



Statutory Planning Committee

Agenda Attachments

Tuesday 12 April 2016



ITEM NO: 9.1

**WITHDRAWN - To go to WAPC 26 April 2016
Consideration of Forrestfield North District Structure Plan**

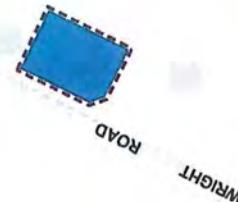


ITEM NO: 9.2

North Forrestdale Stage One (Central) Structure Plan Modification

EXISTING STRUCTURE PLAN

PROPOSED STRUCTURE PLAN (as revised)



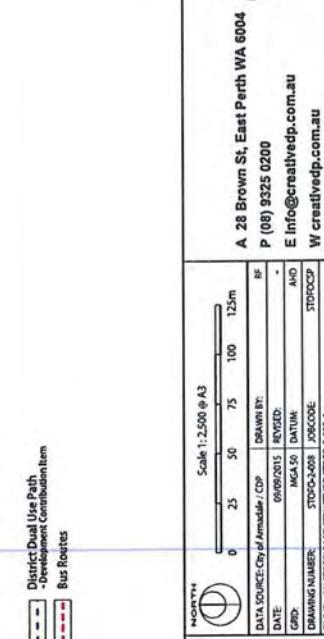
LEGEND :

Structure Plan Amendment	Integrator Area
Boundary	Higher Order Access Street
Low Density Residential R25	Neighbourhood Connector
Low Density Residential R30	Access Street
Medium Density Residential R40	Laneways
P.O.S. & Drivage	
Local Centre	

PROPOSED LSP REVISION

NORTH FORRESTDALE STRUCTURE PLAN

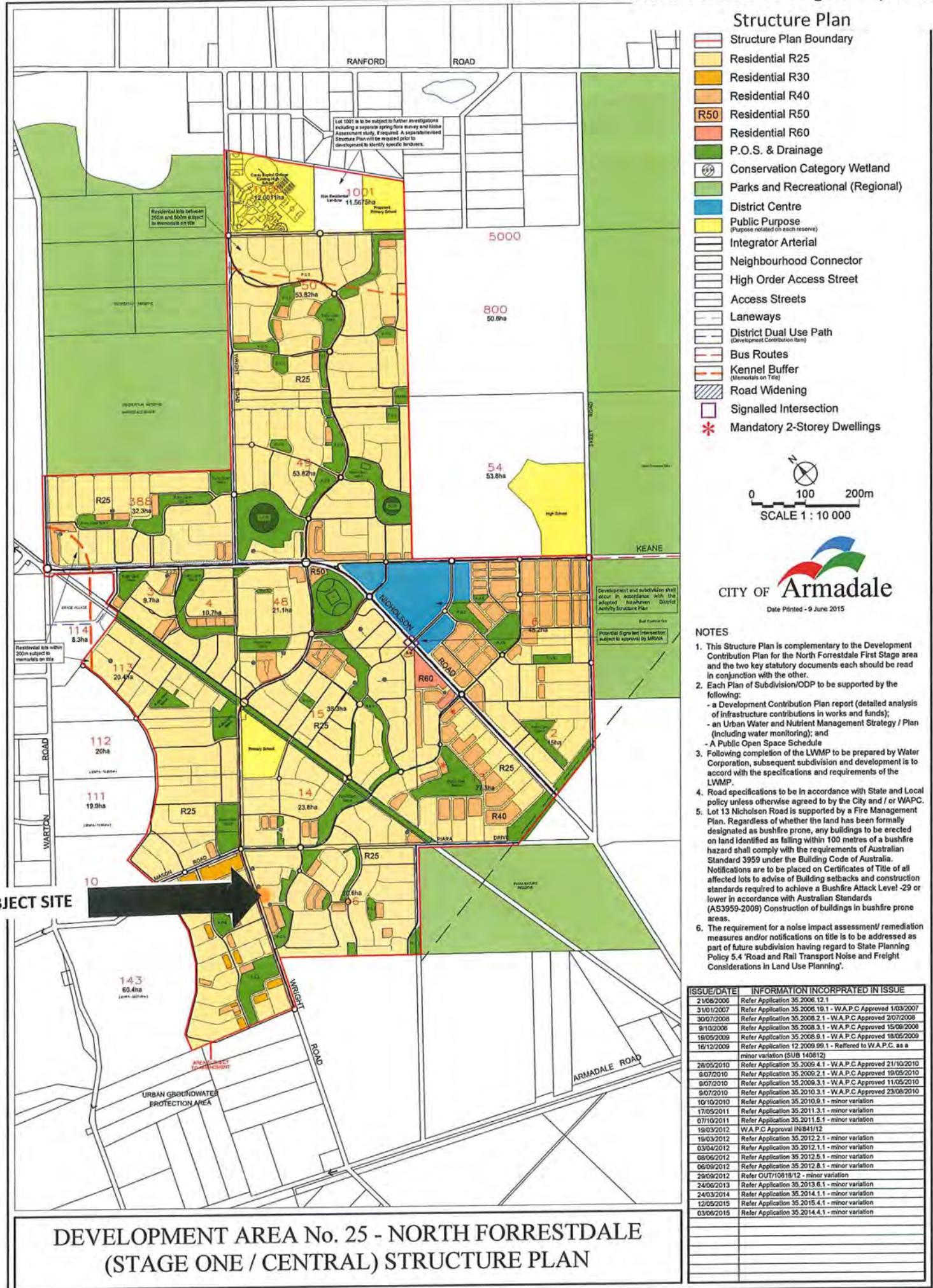
for: Stockland



DATA SOURCE: City of Mandurah CDP	DRAWN BY:	A. 28 Brown St, East Perth WA 6004
DATE: 09/05/2015	REVISED:	P (08) 9325 0200
GRID: MGA 50	DATUM:	E. Info@creativelvp.com.au
STOPO-2408	JOB CODE:	W creativelvp.com.au
FIELD: NORTHDALESTRUCTUREP02-2008.dwg		

ATTACHMENT 2

- North Forrestdale Stage One (Central)





Government of Western Australia
Department of Planning

Legend

- [Green Box] Local Government Area
- [White Box] Cadastre (View 1)
- Main Roads Road Hierarchy
 - [Blue Line] Local Distributor/Industrial
 - [Light Blue Line] Access Road
- Roads
 - Minor
- Subdivision - Application Boundary
 - [Green Box] Approval
 - [Blue Box] Outstanding
 - [Red Box] Refused
 - [Maroon Box] Cancelled
- Subdivision - Internal Boundary
 - [Green Box] Approval
 - [Blue Box] Outstanding
 - [Red Box] Refused
 - [White Box] Cancelled
- LSP Boundaries - Modified
- LSP Boundaries - Approved

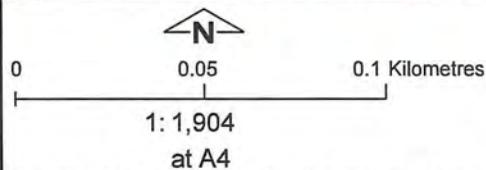
PROPOSED MODIFICATION TO LSP



PlanViewWA Map

INTERNAL USE ONLY

PlanViewWA
[Link to viewer](#)



Notes:

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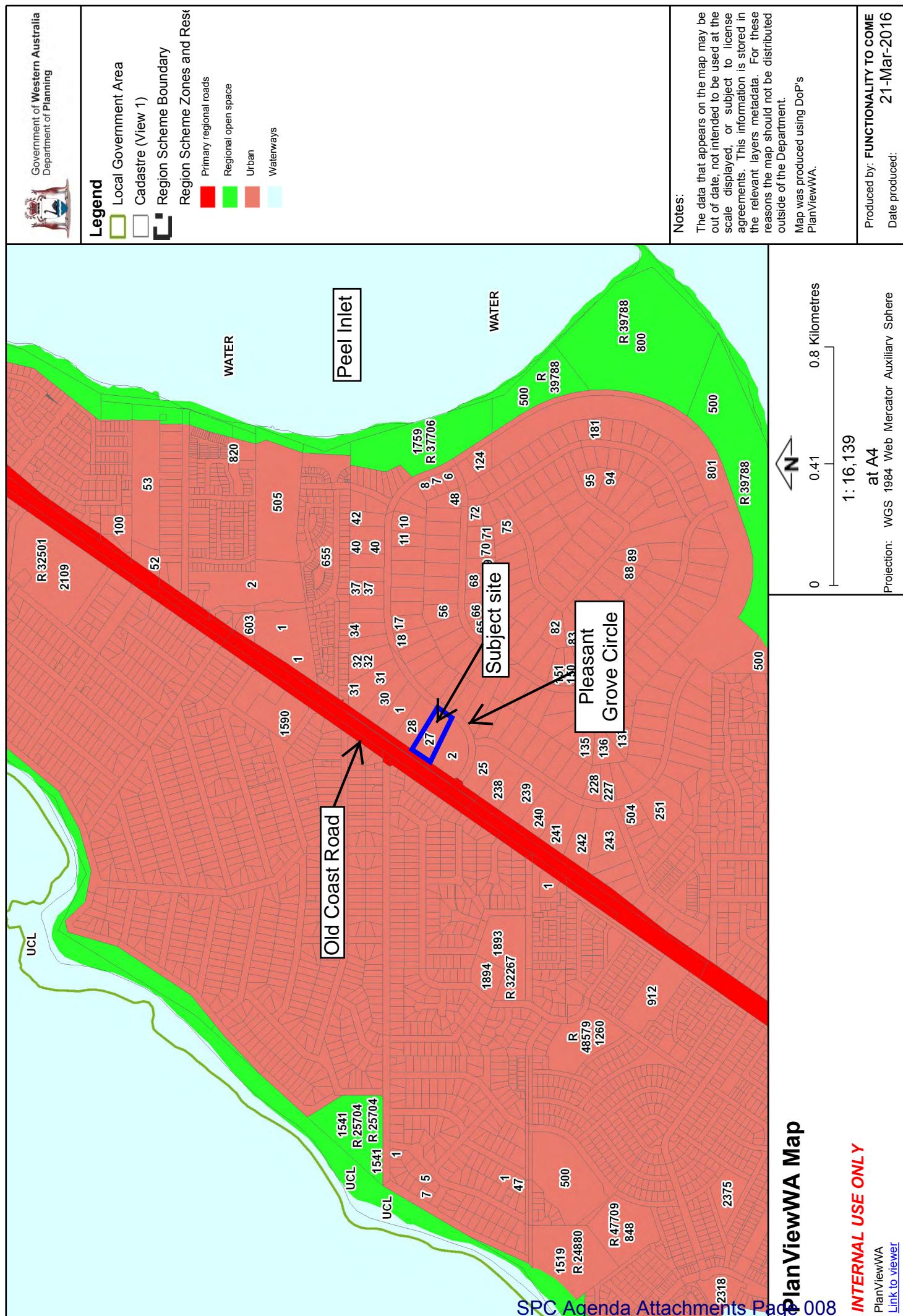
Map was produced using DoP's PlanViewWA.

Produced by: FUNCTIONALITY TO COM...
Date produced: 10-Mar-201...

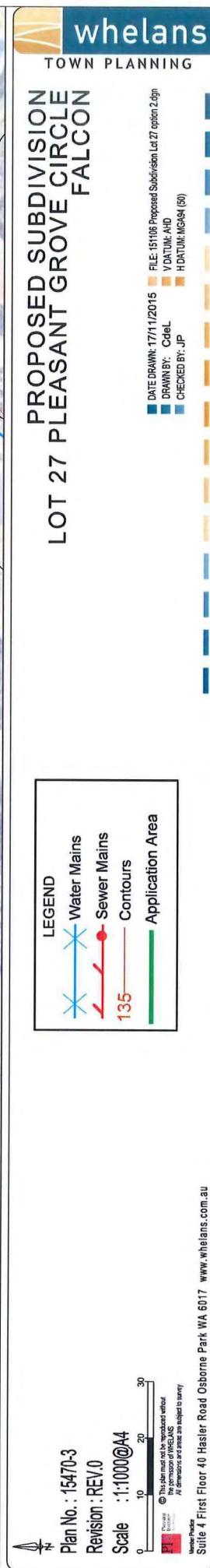


ITEM NO: 9.3

Subdivision to Create Two (2) Lots for Residential Purposes – Lot 27 (No. 4) Pleasant Grove Circle, Falcon



