STRATEGY</b>            The draft Strategy identifies the land as 'Rural'.            The broader rural land use category provides for a full range of rural land uses, tourism opportunities, rural enterprise and the preservation of the natural landscape. It is understood the protection of rural character and productive agricultural land is considered paramount in the designation of rural land use classifications.  <b>LOCAL PLANNING SCHEME NO.3</b></p>	<p>The Shire does not support the rezoning of the land to Rural Smallholdings and considers the land does not fit the objectives of the Rural zone. The subject area is identified as Rural under the Western Australian Planning Commissions (WAPC) Perth and Peel @ 3.5 Million Sub-Regional Planning Frameworks. Under the Shire's Rural Strategy, recently approved by the WAPC, the subject area is identified as Rural and is to provide for the maintenance or enhancement of the specific local rural character.</p> <p>The land is not limited by the Rural zoning, only its potential to subdivide. We appreciated your</p>	

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		<p>The draft LPS3 identifies the land as 'Rural' (i.e. no change to the existing zoning) and 'Special Control Area 2' (SCA2).  LPS3 states the objectives of the 'Rural' zone are:</p> <ul style="list-style-type: none"> <li>• To provide for the maintenance or enhancement of specific local rural character.</li> <li>• To protect and accommodate broad acre agricultural activities such as horticulture as primary uses, with other rural pursuits and rural industries as secondary uses in circumstances where they demonstrate compatibility with the primary use.</li> <li>• To maintain and enhance the environmental qualities of the landscape, vegetation, soils and water bodies including groundwater, to protect sensitive areas especially the natural valley and watercourse systems from damage.</li> <li>• To provide for the operation and development of existing, future and potential rural land uses by limiting the introduction of sensitive land uses in the Rural zone.</li> <li>• To provide for a range of non-rural land uses where they have demonstrated benefit and are compatible with surrounding rural uses.</li> <li>• Schedule 3 of LPS3 specifies the following objectives for SCA2:</li> <li>• To preserve the amenity deriving from the scenic value of the Darling Scarp.</li> <li>• To protect and enhance the landscape, scenic and townscape values.</li> <li>• To maintain the integrity of landscapes in the line of sight view corridor along scenic routes in the Shire, including but not limited to South West Highway, Nettleton Road, Jarrahdale Road, Admiral Road, Kingsbury Drive and both the North-South and East-West Railway lines and natural water courses.</li> </ul> <p>Schedule 3 of LPS3 specifies the following provisions for SCA2:</p> <ol style="list-style-type: none"> <li>1. Development approval shall be required for all development within SCA2.</li> <li>2. Development shall not be approved on ridge lines or spur, bluff or knoll, escarpments, hill tops or visually exposed areas.</li> <li>3. Development shall not be approved in areas having a generalised slope greater than 25 percent.</li> <li>4. Development shall only be supported where the local government is satisfied that the landscape value of the area will be protected and the development has been designed and sited to blend with the landscape.</li> </ol> <p><b>SUMMARY OF PROPOSED FRAMEWORK</b>  We understand the primary objectives relevant to the site and its surrounds are:</p> <ol style="list-style-type: none"> <li>1. To promote and protect agricultural uses; and</li> <li>2. To protect the landscape value of the site and its surrounds.</li> </ol> <p>We submit that the framework should consider the viability of these objectives; namely the capacity the site has to support agricultural uses.</p>	<p>response via submission to the Draft Local Planning Strategy and Local Planning Scheme No.3.</p>	

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		<p><b>SUBMISSION 1: SUITABILITY FOR AGRICULTURAL USES</b></p> <p>The primary objective of a rural zone is to provide for suitable agricultural uses, with consideration as to capability, context and character. To that end, Department of Primary Industries and Regional Development mapping shows soils within the site have excellent capability to support annual horticulture, dryland cropping, grazing, perennial horticulture and vineyards. We understand this may be the basis for the land being identified as 'Rural'. However, whether or not a site is actually suitable for such uses requires further analysis.</p>  <p>Image 1: Subject Site</p> <p>Image 1 (above) shows the site and its immediate surrounds. First, it is important to note the site comprises 8.7ha of land. Second, the site accommodates two dams, historically used for commercial marron farming (which over time became unviable) after having been formed through clay extraction to supply nearby former brickworks, together with a watercourse (Cardup Brook) and associated riparian vegetation. These features, with adequate buffers and land for the existing homestead, effectively sterilise 5.7ha of the site, leaving only small 50-60m wide strips along front and rear boundaries that comprise 3ha of land. This indicates that, despite having suitable soils, the site is not practically capable of accommodating agricultural uses at any meaningful scale. Though this analysis is site specific, it should be noted there are many similarly effected properties in the vicinity, having seemingly been developed in a similar form and similarly constrained by surface water features and bound by state forest, such that</p>		

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		<p>expansion or boundary changes are not possible.</p> <p>Consideration should also be given to the economic viability of agricultural activities in a broader sense. Our client, whose family has owned land in the area for two generations, and is now looking to hand that over to a third, has observed and experienced the impact of these economic influences first-hand. The family originally purchased 30ha of land in the 1970's and established a market garden and pasture for beef cattle. Surrounding land was similarly used for market gardening and other uses such as a piggery. As maintaining a viable income from market gardening became more difficult, the family turned to orcharding. By this point, many surrounding properties had ceased agricultural activities, with market gardens and the piggery proving unviable. Over time, other activities such as clay extraction for nearby brickworks in Byford and Armadale, and then commercial marron farming helped to provide some income, but those uses have since wound down. Ultimately, what has been observed over the last 40 years is a change from bona-fide agricultural activities where land was worked to provide an income, to seasonal rural activity to supplement family income, to the present where virtually none of the properties are used to generate an income and are effectively lifestyle properties.</p> <p>Whilst soil mapping may identify the site as being capable of supporting agricultural uses, it is clear upon examination of the land in context that is not the case. Site features, namely its cadastral boundaries and accommodation of a watercourse and dams, together with prevailing economic conditions, that indicate such uses do not provide sufficient income to be viable in this area, demonstrate this is not a practical objective to adopt. This similarly applies to many surrounding properties within the area. Within this context, it is important to consider whether the designation of the site as 'Rural' represents the best and highest use of the land, or if better value can be derived.</p> <ul style="list-style-type: none"> <li>• <b>Submission 1: A contextual analysis of the viability of agricultural uses should be considered to determine whether the designation of the 'Rural' zone represents the best and highest use of the land.</b></li> </ul> <p><b>SUBMISSION 2: CONSIDERATION OF OBJECTIVES</b></p> <p>Given the context of the site as discussed in Submission 1 of this letter, it is important to consider if the objectives of the 'Rural' zone present the best opportunity to maximise the economic, social, and environmental values of the site and its surrounds. To do so, it is necessary to compare these objectives with the next logical alternative zone: 'Rural Smallholdings'. Both zones provide for the protection of local rural character, enhancement of environmental values, and accommodation of uses that are compatible with desired amenity and character. These shared objectives are important, as they provide recognition of the natural beauty and characteristics of the site and its surrounds. Where these zones differ, however, is regarding agricultural activities. 'Rural' zoned land is predicated on the primacy and</p>		

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		<p>protection of productive agricultural uses, whereas 'Rural Smallholdings' provides for rural land uses consistent with landscape values and the amenity of the area, effectively providing for hobby farming.</p> <p>Upon consideration of the context of the area, the legitimacy of holding agricultural uses as the prime objective is questionable; particularly so with the land being identified within SCA2, which is more directly focused on protecting landscape character, as well as clear economic barriers that prevent that objective from being achieved. That is to say, the objectives of the 'Rural' zone have limited relevance in this context because they are predicated on supporting uses that are not viable, and have not been viable for some time. It holds, then, that a more suitable and efficacious approach would instead more directly address the uses that actually occur, being lifestyle properties and small scale rural activities, and how these can be managed to respond to the landscape and environmental values of the area.</p> <p>This indicates that the 'Rural Smallholdings' zone presents a better opportunity to address the conditions of the site and its surrounds, and will provide a more effective framework in which to regulate development. It is important to note this does not preclude agricultural activities. Rather, it provides a more refined framework to accommodate those uses where they are suited to site conditions. Furthermore, this provides the opportunity for the development of small scale hobby farm operations that are manageable by families, where the current and proposed 'Rural' zoning does not.</p> <ul style="list-style-type: none"> <li>• <b>Submission 2: The objectives of the 'Rural' zone should be reviewed as they relate to the site and compared with those of other zones, such as 'Rural Smallholdings', to determine whether they represent the most relevant and effective means of regulating development.</b></li> </ul> <p><b>CONCLUSION</b></p> <p>The Shire's Local Planning Strategy (2019) (Strategy) and Local Planning Scheme No.3 (LPS3) propose a framework for the site predicated on the protection of and promotion of agricultural uses. However, we consider that prevailing environmental and economic conditions warrant a different approach.</p> <p>Over time, agricultural activities in the area have ceased as it has become difficult to derive adequate and sustainable income from the land, and environmental and landscape values severely restrict the availability of land that is actually capable of supporting productive uses. As such, it is questionable whether the objectives of the 'Rural' zone represent the most relevant and effectual planning response to these conditions. The Shire might instead consider these conditions against the objectives of other zones, such as 'Rural Smallholdings', which would provide a more direct response to the needs of this unique part of the landscape. We believe this presents an excellent opportunity to respond to site conditions and encourage a form of development that sits sensitively within its landscape and capitalises on its assets.</p>		

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		Should you require any additional information or wish to discuss this matter further, please do not hesitate to contact Mitch Bisby of our office or the undersigned on 9328 6411.		
Burgess Design on behalf of G & G Corp Pino Gangemi IN20/300	36.	<p>Lot 180 Shanley Road (Near South Western Highway)  <b>RE: SUBMISSION ON DRAFT LOCAL PLANNING STRATEGY &amp; DRAFT LOCAL PLANNING SCHEME NO.3</b>  <b>WATKINS AND SHANLEY ROAD URBAN PRECINCT, MUNDIJONG</b></p> <p>On behalf of G&amp;G Corp, acting for Pino Gangemi and Panache Investments Pty Ltd, the registered landowners of various properties in Mundijong at the corner of Watkins Road and South Western Highway (see Image 1 below), we make this submission on the draft Local Planning Strategy (2019) (Strategy) and Local Planning Scheme No.3 (LPS3). Please note this submission relates to the land north of the future Tonkin Highway extension (Primary Regional Road and Other Regional Road reservations).</p>  <p style="text-align: center;">Image 1: Subject Land</p> <p><b>LOCAL PLANNING STRATEGY</b></p> <p>The draft Strategy identifies the land as 'Development Investigation Area'. This is part of the broader 'Urban Areas and Townsites' category, being areas that provide housing and associated urban services and amenities. The Shire aims to preserve its distinctive character of having urban centres separated by rural wedges by limiting urban sprawl. This means increased density in urban areas, and ensuring urban development only occurs within discrete cells suitable for such development where population forecasting indicates it is needed.</p> <p>The site forms part of the broader 'Mundijong' urban area, for which the stated objectives are:</p> <ul style="list-style-type: none"> <li>• Achieve a diversity of housing types to provide choice, adaptability and to accommodate a range of incomes, households and life stages and to deliver housing product which will attract people to live in Mundijong.</li> <li>• Achieve distinctive urban precincts within Mundijong.</li> </ul>	<p>The Shire does not recommend any changes under the Draft Local Planning Scheme No.3.</p> <p>The Shire will consider any Scheme amendment based on its merit, as well as its alignment to the Local Planning Strategy. Importantly future scheme amendments will be assessed regarding their alignment with the Local Planning Strategy.</p> <p>The Shire recommends that additional text be included within the Draft Local Planning Strategy to outline the vision and intent of the Development Investigation Area identified within the Draft Strategy.</p>	

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		<ul style="list-style-type: none"> <li>• Integrate new housing and urban development with the older urban development patterns and housing as well as natural areas in a sensitive manner.</li> <li>• Encourage urban development and housing to be environmentally sustainable and resource efficient.</li> </ul> <p>Importantly, a key strategy for this area that relates to the site, is to:</p> <p>i. Investigate the potential for urban expansion in the area between the existing southern boundary of the Mundijong urban area and north of the proposed Tonkin Highway extension to South Western Highway.</p> <p><b>LOCAL PLANNING SCHEME NO.3</b></p> <p>The draft LPS3 identifies the land as 'Rural' (i.e. no change to the existing zoning) and 'Special Control Area 2' (SCA2).</p> <p>Schedule 3 of LPS3 specifies the following objectives for SCA2:</p> <ul style="list-style-type: none"> <li>• To preserve the amenity deriving from the scenic value of the Darling Scarp.</li> <li>• To protect and enhance the landscape, scenic and townscape values.</li> <li>• To maintain the integrity of landscapes in the line of sight view corridor along scenic routes in the Shire, including but not limited to South West Highway, Nettleton Road, Jarrahdale Road, Admiral Road, Kingsbury Drive and both the North-South and East-West Railway lines and natural water courses.</li> </ul> <p>Schedule 3 of LPS3 specifies the following provisions for SCA2:</p> <ol style="list-style-type: none"> <li>1. Development approval shall be required for all development within SCA2.</li> <li>2. Development shall not be approved on ridge lines or spur, bluff or knoll, escarpments, hill tops or visually exposed areas.</li> <li>3. Development shall not be approved in areas having a generalised slope greater than 25 percent.</li> <li>4. Development shall only be supported where the local government is satisfied that the landscape value of the area will be protected and the development has been designed and sited to blend with the landscape.</li> </ol> <p><b>SUMMARY OF PROPOSED FRAMEWORK</b></p> <p>We understand the primary objectives relevant to the site and its surrounds are:</p> <ol style="list-style-type: none"> <li>1. To identify the site and set a clear boundary for possible urban uses; and</li> <li>2. To protect the landscape value of the site and its surrounds.</li> </ol>		

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		<p>This is generally consistent with the South Metropolitan Peel Sub Regional Planning Framework (2018), which identifies the land as 'Urban Expansion' in an effort to consolidate and 'round off' existing urban land identified in Mundijong.</p> <p>We submit that the framework should provide more scope to consider site responsive design solutions that are consistent with the capability of the land, the character of the surrounding area, and the landscape value of the locality. This is explored in further detail below.</p> <p><b>SUBMISSION 1: DEVELOPMENT TIMEFRAMES</b></p> <p>Both the Strategy and the South Metropolitan Peel Sub Regional Planning Framework (2018) identify the site for future urban uses. However, the latter provides for such an outcome only in the long term (2031+). We understand this relates to both the availability of urban land in the broader Mundijong cell to the north, which is substantial, and the lack of reticulated sewer to service the subject land. We agree that longer term staging for typical urban uses is reasonable within that context. However, we believe that exploring alternative development options presents an excellent opportunity to deliver a more site responsive solution for this land.</p> <p>By way of context, the site is located on the edge of the urban cell, within an area that has outstanding landscape value, with views from South Western Highway and the future Tonkin Highway Extension, and features some steeply sloping areas and a portion of Medulla Brook. We believe these features could provide a setting for a highly considered and tailored design that provides an excellent development outcome and character statement at the southern gateway of Mundijong. Such an outcome would be consistent with the principles set out under Section 3.1.1 of the Strategy to guide urban design in future development areas.</p> <p>We propose that the Shire identifies the potential for such an approach where, on a discretionary basis, a proposal that can demonstrate an outstanding design outcome that responds to context and land capability could be considered in advance of the timeframes identified in the South Metropolitan Peel Sub Regional Planning Framework (2018) . This provides scope to put in place a framework that may differ from typical urban development; likely making use of larger lot areas to retain site features, a graduation of lot sizes to provide a transition to rural areas to the south and to protect Medulla Brook, and the siting and design of the urban form and dwellings in accordance with visual landscape assessments to ensure development sits sensitively in the landscape. We believe such an approach will provide the Shire with an opportunity to incentivise an extra-ordinary outcome for the site, considered by exception only, thereby providing an outstanding character statement at the southern gateway of one of its most significant urban areas and cementing the landscape value of the site for the local community and visitors in perpetuity.</p>		

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		<ul style="list-style-type: none"> <li><b>Submission 1: The Strategy should include comments providing the Shire with options to bring development timeframes for the site forward where an outstanding design outcome can be demonstrated.</b></li> </ul> <p><b>SUBMISSION 2: SPECIAL CONTROL AREA PROVISIONS</b>  The proposed provisions for SCA2 within Schedule 3 of LPS3 provide a strong framework to protect landscape character. However, by the same hand, they are also rigid and may restrict decision makers, and in some circumstances may be unnecessary.</p> <p>We believe the approach taken under LPS3 is suitable and preferable in many scenarios, namely for the bulk of situations where it is not practical or desirable to undertake intensive reviews of site conditions and set out strategies to manage values (such as for a single house on an existing property). However, in the case of the subject site, the preferred and proper way of addressing the objectives of SCA2 would be through those intensive reviews and the distillation of a more refined planning framework to guide development. This might include visual landscape assessments to determine suitable areas for development, structure plans to guide urban form, local development plans to ensure the sensitive siting of development, and design guidelines to minimise visual impact. The provisions of SCA2, however, would restrict the efficacy of those measures in designating blanket prohibitions on development in specified areas, and requiring all development to undergo formal planning assessment, regardless of context specific planning frameworks.</p> <p>This could be addressed through removing the provisions of SCA2 from LPS3 and instead including them in a local planning policy. Alternatively, the Strategy might note the 'development investigation areas' could be removed from SCA2 upon being rezoned for urban development such that the objectives of SCA2 can be addressed through the planning framework as discussed above. Or, the provisions of SCA2 could be modified to include a statement that development in accordance with a structure plan is considered to satisfy the objectives of SCA2. We believe the Shire may wish to explore these options to ensure the objectives of SCA2 can be addressed in site specific contexts, and where appropriate control mechanisms are in place.</p> <ul style="list-style-type: none"> <li><b>Submission 2: The provisions and application of SCA2 should be reviewed to account for contexts where site responsive solutions and specific regulations might be better placed to achieve the objectives.</b></li> </ul> <p><b>CONCLUSION</b>  The Shire's Local Planning Strategy (2019) (Strategy) and Local Planning Scheme No.3 (LPS3) provide a clear context to facilitate urban development within a site that has outstanding landscape value. However, we believe that significant opportunities exist to enhance this framework to facilitate the development of an exceptional, site responsive solution.</p>		

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		<p>Both of the submissions set out herein make the case for considering site responsive solutions; both in terms of how development might be delivered and designed in a way that differs from typical urban uses. In both cases, we believe this places a burden on a proponent to demonstrate how an outstanding outcome will be achieved. Given the landscape value of the site, as well as its context at the southern gateway of Mundijong (noting its location adjacent to the intersection of South Western Highway and the future Tonkin Highway extension), we believe this is warranted and mutually beneficial.</p> <p>Furthermore, this provides the Shire with the opportunity to consider a proposal that can demonstrate the suitability of the site for onsite effluent disposal, and be of a form that does not undermine the broader hierarchy of urban uses. This will resolve the issues that resulted in it being identified as a long term (2031+) stage in the South Metropolitan Peel Sub Regional Planning Framework (2018) , and instead, will allow for the delivery of a more sensitive, contextual outcome in the more immediate future.</p> <p>Simple changes to the Shire's proposed framework at this stage will set the foundation to explore these matters in further detail, and importantly, to control the scope of what would warrant an exercise of discretion in this context.</p>		
<p>Burgess Design on behalf of G &amp; G Corp Pino Gangemi &amp; Panache Investments Pty Ltd  IN20/299</p>	<p>37.</p>	<p>Lot 180 Shanley Road (Near South Western Highway)  <b>RE: SUBMISSION ON DRAFT LOCAL PLANNING STRATEGY &amp; DRAFT LOCAL PLANNING SCHEME NO.3</b>  <b>LOT 180 SHANLEY ROAD, MUNDIJONG</b>  On behalf of G&amp;G Corp, acting for Pino Gangemi, the registered landowner of Lot 180 Shanley Road, Mundijong (see Image 1 below), we provide this submission on draft Local Planning Strategy (2019) (Strategy) and Local Planning Scheme No.3 (LPS3). Please note this submission relates to the land south of the future Tonkin Highway extension (Primary Regional Road and Other Regional Road reservations).</p>  <p>Image 1: Subject Land</p>	<p>Further investigation / land capability studies need to be undertaken for the site.</p> <p>Under the Strategy the Shire may consider Rural Smallholdings zoning in the future as the land aligns with the objective of the Rural Smallholdings zoning:</p> <ul style="list-style-type: none"> <li>- To provide for lot sizes in the range of 4 ha to 40 ha.</li> <li>- To provide for a limited range of rural land uses where those activities will be consistent with the amenity of the locality and the conservation and landscape attributes of the land.</li> <li>- To set aside areas for the retention of vegetation and landform or other features which distinguish the land.</li> <li>- To provide for a rural character and amenity with associated residential development.</li> </ul> <p>The area has also been defined as Residential and Stables which aims to provide a separate area for intense equine activities which could potentially generate offsite impacts that could conflict with the values of traditional rural living areas. The Shire is advocating to support the equine industry</p>	

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		<p><b>LOCAL PLANNING STRATEGY</b></p> <p>The draft Strategy identifies the land as:</p> <ul style="list-style-type: none"> <li>• Rural Smallholdings; and</li> <li>• Residential and Stables Area.</li> </ul> <p>These areas are part of the broader 'Rural Living' category, being areas with a strong rural character and high level of amenity, dominated by residential uses and generally located at the fringe of urban areas within defined precincts to protect from encroachment by intensive rural and agricultural activities. Such uses are employed in some cases to preserve landscape and environmental values through large lot sizes and a relatively low intensity of development.</p> <p>The stated objectives for 'rural smallholdings' are:</p> <ul style="list-style-type: none"> <li>• Preserve and enhance the existing larger rural living lots and equestrian character of rural smallholdings area.</li> <li>• Accommodate a variety of land uses and types of properties to provide choice.</li> <li>• Maintain a strong equestrian identity and the continued development of the equine industry as a significant contributor to the local economy.</li> <li>• Ensure rural smallholdings areas are sensitive to and enhance environmental values and water systems.</li> </ul> <p>The Strategy provides for the creation of a 'Rural Smallholdings' zone in LPS3, with lot sizes ranging between 4 and 40 hectares, as a means to implement these objectives.</p> <p>The state objectives for 'Residential and Stables Area' are:</p> <ul style="list-style-type: none"> <li>• Recognise the importance of the equine industry.</li> <li>• Recognise the adverse impacts of some activities carried out within rural living area and ensure that these are adequately planned for.</li> <li>• Maintain a strong equestrian identity and the continued development of the equine industry as a significant contributor to the local economy.</li> <li>• Maintain and protect the rural living and equine dominated character of these areas.</li> </ul> <p>The Strategy provides for such areas to be zoned either 'Rural Residential' (2ha minimum lot size) or 'Rural Smallholdings' (4ha minimum lot size).</p> <p><b>LOCAL PLANNING SCHEME NO.3</b></p> <p>LPS3 identifies the land as 'Rural' (i.e. no change to the existing zoning) and 'Special Control Area 2' (SCA2), within which development is restricted to preserve the scenic values of the darling scarp.</p>	<p>throughout the Shire especially in the designated areas within the Shire.</p> <p>The Shire will consider any Scheme amendment based on its merit, as well as its alignment to the Local Planning Strategy. Importantly future scheme amendments will be assessed regarding their alignment with the Local Planning Strategy.</p> <p>The Shire recommends that text be included in the Draft Local Planning Strategy to describe an equine based performance approach for the subject site.</p>	

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		<p>Schedule 3 of LPS3 specifies the following objectives for SCA2:</p> <ul style="list-style-type: none"> <li>• To preserve the amenity deriving from the scenic value of the Darling Scarp.</li> <li>• To protect and enhance the landscape, scenic and townscape values.</li> <li>• To maintain the integrity of landscapes in the line of sight view corridor along scenic routes in the Shire, including but not limited to South West Highway, Nettleton Road, Jarrahdale Road, Admiral Road, Kingsbury Drive and both the North-South and East-West Railway lines and natural water courses.</li> </ul> <p>Schedule 3 of LPS3 specifies the following provisions for SCA2:</p> <ol style="list-style-type: none"> <li>1. Development approval shall be required for all development within SCA2.</li> <li>2. Development shall not be approved on ridge lines or spur, bluff or knoll, escarpments, hill tops or visually exposed areas.</li> <li>3. Development shall not be approved in areas having a generalised slope greater than 25 percent.</li> <li>4. Development shall only be supported where the local government is satisfied that the landscape value of the area will be protected and the development has been designed and sited to blend with the landscape.</li> </ol> <p><b>SUMMARY OF PROPOSED FRAMEWORK</b></p> <p>We understand the primary objectives relevant to the site and its surrounds are:</p> <ol style="list-style-type: none"> <li>1. To protect the scenic values of the darling scarp, or more specifically, the landform and values around the waterway that bisects the site; and,</li> <li>2. To nominate the land as the sole new equestrian focused development area (noting the only other area nominated to the north in Darling Downs is extensively developed for such uses), shouldering a significant responsibility to support economic growth in this industry.</li> </ol> <p>Furthermore, we infer from general comments in the Strategy relating to rural living areas, and the lack of change in zoning shown in LPS3, that the Shire intends to develop a more robust policy framework to guide the development of this area. We support this notion; however, we believe that the intended role of this area merits further consideration and exploration within the Strategy to avoid future decisions and processes from being fettered.</p> <p>Our primary contention is that the proposed zoning, 'Rural Smallholdings' with an associated minimum lot size of 4ha, and the provisions of SCA2 do not appear to represent a site responsive approach, and this may limit the efficacy of the framework to achieve its stated objectives.</p> <p><b>SUBMISSION 1: SPECIAL CONTROL AREA PROVISIONS</b></p>		

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		<p>The proposed provisions for SCA2 within Schedule 3 of LPS3 provide a strong framework to protect landscape character. However, by the same hand, they are also rigid and may restrict decision makers, and in some circumstances may be unnecessary.</p> <p>We believe the approach taken under LPS3 is suitable and preferable in many scenarios, namely for the bulk of situations where it is not practical or desirable to undertake intensive reviews of site conditions and set out strategies to manage values (such as for a single house on an existing property). However, in the case of the subject site, the preferred and proper way of addressing the objectives of SCA2 would be through those intensive reviews and the distillation of a more refined planning framework to guide development. This might include visual landscape assessments to determine suitable areas for development, structure plans to guide urban form, building envelopes to ensure the sensitive siting of development, and design guidelines to minimise visual impact. The provisions of SCA2, however, would restrict the efficacy of those measures in designating blanket prohibitions on development in specified areas, and requiring all development to undergo formal planning assessment, regardless of context specific planning frameworks.</p> <p>This could be addressed through removing the provisions of SCA2 from LPS3 and instead including them in a local planning policy. Alternatively, the Strategy might note the 'development investigation areas' could be removed from SCA2 upon being rezoned such that the objectives of SCA2 can be addressed through the planning framework as discussed above. Or, the provisions of SCA2 could be modified to include a statement that development in accordance with a structure plan or similar is considered to satisfy the objectives of SCA2. We believe the Shire might like to explore these options to ensure the objectives of SCA2 can be addressed in site specific contexts, and where appropriate control mechanisms are in place.</p> <ul style="list-style-type: none"> <li>• <b>Submission 1: The provisions and application of SCA2 should be reviewed to account for contexts where site responsive solutions and specific regulations might be better placed to achieve the objectives.</b></li> </ul> <p><b>SUBMISSION 2: CONSIDERATION OF STRATEGIC FRAMEWORK</b></p> <p>The South Metropolitan Peel Sub Regional Planning Framework (2018) identifies the site as 'Rural Residential', and State Planning Policy 2.5: Rural Planning (2016) allows for the consideration of rural living proposals within such areas. It should be noted that the Framework states rural smallholdings areas, with minimum lot sizes between 4ha and 40ha, are considered to be rural uses and have not been identified. It should also be noted that, following a review of hydrological, environmental and landscape impacts, the framework excluded approximately 1,000ha of land previously identified for 'rural residential' uses, indicating the site was not identified as 'rural residential' arbitrarily or in isolation</p>		

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		<p>of known issues. As such, the proposed 'Rural Smallholdings' zoning nominated under the strategy can reasonably be considered to represent an inefficient use of land, potentially placing pressure on other, less suitable areas to accommodate more intensive development or otherwise contributing to unnecessary competition that can impact the viability of other rural and agricultural land uses.</p> <ul style="list-style-type: none"> <li>• <b>Submission 2: The proposed 'Rural Smallholdings' zone represents an inefficient use of land that is identified for more intensive activities in the strategic planning framework, potentially putting pressure on other, less suitable land to accommodate more intensive uses.</b></li> </ul> <p><b>SUBMISSION 3: CONSIDERATION OF LAND-USE CONTEXT</b></p> <p>State Planning Policy 2.5: Rural Planning (2016) provides a range of criteria for the consideration of 'Rural Living' proposals, generally predicated on the consideration of context and site-specific attributes to determine the most appropriate use. Despite the Strategy being prepared at a broad scale, we believe further consideration ought to be given to the function of the site and its surrounds as a precinct; that is, as an area with a distinct rural and equine character, which is best suited to accommodate a range of uses supported through a more fine grain approach in the designation of zones.</p> <p>The Strategy should be lauded for setting out a core vision to support the equine industry and the diversity of uses that entails; however, there appears to be little discussion or consideration of elements such as site responsive density, diversity in uses, provision of suitable facilities, and the coordination of development and appropriate rural amenities. For example, a more site specific approach might be to provide a transition of higher densities adjacent to the major urban growth area of Mundijong (directly north), which is better suited to accommodate lifestyle properties for individual horse owners and hobbyists in proximity to urban amenities more akin to a Rural Residential use, before graduating to larger lots adjacent to agricultural areas to the south that may be better suited for larger operations and equine facilities. Furthermore, consideration might be given to the different needs and desires of individuals versus commercial operations, and how these uses might interact and impact the desired rural character and amenity (this will be an important factor in achieving the objective to support economic growth in this sector, as discussed in further detail in proceeding sections). Similarly, the designation of these areas needs to be coordinated to ensure supporting infrastructure, such as bridle trails or training facilities, is sufficient and suitably located to support future growth in the area. We submit that the designation of a Rural Smallholdings zone, with a minimum lot size of 4ha, does not provide sufficient scope to accommodate an appropriate range of uses and could impede the viability of the precinct. We believe a more responsive framework is warranted to consider and coordinate these elements.</p>		

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		<ul style="list-style-type: none"> <li>• <b>Submission 3: A more fine grain approach to the designation of zones is required to achieve the stated objectives of the area to support the equine industry and ensure a suitable level of rural amenity is maintained for future residents.</b></li> </ul> <p><b>SUBMISSION 4: CONSIDERATION OF DIVERSITY</b></p> <p>The Shire's Equine Strategy presents a compelling picture of the social and economic value that equine activities bring to the local community. It is notable that the Shire is the leading equine region in Western Australia, and boasts a diverse contingent of dedicated individuals, clubs, and businesses that are active in the industry. However, the Equine Strategy provides little direction regarding the type of development that might help fuel the growth and viability of these activities. As such, it is considered appropriate that this be expanded within the Planning Strategy, being the prime planning instrument to guide growth in the Shire.</p> <p>The Equine Strategy includes a number of insightful statistics based on community surveys, including:</p> <ul style="list-style-type: none"> <li>• 54% of horses do not take part in registered activities, and of those, 18% partake in casual riding, and a further 34% in trail riding, indicating a strong demand for recreational activities.</li> <li>• 45% of respondents own 2 or fewer horses, including 14% who own a single horse and 31% who own 2 horses, compared to 55% who own 3 or more horses (note: these figures exclude 14% of respondents who do not own a horse).</li> <li>• Most respondents fall within 40-49 (29%) and 50-64 (33%) age brackets, with many respondents being parents and indicating keeping of horses is a family activity.</li> <li>• 80% of respondents keep horses on their own property, while 16% agist elsewhere in the Shire and 4% agist horses outside of the Shire.</li> </ul> <p>These statistics indicate a diversity of activities, including a strong desire for recreational uses, including keeping of one or two horses at home as a family activity. This can be distinguished from commercial agistment operations or the keeping of several horses for registered activities such as racing. This can be seen in existing equine areas within the Shire, where smaller lot sizes have proven popular with families. It is reasonable to expect these uses would each have unique needs, and none would benefit from being in competition with one another in terms of tenure or primacy when considering amenity or economic impacts. The designation of blanket zoning and minimum lot sizes is not considered to be an effective way to address these needs, and a more effective means of coordination is warranted.</p> <ul style="list-style-type: none"> <li>• <b>Submission 4: Further consideration needs to be given to the specific demands present in the local equine community to ensure</b></li> </ul>		

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		<p><b>development can respond appropriately, particularly in relation to lot sizes.</b></p> <p><b>SUBMISSION 5: CONSIDERATION OF ECONOMIC OPPORTUNITIES AND FACILITIES</b></p> <p>The Shire’s Equine Strategy provides a valuable insight into the local and regional opportunities that are available to support growth in the equine industry. Approximately \$168 million is contributed to the local economy within the Shire through equestrian related activities, with annual expenditure of approximately \$10,000 per horse, 80% of which is spent on local goods and services, which is further supported by strong sales from local businesses to people in surrounding areas throughout the Perth and Peel Regions. It is also important to note most of this spending goes to small businesses, with the Equine Strategy setting out 52% of businesses had a turnover less than \$100,000, 40% had a turnover between \$100,000 and \$1 million, and 8% had a turnover between \$1 million and \$5 million. They typically have only a handful of employees, and include services such as training, provision of facilities, riding schools, education, feed suppliers, health professionals, farriers, breeders, agistment centres and recreational activities. This provides a strong indication that the equine community provides its own localised economy, supporting other members of the community. This provides an excellent opportunity to drive economic growth and the development of local businesses within the Shire.</p> <p>The Equine Strategy goes on to identify a broad range of facilities and reserves, including the Byford Trotting Complex, Darling Downs Trails Network Reserve, Jarrahdale Bridle Trail, Oakford Riding for the Disabled Association and many others, and also notes the strong demand for additional facilities, such as an undercover arena. Additionally, the Equine Strategy indicates there is ample opportunity to improve the path network within the southern equine hub (of which the site forms part) and to coordinate the development of facilities with strategic tourism sites that have been identified by the Shire to further capitalise on visitor spending and the vitality that comes with event tourism. It is also notable that the Shire accommodates a number of distinct equine disciplines, including standardbred racing, thoroughbred racing, pony clubs, polocrosse and polo. The Equine Strategy also identifies significant opportunities for improving equine tourism, education and skills training, and promoting the region through branding and positioning.</p> <p>All of these elements present opportunities to realise significant economic and social benefits to the broader community of Serpentine Jarrahdale through realising development outcomes that can support sustainable growth in the equine industry. For example, a review of broader site constraints might reveal certain areas are capable of supporting more intensive development, indicating smaller lot sizes are suitable and thus delivery of recreational facilities, such as bridle trails, is warranted. Likewise, areas where larger lots are more suitable may be attractive to commercial operators, and may support the development of larger, formalised facilities. Similarly, a broader review of the demand for facilities may</p>		

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		<p>reveal a critical mass is required to ensure its ongoing sustainable operation, driving a need to locate particular types of properties and a density of activity in a certain area. Given the importance of the equine industry to the local economy, and the demand for facilities, we believe these matters ought to be considered in the Strategy.</p> <ul style="list-style-type: none"> <li>• <b>Submission 5: The Strategy ought to provide a more distinct vision and direction to guide the development of the Shire’s equine precincts, with particular regard to the delivery of facilities, including tourism sites, to capitalise on opportunities for social and economic growth.</b></li> </ul> <p><b>SUBMISSION 6: CONSIDERATION OF STOCKING RATES</b></p> <p>The Department of Primary Industries and Regional Development Stocking Rate Guidelines for Rural Small Holdings (2000) sets out stocking rates for different soil types, specified as a dry sheep equivalent (DSE) per hectare of land.</p> <p>Generally speaking, land west of Shanley Road comprises predominantly Pinjarra and Bassendean soils and has comparatively lower stocking rates, and land east of Shanley Road comprises predominantly Forrestfield soils with higher stocking rates. A summary of stocking rates for these areas is provided in Table 1 below.</p> <table border="1" data-bbox="519 1123 1400 1606"> <thead> <tr> <th colspan="5" style="background-color: #800000; color: white;">TABLE 1: SUMMARY OF STOCKING RATE GUIDELINES</th> </tr> <tr> <th rowspan="2">Soil</th> <th rowspan="2">Stocking rates</th> <th colspan="3">Stock allowed per hectare</th> </tr> <tr> <th>250kg pony</th> <th>450kg light horse</th> <th>1,000kg draught</th> </tr> </thead> <tbody> <tr> <td rowspan="2">Forrestfield (SR8)</td> <td>Dry:</td> <td>10</td> <td>2</td> <td>1</td> <td>0.5</td> </tr> <tr> <td>Irrigated:</td> <td>25</td> <td>5</td> <td>2.5</td> <td>1.25</td> </tr> <tr> <td rowspan="2">Pinjarra (SR5)</td> <td>Dry</td> <td>6</td> <td>1.2</td> <td>0.6</td> <td>0.3</td> </tr> <tr> <td>Irrigated</td> <td>20</td> <td>4</td> <td>2</td> <td>1</td> </tr> <tr> <td rowspan="2">Bassendean (SR4)</td> <td>Dry</td> <td>6</td> <td>1.2</td> <td>0.6</td> <td>0.3</td> </tr> <tr> <td>Irrigated</td> <td>20</td> <td>4</td> <td>2</td> <td>1</td> </tr> </tbody> </table> <p>As can be seen in Table 1, stocking rates for the broader ‘Residential and Stables Area’ vary according to site conditions and availability of water for irrigation. We believe it is reasonable to assume that at least a portion of the ‘Residential and Stables Area’ would be irrigated because a number of existing properties have groundwater licenses, and it is otherwise feasible that a rural style homestead and sheds could provide sufficient roof catchment for irrigation from rainwater tanks. This means up to 5 ponies and 2.5 light horses (noting these are the most likely to be encountered, given most horses in the Shire are used for recreation or racing) could be supported per hectare of irrigated land. In instances of non-</p>	TABLE 1: SUMMARY OF STOCKING RATE GUIDELINES					Soil	Stocking rates	Stock allowed per hectare			250kg pony	450kg light horse	1,000kg draught	Forrestfield (SR8)	Dry:	10	2	1	0.5	Irrigated:	25	5	2.5	1.25	Pinjarra (SR5)	Dry	6	1.2	0.6	0.3	Irrigated	20	4	2	1	Bassendean (SR4)	Dry	6	1.2	0.6	0.3	Irrigated	20	4	2	1		
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		<p>irrigated land, up to 2 ponies and 1 light horse can be supported per hectare of dry land.</p> <p>It is important to consider these figures in the context of horse ownership figures in the Shire. As discussed in Submission 3 (above), 45% of horse owners have only one or two horses, and 55% have three or more. As such, 45% of households could have their demand met with less than one hectare of irrigated 'stockable' land or one to two hectares of dry land (noting stockable land excludes land for houses, sheds, and environmental features like waterways, sensitive vegetation etc.). This indicates the designation of a blanket 4ha minimum lot size does not properly account for variations in site conditions and the actual demand for properties and diversity of horse ownership within the Shire. Whilst we acknowledge there are environmentally sensitive areas that may require buffers, the Strategy does not currently provide scope for consideration of such matters; and conversely, how land unencumbered by such constraints might be used more efficiently to support the equine industry and relieve pressure on those areas less suited to accommodating horses. Though the Strategy notes the 4ha minimum lot size aims to avoid 'overstocking' issues, we believe this position ultimately fails to consider the opportunities available to provide a more site responsive outcome.</p> <p>We believe that allowing for some flexibility can help to achieve an outcome that responds more effectively to the overarching goals of the Strategy and the needs of the equine community.</p> <ul style="list-style-type: none"> <li>• <b>Submission 6: The Strategy ought to provide scope to consider site constraints and stocking rates in the design of development, favouring the implementation of lot sizes that respond to demand, land capability, and objectives for the preservation of environmental and landscape values over blanket minimum lot sizes.</b></li> </ul> <p><b>SUBMISSION 7: GUIDANCE ON STEPS TO PROGRESS REZONING</b></p> <p>Draft LPS3 identifies the land as 'Rural', meaning there is no change to the existing zoning. We infer from this that further refinement of the planning framework is required to progress rezoning of the area in line with the draft Strategy to facilitate the development of equestrian uses.</p> <p>Given the importance of the equine industry to the Shire, both economically and socially, together with the complexities and intricacies associated with it (some of which have been explored herein), we believe this warrants further exploration in the Strategy. Specifically, we submit that key issues need to be identified, and steps to implement an appropriate planning framework be established in order to provide a clear path forward. This will aid greatly in providing a mutual understanding of what is needed to progress any proposals, including the scale of any coordination that might be necessary along with the Shire's preferred mechanisms to guide development.</p> <ul style="list-style-type: none"> <li>• <b>Submission 7: The Strategy should provide clear and concise guidance on the steps required to implement its objectives and actions.</b></li> </ul>		

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		<p><b>CONCLUSION</b></p> <p>The Shire’s Local Planning Strategy (2019) should be lauded for setting out a core vision to support the equine industry as a vital part of the economy and identity of Serpentine Jarrahdale. However, we believe that further exploration into the diversity of equestrian activities and how future uses might respond more qualitatively to site constraints is necessary to ensure that vision can be achieved.</p> <p>Each of the submissions set out herein focuses on particular aspects that might be explored in further detail to provide a more robust framework to guide future planning of the area. However, these elements should also be considered together. For example, just as we submit the proposed ‘Rural Smallholdings’ zone represents an inefficient use of land identified for rural residential development under the State Government planning, it too does not reflect the diversity of land capability apparent on analysis of stocking rate guidelines. Similarly, it does not appear to account for the diversity of uses among the Shire’s equine-community, where often one or two horses are kept at home as a family activity, meaning larger lot sizes may not suit everyone, and in fact, could represent a burden (financially speaking) and have management difficulties. It follows, too, that most horses are kept for recreational purposes, not for registered activities, and often taken riding on trails as a preferred activity. However, there is still an active and engaged community of those participating in activities like racing, pony clubs and polo, as well as a strong industry dedicated to supporting the equine industry worth approximately \$168 million per annum to the local economy. This paints a picture of a diverse range of needs that need to be accounted for.</p> <p>We appreciate it is not practical to resolve these matters within the Strategy; however, we believe they should be acknowledged and explored to provide some direction, identify key strategic opportunities, and to demonstrate how they have been considered in the preparation of the Strategy. And importantly, the Strategy should provide concise guidance on the steps required to implements its objectives and actions to provide a clear path forward</p>		
Peet Limited on behalf of Peet Mundijong Syndicate Ltd IN19/28474	38.	<p>On behalf of the Peet Mundijong Syndicate Ltd (Peet), I refer to the Draft Local Planning Strategy and Draft Local Planning Scheme No. 3, which is currently being advertised for public comment by the Shire of Serpentine and Jarrahdale (Shire).</p> <p>Peet owns Lot 3 and Lot 9000 Taylor Road Mundijong and are committed to working with the Shire to achieve a mutually beneficial and suitable outcome to the draft documents.</p> <p>Whilst Peet are appreciative of the documents being updated to reflect current planning standards, there are a number of concerns outlined in the enclosed table, for which Peet have provided suggested amendments. The amendments will assist the Shire in:</p> <ul style="list-style-type: none"> <li>• Promoting a modernised and standardised planning framework within the draft documents; and</li> <li>• Promoting further urban development within the Shire.</li> </ul>	<p>The subject land is zoned Urban development under the LPS3. The land within the Mundijong Whitby area is designated Urban under the Draft Local Planning Strategy and zoned as Urban Development within the Draft Local Planning Scheme No.3. The objectives of the Urban Development zone under the draft Scheme are as follows:</p> <ul style="list-style-type: none"> <li>- To provide an intention of future land use and a basis for more detailed structure planning in accordance with the provisions of this Scheme.</li> </ul>	<p><b>Part 3 Clause 17 Table 3 – Zoning Table</b></p> <p>Amend the permissibility of Display Home/Land Sales Office to a ‘D’ use within the Local Centre and Mixed Use zones.</p> <p><b>Part 4 Clause 26 (1)</b></p> <p>Delete sub-clause (1) which states:</p> <p><i>‘1) The following modifications to primary street setbacks shall apply to single house standards for medium density (R25-R60 density codes) housing:</i></p> <p><i>(a) R25-R40: 4m minimum (no average)</i></p>

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		<p style="text-align: center;"><b>PEET</b></p> <p style="text-align: center;"><u>Comments relating to Draft Local Planning Scheme No. 3 Report</u></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr style="background-color: #4F81BD; color: white;"> <th style="width: 25%;">Policy Reference</th> <th style="width: 35%;">Clause Wording</th> <th style="width: 40%;">Peet Submission</th> </tr> </thead> <tbody> <tr> <td>COMMENT 1 - Clause 17: Zoning Table</td> <td>Current Clause Wording: LPS 3 proposes 'Display home / land sales office' as a new use that is identified as 'X' use in Local Centre and Mixed-Use zones.</td> <td>Peet Comment: o It is recommended that this use is modified to a 'D' use to allow for flexibility in this zone, particularly as a sales office may be located within either of these zones close to areas of high amenity.</td> </tr> <tr> <td>COMMENT 2 - Clause 26: Modification of R-Codes</td> <td>Current Clause Wording: o Proposed modifications to front and side boundary setbacks for R25-R60 density codes.</td> <td>Peet Comment: o We note that the Shire is in the process of preparing a Local Planning Policy (LPP) outlining R-Code variations. The nature and extent of the R-Code variations being proposed by the Shire in this LPP and their consistency with the R-Code variations proposed in LPS 3 (as above) is unknown. It is also noted that the above modifications to primary street setbacks is inconsistent with the industry standards set by the Medium Density Single House (RMD) Codes. o Peet also proposed that the Scheme allows for further variations to the R-Codes and clause 26 of the Scheme through the preparations and approval of a local development plan.</td> </tr> <tr> <td>COMMENT 3 - Clause 48: Paragraph 1</td> <td>Current Clause Wording: o The local government may determine that any tree(s) and/or areas of vegetation are significant and shall be retained and protected as a condition of development approval or recommended as a condition of subdivision approval.</td> <td>Peet Comment: o Whilst the retention of vegetation is supported it needs to be significant and worthy of retention, where practically achievable in the circumstances of a particular site. There are a number of factors to consider such as land requiring fill, retention in widened road reserves where there are civil servicing requirements and where development costs increase dramatically. o Not all existing mature trees are worthy of retention. For example, existing trees of poor health and species which pose a public safety risk, and therefore legal liability risk to the Shire, should not be retained. The retention of trees needs to be balanced with the practical (and financial) considerations in any particular circumstance.</td> </tr> </tbody> </table>	Policy Reference	Clause Wording	Peet Submission	COMMENT 1 - Clause 17: Zoning Table	Current Clause Wording: LPS 3 proposes 'Display home / land sales office' as a new use that is identified as 'X' use in Local Centre and Mixed-Use zones.	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The retention of trees needs to be balanced with the practical (and financial) considerations in any particular circumstance.	<ul style="list-style-type: none"> <li>- To provide for a range of residential densities to encourage a variety of residential accommodation.</li> <li>- To provide for the progressive and planned development of future urban areas for residential purposes and for commercial and other uses normally associated with residential development.</li> <li>- To provide an intermediate transitional zone following the lifting of an urban deferred zoning within the Metropolitan Region Scheme.</li> </ul> <ol style="list-style-type: none"> <li>1. Amend the permissibility of Display Home/Land Sales Office to a 'D' use within the Local Centre and Mixed Use zones.</li> <li>2. The Shire is in the process of developing Local Planning Policy 2.2 - Residential Development Standards (R25 – R60), which addresses primary street setback variations. It is considered more appropriate for this matter to be addressed in the Local Planning Policy instead of the Scheme. It is recommended that Clause 26 (1) be deleted.</li> <li>3. This is at the local government's discretion if the tree is significant or not. All factors are taken into consideration when an application that proposes the removal of a tree is presented to the Shire.</li> <li>5. Road hierarchy has been identified as per Main Roads road hierarchy classifications.</li> </ol>	<p>(b) R50-R60: 2m minimum (no average)'</p>
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COMMENT 1 - Clause 17: Zoning Table	Current Clause Wording: LPS 3 proposes 'Display home / land sales office' as a new use that is identified as 'X' use in Local Centre and Mixed-Use zones.	Peet Comment: o It is recommended that this use is modified to a 'D' use to allow for flexibility in this zone, particularly as a sales office may be located within either of these zones close to areas of high amenity.														
COMMENT 2 - Clause 26: Modification of R-Codes	Current Clause Wording: o Proposed modifications to front and side boundary setbacks for R25-R60 density codes.	Peet Comment: o We note that the Shire is in the process of preparing a Local Planning Policy (LPP) outlining R-Code variations. The nature and extent of the R-Code variations being proposed by the Shire in this LPP and their consistency with the R-Code variations proposed in LPS 3 (as above) is unknown. It is also noted that the above modifications to primary street setbacks is inconsistent with the industry standards set by the Medium Density Single House (RMD) Codes. o Peet also proposed that the Scheme allows for further variations to the R-Codes and clause 26 of the Scheme through the preparations and approval of a local development plan.														
COMMENT 3 - Clause 48: Paragraph 1	Current Clause Wording: o The local government may determine that any tree(s) and/or areas of vegetation are significant and shall be retained and protected as a condition of development approval or recommended as a condition of subdivision approval.	Peet Comment: o Whilst the retention of vegetation is supported it needs to be significant and worthy of retention, where practically achievable in the circumstances of a particular site. There are a number of factors to consider such as land requiring fill, retention in widened road reserves where there are civil servicing requirements and where development costs increase dramatically. o Not all existing mature trees are worthy of retention. For example, existing trees of poor health and species which pose a public safety risk, and therefore legal liability risk to the Shire, should not be retained. The retention of trees needs to be balanced with the practical (and financial) considerations in any particular circumstance.														

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COMMENT 19 - Clause 5.1 Activity Centres	<p>Current Clause Wording:</p> <ul style="list-style-type: none"> <li>o A neighbourhood centre (Mundijong Whitby West) is identified in the south-west corner of the LSP area which is to accommodate 5,000sqm NLA including 3,000sqm NLA for a supermarket.</li> </ul>	<p>Peet Comment:</p> <ul style="list-style-type: none"> <li>o The location of the neighbourhood centre is not clearly defined.</li> <li>o The previously lodged LSP amendment for the Sub-Precinct G identified a neighbourhood centre in the area that is able to accommodate up to 2,400sqm of retail floorspace including 1,500sqm NLA for a supermarket.</li> <li>o Peet request that the proposed neighbourhood centre in the Local Planning Strategy be in line with the lodged Sub-Precinct G LSP.</li> </ul>																	

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<p>Subdivision Solutions WA on behalf of landowners Letsco P/L and Tony Mustica IN19/28491 IN20/1178, IN20/1179</p>	<p align="center">39.</p>	<p align="center">             PLANNING AND DEVELOPMENT ACT 2005 (As Amended)            TOWN PLANNING SUBMISSION: DRAFT LOCAL PLANNING SCHEME NO. 3            To: Chief Executive Officer – Shire of Serpentine Jarrahdale            Attention: Lauren Dujmovic, Coordinator Strategic Planning            Ref: SJ701         </p> <table border="1"> <tr> <td>DATE OF SUBMISSION:</td> <td>16 December 2019</td> <td>PREPARED BY:</td> <td>Subdivision Solutions WA</td> </tr> <tr> <td rowspan="2">LANDOWNERS</td> <td>Owner 1:</td> <td>Tony Mustica</td> <td>Email: info@subdivisionsolutionswa.com.au</td> </tr> <tr> <td>Owner 2:</td> <td>Letsco Pty Ltd</td> <td>Phone: 0419 952 108</td> </tr> <tr> <td rowspan="6">SITE ADDRESS (NORTH)</td> <td>Lot Numbers:</td> <td>98, 99 &amp; 9001</td> <td>Diagram/ Deposited Plan DP 52199 &amp; DP 72073</td> </tr> <tr> <td>Street number:</td> <td>N/A</td> <td>Vol/Folio: -</td> </tr> <tr> <td>Street name:</td> <td>Gossage Road</td> <td>Suburb: Cardup</td> </tr> <tr> <td>Lot Size:</td> <td colspan="2">Lot 98: 48.1307 ha Lot 99: 55.8809 ha Lot 9001: 40.0128 ha</td> </tr> <tr> <td>Existing Site Development:</td> <td colspan="2">Undeveloped – low lying grassland, trees and vegetation</td> </tr> <tr> <td>LGA:</td> <td colspan="2">Shire of Serpentine</td> </tr> <tr> <td rowspan="6">SITE ADDRESS (SOUTH)</td> <td>Lot Numbers:</td> <td>391, 392, 393</td> <td>Diagram/ Deposited Plan DP 77690</td> </tr> <tr> <td>Street number:</td> <td>900</td> <td>Vol/Folio: -</td> </tr> <tr> <td>Street name:</td> <td>Hopkinson Road</td> <td>Suburb: Cardup</td> </tr> <tr> <td>Lot Size:</td> <td colspan="2">Lot 391: 18.011 ha Lot 392: 51.5696 ha Lot 393: 51.6108 ha</td> </tr> <tr> <td>Existing Site Development:</td> <td colspan="2">Single Residence with multiple outbuildings and pergolas for farming Low lying grassland, trees and vegetation</td> </tr> <tr> <td>LGA:</td> <td colspan="2">Shire of Serpentine</td> </tr> <tr> <td rowspan="3">ZONING &amp; LAND USE</td> <td>MRS:</td> <td>Rural</td> <td>LPS 2 Zoning: Rural</td> </tr> <tr> <td>Draft LPS 3 zoning</td> <td colspan="2">Rural</td> </tr> <tr> <td>Notes:</td> <td colspan="2">Perth &amp; Peel @ 3.5 million identifies the northern portion of the site (Lots 98,99 &amp; 9001) for 'Rural Residential'</td> </tr> </table>	DATE OF SUBMISSION:	16 December 2019	PREPARED BY:	Subdivision Solutions WA	LANDOWNERS	Owner 1:	Tony Mustica	Email: info@subdivisionsolutionswa.com.au	Owner 2:	Letsco Pty Ltd	Phone: 0419 952 108	SITE ADDRESS (NORTH)	Lot Numbers:	98, 99 & 9001	Diagram/ Deposited Plan DP 52199 & DP 72073	Street number:	N/A	Vol/Folio: -	Street name:	Gossage Road	Suburb: Cardup	Lot Size:	Lot 98: 48.1307 ha Lot 99: 55.8809 ha Lot 9001: 40.0128 ha		Existing Site Development:	Undeveloped – low lying grassland, trees and vegetation		LGA:	Shire of Serpentine		SITE ADDRESS (SOUTH)	Lot Numbers:	391, 392, 393	Diagram/ Deposited Plan DP 77690	Street number:	900	Vol/Folio: -	Street name:	Hopkinson Road	Suburb: Cardup	Lot Size:	Lot 391: 18.011 ha Lot 392: 51.5696 ha Lot 393: 51.6108 ha		Existing Site Development:	Single Residence with multiple outbuildings and pergolas for farming Low lying grassland, trees and vegetation		LGA:	Shire of Serpentine		ZONING & LAND USE	MRS:	Rural	LPS 2 Zoning: Rural	Draft LPS 3 zoning	Rural		Notes:	Perth & Peel @ 3.5 million identifies the northern portion of the site (Lots 98,99 & 9001) for 'Rural Residential'		<p>The Shire supports the recommendation to identify the area identified as Rural Enterprise Investigation, as Rural Residential RR-1 under the Draft Local Planning Strategy. The area is outlined as Rural Residential under the State Planning Framework under Perth and Peel @ 3.5 Million and the Shire supports alignment with this under the Draft Local Planning Strategy.</p> <p>The land further south provides a buffer to the West Mundijong Industrial Area. The Shire supports a 1km buffer zone of Rural Enterprise Investigation area north of Bishop Road under the Draft Local Planning Strategy.</p> <p>The land will remain Rural under the Draft Local Planning Scheme No.3. Rezoning of this land will be subject to further studies. The applicant will have to go through due process in submitting a Scheme amendment to the Local Planning Scheme and follow orderly and proper planning. The Shire will consider any Scheme amendment based on its merit, as well as its alignment to the Local Planning Strategy. Importantly future scheme amendments will be assessed regarding their alignment with the Local Planning Strategy.</p>	
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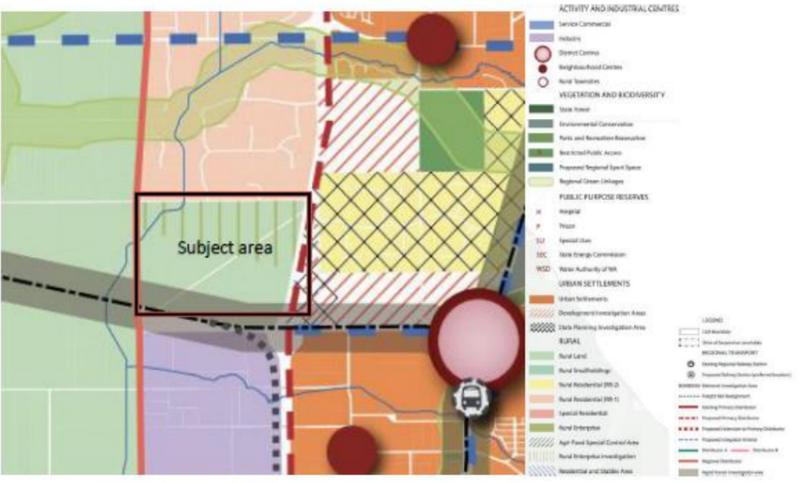
Submitter	No	Submitter Comments	Officer Comment	Officer Recommendation
		<p>The purpose of lodging this submission is to strongly advocate that:</p> <ul style="list-style-type: none"> <li>• The proposed 'Rural Enterprise investigation' zone be pushed down to encompass the southern portion of the site, and act in itself as a buffer to the West Mundijong Industrial Area and associated railway line; and</li> <li>• The northern portion of the site be identified as Rural Residential 1(RR1) consistent with the landholdings to the north. Rural Residential 2 (RR2) to act as a transition zone between the future Tonkin Highway and the proposed RR1 zoning; and</li> <li>• The eastern portion of the site to be identified as Rural Residential 2 consistent with the landholdings to the east of Hopkinson Road and corresponding with the ultimate realisation of the Development Investigation areas depicted on the Draft Local Planning Strategy Map</li> </ul> <p>As per the engineering report a range of engineering aspects has been considered to demonstrate that Lots 98, 99, 9001 Gossage Road and Lots 391,392, 393 Hopkinson Road, Cardup (The Land) can be subdivided to create rural-residential lots. The Land is fit for this purpose and can be serviced and developed.</p> <p>Based on the anticipated geotechnical conditions, the land is capable of being developed into rural-residential lots. Provision will most likely need to be made for sand pads for dwelling construction.</p> <p><b>Stormwater Drainage</b>  The roads will be crowned to direct run-off to open drains alongside the road. These drains will be treated for bioretention. The major events will discharge into the existing Oakland Drain. Run-off from roofs will be contained on the lots.</p> <p><b>Roads</b>  Roads will be crowned, unkerbed roads with a two coat seal and table drains on either side. Intersections will be kerbed and asphalted.</p> <p><b>Water Supply</b>  The land falls outside the Water Corporation planning for a potable water supply. Depending on further analysis, an extension from the distribution mains to the north may be possible. In the short-term, rainwater tanks with provision for firefighting may be considered.</p> <p><b>Wastewater</b>  The land falls outside the Water Corporation's wastewater scheme planning. Lots will need to be serviced with onsite ATU's.</p> <p><b>Underground Power</b>  It is anticipated that the existing high voltage (HV) network has spare capacity of approximately 5mVA of spare capacity in 2020 which is maintained up to 2036 and as such the area has sufficient capacity to take on the development load.</p>	<p>We appreciate your response via submission to the Draft Local Planning Strategy and Local Planning Scheme No.3.</p>	

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		<p><b>TOWN PLANNING SUBMISSION</b></p> <p><b>1. Purpose</b>            The purpose of this submission is to advocate the rezoning of approximately 278 hectares of Rural Zoned land as depicted in Figure 3 below.            The subject land can be viewed in the context of the surrounding rural residential and emerging urban settlements, as shown in Figures 1 and 2 below.</p>  <p><b>FIGURE 1: LOCATION MAP</b></p> <p><b>2. Background</b>            The subject area is located in the Shire of Serpentine-Jarrahdale, approximately 7.5 km south-west of the Armadale Strategic Metropolitan Centre and 4 km south-west of the Byford Town Centre at the intersection of Hopkinson and Gossage Road. The Byford Urban Growth Cell, which is a rapidly developing residential front, is situated 1.5km north-east of the subject area, while the planned Mundijong-Whitby Urban Growth Cell is situated approximately 1 km south-east. The subject area is strategically located between these two significant urban growth cells in the Shire of Serpentine-Jarrahdale.</p> <p>The subject area is currently used for low intensity cattle grazing and farming operations occurring across the site. A 3 bedroom dwelling and sheds and cattle yard relating to this farm remain. The land currently supports cattle with multiple paddocks and water troughs cross the property. Past and present agricultural pursuits have had a significant impact upon the natural environment of the site with almost all native vegetation removed or degraded. The amendment area has a long history of agricultural activity, having been largely cleared of vegetation and any remaining vegetation on site is likely to be categorised as "Completely Degraded". No Threatened Ecological Communities or Priority Ecological Communities have been identified. No part of the site is designated as Bush Forever.</p> <p>Land use and development within the subject area is generally controlled by the Shire of Serpentine-Jarrahdale Town Planning Scheme No. 3 which identifies the land as "Rural". Previous discussions with the Shire revealed that the Shire have in principle supported 'rural residential' over the northern portion of the site though this is not</p>		

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		<p>reflective in draft LPS 3 nor the Local Planning Strategy which identifies the northern portion as 'rural enterprise investigation area'.</p>  <p><b>FIGURE 2: LOCAL PLANNING STRATEGY MAP</b></p> <p><b>3. Scope and content</b></p> <p>The northern portion of the subject site is generally bound by the Tonkin Highway reservation to the west, Gossage Road to the north, and Kargotich Road to the west.</p> <p>The southern portion of the subject site is generally bound by Hopkinson Road to the west, the rail line to the south which is north of Bishop Road and Kargotich Road to the west.</p> <p>The total area subject to this submission is approximately 278 hectares.</p> <p><b>4. Proposed subdivision – northern portion of subject site</b></p> <p>As per Figure 5 below and Figure 7 contained within the Appendix, the proposed subdivision includes both 1 and 2 hectare lots (RR1 and RR2) strategically located in accordance with the underlying rezoning proposed to LPS3, advocated throughout this submission.</p> <p>The RR2 cell adjoining the future Tonkin Highway road reserve provides more than adequate scope for single dwellings to comply with relevant planning and development controls such as Noise Attenuation measures, preservation of significant trees and vegetation and the siting of Building Envelopes with respect to the underlying objectives of the rural zoning.</p> <p>The creation of the proposed RR1 lots to the west of the RR2 cell are integral to the success of the overall proposal.</p>		
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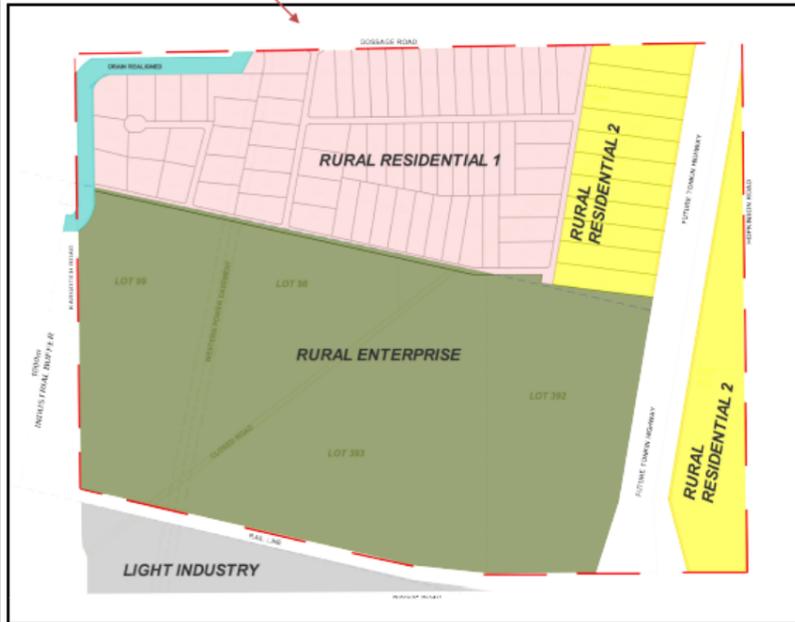
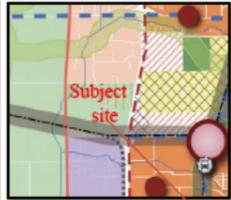


FIGURE 3 – PROPOSED ZONING MAP

Directly north of the subject site is a significant area of landholdings zoned 'Rural Living A' under The Shire's LPS 2 and 'Rural Residential' under the Shire's proposed LPS3. Lots range in size from 0.4 to over 8 hectares however, there is a significant proportion of landholdings with lot areas of 0.4 ha to 0.8 ha.

The proposed RR1 zoning with the creation of 1 hectare lots at a minimum is considered consistent with the prevailing development directly to the north of the subject site and in itself, will act as a transition between the

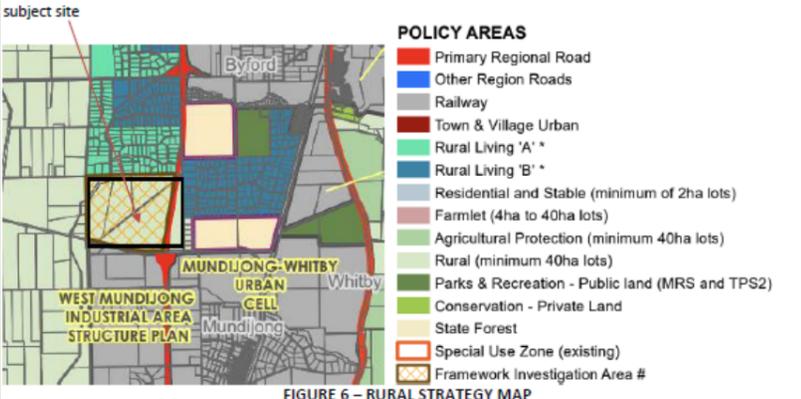
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		<p>rural enterprise zoning to the south, and the Rural Residential zoning to the north which, as stipulated above, includes a high occurrence of lots of under 1 hectare in area.</p> <p>It is envisaged that the eventual subdivision of the northern half of the landholdings (as depicted in Figure 5) would occur in 3 stages. Stage 1A would comprise of the creation of the RR2 lots to the west of Tonkin Highway and the row of RR1 lots abutting Gossage Road.</p> <p>The proposed RR1 lots located to the south of the stage 1A lots would form stage 1B.</p> <p>The lots to the west of Stage 1B, all zoned RR1, would form stage 1C given the likely length of time it would take to obtain all the necessary approvals and undertake the necessary site works to realign the drainage channel.</p>  <p style="text-align: center;"><b>FIGURE 4 – OVERALL SITE PLAN</b></p>		

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		<p><b>5. Planning Framework</b></p> <p>The entirety of the land is zoned 'Rural' under the Metropolitan Region Scheme 'MRS' and 'Rural' under the Shire's Local Planning Scheme No. 3.</p> <p><b>Perth and Peel @ 3.5million and South Metropolitan Peel Sub-Regional Planning Framework</b></p> <p>The South Metropolitan Peel Sub-Regional Planning Framework forms part of the Perth and Peel @ 3.5million strategic suite of planning documents. Future areas for urban and industrial development have been determined in conjunction with the State Government's current Strategic Assessment of the Perth and Peel Regions, in order to avoid and protect areas which have significant regional environmental value. Future areas for urban development have been determined in conjunction with the State Government's draft Strategic Assessment of Perth and Peel Regions, in order to avoid and protect areas which have significant regional environmental value. The Framework identifies the northern portion of the subject land as 'Rural Residential'. Notably, the Framework identifies the landholdings to the north of the subject site as 'Urban'.</p> <p>Subject site</p>  <p align="center">FIGURE 5 – PERTH AND PEEL @ 3.5 MILLION FRAMEWORK MAP</p>		

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		<p>Shire of Serpentine Rural Strategy Review 2017</p>  <p style="text-align: center;">FIGURE 6 – RURAL STRATEGY MAP</p> <p>The subject area is depicted as 'Framework Investigation Area' in the Rural Strategy Review, acknowledging that this area is depicted as 'Rural Residential' in the South Metropolitan and Peel Sub-Regional Planning Framework.</p> <p>According to the Rural Strategy, approximately 870 new rural lots may be required by 2031 to meet the population projections from Forecast ID. The proposed creation of 74 rural residential lots which are the subject of this submission would contribute 8% towards the target increase of rural lots within the Shire over the next 11-12 years.</p> <p><b>State Planning Policy 3.7: Planning in Bushfire Prone Areas</b></p> <p>State Planning Policy 3.7: Planning in Bushfire Prone Areas (SPP 3.7) seeks to guide the implementation of effective risk-based land use planning and development to preserve life and reduce the impact of bushfire on property and infrastructure. It applies to all higher order strategic planning documents, strategic planning proposals, subdivision and development applications located in designated bushfire prone areas (unless exemptions apply). The accompanying Guidelines for Planning in Bushfire Prone Areas provide supporting information to assist in the interpretation of the objectives and policy measures outlined in SPP 3.7. They provide advice on how bushfire risk is to be addressed when planning, designing or assessing a planning proposal within a designated bushfire prone area. A Bushfire Management Plan may need to be approved for the site by the Department of Fire and Emergency Services however it is anticipated that the proposed subdivision configuration would not require any major modifications to ensure the objectives of SPP 3.7 are achieved.</p> <p><b>State Planning Policy 4.1: State Industrial Buffer Policy and Guidance Note 3 – Separation Distances between Industrial and Sensitive Land Uses (EPA – 2005)</b></p> <p>The EPA designates a minimum separation distance of 500 – 1000 metres for the bulk of operations associated with and deemed acceptable within the Light Industry Zoning to the south of the subject site. A 1000 metre buffer is provided from the future Industrial use site to the southern-most portion of the proposed rural residential zoning to the north of the Industrial site.</p> <p><b>Draft State Planning Policy 5.4: Road and Rail Noise</b></p> <p>Draft SPP 5.4 addresses transport noise from within major transport corridors, including primary freight routes, and its impact on nearby noise-sensitive land uses. As the Tonkin Highway reservation abuts the eastern boundary</p>		

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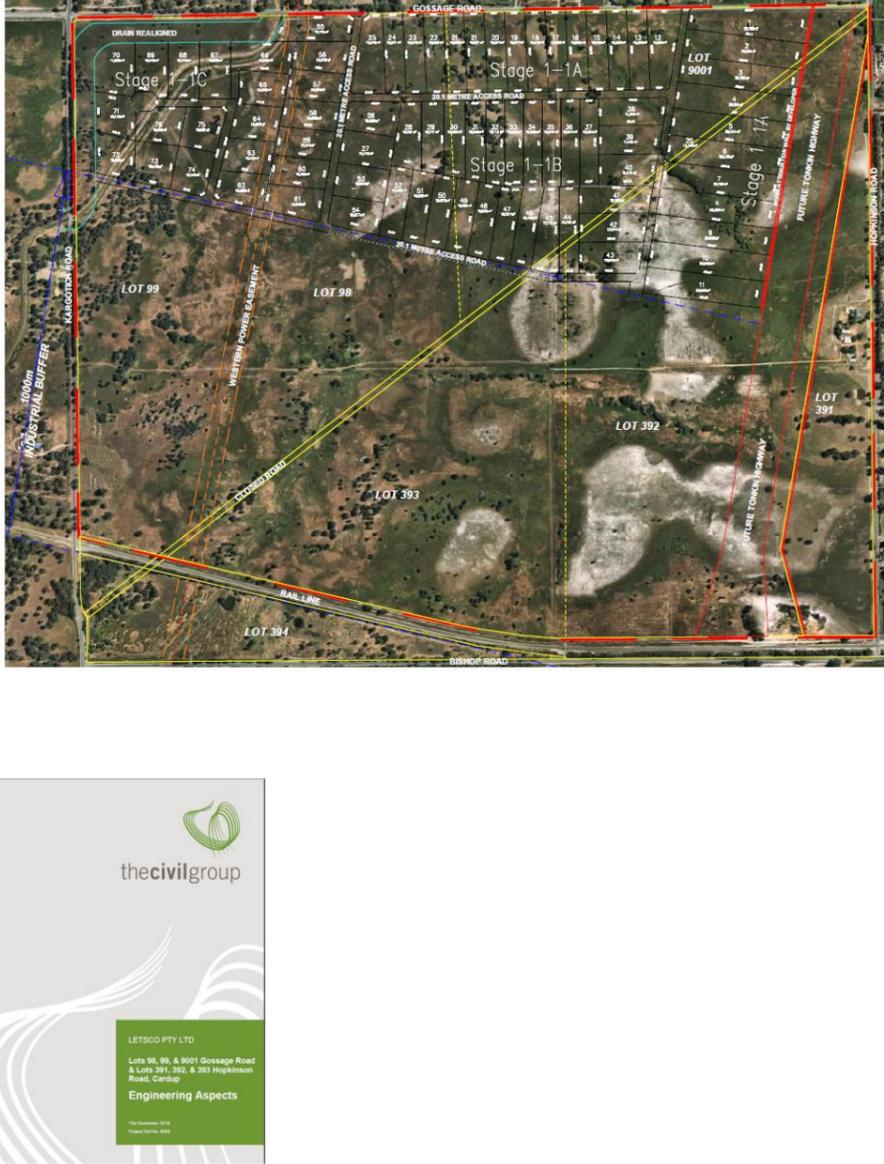
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		<p>of the subject land, there is the potential for noise attenuation to be required in future. The exact nature of these measures will be determined at the detailed structure planning stage. Noise reduction strategies will be designed and implemented in conjunction with local government recommendations and government agency guidelines. In subsequent planning stages, management measures will be incorporated into the future development to minimise the impacts of future noise and may also be subject to subdivision and development approval conditions.</p> <p>At this early stage, we expect the Rural Residential 2 lots to be constructed with an Acoustic Wall abutting the Tonkin Highway Reserve. Given the significant distance from the highway to the building envelope setback 25 metres from the primary street, it is unlikely that the residences will require further noise attenuation measures in addition to the acoustic wall constructed by the developer.</p> <p>The rail line to the south of the site will be located over 800 metres from the nearest Rural Residential lot proposed to the northern portion of the site. It is therefore highly unlikely to pose any adverse impact on the proposed Rural Residential subdivision to the northern portion of the site given the applicable noise target, which is likely to be in the range of 46 – 53dB, can easily be achieved.</p> <p><b>Environment</b></p> <p>Although no contact has been made with the Department of Water and Environmental Regulation (DWER), we expect that DWER is unlikely to raise any objections to the proposal given the land is not registered as an environmental asset. A flora and fauna study will accompany a proposed Scheme Amendment should the Shire elect to initiate the proposed Amendment.</p> <p><b>Aboriginal heritage</b></p> <p>The Aboriginal Heritage Act 1972 (AHA) provides for the protection and preservation of Aboriginal heritage and culture throughout Western Australia, including places and objects that are of significance to Aboriginal people. Aboriginal sites and materials are protected whether or not they have been previously recorded or reported. The process of rezoning or reservation of land in a region scheme is not in itself directly affected by the AHA. Proposed changes to land-use at MRS amendment stage are broad by nature and do not physically interfere with the land. Consideration of any protection that may be required is addressed more specifically at later stages of the planning process, typically being a local planning scheme amendment and when preparing a local structure plan.</p> <p>We expect the Shire will have identified the proposed landholdings during the review of the Rural Planning Strategy and any protection measures will have been highlighted and recorded for purposes of the Local Planning Scheme No.3. As there is no record of the land posing a risk to Aboriginal heritage, we expect that the Scheme Amendment, should the Shire initiate such an Amendment, will not require referral to the South West Aboriginal Land and Sea Council (SWALSC).</p> <p><b>Sustainability</b></p> <p>In our opinion, the proposed rezoning from 'Rural' to 'Rural Residential' will facilitate the future 'Rural Residential' development of the site in accordance with the Perth and Peel @ 3.5 Million plan / South Metropolitan Peel Sub Regional Planning Framework and will complement the planned West Mundijong Industrial area, and will have access to the future regional road network via the extension of Tonkin Highway.</p> <p><b>Transportation</b></p> <p>A traffic impact assessment and engineering input will accompany the proposed Scheme Amendment.</p>		

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		<div style="border: 1px solid black; padding: 5px;"> <p><b>Planning justification summary</b></p> <ul style="list-style-type: none"> <li>The subject site is strategically placed with future urban expansion to the north, north-east and south-east of the site. Rural Residential zoning would complement the future urban settlements and allow larger 1ha and 2ha lots to transition between rural and urban settings; and</li> <li>The future Industrial uses and rapid transport expansion to the south is located sufficiently from the proposed rural residential zoning to ensure a suitable noise and odour amenity buffer is provided; and</li> <li>The bulk of Landholdings east of Kargotich Road are predominantly zoned 'rural residential' which accords with the proposed zoning of the subject land; and</li> <li>The site has been identified for 'rural residential' development at a State Planning level; and</li> <li>The site adjoins 'rural residential' to the north; and</li> <li>The proposed subdivision is capable of compliance with relevant local and state planning regulations; and</li> <li>The subject site is within short travel distance to nearby services and amenity, both existing and planned; and</li> <li>The proposed subdivision will contribute to the Shire's rural density targets; and</li> <li>A landholding approximately 1km to the north-east of the subject site (Lot 33 Hopkinson) has received support from the WAPC to initiate a Scheme Amendment from 'Rural' to 'Urban Deferred'. The proposed rezoning and subsequent subdivision requires a minor Local Planning Scheme amendment in comparison and is unlikely to prejudice future planning of the area at State Planning Level.</li> </ul> </div> <div style="border: 1px solid black; padding: 5px; margin-top: 10px; text-align: center;"> <p>Your Subdivision Solutions WA Contact      Craig Jordan BA U &amp; E Plan &amp; HND BS</p> </div> <div style="text-align: center; margin-top: 20px;"> <p style="font-size: small;">FIGURE 7 – DETAILED SUBDIVISION PLAN (ABOVE) AND FIGURE 8 – OVERALL SITE PLAN (BELOW)</p> </div>		
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		<p style="text-align: center;"><b>Lots 98, 99, &amp; 9001 Gossage Road &amp;            Lots 391, 392, &amp; 393 Hopkinson Road,            Cardup</b></p> <p style="text-align: center;"><b>Engineering Aspects</b></p> <p><small>Disclaimer            This document is copyright and is published in accordance with and subject to an agreement between The Civil Group WA Pty Ltd and the Client (Subsidiary Pty Ltd) for whom it has been prepared ("Client"). The Client may rely on and use this document only for the purposes agreed with The Civil Group. No other person or organisation may rely on or use this document for any purpose without first obtaining the prior written consent of The Civil Group.            If either the Client relies on or uses this document for a purpose not agreed with The Civil Group, or any other person relies on or uses this document for any purpose without the obtaining the prior written consent of The Civil Group, then as to that use, the Civil Group will have no liability in law, contract or otherwise for any loss, damage or injury of any kind whatsoever that may be suffered directly or indirectly as a consequence of relying on or using the information or assessments for any other purpose.            The Civil Group retains the intellectual property in all documents produced in connection with the Services provided to the Client. The Civil Group grants the Client a license to the intellectual property in all documents produced in connection with the Services for any purpose for which the Services were provided. If the Client is in breach of any obligation to repay a payment to The Civil Group, The Civil Group may, at its sole discretion, revoke the license. If The Civil Group revokes the license then the Client must return all documents produced by The Civil Group in connection with the Services, including any copies within 21 days of the date of revocation of the license.            The Civil Group does not warrant the accuracy of any estimates or assessments of any development costs that The Civil Group may produce. The quantities and assessments of any costs are only an indicative engineering estimate. The assessments are based on The Civil Group's experience on similar projects and they are only valid for the day on which they are published. Any estimates or assessments of any costs should only be used by the Client and only for indicative budgeting purposes together with an appropriate contingency.</small></p> <p style="text-align: center;"><small>thecivilgroup   Lot 33 Hopkinson Road, Cardup   page 14</small></p>		

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		<p><b>Summary</b></p> <p><b>Introduction</b>            In this report a range of engineering aspects has been considered to demonstrate that Lots 98, 99, 9001 Gossage Road and Lots 391,392, 393 Hopkinson Road, Cardup (The Land) can be subdivided to create rural-residential lots. The Land is fit for this purpose and can be serviced and developed.</p> <p><b>Land Capability</b>            The geotechnical report confirms that the site generally comprises Guildford Formation, described as sandy clay, with areas of thin Bassendean sand overlying the Guildford Formation in parts of the site.</p> <p>The site is within an area of <i>"moderate to low risk of acid sulphate soils (ASS) occurring within 3m of natural soil surface"</i> with an area of <i>"no known risk of acid sulphate spoils occurring within 3m of natural surface"</i> on the eastern boundary. ASS issues if shown to be on the land will be easily managed during construction.</p> <p>Based on the anticipated geotechnical conditions, the land is capable of being developed into rural-residential lots. Provision will most likely need to be made for sand pads for dwelling construction.</p> <p><b>Stormwater Drainage</b>            The roads will be crowned to direct run-off to open drains alongside the road. These drains will be treated for bioretention. The major events will discharge into the existing Oakland Drain.</p> <p>Run-off from roofs will be contained on the lots.</p> <p><b>Roads</b>            Roads will be crowned, unkerbed roads with a two coat seal and table drains on either side.</p> <p>Intersections will be kerbed and asphalted.</p> <p><b>Water Supply</b>            The land falls outside the Water Corporation planning for a potable water supply. Depending on further analysis, an extension from the distribution mains to the north may be possible. For firefighting, the developer will install bore tanks/tank stand, pump and hydrants with hydrants outside of every lot..</p> <p><b>Wastewater</b>            The land falls outside the Water Corporation's wastewater scheme planning. Lots will need to be serviced with onsite ATU's.</p>		

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		<p><b>Underground Power</b>  It is anticipated that the existing high voltage (HV) network has spare capacity of approximately 5mVA of spare capacity in 2020 which is maintained up to 2036 and as such the area has sufficient capacity to take on the development load.</p> <p><b>Gas</b>  ATCO Gas has a medium pressure gas pipe in Cardup Siding Road and a high pressure main in Bishop Road, east of Hopkinson Road.</p> <p>Rural style developments usually rely on bottled gas, however, should reticulated gas be preferable, mains can possibly be extended to the site.</p> <p><b>Telecommunications</b>  The development can will be serviced by extending the existing NBN Co. networks in Cardup Siding Road and Hopkinson Road.</p>		

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		<p><b>1. General</b></p> <p>Letsco Pty Ltd is lodging a submission to the Shire of Serpentine-Jarrahdale in response to the draft Local Planning Scheme No 3, advocating that rural zoned land be rezoned to rural-residential as per the zoning plan.</p> <p>The lots (The Land) which are the subject of the rezoning application comprise the following land parcels:</p> <ul style="list-style-type: none"> <li>• Lots 98, 99, 9001 Gossage Road, Cardup</li> <li>• Lots 391, 392, 393 Hopkinson Road, Cardup.</li> </ul> <p>The land is currently zoned rural under the Metropolitan Regional Scheme and the Shire of Serpentine-Jarrahdale Town Planning Scheme No 2.</p> <p>The land will most likely be subjected to the following State Planning Policies:</p> <ul style="list-style-type: none"> <li>• Planning in Bushfire Prone Areas</li> <li>• Peel-Harvey Coastal Plan Catchment Policy.</li> <li>• Basic Raw Materials Policy.</li> <li>• Road and Rail Noise Policy.</li> </ul> <p>The land will likely be subdivided into rural-residential lots ranging in size between 1Ha and 2Ha in size.</p> <p>The Civil Group has investigated the availability of services and has detailed a servicing strategy to support the Local Structure Plan.</p> <p><b>2. Site Description and Geology</b></p> <p><b>3.1 Site Description</b></p> <p>The land is bounded by Gossage Road in the north, Hopkinson Road in the east, the railway line and Bishop Road in the south and Kargotich Road in the west.</p> <p>The future Tonkin Highway extension road reserve and a Water Corporation reserve is located in the east between lots 391 and 392.</p> <p>An overhead Western Power HV transmission line crosses the land and is contained within an easement.</p> <p>An old road reserve across the land has been closed.</p> <p>A section of the Water Corporation's Oaklands Main Drain crosses the north-west corner of the site.</p> <p style="text-align: center; background-color: #669933; color: white; padding: 2px;"> <span style="font-size: 0.8em;">thecivilgroup</span>   <span style="font-size: 0.8em;">Lot 33 Hopkinson Road, Cardup</span>   <span style="font-size: 0.8em;">page 17</span> </p>		

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		<p>The land is relatively flat in the eastern half with contours ranging from RL27mAH to RL22mAH. The western half of the site is flat with an average contour of RL22mAH.</p> <p>The land comprises approximately 278 hectares and has largely been cleared for pasture.</p> <p>A dwelling, sheds and cattle yards are located close to Hopkins Road.</p> <p>There are rural-residential developments immediately north of the land and on the eastern side of Hopkins Road.</p> <p><b>3.2 Geology</b></p> <p>The relevant extract of the Serpentine 1:50 000 Environmental Geology sheet is presented as Figure 1 below. The geological sheet indicates that shallow sub surface conditions at and around the site comprise Guildford Formation, described as sandy clay, with areas of thin Bassendean sand overlying the Guildford Formation in parts of the site.</p> <p>Douglas Partners has undertaken several investigations in the general area within which the site lies, including for the Gossage Road bridge on the northern boundary of the site and for residential developments on Hopkins Road and Gallagher Way.</p> <p>The previous experience in the area confirms the geological map, with previous investigations generally encountering thin surficial sand overlying clayey soils of the Guildford Formation. Cemented sand (colloquially known as Coffee Rock), which commonly occurs within the Guildford Formation, was encountered in the nearby sites.</p> <p><b>Figure 1 – Extract from the Serpentine 1:50 000 Environmental Geology Sheet</b></p> 		

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		<p>It is considered that, from a geotechnical perspective, the site is considered geotechnically suitable for the proposed development. The following potential key risks, constraints and opportunities should be considered:</p> <ul style="list-style-type: none"> <li>• Shallow clayey soils are indicated to be present. Based on experience in the area, it is anticipated that the AS 2870-2010 site classification would be generally 'Class S' or 'Class M' for most of the site, though areas with a classification of Class H' cannot be precluded without detailed investigation. Placement of non-reactive granular fill over the clayey soils may be required if a site classification 'Class A', or 'Class S' where more onerous classification exists at present, is targeted for building pads.</li> <li>• From Douglas Partners' experience, the clayey soils of the Guildford Formation are generally not geotechnically suitable for re-use as fill. However, the thin Bassendean sand indicated to overlie the Guildford Formation in parts of the site is likely to be geotechnically suitable for re-use as structural fill provided it is present in sufficient thickness to allow excavation and storage without mixing with the underlying clayey soils.</li> <li>• Conventional earthmoving equipment should be generally suitable for excavations across the site. However, cemented sand may occur below the site. If encountered, use of rock breakers or similar may be required to puncture the cemented layer.</li> <li>• The regional superficial aquifer is indicated to be generally within 2 m of the existing ground surface elevation, and perched groundwater is possibly near or at ground level during the wet period of the year. Therefore, deep excavations below existing ground level may need to allow for dewatering, particularly in the winter months. Shallow maximum groundwater levels will possibly impact project finished levels.</li> <li>• The risk of encountering acid sulphate soils is "moderate to low within 3 m of the ground surface". In this regard, should disturbance of soils in excess of 100 m<sup>3</sup> below the water table or dewatering be required as part of site development, investigations should be undertaken to assess the presence or absence of acid sulphate soils.</li> </ul> <p><b>3. Environmental</b></p> <p><b>3.1 Groundwater levels</b></p> <p>The Perth Groundwater Atlas (2004) indicates that the regional groundwater level below the site in May 2003 (i.e. near seasonal low levels) varied between approximately RL 15 m AHD on the western boundary of the site to approximately RL 25 m AHD on the eastern boundary.</p> <p>Ground surface elevation data provided by <i>nearmap</i> indicates that May 2003 regional groundwater levels were generally within 2 metres of the existing ground surface.</p> <p style="text-align: center; background-color: #4CAF50; color: white; padding: 2px;">thecivilgroup   Lot 33 Hopkinson Road, Cardup   page 19</p>		

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		<p>Douglas Partners' experience on nearby sites includes an investigation on Hopkinson Road to the north of the site, with surface levels slightly higher than those on the study site. The investigation was undertaken in October 2014 (i.e. near seasonal high levels). The investigation encountered groundwater levels generally between 0.7 m and 2.3 m below existing ground level.</p> <p>Perched groundwater, which can be shallower than the regional superficial aquifer discussed above, is common within and on the surface of the Guildford Formation.</p> <p>It should be noted that groundwater levels are affected by climatic conditions and land usage and will therefore vary with time.</p> <p><b>3.2 Acid Sulphate Soils</b></p> <p>Published acid sulphate risk mapping indicates that the site is mapped as "moderate to low risk of acid sulphate soils occurring within 3 m of natural soil surface". Douglas Partners experience on a nearby site, where some preliminary testing was done, determined a similar level of risk.</p> <p>DWER Guidelines recommend that, investigation for acid sulphate soils in areas of "moderate to low risk" and preparation of a management plan (if required) should typically be undertaken for the following:</p> <ul style="list-style-type: none"> <li>• Excavation of greater than 100 m3 of soils from below the natural water table; and/or;</li> <li>• Dewatering is proposed to be undertaken.</li> </ul> <p><b>3.3 Wetlands</b></p> <p>The Department of Biodiversity, Conservation and Attractions online mapping shows that the land and most of the surrounding area is classified as a multiple use wetland. There are no high value wetlands identified on the site.</p> <p><b>3.4 Vegetation</b></p> <p>The site has predominantly been cleared of all native vegetation apart from isolated trees in the north-west in the vicinity of the Oakland Main Drain.</p> <p>The previous land use appears to have been livestock farming.</p>		

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		<p><b>4. Stormwater Management</b></p> <p>The Water Corporation's Oakland Main Drain traverses the land in the north-western corner. A sub-section of the drain is also located in the southern verge of Gossage Road.</p> <p>The Oakland Main Drain flows south to Mundijong Road and then west to the Birrega Drain. These drains all fall within the Peel Harvey Catchment.</p> <p>The stormwater management strategy for the land will comprise crowned roads with table drains directing run-off from the road surface to sub-drains and eventually discharging into the Oaklands Main Drain.</p> <p>Allowances for bio retention treatment in the table drains will be made by utilizing flat grades and lining the drains with suitable material with a high phosphorous retention index and suitable nutrient removing vegetation.</p> <p>The intention is to realign the Oakland Main Drain to follow the boundary of the property in the northwest, subject to approval by the Water Corporation.</p> <p>This will ensure that residential crossings over the drain are limited and also decrease the number of property frontages on Gossage Road and Kargotich Road. (see Figure 2 below)</p> <p style="text-align: center;"><b>Figure 2 – Proposed realignment of Oakland Main Drain</b></p>  <p>The rural lots will manage all other stormwater run-off on the individual properties.</p> <p>A summary of the stormwater management proposed is as follows:</p> <ul style="list-style-type: none"> <li>• Regional floodways, outflows, and storage to be provided in accordance with the Department of Water &amp; Environmental Regulation and Water Corporation requirements.</li> <li>• Retention of existing design flows in Oakland Main Drain.</li> </ul>		

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		<ul style="list-style-type: none"> <li>• Habitable floor levels to be set at least 300mm above peak 100-year storm event levels.</li> <li>• Overland flow paths for major (i.e. less frequent) events to be via roadways.</li> </ul> <p><b>5. Roads</b></p> <p>Once constructed, the Tonkin Highway extension will sever all access from Hopkinson Road, with the exception of lot 391 which will still have frontage onto Hopkinson Road.</p> <p>The rail line to the south also severs access from Bishop Road, with the exception of lot 394.</p> <p>No intersection with the Tonkin Highway extension is planned for Gossage Road. There is an intersection planned at Bishop Road which will also link Tonkin Highway to Kargotich Road.</p> <p>The proposed road hierarchy will be based on Liveable Neighbourhoods, providing low volume access for rural living lots.</p> <p>Roads will generally comprise a 6m wide unkerbed two coat seal, crowned, with table drains on each side.</p> <p>Intersections will be kerbed and asphalted.</p> <p><b>6. Water Supply</b></p> <p>The State Planning Policy 2.5 in Section 5.3 (vi) states that, where lots of four hectares or less are proposed and a reticulated water supply is available, the lots will need to be serviced with potable water by a licenced service provider. Where a reticulated supply is not available, the WAPC may consider a fit-for-purpose domestic potable water supply which must include water for firefighting purposes.</p> <p>The most likely/only option for water supply to this area from a Water Corporation scheme would be from the Byford Gravity (PRV) scheme to the northeast. Further water planning investigations would need to be undertaken by the Water Corporation to confirm this. The land is outside the extent of the planned scheme and the additional number of services would need to be added to scheme to determine what upgrades might be required back into the system.</p>		

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		<p style="text-align: center;"><b>Figure 3 – Byford Gravity PRV Scheme</b></p>  <p>The land is more than 5km from a suitably-sized distribution main from which an extension could be made. The Water Corporation's preference from a scheme operating perspective is generally not to serve remote rural-residential or similar low demand developments with long, single feed water mains because of inadequate security of supply and consequent issues with water quality due to inadequate turnover with low/intermittent supply.</p> <p>The land is low lying and available pressures from the Byford network should be more than adequate, and possibly too high for customer services. Any connection off the scheme water supply will most likely require a pressure reducing valve on the main to reduce pressure to acceptable operating levels.</p> <p>At this stage, the Water Corporation cannot provide formal planning advice as they will need to carry out a more detailed analysis of the system and the proposed developments in the area.</p> <p>Since the land falls outside the Water Corporation's water planning and scheme zone boundary for the Byford Gravity Scheme and a potable water supply off reticulated mains will most likely not be economically viable, it is envisaged that the lots will be serviced with rainwater tanks that have an allowance for a permanent volume of water below the domestic outlet for firefighting purposes, similar to the rural-residential developments to the north of the land.</p> <p>Once the distribution mains are extended further to the southern boundary of the scheme, a reticulated water supply to supplement the tanks could be investigated.</p> <p>The use of groundwater to top up supplies during the drier periods can also be investigated but will be dependent on available groundwater allocations.</p> <p style="text-align: center; background-color: #4CAF50; color: white; padding: 5px;"> <span style="font-size: 0.8em;">thecivilgroup</span>   <span style="font-size: 0.8em;">Lot 33 Hopkinson Road, Cardup</span>   <span style="font-size: 0.8em;">page 23</span> </p>		

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		<p style="color: green; font-weight: bold;">7. Wastewater</p> <p>The WA Government Sewerage Policy in Section 5.1 (September 2019) requires all lots to be connected to reticulated sewerage.</p> <p>In the absence of an available reticulated sewerage scheme, which is the case for the land, the policy has discretionary provisions in section 5.2 for permitting onsite sewage disposal if all seven mandatory provisions listed in Section 5.1.1 of the Policy do not apply.</p> <p>Examining these mandatory provisions in Section 5.1.1 in the context of the proposed rural-residential development of the Land and using same numbers as the Policy, we note the following –</p> <p>(1) <i>where the provision of reticulated sewerage is required by a local planning scheme or a policy, strategy or plan endorsed by the Western Australian Planning Commission</i></p> <p style="padding-left: 40px;">This is not relevant to the land as there is no scheme in place requiring connection to reticulated sewerage.</p> <p>(2) <i>When any stage or part of the subdivision or development is already connected to reticulated sewerage</i></p> <p style="padding-left: 40px;">Not applicable to the land.</p> <p>(3) <i>Where the responsible authority determines any future or proposed subdivision or development can be reasonably connected to reticulated sewerage.</i></p> <p style="padding-left: 40px;">The Water Corporation has advised that a reticulated sewerage scheme is not available for connecting the lots.</p> <p>(4) <i>where the responsible authority determines that the absence of reticulated sewerage will jeopardise future land uses provided for in:</i></p> <p style="padding-left: 40px;">a. <i>a proposed or approved local planning scheme; or</i>  b. <i>in a proposed or endorsed Western Australian Planning Commission policy, strategy or plan.</i></p> <p style="padding-left: 40px;">Not applicable to the land.</p> <p>(5) <i>where the responsible authority determines that the absence of reticulated sewerage will prejudice, physically or financially, the ability to provide sewerage to the local area</i></p> <p style="padding-left: 40px;">Not applicable to the land.</p> <div style="background-color: #669933; color: white; padding: 2px; font-size: 8px; margin-top: 10px;"> <span style="float: left;">thecivilgroup</span> <span style="float: right;">Lot 33 Hopkinson Road, Cardup   page 24</span> </div>		

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		<p>(6) when the responsible authority determines that the absence of reticulated sewerage is will pose an unacceptable risk to public health, the environment or water resources. This includes instances where:</p> <ul style="list-style-type: none"> <li>a) the minimum site requirements for on-site sewage disposal systems (as defined in provision 5.2) cannot be reasonably met;</li> <li>b) the impact of on-site sewage disposal is deemed likely to have a detrimental impact on the water quality of a public drinking water source area or other waterway or wetland; and</li> <li>c) urban, industrial or commercial subdivision is proposed in Priority a public drinking water source areas.</li> </ul> <p>Not applicable to the land.</p> <p>(7) Where land is being rezoned for the creation of lots less than one hectare and the highest groundwater level is less than 0.5m below the natural ground level.</p> <p>Not applicable to the land.</p> <p>Based on the analysis of the criteria, an onsite sewage disposal system will be permitted, providing the following criteria (listed in Section 5.2) can be met:</p> <p><b>5.2.1 Lot sizes</b></p> <p>The table in 5.2.1 lists minimum required lot sizes for various environmental scenarios. The land falls within a sewage sensitive area, being in the estuary catchments on Swan Coastal Plain and the lot sizes need to be at least 1 hectare in size. The other scenarios in 5.2.1 do not apply.</p> <p><b>5.2.2 Separation from water resources</b></p> <p>The criteria for setbacks can be met for the land. The site is not located near a drinking water source.</p> <p><b>5.2.3 Separation form groundwater</b></p> <p>The requirements of 5.2.3 requires a separation of 1.5m in sewage sensitive areas. Based on contour information and online groundwater contours, the separation to groundwater is at least 2m. Onsite treatment units will require a site investigation as part of the building licence application and any closer proximity to groundwater will need to be corrected by constructing a sand pad to elevate the treatment unit.</p> <p><b>5.2.4 Land application area</b></p>		

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		<p>The size of the land application is dependent on the types of soils and the hydraulic load and will need to be calculated for the approval of the onsite disposal system proposed. Considering the minimum 1 hectare size proposed for the lots, the minimum areas for primary and secondary treatment can easily be met.</p> <p><b>5.2.5 Type of onsite treatment system required</b></p> <p>It anticipated that anaerobic treatment units (ATU's), which are approved by the Department of Health, will be used.</p> <p><b>10. Electricity, Gas, and Communications</b></p> <p><b>10.1 Electricity Supply</b></p> <p>An analysis of Western Power DBYD and DFIS system has been conducted in order to determine the existing power supply configuration surrounding the development.</p> <p>The existing Western Power network surrounding the site consists of existing Overhead 22kV High Voltage overhead lines along the eastern side of Hopkinson Road, southern side of Gossage Road along with existing underground LV cables on the northern side of Gossage Rd. This HV Feeder BYF503.0 originates from the Byford Zone substation located on the corner of Thomas &amp; George Rd. In addition to the distribution network, there also appears to be existing 330kV Transmission lines that traverse the property in proximity to the boundary of Lot 98/99 between Gossage and Bishops Road. An easement over these transmission lines would be required and is likely to be in the order of ~60 - 80m due to the pole configuration of the line.</p> <p>The proposed development plan to produce approximately 130 rural residential lots will result in approximately 1MVA of load being added to the network. It is anticipated that a HV cable will terminate into the existing HV overheads located in proximity to the development and will be run into a Switchgear and a series of Transformers within the proposed development, LV cables would then extend to pillars installed on each lot. 63KVA Transformers would be utilised to minimize the LV cable runs due to the large lot frontages.</p> <p>It has been assumed that the existing Western power Distribution assets within the area have sufficient capacity to take on the development load, the Western Power network mapping capacity has indicated that there is approximately &lt;5MVA of spare capacity in 2020 which is maintained up to 2036 and as such it is anticipated that the area has sufficient capacity to take on the development load, however it is encouraged to undertake a planning study or place DIP applications closer to the date of proposed load uptake to determine if the existing network has the capacity to take on the development load.</p> <p>It should be noted that due to the dynamic nature of Western Power's network, infrastructure requirements and connection points referred above may differ when applications are placed in the future.</p> <p style="text-align: center; background-color: #4CAF50; color: white; padding: 2px;"> <span style="font-size: 0.8em;">thecivilgroup</span>   <span style="font-size: 0.8em;">Lot 33 Hopkinson Road, Cardup</span>   <span style="font-size: 0.8em;">page 26</span> </p>		

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		<p><b>10.2 Gas Services</b></p> <p>ATCO Gas has a medium pressure gas pipe in Cardup Siding Road, north of the land and a high pressure main in Soldiers Road and part of the length of Bishop Road west of Soldiers Road.</p> <p>ATCO Gas will need to review the supply and the rate of developments in the area to determine what infrastructure is required should gas be considered for the rural-residential lots on the land.</p> <p>Typically, the rural-residential lots north and east of the land are not supplied with reticulated gas.</p> <p>ATCO Gas Australia has a Capital Contribution Policy whereby they assess a development for potential ATCO Gas Australia contributions towards the infrastructure. This is based on an economic calculation and takes into account total lot numbers, development timing, and other future developments in the area and headworks costs.</p> <p><b>10.3 Telecommunications</b></p> <p>DBYD plans have indicated that the closest NBN assets are within Karbro Drive and as such it is anticipated that a connection to the development will come from the existing Network.</p> <p>Developers are required to install and fund a pit and pipe system to NBN requirements and then transfer ownership of the infrastructure to NBN via the execution of a Developers Agreement in exchange for the provision of data infrastructure within the pit and pipe system.</p> <p>The NBN roll out map has however indicated that the current service offering for the existing site is Fixed wireless. It is assumed however under the proposed subdivision the service offering would be upgraded to either FTTN (Fibre to the Node) or FTTP (Fibre to the Premises). This however can only be confirmed during the NBN application phase. Since the development is larger than 100 lots, NBN Co or a similar approved broadband supplier would most likely become the service provider.</p> <p>According to the NBN Co "availability map", broadband services are available in the area.</p> <p style="text-align: center; background-color: #4CAF50; color: white; padding: 2px;">thecivilgroup   Lot 33 Hopkinson Road, Cardup   page 27</p>		
Taylor Burrell Barnett on behalf of Cedar Woods IN19/28497	40.	<p>Taylor Burrell Barnett, on behalf of our client Cedar Woods, is pleased to lodge the following submission on the Shire of Serpentine Jarrahdale draft Local Planning Scheme No. 3 (LPS3). Our client has an interest in this matter as Cedar Woods is responsible for the development of The Brook @ Byford and Byford on the Scarp estates in Byford.</p> <p>The key matters addressed in our submission, as they relate to the on-going development of these estates, include:</p>	The Shire recommends that the R60 density designations be updated on the Draft Scheme maps in accordance with The Brook at Byford Lot 2 Nettleton Road, Byford Local Structure Plan, The Byford by the Brook Stage 1 Local Development Plan and The Byford by the Brook Stage 2 Local Development Plan.	<p>Designate the following lots the R-Code of R60:</p> <ul style="list-style-type: none"> <li>• Lots bound by Havarti Loop, Pasture Lane and Dundatha Drive, Byford.</li> <li>• No.2-No.18 Castello Crescent, Byford.</li> <li>• Lots bound by Dundatha Drive, Shorthorn Court, Lovell Vista and Camembert Street, Byford.</li> </ul> <p>Designate the following lots the R-Code of R60:</p>

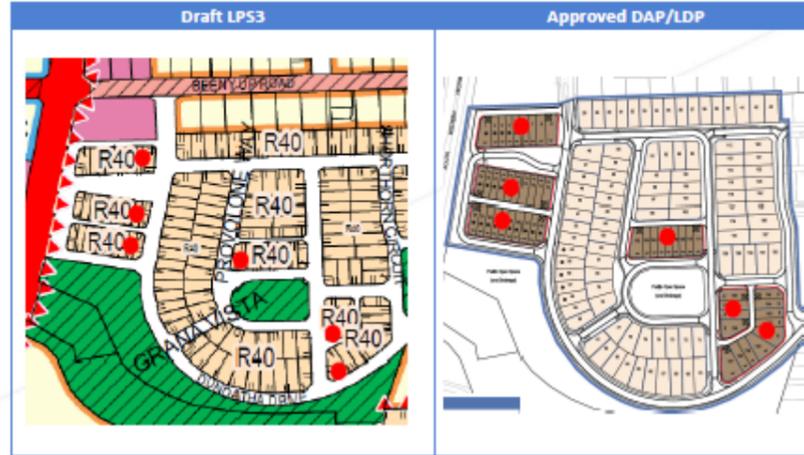
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		<ul style="list-style-type: none"> <li>• Inconsistencies between the draft Scheme Maps and existing approved Detailed Area Plans/ Local Development Plans and Density Code Plans as they relate to the applicable density code for various street blocks within Stages 1 and 2 of The Brook @ Byford Estate.</li> <li>• The designation of Special Control Areas (SCA5 &amp; SCA6) on the draft Scheme Maps and inclusion of additional provisions for land within Special Control Areas as they relate to extractive industries and buffer to clay brick manufacturing.</li> <li>• R-Code variations proposed in Clause 26 and Draft Local Planning Policy 2.2 – Residential Development Standards (R25-R60) (LPP2.2).</li> </ul> <p><b>SUBMISSION</b></p> <p>We would like to commend the Shire for the timely review of its Local Planning Scheme, which we largely support. As foreshadowed above, there are three key areas that we do not support and require modification before LPS3 is finalised.</p> <p><b>1. Inconsistencies between the draft Scheme Maps and existing approved Detailed Area Plans/Local Development Plans and Density Codes Plans (The Brook @ Byford)</b></p> <p>In reviewing the draft Scheme Maps (Map 1 of LPS3), there are a number of errors in the mapping that require addressing in the finalisation of the documents:</p> <ul style="list-style-type: none"> <li>• Three street blocks with lots fronting Havarti Loop (access via Pasture Lane and Brie Lane), one street block fronting Castello Crescent (access via Casein Lane), and two street blocks fronting Bale Lane, have a residential coding of R40. However, in accordance with the approved Detailed Area Plan 1 The Brook @ Byford (as approved 11 April 2014), these lots have a R-Coding of R60. Refer Attachment A for a copy of the approved DAP/LDP (TBB Plan No. 07/067/040A). Figure 1 identifies the street blocks with the incorrect density coding allocated in draft LSP3.</li> </ul> <p>It is requested that the Scheme Maps be updated in accordance with the approved DAP/LDP prior to finalisation.</p>	<p>The buffers for the particular special control areas SCA5 and SCA6 have been identified from the Environmental Protection Authority (EPA) <i>Guidance for the Assessment of Environmental Factors: Separation Distances between Industrial and Sensitive Land Uses</i>. Where a separation distance range is recommended, the separation distance shall be based on the scale of the industry.</p> <p>SCA5 and SCA6 were included within the Draft Scheme to protect extractive industries and to be able to control development in close proximity to industries which may have offsite impacts. The identification of these buffers enables specific development controls to be implemented to ensure the amenity of any development in close proximity to these industries. Appropriate measures such as noise attenuation, siting and building orientation can be applied to minimise land use conflicts and to ensure an adequate level of amenity is achieved. For these reasons, officers recommend that SCA5 and SCA6 be retained within the Draft Scheme and updated with any new industries that have been approved since the Draft Scheme was prepared.</p> <p>The Shire is in the process of developing Local Planning Policy 2.2 - Residential Development Standards (R25 – R60), which addresses primary street setback variations. It is considered more appropriate for this matter to be addressed in the Local Planning Policy instead of the Scheme. It is recommended that Clause 26 (1) be deleted.</p>	<ul style="list-style-type: none"> <li>• Lots bound by Shorthorn Court, Gallon Way, Ayrshire Vista and Bromus Way, Byford.</li> <li>• Lots bound by Dundatha Drive, Ayrshire Vista, Gallon Way and Braford Way, Byford.</li> <li>• Lots 236-242 and Lots 253-256 Dundatha Drive, Byford.</li> </ul> <p><b>Part 4 Clause 26 (1)</b></p> <p>Delete sub-clause (1) which states:</p> <p><i>'1) The following modifications to primary street setbacks shall apply to single house standards for medium density (R25-R60 density codes) housing:</i></p> <p><i>(a) R25-R40: 4m minimum (no average)</i></p> <p><i>(b) R50-R60: 2m minimum (no average)'</i></p>

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Figure 1 – Comparison between draft LPS3 and approved DAP - The Brook @ Byford Stage 1



• Two street blocks fronting Shorthorn Court, Camembert Street and Provalence Way, as well as a number of lots fronting Dundatha Drive adjacent to the public open space, are coded R50 in the draft Scheme Maps. However, in accordance with the approved DAP/LDP – The Brook @ Byford Stage 2 (TBB Plan No. 07/067/054C) and Density Code Plan (TBB Plan No. 07/067/073) these lots are coded R60. Refer Attachment B for a copy of the approved DAP 2 – The Brook @ Byford and Density Code Plan. Figure 2 identifies the lots with the incorrect density coding allocated in the draft LPS3.