DEPARTMENT OF PLANNING

FILE
DATE 26/11/2015 152935

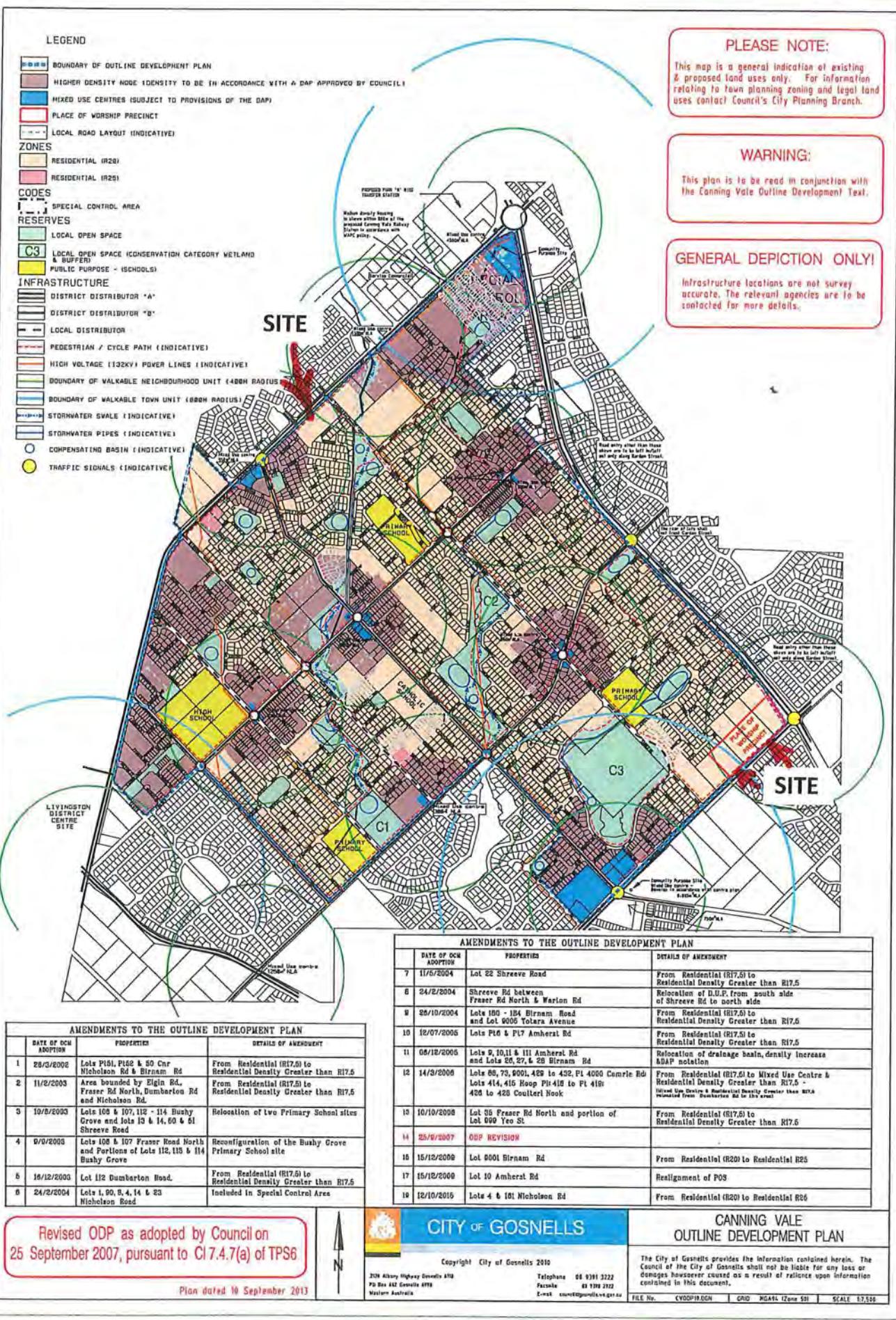


ITEM NO: 9.4

**Amendment to Canning Vale Outline Development Plan
(Structure Plan) – For Final Approval**

ATTACHMENT 1

Existing Outline Development Plan

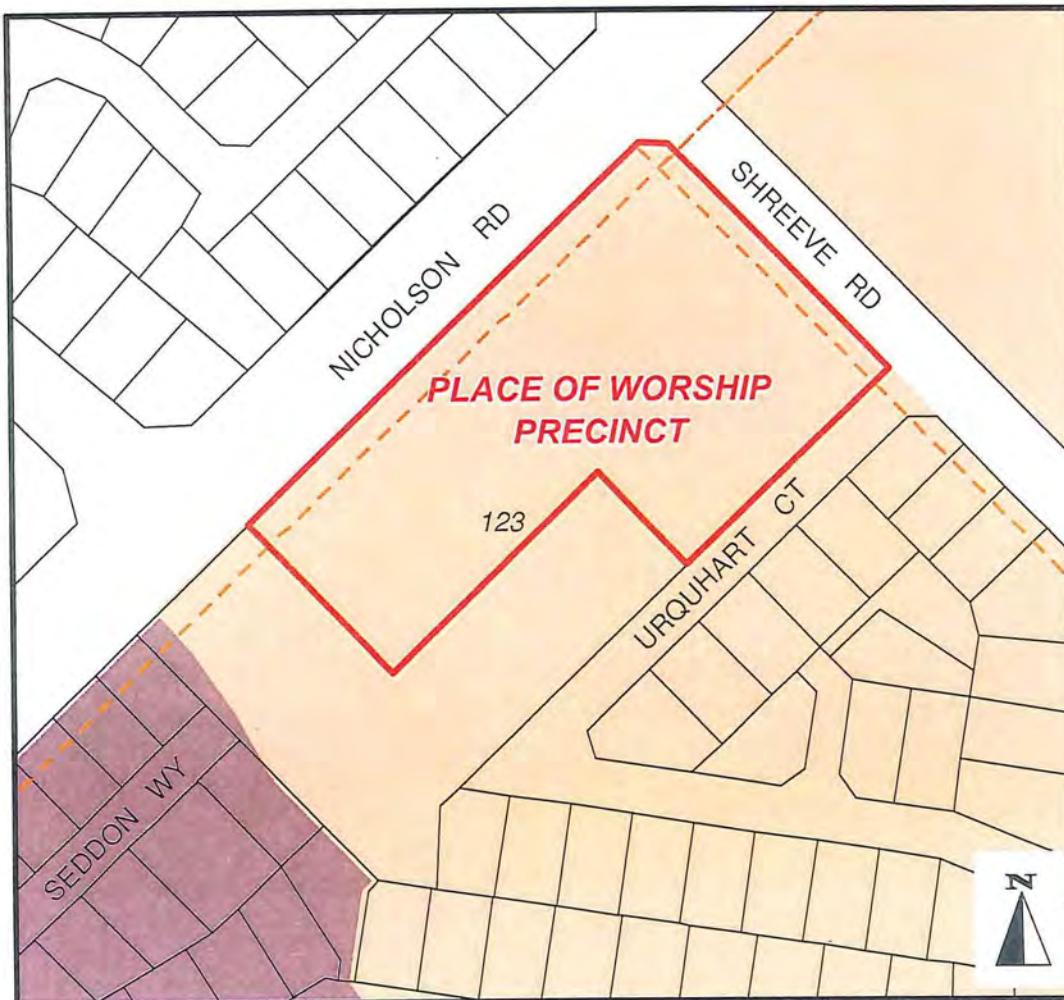


Revised ODP as adopted by Council on
25 September 2007, pursuant to Cl 7.4.7(a) of TPS6

Plan dated 10 September 2013

ATTACHMENT 2

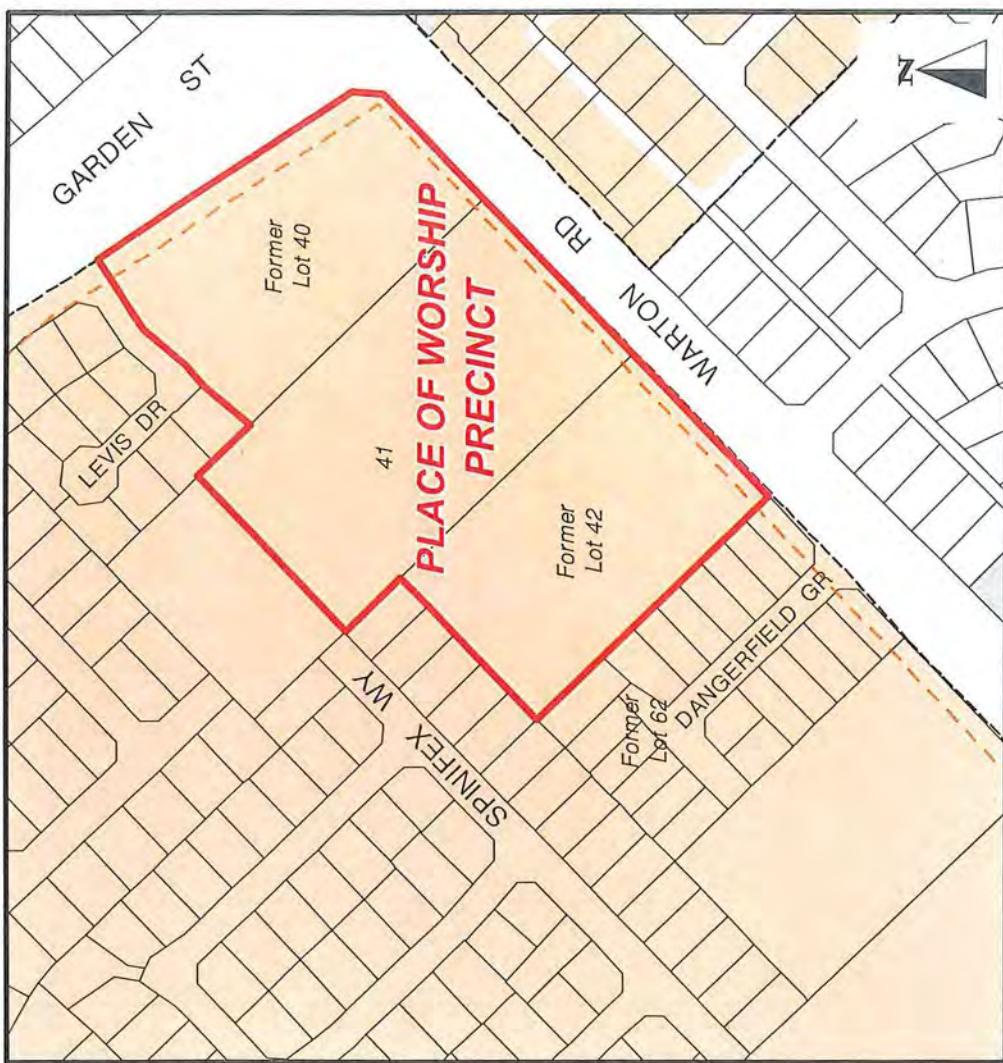
Advertised Amendment 18



NICHOLSON ROAD / SHREEVE ROAD PLACE OF WORSHIP PRECINCT

ATTACHMENT 3

Advertised Amendment 20
(Text and Zoning Maps)



WARTON ROAD PLACE OF WORSHIP PRECINCT

6.3 Place of Worship Precincts

6.3.1 *Common Infrastructure Works and Public Open Space Contributions*

The following principles apply to the collection of contributions as specified in the Schedule of Common Infrastructure Works and Public Open Space Contributions where development or subdivision is undertaken in the Place of Worship Precincts:

- (i) is exempt from paying contributions where the use of the land is associated within, or ancillary to the existing Place of Worship;
- (ii) is required to pay contributions where the use of the land is not associated within, or ancillary to the existing Place of Worship.

ATTACHMENT 4

Schedule of Submissions

AMENDMENT TO CANNING VALE OUTLINE DEVELOPMENT PLAN PLACE OF WORSHIP PRECINCTS

Schedule of Submissions

1	Affected Property: 280 (Lot 123) Shreeve Road Canning Vale	Postal Address: 3 Zenith Street SHELLY WA 6148
Summary of Submission		Comment
Objection to the proposal.		
1.1	<p>The Sikh Association of WA has applied for the whole of its site (2.06ha) to be included in the Place of Worship Precinct under the Canning Vale ODP. The current proposal, as advertised by the City proposes that only part (1.35ha) of the site be designated as a Place of Worship, with the remainder of the site to remain Residential.</p> <p>Note: A Residential designation would still allow further development of the Sikh Temple (Place of Worship) complex.</p>	Noted.
1.2	<p>It is understood the basis of the City's proposal to limit the extent of the Place of Worship Precinct is the extent of the existing development of the site as a Place of Worship. This includes the existing temple, caretaker's accommodation and associated car parking area, being the first stage of development of the site. An application for Stage 2 of the development (similar to that previously approved by Council) has been submitted to the Council.</p>	Noted.
1.3	<p>The site was purchased by the Sikh Association of WA (the applicant) for the purposes of worship and related uses in 1995. An application for planning approval for a Place of Worship, Stages 1 and 2 of the proposed development was approved by the Minister for Planning at appeal in 1996 and subsequently by the Council in 1998, with development of Stage 1 having been completed prior to the Gazettal of the Canning Vale ODP.</p>	Noted.
1.4	<p>At the time of preparation and approval of the ODP in 2001 the Sikh Temple site was not included as a Place of Worship Precinct, although it was already developed and being used at that time as a place of worship, in accordance with Council approval.</p>	Noted.
1.5	<p>The omission of the Sikh Temple as a Place of Worship Precinct was clearly an oversight in the preparation of the ODP, as all other existing places of worship together with additional vacant land were at that time designated as a Place of Worship under the ODP. In response to an explanation as to why the existing Sikh Temple site was not included as a Place of Worship under the ODP the City advised (by letter dated 25 October 2013) that:</p> <p style="padding-left: 20px;"><i>"The City has undertaken an extensive search of its records and has been unable to ascertain the reason for the creation of the Place of Worship Precinct and the reasons for Lot 123 not being included as part of this designation."</i></p>	The overlapping timelines for approval of the Sikh temple and the ODP appear to have resulted or contributed to the current situation. The proposed modification is intended to redress that position.
1.6	<p>The Sikh Association's application to Council for inclusion of the whole Temple site in the Place of Worship Precinct is simply intended to remedy this oversight in the original preparation of the ODP.</p>	Noted.

Summary of Submission	Comment
1.7 Previous applications for planning approval for ancillary development (generally anticipated in the original approvals of 1996 and 1998) have been dealt with inconsistently, creating uncertainty and confusion. It appears that this has in large part been due to the absence of recognition of the Sikh Temple site as a Place of Worship under the ODP.	It is considered necessary to clearly set out the DCP parameters that apply to the site.
1.8 The Council has granted a rates exemption for the whole of the Sikh Temple site in recognition of the site as a Place of Worship, and it is reasonable to expect that its on-going use and development would be treated in the same way as other Place of Worship sites in existence at the time the ODP was prepared, including particularly those designated sites on Warton Road.	The rates exemption is considered to be irrelevant to the matter at hand. Rates exemptions are granted in accordance with Clause 6.26(2)(d) of the <i>Local Government Act 1995</i> .
1.9 The concurrent changes to the Warton Road Place of Worship Precinct proposed by the City (namely the removal of land which has subsequently been developed for residential purposes and the extension of one of the sites to include some ancillary place of worship development) together with the inclusion of part (1.35ha) of the Sikh Temple site, would result in an overall reduction in the area of land within the Place of Worship Precinct from 6ha (as originally included) to approximately 5.59ha.	Noted.
1.10 Inclusion of the whole of the Sikh Temple site within the Place of Worship Precinct would result in approximately 6.3ha in total, for the Place of Worship Precinct, which is only marginally greater than the area of land originally designated for such purposes under the ODP (6ha).	The extent of the current and proposed Place of Worship Precincts is explained in the report.
1.11 Even if the Council were of a mind to limit the area of the Place of Worship Precinct to 6ha (to correspond to the area originally designated for such purposes under the ODP) it could still extend the area of the Sikh Temple site so designated, to 1.76ha, which would at least accommodate Stage 2 of the proposed development. This would at least avoid the anomaly whereby part of the ultimate Place of Worship development was designated as a Place of Worship under the ODP and remains with a Residential designation, while the whole of the site continues to have a rate exemption as a Place of Worship.	Noted.
1.12 The City has previously confirmed in relation to the Sikh Temple site (letter dated 25 October 2013 that "contributions required under the Outline Development Plan would only be required to be satisfied should residential development be undertaken on the site" and that the City would require ODP contributions for sites within the Place of Worship Precinct where residential development is undertaken.	It is acknowledged that the City previously referred to different payment scenarios. This was commentary in prior reports to Council. This position has been effectively superseded by Council's decision of 25 February 2014, ie any development outside a Place of Worship Precinct will attract cost contributions.
1.13 The Sikh Association accepts that if it were to develop any of its land for residential purposes, it would be subject to the same requirements as those applicable to other Place of Worship sites along Warton Road. However, it has no plans to develop its land for residential purposes and only intends to develop the land for purposes related to the Place of Worship.	Noted.
1.14 Inclusion of the whole of the Sikh Temple site within the Place of Worship precinct should ensure that any future development is dealt with in the same way as those other sites within the Place of Worship Precinct adjacent to Warton Road, which were designated as Place of Worship in the preparation of the ODP.	Incorrect. See report for details.

Summary of Submission		Comment
1.15	A Place of Worship designation would also address the oversight in the original preparation of the ODP whereby the pre-existing Temple site was omitted from the Place of Worship Precinct and avoid any possible suggestion that the Council is unfairly discriminating against the Sikh community.	The proposal involves designating a portion of the subject site (including existing development on the site) as a Place of Worship Precinct. The basis for this designation is consistent with that which has been applied to the existing Place of Worship precinct.
1.16	In accordance with the Council's previous determination and written advice, no ODP contributions would be payable unless residential development of the site were to be undertaken, and (although no such development is proposed or anticipated) in the possible event any such development were to be undertaken at some point in the future, any required ODP contribution would be unaffected by a Place of Worship designation.	See comment for 1.12 above.

2	Postal Address: Peter Abetz MLA 4/2 Furley Road SOUTHERN RIVER WA 6110	
	Summary of Submission	Comment
	Objection to the proposal.	
2.1	I am writing this submission in my capacity as the state member of Parliament, as the area in which the ODP which the Council is proposing to amend, is located in my electorate.	Noted.
2.2	I concur with all aspects of the proposal except for that part of the amendment which seeks to make only part of the Sikh Association's property a worship precinct.	The proposal would improve consistency in the regulation of DCP obligations for Place of Worship activities within the DCP.
2.3	The Sikh Association Inc purchased the site on the corner of Shreeve Road and Nicholson Road in 1995 for the specific purpose of developing the site as a temple precinct. Various stages of development have taken place since.	Noted.
2.4	Given that the original ODP was approved in 2001, one would have expected that the Sikh Association Inc property would automatically have been included as a place of worship site, as that was already its use at the time. During discussions with the office bearers of the Sikh Association Inc quite some time ago, I was shown a letter that indicated that the City did not have any logical reason for not having designated the Sikh site as a Place of Worship. It would appear to have been an administrative oversight.	See response to 1.5 above.
2.5	Now that this anomaly in the ODP is to be rectified, it seems to me unjust to only classify only part of the Sikh site as a Place of Worship. Given that the whole site has been given a rate exemption, it is evident that the City also appreciated the fact that this site was intended to be used as a place of worship. Indeed, every stage of development has further enhanced the site as a place of worship and for the Sikh community.	The rates exemption is considered to be irrelevant to the matter at hand. Different heads of power apply; rates exemptions are granted in accordance with Clause 6.26(2)(d) of the <i>Local Government Act 1995</i> , and Development Contribution Plans are given power through Local Planning Schemes which are created through the <i>Planning and Development Act 2005</i> . It is important to note that various other sites within the municipality enjoy rates exemptions but are still required to pay development contributions where applicable (eg Amaroo Retirement Village in Gosnells have paid contributions under Guided Town Planning Scheme No. 20.)

Summary of Submission	Comment
<p>2.6 As the Sikh Association Inc has no plans to develop any of the land for residential or commercial purposes, but only wishes to further develop the site for worship related purposes, I would urge Council to include the whole property as a worship precinct. To only include 1.35ha of their site as a worship precinct in the revised ODP appears to me to be unfair, and would hinder the ability of the Sikh community to develop the site.</p>	<p>The principle applied to the Place of Worship Precinct is outlined in the Cost Sharing Principles and Implications on Development Contribution Plan in the Discussion section of the report.</p> <p>Noted, however the Association is free to change its position at its own discretion.</p> <p>Should the amendment be approved, the financial considerations of undertaking development outside of the Place of Worship Precinct would be a matter for the landowners to assess.</p>

3	Affected Property: 280 (Lot 123) Shreeve Road Canning Vale	Postal Address: 280 Shreeve Road CANNING VALE WA 6155
	Summary of Submission	Comment
	Comment on the proposal.	
3.1	<p>In 1997, the Sikh Association of WA (SAWA) purchased the subject property (280 Shreeve Road, Canning Vale) to house facilities for the Sikh community. The planned usage included:</p> <p>Stage 1: Temple; and</p> <p>Stage 2: Community hall and associated religious facilities.</p> <p>In 1998, the Council approved the development and SAWA started to build the temple. Stage 2, comprising the community hall and associated religious facilities were not developed at that time because of financial constraints and priorities. In 2001, Stage 1, being the temple, was completed and opened.</p>	Noted.
3.2	<p>The population of our community in the past years has progressively increased and the Council has approved an increase in the Temple's maximum accommodation from 280 to 677 which has enabled us to cope with the growth in attendances at our religious services on Sundays. In addition, the Council has previously granted rates exemption for the Association's Temple site, in accordance with the provisions of the Local Government Act, and this exemption is on-going.</p>	Noted.
3.3	<p>The growth in our community over recent years has put pressures on the associated religious facilities that we cater for, and the Association now needs to proceed with Stage 2 of the development (as foreshadowed in the original 1998 Council approval). This includes a resource centre and community hall as well as associated religious facilities. An application for development approval has recently been lodged with the City for Stage 2 of the development.</p>	Noted.
3.4	<p>While the proposed Stage 2 development is an integral part of the overall Place of Worship (Temple) complex, and will utilise car parking facilities already developed in accordance with Council's previous approval, it is sited on land outside the proposed Place of Worship Precinct as currently proposed by the City. Although consistent with the pre-existing residential designation on the site, the arbitrary division of the site with part designated Place of Worship and part Residential would be illogical and confusing.</p>	Noted. The rationale for the proposal is explained in the report.

Summary of Submission		Comment
3.5	The Association has no intention of subdividing its land and has no intention of developing any of the remaining site for residential purposes. It therefore seeks to have the whole of its land included in the Place of Worship precinct. This would reflect the original intention for development of the land, dating back to before the preparation and adoption of the Canning Vale ODP, and would bring the designation into line with that of other pre-existing places of worship in the ODP area, namely those in the Warton Road Precinct.	In terms of the landowner's purported original intention for development of the land, it must be noted that the 1995 application for the subject site incorporated aged persons dwelling units. In any event, the current proposal seeks to apply the Place of Worship precinct designation over land that currently accommodates approved place of worship uses, with that principle to be applied consistently across the Canning Vale ODP area.
3.6	The Association therefore humbly asks that the Council amend the proposed modification to the ODP to include the whole of its land in the Place of Worship Precinct under the ODP. If for some reason this request cannot be granted, the Association would ask that the Place of Worship Precinct be extended to include at least that part of the site which is currently proposed to be developed as Stage 2 of the Association's Place of Worship (Temple) complex.	Noted. See comment for point 3.5 above.
3.7	I understand from our planner, Chris O'Neill, that the area of land included in Stage 1 (existing) and Stage 2 (proposed) would amount to no more than 1.76ha of the total 2.06ha site area, and as such, together with the changes proposed to the Warton Road Place of Worship Precinct would not result in the total Place of Worship Precinct area within the ODP exceeding the original allocation of 6ha.	See comment for point 3.5 above.

4	Affected Property: 269 (Lot 41) Warton Road Canning Vale	Postal Address: 269 Warton Road CANNING VALE WA 6155
Summary of Submission		Comment
No objection to the proposal.		Noted.

ATTACHMENT 5

Aerial Photo (Lot 123 Shreeve Road)



Aerial Photo - Lot 123

INTERNAL USE ONLY

PlanViewWA
[Link to viewer](#)

N
0 0.05 0.1 Kilometres
1: 1,963
at A4
Projection: WGS 1984 Web Mercator Auxiliary Sphere



Legend

- Local Government Area
- Cadastre (View 1)

Notes:

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Map was produced using DoP PlanViewWA.

Produced by: FUNCTIONAL
Date produced: 11/11/2023

ATTACHMENT 6

Approved Development
13 January 2016 (Site Plan)



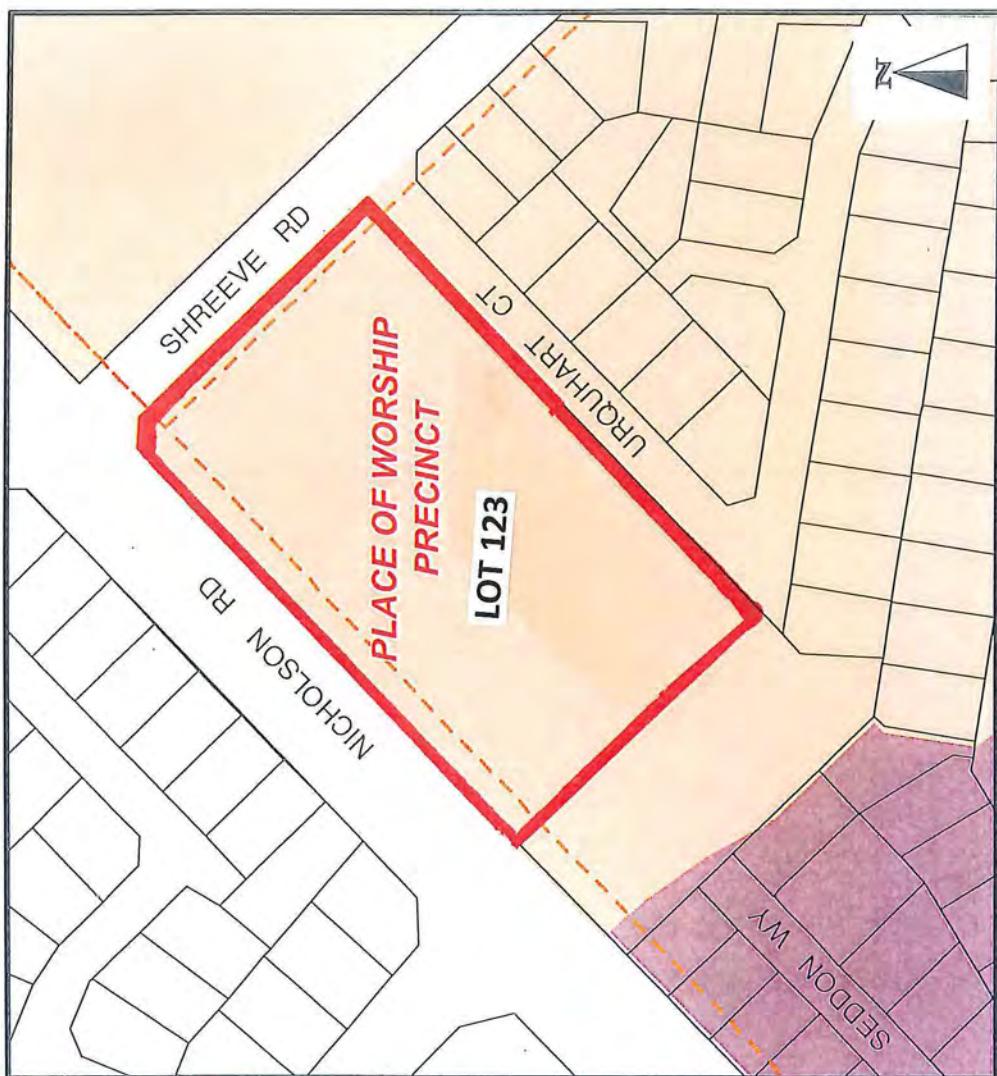
ATTACHMENT 7

Aerial Photo

(Lot 41 and Former Lot 62 Warton Road)