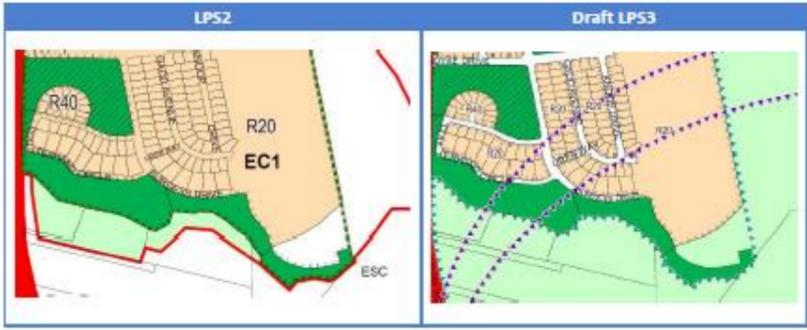
It is requested that the Scheme Maps be updated in accordance with the approved DAP and Density Code Plan prior to finalisation.

Figure 2 – Comparison between draft LPS3 and approved Density Code Plan – The Brook @ Byford



2. Designation of Special Control Areas on the draft Scheme Maps and inclusion of additional provisions for land within Special Control Areas as they relate to extractive industries and buffer to clay brick manufacturing (Byford on the Scarp)

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		<p>As depicted in <b>Figure 3</b>, a portion of the Byford on the Scarp estate is located within Special Control Area 5 (SCA5) and Special Control Area 6 (SCA6). In accordance with Schedule 3 – Special Control Areas in the Shire’s draft LPS3, development approval is required for all development within SCA5 and SCA6.</p> <p>Additionally, it is noted that the Environmental Conditions (EC1) (clause 5.17 LPS2), as outlined in Appendix 11 of LPS2, have not been included in draft LPS3.</p> <p>Although it is acknowledged that one of the Shire’s objectives in the draft LPS is to preserve the amenity of sensitive land uses from any adverse off-site impacts of resources and other land uses and development, it not considered necessary for buffer/ separation distances to be specified in the Scheme. The EPA Guidance Statement provides advice on the use of generic separation distances (buffers) between industrial and sensitive land uses (such as residential development) to avoid conflicts between incompatible land uses. The distances outlined in the EPA Guidance Statement are not intended to be absolute separation distances, rather they are default distances for the purposes of:</p> <ul style="list-style-type: none"> <li>• Identifying the need for specific separation distance or buffer definition studies; and</li> <li>• Providing general guidance on separation distances in the absence of site-specific technical studies.</li> </ul> <p>In this particular case, site-specific studies have been undertaken and a 500m buffer distance to the brickworks has been approved by the Shire and EPA (refer attached plan and letters in Attachment C). Accordingly, the approved 500m buffer supersedes the generic separation distances.</p> <p><small>Figure 3 – Comparison of LPS 2 depicting EC1 &amp; draft LPS 3 depicting SCA 5 &amp; SCA 6 as it relates to the Byford on the Scarp estate</small></p>  <p>We consider the requirement for all development to obtain planning approval to be onerous and inconsistent with the intent of the Deemed Provisions in the Planning and Development (Local Planning Schemes) Regulations 2015 which exempt most single houses from the requirement for a DA.</p>		

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		<p>We respectfully request that the Shire remove SCA 5 &amp; SCA 6 from draft LPS3 and reinstate EC1 and Appendix 11 from LPS2, consistent with Ministerial Statement No. 499 for the land and in recognition of the approved 500m buffer to the brickworks.</p> <p><b>3. Modification to R-Codes</b></p> <p>Clause 26 in the Shire's draft LPS3 deals with modifications to primary street setbacks to single house standards for medium density (R25-R60) housing and modifications to boundary setbacks for housing in R25-R80 coded areas.</p> <p>The Shire has prepared a draft Local Planning Policy 2.2 Residential Development Standards (R25-R60) (LPP 2.2) which outline the position of the Shire with regard to residential development standards that vary the R-Codes for lots with an R-Code of R25 – R60. The draft LPP 2.2 was presented to Council and approved for public advertising on 18 November 2019. It is understood that the Shire intends to seek WAPC approval for the relevant variations in the LPP, which would remove the need for WAPC having to constantly approve the similar variations under LDP's. The Draft LPP 2.2 is intended to be presented to the WAPC early 2020, and will then be advertised for public comment.</p> <p>The variations outlined in clause 26 do not go far enough to address the full extent of the RMD Codes and, in some cases, have the potential to cause confusion due to the inconsistencies. For example, the draft LPP proposes a 3m minimum street setback for lots coded R30, R35, and R40, which is inconsistent with the setback distance outlined in draft LPS3 which requires 4m minimum and no averaging. The R-Codes also require 4m minimum setback with averaging permitted.</p> <p>We recommend that the draft LPP 2.2, which is consistent with the RMD Codes, be finalised and the Shire abandon Clause 26 in draft LPS3 in an effort to remove any inconsistency.</p> <p><b>CONCLUSION</b></p> <p>We request that the draft scheme text and maps be modified in accordance with the above comments. Should you wish to discuss any of the issues raised in this submission, please do not hesitate to contact the undersigned or Lia Roberts on (08) 9226 4276.  See attachments IN19/28497</p>		
Henry Dykstra Jetstar Enterprises Pty Ltd IN19/28548 IN19/28519	41.	<p>Lot 21 Norman Road</p> <p>We refer to the Shire's advertising of the Draft Local Planning Scheme No. 3 and the Draft Local Planning Strategy and, in response, present this submission on behalf of the landowners within the "Cardup Industrial Area" (the subject land), which is defined by the landholdings listed in Table 1, as follows:</p>	<p>Noted – We appreciate your response via submission to the Draft Local Planning Strategy and Local Planning Scheme No.3.</p> <p>The Draft Local Planning Scheme No.3 identifies the Cardup Business Park as Industrial Development. The Shire does not recommend any changes to this.</p>	

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		<table border="1" style="width: 100%; border-collapse: collapse; margin-bottom: 10px;"> <thead> <tr> <th style="width: 5%;">LOT NO.</th> <th style="width: 20%;">PROPERTY ADDRESS</th> <th style="width: 25%;">LANDOWNER</th> <th style="width: 5%;">VOL.</th> <th style="width: 5%;">FOLIO</th> <th style="width: 40%;">PLAN NO.</th> </tr> </thead> <tbody> <tr> <td>21</td> <td>Lot 21 Norman Road</td> <td>Jetstar Enterprises Pty Ltd</td> <td>1684</td> <td>388</td> <td>DP226115</td> </tr> <tr> <td>60</td> <td>394 Robertson Road</td> <td>Kandalee Pty Ltd</td> <td>2672</td> <td>275</td> <td>D59263</td> </tr> <tr> <td>10</td> <td>426 Robertson Road</td> <td>Silvagold Pty Ltd</td> <td>1863</td> <td>686</td> <td>D75640</td> </tr> <tr> <td>1</td> <td>1164 South Western Highway</td> <td>Redire Pty Ltd</td> <td>1421</td> <td>503</td> <td>D48795</td> </tr> <tr> <td>6</td> <td>1096 South Western Highway</td> <td>Cardup Industrial Land Holdings Pty Ltd</td> <td>1772</td> <td>111</td> <td>D71692</td> </tr> <tr> <td>7</td> <td>1076 South Western Highway</td> <td>Diane Shirley Bosveld Elizabeth Oetje Bosveld Cooljade Pty Ltd Intrepid Bay Pty Ltd</td> <td>1763</td> <td>506</td> <td>D71692</td> </tr> </tbody> </table> <p style="text-align: center; margin: 0;"><b>TABLE 1 – SUMMARY OF LAND</b></p> <p>Harley Dykstra acts for all of the above landowners (the landowner group) and makes this submission, objecting to the “Service Commercial” designation of the subject land within the draft Local Planning Strategy, but supporting the “Industrial Development” zoning depicted within the draft Local Planning Scheme No. 3, on their behalf.</p> <p><b>Draft Local Planning Scheme No. 3 – Industrial Development Zoning</b></p> <p>It is noted that the subject land is depicted as “Industrial Development” in the draft Scheme, which is welcomed by the landowner group. This change from the current “Urban Development” zone will continue to support and recognise the Local Structure Plan that has been recently approved over the Cardup Industrial Area.</p> <p><b>Draft Local Planning Strategy – Service Commercial Designation</b></p> <p>The landowners of the subject land object to the identification of the site as “Service Commercial” under the draft Local Planning Strategy. This objection is made on the following basis:</p> <ol style="list-style-type: none"> <li>1. The subject land, for approximately the last decade, has been promoted as a General Industrial precinct, which was manifested through its rezoning to “Industry” under the Metropolitan Region Scheme, and the approval of the Local Structure Plan in the second half of 2019. Given the significant rationale, effort and investment that has been applied over the past decade, it would be counteractive to signal or pursue an alternative direction for Service Commercial over this precinct so soon after the planning for General industry has been approved;</li> <li>2. The Local Structure Plan has effect for 10 years, in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015. This ensures that the land owners can develop the site for General Industrial purposes, which they are pursuing on the basis of that approval, by way of</li> </ol>	LOT NO.	PROPERTY ADDRESS	LANDOWNER	VOL.	FOLIO	PLAN NO.	21	Lot 21 Norman Road	Jetstar Enterprises Pty Ltd	1684	388	DP226115	60	394 Robertson Road	Kandalee Pty Ltd	2672	275	D59263	10	426 Robertson Road	Silvagold Pty Ltd	1863	686	D75640	1	1164 South Western Highway	Redire Pty Ltd	1421	503	D48795	6	1096 South Western Highway	Cardup Industrial Land Holdings Pty Ltd	1772	111	D71692	7	1076 South Western Highway	Diane Shirley Bosveld Elizabeth Oetje Bosveld Cooljade Pty Ltd Intrepid Bay Pty Ltd	1763	506	D71692		
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		<p>subdivision and development applications. A Service Commercial description under the Local Planning Strategy will undermine and destabilise approvals for general industrial uses, now and into the future. There is potential for some approved industrial uses to become 'non-conforming' in future as the service commercial designation evolves, and that is not helpful for business and investors' confidence;</p> <p>3. There is insufficient demand for the development of a service commercial precinct of the proposed size at this location. It is anticipated that this would be the case for many years, which would have the effect of seriously inhibiting and stagnating development at this site if this designation was to be pursued; and</p> <p>4. If the Service Commercial designation is a response to concerns about potential amenity impacts from general industry uses, those concerns are unfounded. The adopted Local Structure Plan, in the statutory requirements of "Part One", includes provisions to ensure that any impacts of development (ie: dust, gas, odour, light, fumes and noise) shall comply and be managed in accordance with EPA Standards relating to sensitive land uses. These requirements must be addressed as part of any new development application within the Local Structure Plan area, thereby providing adequate planning control over land uses.</p> <p>The landowner group are quite experienced in development of industrial areas elsewhere across the Metropolitan Region, and they do not consider that there would be adequate demand to develop this particular area exclusively for service commercial uses, even in the long term. Neither do they consider that the area would exclusively develop as general industrial uses, rather, they expect that even under the current zoning and Structure Plan there would be a variety of development, including: light industry; general industry; and service commercial activities and land uses.</p> <p>Section 5.2 of the Local Planning Strategy document could be amended to provide some further commentary on the Cardup Industrial Development Precinct by articulating how it could comprise various land uses including General industry, Light Industry, and an emphasis on Service Commercial activities and high quality built form addressing the South Western Highway frontage of the precinct. By articulating the intent of the Cardup Industrial Precinct in this way within the Local Planning Strategy, it facilitates the further development and evolution of the Local Structure Plan in the medium term, and will also help to provide a framework for future zoning and policy development in relation to the potential for a service commercial highway sub-precinct.</p> <p><b>Conclusion</b></p> <p>In summary, the entire landowner group within the Cardup Industrial Area objects to the Service Commercial designation of their precinct under the Local Planning</p>		

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		<p>Strategy, and asks for this to be amended to a “Industrial Development” designation. This would help to underline all of the rationale, effort and investment that has been applied to the Cardup Industrial Area to date, and thereby maintain investor and developer confidence into the future. The current adopted Local Structure Plan would also continue to function effectively as a planning tool over this industrial precinct, along with the adequate planning and amenity controls that form part of the Structure Plan.</p> <p>We thank the Shire for preparing and advertising the draft Scheme and Strategy. If, upon consideration of the above the Shire’s position on this site remain unchanged, we request the opportunity to meet and further discuss. A considerable amount of time and project consultant work has been undertaken to date and, as a result, your support for the above would be greatly appreciated.</p> <p><b>SUBMISSION TO LOCAL PLANNING STRATEGY AND LOCAL PLANNING SCHEME NO.3 – DEVELOPMENT INVESTIGATION AREA (SERVICE COMMERCIAL) MARGIN EAST OF SOUTH WESTERN HIGHWAY – LOT 4 AND LOT 495 SOUTH WESTERN HIGHWAY, CARDUP</b></p> <p>This submission has been prepared on behalf of the owners of the abovementioned properties, and addresses specifically the Local Planning Strategy. This submission recognises the Shire’s aim to achieve a high standard service commercial area along the South Western Highway, between Byford and Mundijong/Whitby. Acknowledging the limitation of achieving Service Commercial within the existing Cardup Business Park Structure Plan Area, this submission proposes a margin of potential service commercial land on the eastern side of the South Western highway. This will optimise the opportunity and benefits of achieving a high standard service commercial area in this strategic location.</p> <p>The margin of land would form an extension of the Kiln Road (North) “Development Investigation Area” to also include a margin of highway frontage land south of Kiln Road, down to Norman Road intersection. The margin would be approximately 300m at its widest point and then taper down at its southernmost point, near Norman Road.</p> <p>The diagram (overleaf) is an extract from the Local Planning Strategy Map, highlighting the intended marginal expansion of Development Investigation Area to provide for future service commercial flanking the highway on both sides in this location.</p> <p>Specific strategic rationale supporting this proposal includes the following key elements:</p> <p>a) The strategic location of Cardup Business Park is primarily due to its access onto South Western Highway between the two District Activity Centres and largest urban areas within the Shire. Given the strategic importance of the highway in this location, land on both sides of the highway ought to be used to optimise the benefits;</p>		

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		<p>b) Vibrant service commercial activity, coupled with high standards of servicing, landscaping and built form is most achievable, feasible and beneficial where highway exposure is optimal (ie: both sides);</p>  <p style="text-align: center;">FIGURE 1 – INVESTIGATION AREA</p> <p>c) The land west of the highway is already approved and developing with general industrial uses, and hence the Shire’s aim to promote a vibrant service commercial area on the South Western highway, between the two towns, is unlikely to be sufficiently realised in this western part. By adding a margin of service commercial land to the east of the highway, the economic, employment, servicing and amenity benefits of such a precinct will be more fully realised;</p> <p>d) The anticipated development footprint will remain in the lower landform adjacent to the highway, at a similar topographic elevation to other areas within the Cardup Business Park on the western side. The potential development</p>		

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		<p>footprint follows a logical topographic contour that will fall below the contour levels of urban development that already exist for the urban areas of Byford, immediately to the north;</p> <p>e) The Perth Peel 3.5 Planning Framework illustrated this particular portion of land on the east side of the highway, south of Kiln Road, as a proposed regional sporting complex, which would have included significant infrastructure and buildings and other developments on the subject land. Given the Shire's focus on regional sporting facilities shifting to the south, as part of the Mundijong/Whitby Urban Development District Structure Plan, the subject land itself is now unlikely to be required for these significant regional sporting infrastructure, buildings and other facilities. Accordingly, it would not be inappropriate for the same land to be made available for a service commercial or similar type land use, given its strategic location and highway frontage between the two urban towns;</p> <p>f) The approval of the Cardup Industrial Business Park Structure Plan means that the majority of the Cardup Industrial Precinct will be developed in the short to medium term for general industrial purposes, and much of that will also involve unsewered dry industry developments. The subdividers and developers of the Cardup Industrial Business Park may choose to focus some service commercial style of development at the highway frontage, however, this would still require additional infrastructure including: reticulated sewer extensions; service roads; landscaping; and highway treatments. In order to properly establish and fund such additional infrastructure and requirements, it is important to ensure that the service commercial precinct along the highway achieves an optimum size, standard and value, and therefore a precinct that flanks both sides of the highway is considered the best way of ensuring this.</p> <p>I trust that the above submission and succinct request is clear, and I would certainly appreciate the opportunity to liaise with the Shire's Planning Staff further on this matter. Please do not hesitate to contact me to discuss this submission and perhaps together we can explore the final form of the Local Planning Framework that may be presented to Council prior to a final decision being made.</p>		
<p>Henry Dykstra Kandalee Pty Ltd IN19/28548 IN19/28519</p>	<p>42.</p>	<p><b>394 Robertson Road</b> We refer to the Shire's advertising of the Draft Local Planning Scheme No. 3 and the Draft Local Planning Strategy and, in response, present this submission on behalf of the landowners within the "Cardup Industrial Area" (the subject land), which is defined by the landholdings listed in Table 1, as follows:</p>	<p>Noted – We appreciate your response via submission to the Draft Local Planning Strategy and Local Planning Scheme No.3.</p> <p>The Draft Local Planning Scheme No.3 identifies the Cardup Business Park as Industrial Development. The Shire does not recommend any changes to this.</p>	

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		<p>subdivision and development applications. A Service Commercial description under the Local Planning Strategy will undermine and destabilise approvals for general industrial uses, now and into the future. There is potential for some approved industrial uses to become 'non-conforming' in future as the service commercial designation evolves, and that is not helpful for business and investors' confidence;</p> <p>3. There is insufficient demand for the development of a service commercial precinct of the proposed size at this location. It is anticipated that this would be the case for many years, which would have the effect of seriously inhibiting and stagnating development at this site if this designation was to be pursued; and</p> <p>5. If the Service Commercial designation is a response to concerns about potential amenity impacts from general industry uses, those concerns are unfounded. The adopted Local Structure Plan, in the statutory requirements of "Part One", includes provisions to ensure that any impacts of development (ie: dust, gas, odour, light, fumes and noise) shall comply and be managed in accordance with EPA Standards relating to sensitive land uses. These requirements must be addressed as part of any new development application within the Local Structure Plan area, thereby providing adequate planning control over land uses.</p> <p>The landowner group are quite experienced in development of industrial areas elsewhere across the Metropolitan Region, and they do not consider that there would be adequate demand to develop this particular area exclusively for service commercial uses, even in the long term. Neither do they consider that the area would exclusively develop as general industrial uses, rather, they expect that even under the current zoning and Structure Plan there would be a variety of development, including: light industry; general industry; and service commercial activities and land uses.</p> <p>Section 5.2 of the Local Planning Strategy document could be amended to provide some further commentary on the Cardup Industrial Development Precinct by articulating how it could comprise various land uses including General industry, Light Industry, and an emphasis on Service Commercial activities and high quality built form addressing the South Western Highway frontage of the precinct. By articulating the intent of the Cardup Industrial Precinct in this way within the Local Planning Strategy, it facilitates the further development and evolution of the Local Structure Plan in the medium term, and will also help to provide a framework for future zoning and policy development in relation to the potential for a service commercial highway sub-precinct.</p> <p><b>Conclusion</b></p> <p>In summary, the entire landowner group within the Cardup Industrial Area objects to the Service Commercial designation of their precinct under the Local Planning</p>		

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		<p>b) Vibrant service commercial activity, coupled with high standards of servicing, landscaping and built form is most achievable, feasible and beneficial where highway exposure is optimal (ie: both sides);</p>  <p style="text-align: center;">FIGURE 1 – INVESTIGATION AREA</p> <p>c) The land west of the highway is already approved and developing with general industrial uses, and hence the Shire’s aim to promote a vibrant service commercial area on the South Western highway, between the two towns, is unlikely to be sufficiently realised in this western part. By adding a margin of service commercial land to the east of the highway, the economic, employment, servicing and amenity benefits of such a precinct will be more fully realised;</p> <p>d) The anticipated development footprint will remain in the lower landform adjacent to the highway, at a similar topographic elevation to other areas within the Cardup Business Park on the western side. The potential development</p>		

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<p>Henry Dykstra  Silvagold Pty  Ltd  IN19/28548  IN19/28519</p>	<p>43.</p>	<p><b>426 Robertson Road</b>  We refer to the Shire's advertising of the Draft Local Planning Scheme No. 3 and the Draft Local Planning Strategy and, in response, present this submission on behalf of the landowners within the "Cardup Industrial Area" (the subject land), which is defined by the landholdings listed in Table 1, as follows:</p>	<p>Noted – We appreciate your response via submission to the Draft Local Planning Strategy and Local Planning Scheme No.3.</p> <p>The Draft Local Planning Scheme No.3 identifies the Cardup Business Park as Industrial Development. The Shire does not recommend any changes to this.</p>	

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		<p>subdivision and development applications. A Service Commercial description under the Local Planning Strategy will undermine and destabilise approvals for general industrial uses, now and into the future. There is potential for some approved industrial uses to become 'non-conforming' in future as the service commercial designation evolves, and that is not helpful for business and investors' confidence;</p> <p>3. There is insufficient demand for the development of a service commercial precinct of the proposed size at this location. It is anticipated that this would be the case for many years, which would have the effect of seriously inhibiting and stagnating development at this site if this designation was to be pursued; and</p> <p>7. If the Service Commercial designation is a response to concerns about potential amenity impacts from general industry uses, those concerns are unfounded. The adopted Local Structure Plan, in the statutory requirements of "Part One", includes provisions to ensure that any impacts of development (ie: dust, gas, odour, light, fumes and noise) shall comply and be managed in accordance with EPA Standards relating to sensitive land uses. These requirements must be addressed as part of any new development application within the Local Structure Plan area, thereby providing adequate planning control over land uses.</p> <p>The landowner group are quite experienced in development of industrial areas elsewhere across the Metropolitan Region, and they do not consider that there would be adequate demand to develop this particular area exclusively for service commercial uses, even in the long term. Neither do they consider that the area would exclusively develop as general industrial uses, rather, they expect that even under the current zoning and Structure Plan there would be a variety of development, including: light industry; general industry; and service commercial activities and land uses.</p> <p>Section 5.2 of the Local Planning Strategy document could be amended to provide some further commentary on the Cardup Industrial Development Precinct by articulating how it could comprise various land uses including General industry, Light Industry, and an emphasis on Service Commercial activities and high quality built form addressing the South Western Highway frontage of the precinct. By articulating the intent of the Cardup Industrial Precinct in this way within the Local Planning Strategy, it facilitates the further development and evolution of the Local Structure Plan in the medium term, and will also help to provide a framework for future zoning and policy development in relation to the potential for a service commercial highway sub-precinct.</p> <p><b>Conclusion</b></p> <p>In summary, the entire landowner group within the Cardup Industrial Area objects to the Service Commercial designation of their precinct under the Local Planning</p>		

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		<p>Strategy, and asks for this to be amended to a “Industrial Development” designation. This would help to underline all of the rationale, effort and investment that has been applied to the Cardup Industrial Area to date, and thereby maintain investor and developer confidence into the future. The current adopted Local Structure Plan would also continue to function effectively as a planning tool over this industrial precinct, along with the adequate planning and amenity controls that form part of the Structure Plan.</p> <p>We thank the Shire for preparing and advertising the draft Scheme and Strategy. If, upon consideration of the above the Shire’s position on this site remain unchanged, we request the opportunity to meet and further discuss. A considerable amount of time and project consultant work has been undertaken to date and, as a result, your support for the above would be greatly appreciated.</p> <p><b>SUBMISSION TO LOCAL PLANNING STRATEGY AND LOCAL PLANNING SCHEME NO.3 – DEVELOPMENT INVESTIGATION AREA (SERVICE COMMERCIAL) MARGIN EAST OF SOUTH WESTERN HIGHWAY – LOT 4 AND LOT 495 SOUTH WESTERN HIGHWAY, CARDUP</b></p> <p>This submission has been prepared on behalf of the owners of the abovementioned properties, and addresses specifically the Local Planning Strategy. This submission recognises the Shire’s aim to achieve a high standard service commercial area along the South Western Highway, between Byford and Mundijong/Whitby. Acknowledging the limitation of achieving Service Commercial within the existing Cardup Business Park Structure Plan Area, this submission proposes a margin of potential service commercial land on the eastern side of the South Western highway. This will optimise the opportunity and benefits of achieving a high standard service commercial area in this strategic location.</p> <p>The margin of land would form an extension of the Kiln Road (North) “Development Investigation Area” to also include a margin of highway frontage land south of Kiln Road, down to Norman Road intersection. The margin would be approximately 300m at its widest point and then taper down at its southernmost point, near Norman Road.</p> <p>The diagram (overleaf) is an extract from the Local Planning Strategy Map, highlighting the intended marginal expansion of Development Investigation Area to provide for future service commercial flanking the highway on both sides in this location.</p> <p>Specific strategic rationale supporting this proposal includes the following key elements:</p> <p>a) The strategic location of Cardup Business Park is primarily due to its access onto South Western Highway between the two District Activity Centres and largest urban areas within the Shire. Given the strategic importance of the highway in this location, land on both sides of the highway ought to be used to optimise the benefits;</p>		

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		<p>b) Vibrant service commercial activity, coupled with high standards of servicing, landscaping and built form is most achievable, feasible and beneficial where highway exposure is optimal (ie: both sides);</p>  <p style="text-align: center;">FIGURE 1 – INVESTIGATION AREA</p> <p>c) The land west of the highway is already approved and developing with general industrial uses, and hence the Shire’s aim to promote a vibrant service commercial area on the South Western highway, between the two towns, is unlikely to be sufficiently realised in this western part. By adding a margin of service commercial land to the east of the highway, the economic, employment, servicing and amenity benefits of such a precinct will be more fully realised;</p> <p>d) The anticipated development footprint will remain in the lower landform adjacent to the highway, at a similar topographic elevation to other areas within the Cardup Business Park on the western side. The potential development</p>		

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		<p>footprint follows a logical topographic contour that will fall below the contour levels of urban development that already exist for the urban areas of Byford, immediately to the north;</p> <p>e) The Perth Peel 3.5 Planning Framework illustrated this particular portion of land on the east side of the highway, south of Kiln Road, as a proposed regional sporting complex, which would have included significant infrastructure and buildings and other developments on the subject land. Given the Shire's focus on regional sporting facilities shifting to the south, as part of the Mundijong/Whitby Urban Development District Structure Plan, the subject land itself is now unlikely to be required for these significant regional sporting infrastructure, buildings and other facilities. Accordingly, it would not be inappropriate for the same land to be made available for a service commercial or similar type land use, given its strategic location and highway frontage between the two urban towns;</p> <p>f) The approval of the Cardup Industrial Business Park Structure Plan means that the majority of the Cardup Industrial Precinct will be developed in the short to medium term for general industrial purposes, and much of that will also involve unsewered dry industry developments. The subdividers and developers of the Cardup Industrial Business Park may choose to focus some service commercial style of development at the highway frontage, however, this would still require additional infrastructure including: reticulated sewer extensions; service roads; landscaping; and highway treatments. In order to properly establish and fund such additional infrastructure and requirements, it is important to ensure that the service commercial precinct along the highway achieves an optimum size, standard and value, and therefore a precinct that flanks both sides of the highway is considered the best way of ensuring this.</p> <p>I trust that the above submission and succinct request is clear, and I would certainly appreciate the opportunity to liaise with the Shire's Planning Staff further on this matter. Please do not hesitate to contact me to discuss this submission and perhaps together we can explore the final form of the Local Planning Framework that may be presented to Council prior to a final decision being made.</p>		
<p>Henry Dykstra  Cardup  Industrial Land  Holdings Pty Ltd  IN19/28548  IN19/28519</p>	<p>45.</p>	<p><b>1096 South Western Highway</b>  We refer to the Shire's advertising of the Draft Local Planning Scheme No. 3 and the Draft Local Planning Strategy and, in response, present this submission on behalf of the landowners within the "Cardup Industrial Area" (the subject land), which is defined by the landholdings listed in Table 1, as follows:</p>	<p>Noted – We appreciate your response via submission to the Draft Local Planning Strategy and Local Planning Scheme No.3.</p> <p>The Draft Local Planning Scheme No.3 identifies the Cardup Business Park as Industrial Development. The Shire does not recommend any changes to this.</p>	

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		<p>This ensures that the land owners can develop the site for General Industrial purposes, which they are pursuing on the basis of that approval, by way of subdivision and development applications. A Service Commercial description under the Local Planning Strategy will undermine and destabilise approvals for general industrial uses, now and into the future. There is potential for some approved industrial uses to become 'non-conforming' in future as the service commercial designation evolves, and that is not helpful for business and investors' confidence;</p> <p>3. There is insufficient demand for the development of a service commercial precinct of the proposed size at this location. It is anticipated that this would be the case for many years, which would have the effect of seriously inhibiting and stagnating development at this site if this designation was to be pursued; and</p> <p>8. If the Service Commercial designation is a response to concerns about potential amenity impacts from general industry uses, those concerns are unfounded. The adopted Local Structure Plan, in the statutory requirements of "Part One", includes provisions to ensure that any impacts of development (ie: dust, gas, odour, light, fumes and noise) shall comply and be managed in accordance with EPA Standards relating to sensitive land uses. These requirements must be addressed as part of any new development application within the Local Structure Plan area, thereby providing adequate planning control over land uses.</p> <p>The landowner group are quite experienced in development of industrial areas elsewhere across the Metropolitan Region, and they do not consider that there would be adequate demand to develop this particular area exclusively for service commercial uses, even in the long term. Neither do they consider that the area would exclusively develop as general industrial uses, rather, they expect that even under the current zoning and Structure Plan there would be a variety of development, including: light industry; general industry; and service commercial activities and land uses.</p> <p>Section 5.2 of the Local Planning Strategy document could be amended to provide some further commentary on the Cardup Industrial Development Precinct by articulating how it could comprise various land uses including General industry, Light Industry, and an emphasis on Service Commercial activities and high quality built form addressing the South Western Highway frontage of the precinct. By articulating the intent of the Cardup Industrial Precinct in this way within the Local Planning Strategy, it facilitates the further development and evolution of the Local Structure Plan in the medium term, and will also help to provide a framework for future zoning and policy development in relation to the potential for a service commercial highway sub-precinct.</p> <p><b>Conclusion</b></p>		

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		<p>In summary, the entire landowner group within the Cardup Industrial Area objects to the Service Commercial designation of their precinct under the Local Planning Strategy, and asks for this to be amended to a "Industrial Development" designation. This would help to underline all of the rationale, effort and investment that has been applied to the Cardup Industrial Area to date, and thereby maintain investor and developer confidence into the future. The current adopted Local Structure Plan would also continue to function effectively as a planning tool over this industrial precinct, along with the adequate planning and amenity controls that form part of the Structure Plan.</p> <p>We thank the Shire for preparing and advertising the draft Scheme and Strategy. If, upon consideration of the above the Shire's position on this site remain unchanged, we request the opportunity to meet and further discuss. A considerable amount of time and project consultant work has been undertaken to date and, as a result, your support for the above would be greatly appreciated.</p> <p><b>SUBMISSION TO LOCAL PLANNING STRATEGY AND LOCAL PLANNING SCHEME NO.3 – DEVELOPMENT INVESTIGATION AREA (SERVICE COMMERCIAL) MARGIN EAST OF SOUTH WESTERN HIGHWAY – LOT 4 AND LOT 495 SOUTH WESTERN HIGHWAY, CARDUP</b></p> <p>This submission has been prepared on behalf of the owners of the abovementioned properties, and addresses specifically the Local Planning Strategy. This submission recognises the Shire's aim to achieve a high standard service commercial area along the South Western Highway, between Byford and Mundijong/Whitby. Acknowledging the limitation of achieving Service Commercial within the existing Cardup Business Park Structure Plan Area, this submission proposes a margin of potential service commercial land on the eastern side of the South Western highway. This will optimise the opportunity and benefits of achieving a high standard service commercial area in this strategic location.</p> <p>The margin of land would form an extension of the Kiln Road (North) "Development Investigation Area" to also include a margin of highway frontage land south of Kiln Road, down to Norman Road intersection. The margin would be approximately 300m at its widest point and then taper down at its southernmost point, near Norman Road.</p> <p>The diagram (overleaf) is an extract from the Local Planning Strategy Map, highlighting the intended marginal expansion of Development Investigation Area to provide for future service commercial flanking the highway on both sides in this location.</p> <p>Specific strategic rationale supporting this proposal includes the following key elements:</p> <p>a) The strategic location of Cardup Business Park is primarily due to its access onto South Western Highway between the two District Activity Centres and largest urban areas within the Shire. Given the strategic importance of the highway in this</p>		

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		<table border="1" style="width: 100%; border-collapse: collapse; margin-bottom: 10px;"> <thead> <tr> <th style="width: 5%;">LOT NO.</th> <th style="width: 20%;">PROPERTY ADDRESS</th> <th style="width: 20%;">LANDOWNER</th> <th style="width: 5%;">VOL.</th> <th style="width: 5%;">FOLIO</th> <th style="width: 45%;">PLAN NO.</th> </tr> </thead> <tbody> <tr> <td>21</td> <td>Lot 21 Norman Road</td> <td>Jetstar Enterprises Pty Ltd</td> <td>1684</td> <td>388</td> <td>DP226115</td> </tr> <tr> <td>60</td> <td>394 Robertson Road</td> <td>Kandalee Pty Ltd</td> <td>2672</td> <td>275</td> <td>D59263</td> </tr> <tr> <td>10</td> <td>426 Robertson Road</td> <td>Silvagold Pty Ltd</td> <td>1863</td> <td>686</td> <td>D75640</td> </tr> <tr> <td>1</td> <td>1164 South Western Highway</td> <td>Redire Pty Ltd</td> <td>1421</td> <td>503</td> <td>D48795</td> </tr> <tr> <td>6</td> <td>1096 South Western Highway</td> <td>Cardup Industrial Land Holdings Pty Ltd</td> <td>1772</td> <td>111</td> <td>D71692</td> </tr> <tr> <td>7</td> <td>1076 South Western Highway</td> <td>Diane Shirley Bosveld Elizabeth Oetje Bosveld Cooljade Pty Ltd Intrepid Bay Pty Ltd</td> <td>1763</td> <td>506</td> <td>D71692</td> </tr> </tbody> </table> <p style="text-align: center; margin: 0;"><b>TABLE 1 – SUMMARY OF LAND</b></p> <p>Harley Dykstra acts for all of the above landowners (the landowner group) and makes this submission, objecting to the “Service Commercial” designation of the subject land within the draft Local Planning Strategy, but supporting the “Industrial Development” zoning depicted within the draft Local Planning Scheme No. 3, on their behalf.</p> <p><b>Draft Local Planning Scheme No. 3 – Industrial Development Zoning</b></p> <p>It is noted that the subject land is depicted as “Industrial Development” in the draft Scheme, which is welcomed by the landowner group. This change from the current “Urban Development” zone will continue to support and recognise the Local Structure Plan that has been recently approved over the Cardup Industrial Area.</p> <p><b>Draft Local Planning Strategy – Service Commercial Designation</b></p> <p>The landowners of the subject land object to the identification of the site as “Service Commercial” under the draft Local Planning Strategy. This objection is made on the following basis:</p> <ol style="list-style-type: none"> <li>1. The subject land, for approximately the last decade, has been promoted as a General Industrial precinct, which was manifested through its rezoning to “Industry” under the Metropolitan Region Scheme, and the approval of the Local Structure Plan in the second half of 2019. Given the significant rationale, effort and investment that has been applied over the past decade, it would be counteractive to signal or pursue an alternative direction for Service Commercial over this precinct so soon after the planning for General industry has been approved;</li> <li>2. The Local Structure Plan has effect for 10 years, in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015. This ensures that the land owners can develop the site for General Industrial purposes, which they are pursuing on the basis of that approval, by way of</li> </ol>	LOT NO.	PROPERTY ADDRESS	LANDOWNER	VOL.	FOLIO	PLAN NO.	21	Lot 21 Norman Road	Jetstar Enterprises Pty Ltd	1684	388	DP226115	60	394 Robertson Road	Kandalee Pty Ltd	2672	275	D59263	10	426 Robertson Road	Silvagold Pty Ltd	1863	686	D75640	1	1164 South Western Highway	Redire Pty Ltd	1421	503	D48795	6	1096 South Western Highway	Cardup Industrial Land Holdings Pty Ltd	1772	111	D71692	7	1076 South Western Highway	Diane Shirley Bosveld Elizabeth Oetje Bosveld Cooljade Pty Ltd Intrepid Bay Pty Ltd	1763	506	D71692		
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		<p>subdivision and development applications. A Service Commercial description under the Local Planning Strategy will undermine and destabilise approvals for general industrial uses, now and into the future. There is potential for some approved industrial uses to become 'non-conforming' in future as the service commercial designation evolves, and that is not helpful for business and investors' confidence;</p> <p>3. There is insufficient demand for the development of a service commercial precinct of the proposed size at this location. It is anticipated that this would be the case for many years, which would have the effect of seriously inhibiting and stagnating development at this site if this designation was to be pursued; and</p> <p>9. If the Service Commercial designation is a response to concerns about potential amenity impacts from general industry uses, those concerns are unfounded. The adopted Local Structure Plan, in the statutory requirements of "Part One", includes provisions to ensure that any impacts of development (ie: dust, gas, odour, light, fumes and noise) shall comply and be managed in accordance with EPA Standards relating to sensitive land uses. These requirements must be addressed as part of any new development application within the Local Structure Plan area, thereby providing adequate planning control over land uses.</p> <p>The landowner group are quite experienced in development of industrial areas elsewhere across the Metropolitan Region, and they do not consider that there would be adequate demand to develop this particular area exclusively for service commercial uses, even in the long term. Neither do they consider that the area would exclusively develop as general industrial uses, rather, they expect that even under the current zoning and Structure Plan there would be a variety of development, including: light industry; general industry; and service commercial activities and land uses.</p> <p>Section 5.2 of the Local Planning Strategy document could be amended to provide some further commentary on the Cardup Industrial Development Precinct by articulating how it could comprise various land uses including General industry, Light Industry, and an emphasis on Service Commercial activities and high quality built form addressing the South Western Highway frontage of the precinct. By articulating the intent of the Cardup Industrial Precinct in this way within the Local Planning Strategy, it facilitates the further development and evolution of the Local Structure Plan in the medium term, and will also help to provide a framework for future zoning and policy development in relation to the potential for a service commercial highway sub-precinct.</p> <p><b>Conclusion</b></p> <p>In summary, the entire landowner group within the Cardup Industrial Area objects to the Service Commercial designation of their precinct under the Local Planning</p>		

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		<p>Strategy, and asks for this to be amended to a “Industrial Development” designation. This would help to underline all of the rationale, effort and investment that has been applied to the Cardup Industrial Area to date, and thereby maintain investor and developer confidence into the future. The current adopted Local Structure Plan would also continue to function effectively as a planning tool over this industrial precinct, along with the adequate planning and amenity controls that form part of the Structure Plan.</p> <p>We thank the Shire for preparing and advertising the draft Scheme and Strategy. If, upon consideration of the above the Shire’s position on this site remain unchanged, we request the opportunity to meet and further discuss. A considerable amount of time and project consultant work has been undertaken to date and, as a result, your support for the above would be greatly appreciated.</p> <p><b>SUBMISSION TO LOCAL PLANNING STRATEGY AND LOCAL PLANNING SCHEME NO.3 – DEVELOPMENT INVESTIGATION AREA (SERVICE COMMERCIAL) MARGIN EAST OF SOUTH WESTERN HIGHWAY – LOT 4 AND LOT 495 SOUTH WESTERN HIGHWAY, CARDUP</b></p> <p>This submission has been prepared on behalf of the owners of the abovementioned properties, and addresses specifically the Local Planning Strategy. This submission recognises the Shire’s aim to achieve a high standard service commercial area along the South Western Highway, between Byford and Mundijong/Whitby. Acknowledging the limitation of achieving Service Commercial within the existing Cardup Business Park Structure Plan Area, this submission proposes a margin of potential service commercial land on the eastern side of the South Western highway. This will optimise the opportunity and benefits of achieving a high standard service commercial area in this strategic location.</p> <p>The margin of land would form an extension of the Kiln Road (North) “Development Investigation Area” to also include a margin of highway frontage land south of Kiln Road, down to Norman Road intersection. The margin would be approximately 300m at its widest point and then taper down at its southernmost point, near Norman Road.</p> <p>The diagram (overleaf) is an extract from the Local Planning Strategy Map, highlighting the intended marginal expansion of Development Investigation Area to provide for future service commercial flanking the highway on both sides in this location.</p> <p>Specific strategic rationale supporting this proposal includes the following key elements:</p> <p>a) The strategic location of Cardup Business Park is primarily due to its access onto South Western Highway between the two District Activity Centres and largest urban areas within the Shire. Given the strategic importance of the highway in this location, land on both sides of the highway ought to be used to optimise the benefits;</p>		

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		<p>b) Vibrant service commercial activity, coupled with high standards of servicing, landscaping and built form is most achievable, feasible and beneficial where highway exposure is optimal (ie: both sides);</p>  <p style="text-align: center;">FIGURE 1 – INVESTIGATION AREA</p> <p>c) The land west of the highway is already approved and developing with general industrial uses, and hence the Shire’s aim to promote a vibrant service commercial area on the South Western highway, between the two towns, is unlikely to be sufficiently realised in this western part. By adding a margin of service commercial land to the east of the highway, the economic, employment, servicing and amenity benefits of such a precinct will be more fully realised;</p> <p>d) The anticipated development footprint will remain in the lower landform adjacent to the highway, at a similar topographic elevation to other areas within the Cardup Business Park on the western side. The potential development</p>		

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		<p>footprint follows a logical topographic contour that will fall below the contour levels of urban development that already exist for the urban areas of Byford, immediately to the north;</p> <p>e) The Perth Peel 3.5 Planning Framework illustrated this particular portion of land on the east side of the highway, south of Kiln Road, as a proposed regional sporting complex, which would have included significant infrastructure and buildings and other developments on the subject land. Given the Shire's focus on regional sporting facilities shifting to the south, as part of the Mundijong/Whitby Urban Development District Structure Plan, the subject land itself is now unlikely to be required for these significant regional sporting infrastructure, buildings and other facilities. Accordingly, it would not be inappropriate for the same land to be made available for a service commercial or similar type land use, given its strategic location and highway frontage between the two urban towns;</p> <p>f) The approval of the Cardup Industrial Business Park Structure Plan means that the majority of the Cardup Industrial Precinct will be developed in the short to medium term for general industrial purposes, and much of that will also involve unsewered dry industry developments. The subdividers and developers of the Cardup Industrial Business Park may choose to focus some service commercial style of development at the highway frontage, however, this would still require additional infrastructure including: reticulated sewer extensions; service roads; landscaping; and highway treatments. In order to properly establish and fund such additional infrastructure and requirements, it is important to ensure that the service commercial precinct along the highway achieves an optimum size, standard and value, and therefore a precinct that flanks both sides of the highway is considered the best way of ensuring this.</p> <p>I trust that the above submission and succinct request is clear, and I would certainly appreciate the opportunity to liaise with the Shire's Planning Staff further on this matter. Please do not hesitate to contact me to discuss this submission and perhaps together we can explore the final form of the Local Planning Framework that may be presented to Council prior to a final decision being made.</p>		
<p>Dykstra Projects  On behalf of  Landowner  Sunbright  Holdings Pty Ltd  Lot 4 and Lot  495 South  Western  Highway  IN19/28548</p>	<p>47.</p>	<p>Lot 4 and Lot 495 South Western Highway</p> <p><b>SUBMISSION TO LOCAL PLANNING STRATEGY AND LOCAL PLANNING SCHEME NO.3 – DEVELOPMENT INVESTIGATION AREA (SERVICE COMMERCIAL) MARGIN EAST OF SOUTH WESTERN HIGHWAY – LOT 4 AND LOT 495 SOUTH WESTERN HIGHWAY, CARDUP</b></p> <p>This submission has been prepared on behalf of the owners of the abovementioned properties, and addresses specifically the Local Planning Strategy. This submission recognises the Shire's aim to achieve a high standard service commercial area along the South Western Highway, between Byford and Mundijong/Whitby. Acknowledging the limitation of achieving Service Commercial within the existing Cardup Business Park Structure Plan Area, this submission proposes a margin of potential service commercial land on the eastern side of the South Western highway. This will optimise the opportunity and benefits of achieving a high standard service commercial area in this strategic location.</p>	<p>Noted – We appreciate your response via submission to the Draft Local Planning Strategy and Local Planning Scheme No.3.</p> <p>The Draft Local Planning Scheme No.3 identifies the Cardup Business Park as Industrial Development. The Shire does not recommend any changes to this.</p>	

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		<p>The margin of land would form an extension of the Kiln Road (North) "Development Investigation Area" to also include a margin of highway frontage land south of Kiln Road, down to Norman Road intersection. The margin would be approximately 300m at its widest point and then taper down at its southernmost point, near Norman Road.</p> <p>The diagram (overleaf) is an extract from the Local Planning Strategy Map, highlighting the intended marginal expansion of Development Investigation Area to provide for future service commercial flanking the highway on both sides in this location.</p> <p>Specific strategic rationale supporting this proposal includes the following key elements:</p> <p>a) The strategic location of Cardup Business Park is primarily due to its access onto South Western Highway between the two District Activity Centres and largest urban areas within the Shire. Given the strategic importance of the highway in this location, land on both sides of the highway ought to be used to optimise the benefits;</p> <p>b) Vibrant service commercial activity, coupled with high standards of servicing, landscaping and built form is most achievable, feasible and beneficial where highway exposure is optimal (ie: both sides);</p>		

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FIGURE 1 – INVESTIGATION AREA

c) The land west of the highway is already approved and developing with general industrial uses, and hence the Shire’s aim to promote a vibrant service commercial area on the South Western highway, between the two towns, is unlikely to be sufficiently realised in this western part. By adding a margin of service commercial land to the east of the highway, the economic, employment, servicing and amenity benefits of such a precinct will be more fully realised;

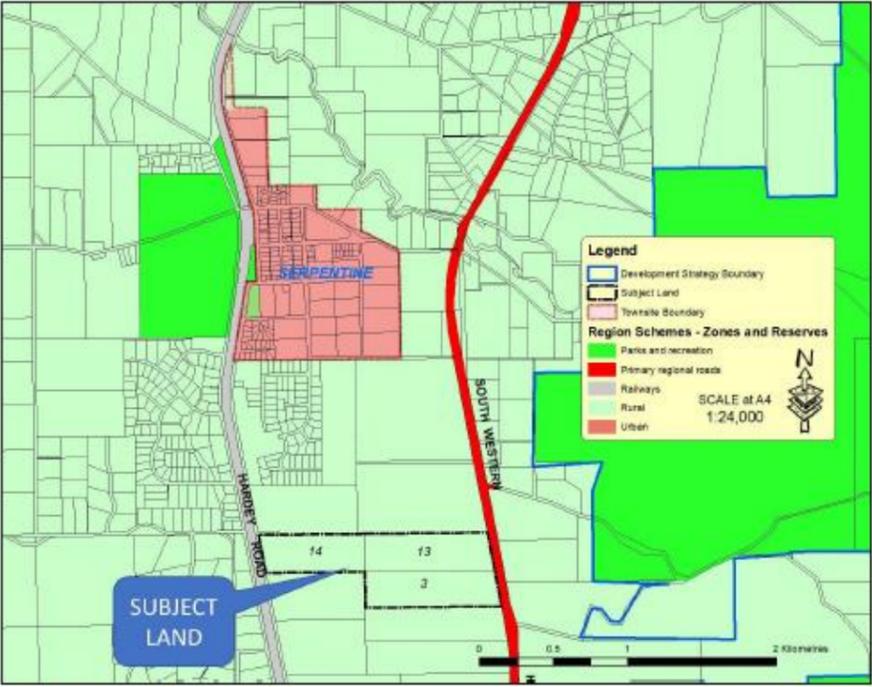
d) The anticipated development footprint will remain in the lower landform adjacent to the highway, at a similar topographic elevation to other areas within the Cardup Business Park on the western side. The potential development footprint follows a logical topographic contour that will fall below the contour levels of urban development that already exist for the urban areas of Byford, immediately to the north;

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		<p>e) The Perth Peel 3.5 Planning Framework illustrated this particular portion of land on the east side of the highway, south of Kiln Road, as a proposed regional sporting complex, which would have included significant infrastructure and buildings and other developments on the subject land. Given the Shire's focus on regional sporting facilities shifting to the south, as part of the Mundijong/Whitby Urban Development District Structure Plan, the subject land itself is now unlikely to be required for these significant regional sporting infrastructure, buildings and other facilities. Accordingly, it would not be inappropriate for the same land to be made available for a service commercial or similar type land use, given its strategic location and highway frontage between the two urban towns;</p> <p>f) The approval of the Cardup Industrial Business Park Structure Plan means that the majority of the Cardup Industrial Precinct will be developed in the short to medium term for general industrial purposes, and much of that will also involve unsewered dry industry developments. The subdividers and developers of the Cardup Industrial Business Park may choose to focus some service commercial style of development at the highway frontage, however, this would still require additional infrastructure including: reticulated sewer extensions; service roads; landscaping; and highway treatments. In order to properly establish and fund such additional infrastructure and requirements, it is important to ensure that the service commercial precinct along the highway achieves an optimum size, standard and value, and therefore a precinct that flanks both sides of the highway is considered the best way of ensuring this.</p> <p>I trust that the above submission and succinct request is clear, and I would certainly appreciate the opportunity to liaise with the Shire's Planning Staff further on this matter. Please do not hesitate to contact me to discuss this submission and perhaps together we can explore the final form of the Local Planning Framework that may be presented to Council prior to a final decision being made.</p>		
PlanWest Paul Bashall IN19/28549 IN20/347 IN20/348 On behalf of E M Newby(L14)	48.	<p><b>SUBMISSION TO THE SHIRE OF SERPENTINE JARRAHDALE DRAFT LOCAL PLANNING SCHEME No 3</b>  <b>1 INTRODUCTION</b></p> <p>This submission is lodged on behalf of the owners of the lots listed below and shown in <b>Figure 1</b>, however the implications of the submission relate to areas beyond these properties.</p> <ul style="list-style-type: none"> <li>• Lot 14 Hardey Road, Serpentine</li> <li>• Lot 13 South Western Highway, Serpentine, and</li> <li>• Lot 3 South Western Highway, Serpentine</li> </ul>	<p>The Shire does not support the recommendation to rezone the proposed properties Lot 14 Hardey Road, Lot 13 South Western Highway and Lot 3 South Western Highway, Serpentine as it is not in line with the State or Local strategic planning framework.</p> <p>The subject site is identified as Rural under the Western Australian Planning Commission's (WAPC) Perth and Peel @ 3.5 Million Sub-Regional Planning Frameworks. Under the Shire's Rural Strategy, recently approved by the WAPC, the subject area is identified as Rural as well. The Shire has identified the areas of growth within the Serpentine Townsite and its surrounds and the current land use fits the objective of the Rural zone which is:</p>	

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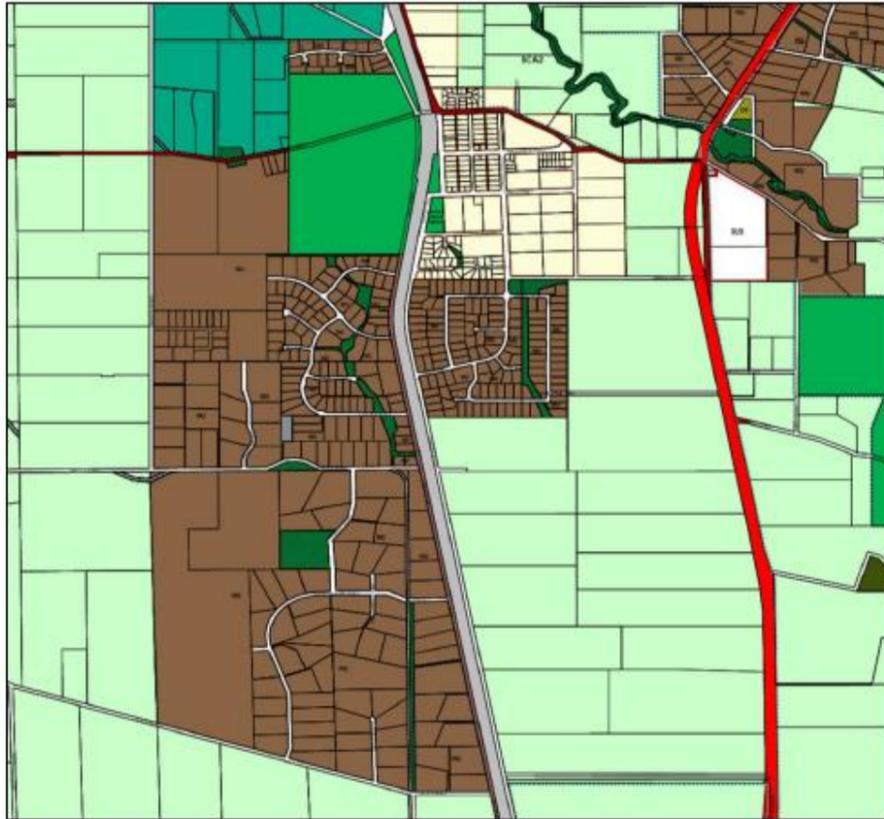
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		<p style="text-align: center;"><b>FIGURE 1 – LOCATION OF SUBJECT LAND</b></p>  <p>Source: Planwest, DPLH</p> <p>The following submission is based on the premise that a Local Planning Strategy is designed to guide the Scheme.</p> <p><b>2 SCHEME MAPS</b></p> <p>The draft Local Planning Scheme maps (draft Scheme) for the Serpentine area are shown in Figure 2. For the same reasons set out in the submission to the draft Local Planning Strategy, the Scheme does not reflect the objectives of the draft Strategy and has no plan to allow for expansion of the Serpentine townsite area as envisaged by the Council. The draft Scheme map does not appear to reflect the existing Scheme map designations already in place.</p>	<ul style="list-style-type: none"> <li>- To provide for the maintenance or enhancement of specific local rural character.</li> <li>- To protect and accommodate broad acre agricultural activities such as cropping and grazing and intensive uses such as horticulture as primary uses, with other rural pursuits and rural industries as secondary uses in circumstances where they demonstrate compatibility with the primary use.</li> <li>- To maintain and enhance the environmental qualities of the landscape, vegetation, soils and water bodies including groundwater, to protect sensitive areas especially the natural valley and watercourse systems from damage.</li> <li>- To provide for the operation and development of existing, future and potential rural land uses by limiting the introduction of sensitive land uses in the Rural zone.</li> <li>- To provide for a range of non-rural land uses where they have demonstrated benefit and are compatible with surrounding rural uses.</li> </ul> <p>Therefore the Shire does not support the proposed submission to rezone the land Rural Residential.</p>	
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FIGURE 2 – DRAFT SCHEME MAP EXTRACT



Source: Planwest, SJ

The stated objective for Serpentine townsite is to Increase the housing provision within the Serpentine townsite to provide more opportunities for housing in a rural setting and to accommodate greater populations to sustain the neighbourhood centre.

The draft Strategy states that to achieve this is to Encourage smaller lot sizes and denser housing forms to be located within and surrounding the neighbourhood centre.

To retrospectively designate areas to a higher density at a later date is not good planning. Residents in these areas should have faith with the planning system that they are settling (and investing) in an area for its environment and character for the foreseeable future, rather than being concerned about higher densities being imminent. The higher densities in the urban development areas and additional Rural Residential areas should be allocated in this draft Scheme - not as a later proposal.

**3 RURAL LIVING AREAS**

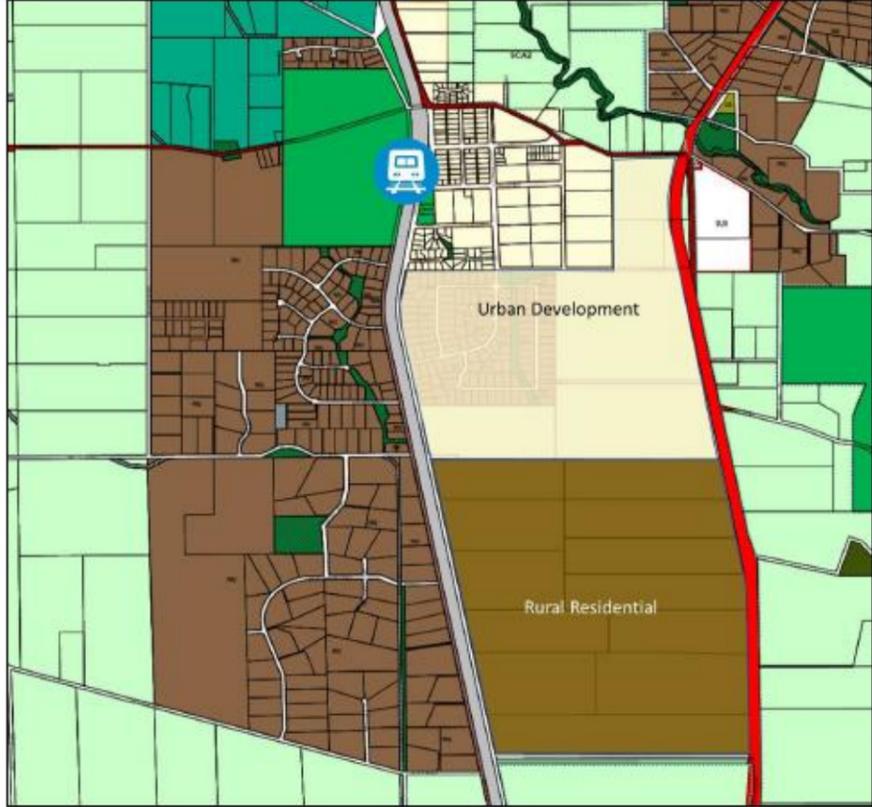
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		<p>One of the stated strategies for rural living areas (and Special Residential) in the draft Strategy is to provide a buffer to rural land uses and to define the urban edge. This is a great theory where there will be no further expansion of the urban cell. The Serpentine 'cell' clearly has no way to achieve the targeted population without a strategy to extend the urban component of the townsite.</p> <p>The end result of restricting any further development by designation these rural living areas, is the ringbarking of the existing townsite. As mentioned, the way the existing urban settlement area stands, it has nowhere to grow. In the future, the Shire will need to rezone rural living areas to a greater density to allow for any expansion. This is not good planning.</p> <p>The objectives (as mentioned) for the Serpentine townsite include; Increase the housing provision within the Serpentine townsite to provide more opportunities for housing in a rural setting and to accommodate greater populations to sustain the neighbourhood centre.</p> <p>The strategies include;</p> <ul style="list-style-type: none"> <li>a. Encourage smaller lot sizes and denser housing forms to be located within and surrounding the neighbourhood centre.</li> <li>b. Provide increased residential densities in a sensitive manner which does not adversely impact the amenity of the rural context of the Serpentine townsite.</li> </ul> <p>However, neither the adopted Local Structure Plan, nor the draft Scheme, reflect these objectives or strategies.</p> <p><b>4 EQUINE INDUSTRY</b></p> <p>The draft Strategy acknowledges the significance of the equine industry in the Shire. Rural Smallholdings have an important role in the Shire to provide for the equine activities, which is a significant industry within the Shire that is accommodated on rural living land.</p> <p>There is a concentration of equine activity within the Shire, which is largely accommodated on rural living lots. This is a defining characteristic of rural land within the Shire with potential for tourism and economic development. As identified in the Shire's socio-economic profile, the Shire is already a significant location for the equestrian industry in Western Australia. In consolidating the total number of registered horses/members across the key equine disciplines, the Shire is estimated to be home to 3,876 horses (Shire of SJ, 2018).</p> <p>With more horses than any other local government area in the State, the Shire is the leading Equine Region in Western Australia. It is essential that the equine industry is supported and preserved by the planning framework. The Shire's Rural Strategy identified a Residential and Stables Policy Area to designate areas where</p>		

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		<p>equine activities are prioritised and protected from urban encroachment and other incompatible land uses. It is recommended that this designation be identified within the draft Scheme to support the established equine industry.</p> <p>Not all equestrian lots need their own training track. The industry considers that 1 hectare is adequate for adjusting.</p> <p>The Scheme provides little to satisfy the increasing take-up equestrian properties</p> <p><b>4 RURAL STRATEGY</b></p> <p>The Shire's existing rural strategy's objectives for Town and Village Urban Policy Areas include;</p> <ul style="list-style-type: none"> <li>• Provide for urban expansion of existing towns and villages where the capability and suitability for such expansion is identified; and</li> <li>• Optimise the use of public transport and in particular existing rail links to Perth. Allow for mixed land use zoning.</li> </ul> <p>Both of these objectives point towards providing the Serpentine township with a growth plan. The draft Scheme proposals do not appropriately cater for the growth targets espoused by the document.</p> <p>Without a growth strategy the public transport links to Perth may not be warranted. This will have a direct impact on the capacity of the township to grow and flourish.</p> <p><b>5 INTERPRETATIONS IN SCHEME TEXT</b></p> <p>The draft Scheme text includes the interpretations outlined in the MST (model scheme text of the 2015 Regulations). This is a pointless and a waste of taxpayers' money. Schedule 1 should adopt the MST interpretations by reference and then add those additional interpretations (or just those shown in red) in Schedule 1 of the draft Scheme text.</p> <p>This not only saves money of advertising and printed copies gazettal fees, but more importantly incorporates any subsequent changes to the MST without amending the Scheme. This would operate in the same way as the deemed provisions.</p> <p><b>6 SUBMISSION RECOMMENDATIONS</b></p> <p>Figure 3 below shows the recommended Scheme designations for the urban development for the townsite expansion. The rural residential areas should then extend southwards as shown in Figure 3. This urban expansion will be appropriately located between two major transport routes of the railway and the South Western Highway.</p>		

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		<p>The unique rural character of the area will be maintained and enhanced with the development of neighbourhood centres.</p> <p>This proposal dovetails with the objective of;</p> <ul style="list-style-type: none"> <li>• Creating a sustainable sized neighbourhood centre;</li> <li>• Maintaining and enhancing the unique rural character, and</li> <li>• Satisfying the objectives of the existing Rural Strategy by improving the change of the settlement reaching its target population of 5,000.</li> </ul> <p style="text-align: center;"><b>FIGURE 3 – REVISED SERPENTINE SCHEME MAP</b></p>  <p><small>Source: Planwest, SJ</small></p> <p>The recommended expansion plan will;</p> <ul style="list-style-type: none"> <li>• steer away from any Aboriginal Sites &amp; Other Heritage Places (as shown in Figure 7 of the draft Strategy);</li> <li>• justify the draft strategy's net lettable area calculations to increase the townsite's sustainability (Part 5.1 Activity Centres of the draft Strategy);</li> <li>• contribute more population to help justify retention of the railway station (Figure 8 of the draft Strategy);</li> <li>• will not affect the operation of the South Western Highway alignment (Figure 8 of the draft Strategy);</li> <li>• will add weight to the investigation of the rapid transit area (Figure 8 of the draft Strategy);</li> </ul>		

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		<ul style="list-style-type: none"> <li>• provide more population in close proximity, and within easy access, of the Shire's rich heritage and natural beauty of the Jarrahdale townsite that offers an urban escape with a great potential for tourism (Figure 16 of draft Strategy);</li> <li>• not detrimentally impact the any regional green linkages or environmentally sensitive areas (Figure 17 of the draft Strategy);</li> <li>• not impact any wetlands as the area is designated 'multiple use' (Figure 18 of the draft Strategy) or any extractive industries (Figure 19 of the draft Strategy); and</li> <li>• provide additional areas to provide for an increase in the supply of lots for equestrian purposes.</li> </ul>		
Melvista Park Pty Ltd IN19/28567	49.	<p>We lodge this submission on behalf of Cardup Industrial Land Holdings Pty Ltd, the owners of lot 6 South Western Highway, Cardup. We support the "Industrial Development' zoning in the Scheme and oppose the proposal in the Strategy to rezone the Cardup Business Park to 'Service Commercial'. These are the grounds of our opposition to the Strategy proposal.</p> <p><b>Certainty and Security</b>  One of the often-stated purposes of structure planning and zoning is to give certainty to landowners and the community. This is generally accepted as a Local Government mantra. In 2011 the WAPC rezoned this 194 Ha parcel of land to Industrial on the Metropolitan Region Scheme (MRS) and the eight separate landowners grouped together to prepare a suitable structure plan. This is the standard procedure. Over the past eight years we have satisfied the Shire's various requirements and this culminated in Council adopting the Cardup Business Park (CBP) local structure plan in March this year. Collectively, after 8 years of effort and investment, the owners were secure in the knowledge they had State Government and Local Government zoning and structure planning in place for general industrial development.</p> <p>The adopted CBP structure plan has a life of 10 years however within months of its adoption the Shire was proposing a radical change in direction and, in our view, has made a mockery of the planning system. The Shire's web site defines structure plans in one sentence -"Structure plans indicate how future growth is intended to occur". Attachment 1 is a copy of the structure plan adopted by Council in March this year confirming future growth was for "Industry General".</p> <p><b>Reliance On Shire Actions and Council Adopted CBP Local Structrue Plan</b>  Our group purchased this land in 2007 in anticipation of Industrial zoning on the MRS. The two drivers in our group are Vincent Siciliano the principal of UHooker Commercial and Ian Edwards a partner at Knight Frank (Commercial) -both are recognised experts in industrial and commercial land. They saw the potential of this land for general industrial development and pursued it in the knowledge the WAPC supported it, and then later the Shire supported it -culminating in Council's adoption of the structure plan in March this year.</p> <p>Some five years ago, as the structure plan was advancing, LJHooker placed a For Lease sign on the highway frontage of the property and fielded many enquiries</p>	<p>Noted – We appreciate your response via submission to the Draft Local Planning Strategy and Local Planning Scheme No.3.</p> <p>The Draft Local Planning Scheme No.3 identifies the Cardup Business Park as Industrial Development. The Shire does not recommend any changes to this.</p>	

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		<p>about potential land uses. In March 2016, in response to market demand, we prepared a 21 lot subdivision plan which proposed 19 x 1 Ha lots and 2 x 2 Ha lots. (Attachment 2). This plan has been modified at various times to suit further market enquiries, and the most recent plan dated July 2019 (Attachment 3) provides three large lots at our entry to accommodate a hardware store; a home base centre and a nursery/garden supplies business. These large lots approximate 3 Ha in area and of the remaining lots ten are 1 Ha in size, with two lots at 2 Ha.</p> <p>All other properties in the CBP are held by long term owners some of whom have long established industries. We are the only owners who purchased land on the basis of general industrial potential and we intend to kick start development in 2020. (We paid \$16m for lot 6 twelve years ago and had anticipated commencing development some 4 or 5 years ago).</p> <p><b>Research and Justification</b>  The concept of changing the zoning of 194 Ha of general industrial land requires comprehensive research and independent professional property advice on the demand for service commercial land and the ideal size of the estate. There was no such research undertaken by the Shire, nor was any independent industrial property advice sought. The draft Local Planning Strategy, in very few words and with no justification, says the site is ideal for service commercial. It is common knowledge that service commercial estates are significantly smaller than general industrial estates.</p> <p>As mentioned previously two of our four owners are experts in commercial and industrial land, and they see service commercial zoning as the kiss of death. In their expert view the 194 Ha CSP (gross area) is ideally positioned and ready to attract general industrial uses now. They consider a service commercial area is premature; very long term and whilst it may be commenced with a home base centre and large hardware store, growth thereafter will be very slow. They also advise that 40 to 50 Ha is probably the maximum size for a service commercial area.</p> <p>If the CSP land was zoned Rural at present and the Shire was considering service commercial land use it might have allocated 30 Ha to SO Ha for that purpose. The draft Local Planning Strategy and Scheme also propose an additional 8 Ha of land north of Cardup Siding Road, for service commercial.</p> <p><b>Inconsistency in Approach Between Neighbouring Local Authorities</b>  The Forrestdale Business Park East (FBPE) is a good real life comparison with the Cardup Business Park. The FBPE has an area of 188 Ha and has been slowly developing for 17 years. The FBPE and CSP are similar in land area however the FSPE is much closer to the city and closer to surrounding residential development, and is far more ripe for development. The FBPE was created as a service commercial and light industrial area. Development of service commercial uses has been slow and sporadic, and in August this year DevelopmentWA (formerly</p>		

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		<p>Metropolitan Redevelopment Authority) commenced rezoning the entire FBPE to 'Industrial' to allow more general and light industry to take up undeveloped land.</p> <p>We have land in the FBPE next door to another CSP owner {O'Neil} and our land is undeveloped and O'Neil's land is mostly undeveloped, after 17 years of service commercial zoning. The area is being normalised and the City of Armadale will assume full jurisdiction on 1 July 2020. The completely different manner in which the two neighbouring local authorities are addressing these two business parks is highlighted below.</p> <p>4 (i) Shire of Serpentine-Jarrahdale Approach  Shire adopts CSP structure plan in March 2019 confirming 194 Ha for general industrial use after 8 years of structure planning, consistent with the MRS Industrial zoning. "Sensitive receptors" result in a proposed change in land use to service commercial without any independent research on appropriate land area allocation, market demand and anticipated rate of development being undertaken. The most sensitive receptor is the rural residential area to the west separated by two road reserves, a railway reserve and a green buffer i.e. approximately 100m.</p> <p>Further, the CBP structure plan report identifies statutory management controls to minimise any intrusion or effect on nearby sensitive receptors. The CBP structure plan would not have been adopted by Council without adequate safeguards. The advertised Local Planning Scheme and Local Planning Strategy are inconsistent, with the Scheme showing the land zoned Industrial Development while the LPS suggests it should be service commercial i.e. inconsistent with the draft Scheme 3, MRS Industrial zoning and the CBP Local Structure Plan adopted by Council in March this year.</p> <p>4 (ii) City of Armadale Approach  The City, in liaison with Development WA, considers the original allocation of 188 Ha for service commercial and light industry in the FBPE to be excessive and proposes to rezone the land to allow more industrial uses. In anticipation of the scheduled normalisation the City advertised Amendment 107 (submissions closed on 5 December 2019) which, in Section 10 of the advertised documents, states "<i>Amendment No 107 proposes to designate a 'General Industry' and 'Industrial Business' zoning over the majority of the FBPE consistent with the proposed MRS zoning of Industrial.....</i>" (this well considered action is the opposite of what the SJ Shire is proposing).</p> <p>The north east side of Ranford Road (northern boundary of FBPE) contains long established rural residential lots and over the years these residents have complained about potential nuisance and Development WA's response and the City of Armadale's response is that a 30m road reserve and development controls are sufficient to counter any negative effects.</p> <p>The City of Armadale's approach is based on real life development over 17 years and is consistent with the MRS Industrial zoning. The Shire's approach is based</p>		

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		<p>on planners opinions and is inconsistent with (i) the MRS Industrial zoning, (ii) the proposed Scheme 3 and (iii) the recently adopted CBP local structure plan.</p> <p><b>Inconsistency In Shire Documents and Likely Officer Advice</b>  The draft Local Planning Scheme shows the CBP zoned 'Industrial Development' while the draft Local Planning Strategy proposes to rezone the site to Service Commercial. Your planners will argue that the Scheme consolidates the zoning while the Strategy identifies the direction of proposed zoning changes. This will lead to a situation where the MRS zoning, SJ Shire zoning and the recently adopted CBP structure plan all confirm general industrial development for the CBP land however prospective purchasers of lots will likely be advised by Shire staff that general industry will not be acceptable and enquirers should look elsewhere to establish their general industrial pursuit. This is unacceptable.</p> <p><b>Conclusion and Recommendation</b>  The Shire's proposed Local Planning Strategy proposes rezoning the Cardup Business Park to Service Commercial, contrary to (i) the MRS Industrial zoning, (ii) the recently adopted local structure plan which has a life of 10 years and (iii) the draft Local Planning Scheme which shows the land zoned 'Industrial Development'. No research or independent advice supports this proposal.</p> <p>We request Council modifies the Local Planning Strategy to confirm the Cardup Business Park land will remain zoned 'Industrial Development' and is set aside for general industrial development in accordance with the management controls incorporated in the local structure plan.</p>										
Allerding & Associates on behalf of Serpentine Falls Lifestyle Village IN19/28593	50.	<p>Lots 820 and 814 (2489) South Western Highway</p> <p><b>RE: SUBMISSION ON SHIRE OF SERPENTINE-JARRAHDALE DRAFT LOCAL PLANNING SCHEME NO. 3 – LOTS 820 AND 814 SOUTH WESTERN HIGHWAY, SERPENTINE</b></p> <p>We have been engaged by Tasman Capital to prepare a submission in respect of the Shire of Serpentine-Jarrahdale Draft Local Planning Scheme No. 3 (<b>Draft TPS3</b>). The submission relates to the existing Serpentine Falls Over 45 Lifestyle Village located at Lot 813 (2489) South Western Highway, Serpentine (<b>subject site</b>). Tasman Capital have an offer to acquire Lot 820, and an option to acquire Lot 814 with the current landowner. The sale of the properties is confidential and we would ask Council that the sale be kept on a confidential basis if this submission document is to be made publicly available.</p> <p>The basis of this submission is to note that, whilst we do not object to the inclusion of the 'park home park' land use as an "X" (prohibited) use under all zones in the zoning table, the recognition of the 'park home park' as an "A" (discretionary subject to consultation) use under Special Use Zone No. 9 (<b>SU9</b>) ought to allow for expansion opportunities within the above site. This will allow for the orderly expansion of what we understand is the only existing, operational and approved park home park development within the Shire. The basis for this is outlined in our submission below.</p>	<p>The Shire recommends that additional land uses be included within the Special Use zone that are consistent with the tourism objectives for the site. These additional uses provide greater flexibility for the future development of the site.</p> <p>The Shire does not support the further expansion of the 'park home park' land use under the Draft Local Planning Scheme No.3.</p> <p>The Shire will consider any future Scheme amendment based on its merit, as well as its alignment to the Local Planning Strategy. Importantly future scheme amendments will be assessed regarding there alignment with the Local Planning Strategy.</p>	<p>Amend SU9 to state the following:</p> <table border="1" data-bbox="2178 1262 2914 1927"> <thead> <tr> <th>No.</th> <th>Description of land</th> <th>Special use</th> <th>Conditions</th> </tr> </thead> <tbody> <tr> <td>SU9</td> <td>Lot 814 (2531) and Lot 20 (2489) South Western Highway, Serpentine</td> <td>Serpentine Caravan Park</td> <td> <p>1. The following shall be considered as 'A' uses:</p> <ul style="list-style-type: none"> <li>• caravan park</li> <li>• community purpose</li> <li>• holiday accommodation</li> <li>• office</li> <li>• park home park</li> <li>• recreation – private</li> <li>• restaurant/cafe</li> <li>• shop</li> <li>• tourist development</li> </ul> <p>2. Further expansion of the park home park land uses shall be prohibited.</p> </td> </tr> </tbody> </table>	No.	Description of land	Special use	Conditions	SU9	Lot 814 (2531) and Lot 20 (2489) South Western Highway, Serpentine	Serpentine Caravan Park	<p>1. The following shall be considered as 'A' uses:</p> <ul style="list-style-type: none"> <li>• caravan park</li> <li>• community purpose</li> <li>• holiday accommodation</li> <li>• office</li> <li>• park home park</li> <li>• recreation – private</li> <li>• restaurant/cafe</li> <li>• shop</li> <li>• tourist development</li> </ul> <p>2. Further expansion of the park home park land uses shall be prohibited.</p>
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		<p><b>1. Background</b></p> <p>The Serpentine Falls Over 45 Lifestyle Village was first granted planning approval in 1988. It is licensed for 168 sites and comprises a range of associated community facilities.</p> <p>This village provides options for Serpentine-Jarrahdale's ageing population in an affordable and sustainable housing model. The significance of this village should be recognised by the Shire and ensure that its legitimacy is maintained, and to also allow the park to continue to develop and expand without having to separately seek Council's consent for an amendment to its Scheme. This is particularly relevant as it has always been intended by the current landowner (and is also the intention of our client as the prospective purchaser) that the village continue to provide housing options within the Southern Metropolitan area as demand for affordable accommodation increases.</p> <p>The existing village is well established in this location and has responded to the growing demand for affordable housing for the over 45s. Additionally, the village has maintained a proven track record in terms of its positive effect on the amenity of the locality, housing choice and compatible interface with residential and rural surroundings.</p> <p>It is intended that the potential of the village is capable of responding to growing demand by expanding the capacity for accommodation where suitable and appropriate. To enable the continued operation and to maintain opportunities for future expansion to the village, we seek that Draft LPS3 be amended to remove Condition 2 of SU9 prohibiting further expansion of the park home park land uses. This is explained in further detail below.</p> <p><b>2. Significance and Benefits of Park Home Park development in Serpentine Jarrahdale</b></p> <p>Park Home Park developments are a housing model that is widely accepted as being capable of meeting the State's affordability and sustainability objectives without significant burden to Government. This is because land is not subdivided nor are facilities handed over to Government for ongoing management. The model also provides flexibility in terms of its location relative to conventional housing models. Within a Park Home Park development land remains under a single title and ownership, where land is leased to tenants (typically for 60 years). Having a single land ownership provides flexibilities and greater capacity to introduce management measures, as well as built form controls over housing, that could not typically or simply be provided under a conventional housing model.</p> <p>It is well regarded for its affordable housing options because it enables prospective residents to sell their homes and with the relatively modest price of a park home, it enables the freeing up of capital to pursue an active lifestyle or simply to provide a nest egg for financial security. The cost of purchasing a comparable strata unit is generally significantly more than the cost of purchasing a park home. Therefore</p>		

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		<p>this provides an affordable option for residents whilst enjoying the benefit of community facilities.</p> <p>A significant component of the equation to providing affordable housing is the initial capital cost of acquiring land. The affordability is facilitated by providing land on a long term lease whilst the building structure is fully owned (and willable) by the resident.</p> <p>The ability to provide an affordable housing option occurs by separating land ownership and home ownership and introducing a unique long term lease which provides security of tenure and entry affordability.</p> <p>Typically the average age of a park home resident is aged between 55 and 70 years, representing Australia's fastest growing demographic sector and reflecting the demographic trend anticipated for the future projections in the Perth and Peel Regions. The Park Home model aims to provide a lifestyle choice for active people who are too young, too fit or too healthy for a traditional retirement village. Typically these residents have a good 20 to 30 years of active life ahead of them, and appreciate the atmosphere, security and facilities offered by a Park Home development. 'Lifestylers' can downsize their house, making such accommodation available for younger families, free up equity for travel, hobbies and leisure and move into a manageable new home.</p> <p>Housing Strategy WA, and specifically Affordable Housing Strategy 2010-2020, was the first Whole-of-Government housing strategy to be developed in Western Australia. It is being advanced now through Housing Strategy 2020-2030 which builds upon the earlier foundations, but is still under development.</p> <p>The aim of the strategy is to deliver a responsive housing system which meets the changing needs, aspirations and choices of Western Australians in a sustainable way. Three major themes provide the foundation for the original strategy — affordability, sustainability and equity.</p> <p>Specifically the following strategy was identified to improve housing supply:  Strategy 2 - Improve Housing Supply</p> <p>4. Develop alternative tenures. Expansion of existing options such as park homes and affordable lifestyle/ retirement village concepts, or new community land trust arrangements, will be examined.</p> <p>This will be complemented by leasehold strata title reforms currently under way. Affordable park homes, well located Lifestyle Village (based on leasehold land) and more recently community land trust and leasehold strata arrangements all offer targeted alternatives to the high cost of conventional land and housing solutions.</p> <p>It is therefore clearly established that the Park Home Park (leasehold) model is an accepted vehicle to assist in the delivery of affordable housing.</p> <p>This provision is consistent not only with the State's affordability policies and strategies but also with the recommendations of the State's Economics and</p>		

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		<p>Industry Standing Committee. In May 2010 the WA Minister for Planning tabled the Government's response to the Economics and Industry Standing Committee's report titled "Provision, Use and Regulation of Caravan Parks (and Camping Grounds) in Western Australia".</p> <p>Although the Committee's Report considered a number of matters directly related to tourism and short stay accommodation, it also considered issues which were directly relevant to park home developments (Lifestyle Villages). In particular the Committee recommended that the Minister for Planning "...provide for Lifestyle Village to be developed on rural zoned land...".</p> <p>Whilst Lifestyle Villages are compatible and complimentary with urban development, they are considered to be preferably located on either the edge of urban locations (i.e. on urban land but at the periphery of a development area) or near urban locations.</p> <p>In other words to facilitate opportunities for quality affordable development, it is necessary to not provide a slavish or inflexible approach in the planning system. In this instance we have an historically appropriate development in the Serpentine Falls Park Home and Tourist Village. Given Council's decision to prohibit Park Homes throughout the balance of the Shire, it is appropriate to consolidate this existing development as a suitable location to accommodate this form of housing choice typology.</p> <p><b>3. Proposed Amendment to Draft LPS3 (TPS3)</b></p> <p>At present SU9 refers only to one lot being Lot 820 (comprising the existing village), but in fact it applies to two lots which also includes Lot 814. This needs to be rectified in the Schedule.</p> <p>In that respect Schedule 2 – Special Use Zones of Draft LPS3 should be amended to remove Condition 2 of SU9 for the following reasons:</p> <ul style="list-style-type: none"> <li>• To enable the existing operations to continue with permitted potential of the village to expand to enable the continued provision of affordable housing choices for Serpentine-Jarrahdale's ageing population sector;</li> <li>• To allow for an increase in the number of sites within the existing villages; and</li> <li>• To recognise the legitimacy of the village in this location not just in terms of its historical approval context, but also in recognition of its strategic legitimacy into the future;</li> <li>• Provide for a range of complementary land uses that also consolidate the suitability of the site to accommodate a range of tourism and rural uses consistent with the Shires Local Planning Strategy (<b>LPS</b>). 1. To Amend Schedule 2 – Special Use Zones of the Shire of Serpentine-Jarrahdale Draft Local Planning Scheme No. 3 to read as follows:</li> </ul> <p>We seek that the amendment to Schedule 2 – Special Use Zones of Draft LPS3 be included in the following terms:</p>		

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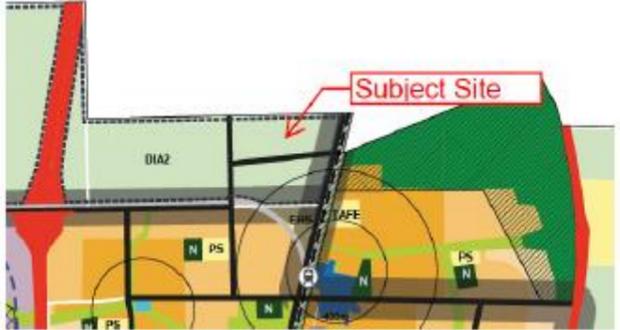
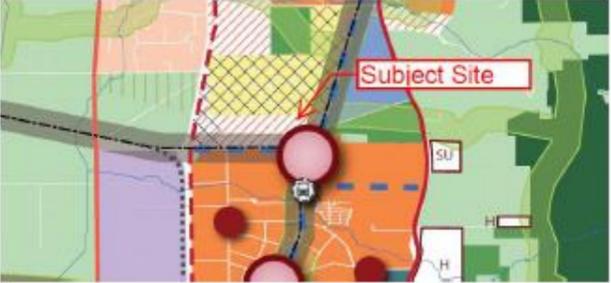
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		<p>our client is not unreasonably or unduly prejudiced and will allow for the continued provision of affordable housing to the Shire's ageing population sector. We would be happy to meet with you to discuss the above in further detail. However, in the meantime, please don't hesitate to contact the office should you require any further information.</p>		
<p>Burgess Design Group on behalf of Land Group WA – Cardup P/L  IN19/28596</p>	<p>51.</p>	<p>Lot 30 (496) Soldiers Road, Cardup  <b>RE: SUBMISSION ON DRAFT LOCAL PLANNING STRATEGY &amp; DRAFT LOCAL PLANNING SCHEME NO.3</b>  <b>LOT 30 SOLDIERS ROAD, CARDUP</b>  On behalf of Land Group WA – Cardup Pty Ltd, the registered landowner of Lot 30 (#496) Soldiers Road, Cardup (see Image 1 below), we are pleased to make this submission on the draft Local Planning Strategy (2019) (Strategy) and Local Planning Scheme No.3 (LPS3).</p>  <p>Image 1: Land Ownership</p> <p><b>LOCAL PLANNING STRATEGY</b>  The draft Strategy identifies the land as 'Development Investigation Area'.</p> <p>This is part of the broader 'Urban Areas and Townsites' category, being areas that provide housing and associated urban services and amenities. The Shire aims to preserve its distinctive character of having urban centres separated by rural wedges by limiting urban sprawl. This means increased density in urban areas, and ensuring urban development only occurs within discrete cells suitable for such development where population forecasting indicates it is needed.  The site forms part of the broader 'Mundijong' urban area, for which the stated objectives are:</p> <ul style="list-style-type: none"> <li>• Achieve a diversity of housing types to provide choice, adaptability and to accommodate a range of incomes, households and life stages and to deliver housing product which will attract people to live in Mundijong.</li> <li>• Achieve distinctive urban precincts within Mundijong.</li> </ul>	<p>The Shire would like to acknowledge the submission in relation to Lot 30 Soldiers Road, Cardup. The applicant will have to go through due process in submitting a Scheme amendment to the Local Planning Scheme and follow orderly and proper planning.</p> <p>In regards to the Development Investigation Areas identified by the Shire in the Draft Local Planning Strategy, these areas are subject to further investigation to determine appropriate development. To guide the future vision of these areas, the Shire recommends that additional text be included in the Draft Local Planning Strategy to provide further clarification on the intention of these sites. The Shire will consider any Scheme amendment based on its merit, as well as its alignment to the Local Planning Strategy. Importantly future scheme amendments will be assessed regarding their alignment with the Local Planning Strategy.</p> <p>We appreciate your response via submission to the Draft Local Planning Strategy and Local Planning Scheme No.3.</p>	

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		<ul style="list-style-type: none"> <li>• Integrate new housing and urban development with the older urban development patterns and housing as well as natural areas in a sensitive manner.</li> <li>• Encourage urban development and housing to be environmentally sustainable and resource efficient.</li> </ul> <p>Importantly, a key strategy for this area that relates to the site is to:</p> <p>h) Investigate the potential for urban expansion within the consolidated land parcels of the Mundijong Urban area and Bishop Road, with the potential to extend Norman Road to the west as a potential boundary to the urban expansion.</p> <p><b>LOCAL PLANNING SCHEME NO.3</b></p> <p>The draft LPS3 identifies the land as ‘Rural’ (i.e. no change to the existing zoning).</p> <p><b>SUMMARY OF PROPOSED FRAMEWORK</b></p> <p>We understand the primary objectives relevant to the site and its surrounds are:</p> <ol style="list-style-type: none"> <li>1. To identify the site for future urban uses;</li> <li>2. To provide for an urban form that responds to constraints and local character; and</li> <li>3. To raise the possibility of an extension of Norman Road through the site as a potential boundary to the urban expansion.</li> </ol> <p>The identification of the land for urban uses is generally consistent with the South Metropolitan Peel Sub Regional Planning Framework (2018) , which identifies the land as ‘Urban Expansion’ in an effort to consolidate and ‘round off’ existing urban land identified in Mundijong. However, it should be noted that the Framework makes a distinction between ‘investigation’ areas and ‘expansion’ areas, where the Shire does not. Namely, land identified as the latter is considered to be less constrained and better located in terms of proximity to major centres and growth areas. We agree with this characterisation as it relates to the site.</p> <p>In relation to the Shire’s proposed framework, we submit that an objective driven approach should be adopted to provide scope for further exploration of the issues.</p> <p><b>SUBMISSION 1: EXTENSION OF NORMAN ROAD</b></p> <p>The Strategy makes specific reference to the “extension of Norman Road through the site...” We assume this follows from the Shire’s draft Mundijong District Structure Plan (2018) , which depicts a road alignment through the site, as shown in Image 2 below:</p>		

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		 <p data-bbox="629 793 1101 814">Image 2: Draft Mundijong Whitby District Structure Plan (2018)</p> <p data-bbox="507 835 1489 957">We note the draft Mundijong District Structure Plan (2018) has not been finalised. It is important to note the Shire's proposed road network is inconsistent with the South Metropolitan Peel Sub Regional Planning Framework (2018) , which depicts a more regular layout of distributor roads, as shown in Image 3 below:</p>  <p data-bbox="629 1331 1190 1352">Image 3: South Metropolitan Peel Sub Regional Planning Framework (2018)</p> <p data-bbox="507 1373 1489 1528">We understand the Shire's motivation for departing from the Framework is to provide an additional link via Norman Road between the future industrial area located north east of the site through to Tonkin Highway to the west. However, there are a number of significant contentions surrounding this proposed extension, including:</p> <ul data-bbox="552 1566 1489 1908" style="list-style-type: none"> <li>• The extension of Norman Road does not appear to have been modelled as part of the Transport Impact Assessment (Cardno 2018) prepared to support the District Structure Plan, so its utility and effectiveness is unknown;</li> <li>• There is no analysis or discussion within the District Structure Plan or the Strategy regarding the need, suitability or viability of the proposed realignment;</li> <li>• The realignment could undermine the road hierarchy in the area, noting it does not appear to be logical, it is fragmented, and does not provide direct links to key attractors or logical routes for rapid transit (in this instance, the town centre and future train station);</li> </ul>		

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		<ul style="list-style-type: none"> <li>• We understand the realignment may result in the creation of an additional railroad crossing near Bishop Road (adjacent to an existing crossing) at a location that could pose safety issues and impede the efficient movement of traffic;</li> <li>• Land Group WA was not consulted on the proposed change to the road network, despite the Shire's Officers being aware of its intentions to develop the site, the localised knowledge of its consultant team that could help inform decision makers, and the direct impact the change would have on its land (though it is noted a number of other developers in the area were consulted, including QUBE, LWP and PEET).</li> </ul> <p>We also understand that Main Roads Western Australia does not support the Shire's proposed change because it undermines its regional hierarchy and is unnecessary, as traffic from the Industrial area to the east is expected to use South Western Highway to travel north or south and then use planned distributor roads to access Tonkin Highway and areas to the west.</p> <p>In any event, this is a specific issue that needs to be considered at a scale not commensurate with that of a local planning strategy. Given the contentions at hand: the fact the proposed road extension departs from the Sub-regional Planning Framework, which themselves were developed with significant scrutiny; the absence of any substantive technical or strategic analysis of the need, efficacy, and safety of the extension and railroad crossings; and noting it has thus far only been mooted in a draft review of the District Structure Plan, which is yet to be determined, we believe it is improper to include specific reference to the extension of Norman Road as a fundamental outcome of the Strategy, as it has significant potential to fetter the future planning of the area and the motivating purpose of the extension is not clearly stated.</p> <p>Rather, we submit that the Shire ought to consider setting out an objective based framework so that potential solutions can be explored in more depth and at a more appropriate scale. That is to say, if the Shire is seeking to facilitate additional linkages from industrial areas through to Tonkin Highway, it should set out objectives stating as such. However, we do not believe the Strategy is an appropriate mechanism in which to prescribe specific design outcomes. An objectives-based approach will instead enable the Shire to set a scope within which such proposals are considered, allowing for an outcome that responds to needs and vision instead of one that is prescribed in the absence of a substantive and integrated proposal. Furthermore, given the extensive planning framework applicable to the area, including the sub-regional structure plan, district structure plan, and future local structure plans, there is ample opportunity to explore and guide the implementation of an appropriate solution.</p> <ul style="list-style-type: none"> <li>• <b>Submission 1: Specific reference to the extension of Norman Road should be removed and replaced with an objectives-based approach, setting out the goals and vision of what the Shire is trying to achieve.</b></li> </ul> <p><b>SUBMISSION 2: URBAN BOUNDARY</b></p>		

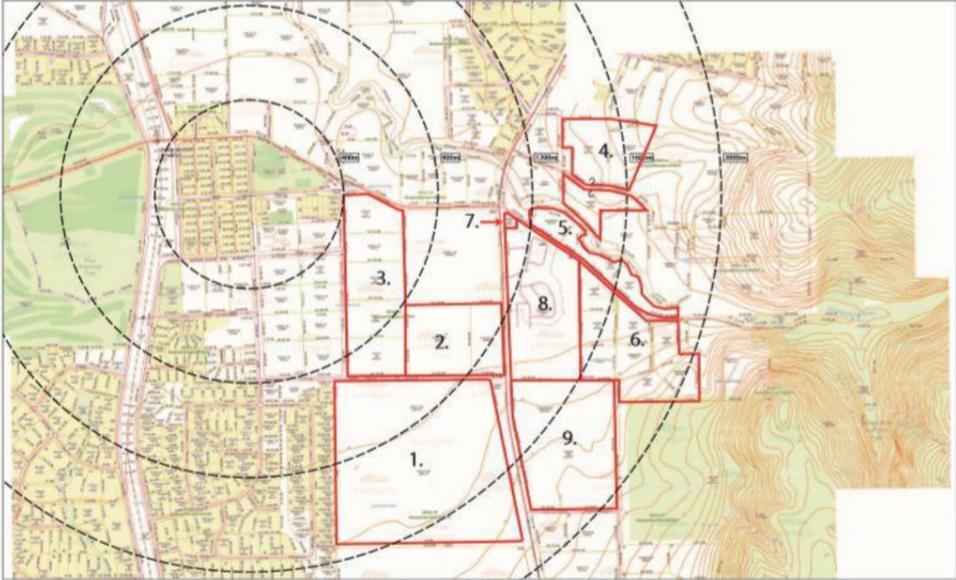
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		<p>The Strategy makes specific reference to the “extension of Norman Road through the site as a potential boundary to the urban expansion.” We infer from other objectives in the Strategy this intends to provide a suitable interface with an existing rural residential estate to the north. Such an arrangement would effectively sterilise half of the site for urban uses on the premise that would provide the best possible outcome to maintain the character of the area. However, we believe an objectives-based approach is better suited to achieve the Shire’s goals.</p> <p>Contextually, it is important to note that the site is identified for ‘Urban Expansion’ in the South Metropolitan Peel Sub Regional Planning Framework (2018) , where it forms the northern tip of a major urban area and abuts a ‘State Planning Investigation Area’, being the rural residential estate located directly north. These factors, at a regional level, indicate a significant change in land use will occur in the area, being the introduction of a major urban centre into what is currently a rural area. The Shire’s Strategy is laudable in its intent of safeguarding the character of its existing and planned future rural precincts, and the objectives set out in much of the Strategy provide a strong framework to guide the design and consideration of proposals in that regard. Furthermore, we agree that a change of this magnitude poses significant challenges for the Shire, and due consideration is warranted to protect the social capital of its existing and future communities. However, the prescription of a spatial response does not provide scope to consider truly responsive solutions.</p> <p>Character cannot be regulated through spatial and land use measures alone. Rather, it requires a highly considered design response; one that can be substantiated against state and local frameworks, and that satisfies technical requirements of government agencies. Effective response to character is also dependent on context, as character is necessarily specific to a particular setting and it does not lend itself to prescriptive solutions. For example, consideration must be given to the purpose and nature of the changes expected in the area. To that end, Mundijong is expected to become a significant urban centre, and the subject land is no more than 1.5km away from a future urban rail station and the town centre at its furthest extent. Clearly there will be a change, but the manner in which the character of the area is managed, including the desired character of urban uses, particularly near the planned district centre, and the specific interface provided to surrounding rural areas is something that is highly contextual.</p> <p>Furthermore, given the rural residential precinct to the north is identified as a ‘State Planning Investigation Area’, the prescription of a permanent response predicated on the protection of the character of an area which itself is under review appears contradictory and could undermine the urban structure in perpetuity. That is not to say the character of future urban uses have primacy over existing rural areas, or that they are essentially incompatible; rather, future urban areas should be considered within their own context whilst also responding appropriately to both the existing and desired future character of the surrounding area within a specific design framework. In a setting where urban uses might be better suited to achieve</p>		

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		<p>overarching goals of providing for the efficient use of urban land and facilitating the sustainable delivery and ongoing use of urban amenities and infrastructure, other means of integrating with surrounding uses may, on balance, provide a preferable and more effective outcome.</p> <p>We note that the Shire has set out a compelling framework within its proposed Mundijong District Structure Plan (2018), which at Table 2 requires matters such as the ‘transition of land use most specifically to the north’ , ‘visual landscape protection’ , and interface with major roads (among other factors such as resource and energy efficiency, housing diversity, and investigation of alternative construction methods) to be addressed through structure planning for the site. This places a significant but not undue burden on the proponent to present the Shire with something that is exemplary. We believe that a similar approach is warranted here. Providing an objectives-based framework to achieve the Shire’s goal provides a firm foundation for proponents to work collaboratively with the Shire to achieve its vision, whereas a prescriptive approach only serves to promote a ‘tick box’ solution that often fails to meet its intent.</p> <ul style="list-style-type: none"> <li>• <b>Submission 2: Specific reference to the potential extension of Norman Road as a boundary to urban zoning should be removed and replaced with an objectives-based approach, setting out the goals and vision of what the Shire is trying to achieve – particularly given the extension of Norman Road may very well not be justified or supported.</b></li> </ul> <p><b>CONCLUSION</b></p> <p>The Shire’s Local Planning Strategy (2019) (Strategy) provides a clear context to facilitate urban development of the site within a major growth area. However, we believe that prescriptive and specific elements of the Strategy should be reviewed.</p> <p>Both of the submissions set out herein make the case for considering site responsive solutions; namely by setting out an objectives-based framework to provide a foundation for collaborative solutions. We believe this presents a great opportunity for the Shire to work alongside applicants to resolve issues rather than prescribe outcomes that could ultimately be compromised by virtue of being applied in the absence of any substantive review of context and constraints.</p> <p>We look forward to continuing to work with the Shire on these matters in the future to help achieve its vision to create a diverse, sustainable, and distinct urban centre in Mundijong.</p>		
MALF Corporation Pty Ltd	52.	<p>SUBMISSION ON DRAFT LPS No. 3 &amp; Local Planning Strategy (2019)</p> <p>This submission has been prepared by Michael Glendinning Property for MALF Corp Pty Ltd.  The submission relates to the significant landholdings adjacent to the major intersection of South West Highway and Karnup Road (on the western side) and</p>	<p><b>(Property ID 1/2 – Map )</b></p> <p>The Shire supports the request to update the area subject to Scheme Amendment No.193 to Town Planning Scheme No.2 as ‘Rural Residential RR-1’ in accordance with Amendment No.193. The Shire</p>	<p>Zone Lots 487, 611 and 615 Arnold Road, Serpentine as Rural Residential RR-1.</p> <p>Zone Lots 801 - 803 Falls Road, Serpentine as Rural on Local Planning Scheme Map 5.</p> <p><b>SU8:</b></p>