ATTACHMENT A

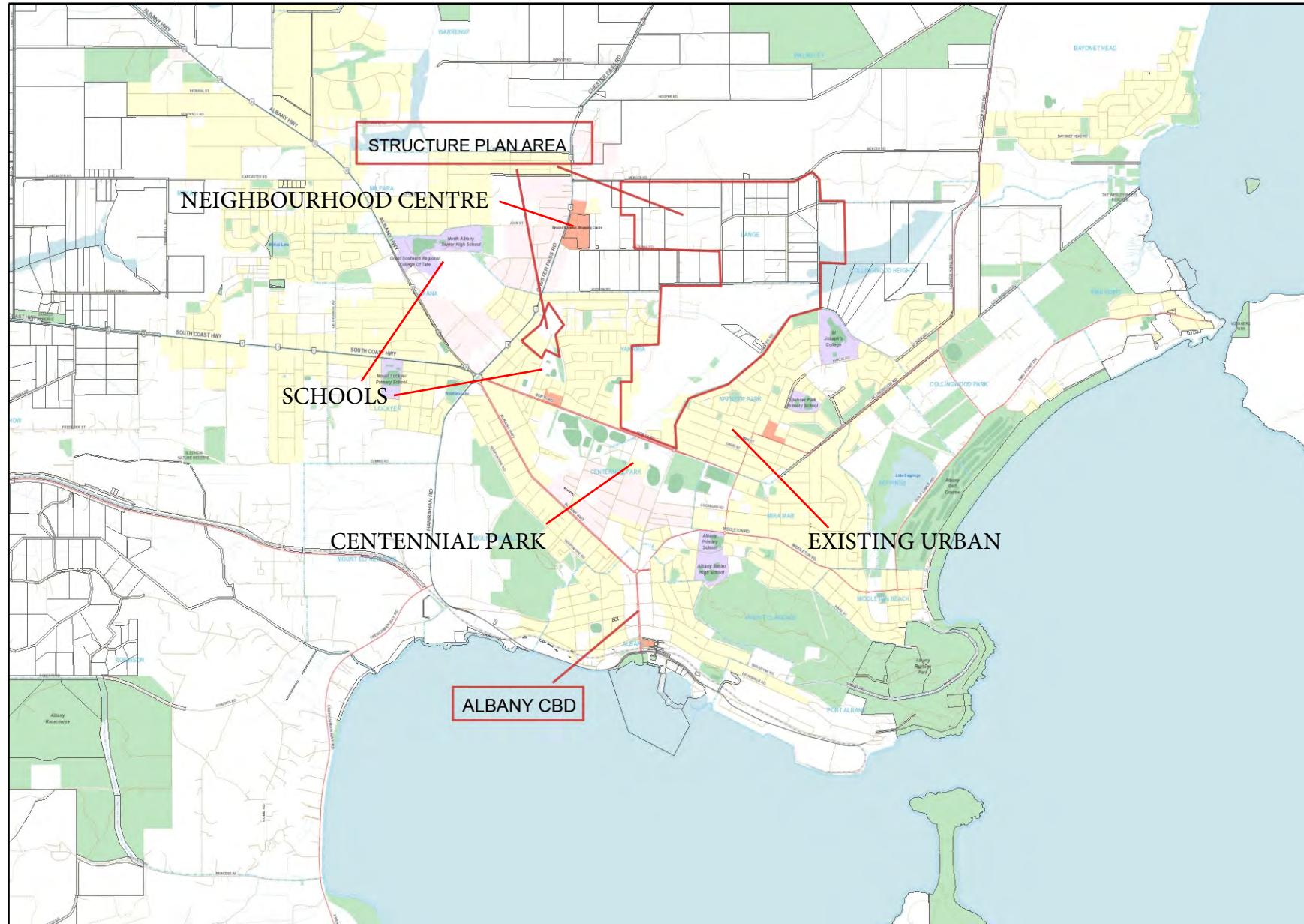


NICHOLSÖN ROAD / SHREEVE ROAD PLACE OF WORSHIP PRECINCT



ITEM NO: 9.5

Approval of Yakamia-Lange Structure Plan



ATTACHMENT 1: LOCALITY PLAN

INTERNAL USE ONLY

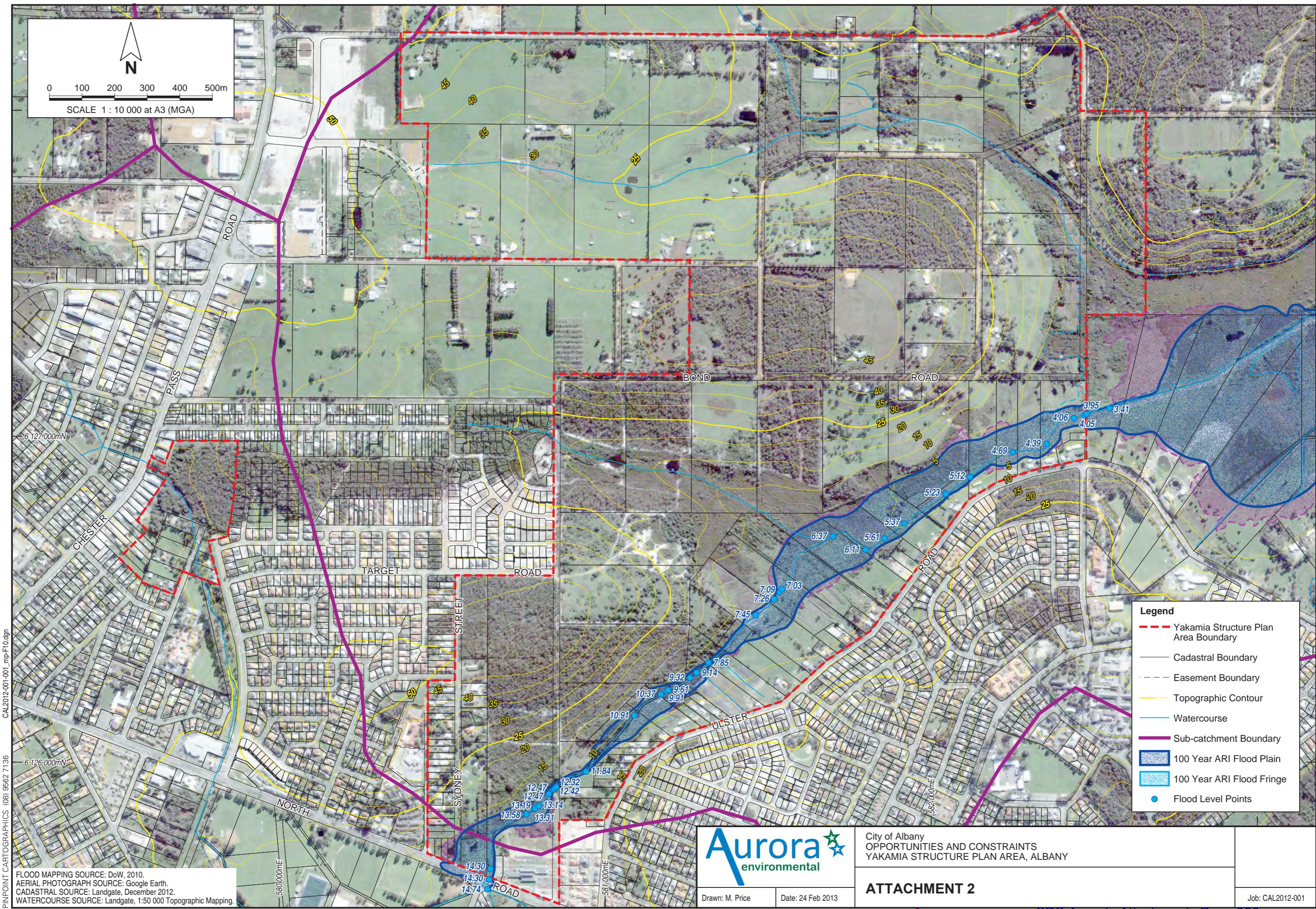
PlanViewWA
[Link to viewer](#)

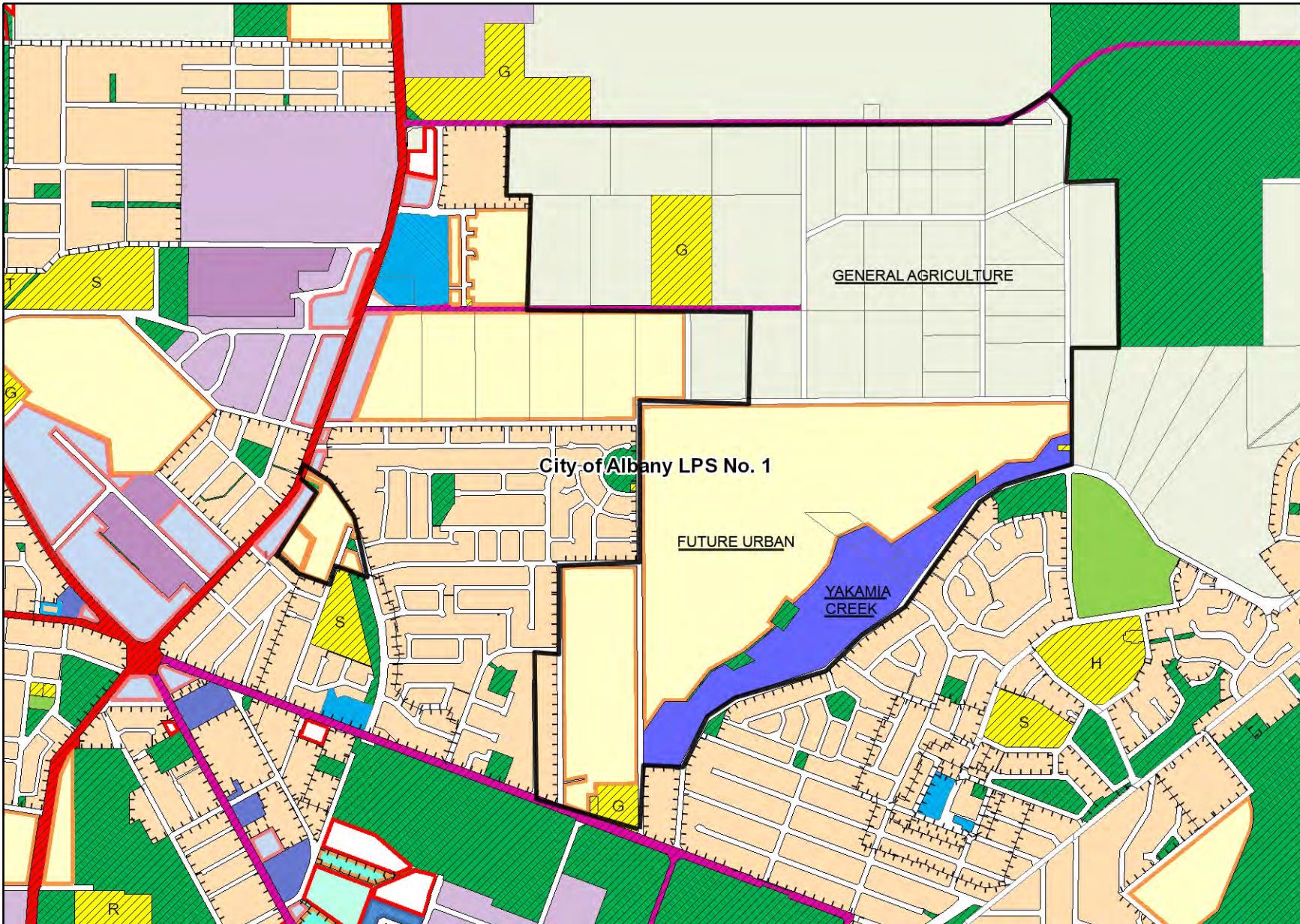
N
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at A4
Projection: WGS 1984 Web Mercator Auxiliary Sphere

Notes:

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Produced by: FUNCTIONALITY TO COME
Date produced: 19-Jan-2016





ATTACHMENT 3: EXISTING ZONINGS

INTERNAL USE ONLY

PlanViewWA
[Link to viewer](#)

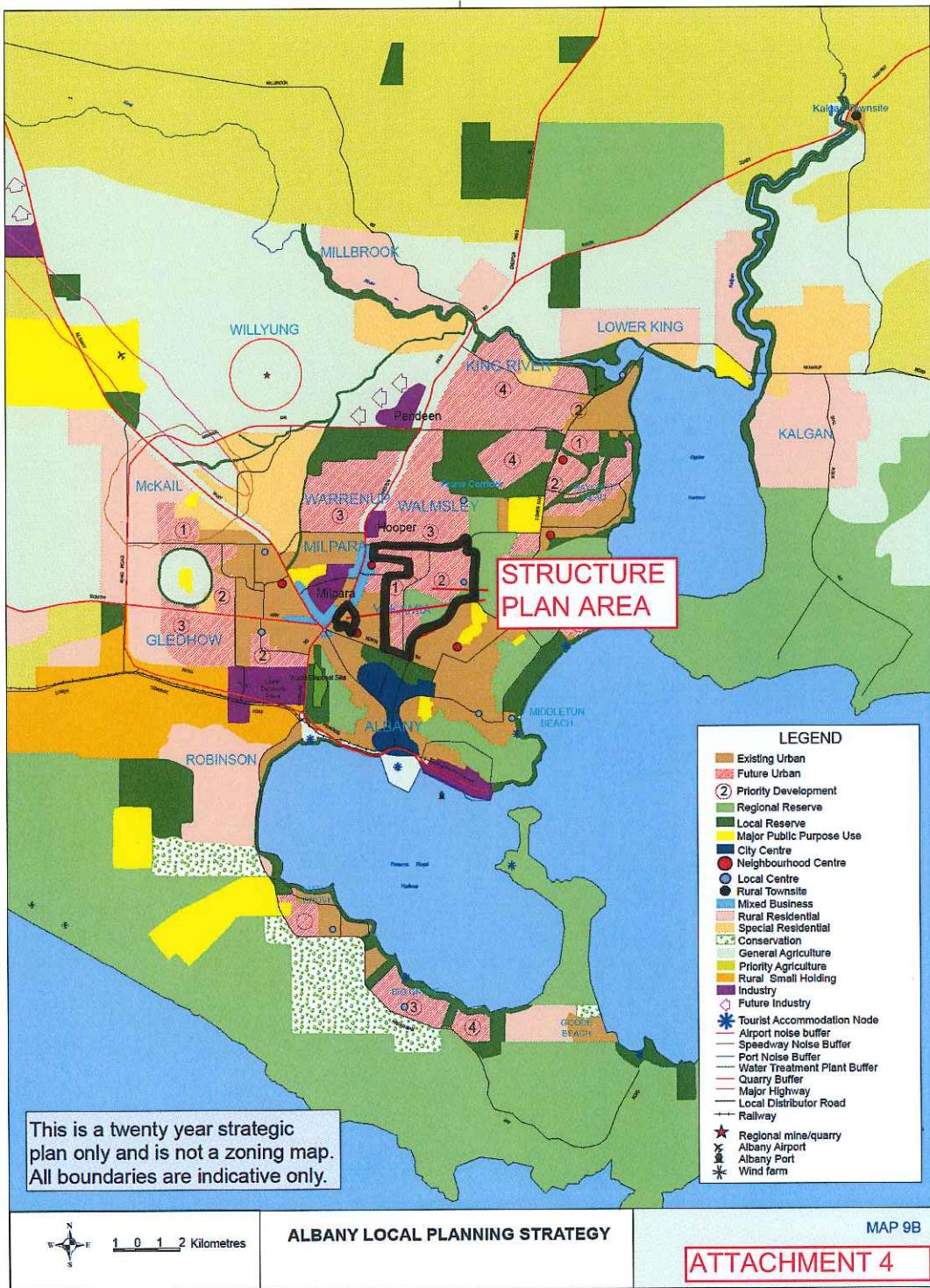
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at A4

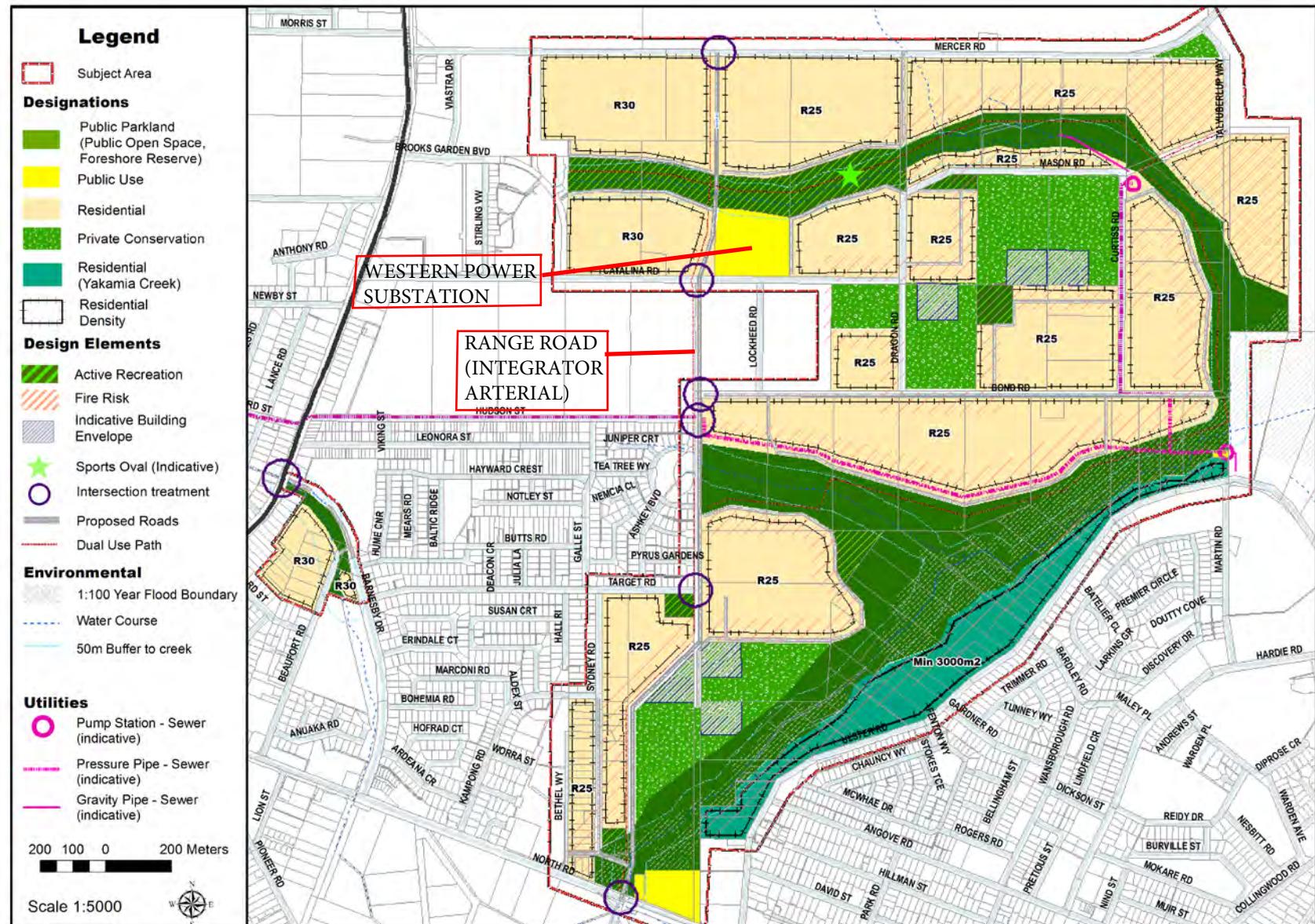
Projection: WGS 1984 Web Mercator Auxiliary Sphere

Notes:

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Produced by: FUNCTIONALITY TO COME
Date produced: 19-Jan-2016





ATTACHMENT 5: STRUCTURE PLAN MAP

Yakamia-Lange Structure Plan

Schedule of Submissions

No.	Submitter	Submission	Council Recommendation	WAPC Recommendation
1	Main Roads Western Australia	Barnesby Drive to Chester Pass Road Intersection 1. The proposed connectivity via Barnesby Drive to Chester Pass Road would increase conflict points on Chester Pass Road and would have a substantial impact on properties adjacent to this intersection. Main Roads considers the connection of Barnesby Drive to Hudson Street and the connection Hudson Street to Catalina Road as a solution in providing connectivity. This would negate the need for the Barnesby Drive/Chester Pass Road intersection.	Barnesby Drive to Chester Pass Road 1. The City requested MRWA to consider a left in and out connection between Chester Pass Road and Barnesby Drive. Main Roads agreed that this may work subject to a dedicated left turn pocket into the proposed Barnesby Drive intersection and an acceleration lane from the intersection onto Chester Pass Road, heading toward the roundabout. Recommend that the structure plan is changed such that connection to Barnesby Drive is restricted to left out and left in only.	Support left in, left out intersection as per agreement between MRWA and Council (intersection details contained in Appendix 4).
		Contributions 1. Amend point 'g)', page 57 of the draft structure plan.	Contributions 1. Delete point 'g)', page 57 of the draft structure plan, which reads: <i>The Barnesby/Chester Pass Road intersection (approximate value - \$1.5million) is to be funded by Main Roads WA and the City of Albany.</i>	Modification supported; contributions plan (Appendix 3) outlines cost sharing for road upgrades and is generally consistent with WAPC policy.
2	Telstra	Telstra Infrastructure 1. Landowners/developers will need to submit applications for network extensions prior to construction. Applications will need to be made to the National Broadband Network for development or subdivision of more than 100 lots.	Telstra Infrastructure 1. Include the following commentary within structure plan: <i>Prior to future subdivision and/or development proposing more than 100 lots, applications will need to be made to the National Broadband Network.</i>	Support inclusion (S3.4.4 of structure plan refers).
3	Water Corporation	Staging of Development 1. The area will need to be developed in a logical and orderly manner from west to east. Leapfrogging the urban front will likely incur costs for the developers in the construction of temporary wastewater infrastructure and the extension of water reticulation mains.	Staging and Development 1. Include the following commentary within the structure plan: <i>The area will need to be developed in a logical and orderly manner from west to east. Leapfrogging the urban front will incur costs for the developers in the construction of temporary wastewater infrastructure and the extension of water reticulation mains.</i>	Submitted final structure plan more broadly refers to the need for coordination of servicing infrastructure between multiple land owners/developers, which is supported.
		Pump Station 1. Servicing relies on the construction of a major waste pumping station shown in following plan. Provision will need to be made for a suitable odour buffer around the pumping station.	Pump Station 1. Annotate on the structure plan map, the approximate location of a Waste Water Pumping Station and advise the following within the structure planning text: <i>The structure plan indicates the location of a future Waste Water Pumping Station (WWPS) and associated mains infrastructure. The location is approximate and has been based on land form and the need to maximise the catchment coverage of the pump station. The exact location of future WWPS will be determined at the subdivision stage in liaison with the Water Corporation. The required size of the WWPS site and the configuration of any odour buffer around the WWPS will also be detailed at the subdivision stage.</i> <i>The ultimate pump rate of a WWPS has been planned to be in the order of 92 litres/second. The WWPS will therefore be built as a 'Type 90' WWPS, which requires an odour buffer of 30m radius measured from the centre of the WWPS wet well. A 'Type 90' WWPS site typically requires an area of 2,000-3,000m²</i>	Support indicative location of wastewater infrastructure being shown on the structure plan.

No.	Submitter	Submission	Council Recommendation	WAPC Recommendation
			(sometimes smaller). The size and configuration (usually rectangular) of the WWPS site will be based on the amount of underground emergency storage vessels required for that location. The site for the future WWPS will need to be created at the subdivision stage and transferred to the Water Corporation.	
		Ulster Road 1. The existing gravity sewer along Ulster Road is unlikely to be able to serve the proposed R5/R25 area along the northern side of Ulster Road.	Ulster Road Change elements within the structure plan such that the areas adjacent to Ulster Road can only be developed to a minimum lot size of 3000m ² (deep sewer not required), being consistent with current scheme requirements.	Supported (S2.3 and 3.1 of the structure plan refer).
		Cost Sharing 1. Landowners/developers bounded by Chester Pass Road, Edward Street and Beaufort Road will need to coordinate and share the cost of sewerage extensions to service higher density development. A detailed plan should include a servicing report examining sewerage options and layouts.	Cost Sharing 1. Include the following commentary within structure plan: <i>Landowners/developers bounded by Chester Pass Road, Edward Street and Beaufort Road will need to coordinate and share the cost of sewerage extensions to service higher density development. A detailed plan should include a servicing report examining sewerage options and layouts.</i>	Supported (S3.4.3 of structure plan refers).
		Reticulated Water 1. While the Water Corporation has made allowances for water servicing to the Yakamia area, the Corporation has not prepared a detailed water distribution and reticulation layout. Water reticulation mains of 200mm diameter and a water main along Catalina Rd of 250mm will be required.	Reticulated Water 1. Include the following commentary within structure plan: <i>While the Water Corporation has made allowances for water servicing to the Yakamia area, the Corporation has not prepared a detailed water distribution and reticulation layout. Water reticulation mains of 200mm diameter and a water main along Catalina Rd of 250mm will be required.</i>	Supported (S3.4.2 of structure plan refers).
4	Department of Education	Primary School 1. The expected yield of development (2,700 dwellings) will generate a need for an additional primary school. The primary school site identified within the Catalina Structure Plan along with the existing Yakamia Primary School will provide educational facilities for the anticipated student yield.	Primary School No additional comments or requirements required.	Note.
5	Department of Parks and Wildlife	Fauna 1. The structure plan states that the subject area contains habitat for the EPBC listed Black Cockatoo, namely Carnaby's Black Cockatoo (<i>Calyptorhynchus latirostris</i>) and Western Ringtail Possum (<i>Pseudocheirus occidentalis</i>). The structure plan needs to include the following: <ul style="list-style-type: none">• EPBC listed Baudin's Black Cockatoo (<i>Calyptorhynchus baundi</i>) and the Forest Red-tail Black Cockatoo (<i>Calyptorhynchus banksii naso</i>); and• Southern Brown Bandicoot or Quenda (<i>Isoodon obesulus/us</i>), which is listed as priority 5 'conservation dependent'.	Fauna 1. Identify within the structure plan, the following species as being known to occur in the structure plan area: <ul style="list-style-type: none">• EPBC listed Baudin's Black Cockatoo (<i>Calyptorhynchus baundi</i>) and the Forest Red-tail Black Cockatoo (<i>Calyptorhynchus banksii naso</i>); and• Southern Brown Bandicoot or Quenda (<i>Isoodon obesulus/us</i>), which is listed as priority 5 'conservation dependent'.	Supported (references included in Appendix 2 environmental opportunities and constraints plan).
		Priority Species 1. The plan correctly states that the subject area contains no listed threatened flora. However priority flora <i>Boronia crassipes</i> (P3), <i>Laxmania jamesii</i> (P3) and <i>Leucopogon altemifo/ius</i> (P4) are recorded from the area and should be mentioned.	Priority Species 1. Make mention within structure plan of the following priority species as being evident within the area: <i>Priority flora: Boronia crassipes (P3), Laxmania jamesii (P3) and Leucopogon altemifo/ius (P4).</i>	Supported (included in Appendix 4 issues background paper).
		Albany Regional Vegetation Survey 1. Section 2.2 on page 23 lists the "Previous Reports and Studies" that have played a part in guiding the development of the Yakamia/Lange Structure Plan. The List should include the <i>Albany Regional Vegetation Survey 2010</i> .	Albany Regional Vegetation Survey 1. Make reference to the following report within section 2.2: <i>Albany Regional Vegetation Survey 2010</i> .	Supported (reference is in S1.4 in final submitted structure plan).