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		<p>Falls Road (on the eastern side) and has aspirations for significant development of these landholdings which are, of course, affected by the draft Local Planning Strategy and the draft Local Planning Scheme No.3.</p> <p>For the purpose of this submission and to assist the Shire in its consideration of our comments on and required outcomes from the Strategy and the Scheme we have addressed the properties in logical groupings which accord with their relative geographic position and/or their zoning.</p> <p>Given the zones proposed in the draft Scheme will be applied on a cadastral basis, we have also endeavoured to assist the Shire by ensuring that specific lot numbers are confirmed, but have ascribed an identification (ID) number to each grouping of similarly zoned lots (or single lot where appropriate) to ensure that the narrative is relevant to the proposed zonings. There are nine Property IDs in total. Please refer to the Property ID Map on the next page and note that our schedule of comments and required outcomes address each Property ID in numerical sequence.</p> <p>Please also note we have endeavoured to make clear our support or otherwise for the proposed treatment of each Property ID under the draft Strategy and the draft Scheme by indicating where we are <b>Supportive</b> or <b>Not Supportive</b></p> <p>We look forward to Council's favourable consideration of our comments and required outcomes and we are happy to meet to discuss any aspect of our submission.</p> <p><b>Property ID Map</b></p> 	<p>does not support the request to develop an investigation area on the site.</p> <p>The Serpentine Townsite Local Structure Plan (LSP) is currently in draft form and is being finalised by the Shire to be re-advertised later this year. The Draft LSP is currently subject to modifications that have been required by the Western Australian Planning Commission (WAPC). These modifications include a number of additional studies, which are currently being finalised as a part of the LSP document. Once the modifications required by the WAPC are completed, the Draft LSP will be re-advertised for public comment. The Shire will notify all residents within the LSP area when the document is advertised as per the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>. The finalisation of the LSP following re-advertising is required to inform the future subdivision and development within the LSP area.</p> <p><b>(Property ID 3/4 – Map )</b></p> <p>We appreciate your response via submission to the Draft Local Planning Strategy and Local Planning Scheme No.3.</p> <p><b>(Property ID 5 – Map )</b></p> <p>The Shire supports a change to Lots 801 – 803 Falls Road to be rezoned Rural, as it was under Town planning Scheme No.2. While it is acknowledged that these lots are identified as Rural Residential within the WAPC's Perth and Peel @ 3.5 Million South Metropolitan Peel Sub-Regional Planning Framework, the subject lots are strategically located within a tourism corridor. The lots are located between Falls Road, which leads to Serpentine Falls and the National Park, and the Serpentine River, which is a nature corridor that will accommodate a network of trails. The Shire considers that these lots are strategically located to accommodate tourism land uses. The Rural zone provides more flexibility for tourism uses.</p>	<p>Amend SU8 to state the following:</p> <table border="1" data-bbox="2178 453 2917 877"> <thead> <tr> <th>No.</th> <th>Description of land</th> <th>Special use</th> <th>Conditions</th> </tr> </thead> <tbody> <tr> <td>SU8</td> <td>Lot 812 (2) Falls Road, Serpentine</td> <td>Serpentine Falls Roadhouse</td> <td>1. The following shall be considered as 'A' uses: <ul style="list-style-type: none"> <li>convenience store</li> <li>holiday accommodation</li> <li>lunch bar</li> <li>restaurant/cafe</li> <li>road house</li> <li>service station</li> <li>tourist development</li> </ul> </td> </tr> </tbody> </table> <p><b>SU9</b> Amend SU9 to state the following:</p> <table border="1" data-bbox="2178 974 2917 1591"> <thead> <tr> <th>No.</th> <th>Description of land</th> <th>Special use</th> <th>Conditions</th> </tr> </thead> <tbody> <tr> <td>SU9</td> <td>Lot 814 (2531) and Lot 20 (2489) South Western Highway, Serpentine</td> <td>Serpentine Caravan Park</td> <td>1. The following shall be considered as 'A' uses: <ul style="list-style-type: none"> <li>caravan park</li> <li>community purpose</li> <li>holiday accommodation</li> <li>office</li> <li>park home park</li> <li>recreation – private</li> <li>restaurant/cafe</li> <li>shop</li> <li>tourist development</li> </ul> <p>2. 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We are <b>supportive</b> of the Local Planning Strategy, which recognises the recent rezoning of the property under TPS No.2 from Rural to Rural Living A (with a 1ha minimum lot size) by depicting the property Rural Residential (RR-1) on the Strategy Map.  We are, however, <b>not supportive</b> of the Scheme Map for LPS No.3 (Sheet 5) which depicts the property as Rural.  <b>REQUIRED OUTCOME:</b>  Correct the LPS No.3 Scheme Map to show Lot 487 Arnold Road as 'Rural Residential (RR1)' in accordance with Amendment No.193 to TPS No.2.</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-bottom: 10px;"> <tr> <td style="width: 20%;"><b>PROPERTY (Map ID 2)</b></td> <td colspan="2">Lots 611 &amp; 615 Arnold Road (north)</td> </tr> <tr> <td><b>CURRENT ZONING (TPS No.2)</b></td> <td colspan="2">Rural Living A (1 hectare minimum lot size)</td> </tr> <tr> <td><b>PROPOSED ZONING (LPS No.3)</b></td> <td>Rural</td> <td style="text-align: center; color: red;"><b>NOT SUPPORTIVE</b></td> </tr> <tr> <td><b>DRAFT LOCAL PLANNING STRATEGY</b></td> <td>Rural Residential (RR-1)</td> <td style="text-align: center; color: red;"><b>NOT SUPPORTIVE</b></td> </tr> </table> <p><b>COMMENTS:</b>  The property was rezoned from Rural to Rural Living A (with a 1ha minimum lot size) by way of Amendment No.193 to Town Planning Scheme No.2 which was gazetted on 29 January 2019.  However, in August 2018 when Amendment No.193 was considered by the WAPC's Statutory Planning Committee for final approval (after advertising) we advised the SPC in a deputation that:  a) the WAPC's 2017 consideration of the Shire's 2014 Rural Planning Strategy Review required the Shire to designate this property and others a 'Framework Investigation Area';  b) the Shire's late 2017 draft Local Planning Strategy included this property and others within a 'Development Investigation Area' for the possible eastward extension of the Serpentine townsite to South Western Highway; and  c) the Shire's 2018 draft Serpentine Local Development Strategy and District Structure Plan depicted the property as 'Urban Settlement'.</p>	<b>PROPERTY (Map ID 1)</b>	Lot 487 Arnold Road (south)		<b>CURRENT ZONING (TPS No.2)</b>	Rural Living A (1 hectare minimum lot size)		<b>PROPOSED ZONING (LPS No.3)</b>	Rural	<b>NOT SUPPORTIVE</b>	<b>DRAFT LOCAL PLANNING STRATEGY</b>	Rural Residential (RR-1)	<b>SUPPORTIVE</b>	<b>PROPERTY (Map ID 2)</b>	Lots 611 & 615 Arnold Road (north)		<b>CURRENT ZONING (TPS No.2)</b>	Rural Living A (1 hectare minimum lot size)		<b>PROPOSED ZONING (LPS No.3)</b>	Rural	<b>NOT SUPPORTIVE</b>	<b>DRAFT LOCAL PLANNING STRATEGY</b>	Rural Residential (RR-1)	<b>NOT SUPPORTIVE</b>	<p>As the Rural zone allows a vast range of permissible uses which would facilitate options for tourist attractions related to the Serpentine Falls and National Park and potentially drive visitations and economic growth for Serpentine, and that this aligns with the property being within the Key Tourism Precinct, retaining these lots as Rural is supported.</p> <p><b>(Property ID 6 – Map )</b></p> <p>The Shire does not support the following modification to rezone the land Rural under the Draft Local Planning Strategy and Local Planning Scheme No.3. The land was recently subdivided by the applicant to lot sizes consistent with the Rural Residential RR-2 zoning.</p> <p>The subject area is identified as Rural Residential (1-4ha lot sizes) under the Western Australian Planning Commission's (WAPC) Perth and Peel @ 3.5 Million Sub-Regional Planning Frameworks.</p> <p><b>(Property ID 7 – Map)</b></p> <p>The Shire will continue the Special Use 8 for the Serpentine Falls Roadhouse but understand the submission from the applicant in relation to the future realignment of South Western Highway. Therefore the Shire recommends the following uses be included to the Special Use zoning as an 'A' uses:</p> <ul style="list-style-type: none"> <li>- Tourist development</li> <li>- Holiday accommodation</li> </ul> <p>This is to provide greater flexibility to the use of the site and to include tourism land uses that are encouraged within this area. Given the uncertainty with the realignment of South Western Highway, these additional land uses provide the flexibility for land uses other than the existing road house to be developed at the site.</p> <p><b>(Property ID 8 – Map)</b></p> <p>The Shire will continue the Special Use 9 for the Serpentine Caravan Park. The Shire will include</p>	
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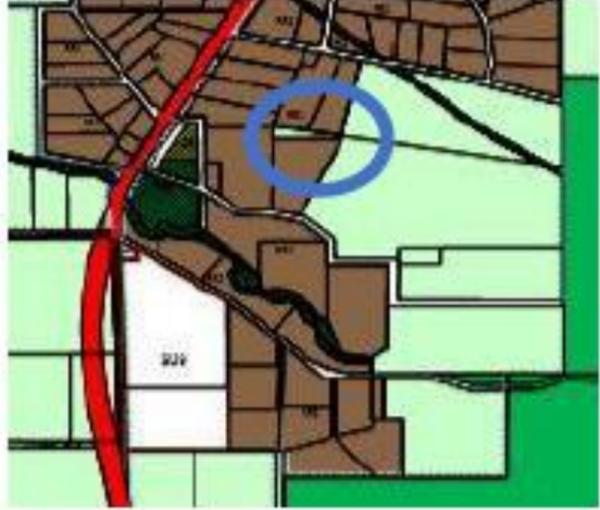
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		<p>While the advertised Local Planning Strategy recognises the recent rezoning of the property under TPS No.2 from Rural to Rural Living A (with a 1ha minimum lot size) by depicting the property Rural Residential (RR-1) on the Strategy Map, we are <b>not supportive</b> of this in the absence of a definitive answer as to the possible eastward expansion of the Serpentine townsite to South Western Highway. Likewise we are <b>not supportive</b> of the Scheme Map for LPS No.3 (Sheet 5) which depicts the property as Rural.</p> <p><b>REQUIRED OUTCOME:</b>            Revert to the draft Serpentine District Structure Plan and amend the Strategy Map to show Lots 611 &amp; 615 Arnold Rd as 'Urban Settlement' and correct the LPS No.3 Map to show Lots 611 &amp; 615 Arnold Rd as 'Rural Residential (RR1)' (for the time being) in accordance with Amendment No.193 to TPS No.2.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%;">PROPERTY (Map ID 3)</td> <td style="width: 60%;">Lots 102 – 106 Rudall Street</td> <td style="width: 20%;"></td> </tr> <tr> <td>CURRENT ZONING (TPS No.2)</td> <td>Urban Development</td> <td></td> </tr> <tr> <td>PROPOSED ZONING (LPS No.3)</td> <td>Urban Development</td> <td style="text-align: center; color: green;">SUPPORTIVE</td> </tr> <tr> <td>DRAFT LOCAL PLANNING STRATEGY</td> <td>Urban Settlements</td> <td style="text-align: center; color: green;">SUPPORTIVE</td> </tr> </table> <p><b>COMMENTS:</b>            The property comprises 5 lots with a combined area of 18.8ha which are zoned Urban Development under both TPS No.2 and proposed LPS No.3. The property is appropriately depicted as 'Urban Settlements' on the draft Local Planning Strategy map.            However, development of the property has been hindered by the failure of the Shire to progress and finalise the Serpentine Townsite Structure Plan initiated in 2011. This is reflected in Schedule 4 of proposed LPS No. 3, which states "development approval will not be granted ... unless a structure plan has been approved ...".            Therefore, while <b>supportive</b> of how the property is depicted in the advertised Local Planning Strategy and LPS No.3 (Sheet 5), we take the opportunity to <b>strongly urge Council to finalise the Serpentine Townsite Structure Plan as a priority</b>, given that in the WAPC's 'South Metropolitan Peel Sub-regional Planning Framework' the land therein is considered 'Short-medium term 2015-2031' in its 'Urban staging' programme.</p> <p><b>REQUIRED OUTCOME:</b>            Council to finalise the Serpentine Townsite Structure Plan at the earliest opportunity to enable long overdue development to proceed.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%;">PROPERTY (Map ID 4)</td> <td style="width: 60%;">Lots 32 and 47 Gordon Road (formerly Lots 50, 100 and portion of AA Lot 85 Gordon Road)</td> <td style="width: 20%;"></td> </tr> <tr> <td>CURRENT ZONING (TPS No.2)</td> <td>Special Rural (SR29)</td> <td></td> </tr> <tr> <td>PROPOSED ZONING (LPS No.3)</td> <td>Rural Residential</td> <td style="text-align: center; color: green;">SUPPORTIVE subject to correction of Map</td> </tr> <tr> <td>DRAFT LOCAL PLANNING STRATEGY</td> <td>Rural Residential (RR-2)</td> <td style="text-align: center; color: green;">SUPPORTIVE subject to correction of Map</td> </tr> </table>	PROPERTY (Map ID 3)	Lots 102 – 106 Rudall Street		CURRENT ZONING (TPS No.2)	Urban Development		PROPOSED ZONING (LPS No.3)	Urban Development	SUPPORTIVE	DRAFT LOCAL PLANNING STRATEGY	Urban Settlements	SUPPORTIVE	PROPERTY (Map ID 4)	Lots 32 and 47 Gordon Road (formerly Lots 50, 100 and portion of AA Lot 85 Gordon Road)		CURRENT ZONING (TPS No.2)	Special Rural (SR29)		PROPOSED ZONING (LPS No.3)	Rural Residential	SUPPORTIVE subject to correction of Map	DRAFT LOCAL PLANNING STRATEGY	Rural Residential (RR-2)	SUPPORTIVE subject to correction of Map	<p>the following uses as 'A' uses to the Special Use zone;</p> <ul style="list-style-type: none"> <li>- Holiday Accommodation</li> <li>- Restaurant/ Café</li> </ul> <p>This is to include additional land uses within the Special Use zone that are consistent with the tourism objectives for the site. These additional uses provide greater flexibility for the future development of the site.            The Shire will consider any Scheme amendment based on its merit, as well as its alignment to the Local Planning Strategy. Importantly future scheme amendments will be assessed regarding their alignment with the Local Planning Strategy.</p>	
PROPERTY (Map ID 3)	Lots 102 – 106 Rudall Street																											
CURRENT ZONING (TPS No.2)	Urban Development																											
PROPOSED ZONING (LPS No.3)	Urban Development	SUPPORTIVE																										
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**NEW SUMMARY OF SUBMISSIONS**  
**Draft Local Planning Scheme 3 (SJ701)**  
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		<p><b>COMMENTS:</b>            The property was rezoned from Rural to Special Rural to facilitate their re-subdivision into 5 lots of between 2ha and 3.2ha in area by way of Amendment No.195 to TPS No.2, which was gazetted on 18 November 2018.            While we are <b>supportive</b> of the property being zoned Rural Residential under LPS No.3, and depicted as Rural Residential (RR-2) in the advertised Local Planning Strategy, we note there is a drafting error on both Maps, with a portion of 47 Gordon Road (previously portion of AA Lot 85) incorrectly depicted Rural. We have provided the below images to assist in showing the drafting error (refer to the blue circle).</p>  <p style="text-align: center;">TPS No.2 Amd No.195</p>		

NEW SUMMARY OF SUBMISSIONS  
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		 <p>LPS No.3</p>  <p>Strategy Map</p> <p><b>REQUIRED OUTCOME:</b></p>		

**NEW SUMMARY OF SUBMISSIONS**  
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Correct the LPS No.3 Map to include the relevant portion (as shown circled in blue above) of 47 Gordon Road (previously portion AA Lot 85) in the 'Rural Residential' zone and correct the Strategy Map to depict this relevant portion as Rural Residential (RR-2).

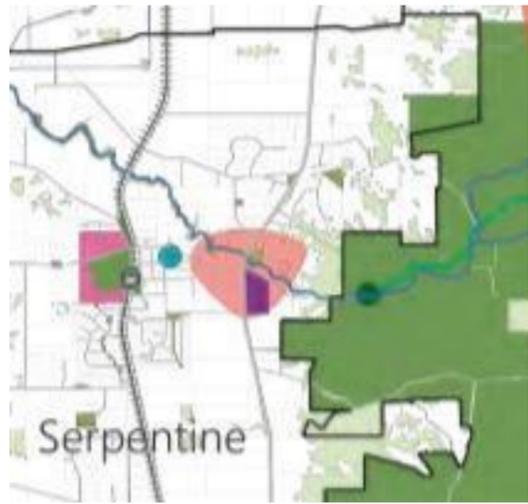
PROPERTY (Map ID 5)	Lots 801 – 803 Falls Road (north)	
CURRENT ZONING (TPS No.2)	Rural	
PROPOSED ZONING (LPS No.3)	Rural Residential (RR-2)	<b>NOT SUPPORTIVE</b>
DRAFT LOCAL PLANNING STRATEGY	Rural Residential (RR-2) (partially Key Tourism Precinct)	<b>PARTIALLY SUPPORTIVE</b> (Key Tourism Precinct)

**COMMENTS:**

The property has frontage to the Serpentine River downstream from the iconic Serpentine Falls. Lots 801-803 comprise 5.92ha of natural beauty with almost 1km frontage to Falls Road, the entrance to the Serpentine National Park which contains the Falls and walking trails to the top of the escarpment and the upstream environment beyond. Serpentine Falls and the Serpentine National Park are among Perth's most frequented natural attractions, and the land either side of Falls Road is extremely attractive and well suited for the delivery of additional attractions, including commercial operations such as a café overlooking the river and a range of accommodation options for visitors to the locality and its attractions. The draft Serpentine Local Development Strategy (2018) included a series of "Strategic Priorities" and Item #6 on that list was to "Investigate opportunities to further activate the Serpentine Falls and National Park i.e. mountain biking, hiking, bird watching, nature experiences, accommodation (Spencer's Cottage)" and the accompanying "Serpentine Precinct Plan" indicated that Item #6 could be facilitated along this section of the Serpentine River (extract on right).



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		<p>We confirm our preparedness to explore the viability of delivering additional tourism attractions and accommodation which could lift the exposure and enjoyment of the Serpentine River, the Falls, the National Park and the town of Serpentine itself.</p> <p>We are <b>supportive</b> of Section 5.3 (Tourism) of the draft Strategy as it espouses the types of activities and development which we envisage for our Falls Road properties and we note in particular the recommended actions on page 73 of the Strategy as follows:</p> <ol style="list-style-type: none"> <li>1. Allow holiday accommodation land uses to be considered under LPS 3 within both the Serpentine and Jarrahdale Heritage/Tourism Precincts.</li> <li>2. Allow some non-rural land uses, such as boutique food and beverage outlets to be considered in rural zones under LPS 3 to encourage tourism.</li> </ol> <p>We are appreciative of the inclusion of most of our Falls Road properties (Lots 801-803 included) within the Serpentine 'Key Tourism Precinct' on Figure 16 of the Strategy (extract at right) but would <b>request that this precinct extend the full length of Falls Road and even include the Falls</b> themselves as they are after all the attraction around which tourism opportunities which respond to the above actions will be based.</p> <p>MALF Corp is currently exploring accommodation options along the Serpentine River within Lots 801-803. It is considered that glamping style accommodation along the River would cater to demand for this style of accommodation and the range of nature based activities which are identified as Strategic Priorities in the "Concept Plan" section of the draft 2018 Local Development Strategy. In our submission to the 2018 Local Development Strategy, we provided a conceptual drawing of an eco/glamping tourism development on this property to demonstrate one example of a tourism opportunity which would be sensitive to the property's riverfront location while offering a trending form of activity related accommodation (see conceptual drawing below).</p> 		

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Eco/Glamping Tourism Concept for Lots 801- 803 Falls Road Serpentine

The draft Scheme Map and Strategy Map are, however, at odds with enabling tourism development to establish. The property is currently zoned Rural, however both the draft documents propose to zone them Rural Residential in a misguided attempt to zone them in alignment with their lot sizes, being around 2ha each. The Zoning Table for draft LPS No.3 will not permit a “tourist development” in the Rural Residential zone, however the Rural zone permits “tourist development” at Council’s discretion subject to advertising.

Furthermore, MALF Corp is currently exploring the option of converting the former dairy building on Lot 801, which remains in good condition, into a café/ restaurant/ shop space. This would provide convenience and enjoyment to day trippers, overnight stayers and visitors to the National Park who, at present, have only one convenient option, being the roadhouse on Lot 812 (refer below) on the corner of South West Highway and Falls Road.

Again, a shop is not permitted in LPS No.3’s Rural Residential zone but is proposed to be an “I” (incidental) use in the Rural zone, meaning that the use is permitted if it is consequent on, or naturally attaching, appertaining or relating to the predominant use of the land, which we propose could be a tourist development.

While it may be that a Special Use zone may be appropriate for a particular development proposal on this property (once that proposal is known), we **request that Lots 801 to 803 Falls Road should remain zoned Rural** rather than Rural Residential as proposed in the draft Strategy and LPS No.3 in order to allow us scope to consider and pursue tourism opportunities. Section 3.3 of the draft Strategy states that Rural land can provide tourism opportunities and specifically that:

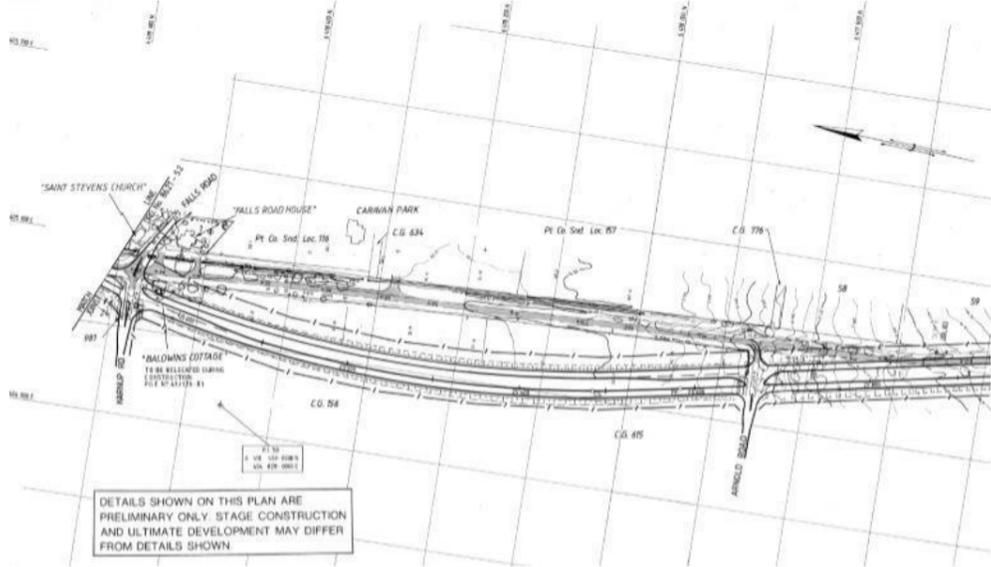
**NEW SUMMARY OF SUBMISSIONS**  
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		<p><i>Rural land can also support the expansion of the tourism economy by providing a combination of attractive landscapes ranging from pastoral and horticultural to natural bushland and accommodating a range of tourist activities and attractions. As the Rural zone allows a vast range of permissible uses which would facilitate a host of options for tourist attractions related to the Serpentine Falls and National Park and potentially drive visitations and economic growth for Serpentine, and that this aligns with the property being within the Key Tourism Precinct, we request that these options be left available so the best possible use can be made of the property.</i></p> <p>We are, therefore, <b>not supportive</b> of the proposed Rural Residential zoning but <b>supportive</b> of the property being included in the Serpentine Key Tourist Precinct.</p> <p><b>REQUIRED OUTCOME:</b>  Amend the Strategy Map and LPS No.3 Map to show Lots 801 – 803 Falls Rd as 'Rural' until such time as specific tourism opportunities are identified and approved.  Amend Figure 16 (Tourism) of the Strategy document to extend the Serpentine Key Tourist Precinct eastward along either side of Falls Road to incorporate Serpentine Falls.  Council to actively encourage the tourism-related land uses included in the Actions proposed on page 73 of the Strategy document.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%;">PROPERTY (Map ID 6)</td> <td colspan="2">Lots 804 – 811 Falls Road (south)</td> </tr> <tr> <td>CURRENT ZONING (TPS No.2)</td> <td colspan="2">Rural</td> </tr> <tr> <td>PROPOSED ZONING (LPS No.3)</td> <td>Rural Residential (RR2)</td> <td style="text-align: center; color: red;"><b>NOT SUPPORTIVE</b></td> </tr> <tr> <td>DRAFT LOCAL PLANNING STRATEGY</td> <td>Rural Residential (RR-2) (partially Key Tourism Precinct)</td> <td style="text-align: center; color: green;"><b>PARTIALLY SUPPORTIVE (Key Tourism Precinct)</b></td> </tr> </table> <p><b>COMMENTS:</b>  The property is located on the southern side of Falls Road and, like riverfront Lots 802 and 803 on the northern side of the road (refer previous section) has similar proximity to the iconic Serpentine Falls. As noted in the previous section, the land either side of Falls Road is extremely attractive and well suited for the delivery of additional attractions, including holiday accommodation and food and beverage options which the draft Strategy includes in its Actions required to attract more visitors to the locality and its attractions.  As with Lots 801 – 803 these lots have always been Rural despite their individual areas (primarily 2ha lots) and the proposal to change them to Rural Residential is a misguided attempt to zone them in alignment with their size against the wishes of the owner.  While certain tourism related uses may require a Special Use zoning, it should be noted that the Rural zone allows nine uses by right and a further forty seven uses that may be permitted at Council's discretion. Many of these potential uses are tourism based and can be significant local economic drivers - they include art galleries, bed and breakfast, breweries, holiday accommodation, markets, reception centres, wineries and more.</p>	PROPERTY (Map ID 6)	Lots 804 – 811 Falls Road (south)		CURRENT ZONING (TPS No.2)	Rural		PROPOSED ZONING (LPS No.3)	Rural Residential (RR2)	<b>NOT SUPPORTIVE</b>	DRAFT LOCAL PLANNING STRATEGY	Rural Residential (RR-2) (partially Key Tourism Precinct)	<b>PARTIALLY SUPPORTIVE (Key Tourism Precinct)</b>		
PROPERTY (Map ID 6)	Lots 804 – 811 Falls Road (south)															
CURRENT ZONING (TPS No.2)	Rural															
PROPOSED ZONING (LPS No.3)	Rural Residential (RR2)	<b>NOT SUPPORTIVE</b>														
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		<p>As the Rural zone allows a vast range of permissible uses which would facilitate a host of options for tourist attractions related to the Serpentine Falls and National Park and potentially drive visitations and economic growth for Serpentine, and that this aligns with the property being partially within the Key Tourism Precinct, we request that these options be left available so the best possible use can be made of the property.</p> <p>As proposed in the previous section for the property on the northern side of Falls Road, an eastward expansion of the Serpentine Key Tourism Precinct to Serpentine Falls would bring the remainder of this property into the Key Tourism Precinct. There are therefore many reasons to suggest that rezoning to Rural Residential would be counterproductive to achieving holiday accommodation and/or tourism developments/pursuits on this property.</p> <p><b>We request that Lots 804 to 811 Falls Road should remain zoned Rural rather than Rural Residential</b> as proposed in the draft Strategy and Scheme to allow us scope to consider and pursue tourism opportunities and we are, therefore, <b>not supportive</b> of the proposed Rural Residential zoning but <b>supportive</b> of the property being included in the Serpentine Key Tourist Precinct.</p> <p><b>REQUIRED OUTCOME:</b>  Amend the Strategy Map and LPS No.3 Map to show Lots 804 – 811 Falls Rd as 'Rural' until such time as specific tourism opportunities are identified and approved.  Amend Figure 16 (Tourism) of the Strategy document to extend the Serpentine Key Tourist Precinct eastward along either side of Falls Road to incorporate Serpentine Falls.  Council to actively encourage the tourism-related land uses included in the Actions proposed on page 73 of the Strategy document.</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <tr> <td style="width: 20%;">PROPERTY (Map ID 7)</td> <td colspan="2">Lot 812 Falls Road/South Western Highway (Roadhouse)</td> </tr> <tr> <td>CURRENT ZONING (TPS No.2)</td> <td colspan="2">Rural</td> </tr> <tr> <td>PROPOSED ZONING (LPS No.3)</td> <td>Special Use (SU8)</td> <td style="text-align: center; color: red;"><b>NOT SUPPORTIVE</b></td> </tr> <tr> <td>DRAFT LOCAL PLANNING STRATEGY</td> <td>Rural (Key Tourism Precinct)</td> <td style="text-align: center; color: green;"><b>SUPPORTIVE</b></td> </tr> </table> <p><b>COMMENTS:</b></p> <p>Lot 812 is currently zoned Rural under TPS No.2 but is proposed to be zoned 'Special Use' under LPS No.3.  Schedule 2 of proposed LPS No.3 prescribes the following permissible uses for proposed 'SU8' (the Roadhouse) as follows:  <i>SU8 Lot 812 (6) South Western Highway, Serpentine - Serpentine Falls Roadhouse</i>  1. <i>The following shall be considered as 'A' uses:</i></p> <ul style="list-style-type: none"> <li>• <i>convenience store</i></li> </ul>	PROPERTY (Map ID 7)	Lot 812 Falls Road/South Western Highway (Roadhouse)		CURRENT ZONING (TPS No.2)	Rural		PROPOSED ZONING (LPS No.3)	Special Use (SU8)	<b>NOT SUPPORTIVE</b>	DRAFT LOCAL PLANNING STRATEGY	Rural (Key Tourism Precinct)	<b>SUPPORTIVE</b>		
PROPERTY (Map ID 7)	Lot 812 Falls Road/South Western Highway (Roadhouse)															
CURRENT ZONING (TPS No.2)	Rural															
PROPOSED ZONING (LPS No.3)	Special Use (SU8)	<b>NOT SUPPORTIVE</b>														
DRAFT LOCAL PLANNING STRATEGY	Rural (Key Tourism Precinct)	<b>SUPPORTIVE</b>														

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		<ul style="list-style-type: none"> <li>• lunch bar</li> <li>• restaurant/cafe</li> <li>• road house</li> <li>• service station</li> </ul> <p>While these permissible uses reflect the current Roadhouse development on Lot 812, we are <b>not supportive</b> of the proposed Special Use zoning with its permissible uses limited to its current uses, as their viability could be impacted when South Western Highway is realigned and upgraded to “Primary Regional Road” status in line with both TPS No.2 and incoming LPS No.3.</p> <p>A ‘Carriageway Pattern’ drawing obtained recently from Main Roads WA (see overleaf) confirms that the realignment will relocate the Highway’s new southbound carriageway and intersection with Falls Road (east) and Karnup Road (west) significantly further to the west.</p> <p>At present Lot 812 has direct frontage to the Highway (and Falls Road) and the Roadhouse enjoys two driveway connections to the Highway, but there is no guarantee that this will be possible after the realignment.</p>  <p>It is apparent from Main Roads’ drawing that the current carriageway to which the Roadhouse has direct access may in time become a service road which will have access from the Highway opposite Arnold Road. While alternative access may be available from Falls Road, the lack of direct access from the Highway may impact the future viability of the Roadhouse. It would, therefore, be more appropriate if Lot 812 retained its Rural zoning until this situation is resolved, thereby maintaining tourism options given it is a strategic site within the Strategy’s Serpentine Key Tourism Precinct.</p> <p><b>REQUIRED OUTCOME:</b>  Amend the LPS No.3 Map to show Lot 812 Falls Rd as ‘Rural’ (as it is on the TPS No.2 Map) until the Highway realignment, carriageway pattern and access</p>		

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		<p>arrangements are known, thereby allowing consideration of alternative tourism opportunities.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%;"><b>PROPERTY (Map ID 8)</b></td> <td colspan="2">Lot 820 (2489) South Western Highway and Lot 814 (2531) South Western Highway</td> </tr> <tr> <td><b>CURRENT ZONING (TPS No.2)</b></td> <td colspan="2">Rural</td> </tr> <tr> <td><b>PROPOSED ZONING (LPS No.3)</b></td> <td>Special Use (SU9)</td> <td><b>PARTIALLY SUPPORTIVE</b> (subject to additional permissible land uses and deletion of Schedule 2 prohibition on expansion of the park home park land use)</td> </tr> <tr> <td><b>DRAFT LOCAL PLANNING STRATEGY</b></td> <td>Rural (Tourism Development within a Key Tourism Precinct)</td> <td><b>NOT SUPPORTIVE</b> <b>SUPPORTIVE OF KEY TOURISM PRECINCT</b></td> </tr> </table> <p><b>COMMENTS</b>            Lot 820 and Lot 814 (formerly Lot 813) are currently zoned Rural under TPS No.2 but are proposed to be zoned 'Special Use' under LPS No.3. While we are <b>supportive</b> of the Special Use zone proposed, we note that 'SU9' under Schedule 2 of proposed LPS No.3 describes the development as 'Serpentine Caravan Park' which belies the various existing land uses listed.            We are <b>not supportive</b> of Schedule 2 of proposed LPS No.3, which prescribes an extremely limited number of permissible uses for proposed 'SU9' as follows (noting that Lot 813 is now Lots 820 and 814):  <i>SU9 Lot 813 (2489) South Western Highway, Serpentine - Serpentine Caravan Park</i>            1. <i>The following shall be considered as 'A' uses:</i></p> <ul style="list-style-type: none"> <li>• caravan park • community purpose • office</li> <li>• park home park • recreation – private • shop</li> <li>• tourist development</li> </ul> <p>2. <i>Further expansion of the park home park land uses shall be prohibited.</i></p> <p>We are concerned that this list excludes other tourism related uses given the Strategy's Key Tourism Precincts aim to activate these precincts with additional attractions, accommodation and services. We are therefore <b>supportive</b> of the Village being included within the Serpentine 'Key Tourism Precinct' on Figure 16 of the Strategy (refer ID 5) as we wish to explore expansion for tourism related uses as well as park home park uses. We <b>request that additional uses are added to SU 9</b> (outlined below) as we consider them reasonable given the land falls within the Key Tourism Precinct and should have similar uses as permitted for SU 7 (which falls in the Jarrahdale Key Tourism Precinct) plus such uses are currently available given the land is zoned Rural.            In relation to the park home park use, it is noted that this land use ('park home park') is a use that will not be permitted in any zone under LPS No.3 other than Special Use. As such, the Serpentine Falls Park Home and Tourist Village is understood to be the only 'park home park' within the Shire – a legitimate and increasingly popular affordable housing option throughout the Perth Metropolitan Region and the State's South West. As such, we <b>strongly oppose and request the removal</b> of the prohibition on further expansion of the 'park home park' land use for the following reasons:</p>	<b>PROPERTY (Map ID 8)</b>	Lot 820 (2489) South Western Highway and Lot 814 (2531) South Western Highway		<b>CURRENT ZONING (TPS No.2)</b>	Rural		<b>PROPOSED ZONING (LPS No.3)</b>	Special Use (SU9)	<b>PARTIALLY SUPPORTIVE</b> (subject to additional permissible land uses and deletion of Schedule 2 prohibition on expansion of the park home park land use)	<b>DRAFT LOCAL PLANNING STRATEGY</b>	Rural (Tourism Development within a Key Tourism Precinct)	<b>NOT SUPPORTIVE</b> <b>SUPPORTIVE OF KEY TOURISM PRECINCT</b>		
<b>PROPERTY (Map ID 8)</b>	Lot 820 (2489) South Western Highway and Lot 814 (2531) South Western Highway															
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<b>DRAFT LOCAL PLANNING STRATEGY</b>	Rural (Tourism Development within a Key Tourism Precinct)	<b>NOT SUPPORTIVE</b> <b>SUPPORTIVE OF KEY TOURISM PRECINCT</b>														

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		<ul style="list-style-type: none"> <li>• technical advice from Porter Consulting Engineers confirms that such an expansion can be seweraged through the under-capacity onsite plant serving the current development;</li> <li>• a blanket prohibition is unreasonable and any expansion application should be considered on its merits;</li> <li>• demand exists for park home park living and expanding a successful operation makes far more sense than allowing a similar operation elsewhere within the Shire;</li> <li>• existing businesses within the Serpentine townsite enjoy patronage from the park home occupants and would welcome the additional population and patronage.</li> </ul> <p><b>REQUIRED OUTCOME:</b>  Amend Item 'SU 9' of 'Schedule 2 – Special Use Zones' of the LPS No.3 text in accordance with the table overleaf, noting:</p> <ol style="list-style-type: none"> <li>1. the updates to the description of the land and business name as mentioned above;</li> <li>2. the inclusion of land uses permitted under the Rural zone which apply to the property under current TPS No.2 and provide for a range of complementary uses that are consistent with the Shire's draft Strategy and the Rural zone under draft LPS No.3; and</li> <li>3. the removal of '2. Further expansion of the park home park land uses shall be prohibited'.</li> </ol>		

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		<p>Schedule 2 – Special Use Zones is therefore required to read as follows for SU 9:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 5%;">No.</th> <th style="width: 25%;">Description of land</th> <th style="width: 20%;">Special Use</th> <th style="width: 50%;">Conditions</th> </tr> </thead> <tbody> <tr> <td>SU9</td> <td>Lot 820 (2489) and Lot 814 (2531) South Western Highway, Serpentine</td> <td>Serpentine Falls Park Home and Tourist Village</td> <td> <p>The following shall be considered as 'P' uses:</p> <ul style="list-style-type: none"> <li>• agriculture – extensive</li> <li>• ancillary dwelling</li> <li>• home business</li> <li>• home occupation</li> <li>• home office</li> <li>• rural home business</li> <li>• rural pursuit/ hobby farm</li> <li>• single house</li> </ul> <p>The following shall be considered as 'A' uses:</p> <ul style="list-style-type: none"> <li>• caravan park</li> <li>• community purpose</li> <li>• office</li> <li>• park home park</li> <li>• recreation – private</li> <li>• shop</li> <li>• tourist development</li> <li>• holiday accommodation</li> <li>• reception centre</li> <li>• restaurant/ café</li> <li>• winery</li> </ul> <p>The following shall be considered as 'D' uses:</p> <ul style="list-style-type: none"> <li>• agriculture- intensive</li> <li>• art gallery</li> <li>• bed and breakfast</li> <li>• brewery</li> </ul> </td> </tr> </tbody> </table> <table border="1" style="width: 100%; border-collapse: collapse;"> <tbody> <tr> <td style="width: 20%;"><b>PROPERTY (Map ID 9)</b></td> <td colspan="2">Lots 815 – 819 Chatfield Road</td> </tr> <tr> <td><b>CURRENT ZONING (TPS No.2)</b></td> <td colspan="2">Rural</td> </tr> <tr> <td><b>PROPOSED ZONING (LPS No.3)</b></td> <td>Rural</td> <td style="text-align: center; color: green;"><b>SUPPORTIVE</b></td> </tr> <tr> <td><b>DRAFT LOCAL PLANNING STRATEGY</b></td> <td>Rural</td> <td style="text-align: center; color: red;"><b>NOT SUPPORTIVE</b></td> </tr> </tbody> </table> <p><b>COMMENTS</b>            Our July 2018 submission on the Shire’s draft Serpentine Local Development Strategy and District Structure Plan (LDS/DSP) addressed this property as Lot 9000 Chatfield Road, which had an area of about 22ha. Our submission objected to the draft LDS/DSP depicting the property as Rural and proposed that the property be depicted Rural Residential (RR-1). As evidenced by the concept plan below, an overlay of the Shire’s draft DSP demonstrating that our collective landholdings could provide a range of rural lifestyle lots, was included in our 2018 submission, proposing Lot 9000 in the south-eastern corner as Rural Residential (RR-1).</p>	No.	Description of land	Special Use	Conditions	SU9	Lot 820 (2489) and Lot 814 (2531) South Western Highway, Serpentine	Serpentine Falls Park Home and Tourist Village	<p>The following shall be considered as 'P' uses:</p> <ul style="list-style-type: none"> <li>• agriculture – extensive</li> <li>• ancillary dwelling</li> <li>• home business</li> <li>• home occupation</li> <li>• home office</li> <li>• rural home business</li> <li>• rural pursuit/ hobby farm</li> <li>• single house</li> </ul> <p>The following shall be considered as 'A' uses:</p> <ul style="list-style-type: none"> <li>• caravan park</li> <li>• community purpose</li> <li>• office</li> <li>• park home park</li> <li>• recreation – private</li> <li>• shop</li> <li>• tourist development</li> <li>• holiday accommodation</li> <li>• reception centre</li> <li>• restaurant/ café</li> <li>• winery</li> </ul> <p>The following shall be considered as 'D' uses:</p> <ul style="list-style-type: none"> <li>• agriculture- intensive</li> <li>• art gallery</li> <li>• bed and breakfast</li> <li>• brewery</li> </ul>	<b>PROPERTY (Map ID 9)</b>	Lots 815 – 819 Chatfield Road		<b>CURRENT ZONING (TPS No.2)</b>	Rural		<b>PROPOSED ZONING (LPS No.3)</b>	Rural	<b>SUPPORTIVE</b>	<b>DRAFT LOCAL PLANNING STRATEGY</b>	Rural	<b>NOT SUPPORTIVE</b>		
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		 <p>At the time of writing our June 2018 submission, Lots 487, 611 &amp; 615 Arnold Rd (Map IDs 1 &amp; 2) were the subject of Amendment No.193 to the Shire's TPS No.2 to rezone those lots from Rural to Rural Living A. The subdivision guide plan for Amendment No.193 proposed a minimum lot size of 0.4ha, being the minimum lot size for the Rural Living A zone, however the Shire's draft LPS No.3 was at the time proposing that Rural Living A be replaced by Rural Residential RR-1 with a 1ha minimum lot size, therefore we proposed that Lot 487 be depicted as Special Residential to facilitate the 0.4ha lots proposed on the Amendment No.193 subdivision guide plan. To provide further diversity on lot sizes, we proposed Lots 611 and 615 be depicted as Urban Settlement and incorporated into the Serpentine Townsite along with Lots 102-106 Rudall Street (Map ID 3) and that Lot 9000 be depicted as Rural Residential RR-1, given that the Gordon Rd property (Map ID 4) was in the process of being zoned 'Special Rural' to accommodate lots larger than 2ha.</p> <p>In August 2018 the WAPC supported Amendment No.193, but did so subject to a 1 ha minimum lot size, and in January 2019 Amendment No.193 was gazetted and a modified plan based on the required 1ha minimum is being progressed.</p> <p>Given the Minister has decreed that Lot 487 be developed to a 1ha minimum rather than the proposed 0.4ha minimum, thereby more than halving the lot yield from that development, it is even more compelling that Lots 815-819 (formerly Lot 9000) should be able to be further subdivided into lots with a 1ha minimum area and should, therefore, be depicted as Rural Residential under the proposed Strategy.</p> <p>We are <b>supportive</b> of the proposed zoning of Rural under Scheme No.3, however we are <b>not supportive</b> of the property being depicted as Rural under the proposed Strategy, given that the property comprises 5 lots of 2.3ha upwards and should be seriously considered for 1ha lots under a future rezoning to Rural Residential (RR-1).</p> <p>The property is not in the Serpentine Key Tourism Precinct and, with its access from Chatfield Road is disconnected from the Falls Road precinct. Rural Residential development on this property will not impact on nor impede tourism development in the key Falls Road area. Elevated above the properties to the</p>		

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		<p>west of the Highway, these lots will enjoy views to the north and west and will have a distinct rural lifestyle character. This accords with the Objectives for housing options in and around Serpentine which are stated at section 3.1.4 of the draft Strategy as follows:</p> <ul style="list-style-type: none"> <li>• Provide a range of housing choices and lot sizes while preserving the character of the existing Serpentine townsite.</li> <li>• Increase the housing provision within the Serpentine townsite to provide more opportunities for housing in a rural setting and to accommodate greater populations to sustain the neighbourhood centre.</li> </ul> <p><b>REQUIRED OUTCOME:</b>  Amend the Strategy Map to depict Lots 815-819 Rural Residential, retaining their current Rural zoning under TPS No.2 in LPS No.3 pending a Scheme Amendment request in due course to rezone the property from Rural to Rural Residential.</p>		
<p>Roberts Day Group Pty Ltd on behalf of Whitby Estate IN19/28683</p>	<p>53.</p>	<p><b>RE: DRAFT LOCAL PLANNING STRATEGY (REF: SJ203) + DRAFT LOCAL PLANNING SCHEME NO. 3 (REF: SJ701)</b>  <b>SUBMISSION ON BEHALF OF WHITBY ESTATE</b></p> <p>RobertsDay represents Gold Fusion Pty Ltd, landowners of the Whitby estate, in providing the following submission. Whitby Estate is located in the north eastern quadrant of the Mundijong cell and at present is the largest development estate in the south-east corridor of the Perth Metropolitan Region.</p> <p>Whitby is the most progressed development estates within Mundijong-Whitby district cell, having approval of a Local Structure Plan (LSP) for 3,750 lots, subdivision approval for over 500 lots, and around 300 houses constructed or under construction within the estate.</p> <p>Please note that we have reviewed both documents concurrently. Comments made regarding the Local Planning Strategy should also be read to be applicable to relevant provisions and clauses of the accompanying Local Planning Scheme No 3.</p> <p>In response to Council advertising the draft documents (Your Ref: SJ203 / SJ701), we provide the following comments for your consideration:</p> <p><b>OVERARCHING COMMENTS</b></p> <ul style="list-style-type: none"> <li>• Accuracy of the base data should be reviewed and confirmed to ensure design and details within the Strategy are appropriately planning for the future</li> <li>• Consider opportunities to downgrade South West Highway, given the future extension of Tonkin Highway</li> <li>• Ensure orderly and proper planning by safeguarding two access/egress connections from Whitby Estate to South West Highway</li> </ul>	<p>Noted – The Shire acknowledges the submission on behalf of the Whitby Estate and will ensure appropriate planning for the future of the Mundijong Whitby area takes into consideration the points made throughout the submission, in specific to:</p> <ul style="list-style-type: none"> <li>• South Western Highway and its connections</li> <li>• A clear hierarchy within the Mundijong-Whitby cell</li> <li>• Freight and passenger rail planning</li> </ul> <p>The land within the Mundijong Whitby area is designated Urban under the Draft Local Planning Strategy and zoned as Urban Development within the Draft Local Planning Scheme No.3. The objectives of the Urban Development zone under the draft Scheme are as follows:</p> <ul style="list-style-type: none"> <li>- To provide an intention of future land use and a basis for more detailed structure planning in accordance with the provisions of this Scheme.</li> <li>- To provide for a range of residential densities to encourage a variety of residential accommodation.</li> <li>- To provide for the progressive and planned development of future urban areas for residential purposes and for commercial and other uses normally associated with residential development.</li> </ul>	

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		<ul style="list-style-type: none"> <li>• Investigate opportunities to provide a direct connection between Whitby and Cardup</li> <li>• Recognise existing approved local structure plans and the comprehensive planning underpinning them. Existing local structure plans are the result of substantial technical inputs and the careful balancing of a number of competing factors and stakeholder agendas. Existing approved local structure plans have been endorsed by the WAPC and the Shire. Efforts to achieve these approvals need to be honoured by reflecting the principles underpinning them (as a minimum) in future strategic planning for the Shire.</li> <li>• Rail planning (freight and passenger) is welcomed based on the assumption that Whitby will be the only passenger rail station in the Mundijong-Whitby cell. Any future plans to extend the passenger rail to Mundijong would be detrimental to the fabric of the Mundijong-Whitby cell and is not justified as the primary District Centre for the cell is located at Whitby.</li> <li>• The employment and local economic imperative should ensure there is only one District Centre in the Mundijong-Whitby cell, being Whitby, as a focus of commercial activity (in keeping with the proposed District Centre zone objectives) and with its fair share of civic uses. Changing the centre strategy for the cell has serious implications for the Whitby District Centre and is a significant departure from strategy visions developed since at least the enquiry by design undertaken by Council, landowners and state government in 2009.</li> <li>• The Shire should acknowledge that failure to provide certainty that the Whitby District Centre is the sole District Centre in the Mundijong-Whitby cell may result in stifled development and size and services more closely resembling a Neighbourhood Centre. Should this happen, development controls and requirements should be adjusted accordingly.</li> <li>• The proposed District Centre Zone under the Draft Local Planning Scheme No. 3 requires further investigation into (a) whether it is required at all, and (b) if it is required, modifications to meet its own stated objectives</li> </ul> <p><b>KEY ISSUES</b></p> <p>1. <u>Assumptions and Base Data</u></p> <ul style="list-style-type: none"> <li>a. The draft Strategy assumes a future population of 50,000 for the Mundijong-Whitby cell (page 18). Further clarification is sought from the Shire as to whether or not allowance has been made for the fragmentation of land in both the existing townsite and rural residential land. The dissected land ownership will delay assembly of land, subdivision and development, as well as possibly reducing the final yield of dwellings and population.</li> <li>b. Similarly, the land area cited does not appear to correspond to land identified for future urban development, which is particularly confusing when attempting to ascertain whether Development Investigation Areas are already included in the urban areas and population targets (all also on page 18). This should be rectified.</li> <li>c. All mapping and documents (and subsequent analysis) should identify the extent of urban development for Whitby as per the approved Local Structure Plan.</li> </ul>	<ul style="list-style-type: none"> <li>- To provide an intermediate transitional zone following the lifting of an urban deferred zoning within the Metropolitan Region Scheme.</li> </ul> <p>The Shire does not support the use of single house within the District Centre, Local Centre and Mixed Use zones as these zones are not intended to accommodate purely residential development. Residential development within these zones should be integrated with the core retail/commercial function of the zone. Multiple and grouped dwelling typologies are considered appropriate residential development forms for the District Centre, Local Centre and Mixed Use zones. Single house development is considered to be more appropriately accommodated within the Residential zone.</p>	

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		<p>2. <u>Highways and Road Connections</u></p> <p>a. <u>Tonkin Highway and South West Highway</u></p> <ul style="list-style-type: none"> <li>i. The extension of Tonkin Highway is acknowledged and welcomed. We commend the Shire its efforts in working with the State Government to secure this extension.</li> <li>ii. The extension of Tonkin Highway raises questions around the function and order of South West Highway where it runs parallel to Tonkin, along the edge of the Mundijong-Whitby cell. Notwithstanding heavy haulage vehicles, presumably traffic volumes on South West Highway will be reduced with the extension to Tonkin and there is an opportunity to lower speeds. It is noted that the South Metropolitan and Peel Sub-regional Planning Framework also flags the downgrading of South West Highway as a freight route.</li> </ul> <p>b. <u>Connections to South West Highway</u></p> <ul style="list-style-type: none"> <li>i. In keeping with a long history of comprehensive planning and agreements for Whitby, the Strategy should uphold status quo with two connections to South West Highway from Whitby estate (noting that one of them is the existing Reilly Road).</li> <li>ii. If there was a reduction to just a single connection, the resulting traffic volumes on that connection would fragment the estate and cause a hostile environment running through the community.</li> <li>iii. We note the previous comments and commitments from Main Roads, dating back to 2010, securing two connections from Whitby to South West Highway, which has formed the basis of subsequent planning, approvals and construction.</li> <li>iv. Substantial and comprehensive planning, construction and investment has been made in good faith, on the basis that the commitment to provide two connections from Whitby to South West Highway will be honoured, as part of orderly and proper planning.</li> <li>v. Going forward, all agencies, including Main Roads WA, need to be held accountable to these agreements, in both comments offered in response to future planning applications and actions to facilitate and maintain access to the estate, as has been committed to</li> <li>vi. Providing two east-west connections from Whitby to South West Highway will allow the order of the road through the activity centre to the downgraded. This will help provide a main street nature and pedestrian friendly environment around the town centre.</li> <li>vii. All parties should proceed with planning for Whitby estate on the basis that the existing southern east-west connection to South West Highway will be maintained, whilst a new northern east-west connection is planned for, as per the endorsed District Structure Plan and approved Whitby Local Structure Plan, as it is not explicitly stated in the Strategy that it must be removed.</li> </ul>		

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		<p>viii. We note that the two connections to South West Highway is emphasised through the draft ("hard infrastructure") Developer Contribution Plan.</p> <p>c. <u>Connectivity from Whitby to Cardup</u></p> <ol style="list-style-type: none"> <li>i. The draft Strategy depicts the intent for the Cardup area (north of Whitby) to become a bulky goods and service commercial estate (attracting large format retail uses and associated traffic).</li> <li>ii. The approved Whitby Local Structure Plan proposes an indicative connection from Whitby to Cardup, avoiding the need for local traffic to use South West Highway.</li> <li>iii. This proposed connection is considered particularly important given the planning for Cardup, as it would allow local traffic to access the retail and commercial services at Cardup without conflicting with traffic travelling along South West Highway.</li> <li>iv. Given Cardup is designated as service commercial, it is anticipated that it will be well utilised by new homebuyers from Whitby, working on their garden and improving their home.</li> <li>v. In light of this, it is considered undesirable to direct all that local traffic onto South West Highway to make this short trip, especially considering they may often be towing trailers or carrying heavy/bulky loads, when a direct connection is possible.</li> <li>vi. The opportunity to connect between Whitby and Cardup near the rail line, as flagged in the approved Whitby Local Structure Plan, should be seriously contemplated.</li> </ol> <p>3. <u>Structure of Activity Centres</u>  A number of factors must be considered when planning for activity centres, including but not limited to:</p> <ul style="list-style-type: none"> <li>• Maximising opportunities for local employment and growth of the local economy</li> <li>• The importance of a clear hierarchy and one District Centre</li> <li>• A fair distribution of civic uses across the activity centres (as advised by Shire staff when preparing the Whitby Activity Centre Plan)</li> </ul> <p>a. <u>Local Employment, Local Economy</u></p> <ol style="list-style-type: none"> <li>i. In the Shire, as an outlying community in the Perth metropolitan area, there are major challenges of creating meaningful local employment and fostering a strong local economy.</li> <li>ii. It is important to maximise all opportunities to keep local economic activity and jobs within the Shire, rather than losing them to external centres.</li> <li>iii. Specifically, the challenge is to attract and retain high quality jobs (beyond retail). In the context of Mundijong-Whitby cell, this means capturing local opportunities stemming from primary local activities such as local mining operations, and (in the future) the university campus and TAFE.</li> </ol>		

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		<p>iv. iv. There is a need to manage and direct growth to maximise this opportunity or it could leave the Shire and be captured by Armadale, Gosnells or beyond.</p> <p>v. v. There is most benefit for the local economy in agglomerating these opportunities in one major centre (i.e. Whitby District Centre) and co-locating with a future rail station.</p> <p><b>b. A Clear Hierarchy</b></p> <p>i. Attracting and sustaining strong local employment and economic dynamism is a major reason why a clear centre hierarchy is needed – to provide direction for potential investment and employment. The draft Strategy is lacking clarity around the hierarchy centre – this must be resolved to avoid two competing District Centres cannibalising each other.</p> <p>ii. Logically, the primary centre in the Mundijong-Whitby cell (i.e. Whitby) would also be the focus of a future passenger rail connection</p> <p>iii. The current identification of two District Centres is confusing and does not adequately direct growth. This may result in the Shire losing activity to neighbouring local governments, to the detriment of the local community.</p> <p>iv. The current proposed structure depicting two District Centres is contrary to the stated objectives for the 'District Centre' zone, specifically;</p> <ul style="list-style-type: none"> <li>• "Provide a community focal point for people, employment, services and leisure"</li> <li>• Provide a broad range of employment opportunities to Encourage diversity within the Centre"</li> </ul> <p>(Emphases added)</p> <p>v. We note that no substantive economic modelling has been released showing the benefits of two district centres, and we are concerned that no modelling has been undertaken at all to assess this proposition.</p> <p>vi. On that basis, it is considered inappropriate to designate a centre with 5,000sqm projected NLA as a District Centre. The size of the retail floor space is not sufficient to service a district sized catchment, or to address the policy requirements that accompany District Centre designation (like minimum density requirements)</p> <p>vii. More clarity is required from the Shire, for example, designating Mundijong as a Neighbourhood Centre (notwithstanding its civic focus), and Whitby as the sole District Centre.</p> <p><b>c. Distribution of Civic Uses</b></p> <p>i. Whilst the existing civic uses in the Mundijong townsite (local and State government) are understandably not proposed to move, a lack of any future Council uses within the Whitby District Centre is surprising, especially given the importance of having a diverse mix of land uses to support local economic and job growth.</p>		

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		<p>ii. The Whitby Activity Centre Plan was supported by Council with a future Council facility depicted in the centre. This was included in the Activity Centre Plan based on advice from Council officers during the assessment process and is intended to be an important anchor component of the main street. It seems this civic use is no longer depicted for Whitby under the draft Strategy (page 57). Further detail and justification are required from the Shire on this matter, including reconciling advice received during the assessment of the ACP in mid-2019, and the subsequent absence of civic uses from the Whitby centre in a report released in October 2019.</p> <p>iii. More broadly, the Shire must provide further explanation as to why it is not planning to provide any civic uses in the Whitby District Centre (as per page 57 of the draft Strategy), in light of the stated objectives for the District Centre zone.</p> <p>d. <u>Proposed District Centre Zone</u></p> <p>i. Further explanation is required from the Shire regarding the intended application of the proposed 'District Centre' zone.</p> <p>ii. If the extent of the zone is intended to be limited to the "retail core" elements of a centre, then we would contend that it is not worth establishing a new zone</p> <p>iii. If the zone will apply across the full extent of a centre, then the land use restrictions appear to be too narrowly defined and require revisiting.</p> <p>iv. District Centre zone objectives are outlined below (verbatim from page 14 of draft LPS No. 3):</p> <ul style="list-style-type: none"> <li>• Provide a community focal point for people, services, employment and leisure that are highly accessible and do not adversely impact on adjoining residential areas.</li> <li>• Provide for district centres to focus on weekly needs and services for a wider district catchment.</li> <li>• Provide a broad range of employment opportunities to encourage diversity within the Centre.</li> <li>• Ensure a mix of commercial and residential development, which provides for activity and accessibility at the street level and supports the provision of public transport and pedestrian links.</li> <li>• Provide for a wide range of different types of residential accommodation, including higher density residential, to meet the diverse needs of the community.</li> </ul> <p>v. Based on these objectives, in addition to the preceding comments regarding centre hierarchy, we make the following observations regarding proposed land uses:</p> <ul style="list-style-type: none"> <li>• "Single House" is an X use. It should be permissible, as townhouses as green title are an important part of housing diversity and choice in a town centre context (an objective of the zone). Permitting "Single House" in the District Centre zone does not mean the Shire needs to accept low density development. Blanket X use for "Single House" is effectively prohibiting a form of residential land tenure, contrary to the objectives of the zone.</li> </ul>		

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		<ul style="list-style-type: none"> <li>• “Liquor Store” and “Bulky Goods Showroom” are also X uses. These should not be excluded from the District Centre, as larger format retail can be an important part of the commercial land use mix in a District Centre.</li> <li>vi. More information is required from the Shire around how the proposed District Centre zone will be reconciled with the provisions of the Whitby Activity Centre Plan, which has the support of the Shire and is based on zones and land use permissibility from the current Scheme.</li> <li>vii. In order to have centres with a distinct sense of place and strong identity, it will be important to preserve substantial opportunity for centres to respond to local context. To achieve this, it is essential that the District Centre zone has a flexible approach to zoning and land use control.</li> <li>viii. Some indication of this zone’s intended application is required prior to being able to provide more detailed comment on the matter.</li> </ul> <p>e. <u>Status of Whitby as a District Centre</u></p> <ul style="list-style-type: none"> <li>i. Tourism opportunities in the Shire (page 75) should include the potential for the Whitby District Centre to provide for visitors. This could include, for example, markets within the main street, and capitalising on connection with linear recreation (i.e. bridal paths and mountain bike trails along Mandejal Brook).</li> <li>ii. As has been discussed and accepted by Council, under existing planning controls, the Whitby District Centre cannot accommodate bulky goods given the allocation of Cardup as a ‘service commercial’ area (page 71), with which Whitby cannot compete.</li> <li>iii. There are multiple risk factors that generate uncertainty, and should they eventuate, may compromise the likelihood and ability of Whitby to develop into its ultimate, planned District Centre status. These risks include: <ul style="list-style-type: none"> <li>• Poor planning of the road running through the centre, which could result in a hostile environment and unattractive place.</li> <li>• The lack of any planned civic presences could diminish to centre as a focal point for the community.</li> <li>• There is a risk that the retail elements of the centre will not be complemented by the higher order local economic activity (i.e. office and commercial uses).</li> </ul> </li> <li>iv. If these risk factors are not diligently managed, Whitby may never develop beyond a Neighbourhood Centre.</li> <li>v. The Shire should acknowledge now that, if this occurs, the District Centre requirements associated with Whitby will be reviewed and downgraded.</li> </ul> <p>4. <u>Rail Planning in Mundijong-Whitby Cell</u></p> <ul style="list-style-type: none"> <li>a. We note Council’s intended efforts to pursue the relocation of freight rail (page 43), as it can attract employment to planned industrial areas of the Shire.</li> <li>b. In order to provide certainty on funding and timing of the implementation of the freight rail relocation, it will be important for the Shire to deliver continued efforts working with State government and other key stakeholders.</li> </ul>		

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		<p>c. The relocation of the freight rail line from its current position, will also remove several barriers to delivering a cohesive and connected community at Whitby.</p> <p>d. The preferred position on future passenger rail extensions and stations (beyond the Byford commitment) is not entirely clear, however, it appears that proposed long-term extension to Metronet is a station at Whitby, not Mundijong. Our comments relating to Metronet reflect this assumed position.</p> <p>e. Firstly, we request that the Shire provide confirmation that the intention is to extend the Armadale passenger line from Byford to a passenger station at Whitby in the long-term future. Any further extension (for example to Serpentine) would appear highly unlikely.</p> <p>f. If a station can be justified at Byford, then logically the same justification can be applied to a station at Whitby, given the two locations have similar context, scale and catchment. Whitby is even more promising as a station location due to the high likelihood it will be a future focus of employment and TAFE/university students, and ability to comprehensively plan for transit-oriented development.</p> <p>g. The Shire should be prioritising resources to make a business case for a station at Whitby and bring forward this extension to match or lead urban growth in the Mundijong-Whitby cell.</p> <p>h. Any business case for a station at Whitby would be strengthened with the clear identification of Whitby as the sole District Centre for the cell, with investment and business focussed around the future station.</p> <p>i. When considering the location for the future Whitby station, our recommendation would be to locate the station and sidings and other associated rail infrastructure immediately north of the main east-west road, if possible, to ensure the barrier of the freight rail is not replaced by a passenger rail barrier through the Mundijong-Whitby cell.</p> <p>b. The draft Strategy flags the possibility of the Shire to provide interim support for public transport services. In this context, the Shire should invest in bringing forward improved bus connections to Byford station (to reduce the need for parking and increase patronage at station). Any such action would reflect and demonstrate the Shire's commitment to promoting sustainable transportation alternatives (page 44).</p> <p>5. <u>Existing Local Structure Plans</u></p> <p>a. The design, planning, preparation, negotiation and approval of the Whitby Local Structure Plan, like all structure plans, involved considerable effort and substantial technical input from the landowner, Council administration and government stakeholders.</p> <p>b. A Local Structure Plan is a significant and comprehensive planning exercise. The process includes working with a wide variety of government agencies and stakeholders, to manage various demand and competing agendas to create a plan to deliver a great place.</p> <p>c. The Shire and WAPC, in endorsing the Whitby Local Structure Plan, have supported the proposed management of the various stakeholder demands.</p>		

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		<p>d. Subsequent to the approval of the Whitby Local Structure Plan, subdivision, construction and purchases of lots by landowners represent a significant investment in the estate, based on the provisions and community structure stipulated in the approved Local Structure Plan. This is an appropriate and expected response to orderly and proper planning for the greenfield estate.</p> <p>e. The reasonable expectations of purchasers and the Whitby community, based on the approved Local Structure Plan, must be respected by the Shire.</p> <p>f. The Shire and the WAPC must ensure that the ability to implement the approved Local Structure Plan is not threatened or compromised by pressure from individual agencies. The integrity of the process by which Local Structure Plan approvals are granted, must be upheld.</p> <p>g. The certainty provided to stakeholders by a Local Structure Plan approval must be protected to ensure orderly and proper planning in keeping with established planning process.</p> <p><b>CONCLUSION</b></p> <p>The new strategy and scheme are important for stewarding the future development of the Shire. In the context of Whitby, it is important that these documents build on substantial efforts by all stakeholders to comprehensively plan for a future community. This is particularly important in considering:</p> <ul style="list-style-type: none"> <li>• South West Highway and its connections</li> <li>• A clear hierarchy within the Mundijong-Whitby cell, designating the Whitby town centre as the sole District Centre</li> <li>• Freight and passenger rail planning</li> </ul> <p>Thank you again for the opportunity to provide a submission on these documents. Should you have any queries regarding the above matters, please do not hesitate to contact the undersigned at <a href="mailto:ross@robertsday.com.au">ross@robertsday.com.au</a>.</p>		
<p>Element of behalf of Peter Rifici IN19/28712</p>	<p>54.</p>	<p><b>SUBMISSION: LOCAL PLANNING STRATEGY AND LOCAL PLANNING SCHEME NO.3</b></p> <p><b>element</b> act on behalf of Mr Peter Rifici the owner of Lots 786, 788 Walker Road, Serpentine and Lot 787 Karnup Road, Serpentine in respect to a submission on the draft Local Planning Strategy (LPS) and Local Planning Scheme No.3 (LPS3).</p> <p><b>Current Planning Framework</b></p> <p>The subject sites are currently zoned Rural under the Metropolitan Region Scheme (MRS) and Rural Living A under Town Planning Scheme No.2 (TPS2). In accordance with Clause 5.12.2 of TPS2:</p> <p>The Rural Living A Zone is intended to cater for rural residential development on a range of lots between 4,000 square metres to one hectare in accordance with the objectives and guidelines of the Rural Strategy.</p>	<p>The Shire notes the submission in relation to proposing lot sizes of 4,000m<sup>2</sup> and the due regard for the subdivision guide plan which outlines lot sizes which range from 4,248m<sup>2</sup> to 2.2ha. The Shire outlines that the Scheme once it is gazetted will prevail over the Subdivision Guide Plan.</p> <p>The subject area is identified as Rural Residential (1ha – 4ha lot sizes) under the Western Australian Planning Commission's (WAPC) Perth and Peel @ 3.5 Million Sub-Regional Planning Frameworks. The Shire has identified this land as Rural Residential RR-1 which is recommended to designate a minimum lot size of 1ha for Rural Residential RR-1 lots, to allow for some diversity of lots sizes but to</p>	

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		<p>In accordance with Clause 5.12.7 of TPS2:</p> <p>A description of the land included in the Rural Living A and rural Living B zones together with land uses permitted and any special provisions relating to the land are set out in Appendix 4A and Appendix 4B respectively. Such uses will be dependent upon site survey and reference to land capability and other planning data.</p> <p>Finally, in accordance with Clause 5.12.8</p> <p>There shall be a plan of subdivision entitled Subdivision Guide Plan for each specified parcel of land included in the Rural Living A and Rural Living B zones endorsed by the Shire Clerk and approved by the State Planning Commission.</p> <p>A Subdivision Guide Plan (SGP) has been approved for the subject. A copy of the SGP is provided within Annexure 'A'.</p> <p>Having regard to the current zoning of the site, and approved SGP, the land has the potential to be subdivided into 58 rural residential lots.</p> <p>Subdivision Approval for the land has previously been granted by the Western Australian Planning Commission (WAPC) in 1995, 1997, 2003 and 2005. These approvals have not been acted upon.</p> <p>The current Rural Strategy Review 2013 provides in respect to the Rural Living A zone:</p> <p>Lot sizes can range between 0.4ha to 1ha with the possibility of limited larger balance lots where capability and site constraints dictate (max 4ha).</p> <p>Clause 5.12.4 of Town Planning Scheme No.2 applies in to the following areas where a minimum lot size of 1 hectare is permitted, unless a Subdivision Guide Plan and/or overlay depicting smaller lots was existing and approved at such time as the Rural Strategy Review was supported by the WAPC:</p> <ul style="list-style-type: none"> <li>• Rural Living A area east of Kargotich Road, north of Gossage Road, west of future Tonkin Highway and south of Special Rural 17 and 20.</li> <li>• Rural Living A west of Hall Road, north of Wattle Road, east of Walker Road and south of Karnup Road, Serpentine.</li> <li>• Land bound by Jarrahdale Road, Nettleton Road and Rhodes Place.</li> </ul> <p>Underlining above is the Author's emphasis.</p> <p>Whilst the subject site is contained within the Rural Living A west of Hall Road, north of Wattle Road, east of Walker Road and south of Karnup Road, Serpentine an SGP was existing and approved at the time that the Rural Strategy Review was supported by the WAPC. Thus, the 1.0ha minimum does not apply and the smaller lot size shown in the SGP prevail.</p>	<p>ensure the land has the capability of for a Rural Residential property.</p> <p>The subject site is located in a sewage sensitive area under the <i>Government Sewage Policy 2019</i> (GSP) and a 1.5 clearance from groundwater to the point of effluent disposal is required. The policy identifies that subdivisions that cannot connect to reticulated sewerage, should only occur to a minimum lot size of 1 ha utilising secondary treatment systems with nutrient removal to protect the receiving environment. In such circumstances, the GSP requires preparation of a Site and Soil Evaluation (SSE) (in accordance with AS/NZS 1547 On-site domestic wastewater management) to demonstrate that the proposed land use and lot sizes are capable of accommodating on-site sewage disposal in accordance with the parameters outlined in Schedule 2 of the GSP.</p>	

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		<p><b>Draft Local Planning Strategy and Local Planning Scheme No.3</b></p> <p>Under LPS3 the site is proposed to be zoned Rural Residential (RR – 1). The Rural Residential zone provides for lot sizes in the range of 1.0 ha to 4.0 ha.</p> <p>Schedule 4 – Additional Site and Development Requirements of LPS34 provides specific development provisions for land zoned Rural Residential. In respect to minimum lot size the development provisions in Schedule 4 specify that:</p> <p style="padding-left: 40px;">Subdivision of land in the Rural Residential zone shall be supported by the local government to the minimum lot size requirements for the respective Rural Residential Codes as designated on the Scheme Maps. The minimum lot size requirements for the Rural Residential Codes (RR Codes) are as follows:</p> <table border="1" data-bbox="566 840 1329 984"> <thead> <tr> <th><i>Rural Residential Code</i></th> <th><i>Lot Size</i></th> </tr> </thead> <tbody> <tr> <td><i>RR – 1</i></td> <td><i>1 ha average</i></td> </tr> <tr> <td><i>RR – 2</i></td> <td><i>2 ha minimum</i></td> </tr> </tbody> </table> <p>Having regard to the development provisions of Schedule 4, a lot size of 1.0 ha average applies to the subject site. This differs from the requirement set out under Clause 16 (2) in relation to the Rural-Residential zone which set out a 1.0ha minimum.</p> <p>Both the 1.0 ha average and 1.0 ha minimum represent a decrease in subdivision potential for the subject site. The current zoning provides for lot sizes to a minimum of 4,000m<sup>2</sup>. The approved SGP provides for lot sizes in the range of 4,248m<sup>2</sup> to 2.2ha.</p> <p><b>Government Sewerage Policy 2019</b></p> <p>In accordance with the Government Sewerage Policy 2019 (GSP) the site is contained within a sewerage sensitive area and a minimum lot size 1.0 ha applies. However, within sewerage sensitive areas Table 5.2.1 notes as follows:</p> <p style="padding-left: 40px;">Land in a sewage sensitive area that is already zoned for urban use with a residential density coding of R 2 to R10 under a local planning scheme or structure plan endorsed by the Western Australian Planning Commission, may be subdivided in accordance with the existing density coding. Where R10 subdivision is proposed, it should be demonstrated that the density coding was assigned with the understanding that reticulated sewerage would not be provided.</p> <p>Smaller lots in sewage sensitive areas may be considered for non-residential, commercial and industrial subdivision on a case-by-case basis where it can be demonstrated that the proposal meet the minimum site requirements and the responsible authority, in consultation with relevant agencies is satisfied that the proposal is consistent with the objectives of this policy.</p>	<i>Rural Residential Code</i>	<i>Lot Size</i>	<i>RR – 1</i>	<i>1 ha average</i>	<i>RR – 2</i>	<i>2 ha minimum</i>		
<i>Rural Residential Code</i>	<i>Lot Size</i>									
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<i>RR – 2</i>	<i>2 ha minimum</i>									

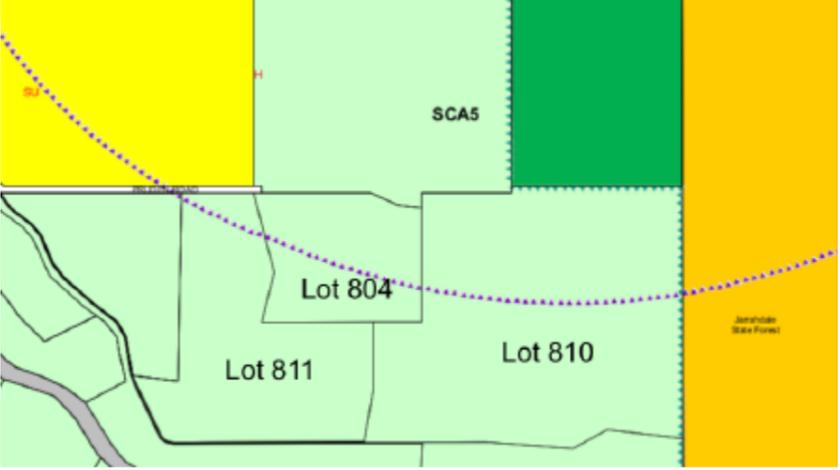
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		<p>It is noted in respect to the above-mentioned excerpt from the GSP, that the subject site is already zoned for urban use (urban use includes land that can be subdivided to create lots of less than one hectare for residential use) with a density code that is equivalent to an R 2.5 density (4,000m<sup>2</sup>). In addition, an SGP was approved for the subject site as part of Scheme Amendment for the subject site (gazetted 3 November 1995). Thus, the GSP allows for subdivision of the land in accordance with the existing density code i.e. Rural Living A requirements of the current TPS2 and approved SGP.</p> <p>Further to the above, it is noted that under Clause 6 of the GSP that:</p> <p style="padding-left: 40px;">Planning proposals that have received formal planning approval prior to publication of this policy may proceed subject to the conditions applicable at the time of the approval, for as long as that approval remains in effect.</p> <p>Regarding Clause 6 of the GSP, an SGP has been approved for the site, and as such it is considered that there is a formal approval that allows for the subdivision of the land.</p> <p><b>Conclusion</b></p> <p>To conclude, an approved SGP for the subject site allows for subdivision of the subject site into lots ranging from 4,248m<sup>2</sup> to 2.2 ha.</p> <p>Clause 16 (2) of LPS3 specifies a minimum lot size of 1.0 ha to 4.0 ha for the site. Schedule 4 – Additional Site and Development Requirements of LPS3 specifies that an average lot size of 1.0 ha. As such there is some conflict between the two provisions of LPS3.</p> <p>Table 5.2.1 of the GSP allows for subdivision to lot sizes of less than 1.0 ha in sewerage sensitive areas that are already zoned for urban use with a residential density coding of R2 to R10 under a local planning scheme or structure plan endorsed by the WAPC. For the reasons described earlier in this advice it is considered that the notes in Table 5.2.1 apply to the subject site and thus lots of less than 1.0 ha may be approved.</p> <p>Having regard to the above, it is requested that the draft LPS3 be amended to reflect a minimum lot size of 4,000m<sup>2</sup> to 1.0ha for the subject site.</p>		

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		<p style="text-align: center;"><b>Annexure 1: Approved Subdivision Guide Plan</b></p> 		
<p>Element on behalf of the landowners IN20/763 of Lots 804, 810 and 811 Pruden Road, Whitby</p>	<p>55.</p>	<p>On behalf of the owner of Lots 804, 810 and 811 Pruden Road, Whitby (the subject site), element is pleased to provide the following submission on the Shire of Serpentine Jarrahdale's draft Local Planning Scheme No. 3 (draft LPS3).</p> <p>This submission relates specifically to the 'Special Control Area 5 – Extractive Industries' (SCA5) designation that is proposed over part of the subject site and the land immediately to the north (as shown in Figure 1, below), which we understand relates to the operation of the existing hard rock quarry at Lot 901 South Western Highway, Whitby, as referenced in Schedule 6 of draft LPS3.</p>	<p>The buffers for the particular special control areas SCA5 and SCA6 have been identified from the Environmental Protection Authority (EPA) <i>Guidance for the Assessment of Environmental Factors: Separation Distances between Industrial and Sensitive Land Uses</i>. Where a separation distance range is recommended, the separation distance shall be based on the scale of the industry.</p>	

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		 <p>Based on the draft LPS3 Objectives set out in Schedule 3, and the extent of the proposed SCA5 (as cross referenced to Schedule 6), we understand that the intent of SCA5 is specifically to acknowledge the operation of the existing hard rock quarry at Lot 901 South Western Highway through the establishment of a 1500 metre buffer around the existing facility. We understand this buffer has been derived from the Environmental Protection Authority's draft Guidelines for the Assessment of Environmental Factors: Separation Distances between Industrial and Sensitive Land Uses, and is reflective of the 1500 metre separation distance required between hard rock quarrying operations and surrounding sensitive land uses, as stated in the Schedule 3 Objectives.</p> <p>In respect of the above, the recognition of existing extractive industries, and desire to prevent encroachment of incompatible land uses is acknowledged as a sound planning principle, and our client accepts that the buffer distances associated with the existing hard rock quarry at Lot 901 South Western Highway result in the need for SCA5 to encroach into a portion of the subject site. However, it is considered imperative that draft LPS3 makes this intent clear, that SCA5 is to protect existing extractive industries only and is not intended to support the establishment of new extractive industries or the expansion of existing facilities in a manner that would increase the required buffer distances beyond the boundaries of the proposed SCA5.</p> <p>In accordance with the above, it is submitted the current draft wording of the 'Objectives' and 'Additional Provisions' of SCA5 in Schedule 3 should be strengthened by:</p> <ul style="list-style-type: none"> <li>- Modifying the first listed Objective of SCA5 to read "To identify the location of existing extractive industries that hold a valid development approval";</li> <li>- Modifying the second listed Objective of SCA5 to read "To protect the operation of existing extractive industries that hold a valid development approval"; and</li> <li>- Including a further 'Additional Provision' for SCA5 to clearly indicate that SCA5 is intended to protect the continued operation of existing extractive</li> </ul>	<p>SCA5 and SCA6 were included within the Draft Scheme to protect extractive industries and to be able to control development in close proximity to industries which may have offsite impacts. The identification of these buffers enables specific development controls to be implemented to ensure the amenity of any development in close proximity to these industries. Appropriate measures such as noise attenuation, siting and building orientation can be applied to minimise land use conflicts and to ensure an adequate level of amenity is achieved. For these reasons, officers recommend that SCA5 and SCA6 be retained within the Draft Scheme and updated with any new industries that have been approved since the Draft Scheme was prepared.</p>	

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		<p>industries only (as already cross referenced to Schedule 6), and does not support the establishment of new extractive industries or the expansion of existing facilities in a manner that would increase the required buffer distances beyond the boundaries of the proposed SCA5.</p> <p>The above would provide greater clarity on the purpose and intent of SCA5, enshrine consistency between SCA5 in Schedule 3 and the cross referencing to Schedule 6, and reflects our client's strong opposition to the establishment of any new extractive industries in the vicinity of the subject site, as this would:</p> <ol style="list-style-type: none"> <li>a. Have an unacceptable adverse impact on the amenity of the existing sensitive rural residential land uses in the locality, by virtue of the amenity impacts associated with extractive industries and the additional restrictions that any associated separation distance requirements would place on the future development of surrounding landholdings; and</li> <li>b. Be incongruent with the objectives of 'Special Control Area 2 – Darling Landscape Protection', which seeks to preserve the scenic landscape character and amenity of the area.</li> </ol> <p>We trust that the information provided will assist the Shire in progressing the draft LPS3 through the established statutory process and respectfully request that changes are made to the proposed SCA5 provisions to address the concerns identified above.</p> <p>Should you have any queries or require clarification on any of the matters raised herein, then please do not hesitate to contact the undersigned on (08) 9289 8300.  Yours sincerely  Element</p>		
<p>Harley Dykstra  on behalf of  Castafaro  Lot 9001 Bruns  Drive, Darling  Downs  IN20/837</p>	<p>56.</p>	<p><b>SUBMISSION TO DRAFT LOCAL PLANNING SCHEME NO.3 – LOT 9001 BRUNS DRIVE, DARLING DOWNS</b></p> <p>I refer to the above and confirm that this correspondence represents a submission on behalf of the landowners of Lot 9001 Bruns Drive, Darling Downs (the subject site) in relation to the advertised draft Local Planning Scheme No. 3 (LPS No. 3). This submission is prepared in objection to the proposed zoning depicted on the subject site, particularly in relation to the lot size requirements of Rural Residential zone (specifically RR1) that don't accord with recent decisions in relation to the subject site. As a result, we note that the LPS No. 3, as proposed, represents a backwards step for the planning controls over Lot 9001, as detailed below. This submission recommends that subject site be zoned as "Special Residential" on the basis that this zone is best reflective of existing approvals relating to this site.</p> <p><u>Rural Residential Zone (RR1)</u>  We note that the LPS No. 3 proposes to zone the site Rural Residential 1, as is the case for all areas currently zoned Rural Living A under the existing LPS No. 2. Schedule 4, Section 4.1, of LPS No. 3, sets out the specific zone development requirements for each zone. The requirements for the Rural Residential zone indicate that the minimum lot size in the RR1 category should be an average of</p>	<p>Under Town Planning Scheme No.2 the area has been identified as Rural Living A. The area is considered to be more aligned to the objectives of the Rural Residential zone.</p> <p>The objectives of the Rural Residential zone are as follows:</p> <ul style="list-style-type: none"> <li>• To provide for lot sizes in the range of 1 ha to 4 ha.</li> <li>• To provide opportunities for a range of limited rural and related ancillary pursuits on rural-residential lots where those activities will be consistent with the amenity of the locality and the conservation and landscape attributes of the land.</li> <li>• To set aside areas for the retention of vegetation and landform or other features which distinguish the land.</li> </ul>	

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		<p>1ha. This clause is very problematic in relation to approved and planned subdivision at the subject site. The entire estate, from Eleventh Road down to Thomas Road, has been developed and planned as an estate with lot sizes generally at the minimum 4,000m<sup>2</sup> size. In particular it is noted that generally all lots in estates with immediate access to Eleventh Road and Thomas Road are developed down almost entirely down to the 4,000m<sup>2</sup> minimum lot size. This development has occurred in accordance with the approved Subdivision Guide Plan (a Structure Plan equivalent). The Subdivision Guide Plan is attached at Appendix A (disregard mark-up on plan) of this submission for reference. It depicts the proposed subdivision pattern over the site, which demonstrates lot sizes from 4,000m<sup>2</sup> through the whole estate.</p> <p>Furthermore, the site subject of tis submission has approved subdivision application that include similar lot sizes, which are approved on the basis of approved Subdivision Guide Plans (a Structure Plan equivalent). Because of all of this it seems inconsistent to propose a zoning that advocates for a larger lot size than existing and planned development. Furthermore, other land use controls proposed within the Rural Residential zone would be more commensurate with a larger lot size. These controls should not apply to lots that are as small as 4,000m<sup>2</sup>.</p> <p><u>Proposed Solution</u>  In order to address this situation, we recommend that this whole estate, bounded by Thomas Road, the Railway Reserve, South Western Highway and Eleventh Road, be identified as Special Residential. This would occur in the same manner as those lots within the Racy-Prince Court estate (west of Malarkey Road), in Byford, and the Chestnuts Estate in Jarrahdale. This would accurately reflect the significant planning progress that has been completed to date, and would be commensurate with existing development in the whole estate and recent, relevant decisions of the WAPC to allow lot sizes down to 4,000m<sup>2</sup> in this estate.</p> <p>The Special Residential zone is most appropriate because one of the aims of a new town planning scheme is to ensure that the planning controls are up to date and reflective of the needs of the locality. To apply a new zone with a 1-hectare average requirement (Rural Residential 1) over an estate that is comprised of predominantly 4,000m<sup>2</sup> lots, is a backward step and does not bring the new zoning controls into line with actual development and what has been approved. To apply a Special Residential zoning, which has been applied to other areas of the new planning scheme, is the most accurate reflection of the settlement pattern, lot size and land use that has taken place within these estates that are predominantly 4,000m<sup>2</sup> lots. In this way the zoning objectives and development controls applicable to the Special Residential zone will be most suitable because the lot size of 4,000m<sup>2</sup> is a true Special Residential lot size.</p> <p>Special Residential zones have already been used in the draft LPS No. 3 and are a legitimate zone and a legitimate subdivision product in accordance with the relevant State Planning Policy. By applying a Special Residential zone, it also</p>	<p>The Shire has identified this land as Rural Residential RR-1 which is recommended to designate a minimum lot size of 1ha for Rural Residential RR-1 lots, to allow for some diversity of lots sizes but to ensure the land has the capability of for a Rural Residential property.</p> <p>The Shire does not support the proposed recommendation of Special Residential given the surrounding context and that it was not zoned under the Special Residential zone under Town Planning Scheme No.2.</p>	

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		<p>helps to differentiate these well planned 4,000m2 lot estates from the other estates where the Rural Living A overlay has been applied. These particular 4,000m2 lot estates are no different than the Malarkey Road (Racy Prince Court) and Chestnuts Estates that have also been designed and planned at the special residential lot size and zoned accordingly.</p> <p>I trust that the above submission and succinct requests are clear. We would certainly appreciate the opportunity to liaise with the Shire and WAPC further on this matter, so that when the final form of the Local Planning Framework is presented to Council, we have had adequate opportunity for input and discussion before the final decision.</p>		
<p>Harley Dykstra  on behalf of  Goldlight Assets  IN20/773  IN20/837</p>	<p>57.</p>	<p><b>SUBMISSION TO DRAFT LOCAL PLANNING SCHEME NO.3 – LOT 2 THOMAS ROAD &amp; LOT 4 KARGOTICH ROAD, OAKFORD</b></p> <p>I refer to the above and confirm that this correspondence represents a submission on behalf of Goldlight Asset Pty Ltd, the developer of Lot 2 Thomas Road, Oakford. This submission is prepared in objection to the proposed zoning depicted on the subject site (being Lot 2 Thomas Road and Lot 4 Kargotich Road), as well as the lot size requirements of Rural Residential zone (specifically RR1). This submission is primarily put forward subsequent to the significant planning work that has been completed at the subject site, noting that the draft Scheme has the potential to undermine this work, as detailed below.</p> <p><u>Proposed Zoning</u></p> <p>By way of background, the Shire will be well aware of the recently gazetted Scheme Amendment No. 206 that rezoned the subject site from “Rural” to “Rural Living A” under the Shire of Serpentine Jarrahdale Town Planning Scheme No. 2. It is assumed that given this amendment was gazetted after the Shire commenced working on the proposed Scheme, it was a mere oversight to identify the subject site as “Rural”. As such, we request that the site is updated to an appropriate zone that will also accommodate the provisions relating to the subject site that are contained within Appendix A of the current Scheme (refer to RLA 32).</p> <p><u>Rural Residential zone (RR1)</u></p> <p>On the basis of the fact that all areas zoned Rural Living A, under the current Scheme, are proposed to be changed to Rural Residential (RR1) under the draft Scheme, it is assumed that the Shire would have intended to apply the Rural Residential zoning to the subject site as well. On that basis, we would like to note some concerns with the requirements of that zone and how it relates to the recent Scheme Amendment that occurred at this site.</p> <p>In particular, it is noted that Schedule 4, Section 4.1 sets out the specific zone development requirements for each zone. The requirements for the Rural Residential zone indicate that the minimum lot size in the RR1 category should be an average of 1ha. This clause is contrary to the recent clause included in Scheme Amendment 206, that indicated the minimum lot size for the subject site would be</p>	<p>Under Town Planning Scheme No.2 the area has been identified as Rural Living A. The area is considered to be more aligned to the objectives of the Rural Residential zone.</p> <p>The objectives of the Rural Residential zone are as follows:</p> <ul style="list-style-type: none"> <li>• To provide for lot sizes in the range of 1 ha to 4 ha.</li> <li>• To provide opportunities for a range of limited rural and related ancillary pursuits on rural-residential lots where those activities will be consistent with the amenity of the locality and the conservation and landscape attributes of the land.</li> <li>• To set aside areas for the retention of vegetation and landform or other features which distinguish the land.</li> </ul> <p>The subject area is identified as Rural Residential (1ha – 4ha lot sizes) under the Western Australian Planning Commission’s (WAPC) Perth and Peel @ 3.5 Million Sub-Regional Planning Frameworks. The Shire has identified this land as Rural Residential RR-1 which is recommended to designate a minimum lot size of 1ha for Rural Residential RR-1 lots, to allow for some diversity of lots sizes but to ensure the land has the capability of for a Rural Residential property.</p> <p>The Shire does not support the proposed recommendation of Special Residential given the surrounding context, the designation under the WAPC’s Framework and given that it was not zoned</p>	

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		<p>1 hectare, unless connection to reticulated sewer could be achieved, in which case the minimum lot size would be 4,000m<sup>2</sup> for lots that could connect to sewer. By imposing an average lot size of 1 hectare in the new scheme, this recently gazetted clause will no longer have any relevance. Given the Scheme Amendment was gazetted on the 4th October, 2019 (only 2 months ago), it seems very inconsistent to have a clause in the proposed Scheme that undermines this gazetted clause.</p> <p>Furthermore, we note that this clause is also inconsistent with clauses provided in the recently adopted Shire of Serpentine Jarrahdale Rural strategy. Within that document, specifically at Clause 4.3, reference is made to the subject site noting that subdivision can occur at a minimum lot size of 4,000m<sup>2</sup> wherever sewer is provided. This clause is provided in addition to a number of others that also advocate for subdivision at less than 1 hectare in circumstances where there are existing Subdivision Guide Plans, for example.</p> <p>The above demonstrates that the proposed approach towards to the Rural Residential development, as required by the draft Scheme, is inflexible in comparison to the recently adopted Rural Strategy and Scheme Amendment that specifically relates to the subject site.</p> <p><u>Possible Solutions</u></p> <p>In order to address this situation, we recommend that this site be identified as Special Residential, in the same manner as those lots within the Malarkey Road estate, in Byford, and the Chestnuts Estate in Jarrahdale. This would accurately reflect the significant planning progress that has been completed to date, and would be commensurate with the very recent decision of the WAPC to allow lot sizes down to 4,000m<sup>2</sup> in this location. We acknowledge that a site-specific clause would be needed that clearly indicates lot sizes at the subject site should be a minimum of 1 hectare, unless a connection to Sewer can occur.</p> <p>Alternatively, the Shire could review the site-specific provisions that were included in the recently adopted Rural Strategy that allowed subdivision of lot sizes at less than 4,000m<sup>2</sup> in various circumstances. This could be achieved by inserting a clause within the new Scheme that makes exceptions to the 1-hectare average lots size.</p> <p>We note, however, that the ability to zone this site, and others in similar situations, to Special Residential would be more simplistic and appropriate, on balance.</p> <p>I trust that the above submission and succinct requests are clear. We would certainly appreciate the opportunity to liaise with the Shire further on this matter, so that when the final form of the Local Planning Framework is presented to Council, we have had adequate opportunity for input and discussion before the final decision.</p>	<p>under the Special Residential zone under Town Planning Scheme No.2.</p>	

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<p>TBB on behalf of LWP Property Group IN20/572</p>	<p>58.</p>	<p><b>SHIRE OF SERPENTINE JARRAHDAL DRAFT LOCAL PLANNING STRATEGY AND LOCAL PLANNING SCHEME NO. 3 (LPS 3) - SUBMISSION</b></p> <p>Taylor Burrell Barnett, on behalf of our client LWP Property Group (LWP), is pleased to lodge the following submission on the Draft Local Planning Strategy (LPS) and Local Planning Scheme No. 3 (LPS 3). Our client has an interest in this matter as it is responsible for the development of The Glades, Byford estate and is a major landowner within the Byford Town Centre Structure Plan area.</p> <p>The key aspects of our submission as they relate to the development of land for LWP, include:</p> <ul style="list-style-type: none"> <li>• Reiterate our previous comments to the Shire with regards to accuracy and validity of population projection data and request a thorough review by the Shire.</li> <li>• Reiterate our previous comments to the Shire as outlined in the submission on the proposed Byford Local Development Strategy (LDS) and Byford Precinct Plan (letter dated 16 July 2018).</li> <li>• Request removal of onerous Scheme provisions relation to vegetation protection, tree protection and waterway protection. These matters can be dealt with at a more appropriate stage of the planning process.</li> <li>• Support for the finalisation of the Draft LPP relating to R25-R60 development.</li> <li>• Request clarification relating to major changes to the transport network, namely the upgrade of Abernethy Road and identification of Orton Road as an Integrator Arterial.</li> <li>• Question the demand for a new Neighbourhood Centre north of Orton Road near Lawrence Way based on low demand for retail floorspace in the catchment.</li> <li>• Request that technical reports and studies are made available to support strategies and actions of the LPS.</li> <li>• Seek further clarification from the Shire with regards to the intent behind non-residential development at ground level only in District Centre, Local Centre and Mixed Use zones.</li> <li>• Correction of mapping errors on Scheme Maps 1 and 2.</li> </ul> <p><b>SUBMISSION</b></p> <p>We would like to commend the Shire for its foresight and vision to review the existing strategic and statutory planning framework for the Shire and establish a vision for the future. The following key matters are raised for the Shire's consideration.</p> <p>We also wish to draw the Shire's attention to the forthcoming submission on Draft Scheme Amendment No. 207 to be lodged by TBB, on behalf of LWP and other Byford developers.</p>	<p>The Shire does not support the use of single house within the District Centre, Local Centre and Mixed Use zones as these zones are not intended to accommodate purely residential development. Residential development within these zones should be integrated with the core retail/commercial function of the zone. Multiple and grouped dwelling typologies are considered appropriate residential development forms for the District Centre, Local Centre and Mixed Use zones. Single house development is considered to be more appropriately accommodated within the Residential zone.</p> <p>The Shire is in the process of developing Local Planning Policy 2.2 - Residential Development Standards (R25 – R60), which addresses primary street setback variations. It is considered more appropriate for this matter to be addressed in the Local Planning Policy instead of the Scheme. It is recommended that Clause 26 (1) be deleted.</p> <p>Designate 15-21 Kinsella Avenue, Byford the R-Code of R30 to align with the approved local structure plan.</p> <p>Road hierarchy has been identified as per Main Roads road hierarchy classifications.</p> <p>The Local Centre LC designation relates to the lot zoned Local Centre north of Olsen Gardens.</p> <p>We appreciate your response via submission to the Draft Local Planning Strategy and Local Planning Scheme No.3.</p>	<p><b>Part 4 Clause 26 (1)</b></p> <p>Delete sub-clause (1) which states:</p> <p><i>'1) The following modifications to primary street setbacks shall apply to single house standards for medium density (R25-R60 density codes) housing:</i></p> <p><i>(a) R25-R40: 4m minimum (no average)</i></p> <p><i>(b) R50-R60: 2m minimum (no average)'</i></p> <p>Designate 15-21 Kinsella Avenue, Byford the R-Code of R30 to align with the approved local structure plan.</p>

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		<p><b>Draft Local Planning Strategy</b></p> <p><b>1.1 Urban Areas and Townsites</b></p> <p><u>Requirement:</u></p> <ul style="list-style-type: none"> <li>• The LPS states the following with respect to population and dwelling projections for the Shire across various sources: <ul style="list-style-type: none"> <li>○ WA Tomorrow (WAPC), which forecasts a population of between 41,000 and 57,650 by 2026;</li> <li>○ forecast.id, which projects a Shire population of 63,300 by 2036; and</li> <li>○ Perth and Peel @ 3.5 million, which projects a Shire of Serpentine Jarrahdale population of 113,058 in 2050, with 42,242 dwellings.</li> </ul> </li> </ul> <p><u>Response:</u></p> <ul style="list-style-type: none"> <li>• There is significant variance between the estimated population figures, particularly where the population is expected to almost double between 2036 and 2050. This demonstrates a high degree of inaccuracy.</li> <li>• The population figures for Byford at 2050 (Figure 4) are generally in alignment with those forecast for 2051 and used as a foundation for the Community Infrastructure Development Contribution Plan (CIDCP), being 50,000 people at 2050 and 53,000 people at 2051. However, as previously discussed with the Shire, we question the validity of the population projection data.</li> <li>• In the absence of any population analysis being made available, the justification for new infrastructure cannot be validated. It is for this reason, we maintain that a review of the Shire's population projections underpinning various strategic planning documents, such as the LPS, CIDCP and Local Development Strategies should be undertaken by the Shire to assess the level of infrastructure and substantiate the forecast growth for the Shire.</li> <li>• We also maintain that the existing technical reports will need to be reviewed and updated, to reflect any changes to the forecast population growth and ensure the Strategies can accommodate the implications of this increase, particularly in relation to traffic modelling and impact, retail demand analysis and community infrastructure provision.</li> </ul> <p><b>3.1.1 Urban Design</b></p> <p><u>Requirement:</u></p> <ul style="list-style-type: none"> <li>• Action 2: Include provisions within LPS 3 which allow the Shire to require landscaping for any development.</li> </ul> <p><u>Response:</u></p>		

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		<ul style="list-style-type: none"> <li>• Action 2 is ambiguous and extremely onerous in the way that it references the requirement for landscaping for any development.</li> <li>• It is recommended that the requirement for tree protection is more appropriately handled through a condition of subdivision/DA and not via a Scheme provision.</li> </ul> <p><u>Requirement:</u></p> <ul style="list-style-type: none"> <li>• Action 3: Include tree protection provisions within LPS 3.</li> </ul> <p><u>Response:</u></p> <ul style="list-style-type: none"> <li>• Action 3 is extremely onerous as vegetation should be retained where practicable only and should not be applied through a Scheme provision.</li> <li>• It is recommended that the requirement for tree protection is more appropriately handled through a condition of subdivision/DA and not via a Scheme provision.</li> </ul> <p><u>Requirement:</u></p> <ul style="list-style-type: none"> <li>• Action 5: Include a provision in LPS 3 to allow the Shire to refer any development proposal to the Design Review Panel.</li> </ul> <p><u>Response:</u></p> <ul style="list-style-type: none"> <li>• Action 5 is ambiguous and extremely onerous in the way that is references the requirement for any development proposal to be referred to the Design Review Panel.</li> <li>• The relationship between the proposed Shire Design Review Panel and the State's Design Review Panel should also be considered by the Shire to ensure there is no overlap in roles and responsibilities.</li> <li>• It is therefore requested that the Shire considers the proposal to introduce a Design Review Panel for any development proposal more thoroughly and in the context of the State's Design Review Panel before introducing as a Scheme provision.</li> </ul> <p><b>3.1.2 Byford</b></p> <p><u>Requirement:</u></p> <ul style="list-style-type: none"> <li>• Action 1: Prepare a Local Area Plan for Byford to guide development, activity centres, density, housing typologies and configurations for the various precincts within Byford.</li> </ul> <p><u>Response:</u></p> <ul style="list-style-type: none"> <li>• TBB, on behalf of our LWP, lodged a submission with the Shire on the proposed Byford Draft Local Development Strategy (LDS), dated 16 July 2018. In summary,</li> </ul>		

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		<p>the submission outlined the following key aspects as they relate to the development of land for LWP:</p> <ul style="list-style-type: none"> <li>○ Inconsistencies between the draft LDS and existing approved The Glades Local Structure Plan (LSP) with respect to the location of proposed District Ovals within the Cardup Precinct and identification of 'green linkages' traversing the LSP area.</li> <li>○ Inconsistencies between the Draft Byford Town Centre Precinct Plan and Byford Town Centre Structure Plan with respect to density code ranges and movement network / road hierarchy.</li> <li>○ Availability of Technical Reports and Studies that support the draft LDS (LWMS, Traffic Assessment, Population Analysis, Retail Needs Assessment and Community Needs Assessment).</li> <li>○ Development Contribution Plan (DCP) No. 5 Review should be informed by the draft LDS and the new significant infrastructure items contemplated</li> </ul> <p>• The majority of the key aspects as outlined above are still valid comments as they relate to the draft LPS. We acknowledge that the LDS for Byford is currently with the WAPC for consent to formally advertise. As such, we would be pleased to continue to engage with the Shire and WAPC during the formal advertising period to ensure that the Byford LDS / Local Area Plan achieves a suitable outcome for all parties, particularly as it relates to the next stage of development within the Cardup Precinct at The Glades.</p> <p><u>Requirement:</u></p> <ul style="list-style-type: none"> <li>• Action 2: Review the Byford Town Centre Structure Plan.</li> </ul> <p><u>Response:</u></p> <ul style="list-style-type: none"> <li>• As noted above, TBB, on behalf of our LWP, lodged a submission with the Shire on the proposed Byford Draft Local Development Strategy (LDS), dated 16 July 2018. In summary, the submission outlined the following key aspects relating to inconsistencies between the Draft Byford Town Centre Precinct Plan and Byford Local Structure Plan (LPS) as they relate to the development of land for LWP:</li> </ul> <ul style="list-style-type: none"> <li>○ Whilst the identification of land for 'high density' is generally supported given the site's designation as a District Centre and proximity to potential future transit (rail) the Shire should recognise the process that LWP undertook to amend the planning framework to accommodate higher density residential development. Technical studies including a Traffic Statement, LWMS Addendum and other supporting information was required in support of this LSP Amendment.</li> </ul>		

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		<p>○ Furthermore, the Precinct Plan and draft LDS lacked further information with regards to the intended residential density associated with the site's designation as 'high density'. Whilst the site is considered to be appropriately located to accommodate higher forms of residential development, this desire must also be considered in the context of market demand and likely conditions of the housing market at the time of development.</p> <p>○ It is requested the Shire acknowledge the existing R60 densities within the LWP landholding within the Town Centre and outline the planned densities for the precinct, where they vary from the existing densities outlined above.</p> <p>○ The Draft Byford Precinct Plan proposed the realignment of San Simeon Boulevard to Clara West Street. This proposal was not supported on the basis that the realignment results in the redirection of traffic through a residential area which is less than desirable, and poor servicing of the Town Centre.</p> <p>○ As above, we would be pleased to continue to engage with the Shire and WAPC during the formal advertising period to ensure that the Byford LDS / Local Area Plan achieves a suitable outcome for all parties, particularly as it relates to the next development of land for LWP within the Town Centre.</p> <p><u>Requirement:</u></p> <ul style="list-style-type: none"> <li>• Action 3: Review the development contribution scheme and plan for Byford.</li> </ul> <p><u>Response:</u></p> <ul style="list-style-type: none"> <li>• The review of the development contribution scheme (DCS) and development contribution plan (DCP) for Byford is supported. It is acknowledged that the Shire is in the process of undertaking DCP 5 review (traditional infrastructure), however it is requested that this should be finalised as a priority, particularly as it should be informed by the LPS and CIDCP.</li> <li>• As the draft LPS proposes changes to the movement network that would likely be included within the DCP as traditional infrastructure items where land acquisition and construction costs are required, it is imperative that the review is informed by the draft LPS and that the need/nexus substantiated by the Shire. Ideally, the progression, advertising and finalisation of these documents should occur concurrently.</li> </ul> <p><u>Requirement:</u></p> <ul style="list-style-type: none"> <li>• Action 4: Prepare a development contribution scheme and plan for community infrastructure within Byford.</li> </ul> <p><u>Response:</u></p>		

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		<p>• The preparation of a DCS and DCP for community infrastructure in Byford is generally supported. A more detailed submission is being prepared by TBB, on behalf of LWP and other developers within the Byford area, directly in response to Scheme Amendment No. 207 and the draft CIP DCP and will be lodged with the Shire by the end of the public submission period (16 January 2020). We request the Shire consider the information presented within the separate submission in progressing Scheme Amendment No. 207 and the draft CIP DCP.</p> <p><u>Requirement:</u></p> <ul style="list-style-type: none"> <li>• Action 7: Allow increased residential densities within centre zones in Byford under LPS 3.</li> </ul> <p><u>Response:</u></p> <ul style="list-style-type: none"> <li>• Whilst the identification of land for increased residential density is generally supported within activity centres further clarity is required with regards to the intended residential density associated with the 'increase'. Consideration should be given to the acknowledgement of existing densities permitted under approved structure plans, market demand and whether the proposal to increase density has been informed by appropriate technical assessments such as traffic hydrology and market/retail demand.</li> </ul> <p><b>3.4 Heritage and Culture</b></p> <p><u>Requirement:</u></p> <ul style="list-style-type: none"> <li>• Figure 7 identifies the Brook as an 'Aboriginal Sites &amp; Other Heritage Places - Registered Site'.</li> <li>• Any Strategy and Scheme requirements relating to the Brook as a 'Other Heritage Place' is unknown.</li> </ul> <p><u>Response:</u></p> <ul style="list-style-type: none"> <li>• It is acknowledged that there are significant environmental and heritage site constraints relating to the Cardup Brook. However it should be acknowledged by the Shire that crossing of the Brook (bridge construction by others) will necessitate a heritage assessment and relevant approvals to be obtained by the landowner responsible for the construction of the bridge.</li> <li>• As previously agreed with the Shire, construction of the bridge will not be the responsibility of LWP and therefore the need to undertake the required environmental and heritage assessments to facilitate this crossing will also not be the responsibility of LWP.</li> </ul> <p><b>3.5.1 Road and Freight</b></p> <p><u>Requirement:</u></p>		

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		<ul style="list-style-type: none"> <li>• Action 1: Prepare a transport plan to address the provision of roads and freight routes.</li> <li>• Strategies under Section 3.5.1 of the draft LPS relating to the upgrade of Abernethy Road and Thomas Road and the provision of formal road access along George Street in Byford between Abernethy Road and Larsen Road to create an important connection within the Byford Town Centre are of particular concern.</li> <li>• Figure 8 identifies Orton Road as a proposed Integrator Arterial connecting with Soldiers Road (refer response below under 'Draft Local Planning Strategy Map').</li> <li>• Figure 8 identifies the proposed Byford Train Station within proximity to the Byford Town Centre.</li> </ul> <p><u>Response:</u></p> <ul style="list-style-type: none"> <li>• No further commentary is provided in Parts 1 and 2 of the LPS outlining what strategies and matters the transport plan is to address, the responsible agency for this action or the form / specific upgrades.</li> <li>• The Strategies under Section 3.5.1 should also acknowledge that the upgrade of Abernethy Road has recently been undertaken by the Shire.</li> <li>• The proposal to locate the Byford Train Station in proximity to the existing Byford Town Centre is supported, however it is respectfully requested the Shire clarify whether there will be a requirement or expectation that residential density is increased within a 800/400m walkable catchment of the proposed train station, particularly in the context of the residential densities designated for the land under the approved Byford Town Centre LSP.</li> </ul> <p><b>4.1 Community Infrastructure</b></p> <p><u>Requirement:</u></p> <ul style="list-style-type: none"> <li>• Action 1: Implement the recommendations of the Shire's Community Infrastructure and Public Open Space Strategy as guided by the Community Infrastructure Plan that have implications to land use planning.</li> <li>• Action 2: Revise the Byford District Structure Plan and Mundijong District Structure Plan to identify community infrastructure.</li> <li>• Action 4: Prepare a development contribution plan for Byford for community infrastructure.</li> </ul> <p><u>Response:</u></p> <ul style="list-style-type: none"> <li>• Refer to comments at 3.1 Urban Areas and Townsites above with respect to population projections informing the community infrastructure items of the CIDCP and our separate submission prepared directly in response to Scheme Amendment No. 207 and the draft CIP DCP to be lodged by 16 January 2020.</li> </ul> <p><b>4.2 Public Open Space</b></p>		

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		<p><u>Requirement:</u></p> <ul style="list-style-type: none"> <li>The LPS states that where new district open space (DOS) is planned, shared site arrangements are proposed where the schools provide one senior sized oval the developers contribute the second senior sized oval.</li> </ul> <p><u>Response:</u></p> <ul style="list-style-type: none"> <li>The draft CIDCP currently released for public comment by the Shire does not advocate for shared use facilities. Several proposals have been investigated by the Shire (in consultation with LWP) for a DOS facility within Byford. One such proposal involved the co-location of a DOS facility with the proposed school along Lawrence Way, north of Orton Road, however this proposal was not pursued by the Shire.</li> </ul> <p><u>Requirement:</u></p> <ul style="list-style-type: none"> <li>The LPS states that to alleviate the growing community pressure of Byford and Mundijong a strategic major sub-regional sports space is planned at Keirnan Park designed to function as the Shire's central sporting hub.</li> <li>The actions/recommendations of the LPS should be aligned with the infrastructure items of the CIDCP.</li> </ul> <p><u>Response:</u></p> <ul style="list-style-type: none"> <li>The above comment is not in line with the proposals under the draft CIDCP which is currently released for public comment. The CIDCP advocates for neighbourhood and district sports facilities throughout the Byford, Oakford and Mundijong catchments. Whilst it is acknowledged that facilities are required to service more immediate catchments, the above statement provided in the draft LPS implies that the sub-regional facility could meet the demand for Byford and Mundijong.</li> </ul> <p><b>5.1 Activity Centres</b></p> <p><u>Requirement:</u></p> <ul style="list-style-type: none"> <li>Action 2: Zone developed land within the Byford Town Centre as District Centre under LPS 3.</li> <li>Action 6: Include a provision within LPS 3 to require the residential component of mixed use development to be located above ground floor level.</li> </ul> <p><u>Response:</u></p> <ul style="list-style-type: none"> <li>In response to Actions 2 and 6, refer to comments provided in relation to draft LPS 3 as outlined in more detail below.</li> </ul> <p><u>Requirement:</u></p>		

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		<p>• Figure 15 identifies a new neighbourhood centre north of Orton Road near Lawrence Way.</p> <p><u>Response:</u></p> <p>• The demand for a new neighbourhood centre servicing the Byford catchment is questioned. A Retail Demand Assessment has been undertaken by a qualified consultant on behalf of LWP recently which suggests that there is limited demand for additional retail and commercial floorspace to service this neighbourhood catchment given the primacy of Byford District Centre and The Glades Village Neighbourhood Centre. It is for this reason, we reiterate that the technical reports (retail demand analysis) should be provided to substantiate this proposal.</p> <p><b>5.4.2 Vegetation and Biodiversity</b></p> <p><u>Requirement:</u></p> <ul style="list-style-type: none"> <li>• Action 1: Include vegetation protection provisions within LPS 3.</li> <li>• Action 2: Include land clearing provisions within LPS 3.</li> <li>• Action 3: Include provisions for landscaping to be comprised of locally native species in LPS 3.</li> <li>• Action 5: Prepare a register of significant trees to be preserved.</li> </ul> <p><u>Response:</u></p> <ul style="list-style-type: none"> <li>• The protection of environmentally significant areas is acknowledged and supported however this should only occur where practicable and should not be applied through Scheme provision/s.</li> <li>• The above actions which include provisions in LPS 3, and preparation of local planning policies is considered onerous. It is recommended that these matters are more appropriately dealt with on a case-by-case basis through the subdivision, DA or clearing permit process and not via a Scheme provision.</li> </ul> <p><b>5.4.3 Water Management</b></p> <p><u>Requirement:</u></p> <ul style="list-style-type: none"> <li>• Action 6: Include provisions for landscaping to be comprised of locally native species in LPS 3.</li> </ul> <p><u>Response:</u></p> <ul style="list-style-type: none"> <li>• The protection of environmentally significant areas is acknowledged and supported however this should only occur where practicable and should not be applied through Scheme provision/s.</li> </ul>		

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		<p>• It is recommended that these matters are more appropriately dealt with one a case-by-case basis through the subdivision, DA or clearing permit process and not via a Scheme provision.</p> <p><b>5.4.5 Climate and Environmental Sustainability</b></p> <p><u>Requirement:</u></p> <ul style="list-style-type: none"> <li>• Action 1: Prepare a local planning policy to address climate responsive street and lot orientation.</li> <li>• Action 2: Include provisions in LPS 3 to require developments to utilise water sensitive urban design principles and best management practices.</li> <li>• Action 3: Include provisions for landscaping.</li> </ul> <p><u>Response:</u></p> <ul style="list-style-type: none"> <li>• The protection of environmentally significant areas is acknowledged and supported however this should only occur where practicable and should not be applied through Scheme provision/s.</li> <li>• The above actions which include provisions in LPS 3, and preparation of local planning policies is considered onerous. It is recommended that these matters are more appropriately dealt with one a case-by-case basis through the subdivision, DA or clearing permit process and not via a Scheme provision.</li> </ul> <p><u>Requirement:</u></p> <ul style="list-style-type: none"> <li>• Figure 17 identifies the Brook as an 'Environmentally Sensitive Areas and Native Remnant Vegetation'.</li> </ul> <p><u>Response:</u></p> <ul style="list-style-type: none"> <li>• The implications on the LSP area are unknown and the extent of the 'Native Remnant Vegetation' does not reflect the environmental qualities and attributes of the site. The mapping of the environmental qualities should be reviewed and updated to reflect the alignment of the actual site attributes.</li> <li>• Further clarification from the Shire is required as to what planning and development approval requirements are associated with areas identified as being 'Environmentally Sensitive' and 'Native Remnant Vegetation'.</li> </ul> <p><b>Draft Local Planning Strategy Map</b></p> <p><u>Requirement:</u></p> <ul style="list-style-type: none"> <li>• Figure 20 identifies a 'Regional Green Linkage' over the northern extent of The Glades LSP area.</li> </ul>		

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		<p><u>Response:</u></p> <ul style="list-style-type: none"> <li>• It is acknowledged that a linkage encompasses the Cardup Brook and is a key ecological linkage, however the northern linkage is not reflective of any environmental qualities and attributes of the site and does not acknowledge the identification of The Glades LSP area for urban development. Figure 20 should be rectified to reflect the correct alignment.</li> </ul> <p>Requirement:</p> <ul style="list-style-type: none"> <li>• Figure 20 identifies Orton Road as a proposed Integrator Arterial connecting with Soldiers Road.</li> </ul> <p><u>Response:</u></p> <ul style="list-style-type: none"> <li>• It is acknowledged that Orton Road will ultimately require additional widening to achieve a 32 metre wide reservation.</li> <li>• We maintain that the existing technical reports and traffic volume estimates should be made available to substantiate any increase to the planned road reservation width. The width, access restrictions, anticipated traffic volumes and noise mitigation requirements will have the potential to significantly impact The Glades LSP area.</li> </ul> <p><b>General</b></p> <p><u>Response:</u></p> <ul style="list-style-type: none"> <li>• The Draft LPS does not make mention of any technical studies being undertaken or made publicly available and as such, it has made it difficult to undertake an informed review and provide accurate comments on the draft actions.</li> <li>• The recommendations and actions under the draft LPS should also be substantiated and supported by the appropriate technical assessments. It should also be acknowledged that these technical assessments will also require review and update by the Shire in the context of any changes to the population projections that the Shire intends to review, particularly in relation to traffic modelling and impact, retail demand analysis and MRWA regional traffic modelling.</li> <li>• It is requested that all technical studies are made available, particularly with respect to the Population Analysis and Traffic Assessment.</li> </ul> <p><b>Draft Local Planning Scheme No. 3 (Text)</b>  <b>CI 17. Zoning Table</b></p> <p><u>Requirement:</u></p> <ul style="list-style-type: none"> <li>• LPS 3 proposes a single house as an 'X' use in Local Centre and Mixed Use zones.</li> </ul>		

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		<p><u>Response:</u></p> <ul style="list-style-type: none"> <li>• Whilst it is acknowledged that grouped and multiple dwellings are the preferred form of development within centre and mixed use zones, a single house should be considered at the discretion of Council, particularly where the resultant built form is of a compact, medium density outcome (e.g. townhouses).</li> <li>• It is recommended that this use is modified to a 'D' use consistent with the current Scheme which identifies a single house as an 'AA' use in the Mixed Use zone.</li> </ul> <p><u>Requirement:</u></p> <ul style="list-style-type: none"> <li>• LPS 3 proposes an ancillary dwelling as an 'X' use in Local Centre and Mixed Use zones.</li> </ul> <p><u>Response:</u></p> <ul style="list-style-type: none"> <li>• It is recommended that this use is modified to a 'D' use. For example, a 'fonzie flat' would be considered as an ancillary dwelling and is considered as an appropriate use for these zones as it provides affordable housing opportunities and contributes to dwelling diversity in areas of high amenity.</li> </ul> <p><b>CI 26. Modification of R-Codes</b></p> <p><u>Requirement:</u></p> <ul style="list-style-type: none"> <li>• Clause 26 of draft LPS 3 prescribes primary street setbacks for medium density (R25-R60) housing and boundary setbacks for housing in R25-R80 coded areas.</li> </ul> <p><u>Response:</u></p> <ul style="list-style-type: none"> <li>• The Shire has prepared a draft Local Planning Policy 2.2 Residential Development Standards (R25-R60) (LPP 2.2) which outlines the position of the Shire with regard to residential development standards that vary the R-Codes for lots with an R-Code of R25 – R60. Draft LPP 2.2 was approved by Council on 18 November 2019 for public advertising and it is understood the Draft LPP is currently being considered by the WAPC for advertising.</li> <li>• We note that the Scheme provisions proposing a primary street setback of 2m for R50-R60 development and 4m (minimum) for R35-R40 development is inconsistent with that outlined in draft LPP 2.2, which requires a primary street setback of 3m (minimum) for R30/R35 and R40 development.</li> <li>• It is recommended that Clause 26 of draft LPS 3 is removed in lieu of the Draft LPP 2.2, particularly where there are inconsistencies between the provisions of both documents.</li> <li>• Should the Shire proceed with Clause 26 as proposed, it is recommended that the Scheme allows for further variations to the R-Codes and those included in CI.</li> </ul>		

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		<p>26 of the Scheme through the preparation and approval of a local development plan, particularly until such time as LPP 2.2 is finalised.</p> <p><b>CI 47. Landscaping</b></p> <p><u>Requirement:</u></p> <ul style="list-style-type: none"> <li>• Cl. 47(1) states the local government may require landscaping to be provided for any new development within the Scheme Area.</li> <li>• Cl. 47(6) requires a landscape management plan for the subject lot and the adjacent verges, which details the retention of proposed landscaping and retention of remnant vegetation and/or trees, may be required as a condition of development approval.</li> </ul> <p><u>Response:</u></p> <ul style="list-style-type: none"> <li>• The above Scheme provisions are considered onerous as it does not specify what forms of development may require landscaping. The requirement for landscaping/preparation of a landscape management plan is more appropriately enforced through a condition of subdivision/DA judged on a merit-based assessment of the proposed development.</li> </ul> <p><b>CI 48. Vegetation</b></p> <p><u>Requirement:</u></p> <ul style="list-style-type: none"> <li>• Cl. 48(1) states that the local government may determine that any tree(s) and/or areas of vegetation are significant and shall be retained and protected as a condition of development approval or recommended as a condition of subdivision approval.</li> </ul> <p><u>Response:</u></p> <ul style="list-style-type: none"> <li>• The protection of environmentally significant areas is acknowledged and supported however it needs to be significant and worthy of retention, where practically achievable in the circumstances of a particular site. There are a number of factors to consider such as land requiring fill, retention in widened road reserves where there are civil servicing requirements and where development costs increase dramatically.</li> <li>• Not all existing mature trees are worthy of retention. For example, existing trees of poor health and species which pose a public safety risk, and therefore legal liability risk to the Shire, should not be retained. The retention of trees needs to be balanced with the practical (and financial) considerations in any particular circumstance.</li> <li>• The above Scheme provision is considered onerous and it is recommended that these matters are more appropriately dealt with on a case-by-case basis through the subdivision, DA or clearing permit process and not via a Scheme provision.</li> </ul>		

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		<p><b>CI 49. Vegetation Removal</b></p> <p><u>Requirement:</u></p> <ul style="list-style-type: none"> <li>• Cl. 49(1) requires that all vegetation removal with the exception of the list provided in the Scheme, requires the prior approval of the local government.</li> </ul> <p><u>Response:</u></p> <ul style="list-style-type: none"> <li>• It is recommended that this clause refers to vegetation that is identified as significant or worthy or retention rather than <b>all</b> vegetation.</li> <li>• Furthermore, it is recommended that these matters are more appropriately dealt with on a case-by-case basis through the subdivision, DA or clearing permit process and not via a Scheme provision, particularly as the protection of any vegetation worthy of retention is enforced through a condition of subdivision/planning approval.</li> </ul> <p><b>CI 52. Waterway Protection</b></p> <p><u>Requirement:</u></p> <ul style="list-style-type: none"> <li>• Cl. 52(1) requires that all existing native vegetation is retained within the setback from a watercourse.</li> <li>• Cl. 52(2) states that the local government may recommend or impose conditions for subdivision or development approval which require the rehabilitation of the land within the setback of a watercourse.</li> <li>• Cl. 52(4) Development adjacent to watercourses shall incorporate appropriate measures to minimise runoff and erosion and to protect water quality, including: <ul style="list-style-type: none"> <li>a) provision of contour banks to intercept and safely dispose of stormwater runoff; and</li> <li>b) planting of local native vegetation to provide nutrient stripping and to act as a barrier to seepage and runoff.</li> </ul> </li> </ul> <p><u>Response:</u></p> <ul style="list-style-type: none"> <li>• The above Scheme requirements are considered onerous and not in keeping with landscaping standards currently occurring adjacent watercourses. Consideration needs to be given to the management of foreshore buffers to a 'low threat' bushfire risk and cost considerations that do not permit rehabilitation and protection of existing native vegetation.</li> <li>• It is recommended that matters relating to the protection of vegetation adjacent watercourses occurs on a case-by-case basis through the subdivision and/or DA process and not via a Scheme provision.</li> </ul> <p><b>Schedule 4 – Additional Site and Development Requirements</b></p>		

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		<p>4.1 Zone Development Requirements</p> <p><u>Requirement:</u></p> <ul style="list-style-type: none"> <li>Residential development within the District Centre, Local Centre and Mixed Use zones shall have a density coding of R60 in accordance with the R-Codes.</li> </ul> <p><u>Response:</u></p> <ul style="list-style-type: none"> <li>It is recommended that these Scheme provisions require development to have a minimum residential density coding of R60, particularly as R60 would be a down-coding of that permitted under The Glades LSP.</li> </ul> <p><u>Requirement:</u></p> <ul style="list-style-type: none"> <li>Residential development within the District Centre, Local Centre and Mixed Use zones shall only be supported where it is above or behind commercial or retail development on the same site.</li> <li>Where a mixed use development incorporating a residential component is proposed in the same building, the residential component shall generally be restricted to above the ground floor level.</li> </ul> <p><u>Response:</u></p> <ul style="list-style-type: none"> <li>Whilst mixed use development within activity centres and Mixed Use areas is supported, given the zoning table permits grouped dwellings in the Local Centre and Mixed Use zones, residential development should be permitted at ground level and also where abutting the street providing it can be demonstrated that non-residential development can be accommodated in the future.</li> <li>The development of non-residential land uses within these zones will be largely dependent on the condition of the market at the time of development. The Shire should be mindful of the current health and predicted maturation of centres within Byford. Restricting development along the street frontage to non-residential uses has the potential to stifle the growth of these centres.</li> </ul> <p>4.3 Car Parking Requirements</p> <p><u>Response:</u></p> <ul style="list-style-type: none"> <li>With the inclusion of 'Display home / land sales office' as a new use in LPS 3 we recommend that car parking requirements are specified in Schedule 4 for this use also.</li> </ul> <p><b>Draft Local Planning Scheme No. 3 (Maps)</b></p>		

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		<p>In reviewing the Draft LPS 3 Maps, there are several anomalies or errors in the mapping that require addressing in the finalisation of the documents:</p> <p><b>Scheme Map 1</b></p> <ul style="list-style-type: none"> <li>• The area east of Surman Street is incorrectly designated an R-Code of R20. This area should be designated as Residential R30 as identified on the approved The Glades LSP.</li> <li>• Orton Road is identified as a 'Local Distributor Road'. The road is not current performing as a road of this status and therefore its classification as a Local Distributor Road is premature. The ultimate alignment and reservation width of Orton Road is not currently known, therefore the Local Scheme Reservation as proposed on the Draft Scheme Map will need to be modified once the realignment and widening of Orton Road occurs.</li> <li>• The Draft Scheme Map proposes the normalisation of lots located along Doley Road (between Village Centre and Allanson Drive) within The Glades LSP area which are not yet created. Furthermore, the extent of R25 coding does not factor in the future closure and amalgamation of existing Doley Road. The proposed rezoning of these lots is considered premature.</li> <li>• The Draft Scheme Map proposes the reservation of POS between Shackleton Terrace and Cristonia Terrace within The Glades LSP area as a Local Scheme Reserve (Public Open Space) however this POS area is yet to be ceded. The proposed reservation of this land is considered premature.</li> <li>• The notation associated with the Local Centre (LC) relating to The Glades Village Centre is positioned in the wrong location within POS as opposed to within the LC itself.</li> </ul> <p><b>Scheme Map 2</b></p> <ul style="list-style-type: none"> <li>• The Draft Scheme Map identifies a portion of existing road reserve which is located within The Glades LSP area (south of Orton Road) as a 'road reserve'. Given the road reserve is subject to The Glades LSP, this portion of land should be zoned as 'Urban Development', particularly when the future extension of Doley Road alignment and width is subject to future planning.</li> </ul> <p><b>CONCLUSION</b></p> <p>It is respectfully requested that the above comments are taken into consideration by the Shire/WAPC prior to final approval of Draft LPS and LPS 3, in addition to those comments made in the forthcoming submission on Draft Scheme Amendment No. 207 and the Shire's CIDCP.</p>		

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Peter Webb & Associates on behalf of DJM Mundijong Pty Ltd IN20/693	59.	<p><b>Re: Submission on behalf of DJM Mundijong Pty Ltd Local Planning Strategy and Local Planning Scheme No. 3</b></p> <p>This is to advise that we act for DJM Mundijong Pty Ltd (DJMM), which Company owns Lots 11 to 14 Keirnan Street, Mundijong. These landholdings are situated at the north western corner of the intersection of Keirnan Street and Soldiers Road and comprise a combined land area of 15.8 hectares. (Refer to <b>Figure 1</b>: Location Plan.)</p> <p>This submission is lodged on behalf of DJMM as part of the formal consultation process for the proposed Local Planning Strategy (LPS) and Local Planning Scheme No. 3 (LPS 3), which extended advertising concludes at the close of business on January 10, 2020. The location of the land owned by DJMM is identified below on the <b>Figure 1</b>: DJMM Lots, Local Planning Strategy Map Extract.</p>  <p><i>Figure 1: Location of DJMM owned land, draft Local Planning Strategy Map (Extract)</i></p> <p>We provide the following comments in relation to the advertised LPS and LPS 3, for staff's consideration prior to the Planning Framework being presented to Council for formal adoption.</p> <p><b>Local Planning Strategy (LPS):</b></p> <p>1. The subject lots owned by DJMM form part of the 'Urban Settlements' land use identified in the draft LPS, which remains consistent with the Shire's longstanding strategic plan detailed in the endorsed Mundijong-Whitby District Structure Plan (DSP). DJMM supports the continued strategy for urban development to be focused in these areas identified as 'Urban Settlements' on the LPS Map.</p>	<p>The Shire is in the process of developing Local Planning Policy 2.2 - Residential Development Standards (R25 – R60), which addresses primary street setback variations. It is considered more appropriate for this matter to be addressed in the Local Planning Policy instead of the Scheme. It is recommended that Clause 26 (1) be deleted.</p>	<p><b>Part 4 Clause 26 (1)</b></p> <p>Delete sub-clause (1) which states:</p> <p><i>'1) The following modifications to primary street setbacks shall apply to single house standards for medium density (R25-R60 density codes) housing:</i></p> <p><i>(a) R25-R40: 4m minimum (no average)</i></p> <p><i>(b) R50-R60: 2m minimum (no average)'</i></p>

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		<p>2. DJMM supports the Public Transport Strategy as defined in the LPS, including the long-term strategy to provide passenger rail to Mundijong and a rapid bus transit route between Rockingham and Mundijong.</p> <p>3. DJMM acknowledges and supports the planned extension of Tonkin Highway.</p> <p>4. It has been noted on the LPS Map that a Neighbourhood Centre is identified as being located in the general vicinity of the intersection of Keirnan Street and Taylor Road, which reflects the endorsed DSP for Mundijong-Whitby. It is understood however that this Neighbourhood Centre has been shifted further north of Scott Road, which location has been formalised through the Council adopted Local Structure Plan (LSP) for Sub-Precinct G1. It is recognised that the LPS Map is general in nature. Notwithstanding this, and in order to avoid any confusion when considering the upcoming review of the District Structure Plan and any future proposed Local Structure Plans in this area, we recommend that the identification of this particular Neighbourhood Centre on LPS Map be corrected to show the current Council approved location of the Neighbourhood Centre to the north of Scott Road.</p> <p><b>Local Planning Scheme No. 3 (LPS 3):</b></p> <p>1. DJMM acknowledges that the zoning of its landholdings in proposed LPS 3 is 'Urban Development'. This is consistent with the current zoning of the land under the operative Planning Scheme.</p> <p>2. DJMM's main concern and objection surrounds the proposed variation to the WAPC Residential Design Codes of WA (R Codes) as it applies to medium density housing, as stated at proposed <b>Clause 26 (1) (a)</b> of proposed LPS 3.</p> <p>The draft LPS 3 proposes to modify the front setback requirement for R25-R40 medium density coded lots to a uniform 4.0m minimum (no average) requirement.</p> <p>Firstly, it is worthwhile noting that Table 1 of the R Codes, applies the following minimum primary street setback requirements:</p> <ul style="list-style-type: none"> <li>- <b>R25:</b> 6m, averaging permitted.</li> <li>- <b>R30:</b> 4m, averaging permitted.</li> <li>- <b>R40:</b> 4m, averaging permitted.</li> </ul> <p>The Shire's variation to the front setback requirement to 4.0m (minimum) with no averaging being permitted is therefore proposed to increase the primary setback requirement for dwellings developed on smaller lots within this particular range of medium density coded lots to a greater distance than prescribed by the standard requirements of the R Codes.</p> <p>We <b>object</b> in the strongest possible terms to this proposed variation to the R Codes.</p>		

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		<p>This proposed variation is not only at odds with the specified site requirements of the standard provisions of the R Codes, but it also differs to the WAPC provisions detailed at Appendix 1: Single house standards for medium density housing in development zones (RMD Codes) of Planning Bulletin 112/2016 (PB 112/2016) which assigns the following front setback variation requirements:</p> <ul style="list-style-type: none"> <li>- <b>R25:</b> 3.0m.</li> <li>- <b>R30:</b> 2.0m minimum setback, no averaging.</li> <li>- <b>R40:</b> 2.0m minimum setback, no averaging.</li> </ul> <p>The proposal to introduce a clause into the Planning Scheme which will remove the ability for (reduced) variations to be applied to the primary setbacks of dwellings on the smaller sized medium density housing lots directly contradicts the intent and overall objectives of the PB 112/2016. Noting in particular that it specifically states in PB 112/2016 that the WAPC will generally not support further variations to the provisions detailed at Appendix 1.</p> <p>The introduction of such a restrictive and uniform front setback requirement for all housing products offered to prospective purchasers on R25, R30 and R40 medium density coded lots will severely reduce the amount of useable space on the smaller, narrower lots within new residential development areas. It will also remove the ability for new development areas to be designed with built form products which appropriately respond to the size of the lot and in turn will create visually disconnected streetscapes.</p> <p>For those medium density lots located adjacent and overlooking areas of public space, a four (4.0) metre front setback requirement will reduce the level of interaction able to be achieved between the private and public domains and the ability to provide for passive surveillance opportunities over the park areas. This is inconsistent with the fundamental objectives of Liveable Neighbourhoods, which recommends that new urban areas be designed with smaller, narrower lots (with reduced front setbacks for the dwellings constructed on these lots) so as to ensure a high degree of passive surveillance is provided over areas of public open space.</p> <p>We therefore object to the inclusion of proposed variation to the R Codes requirements as detailed at Clause 26 (1) (a) of the draft LPS 3 on the grounds that:</p> <ol style="list-style-type: none"> <li>1. it is inconsistent with the fundamental principles of Liveable Neighbourhoods and WAPC Bulletin 112/2016; and</li> <li>2. it will result in poor built form outcomes within new development areas due to dwellings not being able to be appropriately sited on the medium density coded lots or designed in a manner which responds to the streetscape within which they sit.</li> </ol>		

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		We therefore urge the Shire to modify this clause to reflect the variations as detailed in Appendix 1 of WAPC Bulletin 112/2016.		
Allerding & Associates on behalf of Lenz Corporation IN20/728	60.	<p>Submission on Shire of Serpentine Jarrahdale – Draft Local planning Scheme no. 3 – Lenz corporation – 867 south western highway, Byford</p> <p>We have been engaged by Lenz Corporation Pty Ltd (Lenz Corp) to prepare a submission with respect to the Shire of Serpentine-Jarrahdale’s Draft Local Planning Scheme No. 3 (Draft LPS3). The submission relates to 867 South West Highway, Byford which has previously operated as the Byford IGA and we are instructed has now converted for the operation of a large format (Liquor Store – Large) liquor outlet. This has been effected through two Section 40 certificates from the Shire, as well as receipt of a liquor licence for 430m2. A second liquor licence application is currently being progressed to expand the floor area to 898m2 to accommodate a Dan Murphy’s Liquor outlet which was supported by one of the s40 certificates mentioned above. Considerable cost has been incurred in the progression of the expanded Liquor Store licensee by our Client and Dan Murphy’s.</p> <p>The basis of this submission is to note that, despite the existing Liquor Store – Large use and the advanced progression of the expanded liquor licence process, the Draft LPS3 proposes to prohibit Liquor Store - Large in the District Centre zone. The effect of this will be to render the recently progressed use either as a non-conforming use or, potentially prohibit the expansion sought under the advanced liquor licence process. Given, the receipt of the existing liquor licence approval which already functions as a Liquor Store – Large, and the advanced progression for the expanded liquor store use, we consider that the Shire’s LPS3 ought to be further amended to provide for Liquor Store – Large to be permitted as an Additional Use that applies over the property.</p> <p><u>Background</u>  The Subject Site accommodated the Byford IGA for many years. Due to a change in market conditions the Byford IGA has now essentially discontinued with the recent development of the Coles store and is progressing for the liquor store use. Copies of the s40 Certificate for the extended store along with the currently approved liquor licence are included as Attachment 1 for your information. Subject to receipt of the second expanded liquor licence, the proposed liquor store will accommodate a Dan Murphy’s with a floor area of some 898 m2 . The considerable cost entered into to progress the expanded Liquor Licence has resulted in the closure of the IGA for the sole purpose of Dan Murphy’s acquisition of the entire expanded Liquor Licence area. The size of the liquor store, both as currently approved and as proposed, would fit within the characterisation of a Liquor Store – Large under the provisions of the Draft LPS3.</p> <p>To support the additional floor space from that approved, a Public Interest Assessment (PIA), has been prepared by lawyers Cullen McLeod on behalf of the proposed operators which outlines the justification for the proposal. This is summarised below:</p>	<p>The Shire does not support the additional use for a liquor store - large at 867 South Western Highway, Byford.</p> <p>Under the Draft Scheme, the site is proposed to be zoned District Centre, and is located within the Byford Town Centre Local Structure Plan area. Supporting implementation of the structure plan are design guidelines, the combination of which has led to the intended pattern of zones and land use permissibility within the town centre.</p> <p>In terms of urban design, the objective for the town centre is for public spaces in the form of main streets and urban squares, framed by active building edges, to be the hallmark of design. In respect of building interface to public spaces in the town centre, the intent is for active edges which provide for engagement with pedestrians and visitors to the centre.</p> <p>The Draft Scheme recognised that, in supporting an intended pattern of well-ordered yet visually complex buildings, buildings need to be moderated in the size and volume. This is to avoid passive edges which are so broad that they cannot be activated for their full length.</p> <p>For this reason, liquor store (small format) is identified as a discretionary use, whereas liquor store (large format) is not permitted. A large format liquor store is akin to a warehouse type building in form, and is identified for edge of settlement areas like the service commercial zone and industrial zone. For this reason, officers do not support an additional use to permit liquor store (large format) for the land.</p> <p>Shire officers note that under the Local Planning Scheme No.3 a Liquor store (large format) is only permitted as a discretionary use under light industry, service commercial or urban development zones.</p>	

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		<ul style="list-style-type: none"> <li>- The proposed Dan Murphy's will replace an existing liquor store. The future operation of the extended store will not result in the grant of a new liquor licence into the area. Rather, it will allow for the significant upgrade and improvement of the existing licence.</li> <li>- Conversion of the existing liquor store into a Dan Murphy's will introduce a level and standard of packaged liquor retailing into Byford which is currently not available.</li> <li>- Conversion of the store into a Dan Murphy's will also introduce diversity into the currently available retail packaged liquor outlets.</li> <li>- Of the four new liquor stores that have opened in Byford in the last two years, three are attached to supermarkets. With the opening of these and other outlets, in recent years, there is a need and opportunity for the existing liquor store to change and evolve.</li> <li>- Significant population growth and development has occurred in Byford as it has developed from a rural community to an important and emerging urban area. While the number of liquor stores in the locality has grown in line with the growth and development of the area, the nature and style of the outlets has not.</li> <li>- The population of Byford is expected to double by 2036. The introduction of a new style of packaged liquor outlet that is not currently available is appropriate to, and consistent with, the development of the area and a growing population.</li> <li>- Dan Murphy's is Australia's leading liquor brand. Residents of the locality, as shown by the market survey commissioned by the applicant, overwhelmingly want and support a Dan Murphy's liquor store being opened in Byford.</li> <li>- Given the Dan Murphy's is proposed on the site of an existing liquor store, in an existing well-established commercial centre, its operation is unlikely to result in any adverse amenity impacts.</li> <li>- The locality is relatively affluent and does not suffer liquor related harm or ill-health at levels that are greater than the WA baseline level.</li> <li>- If the existing store is converted to a Dan Murphy's store, Woolworths' extensive and comprehensive management and harm minimisation policies and procedures will be put in place which will minimise the risk of liquor related harm occurring to the operation of the store.</li> </ul> <p>In addition to the above , from a planning point of view, the location of the site on a major highway (South Western Highway) and its intersection with Abernethy Road supports this particular location for a broader catchment and large format</p>	<p>The Shire is not willing to support a development of this size in the current location.</p>	

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		<p>liquor outlet. The recent development of the commercial mixed use facilities on the western side of the railway line has refocused the retail heart for convenience shopping. This is graphically depicted by a copy of the Byford Town Centre Local Structure Plan included as Attachment 2. The developments along South Western Highway have functioned to accommodate a passing trade element which is also affirmed by the recent development of Aldi (non-core retail activity) reflecting the functional effect of passing trade associated with the regional use of South Western Highway. The position of the subject site to the south eastern corner of the structure plan away from the new retail core associated with Coles, has provided further impetus for the conversion of this facility to accommodate large format liquor sales from this location.</p> <p><u>Draft LPS3</u>  The Subject Site is zoned District Centre under the Draft LPS3. Within the Draft LPS3, the Shire is proposing the distinguishment between Liquor Store – Large and Liquor Store – Small. Noting the approved and proposed size of the Liquor Store on the Subject Site, it would fall within the characterisation of a Liquor Store-Large which is defined as follows;</p> <p>Liquor Store – Large: Means the premises is subject of a Liquor Store Licence granted under the Liquor Control Act 1988 with a net lettable area of more than 300m2.</p> <p>Within Table 3 – Zoning Table, a Liquor Store – Large is noted as an “X” use within the District Centre zone. An “X” use is defined under Clause 18(2) as follows;</p> <p>X means that the use is not permitted in this Scheme.</p> <p>The effect of the proposed Scheme would be to render the use of a Liquor Store – Large as a nonconforming or prohibited use. This is not considered to be in the interests of orderly or proper planning. As such, we seek that the Shire amend this either by way of an Amendment to the permissible uses under Table 3 for the District Centre zone, or by way of the inclusion of a specific Additional Use zone over the subject land.</p> <p>To avoid any broader implications, it is our Client’s preference that the inclusion of an Additional Use zone be included over the Subject Site because it applies a specific continuation and right for the use of this land only for a Liquor Store – Large without any consequential effect on any other land holdings.</p> <p>A Draft set of Amended Provisions is included below.</p> <p><u>Proposed Amendment to Draft LPS3</u>  The following proposed modifications are submitted for Council’s agreement to amend its Draft LPS3.</p>		

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		<table border="1" data-bbox="522 430 1344 535"> <thead> <tr> <th data-bbox="522 430 727 462">Number</th> <th data-bbox="727 430 934 462">Description of Land</th> <th data-bbox="934 430 1142 462">Additional Use</th> <th data-bbox="1142 430 1344 462">Conditions</th> </tr> </thead> <tbody> <tr> <td data-bbox="522 462 727 535">A#</td> <td data-bbox="727 462 934 535">Lot 50 (867) South West Highway, Byford</td> <td data-bbox="934 462 1142 535">Liquor Store - Large</td> <td data-bbox="1142 462 1344 535"></td> </tr> </tbody> </table> <p data-bbox="504 556 1484 903">We consider that such an amendment is minor in nature in view of the fact that;</p> <ul data-bbox="727 588 1484 903" style="list-style-type: none"> <li>- The Additional Use zone is specific to the Subject Site only and does not have any consequential effects on any other properties;</li> <li>- The Subject Site was subject of two s40 certificates from the Shire and receipt of a liquor store licence for a use that is currently consistent with Liquor Store – Large; and</li> <li>- The location of the site on a major highway and intersection with Abernethy Road and South Western Highway supports this particular location for a broader catchment and large format liquor outlet.</li> </ul> <p data-bbox="504 903 1484 997">The Amendment contains and consolidates what is already an accepted use of the land by the Council and the Scheme ought to be amended to bring into line the recently approved and operating use.</p> <p data-bbox="504 1029 638 1060"><u>Conclusion</u></p> <p data-bbox="504 1060 1484 1155">We consider that the proposed Amendment set out in this submission is reasonable and based on sound planning principles to consolidate an already accepted and approved use of the land.</p> <p data-bbox="504 1186 1484 1312">The proposed Amendment will ensure our Client is not unreasonably or unduly prejudiced and will enable our Client to continue the Liquor Licence approval that was only recently granted and the extension that has been developed with extensive resources and planning to expand the current approval to 898m2.</p> <p data-bbox="504 1344 1484 1407">We would be pleased to meet with the Shire to discuss any of the above submission in due course.</p> <p data-bbox="504 1438 905 1501">Yours Sincerely  <b>ALLERDING AND ASSOCIATES</b></p>	Number	Description of Land	Additional Use	Conditions	A#	Lot 50 (867) South West Highway, Byford	Liquor Store - Large			
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A#	Lot 50 (867) South West Highway, Byford	Liquor Store - Large										
Land inSights on behalf of Landowners IN20/742 IN20/1189	61.	<p data-bbox="504 1501 1484 1659">Thank you for the opportunity to provide a submission on the Shire’s draft Local Planning Strategy (“LPS) and Local Planning Scheme No. 3 (“LPS3). This submission has been prepared by Land Insights on behalf of the owners of Lots 801, 802, and 200 Thomas Road, and Lots 208, 400 and 401 Abernethy Road, Oakford (“the site”).</p> <p data-bbox="504 1690 1484 1785">This submission seeks support to reclassify the above properties from its current Rural zone to Rural living zone as part of the current review of the Local Planning Strategy and Local Planning Scheme No. 3.</p> <p data-bbox="504 1816 667 1848"><b>Background</b></p> <p data-bbox="504 1879 1484 1936">The landowners of the site have prepared several submissions over the last 6-7 years as the Shire’s local planning framework has been developed. The future of</p>	<p data-bbox="1513 1533 2151 1785">The Shire acknowledge the submission proposed for the Lots 208, 400 and 401 Abernethy Road &amp; Lots 801, 802, 200 Thomas Road, Oakford. The Shire does not support the following proposal as it is not in line with the State strategic planning framework and the direction of the WAPC’s Perth and Peel @ 3.5 Million – South Metropolitan Perth and Peel Sub-Regional Planning Framework.</p> <p data-bbox="1513 1816 2151 1936">The land is outlined to be zoned Rural under the Local Planning Strategy and Local Planning Scheme No.3, the objectives of the Rural zone outline:</p>									

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		<p>the land was first considered in an early draft of the Shire's Local Rural Strategy in 2012-2013. This early version of the strategy identified the land as being within a Rural Living and Equestrian Development precinct. The approach at the time was to see a general increase in average lot sizes from Thomas Road in the north, across Orton Road and to Mundijong Road in the south, with land south of Mundijong Road retained within the General Rural precinct of the Local Rural Strategy. This would have- provided for the graduation of lot sizes from the existing Rural Living land north of Thomas Road and east of Hopkinson Road. It also recognised that the use of the land bordered by Thomas, Nicholson, Kargotich and Orton roads for General Rural/Agricultural purposes would be problematic in the longer term with the proximity of existing rural residential development, the possibility of the Oakford Investigation Area being developed and the significant urban growth that was starting to occur in and around Byford.</p> <p>This approach was supported by the Council at the time, however, was not supported by the WAPC and was subsequently required to be removed from the final Rural Strategy at the direction of the WAPC.</p> <p>A subsequent submission was lodged with the Shire during the formal advertising period for the Local Rural Strategy however, while some support was considered at Council level, it was recognised that the WAPC would not reconsider their position and as such the submission was not officially supported.</p> <p><b>Position of the draft LPS</b></p> <p>The Shire's draft Local Planning Strategy broadly adopts the land use provisions outlined in the Local Rural Strategy, with the site being identified for Rural purposes. It is noted that the LPS promotes a variety of rural living precincts (Rural Residential, Special Residential, Rural Small Holdings and Residential &amp; Stables). A particular sub-section of the draft LPS deals with the Residential &amp; Stables precinct, recognising the importance of the industry to the Shire, seeking to maintain a strong equine identity for the Shire and maintaining and protecting the rural living and equine dominated character of these areas.</p> <p>The rural living components of the Shire largely reflect the existing pattern of development that has occurred in the northern section of the Shire over many years, with limited opportunity for any further expansion of rural living or equestrian purposes. A new area has, however, been identified south of Mundijong. This area, like much of the Shire, would be subject to a range of environmental issues, however more importantly – it is remote from the existing Darling Downs Residential &amp; Stables area north of Byford.</p> <p><b>The proposal</b></p> <p>It is suggested that the site (Lots 801, 802, and 200 Thomas Road, and Lots 208, 400 and 401 Abernethy Road, Oakford) would be better suited to the expansion and consolidation of the Residential &amp; Stables precinct within the Shire. The site is located in close proximity to the Darling Downs area (and other existing Rural</p>	<ul style="list-style-type: none"> <li>• To provide for the maintenance or enhancement of specific local rural character.</li> <li>• To protect and accommodate broad acre agricultural activities such as cropping and grazing and intensive uses such as horticulture as primary uses, with other rural pursuits and rural industries as secondary uses in circumstances where they demonstrate compatibility with the primary use.</li> <li>• To maintain and enhance the environmental qualities of the landscape, vegetation, soils and water bodies including groundwater, to protect sensitive areas especially the natural valley and watercourse systems from damage.</li> <li>• To provide for the operation and development of existing, future and potential rural land uses by limiting the introduction of sensitive land uses in the Rural zone.</li> <li>• To provide for a range of non-rural land uses where they have demonstrated benefit and are compatible with surrounding rural uses.</li> </ul> <p>The Shire does not support the proposed submission as it does not align with the state and local strategic framework.</p>	

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		<p>Living Development), is relatively unencumbered, close to major transport links, and would provide a unique opportunity to establish the northern portion of the Shire as a regionally significant equine precinct.</p> <p><b>Rationale for change</b></p> <p>The rationale for the site being included in a future Residential and Stables area has been provided to the Shire on previous occasions. The key points from the submission on the LPS have been reviewed and are still relevant. These are provided below.</p> <ol style="list-style-type: none"> <li>1. The Shire of Serpentine-Jarrahdale is considered the "equestrian capital" of Western Australia, and as such it is important to ensure ongoing provision and improvement of up to date equestrian facilities and properties;</li> <li>2. The Oakford - Thomas and Kargotich Road Precinct is a logical and frontal extension of the existing east-west rural living "belt" that extends along Thomas Road. Immediately north of Thomas Road 'Rural Living' development has extended on the west side of Kargotich Road, in a similar manner to that proposed in this submission. This precinct is strategically placed with good proximity and access to the Byford township and regional roads such as the Tonkin Highway and Kwinana Freeway;</li> <li>3. The Oakford - Thomas and Kargotich Road Precinct offers one of the best locations to develop new equestrian facilities and agistment services as a "centrepiece" equestrian complex and estate for the benefit of numerous adjoining and surrounding rural living (equestrian) properties;</li> <li>4. The Oakford - Thomas and Kargotich Road Precinct is a very large and easily developable land area, where the scale of subdivision will be large enough to ensure provision of good (public) equestrian facilities, and a high standard of subdivision design and construction. This is in contrast to the numerous adjoining rural living developments that have often been designed and developed in a disjointed manner, with little or no equestrian facilities;</li> <li>5. The Oakford - Thomas and Kargotich Road Precinct is of a suitable scale to allow a good variety of lot sizes, (0.4 ha - 2.0 ha) including larger agistment properties. The scale of development will make the extension of reticulated water supply into the area feasible, which will offer a significant benefit to the adjoining "older" rural living estates. The extension and upgrade of reticulated water supply will enable the adjoining "older" estates to be revitalised. Many of these "older" estates are zoned and designed to accommodate future resubdivision, subject to the provision of reticulated water supply. Without a major development area to fund the upgrade and extension of scheme water, it would not be practical or feasible for these nearby "older" estates to extend this infrastructure. The revitalisation and resubdivision of these estates will benefit the local amenity and allow for consolidation of rural living land use in the area;1</li> </ol>		

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		<p>A copy of the draft Master Plan is attached for information.</p> <p>While the above points remain valid, some additional matters are also worthy of consideration.</p> <p><u>Solar Farm</u></p> <p>A solar farm has been approved on land between Thomas Road and Abernethy Road, immediately west of the site. It is understood that this will be constructed on land owned by Wester Power. This development will provide a logical western 'hard stop' of rural living development.</p> <p><u>SJ2050</u></p> <p>SJ2050 was prepared as an aspirational document to guide long term development of the Shire to meet a community-derived vision. Key aspects of the document relevant to this site include:</p> <ul style="list-style-type: none"> <li>• the consolidation of an Equestrian precinct in the northern portion of the Shire, mainly north of Thomas Road but also extending south through the existing Rural Residential area east of Kargotich Road.</li> <li>• A narrow strip of 'Farmland' adjacent to a larger 'Intensive Agriculture Precinct'</li> <li>• A more extensive 'Farmland' area in the remainder of the south-western portion of the Shire.</li> </ul> <p>It is noted that there are a number of existing equine-focused properties within the Shire, mainly located in the Darling Downs estate. While the SJ2050 document also incorporates other existing Rural Living developments within the 'Equine' precinct, these areas are largely existing and, without further development or re-subdivision, it would be difficult for these to be repurposed for high quality equine uses.</p> <p>It is also noted that one of the key aspirations of the SJ2050 document is for the Shire to be:</p> <p style="text-align: center;">An established Equine Centre of Excellence.</p> <p>It is our contention that, without additional purposely designed equine subdivision and development in the Shire that is consolidated near the existing Darling Downs estate in the north, that this aspiration will be difficult to achieve.</p> <p><u>Population increase and product choice</u></p> <p>The Shire's population has increased markedly from 17 746 in 2011 to 26 833 in 2016, with a continuing increase predicted of almost 40 000 by 2021, 53000 by</p>		

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		<p>2026 and 63 000 by 20312. SJ2050 is predicting up to an additional 100 000 overall by 2050.</p> <p>There is a need to ensure that there are adequate areas available to accommodate this growth and a recognition that not all growth needs to be in urban areas on small lots.</p> <p>A review of subdivision activity to the end of the September 2019 quarter indicates that while there is a stock of almost 2 700 conditionally approved urban residential lots in the Shire, there are only just over 100 Rural Living Lots (or approximately 3.5% of the total residential lot availability). As the Shire is aware, through the various rounds of consultation with the local community, there is an acceptance that the Shire is due to grow significantly in the coming decades. This acceptance is countered with a community desire to maintain options for living within a rural environment and is integral to the identity of the Shire of Serpentine-Jarrahdale when compared to many other local governments in the outer metropolitan area. The current focus of the draft LPS for significant urbanisation does not provide any balance to address the desire for rural living options in the Shire and this needs to be addressed</p> <p><b>Conclusion</b></p> <p>It remains our opinion that the site would be better suited for rural living development as opposed to a rural wedge as currently depicted. A number of additional considerations are now relevant, and these support the original Local Rural Strategy view that this land is not suited to longer term rural use. The site presents a unique opportunity to plan for and consolidate the equine industry in the northern half of the Shire and meet the Shire’s objective in this regard of being an Equine Centre of Excellence.</p> <p>Thank you for the opportunity to provide these comments to you. It would be appreciated if we could meet with you further to discuss this matter prior to the draft LPS3 being again considered by Council and the DPLH.</p>										
<p>Land inSights on behalf of Austral Bricks IN20/744</p>	<p>62.</p>	<p><b>Submission on draft Local Planning Strategy and draft Local Planning Scheme No. 3</b></p> <p>Thank you for the opportunity to provide a submission on the Shire’s draft Local Planning Strategy (“LPS) and Local Planning Scheme No. 3 (“LPS3). This submission has been prepared by Land Insights on behalf of Austral Bricks Pty Ltd.</p> <p>The Shire is to be commended for preparing the draft LPS and LPS3 to guide the future development of the district. It is understood that planning in the Shire is complex, with many competing interests and a significant population growth trajectory to be considered. The draft documents build on the significant work completed previously in the Shire to set the direction for growth over the coming decade.</p> <p>Austral Bricks is a significant landholder in the Shire for many years and currently operates the brick manufacturing plant on Kiln Road and holds significant clay and</p>	<p>Noted – We appreciate your response via submission to the Draft Local Planning Strategy and Local Planning Scheme No.3.</p> <p>The subject site is zoned ‘Rural’ under the Shire’s draft Local Planning Scheme whereby both land uses of ‘Industry’ and ‘Industry – light’ are prohibited within the ‘Rural’ zone.</p> <p>The subject site accommodates a brick manufacturing plant and significant clay and shale resources. This site has been used as a clay extraction site and brick manufacturer for over 100 years. The existing operations would become non-conforming uses under the Rural zone. It is</p>	<p>The Shire will accommodate the Austral Bricks manufacturing plant as a new Special Use zone within Schedule 2 – Special Uses within the Draft Local Planning Scheme No.3</p> <table border="1" data-bbox="2178 1648 2923 1927"> <thead> <tr> <th data-bbox="2178 1648 2270 1711">No.</th> <th data-bbox="2270 1648 2433 1711">Description of land</th> <th data-bbox="2433 1648 2626 1711">Special use</th> <th data-bbox="2626 1648 2923 1711">Conditions</th> </tr> </thead> <tbody> <tr> <td data-bbox="2178 1711 2270 1927">SU14</td> <td data-bbox="2270 1711 2433 1927">Lot 101 Nettleton Road, Lots 50, 521, 801 and 802 South Western</td> <td data-bbox="2433 1711 2626 1927">Brick Manufacturing Plant</td> <td data-bbox="2626 1711 2923 1927">           1. The following shall be considered as ‘A’ uses           <ul style="list-style-type: none"> <li>• industry</li> <li>• industry – extractive</li> <li>• industry – light</li> </ul> </td> </tr> </tbody> </table>	No.	Description of land	Special use	Conditions	SU14	Lot 101 Nettleton Road, Lots 50, 521, 801 and 802 South Western	Brick Manufacturing Plant	1. The following shall be considered as ‘A’ uses <ul style="list-style-type: none"> <li>• industry</li> <li>• industry – extractive</li> <li>• industry – light</li> </ul>
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		<p>shale resources nearby. The company has significant concerns regarding the proposed future zoning of its manufacturing plant located across several lots north of Kiln Road. In summary, <b>Austral Bricks opposes the proposed deletion of Special Use Zone 2 in Local Planning Scheme No. 2 and its replacement with the Rural zone.</b></p> <p><b>Background</b>  The site has been used as a clay extraction site and brick manufacturer for over 100 years, dating back to the early years of last century. The site is listed on the Shire of Serpentine-Jarrahdale Local Municipal Inventory. The listing outlines the history of the site, reproduced below:</p> <p>In 1914. the contractors Atkins and Law sold their Cardup holding to P. F. Robinson and the Coulthard brothers. Henry and William. There was an abundance of shale in this district. The Coulthard's continued to make bricks, roofing tiles, plaques and flower pots using the updraught kilns. Instead of the traditional wire-cutting method, the Coulthards experimented with pressed bricks. In 1926, the brickworks were sold to Millars Timber and Trading Co. Ltd., with the Coulthards staying on to assist in the management of the works. Millars installed a Hoffman Kiln, like that which had been used at the Byford Brickworks, and firmly established the manufacture of pressed bricks. In 1942, owing to the Second World War, the brickworks were closed, reopening in 1945. In 1949, Millars sold to the proprietary consortium Byford Pressed Bricks Pty Ltd, which later became Cardup Bricks Pty Ltd then Cardup Metro Bricks Pty Ltd (1952). In the late 1940s, at the insistence of the State Government, the Cardup Brickworks was upgraded, with the necessary capital being raised by the formation of a public company. The Law family: who had the holding originally, were part of this company. New machinery and four down-draft kilns. The result was an increase in production from nearly 6 million to 11 million bricks per year. In 1964. the Hoffman Kiln was dismantled. In 1970. new automatic equipment was installed, but despite its capacity potential, a building recession from 1970-1975 resulted in the closure of various sections of the works. During this recession, In 1973. the brickworks were sold to H. L. Brisbane and Wunderlich Ltd. now known as Bristile Ltd. The brickworks became one of the most modern in Australia. Full production recommenced, but the brickworks were again to suffer a downgrade with another recession in the early 1980s. [Information taken from Coy. pp. 183-184]1</p> <p>The manufacturing plant was originally located next to the Cardup Brook to provide the manufacturing process with a water supply. Water was still used from the Brook up to approximately 25 years ago. Current operations on the site are not dependent on the water supply from the Brook.</p> <p>Over the years, urban development has slowly encroached the site, and as a result, Austral Bricks has reviewed its options and opportunities for the site. The northern portion of the site (namely Lots 101 and Lot 50) is zoned Urban Deferred under the Metropolitan Region Scheme, recognising the intent to investigate opportunity for urbanisation of this area once the clay resource was fully extracted. There is no current Development Approval or Extractive Industry Licence over that</p>	<p>considered that the use does not meet the objectives of the Rural zone.</p> <p>The Rural zone objectives are:</p> <ul style="list-style-type: none"> <li>• To provide for the maintenance or enhancement of specific local rural character.</li> <li>• To protect and accommodate broad acre agricultural activities such as cropping and grazing and intensive uses such as horticulture as primary uses, with other rural pursuits and rural industries as secondary uses in circumstances where they demonstrate compatibility with the primary use.</li> <li>• To maintain and enhance the environmental qualities of the landscape, vegetation, soils and water bodies including groundwater, to protect sensitive areas especially the natural valley and watercourse systems from damage.</li> <li>• To provide for the operation and development of existing, future and potential rural land uses by limiting the introduction of sensitive land uses in the Rural zone.</li> <li>• To provide for a range of non-rural land uses where they have demonstrated benefit and are compatible with surrounding rural uses.</li> </ul> <p>It is recommended that the site be identified within a Special Use zone under the Draft Local Planning Scheme No.3.</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%; padding: 5px;">Highway, Lots 7, 10, 12, 30, 31, 32 and 53 Kiln Road, Byford.</td> <td style="width: 25%;"></td> <td style="width: 50%; padding: 5px;">2. Development shall only be approved for the purposes of extraction and storage of shale and clay and manufacture, storage and distribution of masonry and related products.</td> </tr> </table> <p>Zone Lot 101 Nettleton Road, Lots 50, 521, 801 and 802 South Western Highway, Lots 7, 10, 12, 30, 31, 32 and 53 Kiln Road, Byford as Special Use (SU14) on the Local Planning Scheme No.3 Maps 1 &amp; 2.</p>	Highway, Lots 7, 10, 12, 30, 31, 32 and 53 Kiln Road, Byford.		2. Development shall only be approved for the purposes of extraction and storage of shale and clay and manufacture, storage and distribution of masonry and related products.
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		<p>portion of the site, and while there have been some additional clay resources identified in this northern area, there are no current plans to further excavate.</p> <p>The southern portion of the site, where the manufacturing plant is located, is currently identified as a Development Investigation Area in the LPS and is zoned Rural in the Metropolitan Region Scheme. The existing manufacturing plant is located on the western side of the site, with the now decommissioned plant located further east. There is a current Development Approval in place for the demolition of the decommissioned plant.</p> <p><b>Current Situation</b>  Austral Bricks has committed to the long-term use of the manufacturing plant. This is evidenced by the current application before the Shire for the investment of over \$50 million into the site to upgrade and expand the manufacturing plant and undertake a range of other on-site improvements.</p> <p>The site is largely zoned Special Use – ESC (Extraction/Storage Shale and Clay) in the Shire of Serpentine-Jarrahdale Local Planning Scheme No. 2. The permitted use within this Special Use zone is the</p> <p>Extraction and storage of Shale and Clay and manufacture, storage and distribution of Masonry and related products.2</p> <p>There appears to be an anomaly in the current Local Planning Scheme, in that the Bush Forever site has no local zone or reserve.</p> <p><b>Proposed Zoning</b></p> <p>The proposed draft LPS3 deletes the Special Use Zone, replacing it with the Rural zone. On reviewing the Land Use Terms proposed in draft LPS3, the use of the site for manufacturing of masonry products would be as Industry. This use is further classified as an X use in the Rural zone, meaning that the use is not permitted by this Scheme.</p> <p>There is no discretion for Council to even consider the use in this zone under the proposed draft LPS3. As such, the existing operation would become a Non-conforming use and be subject to the restrictions associated with a non-conforming use as outlined in Clauses 22-24 of the draft LPS3.</p> <p>Given the existing infrastructure on the site, and the current commitment by Austral Bricks to expand the facility, the transfer of the site from a Permitted Use to a Non-conforming use (with all the restrictions applicable to such uses) is clearly not acceptable.</p> <p>As such we ask that the Shire review their position on this site with the view to re-establishing the Special Use zone, and inclusion of such in Schedule 2 of draft LPS3.</p>		

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		<p>Alternatively, inclusion of the site in the Light Industry, General Industry or Industrial Development zone could be considered. If this was an option, we would seek to discuss the implications of this with you further.</p> <p><b>Special Control Areas</b></p> <p>Austral Bricks properties are affected by three Special Control Areas. Comment on these is provided in the table below.</p> <table border="1" data-bbox="575 684 1338 1507"> <thead> <tr> <th data-bbox="575 684 753 709">SCA</th> <th data-bbox="753 684 1338 709">Comment</th> </tr> </thead> <tbody> <tr> <td data-bbox="575 709 753 1094">SCA2 – Darling Scarp Landscape Protection</td> <td data-bbox="753 709 1338 1094"> <p>The SCA covers the existing clay extraction site and a manufacturing facility north of Kiln Road. The objectives for the SCA relate to the preservation, protection and enhancement of the landscape and views to and from the Darling Scarp.</p> <p>The northern portion of the Austral Bricks site, namely Lots 50 and 151 Kiln Road, are highly degraded from a visual perspective. They are also the only areas east of the South Western Highway (and thus within the SCA2) that are designated for future urban uses and zoned <i>Urban Deferred</i> in the Metropolitan Region Scheme.</p> <p>It is our contention that the areas shown as <i>Urban Settlement</i> in the draft LPS are excluded from SCA2, and that any future planning (for example a future Structure Plan) consider the development requirements for proposals within this area.</p> </td> </tr> <tr> <td data-bbox="575 1094 753 1297">SCA5 – Extractive Industries</td> <td data-bbox="753 1094 1338 1297"> <p>The SCA is supported.</p> <p>Some consideration should be considered to allowing the mapping associated with the SCA to be updated readily, without a scheme amendment, as a result of new or modified extractive industry sites being approved in the Shire over time. Similar comment was provided to the Department of Planning, Lands and Heritage regarding their review of SPP2.4. A copy of our submission to the Department can be provided to you if it may be useful.</p> </td> </tr> <tr> <td data-bbox="575 1297 753 1507">SCA6 – Buffers</td> <td data-bbox="753 1297 1338 1507"> <p>The SCA is supported.</p> <p>It is noted that the EPA guidance currently refers to a buffer of 1000-2000 metres depending on size.</p> <p>The extent of the SCA as shown on the draft LPS3 maps may be understated. For information a simple 1000m buffer around the existing manufacturing plant has been plotted, along with a 1000m offset around the entire industrial site.</p> </td> </tr> </tbody> </table> <p><b>Conclusion</b></p> <p>The most significant and pressing matter for Austral Bricks is to reinstate the manufacturing plant as a Permitted Use on the site. The brickworks manufacturing plant is the only operating Austral Bricks manufacturing plant in the southern metropolitan area (the other plant at Armadale currently on a care and maintenance regime). Its redevelopment and expansion will consolidate the site as the key strategic manufacturing plant for the company in the southern metropolitan area, supplementing the plants at Bellevue and Caversham in the north. This will not be possible with the restrictions associated with the Rural zone and the non-conforming use provisions of the draft LPS3.</p>	SCA	Comment	SCA2 – Darling Scarp Landscape Protection	<p>The SCA covers the existing clay extraction site and a manufacturing facility north of Kiln Road. The objectives for the SCA relate to the preservation, protection and enhancement of the landscape and views to and from the Darling Scarp.</p> <p>The northern portion of the Austral Bricks site, namely Lots 50 and 151 Kiln Road, are highly degraded from a visual perspective. 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A copy of our submission to the Department can be provided to you if it may be useful.</p>	SCA6 – Buffers	<p>The SCA is supported.</p> <p>It is noted that the EPA guidance currently refers to a buffer of 1000-2000 metres depending on size.</p> <p>The extent of the SCA as shown on the draft LPS3 maps may be understated. For information a simple 1000m buffer around the existing manufacturing plant has been plotted, along with a 1000m offset around the entire industrial site.</p>		
SCA	Comment											
SCA2 – Darling Scarp Landscape Protection	<p>The SCA covers the existing clay extraction site and a manufacturing facility north of Kiln Road. The objectives for the SCA relate to the preservation, protection and enhancement of the landscape and views to and from the Darling Scarp.</p> <p>The northern portion of the Austral Bricks site, namely Lots 50 and 151 Kiln Road, are highly degraded from a visual perspective. They are also the only areas east of the South Western Highway (and thus within the SCA2) that are designated for future urban uses and zoned <i>Urban Deferred</i> in the Metropolitan Region Scheme.</p> <p>It is our contention that the areas shown as <i>Urban Settlement</i> in the draft LPS are excluded from SCA2, and that any future planning (for example a future Structure Plan) consider the development requirements for proposals within this area.</p>											
SCA5 – Extractive Industries	<p>The SCA is supported.</p> <p>Some consideration should be considered to allowing the mapping associated with the SCA to be updated readily, without a scheme amendment, as a result of new or modified extractive industry sites being approved in the Shire over time. Similar comment was provided to the Department of Planning, Lands and Heritage regarding their review of SPP2.4. A copy of our submission to the Department can be provided to you if it may be useful.</p>											
SCA6 – Buffers	<p>The SCA is supported.</p> <p>It is noted that the EPA guidance currently refers to a buffer of 1000-2000 metres depending on size.</p> <p>The extent of the SCA as shown on the draft LPS3 maps may be understated. For information a simple 1000m buffer around the existing manufacturing plant has been plotted, along with a 1000m offset around the entire industrial site.</p>											

**NEW SUMMARY OF SUBMISSIONS**  
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Submitter	No	Submitter Comments	Officer Comment	Officer Recommendation
Altus Planning on behalf of L100 King Road, Oldbury IN20/796	63.	<p>Thank you for the opportunity to provide these comments to you. It would be appreciated if we could meet with you further to discuss this matter prior to the draft LPS3 being again considered by Council and the DPLH.</p> <p><b>Submission on Draft Local Planning Scheme No. 3 &amp; Draft Local Planning Strategy (Ref: SJ203 &amp; SJ701)</b></p> <p>Please find below a submission on the Shire of Serpentine Jarrahdale's (the 'Shire') draft Local Planning Scheme No. 3 ('LPS3' or 'draft Scheme') and draft Local Planning Strategy ('draft Strategy'). This submission has been prepared by Altus Planning on behalf (and at the request) of Beverley and Dave McKee landowners and operators of 'King Road Brewing Company' at Lot 100 (No. 796) King Road, Oldbury ('the subject land' or 'site').</p> <p><b>Property Description &amp; Site History</b></p> <p>The subject land measures approximately 36ha and exists on the south-eastern corner of the Mundijong Road and King Road intersection in Oldbury. The land is currently zoned 'Rural' pursuant to the Shire's Town Planning Scheme No. 2 ('TPS2') and was previously used as a hobby farm prior to its development more commonly known as the King Road Brewery.</p> <p>Existing on-site is a previously approved 'Use Not Listed (Cidery)', located within the centre of the subject site, accessible via King Road and this primarily includes the restaurant/bar with alfresco dining and the brewing shed which is located to the west of the main building. To the north-east of the restaurant is the car park with the existing residence located in the south.</p> <p>To the immediate north of the brewing shed is the recently approved mezzanine deck and then a function area known as 'the Hay Shed'.</p> <p>The King Road Brewing Company is well known in the region as a 'family-friendly' restaurant/bar that serves the local community by providing the following:</p> <ul style="list-style-type: none"> <li>• Hand crafted artisan ales and cider brewed on-site as well as locally sourced wine;</li> <li>• A variety of freshly produced meals;</li> <li>• Outdoor entertainment area for children; and</li> <li>• Adaptable venues and settings to cater for a variety of events and functions.</li> </ul> <p>The lands surrounding the property are similarly zoned 'Rural' under the TPS2 and are mostly traditional agricultural uses that are typical of the region. The closest residential structure in the neighbouring property to the west is located over 550m from the brewery. King Road exists along the eastern boundary of the site and Mundijong Road exists to the south.</p> <p><b>Proposed Zoning &amp; Land Use Permissibility</b></p> <p>Under draft LPS3, the subject land is proposed to retain its current 'Rural' zoning and whilst some form of 'Tourist' or 'Special Use' zone would better reflect how</p>	<p>Noted – We appreciate your response via submission to the Draft Local Planning Strategy and Local Planning Scheme No.3.</p> <p>The Shire's objective in the Rural zone is to prevent the proliferation of light industry land uses. While the objectives of the Rural zone allow for some non-rural land uses to be considered where they have demonstrated benefit and are compatible with surrounding rural uses, officers do not consider that the land use of industry - light provides such benefit or is compatible with rural uses.</p> <p>The Shire does not support the industry – light as a discretionary use within the Rural zone under the Draft Local Planning Scheme No.3.</p> <p>Any proposal specific to the subject site will have to go through due process in submitting a Scheme Amendment to the Local Planning Scheme and follow orderly and proper planning.</p> <p>The Shire will consider any Scheme Amendment based on its merit, as well as its alignment to the Local Planning Strategy. Importantly future scheme amendments will be assessed regarding their alignment with the Local Planning Strategy.</p>	

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Submitter	No	Submitter Comments	Officer Comment	Officer Recommendation
		<p>the subject land is currently used and is likely to continue to be used in the foreseeable future, the landowners do not object to the proposed zoning. However, the landowners are concerned with the proposed changes to the zoning table.</p> <p>Most notably, the land use 'Industry – Light' which is currently an 'SA' (discretionary) use within the 'Rural' zone of TPS2 is proposed to become an 'X' (not permitted) use within the 'Rural' zone of LPS3.</p> <p>Pursuant to Appendix 1 of TPS2, the definition of 'Industry – Light' is as follows:</p> <p>"means an industry:</p> <p>(a) in which the processes carried on, the machinery used, and the goods and commodities carried to and from the premises will not cause any injury to, or will not adversely affect the amenity of the locality by reason of the emission of light, noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water or other waste products; and</p> <p>(b) the establishment of which will not or the conduct of which does not impose an undue load on any existing or projected service for the supply or provision of water, gas, electricity, sewerage facilities, or any like services."</p> <p>Whilst pursuant to clause 55 of draft LPS3, it is defined as:</p> <p>"means premises used for an industry where impacts on the amenity of the area in which the premises is located can be mitigated, avoided or managed."</p> <p>The proposed change simplifies the definition of the land use but ultimately will capture the same activities. With an eye to the future growth and development of the King Road Brewing Company which has become somewhat of a tourist attractor for the area, the landowners are concerned that by making 'Industry – Light' a prohibited use, opportunities for future growth and expansion would be limited. For example, ancillary and complementary activities such as the development of a chocolate factory which in some local governments such as the City of Swan would otherwise be classified as 'Food and Beverage Production, would be classified as 'Industry – Light' and therefore not capable of being approved.</p> <p>Accordingly, it is requested that the Shire maintain 'Industry – Light' as a discretionary use within the 'Rural' zone, consistent with the current TPS2 so that activities such as those foreshadowed above and which do not adversely impact the amenity of the rural area can be considered and approved in appropriate circumstances.</p> <p><b>Summary</b></p>		

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Submitter	No	Submitter Comments	Officer Comment	Officer Recommendation
		<p>In conclusion, the landowners (and operators) of Lot 100 (No. 796) King Road, Oldbury, <b>broadly support draft Local Planning Scheme No. 3, subject to a modification</b> to the advertised draft.</p> <p>Specifically, it is requested that the new Scheme be modified to provide 'Industry – Light' as a discretionary land use within the 'Rural' zone, consistent with the current TPS2. This would enable properties like the subject land to grow and diversify their businesses with ancillary and complimentary land use activities which capitalise on the characteristics and amenity of the rural area.</p> <p>Accordingly, it is our view that the draft Scheme and draft Strategy should be considered with the above change prior to it being submitted for approval and endorsed by the WAPC.</p>		
<p>Altus Planning  On behalf of  Paola &amp;  Nunziatta Algeri  IN20/797  IN20/794</p>	<p>64.</p>	<p><b>Submission on Draft Local Planning Scheme No. 3 &amp; Draft Local Planning Strategy (Ref: SJ203 &amp; SJ701)</b>  Please find below a submission on the Shire of Serpentine Jarrahdale's (the 'Shire') draft Local Planning Scheme No. 3 ('draft Scheme') and draft Local Planning Strategy ('draft Strategy'). This submission has been prepared by Altus Planning on behalf (and at the request) of the landowners Paolo &amp; Nunziata Algeri, of Lot 233 Orton Road and Lot 234 Kargotich Road, Oldbury ('subject lands' or 'site').</p> <p>Mr and Mrs Algeri have been concerned for some time that the Shire's planning framework lacks any strategic vision for 'Rural' zoned land which is still modelled on its agricultural past. As the draft Scheme and draft Strategy provide opportunity for feedback on the Shire's future planning footprint, the landowners would broadly support their property, alongside the greater Oldbury and Oakford area west of Kargotich being rezoned 'Rural Enterprise' as an alternative to the proposed 'Rural' zoning for this area. Further details of why and how this zoning could be implemented by the Shire will be provided throughout this submission.</p> <p><b>Summary of Previous Submissions</b></p> <p>This submission follows a previous submission in relation to the (then) draft Rural Strategy Review 2013 in which it was suggested that the subject lands be removed from the 'Rural' Policy Area and be included in a more appropriate Policy Area (such as a further investigation or rural living area) given the lands are not agriculturally productive nor have any existing activities or attributes, either feasibly and sustainably, worthy of retention.</p> <p>It also follows from a submission in July 2016 in relation to a proposed development application for a neighbouring property [ORTON ROAD, OLDBURY #906 (L232) 173802 – GREEN WASTE RECYCLING/PLANT NURSERY (REF. P03786/02)] where it was again suggested that further consideration ought to be given to an alternative zoning or increased land use permissibilities for the area to allow for non-traditional farming activities that are currently being shoe-horned into 'rural industries'.</p>	<p>The Shire acknowledge the submission proposed for Lots 208, 400 and 401 Abernethy Road &amp; Lots 801, 802, 200 Thomas Road, Oakford. The Shire does not support the following proposal zoning change as it is not in line with the State planning framework and direction of Perth and Peel @ 3.5 Million.</p> <p>The land is outlined to be zoned Rural under the Draft Local Planning Strategy and Local Planning Scheme No.3, the objectives of the Rural zone outline:</p> <ul style="list-style-type: none"> <li>• To provide for the maintenance or enhancement of specific local rural character.</li> <li>• To protect and accommodate broad acre agricultural activities such as cropping and grazing and intensive uses such as horticulture as primary uses, with other rural pursuits and rural industries as secondary uses in circumstances where they demonstrate compatibility with the primary use.</li> <li>• To maintain and enhance the environmental qualities of the landscape, vegetation, soils and water bodies including groundwater, to protect sensitive areas especially the natural valley and watercourse systems from damage.</li> <li>• To provide for the operation and development of existing, future and potential rural land uses by limiting the introduction of sensitive land uses in the Rural zone.</li> </ul>	

**NEW SUMMARY OF SUBMISSIONS**  
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		<p><b>Property Description &amp; Site History</b></p> <p><b>The subject land</b></p> <p>The subject lands exist immediately south-west of the intersection of Orton Road and Kargotich Road, Oldbury. In accordance with the Shire's current Town Planning Scheme No. 2 ('TPS2'), the land exists as multiple lots zoned 'Rural'. More specifically, Lot 233 (Orton Road) is approximately 38.23ha, while Lot 234 is split into two land parcels totalling 40.39ha and 28.60ha in size. In total, the total landholding is 107.22ha (264.94 Acres), most of which is cleared with only very minor strands of remnant Casuarina trees.</p> <p><b>Landowners' history with the land</b></p> <p>Mr and Mrs Algeri have owned the subject lands since 1974 and operated a dairy farm on the lands between 1974 and 1980. The subject lands were then utilised as a poultry farm between 1982 and 2000. The subject lands were being used for cattle grazing and hay production up until 2017, however hay production has become unviable as a result increasing rye grass toxicity ('RGT') that has progressively infiltrated the greater Oldbury area. Research into the cause of RGT points to many contributing factors including unseasonal spring weather, probably as a result of climate change. There is currently no known or simple remedy to eradicate it. Subsequently, the subject lands are now only being used for low-intensity cattle grazing. This is not profitable nor sustainable into the future.</p> <p><b>Locality history</b></p> <p>The subject lands were part of a 'Group Settlement Scheme' from the early 20th Century which cleared and developed many areas of the south-west for dairy farming. Most Rural land in the Shire is situated on the Coastal Plain Bassendean Sands which are leached and infertile, and therefore were never entirely suited to dairying and other related forms of agriculture. At the time, proximity to markets (and transport to the markets, i.e. railway to Perth) was the overriding considerations when the land was settled and first farmed.</p> <p>The only dairy farm that remains in the immediate locality is to the west on Orton Road (formerly owned by former Councillor and original group settler, Mr Alex Cummings). The only commercially viable operation that has some nexus to the agricultural past within the rural wedge within Oakford/Oldbury 'Rural' zone and Kargotich Road is perhaps the Borrello Cheese Factory. Nonetheless this business might be considered more of an industrial use as opposed to agricultural, given the milk is obtained off-site and increasingly from outside the Shire.</p> <p>In our view, any agricultural possibilities of the subject lands in the immediate surrounding area are simply academic. Any demographic research into ownership of Rural land in the locality is likely to reveal that most landowners are similarly elderly farmers awaiting better opportunities for development or subdivision. These traditional farms in the locality have generally not been subject to any planning or environmental approvals and are therefore largely unregulated which</p>	<ul style="list-style-type: none"> <li>• To provide for a range of non-rural land uses where they have demonstrated benefit and are compatible with surrounding rural uses.</li> </ul> <p>The Shire does not support the proposed submission as it does not align with the State and local strategic framework.</p> <p>The Shire's objective in the Rural zone is to prevent the proliferation of light industry land uses. While the objectives of the Rural zone allow for some non-rural land uses to be considered where they have demonstrated benefit and are compatible with surrounding rural uses, officers do not consider that the land use of industry - light provides such benefit or is compatible with rural uses.</p> <p>The Shire does not support the industry – light as a discretionary use within the Rural zone under the Draft Local Planning Scheme No.3.</p>	

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		<p>can often have negative impacts on the environment, particularly in terms of stocking rates, poor management of any remnant vegetation and inappropriate use of fertilisers.</p> <p>In recent times, there has been a greater influx of equestrian uses notwithstanding that there is a specific “Residential and Stables” precinct within the Shire and furthermore, a strong under-current of equestrian activities in surrounding Rural Smallholdings and Rural Living areas. Unless well managed, these activities can also have a significant impact on the environment.</p> <p>The only new activities emerging in locality of various forms of ‘Rural Industries’, some legitimate and other awkwardly shoehorned into a land use classification for the purposes of achieving approval.</p> <p><b>Rezoning the Subject Land to Rural Enterprise Zone</b></p> <p>Having reviewed the draft LPS3 and the Shire’s accompanying draft Local Planning Strategy, it is our view that maintaining the subject lands with a ‘Rural’ zoning is no longer appropriate given the reasons that will be outlined below, and that a more appropriate zoning would be ‘Rural Enterprise’, or some variant of it.</p> <p>In section 3.3 of the draft Strategy, part of the rationale for the rural land use category is stated as follows:</p> <p>“In order to protect the Shire’s agricultural areas it is important to preserve land capable of supporting specific types of agricultural production without causing damage.”</p> <p>However, the subject lands and immediate surrounding area (otherwise known as the Peel Estate) are situated on leached and poorly draining clays and soils. Furthermore, there has, and will continue to be into the foreseeable future, issues with the availability of water in the area for a wide variety of agricultural pursuits. With these factors combined, the area is ill-suited to primary agricultural activities. These considerations are highlighted in recent studies of the Peel-Harvey Catchment which identify the environmental sensitivities of the region particularly in terms of soil acidity, isolated native vegetation patches and fauna habitat, issues with weeds and pest animals, dryland salinity and importantly, nutrient export into the Peel-Harvey estuary.</p> <p>The draft Strategy rationale also goes on to classify the four (4) landscape systems within the Shire and notes that grazing “encompasses the grazing of sheep and cattle on broad scale dryland pastures”. As noted, the grazing of cattle in the locality is simply a legacy use from the dairy industry days which followed from group settlement and is no longer a viable form of agriculture.</p> <p>In reviewing the rationale as a whole, the focus of the ‘Rural’ zone amounts to landscape protection rather than safeguarding the area for agricultural activities.</p>		

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		<p>If there were numerous forms of viable agricultural pursuits, then we submit that these would already be emerging, but they are not.</p> <p>It is our respectful submission that if the locality is to be used for any form of contemporary, profitable farming activities into the future then the Shire may have to consider the effects of more intensive forms of agriculture such as large scale cattle feedlots or poultry farms.</p> <p>Without the possibility of any viable and productive land uses on 'Rural' land, it will only lead to increased pressure for subdivision and/or for other land uses which are currently not permitted in the 'Rural' zone.</p> <p>The Shire's own information 'Drivers of Population Change' states that "The economic base of the Shire of Serpentine Jarrahdale is still strongly oriented towards primary industries, although a large share (more than half) of residents work outside the Shire".</p> <p>Why aren't these primary industries more productive and a greater employment base?</p> <p>Having regard to all the above, we submit that the 'Rural Enterprise' zone should replace the 'Rural' zoning generally north of Mundijong Road and west of Kargotich Road as per the marked up extract of the Strategy map below.</p>  <p style="text-align: center; color: red; font-size: small;">Proposed 'Rural Enterprise' zone</p> <p>In accordance with the rationale on page 32 of the draft Strategy:</p> <p>"Rural Enterprise areas should be identified in locations where the amenity of the land has already been, or is likely to be compromised by existing or planned uses within the vicinity. Rural Enterprise areas are also considered to be a suitable interface between industrial and rural areas".</p>		

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		<p>The land we have identified for inclusion in the 'Rural Enterprise' zone is considered compliant with the abovementioned rationale insofar as the land is within close proximity to the rural living areas and the urban cells of Byford and Mundijong which, with the proposed upgrade of Mundijong Road to a 'Primary Distributor', will provide an employment benefit for those nearby residential areas.</p> <p>In addition, the lot sizes are generally still large so if there are any concerns in relation to compatibility, these can adequately be addressed in the local planning framework by way of buffers/separation distances and the like being prescribed.</p> <p>Whilst it is acknowledged that there are also larger tracts of 'Rural' land further south in the Shire, these areas are located further away from the Byford and Mundijong Urban Cells, the surrounding Rural Living zones and State Planning Investigations Areas immediately to the west.</p> <p>In short, if the land remains 'Rural' it will remain nothing more than an unproductive landscape wedge commencing south from Thomas Road that has no notable attributes for future agriculture and is effectively surrounded on all sides by other land use activities.</p> <p><b>Light Industry in Rural Zone</b></p> <p>In addition to the above, it is noted that the land use 'Industry – Light' which is currently an 'SA' (discretionary) use within the 'Rural' zone of TPS2 is proposed to become an 'X' (not permitted) use within the 'Rural' zone of LPS3. Pursuant to Appendix 1 of TPS2, the definition of 'Industry – Light' is as follows:  "means an industry:</p> <p>(a) in which the processes carried on, the machinery used, and the goods and commodities carried to and from the premises will not cause any injury to, or will not adversely affect the amenity of the locality by reason of the emission of light, noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water or other waste products; and</p> <p>(b) the establishment of which will not or the conduct of which does not impose an undue load on any existing or projected service for the supply or provision of water, gas, electricity, sewerage facilities, or any like services."</p> <p>Whilst pursuant to clause 55 of draft LPS3, it is defined as:</p> <p>"means premises used for an industry where impacts on the amenity of the area in which the premises is located can be mitigated, avoided or managed."</p> <p>Given the narrow range of options for the development of Rural land more broadly in the Shire and on-going economic and environmental issues with traditional activities as expressed in this submission, such a change will further constrain the future vitality of Rural land and is therefore not supported. It is submitted that 'Industry – Light' remain a discretionary use under TPS3.</p>		

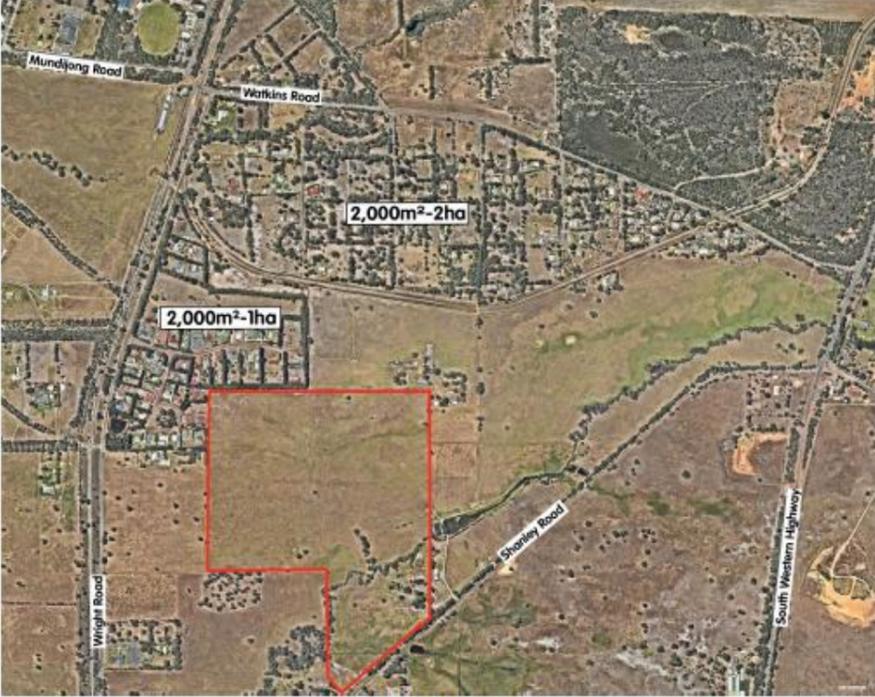
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		<p><b>Summary</b></p> <p>In conclusion, the landowners of Lot 233 Orton Road and Lot 234 Kargotich Road, Oldbury, <b>broadly supports draft Local Planning Scheme No. 3, subject to modifications</b> to the advertised draft.</p> <p>Specifically, it is requested that the new Scheme be modified by make the following changes:</p> <p><b>1. Extending the ‘Rural Enterprise’ zone to all ‘Rural’ land north of Mundijong Road and west of Kargotich Road.</b></p> <p>This request is made given the capability and viability (or lack thereof) for the lands to be used for traditional rural and agricultural activities. Put simply, the subject lands and the surrounding area never have and never will be agriculturally productive, and it is illogical for them to retain a ‘Rural’ zoning. The soils are generally infertile and combined with a lack of water which is likely to be accelerated through climate change, will mean that traditional activities such as grazing and cropping will become even less viable and sustainable than they already are. Such land uses will then only be potentially replaced by less desirable intensive uses such as feedlots or otherwise, equestrian activities.</p> <p>A ‘Rural Enterprise’ zoning, or a similar zoning, would enable the land to be put to better use and would still be able to provide an interface to the more developed Rural Living and Urban areas of the Shire; one which can retain a rural landscape through setbacks, buffers/separation distances and vegetated areas through the development of local policy requirements.</p> <p><b>2. ‘Industry – Light’ to remain a discretionary use in the ‘Rural’ zone.</b></p> <p>For much the same reasons, opportunities on Rural land throughout should be broadened, not narrowed. The current suite of permitted and discretionary uses effectively amount to nothing more than landscape protection and effectively will lead to rural decline and poor land use management in an area that is already environmentally sensitive.</p> <p>Accordingly, it is our view that the draft Scheme and draft Strategy should be considered with the above changes prior to it being submitted for approval and endorsed by the WAPC.</p>		
Roberts Day on behalf of DJC Holdings Pty Ltd IN20/943	65.	<p><b>RE: SUBMISSION – DRAFT LOCAL PLANNING STRATEGY &amp; LOCAL PLANNING SCHEME NO. 3</b>  <b>LOT 460 (170) SHANLEY RD, MARDELLA</b>  <b>SHIRE OF SERPENTINE JARRAHDAL</b>            Roberts Day acts of DJC Holdings Pty Ltd, the landowners of the abovementioned site, in making a submission on the Shire’s draft Local Planning Strategy (Strategy) and Local Planning Scheme No. 3 (LPS3).</p>	<p>Further investigation / land capability studies need to be undertaken for the site.</p> <p>Under the Strategy the Shire may consider Rural Smallholdings zoning in the future as the land aligns with the objective of the Rural Smallholdings zoning:</p>	

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		<p>In response to the advertised documents, we object to the proposed “Rural Smallholdings” identification within the draft Local Planning Strategy and “Rural” zoning in draft Local Planning Scheme No. 3 (LPS3) and request land to be identified as zoned “Rural Residential” with transitional density range of RR-1 and RR-2.</p> <p>The following justification outlines why the subject site is appropriate to be included in “Rural Residential” designation based on achieving the zone objectives:</p> <ol style="list-style-type: none"> <li>Provide for Rural Residential development in appropriate, well-located areas.</li> <li>Prevent the ‘sprawl’ of Rural Residential areas into rural areas.</li> <li>Preserve and enhance the existing rural character of Rural Residential properties.</li> <li>Accommodate a range of lifestyles and enable choice.</li> <li>Ensure Rural Residential developments are sensitive to environmental values.</li> <li>Protect the Byford Trotting Complex and aim to minimise land use conflicts.</li> </ol> <p><b>1.0 LOCATION</b></p> <p>The subject site is described as Lot 460 (170) Shanley Road, Mardella on Deposited Plan 302932 within Certificate of Title Volume 1985 Folio 143. The site is located approximately 1.5km south of the Mundijong Town Centre and Mundijong Train Station which is an approximate 5minute drive and 25minute walk (refer Figure 1). The site is generally bound by Wright Road to the west, Tonkin Highway future alignment to the north and South Western Highway to the east. These major roads provide connections to Byford and Armadale to the north and Kwinana Freeway and Rockingham to the west.</p> <p>The property borders Shanley Road to the south and vacant grassland to the east and west. A portion of the northern and western boundary abuts an existing residential development which contains lots generally between 2,000m<sup>2</sup> 1ha in area. Land between the future Tonkin Highway realignment and Watkins Road has been developed as urban development with lot sizes ranging from 2,000m<sup>2</sup>-2ha.</p>  <p style="text-align: center;">Figure 1: Site Location</p> <p>Comment:</p>	<ul style="list-style-type: none"> <li>- <i>To provide for lot sizes in the range of 4 ha to 40 ha.</i></li> <li>- <i>To provide for a limited range of rural land uses where those activities will be consistent with the amenity of the locality and the conservation and landscape attributes of the land.</i></li> <li>- <i>To set aside areas for the retention of vegetation and landform or other features which distinguish the land.</i></li> <li>- <i>To provide for a rural character and amenity with associated residential development.</i></li> </ul> <p>The area has also been defined as Residential and Stables which aims to provide a separate area for intense equine activities which could potentially generate offsite impacts that could conflict with the values of traditional rural living areas. The Shire is advocating to support the equine industry throughout the Shire especially in the designated areas within the Shire.</p> <p>The Shire will consider any Scheme amendment based on its merit, as well as its alignment to the Local Planning Strategy. Importantly future scheme amendments will be assessed regarding their alignment with the Local Planning Strategy.</p> <p>The Shire recommends that text be included in the Draft Local Planning Strategy to describe an equine based performance approach for the subject site.</p>	

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		<p>The site is supported by existing services of Mundijong Town Centre and Train Station and will additionally benefit from upgrades to South West Highway and Tonkin Highway extension which will provide improved connectivity from the site to metropolitan services.</p> <p>The site is located on the periphery of the Mundijong Town Centre and development frontier with residential land north of the site comprising of lot sizes ranging from 2,000m<sup>2</sup>-2ha. The site presents a logical spatial progression of development and transition between existing residential land and rural land by providing lot sizes ranging from 1ha-2ha.</p> <p><b>1.1 Physical Characteristics</b></p> <p>The site is 56.6ha lot that has historically been used for grazing, however this land use has now ceased. The site is predominantly cleared grassland with a scattering of trees, with no existing residence located on site (refer Figure 2). The property contains a narrow creek line which forms part of the wider Mardella Creek drainage system.</p>  <p style="text-align: center;">Figure 2: Site Context</p> <p>Comment:  As the site is predominantly cleared and void of any area of environment significance for retention, the site can suitably be developed for residential with any potential impacts appropriately managed.</p> <p><b>2.0 CURRENT PLANNING FRAMEWORK</b></p> <p><b>2.1 Perth and Peel @ 3.5 million</b></p> <p>Perth and Peel @ 3.5 million South Metropolitan Peel Sub-Region Planning Framework identifies the site as 'Rural Residential' (refer Figure 3). Under Perth and Peel @ 3.5 million 'Rural Residential' land is characterized by lot sizes that are predominantly between 1-4ha in area. The Framework identifies that "Rural</p>		

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Residential” land is intended to provide alternative lifestyle and housing opportunities and may provide transition between urban and rural areas. The sub-region Serpentine-Jarrahdale has dwelling target to accommodate an additional 35,800 new dwellings by 2050 of which only 1,370 of this will be provided in existing urban areas as infill.



Figure 3: Perth and Peel @ 3.5 Million

Comment:

Perth and Peel @ 3.5 million identifies that Rural Residential development should be focused on areas that are currently identified for that purpose. As the subject site is already identified under Perth and Peel @ 3.5 million, this should be reflected within the Shire’s draft Local Planning Strategy and subsequently draft LPS3 “Rural Residential” zone to allow development of lots ranging from 1ha-4ha.

**2.2 Rural Strategy (2013)**

Under the Shire’s endorsed Rural Strategy 2013 Review, the subject site is identified as ‘Frameworks Investigations Area’ (refer Figure 4).



Figure 4: Rural Strategy (2013)

Comment:

Land designated under Perth and Peel @ 3.5 million as “Rural Residential” was identified in the Rural Strategy as either “Subject to Future Investigation” or as “Framework Investigation Areas”. In doing this a number of areas were subsequently rezoned to facilitate development, such as land south of Shanley

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		<p>Road which was rezoned to "Farmlet". As the land south of the Tonkin Highway alignment has already been identified under the current Rural Strategy the draft Local Planning Strategy should facilitate progression of development to Rural Residential.</p> <p><b>2.3 Town Planning Scheme No. 2</b></p> <p>The subject site is currently zoned "Rural" under the Shire's Town Planning Scheme No. 2 (refer Figure 5). As there are no specific provisions relating to "Rural" zoned land within LPS3, the development of land is to be in accordance with Development Control Policy No. 3.4 which requires a minimum lot size of not less than 40ha.</p> <p>Contextually, land to the south of Shanley Road is currently zoned "Farmlet" which facilitates development of lots from 4ha-40ha. Land to the west and east of the is similarly zoned "Rural" and land north is zoned "Special Rural" which allows lot size minimum of 2,000m<sup>2</sup>.</p>  <p style="text-align: center;">Figure 5: current Town Planning Scheme No. 2</p> <p>Comment</p> <p>At the Shire's Ordinary Council Meeting dated 22 October 2018 land to the south-east of Shanley Road (Lot 809, Lot 48 and Lot 47 Shanley Road) was rezoned from "Rural" to "Farmlet" to facilitate development of lots with a minimum lot size of 4ha (refer Figure 5). The Shire's report justified the land was suitable to be rezoned due to the site's identification in the Rural Strategy within the "Framework Investigation Areas" and proximity to Mundijong Town Centre. The rezoning facilitates a transition from rural to urban. The "Farmlet" zone is contained and framed by the location of the South Western Highway to the east.</p> <p>The "Farmlet" zone would be comparable to the "Rural Smallholdings" under the draft Local Planning Strategy which allows development of land between 4ha-40ha. Despite the approval of this rezoning application, the land east of Shanley Road has not been identified in the draft Local Planning Strategy or draft LPS3 as "Rural Smallholding" to facilitate the development of "Farmlet" sized lots.</p> <p>We request that this land be identified as "Rural Smallholdings" consistent with the existing "Farmlet" zone. The subject site therefore presents an opportunity to cater for lots ranging from 1ha-2ha transitioning between this land and existing residential development north of Shanley Road.</p> <p><b>3.0 PROPOSED PLANNING FRAMEWORK</b>  <b>3.1 Draft Local Planning Strategy</b></p>		

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		<p>Under the Shire's draft Local Planning Strategy, the subject site is identified as (refer Figure 2):</p> <ul style="list-style-type: none"> <li>• "Rural Smallholdings"; and</li> <li>• "Residential and Stables Area".</li> </ul> <p>Both of these categories come under the umbrella term "Rural Living" within Part of the Strategy.</p>  <p style="text-align: center;">Figure 2: Draft Local Planning Strategy</p> <p>The actions related to "Residential and Stables Areas" of the Strategy identify land to be rezoned to either "Rural Residential" or "Rural Smallholdings". The subject site has consequently been identified as "Rural Smallholdings" which restricted development of land to larger lots between 4ha-40ha.</p> <p>Comment:</p> <p>We object to the identification of the subject site as "Rural Smallholdings" as it is not consistent with the "Residential and Stables Area" objectives and limiting development of land to 4ha. There are a number of established equestrian areas within the Shire that are located on lots with area between 4,000m<sup>2</sup> and 2ha. The "Rural Smallholdings" therefore is not required to facilitate equestrian pursuits.</p> <p>Examples include:</p>  <p style="text-align: center;"> <span>Byford Trotting Complex</span>      <span>Darling Downs</span>  <span>• Lot sizes range from 4,000m<sup>2</sup>-1ha</span>      <span>• Lot sizes range from 1.5ha-2ha</span> </p> <p>The "Rural Residential" designation within the Local Planning Strategy and LPS3 will support a variety of lot sizes which will allow flexibility for the diverse range of equestrian activities. We therefore request that the subject site be identified within the Local Planning Strategy as "Rural Residential" with density range of RR-1 and</p>		

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RR-2 providing logical transition from existing residential areas as depicted on Figure 3.

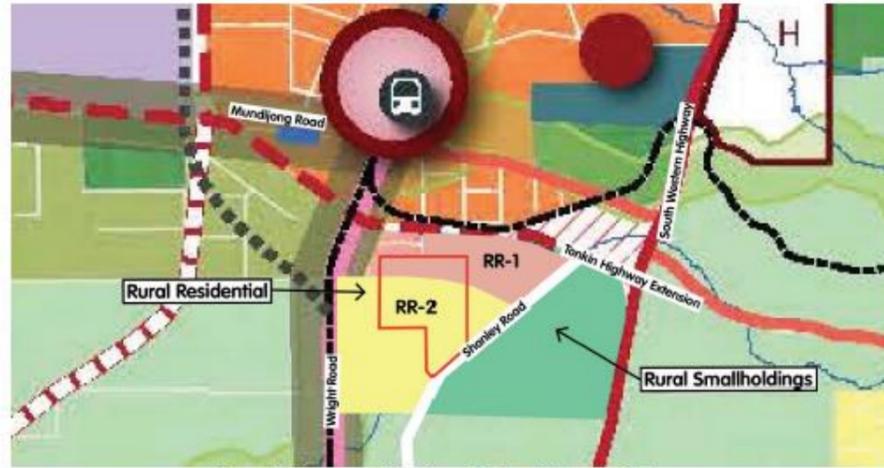


Figure 3: Recommended alternative Local Planning Strategy

**3.2 Draft Local Planning Scheme No. 3**

The subject site is proposed to be zoned “Rural” under the draft LPS3 (refer Figure 4).



Figure 4: Draft Local Planning Scheme No. 3

**Comment**

The strategies and actions set out in the draft Local Planning Strategy are intended to be implemented through the Shire’s draft Local Planning Scheme No. 3, reflected in the zoning. The proposed “Rural” zoning is not consistent with the draft Local Planning Strategy strategies and actions to facilitate development of lots with an area less than 40ha.

The site should more appropriately be identified as “Rural Living” with density range including RR-1 transitioning to RR-2 as depicted on Figure 5. The proposed Rural Residential designation will be bound by Wright Road to the west, Shanley Road to the east, Tonkin Highway re-alignment to the north and Mardella Creek to the south.