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		Typha <p>1. Page 28 should provide notes for clarification regarding ARVS unit 68 Typha orienta/is sedgeland in that it is only mapped where it occurs as a mosaic with remnant vegetation (see page 185 ARVS 2010), as Typha is an introduced weed.</p>	Typha <p>1. Include the following within the structure plan: <i>Typha is only mapped where it occurs as a mosaic with remnant vegetation (see page 185 ARVS 2010), as Typha is an introduced weed.</i></p>	Supported (included in Appendix 4 issues background paper).
6	Department of Planning	Structure of Document <p>1. A date on the front page is recommended to assist with version control.</p> <p>2. The implementation section should be included in the statutory section.</p> <p>3. Some figures contradict each other, for example, the 100 year ARI is inconsistent between Plan 6 (Existing flood extent and Key Reporting Locations) and Plan 9 (Opportunities and Constraints Plan).</p> <p>4. Plans throughout document should have an associated legend and be referenced in the text of document.</p> <p>5. It is recommend the Opportunities and Constraints plan be provided up front in the document and discussed as this plan has informed the content and development of the Structure plan.</p> <p>6. The structure plan should include references to the scheme where relevant.</p> <p>7. The water management strategy section should be in the background/explanatory section, rather than implementation section.</p> <p>8. Page numbering and clause numbering could be improved.</p> <p>9. The statutory section should outline all provisions and standards which have statutory effect and should not include any explanations, description or supporting information – this needs to be in the background section.</p> <p>10. The endorsement page refers to Scheme 1A and Scheme 3 and should refer to Local Planning Scheme No 1.</p> <p>11. Please refer to the Planning website, http://www.plannin.wa.gov.au/publications/823.asp with regard to Structure Plan digital data and mapping standards for the structure plan map.</p>	Structure of Document <p>1. Include a date on the front page of the document to assist with version control.</p> <p>2. Move implementation section of structure plan document to statutory section.</p> <p>3. Delete Plan 6.</p> <p>4. Noted. Some plans are sourced without a legend and therefore not practical to apply a legend.</p> <p>5. Include commentary relating to Opportunities and Constraints plan up front in the document as components of this plan have been used to inform the content and development of the structure plan.</p> <p>6. Make reference within the structure plan to the scheme where relevant.</p> <p>7. Move the water management strategy section to the background/explanatory section, rather than implementation section. Included as an appendix.</p> <p>8. Make corrections for page and clause numbering.</p> <p>9. Move any explanations, description or supporting information from the statutory section of the document to an appendix.</p> <p>10. Change the endorsement page so that it refers to Local Planning Scheme No 1 and not Scheme 1A and Scheme 3.</p> <p>11. Refer to http://www.planning.wa.gov.au/dop_pub_pdf/Structure_Plan_Digital_Data.pdf</p> <p>Changes made to structure plan map to match planning commission requirements.</p>	Document structure generally revised to reflect submission recommendations in finalised document - no further changes necessary.
		Operation/Implementation <p>1. It should be clarified at the front of the structure plan report that this is a statutory structure plan for land zoned Future Urban as it is a requirement of the scheme and is prepared under the scheme (reference scheme clauses). Once endorsed by the WAPC it will have statutory effect.</p> <p>2. At 1.8 Implementation, it states there are a number of steps to be taken prior to implementation. This is incorrect. Once the structure plan is endorsed in accordance with sub-clause 5.9.1.5.10 the structure plan comes into effect. If further investigation is required, the following statement is suggested; for example, An application for subdivision to create more than three lots shall be accompanied by the following water management plan, bush fire hazard assessment , etc</p> <p>3. It is unnecessary to rezone the Future Urban land to Residential. Sub-clause 5.9.1.8.5 of <i>Local Planning Scheme No. 1</i> states for land within the Future Urban zone, unless otherwise specified by the structure plan, the reserves, zones and uses shall have the same force and effect as if enacted as part of the scheme. If the land was rezoned to residential the</p>	Operation/Implementation <p>1. Clarify at the front of the structure plan report that this is a statutory structure plan for land zoned Future Urban as it is a requirement of the scheme and is prepared under the scheme (reference scheme clauses). Once endorsed by the WAPC it will have statutory effect.</p> <p>2. Review section 1.8 of the structure plan.</p> <p>3. Include sub-clause 5.9.1.8.5 of <i>Local Planning Scheme No. 1</i> within the structure plan.</p> <p>4. Specify how the structure plan applies to the General Agriculture and Yakamia Creek zoned land. Land zoned General Agriculture will need to be rezoned to Future Urban prior to supporting subdivision. The Yakamia Creek zone is not expected to change due to servicing constraints and for consistency with scheme requirements (min lot size of 3000m²).</p> <p>5. Change the density code within the structure plan for the Yakamia Creek</p>	Implementation and Explanatory sections in finalised document generally reflect submission recommendations. Further minor modification to Implementation section required for consistency with 2015 Planning Regulations (see schedule of modifications).

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		<p>structure plan would have no effect or head of power.</p> <p>4. As the structure plan technically only applies to the Future Urban zoned land, it needs to be specific in stating how it applies over the Rural and Yakamia Creek zoned land.</p> <p>5. The density code over the Yakamia Creek zone area should be removed as the minimum lot size for this land of 3000m² is specified in LPS 1 and the structure plan cannot vary that.</p> <p>6. At 1.8 Implementation it states contribution planning reviews are required. Road and POS contributions plans should be finalised as part of the structure plan.</p> <p>7. It is recommended the reserves be designated 'Future' Foreshore Protection and Enhancement Area and 'Future' Public Open Space. As the structure plan is a statutory instrument over this land, designating privately owned land as Reserve may bring about claims for compensation.</p> <p>8. The structure plan should contain either a land use table or state land use permissibility. For example; for areas designated residential on the structure plan map, land use permissibility and development requirements are the same as for the Residential zone contained in Local Planning Scheme No 1.</p> <p>9. Include reference or identify on the structure plan map that Rural zoned lots are required to be rezoned prior to subdivision.</p>	<p>zone to make consistent with the scheme (min lot size of 3000m²).</p> <p>6. Finalise road and POS contributions as part of the structure plan. Amend section 1.8 to reflect this requirement.</p> <p>7. Recommend changing designations to make consistent with model Scheme and Liveable Neighbourhood terminology.</p> <p>8. Include a land use permissibility information within the structure plan. Make consistent with the scheme.</p> <p>9. Make reference in the structure plan text and map for General Agriculture zone properties to be rezoned prior to supporting subdivision.</p>	
		<p>Roads</p> <p>1. Previous advice from Main Roads is that they have concerns regarding the intersection of Barnesby Drive and Chester Pass Road. This issue will need to be clarified with Main Roads.</p> <p>2. Plan 19 is outdated.</p> <p>3. The structure plan document could be more succinct as to which roads need constructing, upgrading, widening, and intersection treatments rather than various statements throughout the document. At Transport Recommendations on page 43, only Mercer Road and Catalina Road are identified for upgrading however, on page 58 Sydney Road is also identified for upgrading. We would anticipate that other roads in the Structure plan area such as Bond Road and Dragon Road, for example, would also need upgrading.</p> <p>4. At 9. g) on page 57, it states the Barnesby/Chester Pass Road intersection is to be funded by Main Roads and City of Albany. Why would this not be included in the contribution plan?</p> <p>5. At 9. n) on page 58, it states lots fronting Sydney Street are to provide financial contribution towards upgrading/construction. Would Sydney Street be included in the contribution plan to receive a contribution from other lots in the vicinity?</p> <p>6. A road contribution plan should be finalised as part of the structure plan process including construction of new Range Road, Barnesby Drive, east west link road, upgrades (Sydney Street, Mercer Road, Catalina Road, Bond Road, Dragon Road) and intersections (including Barnesby/Chester Pass Road) and a per lot contribution calculated . The structure plan, as</p>	<p>Roads</p> <p>1. The structure plan is to be changed to reflect Main Roads requirements.</p> <p>2. Delete Plan 19.</p> <p>3. The structure plan is to clarify which roads need constructing, upgrading, widening, and intersection treatments.</p> <p>4. The structure plan is to be changed to reflect Main Roads requirements. Any requirements for funding are to be in accordance with a contribution plan. Modify structure plan to reflect outcomes from liaison with MRWA and contribution plan.</p> <p>5. The structure plan is to clarify lot contributions for Sydney Street. At the time of subdivision or development, lots fronting Sydney Street are to either: <ul style="list-style-type: none"> • Develop half the width of Sydney Street for the section fronting the Lot; or • Provide a financial contribution valued at the cost of developing half the width of Sydney Street for the section fronting the Lot. </p> <p>6. The structure plan is to be modified to concisely define what is required and who contributes (per lot) for road infrastructure (contribution plan). The contribution plan is to include: construction of new Range Road, Barnesby Drive, east west link road, upgrades (Sydney Street, Mercer Road, Catalina Road, Bond Road, Dragon Road) and intersections (including Barnesby/Chester Pass Road).</p> <p>7. Make corrections for vehicle movements (p38). The vehicle numbers given are a tally of vehicles travelling in one direction and not as a total (both ways).</p>	Finalised structure plan and appendices generally reflect submission recommendations.

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		<p>advertised, could be more succinct with regard to what is required and who contributes.</p> <p>7. The numbers on Plan 20 on page 38 are to be added together, for example it is approximately 30 000 vehicles using Range Road, not 15 000 as stated in the text on page 38.</p> <p>8. Plan 35 on page 59 indicates no connection to Barnesby Drive. Beaufort Road needs to connect to Barnesby Drive to provide efficient school access and this should be indicated on the plan.</p>	8. Modify structure plan to show Beaufort Road connecting to Barnesby Drive.	
		<p>Sewer</p> <p>1. The Water Corporation has previously advised, in correspondence to the city of Albany dated 30 October 2014, that provision has been made for wastewater planning provided the area is developed in a logical and orderly manner. Given this advice, any new lot created in the Yakamia/Lange structure plan area should be connected to reticulated sewer; with the exception of land currently zoned Yakamia Creek as this land cannot be serviced. The R-Code densities displayed on the structure plan map will need to be updated to reflect this; i.e. the split density codings. A statement should also be included in the statutory section that all new lots must be connected to reticulated sewer. Ambiguous wording throughout the document that references on site effluent disposal and development not requiring connection to deep sewer should also be removed.</p>	<p>Sewer</p> <p>1. Make the following changes to the structure plan;</p> <ul style="list-style-type: none"> a) With the exception of land currently zoned Yakamia Creek, any new lot created in the Yakamia/Lange structure plan area shall be connected to reticulated sewer; b) Delete split density coding; c) Apply a minimum density of 3000m² for the Yakamia Creek zone; d) Remove any ambiguous wording throughout the document that reference on site effluent disposal and development not requiring connection to deep sewer. 	Finalised structure plan reflects submission, subject to further minor modification to sewerage servicing provisions (see schedule of modifications).
		<p>POS</p> <p>1. The POS contribution schedule should be reviewed and expanded so it is clear what each lot is contributing; whether contribution is land or cash; if land contribution is more or less than 10%; and which lots are to be reimbursed.</p> <p>2. The school site has been included in Table 3 - potential land use; however it is not in the structure plan area.</p>	<p>POS</p> <p>1. Review and expand the POS schedule so it is clear what each lot is contributing.</p> <p>2. Delete the school site from Table 3.</p>	Finalised structure plan and appendices generally reflect submission recommendations.
		<p>Wetlands and Foreshore Protection</p> <p>1. A 50m wetland buffer should be indicated on structure plan map.</p> <p>2. The drainage basins identified within the floodway boundary should be deleted. DOW have previously advised these are not appropriate within the floodway.</p> <p>3. It seems a portion of the Special Use zone lot along North Road is located within floodway. This should be removed and the floodway boundary be reinstated.</p> <p>4. At 8 a) on page 55 it states water management is to occur in accordance with recommendations made in the Yakamia/Lange Water Management Strategy and Arterial Drainage plan. These recommendations should be included in the structure plan under the implementation section as criteria to be addressed at subdivision/development stage. This will ensure the recommendations are endorsed by Council and the WAPC.</p> <p>5. Lots at the eastern end of Bond Road have a portion identified for Residential however are identified on the Opportunities and Constraints Plan as relatively constrained as they are within the boundary of the wetland.</p>	<p>Wetlands and Foreshore Protection</p> <p>1. Recommend including within the structure plan, a 50m buffer to water courses.</p> <p>2. The drainage basins identified within the floodway boundary are to be deleted.</p> <p>3. Remove the special use designation over floodplain and reinstate flood boundary.</p> <p>4. Include recommendations from the Yakamia/Lange Water Management Strategy and Arterial Drainage plan in the structure plan at 8 a) on page 55.</p> <p>5. Noted. Lots at the eastern end of Bond Road have a portion identified for Residential however are identified on the Opportunities and Constraints Plan as relatively constrained as they are within the boundary of the wetland. The Opportunities and Constraints Plan is overly conservative. The boundary to the wetland is based on a generic distance and not necessarily reflective of the site which rises steeply from the wetland and therefore is very unlikely to flood.</p>	Finalised structure plan and appendices generally reflect submission recommendations.
		<p>Special Use Area</p> <p>1. It is unclear why a Special Use area is identified. The special uses listed, with the exception of 'Office', can be considered by Council in the Residential zone. It is recommended the area that is not within the floodway is identified as Future Commercial and included in the review of the Activity</p>	<p>Special Use Area</p> <p>1. Remove the special use designation and replace with residential.</p>	Finalised structure plan and appendices generally reflect submission recommendations.