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		 <p style="text-align: center;">Figure 5: Recommended alternative LPS3 Zoning</p> <p>The subject site is located between existing “Rural Residential” with density code of RR-1 which permits development to minimum lot size of 1ha and land east of Shanley Road is currently zoned “Farmlet” which is consistent with “Rural Smallholdings” permitted to develop with minimum lot size of 4ha. The proposal to rezone to “Rural Residential” will therefore provide a logical intermediate scale of development with lots 1ha-2ha in area.</p> <p><b>4.0 CONCLUSION</b></p> <p>Based on the following the subject site is more appropriate identified in the Local Planning Strategy and LPS3 are “Rural Residential” with density code range of RR-1 and RR-2:</p> <ul style="list-style-type: none"> <li>• The site is identified within the Perth and Peel @ 3.5 million as Rural Residential for future development of lots ranging from 1ha-4ha;</li> <li>• The site provides for logical progression of Rural Residential development being located on the periphery of the Mundijong Town Centre;</li> <li>• Provides an intermediate scale of development between land zoned “Farmlet” with 4ha minimum (Lot 809, Lot 48 and Lot 47 Shanley Road) south of Shanley Road and “Special Rural” with minimum 1ha-2ha south of the Tonkin Highway realignment;</li> <li>• The “Rural Residential” designation and zone will facilitate equine pursuits and development of similar scale to Byford Trotting Complex and Darling Downs which provides lots varying in size from 4,000m<sup>2</sup> to 4ha; and</li> <li>• The site presents a unique opportunity to facilitate development that is not subject to sensitive to environmental values.</li> </ul>		
Urbanism, IN20/1169	66.	<p>1. Consider revised wording for Clause 18 to convey a more positive approach to land use planning, rather than referring to a land use table that states that all the listed uses are " not permitted".</p> <p>2. For Lot 128 South western Highway, TPS 3 replaces the Urban Development Zone (Mixed Business in the LSP) with a similar zone "Service Commercial" Several currently permitted land uses are no longer considered under the draft scheme and reduces land use options, development potential and land value</p> <p><b>REVIEW: IMPACT OF DRAFT SCHEME AMENDMENT (TPS 3)</b></p>	<p>Noted – We appreciate your response via submission to the Draft Local Planning Strategy and Local Planning Scheme No.3.</p> <p>The intent of the Service Commercial zone is considered to align with the Mixed Business designation of the subject site under the Local Structure Plan. The Service Commercial zone</p>	

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		<p><b>Lot 128 South Western Highway, Byford</b>  The Shire of Serpentine Jarrahdale prepared a Draft Local Planning Scheme No. 3.</p> <p>The draft scheme, including the draft Local Planning Strategy is open for public comment, which closes on 18 December 2019.</p> <p><b>Submission</b>  This submission is made specifically in respect of land use control over Lot 128 South Western Highway.</p> <p><b>Zone Definition</b>  Draft TPS 3 replaces the "Urban Development" zone over this lot with a proposed "Service Commercial" zone. This proposed zone reflects a similar zone than the "Mixed Business" zone assigned to this site in Local Structure Plan for Lots 1, 3 &amp; 128 South Western Highway, Byford. The land use definition for Service Commercial has been simplified with no material impact on the intent. It therefore remains similar to the land use definition for the Mixed Business zone.</p> <p>The land use permissibility between the Mixed Business zone and the Service Commercial zone contains similar land uses. Several uses have been redefined and simplified in a more comprehensive definition of uses.</p> <p>However, several uses from the existing TPS 2 have been excluded from the draft TPS 3, which reduces land use options, development potential and land value. The following land uses need to be reconsidered to maintain current land use rights:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> <b>Caretaker's Dwelling (AA)</b> – not defined in draft TPS 3 land use table and no reference to this opportunity is found in the draft TPS3.</li> <li><input type="checkbox"/> <b>Commercial Vehicle Parking (AA)</b> – no longer considered in this zone under TPS3. Furthermore, the definition has been amended to refer to the 'parking of a single commercial vehicle' – this approach lacks clarity and does not address the parking of more than one commercial vehicle.</li> <li><input type="checkbox"/> <b>Convenience Store (AA)</b> – not considered in this zone under TPS3</li> <li><input type="checkbox"/> <b>Corner Store (A)</b> – no longer defined and potentially covered by the definition of a shop.</li> <li><input type="checkbox"/> <b>Fuel Depot (SA)</b> – no longer considered in this zone under TPS3.</li> <li><input type="checkbox"/> <b>Health Studio (P)</b> – no longer defined, but could be considered under Private Recreation, which is not considered in the zone under TPS3.</li> <li><input type="checkbox"/> <b>Market (AA)</b> – not considered in the zone under TPS3</li> <li><input type="checkbox"/> <b>Nursery/ Plant Nursery (AA)</b> – no longer defined as a separate use and only seems to be considered as agriculture intensive use, which is not permitted in this zone under TPS3</li> <li><input type="checkbox"/> <b>Office (IP)</b> – no longer considered in this zone under TPS3.</li> <li><input type="checkbox"/> <b>Private Recreation (AA)</b> – no longer considered in this zone under TPS3.</li> </ul> <p><b>Public Amusement (AA)</b> – no longer defined and could be defined as Community Purpose (D) or Private Recreation (X), which is not considered in this zone under TPS3.</p>	<p>allows for a range of land uses that are considered to be appropriate for the subject site.</p> <p>Any proposal specific to the subject site will have to go through due process in submitting a Scheme Amendment to the Local Planning Scheme and follow orderly and proper planning.</p> <p>The Shire will consider any Scheme Amendment based on its merit, as well as its alignment to the Local Planning Strategy. Importantly future scheme amendments will be assessed regarding their alignment with the Local Planning Strategy.</p>	

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		<p><input type="checkbox"/> <b>Public Utility (P)</b> – no longer defined under TPS3.  <input type="checkbox"/> Transport Depot (AA) – no longer considered in this zone under TPS3.</p> <p>Furthermore, TPS3 no longer provides for any incidental “I” uses within the Service Commercial zone, which restricts flexibility to address uses not specified in the land use table. There is no mechanism to provide clarity on marginal uses required for some of the land uses to be sustained within the zone, i.e., an office use attached to a warehousing facility.</p> <p><b>General Land Use Caption (Clause 18)</b></p> <p>Land use table caption in clause 18 refers to “Table 3 – Zoning Table”. The purpose of the table is to identify land use sensitivity for uses considered within various zones.</p> <p>Yet, clause 18 states that “...the use is not permitted unless the local government...” If table 3 is about land use sensitivity, the wording should rather enable than block land use permissibility. Revised wording, i.e., “...the use is considered, but requires the local government...” would convey a more positive message and portray planning as an enabler of opportunities, rather than blocking the land use opportunities considered under Table 3.</p> <p><b>Background Information</b></p> <p>This section provides a comparison between the current statutory provision applicable to this land under the Serpentine Jarrahdale Town Planning Scheme no 2 (TPS 2) and a Local Structure Plan adopted for Lots 1, 3 &amp; 128 South Western Highway.</p> <table border="1" data-bbox="528 1251 1403 1745"> <thead> <tr> <th>CURRENT PROVISIONS</th> <th>PROPOSED AMENDMENTS</th> </tr> </thead> <tbody> <tr> <td>MRS</td> <td>MRS</td> </tr> <tr> <td>“Urban” and “Primary Regional Roads”</td> <td>“Urban” and “Primary Regional Roads”</td> </tr> <tr> <td>TPS 2</td> <td>TPS 3</td> </tr> <tr> <td><b>ZONE: “Urban Development”</b> The purpose of the Urban Development zone is to provide for the orderly planning of large areas of land in a locally integrated manner and within a regional context, whilst retaining flexibility to review planning with changing circumstances.</td> <td><b>ZONE: “Service Commercial”</b> draft TPS 3 replaces the urban Development Plan, as a structure plan has been approved over the Lots 1, 3 &amp; 128 South Western Highway.</td> </tr> <tr> <td>Pursuant to clause 5.18, a detailed Structure Plan has been adopted for this land. The land is dedicated for a “<b>Mixed Business</b>” use.</td> <td>The Mixed Business zone has been replaced by the Service Commercial zone in TPS 3. The draft TPS 3 therefore incorporates the land use dedication as a new zoning requirements under the scheme.</td> </tr> </tbody> </table>	CURRENT PROVISIONS	PROPOSED AMENDMENTS	MRS	MRS	“Urban” and “Primary Regional Roads”	“Urban” and “Primary Regional Roads”	TPS 2	TPS 3	<b>ZONE: “Urban Development”</b> The purpose of the Urban Development zone is to provide for the orderly planning of large areas of land in a locally integrated manner and within a regional context, whilst retaining flexibility to review planning with changing circumstances.	<b>ZONE: “Service Commercial”</b> draft TPS 3 replaces the urban Development Plan, as a structure plan has been approved over the Lots 1, 3 & 128 South Western Highway.	Pursuant to clause 5.18, a detailed Structure Plan has been adopted for this land. The land is dedicated for a “ <b>Mixed Business</b> ” use.	The Mixed Business zone has been replaced by the Service Commercial zone in TPS 3. The draft TPS 3 therefore incorporates the land use dedication as a new zoning requirements under the scheme.		
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		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; vertical-align: top;"> <ul style="list-style-type: none"> <li>• Office (IP)</li> <li>• Plant Nursery (AA)</li> <li>• Private Recreation (AA)</li> <li>• Public Amusement (AA)</li> <li>• Public utility (P)</li> <li>• Public Worship – Place of (AA)</li> <li>• Radio, TV and Communication Installation (AA)</li> <li>• Service Station (AA)</li> <li>• Shop (IP)</li> <li>• Showroom (P)</li> <li>• Trade Display (AA)</li> <li>• Transport Depot (AA)</li> <li>• Vehicle Hire (P)</li> <li>• Veterinary Establishment (AA)</li> <li>• Warehouse (P)</li> </ul> </td> <td style="width: 50%; vertical-align: top;"> <ul style="list-style-type: none"> <li>• Motor Vehicle Repair (A)</li> <li>• Motor Vehicle Wash (D)</li> <li>• Place of Public Worship (A)</li> <li>• Reception Centre (D)</li> <li>• Restricted premises (A)</li> <li>• Service Station (A)</li> <li>• Shop (P)</li> <li>• Telecommunications Infrastructure (A)</li> <li>• Trade Display (P)</li> <li>• Trade Supplies (D)</li> <li>• Veterinary Centre (D)</li> <li>• Warehouse and Storage (P)</li> </ul> </td> </tr> <tr> <td colspan="2" style="vertical-align: top;"> <p>Clause 5.19 Structure Plans</p> <ul style="list-style-type: none"> <li>• No development in Urban Development zone without structure plan</li> <li>• There are restrictions on the development of a single house in the Urban Development zone, in respect of the impact on a structure plan.</li> </ul> </td> </tr> <tr> <td colspan="2" style="vertical-align: top;"> <p>Appendix 12 provides conditional exemption for the following sign types:</p> <ul style="list-style-type: none"> <li>• Wall (Name, No and Address)</li> <li>• Window (Visible)</li> <li>• Window (Internal, non-visible)</li> <li>• Construction Site</li> <li>• Real Estate</li> </ul> </td> </tr> </table>	<ul style="list-style-type: none"> <li>• Office (IP)</li> <li>• Plant Nursery (AA)</li> <li>• Private Recreation (AA)</li> <li>• Public Amusement (AA)</li> <li>• Public utility (P)</li> <li>• Public Worship – Place of (AA)</li> <li>• Radio, TV and Communication Installation (AA)</li> <li>• Service Station (AA)</li> <li>• Shop (IP)</li> <li>• Showroom (P)</li> <li>• Trade Display (AA)</li> <li>• Transport Depot (AA)</li> <li>• Vehicle Hire (P)</li> <li>• Veterinary Establishment (AA)</li> <li>• Warehouse (P)</li> </ul>	<ul style="list-style-type: none"> <li>• Motor Vehicle Repair (A)</li> <li>• Motor Vehicle Wash (D)</li> <li>• Place of Public Worship (A)</li> <li>• Reception Centre (D)</li> <li>• Restricted premises (A)</li> <li>• Service Station (A)</li> <li>• Shop (P)</li> <li>• Telecommunications Infrastructure (A)</li> <li>• Trade Display (P)</li> <li>• Trade Supplies (D)</li> <li>• Veterinary Centre (D)</li> <li>• Warehouse and Storage (P)</li> </ul>	<p>Clause 5.19 Structure Plans</p> <ul style="list-style-type: none"> <li>• No development in Urban Development zone without structure plan</li> <li>• There are restrictions on the development of a single house in the Urban Development zone, in respect of the impact on a structure plan.</li> </ul>		<p>Appendix 12 provides conditional exemption for the following sign types:</p> <ul style="list-style-type: none"> <li>• Wall (Name, No and Address)</li> <li>• Window (Visible)</li> <li>• Window (Internal, non-visible)</li> <li>• Construction Site</li> <li>• Real Estate</li> </ul>			
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		<div style="border: 1px solid black; padding: 5px;"> <p><b>LSP</b></p>  <p>The LSP identifies a Mixed Business use over the site and also identified an area of 'Landscape Sensitivity' (remnant vegetation).</p> <p>The LSP has been prepared to guide the subdivision and development</p> <p>The LSP does not contain any specific development standards for the Mixed Business zone and requires compliance with the Shire's Local Planning Policy No. 19 Byford Development Requirements, which has been rescinded.</p> <p>The structure plan considers the impact of bushfire on the development and implements a 31m setback along the northern site boundary to mitigate the risk of bushfire from the adjoining reserve. This is being varied by current bushfire risk modelling in a current DA over the northern portion of the land.</p> </div>		
PTS Town Planning IN20/1172	67.	<p><b>SUBMISSION TO DRAFT LOCAL PLANNING SCHEME NO. 3</b></p> <p>We provide the following submission to Local Planning Scheme No. 3, with specific reference to the inclusion of Convenience Store, Market and Veterinary Centre as discretionary land uses in the Light Industry Zone.</p> <p><b>Convenience Store</b></p> <p>We note that a service station can include the sale of goods of a convenience nature, however, a convenience store is not permitted in a light industry zone. We request that a convenience store be a discretionary land use in a light industry zone as this would provide convenience goods to localities in a similar way as a service station, if a service station is not established. A convenience store does not undermine the established retail centres given the limitation in floor size and that it can be already be included as part of a service station.</p>	The Shire does not support the inclusion of the land uses proposed by the submission. All of the subject land uses are considered to be appropriate within the centre zones, which provide for daily and weekly conveniences and services. These land uses are not considered appropriate for the Light Industry zone as they do not align with the objectives of the zone. It should be noted that the land use of 'lunch bar' is permitted within the Light Industry zone.	

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		<p><b>Market</b>  The definition of market includes the display and sale of goods from stalls by independent vendors. The definition does not define the types of goods and therefore may require large areas to establish. Furthermore, the use may or may not be permanent. Consequently, given the type of use, we consider it appropriate to include the use as a discretionary use in the light industry zone.</p> <p><b>Veterinary Centre</b>  A veterinary centre is appropriate for a light industry zone given that it seeks to treat animals, which include both large and small animals. Generally, customers travel by car or larger vehicles (horse float) to a vet and therefore it is appropriate to include in a light industry zone. Furthermore, there may be residential amenity impacts from a veterinary centre, which further suggests that a light industry zone is appropriate.</p>		
<p>Harley Dykstra  on behalf of  Humich  Nominees</p> <p>IN20/10950</p>	<p>68.</p>	<p><b>SUBMISSION TO LOCAL PLANNING STRATEGY AND LOCAL PLANNING SCHEME NO.3 – OAKFORD VILLAGE PRECINCT (LOCAL PLANNING POLICY NO.51)</b></p> <p>I refer to the above and confirm that this correspondence represents a submission on behalf of Humich Nominees, landowners of Lot 698, 196, 197 and 213 Nicholson Road Oakford. Humich Nominees are the prime owners and developers promoting the Oakford Village project pursuant to Council's adopted Local Planning Policy 51 (LPP 51).</p> <p>By way of background, the Shire will be well aware of the long-standing support for the Oakford Village Concept, that was initially identified in the Shire's 1994 Rural Strategy and ultimately made its way into LPP 51 and a subsequent MRS Amendment for urban re-zoning of portion of the precinct, adopted by the Shire in 2012 and reiterated/resubmitted to the WAPC in 2014. The Oakford Village has always been seen as a strategically located village that could function as both a village lifestyle opportunity, a rural and agricultural enterprise opportunity, and a village hub and service centre for the wider surrounding rural-residential and rural-agricultural hinterland around Oakford.</p> <p>The subject land that has been earmarked for the Oakford Village under LPP 51 Concept Plan is increasingly being recognised as very unconstrained and developable land due to attributes including: cleared of native vegetation; elevated sand landform; excellent drainage capability; and its unfragmented status. Further, the Oakford Village Precinct is increasingly being well served by major government infrastructure including the Thomas Road – Anketell Road upgrade plans associated with Westport, new roundabout proposed for Thomas Road and Nicholson Road intersection, new traffic bridge at the corner of Nicholson Road and Armadale Road, and new rail extension to Byford which brings public transport closer to the Oakford Village Precinct. Further a new service station, convenience store and liquor store are currently being established on the subject land subject to a recent planning approval. The existing community fire station site has also been established on the land for a very long time and is likely to be upgraded to a more substantial facility over the</p>	<p>The Shire has identified two types of development investigation areas on the Strategy map:</p> <ul style="list-style-type: none"> <li>- Development investigation areas (Shire led)</li> <li>- State planning investigation areas (State Government led)</li> </ul> <p>These investigation areas are still subject to future planning and it should not be assumed that land use change is intended; rather the investigation is there to enable a more detailed look at the area in question to determine what if any change is appropriate. If the land use changes in the future.</p> <p>As part of the Perth and Peel@ 3.5 million, the Sub-regional Planning Frameworks (Frameworks) identified some sites as Planning Investigation Areas, where further detailed work and strategic land use decisions need to be made by Government to determine whether any possible change to current zonings may be appropriate. These areas will be considered as a part of the strategic review of Perth and Peel as well as the review of the Local Planning Strategy. Until this work has been undertaken the areas should not be construed to support for rezoning, as there is a potential that as a result of detailed investigations more intensive development may not be suitable.</p> <p>The Western Australian Planning Commission outlined that the state planning investigation areas are intended to be resolved prior to the review of the Frameworks, which is anticipated to commence in 2021.</p>	

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		<p>coming years. All this combined assists in facilitating and bringing forward the reality of Oakford Village being established in the short-medium term. It is understood that the new advertised Local Planning Framework (Strategy and Scheme) shows a portion of the land under LPP 51 within the rural land precinct, and then shows a portion within the rural enterprise precinct, with an overlay also illustrating the State Planning Investigation Area. In the context of the above, on behalf of Humich Nominees, we submit the following:</p> <ol style="list-style-type: none"> <li>1. LPP 51 overlay area ought to be illustrated on the Local Planning Strategy Map, given that this represents a long held position of the Shire for its future strategic planning of the area, and given that the policy itself was accepted by both the Shire and the WAPC as a framework to clearly articulate the planning steps that need to be followed to allow and facilitate the ultimate development of the Oakford Village. To ignore such a significant project and policy when preparing a Shire-wide Local Planning Strategy is really leaving a significant piece out of the planning puzzle. It is therefore requested that the area covered by LPP 51 be identified on the Local Planning Strategy Map, and the area be referenced as a policy overlay for Oakford Village;</li> <li>2. The Local Planning Strategy illustrates the western portion of LPP 51 area as a "Rural Enterprise Precinct". Whilst it is understood that the aim for this precinct is to reflect the existing subdivision pattern and predominant land uses, it is true that this precinct identification will give rise to further rural enterprise and light industry development within the precinct. This may then be in conflict with the potential Oakford Village or other development plans that arise out of the Planning Investigation Area. It is therefore suggested that the identification of this "Rural Enterprise Area" within the Planning Investigation Area is premature and should be removed until such time as the outcomes of the Planning Investigation Area are known; and</li> <li>3. The proposed Local Planning Scheme also illustrates the same land as identified in point 2 above and includes it within the Rural Enterprise zone. It is proposed that the Rural Enterprise zone be withdrawn from the section of land that is affected by the Planning Investigation Area, for the reasons already outlined in point 2 above.</li> </ol> <p>I trust that the above submission and succinct requests are clear and also reflect the discussions that we have been having over the past months in relation to planning for Oakford Village. We would certainly appreciate the opportunity to liaise with the Shire further on this matter, so that when the final form of the Local Planning Framework is presented to Council, we have had adequate opportunity for input and discussion before the final decision.</p>	<p>The Shire has identified this under the Strategy as a State development investigation area which was outlined to be reviewed and decided upon by 2021, subject to future planning and land capability studies.</p> <p>Local Planning Policy No.51 outlines the following policy objectives:</p> <ul style="list-style-type: none"> <li>- Provide a framework to support implementation of the Rural Economic Living Area (RELA) identified by the Jandakot Structure Plan and the Oakford Rural Village identified within the Shire of Serpentine Jarrahdale Rural Strategy.</li> <li>- Provide a framework to explore opportunities for innovation in the development of a rural village and economic living area in the Oakford locality, and</li> <li>- Provide guidance for the sequencing of planning and outlining matters to be addressed in planning for the Oakford Rural Village and RELA.</li> <li>- To provide clarity and certainty to applicants, landowners, the broader community and Council with regard to Oakford, whilst ensuring a level of flexibility and providing a framework to respond to changes in strategic direction.</li> </ul> <p>The proposed modifications to the Draft Strategy are to reflect the long-term planning for the Oakford Village that has occurred since it was originally identified in the Shire's 1994 Rural Strategy. The Oakford Village is also identified within the Jandakot Structure Plan, which was approved by the WAPC in 2007. The Jandakot Structure Plan proposed a small rural village in Oakford at the intersection of Thomas Road and Nicholson Road. The Jandakot Structure Plan envisaged that the Oakford Village would incorporate the <i>'key elements of traditional rural towns with a main street, focused social infrastructure and a gradation of lot sizes'</i>. The Oakford Village concept is also identified within the Shire's Local Planning Policy 51 - Oakford Rural Economic Living Area Planning Framework (LPP51), which was adopted in 2011.</p>	

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<p>Harley Dykstra on behalf of Humich Nominees Pty Ltd and Far Super Pty Ltd IN20/1825</p> <p>(late submission)</p>	<p>69.</p>	<p><b>OAKFORD VILLAGE PRECINCT (LOCAL PLANNING POLICY NO.51)</b>  I am writing to supplement the submission made by Harley Dykstra with regard to LPS 3 on behalf of Humich Nominees Pty Ltd and Far Super Pty Ltd in respect of Lot 196 Thomas Road, Oakford. This submission is intended to be read in conjunction with that earlier submission on the draft Local Planning Strategy and Local Planning Scheme No. 3 (LPS 3) already received by the Shire, which requested appropriate recognition of Oakford Village within the updated local planning framework (the Strategy and LPS 3).</p> <p>Specifically this supplementary submission deals with Lot 196 Thomas Road which has been developed and used for the purposes of service station, liquor store and convenience store since as far back as the 1970s and trades as Oakford Traders. As such it is, and has been for decades, a traditional and recognised part of this community and has been relied upon for those purposes by generations of local residents.</p> <p>An approval to redevelop this site was granted in 2013 and has been extended by the Metro East JDAP Panel on a number of occasions. The redevelopment is now well under way with substantial development having already commenced. A temporary access permit to facilitate the works was granted by both the Shire and Main Roads in February 2019, followed by Shire Approval of the Urban Water Management Plan in April 2019. A building licence for earthworks was granted by the Shire on 9 August 2019 and work has progressed steadily and substantially since those dates.</p> <p>The Final Report on the Sub-Regional Framework has identified the locality comprising the substantial majority of the Humich landholding as Planning Investigation thereby recognising the potential for this land to achieve the uses other than Rural first signalled by the Shire in approving LPP 51 which related entirely and only to Oakford Village. In fact the Shire Councillors have recently reaffirmed their position on this land by voting not to delete LPP 51 from the Shire suite of local policies. LPP 51 was followed by an MRS amendment showing this site as Village Commercial which currently rests in abeyance awaiting further progression once the Department for Planning, Lands &amp; Heritage finish and publish their investigations. Our understanding is that the Department is close to finalising and publishing its investigations for this locality which militates against any steps which may cut across what the Department have in contemplation.</p> <p>Our clients are therefore significantly concerned to note that draft LPS3 proposes that a service station in the Rural Zone be a prohibited use given the history of Oakford Traders and the investment and progression into its redevelopment which is in danger of changing the service station use to a non-conforming and therefore an endangered use. The situation of Oakford Traders is entirely different to that of the proposed service station at Lots 12 and 50 immediately opposite where no investment commitment has been made and no action taken to implement an approval granted over 15 months ago.</p>	<p>The Shire's objective in the Rural zone is to prevent the proliferation of service stations, rather supporting the development of a more strategic road house uses. While the objectives of the Rural zone allow for some non-rural land uses to be considered where they have demonstrated benefit and are compatible with surrounding rural uses, officers do not consider that the land use of service station provides such benefit or is compatible with rural uses.</p> <p>A Road House is a discretionary use within the 'Rural' zone and can therefore be accommodated subject to planning approval.</p> <p>Existing approvals can continue under non-conforming land uses rights.</p>	

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		<p>Similarly, the existing liquor store and approved convenience store would also be designated as 'X' uses and would be considered non-conforming uses under the new scheme. Similar comments apply to those uses.</p> <p>The sum of the existing uses in Oakford Traders, which uses are perpetuated in the new development, are a substantial community benefit relied upon by local residents and passing trade alike. A potential to lose these uses as a consequence of the proposed treatment of them inside draft LPS 3 would be a considerable detriment to the local farming community.</p> <p>The specific purpose of this supplementary submission therefore is to request that the longstanding existing commercial use of Lot 196 be formally recognised in the new scheme by including liquor store, convenience store and service station as 'Additional Uses' on the site (i.e. by Lot 196 Thomas Road being included within Schedule 1 – Additional Uses of LPS 3). In addition the Shire may wish to include a Growers Market into that list in recognition of the rural nature of the surrounding community.</p> <p>I trust the above supplementary submission is clear and considered logical by the Shire, particularly in the context of the discussions we have been having over the past months in relation to planning for Oakford Village.</p> <p>We would certainly appreciate the opportunity to liaise with the Shire further on this matter, so that when the final form of the local planning framework is presented to Council, we have had adequate opportunity for input and discussion.</p>		
<p>Allerding &amp; Associates  2 Thomas Road  Pty Ltd  125 Hamersley Road  SUBIACO  IN19/27300</p>	<p>70.</p>	<p>We have been engaged by 2 Thomas Road Pty Ltd to prepare a submission in respect of the Shire of Serpentine-Jarrahdale Draft Local Planning Scheme No. 3 (<b>Draft LPS3</b>). Our client is the owner of the land at Lot 2 and Lot 42 (No. 1153) Thomas Road, Oakford (<b>subject site</b>).</p> <p>The basis of this submission is to note that, whilst we do not object to the progression of Draft LPS3 generally, we have concerns with the permissibility of uses of land within the Rural Enterprise zone. We consider that the land use permissibility of certain land uses within the Rural Enterprise zone should be amended to better reflect the intended objectives and intent of the zone and the Jandakot Groundwater Protection area which covers a large portion of the zone. This includes changing the land use permissibility for an "industry – extractive" use from 'X' to 'A' in the Rural Enterprise zone under Table 3 – Zoning Table to facilitate the sequential mining of the area to extract valuable basic raw materials to prepare the land for future land use and development as anticipated under Draft LPS3. This would also facilitate the continued supply of this important sand resource to nearby urban expansion areas, including Byford, for use by the construction industry.</p> <p>The basis for this is outlined in our submission below.</p> <p>1. <u>Overview of Importance of Basic Raw Materials within the Shire of Serpentine-Jarrahdale</u></p>	<p>The Shire does not support the land use of Industry – Extractive in the Rural Enterprise zone. The objectives of the zone as follows:</p> <ul style="list-style-type: none"> <li>- To provide for light industrial and ancillary residential development on one lot.</li> <li>- To provide for lot sizes in the range of 2 ha to 4 ha.</li> <li>- To carefully design rural enterprise estates to provide a reasonable standard of amenity without limiting light industrial and intensive agricultural land uses.</li> <li>- To notify prospective purchasers of potential amenity impacts from light industrial land uses.</li> <li>- To ensure light industrial land uses do not adversely affect soils, watercourses and other water resources.</li> </ul> <p>The Industry – Extractive land use is not considered to align with the zone objectives and is defined under the Scheme as:</p>	

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		<p>It is well understood that basic raw material in the form of sand resource exists in this locality, which is characterised by undulating topography containing large deposits of sand suitable for the construction industry. Access to this known source of sand within and surrounding the subject site, which is located in close proximity to urban expansion and infill projects within Byford, Oakford, Cardup, Piara Waters, Harrisdale and Baldivis, results in reduced travel time with consequential and significant reductions in carbon emissions and material wear and tear which would otherwise arise if it was necessary to travel from more extraction sites. It is also recognised that extractive industry can be a temporary use and given its use in the development of urban areas for buildings, roads and infrastructure, its cost effectiveness often requires proximity to the urban areas.</p> <p>Further, in order to prepare the land for the types of industrial and intensive agricultural land uses anticipated under the Rural Enterprise zone of Draft LPS3, significant earthworks may be required to create development sites with suitable contours to facilitate these types of uses. It is an established principle under both State Planning Policy 2.4 – Basic Raw Materials (<b>SPP2.4</b>) and Draft State Planning Policy 2.4 – Basic Raw Materials (<b>Draft SPP2.4</b>) that “to facilitate the exploitation of basic raw materials whilst supporting future long- term development for urban and other purposes, sequential land use planning should be a requirement whereby extraction and rehabilitation can take place on a programmed basis in advance of longer-term use and development.”</p> <p>Given that a known sand resource exists in this locality, which will ultimately require some form of extraction to facilitate appropriate development sites for present and future land use planning, it would be inappropriate for an Industry – Extractive land use to be prohibited in the Rural Enterprise zone under Draft LPS3. If this was to occur, it would directly conflict with the intent of both SPP2.4 and Draft SPP2.4 which seek to prioritise the sequential extraction of basic raw materials ahead of the final intended land use.</p> <p>The recognition and protection of known basic raw materials is a key objective and strategy measure outlined in Clause 5.4.4 of Part 1 of the Shire’s Draft Local Planning Strategy. Part 2 (Background Information and Analysis) of the Draft Strategy also recognises the importance of basic raw materials in the following terms at Clause 4.10.6:</p> <p>“Basic raw materials (BRM) are construction materials such as sand, clay, rock and limestone. Aside from depletion, local BRM supplies are now becoming increasingly constrained by the growth of the city and important environmental considerations. The need to reduce future BRM requirements is an important part of the planning behind future urban and industrial development. BRM resources should be protected where feasible to secure strategic basic raw material resources to meet predicted future needs.”            (Underline emphasis added)</p>	<ul style="list-style-type: none"> <li>- means premises, other than premises used for mining operations, that are used for the extraction of basic raw materials including by means of ripping, blasting or dredging and may include facilities for any of the following purposes –</li> <li>- a. the processing of raw materials including crushing, screening, washing, blending or grading;</li> <li>- b. activities associated with the extraction of basic raw materials including wastewater treatment, storage, rehabilitation, loading, transportation, maintenance and administration.</li> </ul> <p>The land use is likely to create noise and emissions which may impact the amenity of surrounding residents, businesses and agricultural land uses. The Shire does not support changing the permissibility of Industry – Extractive within the Rural Enterprise zone under the Draft Local Planning Scheme No.3.</p>	

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		<p>The protection of basic raw materials therefore ought to be a focus of Draft LPS3 given that it represents a critical resource to the urban expansion areas within the Shire, including nearby Byford. Draft LPS3 should not place further constraints on this important land use through zoning controls.</p> <p>Further, it is considered that the Industry – Extractive land use is one that can occur in accordance with the objectives of the proposed Rural enterprise zone under Draft LPS3 given that it represents a land use which can be appropriately managed to avoid adverse impacts on the amenity of the surrounding area, particularly having regard to the low impact nature of sand extraction. This is also noting that the proposed Rural Enterprise zone contemplates industrial and intensive agricultural land uses which result in higher amenity impacts compared with other primarily rural-residential zones within the Shire which contemplate higher residential amenity outcomes within a rural living environment.</p> <p>However, as previously noted, the Industry – Extractive land use is also recognised as a use which is likely to occur early in the land use planning process ahead of and in preparation of the establishment of the range of land uses intended for the Rural Enterprise zone, regardless of whether or not these are ultimately accepted within the groundwater protection area.</p> <p><u>2. Current Zoning under TPS2</u>  The subject site and surrounding properties are presently zoned Rural Groundwater Protection under the Shire’s Town Planning Scheme No. 2 (<b>TPS2</b>).</p> <p>Clause 5.20 TPS2 contains the relevant provisions for the Rural Groundwater Protection zone. 5.20.1 requires that “The use and development of land within the Rural Groundwater Protection Zone shall be in accordance with the provisions of the Scheme and Statement of Planning Policy No. 2.3”. Clause 5.20.2 lists the land use permissibilities for the zone and notes that where a use is not listed, it is deemed to be prohibited in the zone. An “Industry Extractive” use is identified as an ‘SA’ use in the zone, meaning that “the Council may, at its discretion, permit the use after notice of the application has been given in accordance with Clause 64 of the Deemed Provisions”.</p> <p>Under State Planning Policy 2.3 – Jandakot Groundwater Protection (<b>SPP2.3</b>), the subject site and surrounding properties are located in the P2 area. Section 6.2 of SPP2.3 contains the relevant land use policy measures, including:</p> <ul style="list-style-type: none"> <li>a) Any land use that is approved in the policy area is to maximise protection against water quality contamination risks.</li> <li>b) Best practice management is required for land uses in the policy area to protect public health and ensure the ongoing availability of a safe, reliable, low cost and good quality drinking water now and into the future.</li> <li>d) P2 areas (Rural-Water Protection zone of Metropolitan Region Scheme)  The acceptability of land uses in the Rural-Water Protection zone is based on the objective of risk minimisation. Low risk and intensity of development</li> </ul>		

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		<p>consistent with the Rural zoning is generally supported, subject to appropriate conditions.</p> <p>g) Land use compatibility</p> <ul style="list-style-type: none"> <li>• Guidance on the acceptability of land uses, activities and subdivision within P1, P2 and P3 areas within the policy area is provided in Water quality protection note 25: Land use compatibility tables for public drinking water source areas contained in previous versions of this policy.</li> </ul> <p>Under the policy provisions of SPP2.3, the acceptability of a land use within the P2 area is determined based upon the ability for a proponent to demonstrate that land management practices will protect the groundwater resource and minimise risk.</p> <p>SPP2.3 also refers to the Water Quality Protection Note 25: Land use compatibility tables for public drinking water source areas (<b>WQPN25</b>) for guidance on the acceptability of land uses in P2 areas.</p> <p>WQPN 25 decrees that an extractive industry (sand) is compatible with conditions within a P2 area. WQPN 25 notes that land uses which are designated as "compatible with conditions" are generally considered to be:</p> <p>"...appropriate within the applicable priority area, provided best management practices are used and any approval conditions imposed by the decision-making authority are met."</p> <p>3. <u>Proposed Zoning under Draft LPS3</u></p> <p>The subject site and surrounding properties are identified within the Rural Enterprise zone under the Shire's Draft LPS3.</p> <p>The objectives of the Rural Enterprise zone are set out under Clause 16 (Table 2) of Draft LPS3 as follows:</p> <ul style="list-style-type: none"> <li>• To provide for light industrial and ancillary residential development on one lot.</li> <li>• To provide for lot sizes in the range of 2 ha to 4 ha.</li> <li>• To carefully design rural enterprise estates to provide a reasonable standard of amenity without limiting light industrial and intensive agricultural land uses.</li> <li>• To notify prospective purchasers of potential amenity impacts from light industrial land uses.</li> <li>• To ensure light industrial land uses do not adversely affect soils, watercourses and other water resources.</li> </ul> <p>Under the zoning table (Table 3) of Draft LPS3, an "industry – extractive" use is an 'X' use (not permitted) in the Rural Enterprise zone.</p> <p>The subject site and surrounding properties are also within Special Control Area 3 – Jandakot Groundwater Protection (SCA3). The relevant provisions of SCA3 under Schedule 3 of Draft LPS3 include:</p>		

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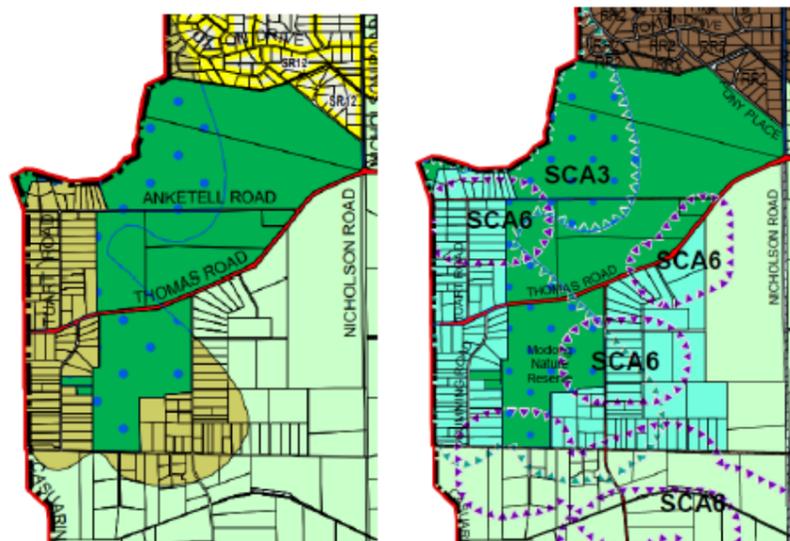
“1. Development within SCA3 should be consistent with State Planning Policy 2.3: Jandakot Groundwater Protection Policy and the Department of Water and Environmental Regulation’s Water Quality Protection Note No. 25 – Land Use Compatibility Tables for Public Drinking Water Source Areas (as amended). ...”

4. Discussion

Based on the existing and proposed scheme provisions relating to compliance with SPP2.3 and WQPN25, there is no restriction on extractive industry uses occurring in groundwater protection areas, provided that the operation is capable of demonstrating acceptable environmental outcomes, including the minimisation of groundwater impacts.

A comparison of the land use permissibility of the Groundwater Resource zone (under TPS2) and the Rural Enterprise zone (under draft LPS3) is provided in **Attachment 1**.

It is recognised that the Rural Enterprise zone (under Draft LPS3) is intended to replace a large area of land currently zoned Groundwater Resource under TPS2, including the subject site (refer **Figure 1**). A large portion of the Rural Enterprise zone (under Draft LPS3) is also contained within the P2 area under SPP2.3 and recognised by SCA3.



**Figure 1** – Comparison of Rural Groundwater Protection Zone under TPS2 (left) with Rural Enterprise Zone under Draft LPS3 (right)

As demonstrated in the comparison table at **Attachment 1**, a number of proposed land uses for the Rural Enterprise zone have been included as permissible uses

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		<p>within the zone, despite being identified as incompatible in the P2 area under WQPN25, including:</p> <ul style="list-style-type: none"> <li>• Agriculture – Intensive;</li> <li>• Animal Establishment (some forms);</li> <li>• Brewery;</li> <li>• Civic Use (some forms);</li> <li>• Community Purpose;</li> <li>• Fuel Depot;</li> <li>• Garden Centre;</li> <li>• Industry – Light;</li> <li>• Industry – Service;</li> <li>• Motor Vehicle Repair;</li> <li>• Resource Recovery Centre;</li> <li>• Rural Industry; and</li> <li>• Shop.</li> </ul> <p>This represents potentially 13 of the 29 uses recognised as either permitted or discretionary uses within the Rural Enterprise zone under Draft LPS3, but which are incompatible in the P2 area under WQPN25. This is also noting that the Industry – Extractive land use is identified within WQPN25 as compatible in P2 areas, subject to conditions, despite being identified as an ‘X’ use (not permitted) “industry – extractive” use in the Rural Enterprise zone.</p> <p>The constraints on land use arising from the application of the WQPN25 has the potential to restrict the very land uses required for the achievement of the objectives of the Rural Enterprise zone due to the large proportion of the zone covered by the Jandakot Groundwater Protection area.</p> <p>We submit that the land uses permissibilities ought to be reconsidered to better reflect the compatible land uses under WQPN25, including the inclusion of the Industry – Extractive use as a permissible use within the Rural Enterprise zone.</p> <p>5. <u>Conclusions</u></p> <p>It is our submission that the proposed land uses identified for the Rural Enterprise zone under Draft LPS3 should be reviewed to better reflect the groundwater protection outcomes of SPP2.3 due to the extent to which the groundwater protection area covers the zone. We also submit that the Industry – Extractive land use is one which ought to be afforded protection by the Shire given its importance in the construction industry and therefore be included as a discretionary land use in the Rural Enterprise zone under Draft LPS3 as it:</p> <ul style="list-style-type: none"> <li>• is capable of operating in accordance with the objectives of the zone and SPP2;</li> <li>• represents a use which is capable of facilitating the achievement of future land use within the zone through the sequential mining of the sand resource and subsequent rehabilitation for future uses;</li> <li>• is well located to support nearby urban expansion and infill projects; and</li> </ul>		

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		would also avoid the sterilisation of access to this valuable basic raw material for utilisation in future development occurring within the zone.		
Megara on behalf of Byford SPV IN20/838 IN20/1191	71.	<p><b>RE DRAFT TOWN PLANNING SCHEME NO. 3: ADVERTISING SUBMISSION</b>  <b>AFFECTED ADDRESS: 640 SOUTH WEST HIGHWAY, BYFORD</b>  Megara acts for the Byford SPV T/A Stavretis Property Trust No. 3, owners of 640 South West Highway Byford (subject site), with respect to the above matter.</p> <p>To this end we contend that proposed Draft Town Planning Scheme No 3 (draft TPS3) is not consistent with the principles of orderly and proper planning, and warrants a change to the Local Centre zone for the subject land, on the basis of the following:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> The proposed 'Urban Development' zone with 'Residential (R20)' classification under the current structure plan is effectively sterilising it from development due to the land's contaminated status and restrictions under the Contaminated Sites Act 2003.</li> <li><input type="checkbox"/> The proposed 'Urban Development' zone, which would require structure planning, is no longer warranted on a small single land parcel, where the surrounding area has been development without a structure plan and is proposed to be zoned 'Residential R20'. The subject site is capable of being developed under the Development Application process with the appropriate underlying zoning as described below.</li> </ul> <div data-bbox="516 1163 1299 1663" data-label="Figure"> </div> <ul style="list-style-type: none"> <li>• The development of residential or other noise sensitive land uses would require built form treatments (including a 3m high noise wall along the Thomas Road and South Western Highway frontages) resulting in a poor design outcome in terms of streetscape amenity at a prominent corner location.</li> <li>• The subject site has direct exposure to passing trade at a prominent entry point to the Byford locality, warranting the consideration of commercial/retail uses.</li> </ul>	The subject site is zoned Urban Development under the Draft Local Planning Scheme No.3. This site is currently subject to a proposed amendment to the Byford District Structure Plan (DSP). Given that the proposed DSP amendment has not been finalised at this stage, it is considered premature and not consistent with orderly and proper planning to change the zoning of the subject site from Urban Development under the Draft Local Planning Scheme No.3.	

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		<ul style="list-style-type: none"> <li>• Traffic levels potentially generated by a commercial/retail development on the subject site are capable of being accommodated safely and efficiently within the surrounding road network.</li> <li>• The surrounding residential locality has no convenience retail or other commercial offering serving the day to day needs of residents and would benefit from the provision of a limited amount of retail/commercial floorspace on the subject site.</li> <li>• There is a sizable undersupply of existing / planned retail and commercial floorspace in the Byford locality. Given the size of the subject site and the scale of floorspace potentially achieved, its potential development for commercial/retail uses is not expected to negatively impact on the Byford Town Centre, nor any other nearby centres.</li> <li>• Optimisation of commercial / retail activities on the subject site is consistent with subregional planning framework objectives, given its location at the intersection of important regional roads and bus routes, and its proximity to the future passenger rail line and potential Byford railway station location.</li> <li>• An assessment of various potential land uses as defined in Draft TPS3 has found that the site is particularly well suited to the establishment of commercial/retail land uses in the Local Centre zone, but is poorly suited to accommodate sensitive land uses such as Aged and Dependent Persons Dwelling, Child Minding Centre and all forms of Residential.</li> </ul> <p>The above analysis is based on the analysis of appropriate uses for the land undertaken as part of the Byford Structure Plan Amendment, as prepared by Planning Solutions and currently out for public comment, please refer to- <a href="https://www.sjshire.wa.gov.au/consultations/open-forcomment/structure-plan-amendment-for-inspection">https://www.sjshire.wa.gov.au/consultations/open-forcomment/structure-plan-amendment-for-inspection</a>.</p> <p>Having regard for the land use permissibility arrangements presented in the zoning table of Draft TPS3, it is considered that the 'Local Centre' zone is most closely aligned with the suitability of land uses as described in the above analysis, namely: Convenience Store, Fast Food/ Takeaway, Market, Office, Restaurant, Service Station, Shop, Showroom.</p> <p>We respectfully seek a change to the zoning under draft TPS 3 to the Local Centre zone and would be pleased to engage further with the Shire in order to resolve the existing land use planning issues currently preventing the site's development.</p>		
Gangemi IN19/27607	72.	<p>We support rural residential 1. 1 &amp; 2 ha lots</p> <p>Below is my submission on the Draft TPS No 3 and Draft Local Planning Strategy. Amendment 205 to the Shires TPS No 2 was recently finalised resulting in Lots 47,48 and 809 being zoned Farmlet. The draft TPS No 3 Maps do not reflect this change in zoning. The subject Land is still zoned Rural.</p>	<p>The Shire supports the zoning of Lots 47, 48 and 809 Shanley Road, Mardella as Rural Smallholdings to reflect the Scheme Amendment 205 to Town Planning Scheme No.2 which rezoned the land as Farmlet.</p>	<p><b>Scheme Map 3</b></p> <p>Zone Lots 47, 48 and 809 Shanley Road, Mardella as Rural Smallholdings.</p>

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		<p>The Farmlet zoning has been removed from the list of zones under Draft TPS No 3 and effectively replaced by Rural Smallholdings zone which provides for lot sizes from 4.0ha to 40 ha. Whilst TPS No 3 should at least reflect this zoning in the short term, it is considered such zoning is not appropriate in the longer term. For that reason the Draft Local Planning Strategy document should not show the subject land (and other land around it) as Rural Small holdings but as Rural Residential with lot sizes of 1 to 2 hectares which will result in a far more efficient use of land in close proximity to the Mundijong town site.</p> <p>By way of background information I provide the following explanation.</p> <p>At the time of initially preparing the scheme amendment, there were a number of uncertainties. These matters included:</p> <p>The Shire's Rural Strategy had still not been finalised.</p> <p>The WAPC's Planning Frameworks documents hadn't been finalised.</p> <p>There was no certainty in respect to the timing of construction of Tonkin Highway from Thomas Road to South Western Highway (through the subject land).</p> <p>There was some resistance to initiating the scheme amendment at the time due to the above uncertainties. A number of meetings were subsequently held between myself and the DPLH (including with the Chairman of the Commission at the time Mr Eric Lumsden) and the Shire.</p> <p>Although the Shire's draft Rural Strategy had identified the land as Residential and Stables (2.0ha minimum lot size) the Chairman was of the view that there were too many small rural holdings in the Peel Region (including SJ) and indicated that the Commission would likely only support lots of 4.0ha minimum area. As I have been trying to rezone my land for almost 40 years I decided any rezoning was better than nothing as Rural land was no longer viable for agricultural use. Accordingly I agreed to progressing with a scheme amendment to rezone the land to Farmlet.</p> <p>Since the process to initiate the scheme amendment commenced a number of important milestones have been reached as follows:</p> <p>The Shires Rural Strategy has been finalised identifying the subject land as "Frameworks Investigation Area".</p> <p>The WAPC's Planning Frameworks documents have been finalised which identifies the land as Rural Residential (1.0ha - 4.0ha)</p>	<p>Further investigation / land capability studies need to be undertaken for the site.</p> <p>Under the Strategy the Shire may consider Rural Smallholdings zoning in the future as the land aligns with the objective of the Rural Smallholdings zoning:</p> <ul style="list-style-type: none"> <li>- <i>To provide for lot sizes in the range of 4 ha to 40 ha.</i></li> <li>- <i>To provide for a limited range of rural land uses where those activities will be consistent with the amenity of the locality and the conservation and landscape attributes of the land.</i></li> <li>- <i>To set aside areas for the retention of vegetation and landform or other features which distinguish the land.</i></li> <li>- <i>To provide for a rural character and amenity with associated residential development.</i></li> </ul> <p>The area has also been defined as Residential and Stables which aims to provide a separate area for intense equine activities which could potentially generate offsite impacts that could conflict with the values of traditional rural living areas. The Shire is advocating to support the equine industry throughout the Shire especially in the designated areas within the Shire.</p> <p>The Shire will consider any Scheme amendment based on its merit, as well as its alignment to the Local Planning Strategy. Importantly future scheme amendments will be assessed regarding their alignment with the Local Planning Strategy.</p> <p>The Shire recommends that text be included in the Draft Local Planning Strategy to describe an equine based performance approach for the subject site.</p>	

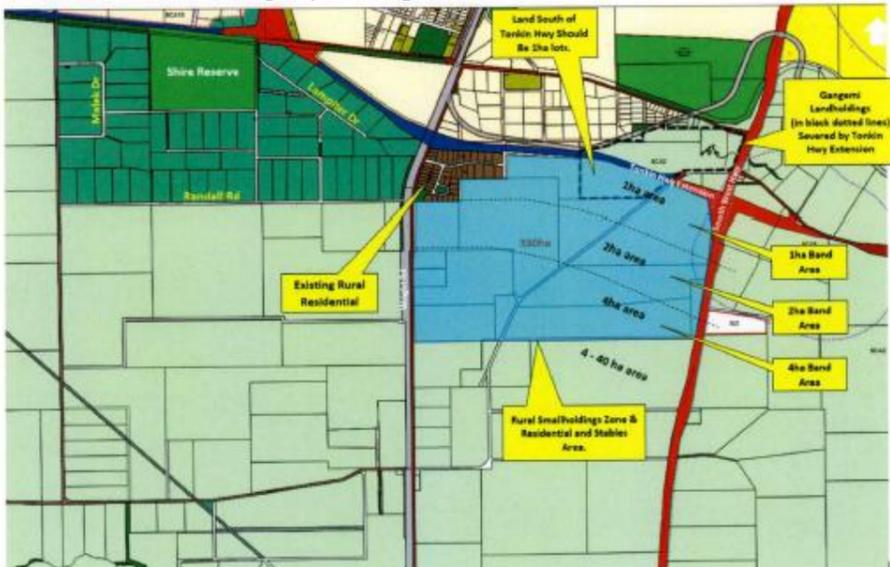
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		<p>The Government has announced plans for the extension of Tonkin Highway from Thomas Road to South Western Highway with works to commence in the next couple of years.</p> <p>And, the Shire has now released the Draft local Planning Strategy and Draft TPS No 3.</p> <p>With the clarity provided by these planning and infrastructure announcements, together with the high capability for smaller rural residential subdivision (as explained in the Land capability Assessment previously prepared) and the close proximity to the Mundijong townsite we are of the view that the creation of 4.0ha Farmlet lots does not optimise the full potential of the land. It is beautiful, undulating, elevated and well drained land far better suited to Rural Residential subdivision of 2.0ha in line with the Planning frameworks and the Shire's initial intent of Residential and Stables in the draft Rural Strategy.</p> <p><b>SUBMISSION ON DRAFT LOCAL PLANNING STRATEGY AND DRAFT LOCAL PLANNING SCHEME NO.3</b></p> <p>Thank you for the opportunity to comment on the Draft Local Planning Strategy and Draft Local Planning Scheme NO.3 (herein referred to 'the Draft Proposal').</p> <p>We act on behalf of Paul Gangemi and Panache Investments Pty Ltd who own a number of properties in Mundijong that are affected by the Draft Proposal. These properties are located on the corner of Watkins Road and South Western Highway as indicated below:</p>  <p>We object to the Proposed Draft Local Planning Strategy and Draft Local Planning Scheme 3, which identifies the southern portion of our landholdings cell as Rural</p>		

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		<p>Small Holdings suitable for 4 hectare lots. This is an area bound by Shanley Road and the Future Tonkin Highway Extension alignment next to South Western Highway.</p>  <p>FIGURE 20: LOCAL PLANNING STRATEGY MAP</p> <p>The consequence of the Draft Proposal which followed the Tonkin Highway Extension alignment will dissect our landholdings in two halves (i.e. northern and southern sides of the Tonkin Highway extension alignment). Under the proposed Draft Local Planning Strategy and the Draft Local Planning Scheme No.3, the southern half is proposed as "Rural Small holdings" also identified as a Residential and Stables Area (minimum 4ha lots) forming part of a larger area earmarked for equine related activities synonymous with the Serpentine -Jarrahdale equestrian heritage.</p> <p>Although we do not object to the southern half of our landholding being identified as Rural Smallholdings in a Residential and Stable Area, we do, however, object to the minimum 4ha of the 4ha - 40ha land area required for Rural Smallholdings in this policy area. The Local Planning Strategy refers to providing a 'buffer' between urban and rural landholdings, and a steady and gradual increment in land sizes as one moves away from urban land from the North fits well with this strategy. The proposed Residential and Stables Area in the Rural Smallholdings Zone should reflect this transition principle with land area gets larger as they move further away from the urban centres.</p> <p>In the Perth Metropolitan area, there are a number of equestrian activity areas that are popular and have created purposely designed precincts for people who live</p>		

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		<p>and work with horses, and for others who are, or would like to be involved with horses in a sport/lifestyle/hobby capacity. These areas include Darling Downs, Swan Valley, Pinjarra and Byford. There are a number of common themes associated with these places and they are inextricably linked to the following:</p> <ul style="list-style-type: none"> <li>. Equine friendly facilities (bridle paths, public open space etc)</li> <li>. **massing of other equestrian related residents</li> <li>. Proximity to urban areas</li> <li>. Proximity to major connecting roads</li> <li>. Proximity of equestrian related businesses and services</li> <li>. Appropriately sized lots</li> <li>. Affordability</li> </ul> <p>Within the Serpentine Jarrahdale Equine Strategy (the Equine Strategy) there are three Strategic Goals. These are:</p> <ol style="list-style-type: none"> <li>1. To strengthen and enhance the Shire's reputation and identity as the leading equine region in WA.</li> <li>2. To support and develop the diversity of equine disciplines within the shire.</li> <li>3. To consider the embedded equine culture when planning and improving the built environment.</li> </ol> <p>To this end, by looking at the culture of equestrian activities, sport and businesses when planning a subdivision of this size we can better support and develop the many varied equine disciplines and only strengthen the reputation and identity of the Shire as the leading equine region in WA.</p>  <p><u>Equine friendly facilities (bridle paths, public open space etc)</u>  The location of this parcel of land adjacent to Wright Road with access to the Webb Equestrian Reserve via Randall Rd puts it in a prime position for extending the bridle trails network in the Southern Equine Hub. Accessibility of bridle trails</p>		

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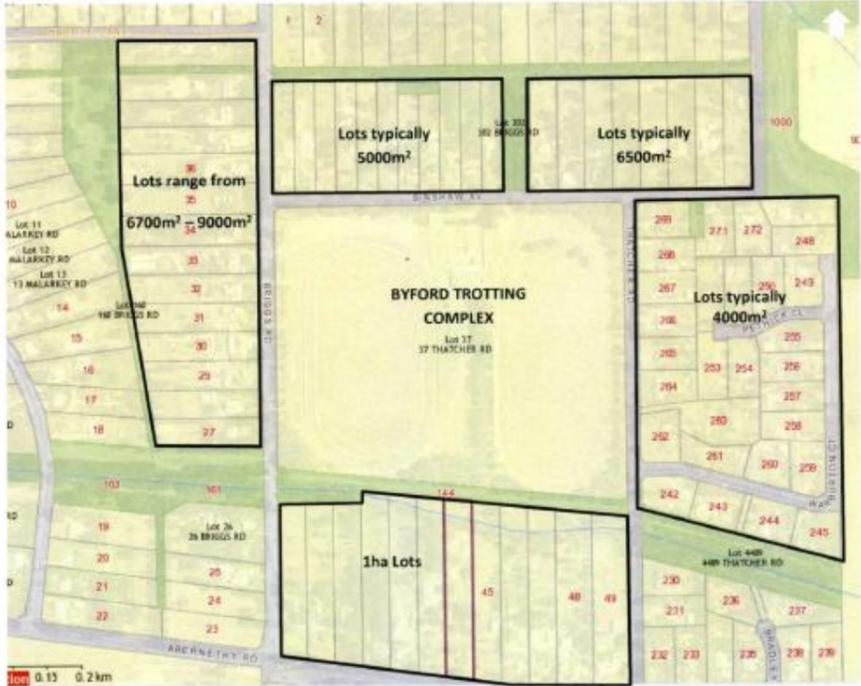
Submitter	No	Submitter Comments	Officer Comment	Officer Recommendation
		<p>and public open space for equine use is a strong factor in choosing an equestrian property. Darling Downs is an area that this is well executed and properties in this area are sought after and have a high equestrian usage. Other similar lot sized areas with less focus on equine friendly facilities have a far larger percentage of non-equestrian use.</p> <p>The Planning Strategy lists the importance of bridle trails to support equestrian activities and having a larger mass of equine population to utilise this expansion of the Bridle trail network in the Southern Equine hub would encourage greater participation and equine activity in the Shire.</p> <p><u>Massing of other equine related residents</u>  Horse people like horse people. They also like to stay away from industrial areas and other non-complimentary activities. It is very attractive to move into a specifically equestrian area where your fellow residents will also have, and understand, horses and their keep. The location of this area within the Southern Equine Hub is sure to bring more equestrians and equine related businesses into the SJ Shire, but they need to have enough properties of appropriate size and price range in the area to create a community of horse people.</p> <p><u>Proximity to Urban Areas and Major connecting roads</u>  Given the continued growth of the Serpentine-Jarrahdale district and the importance of maintaining an equine heritage within the Shire, the expansion of the Southern Equine Hub is vitally important.</p> <p>The reviews of the Rural Strategy to include the area south of the Tonkin Highway Extension alignment for equestrian related activities is sensible and logical because it follows natural geographical features like a major arterial road for ease of access, and clearly delineates the Mundijong urban area from the equine activities, but keep them close enough for convenience to attract the future equestrian related residents</p> <p><u>Proximity of Equestrian related businesses and services</u>  It is imperative that the proposed residential and equestrian area has a critical mass of people to make the equine area commercially viable (i.e. to support services like indoor arenas, training courses, work tracks, coaching facilities, veterinary clinics, farriers and feed stores, and other business services in horse products, services and trade outlets). If there are not enough people and horses to support, these businesses will not come, or stay, in the Shire. <u>Further by providing an attractive area for these people and businesses the Mundijong Residential and Stable Policy Area has the potential to be Western Australia's premier equestrian lifestyle community.</u></p> <p><u>Appropriate Lot Size and Affordability</u>  Successful and popular equestrian areas are generally surrounded by a variety of different lot sizes for a range of equine activities offering choice for people at all levels of interest in horses. To attract the wide range of equestrian activities as outlined in the Equine Strategy, the different cultures and needs of these activities</p>		

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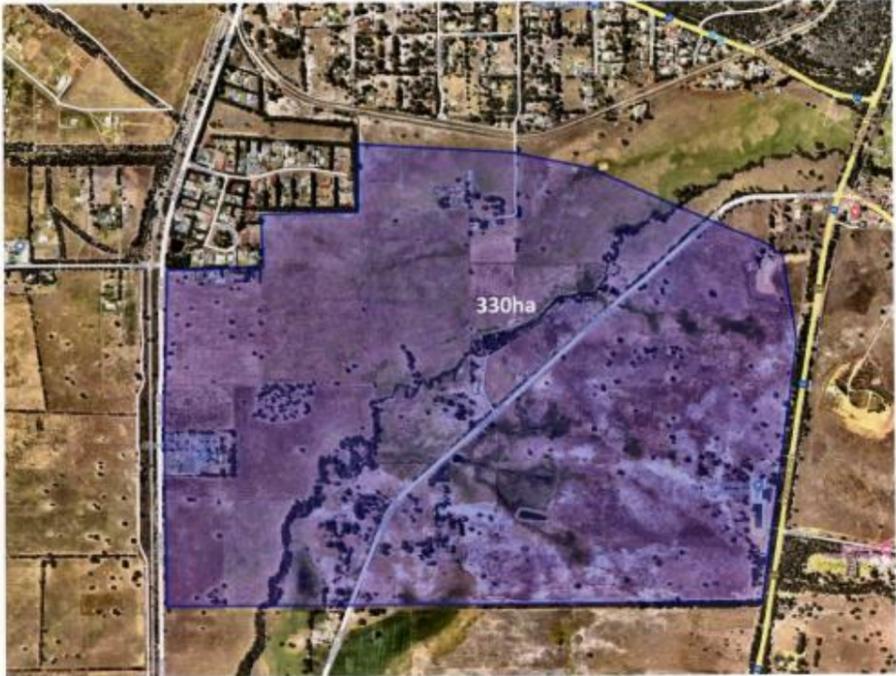
Submitter	No	Submitter Comments	Officer Comment	Officer Recommendation
		<p>needs to be considered, along with the financial **restrictions of the people involved.</p> <p>A person who has one semi-retired 'paddock puff' that goes for a bush ride with friends once a month in summer will have very different requirements in a property to a person who is an active Dressage competitor with 2 horses in work, or a Show Jumping trainer who has 6 horses including agistees and gives lessons 4 days a week, or even a boutique breeder of Andalusians or Miniature Horses, or a thoroughbred racehorse trainer. Each of these activities have varying space requirements and the financial situation of the person will define how much of this will be on their property, and how much will need to be taken to an outside venue/facility or public space. A variety of lot sizes within an equestrian precinct offers the flexibility for the diverse range of equestrian activities that the SJ Shire wishes to encourage, and can only assist in cementing our Shire as the leading equine region in Western Australia.</p> <p>The horse industry in Perth is well established and equestrian estates and lots need to be appropriately designed at the outset to attract, and cater for, a wide group of people with a common interest in horses, but a wide array of requirements in keeping them. In this respect, it is considered prudent to plan for a variety of different lot sizes to suit a wide group of people/budgets with smaller lots closer to urban areas and the lot sizes increasing as they get further away from urbanised area. Varied lot sizes will ensure the required diversity required to make the proposed Mundijong equine area successful and appealing to all people involved in equine pursuits.</p> <p>Below are examples of equestrian lots from the localities of Byford, and Darling Downs:</p>		

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		<p><b>Byford</b></p>  <p>(Typical lot sizes range from 4000m<sup>2</sup> to 1ha).</p> <p><b>Darling Downs</b></p>  <p>(Typical lot sizes range from 1.6ha to 2ha with dedicated rear access bridle path).</p> <p>The land surrounding the Byford Trotting Complex is zoned Special Rural which permits a minimum lot size range from 4000m<sup>2</sup> to 1ha. Therefore, residential and stable lot sizes in the Rural Smallholding should gradually increase from a minimum land area of 10,000m<sup>2</sup> to 4ha or more with the rear section of equestrian lots backing onto the Tonkin Highway Extension so that land less</p>		
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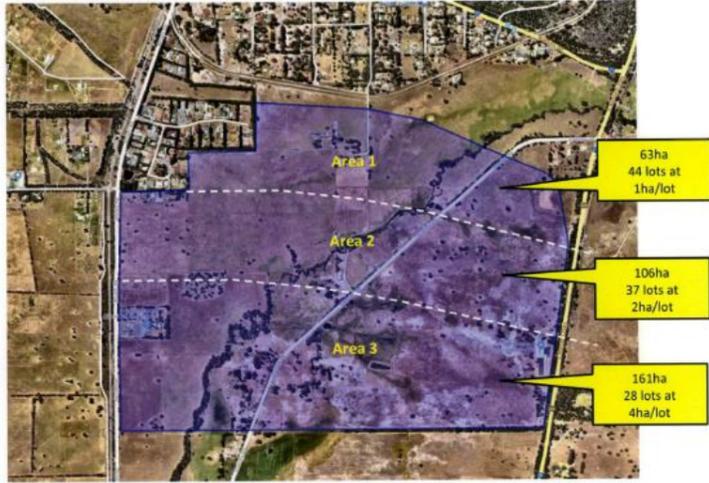
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		<p>suitable for residential living can have the option to be used for equine/composite type uses.</p> <p>Commencing with lot sizes of 10,000m<sup>2</sup> and allowing composite uses backing onto Tonkin Highway will enable horse enthusiasts to reside in the front part of the property while utilising the rear portion of land for keeping of horses or horse related businesses. This is similar to the lots at the current end of the Tonkin Hwy where houses are built forward on the lots with sheds and animal housing towards the rear that backs onto the road reserve. Lots sizes will become larger as the land gets further away from the Mundijong urban cell, creating the buffer referred to in the Local Planning Strategy (Planning Strategy). This gradual increment in land area from intense urban use to rural equine use will enable a variety of residential/stable composite lots, lifestyle hobby lots and the more intense equine training and facility lots to be created with maximum offering at different price point whilst providing choice to the market and achieving a cohesive and compatible land use planning outcome.</p> <p>Based on the current Rural Strategy and the minimum land area requirement of 4ha, we estimate the total lot yield to be 57 lots (refer below).</p> 		

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		<p><b>MUNDIJONG RESIDENTIAL AND STABLE POLICY AREA</b>  <b>ESTIMATED LOT YIELDS</b>  <b>AS PROPOSED BY THE RURAL STRATEGY</b></p> <p><u>Assumptions</u>            Lot size at 40,000m<sup>2</sup> (4ha)            Land required for roads and public amenity 30% of developable land area</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%;">Land area (ha)</td> <td style="text-align: right;">330</td> </tr> <tr> <td>Subdivisible land area (70%)</td> <td style="text-align: right;">231</td> </tr> <tr> <td>Subdivisible land area (m<sup>2</sup>)</td> <td style="text-align: right;">2,310,000</td> </tr> <tr> <td>Lot Yield (in 40,000m<sup>2</sup> lots)</td> <td style="text-align: right;">57</td> </tr> </table> <p>It is highly unlikely that based on the above lot yield scenario for the proposed Mundijong Rural Smallholdings containing the Residential and Stable Area that the equine community services and facilities required to cater for the needs of the Mundijong equine area referred to above would be sustainable.</p>	Land area (ha)	330	Subdivisible land area (70%)	231	Subdivisible land area (m <sup>2</sup> )	2,310,000	Lot Yield (in 40,000m <sup>2</sup> lots)	57		
Land area (ha)	330											
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Submitter	No	Submitter Comments	Officer Comment	Officer Recommendation								
		<p>We therefore propose the following lot densities:</p> <p><b>MUNDIJONG RESIDENTIAL AND EQUESTRIAN COMPLEX</b>  <b>ESTIMATED LOT YIELDS</b>  <b>AS PROPOSED BY G &amp; G CORP</b></p>  <p>The total number of lots in this proposal is 109.</p> <p><b>Area 1</b></p> <p><u>Assumptions</u>          Lot size at 10000m<sup>2</sup>          Space required for roads and public amenity 30% of developable land area</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 80%;">Land area ha</td> <td style="text-align: right;">63</td> </tr> <tr> <td>Subdivisible land area (70%)</td> <td style="text-align: right;">44.1</td> </tr> <tr> <td>Subdivisible land area m<sup>2</sup></td> <td style="text-align: right;">441,000</td> </tr> <tr> <td>Number of 10000m<sup>2</sup> lots</td> <td style="text-align: right;">44</td> </tr> </table> <p style="text-align: center;">8</p> <p>SOSJ - Registered in HPRM</p>	Land area ha	63	Subdivisible land area (70%)	44.1	Subdivisible land area m <sup>2</sup>	441,000	Number of 10000m <sup>2</sup> lots	44		
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		<p><u>Area 2</u></p> <p><u>Assumptions</u>  Lots sizes at 20000m2/Lot  Space required for roads and public amenity 30% of developable land area</p> <table border="0"> <tr><td>Land area ha</td><td style="text-align: right;">106</td></tr> <tr><td>Subdivisible land area (70%)</td><td style="text-align: right;">74</td></tr> <tr><td>Subdivisible land area m<sup>2</sup></td><td style="text-align: right;">742,000</td></tr> <tr><td>Number of 20000m<sup>2</sup> lots</td><td style="text-align: right;">37</td></tr> </table> <p><u>Area 3</u></p> <p><u>Assumptions</u>  Lots sizes at 40000m2  Space required for roads and public amenity 30% of developable land area</p> <table border="0"> <tr><td>Land area ha</td><td style="text-align: right;">161</td></tr> <tr><td>Subdivisible land area (70%)</td><td style="text-align: right;">113</td></tr> <tr><td>Subdivisible land area m<sup>2</sup></td><td style="text-align: right;">1,127,000</td></tr> <tr><td>Number of 40,000m<sup>2</sup> lots</td><td style="text-align: right;">28</td></tr> </table> <p>Total Number of Lots <span style="float: right;">109</span></p> <p>The Byford Trotting Complex has a total land area of 171 hectares with yields of 169 lots with varying lot sizes from 4000m2 to 10,000m2. Byford is close to half of the land area compared with the area proposed in Mundijong, however Byford has close to 3 times more equine lots than there are proposed in the 330ha Mundijong Residential and Stable Policy Area. These minimum 4ha lots will limit the population mass required to make the area attractive and viable to equine businesses, and will price many equestrian enthusiasts out of the property market in the area.</p> <p>We believe that the proposed Mundijong Rural Smallholdings containing the Residential and Stable Area that is double the land area of Byford Trotting Area with a reduced lot yield of 57 lots will not attract the equestrian community to the area. The proposed Mundijong Residential and Stable Area under the current Rural Strategy clearly does not have the critical mass to truly deliver an equestrian zone that provides the level of amenity required to be sustainable for the long term. We strongly urge the Council to consider reducing the minimum lot size of equine lots from 10000m2 upwards and provide a range of lot densities and typology for the benefit of a wide cross section of the local community and the long-term viability of the proposed Mundijong Residential and Stables Area.</p>	Land area ha	106	Subdivisible land area (70%)	74	Subdivisible land area m <sup>2</sup>	742,000	Number of 20000m <sup>2</sup> lots	37	Land area ha	161	Subdivisible land area (70%)	113	Subdivisible land area m <sup>2</sup>	1,127,000	Number of 40,000m <sup>2</sup> lots	28		
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Kevin and Helen Hedges 88 Malek Drive, Mardella A168866	73.	<p>The submission maps show an adjoining road that joins the above however in its current state it is only a track. If this was upgraded to a surfaced road, this would allow access to the trotting track for horses and floats and general vehicles off Kargotich/Malek drive, thus providing a safer route for all equine trainers in the area.</p> <p>Currently the preferred method of access would appear to be via Lampiter Drive off the proposed Tonkin highway/Mundijong Road upgrade this would cause traffic congestion and safety issues.</p>	Noted – We appreciate your response via submission to the Draft Local Planning Strategy and Local Planning Scheme No.3.																	

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IN19/23974		This proposal would provide a safer alternative for minimal cost as the track and access is currently in place however joining these roads would require an upgrade but the benefits out way the cost to the community long term.		
Colin Evans Mardella Land Holdings P/L Lot 460 – 170 Shanley Road, Mardella IN19/24071	74.	I fully support Council's proposals relative to the above stated property. Regrettably they reflect what I have been striving to achieve for more than twenty years.	Noted – We appreciate your response via submission to the Draft Local Planning Strategy and Local Planning Scheme No.3..	
Terrance Richardson 4 Cowara Way, Byford IN19/24548	75.	Property affected by proposal: The 1st bus stop after South Western Highway into Willaring Road. Far too high from bus to the plants that everyone has to trample trough to exit bus stop. Simple as a few 2 x 2 pavers could fix as well as cost of damaged plants.	Noted – We appreciate your response via submission to the Draft Local Planning Strategy and Local Planning Scheme No.3.	
Brenda Malauski 14 Miamit Lane Byford IN19/24202	76.	Bus shelter for bus stop on corner of Nettleton Road and South Western Highway Byford. (heading to Armadale) I see many international visitors waiting at this bus stop after visiting Cohunu Wildlife Park, standing out in all extremes of weather.	Noted – We appreciate your response via submission to the Draft Local Planning Scheme.	
B.C. E.K. Venrooy 973 Nicholson Road OAKFORD IN19/24201	77.	We would prefer our property to be zoned RR2 not just Rural.	Land has been identified as Rural Residential RR-2 under the Draft Local Planning Strategy as it has been identified as having the future potential for this purpose. The subject area is located within an established rural living precinct and the identification of land for this purpose is considered logical. It is important to consolidate rural living areas in defined precincts to ensure land use compatibility and minimise land use conflicts. Creating defined rural living precincts enables a high level of rural living character and amenity to be achieved.  Further studies and investigations are required to support a potential rezoning to Rural Residential RR-2 under the Local Planning Scheme to determine the capability of the land being subdivided and developed for this purpose. It is important that these investigations are undertaken prior to the land being rezoned to ensure that the land can accommodate the intended development and to	

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			<p>ensure that appropriate provisions and design considerations are incorporated.</p> <p>The Shire will consider rezoning the land in the future through the applicant submitting a Scheme Amendment with the appropriate planning studies to outline if the land is capable of being developed as Rural Residential RR-2. This is subject to future planning and capability studies which will be assessed by the Shire and the Western Australian Planning Commission.</p> <p>The Shire will consider any Scheme Amendment based on its merit, as well as its alignment to the Local Planning Strategy. Importantly future scheme amendments will be assessed regarding their alignment with the Local Planning Strategy.</p> <p>We appreciate your response via submission to the Draft Local Planning Strategy and Local Planning Scheme No.3.</p>	
<p>Martin White  53 Turner Road  Byford  IN19/24908</p>	<p>78.</p>	<p>In favour of future proposals especially subdivision of older large blocks.</p>	<p>53 Turner Road is currently zoned Urban Development under Town Planning Scheme No.2 and also the Draft Local Planning Scheme No.3.</p> <p>The objectives of the Urban Development zone include:</p> <ul style="list-style-type: none"> <li>• To provide an intention of future land use and a basis for more detailed structure planning in accordance with the provisions of this Scheme.</li> <li>• To provide for a range of residential densities to encourage a variety of residential accommodation.</li> <li>• To provide for the progressive and planned development of future urban areas for other uses normally associated with residential development.</li> <li>• The following objectives outline the future potential for the following lot to subdivide if a local structure plan was developed over the surrounding area. Due for the need for further planning and investigation needing to occur to see if the land is fit for any type of future development.</li> </ul>	

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			Any future subdivision of the property would be subject to further planning and investigation studies such as a local structure plan.	
Michael & Amanda Rawcliffe Lot 26 Briggs Road BYFORD IN19/24901	79.	Thank you for the information on the intention to develop a portion of the Trotting Track Complex. As land owners in the Trotting Track Complex, we fully support all future developments to enable further growth to occur in the Byford community. However, we are disappointed that only a small portion of the Trotting Track Complex is to be re-zoned to allow for this growth. We would like to see land from north of Abernethy Road to the creek line be zoned for development. Developing this portion of land would not affect the Trotting Track Complex and would only improve the appearance from Abernethy Road, being more appealing to the public. Currently the land from the north slow point on Briggs Road to Thomas Road has been zoned for development. We would like to see land rezoned for development from the south slow point on Briggs Road to Abernethy Road. Thank you for taking the time to consider our opinion and views, in doing so we hope that further development will progress in our area.	Noted. The Shire supports the retention of the existing Byford Trotting Complex Precinct. A Special Control Area has been included within the Draft Local Planning Scheme No.3 to retain the rural character and low density residential development surrounding the Byford Trotting Complex.	
Alaa Ali 45 Leaver Way CARDUP WA 6122 IN19/25441	80.	I, Alaa Ali, 45 Leaver Way Cardup, fully support the Draft Local Planning Scheme No. 3, for the change of zoning at my area to allow subdivision to 1 ha average.	Noted – we appreciate your time in making a submission on the Draft Local Planning Scheme. Your property is 2ha in size and therefore may have the potential for future subdivision under the Draft Local Planning Scheme No.3. Please note the Western Australian Planning Commission (WAPC) are the decision making authority for all subdivision applications.	
Dale Gummow 8 Bilya Avenue MARDELLA WA IN19/25356	81.	I am absolutely appalled at the possibility of the rezoning and <u>do not</u> support it. We bought this block for a reason.	A number of properties within the Darling Views Estate in Mardella have been identified as Rural Residential RR-1 with an Additional Use A3 designation. This Additional Use A3 designation allows for additional uses to be permissible in the zone in which the land is located. The Additional Use has been applied to allow for light industry land uses to operate within the Darling Views Estate.  In relation to the previous Special Use zone which applied to the Darling Views Estate in Mardella, the following land uses have been made additional uses to the Rural Residential RR-1 zone for this area under the Draft Local Planning Scheme No.3: <ul style="list-style-type: none"> <li>- Commercial vehicle parking</li> <li>- Industry – light</li> <li>- Motor vehicle repair</li> <li>- Motor vehicle wash</li> <li>- Trade display</li> <li>- Trade Supplies</li> </ul>	

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			<p style="text-align: center;">- Warehouse/ Storage</p> <p>Provisions in relation to the Additional Use A3 designation have also been applied. These include the following:</p> <ul style="list-style-type: none"> <li>- <i>'All development relating to additional uses shall be at the local government's discretion.</i></li> <li>- <i>The land within 30 metres of the front lot boundary shall be used for residential purposes only. In the case of a battle-axe lot, the front boundary for the effective area of the rear lot can be interpreted as a side boundary.</i></li> <li>- <i>If the lot is greater than 6,000m<sup>2</sup> in area, Council may approve additional uses within 30 metres of the front boundary subject to adequate screening of the development along the street frontage.</i></li> <li>- <i>All additional uses shall be adequately screened from the street frontage and adjoining property boundaries.</i></li> <li>- <i>Additional uses shall not be developed prior to the development of a residential dwelling.'</i></li> </ul> <p>This Additional Use A3 designation allows light industry land uses and businesses to continue to operate and be developed in the future within the Darling Views Estate.</p>	
<p>John &amp; Genevieve Black  1 Gladstone Drive  SERPENTINE  IN19/25283</p>	<p>82.</p>	<p><b>Draft Local Planning Scheme No 3 - Comments and Objections. Rural Residential (RR2)</b></p> <ul style="list-style-type: none"> <li>• Lot sizes in the range of 1 ha to 4 ha.</li> </ul> <p><b>Impacted Property.</b></p> <p>1 (Lot 36) Gladstone Drive Serpentine 6125  Lot size 2.5162 ha</p> <p><b>Comment and Objection No 1. Dam.</b></p> <p><b>Table 3 - Zoning Table notes that a dam is not permitted by the scheme.</b></p> <ul style="list-style-type: none"> <li>• 1 (Lot 36) Gladstone Drive is not connected to the Water Corporation WA system and is reliant on water tanks to provide water to the house, gardens and for fire-fighting activities, when required.</li> </ul>	<p>A Dam is to be associated works with a specified land use. The definition of a dam currently in the Draft Local Planning Scheme No.3 states;</p> <ul style="list-style-type: none"> <li>- means any man made structure, barrier or excavation designed and constructed to intercept, accumulate and impound water flowing across, through or under any land and includes an off stream dam, an on-stream dam, a gully-wall dam, a turkey-nest dam and an excavated soak.</li> </ul> <p>A Dam that is associated with a particular land use that is permissible within the Rural Residential zone can be considered at the Shire's discretion if it meets</p>	<p>Amend the following provision with the Special Residential, Rural Residential and Rural Smallholdings zones to state:</p> <p><i>'Lot boundary fencing shall be 75% visually permeable, to a maximum height of 1.8 metres from natural ground level and constructed of masonry, concrete, timber, wire, post and rail and/or post and wire (including chain mesh). The fencing shall be unobtrusive and sensitive to the objective of maintaining rural character and visual amenity.'</i></p> <p>Amend the following provision with the Rural and Environmental Conservation zones to state:</p> <p><i>'Lot boundary fencing shall be 80% visually permeable, to a maximum height of 1.8 metres from natural ground level and constructed of masonry, concrete, timber, wire, post and rail and/or post and wire (including chain mesh). The</i></p>

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		<ul style="list-style-type: none"> <li>• When a fire is imminent or active, mains power supply is terminated and the only power source is by a privately owned generator.</li> <li>• In February 2002 when a bush fire swept through our property, the fire brigade emptied the house water tank and approximately 1600 cubic feet of water from our dam and soak. I also emptied a smaller water tank at the same time. The house and sheds were saved by the use of this water to extinguish the fire surrounding our home and sheds.</li> <li>• Part 4 - General development requirements Item 41 Dams states that dams are permitted on properties greater than 2 ha. This clause is in direct conflict with Table 3 Zoning Table.</li> <li>• The Western Australian Government has identified the water flow from the Serpentine River is a contributor to the water quality/ environmental problems of the Peel Harvey Estuary. The dam that is situated on the drain on 1 (Lot 36) Gladstone Drive flows directly into the Serpentine River. The dam slows the velocity of the water and helps reduce the nutrient loads, reduces sediment and organic matter transport and helps in some small way to meet their water quality objectives of the Peel Harvey Catchment Council.</li> <li>• 1 (Lot 36) Gladstone Drive complies with Part 4 General development requirements item 41- Dams but does not comply with Table 3 – Zoning Table. A foot-note or a clarification is required to eliminate potential mis-interpretation of the zoning requirement.</li> </ul> <p><b>Observation: To not permit a dam or soak on a Rural Residential property indicates the persons who prepared this document have never lived through a real-life active fire that consumes your property and threatens your life and that of your family. Access to water in these situations is a fundamental right, paramount and life saving.</b></p> <p><b>Comment and Objection No 2 - Residential Building.</b></p> <p><b>Table 3 - Zoning Table indicates Residential Buildings are not permitted.</b></p> <ul style="list-style-type: none"> <li>• The Oxford dictionary States" Residential - suitable for or occupied by private house."</li> <li>• Within Table 3 Zoning Table there is no other classification for a home or primary dwelling other than a residential building or single house.</li> <li>• Clarification of the meanings of residential building and single house, definitions should be detailed within the Local Planning Scheme no 3 Division 2 - Land use terms used in the Scheme .....Item 55 to eliminate potential mis-interpretation.</li> </ul> <p><b>Comment and Objection No 3 - Schedule 4 - Additional Site and Development Requirements - 4.1- Zone Development Requirements.</b></p> <p><b>Rural Residential- Development Requirements - Lot boundary fencing</b></p> <ul style="list-style-type: none"> <li>• Rural Residential- Development Requirements - Lot boundary fencing states "Lot boundary fencing in the Rural Residential zone shall be 75% visually permeable, to a maximum height of 1.2 metres and constructed of masonry, concrete, timber and/or wire. The fencing shall be unobtrusive</li> </ul>	<p>the requirements outlined in Clause 41 of the Scheme.</p> <p>The Shire acknowledges your submission and recommends that the fencing provisions be modified to align with the Shire's Local Planning Policy: 1.5 Exempted Development Policy (LPP1.5) which specifies requirements for fencing. Fences within the Shire have been constructed in accordance with this policy and the proposed changed requirements under the draft Scheme would mean that many previously acceptable fences would become non-compliant with the new Scheme. This modification will ensure the draft Scheme is consistent with LPP1.5 and would not significantly change the current requirements.</p>	<p><i>fencing shall be unobtrusive and sensitive to the objective of maintaining rural character and visual amenity.'</i></p>

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		<p>and sensitive to the objective of maintaining rural character and visual amenity."</p> <ul style="list-style-type: none"> <li>• 1 (Lot 36) Gladstone Drive boundary fences are constructed in wire with a galvanised support posts equidistant at 4 metres apart. The height of the fence is 1.7 metres. The height of the fence does not comply with Rural Residential- Development Requirements as stated above.</li> <li>• The fence has been in place when we purchased the property in November 1981. We were advised the fence was in place for 3 years prior to November 1981. The fence provides a boundary fence for 159.73 metres to Lots 36,37,38 Gladstone Drive and 162.44 metres to Lots 35 and 36 Gladstone Drive. 195.04 metres borders Castle Road and 84.42 metres borders Gladstone Drive.</li> <li>• When purchasing the property in 1981 enquiry at the Serpentine Jarrahdale Shire offices at the time indicated there was only one encumbrance on the property, being the right of enter to the property to exercise certain drainage rights. No mention was raised regarding the fence constructed on 1 (Lot 36) Gladstone Drive at the time.</li> <li>• The boundary fence on 1 (Lot36) Gladstone Drive has proved an effective barrier for 38 years to prevent life stock and pets from wandering from the property. Ineffective fencing claimed the lives of 2 nurses on South West Highway and a motor bike rider on Hopelands Road to name two incidents of wandering stock within the Shire.</li> <li>• Being Seniors and looking to downsize in the foreseeable future having a non-conforming boundary fence on 1 (Lot 36) Gladstone Drive facing Castle Road, Gladstone Drive and Lots 35,37 and 38 would entail significant costs to each land-owner to replace and have a cost impact on any potential sale. The owners of Lots 37 and 38 are also Seniors and long-standing residents of Serpentine.</li> <li>• In-accordance with Part 3 Zones and Land Use - item 22 of the Draft Local Planning Scheme No 3 the lot boundary fence on 1 (Lot36) Gladstone Drive was in place prior to the Local Planning Scheme being formalised and approved and as such the Serpentine Jarrahdale Shire is requested to register the non-conformance in-accordance with Part 3 Zones and Land Use - item 24 Register of non-conforming uses of the boundary fencing on 1 (Lot 36) Gladstone Drive. Having the non-conformance registered will provide visibility and accountability and prevent any issues arising on any potential future sale of properties being Lot 35,36,37 and 38 Gladstone Drive. Property owners of the referenced Lots should be notified accordingly of the registration of the non-conformance.</li> <li>• A random sample of fence heights has been conducted on other Rural Residential properties within the area with the findings as follows; <ul style="list-style-type: none"> <li>6. 36 properties fences examined and measured.</li> <li>7. 10 properties post and rail fences did not comply with the maximum 1.2 metre height. The height range of non-compliance was between 100mm and 255mm above the maximum height of 1.2 metres.</li> <li>8. A list of non-compliant fenced properties can be provided on formal request by the Serpentine Jarrahdale Shire.</li> <li>9. The level of fence height non-compliance was recorded at 27.77%.</li> </ul> </li> </ul>		

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		<p>10. If the level of fence non-compliance is extrapolated across the Shire there is a significant number of non-compliant fences and a significant cost burden on each property owner to replace.</p> <p><b>Comment and Objection No 4 - Schedule 4 - Additional Site and Development Requirements - 4.1 - Zone Development Requirements.</b></p> <p><b>Rural Residential- Development Requirements - Lot boundary fencing</b></p> <ul style="list-style-type: none"> <li>• With the high level of non-compliance from the random sample of boundary fencing, is it a requirement of each and every property owner of non-compliant fencing to have their boundary fence registered as a non-compliance in accordance with Part 3 Zones and Land Use - item 24 Register of non-conforming uses of the boundary fencing or does the Shire need to change or eliminate the height requirement of fencing for Rural Residential properties as detailed in Schedule 4 - Additional Site and Development Requirements - 4.1- Zone Development Requirements.</li> </ul> <p><b>Comment No 5.</b></p> <p>The concern is when a property within the Shire of Serpentine Jarrahdale has a non-compliant fence or dam on the property then a sale can-not be progressed until rectification work is implemented regardless if the fence or dam has been in place for 40 to SO years. Formal acknowledgement and agreement by the Serpentine Jarrahdale Shire of allowing the existing structures to remain in place and not require rectification work on sale, is an expectation.</p> <p>It is acknowledged a robust, transparent and explicit planning document is required for planning future growth within the Shire of Serpentine Jarrahdale, but not at the expense of existing ratepayers.</p>		
Tracey Rodwell 2690 South Western Highway SERPENTINE WA 6125 IN19/25282	83.	Fully supporting, growth, subdivision & rezoning changes.	Noted – We appreciate your response via submission to the Draft Local Planning Strategy and Local Planning Scheme No.3.	
Garry, Beatrice & Virginia Webb PO Box 31 Byford IN19/25631	84.	822 South Western Highway, Byford How can you have a plan without outlining your intentions. A plan for what, do you intend to rezone any or all of the old part of Byford. If so this <u>plan</u> needs to be outlined for our perusal.	The directions set out in the Draft Local Planning Strategy will be implemented through the Shire’s Draft Local Planning Scheme No.3. Local planning schemes are prepared with the objective of making suitable provisions for the improvement, development and use of land within the local planning scheme area. Local planning schemes provide a statutory mechanism for the control of land use and development.  The Shire’s Town Planning Scheme No.2 (TPS2) zoned the Byford Old Quarter within the Urban Development zone. Urban Development provides the intention of future land use and basis for more	

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			<p>detailed structure planning in accordance with the provisions of the Scheme. Where land is zoned as Urban Development, there is a need for a local structure plan to be developed for the area.</p> <p>The Shire aims to provide for diversity of lot sizes and dwelling types within the Byford area to provide choice, adaptability and to accommodate a range of incomes, households, life stages and the changing demographics of Byford. Preserving historical urban development patterns to maintain the character and uniqueness of Byford is also an important objective for the Shire. Retaining existing larger lots to provide a range of housing types and lot sizes in the Byford area is important in ensuring that a diversity of housing is provided. This is also essential to preserve the existing character within the Byford Old Quarter precinct.</p> <p>For these reasons, some areas within the Byford Old Quarter that are located on the periphery of the Byford urban area have been zoned Residential and applied an R-Code to limit subdivision potential under the Draft Local Planning Scheme No.3. Retaining larger lot sizes in these locations will allow for a graduation of lot sizes to the Byford Town Centre, housing diversity, the retention of an established tree canopy coverage, and the preservation of the local character. The Shire is also seeking to prevent ad hoc, battle-axe subdivisions that are compromising the established character of the precinct.</p>	
Beatrice Webb 93 Park Road Byford IN19/25634	85.	Planning is important but what is the plan, in changing the ratings of our properties from urban to residential going to increase the cost of rates or are you then going to tell us we must subdivide, no thanks. My family and I have lived here for 50 years and do not intend to subdivide our block.	<p>The ratings and valuations process is separate to the process of the Draft Local Planning Strategy &amp; Local Planning Strategy.</p> <p>The Shire's Town Planning Scheme No.2 (TPS2) zoned the Byford Old Quarter within the Urban Development zone. Urban Development provides the intention of future land use and basis for more detailed structure planning in accordance with the provisions of the Scheme. Where land is zoned as Urban Development, there is a need for a local structure plan to be developed for the area.</p>	

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<p>Monique &amp; Ryan Hall 9 Foxtan Drive Oakford IN19/25636</p>	<p>86.</p>	<p>Bought the property as an investment. We had hoped to subdivide in the near future. 2.5 acre blocks or 5 x 1 acre</p>	<p>Noted. Shire officers recognise that there has been some interest in further subdivision to allow 1ha lot sizes in areas identified as Rural Residential RR-2. The Shire's draft Local Planning Strategy and Local Planning Scheme No.3 is required to be consistent with both the State and local strategic planning frameworks.</p> <p>The subject area is identified as Rural Residential (1ha – 4ha lot sizes) under the Western Australian Planning Commission's (WAPC) Perth and Peel @ 3.5 Million Sub-Regional Planning Frameworks. Under the Shire's Rural Strategy, which has been approved by the WAPC, the subject area is identified as Rural Living B (2ha lot size minimum). A large number of properties within the area are equine properties and the Shire is advocating to support the equine industry throughout the Shire.</p>	

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			<p>Lots that are 2ha in size are more appropriate to sustain equine uses than 1ha lot sizes, as guided by stocking rate guidelines. Larger lot sizes are also more appropriate to minimise land use conflicts between equine activities and residential uses. Potentially doubling the number of lots within the precinct would significantly increase the amount of traffic within the area. This is not compatible with equine activities and associated trails within the area and maintaining the intended equestrian character of the area. Both the Scheme and Strategy outline and advocate for the equine industry across the Shire. The Scheme outlines in particular areas where horses can be kept subject to the discretion of the Local Government.</p> <p>The land sizing of the properties within the subject area are mostly approximately 2ha in size, which relates to the Rural Residential RR-2 designation that allows a 2ha lot size minimum. This land is also located on the most outer area of the Shire. As one of the outer most areas of the Shire on the Rural fringe, the larger Rural Residential RR-2 lots have been proposed over the area to provide a graduation of lots sizes. The Shire's strategy for this is to develop a graduation of lot sizes from the outer areas into the urban cells of the Shire.</p> <p>It is the strategic vision of the Shire to contain urban development within defined precincts interspersed by green corridors and rural forms of development. Preserving Rural Residential development with 2ha lot sizes is important to maintain a clear separation between the urban areas. Shire officers recommend no changes to the 2ha minimum lot size of the area.</p>	
<p>Linda Starcevich            PO Box 60            Serpentine            IN19/25709</p>	<p>87.</p>	<p>1587 Karnup Road, Serpentine            Would like to see more equine properties, facilities, trails, arenas etc. We need to support equine more</p>	<p>The Shire is continually striving to be an equine hub within Western Australia. The Shire has identified a number of strategic equine areas within the Shire and will continue to advocate the growth of these areas. This is outlined in our draft Local Planning Strategy, SJ2050 and the Shire's Equine Strategy.</p>	
<p>John Balch            442 Hall Road            Serpentine            IN19/25711</p>	<p>88.</p>	<p>We are currently zoned RR2 Special Rural. We are very happy with this and have no interest in any type of subdivision or development.</p>	<p>Noted – We appreciate your response via submission to the Draft Local Planning Strategy and Local Planning Scheme No.3.</p>	

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Rosemary Moszczyński PO Box 266 Serpentine IN19/25713	89.	Lot 89 Lefroy Street, Serpentine Please leave our lovely peaceful area as it is, be about the property because we wanted a rural life style so please destroy the beautiful landscape.	Noted – The Shire has identified the area of Serpentine where your lot is situated to remain Rural Residential encouraging a rural lifestyle, surrounded by similar dwellings and green landscapes.  The objectives of the Rural Residential zone are: <ul style="list-style-type: none"><li>- To provide for lot sizes in the range of 1 ha to 4 ha.</li><li>- To provide opportunities for a range of limited rural and related ancillary pursuits on rural residential lots where those activities will be consistent with the amenity of the locality and the conservation and landscape attributes of the land.</li><li>- To set aside areas for the retention of vegetation and landform or other features which distinguish the land.</li><li>- To provide a residential amenity with a rural character.</li></ul>	
Reg Hankinson 10 Lawrence Way BYFORD IN19/25814	90.	25b Baskerville Road, Mundijong Go ahead with the planning.	Noted – We appreciate your response via submission to the Draft Local Planning Strategy and Local Planning Scheme No.3.	
John Sewell 516 Hopkinson Road Byford IN19/25869	91.	I am in agreement with all proposed subdivisions	Noted – We appreciate your response via submission to the Draft Local Planning Strategy and Local Planning Scheme No.3.	
Thi Ngoc Lan Do 29 Truman Promenade BYFORD IN19/25918	92.	Lot 803 Truman Promenade Byford	Noted – We appreciate your response via submission to the Draft Local Planning Strategy and Local Planning Scheme No.3.	
Tiffany van der Linde 73 Linton Street North BYFORD IN19/26023	93.	The Local Planning Scheme should zone fragmented residential lots in Mundijong town centre as Residential with appropriate R-Codes and commercial zones for those areas to be developed for commercial uses. If an Urban Development zone is to be maintained by the Shire over this land, then the Shire should commit to preparing a Structure Plan over this land, as the likelihood of a landowner preparing a Structure Plan over the whole town centre area is negligible, and thus the growth envisaged here will not be able to occur.	The land within the Mundijong Whitby area is designated Urban under the Draft Local Planning Strategy and zoned as Urban Development within the Draft Local Planning Scheme No.3. The objectives of the Urban Development zone under the draft Scheme are as follows: <ul style="list-style-type: none"><li>- To provide an intention of future land use and a basis for more detailed structure</li></ul>	

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			<p>planning in accordance with the provisions of this Scheme.</p> <ul style="list-style-type: none"> <li>- To provide for a range of residential densities to encourage a variety of residential accommodation.</li> <li>- To provide for the progressive and planned development of future urban areas for residential purposes and for commercial and other uses normally associated with residential development.</li> <li>- To provide an intermediate transitional zone following the lifting of an urban deferred zoning within the Metropolitan Region Scheme.</li> </ul> <p>The Draft Scheme contains provisions that state subdivision will not be supported for an area of land unless a structure plan has been approved for that land. The reason for not supporting subdivisions over the area of Mundijong, prior to the approval of a structure plan, is due to the Shire seeking to prevent ad hoc, unplanned subdivisions that may prejudice the future coordinated planning of the area and the delivery of essential infrastructure. The need for further planning studies is required to establish orderly and proper planning for the Mundijong urban centre. For this reason, further subdivision will not be supported prior to the approval of a structure plan for an area.</p>	
Darrel Wayne Herren Lot 99 Rudall Street SERPENTINE IN19/26020	94.	Why does your map for Rudall Street show it going straight through the grove of trees that have cockatoo's living in them. When last time we spoke to the shire about this road we were told that after an environmental check on these trees they would have to be left standing and the road diverted around them because of the bird life.	The overlaying map for the Serpentine Town Site is the Draft Serpentine Town Site Local Structure Plan which is currently still in draft form. The plan has not yet been finalised and the community will have an opportunity to comment on the plan once it is readvertised later this year.	
Geoff Steele 768 South Western Highway BYFORD IN19/26021	95.	Interested	Noted – We appreciate your response via submission to the Draft Local Planning Strategy and Local Planning Scheme No.3.	
Lynette Iannello 324 Jarrahdale Road JARRAHDAL	96.	I wish to retain the current zoning which is "Rural" as only a small portion of this property is used for holiday accommodation & I already have the necessary approvals in place for this purpose. The property is set up for horses eg stables,	The property 324 Jarrahdale Road has been identified as a Special Use Zone (Tourism) under	

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IN19/26022		barn, paddocks etc all approved buildings & a change of use from Rural to SU4 will disadvantage me by limiting it's the current uses along with any other benefits designated under the current Rural zoning.	<p>Schedule 2 of the Local Planning Scheme No.3. The schedule outlines the following.</p> <p>The following shall be considered as 'A' uses:</p> <ul style="list-style-type: none"> <li>- Holiday accommodation</li> <li>- Home business</li> <li>- Home occupation</li> <li>- Home office</li> <li>- Office</li> <li>- Recreation – private</li> <li>- Single House.</li> </ul> <p>A special use zone is defined as;</p> <p>Schedule 2:</p> <ul style="list-style-type: none"> <li>- special use zones for specified land that are in addition to the zones in the zoning table;</li> <li>- the classes of special use that are permissible in that zone; and</li> <li>- the conditions that apply in respect of the special use</li> </ul> <p>A person must not use any land, or any structure or buildings on land, in a special use zone except for a class of use that is permissible in that zone and subject to the conditions that apply to that use.</p>	
Patricia Floan 541 Gossage Road OLDBURY IN19/26267	97.	Lot 12 Corner Gossage & Boomerang Roads, Oldbury Current scheme is outdated, little or no change since 1994	Noted – We appreciate your response via submission to the Draft Local Planning Strategy and Local Planning Scheme No.3.	
Alistair Smith 94 Tonkin Street, SERPENTINE IN19/26628	98.	I am in favour for the Local Planning Scheme No. 3 to go ahead	Noted – We appreciate your response via submission to the Draft Local Planning Strategy and Local Planning Scheme No.3.	
Mary Vicini 50 Byford Meadows Drive OAKFORD IN19/26825	99.	I support Draft Local Planning Scheme No 3	Noted – We appreciate your response via submission to the Draft Local Planning Strategy and Local Planning Scheme No.3.	
Craig Busquets 18 Mardja Loop MARDELLA IN19/27133	100.	Lot 216 Mardja Loop, Mardella  We do not support/want to be rezoned because it will devalue our property. We bought because it was special rural and it should remain as such	A number of properties within the Darling Views Estate in Mardella have been identified as Rural Residential RR-1 with an Additional Use A3 designation. This Additional Use A3 designation allows for additional uses to be permissible in the	

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			<p>zone in which the land is located. The Additional Use has been applied to allow for light industry land uses to operate within the Darling Views Estate.</p> <p>In relation to the previous Special Use zone which applied to the Darling Views Estate in Mardella, the following land uses have been made additional uses to the Rural Residential RR-1 zone for this area under the Draft Local Planning Scheme No.3:</p> <ul style="list-style-type: none"> <li>- Commercial vehicle parking</li> <li>- Industry – light</li> <li>- Motor vehicle repair</li> <li>- Motor vehicle wash</li> <li>- Trade display</li> <li>- Trade Supplies</li> <li>- Warehouse/ Storage</li> </ul> <p>Provisions in relation to the Additional Use A3 designation have also been applied. These include the following:</p> <ul style="list-style-type: none"> <li>- <i>'All development relating to additional uses shall be at the local government's discretion.</i></li> <li>- <i>The land within 30 metres of the front lot boundary shall be used for residential purposes only. In the case of a battle-axe lot, the front boundary for the effective area of the rear lot can be interpreted as a side boundary.</i></li> <li>- <i>If the lot is greater than 6,000m<sup>2</sup> in area, Council may approve additional uses within 30 metres of the front boundary subject to adequate screening of the development along the street frontage.</i></li> <li>- <i>All additional uses shall be adequately screened from the street frontage and adjoining property boundaries.</i></li> <li>- <i>Additional uses shall not be developed prior to the development of a residential dwelling.'</i></li> </ul> <p>This Additional Use A3 designation allows light industry land uses and businesses to continue to operate and be developed in the future within the Darling Views Estate.</p>	

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Julie Blood 26 Lord Fury Court DARLING DOWNS IN19/27299	101.	I would like a cycle/pedestrian path built down masters road with a safe pedestrian facility to cross Thomas Road from Masters Road, so children and cyclists can commute to school safely.	<p>Noted – We appreciate your response via submission to the Draft Local Planning Strategy and Local Planning Scheme No.3.</p> <p>Masters Road in Darling Downs is located within a Rural Residential area, the streetscape is defined as;</p> <ul style="list-style-type: none"> <li>- The rural residential streetscape coincides with areas that while still having some degree of rural character, include more visible elements of residential living on smaller plots of land.</li> </ul> <p>Rural residential streets are characterised by:</p> <ul style="list-style-type: none"> <li>- Road side drainage swales;</li> <li>- Verge areas which are typically grasses, but may be managed more intensively by adjoining landowners compared to verge areas in rural streets;</li> <li>- Verge areas which may comprise prominent and connected areas of vegetation;</li> <li>- More formal rural fencing;</li> <li>- Predominantly altered landscapes reflective of lifestyle land uses and smaller rural pursuits.</li> </ul> <p>Further information and requests can be found on the following page –  <a href="http://sjshire.wa.gov.au/development-services/planning/streetscapes-in-sj.aspx">sjshire.wa.gov.au/development-services/planning/streetscapes-in-sj.aspx</a></p>	
Barry & Michelle OLD 105 Cardup Siding Road CARDUP IN19/27481	102.	Our property is our future. Changing our zoning will change our future. Alice Road is all small blocks with same zoning. I don't see how they can stay the same and we change. We don't want or need the re-zoning.	<p>Land has been identified as Rural Residential RR-2 under the Draft Local Planning Strategy and Local Planning Scheme No.3 as it has been identified for this purpose. The subject area is located within an established rural living precinct and the identification of land for this purpose is considered logical. It is important to consolidate rural living areas in defined precincts to ensure land use compatibility and minimise land use conflicts. Creating defined rural living precincts enables a high level of rural living character and amenity to be achieved.</p> <p>The lot sizes of the subject land are consistent with the Rural Residential RR-2 lot size minimum of</p>	

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			<p>2ha. It is important to ensure that land use permissibility is appropriate for the lot sizes and the surrounding development to protect the amenity of adjoining properties. Under the Rural Residential zone, rural pursuit/hobby farm is proposed to be a discretionary use. This means the Shire can consider activities such as the rearing, agistment, stabling or training of animals in the Rural Residential zone, which are common uses in rural living areas.</p>	
<p>J, S, E &amp; A Chan  203 Blair Road  OAKFORD  IN19/27882</p>	<p>103.</p>	<p>Congratulations on your recent appointment, we are pleased to have you represent and advocate on our behalf.</p> <p>We are writing in response to the Draft Local Planning Strategy and Draft Local Planning Scheme No 3. The Draft Local Planning Strategy proposes that Rural lots on Blair road and Holmes road be rezoned to Rural Residential. We would like to submit in writing that we oppose the rezoning to Rural Residential.</p> <p>As we are currently zoned Rural, our street is not your normal "residential" street. In our small area, we have the following,</p> <ul style="list-style-type: none"> <li>• 2 Commercial nurseries</li> <li>• 1 Market garden</li> <li>• 1 Metal workshop</li> <li>• 3 Veterinarian hospitals</li> <li>• 2 Horse training facilities</li> <li>• Horse agistment properties</li> <li>• 1 Construction consultation and estimation business</li> <li>• 1 Glazier</li> <li>• 1 Trucking/ haulage business</li> <li>• 1 Private vintage automotive collection</li> <li>• Multiple trades businesses</li> </ul> <p>Approximately a quarter of the residents in our small area are engaged in rural pursuits. These has yet to include residents with rural hobby farms. If the rezoning is to proceed, a significant number of lots will fall under non-conforming use. Furthermore, even with the rezoning, our area will still have commercial traffic running through the street. We are unofficially the small "commercial business hub" of Oakford. Our area will not be able to conform to the Rural Residential Zone Objectives as described in table 2 of the Draft Local Planning Scheme No.3.</p> <p>In addition, the City of Armadale will be rezoning the area immediately north of our area for Industrial Development as per the City of Armadale Town Planning Scheme 4. This will further detract from the proposed Rural Residential Zone</p>	<p>Land has been identified as Rural Residential RR-2 under the Draft Local Planning Strategy and Local Planning Scheme No.3 as it has been identified for this purpose. The subject area is located within an established rural living precinct and the identification of land for this purpose is considered logical. It is important to consolidate rural living areas in defined precincts to ensure land use compatibility and minimise land use conflicts. Creating defined rural living precincts enables a high level of rural living character and amenity to be achieved.</p> <p>The lot sizes of the subject land are consistent with the Rural Residential RR-2 lot size minimum of 2ha. It is important to ensure that land use permissibility is appropriate for the lot sizes and the surrounding development to protect the amenity of adjoining properties. Under the Rural Residential zone, rural pursuit/hobby farm is proposed to be a discretionary use. This means the Shire can consider activities such as the rearing, agistment, stabling or training of animals in the Rural Residential zone, which are common uses in rural living areas.</p>	

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		<p>Objectives. There are already multiple businesses on the City of Armadale side of Rowley road, such as Harvey Fresh.</p> <p>Most of the residents in our area acquired our lots because of the Rural zoning and have engaged in rural pursuits. I implore you to advocate on our behalf to retain our Rural zoning. Our area will act as the buffer between the City of Armadale's industrial estate and our shire's rural residential character. Our hub will benefit the shire and attract revenue into the local area.</p> <p>On a personal note, in the future, I would like to run a "Mental Health Retreat (holiday accommodation)" on my 5 acres lot. I would like to build a cabin and two powered campsites. This will allow people from nearby suburbs to enjoy a quick get away from the urban city and experience the rural bush in their "backyard". This Mental Health Retreat will include animals; alpacas, sheep, chickens, ducks and geese that will be allowed to roam freely during the day and interact with guests. The animals will be kept in purpose-built enclosures at night. I will also endeavour to establish an edible native and indigenous garden. This will educate guests about the food that our first people consumed. I believe that this rural retreat will give people an avenue to retreat from the busyness of urban living, build stronger family bonds and improve their mental health. I have strategically retained a significant amount of bush of my 5 acres lot to suit this endeavour.</p> <p>I would like to propose that we keep our Rural zoning or be rezoned to Rural Enterprise at a minimum. I strongly oppose the rezoning to Rural Residential.</p>		
<p>John King  235 Nettleton Road  BYFORD  IN19/27894</p>	<p>104.</p>	<p>As the owner of 235 Nettleton Road Byford, I put forward to SJS a proposal to change the Zoning of the rural properties 207 and 235 Nettleton Road to RR 1 There is a small zoning of this RR1 category located around Henry George Close &amp; Nettleton Road Byford.</p> <p>I note in the overall planning proposal there is little zoning allowance for an extension of RR1 East of South West Highway. Henry George Close area and an area in Jarrahdale township seem to be the few RR1 zoning in undulating land.</p> <p>I suggest to have some variety in the zoning to accommodate more of the RR1 category especially in undulating land.</p> <p>My points being  * this is a very attractive zoning that allows a transition from Rural use to high urban use. The larger blocks attract prestigious development while still maintaining a open rural flavour.  * The entrance into Byford from the Jarrahdale Nettleton Road direction goes from rural to urban very suddenly. An enlargement of the RR1 zoning along the southern side of Beenyup Brook would soften this rural to urban transition. Thereby alerting motorists to the approaching urban area and calming traffic speed.</p>	<p>The two properties of 207 &amp; 235 Nettleton Road have been identified as Rural under the both the Draft Local Planning Strategy and Local Planning Scheme.</p> <p>The Shire is not supportive of rezoning the land to accommodate a Rural Residential land use. The two lots are better suited to the objectives of the Rural zone which states:</p> <ul style="list-style-type: none"> <li>- To provide for the maintenance or enhancement of specific local rural character.</li> <li>- To protect and accommodate broad acre agricultural activities such as cropping and grazing and intensive uses such as horticulture as primary uses, with other rural pursuits and rural industries as secondary uses in circumstances where they demonstrate compatibility with the primary use.</li> <li>- To maintain and enhance the environmental qualities of the landscape, vegetation, soils</li> </ul>	

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		<p>* There have been several traffic accidents within meters east of the Barge Drive Nettleton Rd intersection, due mainly to speed. I have attended two of these events.</p> <p>* Essentially there is a safety aspect to a transitional zoning from Rural to RR1 to urban.</p> <p>* A fine example has been set with the Henry George Close zoning and the high standard achieved. This is a precedent worthy of extending and offering to future residents. The Jarrahdale RR1 development also reflects this high standard of planning.</p> <p>* The proposed area as shown on the sketch map covering 207 and 235 Nettleton Road incorporates predominantly previously cleared land. and thus little loss of natural habitat.</p> <p>In conclusion,, I feel diversity in zoning offering a broad range of development is a worthy pursuit. And it seems few foothills options east of SW Highway have been catered for</p>	<p>and water bodies including groundwater, to protect sensitive areas especially the natural valley and watercourse systems from damage.</p> <ul style="list-style-type: none"> <li>- To provide for the operation and development of existing, future and potential rural land uses by limiting the introduction of sensitive land uses in the Rural zone.</li> <li>- To provide for a range of non-rural land uses where they have demonstrated benefit and are compatible with surrounding rural uses.</li> </ul> <p>Other points to why the lot is not adequate for further development is:</p> <ul style="list-style-type: none"> <li>- The area has been identified to have larger lots sizes transitioning from the Rural Residential lots to the west to the Rural properties heading towards to Scarp.</li> <li>- Bushfire Management.</li> <li>- Accessibility issues from Nettleton Road.</li> <li>- Lack of services.</li> <li>- Not orderly and proper planning to allow for ad hoc subdivisions within heavily vegetated rural fringe areas.</li> </ul>	
<p>Mike Dunn 11 College Court SERPENTINE IN19/27986</p>	<p>105.</p>	<p><b>Table 3 – Zoning Table Rural residential</b>  Most items are clear but ones such as agricultural pursuits are not clear. Examples are animal husbandry, primary production, tree farm etc. When does a “hobby” or limited pursuits in these areas trigger these clauses? What happens where people charge money for agistment or horse riding lessons or park their trucks and bobcats on their property? What about where people have grown lots of trees on their property. In many cases if these clauses are enforced lots of people will need to move off their properties!</p> <p><b>Schedule 4 – Additional Site and Development Requirements – 4.1 Zone Development Requirements, Rural Residential.</b></p> <p>Second dot point states:</p> <p>“Lot boundary fencing in the Rural Residential zone shall be 75% visually permeable, to a maximum height of 1.2 metres and constructed of masonry, concrete, timber and/or wire. The fencing shall be unobtrusive and sensitive to the objective of maintaining rural character and visual amenity.”</p>	<p>The Shire acknowledges your submission and recommends that the fencing provisions be modified to align with the Shire’s Local Planning Policy: 1.5 Exempted Development Policy (LPP1.5) which specifies requirements for fencing. Fences within the Shire have been constructed in accordance with this policy and the proposed changed requirements under the draft Scheme would mean that many previously acceptable fences would become non-compliant with the new Scheme. This modification will ensure the draft Scheme is consistent with LPP1.5 and would not significantly change the current requirements.</p>	<p>Amend the following provision with the Special Residential, Rural Residential and Rural Smallholdings zones to state:</p> <p><i>‘Lot boundary fencing shall be 75% visually permeable, to a maximum height of 1.8 metres from natural ground level and constructed of masonry, concrete, timber, wire, post and rail and/or post and wire (including chain mesh). The fencing shall be unobtrusive and sensitive to the objective of maintaining rural character and visual amenity.’</i></p> <p>Amend the following provision with the Rural and Environmental Conservation zones to state:</p> <p><i>‘Lot boundary fencing shall be 80% visually permeable, to a maximum height of 1.8 metres from natural ground level and constructed of masonry, concrete, timber, wire, post and rail and/or post and wire (including chain mesh). The fencing shall be unobtrusive and sensitive to the objective of maintaining rural character and visual amenity.’</i></p>

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		<p>Clarification is sought on the meaning and application of this clause. What if the fence is 1.25 metres high or parts are above 1.2 metres, will there be a requirement under this clause to modify the fencing to strictly comply with 1.2 metres. A few years ago I spent over \$40,000 upgrading all of my boundary fencing to ensure it had a strong rural character and visual amenity, including electrically operated gates. Does the 1.2 metre height limit also apply to the gates? The fencing is above 1.2 metres and is closer to 1.4 metres in places. It complies with the 75%visually permeable through the wire mesh. However, there are plastic strips and posts which strictly do not comply with this clause. My property has a strong rural character and the boundary fence is a highlight. I keep the ground cleared both inside and outside of the fence to minimise fire risk and to improve the visual amenity.</p> <p>I would like to see the 1.2 metre limit deleted or modified to a higher number, the materials that can be used expanded or words deleted and for emphasis to be on rural character and visual amenity.</p> <p>The third dot point states:</p> <p>“Where a lot is not connected to reticulated water, dwellings shall be provided with an adequate supply of potable water from either an underground bore, a rainwater storage system or an alternative system as approved by the local government, with a minimum capacity of 120,000 litres and an appropriate roof catchment where relevant in addition to an adequate supply of water for fire fighting purposes as required by State Planning Policy 3.7 - Planning in Bushfire Prone Areas.”</p> <p>What is the basis of the 120,000 litre tank storage requirement? Surely a substantial tank of 100,000 litres or so would be adequate and it should be left to the landowner as to what storage capacity is provided. The landowner would need to work out his requirements based on number of occupants, land use etc and provide storage accordingly.</p> <p><b>Grand fathering</b></p> <p>Where clauses will remain and current properties do not comply, what will the remedy be, ie will things be “grandfathered” or will people be forced to make changes? Does clause 22 apply?</p>		
<p>Morgan IN19/28105, IN19/28736 IN19/28238</p> <p>1827 Thomas Road, Oakford</p>	<p>106.</p>	<p>The obvious anomaly in the plan is retention of a small wedge of rural land extending from Thomas Road to along Tonkin Highway.</p> <p>Although the draft report promotes importance of equestrian activity there is little in the report to show how this facility will be improved. The existing facilities are poor and for that reason are generally unused. For example, there is no interconnected trail through Oakford so the tunnel facility under Tonkin Highway is rarely used. To ride along Thomas Road or Kargotich Road is life threatening, I have attempted to do so several times and will not do it again.</p>	<p>The Shire advocates for all facets of the equine industry including all equine activities and infrastructure.</p> <ul style="list-style-type: none"> <li>- The Shire is home to 3,876 registered horses - more than any other WA Local Government area;</li> <li>- The Shire has twice the number of registered racing horses (harness and thoroughbred) than the next largest Local</li> </ul>	

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		<p>The Oakford area, similar to the whole of the Southwest has been subjected to drier conditions for approximately the last 30 years with rainfall less than the long term average. The impact is that the previous numerous flowing bores, wells and surface springs in the area have now ceased to flow.</p> <p>Standing phreatic groundwater level has declined in places up to 3 metres below the 2010 level. The major impact of declining rainfall is still yet to emerge resultant from delayed effects of deeper aquifer recharge. For this reason, caution is needed with regard to any new development dependent on use of, or intersection, of the existing groundwater system.</p> <p>Groundwater in this area is proven to become too saline for horticulture and irrigation after it is drawn on, this has been our experience, as well as for many others in the area. The shallow lower salinity water has a high iron/tannin content which damages plant leaves and therefore is unsuitable for horticulture. The brackish water is also unsuitable for poultry, pigs and other animals that require water of less than 1000 milligrams per litre total dissolved solids.</p> <p>Another problem with retention of these rural lots is the cost of conversion to Rural Living or 2 hectare lots which, in many cases, cost is prohibitive and not profitable to the owner.</p> <p>The best use for this land is Special Rural Living development where a 1 in 3 person household supply is well proven to be available from roof catchment from a house/shed roof of 320m<sup>2</sup> with backup garden supply from a shallow bore, or otherwise allow the land to be used commercially for such as animal parks that will bring people into the area.</p> <p>I have had two attempts at engineering costing for conversion of Lot 1, 1827 Thomas Road to 2 hectare lots. The cost of roadworks alone make this a non-economic venture. This is also the situation with neighbouring Lot owners to the east of Lot 1. Therefore, under the current Planning Scheme this group of rural land will remain non-productive and be allowed to degrade until a more attractive subdivision category is introduced for the land north of Thomas Road.</p> <p>Attached with this submission by KH and PO Morgan is a report providing technical data supporting the viability for onsite sewage on Lot sizes smaller than 2 hectares with mixed lots down to 4000m<sup>2</sup> for this general area.</p>	<p>Government area, making it WA's biggest racing hub;</p> <ul style="list-style-type: none"> <li>- Around 30 per cent of the State's active Standardbred (harness) horses are stabled in the Shire;</li> <li>- The Shire is home to the second largest number of registered equestrian and pony club members, and the third highest number of polocrosse members; and</li> <li>- A further 4,500 unregistered horses kept for leisure or as companion animals are stabled in the Shire.</li> </ul> <p>The subject area is identified as Rural Residential (1ha – 4ha lot sizes) under the Western Australian Planning Commission's (WAPC) Perth and Peel @ 3.5 Million Sub-Regional Planning Frameworks.</p> <p>The land is proposed to remain Rural under the Draft Local Planning Strategy and Local Planning Scheme No.3. Future rezoning of this land will be subject to further studies. The applicant will have to go through due process in submitting a Scheme amendment to the Local Planning Scheme and follow orderly and proper planning. The Shire will consider any Scheme amendment based on its merit, as well as its alignment to the Local Planning Strategy. Importantly future scheme amendments will be assessed regarding their alignment with the Local Planning Strategy.</p>	
M & M Maxwell C & M Forbes 1314 Rowley Road DARLING DOWNS IN19/28129	107.	<p>We, Mark and Melissa Maxwell and Margaret and Charlie Forbes of 1314 Rowley Road Darling Downs WA 6122, provide the following submission with regard to the Shire of Serpentine Jarrahdale Draft Local Planning Strategy (Strategy) and Draft Local Planning Scheme No. 3 (Scheme).</p> <p>Please note my objection to the proposed zoning of the land immediately to the south of Rowley Road as 'Rural Residential 2', which provides for a minimum lot area of 2 ha, and my request that the draft Strategy and Scheme be amended to provide higher density:</p>	<p>Noted. Shire officers recognise that there has been some interest in further subdivision to allow 1ha lot sizes in areas identified as Rural Residential RR-2. The Shire's draft Local Planning Strategy and Local Planning Scheme No.3 is required to be consistent with both the State and local strategic planning frameworks.</p>	

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		<ul style="list-style-type: none"> <li>• Land immediately abutting Rowley Road should be zoned for urban development in accord with the land within the City of Armadale also abutting Rowley Road (generally the northern side) to provide a consistent and appropriate road environment and an appropriate buffer to the increasingly trafficked Rowley Road and the equine industry</li> <li>• All land within the proposed 'Rural Residential 2' zoned area near Rowley Road should be provided with a minimum 1 ha density as equine properties of this size exist elsewhere within the Shire and the Shire has been unable to afford to adequately maintain the Bridal Trail network with the area.</li> </ul> <p>As such, my proposal is in accord with the direction indicated by the draft Strategy and provides a better planning solution for the area.</p> <p>In the following paragraphs, I provide more detail supporting my submission.</p> <p>Inconsistent Planning</p> <p>The currently proposed zoning is inconsistent with and contrasts sharply with other land abutting Rowley Road, particularly the land immediately to the north of the road, which is summarised as follows:</p> <ul style="list-style-type: none"> <li>• Lots as small as 500m<sup>2</sup> abut the Rowley Road reserve in the area approximately opposite Bernborough Way.</li> <li>• Lots as small as 0.5ha, with just a 50m frontage, front Rowley Road between approximately Bernborough Way and Masters Road and also approximately opposite Phar Lap Drive.</li> <li>• Lots as small as 314m<sup>2</sup> abut the Rowley Road reserve in the area approximately opposite Masters Road.</li> </ul> <p>Rowley Road is becoming an important corridor connecting the area with Tonkin Highway and traffic is increasing. It is important motorists are not presented with mixed messages about the context of the road owing to the expansive environment immediately to the south enticing higher traffic speed and noise. The demarcation between the residential rural lots and the urban lots should be set back from Rowley Road, not defined by it.</p> <p>Equine Industry would benefit from a Buffer</p> <p>On page 32, the Strategy places a large emphasis on the Equine Industry of the area. With respect to this, I note the following:</p> <ul style="list-style-type: none"> <li>• The area does have some Bridal Trails and some equine properties. However, the properties fronting Rowley Road typically are without access to the Bridal Trails.</li> <li>• It would be of benefit to the equine industry to provide a buffer between increasingly trafficked Rowley Road and the land used by the industry.</li> </ul>	<p>The subject area is identified as Rural Residential (1ha – 4ha lot sizes) under the Western Australian Planning Commission's (WAPC) Perth and Peel @ 3.5 Million Sub-Regional Planning Frameworks. Under the Shire's Rural Strategy, which has been approved by the WAPC, the subject area is identified as Rural Living B and Residential and Stables as it is a designated and established equestrian area (Darling Downs/ Oakford). The intent of the Residential and Stables area is to provide a separate area for intense equine activities which could potentially generate offsite impacts that could conflict with the values of traditional rural living areas. The land capability of the soils in this area is generally poor and unable to sustain intensive use without land degradation, limiting further subdivision potential. A large number of properties within the area are equine properties and the Shire is advocating to support the equine industry throughout the Shire especially in the designated areas within the Shire.</p> <p>Under the Rural Strategy, the Residential and Stables Policy Area allows a 2ha lot size minimum. Lots that are 2ha in size are more appropriate to sustain equine uses than 1ha lot sizes, as guided by stocking rate guidelines. Larger lot sizes are also more appropriate to minimise land use conflicts between equine activities and residential uses. Potentially doubling the number of lots within the precinct would significantly increase the amount of traffic within the area. This is not compatible with equine activities and associated trails within the area and maintaining the intended equestrian character of the area. Both the Scheme and Strategy outline and advocate for the equine industry across the Shire. The Scheme outlines in particular areas where horses can be kept subject to the discretion of the Local Government.</p> <p>The land sizing of the properties within the subject area are mostly approximately 2ha in size, which relates to the Rural Residential RR-2 designation that allows a 2ha lot size minimum. This land is also located on the most outer area of the Shire. As one of the outer most areas of the Shire on the Rural fringe, the larger Rural Residential RR-2 lots have been proposed over the area to provide a</p>	

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		<p>draft Scheme and Strategy to permit 1ha lots within the equine area would increase rates revenues received by the Shire from land holders with access to the Bridal Trail network, potentially enabling an improved maintenance regime.</p> <p>Therefore, it is in the interests of the Equine Industry of the area and more consistent with the stated Intentions of the Draft Strategy and Scheme for amendment to occur to provide for:</p> <ul style="list-style-type: none"> <li>• A buffer of higher density urban zoned land to be provided Immediately to the south of Rowley Road; and</li> <li>• Minimum lot sizes of the balance of the Equine Industry land area to be reduced to 1ha.</li> </ul> <p>Recommendation</p> <p>The Shire of Serpentine Jarrahdale should amend the draft Strategy and Scheme to provide for:</p> <ul style="list-style-type: none"> <li>• land Immediately abutting Rowley Road should be zoned for urban development in accord with the land within the City of Armadale also abutting Rowley Road (generally the northern side) to provide a consistent and appropriate road environment and an appropriate buffer to the increasingly trafficked Rowley Road and the equine industry</li> <li>• All land within the proposed 'Rural Residential 2' zoned area near Rowley Road should be provided with a minimum 1 ha density as equine properties of this size exist elsewhere within the Shire and the Shire has been unable to afford to adequately maintain the Bridal Trail network within the area.</li> </ul>		
<p>Mr Rob McKail  1326 Rowley Road  DARLING DOWNS  IN19/28131  IN19/28136</p>	<p>108.</p>	<p>I, Rob McKail of 1326 Rowley Road Darling Downs WA 6122, provide the following submission with regard to the Shire of Serpentine Jarrahdale Draft Local Planning Strategy (Strategy) and Draft Local Planning Scheme No. 3 (Scheme).</p> <p>Please note my objection to the proposed zoning of the land immediately to the south of Rowley Road as 'Rural Residential 2', which provides for a minimum lot area of 2 ha, and my request that the draft Strategy and Scheme be amended to provide higher density:</p> <ul style="list-style-type: none"> <li>• Land immediately abutting Rowley Road should be zoned for urban development in accord with the land within the City of Armadale also abutting Rowley Road (generally the northern side) to provide a consistent and appropriate road environment and an appropriate buffer to the increasingly trafficked Rowley Road and the equine industry</li> <li>• All land within the proposed 'Rural Residential 2' zoned area near Rowley Road should be provided with a minimum 1 ha density as equine properties of this size exist elsewhere within the Shire and the Shire has been unable to afford to adequately maintain the Bridal Trail network with the area.</li> </ul>	<p>Noted. Shire officers recognise that there has been some interest in further subdivision to allow 1ha lot sizes in areas identified as Rural Residential RR-2. The Shire's draft Local Planning Strategy and Local Planning Scheme No.3 is required to be consistent with both the State and local strategic planning frameworks.</p> <p>The subject area is identified as Rural Residential (1ha – 4ha lot sizes) under the Western Australian Planning Commission's (WAPC) Perth and Peel @ 3.5 Million Sub-Regional Planning Frameworks. Under the Shire's Rural Strategy, which has been approved by the WAPC, the subject area is identified as Rural Living B and Residential and Stables as it is a designated and established equestrian area (Darling Downs/ Oakford). The intent of the Residential and Stables area is to provide a separate area for intense equine</p>	

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<p>Melinda &amp; Richard Campbell  42 Bernborough Way  DARLING DOWNS  IN19/28132</p>	<p>109.</p>	<p>We, Melinda &amp; Richard Campbell of 42 Bernborough Way Darling Downs WA 6122, provide the following submission with regard to the Shire of Serpentine Jarrahdale Draft Local Planning Strategy (Strategy) and Draft Local Planning Scheme No. 3 (Scheme).</p> <p>Please note my objection to the proposed zoning of the land immediately to the south of Rowley Road as 'Rural Residential 2', which provides for a minimum lot area of 2 ha, and my request that the draft Strategy and Scheme be amended to provide higher density:</p> <ul style="list-style-type: none"> <li>Land immediately abutting Rowley Road should be zoned for urban development in accord with the land within the City of Armadale also abutting Rowley Road (generally the northern side) to provide a consistent and appropriate road environment and an appropriate buffer to the increasingly trafficked Rowley Road and the equine industry</li> <li>All land within the proposed 'Rural Residential 2' zoned area near Rowley Road should be provided with a minimum 1 ha density as equine properties of this size exist elsewhere within the Shire and the Shire has been unable to afford to adequately maintain the Bridal Trail network with the area.</li> </ul> <p>As such, my proposal is in accord with the direction indicated by the draft Strategy and provides a better planning solution for the area.</p> <p>In the following paragraphs, I provide more detail supporting my submission.</p> <p>Inconsistent Planning</p>	<p>Noted. Shire officers recognise that there has been some interest in further subdivision to allow 1ha lot sizes in areas identified as Rural Residential RR-2. The Shire's draft Local Planning Strategy and Local Planning Scheme No.3 is required to be consistent with both the State and local strategic planning frameworks.</p> <p>The subject area is identified as Rural Residential (1ha – 4ha lot sizes) under the Western Australian Planning Commission's (WAPC) Perth and Peel @ 3.5 Million Sub-Regional Planning Frameworks. Under the Shire's Rural Strategy, which has been approved by the WAPC, the subject area is identified as Rural Living B and Residential and Stables as it is a designated and established equestrian area (Darling Downs/ Oakford). The intent of the Residential and Stables area is to provide a separate area for intense equine activities which could potentially generate offsite impacts that could conflict with the values of traditional rural living areas. The land capability of the soils in this area is generally poor and unable to sustain intensive use without land degradation, limiting further subdivision potential. A large number of properties within the area are equine properties and the Shire is advocating to support the equine industry throughout the Shire especially in the designated areas within the Shire.</p>	

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		<ul style="list-style-type: none"> <li>• Drainage of this land in ,accord with the Stormwater Management Handbook and established practices can be achieved.</li> <li>• Power infrastructure is located along Rowley Road.</li> <li>• Telecommunications infrastructure is located along Rowley Road.</li> <li>• The surface geology of the land is approximately Class M or S as per AS2870 with Class S reliably achievable with earthworks that would be complementary to the area through the placement of minor sand fill consistent with the land to the north of Rowley Road.</li> </ul> <p>As a result, a buffer of land along Rowley Road could easily be provided with a higher density zoning.</p> <p>Supporting the Equine Industry</p> <p>The current draft Strategy and Scheme does not support the Equine industry as claimed:</p> <ul style="list-style-type: none"> <li>• Equine industry properties ideally need separation from roads which are reasonably significantly trafficked. It is evident that the majority of the land today used by the equine industry is indeed setback from Rowley Road. The amenity of this land would improve with the provision of a buffer along Rowley Road, better serving the equine industry.</li> <li>• The majority of the lots primarily the subject of this submission, the lots abutting Rowley Road, typically do not have access to the Bridal Trails and so should not be considered as equine industry supporting land.</li> <li>• The ,poor maintenance condition of the Bridal Trail Infrastructure is noted. Equine properties of minimum area 1ha, as per the proposed 'Rural Residential I' zoning, exist in other parts of the Shire. Amendment of the draft Scheme and Strategy to permit 1ha lots within the equine area would increase rates revenues received by the Shire from land holders with access to the Bridal Trail network, potentially enabling an improved maintenance regime.</li> </ul> <p>Therefore, it is in the interests of the Equine Industry of the area and more consistent with the stated Intentions of the Draft Strategy and Scheme for amendment to occur to provide for:</p> <ul style="list-style-type: none"> <li>• A buffer of higher density urban zoned land to be provided Immediately to the south of Rowley Road; and</li> <li>• Minimum lot sizes of the balance of the Equine Industry land area to be reduced to 1ha.</li> </ul> <p>Recommendation</p> <p>The Shire of Serpentine Jarrahdale should amend the draft Strategy and Scheme to provide for:</p>		

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		<ul style="list-style-type: none"> <li>land Immediately abutting Rowley Road should be zoned for urban development in accord with the land within the City of Armadale also abutting Rowley Road (generally the northern side) to provide a consistent and appropriate road environment and an appropriate buffer to the increasingly trafficked Rowley Road and the equine industry</li> <li>All land within the proposed 'Rural Residential 2' zoned area near Rowley Road should be provided with a minimum 1 ha density as equine properties of this size exist elsewhere within the Shire and the Shire has been unable to afford to adequately maintain the Bridal Trail network within the area.</li> </ul>		
Richard Kitto & Mark Kitto Lot 50 Rowley Road, DARLING DOWNS IN19/28133	110.	<p>We, Richard Kitto and Mark Kitto of Lot 50 Rowley Road Darling Downs WA 6122, provide the following submission with regard to the Shire of Serpentine Jarrahdale Draft Local Planning Strategy (Strategy) and Draft Local Planning Scheme No. 3 (Scheme).</p> <p>Please note my objection to the proposed zoning of the land immediately to the south of Rowley Road as 'Rural Residential 2', which provides for a minimum lot area of 2 ha, and my request that the draft Strategy and Scheme be amended to provide higher density:</p> <ul style="list-style-type: none"> <li>Land immediately abutting Rowley Road should be zoned for urban development in accord with the land within the City of Armadale also abutting Rowley Road (generally the northern side) to provide a consistent and appropriate road environment and an appropriate buffer to the increasingly trafficked Rowley Road and the equine industry</li> <li>All land within the proposed 'Rural Residential 2' zoned area near Rowley Road should be provided with a minimum 1 ha density as equine properties of this size exist elsewhere within the Shire and the Shire has been unable to afford to adequately maintain the Bridal Trail network with the area.</li> </ul> <p>As such, my proposal is in accord with the direction indicated by the draft Strategy and provides a better planning solution for the area.</p> <p>In the following paragraphs, I provide more detail supporting my submission.</p> <p><b>Inconsistent Planning</b></p> <p>The currently proposed zoning is inconsistent with and contrasts sharply with other land abutting Rowley Road, particularly the land immediately to the north of the road, which is summarised as follows:</p> <ul style="list-style-type: none"> <li>Lots as small as 500m<sup>2</sup> abut the Rowley Road reserve in the area approximately opposite Bernborough Way.</li> <li>Lots as small as 0.5ha, with just a 50m frontage, front Rowley Road between approximately Bernborough Way and Masters Road and also approximately opposite Phar Lap Drive.</li> </ul>	<p>Noted. Shire officers recognise that there has been some interest in further subdivision to allow 1ha lot sizes in areas identified as Rural Residential RR-2. The Shire's draft Local Planning Strategy and Local Planning Scheme No.3 is required to be consistent with both the State and local strategic planning frameworks.</p> <p>The subject area is identified as Rural Residential (1ha – 4ha lot sizes) under the Western Australian Planning Commission's (WAPC) Perth and Peel @ 3.5 Million Sub-Regional Planning Frameworks. Under the Shire's Rural Strategy, which has been approved by the WAPC, the subject area is identified as Rural Living B and Residential and Stables as it is a designated and established equestrian area (Darling Downs/ Oakford). The intent of the Residential and Stables area is to provide a separate area for intense equine activities which could potentially generate offsite impacts that could conflict with the values of traditional rural living areas. The land capability of the soils in this area is generally poor and unable to sustain intensive use without land degradation, limiting further subdivision potential. A large number of properties within the area are equine properties and the Shire is advocating to support the equine industry throughout the Shire especially in the designated areas within the Shire.</p> <p>Under the Rural Strategy, the Residential and Stables Policy Area allows a 2ha lot size minimum. Lots that are 2ha in size are more appropriate to sustain equine uses than 1ha lot sizes, as guided by stocking rate guidelines. Larger lot sizes are also more appropriate to minimise land use conflicts between equine activities and residential uses. Potentially doubling the number of lots within</p>	

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		<ul style="list-style-type: none"> <li>• Lots as small as 314m<sup>2</sup> abut the Rowley Road reserve in the area approximately opposite Masters Road.</li> </ul> <p>Rowley Road is becoming an important corridor connecting the area with Tonkin Highway and traffic is increasing. It is important motorists are not presented with mixed messages about the context of the road owing to the expansive environment immediately to the south enticing higher traffic speed and noise. The demarcation between the residential rural lots and the urban lots should be set back from Rowley Road, not defined by it.</p> <p>Equine Industry would benefit from a Buffer</p> <p>On page 32, the Strategy places a large emphasis on the Equine Industry of the area. With respect to this, I note the following:</p> <ul style="list-style-type: none"> <li>• The area does have some Bridal Trails and some equine properties. However, the properties fronting Rowley Road typically are without access to the Bridal Trails.</li> <li>• It would be of benefit to the equine industry to provide a buffer between increasingly trafficked Rowley Road and the land used by the industry.</li> <li>• The land relevant to this Submission is rarely being used by the equine industry, with the equine industry having already set itself back from the increasingly trafficked Rowley Road.</li> </ul> <p>Therefore, it would be consistent with the general intentions indicated in the documents to establish a genuine a buffer between Rowley Road and the land considered suitable for the equine industry by amending the draft Strategy and Scheme to a higher density zoning along Rowley Road.</p> <p>Land Can Support Higher Density</p> <p>The land immediately abutting Rowley Road to the south is capable of supporting higher density:</p> <ul style="list-style-type: none"> <li>• Mains Water infrastructure already exists along Rowley Road</li> <li>• Mains Sewer infrastructure is located within reasonably close proximity and the extension of this infrastructure is likely to become feasible subject to the proposed Strategy and Scheme being amended to permit higher residential density.</li> <li>• Drainage of this land in accord with the Stormwater Management Handbook and established practices can be achieved.</li> <li>• Power infrastructure is located along Rowley Road.</li> <li>• Telecommunications infrastructure is located along Rowley Road.</li> <li>• The surface geology of the land is approximately Class M or S as per AS2870 with Class S reliably achievable with earthworks that would be complementary to the area through the placement of minor sand fill consistent with the land to the north of Rowley Road.</li> </ul>	<p>the precinct would significantly increase the amount of traffic within the area. This is not compatible with equine activities and associated trails within the area and maintaining the intended equestrian character of the area. Both the Scheme and Strategy outline and advocate for the equine industry across the Shire. The Scheme outlines in particular areas where horses can be kept subject to the discretion of the Local Government.</p> <p>The land sizing of the properties within the subject area are mostly approximately 2ha in size, which relates to the Rural Residential RR-2 designation that allows a 2ha lot size minimum. This land is also located on the most outer area of the Shire. As one of the outer most areas of the Shire on the Rural fringe, the larger Rural Residential RR-2 lots have been proposed over the area to provide a graduation of lots sizes. The Shire's strategy for this is to develop a graduation of lot sizes from the outer areas into the urban cells (Byford) of the Shire.</p> <p>While it is acknowledged that the subject area is located between urban development to the north within the City of Armadale and to the south within Byford, it is the strategic vision of the Shire to contain urban development within defined precincts interspersed by green corridors and rural forms of development. Preserving Rural Residential development with 2ha lot sizes is important to maintain a clear separation between the urban areas to the north and south. Rowley Road and Thomas Road provide logical boundaries to contain this development. Shire officers recommend no changes to the 2ha minimum lot size of the area.</p>	

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		<p>As a result, a buffer of land along Rowley Road could easily be provided with a higher density zoning.</p> <p>Supporting the Equine Industry</p> <p>The current draft Strategy and Scheme does not support the Equine industry as claimed:</p> <ul style="list-style-type: none"> <li>• Equine industry properties ideally need separation from roads which are reasonably significantly trafficked. It is evident that the majority of the land today used by the equine industry is indeed setback from Rowley Road. The amenity of this land would improve with the provision of a buffer along Rowley Road, better serving the equine industry.</li> <li>• The majority of the lots primarily the subject of this submission, the lots abutting Rowley Road, typically do not have access to the Bridal Trails and so should not be considered as equine industry supporting land.</li> <li>• The ,poor maintenance condition of the Bridal Trail Infrastructure is noted. Equine properties of minimum area 1ha, as per the proposed 'Rural Residential 1' zoning, exist in other parts of the Shire. Amendment of the draft Scheme and Strategy to permit 1ha lots within the equine area would increase rates revenues received by the Shire from land holders with access to the Bridal Trail network, potentially enabling an improved maintenance regime.</li> </ul> <p>Therefore, it is in the interests of the Equine Industry of the area and more consistent with the stated Intentions of the Draft Strategy and Scheme for amendment to occur to provide for:</p> <ul style="list-style-type: none"> <li>• A buffer of higher density urban zoned land to be provided Immediately to the south of Rowley Road; and</li> <li>• Minimum lot sizes of the balance of the Equine Industry land area to be reduced to 1ha.</li> </ul> <p>Recommendation  The Shire of Serpentine Jarrahdale should amend the draft Strategy and Scheme to provide for:</p> <ul style="list-style-type: none"> <li>• land Immediately abutting Rowley Road should be zoned for urban development in accord with the land within the City of Armadale also abutting Rowley Road (generally the northern side) to provide a consistent ~nd appropriate road environment and an appropriate buffer to the increasingly trafficked Rowley Road and the equine industry</li> <li>• All land within the proposed 'Rural Residential 2' zoned area near Rowley Road should be provided with a minimum 1 ha density as equine properties of this size exist elsewhere within the Shire and the Shire has been unable to afford to adequately maintain the Bridal Trail network within the area.</li> </ul>		

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<p>Russell Langford 1304 Rowley Road DARLING DOWNS IN19/28135</p>	<p>111.</p>	<p>I, Russell Langford of Lot 50 Rowley Road Darling Downs WA 6122, provide the following submission with regard to the Shire of Serpentine Jarrahdale Draft Local Planning Strategy (Strategy) and Draft Local Planning Scheme No. 3 (Scheme).</p> <p>Please note my objection to the proposed zoning of the land immediately to the south of Rowley Road as 'Rural Residential 2', which provides for a minimum lot area of 2 ha, and my request that the draft Strategy and Scheme be amended to provide higher density:</p> <ul style="list-style-type: none"> <li>• Land immediately abutting Rowley Road should be zoned for urban development in accord with the land within the City of Armadale also abutting Rowley Road (generally the northern side) to provide a consistent and appropriate road environment and an appropriate buffer to the increasingly trafficked Rowley Road and the equine industry</li> <li>• All land within the proposed 'Rural Residential 2' zoned area near Rowley Road should be provided with a minimum 1 ha density as equine properties of this size exist elsewhere within the Shire and the Shire has been unable to afford to adequately maintain the Bridal Trail network with the area.</li> </ul> <p>As such, my proposal is in accord with the direction indicated by the draft Strategy and provides a better planning solution for the area.</p> <p>In the following paragraphs, I provide more detail supporting my submission.</p> <p><b>Inconsistent Planning</b></p> <p>The currently proposed zoning is inconsistent with and contrasts sharply with other land abutting Rowley Road, particularly the land immediately to the north of the road, which is summarised as follows:</p> <ul style="list-style-type: none"> <li>• Lots as small as 500m<sup>2</sup> abut the Rowley Road reserve in the area approximately opposite Bernborough Way.</li> <li>• Lots as small as 0.5ha, with just a 50m frontage, front Rowley Road between approximately Bernborough Way and Masters Road and also approximately opposite Phar Lap Drive.</li> <li>• Lots as small as 314m<sup>2</sup> abut the Rowley Road reserve in the area approximately opposite Masters Road.</li> </ul> <p>Rowley Road is becoming an important corridor connecting the area with Tonkin Highway and traffic is increasing. It is important motorists are not presented with mixed messages about the context of the road owing to the expansive environment immediately to the south enticing higher traffic speed and noise. The demarcation between the residential rural lots and the urban lots should be set back from Rowley Road, not defined by it.</p> <p>Equine Industry would benefit from a Buffer</p>	<p>Noted. Shire officers recognise that there has been some interest in further subdivision to allow 1ha lot sizes in areas identified as Rural Residential RR-2. The Shire's draft Local Planning Strategy and Local Planning Scheme No.3 is required to be consistent with both the State and local strategic planning frameworks.</p> <p>The subject area is identified as Rural Residential (1ha – 4ha lot sizes) under the Western Australian Planning Commission's (WAPC) Perth and Peel @ 3.5 Million Sub-Regional Planning Frameworks. Under the Shire's Rural Strategy, which has been approved by the WAPC, the subject area is identified as Rural Living B and Residential and Stables as it is a designated and established equestrian area (Darling Downs/ Oakford). The intent of the Residential and Stables area is to provide a separate area for intense equine activities which could potentially generate offsite impacts that could conflict with the values of traditional rural living areas. The land capability of the soils in this area is generally poor and unable to sustain intensive use without land degradation, limiting further subdivision potential. A large number of properties within the area are equine properties and the Shire is advocating to support the equine industry throughout the Shire especially in the designated areas within the Shire.</p> <p>Under the Rural Strategy, the Residential and Stables Policy Area allows a 2ha lot size minimum. Lots that are 2ha in size are more appropriate to sustain equine uses than 1ha lot sizes, as guided by stocking rate guidelines. Larger lot sizes are also more appropriate to minimise land use conflicts between equine activities and residential uses. Potentially doubling the number of lots within the precinct would significantly increase the amount of traffic within the area. This is not compatible with equine activities and associated trails within the area and maintaining the intended equestrian character of the area. Both the Scheme and Strategy outline and advocate for the equine industry across the Shire. The Scheme outlines in particular areas where horses can be kept subject to the discretion of the Local Government.</p>	

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		<p>On page 32, the Strategy places a large emphasis. on the Equine Industry of the area. With respect to this, I note the following:</p> <ul style="list-style-type: none"> <li>• The area does have some Bridal Trails and some equine properties. However, the properties fronting Rowley Road typically are without access to the Bridal Trails.</li> <li>• It would be of benefit to the equine industry to provide a buffer between increasingly trafficked Rowley Road and the land used by the industry.</li> <li>• The land relevant to this Submission is rarely being used by the Equine industry, with the equine industry having already set itself back from the increasingly trafficked Rowley Road.</li> </ul> <p>Therefore, it would be consistent with the general intentions indicated in the documents to establish a genuine a buffer between Rowley Road and the land considered suitable for the equine industry by amending the draft Strategy and Scheme to a higher density zoning along Rowley Road.</p> <p>Land Can Support Higher Density</p> <p>The land immediately abutting Rowley Road to the south is capable of supporting higher density:</p> <ul style="list-style-type: none"> <li>• Mains Water infrastructure already exists along Rowley Road</li> <li>• Mains Sewer infrastructure is located within reasonably close proximity and the extension of this infrastructure is likely to become feasible subject to the proposed Strategy and Scheme being amended to permit higher residential density.</li> <li>• Drainage of this land in ,accord with the Stormwater Management Handbook and established practices can be achieved.</li> <li>• Power infrastructure is located along Rowley Road.</li> <li>• Telecommunications infrastructure is located along Rowley Road.</li> <li>• The surface geology of the land is approximately Class M or S as per AS2870 with Class S reliably achievable with earthworks that would be complementary to the area through the placement of minor sand fill consistent with the land to the north of Rowley Road.</li> </ul> <p>As a result, a buffer of land along Rowley Road could easily be provided with a higher density zoning.</p> <p>Supporting the Equine Industry</p> <p>The current draft Strategy and Scheme does not support the Equine industry as claimed:</p> <ul style="list-style-type: none"> <li>• Equine industry properties ideally need separation from roads which are reasonably significantly trafficked. It is evident that the majority of the land today used by the equine industry is indeed setback from Rowley Road.</li> </ul>	<p>The land sizing of the properties within the subject area are mostly approximately 2ha in size, which relates to the Rural Residential RR-2 designation that allows a 2ha lot size minimum. This land is also located on the most outer area of the Shire. As one of the outer most areas of the Shire on the Rural fringe, the larger Rural Residential RR-2 lots have been proposed over the area to provide a graduation of lots sizes. The Shire's strategy for this is to develop a graduation of lot sizes from the outer areas into the urban cells (Byford) of the Shire.</p> <p>While it is acknowledged that the subject area is located between urban development to the north within the City of Armadale and to the south within Byford, it is the strategic vision of the Shire to contain urban development within defined precincts interspersed by green corridors and rural forms of development. Preserving Rural Residential development with 2ha lot sizes is important to maintain a clear separation between the urban areas to the north and south. Rowley Road and Thomas Road provide logical boundaries to contain this development. Shire officers recommend no changes to the 2ha minimum lot size of the area.</p>	

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		<p>The amenity of this land would improve with the provision of a buffer along Rowley Road, better serving the equine industry.</p> <ul style="list-style-type: none"> <li>• The majority of the lots primarily the subject of this submission, the lots abutting Rowley Road, typically do not have access to the Bridal Trails and so should not be considered as equine industry supporting land.</li> <li>• The ,poor maintenance condition of the Bridal Trail Infrastructure is noted. Equine properties of minimum area 1ha, as per the proposed 'Rural Residential 1' zoning, exist in other parts of the Shire. Amendment of the draft Scheme and Strategy to permit 1ha lots within the equine area would increase rates revenues received by the Shire from land holders with access to the Bridal Trail network, potentially enabling an improved maintenance regime.</li> </ul> <p>Therefore, it is in the interests of the Equine Industry of the area and more consistent with the stated Intentions of the Draft Strategy and Scheme for amendment to occur to provide for:</p> <ul style="list-style-type: none"> <li>• A buffer of higher density urban zoned land to be provided Immediately to the south of Rowley Road; and</li> <li>• Minimum lot sizes of the balance of the Equine Industry land area to be reduced to 1ha.</li> </ul> <p>Recommendation</p> <p>The Shire of Serpentine Jarrahdale should amend the draft Strategy and Scheme to provide for:</p> <ul style="list-style-type: none"> <li>• land Immediately abutting Rowley Road should be zoned for urban development in accord with the land within the City of Armadale also abutting Rowley Road (generally the northern side) to provide a consistent ~nd appropriate road environment and an appropriate buffer to the increasingly trafficked Rowley Road and the equine industry</li> <li>• All land within the proposed 'Rural Residential 2' zoned area near Rowley Road should be provided with a minimum 1 ha density as equine properties of this size exist elsewhere within the Shire and the Shire has been unable to afford to adequately maintain the Bridal Trail network within the area.</li> </ul>		
<p>Fiona Stewart  28 Bernborough Way  DARLING DOWNS  IN19/28138</p>	<p>112.</p>	<p>I, Fiona Stewart of 28 Bernborough Way Darling Downs WA 6122, provide the following submission with regard to the Shire of Serpentine Jarrahdale Draft Local Planning Strategy (Strategy) and Draft Local Planning Scheme No. 3 (Scheme).</p> <p>Please note my objection to the proposed zoning of the land immediately to the south of Rowley Road as 'Rural Residential 2', which provides for a minimum lot area of 2 ha, and my request that the draft Strategy and Scheme be amended to provide higher density:</p>	<p>Noted. Shire officers recognise that there has been some interest in further subdivision to allow 1ha lot sizes in areas identified as Rural Residential RR-2. The Shire's draft Local Planning Strategy and Local Planning Scheme No.3 is required to be consistent with both the State and local strategic planning frameworks.</p> <p>The subject area is identified as Rural Residential (1ha – 4ha lot sizes) under the Western Australian</p>	

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		<p>draft Scheme and Strategy to permit 1ha lots within the equine area would increase rates revenues received by the Shire from land holders with access to the Bridal Trail network, potentially enabling an improved maintenance regime.</p> <p>Therefore, it is in the interests of the Equine Industry of the area and more consistent with the stated Intentions of the Draft Strategy and Scheme for amendment to occur to provide for:</p> <ul style="list-style-type: none"> <li>• A buffer of higher density urban zoned land to be provided Immediately to the south of Rowley Road; and</li> <li>• Minimum lot sizes of the balance of the Equine Industry land area to be reduced to 1ha.</li> </ul> <p>Recommendation</p> <p>The Shire of Serpentine Jarrahdale should amend the draft Strategy and Scheme to provide for:</p> <ul style="list-style-type: none"> <li>• land Immediately abutting Rowley Road should be zoned for urban development in accord with the land within the City of Armadale also abutting Rowley Road (generally the northern side) to provide a consistent and appropriate road environment and an appropriate buffer to the increasingly trafficked Rowley Road and the equine industry</li> <li>• All land within the proposed 'Rural Residential 2' zoned area near Rowley Road should be provided with a minimum 1 ha density as equine properties of this size exist elsewhere within the Shire and the Shire has been unable to afford to adequately maintain the Bridal Trail network within the area.</li> </ul>		
<p>C &amp; M Forbes  1320 Rowley Road  DARLING DOWNS  IN19/28139</p>	<p>113.</p>	<p>I, Margaret and Charles Forbes of 1320 Rowley Road Darling Downs WA 6122, provide the following submission with regard to the Shire of Serpentine Jarrahdale Draft Local Planning Strategy (Strategy) and Draft Local Planning Scheme No. 3 (Scheme).</p> <p>Please note my objection to the proposed zoning of the land immediately to the south of Rowley Road as 'Rural Residential 2', which provides for a minimum lot area of 2 ha, and my request that the draft Strategy and Scheme be amended to provide higher density:</p> <ul style="list-style-type: none"> <li>• Land immediately abutting Rowley Road should be zoned for urban development in accord with the land within the City of Armadale also abutting Rowley Road (generally the northern side) to provide a consistent and appropriate road environment and an appropriate buffer to the increasingly trafficked Rowley Road and the equine industry</li> <li>• All land within the proposed 'Rural Residential 2' zoned area near Rowley Road should be provided with a minimum 1 ha density as equine properties of this size exist elsewhere within the Shire and the Shire has</li> </ul>	<p>Noted. Shire officers recognise that there has been some interest in further subdivision to allow 1ha lot sizes in areas identified as Rural Residential RR-2. The Shire's draft Local Planning Strategy and Local Planning Scheme No.3 is required to be consistent with both the State and local strategic planning frameworks.</p> <p>The subject area is identified as Rural Residential (1ha – 4ha lot sizes) under the Western Australian Planning Commission's (WAPC) Perth and Peel @ 3.5 Million Sub-Regional Planning Frameworks. Under the Shire's Rural Strategy, which has been approved by the WAPC, the subject area is identified as Rural Living B and Residential and Stables as it is a designated and established equestrian area (Darling Downs/ Oakford). The intent of the Residential and Stables area is to provide a separate area for intense equine</p>	

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		<p>been unable to afford to adequately maintain the Bridal Trail network with the area.</p> <p>As such, my proposal is in accord with the direction indicated by the draft Strategy and provides a better planning solution for the area.</p> <p>In the following paragraphs, I provide more detail supporting my submission.</p> <p>Inconsistent Planning</p> <p>The currently proposed zoning is inconsistent with and contrasts sharply with other land abutting Rowley Road, particularly the land immediately to the north of the road, which is summarised as follows:</p> <ul style="list-style-type: none"> <li>• Lots as small as 500m<sup>2</sup> abut the Rowley Road reserve in the area approximately opposite Bernborough Way.</li> <li>• Lots as small as 0.5ha, with just a 50m frontage, front Rowley Road between approximately Bernborough Way and Masters Road and also approximately opposite Phar Lap Drive.</li> <li>• Lots as small as 314m<sup>2</sup> abut the Rowley Road reserve in the area approximately opposite Masters Road.</li> </ul> <p>Rowley Road is becoming an important corridor connecting the area with Tonkin Highway and traffic is increasing. It is important motorists are not presented with mixed messages about the context of the road owing to the expansive environment immediately to the south enticing higher traffic speed and noise. The demarcation between the residential rural lots and the urban lots should be set back from Rowley Road, not defined by it.</p> <p>Equine Industry would benefit from a Buffer</p> <p>On page 32, the Strategy places a large emphasis on the Equine Industry of the area. With respect to this, I note the following:</p> <ul style="list-style-type: none"> <li>• The area does have some Bridal Trails and some equine properties. However, the properties fronting Rowley Road typically are without access to the Bridal Trails.</li> <li>• It would be of benefit to the equine industry to provide a buffer between increasingly trafficked Rowley Road and the land used by the industry.</li> <li>• The land relevant to this Submission is rarely being used by the Equine industry, with the equine industry having already set itself back from the increasingly trafficked Rowley Road.</li> </ul> <p>Therefore, it would be consistent with the general intentions indicated in the documents to establish a genuine a buffer between Rowley Road and the land considered suitable for the equine industry by amending the draft Strategy and Scheme to a higher density zoning along Rowley Road.</p>	<p>activities which could potentially generate offsite impacts that could conflict with the values of traditional rural living areas. The land capability of the soils in this area is generally poor and unable to sustain intensive use without land degradation, limiting further subdivision potential. A large number of properties within the area are equine properties and the Shire is advocating to support the equine industry throughout the Shire especially in the designated areas within the Shire.</p> <p>Under the Rural Strategy, the Residential and Stables Policy Area allows a 2ha lot size minimum. Lots that are 2ha in size are more appropriate to sustain equine uses than 1ha lot sizes, as guided by stocking rate guidelines. Larger lot sizes are also more appropriate to minimise land use conflicts between equine activities and residential uses. Potentially doubling the number of lots within the precinct would significantly increase the amount of traffic within the area. This is not compatible with equine activities and associated trails within the area and maintaining the intended equestrian character of the area. Both the Scheme and Strategy outline and advocate for the equine industry across the Shire. The Scheme outlines in particular areas where horses can be kept subject to the discretion of the Local Government.</p> <p>The land sizing of the properties within the subject area are mostly approximately 2ha in size, which relates to the Rural Residential RR-2 designation that allows a 2ha lot size minimum. This land is also located on the most outer area of the Shire. As one of the outer most areas of the Shire on the Rural fringe, the larger Rural Residential RR-2 lots have been proposed over the area to provide a graduation of lots sizes. The Shire's strategy for this is to develop a graduation of lot sizes from the outer areas into the urban cells (Byford) of the Shire.</p> <p>While it is acknowledged that the subject area is located between urban development to the north within the City of Armadale and to the south within Byford, it is the strategic vision of the Shire to contain urban development within defined precincts interspersed by green corridors and rural forms of</p>	

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		<p>Land Can Support Higher Density</p> <p>The land immediately abutting Rowley Road to the south is capable of supporting higher density:</p> <ul style="list-style-type: none"> <li>• Mains Water infrastructure already exists along Rowley Road</li> <li>• Mains Sewer infrastructure is located within reasonably close proximity and the extension of this infrastructure is likely to become feasible subject to the proposed Strategy and Scheme being amended to permit higher residential density.</li> <li>• Drainage of this land in ,accord with the Stormwater Management Handbook and established practices can be achieved.</li> <li>• Power infrastructure is located along Rowley Road.</li> <li>• Telecommunications infrastructure is located along Rowley Road.</li> <li>• The surface geology of the land is approximately Class M or S as per AS2870 with Class S reliably achievable with earthworks that would be complementary to the area through the placement of minor sand fill consistent with the land to the north of Rowley Road.</li> </ul> <p>As a result, a buffer of land along Rowley Road could easily be provided with a higher density zoning.</p> <p>Supporting the Equine Industry</p> <p>The current draft Strategy and Scheme does not support the Equine industry as claimed:</p> <ul style="list-style-type: none"> <li>• Equine industry properties ideally need separation from roads which are reasonably significantly trafficked. It is evident that the majority of the land today used by the equine industry is indeed setback from Rowley Road. The amenity of this land would improve with the provision of a buffer along Rowley Road, better serving the equine industry.</li> <li>• The majority of the lots primarily the subject of this submission, the lots abutting Rowley Road, typically do not have access to the Bridal Trails and so should not be considered as equine industry supporting land.</li> <li>• The ,poor maintenance condition of the Bridal Trail Infrastructure is noted. Equine properties of minimum area 1ha, as per the proposed 'Rural Residential I' zoning, exist in other parts of the Shire. Amendment of the draft Scheme and Strategy to permit 1ha lots within the equine area would increase rates revenues received by the Shire from land holders with access to the Bridal Trail network, potentially enabling an improved maintenance regime.</li> </ul> <p>Therefore, it is in the interests of the Equine Industry of the area and more consistent with the stated Intentions of the Draft Strategy and Scheme for amendment to occur to provide for:</p>	<p>development. Preserving Rural Residential development with 2ha lot sizes is important to maintain a clear separation between the urban areas to the north and south. Rowley Road and Thomas Road provide logical boundaries to contain this development. Shire officers recommend no changes to the 2ha minimum lot size of the area.</p>	

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		<ul style="list-style-type: none"> <li>• A buffer of higher density urban zoned land to be provided Immediately to the south of Rowley Road; and</li> <li>• Minimum lot sizes of the balance of the Equine Industry land area to be reduced to 1ha.</li> </ul> <p>Recommendation</p> <p>The Shire of Serpentine Jarrahdale should amend the draft Strategy and Scheme to provide for:</p> <ul style="list-style-type: none"> <li>• land Immediately abutting Rowley Road should be zoned for urban development in accord with the land within the City of Armadale also abutting Rowley Road (generally the northern side) to provide a consistent ~nd appropriate road environment and an appropriate buffer to the increasingly trafficked Rowley Road and the equine industry</li> <li>• All land within the proposed 'Rural Residential 2' zoned area near Rowley Road should be provided with a minimum 1 ha density as equine properties of this size exist elsewhere within the Shire and the Shire has been unable to afford to adequately maintain the Bridal Trail network within the area.</li> </ul>		
<p>Brett V Chappells  Lot 102 Bernborough Way  DARLING DOWNS  IN19/28141</p>	<p>114.</p>	<p>I, Brett V Chappells of 14 Bernborough Way Darling Downs WA 6122, provide the following submission with regard to the Shire of Serpentine Jarrahdale Draft Local Planning Strategy (Strategy) and Draft Local Planning Scheme No. 3 (Scheme).</p> <p>Please note my objection to the proposed zoning of the land immediately to the south of Rowley Road as 'Rural Residential 2', which provides for a minimum lot area of 2 ha, and my request that the draft Strategy and Scheme be amended to provide higher density:</p> <ul style="list-style-type: none"> <li>• Land immediately abutting Rowley Road should be zoned for urban development in accord with the land within the City of Armadale also abutting Rowley Road (generally the northern side) to provide a consistent and appropriate road environment and an appropriate buffer to the increasingly trafficked Rowley Road and the equine industry</li> <li>• All land within the proposed 'Rural Residential 2' zoned area near Rowley Road should be provided with a minimum 1 ha density as equine properties of this size exist elsewhere within the Shire and the Shire has been unable to afford to adequately maintain the Bridal Trail network with the area.</li> </ul> <p>As such, my proposal is in accord with the direction indicated by the draft Strategy and provides a better planning solution for the area.</p> <p>In the following paragraphs, I provide more detail supporting my submission.</p> <p>Inconsistent Planning</p>	<p>Noted. Shire officers recognise that there has been some interest in further subdivision to allow 1ha lot sizes in areas identified as Rural Residential RR-2. The Shire's draft Local Planning Strategy and Local Planning Scheme No.3 is required to be consistent with both the State and local strategic planning frameworks.</p> <p>The subject area is identified as Rural Residential (1ha – 4ha lot sizes) under the Western Australian Planning Commission's (WAPC) Perth and Peel @ 3.5 Million Sub-Regional Planning Frameworks. Under the Shire's Rural Strategy, which has been approved by the WAPC, the subject area is identified as Rural Living B and Residential and Stables as it is a designated and established equestrian area (Darling Downs/ Oakford). The intent of the Residential and Stables area is to provide a separate area for intense equine activities which could potentially generate offsite impacts that could conflict with the values of traditional rural living areas. The land capability of the soils in this area is generally poor and unable to sustain intensive use without land degradation, limiting further subdivision potential. A large number of properties within the area are equine properties and the Shire is advocating to support</p>	

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		<p>The currently proposed zoning is inconsistent with and contrasts sharply with other land abutting Rowley Road, particularly the land immediately to the north of the road, which is summarised as follows:</p> <ul style="list-style-type: none"> <li>• Lots as small as 500m<sup>2</sup> abut the Rowley Road reserve in the area approximately opposite Bernborough Way.</li> <li>• Lots as small as 0.5ha, with just a 50m frontage, front Rowley Road between approximately Bernborough Way and Masters Road and also approximately opposite Phar Lap Drive.</li> <li>• Lots as small as 314m<sup>2</sup> abut the Rowley Road reserve in the area approximately opposite Masters Road.</li> </ul> <p>Rowley Road is becoming an important corridor connecting the area with Tonkin Highway and traffic is increasing. It is important motorists are not presented with mixed messages about the context of the road owing to the expansive environment immediately to the south enticing higher traffic speed and noise. The demarcation between the residential rural lots and the urban lots should be set back from Rowley Road, not defined by it.</p> <p>Equine Industry would benefit from a Buffer</p> <p>On page 32, the Strategy places a large emphasis on the Equine Industry of the area. With respect to this, I note the following:</p> <ul style="list-style-type: none"> <li>• The area does have some Bridal Trails and some equine properties. However, the properties fronting Rowley Road typically are without access to the Bridal Trails.</li> <li>• It would be of benefit to the equine industry to provide a buffer between increasingly trafficked Rowley Road and the land used by the industry.</li> <li>• The land relevant to this Submission is rarely being used by the Equine industry, with the equine industry having already set itself back from the increasingly trafficked Rowley Road.</li> </ul> <p>Therefore, it would be consistent with the general intentions indicated in the documents to establish a genuine a buffer between Rowley Road and the land considered suitable for the equine industry by amending the draft Strategy and Scheme to a higher density zoning along Rowley Road.</p> <p>Land Can Support Higher Density</p> <p>The land immediately abutting Rowley Road to the south is capable of supporting higher density:</p> <ul style="list-style-type: none"> <li>• Mains Water infrastructure already exists along Rowley Road</li> <li>• Mains Sewer infrastructure is located within reasonably close proximity and the extension of this infrastructure is likely to become feasible subject to the proposed Strategy and Scheme being amended to permit higher residential density.</li> </ul>	<p>the equine industry throughout the Shire especially in the designated areas within the Shire.</p> <p>Under the Rural Strategy, the Residential and Stables Policy Area allows a 2ha lot size minimum. Lots that are 2ha in size are more appropriate to sustain equine uses than 1ha lot sizes, as guided by stocking rate guidelines. Larger lot sizes are also more appropriate to minimise land use conflicts between equine activities and residential uses. Potentially doubling the number of lots within the precinct would significantly increase the amount of traffic within the area. This is not compatible with equine activities and associated trails within the area and maintaining the intended equestrian character of the area. Both the Scheme and Strategy outline and advocate for the equine industry across the Shire. The Scheme outlines in particular areas where horses can be kept subject to the discretion of the Local Government.</p> <p>The land sizing of the properties within the subject area are mostly approximately 2ha in size, which relates to the Rural Residential RR-2 designation that allows a 2ha lot size minimum. This land is also located on the most outer area of the Shire. As one of the outer most areas of the Shire on the Rural fringe, the larger Rural Residential RR-2 lots have been proposed over the area to provide a graduation of lots sizes. The Shire's strategy for this is to develop a graduation of lot sizes from the outer areas into the urban cells (Byford) of the Shire.</p> <p>While it is acknowledged that the subject area is located between urban development to the north within the City of Armadale and to the south within Byford, it is the strategic vision of the Shire to contain urban development within defined precincts interspersed by green corridors and rural forms of development. Preserving Rural Residential development with 2ha lot sizes is important to maintain a clear separation between the urban areas to the north and south. Rowley Road and Thomas Road provide logical boundaries to contain this development. Shire</p>	

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George Parolo 536 Jarrahdale Road JARRAHDAL IN19/28167	115.	Please amend the address of Lot 800 Jarrahdale Road from 528 Jarrahdale Road under special use zone SU6 Machinery Museum. No. 528 Whitnash's Cottage was amalgamated with No. 536 some 10 years ago to form Lot 800. 536 has always been my residential address.	Noted – We appreciate your response via submission to the Draft Local Planning Strategy and Local Planning Scheme No.3.  The address is consistent with the Shire's mapping system – 528 Jarrahdale Road.	
Aussie Organics Pty Ltd Mr J James IN19/28168	116.	<p><b>RE : DRAFT LOCAL PLANNING SCHEME NO 3 - SUBMISSION AUSSIE ORGANICS PTY LTD – LOT 815 PUNRAK RD, HOPELANDS</b></p> <p>We refer to the Shire's invitation to comment on the on the Draft Local Planning Scheme No 3 and submit the following on behalf of our Client, Aussie Organics Pty Ltd.</p> <p>As Council is aware, Aussie Organics currently owns and operates a successful manure and soils blending facility from the eastern portion of Lot 815, Street No 76 Punrak Road, Hopelands. The existing operation has been in existence since 2002 and continues to be licensed by the Department of Environmental Regulation (DER) under the Environmental Protection Regulations. Product is sold directly to landscape suppliers and retail outlets. There are no public sales from the site.</p> <p>The existing manure / soil blending operation processes primarily sheep, chicken and pig manures. Aussie Organics has operated at the site for almost 20 years without any complaints and, indeed, has been complemented both by DWER and Shire Officers at their annual inspections on its waste handling measures and the manner in which the site is managed and operated.</p> <p>In December 2018, Aussie Organics received conditional approval from the Shire for a Green Waste Composting Facility on the rear portion of Lot 815, conditional upon, et al, no liquid waste to be brought on site.</p> <p>The production of manures / soil blends and composts / mulches is a significant industry providing widespread benefits to commercial and residential users of the products through the provision of a range of landscape and organic fertilisers, landscaping soils and water saving products notably mulches. The industry also provides the opportunity to</p>	The Shire does not support the inclusion of additional land uses to the Draft Local Planning Scheme No.3. The Rural zone allows for a range of land uses and activities that are compatible with the objectives of the zone. The Shire appreciates your response via submission to the Draft Local Planning Strategy and Local Planning Scheme No.3.	

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		<p>recover and recycle products such as animal manures and green wastes which would otherwise require disposal to landfill.</p> <p>More importantly the industry provides a valuable service to the intensive animal husbandry industries such as poultry farms and piggeries in the removal of their animal wastes which are then processed into bulk and bagged manures and used in soil blends for the landscape and garden sectors. In the absence of the manures / composting industries, the intensive animal husbandry operations would be required to transport and dispose of significant volumes of animal wastes at considerable cost.</p> <p>This is particularly the case for Aussie Organics which sources much of its manures – sheep, chicken and pig – from local farms, poultry farms and piggeries in the region of and near vicinity of the Aussie Organics site.</p> <p>Local Planning Scheme No 3 (LPS3) proposes that a Special Control Area (SCA6) be designated over the broader Hopelands Rd / Karnup Rd / Utley Rd district of Hopelands. The primary purpose of the SCA is to protect existing and future intensive industries that may be considered offensive from incursion by sensitive land uses and to ensure the maintenance of adequate buffers.</p> <p>Aussie Organics supports the introduction of Special Control Area 6 in the Hopelands area.</p> <p>Under the current Shire of Serpentine Jarrahdale Town Planning Scheme No 2 the production of manures and composts is classified as "Industry – Noxious" and an "SA" use in the Rural zone.</p> <p>Draft LPS3 no longer includes the term "Industry Noxious" in Table 3 - Zoning Table and while the Table has provided for many of the other activities formerly falling under industry - Noxious, the Table has not provided for manure and compost production industries.</p> <p>Accordingly, Aussie Organics seeks the inclusion of a new Use Class in LPS3 and Table 3 - Zoning Table to cater for the manure and compost industries and proposes:</p> <ol style="list-style-type: none"> <li>1. The inclusion of a new Land Use Term in Division 2, Clause 55 of the Scheme Text</li> </ol> <p>"compost and manure production" means the controlled process whereby animal manures and compostable organic wastes are microbiologically treated and transformed into manure blended soils/ composts and mulches.</p> <p>And</p>		

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		<p>2. The inclusion of "compost and manure production" in Table 3 – Zoning Table with the symbol "D" against the use in the Rural Zone.</p> <p>The inclusion of "compost and manure production" as a discretionary use in Table 3 is consistent with the manner in which other potentially offensive are treated under the Table such as animal husbandry.</p> <p>The inclusion of the "compost and manure production" as a discretionary use in Table 3 is also consistent with the objective of the Rural Zone under LPS3</p> <p>To provide for a range of non-rural land uses where they have demonstrated benefit and are compatible with surrounding rural uses.</p> <p>and the WA Planning Commission's recognition that Rural Zones need to be more flexible in the range of uses that may be considered within the Zone.</p>		
<p>K. Herbert Titelius J E Davis Co-convenor for Friends of Brickwood Reserve IN19/28201 IN19/28271</p>	<p>117.</p>	<p>To whom it may concern, My partner, Ms Joyce E. Davis and my (Karl H. Titelius) positions as stakeholders in the Draft LPS3 are two fold:</p> <p>Ms Davis has a stakeholding as a long term resident of Unit 2, No 84 Warrington Road, Byford for well more than 20 years; I, Karl H. Titelius, have a stakeholding in an active onground capacity, alongside Ms Davis as conveners for the friends of Brickwood Reserve; as a Threatened Ecological Community that has Federal Level Biodiversity protection regulations in place for that site.</p> <p>S/J Shire has signed records of our active on-ground commitment to Brickwood Reserve. This submission is not restricted to the Brickwood Reserve management issues and does refer to other issues related to sustainable development.</p> <p>1.0 Protection of conservation value of Brickwood Reserve The key failing of the LPS3 for us as conveners of the Friends of Brickwood Reserve is that neither the Byford Development Strategy, nor this Scheme have formally gazetted a sufficiently large multi-use connecting corridor to connect the high value conservation Brickwood Reserve to the Glades Green Corridor that includes Percy Park. In fact the map on display on the evening information night held at the Byford Hall only showed one narrow creekline focused, multi-use corridor (about 20 meters wide) joining Brickwood Reserve to the Green Corridor going northwest towards Percy Park. The other Creekline/Drainline just south of the houses off the south side of Mead Street, and west of the Warrington Rd intersection was not shown on the large map on the wall to the left of the Hall entrance.</p> <p>In fact when this issue was addressed to the Shire, map overlays were reviewed to verify that that second multi-use corridor was already formally gazetted. That</p>	<p>The Shire have included a number of environmental provisions in the Draft Scheme to protect vegetation and natural areas throughout the Shire. These include clauses:</p> <p>(48) – Vegetation (49) – Vegetation Removal (50) – Tree Preservation Orders (51) – Flood Risk Management (52) – Waterway Protection</p> <p>The Shire appreciates your response via submission to the Draft Local Planning Strategy and Local Planning Scheme No.3.</p>	

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		<p>oversight represents sloppy preparation of the information/community consult night especially in view of the fact that that northern drainline contains a permanent water body that is vital for local remnant wildlife, as well as various feral animals. The biggest failure was in the earlier Planning decisions that allowed the area between the two creeklines, an area of about 1 hectare, referred to above to be allocated for housing.</p> <p>That nominal 1 hectare area contains a whole multitude of large trees (30 metres or more in height) that constitute a vital habitat and refuge/roosting site for remnant Black Cockatoos populations. Trees of that size and number simply do not exist in the Brickwood Reserve. They are thus irreplaceable and unprotectable if houses are placed among those trees. Safety concerns from tall/burnable trees near houses and the house owner turn over rate will ensure that most of those large trees will be taken down on the pretext of various safety grounds once houses start to be built in that area.</p> <p>That population of trees includes Marris, Jarrah, flooded gum as well as some sundry exotic eucalypts and pine trees: and that nominal 1 hectare area has been formally nominated as part of the register of significant trees. The Shire needs to walk the talk on sustainable development and work with the developers to recover that land for its conservation values via offsets or whatever. Once the trees thinning process starts the wind throw issues will start because the wind will have better access to blow in among some of the remaining trees (blowing some down), that would have been protected by the presence of neighbouring trees to keep the wind moving over the whole tree community. Once one or two dramatic tree falls occur there will be pressure to be allowed to take more down.</p> <p>Furthermore in reference to Table 26 (Environmental and Natural Resource Management) there was reference made in the Section e of that Table 26 to:</p> <p>e. Not support the broad scale clearing of vegetation as a means of addressing Bushfire Attack Level.</p> <p>It is essentially impossible to have 30 meter high trees standing among and over housing and maintain that the Shire is genuinely committed to protecting vegetation as well as people's fire safety. It is either one or the other. The Shire through failure in Planning and inadequate ground truthing to recognise this contradiction for this site; and has thus locked itself into at least 1 hectare of land clearance of many large trees. How can it do this and talk of sustainable development?</p> <p>The Shire needs to have a carbon footprint accounting system to measure, explain and track and have the imagination and use science to calculate carbon impacts of its various actions and planning decisions and guidelines. Without a peer reviewable carbon impacts accounting method the Shire can not demonstrate or communicate its performance on this vital measure of</p>		

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		<p>sustainability and sustainable development. For this to work the developers that the Shire works with need to also adopt a uniform carbon accounting system to assist in producing proposals reflecting best practice in sustainable development as well as Adaptive Management for modifying design to reflect changing best practice.</p> <p>It is not good enough to merely be aspirational in relation to carbon accounting. Without a clear carbon accounting methodology you can not tell where you are or how to get to where you want to go in this world made dangerous from carbon release ignorance.</p> <p>2.0 Heat Stress</p> <p>In recent years of National State of the Environment reports, the biggest environmental killer of people is heat stress. Why does the LPS3 not have a whole section devoted explicitly to this major, important planning issue. It would make it easier to focus people's attention on matters around effectively addressing reduction in harm from heat stress, such as better retention of remnant vegetation and actually getting more strategic greenery in among the housing. Table 26 for instance makes reference to Bushfire Attack Levels as important consideration for house designs and retention of vegetation. Neither that Table 26 or any other makes it clear that heat stress kills more Australians than all the other natural disasters combined.</p> <p>The value of LPS3 has to be questioned in this significant failure to comprehensively outline what it is doing to manage the natural and built infrastructure to reduce the predictable and avoidable deadly threat to the community.</p>		
<p>Maria &amp; Philip Jones  62 Adams Street,  MUNDIJONG</p> <p>IN19/28205  IN19/28360</p>	<p>118.</p>	<p><b>SUBMISSION – DRAFT LOCAL PLANNING SCHEME NO 3 FROM PHILIP AND MARIA JONES OWNERS OF 62 (LOT 183) ADAMS STREET MUNDIJONG</b></p> <p>Dear Planning Division,</p> <p>Thank you for the opportunity to provide a submission to the Draft Local Planning Scheme Number 3. Over the past years we have provided a number of submissions to the Shire on the impact of the proposed town planning schemes on our property. The contents of the submissions have mainly related to the detrimental impact of the various versions of the scheme relating to our property.</p> <p>We strongly object to the impact that the Draft Local Planning Scheme Number 3 has on our property. As outlined in previous submissions, a significant amount of land opposite our property has been purchased by developers. Any requirements for public open space, corridors or inclusions of services such as drainage and footpaths should be allocated on the developers vast land</p>	<p>The land within the Mundijong Whitby area is designated Urban under the Draft Local Planning Strategy and zoned as Urban Development within the Draft Local Planning Scheme No.3. The objectives of the Urban Development zone under the draft Scheme are as follows:</p> <ul style="list-style-type: none"> <li>- To provide an intention of future land use and a basis for more detailed structure planning in accordance with the provisions of this Scheme.</li> <li>- To provide for a range of residential densities to encourage a variety of residential accommodation.</li> <li>- To provide for the progressive and planned development of future urban areas for residential purposes and for commercial</li> </ul>	

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		<p>holdings. This would reduce the impact on the subdivision opportunities for small land holders within Mundijong town site.</p> <p>Mundijong has been home to us for over 42 years. We have supported the Council by paying rates over many years and our children attended the local Primary School and we as a family belonged to and supported the local community.</p> <p>There is currently showing in the future Local Planning Strategy No 3:-</p> <ul style="list-style-type: none"> <li>• District Centre – shown in the vicinity of our home and acreage</li> <li>• Local Multi Use Corridor / Local Open Space – running thru our property</li> <li>• Also noticed on the Map a green corridor running down the front of our property - adjacent to Adams Road connecting to the proposed Local Multi Use Corridor</li> </ul> <p><b>WE STRONGLY OBJECT TO THE ABOVE</b></p> <p>1) The Developers having purchased huge amounts of <u>vacant</u> land surrounding the town site of Mundijong in the past 10 – 15 years opposed to our 42 years of ownership. Serpentine Jarrahdale Shire Planners have had ample time to plan Community Hubs and open space corridors on vacant land held by Developers minimising the adverse outcomes which will effect small acreage holders by reducing the subdivisible block size of owner’s properties.</p> <p>In addition developers are required to allocate a percentage of land to public open space as part of the planning process and therefore should be required to incorporate these requirements within their overall plan.</p> <p>2) We request our small acreage be zoned residential only and feel the above developments will reduce our own subdivision and saleability potential for our block situated in the town site of the Serpentine Jarrahdale Shire.</p> <p>3) Footpaths and drainage to Adams Street should be placed on the Council service verge and or Developers properties not the small land holders.</p> <p>We understand the need for cognitively in a community however in the 42 years of living in Mundijong we have never had a footpath to Adams or Tonkin Streets. A foot path on the Council Verge along with drainage leading to the reserve on the corner of Tonkin and Baskerville Streets would more than service the purpose of connecting a community thus</p>	<p>and other uses normally associated with residential development.</p> <ul style="list-style-type: none"> <li>- To provide an intermediate transitional zone following the lifting of an urban deferred zoning within the Metropolitan Region Scheme.</li> </ul> <p>The Draft Scheme contains provisions that state subdivision will not be supported for an area of land unless a structure plan has been approved for that land. The reason for not supporting subdivisions over the area of Mundijong, prior to the approval of a structure plan, is due to the Shire seeking to prevent ad hoc, unplanned subdivisions that may prejudice the future coordinated planning of the area and the delivery of essential infrastructure. The need for further planning studies is required to establish orderly and proper planning for the Mundijong urban centre. For this reason, further subdivision will not be supported prior to the approval of a structure plan for an area.</p>	

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		<p>ensuring less adverse impact on the small Mum and Dad land owner's properties.</p> <p>Thank you once again for the opportunity to submit a submission and I look forward to a favourable outcome affecting the "small land owners" living and owning property in the Town Site of Mundijong.</p>		
<p>Charles &amp; Victoria Kerfoot</p> <p>IN19/28220</p>	<p>119.</p>	<p><b>SUBMISSION</b>  <b>Rural Description:</b>            Ref to 'urban settlements'. I have concern that the rural vision and much of the productive rural land will be lost if the cross hatching areas noted as 'investigation areas' are developed. The urban development must be restricted.  <b>Zones:</b> I would object to any <b>General Industry</b> in the Shire. The Shire should remain as 'rural' as possible with light industry and industries that support the rural lifestyle.</p> <p><b>Town Distinctions</b>            The towns all have distinct identities. This needs to be maintained. Local residents and community groups should be a part of developing this distinction for their respective towns. Without duplicating services but providing separate facilities which can be shared by the whole shire. Jarrahdale, in particular, has already had studies, townscape plans and so on to make it distinct from the other towns.</p> <p><b>Tourism in Jarrahdale</b>            269 Jarrahdale Road – Service Station /Road House– totally inappropriate on a tourist drive.            Jarrahdale Road from the South West Highway to the Albany Highway should be considered a tourist drive. Whilst there is the inevitable link between the 2 highways it should not become a commercial route. It should not be used as a Primary Distributor Road. Need clarification on whether or not it is a State Road. I do not want the Southern Link Road to go through Jarrahdale.            I would however have no objection to a rail line being constructed for freight use to and from the agricultural districts.</p> <p><b>Landscape Protection Zones</b>            In reference to the TPS3 maps of Jarrahdale townsite the landscape protection zone seems inconsistent to have a landscape protection zone around properties on Jubb Road where it is infrequent for people to visit and not have one around Jarrahdale Road where properties are really visible.            Landscape protection should also be around properties on Jarrahdale Road.</p>	<p><b>Town Distinction</b>            The Shire intends to prepare Place Plans for each of the towns within the Shire to reflect local character and sense of place.</p> <p><b>Jarrahdale Road</b>            Under the Draft Local Planning Scheme No.3 maps, Jarrahdale Road is considered to be a 'Primary Distributor' road as identified by the Main Roads Western Australia (MRWA) road hierarchy classifications. The road reserve is a local reserve under the Draft Scheme.</p> <p>Under the Draft Local Planning Strategy, Jarrahdale Road is identified as a 'Regional Distributor' road in accordance with the MRWA classifications. Further information regarding the MRWA road hierarchy classifications is available at the below link:  <a href="https://mrwebapps.mainroads.wa.gov.au/publicmaps/rim">https://mrwebapps.mainroads.wa.gov.au/publicmaps/rim</a></p> <p>The Road House land use can only be considered where the site has direct access to a State road.</p> <p><b>Landscape Protection</b>            SCA2 is applied to ensure that the existing landscape attributes will be taken into account in considering how the landscape will be protected and the extent of any degradation to the landscape form.</p> <p><b>Industry</b>            The Shire's objective in the Rural zone is to prevent the proliferation of light industry land uses. While the objectives of the Rural zone allow for some</p>	

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			non-rural land uses to be considered where they have demonstrated benefit and are compatible with surrounding rural uses, officers do not consider that the land use of industry - light provides such benefit or is compatible with rural uses.	
Nicole & Brad Ives 20 Friesian Close OAKFORD (Lot 64 Kargotich Road IN19/28227	120.	We moved out here for the land and peacefulness. Rural living is what we want not housing on top of us.	<p>Noted – We appreciate your response via submission to the Draft Local Planning Strategy and Local Planning Scheme No.3. The property of 20 Friesian Close, Oakford is outlined to be zoned Rural Residential RR2.</p> <p>The objective of the Rural Residential Zone is:</p> <ul style="list-style-type: none"> <li>- To provide for lot sizes in the range of 1 ha to 4 ha</li> <li>- To provide opportunities for a range of limited rural and related ancillary pursuits on rural residential lots where those activities will be consistent with the amenity of the locality and the conservation and landscape attributes of the land.</li> <li>- To set aside areas for the retention of vegetation and landform or other features which distinguish the land.</li> <li>- To provide a residential amenity with a rural character.</li> </ul>	
Roger J Harington 4 Holmes Road OAKFORD L504 & L700 Henderson Road HOPELAND IN19/28228	121.	<p>L504 &amp; L700 Henderson Road Hopeland</p> <p style="text-align: center;"><b>Submission on the Shire of Serpentine Jarrahdale Draft Local Planning Scheme No. 3 (Ref SJ701) Draft Local Planning Strategy (Ref SJ203)</b></p> <p>From Roger Harington <a href="mailto:Rharington@bigpond.com">Rharington@bigpond.com</a></p> <p><b>Errors , Omissions &amp; Inconsistencies</b></p> <p>Below are some items in the documents that are</p> <ul style="list-style-type: none"> <li>- Incorrect.</li> <li>- Omitted</li> <li>- Not clearly stated.</li> </ul> <p><b>Hopeland area</b> Elliot road on some maps has been incorrectly named as Henderson road. Refer to the documents :-</p> <ul style="list-style-type: none"> <li>• “Draft-Local-Planning-Strategy-Formal-Advertising-September-2019-</li> </ul>	<p><b>Rezoning of Rural to Rural Residential RR-2</b></p> <p>Land has been identified as Rural Residential RR-2 under the Draft Local Planning Strategy and Local Planning Scheme No.3 as it has been identified for this purpose. The subject area is located within an established rural living precinct and the identification of land for this purpose is considered logical. It is important to consolidate rural living areas in defined precincts to ensure land use compatibility and minimise land use conflicts. Creating defined rural living precincts enables a high level of rural living character and amenity to be achieved.</p> <p>The lot sizes of the subject land are consistent with the Rural Residential RR-2 lot size minimum of 2ha. It is important to ensure that land use permissibility is appropriate for the lot sizes and the</p>	

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		<ul style="list-style-type: none"> <li>• Electronic-Version-web.pdf" Figures 5,6, &amp; 8</li> <li>• Draft-Local-Planning-Strategy-Map.pdf</li> </ul> <p>Elliot road has been marked as primary feeder road. In previous documents Henderson Road has been marked as a feeder road.</p> <p><b>Proposed extension of existing primary &amp; secondary roads</b></p> <p>It appears that many of the proposed extensions of primary and secondary road through in the southern half of the Shire are just "random lines" on a map with no thought of where they go or any explanation of the purpose, timelines, etc.</p> <p>These "proposed" roads are inconsistent with previous documents such as the "Peel 3.5million"</p> <p>It should be clearly stated in the planning strategy document that these proposed new or extended primary and secondary roads are strictly conceptual and should not be used as a basis for a development application.</p> <p><b>Change in land zoning and Special Control Areas</b></p> <p><b>Differential rates &amp; land use</b></p> <p>In some areas, such as Oakford, the proposed zoning change is from rural to rural residential 2. This will have a bearing on</p> <ul style="list-style-type: none"> <li>- Differential rates</li> <li>- Land use.</li> </ul> <p>Although it is stated that existing businesses in these areas will have non-conforming rights, more information should be provided to the affected landholders on how the change in zoning will affect them in the future. In particular</p> <ul style="list-style-type: none"> <li>- Rates</li> <li>- Loss of farmland concession</li> <li>- Land use</li> <li>- Expanding on an existing business</li> </ul> <p>Many of the landowners in these areas have lived there for 20+ years with established businesses, a sudden change in rates or may force them to sell at a time in their life when they are not ready.</p> <p>Suggest that if the zoning of a property is earmarked for change , that this change not be applied to the property until -</p> <ul style="list-style-type: none"> <li>- The owner request it</li> <li>- Change in land use.</li> <li>- Change in ownership ( exception here would be if the property is sold as a business and continues on as a business)</li> <li>- Subdivision</li> </ul>	<p>surrounding development to protect the amenity of adjoining properties. Under the Rural Residential zone, rural pursuit/hobby farm is proposed to be a discretionary use. This means the Shire can consider activities such as the rearing, agistment, stabling or training of animals in the Rural Residential zone, which are common uses in rural living areas.</p> <p><b>Non-Conforming Use Rights</b></p> <p>The Draft Local Planning Scheme No.3 contains a provision for non-conforming uses. This refers to the continued use of any land, or any structure or building on land for the purpose of which it was being lawfully used immediately before the commencement of the Scheme. This means that any land use that was previously approved can continue to operate if the use is no longer permissible within the zone of the land under the new Scheme.</p> <p>Under Clause 24 of the Draft Local Planning Scheme No.3, the Shire will develop a register of non-conforming uses which will set out the following:</p> <ul style="list-style-type: none"> <li>- A description of each area of land that is being used for a non-conforming use.</li> <li>- A description of any building on the land</li> <li>- A description of the non-conforming use</li> <li>- The date on which any discontinuance of the non-conforming use is noted.</li> </ul> <p>The register is to be kept up to date, available for public inspection during business hours at the offices of the local government and on the Shire's website.</p> <p>An entry in the register in relation to land that is being used for a non-conforming use is evidence of the matters set out in the entry, unless the contrary is proven.</p> <p><b>Blair Road Precinct</b></p> <p>The Blair Road precinct has been identified as Rural Residential RR-2. The Shire's draft Local Planning Strategy and Local Planning Scheme</p>	

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		<p>Prior to adopting the strategy or the next round of public comment, advise owners of land on which the zoning will be changing, what the changes will mean to them</p> <ul style="list-style-type: none"> <li>- What restrictions will apply</li> <li>- Change in their rates</li> </ul> <p><b>Blair Road Precinct</b>  Would the SJShire consider changing the Blair road precinct (Blair, Holmes, Rowley roads) to Rural Enterprise instead of RR2. As there are already many businesses that exist in this area that will not comply with RR2 regulations but will with Rural enterprise.</p> <p>Considering the proposed light industrial area in the City of Armadale north of Rowley Road and Rowley road becoming a primary feeder road from Tonkin Highway to the Freeway. Changing to Rural Enterprise will be more inline with existing and future developments in the area.</p> <p><b>Land Use</b></p> <p><b>Rural Enterprise</b>  Consider including the following use and development in the rural enterprise zoning</p> <ul style="list-style-type: none"> <li>- Veterinary centre</li> <li>- Industry – primary production</li> <li>- Market</li> <li>- Caravan park</li> <li>- Bed and Breakfast</li> </ul> <p>Consider excluding the following use and development in the rural enterprise zoning.</p> <ul style="list-style-type: none"> <li>- Mining operations</li> <li>- Resource recovery centre</li> <li>- Transport Depot</li> </ul> <p><b>Special Control Areas</b></p> <p>Before adopting the strategy, advise those owners that lie in a Special Control areas changes in :</p> <ul style="list-style-type: none"> <li>- Land use restrictions</li> <li>- Residential building restrictions</li> </ul> <p><b>Agri-food special control area</b>  Include equine industry in the special control areas.</p> <p>Consider excluding from these areas, developments that are not of a primary production nature.</p> <p><b>Buffers and Separation distances.</b></p>	<p>No.3 is required to be consistent with both the State and local strategic planning frameworks.</p> <p>The subject area is identified as Rural Residential (1ha – 4ha lot sizes) under the Western Australian Planning Commission’s (WAPC) Perth and Peel @ 3.5 Million Sub-Regional Planning Frameworks. Under the Shire’s Rural Strategy, which has been approved by the WAPC, the subject area is identified as Rural Living B (2ha lot size minimum). A large number of properties within the area are equine properties and the Shire is advocating to support the equine industry throughout the Shire.</p> <p><b>Special Control Areas</b></p> <p>The buffers for the particular special control areas SCA5 and SCA6 have been identified from the Environmental Protection Authority (EPA) <i>Guidance for the Assessment of Environmental Factors: Separation Distances between Industrial and Sensitive Land Uses</i>. Where a separation distance range is recommended, the separation distance shall be based on the scale of the industry.</p> <p>SCA5 and SCA6 were included within the Draft Scheme to protect extractive industries and to be able to control development in close proximity to industries which may have offsite impacts. The identification of these buffers enables specific development controls to be implemented to ensure the amenity of any development in close proximity to these industries. Appropriate measures such as noise attenuation, siting and building orientation can be applied to minimise land use conflicts and to ensure an adequate level of amenity is achieved. For these reasons, officers recommend that SCA5 and SCA6 be retained within the Draft Scheme and updated with any new industries that have been approved since the Draft Scheme was prepared.</p>	

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		<p>Where an industry requires a buffer or separation distance from the development , these buffers should be contained within the boundaries of property. Buffer zones should not extend into adjacent private property – particularly if there are development restrictions within the buffer and/or there are other buffers .</p> <p>When assessing a development application , consideration of the cumulative effect of the application on adjacent properties is a must. For example, a property may have already lie within buffers of nearby industries that produce dust or odours. Construction of an other industry that produces noise will have a negative impact on the adjacent properties</p>		
<p>Paul &amp; Wendy Rokich 831 Nettleton Road BYFORD IN19/28249</p>	<p>122.</p>	<p>Re: Submission on Draft Local Planning Strategy and Draft Local Planning Scheme No 3 Lot 2 Diagram 71452 – 831 Nettleton Road, Karrakup.</p> <p><b>LPS 3 submission 1, to rezone the Karrakup portion of Nettleton Road from Barge Drive to Manjedal Drive to Rural-Small Holdings.</b></p> <p>Local Planning Strategy and Local Planning Scheme No 3 proposes no change to the rural zoning of the land. We submit that this does not:</p> <ul style="list-style-type: none"> <li>• Acknowledge the significant changes in land use that have occurred over the past 40 years along Nettleton Road;</li> <li>• That the majority of lots are already too small to sustain primary agricultural production as a viable income producing activity.</li> <li>• Provide a clear planning pathway that preserves the rural character and amenity of this portion of the shire.</li> </ul> <p><b>Our submission-</b> To allow for limited subdivision over a portion of lots on Nettleton Road, which still maintains the rural character and amenity of the landscape.</p> <p>Zoning is the logical planning tool to achieve this rather than ad-hoc applications for subdivision based on a case-by-case (lot by lot) basis. Zoning clearly identifies the subject lots and zoning details contained in the LPS govern the size and manner of subdivision.</p> <p>It is not our intention to provide for significant dwelling intensification of this portion of Nettleton Road, with lot sizes down to two or one hectares. The rural small holding zone allows for lot sizes from 4 hectares to 40 hectares. This range clearly sets out that all lots are not necessarily suited to subdivision down to the minimum lot size. There are no lots in the proposed area for rezoning that are 80 hectares and able to be subdivided into two 40 hectare lots. A number would be large enough to subdivide to a 4 ha minimum and some are already less than 8 hectares and cannot be further subdivided.. Subdivision of any lot would be conditional on satisfying a range of criteria, including water resources, land capability, fire management.</p> <p>We submit that amending the draft strategy and planning scheme to include a small area of Karrakup to allow rural smallholding can be justified on the basis that these few lots:</p>	<p>The Shire does not support the rezoning of the land to Rural smallholdings and considers the land does fit the objectives of the Rural zone. The subject area is identified as Rural under the Western Australian Planning Commissions (WAPC) Perth and Peel @ 3.5 Million Sub-Regional Planning Frameworks. Under the Shire’s Rural Strategy, recently approved by the WAPC, the subject area is identified as Rural and is to provide for the maintenance or enhancement of the specific local rural character.</p> <p>The land is not limited by the Rural zoning, only its potential to subdivide. We appreciate your response via submission to the Draft Local Planning Strategy and Local Planning Scheme No.3.</p>	

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		<ul style="list-style-type: none"> <li>• have an SCA 2 environmental overlay that recognises the specific amenity of the area</li> <li>• are close in proximity to the urban centre of Byford</li> <li>• are few in number</li> </ul> <p><b><u>Submission 1 – Rural Smallholding</u></b></p> <p><b>1. History</b></p> <ul style="list-style-type: none"> <li>• The Rokich family moved to what was then a 75 acre (30 hectare) property at 835 Nettleton Road, Byford in the mid 1970's. At that time, mains power was just being put up the road, to support Alcoa's No2 mine site.</li> <li>• Over the subsequent 40 plus years, there have been significant land use changes, both in the rural makeup of Nettleton Road and also the urban development of Byford.</li> <li>• My father was a market gardener and farmer by trade. We initially started market gardening; growing tomatoes, cucumbers, rockmelons and pumpkins over summer and cauliflowers in the winter. Bush areas were cleared and turned to pasture for beef cattle.</li> <li>• Many of the properties up the road similarly grew tomatoes and pumpkins over the summer. There was also an active piggery on (now) Lots 547 and 625 Nettleton Road.</li> <li>• At the time, both Byford and Armadale had active brickworks that required clay for brick making. We applied for an Extractive Industry licences to excavate the clay resource on the property which went to the local brickworks. This license created a planning overlay for extractive industry which is proposed to be removed in the new scheme. An added benefit of this process were large water storage dams resulting from the excavation process providing an abundant water resource. We obtained a commercial aquaculture licence and developed a marron farm in these storage dams.</li> <li>• As maintaining a viable income from market gardening became harder and harder, we moved into orcharding, progressively developing approximately 20 acres to mandarins, apples, plums and persimmons. By this time, many of the other properties up the road had ceased growing vegetables and the piggery had closed down. Through appeal, the property owner subdivided the former piggery property into two 30 acre lots.</li> </ul> <p>In summary, over the last 40 years, the land use for properties in the subject portion of Nettleton Road has evolved from one where property owners were undertaking 'bona-fide' rural uses to earn an income, to one where a seasonal rural activity provided a supplement to an income earned off the property, to the present time where almost no property owners earn an income solely from rural activities.</p>		

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		<p><b>In summary, the vast majority of the subject properties on Nettleton Road are now actually ‘rural lifestyle’ or ‘rural-small holdings’ irrespective of the Rural zoning now applied in TPS No2.</b></p> <p><b>2. Consideration of the fire risk.</b></p> <p>We have considered the fire hazard risk in our submission and as a result propose the re zoning to be limited to a sub section of the Nettleton Road to restrict the lots for possible rezoning to rural-small holdings as <b>only those lots with direct access/road frontage to Nettleton Road between Barge Drive and Manjedal Drive.</b></p> <p>We have done this for the following reasons:</p> <ol style="list-style-type: none"> <li>1. These lots have two directions of egress, on a bitumen road, whereas properties down Barge Drive, Philips Road, Admiral Road and Hella Kippa Drive have single access – one way in, one way out.</li> <li>2. The topography of lots down Hella Kippa Drive and Wollombi Road have very steeply incised valleys, making possible development difficult. LPS 3 recognises this in Schedule 3 – Special Control Areas (SCA2) where “Development shall not be approved in areas having a generalised slope greater than 25 percent.”</li> <li>3. The proximity to the urban cell of Byford. I consider the southern part of Nettleton Road is more closely associated with Jarrahdale and the future urbanisation of Mundijong.</li> </ol> <p><b>3. Limited intensification of dwellings is a permitted (P) use in LPS3.</b></p> <p>The potential to add an additional home to a lot in the form of an ancillary dwelling already exists with current planning provisions. In a practical sense this creates the situation where two houses and two families are living on the one 8 hectare lot.</p> <p>Approval to subdivide to two 4 hectare lots allows the second home to be slightly larger and further apart, which would be more suitable from a privacy perspective but also provides greater financial security through a title to the land for both lots. This also means that ‘limited dwelling intensification’ through this mechanism allows planning control on any additional impact of land use, type of residence, infrastructure requirements and bushfire management.</p> <p><b>4. Our reasons for wanting a Rural Smallholdings zoning.</b></p> <p>The property we own (Lot 831 Nettleton Road) is a 8.7182 ha and is part of the original family property.</p> <p>We believe this property is unique and warrants consideration for further subdivision because:</p> <p>It is one of only 2 properties on Nettleton Road that have an extractive industry policy overlay. The timing is appropriate to recognise the changes in land use while providing a point of differentiation from others in the area.</p>		

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		<p>The previous extractive industry land use has provided a significant water resource not available on other properties in the area. These water resources (2 dams) are located at either end of the property. Our proposal to subdivide into two 10 are (4 ha) lots provides each lot with a large water resource and direct access to Nettleton Road. This significant water resource enables us to sustainably engage in a a range of possible uses. These could include:</p> <ul style="list-style-type: none"> <li>• Irrigated pasture “spelling” paddocks for horses.</li> <li>• Cottage agricultural uses such as free-range eggs</li> <li>• Boutique crops such a blueberries, cherries or persimmons</li> </ul> <p>We have already invested significant funds in new fencing for part of the property and major renovations on the house and surrounds. Our property has limited capacity to provide a primary income from agricultural production, notwithstanding an intention to supplement a retirement income with a small scale cottage industry – which is more consistent with the intended objectives of rural small holdings zone.</p> <p>Our son and his family wish to move back to the family property and build a house. Having our family close to us as we get older provides re-assurance fo us and allows them to develop the other half of the property.</p> <p>In summary:</p> <ol style="list-style-type: none"> <li>1. We wish to remain living on the property as we retire, supported by our son. This is most effectively achieved by him and his family living on the property to assist us to maintain it as well as to provide for our support and care in the future.</li> <li>2. Our property is uniquely placed to accommodate a subdivision to 4 ha as a result of: <ol style="list-style-type: none"> <li>a. Its shape (a rectangle with the long side as road frontage to Nettleton Road, enabling a simple subdivision into two lots which both retain access to Nettleton Road without the need to build an additional crossover as 2 already exist.</li> <li>b. Egress in 2 directions providing safety and security options in the event of bushfire</li> <li>c. Significant permanent water sources to provide good fire buffers and property protection as well as the waster being suitable for household use.</li> </ol> </li> </ol> <p><b>5. Land Capability and Rural Smallholding zoning</b></p> <p>The rural smallholding zone allows for a range of lot sizes from 4 – 40 ha. The S-J Local Planning Strategy (pg 26) describes the zone (in part) as Rural Smallholdings areas should be comprised of a variety of lot sizes and property types to accommodate a range land uses and lifestyles which do not compromise the amenity or environmental values of the surrounding area. This land use category provides the option to live in a high amenity rural environment on lots which are large enough to establish some rural land uses.</p>		

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		<p>The Strategy (pg 86) defines Land Capability as the physical capacity of land to support different types of land uses and management practices in the long term without degradation to soil, land, air, and water resources. The strategy includes a number of DPIRD land capability maps that show our property in the highest category of all of the nominated parameters. See Attachment 1.</p> <table border="1" data-bbox="522 625 1501 835"> <tr> <td>Annual Horticulture -Figure 4-13</td> <td>50-75% of land has moderate to high capability for annual horticulture</td> </tr> <tr> <td>Perennial Horticulture – Figure 4-14</td> <td>&gt;70% of land has high capability for perennial horticulture</td> </tr> <tr> <td>Dryland cropping – Figure 4.15</td> <td>50-75% of land has moderate to high capability for dry land cropping</td> </tr> <tr> <td>Grazing – Figure 4-16</td> <td>50-75% of land has high capability for grazing</td> </tr> </table> <p>This high land capability for a range of agricultural uses in combination with a significant water resource allows our property to sustain range of rural land use options, which is consistent with the definition of the zone.</p> <p><b>Submission 2 – case by case application for subdivision</b>  In the event, rezoning the subject portion of Nettleton road to rural small holdings is not supported, we submit that exemption be given on a case by case basis to the Rural zoning provision of not allowing any further subdivision.</p> <p>Individual landowners are able to submit an application to subdivide to a minimum lot size of 4 ha (as provided by the rural small holding zone above) on the basis that their specific property can demonstrate it can address criteria such as bushfire management and egress and would not unduly increase any demand on infrastructure.</p>	Annual Horticulture -Figure 4-13	50-75% of land has moderate to high capability for annual horticulture	Perennial Horticulture – Figure 4-14	>70% of land has high capability for perennial horticulture	Dryland cropping – Figure 4.15	50-75% of land has moderate to high capability for dry land cropping	Grazing – Figure 4-16	50-75% of land has high capability for grazing		
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<p>Cement Concrete &amp; Aggregates Australia (CCAA)  IN19/28267</p>	<p>123.</p>	<p>Cement Concrete &amp; Aggregates Australia (CCAA) thank you for this opportunity to comment on your draft Local Planning Scheme No. 3 (LPS3).</p> <p>CCAA is the peak industry body representing the heavy construction materials industry in Australia including the cement, pre-mixed concrete &amp; extractive (BRM - quarrying) industries. Our WA members include Boral, Cement Australia, Cockburn Cement, Hanson, Holcim, Lime Industries, WA Limestone &amp; Urban Resources. Further information can be viewed on our website at: <a href="https://www.ccaa.com.au/iMIS_Prod">https://www.ccaa.com.au/iMIS_Prod</a>.</p> <p><b>BRM within Shire of Serpentine-Jarrahdale must be protected</b></p> <p>Basic Raw Material (BRM) quarrying operations occur in a number of areas within the Shire of Serpentine- Jarrahdale with the extracted resources strategically important to the development of the Shire and surrounding areas. Some quarries can be of a temporary nature resulting in subsequent land uses (eg townships, golf courses) once the materials have been extracted and used in the development of urban areas and related infrastructure. It is also environmentally preferable and cost effective to extract BRMs in proximity to the urban areas.</p>	<p>Noted. It is recommended that an additional provision be included within SCA2 to ensure that the local government can set appropriate expectations for extractive industry developments in relation to the application of SCA2. This will ensure that the existing landscape attributes will be taken into account in considering how the landscape will be protected and that the extent of any degradation to the landscape from the extractive industries will be known. This will improve the implementation of SCA2 in relation to industry – extractive developments.</p> <p>The buffers for the particular special control areas SCA5 and SCA6 have been identified from the Environmental Protection Authority (EPA) <i>Guidance for the Assessment of Environmental Factors: Separation Distances between Industrial and Sensitive Land Uses</i>. Where a separation</p>	<p>Add the additional text to the Schedule 3 – Special Control Areas – SCA2.  Amend to include a new provision which states:</p> <p><i>‘5. For industry – extractive development, the local government will require pre and post mining landscape modelling, as part of any application for development approval. This is to assist the local government in considering the merits of any such application in respect of the degree to which the landscape value of the area will be protected.’</i></p>								

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		<p>Further, it is important that the Shire's Local Planning Scheme aligns with the State Planning Policy 2.4 - Basic Raw Materials (SPP2.4) and especially the current Draft State Planning Policy 2.4 (Draft SPP2.4) which includes mapping of the State significant BRMs. In this regard we submit the follow on the Shire's draft LPS3:</p> <ul style="list-style-type: none"> <li>• The strategic importance of all existing quarry areas should be noted and protected by LPS3.</li> <li>• Known BRM resources, especially those logged in the current and draft SPP2.4 mapping, should be noted and protected by LPS3.</li> <li>• To facilitate BRM protection, extractive land use must not be prohibited in the Rural Enterprise zone under LPS3.</li> <li>• The importance of BRMs is acknowledged by the Shire and therefore ought to be a focus of LPS3 given that it is a critical resource to the urban expansion of the Shire. LPS3 should therefore not place further constraints on this important land use through zoning controls.</li> <li>• Extractive industry operations should be permitted within the Rural Enterprise zone, which typically extends over what is currently zoned as Groundwater Resource. Although there are land use restrictions within ground water areas, extractive industry operations are typically an acceptable land use.</li> <li>• Under LPS3 the Shire proposes to remove the Special Use Zone and instead include it within the Rural Zone, which is a significant change and one which purports to reduce the importance of Quarries as required under SPP2.4 to ensure such resources are adequately protected.</li> <li>• Further, the proposed Special Control Areas (SCA) are an unsatisfactory replace of the current Special Use</li> </ul> <p>Zones, which amends the permissibility of the use to a discretionary use as opposed to a use that is as of right as presently applies under the Special Use Zones. This change does not recognise State significant resources (as per SPP2.4), especially noting Special Control Area 2 (SCA2) – Darling Scarp Landscape Protection which extends over existing quarries.</p> <ul style="list-style-type: none"> <li>• SCA2 provisions do not adequately account for Extractive Industries and as such its designation over the land is not supported.</li> <li>•</li> </ul> <p><b>Recommendations</b>  The strategic importance of all quarries and BRM resources should be protected by LPS3, especially those logged in the current and draft SPP2.4 including the related mapping.  Extractive land should be retained as a Special Use Zone specifically for the extraction of BRMs as is currently provided for under the Shire's TPS2. This provides appropriate weight for the significance of the resources as required under SPP2.4.</p>	<p>distance range is recommended, the separation distance shall be based on the scale of the industry.</p> <p>SCA5 and SCA6 were included within the Draft Scheme to protect extractive industries and to be able to control development in close proximity to industries which may have offsite impacts. The identification of these buffers enables specific development controls to be implemented to ensure the amenity of any development in close proximity to these industries. Appropriate measures such as noise attenuation, siting and building orientation can be applied to minimise land use conflicts and to ensure an adequate level of amenity is achieved. For these reasons, officers recommend that SCA5 and SCA6 be retained within the Draft Scheme and updated with any new industries that have been approved since the Draft Scheme was prepared.</p>	

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		<p>The inclusion of the land within a Special Use Zone would replace the need for Special Control Area 5 (SCA5) – Extractive Industries, which is not preferred because SCA5 does not provide sufficient weight or significance to the strategic value of BRMs at a State, Regional or Local level. If SCA5 is retained it should be in addition to maintaining the Special Use Zones to recognise the extractive industry's State significance.</p> <p>SCA2 is not supported, however if the Shire seeks to retain SCA2 to reflect other surrounding areas, the Shire must include adequate provisions that exclude existing extractive Special Use Zones from those requirements.</p> <p>Extractive industry operations should be permitted within the Rural Enterprise Zone, which typically extends over what is currently zoned as Groundwater Resource that currently permits extractive operations.</p>		
Fiona Gerrard IN19/28277	124.	<p>To whom it may concern,</p> <p>I, Fiona Gerrard, Landowner of 1565 Thomas Road, Oakford, wish it to be duly noted that I am satisfied to continue with the current zoning of "Rural" in this area. I have always understood that part of the shire's strategy moving forward was to allow for the continuation of rural pursuits within certain pockets of land throughout the Serpentine / Jarrahdale region.</p> <p>I am aware that the neighbouring land owners have put forward submissions to have zoning changed to "Rural/Residential 1". After recent conversations, I am also aware that they show preference to there being no rural activities on the land, to which I strongly object. However, should re-zoning be approved in the future, surely it has always been part of the shires strategy to rezone as "Rural living 2"-no less than 2 hectares. If this was the case, I would be in support.</p>	<p>The Shire does not support the rezoning of the land to Rural Residential RR-1 under the Draft Local Planning Scheme No.3.</p> <p>The land has been identified under the Local Planning Strategy as Rural Residential RR-2. The Shire will consider any Scheme amendment based on its merit, as well as its alignment to the Local Planning Strategy. Importantly future Scheme amendments will be assessed regarding their alignment with the Local Planning Strategy.</p> <p>We appreciate your response via submission to the Draft Local Planning Strategy and Local Planning Scheme No.3.</p>	
E. Barrett 590 Gossage Road OLDBURY IN19/28295	125.	<p>I am looking forward to seeing the Shire make as great a success with the Oakford/Oldbury region of the Shire as you have done with Byford; which is an enormous success.</p>	<p>Noted – We appreciate your response via submission to the Draft Local Planning Strategy and Local Planning Scheme No.3.</p>	
Brad & Patricia Harvey IN19/28345	126.	<p>We object to the rezoning under the new scheme No. 3 following reasons – removing the ability to subdivide into smaller blocks, that would benefit those that want smaller blocks. Our property is at 4 Burrell and Brown which has access to deep sewerage which can be subdivided but under these new scheme the zoning will change. Other residents in our area have already had the opportunity to subdivide their blocks due to access to deep sewerage under the current zoning bylaws. We feel that's unfair that the opportunity will be remove with this new propose Planning Scheme No. 3</p>	<p>The Shire's Town Planning Scheme No.2 (TPS2) zoned the Byford Old Quarter within the Urban Development zone. Urban Development provides the intention of future land use and basis for more detailed structure planning in accordance with the provisions of the Scheme. Where land is zoned as Urban Development, there is a need for a local structure plan to be developed for the area.</p> <p>The Shire aims to provide for diversity of lot sizes and dwelling types within the Byford area to provide choice, adaptability and to accommodate a range</p>	

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			<p>of incomes, households, life stages and the changing demographics of Byford. Preserving historical urban development patterns to maintain the character and uniqueness of Byford is also an important objective for the Shire. Retaining existing larger lots to provide a range of housing types and lot sizes in the Byford area is important in ensuring that a diversity of housing is provided. This is also essential to preserve the existing character within the Byford Old Quarter precinct.</p> <p>For these reasons, some areas within the Byford Old Quarter that are located on the periphery of the Byford urban area have been zoned Residential and applied an R-Code to limit subdivision potential under the Draft Local Planning Scheme No.3. Retaining larger lot sizes in these locations will allow for a graduation of lot sizes to the Byford Town Centre, housing diversity, the retention of an established tree canopy coverage, and the preservation of the local character. The Shire is also seeking to prevent ad hoc, battle-axe subdivisions that are compromising the established character of the precinct.</p>	
<p>Paula Humphreys IN19/28415</p>	<p>127.</p>	<p>Hi my name is Paula Humphreys of 20 delta court , darling downs wa 6122, email address above .  I am in favour of blocks around 2ACRES which this would allow young families to buy and build property in darling downs which then in turn would get families to utilise the darling downs facilities which will bring more infrastructure like. shops , parks , even a tea room on the 70 acres etc into the area .</p> <p>The 70 acres needs to be used by families , dog walkers , cyclists not just horses .A lot of people who live in this area have no horses and land sitting not been used cannot up keep and maintain as the blocks are too big as the people mature with age.</p> <p>A lot of people haven't got time like years ago to attend to their land life today. land outside on the bridle paths and volunteers will become small groups of older people who cannot keep their land let alone the bridle paths then it will become unused and overgrown , so by letting the next generation of younger people to live on darling downs and surrounding areas will make it easier for you.</p> <p>Thank you for listening</p>	<p>Noted. Shire officers recognise that there has been some interest in further subdivision to allow 1ha lot sizes in areas identified as Rural Residential RR-2. The Shire's draft Local Planning Strategy and Local Planning Scheme No.3 is required to be consistent with both the State and local strategic planning frameworks.</p> <p>The subject area is identified as Rural Residential (1ha – 4ha lot sizes) under the Western Australian Planning Commission's (WAPC) Perth and Peel @ 3.5 Million Sub-Regional Planning Frameworks. Under the Shire's Rural Strategy, which has been approved by the WAPC, the subject area is identified as Rural Living B and Residential and Stables as it is a designated and established equestrian area (Darling Downs/ Oakford). The intent of the Residential and Stables area is to provide a separate area for intense equine activities which could potentially generate offsite impacts that could conflict with the values of traditional rural living areas. The land capability of the soils in this area is generally poor and unable to</p>	

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			<p>sustain intensive use without land degradation, limiting further subdivision potential. A large number of properties within the area are equine properties and the Shire is advocating to support the equine industry throughout the Shire especially in the designated areas within the Shire.</p> <p>Under the Rural Strategy, the Residential and Stables Policy Area allows a 2ha lot size minimum. Lots that are 2ha in size are more appropriate to sustain equine uses than 1ha lot sizes, as guided by stocking rate guidelines. Larger lot sizes are also more appropriate to minimise land use conflicts between equine activities and residential uses. Potentially doubling the number of lots within the precinct would significantly increase the amount of traffic within the area. This is not compatible with equine activities and associated trails within the area and maintaining the intended equestrian character of the area. Both the Scheme and Strategy outline and advocate for the equine industry across the Shire. The Scheme outlines in particular areas where horses can be kept subject to the discretion of the Local Government.</p> <p>The land sizing of the properties within the subject area are mostly approximately 2ha in size, which relates to the Rural Residential RR-2 designation that allows a 2ha lot size minimum. This land is also located on the most outer area of the Shire. As one of the outer most areas of the Shire on the Rural fringe, the larger Rural Residential RR-2 lots have been proposed over the area to provide a graduation of lots sizes. The Shire's strategy for this is to develop a graduation of lot sizes from the outer areas into the urban cells (Byford) of the Shire.</p> <p>While it is acknowledged that the subject area is located between urban development to the north within the City of Armadale and to the south within Byford, it is the strategic vision of the Shire to contain urban development within defined precincts interspersed by green corridors and rural forms of development. Preserving Rural Residential development with 2ha lot sizes is important to maintain a clear separation between the urban</p>	

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			areas to the north and south. Rowley Road and Thomas Road provide logical boundaries to contain this development. Shire officers recommend no changes to the 2ha minimum lot size of the area.	
Thomas H. Hoyer IN19/28421	128.	<p>General Comments:</p> <p><b>“Proper and Orderly Planning”</b>  While things change with the passage of time, the general historical integrity of the Shire’s urban village model and the rural strategy plans should be maintained. Regrettably, since 2011, this has been compromised to some extent. The ‘rural wedge’ from Thomas Road south to Lakes Road, that will ultimately define our Shire, is being harmed through the “death of a thousand planning cuts”. Planning should be within the existing village boundaries with the growing population residing for example, in apartments and multi-story establishments near ‘usable’ POS lands, rather than traditional stand-alone housing.</p> <p>I note that the new policy designations continue to legitimize the growth of rural living blocks and smaller residential lots that extend beyond the village boundaries. Again, when does this stop? Dedicated agricultural lands and horticultural precincts should be the basis of proper and orderly planning for Serpentine Jarrahdale. Not subdivisions that espouse the merits of a rural or equestrian lifestyle, when they are just larger residential blocks in the rural wedge. I remind the Council, that with over 100,000 people proposed for Serpentine Jarrahdale, we will all be measured by our commitment to protecting our agricultural and horticultural lands and its future productive and recreational use. This includes the requirement for meaningful sporting and POS areas, protection of our water and environmental attributes and the promotion of the general natural amenity of the Shire.</p> <p><b>Policy settings should be representative.</b>  There seems to be an emerging notion, that Serpentine Jarrahdale is the new dumping frontier for undesirable enterprises. These enterprises can remain in the Shire and on the land for decades. An entirely inappropriate future for our Shire. The Shire should offer zero discretion in these matters.</p> <p>As with all Council policies (other than those that are State Policies) strong consideration has to be given to the needs, wishes and expectations of the constituent community, rather than to applicants with other motives in mind. Matters such as water and fencing should be reflective of these needs and wishes and should not be a cost imposition to the local land owner now and into the future. If such costs and other impositions are not properly considered, all they do is influence the drive to subdivide or attract undesirable enterprises with money that serve to harm the lands and legitimate operators or result in pushing up real estate values that should not be primary basis for the future of the Shire.</p> <p><b>Discretion and allowable uses on the rural lands.</b>  Remove references “A” and “D” from the zoning table and related descriptors in parts 2 and 3.</p>	Noted – We appreciate your response via submission to the Draft Local Planning Strategy and Local Planning Scheme No.3.	