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		Centres policy, with a clause in the structure plan prohibiting development of Commercial uses until the activity centres review is undertaken, and that development is to be in accordance with the recommendations of the activity centres review.		
		Bushfire 1. Plan 17 Fire mapping shows a 100m buffer to all areas of extreme bush fire hazard, and leaves little land unaffected by bush fire constraints. Currently the plan implies that residential development may occur alongside areas of extreme bush fire hazard. All land within 100m of extreme bush fire hazard needs to have a bush fire level assessment undertaken and have a BAL assigned. A note should be included on the structure plan map that subdivision and/or development is subject to a bushfire assessment and not necessarily all land can be developed.	Bushfire 1. Recommend highlighting on structure plan, areas subject to fire risk.	Finalised structure plan and appendices generally reflect submission recommendations.
		Environmental Protection Lots 1. The structure plan report should include discussion as to what the 'environmental protection and biodiversity conservation' designation means. 'Private Conservation' may be a more appropriate name. At section 22 on page 61 the provisions indicate that subdivision of these lots can be considered. These provisions should be removed as these lots are not identified for further subdivision. The structure plan, in identifying these lots as 'no further subdivision' and related provisions sufficiently protects the vegetation and there is no need for a conservation covenant. 2. The structure plan states at paragraph b) under land use permissibility on page 46 that areas delineated as 'Environmental Protection and Biodiversity Conservation' will be reserved for 'Parks and Recreation.' This may bring about compensation claims for the private landowners and is unnecessary if modifications suggested in first point above are made. 3. The R2 designations on these lots are unnecessary. 4. As stated previously, a bushfire hazard assessment would need to be undertaken prior to development of a single house on these lots. 5. It should be clarified in the document that clearing for development on these lots requires assessment with regard to the quality of the vegetation even though it may be considered exempt clearing under the <i>Environmental Protection (Clearing of Native Vegetation) Regulations 2004</i> . 6. What is a protection notice as referenced at section 22.c)?	Environmental Protection Lots 1. Change the term 'environmental protection and biodiversity conservation' to reflect model planning terminology. 2. The term 'Environmental Protection and Biodiversity Conservation' is to be changed to reflect the model planning terminology. 3. Delete the R2 designations on the 'Environmental Protection and Biodiversity Conservation'. 4. A note is to be included in the structure plan saying that subdivision and/or development is subject to a bushfire assessment. 5. Include the following requirement/advice within the structure plan: <i>If a developer is proposing to take action (e.g. clearing of remnant vegetation) in a designated private conservation area that is likely to have a significant impact on a matter of national environmental significance (e.g. Carnaby's Black Cockatoo), the developer may require approval from the Commonwealth Environment Minister prior to taking any action.</i> 6. Change wording in structure plan as follows: Replace 'protection notice' with 'conservation notice'.	Finalised structure plan and appendices generally reflect submission recommendations.
		Referral to Commonwealth 1. Several lots are identified on the structure plan map as 'referral to Commonwealth' however there is no guidance in the structure plan report as to what this means or what is involved. 2. On 1 January 2015 a unilateral agreement between the State and Commonwealth came into effect to allow the state to conduct environmental assessments on behalf of the Commonwealth, removing duplication including the need for a separate Commonwealth assessment. The agreement does not cover approvals and it is the understanding that where approval is required (ie clearing, development) then the Commonwealth is still the decision making authority under the EPBC Act. 3. Designations will need to be reviewed and possibly go to private conservation.	Referral to Commonwealth 1. Provide notification on structure plan to advise requirements for referrals to Commonwealth in accordance with Biodiversity Act – as follows: <i>If a developer is proposing to take action (e.g. clearing of remnant vegetation) in a designated private conservation area that is likely to have a significant impact on a matter of national environmental significance (e.g. Carnaby's Black Cockatoo), the developer may require approval from the Commonwealth Environment Minister prior to taking any action.</i> 2. Noted. 3. Recommend changing designation of environmentally sensitive areas to 'Conservation' with a requirement for a conservation notice to be placed on the title.	Finalised structure plan and appendices generally reflect submission recommendations.
		Western Power Site	Western Power Site	

No.	Submitter	Submission	Council Recommendation	WAPC Recommendation
		<p>1. The buffer and screening to the substation should be contained within Western Power's lot, rather than impact on neighbouring lots. POS should not be ceded from neighbouring land to provide a buffer.</p> <p>2. It is suggested that investigation and discussions occur with Western Power to relocate the substation site, as this would appear to be an incompatible use in a new urban area.</p>	<p>1. Modify the structure plan to show a buffer to the substation within Western Power's lot, rather than on neighbouring lots. Delete/relocate the POS areas shown around the substation.</p> <p>2. Western Power is maintaining the need to develop its site at Lot 36 Catalina Road for substation purposes within a 10-25 year period. The City undertook discussions with Western Power and the following comments were made:</p> <ul style="list-style-type: none"> • <i>The Structure Plan should highlight the zone substation and buffer separation, with provision in the Structure Plan text for establishing the required buffer separation.</i> • <i>There is sufficient capacity within the Catalina Road site to accommodate the substation and a considerable buffer within the property boundaries. A zone substation needs 1.4 hectare with a buffer of 20 metres around the perimeter of the substation. The Catalina Road site is approximately 91,500 sq metres.</i> • <i>With respect to concerns raised about the location of a substation near a school, there are examples of new schools located near substations e.g. Star of the Sea Primary School is located next to Rockingham Substation. In some examples schools near substations have designed the school so that ovals and other recreational areas are nearest the substation with classrooms and utility areas furthest away. The majority of the concern is based around Electromagnetic Fields and the following websites contain the latest and best information on Electromagnetic Fields:</i> <p><i>ARPANSA website – www.arpansa.gov.au/radiationprotection World Health Organization – www.who.int/en</i></p> <p><i>The following is an example of a substation with a size, fencing and landscaping expected to be developed at Lot 36 Catalina Rd (source – Western Power):</i></p>	
	ARVS	<p>1. The Albany Regional Vegetation Survey has been a significant study over the subject land and further discussion should be included in the background section of the document. ARVS should be mentioned under major planning influences at 1.4.</p>	<p>ARVS</p> <p>1. Include the following information within the structure plan document:</p> <p><i>The Albany Regional Vegetation Survey (ARVS) report has been endorsed as a key information source. The ARVS report was produced to increase the understanding of regional flora and vegetation in the Albany region.</i></p> <p><i>The major findings of the survey include:</i></p> <ul style="list-style-type: none"> • <i>35% (44,093 ha) of the original extent of vegetation remains within the survey area.</i> • <i>19% of this remnant vegetation occurs within formal conservation reserves (IUCN I-IV) and 39% in other Crown reserves.</i> • <i>Identification of 67 native vegetation units, of which 19 units do not appear to have been described previously.</i> • <i>Many units only occur as small patches, with 49 units each having an area of less than 1% (<440ha) of the remnant vegetation within the ARVS area.</i> • <i>Over 50% of units occur at their range limit in the area, reflecting the location of the ARVS area at the junction of three bio-geographic regions.</i> • <i>Over 25% of units are likely to be restricted to the survey area with four units likely to have <30% pre-clearing extent remaining.</i> • <i>Over 800 species were recorded during the survey including six Declared Rare Flora, 43 Priority listed species and 19 species occurring beyond their previously known distribution.</i> • <i>Phytophthora dieback, hydrological change, weed invasion, fire, land clearing and grazing were identified as the major threats.</i> 	Finalised structure plan and appendices generally reflect submission recommendations.

No.	Submitter	Submission	Council Recommendation	WAPC Recommendation
		City of Albany Local Planning Scheme 1 1. Particular clauses of the scheme should be referenced where applicable; for example , <ul style="list-style-type: none">• clause 4.2.3 requirement to prepare structure plan for future urban zoned land;• clause 5.3.6.1 setbacks from water courses;• clause 5.3.7.1 land subject to flooding; and• clause 5.9 structure plan preparation and adoption.	City of Albany Local Planning Scheme 1 1. Make reference in the structure plan to clauses in the City's LPS1 including the following: <ul style="list-style-type: none">• Clause 4.2.3 requirement to prepare structure plan for future urban zoned land;• Clause 5.3.6.1 setbacks from water courses;• Clause 5.3.7.1 land subject to flooding; and• Clause 5.9 structure plan preparation and adoption.	Finalised structure plan and appendices generally reflect submission recommendations, subject to further minor modifications for accordance with 2015 Planning Regulations (see schedule of modifications).
		Local Development Plans 1. At clause 3 on page 46, the structure plan refers to local development plans being prepared prior to any subdivision or development. WAPC Policy DC2.2 Residential Development refers to local development plans only being required when creating lots less than 260m ² . Is this the intent or background to clause 3? Subdivision of land coded R30 doesn't necessarily mean the lots proposed will be 260m ² .	Local Development Plans 1. Change clause 3 on page 46, such that local development plans are prepared prior to any subdivision or development of lots less than 260m ² .	Finalised structure plan and appendices generally reflect submission recommendations.
		Contaminated Sites 1. Lot 4743 (No 102) and Lot 100 (No 120) are classified as contaminated site - remediated for restricted use however there is no mention of this in the structure plan.	Contaminated Sites 1. An Environmental Opportunities and Constraints Plan developed for the City by environmental consultants, Aurora Environmental concluded that: <i>Lots 100 and 4743 have been remediated and are suitable for their current land uses.</i> <i>Recommendation:</i> <i>No action required for identified sites unless there is a proposal to change the land use to a more sensitive type (e.g. residential).</i>	Note.
7	Western Power	Substation 1. Western Power retains the need to develop its site owned at Lot 36 Catalina Road, Albany for substation purposes within a 10-25 year period. 2. Further develop buffering separation and development requirements and provisions for future subdivision and development affected by substation development. All subdivision and development shall be designed and constructed to protect Western Power infrastructure and interests from potential land use conflict. 3. Where subdivision/development applications adjoin or affect Western Power interests they should be referred for comment prior to approval by the local authority to ensure no land use conflict.	Substation 1. The City undertook discussions with Western Power. Western Power is maintaining the need to develop its site at Lot 36 Catalina Road for substation purposes within a 10-25 year period. Retain Lot 36 Catalina Road for substation purposes. 2. Illustrate landscaping and roads around substation to enhance buffer. 3. Include following advice within the structure plan: <i>Where subdivision/development applications adjoin or affect Western Power interests they should be referred for comment prior to approval by the local authority to ensure no land use conflict.</i>	Note - finalised structure plan designates buffering for future substation and flexibility for development if site not required for this purpose long term.
		Land Swap 1. Western Power is willing to consider any land swap opportunities which can be facilitated by the City of Albany that may better balance the needs of the City and Western Power. However, Western Power will retain its current plans to develop on Lot 36 Catalina Road, Albany unless a suitable alternative can be facilitated by the City.	Land Swap 1. The City researched Crown land stocks and determined that there are no available alternatives in the locality. Retain Lot 36 Catalina Road for substation purposes.	Note - no changes to structure plan required.
		132kV Transmission Line 1. 132kV transmission line entries to the currently proposed substation are required from the existing Albany substation at L123 Albany Highway to ensure that future works planned for new and existing road networks in the area facilitate these future line entries. Transmission line entries to the proposed substation development being identified on the draft structure plan in accordance with alignments to be determined in consultation with Western Power. Works associated with new distribution lines and the upgrading of existing lines (including increasing capacity and undergrounding) will be at the developer's cost. Electrical design will be to the satisfaction of Western Power.	132kV Transmission Line 1. Noted. Include the following at section 20 of the structure plan: <i>Transmission line entries to the proposed substation development will be considered at the time of rezoning and subdivision proposals in consultation with Western Power. Works associated with new distribution lines and the upgrading of existing lines (including increasing capacity and undergrounding) will be at the developer's cost. Electrical design will be to the satisfaction of Western Power.</i>	Supported (S3.4.4 of structure plan refers).

No.	Submitter	Submission	Council Recommendation	WAPC Recommendation																														
		<p>undergrounding) will be at the developer's cost. Electrical design will be to the satisfaction of Western Power - refer to http://www.westernpower.com.au/ldd/Undergrounddistributionschemes.html</p> <p>and</p> <p>http://www.westernpower.com.au/documents/WADistributionConnectionsManual.pdf</p> <p>2. Western Power requires that the minimum clearance requirements for transmission lines and overhead distribution lines for structure plans, infill and new development/subdivision applications within the jurisdiction to ensure appropriate protection of the asset. See clearance requirements below in Table 1.</p> <table border="1"> <caption>Table 1</caption> <thead> <tr> <th></th> <th colspan="2">Clearance (horizontal and vertical from centre of line)</th> </tr> </thead> <tbody> <tr> <td>Transmission</td> <td>330kV</td> <td>35.0m</td> </tr> <tr> <td></td> <td>132kV</td> <td>10.0m</td> </tr> <tr> <td></td> <td>66kV</td> <td>8.0m</td> </tr> <tr> <td>Distribution</td> <td><33kV</td> <td>3.0m</td> </tr> </tbody> </table> <p>3. The local distribution power network may require modification, upgrading and the construction of new assets as infill and new subdivision/development proposals progress. Works of this nature are customer funded, as part of the subdivision and development process.</p>		Clearance (horizontal and vertical from centre of line)		Transmission	330kV	35.0m		132kV	10.0m		66kV	8.0m	Distribution	<33kV	3.0m	<p>2. Include the following within the structure plan:</p> <p><i>Western Power requires the following (Table 1) minimum clearance requirements for transmission lines and overhead distribution lines for infill and new development/subdivision applications:</i></p> <table border="1"> <caption>Table 1</caption> <thead> <tr> <th></th> <th colspan="2">Clearance (horizontal and vertical from centre of line)</th> </tr> </thead> <tbody> <tr> <td>Transmission</td> <td>330kV</td> <td>35.0m</td> </tr> <tr> <td></td> <td>132kV</td> <td>10.0m</td> </tr> <tr> <td></td> <td>66kV</td> <td>8.0m</td> </tr> <tr> <td>Distribution</td> <td><33kV</td> <td>3.0m</td> </tr> </tbody> </table> <p>3. Include the following within the structure plan:</p> <p><i>The local distribution power network may require modification, upgrading and the construction of new assets as infill and new subdivision/development proposals progress. Works of this nature are customer funded, as part of the subdivision and development process.</i></p>		Clearance (horizontal and vertical from centre of line)		Transmission	330kV	35.0m		132kV	10.0m		66kV	8.0m	Distribution	<33kV	3.0m	
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8	Department of Water	<p>General</p> <p>1. The DoW is supportive of the measures contained within the draft structure plan that will protect and restore Yakamia Creek. The DoW supports the requirements for additional water management planning - foreshore and stormwater - at subdivision stage. The additional water management planning needs to be consistent with the Yakamia/Lange Structure Plan Water Management Strategy.</p> <p>2. Page 32 refers to the stormwater sampling that the DoW conducted in 2011. It is good to include a summary of the results however the reference to site codes (YAK001- YAK1) is a bit meaningless unless a map of the sample sites is included. That level of detail is not required for a high level planning document such as this, so the Dow recommends removal of the reference.</p> <p>3. Page 58 (p) notes that as a condition of development Lot 9000 Beaufort Rd is required to relocate and develop the arterial drain to the satisfaction of the City. The DoW has no objection to the requirement for relocation given the highly modified nature of Yakamia Creek at that location. The DoW requests that the word arterial drain be replaced with Yakamia Creek and that DoW should be consulted during this process.</p> <p>4. Page 62 Section 23 Monitoring. This section should clarify who is responsible for monitoring. i.e. "<i>At subdivision stage, the developer will need to develop a monitoring program to gather baseline information ...</i>"</p> <p>5. The DoW queries the designation of the previous 'Yakamia Creek' zone to R5/25, when the structure plan states (pg 44) that "<i>Water Corporation have advised that sewer is not available to the areas located between the areas located between Yakamia Creek and Ulster Rd.</i>" Without sewer, the maximum lot yield would be R5, (depending upon the land capability) in line with the Country Sewerage policy.</p>	<p>General</p> <p>1. Noted. The structure plan recommends that development complies with Yakamia/Lange Structure Plan Water Management Strategy.</p> <p>2. Include a map to correspond with sample site results.</p> <p>3. Replace the word arterial drain with Yakamia Creek and include notification that the DOW should be consulted during any process involving relocating the creek.</p> <p>4. Include the following provision to ensure the developer is responsible for monitoring</p> <p><i>At subdivision stage, the developer will need to develop a monitoring program to gather baseline information.</i></p> <p>5. Change the density for the Yakamia Creek to a minimum of 3000m² lots - in line with the City's scheme.</p>	Supported - finalised structure plan and appendices generally reflect submission recommendations.																														