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		<p>After many challenges to the Shire's future vision for Serpentine Jarrahdale, there should be no discretion in the zones and uses parts of the LPS No 3. There should only be Permissible and Not Permissible only options.</p> <p>"If the Council did not want an inappropriate application to proceed, it should display a "X", not permissible designation". Discretion at the planning focused S.A.T. seems to mean, "getting the very outcomes you don't want, albeit with conditions".</p> <p>'Planning Discretion' seems to offer an avenue to applicants to work toward a 'deemed' refusal so that a referral to the State Administrative Tribunal (SAT) is the next best option to secure a successful outcome. OR, the Council is moved to pass an inappropriate application, albeit with conditions, because of the threat to go to a costly S.A.T. legal environment.</p> <p><b>Increasing housing stocks.</b>  For years now, the Shire has used welcoming language to attract tourists and visitors for longer than a day trip. Yet development applications to advance the short and longer term stay options have been conditioned to unworkability or rejected. Some of the new policy settings seem to deny multiple dwellings or enhanced people access for short term stay and rental options on non-sub dividable land. This includes policy barriers to short term and long term stay arrangements on existing properties.  Why? For the Shire to support local businesses and to attract visitors for overnight and longer stay options, the policies must reflect this need and opportunity, the settings must be more enabling and positive.</p> <p><b>Retrospectivity.</b>  LPS No. 3 should be endorsed as a plan and policy arrangement for the future. Current land owners and enterprise operators should not be encumbered with the new policy conditions. This is especially the case for rural land owners. Residents and ratepayers should enjoy 'quiet</p>		
<p>Norm Higgins  IN19/28452  93 Cardup  Siding Road,  Cardup</p>	<p>129.</p>	<p>The Property was purchased with the intention of subdividing to provide income during retirement as we were advised could happen when we ready to do so. As Alice Road has already been subdivided so we should not be disadvantaged.</p>	<p>Land has been identified as Rural Residential RR-2 under the Draft Local Planning Strategy and Local Planning Scheme No.3 as it has been identified for this purpose. The subject area is located within an established rural living precinct and the identification of land for this purpose is considered logical. It is important to consolidate rural living areas in defined precincts to ensure land use compatibility and minimise land use conflicts. Creating defined rural living precincts enables a high level of rural living character and amenity to be achieved.</p> <p>The lot sizes of the subject land are consistent with the Rural Residential RR-2 lot size minimum of 2ha. It is important to ensure that land use permissibility is appropriate for the lot sizes and the surrounding development to protect the amenity of</p>	

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			<p>adjoining properties. Under the Rural Residential zone, rural pursuit/hobby farm is proposed to be a discretionary use. This means the Shire can consider activities such as the rearing, agistment, stabling or training of animals in the Rural Residential zone, which are common uses in rural living areas.</p>	
<p>Christine and Warren Radford  IN19/28476  188 BLAIR ROAD  OAKFORD</p>	<p>130.</p>	<p>SUBMISSION: SHIRE OF SERPENTINE JARRAHDAL DRAFT LOCAL PLANNING STRATEGY</p> <p>We wish to protest the change of zoning for our 4ha property from "Rural" that we have enjoyed for the past 47 years or so our family has owned this parcel of land to "Rural Residential".</p> <p>We note that a large area of land to our south still remains "rural" and assume the change to our zoning has come about due to council allowing the subdivision on some plots in this area from 4ha to 2ha. When we originally purchased this property, this was absolutely NOT allowed by council under any circumstances, including family reasons. However, we understand the Shire completely changed their original position and allowed the sub dividing of a property on Blair Road for Personal family reasons some years ago. This decision opened the floodgates for others in this area to do the same to their lots. We have remained 4ha, as for many years we have run a small business venture here training and agisting race horses. Our intention has always been to use this land for equine activities and hobby farming.</p> <p>We have approached council with our concerns regarding the zoning change (see attached correspondence dated 22/10/19 and the Shire's response (see also attached correspondence dated 28/10/19. Our question regarding stock numbers was not addressed. We want to know the restrictions regarding the number of horses we can agist or stable here under the zoning change. We are unsure of what type of changes to our business in the future would require "planning approval". Our future is uncertain.</p> <p>Also, we note under Objectives of "Rural Residential" (section 3.2.2. of the planning strategy document), one of the objectives is to "Prevent the 'sprawl' of Rural Residential areas into rural areas". This has already occurred in our situation, regardless of many resident's concern and disapproval at the time. We fear further 'sprawl' will conversely affect what drew us and others here in the first place, the opportunity to keep horses and enjoy the associated lifestyle. We can find no objective, strategy or action under section 3.2.2 that mentions horse activities other than reserving existing bridle paths as "Public Open Space". Does this mean they will stay in their current form for riding purposes in the future or has the Shire another purpose for them? We do not understand proposed Action No 5: "Investigate trails as part of a transport plan". What does that mean?</p>	<p>Land has been identified as Rural Residential RR-2 under the Draft Local Planning Strategy and Local Planning Scheme No.3 as it has been identified for this purpose. The subject area is located within an established rural living precinct and the identification of land for this purpose is considered logical. It is important to consolidate rural living areas in defined precincts to ensure land use compatibility and minimise land use conflicts. Creating defined rural living precincts enables a high level of rural living character and amenity to be achieved.</p> <p>The lot sizes of the subject land are consistent with the Rural Residential RR-2 lot size minimum of 2ha. It is important to ensure that land use permissibility is appropriate for the lot sizes and the surrounding development to protect the amenity of adjoining properties. Under the Rural Residential zone, rural pursuit/hobby farm is proposed to be a discretionary use. This means the Shire can consider activities such as the rearing, agistment, stabling or training of animals in the Rural Residential zone, which are common uses in rural living areas.</p>	

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		<p>As per our email of 22/10/19, we wish to know WHEN the proposed re-zoning will take place.</p> <p>We are continuing to use our parcel of land for the purpose for which it was originally intended, ie equine activities. We have an equine hospital a hundred metres down Blair Road, two feed stores within a short radius and many horse owners in the area, including other racehorse, trotting and eventing/dressage horse trainers and riding instructors. The overall future strategy purposes to continue with the "equine" atmosphere of the district. That being the case, our concern is that with continued sub division in the area that the equine importance may be lost as new people with other interests enter the area. Ultimately, our fear would be that no one in this area would be able to keep horses and other livestock or we would be restricted to having only one on our properties.</p> <p>Part of the plan for "Rural residential" zoning Includes Action No: 2 "introduce Rural Residential Codes to designate the Rural Residential lots with a tha subdivision minimum and those with a 2ha subdivision". What impact will allowing tha subdivisions have on the "equestrian identity" of this area? How many horses. if any are allowed on a tha property holding? Can we expect tha sub division in Blair Road in the future?</p> <p>SUBMISSION:SHIRE OF SERPENTINE JARRAHDAL DRAFT LOCAL PLANNING STRATEGY CONT'D</p> <p>The proposed Strategy allows for the inclusion of the Byford Trotting complex precinct to "protect the heritage of equine land use within this precinct and enhance the equestrian identity of the area". Should the Strategy not also include the east section of Nicholson Road from Rowley Road to Thomas Road including Blair Road and Peters Way, to as far east as Kargotich Road for the same reasons? Further, we feel this area should retain the "rural" zoning and encourage more equine activities, not reduce them. In our experience of owning and living on land in this area for nearly half a century, we know that Oakford has a long and rich established equine history and its heritage should be protected, just as much as the Byford Trotting Complex.</p> <p>We ask the Shire to reconsider this zoning change as part of the Planning Strategy for the future.</p>		

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<p>Marnie Hamersley-Smith IN19/28478</p>	<p>131.</p>	<p style="font-size: small;">Submission for Draft Local Planning Strategy and Draft Local Planning Scheme No. 3      13 December 2019      Marnie Hamersley-Smith</p> <table border="1" data-bbox="608 514 1305 882"> <tr> <td style="font-size: x-small;">Topic</td> <td style="font-size: x-small;"><b>Town distinction</b></td> </tr> <tr> <td style="font-size: x-small;">Documents referred to</td> <td style="font-size: x-small;">Overall</td> </tr> <tr> <td style="font-size: x-small;">Notes</td> <td style="font-size: x-small;">Overall the Local Planning Scheme No 3 seems to have a blanket distinction/look/feel for the Shire as a whole.</td> </tr> <tr> <td style="font-size: x-small;">Notes / Questions</td> <td style="font-size: x-small;"> <p>Will or has the SJ Shire developed individual distinctions or townscaping policies (or equivalent) for each of the towns?</p> <p>Local residents and community groups should be a part of developing this distinction for their respective towns.</p> <p>Realistically they should all have their own townscaping policy or equivalent to whilst still paying homage to the Shire as a whole.</p> </td> </tr> </table> <table border="1" data-bbox="608 1018 1305 1291"> <tr> <td style="font-size: x-small;">Topic</td> <td style="font-size: x-small;"><b>Appendix 13 &amp; 14 of TPS2</b></td> </tr> <tr> <td style="font-size: x-small;">Documents referred to</td> <td style="font-size: x-small;">TPS2</td> </tr> <tr> <td style="font-size: x-small;">Notes</td> <td style="font-size: x-small;">It does not appear that Appendix 13 or 14 of TPS2 (Amendment 89) has been carried over to TPS3.</td> </tr> <tr> <td style="font-size: x-small;">Notes/Questions</td> <td style="font-size: x-small;"> <p>This amendment stipulates the Townscaping policy of Jarrahdale to protect the look, feel, heritage and natural elements of the town.</p> <p>How has Appendix 13 &amp; 14 from TPS2 been incorporated in the new scheme?</p> <p>I would like Appendix 13 &amp; 14 to be included in the TPS3 to protect the Jarrahdale townscape.</p> </td> </tr> </table>	Topic	<b>Town distinction</b>	Documents referred to	Overall	Notes	Overall the Local Planning Scheme No 3 seems to have a blanket distinction/look/feel for the Shire as a whole.	Notes / Questions	<p>Will or has the SJ Shire developed individual distinctions or townscaping policies (or equivalent) for each of the towns?</p> <p>Local residents and community groups should be a part of developing this distinction for their respective towns.</p> <p>Realistically they should all have their own townscaping policy or equivalent to whilst still paying homage to the Shire as a whole.</p>	Topic	<b>Appendix 13 &amp; 14 of TPS2</b>	Documents referred to	TPS2	Notes	It does not appear that Appendix 13 or 14 of TPS2 (Amendment 89) has been carried over to TPS3.	Notes/Questions	<p>This amendment stipulates the Townscaping policy of Jarrahdale to protect the look, feel, heritage and natural elements of the town.</p> <p>How has Appendix 13 &amp; 14 from TPS2 been incorporated in the new scheme?</p> <p>I would like Appendix 13 &amp; 14 to be included in the TPS3 to protect the Jarrahdale townscape.</p>	<p><b>Town Distinction</b></p> <p>The Shire intends to prepare Place Plans for each of the towns within the Shire to reflect local character and sense of place.</p> <p><b>Appendix 13 &amp; 14 of TPS2</b></p> <p>The Jarrahdale heritage precinct has been identified as a special control area under the Draft Local Planning Scheme No.3, that has been developed to ensure retention of the heritage character of the precinct. As well as to ensure the preservation of the Jarrahdale townscape, heritage and woodlot precinct character.</p> <p><b>Jarrahdale Road</b></p> <p>Under the Draft Local Planning Scheme No.3 maps, Jarrahdale Road is considered to be a 'Primary Distributor' road as identified by the Main Roads Western Australia (MRWA) road hierarchy classifications. The road reserve is a local reserve under the Draft Scheme.</p> <p>Under the Draft Local Planning Strategy, Jarrahdale Road is identified as a 'Regional Distributor' road in accordance with the MRWA classifications. Further information regarding the MRWA road hierarchy classifications is available at the below link:  <a href="https://mrwebapps.mainroads.wa.gov.au/publicmaps/rim">https://mrwebapps.mainroads.wa.gov.au/publicmaps/rim</a></p> <p>The Road House land use can only be considered where the site has direct access to a State road.</p> <p><b>Landscape Protection</b></p> <p>SCA2 is applied to ensure that the existing landscape attributes will be taken into account in considering how the landscape will be protected and the extent of any degradation to the landscape form.</p>	
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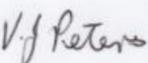
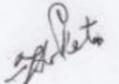
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		<p style="font-size: small; margin: 0;">Submission for Draft Local Planning Strategy and Draft Local Planning Scheme No. 3      15 December 2019      Marnie Hamersley-Smith</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 20px;"> <tr> <td style="width: 30%; font-size: x-small;">Topic</td> <td style="font-size: x-small;"><b>Freight/train line through/alongside Jarrahdale</b></td> </tr> <tr> <td style="font-size: x-small;">Documents referred to</td> <td style="font-size: x-small;">LPS (page 46-47 – Figure 8: Regional Transport map)</td> </tr> <tr> <td style="font-size: x-small;">Notes</td> <td style="font-size: x-small;">The LPS shows the existing railway line from Mundijong plus a potential freight realignment using the old Alcoa line. This appears as though it will connect to Mundijong and from there have passage to Kwinana wharf and also through to Northam potentially.</td> </tr> <tr> <td style="font-size: x-small;">Notes/Questions</td> <td style="font-size: x-small;">I do not want a rail line running through or alongside Jarrahdale.</td> </tr> </table> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 20px;"> <tr> <td style="width: 30%; font-size: x-small;">Topic</td> <td style="font-size: x-small;"><b>Landscape protection zones</b></td> </tr> <tr> <td style="font-size: x-small;">Documents referred to</td> <td style="font-size: x-small;">Maps (Map 4 of 7 – Jarrahdale Townsite)</td> </tr> <tr> <td style="font-size: x-small;">Notes</td> <td style="font-size: x-small;"></td> </tr> <tr> <td style="font-size: x-small;">Notes/Questions</td> <td style="font-size: x-small;">In reference to the TPS3 maps of Jarrahdale townsite the landscape protection zone seems inconsistent to have a landscape protection zone around properties on Jubb Road where it is infrequent for people to visit and not have one around Jarrahdale Road where properties are really visible.  Landscape protection should also be around properties on Jarrahdale Road.</td> </tr> </table>	Topic	<b>Freight/train line through/alongside Jarrahdale</b>	Documents referred to	LPS (page 46-47 – Figure 8: Regional Transport map)	Notes	The LPS shows the existing railway line from Mundijong plus a potential freight realignment using the old Alcoa line. This appears as though it will connect to Mundijong and from there have passage to Kwinana wharf and also through to Northam potentially.	Notes/Questions	I do not want a rail line running through or alongside Jarrahdale.	Topic	<b>Landscape protection zones</b>	Documents referred to	Maps (Map 4 of 7 – Jarrahdale Townsite)	Notes		Notes/Questions	In reference to the TPS3 maps of Jarrahdale townsite the landscape protection zone seems inconsistent to have a landscape protection zone around properties on Jubb Road where it is infrequent for people to visit and not have one around Jarrahdale Road where properties are really visible.  Landscape protection should also be around properties on Jarrahdale Road.		
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Frank S & Valmae J Peters IN19/28480	132.	<p>Frank and Valmae PETERS  C/O – 1653 Thomas Road  Oakford, 6121</p> <p>To: Chief Executive Officer – Shire of Serpentine Jarradale  Attention: Lauren Dujmovic, Coordinator Strategic Planning  Subject: Submission for rezoning Shire of Serpentine Jarradale Draft Local Planning Scheme No.3  REF: 1653 Thomas Road, Oakford, 6121</p> <p>This submission requests consideration of subdivision for Lot 1653 Thomas Road, Oakford from the current Special Rural Zoning to Rural Residential 1(RR1) and is in support of a submission provided by Sebastiano and Anthony RanDazzo of Lot 8 Thomas Road, Oakford.</p> <p>Having reviewed Sebastian and Anthony RanDazzo submission relating to their property situated at Lot 8 Thomas Road, Oakford, requesting consideration for the rezoning of the properties outlined in their submission maps 3 and 4 and subject to options 1 and 2 relating to rezoning of the identified properties to RR1. We fully support their submission as their reasoning for the rezoning to RR1 is both sound and sensible and aligns itself to the current successful and vibrant estates that exist within the area which have been supported by the Shire. We submit that this parcel of land offers the shire the opportunity to provide potential landowners with a value for money opportunity, ensuring the land is used to its maximum potential.</p> <p>The local area has existing robust infrastructure which continues to keep pace with the growth of the area. I believe rezoning the outlined properties aligns itself to both the Shire and State Governments strategic view of the outer metropolitan area.</p> <p>If the shire deems that the rezoning to RR1 does not align with its current planning then we request consideration for Lot 1653 Thomas Road, Oakford to be zoned 'Rural Residential 2' (RR2).</p> <p>Forwarded for consideration</p> <p> Valmae Peters</p> <p> Frank Peters</p>	<p>Land has been identified as Rural Residential RR-2 under the Draft Local Planning Strategy as it has been identified as having the future potential for this purpose. The subject area is located within an established rural living precinct and the identification of land for this purpose is considered logical. It is important to consolidate rural living areas in defined precincts to ensure land use compatibility and minimise land use conflicts. Creating defined rural living precincts enables a high level of rural living character and amenity to be achieved.</p> <p>Further studies and investigations are required to support a potential rezoning under the Local Planning Scheme to determine the capability of the land being subdivided and developed for this purpose. It is important that these investigations are undertaken prior to the land being rezoned to ensure that the land can accommodate the intended development and to ensure that appropriate provisions and design considerations are incorporated. The Shire will consider rezoning the land in the future through the applicant submitting a Scheme Amendment with the appropriate planning studies to outline if the land is capable of being developed. This is subject to future planning and capability studies which will be assessed by the Shire and the Western Australian Planning Commission.</p> <p>The Shire will consider any Scheme amendment based on its merit, as well as its alignment to the Local Planning Strategy. Importantly future scheme amendments will be assessed regarding their alignment with the Local Planning Strategy.</p> <p>The Shire does not support the identification of the land as Rural Residential RR-1 under the Draft Local Planning Strategy and Local Planning Scheme No.3.</p>	
Barry & Lucille Gaskin IN19/28498	133.	Submission Shire if SJ Draft Local Planning Strategic Planning. This is Attachment 1, Mr & Mrs Gaskin 17/12/2019	Land has been identified as Rural Residential RR-2 under the Draft Local Planning Strategy and Local Planning Scheme No.3 as it has been identified for this purpose. The subject area is located within an	

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589 South Western Highway, Byford		<p><b>1.</b> We purchased our property only a year ago as House and Land package the zoning at Purchase time was Rural as declared by the Shire if SJ Council. This Rural zoning was the main reason My wife and I purchased the property. We could have bought a 5-acre special rural at a much cheaper price. Being property owner's our home is a large investment and forms a large portion of our retirement fund. I am now 68 and semi-retired and do not wish to see the value soften due to being re-zoned and downgraded to Special Rural. Our intension is to value add.</p> <p><b>2.</b> After my wife and I purchased the Rural Property, we invested a lot of finance and hard work into it over the last year to bring to the standard it is today new bathrooms and Kitchens.</p> <p><b>3.</b> I have enquired to local real-estate agents and the comments are if the zoning changes from Rural to Rural-residential it could affect the price by approximately 10%-15% in the current market. It could see many potential purchasers turning away as there is a glut of Special Rural properties on the market and some have been listed for over a year.</p> <p><b>4.</b> Due to the Rural zoning now most of the renovations are complete I have been investigating what services are not being offered in Byford and I an currently carrying out due diligence on several types of business, all would create employment in the area which is much needed.</p> <p><b>5.</b> I have asked the SJ Council what are the physical benefits to the shire to re-zone and there is no answer forthcoming, so why change? This would be a loss of value, and blue sky for any owner present and future and a violation of my rights.</p> <p><b>6.</b> The only answer as far as I can understand is; that from a Sat-nav it would tidy up the area into tidy squares and rectangles?</p> <p><b>7.</b> WE urge the SJ Council to hold for a period on re-zoning. I have direct access to the Southwestern Highway, and if Byford increases in population properties fronting the Highway will be more suitable for retail, health, medical services etc this would create real high paid jobs instead of shop assistant's as the majority are now.</p> <p><b>8.</b> WE urge the SJ Council not to downgrade to Rural Residential but more to look at Mixed use or Rural Township, The town has grown and will continue to snowball in size, once the Train is in place step back! WE are positioned about 500metre north of the Thomas road Traffic lights and at the Gate way to the South West Tourist area serviced not thought off will be required and again we request SJ not decide in hast, just leave as is and look to the future.</p> <p><b>9.</b> I previously lived in Forrestdale for 27 years and nobody there would have dreamed of the expansion and retail showrooms now required, WE cams to</p>	<p>established rural living precinct and the identification of land for this purpose is considered logical. It is important to consolidate rural living areas in defined precincts to ensure land use compatibility and minimise land use conflicts. Creating defined rural living precincts enables a high level of rural living character and amenity to be achieved.</p> <p>The lot sizes of the subject land are consistent with the Rural Residential RR-2 lot size minimum of 2ha. It is important to ensure that land use permissibility is appropriate for the lot sizes and the surrounding development to protect the amenity of adjoining properties. Under the Rural Residential zone, rural pursuit/hobby farm is proposed to be a discretionary use. This means the Shire can consider activities such as the rearing, agistment, stabling or training of animals in the Rural Residential zone, which are common uses in rural living areas.</p>	

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		<p>Byford because it is like Forrestdale back then and are sure it will go the same way.</p> <p>11. If the rezoning is recommended by the Shire and I am re-zoned I will be seeking advice to submit an application at SAT for a reverse on the decision or compensation for loss of potential earnings and loss of value as determined by third party Real-estate valuations.</p> <p>12.</p>		
<p>Herlinde, Jeanette Franziska, Maria &amp; Ruth KLEIN IN19/28535</p>	<p>134.</p>	<p>Please take this as a formal objection to the shire of serpentine/Jarrahdale draft local planning strategy and local planning scheme. As current land owners at 8 Jones court serpentine, Herlinde Klein, Jeanette Klein, Franziska Klein and Marie Klein we would like to object to this new planning scheme which states boundary fencing must not exceed 1.2 meters as our current fencing is greater than the height requirement.</p>	<p>The Shire acknowledges your submission and recommends that the fencing provisions be amended to align with the Shire's Local Planning Policy: 1.5 Exempted Development Policy (LPP1.5) which specifies requirements for fencing. Fences within the Shire have been constructed in accordance with this policy and the proposed changed requirements under the draft Scheme would mean that many previously acceptable fences would become non-compliant with the new Scheme. This modification will ensure the draft Scheme is consistent with LPP1.5 and would not significantly change the current requirements.</p>	<p>Amend the following provision with the Special Residential, Rural Residential and Rural Smallholdings zones to state:</p> <p><i>'Lot boundary fencing shall be 75% visually permeable, to a maximum height of 1.8 metres from natural ground level and constructed of masonry, concrete, timber, wire, post and rail and/or post and wire (including chain mesh). The fencing shall be unobtrusive and sensitive to the objective of maintaining rural character and visual amenity.'</i></p> <p>Amend the following provision with the Rural and Environmental Conservation zones to state:</p> <p><i>'Lot boundary fencing shall be 80% visually permeable, to a maximum height of 1.8 metres from natural ground level and constructed of masonry, concrete, timber, wire, post and rail and/or post and wire (including chain mesh). The fencing shall be unobtrusive and sensitive to the objective of maintaining rural character and visual amenity.'</i></p>
<p>Helen Iles IN19/28574</p>	<p>135.</p>	<p><b>In response to the Draft Local Planning Strategy and Scheme No. 3:</b>  Having read the relevant planning documents and noting that Light Industry is now going to be included in the Rural zone I have serious concerns that this will destroy the whole rural aspect of Serpentine Jarrahdale Shire and the way it is represented as an aesthetically appealing environment to live in.</p> <p>To support my statement, you only have to look at the situation we are in living in Boomerang Road, within the rural zone. We moved here for a rural lifestyle and to enjoy our horses, with a view of having a horse training business to see us survive our retirement years. Serpentine Jarrahdale has long been known as the horse industry capital of the south.</p> <p>Since moving here, we have had our lifestyle destroyed when the Shire approved a Paintball Park to operate on the property next door, their playing fields in a direct line with our stables. Horses in war zones don't survive long, and in the paintball park's first game, two horses bolted from the sudden horrendous noise and tried to escape our property (which is only 300 metres wide) and became entangled in the eastern boundary fence, cutting themselves to pieces while the paintball game went on. Next my thoroughbred fractured his skull on the stable wall when a game suddenly started, spooking him in the stable. I had to deal with abscesses bursting</p>	<p>The property 265 Boomerang Road is zoned Rural under the Draft Local Planning Scheme No.3 and Local Planning Strategy. The Shire officers outlined the objectives of the Rural zone to be;</p> <ul style="list-style-type: none"> <li>- To provide for the maintenance or enhancement of specific local rural character.</li> <li>- To protect and accommodate broad acre agricultural activities such as cropping and grazing and intensive uses such as horticulture as primary uses, with other rural pursuits and rural industries as secondary uses in circumstances where they demonstrate compatibility with the primary use.</li> <li>- To maintain and enhance the environmental qualities of the landscape, vegetation, soils and water bodies including groundwater, to</li> </ul>	

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		<p>out of his face for the next six months, and a severely head shy horse from then on. Then others similarly took fright over the next few games, tearing themselves to the bone on fencing, or being so shell shocked they were dangerous to handle, and impossible to take them out in public as they would panic at the slightest bang. Vet bills amounted to over \$5,000.00, and each horse was out of action for a six-month period healing and left with major scars. Any hope of having an enjoyable life with horses or running a small business in our retirement went out the window as we cannot bring another horse onto the property without the risk of similar injuries and massive vet bills. I even agisted our horses elsewhere at \$1000 a week to avoid further injuries to my own livestock. This destroyed any chance of us developing our horse property to what we had planned. And the Council says the noise factor is not an issue!</p> <p>Next, Shire permitted the commercial parking of two heavy haulage trucks on the property on our eastern side, which has ballooned out to six massive trucks, each complete with double trailers, plus all assortment of other trailer combinations parked up on the hardstand that has slowly been encroaching across their property. This has destroyed any rural aspect of living here. As far as I am concerned, this is not light industry – it is heavy industry, with trucks coming and going at all hours of the day (and sometimes night), with maintenance being undertaken and trucks left idling for long periods of time, their comings and goings often disturbing our sleep. Not to mention that these people are not rural folk, and their antics driving on the trotting track has repeatedly covered my property and horses in toxic silica dust, which caused three of my horses to die in agony, one coughing for days until its heart gave out, the other two ingesting toxic irritants and causing severe stomach complaints until they couldn't cope with the pain and were euthanised. Vet bills amounted to over \$2000 and the loss of three precious horses I had owned and enjoyed for over 20 years – they were family. Further injury from this trucking yard has caused chronic cataracts in myself, plus a tumour in my jaw, and the dog has a chronic lung condition due to breathing in the irritants. And even after they were made aware they have killed three horses, still they are driving on the trotting track covering us in dust and still they are maintaining six trucks and doing maintenance on them against the Shire's approval conditions.</p> <p>Now we come to the old chicken farm across the road, which has now turned into an illegal brick recycling plant, as well as a timber recycling yard which constantly smokes us out and damages our home with smoke residue as he recycles the timber to charcoal. Truck load after truckload comes onto the property noisily dumping building rubble and debris, creating an eyesore as well as pollutant dust blowing into our home. And the manure factory that was given permission to operate many years ago on the same premises is getting bigger and bigger with more and more trucks passing our home on the gravel road, further creating dust on our roof and in our drinking water.</p> <p>This is the result of allowing light industry to encroach into the rural area. As far as our rural lifestyle goes, there simply isn't one anymore. We now live in the middle of an industrial zone, keeping all our doors and windows shut, and are slowly being smothered by pollution while watching to see which animals will be</p>	<p>protect sensitive areas especially the natural valley and watercourse systems from damage.</p> <ul style="list-style-type: none"> <li>- To provide for the operation and development of existing, future and potential rural land uses by limiting the introduction of sensitive land uses in the Rural zone.</li> <li>- To provide for a range of non-rural land uses where they have demonstrated benefit and are compatible with surrounding rural uses.</li> </ul> <p>In section 3.3.3 of the Local Planning Strategy, Protecting the Rural Landscape Action No.3 states; 'Designate the industry – light land use as not permitted within the Rural zone under the Local Planning Scheme No.3'.</p> <p>Under the zoning table in the Draft Local Planning Scheme No.3 the only industry that is permitted under the Rural zone is – primary production.</p> <p>Industry – Primary production refers to;</p> <p><i>means premises used -</i></p> <p>(a) to carry out a primary production business as that term is defined in the Income Tax Assessment Act 1997 (Commonwealth) section 995-1; or</p> <p>(b) for a workshop servicing plant or equipment used in primary production businesses.</p> <p>The only other industrial uses that are discretionary under the Draft Local Planning Scheme are:</p> <p>Industry – Cottage</p> <p>Industry – Extractive</p> <p>Both of these land uses are at the discretion of the Local Government.</p> <p>The Shire appreciates your response and supports your request that industry – light be excluded from the Rural zone. We appreciate your response via submission to the Draft Local Planning Strategy and Local Planning Scheme No.3.</p>	

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		<p>the next to die from it. We are unable to even consider maintaining our life with horses, which has in effect ruined our retirement. Our property has devalued, firstly from the paintball park, by 25%, and now another 25% because of the trucking yard on our other boundary, not to mention that no-one will want to buy a horse property opposite an asbestos demolition company's yard. We are stuck here in this appalling environment because, if we try to sell, we simply will not get enough for the property to buy anything else to suit our needs. Everything we have worked all our lives for has been ruined because of council decisions, giving no forethought to the current residents who are living in the correct zone for the lifestyle they choose to live. Shire management of this area, a rural zone, has in no way limited what is being imposed on its rural residents. And we all objected to the applications of what was being proposed and were totally disregarded.</p> <p>Once light industry becomes a normal part of the rural zone, the aesthetic appeal of, and the environment within the rural zone will be decayed away just like it has in Oldbury, and the Shire simply do not have enough staff to manage the constant breaking of conditions, the destruction and pollution of the land, as has happened on Boomerang Road, not to mention the use of ratepayers money in prosecuting offenders (\$47,000 for Scofield's infringements to date) to try to resurrect the damage. Light industry operators do not know how to manage the land to ensure its long-term usage, nor do they care – it's all about money – and the impact on those living rural with industry operating on their boundaries will continue to destroy lifestyles, and land values.</p> <p>If as your strategic plan as outlined below for rural zones,</p> <ul style="list-style-type: none"> <li>• To provide for the maintenance or enhancement of specific local rural character.</li> <li>• To protect and accommodate broad acre agricultural activities such as cropping and grazing and intensive uses such as horticulture as primary uses, with other rural pursuits and rural industries as secondary uses in circumstances where they demonstrate compatibility with the primary use.</li> <li>• To maintain and enhance the environmental qualities of the landscape, vegetation, soils and water bodies including groundwater, to protect sensitive areas especially the natural valley and watercourse systems from damage.</li> <li>• To provide for the operation and development of existing, future and potential rural land uses by limiting the introduction of sensitive land uses in the Rural zone.</li> <li>• To provide for a range of non-rural land uses where they have demonstrated benefit and are compatible with surrounding rural uses mixing rural and light industry is a total contradiction of the Shire's good intention.</li> </ul> <p>I see Boomerang Road has been categorised as SCA6 Special Control Area – Development Control Area/Plan and is outlined as being a Buffer area.</p> <p>1. To control development within close proximity of a site which may be considered a nuisance or offensive by virtue of noise, dust, gas, odour, fumes, lighting overspill and health concerns.</p>		

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		<p>2. To control development so that it does not jeopardise or conflict with the ongoing operations of existing approved uses.</p> <p>3. Designate separation distances to properties with offsite impacts as contained within Schedule 6.</p> <p>4. Separation distances shall be designated in accordance with the Environmental Protection Authority's Guidance for the Assessment of Environmental Factors: Separation Distances between Industrial and Sensitive Land Uses. Where a separation distance range is recommended, the separation distance shall be based on scale of the operation with potential offsite impacts</p> <p>5. All proposed development within SCA6 shall require development approval.</p> <p>6. Development which involves the preparation of food on land identified within the boundaries of SCA6 shall generally not be supported by the local government.</p> <p>7. Development may not be supported by the local government where it is considered to be a land use conflict.</p> <p>8. Development approval may be subject to conditions in regards to noise attenuation, siting and orientation of buildings.</p> <p>9. Development approval shall be subject to a condition requiring the preparation of a Section 70A notification on the certificate of title notifying prospective purchasers of the presence of a buffer.</p> <p>10. Development shall be designed so that it does not jeopardise or conflict with the ongoing operations of any servicing infrastructure</p> <p>I would like to ask if the current businesses that are impacting on our property and the destruction of our land and lifestyle will be made to comply to the new conditions? And will there be a ratio of what non-rural developments will be allowed in the rural zone so the rural zone is not totally eroded by non-rural businesses?</p> <p>One of the key functions of a local government is to provide for the resident ratepayers by allowing them to enjoy their properties and lifestyles – it is not always about population growth, recreation areas, employment and big business. Maintenance of what has already been developed also needs to be considered, such as protecting the rural environment and rural lifestyles within the Shire boundaries. Currently rural pursuits are being choked out by industrial pursuits. Please do not allow this to happen to anyone else. Living here has become a living hell!</p>		

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<p>Karen A Wallace IN19/28577</p>	<p>136.</p>	<p style="font-size: small;">Submission for Draft Local Planning Strategy and Draft Local Planning Scheme No. 3      15 December 2019      Marnie Hamersley-Smith</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;"><b>Topic</b></td> <td><b>Town distinction</b></td> </tr> <tr> <td><b>Documents referred to</b></td> <td>Overall</td> </tr> <tr> <td><b>Notes</b></td> <td></td> </tr> <tr> <td><b>Notes / Questions</b></td> <td> <p>Overall the Local Planning Scheme No 3 seems to have a blanket distinction/look/feel for the Shire as a whole.</p> <p>Will or has the SJ Shire developed individual distinctions or townscaping policies (or equivalent) for each of the towns?</p> <p>Local residents and community groups should be a part of developing this distinction for their respective towns.</p> <p>Realistically they should all have their own townscaping policy or equivalent to whilst still paying homage to the Shire as a whole.</p> </td> </tr> </table> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;"><b>Topic</b></td> <td><b>Appendix 13 &amp; 14 of TPS2</b></td> </tr> <tr> <td><b>Documents referred to</b></td> <td>TPS2</td> </tr> <tr> <td><b>Notes</b></td> <td> <p>It does not appear that Appendix 13 or 14 of TPS2 (Amendment 89) has been carried over to TPS3.</p> <p>This amendment stipulates the Townscaping policy of Jarrahdale to protect the look, feel, heritage and natural elements of the town.</p> </td> </tr> <tr> <td><b>Notes/Questions</b></td> <td> <p>How has Appendix 13 &amp; 14 from TPS2 been incorporated in the new scheme?</p> <p>I would like Appendix 13 &amp; 14 to be included in the TPS3 to protect the Jarrahdale townscape.</p> </td> </tr> </table>	<b>Topic</b>	<b>Town distinction</b>	<b>Documents referred to</b>	Overall	<b>Notes</b>		<b>Notes / Questions</b>	<p>Overall the Local Planning Scheme No 3 seems to have a blanket distinction/look/feel for the Shire as a whole.</p> <p>Will or has the SJ Shire developed individual distinctions or townscaping policies (or equivalent) for each of the towns?</p> <p>Local residents and community groups should be a part of developing this distinction for their respective towns.</p> <p>Realistically they should all have their own townscaping policy or equivalent to whilst still paying homage to the Shire as a whole.</p>	<b>Topic</b>	<b>Appendix 13 &amp; 14 of TPS2</b>	<b>Documents referred to</b>	TPS2	<b>Notes</b>	<p>It does not appear that Appendix 13 or 14 of TPS2 (Amendment 89) has been carried over to TPS3.</p> <p>This amendment stipulates the Townscaping policy of Jarrahdale to protect the look, feel, heritage and natural elements of the town.</p>	<b>Notes/Questions</b>	<p>How has Appendix 13 &amp; 14 from TPS2 been incorporated in the new scheme?</p> <p>I would like Appendix 13 &amp; 14 to be included in the TPS3 to protect the Jarrahdale townscape.</p>	<p><b>Town Distinction</b></p> <p>The Shire intends to prepare Place Plans for each of the towns within the Shire to reflect local character and sense of place.</p> <p><b>Appendix 13 &amp; 14 of TPS2</b></p> <p>The Jarrahdale heritage precinct has been identified as a special control area under the Draft Local Planning Scheme No.3, that has been developed to ensure retention of the heritage character of the precinct. As well as to ensure the preservation of the Jarrahdale townscape, heritage and woodlot precinct character.</p> <p><b>Jarrahdale Road</b></p> <p>Under the Draft Local Planning Scheme No.3 maps, Jarrahdale Road is considered to be a 'Primary Distributor' road as identified by the Main Roads Western Australia (MRWA) road hierarchy classifications. The road reserve is a local reserve under the Draft Scheme.</p> <p>Under the Draft Local Planning Strategy, Jarrahdale Road is identified as a 'Regional Distributor' road in accordance with the MRWA classifications. Further information regarding the MRWA road hierarchy classifications is available at the below link:  <a href="https://mrwebapps.mainroads.wa.gov.au/publicmaps/rim">https://mrwebapps.mainroads.wa.gov.au/publicmaps/rim</a></p> <p>The Road House land use can only be considered where the site has direct access to a State road.</p> <p><b>Landscape Protection</b></p> <p>SCA2 is applied to ensure that the existing landscape attributes will be taken into account in considering how the landscape will be protected and the extent of any degradation to the landscape form.</p>	
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<b>Notes / Questions</b>	<p>Overall the Local Planning Scheme No 3 seems to have a blanket distinction/look/feel for the Shire as a whole.</p> <p>Will or has the SJ Shire developed individual distinctions or townscaping policies (or equivalent) for each of the towns?</p> <p>Local residents and community groups should be a part of developing this distinction for their respective towns.</p> <p>Realistically they should all have their own townscaping policy or equivalent to whilst still paying homage to the Shire as a whole.</p>																			
<b>Topic</b>	<b>Appendix 13 &amp; 14 of TPS2</b>																			
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<b>Notes</b>	<p>It does not appear that Appendix 13 or 14 of TPS2 (Amendment 89) has been carried over to TPS3.</p> <p>This amendment stipulates the Townscaping policy of Jarrahdale to protect the look, feel, heritage and natural elements of the town.</p>																			
<b>Notes/Questions</b>	<p>How has Appendix 13 &amp; 14 from TPS2 been incorporated in the new scheme?</p> <p>I would like Appendix 13 &amp; 14 to be included in the TPS3 to protect the Jarrahdale townscape.</p>																			

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Veterinary Medical Services P & P Adamson IN19/28583	137.	<p style="text-align: center;"><b>The new rural estate selling 300 massive blocks on Perth's outskirts</b></p> <p>By <a href="#">Heather Mitchell</a>            November 23, 2018 — 6:34am</p> <ul style="list-style-type: none"> <li>• <a href="#">Share on Facebook</a></li> <li>• <a href="#">Share on Twitter</a></li> <li>• <a href="#">Send via Email</a></li> </ul> <p>Normal text <a href="#">size</a> <a href="#">larger text size</a> <a href="#">Very large text size</a>            A huge land release on the outskirts of Perth is set to go on sale in 2019, offering more than 300 acreage blocks between 1-2.8 hectares.</p> <p>Country Heights, situated near Gingin, around 85 kilometres from Perth's CBD, will sell blocks between 20 to 50 times the average suburban block and will be a 45 minute drive from the city once the Tonkin Highway extension is completed in 2019.</p> <p><b>A rural land release of this size within commutable distance to the city is rare.</b></p> <p>The new estate will be released 85 kilometres from Perth's CBD. <small>CLAYMONT DEVELOPMENT PTY LTD</small>            The number of rural properties sold in the Perth metropolitan area has steadily decreased in recent years as the city's average residential block size shrinks to around 375 square metres.  <small>Advertisement</small>            In 2014, 332 rural properties were sold, compared to 156 so far this year.</p> <p>In the 12 months to October, Real Estate Institute of WA statistics showed 84 small rural properties between 1-4 hectares were sold in Perth.</p> <p>Most were sold in Gidgegannup (40 kilometres from CBD), Cardup (43 kilometres) and Serpentine (55 kilometres).</p> <p>Country Heights agent Tom <a href="#">Çabassi</a> said the first stage of the Gingin rural estate would go on sale in February or March, with buyers able to choose blocks from 2.5-7 acres (10,000-28,000 square metres) for \$170,000-\$220,000.</p> <p>"It's very commutable to the city, [Tonkin] Highway is going to make it only 45 minutes from the CBD, it's going to take 20 minutes off our trip to Perth," he said.</p> <p>The estate is north of <a href="#">Mushes</a>. <small>CLAYMONT DEVELOPMENT PTY LTD</small>            "There's a mix of people interested in these types of blocks, the business people out of the city or the young people who want a bit of room for their kids.</p> <p>"Gingin has everything to offer in terms of schooling and sports so they're not missing out on anything and it's a very safe place."</p> <p><b>REIWA president Damian Collins said rural estates within 30 kilometres of Perth had become rare.</b></p> <p>Some still remained in areas like Jandakot and Canning Vale (both 20 kilometres from city), but he said those areas would likely be rezoned to allow for higher density.</p> <p>"[Those estates] were done many years ago when Perth had a lot more land and so they were the outskirts a lot of the times when they were done," Mr Collins said.</p> <p>"The price per square metre of land, even on the outer fringes, they're selling 380-square-metre blocks for anywhere from \$160,000-\$300,000 so you don't have any hope, in areas within 20-30 kilometres of the city, of getting a hectare property — because they'd cost millions now.</p> <p>"Any newer rural estates coming on are going to be a lot further out of the metropolitan area."</p>	<p>The Shire does not support the proposed identification of the subject land as rural living under the Draft Local Planning Strategy and Local Planning Scheme No.3. The subject site is identified as Rural under the WAPC's Perth and Peel @ 3.5 Million Sub-Regional Planning Frameworks. The proposal is not consistent with the State and local planning framework and is therefore not supported by the Shire.</p>	

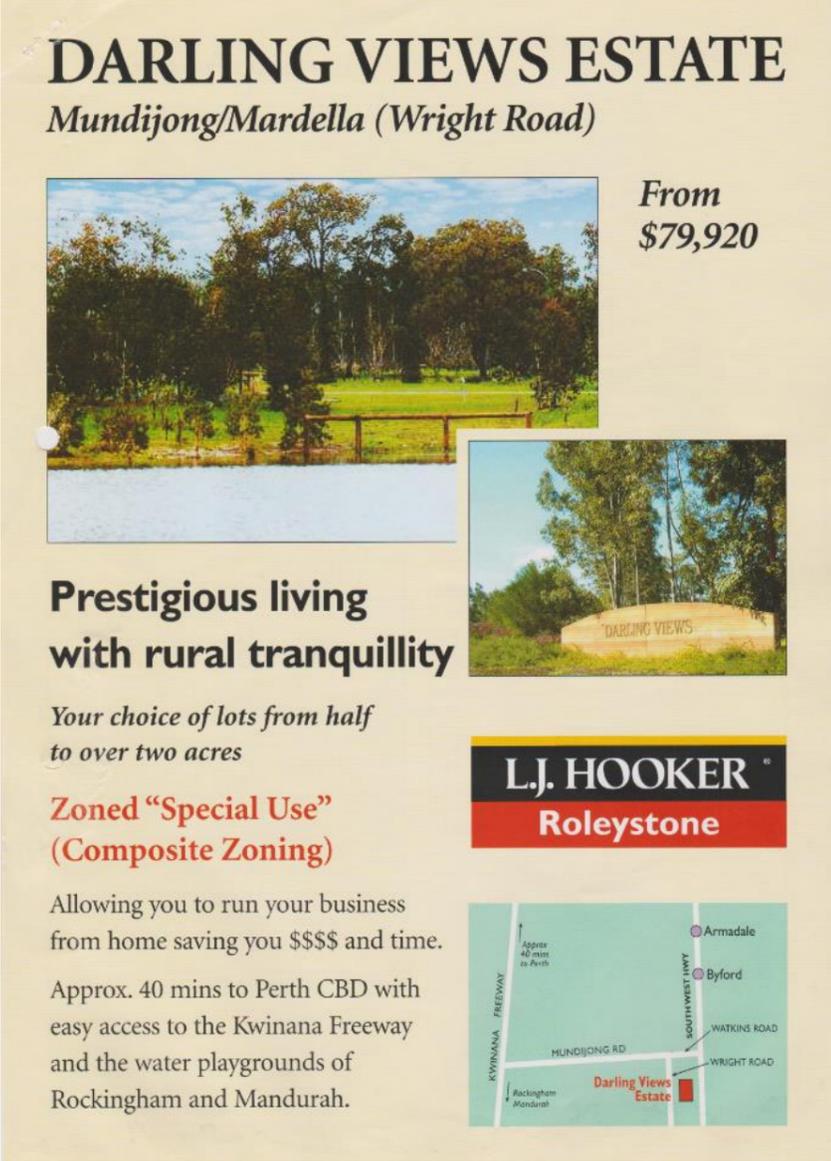
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		<p>Submission : Shire of Serpentine Jarrahdale Draft Local Planning Strategy            SJ203/SJ701:E19/11510</p> <p>18 December 2019</p> <p>Summary            We support the rezoning of 129 Wright Road Mardella WA.            We request the zoning be changed as part of the new scheme adoption process,            rural living.</p> <p>Notes            We confirm and note the following:</p> <ol style="list-style-type: none"> <li>1. A shortage of rural living lifestyle blocks in Western Australia. (The new rural estate selling 300 massive blocks on Perth's outskirts. 23<sup>rd</sup> November 2018 WA Today.)</li> <li>2. Excellent existing infrastructure potential, particularly rail links, for city commuters within the hour to city, within our district.</li> <li>3. The change of mood world wide to carbon markets, and the need for lifestyle blocks, well treed with inherent protection for those trees against removal.</li> <li>4. The increasing inefficiency of inner urban rural farming to the point of being financially non-viable on small rural holdings.</li> <li>5. One very odd anomaly and conundrum we have observed associated with Residential – Business prestigious living with rural tranquillity (Composite zoning – residential and trade light industry business) since 1999, is the propensity and eagerness of new owners to cut down trees. The arguments articulated relate to leaves, sticks, and branches falling into swimming pools, gutters, roofs, and gardens, causing incalculable inconvenience and untidiness. I mean it just seems very odd to us that an owner seeks a large rural lot with rural tranquillity and the associated features, only to complain about the very essence and nature of the beautiful surrounding environment.</li> <li>6. We agree that new rural zonings should protect trees. We feel this is likely to become essential in all districts, as the capacity for carbon markets to improve the health of our global environmental problems becomes a necessity. We feel this will be a meeting point for environment and economy. Rural living lifestyle can be seen to help indemnify broad acre farming, offsetting their emissions.</li> <li>7. Thank you. Peter and Phillippa Adamson for The Veterinary Medical Services at 120 Malibu Road Safety Bay WA 6169 0408-528130.</li> </ol>		

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Amie Thorpe IN19/28605	138.	<p>Lot 202 Bilya Avenue, MARDELLA</p> <p>Firstly we would like to express extreme disappointment with the Information Sessions that were run by the Shire, the one we attended being at the Civic Centre on 20/11/2019 which was proposed to start at 6pm. We arrived just on 6pm and the facilitator was wrapping up the plan for the meeting and so we had to find out from other people what was happening. This was incredibly infuriating and created a very hostile environment especially for those that arrived not much later as there was a lot of confusion amongst residents.</p>	<p>A number of properties within the Darling Views Estate in Mardella have been identified as Rural Residential RR-1 with an Additional Use A3 designation. This Additional Use A3 designation allows for additional uses to be permissible in the zone in which the land is located. The Additional Use has been applied to allow for light industry land uses to operate within the Darling Views Estate.</p>	<p>Amend the following provision with the Special Residential, Rural Residential and Rural Smallholdings zones to state:</p> <p><i>'Lot boundary fencing shall be 75% visually permeable, to a maximum height of 1.8 metres from natural ground level and constructed of masonry, concrete, timber, wire, post and rail and/or post and wire (including chain mesh). The fencing shall be unobtrusive and sensitive to the objective of maintaining rural character and visual amenity.'</i></p>

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		<p>The way in which the meetings were organised made it feel like the intent of the meetings was to diminish the voice of the residents by talking one on one with staff from the planning team rather than provide information to the group as a whole, which was expected by the fact that everyone arrived early. It should have been written in the notice that planning officers will be available to speak to anytime between 6 and 7.30pm because this was not what anyone I spoke to had expected and hence why everyone turned up at 6pm and then had to wait around to talk to an officer. When I expressed my frustration at how the meeting had been run to a staff member from the shire at the end of the meeting, they clarified that it was expected people arrive between 6 and 7.30pm rather than all at 6pm however this was definitely not made clear in the notice to residents and created unnecessary conflict. We felt the communication was very poor.</p> <p>We heard one staff talking to members of the community later on in the night and he was very much speaking defensively. We spoke with Hayden who was tremendous, very helpful and communicated calm and collectedly even though speaking with a large group of very upset and confused residents. Hayden received a list of email addresses from the Darling Views Estate residents who requested confirmation in writing of the changes to the zoning in this area. He agreed to do this and yet we only received a letter on the 17<sup>th</sup> December, disappointing to receive it only on the day prior to submissions closing.</p> <p>The freight rail realignment proposed on the document - E19_11642__Draft_Local_Planning_Strategy_-_Map_for_Front_Desk_, does not seem very logical nor fair as it appears to cut through many existing established properties. A realignment is supported however this proposal is not.</p> <p>We are not supportive of Pure Steel Lane properties zoning being changed to Industry. It is disappointing that an area with less established properties was not chosen for the industrial area as there is so much land in the shire that could have been used which would have had less impact on residents. We think it does make sense however to have industry back onto Tonkin Highway rather than residential.</p> <p>We are supportive of the zoning of the Darling Views Estate in Mardella changing from Special Use to Rural Residential only if Schedule 1 A3 remains as drafted as sited at the Information Session and all conditions that apply to Special Use carry across to the rezoning. We solely bought this property on the basis that we could run a business from home and if this is not the case for us in the future or once the property is sold this would, among other issues, have substantial negative financial implications.</p> <p>We have concerns with Clause 61(1)(l) regarding outbuildings, as the current maximum on these special use blocks is 500m<sup>2</sup>, the same as Rural. The Rural Residential however has only 200m<sup>2</sup>. If we are to change from Special Use to Rural Residential, the 500m<sup>2</sup> needs to be incorporated into Schedule 1 Conditions so that this remains the same. Again this will devalue property and limit businesses in the area if the size is reduced.</p>	<p>In relation to the previous Special Use zone which applied to the Darling Views Estate in Mardella, the following land uses have been made additional uses to the Rural Residential RR-1 zone for this area under the Draft Local Planning Scheme No.3:</p> <ul style="list-style-type: none"> <li>- Commercial vehicle parking</li> <li>- Industry – light</li> <li>- Motor vehicle repair</li> <li>- Motor vehicle wash</li> <li>- Trade display</li> <li>- Trade Supplies</li> <li>- Warehouse/ Storage</li> </ul> <p>Provisions in relation to the Additional Use A3 designation have also been applied. These include the following:</p> <ul style="list-style-type: none"> <li>- <i>'All development relating to additional uses shall be at the local government's discretion.</i></li> <li>- <i>The land within 30 metres of the front lot boundary shall be used for residential purposes only. In the case of a battle-axe lot, the front boundary for the effective area of the rear lot can be interpreted as a side boundary.</i></li> <li>- <i>If the lot is greater than 6,000m<sup>2</sup> in area, Council may approve additional uses within 30 metres of the front boundary subject to adequate screening of the development along the street frontage.</i></li> <li>- <i>All additional uses shall be adequately screened from the street frontage and adjoining property boundaries.</i></li> <li>- <i>Additional uses shall not be developed prior to the development of a residential dwelling.'</i></li> </ul> <p>This Additional Use A3 designation allows light industry land uses and businesses to continue to operate and be developed in the future within the Darling Views Estate.</p> <p>The Shire acknowledges your submission and recommends that the fencing provisions be amended to align with the Shire's Local Planning Policy: 1.5 Exempted Development Policy (LPP1.5) which specifies requirements for fencing. Fences</p>	<p>Amend the following provision with the Rural and Environmental Conservation zones to state:</p> <p><i>'Lot boundary fencing shall be 80% visually permeable, to a maximum height of 1.8 metres from natural ground level and constructed of masonry, concrete, timber, wire, post and rail and/or post and wire (including chain mesh). The fencing shall be unobtrusive and sensitive to the objective of maintaining rural character and visual amenity.'</i></p>

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		We disagree with the lot boundary fencing in the Rural Residential zone being 75% visually permeable, to a maximum height of 1.2 metres and constructed of masonry, concrete, timber and/or wire. We agree with maintaining the rural character and visual amenity. 1.2m however is not high enough especially for people with dogs and also to reduce people easily jumping fences. In the past we have had people jump our fence and steel produce out of our vegetable garden! 1.5m is a better alternative. Since the area will be zoned Rural Residential, those running businesses from home may need more than 25% non-permeable fencing for reasons of security, privacy and to please neighbours who do not wish to see businesses.	within the Shire have been constructed in accordance with this policy and the proposed changed requirements under the draft Scheme would mean that many previously acceptable fences would become non-compliant with the new Scheme. This modification will ensure the draft Scheme is consistent with LPP1.5 and would not significantly change the current requirements.	
Chris Brown IN19/28606	139.	If my fence is not compliant with new rules will I have to replace it before I sell?	The Shire acknowledges your submission recommends that the fencing provisions be amended to align with the Shire's Local Planning Policy: 1.5 Exempted Development Policy (LPP1.5) which specifies requirements for fencing. Fences within the Shire have been constructed in accordance with this policy and the proposed changed requirements under the draft Scheme would mean that many previously acceptable fences would become non-compliant with the new Scheme. This modification will ensure the draft Scheme is consistent with LPP1.5 and would not significantly change the current requirements.	Amend the following provision with the Special Residential, Rural Residential and Rural Smallholdings zones to state:  <i>'Lot boundary fencing shall be 75% visually permeable, to a maximum height of 1.8 metres from natural ground level and constructed of masonry, concrete, timber, wire, post and rail and/or post and wire (including chain mesh). The fencing shall be unobtrusive and sensitive to the objective of maintaining rural character and visual amenity.'</i>  Amend the following provision with the Rural and Environmental Conservation zones to state:  <i>'Lot boundary fencing shall be 80% visually permeable, to a maximum height of 1.8 metres from natural ground level and constructed of masonry, concrete, timber, wire, post and rail and/or post and wire (including chain mesh). The fencing shall be unobtrusive and sensitive to the objective of maintaining rural character and visual amenity.'</i>
Bruce Mullen IN19/28607	140.	Lot 202 Bilya Avenue, MARDELLA Firstly we would like to express extreme disappointment with the Information Sessions that were run by the Shire, the one we attended being at the Civic Centre on 20/11/2019 which was proposed to start at 6pm. We arrived just on 6pm and the facilitator was wrapping up the plan for the meeting and so we had to find out from other people what was happening. This was incredibly infuriating and created a very hostile environment especially for those that arrived not much later as there was a lot of confusion amongst residents.  The way in which the meetings were organised made it feel like the intent of the meetings was to diminish the voice of the residents by talking one on one with staff from the planning team rather than provide information to the group as a whole, which was expected by the fact that everyone arrived early. It should have been written in the notice that planning officers will be available to speak to anytime between 6 and 7.30pm because this was not what anyone I spoke to had expected and hence why everyone turned up at 6pm and then had to wait around to talk to an officer. When I expressed my frustration at how the meeting had been	A number of properties within the Darling Views Estate in Mardella have been identified as Rural Residential RR-1 with an Additional Use A3 designation. This Additional Use A3 designation allows for additional uses to be permissible in the zone in which the land is located. The Additional Use has been applied to allow for light industry land uses to operate within the Darling Views Estate.  In relation to the previous Special Use zone which applied to the Darling Views Estate in Mardella, the following land uses have been made additional uses to the Rural Residential RR-1 zone for this area under the Draft Local Planning Scheme No.3: - Commercial vehicle parking - Industry – light - Motor vehicle repair	Amend the following provision with the Special Residential, Rural Residential and Rural Smallholdings zones to state:  <i>'Lot boundary fencing shall be 75% visually permeable, to a maximum height of 1.8 metres from natural ground level and constructed of masonry, concrete, timber, wire, post and rail and/or post and wire (including chain mesh). The fencing shall be unobtrusive and sensitive to the objective of maintaining rural character and visual amenity.'</i>  Amend the following provision with the Rural and Environmental Conservation zones to state:  <i>'Lot boundary fencing shall be 80% visually permeable, to a maximum height of 1.8 metres from natural ground level and constructed of masonry, concrete, timber, wire, post and rail and/or post and wire (including chain mesh). The</i>

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		<p>run to a staff member from the shire at the end of the meeting, they clarified that it was expected people arrive between 6 and 7.30pm rather than all at 6pm however this was definitely not made clear in the notice to residents and created unnecessary conflict. We felt the communication was very poor.</p> <p>We heard one staff talking to members of the community later on in the night and he was very much speaking defensively. We spoke with Hayden who was tremendous, very helpful and communicated calm and collectedly even though speaking with a large group of very upset and confused residents. Hayden received a list of email addresses from the Darling Views Estate residents who requested confirmation in writing of the changes to the zoning in this area. 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Since the area will be zoned Rural Residential, those running businesses from home may need more than 25% non-permeable fencing</p>	<ul style="list-style-type: none"> <li>- Motor vehicle wash</li> <li>- Trade display</li> <li>- Trade Supplies</li> <li>- Warehouse/ Storage</li> </ul> <p>Provisions in relation to the Additional Use A3 designation have also been applied. These include the following:</p> <ul style="list-style-type: none"> <li>- <i>'All development relating to additional uses shall be at the local government's discretion.</i></li> <li>- <i>The land within 30 metres of the front lot boundary shall be used for residential purposes only. 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		for reasons of security, privacy and to please neighbours who do not wish to see businesses.	Scheme is consistent with LPP1.5 and would not significantly change the current requirements.	
Maria Rosney IN19/25452	141.	I Maria Rosney of 45 Leaver Way, Cardup WA 6122, fully support the draft local planning scheme No. 3 for a change in zoning, in my area to allow for subdivision to one acre blocks.	Noted – We appreciate your response via submission to the Draft Local Planning Strategy and Local Planning Scheme No.3.	
Tracey MacDonald IN19/28610	142.	These properties were sold with the ability to be able to run a business from them which I believe the majority of residents do. This would effect our resale value and I don't want my zoning changed or any previous usages change as in sizing, type of business. Is there anything going to change with this area??	<p>A number of properties within the Darling Views Estate in Mardella have been identified as Rural Residential RR-1 with an Additional Use A3 designation. This Additional Use A3 designation allows for additional uses to be permissible in the zone in which the land is located. The Additional Use has been applied to allow for light industry land uses to operate within the Darling Views Estate.</p> <p>In relation to the previous Special Use zone which applied to the Darling Views Estate in Mardella, the following land uses have been made additional uses to the Rural Residential RR-1 zone for this area under the Draft Local Planning Scheme No.3:</p> <ul style="list-style-type: none"> <li>- Commercial vehicle parking</li> <li>- Industry – light</li> <li>- Motor vehicle repair</li> <li>- Motor vehicle wash</li> <li>- Trade display</li> <li>- Trade Supplies</li> <li>- Warehouse/ Storage</li> </ul> <p>Provisions in relation to the Additional Use A3 designation have also been applied. These include the following:</p> <ul style="list-style-type: none"> <li>- <i>'All development relating to additional uses shall be at the local government's discretion.</i></li> <li>- <i>The land within 30 metres of the front lot boundary shall be used for residential purposes only. In the case of a battle-axe lot, the front boundary for the effective area of the rear lot can be interpreted as a side boundary.</i></li> <li>- <i>If the lot is greater than 6,000m<sup>2</sup> in area, Council may approve additional uses within 30 metres of the front boundary subject to adequate screening of the development along the street frontage.</i></li> </ul>	

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Kenneth S Jecks IN20/135	143.	<p>Submission – Attachment to Ref: SJ701</p> <p>Supporting comments / arguments for subdivision of Lot 5, 104 Spears Drive, Oakford WA 6121. To</p> <ol style="list-style-type: none"> <li>1. The continued development of the area will eventually lead to my block and surrounding blocks being suitable for subdivision.</li> <li>2. My block is 5.9 acres just under the current size allowable for subdivision, why should I be penalised by a nominated cut off point?</li> <li>3. I would like to divide my block into two (2) separate clocks therefore allowing my kids to build a house on the other lot.</li> </ol> <p>Benefits to me and my family.</p> <ul style="list-style-type: none"> <li>➤ Opportunity for kids to have their own property, piece of land</li> <li>➤ Opportunity for my wife and I to stay longer on the land as we will have the kids close by.</li> </ul> <p>Benefits to the Shire</p> <ul style="list-style-type: none"> <li>➤ Increase in rates from separate property</li> <li>➤ Clock to be divided in two, back section away front road frontage</li> <li>➤ No road frontage requirements as we would have shared access</li> <li>➤ No roadway requirement impacts on the Shire</li> <li>➤ No street lighting</li> <li>➤ No drainage</li> </ul>	<p>Noted. Shire officers recognise that there has been some interest in further subdivision to allow 1ha lot sizes in areas identified as Rural Residential RR-2. The Shire's draft Local Planning Strategy and Local Planning Scheme No.3 is required to be consistent with both the State and local strategic planning frameworks.</p> <p>The subject area is identified as Rural Residential (1ha – 4ha lot sizes) under the Western Australian Planning Commission's (WAPC) Perth and Peel @ 3.5 Million Sub-Regional Planning Frameworks. Under the Shire's Rural Strategy, which has been approved by the WAPC, the subject area is identified as Rural Living B (2ha lot size minimum). A large number of properties within the area are equine properties and the Shire is advocating to support the equine industry throughout the Shire.</p> <p>Lots that are 2ha in size are more appropriate to sustain equine uses than 1ha lot sizes, as guided by stocking rate guidelines. Larger lot sizes are also more appropriate to minimise land use conflicts between equine activities and residential uses. Potentially doubling the number of lots within the precinct would significantly increase the amount of traffic within the area. This is not compatible with equine activities and associated trails within the area and maintaining the intended equestrian character of the area. Both the Scheme and Strategy outline and advocate for the equine industry across the Shire. The Scheme outlines in particular areas where horses can be kept subject to the discretion of the Local Government.</p>	

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			<p>The land sizing of the properties within the subject area are mostly approximately 2ha in size, which relates to the Rural Residential RR-2 designation that allows a 2ha lot size minimum. This land is also located on the most outer area of the Shire. As one of the outer most areas of the Shire on the Rural fringe, the larger Rural Residential RR-2 lots have been proposed over the area to provide a graduation of lots sizes. The Shire's strategy for this is to develop a graduation of lot sizes from the outer areas into the urban cells of the Shire.</p> <p>It is the strategic vision of the Shire to contain urban development within defined precincts interspersed by green corridors and rural forms of development. Preserving Rural Residential development with 2ha lot sizes is important to maintain a clear separation between the urban areas. Shire officers recommend no changes to the 2ha minimum lot size of the area.</p>	
John & Gwen MOORE IN20/243	144.	<p><b>SUBMISSION - Strategic Planning Services – Draft Local Planning Strategy – Ref: SJ203 Strategic Planning Services – Draft Local Planning Scheme No. 3 – Ref: SJ701</b></p> <p>We are currently zoned Rural Residential and cannot understand why the Shire is changing this zoning for TUART ROAD to RURAL ENTERPRISE to accommodate the Broiler Farm at Lot 20.</p> <p>Tuart Road is a standalone area in the Shire of mixed small rural business and LIFESTYLE BLOCKS and happily exists (except for a broiler farm) adjacent to lifestyle blocks of a similar nature in the Shire of Kwinana - zoned Special Rural - on the Western side, and the Jandakot Regional Park – over the Jandakot Water Mound - on the Eastern side, and Special Rural blocks within the Shire of Serpentine-Jarrahdale on the northern end of the street abutting Anketell Road. To change the zoning as suggested will not only upset everyone in this small street (and surrounds), but also disadvantage those in the adjacent Shire.</p> <p>All areas of government agree that the Broiler Farm <b>SHOULD NOT</b> be located where it is over and adjacent to the water mound, and should not be using properties that exist within 100m of its boundary as a buffer zone – both issues which the Shire has ignored over many years.</p> <p>We request sincerely that the Shire reconsider what they are proposing for this one street north of Thomas Road which is affected in this way.</p>	<p>The Draft Local Planning Strategy and Local Planning Scheme No.3 has identified an area of land in Oakford within the Rural Enterprise zone for the following reasons:</p> <ul style="list-style-type: none"> <li>- To reflect existing lot sizes and land use.</li> <li>- To provide for light industrial and ancillary residential development on one lot.</li> <li>- To carefully design rural enterprise estates to provide a reasonable standard of amenity without limiting light industrial and intensive agricultural land uses.</li> <li>- To notify the prospective purchasers of potential amenity impacts from light industrial land uses</li> <li>- To ensure light industrial land uses do not adversely affect soils, watercourses and other water resources.</li> </ul> <p>A significant proportion of lots within the Oakford area are already operating as a Rural Enterprise land uses and are within the lot size range of 2ha to 4ha. This zone allows lots to accommodate a dwelling in addition to light industry and intensive agricultural land uses. This categorisation formalises the already existing lot layout and</p>	

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			operations in this area. The Rural Enterprise zone also contains objectives and provisions to ensure land uses do not have a detrimental effect on the environment.	
J M & G Sebbens M, I & L Garth IN20/330	145.	42 Holmes Road, Oakford (L606)  We acquired this property because it was zoned Rural. We do not agree with a rural residential rezoning. There are over 13 businesses in the area and horse agistment and we do not agree with this proposal.	Land has been identified as Rural Residential RR-2 under the Draft Local Planning Strategy and Local Planning Scheme No.3 as it has been identified for this purpose. The subject area is located within an established rural living precinct and the identification of land for this purpose is considered logical. It is important to consolidate rural living areas in defined precincts to ensure land use compatibility and minimise land use conflicts. Creating defined rural living precincts enables a high level of rural living character and amenity to be achieved.  The lot sizes of the subject land are consistent with the Rural Residential RR-2 lot size minimum of 2ha. It is important to ensure that land use permissibility is appropriate for the lot sizes and the surrounding development to protect the amenity of adjoining properties. Under the Rural Residential zone, rural pursuit/hobby farm is proposed to be a discretionary use. This means the Shire can consider activities such as the rearing, agistment, stabling or training of animals in the Rural Residential zone, which are common uses in rural living areas.	
Stacey Holmwood IN20/594	146.	<p><b>Topic: Rural Description</b></p> <p>Reference: LPS (table 12 - Actions 1)</p> <p>Clarification to be made for the Rural description</p> <p>Clarification: Please clarify 'full range of rural uses' referred to in table 12; actions point 1 of the Draft Local Planning Strategy</p> <p><b>Topic: Existing Businesses and uses on the new TPS3</b></p> <p>Reference: TPS2, TPS3</p> <p>It was noted businesses that are utilising their existing uses under the current scheme (TPS2) will be considered "non-conforming" under the new scheme (TPS3). They should be able to continue operating as is but this will need to be clarified with the SJ Shire's planning department.</p>	<p><b>Town Distinction</b></p> <p>The Shire intends to prepare Place Plans for each of the towns within the Shire to reflect local character and sense of place.</p> <p><b>Appendix 13 &amp; 14 of TPS2</b></p> <p>The Jarrahdale heritage precinct has been identified as a special control area under the Draft Local Planning Scheme No.3, that has been developed to ensure retention of the heritage character of the precinct. As well as to ensure the preservation of the Jarrahdale townscape, heritage and woodlot precinct character.</p>	

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		<p>Clarification: I currently run a business within existing uses under the SJ Shire's current scheme. I have been advised that if the uses under the new scheme do not match what is currently allowed, I will still be able to operate. Is this true?</p> <p><b>Topic: Town Distinction</b></p> <p>Reference: Overall  The towns within the SJ Shire are all distinct but the draft scheme is more of a blanket for the Shire as a whole.</p> <p>Realistically they should all have their own townscaping policy or equivalent to whilst still paying homage to the Shire as a whole. Jarrahdale does not want to look like Byford and vice versa.</p> <p>Local residents and community groups should be a part of developing this distinction for their respective towns.</p> <p>Clarification: Overall the Local Planning Scheme No 3 seems to have a blanket distinction/look/feel for the Shire as a whole.</p> <p>Will or has the SJ Shire developed individual distinctions or townscaping policies (or equivalent) for each of the towns? Local residents and community groups should be a part of developing this distinction for their respective towns.</p> <p><b>Topic: Appendix 13 &amp; 14 of TPS2</b></p> <p>Reference: TPS2</p> <p>It does not appear that Appendix 13 or 14 of TPS2 (Amendment 89) has been carried over to TPS3.</p> <p>This amendment stipulates the Townscaping policy of Jarrahdale to protect the look, feel, heritage and natural elements of the town.</p> <p>Jarrahdale's land size seems disproportionate to the other towns</p> <table border="1" data-bbox="528 1570 961 1793"> <caption>Table 1: Urban Structure</caption> <thead> <tr> <th>Urban Area</th> <th>Approximate Land area</th> <th>Approximate Target Population</th> </tr> </thead> <tbody> <tr> <td>Byford</td> <td>5,530 ha</td> <td>50,000</td> </tr> <tr> <td>Mundijong</td> <td>5,461 ha</td> <td>50,000</td> </tr> <tr> <td>Serpentine</td> <td>7,270 ha</td> <td>5,000</td> </tr> <tr> <td>Jarrahdale</td> <td>45,032 ha</td> <td>2,500</td> </tr> </tbody> </table> <p>Clarification: Could you please clarify whether the approximate land area of Jarrahdale is correct in the Local Planning Strategy (page 18, table 1) as it seems disproportionate to the other towns.</p>	Urban Area	Approximate Land area	Approximate Target Population	Byford	5,530 ha	50,000	Mundijong	5,461 ha	50,000	Serpentine	7,270 ha	5,000	Jarrahdale	45,032 ha	2,500	<p><b>Jarrahdale Road</b></p> <p>Under the Draft Local Planning Scheme No.3 maps, Jarrahdale Road is considered to be a 'Primary Distributor' road as identified by the Main Roads Western Australia (MRWA) road hierarchy classifications. The road reserve is a local reserve under the Draft Scheme.</p> <p>Under the Draft Local Planning Strategy, Jarrahdale Road is identified as a 'Regional Distributor' road in accordance with the MRWA classifications. Further information regarding the MRWA road hierarchy classifications is available at the below link:  <a href="https://mrwebapps.mainroads.wa.gov.au/publicmaps/rim">https://mrwebapps.mainroads.wa.gov.au/publicmaps/rim</a></p> <p>The Road House land use can only be considered where the site has direct access to a State road.</p> <p><b>Landscape Protection</b></p> <p>SCA2 is applied to ensure that the existing landscape attributes will be taken into account in considering how the landscape will be protected and the extent of any degradation to the landscape form.</p>	
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		<p><b>Topic: Jarrahdale Road</b></p> <p>Reference: Maps (Map 4 of 7 – Jarrahdale Townsite)</p> <p>In the map of the Jarrahdale townsite for the TPS3 Jarrahdale Road is referred to as a Primary Distributor Road. According to the Main Roads website this means:</p> <p><b>Primary Distributor :</b>          Provide for major regional and inter-regional traffic movement and carry large volumes of generally fast moving traffic. Some are strategic freight routes and all are State Roads. They are managed by Main Roads Western Australia.</p> <p>I do not want Jarrahdale Road being used as a Primary Distributor road.</p> <p><b>Topic: Tourism in Jarrahdale</b></p> <p>Reference: TLPS (page 55 – point 4.5) LPS (page 72-75 – point 5.3)</p> <p>The SJ Shire has earmarked Jarrahdale as their major tourism hub within the Shire (refer LPS page 72-75).</p> <p>I am not opposed to tourism within Jarrahdale.</p> <p><b>Topic: Special uses (SU) concerns in Jarrahdale Heritage Precinct</b></p> <p>Reference: TPS3 (page 55-56 – Schedule 2 – SU7), TPS3 (page 47 – point 55 – Land use terms used) Maps (Map 4 of 7 – Jarrahdale townsite)</p> <p>It was noted that in Schedule 2 – SU7 in the Jarrahdale Heritage Precinct that a ‘Road House’ would be possible within the precinct.</p> <p>According to the ‘Land use terms used’ in the TPS3 a road house:</p> <table border="1" data-bbox="519 1444 1389 1717"> <tr> <td style="background-color: #e0e0e0;"><b>road house</b></td> <td>means premises that has direct access to a State road other than a freeway and which provides the services or facilities provided by a freeway service centre and may provide any of the following facilities or services -</td> </tr> <tr> <td></td> <td>(a) a full range of automotive repair services;</td> </tr> <tr> <td></td> <td>(b) wrecking, panel beating and spray painting services;</td> </tr> <tr> <td></td> <td>(c) transport depot facilities;</td> </tr> <tr> <td></td> <td>(d) short-term accommodation for guests;</td> </tr> <tr> <td></td> <td>(e) facilities for being a muster point in response to accidents, natural disasters and other emergencies.</td> </tr> </table> <p>This would imply that one or more of the roads listed in SU7 (page 55-56) has direct access to a state road other than a freeway. Presumably this would be Jarrahdale Road as per the Jarrahdale townsite map. Is this a State Road or will it be adopted as a State Road in the future?</p> <p>It appears a truck stop is listed as a possible facility or service under “transport depot facilities”.</p>	<b>road house</b>	means premises that has direct access to a State road other than a freeway and which provides the services or facilities provided by a freeway service centre and may provide any of the following facilities or services -		(a) a full range of automotive repair services;		(b) wrecking, panel beating and spray painting services;		(c) transport depot facilities;		(d) short-term accommodation for guests;		(e) facilities for being a muster point in response to accidents, natural disasters and other emergencies.		
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		<p>I am opposed to road houses, truck stops, service stations being allowable within the townsite of Jarrahdale.</p> <p>Clarification: Is Jarrahdale Road a state road? If not, will it be adopted as a state road in the future?</p> <p><b>Topic: Tonkin Highway Extension – New Jarrahdale Road intersection</b></p> <p>Reference: Maps (Map 3 of 7 – Mardella Locality), Main Roads, Tonkin Highway extension project map  <a href="https://project.mainroads.wa.gov.au/home/Documents/Tonkin%20Highway%20Extension%20Map.pdf">https://project.mainroads.wa.gov.au/home/Documents/Tonkin%20Highway%20Extension%20Map.pdf</a></p> <p>When viewing the maps of the SJ Shire's TPS3 it shows a new intersection for Jarrahdale Road which is slightly south of its current location. The new intersection meets and carries through the Tonkin Highway extension.</p> <p>When viewing the Main Roads project map, it shows the Tonkin Highway extension meeting the South West Highway south of Jarrahdale and Shanley Roads but not a new intersection.</p> <p>Which is correct?</p> <p>There is no set completion date for the Tonkin Highway extension project from the Main Roads website, just that 2019-2020 is development and planning. It states on the Department of Infrastructure, Transport, Cities and Regional Development's website it is expected to start late 2021 with a completion date late 2023.</p> <p>Clarification: Is there a new intersection being built for Jarrahdale Road south of its current location to meet the Tonkin Highway extension?</p> <p><b>Topic: Southern Link through Jarrahdale</b></p> <p>Reference: LPS (page 102-103 – point 4.12.3)</p> <p>It states in the LPS that the Southern Link Road will be required beyond 2050.  It does not specify where the Southern Link Road will be situated.</p> <p>I do not want the Southern Link Road to come through Jarrahdale.</p> <p><b>Topic: Freight/train line through/alongside Jarrahdale</b></p> <p>Reference: LPS (page 46-47 – Figure 8: Regional Transport map)</p> <p>The LPS shows the existing railway line from Mundijong plus a potential</p>		

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		<p>freight realignment using the old Alcoa line. This looks as though it will connect to Mundijong and from there have passage to Kwinana wharf and also through to Northam potentially.</p> <p>If this rail line comes to fruition it may lessen the need to have the Southern Link Road activated.</p> <p>Some residents of Jarrahdale have stated the proposed freight line comes through their private property but we have been unable to discern exactly where this is. This is something the landowners will need to oppose themselves on their own submissions.</p> <p>Jarrahdale Fire Captain noted a rail line may be a fire risk over Summer.</p> <p><b>Topic: Landscape protection zones</b></p> <p>Reference: LPS (page 102-103 – point 4.12.3)</p> <p>It seems inconsistent to have a landscape protection zone around properties on Jubb Road where it is infrequent for people to visit and not have one around Jarrahdale Road where properties are really visible.</p> <p>Clarification: In reference to the TPS3 maps of Jarrahdale townsite the landscape protection zone seems inconsistent to have a landscape protection zone around properties on Jubb Road where it is infrequent for people to visit and not have one around Jarrahdale Road where properties are really visible.</p> <p>Landscape protection should also be around properties on Jarrahdale Road.</p>		
R Thompson IN20/670	147.	<p>I Ralph Thompson would like to oppose the changes that will effect my property 28 Burrell Street (Lot 704).</p> <p>Under the current zoning town planning scheme no 2 Urban Development R20 (Byford district structure plan). I have already invested a lot of money into the planning of subdividing this lot.</p> <ol style="list-style-type: none"> <li>1. Surveyors costs - \$4200</li> <li>2. Drawings of proposed plans for lodgement.</li> <li>3. As part of the rules for subdivision, I have had to provide deep sewerage to the block at a huge cost – sewerage costs - \$10,290: paid by myself</li> </ol> <p>Everything is ready to submit for application and now has been put on hold.</p> <p>This is a huge setback, and I don't feel the need for such large blocks as proposed under the new scheme as needed in the immediate town centre.</p> <p>This would be a huge upkeep for me to maintain the spare land.</p>	<p>The Shire's Town Planning Scheme No.2 (TPS2) zoned the Byford Old Quarter within the Urban Development zone. Urban Development provides the intention of future land use and basis for more detailed structure planning in accordance with the provisions of the Scheme. Where land is zoned as Urban Development, there is a need for a local structure plan to be developed for the area.</p> <p>The Shire aims to provide for diversity of lot sizes and dwelling types within the Byford area to provide choice, adaptability and to accommodate a range of incomes, households, life stages and the changing demographics of Byford. Preserving historical urban development patterns to maintain the character and uniqueness of Byford is also an important objective for the Shire. Retaining existing larger lots to provide a range of housing types and lot sizes in the Byford area is important in ensuring</p>	<p>Zone the lots bound by Walters Road, Burrell Street, Brown Street and Linton Street North, Byford as 'Residential R10' on the Draft Local Planning Scheme No.3 Maps.</p>

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		<p>If anything the zoning should go to R10 if that's 1000m2 lots not back to the original 2000m2 lots.</p> <p>This is unfair to landholders who have invested all there savings.</p> <p>The residence is so small compared to the block size.</p>	<p>that a diversity of housing is provided. This is also essential to preserve the existing character within the Byford Old Quarter precinct.</p> <p>For these reasons, some areas within the Byford Old Quarter that are located on the periphery of the Byford urban area have been zoned Residential and applied an R-Code to limit subdivision potential under the Draft Local Planning Scheme No.3. Retaining larger lot sizes in these locations will allow for a graduation of lot sizes to the Byford Town Centre, housing diversity, the retention of an established tree canopy coverage, and the preservation of the local character. The Shire is also seeking to prevent ad hoc, battle-axe subdivisions that are compromising the established character of the precinct.</p> <p>The Shire supports zoning the lots bound by Walters Road, Burrell Street, Brown Street and Linton Street North, Byford as 'Residential R10'. This change to the R-Codes is considered logical given the densities of the surrounding properties. This change to R10 is consistent with the objective of larger lot sizes being located further from the Town Centre, progressing towards the scarp.</p>	
M Cala IN20/687	148.	<p>COMMENTS FOR PUBLIC SUBMISSION – DRAFT LOCAL PLANNING STRATEGY NOVEMBER 2019 Margaret Cala, 70 Randell Road, Marella 6125</p> <p>While there is a need to accommodate a bigger population in Mundijong / Whitby, I am concerned that ambitions of 'liveability' are not being applied with the same vigour to rural and semi-rural areas within the Shire, as they are to urban areas; and although the populations in the urban hubs outweigh that of the rural areas, it is the rural land within the Shire which gives it the distinctive character which attracts so many residents.</p> <p><b>Urban Design Objectives:</b></p> <p>"Preserve and enhance existing character areas within existing urban areas and townsites and sensitively manage density transitions."</p> <p>If the development in Byford is a template for Mundijong / Whitby, then there will be little prospect of sensitively managing density. There is little opportunity for an 'urban forest' with minimal, or no street verges, tiny lots and over size buildings which all contribute to heating and the common response of installing air-</p>	<p>Main Roads has commenced planning and development work for the extension of Tonkin Highway south from Thomas Road to South Western Highway.</p> <p><b>Tonkin Highway extension from Thomas Road to South Western Highway</b></p> <p>Planning and development work for the Tonkin Highway Extension – Thomas Road to South Western Highway project is now underway. This project is funded for construction. The State government are currently progressing environmental approvals, intersection / interchange requirements and traffic analysis. A more defined project schedule and timeline for construction will be developed during 2020 as the planning and development work progresses.</p> <p><b>Freight Rail Realignment Planning Study</b></p>	

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		<p>conditioning and a proportionate disinclination to spend time outdoors. The acknowledged consequence of this type of development is increased crime, lack of community engagement and isolation. A diversity of density, and better integration of all density types into the urban fabric, so that there are not entire streets or neighbourhoods of one size lot, but a mix within streets and suburbs would go some way to creating better urban areas.</p> <p>The guidelines must be sufficiently flexible to allow for adjustment to future housing needs and trends, and Shire approval processes need to be open minded and not reliant on the 'tried but true' mediocrity of many recent housing developments – both within, and outside the Shire.</p> <p><b>Equine Industry:</b></p> <p>The Equine Industry is recognised as one of the biggest industrys within the Shire future, so 2ha (and like) developments should be designed with connecting Bridle Paths and safe access to more shared riding space – which will enhance the opportunities available to local and visiting horse owners, but also to walkers.</p> <p><b>Protection of Agricultural Land:</b></p> <p>The Strategies and Actions within the Draft Document are laudable. However, there is a need for much greater awareness and appreciation of the rural aspect of the Shire by residents within the urban areas. Careful planning and development should aim at better integration and interface of the two, with transitions between the two disparate land uses, rather than a fortress like separation of the urban areas. People are often attracted to this Shire by the 'country lifestyle' even if it is on a small lot; therefore the kind of transitions seen around the outskirts of present day Mundijong are important – with 'horse properties' within the town boundaries alongside more traditional urban lots. This type of development, well done, should lead to a better understanding of the rural nature of the Shire, by all residents. Monitoring of nutrient levels should not be confined to rural areas, but should be applied equally to the intensely urban areas and parklands.</p> <p><b>Buffer Zones</b> around existing and future agricultural industries should, where possible be contained on the proponent's own land, and where there is a need for Buffer Zones over private property the land owners should be consulted/ notified and if need be, compensated for any loss of value or amenity to their land.</p> <p><b>Rural Enterprise: (DEFINITION)</b></p> <p>"To provide for light industrial and ancillary residential development on one lot. • To provide for lot sizes in the range of 2 ha to 4 ha. • To carefully design rural enterprise estates to provide a reasonable standard of amenity without limiting light industrial and intensive agricultural land uses. • To notify prospective purchasers of potential amenity impacts from light industrial land uses. • To</p>	<p>Main Roads is undertaking a planning study to determine an alignment and the feasibility of including the construction of a proposed freight rail realignment as part of the Tonkin Highway extension project – Thomas Road to South Western Highway. The proposal to realign the existing freight rail that currently passes through Mundijong was included in the Perth &amp; Peel @3.5 Million Sub-Regional Planning Framework. Two rail alignment options have been identified. The Perth and Peel @ 3.5 Million Sub-Regional Planning Framework included an alignment adjacent to the Tonkin Highway connection south of Mundijong Road. However, this alignment is not viable as it is not able to integrate with the Tonkin Highway and Mundijong Road connection, including the proposed future interchange.</p> <ul style="list-style-type: none"> <li>- Rail alignment option 1 is the furthest north that the proposed realigned rail can be located and enable any future extension of Tonkin Highway to Pinjarra.</li> <li>- Rail alignment option 2 is located further south and follows existing property boundaries in order to minimise land and severance impacts on properties in the area.</li> </ul> <p>Over the next six months, Main Roads will undertake site investigation works along each of the rail alignment options to identify the preferred alignment. The outcomes of the planning study will be used to inform a future reservation in the Metropolitan Region Scheme for the freight rail realignment and to identify the potential for the realignment to be constructed at the same time as the Tonkin Highway Extension – Thomas Road to South Western Highway project.</p> <p><b>Freight Rail Realignment Corridor property owners</b></p> <p>Properties along the rail alignment options will receive a 'Notice of Entry' letter from Public Transport Authority (PTA). This regulatory letter will be issued by the PTA rather than Main Roads as</p>	

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		<p>ensure light industrial land uses do not adversely affect soils, watercourses and other water resources.”</p> <p>The original proposal for the West Mundijong Industrial Area was to create a Rural Enterprise area within the 1000m Buffer. However this was dropped. It now appears that the long term objective is to create a Rural Enterprise area in the existing Mardella Farmlet area between Mundijong Road and Randell Road. The Draft TPS 3 identifies the area of current ‘Farmlets’ in Mardella as Rural Enterprise; the definition of which (above) implies light industry with ‘ancillary’ housing.</p> <p>I strongly disagree with this. Existing land use within the area is equine./lifestyle The ultimate introduction of a Rural Enterprise zone implies an intention to change the current land use – perhaps in response to the Shire’s proposal to divert the Freight Railway line through the area and the proposed ‘Residential Stables’ area between Wright Rd and the SW Hwy seems to endorse the intention to encourage Equine development in a new area.</p> <p><b>FREIGHT RAIL DIVERSOON THROUGH THE MARDELLA FARMLETS AREA</b></p> <p>I disagree with the proposed Freight Rail diversion through the developed area in Mardella (between Wright, Mundijong, Kargotich and Randell Rds) and urge the Shire to seek an alternative which does not require use of land with existing homes and ancillary developments. The various alignments which have been shown create problems with emergency access; sandwiching a portion of the Mundella subdivision between two rail lines and giving the only access in and out via Randell Road.</p> <p>Early planning and discussion of the diversion of the Freight Rail line from Mundijong indicated a strong preference, by both the Shire of Serpentine Jarrahdale and State Government agencies for the line to follow the course of the future Tonkin Hwy extension to the SW Highway. However, current conceptual plans show a variety of alignments – down Lampiter Rd, the walkway linking Lampiter &amp; Dairy Link, and down Dairy Link or swinging West from Lampiter though properties and joining back to the existing freight/passenger line.</p> <ul style="list-style-type: none"> <li>• Land owners in the area deserve certainty regarding the future use &amp; viability of their properties.</li> <li>• Resumptions/ rezoning which result in long term impact to the value of land should be done without delay and property owners compensated so they can move on with their lives.</li> <li>• Property owners who wish to sell need certainty or compensation.</li> </ul> <p>1. <u>Section 4.12.3 Future Transport Network – Freight</u> provides some details regarding the potential realignment of the existing freight rail. It states this realignment is strongly supported by the Serpentine Jarrahdale Shire (Shire). This realignment is not supported by the majority of landowners that would be directly or indirectly affected by the realignment.</p>	<p>the work is for rail purposes, rather than road works.</p> <p>However, Main Roads will be undertaking the site investigation and planning works. Main Roads is working to identify a single alignment option that can meet the rail task needs but also minimises impacts on individual properties and houses.</p> <p>This letter is being distributed to approximately 900 property owners in Mundijong and Mardella in an area bounded by Kargotich Road, Bishop Road, Wright Road and Lowlands Road to inform the community about the upcoming project to extend the Tonkin Highway and the planning study to determine a preferred alignment for the realigned rail.</p> <p>It is anticipated that the completion of the freight rail realignment planning study will occur in late 2020 to provide certainty regarding the location of the future freight rail realignment and whether it can be constructed as part of the Tonkin Highway extension to South Western Highway.</p> <p><b>Extension of Tonkin Highway south to Pinjarra</b></p> <p>The Perth and Peel @ 3.5 Million Sub-Regional Planning Framework also proposes that in the future, Tonkin Highway will be extended south of Mundijong Road along a new alignment and ultimately to Pinjarra.</p> <p>As part of the rail realignment planning study a short section of Tonkin Highway south of Mundijong Road will be investigated to ensure integration with the rail realignment.</p> <p>However, the proposed extension to Tonkin Highway further south to Pinjarra will require an extensive planning study and no further planning work is programmed or funded at this time. The planning, design and construction of this project is considered a long-term proposal.</p> <p><b>Further Information</b></p> <p>Further project updates will be available on Main Roads project web page as it becomes available at <a href="http://www.mainroads.wa.gov.au/projects">www.mainroads.wa.gov.au/projects</a>. You can also contact Main Roads Stakeholder Engagement representative Miranda Nikolich on</p>	

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		<p>2. Draft Local Planning Scheme Strategy Map clearly identifies the proposed rail realignment. This or similar realignment will have a profound and potentially catastrophic effect on many existing landowners on or near Randell Road, Dairy Link, Echoveld Close, Ironguard Road, Lampiter Drive and Pure Steel Lane. Any potential rail realignment should consider the following options;</p> <p>a) Utilise the existing land south of Mundijong Road to Wright Road already reserved for the Tonkin Highway for the proposed realignment of the rail. The rail could run parallel on the northern side of the future Tonkin Highway. This land is already reserved and could accommodate the rail. The Mundijong Road/Tonkin Highway interchange could be engineered and realigned to accommodate the desired grade separation with minimal impact to existing landowners, or</p> <p>b) Realign the rail further to the west running adjacent to and parallel with Kargotich Road (eastern side of Kargotich Road) between the existing HV power towers. This would provide rail access to the West Mundijong Industrial Estate. This will have some affect on predominately rural land. The deviation off the existing Bunbury freight line could occur adjacent or near the intersection of Lowland Road and Wright Road. Either of these options could accommodate a rail siding line (train passing line) as part of the future proposed West Mundijong industrial intermodal facility.</p> <p>3. Draft Local Planning Scheme Strategy Map (proposed rail realignment) shows significant impact to;</p> <p>a) The existing equine training facility located at the corner of Mundijong Road and Lampiter Road, and</p> <p>b) Properties located on or near Randell Road, Dairy Link, Echoveld Close, Ironguard Road, Lampiter Drive and Pure Steel Lane.</p> <p><u>Section 3.2 Rural Living – Rationale</u> states: The Shire has a well-publicised focus on equestrian activities which is one of the defining elements of rural character within the Shire. A significant aspect of the Rural Living land use category is to provide lots for equestrian purposes. In addition to providing local character, the equine industry also has economic potential for support services and tourism. The growth of the equine industry should be supported and existing equine areas retained within Rural Living areas.</p> <p>The proposed rail realignment does not meet the strategy rationale. The rail realignment will decimate many equine properties thus reducing the overall economic benefit to the local community and the Shire.</p> <p>4. Section 3.2.3 Rural Smallholding – Objectives point 3; Maintain a strong equestrian identity and the continued development of the equine industry as a significant contributor to the local economy. This will not be possible with a realigned rail line running through equestrian properties that will be affected.</p>	<p>miranda.nikolich@mainroads.wa.gov.au or mobile 0419 041 722 to discuss this information.</p> <p><b>Rural Smallholdings Category</b></p> <p>It is recommended that this precinct be retained as Rural Smallholdings due to the existence of a number of equestrian properties and a rural living character that would not be aligned with the Rural Enterprise designation.</p>	

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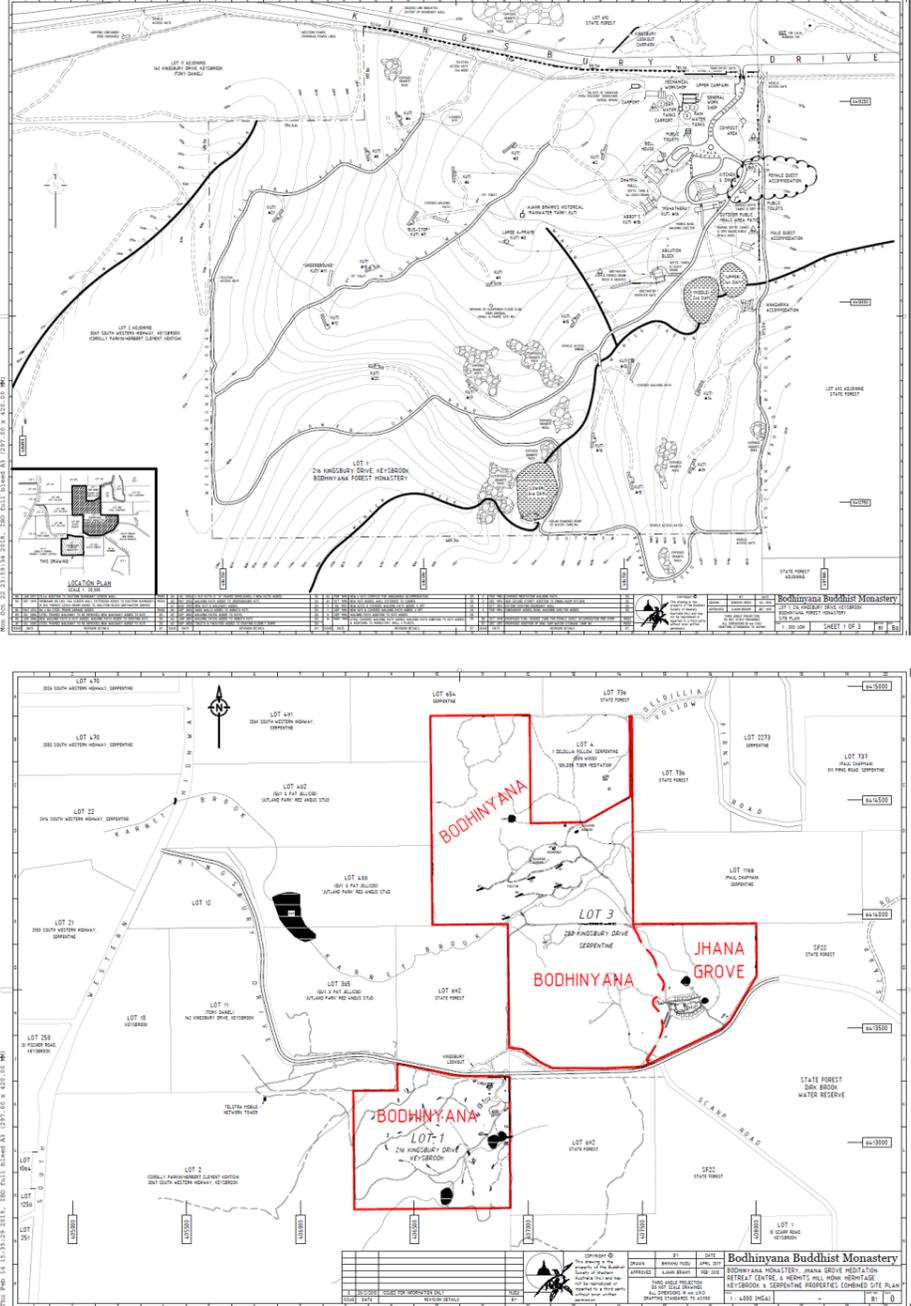
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		<p>5. At a community meeting hosted by the Shire on Wednesday 11<sup>th</sup> December 2019 for landowners &amp; rate payers potentially affected by the rail realignment, a question was asked in relation to the justification of the realignment. Section 5.5 – Transport states ‘...34 freight train movements a day (at present)’ however, given the majority of these trains are for one company and one commodity, I question the justification for the rail realignment given the limited life of this company and commodity being transported. The Shire presenter at the time stated that ‘rail freight will only increase’, yet he couldn’t provide any clarity around the commodities or companies involved.</p> <p>I don’t believe the rail movements will increase with time because road transport is and will remain the preferred transport means for major companies like Tronox (TiO<sub>2</sub>) in Kemerton and Australind, the new Tianqi (LiOH) facility in Kwinana and Albemarle (LiOH) plant in Kemerton. Tronox, Tianqi and Albemarle do not have any rail infrastructure.</p> <p>Section 4.10.6 Basic Raw Materials and Mineral (BRM) states ‘...there are nine active mining operations within the Shire registered with the Department of Mines, Industry Regulation and Safety, most notably for bauxite, titanium and zircon. Significant deposits of titanium and zircon exist in southern parts of the Shire west and south of Keysbrook’ Apart from bauxite, none of the other BRM are transported by rail, and never will.</p> <p>6. The land in the existing Farmlet precinct in Mardella has been identified as Rural Smallholdings under the Draft Local Planning Scheme No.3 and Rural Enterprise under the Draft Local Planning Strategy. I do not believe Rural Enterprise is appropriate for reasons already stated in point 3 above.</p> <p>In summary, I believe the draft Local Planning Strategy has the potential to destroy the very fabric and essence of the rural and semi rural life style that so many families (including ours) have sort out and found. The impact to the local equine industry will also be significant.</p> <p>The proposed rail realignment can be accommodated within the land south of Mundijong Road that has already been reserved for the Tonkin Highway.</p> <p><b>Industrial:</b></p> <p><b>Strategies:</b> g. “Prevent the development of sensitive land uses within the buffer of industrial land which may prejudice the future development of the industrial land for industrial purposes.”</p> <p>The presence of residences within the buffer area already exists. These land owners deserve consideration. As already mentioned earlier in my comments – this buffer was originally determined to be ‘Agricultural Enterprise’ which may have given affected land owners an increased asset, close to the Mundijong Industrial</p>		

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		<p>Area, instead of a decreased asset and the disadvantage of possible constraints on the use, amenity, and / or value of their properties. Land owners to my knowledge were not consulted or invited to comment on this Buffer.</p> <p>h. "Encourage industrial developments to utilise best practice management techniques and innovative technology to minimise environmental impacts." This statement does not appear to place any weight in the Shire's ability or intention to set enforceable standards in industrial developments through the strategic use of Mandatory Requirements similar to those advertised by Meridian Park Enterprise Zone in the City of Wanneroo: but to rely on Self Regulation rather than thorough Compliance enforcement.</p>																		
Buddhist Society of WA IN20/719 IN20/1699	149.	<p>Thank you for the opportunity to make a submission during the Consultation process. We have read the relevant documents and attended the open evening in Serpentine.</p> <p>We are grateful for the help and advice provided by Andrew Trosic and his team.</p> <p>We are grateful that Bodhinyana Monastery and Jhana Grove Meditation Retreat Centre have been designated in a Special Uses category in the plan, and wish to accept that classification. May we make one small request that the term "holiday accommodation" in the sub-categorisation be replaced with "Grouped dwelling" as a more accurate description, please?. The other three sub-categories are very acceptable, thank you.</p> <p>As discussed previously, we are sourcing an accurate map of the defined Bodhinyana Monastery land boundaries and the Jhana Grove land boundaries so that the Shire's photomaps can be updated.</p> <p>Lastly, we would like to nominate the Jhana Grove Meditation Retreat Centre and environs to be placed on the Shire's Local Heritage Inventory.</p> <p>With kind regards,             Venerable Mettaji</p>	<p>Noted. The Shire supports changing the use of 'holiday accommodation' to 'grouped dwelling' to more accurately reflect the use being undertaken at the subject site.</p>	<p>Amend SU10 to state the following:</p> <table border="1" data-bbox="2178 850 2908 1304"> <thead> <tr> <th>No.</th> <th>Description of land</th> <th>Special use</th> <th>Conditions</th> </tr> </thead> <tbody> <tr> <td>SU 10</td> <td>Lot 250 (283) Kingsbury Drive, Serpentine</td> <td>Retreat</td> <td>1. The following shall be considered as 'A' uses:               <ul style="list-style-type: none"> <li>• community purpose</li> <li>• educational establishment</li> <li>• <b>grouped dwelling</b></li> <li>• place of worship</li> </ul> </td> </tr> </tbody> </table> <p>Amend SU11 to state the following:</p> <table border="1" data-bbox="2178 1421 2908 1871"> <thead> <tr> <th>No.</th> <th>Description of land</th> <th>Special use</th> <th>Conditions</th> </tr> </thead> <tbody> <tr> <td>SU 11</td> <td>Lot 1 (216) Kingsbury Drive, Keysbrook</td> <td>Monastery</td> <td>1. The following shall be considered as 'A' uses:               <ul style="list-style-type: none"> <li>• community purpose</li> <li>• educational establishment</li> <li>• <b>grouped dwelling</b></li> <li>• place of worship</li> </ul> </td> </tr> </tbody> </table>	No.	Description of land	Special use	Conditions	SU 10	Lot 250 (283) Kingsbury Drive, Serpentine	Retreat	1. The following shall be considered as 'A' uses: <ul style="list-style-type: none"> <li>• community purpose</li> <li>• educational establishment</li> <li>• <b>grouped dwelling</b></li> <li>• place of worship</li> </ul>	No.	Description of land	Special use	Conditions	SU 11	Lot 1 (216) Kingsbury Drive, Keysbrook	Monastery	1. The following shall be considered as 'A' uses: <ul style="list-style-type: none"> <li>• community purpose</li> <li>• educational establishment</li> <li>• <b>grouped dwelling</b></li> <li>• place of worship</li> </ul>
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Cyril Brown IN20/743	150.	<p><b>Submission – Shire of Serpentine Jarrahdale</b></p> <p><b>Draft Local Planning Strategy Ref: SJ203</b>  <b>Draft Local Planning Scheme No 3: Ref SJ701</b></p> <p>Submission by: Cyril Brown – Lot 20 Echoveld Close, Mardella WA 6125</p>	<p>Main Roads has commenced planning and development work for the extension of Tonkin Highway south from Thomas Road to South Western Highway.</p> <p><b>Tonkin Highway extension from Thomas Road to South Western Highway</b></p>	
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		<p>Summary of Submission: Objection to Zoning reclassification and Realignment of Existing Freight Rail Submission;</p> <p>We refer to Shire of Serpentine Jarrahdale – Draft Local Planning Strategy Ref: SJ203 Draft Local Planning Scheme No 3: Ref SJ701</p> <p>We refer to the above Documents, with reference to the existing Farmlet Precinct in Mardella and including the Mundijong Training Track. This area bordered by Mundijong Road, Wright Road, Randell Road and Kargotich Roads. The current precinct is Zoned Farmlet. Within the two documents it indicates two different zones.</p> <p>Draft Local Planning Scheme No 3 - Rural Small Holdings</p> <p>Draft Local Planning Strategy - Rural Enterprise</p> <p><b>Item 1 Rezoning of existing Precinct</b></p> <p>We are strongly opposed to any proposed rezoning change and change of use from the existing Farmlet to proposed Rural Enterprise.</p> <p>Any proposed change presents a conflict with historical, current and general use of the land and the intent of the original development of the precinct. Properties within the area Zoned Farmlet support traditional small farm and rural lifestyles. These properties and usage are at the heart of the Shires rural character and lifestyle attractiveness, to residents within. A key attractiveness and reason to live within the Shire is to enjoy the rural lifestyle and opportunities it offers families.</p> <p><b>Planning Strategy, section 3.2.3, Rural Small Holding</b></p> <p>Objectives point 3 – Maintain a strong equestrian identity and the continued development of the equine industry as a significant contributor to the local economy.</p> <p>With the proposed rezoning and rail re-alignment, this will not be possible with potential change of usage and alignment operating through equestrian properties and the Training facility that will be affected.</p> <p><b>Planning Scheme, Table 2 (Sections 16) &amp; Table 3 (section 17). Planning Strategy, section 3.3.2, Rural Enterprise.</b></p> <p>The noted sections defines Rural Enterprise as permitting several land uses, inclusive of light industrial and ancillary residential development on one lot, transport, fuel depots and intensive rural industries.</p> <p>Planning strategy section 3.3.2 states that the intent is to minimise land use conflicts and collocate similar uses. The land use of light industrial, transport and fuel depots is not similar, nor compatible with intensive rural industries, or any rural industry or lifestyle. An industrial precinct is adjacent to the proposed Rural Enterprise zoning on the Northern side of Mundijong road. Land uses such as light industrial, transport etc would be better served by</p>	<p>Planning and development work for the Tonkin Highway Extension – Thomas Road to South Western Highway project is now underway. This project is funded for construction. The State government are currently progressing environmental approvals, intersection / interchange requirements and traffic analysis. A more defined project schedule and timeline for construction will be developed during 2020 as the planning and development work progresses.</p> <p><b>Freight Rail Realignment Planning Study</b></p> <p>Main Roads is undertaking a planning study to determine an alignment and the feasibility of including the construction of a proposed freight rail realignment as part of the Tonkin Highway extension project – Thomas Road to South Western Highway. The proposal to realign the existing freight rail that currently passes through Mundijong was included in the Perth &amp; Peel @3.5 Million Sub-Regional Planning Framework. Two rail alignment options have been identified. The Perth and Peel @ 3.5 Million Sub-Regional Planning Framework included an alignment adjacent to the Tonkin Highway connection south of Mundijong Road. However, this alignment is not viable as it is not able to integrate with the Tonkin Highway and Mundijong Road connection, including the proposed future interchange.</p> <ul style="list-style-type: none"> <li>- Rail alignment option 1 is the furthest north that the proposed realigned rail can be located and enable any future extension of Tonkin Highway to Pinjarra.</li> <li>- Rail alignment option 2 is located further south and follows existing property boundaries in order to minimise land and severance impacts on properties in the area.</li> </ul> <p>Over the next six months, Main Roads will undertake site investigation works along each of the rail alignment options to identify the preferred alignment.</p> <p>The outcomes of the planning study will be used to inform a future reservation in the Metropolitan Region Scheme for the freight rail realignment and</p>	

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		<p>located within this precinct to reduce conflict with the dis-similar land uses of rural industry and lifestyle.</p> <p><b>Item 2 Freight Rail Re-Alignment</b></p> <p>We are strongly opposed to any proposed realignment to the existing freight line to a new route along Randell Road, Dairy link and through Mundijong Training Complex pathway as indicated in the above documents and detailed on Fig 20 Local Planning Strategy Map Page 95 – Local Planning Strategy Draft Part 1 Sept 2019.</p> <p>Key objections</p> <p>1. Section 4.12.3 Future Transport Network – Freight provides some details regarding the potential realignment of the existing freight rail. It states this realignment is strongly supported by the Serpentine Jarrahdale Shire (Shire). This realignment is not supported by the majority of landowners that would be directly or indirectly affected by the realignment.</p> <p>2. Draft Local Planning Scheme Strategy Map clearly identifies the proposed rail realignment. This or similar realignment will have a profound and potentially catastrophic affect on many existing landowners on or near Randell Road, Dairy Link, Echoveld Close, Ironguard Road, Lampiter Drive and Pure Steel Lane. We suggest any potential rail realignment consider the following options;</p> <p>a) Utilise the existing land south of Mundijong Road to Wright Road already reserved for the Tonkin Highway and for the proposed realignment of the rail. The rail could run parallel on the northern side of the future Tonkin Highway. This land is already reserved and could accommodate the rail. The Mundijong Road/Tonkin Highway interchange could be engineered and realigned to accommodate the desired grade separation with minimal impact to existing landowners, or</p> <p>b) A deviation of the existing Bunbury freight line further south could occur adjacent or near the intersection of Lowland Road and Wright Road and run parallel to Kargotich Road on the western side. This would provide rail access to the West Mundijong Industrial Estate. This route would have a less intrusive effect primarily on open rural land.</p> <p>c) Either of these options could accommodate a rail siding line (train passing line) as part of the future proposed West Mundijong industrial intermodal facility and reduce any potential interruption to the township urban developments.</p> <p>3. Draft Local Planning Scheme Strategy Map (proposed rail realignment) shows significant impact to;</p> <p>a) The existing equine training facility located at the corner of Mundijong Road and Lampiter Road, and</p> <p>b) Properties located on or near Randell Road, Dairy Link, Echoveld Close, Ironguard Road, Lampiter Drive and Pure Steel Lane.</p>	<p>to identify the potential for the realignment to be constructed at the same time as the Tonkin Highway Extension – Thomas Road to South Western Highway project.</p> <p><b>Freight Rail Realignment Corridor property owners</b></p> <p>Properties along the rail alignment options will receive a 'Notice of Entry' letter from Public Transport Authority (PTA). This regulatory letter will be issued by the PTA rather than Main Roads as the work is for rail purposes, rather than road works.</p> <p>However, Main Roads will be undertaking the site investigation and planning works. Main Roads is working to identify a single alignment option that can meet the rail task needs but also minimises impacts on individual properties and houses.</p> <p>This letter is being distributed to approximately 900 property owners in Mundijong and Mardella in an area bounded by Kargotich Road, Bishop Road, Wright Road and Lowlands Road to inform the community about the upcoming project to extend the Tonkin Highway and the planning study to determine a preferred alignment for the realigned rail.</p> <p>It is anticipated that the completion of the freight rail realignment planning study will occur in late 2020 to provide certainty regarding the location of the future freight rail realignment and whether it can be constructed as part of the Tonkin Highway extension to South Western Highway.</p> <p><b>Extension of Tonkin Highway south to Pinjarra</b></p> <p>The Perth and Peel @ 3.5 Million Sub-Regional Planning Framework also proposes that in the future, Tonkin Highway will be extended south of Mundijong Road along a new alignment and ultimately to Pinjarra.</p> <p>As part of the rail realignment planning study a short section of Tonkin Highway south of Mundijong Road will be investigated to ensure integration with the rail realignment.</p> <p>However, the proposed extension to Tonkin Highway further south to Pinjarra will require an extensive planning study and no further planning</p>	

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		<p>Section 3.2 Rural Living – Rationale states: The Shire has a well-established focus on equestrian activities which is one of the defining elements of rural character within the Shire. A significant aspect of the Rural Living land use category is to provide lots for equestrian purposes. In addition to providing local character, the equine industry also has economic potential for support services and tourism. The growth of the equine industry should be supported and existing equine areas retained within Rural Living areas.</p> <p>The proposed rail realignment does not meet the strategy rationale. The rail realignment will decimate many equine properties thus reducing the overall economic benefit to the local community and the Shire.</p> <p>4. At a community meeting hosted by the Shire on Wednesday 11th December 2019 for landowners &amp; rate payers potentially affected by the rail realignment, a question was asked in relation to the justification of the realignment. Section 5.5 – Transport states ‘...34 freight train movements a day (at present)’ however, given the majority of these trains are for one company and one commodity, we question the justification for the rail realignment given the limited life of this company and commodity being transported. The Shire presenter at the time stated that ‘rail freight will only increase’, yet he couldn’t provide any clarity around the commodities or companies involved.</p> <p>What is the predicted rail traffic to justify a high capital expenditure within limited lifespan of existing sole user?</p> <p>We do not believe the rail movements will increase with time because road transport is and will remain the preferred transport means for major companies like Tronox (TiO2) in Kemerton and Australind, the new Tianqi (LiOH) facility in Kwinana and Albemarle (LiOH) plant in Kemerton. Tronox, Tianqi and Albemarle do not have any rail infrastructure.</p> <p>Section 4.10.6 Basic Raw Materials and Mineral (BRM) states ‘...there are nine active mining operations within the Shire registered with the Department of Mines, Industry Regulation and Safety, most notably for bauxite, titanium and zircon. Significant deposits of titanium and zircon exist in southern parts of the Shire west and south of Keysbrook’ Apart from bauxite, none of the other BRM are transported by rail, and future transport by rail is unlikely.</p> <p>5. The land in the existing Farmlot precinct in Mardella has been identified as Rural Smallholdings under the Draft Local Planning Scheme No.3 and Rural Enterprise under the Draft Local Planning Strategy. We do not believe Rural Enterprise is appropriate for reasons already stated in Item 1 above.</p> <p>6. The proposed realignment will impact and cause disruption to accessing bridle trails for all people either side of the proposal. Section 3.2 Table 8 point e: Maintain a network of bridle trails to support equestrian activities within relevant areas.</p>	<p>work is programmed or funded at this time. The planning, design and construction of this project is considered a long-term proposal.</p> <p><b>Further Information</b></p> <p>Further project updates will be available on Main Roads project web page as it becomes available at <a href="http://www.mainroads.wa.gov.au/projects">www.mainroads.wa.gov.au/projects</a>. You can also contact Main Roads Stakeholder Engagement representative Miranda Nikolich on <a href="mailto:miranda.nikolich@mainroads.wa.gov.au">miranda.nikolich@mainroads.wa.gov.au</a> or mobile 0419 041 722 to discuss this information.</p> <p><b>Rural Smallholdings Category</b></p> <p>It is recommended that this precinct be retained as Rural Smallholdings due to the existence of a number of equestrian properties and a rural living character that would not be aligned with the Rural Enterprise designation.</p>	

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		<p>7. Planned realignment and the removal of east west wildlife corridors providing natural habitats and linkages to remnant bushland and potential Flora preservation eg Webb Road  a) Section 3.5.3 Objectives ; Preserve and enhance the existing rural character of Rural Residential Properties</p> <p>8. Potential restrictions for accessibility of pedestrians and cyclists from West of Randell Road into Mundijong; refer to Planning Principle “Livability”  a) Section 3.5.3 Create an extensive cycle network which prioritises safety, encourages cycling for both community and recreational purpose and is accessible</p> <p>9. Questionable need for an intermodal transfer facility without increasing heavy vehicle traffic within local urban road network. Unclear of the purpose for this facility given it will be within close proximity of proposed urban residential developments.</p> <p>10. Economic impact on the existing land values of existing Farmlet precinct</p> <p>11. The impact on the Equine Industry which provides a key and significant economical benefit to the Shire</p> <p>12. Current rail network through Mundijong will remain for passenger transport and does not prevent urban development to the east of the existing Line.</p> <p>Within the land reserved south of Mundijong Road for the Tonkin Highway extension – sufficient additional land has been allocated for any future rail alignment.</p> <p>As previously stated we strongly oppose the proposed zone changes and rail realignments within the stated documents. The proposals do not up hold the values of the Shire and will destroy the character and essence of the rural and semi rural lifestyle that so many families have found with purchasing property and living with the precinct and the Shire.</p> <p>We strongly urge and request the Shire to exercise their power to not approve the Rezoning and Re Alignment proposal as indicated and any future proposals of a similar nature.</p>		
Leigh & Nicole Metcalf IN20/793	151.	<p><b>SUBMISSION - Strategic Planning Services – Draft Local Planning Strategy – Ref: SJ203 Strategic Planning Services – Draft Local Planning Scheme No. 3 – Ref: SJ701</b></p> <p>We are currently zoned Rural Residential and cannot understand why the Shire is changing the zoning for Tuart Road to Rural Enterprise when the majority of the street is lifestyle changers not businesses. I do not want anyone to have the ability to open a rural business in the future and impact my lifestyle and that of my neighbours.</p>	<p>The Draft Local Planning Strategy and Local Planning Scheme No.3 has identified an area of land in Oakford within the Rural Enterprise zone for the following reasons:</p> <ul style="list-style-type: none"> <li>- To reflect existing lot sizes and land use.</li> <li>- To provide for light industrial and ancillary residential development on one lot.</li> <li>- To carefully design rural enterprise estates to provide a reasonable standard of amenity</li> </ul>	

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		<p>Tuart Road is the last street in the Shire with a Special Rural Zone in the Shire of Kwinana abutting the west side and the Jandakot Regional Park abutting the east side. There are a couple of small business operators who have no impact on neighbours with the exception of the broiler farm located at 118 Tuart Road. This particular business should not even be here due to the fact that it is on a protected water zone more specifically a Wellhead Protection Zone. It also uses existing residences as part of its buffer zone. Both of which contravene the Environmental Code of Practice for Poultry Farms that the Shire of Serpentine Jarrahdale were involved in implementing.</p> <p>I particularly disagree with broadening the buffer zone for the broiler farm from 300m to 500m and adding limitations to land use within the buffer zone. Most of the properties surrounding the broiler farm were already in existence before the business started operating and were certainly there before the expansion was approved under delegated authority and without community consultation. You cannot add retrospective limitations to existing landholders to accommodate one business that has no right to be operating where it is.</p> <p>I completely disagree with adding a Section 70A over properties that fall within the buffer zone. This will impact land values. Completely unacceptable. The Shire should instead be making sure this business operates in a way that accommodates its surrounding neighbours. Least of all the shire should be ensuring that the property is complying with waste management due to it being over a Wellhead Protection Zone. This business should not be here and myself and my neighbours should not be disadvantaged because it was somehow approved by the shire ignoring the shire's own Code of Practice.</p> <p>I believe that we should be complimenting the properties in the Shire of Kwinana and request that the Shire reconsider what they are proposing for Tuart Road.</p>	<p>without limiting light industrial and intensive agricultural land uses.</p> <ul style="list-style-type: none"> <li>- To notify the prospective purchasers of potential amenity impacts from light industrial land uses</li> <li>- To ensure light industrial land uses do not adversely affect soils, watercourses and other water resources.</li> </ul> <p>A significant proportion of lots within the Oakford area are already operating as a Rural Enterprise land uses and are within the lot size range of 2ha to 4ha. This zone allows lots to accommodate a dwelling in addition to light industry and intensive agricultural land uses. This categorisation formalises the already existing lot layout and operations in this area. The Rural Enterprise zone also contains objectives and provisions to ensure land uses do not have a detrimental effect on the environment.</p> <p>The buffers for the particular special control areas SCA5 and SCA6 have been identified from the Environmental Protection Authority (EPA) <i>Guidance for the Assessment of Environmental Factors: Separation Distances between Industrial and Sensitive Land Uses</i>. Where a separation distance range is recommended, the separation distance shall be based on the scale of the industry.</p> <p>SCA5 and SCA6 were included within the Draft Scheme to protect extractive industries and to be able to control development in close proximity to industries which may have offsite impacts. The identification of these buffers enables specific development controls to be implemented to ensure the amenity of any development in close proximity to these industries. Appropriate measures such as noise attenuation, siting and building orientation can be applied to minimise land use conflicts and to ensure an adequate level of amenity is achieved. For these reasons, officers recommend that SCA5 and SCA6 be retained within the Draft Scheme and updated with any new industries that have been approved since the Draft Scheme was prepared.</p>	

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Jan Star IN20/852	152.	<p><b>Specific comments re Text</b>            (p8) <b>9.</b> Aims of Scheme            It would better reflect the LP Strategy and community aspirations in 2050 document if moved f) up to b) or c) – Then the first few mentioned would be fairly specific to SJ (applies to g) also) whereas others are a bit more generic (b) suggest “ Preserve heritage values, visual amenity and areas of cultural and scientific significance....”            The “investigation areas’ between Byford and Mundijong are not in accord with the “Aims” –(g)</p> <p>(p13) <b>16.</b> Noted “Rural Smallholdings” is the same zone as ‘Farmlets” in TPS2. Might consider decreasing the maximum hectares to differentiate from “Rural’ give a large proportion of shire’s rural holdings are at 40ha or less! Presume is a State matter though! It does raise problems in ‘uses” as some applicable to larger lots but not small ones</p> <p>(p17) Table 3. Zoning            There is a problem with more isolated businesses with crime – should there be some provision to allow ‘caretakers residence in Industrial type zones?’            Should “cabins” and ‘chalets” be included – or is it covered elsewhere?            “Dam” – could be a D in Environmental Conservation, similarly ‘Educational establishment”            Garden Centre - , Animal husbandry and Agriculture- extensive and Market could all be a D in larger Rural Small holdings (RSH)            Betting Agency and Cinema should be X in Rural Zone – can’t see how are appropriate, also difficult to see how a Hospital would fit in a Rural Zone – but an A probably covers the exceptional case. Similarly “Place of Worship” – how do you stop intrusion of inappropriate large buildings on ‘cheap land” but allow ‘retreat like’ places (eg monastery).            Can’t find reference to difference between “Residential Building “ and “Single House” – v. different permissibilities in Table. Do they need defining?            (p24) <b>#26</b> There is an argument to mix up lot sizes to obtain a diversity of housing types/ages etc – should there be some provision to accommodate this if a more enlightened developer emerges? Note it is an aspiration in the Local Planning Strategy.            (p25) <b>#29</b> SPP 2.1 applies to most of SJ (It is in process of changes but is still referred to as 2.1 on DLHP website), also doesn’t SPP2.5 apply? (is in Appendix)  <b>#31</b> The EPP for the Peel-Harvey applies to most of SJ  <b>#33</b> Appendix 13 from the TPS2 is omitted in the new one – this diminishes the uniqueness of SJ – could it be incorporated here or as a separate Schedule? Otherwise with changes in staff and Councillors over time these special attributes of the Shire are in danger of being lost. Needs updating though.            P26 <b>#34</b> In TPS2 approvals for “home business” were specific to the applicant – does Council still want that to prevail?            P28 <b>#37</b> Seems to be overly onerous – e.g. should there be provision for sharing? how does it apply to schools? Is there a need for some discretion ?– where are they actually required in the Scheme? Is this facilitating the use of</p>	<p>Noted – We appreciate your submission on the Draft Local Planning Strategy and Local Planning Scheme No.3.            The definition of Animal Husbandry – Non-Intensive is recommended to be modified.</p>	<p>The Shire will amend Part 6 Division 2 - Clause 55 Amend the definition of Animal Husbandry – Non-Intensive to the following:  <i>‘means premises -</i>  <i>(a) used for keeping, rearing or fattening of poultry (for either egg or meat production), but does not include animal husbandry – intensive; and with</i>  <i>(b) not more than 300 poultry (for either egg or meat production).’</i>            To limit the land use to 300 poultry only and to exclude pigs and other livestock as the amenity impacts are considered to be significant, given that this is a discretionary use in rural living zones and may be developed on 1ha-4ha lot sizes.</p>

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		<p>bicycles? Presume this is only where 'end of trip' facilities are prescribed in approval conditions.</p> <p>P29 <b>#40</b> Is (d) actually necessary? Note there are larger farms with at least 2 family houses already - where is the problem?</p> <p><b>#41</b> Is a setback from boundary covered somewhere or should it be here?. (4) maybe unrealistic in some cases as often this is where vegetation occurs (eg riparian). (7) perhaps should add "if feasible"</p> <p>Dams over a certain size used to require DWER approval – and Engineers certificate.</p> <p>P31 <b>#44</b> Should be a 3(c) – no nutrient loss – or control thereof.</p> <p><b>#45</b> As they are usually very unattractive and do not fit the landscape there should be a provision: "(g) siting is not to affect visual amenity".</p> <p><b>#47</b> How do you prevent Industrial Zones being so intrusive and in contrast to landscape. Is it possible that initial rezoning has a Landscape Plan, or as that is probably too late, is there a structure plan for these areas? Or does it have to be that individual developments provide screening? Obviously a more comprehensive plan will be preferable to individual sites. Some "industrial parks" can look much 'softer' than others – apparently "Meridian" in Wanneroo is a good example.</p> <p>P33 <b>#49</b> Is it purposeful that (1) does not say "native vegetation"?</p> <p>d) Note that there is a clearing limit specific to P-H catchment of 5ha. Does (2) cover Bush Forever sites? Or are they now covered elsewhere?</p> <p><b>\$50</b> This is much weaker than TPS 2– is it because there is a presumption against removal covered in #49?</p> <p>Should (7) say "certified" aborculturalist?</p> <p>P35 <b>#52</b> (1) is unclear – should it state the amount of setback? (eg 30m)</p> <p>P40 <b>Land-use terms.</b> Noting that these are in 'black' some do seem inapplicable to the area. Should "Group dwelling" be defined?</p> <p><b>Animal husbandry-non-intensive.</b> Presumably this is what is generally called 'free range' – the numbers seem inappropriate for the Shire – and for the P-H catchment – what guidance does SPP2.1 give – if any? A thousand pigs on our soils must be polluting (likewise 3,000 poultry). When last known – rabbits are not permitted to be kept here. Perhaps needs checking with DPIRD.</p> <p><b>Bed and breakfast.</b> Why is there a need to state the number of bedrooms, when number of people is stated. Seems overly prescriptive.</p> <p>P43 <b>Freeway service centre</b> - there is no freeway in SJ – should be deleted, - likewise Marina (P46)</p> <p><b>Home business and Home occupation</b> Is this not something that should be encouraged under "tourism" aspirations so why not allow a sign in former and a larger sign in latter. It is also a service for locals - 0.2 m. squared is very small. People who don't use the internet have not died out yet!</p> <p>P47 <b>Road house</b> Does this mean any Roadhouse (noting SW Hwy is a State road) could become a 'wrecking yard" or a "transport depot" or do they need other approvals?</p> <p><b>Rural home business</b> Again why restrict to the internet (d)– are examples in the Shire and they are an asset. This should encompass 'wayside stalls' which add character to any rural area.</p>		

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		<p>P50 <b>Schedule A Clause 61(1)(k)</b> – does (iii) include the “Municipal Inventory” should state if so– presuming there is still one?</p> <p>P51 <b>Clause 61(1)(l)</b> - (ix)(x) – most farm sheds exceed these sizes – depends how much control is needed.</p> <p>P53 <b>Schedule 1</b> - do these need to be referenced anywhere else or is that done on Scheme Map?</p> <p>P55 <b>Schedule 2</b></p> <p>SU 5 This has been used as a retreat, for education, therapy, and recreation – should use list be increased. Note it is currently used for war veterans suffering PTSD– not exactly “tourism”.</p> <p>SU 7 – While it is acknowledged that “A” use requires advertising some of the uses are not appropriate to all the area. How is further differentiation obtained- by reference to a Management Plan? “Road House” should be deleted as there is no State road, similarly ‘Motel” could be deleted as would not be acceptable. Telecommunications infrastructure in form of a tower would not fit visual amenity of the area – State Forest is much better area, but Use Class does not differentiate, how can this be achieved? Similarly with “Place of worship” – important difference between a little timber church and a big ‘new age’ religious building – possibly best just to delete for this area.</p> <p>P58 <b>Schedule 3</b> SCA2 – note many areas in the hills are only visible from the adjoining road and sometimes not even that. Should “ if visible” be added to 1.</p> <p>P59 SCA4 – some of these industries are very energy intensive and lend themselves to solar panels. Has the Shire any role in requiring renewable energy to some extent – or all too difficult and best left to the market?</p> <p>SCA5 Should the requirements for screening and rehabilitation be mentioned as a 3.in column 3.</p> <p>SCA6 – Is 2. too restrictive given the large area SCA6 covers – or does the word ‘generally not be supported’ cover this concern?</p> <p>SCA7 –There should be a ‘no cats’ provision?</p> <p>P61 SCA8 Last line on page refers to “replanting of local native vegetation is encouraged” – can we add – “unless covered by a landscape plan” – one does exist for the southern part of Park, and is focussed more on European trees.</p> <p><b>Schedule 4</b> -not paginated. 4.1 In Rural Smallholdings, and Rural there is reference to the number of chalets or cabins with no relationship to the size of the holding. It would make more sense to have 2 per 10 (or 4) hectares. Especially in Rural “6’ seems very arbitrary. Holdings in Rural can be made up of many lots – does number refer to each lot or each owner?</p> <p>Environmental Conservation. Presumably this covers ‘cat proof’ fences.</p> <p>Light Industry. Dot point 2 – does screening only refer to ‘goods and materials’ – see previous comment. There is also the need to ameliorate the heat island effect.</p> <p>P89 <b>Schedule 5</b> All very confusing. Does a wall include a fence in ‘Rural”etc?</p> <p><b>General comments</b></p> <p>There are provisions in the original rezonings that aren’t picked up anywhere – eg no cats in Chestnuts., no clearing provisions in Soldiers Rd (No 21 in TPS2 -Blue Wren Close), and probably others (eg Beenyup Rd, Old Dairy Court)– is there anyway of referencing them?</p>		

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		<p>For the management of drainage and nutrients as per SPP2.1 and EPP for P-H the previous TPS2 referred to the Guidelines for Drainage and Nutrient Management” in the Rural Strategy. I don't know if they are still being consulted but they were a very good planning tool which has not been equalled that I know of.</p> <p>Andrew del Marco at PHCC (6369 8800) is up to date on WAPC proposed changes to SPP2.1</p> <p>Is there any protection of the old 1872 railway line – including the cutting? Should there be? Should have been put into Appendix 13 of TPS2 originally.</p> <p>The “Agricultural Protection Zone as been dropped – it never was peopled but informally considered as approximating Landscape Protection Zone! There is however great deal of difference between the various landforms/soil types in the Shire and their agricultural capability. If there is to be protection of agricultural land this should be an important basis for decisions. Has land-use planning managed to deal with this yet?</p>		
Brellim Developments Pty Ltd IN20/874	153.	<p>Current rural zoning of our property. Continuing regenerative agriculture development &amp; agri-food enterprises.            SJ shire consideration &amp; allowance for discretionary use!            Permitted use, in accordance to development planning and in line with key SJ shire tourism strategy objectives for infrastructure, including, but not limited to:</p> <ul style="list-style-type: none"> <li>- Eco-glamping sites, farm stay, farm direct shop, and event centre. Increased scope for agri-tourism amenities to this shire, local employment opportunities &amp; to showcase natural attractions &amp; sustainable farm living.</li> <li>- Preserving and maintaining natural corridor, protection of local wildlife, nature trails, hobby farm lifestyle &amp; eco-living. Limit impact of suburban sprawl &amp;</li> <li>- Encroaching on rural areas.</li> </ul>	<p>The proposed concept of Eco-glamping may be classified under the Draft Local Planning Scheme No.3 as Tourism Development;</p> <p>This means a building, or a group of buildings forming a complex, other than a bed and breakfast, a caravan park or holiday accommodation, used to provide –</p> <ul style="list-style-type: none"> <li>a. Short-term accommodation for guests; and</li> <li>b. Onsite facilities for the use of guests; and</li> <li>c. Facilities for the management of the development</li> </ul> <p>A tourism style Eco-glamping development is also in-line with the Shire's Draft Local Planning Strategy. The Shire outlines that it is an 'A' use under the Scheme which means that it can be approved at the Shire's discretion.</p>	
DB & SC Miller IN20/876	154.	<p>Current rural zoning of our property. Continuing regenerative agriculture development &amp; agri-food enterprises.            SJ shire consideration &amp; allowance for discretionary use!            Permitted use, in accordance to development planning and in line with key SJ shire tourism strategy objectives for infrastructure, including, but not limited to:</p> <ul style="list-style-type: none"> <li>- Eco-glamping sites, farm stay, farm direct shop, and event centre. Increased scope for agri-tourism amenities to this shire, local employment opportunities &amp; to showcase natural attractions &amp; sustainable farm living.</li> </ul>	<p>The proposed concept of Eco-glamping may be classified under the Draft Local Planning Scheme No.3 as Tourism Development;</p> <p>This means a building, or a group of buildings forming a complex, other than a bed and breakfast, a caravan park or holiday accommodation, used to provide –</p>	

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		<ul style="list-style-type: none"> <li>- Preserving and maintaining natural corridor, protection of local wildlife, nature trails, hobby farm lifestyle &amp; eco-living. Limit impact of suburban sprawl &amp;</li> <li>- Encroaching on rural areas.</li> </ul>	<ul style="list-style-type: none"> <li>a. Short-term accommodation for guests; and</li> <li>b. Onsite facilities for the use of guests; and</li> <li>c. Facilities for the management of the development</li> </ul> <p>A tourism style Eco-glamping development is also in-line with the Shire's Draft Local Planning Strategy. The Shire outlines that it is an 'A' use under the Scheme which means that it can be approved at the Shire's discretion.</p>	
DH & DB Miller IN20/878	155.	<p>Current rural zoning of our property. Continuing regenerative agriculture development &amp; agri-food enterprises.            SJ shire consideration &amp; allowance for discretionary use!            Permitted use, in accordance to development planning and in line with key SJ shire tourism strategy objectives for infrastructure, including, but not limited to:</p> <ul style="list-style-type: none"> <li>- Eco-glamping sites, farm stay, farm direct shop, and event centre. Increased scope for agri-tourism amenities to this shire, local employment opportunities &amp; to showcase natural attractions &amp; sustainable farm living.</li> <li>- Preserving and maintaining natural corridor, protection of local wildlife, nature trails, hobby farm lifestyle &amp; eco-living. Limit impact of suburban sprawl &amp;</li> <li>- Encroaching on rural areas.</li> </ul>	<p>Eco-glamping site may be classified under the Draft Local Planning Scheme as Tourism Development;</p> <p>means a building, or a group of buildings forming a complex, other than a bed and breakfast, a caravan park or holiday accommodation, used to provide –</p> <ul style="list-style-type: none"> <li>d. Short-term accommodation for guests; and</li> <li>e. Onsite facilities for the use of guests; and</li> <li>f. Facilities for the management of the development</li> </ul> <p>The applicant has been talking to the Strategic Planning department in relation to developing a tourism style Eco-glamping development which is also in-line with the Shire Local Planning Strategy. The Shire outlines that it is an 'A' use under the Scheme which means that it can be approved at the Shire's discretion.</p>	
Keren Frees IN20/1167  832 Nicholson Road Oakford	156.	<p>I submit to council that the draft local planning strategy is divisive and unjust to my lot.            "Rural Residential is considered to be the appropriate zone for lots within the range of 1ha – 4ha. To reflect the densities that have been permitted under TPS 2 it is recommended that Rural Residential Codes are introduced to be referred to as Rural Residential 1 (RR1) and Rural Residential 2 (RR2)" which is segregation at the highest level setting someone or something apart from others, sorting population groups into various tiers and shaping the living environment to benefit some and not others.</p>	<p>Noted. Shire officers recognise that there has been some interest in further subdivision to allow 1ha lot sizes in areas identified as Rural Residential RR-2. The Shire's draft Local Planning Strategy and Local Planning Scheme No.3 is required to be consistent with both the State and local strategic planning frameworks.</p>	

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		<p>I live in the locality of Oakford north of Thomas Road on Nicholson Road, a rural community existing within a 5-10 km radius of creeping reduced lot sizes and development opportunities.</p> <p>Nearby, City of Armadale, are embracing developing of the area in the communities of Harrisdale; Hilbert &amp; Piara Waters, with schooling; parks; community centres; sporting facilities; playgrounds; shopping centres, petrol and food outlets and all areas are promoting growth and employment for the residents therein.</p> <p>There are proposed opportunities to Oakford and Oldbury (south of Thomas Road).</p> <p>Further east in Darling Downs rural lots prosper and overflow with 4000 sqm lot sizes.</p> <p>The Town of Kwinana also enables residential development of rural areas along the Kwinana Freeway, at Honeywood and has other nearby estates proposed or under construction.</p> <p>Mere kilometres away, my lot sits and is unjustly silenced against progress to a point where development prospects differ so enormously within the Shire, that some areas are allowed to develop and flourish and others are looked upon as valueless.</p> <p>My lot is not considered in the promotion of "planning for growth" and therefore any association between my lot and others within the Shire becomes unequalled and hinders chances of mutual benefit.</p> <p>My lot nears infringing smaller residential lots, however, with no platform change and no development consideration to my local area, this means no competitiveness; no diversity, no services; no increased efficiencies, no new employment opportunity, no growth, no shops, no transport.</p> <p>How do you propose my area "attract people to the Shire's many places and spaces supported by iconic landscapes, unique histories, range of activities and integrated settlement structures" when lot sizes are to remain stagnant and none of the spaces exist?            Currently the plan does not support the delivery of services to our established areas nor soften the minimum lot sizes.</p> <p>As a lot owner without footpaths, verges, adequate street lights, community parks &amp; centres, the Shire is failing in these key areas of and for positive improvement herein.</p>	<p>The subject area is identified as Rural Residential (1ha – 4ha lot sizes) under the Western Australian Planning Commission's (WAPC) Perth and Peel @ 3.5 Million Sub-Regional Planning Frameworks. Under the Shire's Rural Strategy, which has been approved by the WAPC, the subject area is identified as Rural Living B (2ha lot size minimum). A large number of properties within the area are equine properties and the Shire is advocating to support the equine industry throughout the Shire.</p> <p>Lots that are 2ha in size are more appropriate to sustain equine uses than 1ha lot sizes, as guided by stocking rate guidelines. Larger lot sizes are also more appropriate to minimise land use conflicts between equine activities and residential uses. Potentially doubling the number of lots within the precinct would significantly increase the amount of traffic within the area. This is not compatible with equine activities and associated trails within the area and maintaining the intended equestrian character of the area. Both the Scheme and Strategy outline and advocate for the equine industry across the Shire. The Scheme outlines in particular areas where horses can be kept subject to the discretion of the Local Government.</p> <p>The land sizing of the properties within the subject area are mostly approximately 2ha in size, which relates to the Rural Residential RR-2 designation that allows a 2ha lot size minimum. This land is also located on the most outer area of the Shire. As one of the outer most areas of the Shire on the Rural fringe, the larger Rural Residential RR-2 lots have been proposed over the area to provide a graduation of lots sizes. The Shire's strategy for this is to develop a graduation of lot sizes from the outer areas into the urban cells (Byford) of the Shire.</p> <p>It is the strategic vision of the Shire to contain urban development within defined precincts interspersed by green corridors and rural forms of development. Preserving Rural Residential development with 2ha lot sizes is important to maintain a clear separation between the urban</p>	

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		<p>Consolidation needs to be created hand in hand with diversity, promoting upgrades across a broader scale of the Shire instead of containment to a small portion.</p> <p>Provision of flexible housing opportunities in areas close to rail, shops, commercial and community services is a must for all the Shire residents and must be consider beyond that of those Shire communities of Serpentine; Jarrahdale; Mundijong and Byford.</p> <p>I am heavily impacted by car dependency and the inequity to others in the Shire is highlighted by the planning views and directions not supporting development beyond the existing supply of land zoned and planned for settlement growth.</p> <p>This approach is proposed to accommodate those owners who wish to remain on their existing properties, however, not providing any consideration to others and prevents development to smaller lot sizes and promoting growth.</p> <p>Development areas in the Shire which adjoin developing neighbouring Shires must be paramount to promote emphasis on growth to all the Shire's residents, and so the inclusion of an allowance of smaller lots for all owners within the Shire is a must.</p> <p>Environmental improvement strategies and rural subdivision guidelines that enhances rural character must envisaged.</p> <p>The vision of the Plan promotes development allowances for a distinct few within the sector of business; interested investors and developers and leaves the my lot prejudiced with no mechanism for improvement or development and restricts my lot to a larger minimum sizes when urbanised centres granting benefits to neighbours exist within a mere 10 km radius.</p> <p>Surely, there is a need for the Shire to enable access to public transport, transfer to train lines; create shopping centres and health facilities, upgrade local roads, footpaths and lighting and generally improve entitlement to all residents within the Shire and not just specific existing centres.</p> <p>I believe the "unique lifestyle with a rural persona" can also be presented and preserved by smaller lot sizes than currently envisaged in a minimum of 2ha per lot.</p> <p>The proposed splitting of rural residential to group lot sizes is discrimination and must be abandoned to a mainstream system which affords equal opportunity, to all, and therefore specifying a minimum of 1ha.</p> <p>Provisions in local government town planning schemes to facilitate this action is required as I object to the proposals under the current scheme and submit these are of biased against some lot owners.</p>	<p>areas. Shire officers recommend no changes to the 2ha minimum lot size of the area.</p>	
W.B. Willis IN20/1171	157.	I am putting in a submission for a non compliance on my property 544 Jarrahdale Rd as I am running my tourism bus charter Business from this location as well in	Noted – The Draft Local Planning Scheme No.3 contains a provision for non-conforming uses. This	

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		<p>the future I plan on building a large shed for my bus as well a second house. this will allow me to turn my small house at the front of the property into a backpackers in which my aim is to bring the growth of tourism to the local Jarrahdale area. kind regard Will.            Jarrahdale Charters</p>	<p>refers to the continued use of any land, or any structure or building on land for the purpose of which it was being lawfully used immediately before the commencement of the Scheme. This means that any land use that was previously approved can continue to operate if the use is no longer permissible within the zone of the land under the new Scheme.</p> <p>Under Clause 24 of the Draft Local Planning Scheme No.3, the Shire will develop a register of non-conforming uses which will set out the following:</p> <ul style="list-style-type: none"> <li>- A description of each area of land that is being used for a non-conforming use.</li> <li>- A description of any building on the land</li> <li>- A description of the non-conforming use</li> <li>- The date on which any discontinuance of the non-conforming use is noted.</li> </ul> <p>The register is to be kept up to date, available for public inspection during business hours at the offices of the local government and on the Shire's website.</p> <p>An entry in the register in relation to land that is being used for a non-conforming use is evidence of the matters set out in the entry, unless the contrary is proven.</p>	
Jennifer Budd IN20/1173	158.	<p>Existing Business Use and uses on new TPS3 Under the change from TPS2 to 3 - will this affect business already operating? Whilst this does not directly affect me I am aware that there are several home operated businesses in the area who would be very concerned about this change.</p> <p>The TPS3 does not seem to treat towns individually to preserve their own identity. Each of the towns within the Shire have very distinct characters and should not be seen as a blanket picture of the shire as a whole as planning to each town should be unique.</p> <p>I would like to see Appendix 13 and 14 included in the TPS3 to protect the Jarrahdale Townscape and surrounds.</p> <p>TPS3 pages 55-56 Schedule 2 SU7: TPS3 Pages 47 to 55 Land use terms: Maps 4 of 7 Jarrahdale Townsite I am Very concerned about the future of Jarrahdale with the implication that Jarrahdale Road may in the future be adopted as a State Road carrying even more heavy traffic. I understand that Jarrahdale Road currently has restrictions on the size of trucks using it and</p>	<p>Noted – The Draft Local Planning Scheme No.3 contains a provision for non-conforming uses. . This refers to the continued use of any land, or any structure or building on land for the purpose of which it was being lawfully used immediately before the commencement of the Scheme. This means that any land use that was previously approved can continue to operate if the use is no longer permissible within the zone of the land under the new Scheme.</p> <p>Under Clause 24 of the Draft Local Planning Scheme No.3, the Shire will develop a register of non-conforming uses which will set out the following:</p> <ul style="list-style-type: none"> <li>- A description of each area of land that is being used for a non-conforming use.</li> <li>- A description of any building on the land</li> <li>- A description of the non-conforming use</li> </ul>	

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		<p>would like to see this continued and also enforced. I am also very opposed to the proposition that Industry Services within Jarrahdale could lead to the development of a Roadhouse or similar within the town.</p> <p>Overall I am concerned that Jarrahdale Road, currently referred to as a Primary Distributor Road can carry large volumes of fast moving traffic. Jarrahdale is not a township where this should be possible for both safety and environmental reasons. The road is not designed for heavy traffic flow as is too narrow in many places. I want restrictions of traffic flow through the town, in particular heavy vehicles.</p> <p>I see the extension of the Tonkin Highway as a good step forward and feel that we need clarification on where it is going to join the South West Highway and the effects this will have on Jarrahdale. I can understand that there may be need for the junction of South West Highway, Jarrahdale Road and Shanley Road to be altered, and for safety reasons I can see that this would be necessary with increased traffic flow from the Tonking Highway, plus traffic flow on the South West Highway wishing to join the Tonkin Highway but I would like more clarification of how this will impact Jarrahdale and the future use of Jarrahdale Road I believe that there should be a Landscape Protections Zone around properties on Jarrahdale Road in order to retain the heritage of the town centre and approaches. This should also be applied to any other areas where the visual impact of the area should be protected</p>	<p>- The date on which any discontinuance of the non-conforming use is noted.  The register is to be kept up to date, available for public inspection during business hours at the offices of the local government and on the Shire's website.</p> <p>An entry in the register in relation to land that is being used for a non-conforming use is evidence of the matters set out in the entry, unless the contrary is proven.</p> <p><b>Town Distinction</b></p> <p>The Shire intends to prepare Place Plans for each of the towns within the Shire to reflect local character and sense of place.</p> <p><b>Appendix 13 &amp; 14 of TPS2</b></p> <p>The Jarrahdale heritage precinct has been identified as a special control area under the Draft Local Planning Scheme No.3, that has been developed to ensure retention of the heritage character of the precinct. As well as to ensure the preservation of the Jarrahdale townscape, heritage and woodlot precinct character.</p> <p><b>Jarrahdale Road</b></p> <p>Under the Draft Local Planning Scheme No.3 maps, Jarrahdale Road is considered to be a 'Primary Distributor' road as identified by the Main Roads Western Australia (MRWA) road hierarchy classifications. The road reserve is a local reserve under the Draft Scheme.</p> <p>Under the Draft Local Planning Strategy, Jarrahdale Road is identified as a 'Regional Distributor' road in accordance with the MRWA classifications. Further information regarding the MRWA road hierarchy classifications is available at the below link:  <a href="https://mrwebapps.mainroads.wa.gov.au/publicmaps/rim">https://mrwebapps.mainroads.wa.gov.au/publicmaps/rim</a></p> <p>The Road House land use can only be considered where the site has direct access to a State road.</p>	

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Christine and Colin Rose IN20/1175	159.	In the map for the Jarrahdale townsite for the TPS3, Jarrahdale Rd is referred to as a Primary Distributor Rd. As per Mains Roads website this means a road for large volumes of fast moving traffic managed by mains roads. Why has Jarrahdale Rd been identified by SJ Shire as a primary distributor road? We are opposed to Jarrahdale Road becoming a primary distributor road with increased heavy traffic and noise.	<p>Under the Draft Local Planning Scheme No.3 maps, Jarrahdale Road is considered to be a 'Primary Distributor' road as identified by the Main Roads Western Australia (MRWA) road hierarchy classifications. The road reserve is a local reserve under the Draft Scheme.</p> <p>Under the Draft Local Planning Strategy, Jarrahdale Road is identified as a 'Regional Distributor' road in accordance with the MRWA classifications. Further information regarding the MRWA road hierarchy classifications is available at the below link:  <a href="https://mrwebapps.mainroads.wa.gov.au/publicmaps/rim">https://mrwebapps.mainroads.wa.gov.au/publicmaps/rim</a></p>	
Bruce Marriott IN20/1176	160.	<p><b>Submission</b>  Thankyou for this opportunity to make a submission for the Draft Local Planning Scheme no 3.  <b>Address of Property affected by proposal</b>  Proposal is centered on Lot 175, subject to feedback from the Shire it is proposed to engage also Lot 293, 279, 25A and 138. Precinct F2</p>	<p>The subject property is zoned Urban Development under the Draft Local Planning Scheme No.3. The objectives of the Urban Development Zone are;</p> <ul style="list-style-type: none"> <li>- To provide an intention of future land use and a basis for more detailed structure planning in accordance with the provisions of this Scheme.</li> <li>- To provide for a range of residential densities to encourage a variety of residential accommodation.</li> <li>- To provide for the progressive and planned development of future urban areas for residential purposes and for commercial and other uses normally associated with residential development.</li> <li>- To provide an intermediate transitional zone following the lifting of an urban deferred zoning within the Metropolitan Region Scheme.</li> </ul>	



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		battery to minimize electrical grid and where practical use modern sustainable building practices to maximise insulation and hence cooling and heating costs. On rain water harvesting and on-site water treatment will also be investigated as a means of making the village environmentally sustainable as far as reasonably practical.		
Natalie McKeig IN20/1177	161.	<p>My husband Jamie and I bought our property "Kookaburra Nook" in 1998. At the time the land was zoned 'Special Rural' and was sold to us as a 'lifestyle block' by the developer 'perfect for establishing a hobby farm'.</p> <p>We checked that the 'Special Rural' zoning we were buying within would allow us to pursue our dream of running a hobby farm (or 'rural pursuit') as it is currently being referred to in the strategic plan documents. We did not have to seek council permission to establish a hobby farm at the time, as only non permitted land uses required such permission. The property is the first we have owned and we fully intended for it to be our 'forever home' surrounded by other likeminded individuals.</p> <p>Over the past 21 years we have poured our hearts and souls, sweat, blood and tears, not to mention every cent that we have, into developing our property 'Kookaburra Nook' as a hobby farm (rural pursuit - exactly as described on page 48 of local planning scheme 3) according to the guidelines that we received.</p> <p>From a bare, sandy block with four trees we have worked hard to develop a well established orchard producing seasonal fruits and I am a registered beekeeper with council approval for this 'rural pursuit' and Low Risk Food Business My husband and I have worked hard to develop our plan for the future, a future where we hope to not only support our family while living in a sustainable way on the property but to produce and sell our surplus resources locally (a challenge since the local markets have all closed and our insurance company will not allow door sales). We are proud and happy to be contributing to the food security of the region we live in.</p> <p>Our plan would allow us to stay on our property after my husband reaches an age where he is unable to meet the physical demands of working in his chosen profession of Paramedic and create employment for our children. Our plan has thus far allowed me to actively raise our four children and send them to private school, while working around my husband's shifts and contributing to our household and the community in a positive and meaningful way.</p> <p>Everything we have done we have done carefully and with the upmost thought for our neighbours. We have been and are on good terms with all of our neighbours past and present and I believe I can confidently say that I doubt you have received a single complaint from any of my neighbours during the entire time we have lived here.</p> <p>Under Draft Local Planning Scheme No. 3 our property would be rezoned 'Rural Residential'. Under this zoning 'rural pursuits' are only permitted with local government discretion and many of the blocks surrounding us would become purely residential and I object to this.</p>	<p>The zones within the Draft Local Planning Scheme No.3 are required to align with the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>. This means that the change to the Rural Residential zone represents;</p> <ul style="list-style-type: none"> <li>- No change to the intent of the zone.</li> <li>- Name change as required by the State Government planning regulations.</li> </ul> <p>Approved rural pursuit/ hobby farm land uses are permitted to continue operating on the property. Any changes to the rural pursuit/ hobby farm will require the approval of the Shire and will be determined at the Shire's discretion.</p>	

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		<p>I believe this will create a higher potential for conflict between neighbours (as all new purchasers would be buying these bigger blocks for entirely different reasons such as 'a place with plenty of room for little Johnny to ride around on his quad bike') than the original purchasers such as myself wanting to grow their own food and raise their own animals in a peaceful rural setting. More worryingly these smaller blocks would just be condemned to being giant power, water and money pits instead of productive properties.</p> <p>You don't have to look far from my place to find the supporting evidence for this: The neighbour I share my East boundary fence with has power and water bills three or four times the amount of mine, she is a single lady, we are currently a family of six! The colour of the soil at the North boundary fence where my neighbour uses her property, again purely as residential, is completely different where the properties meet.</p> <p>This is because we have used careful stocking and rotation of animals to help us regenerate our soil.</p> <p>Under current council regulations (at the time of the community meetings) the Council Guidelines for the keeping of large animals Reference:E15/2233 mean that I do not have to seek council approval when adding these animals to my property. Under the new zoning I have to have both council and neighbour approval. This will come at a significant cost in terms of both time and money. This will impact on us significantly. As a grower employing only natural and organic methods to grow and produce food, animals are an essential part of the process and the only way to reduce your biosecurity risks of contaminants coming to the property is to produce your manure on site.</p> <p>I also have concerns that when you add the word 'residential' to our zoning that my Business Public Liability Insurance will go through the roof as the insurance company will equate this to higher density housing even though this is not the case.</p> <p>When we purchased our block, we were given a green manual titled 'Small Block Management' along with the covenants for our development and suggestions for assimilating successfully into the shire of Serpentine Jarrahdale. This book clearly delineated what we could and could not do on our block and clearly explained that activities other than those permitted would require an application to and approval by council. Rural pursuits, cottage industries, animal husbandry –non- intensive were all allowed with approval only needing to be sort from council if you wanted to keep large animals with hooves ie. horses or cows.</p> <p>To make matters even more frustrating this zoning change, should it pass, will be the second zoning change in the 20 years we have owned the property. I am going to state emphatically that I am struggling to understand how you can buy land under one set of conditions and have this change not once but twice in approximately 20 years. Unfortunately I cannot even tell you exactly when our</p>		

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		<p>zoning was changed from Special Rural to Rural Living A as we were not notified, nor were we given the opportunity that we have been given here to make a submission. We simply received a rates notice and noticed that our zoning was different.</p> <p>I feel the vision laid out in Shire of Serpentine Jarrahdale Draft Local Planning Strategy is not dissimilar to my own but that Local Planning Scheme No. 3 will actually work against this vision rather than for it. For example there is room for pop up fruit and veg stalls on the side of the road (strategy document) compared to almost all the home office/business definitions which state no retail sales from premises internet only - with all due respect you cannot sell a lettuce in the post!</p>		
Ian Nice IN20/1180	162.	On the Jarrahdale town site map TPS3, Jarrahdale Rd is being referred to as a Primary Distribution Rd which according to Main Roads it is a road managed by Main Roads. It would allow a large volume of heavy vehicles through the town. I'm totally opposed to Jarrahdale Rd becoming a link road, it would ruin the town.	<p>Under the Draft Local Planning Scheme No.3 maps, Jarrahdale Road is considered to be a 'Primary Distributor' road as identified by the Main Roads Western Australia (MRWA) road hierarchy classifications. The road reserve is a local reserve under the Draft Scheme.</p> <p>Under the Draft Local Planning Strategy, Jarrahdale Road is identified as a 'Regional Distributor' road in accordance with the MRWA classifications. Further information regarding the MRWA road hierarchy classifications is available at the below link:  <a href="https://mrwebapps.mainroads.wa.gov.au/publicmaps/rim">https://mrwebapps.mainroads.wa.gov.au/publicmaps/rim</a></p>	
Norman Deng IN20/1181  Lot 125 Robertson Road Whitby	163.	<p>When are the sewer lines and water pipes network to be connected to individual lot? Can water corp provide an estimated time frame?</p> <p>After WAPC approval how soon can we apply for subdivision structure plans? Will there be new R zoning? In Precinct B there are about 44-45 individual land owners, will it be possible for smaller group of land owners (adjoining lots) to apply for subdivision?</p>	<p>The land within the Mundijong Whitby area is designated Urban under the Draft Local Planning Strategy and zoned as Urban Development within the Draft Local Planning Scheme No.3. The objectives of the Urban Development zone under the draft Scheme are as follows:</p> <ul style="list-style-type: none"> <li>- To provide an intention of future land use and a basis for more detailed structure planning in accordance with the provisions of this Scheme.</li> <li>- To provide for a range of residential densities to encourage a variety of residential accommodation.</li> <li>- To provide for the progressive and planned development of future urban areas for residential purposes and for commercial and other uses normally associated with residential development.</li> </ul>	

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			<p>- To provide an intermediate transitional zone following the lifting of an urban deferred zoning within the Metropolitan Region Scheme.</p> <p>The Draft Scheme contains provisions that state subdivision will not be supported for an area of land unless a structure plan has been approved for that land. The reason for not supporting subdivisions over the area of Mundijong, prior to the approval of a structure plan, is due to the Shire seeking to prevent ad hoc, unplanned subdivisions that may prejudice the future coordinated planning of the area and the delivery of essential infrastructure. The need for further planning studies is required to establish orderly and proper planning for the Mundijong urban centre. For this reason, further subdivision will not be supported prior to the approval of a structure plan for an area.</p>	
Angie Deng IN20/1183	164.	I hope WAPC approve the Local Planning scheme # 3 soon.	Noted – We appreciate your response via submission to the Draft Local Planning Strategy and Local Planning Scheme No.3.	
Blair Kindervater IN20/1184	165.	<p>Submission relating to Draft Local Planning Scheme No. 3</p> <p><b>Item 1</b> – Discretionary powers of the SJ Shire in relation to the permissibility of uses of land within the various zones of the Scheme area.</p> <p>I suggest that it a very poor strategy for the SJ Shire to have discretionary powers relating to land use. Within a particular zone, certain land use(s) should either be allowed or not allowed. If a landowner applies to use a property for an activity over which the shire has discretionary power, the applicant then has the right to appeal the shire’s decision and take the matter to the State Administrative Appeals Tribunal (AAT) if they are unhappy with the shire’s decision. The AAT then has the power to overturn the Shire’s decision and allow the activity applied for by the landowner.</p> <p>By retaining discretionary powers in relation to permissible uses of land, the shire is potentially giving away the ultimate decision making power to the State. Bad move!</p> <p><b>Item 2</b> – In Draft Local Planning Scheme No. 3 the SJ Shire proposes to give itself discretionary power to allow commercial vehicle parking in the proposed Rural Residential zone (see the Zoning Table in Section 17).</p> <p>In addition to my comments in Item 1 above, I offer the following information to substantiate my objection to this proposal. When read in conjunction with the Draft</p>	<p>Noted – We appreciate your response via submission to the Draft Local Planning Strategy and Local Planning Scheme No.3.</p> <p>The RR-1 and RR-2 designations relate to lot size requirements only, not land use permissibility.</p>	

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		<p>Local Planning Strategy, the potential for the shire to allow commercial vehicle parking in the proposed Rural Residential zone seems quite contradictory. In the Draft Local Planning Strategy, Section 3.2 (Rural Living), among other things it states “The preservation of environmental and landscape values is an integral element of maintaining high quality Rural Living areas which characterise the rural character and amenity that is important to the Shire’s community. Rural Living areas should be arranged to form consolidated precincts which seek to preserve the natural environment and amenity of specific areas.”</p> <p>Under the current town planning scheme, my property is in the Rural Living A zone and the shire has no discretionary power to allow commercial vehicle parking in the zone. It is important to note that one of the key objectives of the Rural Living A Zone is to “Restrict rural land uses that are not generally compatible with maintaining residential amenity”. I strongly feel that more attention needs to be given to the provisions of the existing scheme and that those provisions be transported to the proposed scheme to ensure continuity of the rural living values of any particular area.</p> <p>In the zoning table (Section 17 of the Draft Local Planning Scheme No. 3), no distinction has been made between the RR1 and RR2 sub-zones within the Rural Residential zone. This is a serious oversight in view of the fact that many existing properties (including my own) that will become part of the RR1 zone are only 1 acre in size (possibly less) and could be seriously impacted if an adjacent property was approved to have commercial vehicle parking. It would appear that this potential scenario has been completely overlooked in the proposed scheme. So please, no commercial vehicle parking in the Rural Residential Zone and particularly the proposed RR1 zone.</p>		
<p>Gloria Sommerville  IN20/1190</p> <p>7 King Road,  Oakford</p>	<p>166.</p>	<p>I would like to say that we want our area to remain rural as in agriculture or horticulture with no industry that interferes in our lifestyle.  We do not want noise dust or smell. Thankyou</p>	<p>The Draft Local Planning Strategy and Local Planning Scheme No.3 has identified an area of land in Oakford within the Rural Enterprise zone for the following reasons:</p> <ul style="list-style-type: none"> <li>- To reflect existing lot sizes and land use.</li> <li>- To provide for light industrial and ancillary residential development on one lot.</li> <li>- To carefully design rural enterprise estates to provide a reasonable standard of amenity without limiting light industrial and intensive agricultural land uses.</li> <li>- To notify the prospective purchasers of potential amenity impacts from light industrial land uses</li> <li>- To ensure light industrial land uses do not adversely affect soils, watercourses and other water resources.</li> </ul>	

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			<p>A significant proportion of lots within the Oakford area are already operating as a Rural Enterprise land uses and are within the lot size range of 2ha to 4ha. This zone allows lots to accommodate a dwelling in addition to light industry and intensive agricultural land uses. This categorisation formalises the already existing lot layout and operations in this area. The Rural Enterprise zone also contains objectives and provisions to ensure land uses do not have a detrimental effect on the environment.</p>	

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<p>Jackson IN20/1095 IN20/1093 (late submission)</p>	<p>167.</p>	<p style="text-align: right;">14 Jan 2020</p> <p>Proposal – Jackson (Lot No. 338)</p> <p>Submission Shire of Serpentine Jarrahdale Draft Local Planning Strategy Ref: SJ203</p> <p><u>Introduction</u></p> <p><b>Re-zoning of 338 Jarrahdale Road, Jarrahdale from ‘Rural’ to ‘Rural-Residential’.</b> This proposal addresses reasons as to why lot No. 338, as well as the lot adjacent (No. 348) should be considered together for an alternative zoning that could allow for further subdivision given that lot No. 324 immediately to the west is to be rezoned as ‘Tourist Development’ under the new scheme. We believe our lot (No. 338) has been left isolated and severely restricted by which rural usages we can apply to our land. Attachments will demonstrate our plans for subdivision and show emergency exit points.</p> <p>Review of State Planning Policy 2.5 – Rural Planning Guidelines strengthens our view that our Lot (No.338) is not a suitable Rural zoned lot. A number of sections of the SPP 2.5 have been addressed below. Essentially our land is not fit for Rural purpose, leaving only lifestyle options available.</p> <p>Review of State Planning Policy 3.7 – Planning in Bushfire Prone Areas has our BAL-12.5 as Low-Risk. We believe the BAL will not be affected by subdivision.</p> <p><u>Rural Residential Re-Zoning</u></p> <p>What is ‘rural residential’ development and why do we (Lot No. 338) want to re-zone? Rural residential development refers to “land in a rural setting, used and developed for dwellings that are not primarily associated with agriculture”. Its primary function is residential, there may be some minor agriculture to take place but is unlikely to provide a source of household income. As stated throughout this proposal, the land at lot No. 338 is not arable. Agricultural use is not a realistic option.</p> <p>The new planning scheme should ensure reasonable opportunities are found for rural residential development, to allow for housing diversity and choice. Rural lifestyle lots are becoming more popular and with the area growing and trainline extending through to Mundijong we believe it’s a great opportunity to allow for some subdivision in an attractive setting. There are only two lots between our property (Lot No. 338) and a cluster of already zoned rural-residential lots (Please refer to Attachment A (Draft Local Planning Scheme No.3 Formal Advertising September 2019 Scheme Maps). There will be no land use conflicts as we are bordered by Serpentine National Park to the south, a small lot to the east (lot 348 which should also be considered for re-zoning) and our neighbours to the west under the new scheme to be re-zoned Tourist Development. This leaves us quite isolated.</p> <p>Attachment B demonstrates a basic plan with regards to the subdivision (**Note, the subdivision diagram is not to scale, this will be subject to survey should re-zoning be approved). We believe we can offer 4 lots with a driveway in common. 2 lots would already have existing dwellings both of which are already completely independent (water, electricity etc.). The lots will have access to an emergency exit via Serpentine National Park which leads to either Medulla Road (West) or further up Jarrahdale Road (East). Our property is already the fire-fighting entry for our neighbouring property (West) as the bridge at their main entry restricts certain vehicle types from entry.</p> <p>See below review of State Planning Policy 2.5 – Rural Planning Guidelines and relevant comments to support this proposal.</p> <p><u>State Planning Policy 2.5 – Rural Planning Guidelines</u></p> <table border="1" data-bbox="596 1367 1299 1522"> <tr> <td data-bbox="596 1367 816 1522"><b>2. Land Uses</b></td> <td data-bbox="816 1367 1299 1522"> <p>SPP 2.5, Section 2.1 Land Uses stipulates a wide range of land uses for rural zones. Very few, if any can be applied to our property. Our land is not suitable for intensive and extensive agriculture, biodiversity conservation, natural resource management to name a few. The soil is not arable, it consists primarily of clay and rock.</p> <p>SPP 2.5, Section 2.2 Planning for rural land in a strategy or scheme. Appendix 2 compares separation distances between rural land uses and sensitive land uses. The majority/if not all of these distances are outside of our property border distances therefore severely restricting our land usage. Please note under the new scheme our neighbouring property (Lot No. 324) will be zoned Tourist Development.</p> </td> </tr> </table>	<b>2. Land Uses</b>	<p>SPP 2.5, Section 2.1 Land Uses stipulates a wide range of land uses for rural zones. Very few, if any can be applied to our property. Our land is not suitable for intensive and extensive agriculture, biodiversity conservation, natural resource management to name a few. The soil is not arable, it consists primarily of clay and rock.</p> <p>SPP 2.5, Section 2.2 Planning for rural land in a strategy or scheme. Appendix 2 compares separation distances between rural land uses and sensitive land uses. The majority/if not all of these distances are outside of our property border distances therefore severely restricting our land usage. Please note under the new scheme our neighbouring property (Lot No. 324) will be zoned Tourist Development.</p>	<p>Noted. The Shire officers recognise that there has been interest to rezone Rural areas throughout the Shire as Rural Residential. The Draft Local Planning Scheme No.3 is required to be consistent with both the State and local strategic planning frameworks.</p> <p>The subject area is identified as Rural under the Western Australian Planning Commission’s (WAPC) Perth and Peel @ 3.5 Million Sub-Regional Planning Frameworks. Under the Shire’s Rural Strategy, recently approved by the WAPC, the subject area is identified as Rural as well as under the Draft Local Planning Strategy and Local Planning Scheme No.3.</p> <p>The Shire does not support the rezoning of the land under the Draft Local Planning Scheme No.3 as it does not align with the State and local planning framework.</p>	
<b>2. Land Uses</b>	<p>SPP 2.5, Section 2.1 Land Uses stipulates a wide range of land uses for rural zones. Very few, if any can be applied to our property. Our land is not suitable for intensive and extensive agriculture, biodiversity conservation, natural resource management to name a few. The soil is not arable, it consists primarily of clay and rock.</p> <p>SPP 2.5, Section 2.2 Planning for rural land in a strategy or scheme. Appendix 2 compares separation distances between rural land uses and sensitive land uses. The majority/if not all of these distances are outside of our property border distances therefore severely restricting our land usage. Please note under the new scheme our neighbouring property (Lot No. 324) will be zoned Tourist Development.</p>					

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		<p style="text-align: center;">Proposal – Jackson (Lot No. 338) <span style="float: right;">14 Jan 2020</span></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%; padding: 2px;">3. Priority Agricultural Land</td> <td style="padding: 2px;">SPP 2.5, Section 3 Planning for priority agricultural land. This is land of state, regional or local significance for agricultural and/or food production purposes. Our land (Lot No. 338) is not suitable for this use. The land consists primarily of clay and rock and is not arable.</td> </tr> <tr> <td style="padding: 2px;">4. Planning for rural living</td> <td style="padding: 2px;">SPP 2.5, Section 4 defines rural living as a range of zones where the predominant land use is residential. Rural living lots are not considered rural land uses – they are residential uses that need to be factored into settlement planning. We wish to subdivide and be re-zoned as rural residential. Our main land use is residential as the land is not arable enough for other uses. Please refer to Attachment B with a basic idea of how we propose for the property (Lot No. 388) to be divided into 4 separate lots, driveway in common, emergency exits etc. The two existing houses are completely independent, separate electricity, water, phone line etc. As the property has an appropriate level of servicing, each dwelling has a 250,000L water tank and council approved septic systems, services will not be affected by the sub-division. With our lot (No. 338) and (No. 348) being bordered by national park to the south and west and only 2 lots between us and the cluster of rural-residential zoned lots along Medulla Road (Refer to Attachment A). We believe there is adequate bushfire hazard separation where building envelopes can be located. There is also suitable buffer from adjoining land uses, as previously explained, we are bordered by National Park and a Tourist zoned lot (under the new scheme). This property is uniquely positioned in a beautiful hillside location not too far from the CBD, with the Australind and current plans to extend the Armadale line there will be more demand for lifestyle lots.</td> </tr> <tr> <td style="padding: 2px;">5. Servicing</td> <td style="padding: 2px;"> <p><b>5.1 Water Supply</b> Currently there are two 250,000L rainwater tanks (and a couple of smaller tanks) independently supplying water to each dwelling. There are 3 dams located around the property for irrigation/ fire-fighting purposes etc. There is sufficient water supply.</p> <p><b>5.2 Network Electricity Supply</b> Jarrahdale road has 3 phase power</p> <p><b>5.3 Responsibilities for electricity supply</b> Two current properties have independent power supplies with separate meters. With the advancements of technology, future buildings are now able to consider going off grid with their own power storage.</p> <p><b>5.4 Renewable energy sources</b> The properties are north facing so present well for solar power installations with one property already complimented with solar. Both current buildings have solar hot water systems.</p> <p><b>5.5 Impacts of climate change on rainwater assumptions</b> Already considered through installation of larger tanks than typical.</p> <p><b>5.6 Road suitability</b> Jarrahdale Road has recently been "upgraded" with numerous drive ways in close proximity.</p> </td> </tr> <tr> <td style="padding: 2px;">6 Regional variation, economic opportunities and regional development</td> <td style="padding: 2px;"> <p><b>6.1 Regional variation</b> We don't believe there are any reasons for this land to be retained for existing or future rural land uses.</p> <p><b>6.2 Rural Enterprise Zone – Not Applicable</b></p> <p><b>6.3 Primary production and processing precincts – Not Applicable</b></p> <p><b>6.4 Animal premises – Not Applicable</b></p> <p><b>6.5 Intensive agriculture – Not Applicable</b></p> <p><b>6.6 Regional facilities – Not Applicable</b></p> <p><b>6.7 Rural Smallholdings zone – Not Applicable</b></p> </td> </tr> <tr> <td style="padding: 2px;">7. Extractive Industries</td> <td style="padding: 2px;">Not Applicable</td> </tr> <tr> <td style="padding: 2px;">8. Planning for Tree Farms</td> <td style="padding: 2px;">Not Applicable</td> </tr> <tr> <td style="padding: 2px;">9. Managing and improving environmental and landscape attributes</td> <td style="padding: 2px;">Not Applicable</td> </tr> <tr> <td style="padding: 2px;">10. Preventing and managing impacts in land use planning</td> <td style="padding: 2px;">Don't believe there are any environmental risks associated with the sub-division. There will be no clearing of waterways and associated vegetation and wetlands. Amenity impacts such as noise, visual, odour and dust will be minimal if at all, as the subdivision (if successful) will only allow an additional two dwellings.</td> </tr> </table> <p style="color: red; font-weight: bold; margin-top: 10px;">See attachments IN20/1095</p>	3. Priority Agricultural Land	SPP 2.5, Section 3 Planning for priority agricultural land. 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Managing and improving environmental and landscape attributes	Not Applicable	10. Preventing and managing impacts in land use planning	Don't believe there are any environmental risks associated with the sub-division. There will be no clearing of waterways and associated vegetation and wetlands. Amenity impacts such as noise, visual, odour and dust will be minimal if at all, as the subdivision (if successful) will only allow an additional two dwellings.		
3. Priority Agricultural Land	SPP 2.5, Section 3 Planning for priority agricultural land. This is land of state, regional or local significance for agricultural and/or food production purposes. Our land (Lot No. 338) is not suitable for this use. The land consists primarily of clay and rock and is not arable.																			
4. Planning for rural living	SPP 2.5, Section 4 defines rural living as a range of zones where the predominant land use is residential. Rural living lots are not considered rural land uses – they are residential uses that need to be factored into settlement planning. We wish to subdivide and be re-zoned as rural residential. Our main land use is residential as the land is not arable enough for other uses. Please refer to Attachment B with a basic idea of how we propose for the property (Lot No. 388) to be divided into 4 separate lots, driveway in common, emergency exits etc. The two existing houses are completely independent, separate electricity, water, phone line etc. As the property has an appropriate level of servicing, each dwelling has a 250,000L water tank and council approved septic systems, services will not be affected by the sub-division. With our lot (No. 338) and (No. 348) being bordered by national park to the south and west and only 2 lots between us and the cluster of rural-residential zoned lots along Medulla Road (Refer to Attachment A). We believe there is adequate bushfire hazard separation where building envelopes can be located. There is also suitable buffer from adjoining land uses, as previously explained, we are bordered by National Park and a Tourist zoned lot (under the new scheme). This property is uniquely positioned in a beautiful hillside location not too far from the CBD, with the Australind and current plans to extend the Armadale line there will be more demand for lifestyle lots.																			
5. Servicing	<p><b>5.1 Water Supply</b> Currently there are two 250,000L rainwater tanks (and a couple of smaller tanks) independently supplying water to each dwelling. There are 3 dams located around the property for irrigation/ fire-fighting purposes etc. There is sufficient water supply.</p> <p><b>5.2 Network Electricity Supply</b> Jarrahdale road has 3 phase power</p> <p><b>5.3 Responsibilities for electricity supply</b> Two current properties have independent power supplies with separate meters. With the advancements of technology, future buildings are now able to consider going off grid with their own power storage.</p> <p><b>5.4 Renewable energy sources</b> The properties are north facing so present well for solar power installations with one property already complimented with solar. Both current buildings have solar hot water systems.</p> <p><b>5.5 Impacts of climate change on rainwater assumptions</b> Already considered through installation of larger tanks than typical.</p> <p><b>5.6 Road suitability</b> Jarrahdale Road has recently been "upgraded" with numerous drive ways in close proximity.</p>																			
6 Regional variation, economic opportunities and regional development	<p><b>6.1 Regional variation</b> We don't believe there are any reasons for this land to be retained for existing or future rural land uses.</p> <p><b>6.2 Rural Enterprise Zone – Not Applicable</b></p> <p><b>6.3 Primary production and processing precincts – Not Applicable</b></p> <p><b>6.4 Animal premises – Not Applicable</b></p> <p><b>6.5 Intensive agriculture – Not Applicable</b></p> <p><b>6.6 Regional facilities – Not Applicable</b></p> <p><b>6.7 Rural Smallholdings zone – Not Applicable</b></p>																			
7. Extractive Industries	Not Applicable																			
8. Planning for Tree Farms	Not Applicable																			
9. Managing and improving environmental and landscape attributes	Not Applicable																			
10. Preventing and managing impacts in land use planning	Don't believe there are any environmental risks associated with the sub-division. There will be no clearing of waterways and associated vegetation and wetlands. Amenity impacts such as noise, visual, odour and dust will be minimal if at all, as the subdivision (if successful) will only allow an additional two dwellings.																			
Tanya Fitzpatrick  IN19/26222	168.	<p>I would like to give feedback on the maps provided in not only this Planning Scheme but all maps on website and all notifications to the public.</p> <p>None of the maps allow me to zoom in and see exactly the finer details of which i would want to view as a resident and rate payer. Eg; specific roads, detailed infrastructure etc. I found the Australind railway line details i wanted via this link of which none of your maps obtain such clearly marked detail.  <a href="https://moovitapp.com/perth-622/lines/australind/545173/3077008/en-gb?customerid=4908&amp;ref=2&amp;poiType=line">https://moovitapp.com/perth-622/lines/australind/545173/3077008/en-gb?customerid=4908&amp;ref=2&amp;poiType=line</a> This map allows me to zoom in and see exactly where things are now. The maps are not clearly marked.</p>	<p>Noted – The Shire appreciates you taking the time to give feedback on the mapping of both the Draft Local Planning Strategy and Local Planning Scheme No.3.</p> <p>The Shire has an online mapping system, which outlines the current and proposed zoning, specific roads, detailed infrastructure, aerial photography and general information about properties or areas of land. This can be found here:</p>																	

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		<p>I believe this is a major issue when showing the general public these maps, we just want to see where everything runs in conjunction to where we live or want to live. They are hard to read as it has been stated many times via social media. I think this could be greatly improved in the near future for the general public to connect better with what is being proposed.</p> <p>Thanks Tanya</p>	<p><a href="https://maps.sishire.wa.gov.au/">https://maps.sishire.wa.gov.au/</a>. The Local Planning Scheme No.3 Map can be seen in better detail with the ability to zoom at the Shire's online mapping.</p> <p>The Draft Local Planning Strategy Map is a high-level strategic plan that provides a conceptual depiction of land use categories and future growth areas. The Shire would also like to note that a number of the strategic roads/ freight networks/ train stations/ investigation areas identified on the maps are subject to further investigation and detailed studies. For these reasons, the maps have not been produced to a site-specific scale. The Shire notes the feedback that the legibility of the maps could be improved with the addition of road names and other landmarks to provide context. It is recommended that the Draft Local Planning Strategy maps be modified to include significant road names and landmarks.</p>	
Chris Thomas IN19/25984	169.	<p>2 Ballarawarra Corner Byford</p> <p>The application is supported and having the local amenities proposed would be most welcome in neighbourhood.</p> <p>History of the site/current zoning:</p> <ul style="list-style-type: none"> <li>- As per the original Redgum Brook Local Structure Plan approved by the Shire on 17 June 2005, the subject land was zoned as "Neighbourhood Node". As has been maintained for the land's zoning in TPS2 (last updated 4 October 2019), this promotes the idea that this site was envisaged to be the estate's "Local Commercial Centre".</li> <li>- The surrounding area maintains a similar density coding (R30) to that of land surrounding the Thomas Road Local Centre 500m to the north. This density coding is most evident along Kardan Boulevard (as per Draft LPS3), where the majority of business for the proposed development are to be positioned.</li> </ul> <p>The impact of residential development:</p> <ul style="list-style-type: none"> <li>- Draft LPS3 indicates that the subject land would be rezoned to Residential R30. In accordance to the R-Codes, given the land is 927m<sup>2</sup>, this would equate to 3 single house or grouped dwellings on the site.</li> <li>- Given the design and shape of the site, all lots would be designed with garage access from the rear laneway (Mele Mews), the traffic impact onto the laneway would not be significantly different to for a modest commercial development to the site which will have a singular crossover and improved sightlines due to the lack of fencing and reduced built-form (site cover) compared to a residential development.</li> </ul>	<p>Noted. The site is recommended to be rezoned under the Draft Local Planning Scheme No.3 as a Local Centre as per the Redgum Brook Estate South – Local Structure Plan.</p>	<p><b>Scheme Map 1</b></p> <p>Zone Lot 506 (No.2) Ballarawarra Avenue Byford as Local Centre.</p>

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		<ul style="list-style-type: none"> <li>- Residential development on the site would likely reduce the subject land's landscaping potential and passive surveillance qualities, particularly along the Kardan Boulevard frontage, as all dwellings would likely be developed facing Ballawarra Avenue given the shape of the land.</li> </ul> <p>What the zoning of the land should be under the draft LPS3:</p> <ul style="list-style-type: none"> <li>- The zoning of the land under LPS3 should be "Local Centre", as it would be consistent with the following planning objectives: <ul style="list-style-type: none"> <li>o Will provide services for the immediate neighbourhood that are easily accessible, which do not adversely impact on adjoining residential areas.</li> <li>o Encourages high quality, pedestrian-friendly, street orientated development.</li> <li>o Is immediately encompassed by medium-high density housing to the north, south and east (R30 residential zone).</li> </ul> </li> <li>- Notably, one of Draft LPS3's objectives for the Residential Zone is: "To provide for a range of non-residential uses, which are compatible with and complimentary to residential development". The proposed zoning would offer services that are both complimentary and needs for the local community of Redgum Brook, particularly given such local uses (café, real estate services, community functions room) have yet to have been built or established within the Redgum Brook Estate and immediate surrounding area.</li> <li>- The opportunity for a centrally located Local Centre in Redgum Brook will not arise again should the land be re-zoned as residential.</li> </ul> <p>The current proposed development for the site:</p> <p>The Benefits of the land retaining a commercial function can be illustrated through an analysis of the current application lodged with the Shire:</p> <ul style="list-style-type: none"> <li>- While the proposed development will primarily operate similarly to that of a small Local Centre, it will not compete against the immediate Redgum North Local Centre (LC) based on its proposed commercial uses and community functions plus its overall scale.</li> <li>- The proposed neighbourhood cafe and community function centre / pop up centre both promote and encourage integration between residents within the immediate Redgum Brook estate community. It is also situated within a more central location in the estate to operate as a commercial centre, allowing for a walkable amenity with greater access for local residents.</li> <li>- The development will promote a healthy and active community. It should be noted that the proposed development is within walking distance to the local primary school and oval, and is also within 20m of a bus stop.</li> <li>- The proposed cafe and pop up centre can be used for functions and local organisations, promoting a local focus in comparison to the local centre 500m to the north which has been developed to attract commuter traffic and passing-traffic through the businesses approved and situated at the site (McDonalds, Puma Petrol, 24 hour Gym).</li> </ul>		

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		<ul style="list-style-type: none"> <li>- The proposed development will also include a community functions room, which is an encouraged use within the residential zone given "community purpose" uses are an "A" use within the Shire.</li> </ul>		
Steve Thornton IN19/28174, IN19/28177	170.	<p>31 Fisher Road – Keysbrook</p> <p>I request that an additional use of 'Aged Care Dependent Persons Dwelling' be allocated for my property.</p> <p>Per the attachment approval was granted on 21/11/75 (double check date) for the following:</p> <ul style="list-style-type: none"> <li>- Two duplexes (4 dwellings)</li> <li>- Care takers dwelling</li> <li>- Kindergarten</li> <li>- Single house</li> </ul> <p>The two duplexes (4 dwellings) are approved for 'Aged or Dependent Persons Dwellings'</p> <p>I seek that as an additional use to also provide expansion. See IN19/28177 for Approval.</p>	The Shire acknowledges the current approval for the property of 31 Fisher Road, Keysbrook.	
Phillip Wright IN19/28500	171.	<p>Mr Philips Wright – 154 Linton Street Byford</p> <ul style="list-style-type: none"> <li>- I purchased my property as House and Land package the zoning at Purchase time was Rural as declared by the Shire if SJ Council. This Rural zoning was the main reason My wife and I purchased the property. We could have bought a 5-acre special rural at a much cheaper price. AS with most property owner's generally their home is the biggest investment they have and basically forms the bulk of my retirement fund. I am now 68 and semi-retired and do not wish to see the value soften due to being re-zoned and downgraded to Special Rural.</li> <li>- After my wife and I purchased the Rural Property, we invested a lot of finance and hard work into it over 20 years to bring to the standard it is today.</li> <li>- I have enquired to local real-estate agents and the comments are if the zoning changes from Rural to Rural-residential it could affect the price by approximately 10%-15% in the current market. It could see many potential purchasers turning away as there is a glut of Special Rural properties on the market and some have been listed for over a year.</li> <li>- Due to the Rural zoning I built a large shed and have used this as a base (withing the Shire regulations) for 20 years working as a Gas fitter and Gas inspector "We stech Gas Services".</li> <li>- I have asked the SJ Council what are the physical benefits to the shire to re-zone and there is no answer forthcoming, so why change? This would be a loss of value, and blue sky for any owner present and future and a violation of my rights.</li> <li>- The only answer as far as I can understand is; that from a Sat-nav it would tidy up the area into tidy squares and rectangles?</li> <li>- If the rezoning is recommended by the Shire and I am re-zoned I will be seeking compensation for loss of potential earnings and loss of value as determined by third party Real-estate valuations.</li> </ul>	<p>Land has been identified as Rural Residential RR-2 under the Draft Local Planning Strategy and Local Planning Scheme No.3 as it has been identified for this purpose. The subject area is located within an established rural living precinct and the identification of land for this purpose is considered logical. It is important to consolidate rural living areas in defined precincts to ensure land use compatibility and minimise land use conflicts. Creating defined rural living precincts enables a high level of rural living character and amenity to be achieved.</p> <p>The lot sizes of the subject land are consistent with the Rural Residential RR-2 lot size minimum of 2ha. It is important to ensure that land use permissibility is appropriate for the lot sizes and the surrounding development to protect the amenity of adjoining properties. Under the Rural Residential zone, rural pursuit/hobby farm is proposed to be a discretionary use. This means the Shire can consider activities such as the rearing, agistment, stabling or training of animals in the Rural Residential zone, which are common uses in rural living areas.</p>	

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R. F. Oliver IN20/1229	172.	Well I attempted to look at all the maps etc, but YOU WOULD NEED TO BE A RHODES SCHOLAR TO UNDERSTAND !!! All I want to know is will my property be rezoned, if so can I still subdivide like all the neighbours have done, and IF NOT am I still able to subdivide my property ??? That's all am interested as everyone around me has subdivided and don't want to be left out as the one who can't as I bought this property with the view of being able to cut it in half, sell half off and remain living on the other half, and the funds from the sale of the vacant land can provide me with a comfortable retirement !!!	<p>Noted – The Shire appreciates you taking the time to give feedback on the mapping of both the Draft Local Planning Strategy and Local Planning Scheme No.3.</p> <p>The Shire has an online mapping system, which outlines the current and proposed zoning, specific roads, detailed infrastructure, aerial photography and general information about properties or areas of land. This can be found here: <a href="https://maps.sishire.wa.gov.au/">https://maps.sishire.wa.gov.au/</a>. The Local Planning Scheme No.3 Map can be seen in better detail with the ability to zoom at the Shire's online mapping.</p> <p>The Draft Local Planning Strategy Map is a high-level strategic plan that provides a conceptual depiction of land use categories and future growth areas. The Shire would also like to note that a number of the strategic roads/ freight networks/ train stations/ investigation areas identified on the maps are subject to further investigation and detailed studies. For these reasons, the maps have not been produced to a site-specific scale. The Shire notes the feedback that the legibility of the maps could be improved with the addition of road names and other landmarks to provide context. It is recommended that the Draft Local Planning Strategy maps be modified to include significant road names and landmarks.</p> <p>Your property is zoned: Rural Residential RR-1 under the Draft Local Planning Scheme No.3 with the potential to subdivide to 1ha minimum.</p>	
T. Beaver IN20/1233	173.	Can you please confirm the zone that the trotting complex is and will be as it is unclear on the map legend. There are several categories with the same colour.	The Byford trotting complex is reserved as public purposes with a designation of recreation, it is not zoned under the Draft Local Planning Scheme No.3 or Local Planning Strategy.	
N Scade IN20/1225	174.	I agree with this area of Oakford becoming Rural Enterprise area. However, this area should not become a defector industrial zone and that industrial enterprises must be associated with rural activities. Perhaps calling this 'compatible light industry' would be more appropriate. Light industrial enterprises that are not associated with rural activities should be located in the Mundijong Rural Enterprise area which should be given a different name to the Oakford Rural Enterprise Area. How about 'Light Industrial Rural Enterprise Area for Mundijong'?	Noted – We appreciate your response via submission to the Draft Local Planning Strategy and Local Planning Scheme No.3.	
P Preedy IN20/1226	175.	No changes wanted.	Subdivision guide plans shall be given due regard as a structure plan as per Part 9 Clause 79 of the	Amend the following provision with the Special Residential, Rural Residential and Rural Smallholdings zones to state:

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IN20/1236		<p>When land was originally sold the seller made it clear that; "As per original land owners contract for sale of his property it was stated that there shall be a general presumption against further subdivision of the land contrary to the endorsed Subdivision Guideline Plan to ensure the integrity and theme of the composite residential/light industrial estate is not compromised.</p> <p>If changes are made to reduce size of building envelope/shed sizes then this will impact on resale value. Property was purchased to be able to run small business and if zoning changed will impact negatively. Do not want changes re fencing or boundaries.</p>	<p><i>Planning and Development (Local Planning Scheme) Regulations 2015.</i></p> <p>A number of properties within the Darling Views Estate in Mardella have been identified as Rural Residential RR-1 with an Additional Use A3 designation. This Additional Use A3 designation allows for additional uses to be permissible in the zone in which the land is located. The Additional Use has been applied to allow for light industry land uses to operate within the Darling Views Estate.</p> <p>In relation to the previous Special Use zone which applied to the Darling Views Estate in Mardella, the following land uses have been made additional uses to the Rural Residential RR-1 zone for this area under the Draft Local Planning Scheme No.3:</p> <ul style="list-style-type: none"> <li>- Commercial vehicle parking</li> <li>- Industry – light</li> <li>- Motor vehicle repair</li> <li>- Motor vehicle wash</li> <li>- Trade display</li> <li>- Trade Supplies</li> <li>- Warehouse/ Storage</li> </ul> <p>Provisions in relation to the Additional Use A3 designation have also been applied. These include the following:</p> <ul style="list-style-type: none"> <li>- <i>'All development relating to additional uses shall be at the local government's discretion.</i></li> <li>- <i>The land within 30 metres of the front lot boundary shall be used for residential purposes only. In the case of a battle-axe lot, the front boundary for the effective area of the rear lot can be interpreted as a side boundary.</i></li> <li>- <i>If the lot is greater than 6,000m<sup>2</sup> in area, Council may approve additional uses within 30 metres of the front boundary subject to adequate screening of the development along the street frontage.</i></li> <li>- <i>All additional uses shall be adequately screened from the street frontage and adjoining property boundaries.</i></li> </ul>	<p><i>'Lot boundary fencing shall be 75% visually permeable, to a maximum height of 1.8 metres from natural ground level and constructed of masonry, concrete, timber, wire, post and rail and/or post and wire (including chain mesh). The fencing shall be unobtrusive and sensitive to the objective of maintaining rural character and visual amenity.'</i></p> <p>Amend the following provision with the Rural and Environmental Conservation zones to state:</p> <p><i>'Lot boundary fencing shall be 80% visually permeable, to a maximum height of 1.8 metres from natural ground level and constructed of masonry, concrete, timber, wire, post and rail and/or post and wire (including chain mesh). The fencing shall be unobtrusive and sensitive to the objective of maintaining rural character and visual amenity.'</i></p>

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			<p>- <i>Additional uses shall not be developed prior to the development of a residential dwelling.'</i></p> <p>This Additional Use A3 designation allows light industry land uses and businesses to continue to operate and be developed in the future within the Darling Views Estate.</p> <p>The Shire acknowledges your submission and recommends that the fencing provisions be amended to align with the Shire's Local Planning Policy: 1.5 Exempted Development Policy (LPP1.5) which specifies requirements for fencing. Fences within the Shire have been constructed in accordance with this policy and the proposed changed requirements under the draft Scheme would mean that many previously acceptable fences would become non-compliant with the new Scheme. This modification will ensure the draft Scheme is consistent with LPP1.5 and would not significantly change the current requirements.</p>	
GP & VP Hall IN20/491	176.	<p>456 Rapids Road, Serpentine</p> <p>SUBMISSION TO DRAFT LOCAL PLANNING SCHEME NO.3 and DRAFT LOCAL PLANNING STRATEGY</p> <p>This submission relates to our property at 456 Rapids Road, Serpentine. This property is zoned Rural and is approximately 46 ha in size.</p> <p>During the last Strategy review, I put in a submission in relation the ability to subdivide this property in half. There was no response from council. I was advised that it is the State Planning Dept that supports council in restricting the subdivision of these larger size blocks and maintaining them for agricultural use within the shire.</p> <p>In 2017-2018 we applied to develop this property as a wholesale nursery. We eventually withdrew the application after having the application approved conditionally by the Federal Government and State Government. The Shire were not accepting of its development for many reasons.</p> <p>Given that the Shire were not prepared to allow development of a viable agricultural pursuit on this property, I find it totally illogical that the Shire should insist that blocks of this size cannot be at least reduced down to say a minimum of 20ha which would enable families to build another home on</p>	<p>Noted. The Shire officers recognise that there has been interest in subdividing Rural areas throughout the Shire. The Shire Local Planning Scheme No.3 is required to be consistent with both the State and local strategic planning frameworks.</p> <p>The subject area is identified as Rural under the Western Australian Planning Commission's (WAPC) Perth and Peel @ 3.5 Million Sub-Regional Planning Frameworks. Under the Shire's Rural Strategy, recently approved by the WAPC, the subject area is identified as Rural as well as under the Draft Local Planning Strategy and Local Planning Scheme No.3.</p> <p>The objectives of the Rural zone are:</p> <ul style="list-style-type: none"> <li>- To provide for the maintenance or enhancement of specific local rural character.</li> <li>- To protect and accommodate broad acre agricultural activities such as cropping and grazing and intensive uses such as horticulture as primary uses, with other rural</li> </ul>	

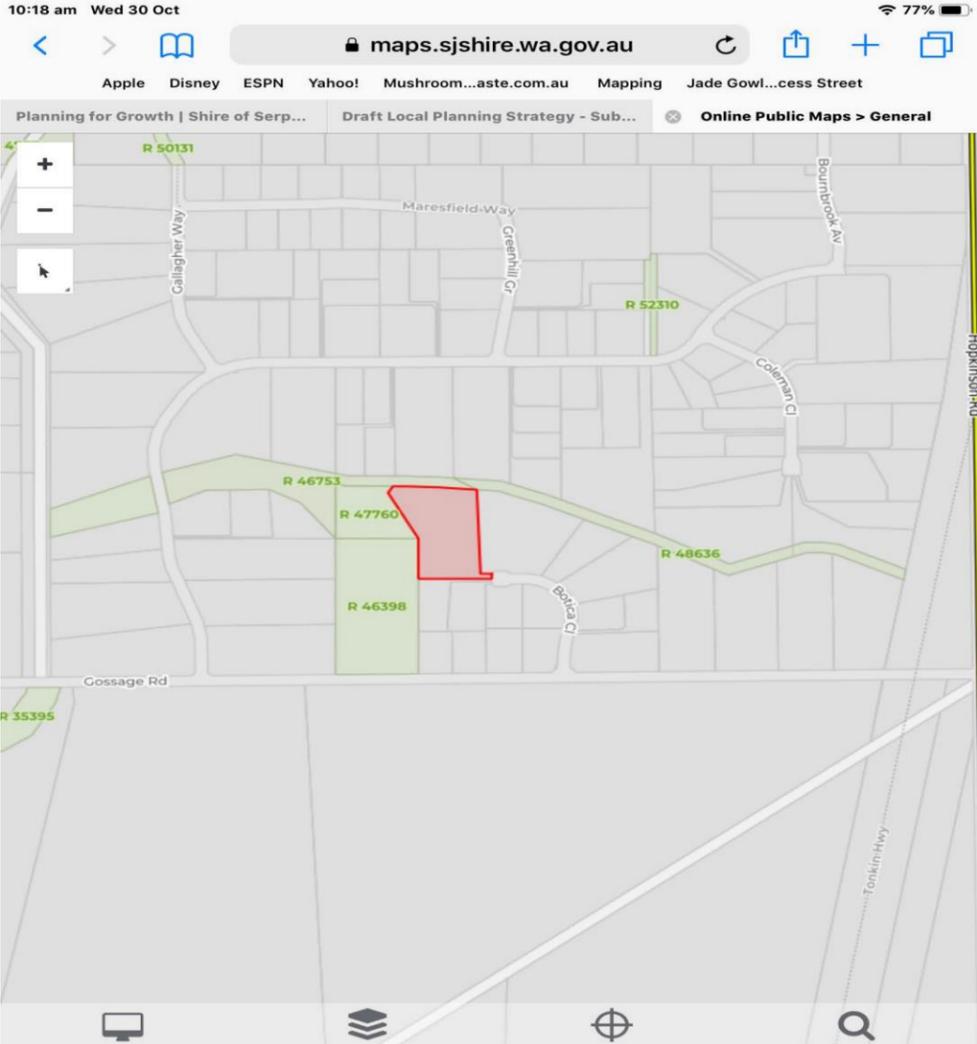
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		<p>these properties. These rural blocks can clearly not support a viable income themselves, enough to cover costs and provide income for a family, unless there is intensive agriculture or horticulture pursuit approved on them.</p> <p>We support the shire in maintaining a block size of a minimum of 20ha within this area, reduction down from 46ha on our site would clearly yield more income via rates for the Shire, additional work within the Shire for construction purposes, and allow our family to relocate on to the other half of our property should it be subdivided, and support each other on our existing agricultural farming pursuits as we move to retirement. There is no suggestion that these properties be subdivided to Rural Residential. The property adjacent to our site on 456 Rapids Road has been subdivided into smaller lots.</p> <p>I ask that the Shire consider removing the minimum block size on Rapids Road, Serpentine, and reduce it down to 20ha.</p>	<p>pursuits and rural industries as secondary uses in circumstances where they demonstrate compatibility with the primary use.</p> <ul style="list-style-type: none"> <li>- To maintain and enhance the environmental qualities of the landscape, vegetation, soils and water bodies including groundwater, to protect sensitive areas especially the natural valley and watercourse systems from damage.</li> <li>- To provide for the operation and development of existing, future and potential rural land uses by limiting the introduction of sensitive land uses in the Rural zone.</li> <li>- To provide for a range of non-rural land uses where they have demonstrated benefit and are compatible with surrounding rural uses.</li> </ul> <p>Subdivision is determined by the Western Australian Planning Commission in accordance with the State and local planning framework.</p>	
GP & VP Hall IN20/492	177.	<p>Lot 26 (37) Homes Road, Lot 607 (45) Holmes Road,</p> <p>This submission relates to the properties situate at Lot 26 (No. 37) Holmes Road Oakford, and Lot 607 (No 45) Holmes Road, Oakford.</p> <p>Both sites are operated as a Wholesale Nursery by Hope Valley Nursery, approval being granted by the Shire in 1995 in relation to 37 Holmes Road and in October 2005 in relation to 45 Holmes Road, Oakford.</p> <p>I note that it is intended that these properties fall into the boundary of those North of Thomas Road and it is the Shire's intention to rezone all those properties as Rural Residential.</p> <p>Our greatest concern is the rezoning of our properties and how it may impact on the continuity of the operations of Hope Valley Nursery. I have spoken at length with your officers and lastly with Ashwin Nair and it has been confirmed that as a pre-existing business with shire approval, that we will have Non-conforming rights in relation to the continuance and operation of our existing wholesale nursery business on these two properties should the proposed rezoning take effect. It was also advised that we seek advice to apply for "additional rights" as an alternative to non conforming rights once the rezoning has taken place.</p>	<p>Land has been identified as Rural Residential RR-2 under the Draft Local Planning Strategy and Local Planning Scheme No.3 as it has been identified for this purpose. The subject area is located within an established rural living precinct and the identification of land for this purpose is considered logical. It is important to consolidate rural living areas in defined precincts to ensure land use compatibility and minimise land use conflicts. Creating defined rural living precincts enables a high level of rural living character and amenity to be achieved.</p> <p>The lot sizes of the subject land are consistent with the Rural Residential RR-2 lot size minimum of 2ha. It is important to ensure that land use permissibility is appropriate for the lot sizes and the surrounding development to protect the amenity of adjoining properties. Under the Rural Residential zone, rural pursuit/hobby farm is proposed to be a discretionary use. This means the Shire can consider activities such as the rearing, agistment,</p>	

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		<p>Provided that we are granted Non Conforming Rights, and that there are no restrictions placed on our existing activity as a wholesale nursery, then we have no objection to the rezoning. However, if this is not the case, then we strongly object to any change in the zoning of properties at Lot 607 and Lot 26 Holmes Road, Oakford</p>	<p>stabling or training of animals in the Rural Residential zone, which are common uses in rural living areas.</p> <p>The Draft Local Planning Scheme No.3 contains a provision for non-conforming uses. This refers to the continued use of any land, or any structure or building on land for the purpose of which it was being lawfully used immediately before the commencement of the Scheme. This means that any land use that was previously approved can continue to operate if the use is no longer permissible within the zone of the land under the new Scheme.</p> <p>Under Clause 24 of the Draft Local Planning Scheme No.3, the Shire will develop a register of non-conforming uses which will set out the following:</p> <ul style="list-style-type: none"> <li>- A description of each area of land that is being used for a non-conforming use.</li> <li>- A description of any building on the land</li> <li>- A description of the non-conforming use</li> <li>- The date on which any discontinuance of the non-conforming use is noted.</li> </ul> <p>The register is to be kept up to date, available for public inspection during business hours at the offices of the local government and on the Shire's website.</p> <p>An entry in the register in relation to land that is being used for a non-conforming use is evidence of the matters set out in the entry, unless the contrary is proven.</p>	
<p>Ali Abd'Allah 45 Leaver Way CARDUP IN19/28170</p>	<p>178.</p>	<p>I support the draft local planning scheme No. 3 for a change in zoning in my area.</p>	<p>Noted – We appreciate your response via submission to the Draft Local Planning Strategy and Local Planning Scheme No.3.</p>	
<p>Troy Alan Gowland IN19/25996</p>	<p>179.</p>	<p>I object to the tabled proposal to reduce the potential future division of my property (which was purchased approx 2.5 years ago under current zoning ( and never received or advised of this current proposal) Our property was purchased based on our potential for future sub division of minimum 4000m2 and was to provide for the majority of our superannuation.</p> <p>As you would be aware (see attached file from Online mapping) we are only one of 2 properties in our street that has yet to be sub divided, with most of these</p>	<p>The subject area is identified as Rural Residential (1ha – 4ha lot sizes) under the Western Australian Planning Commission's (WAPC) Perth and Peel @ 3.5 Million Sub-Regional Planning Frameworks. The Shire's Local Planning Scheme No.3 is required to be consistent with both the State and local strategic planning frameworks.</p>	

**NEW SUMMARY OF SUBMISSIONS**  
**Draft Local Planning Scheme 3 (SJ701)**  
**Formal Advertising**

Submitter	No	Submitter Comments	Officer Comment	Officer Recommendation
		<p>between 4000m2- 5000m2. In addition to a large portion of properties the surrounding area.            I ask that you sincerely reconsider and exempt us from the proposed rezoning. I look forward to your response.</p> 	<p>The Shire has identified this land as Rural Residential RR-1 which recommends a minimum lot size to be 1ha for Rural Residential RR-1 lots, to allow for some diversity of lots sizes but to ensure the land has the capability of for a Rural Residential property.</p>	
<p>V.M Kerridge            110 Leslie Street            Serpentine            IN19/24203</p>	<p>180.</p>	<p>I am concerned that the SJ Shire May rezone my property 160 Leslie Street as the property has not undergone any changes for decades and not likely in the future.</p>	<p>The Serpentine Townsite Local Structure Plan (LSP) is currently in draft form and is being finalised by the Shire to be re-advertised later this year. The Draft LSP is currently subject to modifications that have been required by the Western Australian Planning Commission (WAPC). These modifications include a number of additional studies, which are currently being finalised as a part of the LSP document. Once the modifications</p>	

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Submitter	No	Submitter Comments	Officer Comment	Officer Recommendation
			<p>required by the WAPC are completed, the Draft LSP will be re-advertised for public comment. The Shire will notify all residents within the LSP area when the document is advertised as per the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>. The finalisation of the LSP following re-advertising is required to inform the future subdivision and development within the LSP area.</p>	