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		<p>Yakamia Creek Floodplain</p> <p>1. The 'Water Recommendations' (pg 33) suggests that 'special uses' and the new Range Rd will be supported within the floodway at North Rd. The DoW floodplain policy does not support any development in the floodway, due to the potential to increase the flood level upstream. In this instance, it would exacerbate the flooding over North Rd and potentially cause floodwaters to spill out to the eastern side of the creek. The main structure plan map is being disingenuous by omitting the floodplain boundary over the special uses lot. The floodway extends over the entire southern half of Lot 421. It would also appear that the construction of Range Road may also conflict with the 30m Aboriginal heritage exclusion buffer to Yakamia Creek.</p> <p>2. As previously mentioned, the DoW is currently reviewing the Yakamia Creek floodplain mapping with the provision of new data that has been obtained with the LiDAR mapping. The DoW will make the new floodplain mapping available to the City of Albany as soon as it is finalised.</p>	<p>Yakamia Creek Floodplain</p> <p>1. Modify the structure plan such that no development potential is shown for the southern portion of Lot 421, the area subject to flooding and Aboriginal Heritage exclusion (30m).</p> <p>2. Noted. New flood mapping has been provided by the DOW (18/5/2015). Recommend including as a layer on structure plan map.</p>	
9	Office Environmental Protection Authority	<p>Letter 14 January 2014</p> <p>1. The OEPA considers that the area the subject of the Yakamia/Lange Structure Plan contains a number of significant environmental values, including:</p> <ul style="list-style-type: none"> a) Priority 1 Ecological Community - Albany Vegetation Unit (AVU) 14 Banksia coccinea shrubland/ E. staeril Sheoak Open Woodland; b) vegetation in Very Good to Excellent condition which supports significant ecological communities and Threatened or Priority flora and fauna protected under State and Federal legislation; c) Yakamia Creek and its associated wetlands and tributaries which are classified as Conservation Category wetlands; d) consolidated areas of native vegetation containing multiple vegetation units (catena from upland to wetland) identified as having high conservation value in the Albany Regional Vegetation Survey (ARVS). <p>The OEPA supports the draft Yakamia/Lange Structure Plan on the basis that the areas of significant environmental value, listed above, are situated in the following foreshore and/or vegetation protection areas, in the draft structure plan.</p> <ul style="list-style-type: none"> • portion of Council's land south of the proposed link road Lot 4743 and adjoining property's east of Range Road (Lots 75 and 76); • properties south of Bond Road adjacent to Range Road and adjoining Yakamia Creek area (Lots 79, 80, 81 and 82); and • vegetation on Lots 997, 998, 1001 and 1002 north of Bond Road. <p>2. Proposed modifications to foreshore and vegetation protection areas should be sent to the OEPA for comment.</p> <p>3. The Environmental Assessment by Aurora Environmental (5 March 2013) refers to the minimum extent of protection for an ecological community being 10%. However, EPA Position Statement No. 2 (EPA, 2000) Guidance for the Assessment of Environmental Factors states that at least 30% of the original extent of ecological communities should be retained to prevent unacceptable cumulative and potentially irreversible loss of biodiversity. The EPA's Guidance Statement 10 Level of assessment for proposals affecting natural areas within the System 6 Region and Swan Coastal Plain portion of the System 1 Region allows for a reduced area of representation in 'constrained areas' of 10%. Constrained areas may include urban, urban</p>	<p>Letter 14 January 2014</p> <p>1. Noted. The structure plan seeks to protect vegetation on:</p> <ul style="list-style-type: none"> • Lot 4743 and adjoining property's east of Range Road (Lots 75 and 76); • Properties south of Bond Road adjacent to Range Road and adjoining Yakamia Creek area (Lots 79, 80, 81 and 82); and • Vegetation on Lots 997, 1001 and 1002 north of Bond Road. <p>2. Noted. The following condition is to be included in the structure plan:</p> <p><i>If a proposal is lodged for a property designated for private conservation, and it appears that the proposal is likely to have a significant effect on the environment, the local government will refer the proposal to the Environmental Protection Authority.</i></p> <p>3. Noted. Recommend undertaking the following as a requirement of subdivision or development:</p> <p><i>If a proposal is lodged for a property designated for private conservation, and it appears that the proposal is likely to have a significant effect on the environment, the local government will refer the proposal to the Environmental Protection Authority.</i></p>	Note. Finalised structure plan and appendices generally reflect submission recommendations.

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		<p>deferred and industrial zones. However, The OEPA considers that EPA Position Statement No. 2 (EPA, 2000) Guidance for the Assessment of Environmental Factors should prevail until such time as a 'constrained area' boundary has been identified around Albany in agreement between the OEPA and the Department of Planning.</p> <p>Letter 7 July 2014</p> <p>1. The revised draft has removed a number of vegetated areas from the previous draft the OEPA commented on in January 2014. As you know, the OEPA has been supportive of the City of Albany developing a structure plan for the area because there is greater capacity to achieve good planning outcomes and an appropriate level of environmental protection at a more strategic scale. The OEPA supports the proposed outcomes in the most recent draft structure plan for Lot 4743 and Lots 79, 80, 81 and 82 which form part of the area zoned urban deferred. However, the remaining outstanding issue is the extent of vegetation clearing on the rural zoned Lots 997, 998, 1001 and 1002 which contains Albany Vegetation units (AVU's) 12 and 13 (Attachment 3) which may also provide habitat for State and Commonwealth listed Black Cockatoos. The OEPA would support the City of Albany retaining a consolidated portion on these lots for conservation purposes in accordance with the EPA's Bulletin No 20 Protection of naturally vegetated areas through planning and development (Attachment 4). Lots 997 and 998, which are adjacent to the creekline, may offer the best opportunity to achieve a suitable outcome.</p>	<p>Letter 7 July 2014</p> <p>1. Noted. Recommend changing the term 'environmental protection and biodiversity conservation' to reflect model planning terminology and include the following requirement/advice within the structure plan:</p> <p><i>If a proposal is lodged for a property designated for private conservation, and it appears that the proposal is likely to have a significant effect on the environment, the local government will refer the proposal to the Environmental Protection Authority.</i></p> <p><i>If a developer is proposing to take action (e.g. clearing of remnant vegetation) in a designated private conservation area that is likely to have a significant impact on a matter of national environmental significance (e.g. Carnaby's Black Cockatoo), the developer may require approval from the Commonwealth Environment Minister prior to taking any action.</i></p>	Note. Finalised structure plan and appendices generally reflect submission recommendations.
		<p>Letter 2 September 2014</p> <p>1. The OEPA is of the view that the creation of one building envelope at Lots 1001 and 1002 can meet the EPA's environmental objectives subject to the proposed lots being managed for conservation purposes. The OEPA recommends that provisions should be included in LPS No 1 in relation to Lots 1001 and 1002 limiting fencing and firebreaks in the conservation areas. The OEPA does not support further subdivision of Lots 997 and 998 as the bushland is described as being in 'Very Good' to 'Excellent Condition' (Keighery, 1994), is in close proximity to other areas of native vegetation and contains habitat for Black Cockatoos. The OEPA is of the view that development on Lots 997 and 998 should be restricted to one dwelling per lot as currently permitted under LPS No 1. Building envelopes should be located on the edges of the lots adjacent to the road to reduce fragmentation and impacts on the bushland.</p> <p>2. The OEPA notes that the proposed 5000m² building include building protection zones. Permitted buildings would need to be constructed to Australian Standard 3959. Recommended that the City discusses this aspect with the DOP and Department of Fire and Emergency Services to ensure that this is acceptable from a bushfire risk perspective.</p>	<p>Letter 2 September 2014</p> <p>1. Noted. The following conditions are to be included to address OEPA concerns:</p> <p><i>If a developer is proposing to take action (e.g. clearing of remnant vegetation) in a designated private conservation area that is likely to have a significant impact on a matter of national environmental significance (e.g. Carnaby's Black Cockatoo), the developer may require approval from the Commonwealth Environment Minister prior to taking any action.</i></p> <p>2. Noted. Include requirements within structure plan around fire protection.</p>	Note. Finalised structure plan and appendices generally reflect submission recommendations.
10	Lot 12 Mason Rd	<p>Framework</p> <p>1. Given the fragmented nature of landholdings within Yakamia, the presentation of an overall structure plan is required to provide a frame work to coordinate the provision and arrangement of future land use, subdivision and development, staging, servicing, transport networks, public open space, foreshore reserves and urban water management.</p> <p>Foreshore Buffer</p> <p>1. The foreshore buffer zone to creek is too excessive (The creek is only 1m wide). A 10m buffer is fair.</p>	<p>Framework</p> <p>1. Provide additional information within the structure plan around the provision and arrangement of future land use, subdivision and development, staging, servicing, transport networks, public open space, foreshore reserves and urban water management.</p> <p>Foreshore Buffer</p> <p>1. The extent of the foreshore buffer area to the creek came about from the following environmental study, which identifies a standard setback distance</p>	Note. No changes required. Foreshore buffers shown on the plan are indicative designations and specific provisions are included to ensure the

No.	Submitter	Submission	Council Recommendation	WAPC Recommendation
			<p>to watercourses: City of Albany (2013), Yakamia Structure Plan Area, Environmental Assessment (Aurora Environmental).</p> <p>Figure 12 - City of Albany (2013), Yakamia Structure Plan Area, Environmental Assessment (Aurora Environmental).</p> <p>Standard setback distances to watercourses, as indicated by the draft structure plan may not be true to land characteristics (e.g. topography (steep/flat), height above sea level, historical events, flow velocity of water, width of creek, evidence of erosion and wetland dependent vegetation).</p> <p>The City of Albany (2013), Yakamia Creek, Arterial Drainage Plan (Essential Environmental) identifies areas within the Yakamia catchment as being susceptible to various elements including flooding or erosion. For Lot 12 Mason Rd, the arterial drainage plan concludes the potential for erosion during a 5yr event and flood risk during a 1 in 100 year flood.</p> <p>City of Albany (2013), Yakamia Creek Arterial Drainage Plan – 1 in 100 year event.</p> <p>The width and depth of the creek (1.5m) and the condition of vegetation (trees) suggests that low volumes of water travel through the precinct and that the land rarely floods.</p> <p>It is recommended that the section of creek (Lot 12 Mason Rd) is marginally reduced.</p>	actual width of foreshore areas (including any buffers) is determined at rezoning, subdivision or development stage (as appropriate).
		Management of foreshore 1. Due to the extent of the foreshore, management of the area would be a massive burden to the City.	Management of foreshore 1. Noted	Note.
		Public Open Space Contribution 1. A 10% POS contribution for development at an R5 (2000m ² lots) density is too onerous.	Public Open Space Contribution 1. Change density to R25 as recommended by Department of Planning. In accordance with the <i>Planning and Development Act 2005</i> , properties with the potential to create more than two lots may be required to provide a POS contribution at the time of subdivision.	No changes required - R5 development no longer contemplated by the structure plan.
		Fire 1. We are concerned about the risk of fire due to vegetation in the vicinity. Retention of all vegetation places too much of an onus on the City and landholder to manage against fire.	Fire 1. Noted. As indicated in the structure plan, new development will need to protect itself against the risk of fire.	Note. Fire management provisions in the structure plan are consistent with SPP3.7.
		Dual Density coding 1. The intent of dual residential density coding is unclear. If there is a choice and some land is developed to an R5 density, then viability of developing to a higher density is likely to be affected. We believe there is subdivision potential considering the size and location of the property – close to town.	Dual Density coding 1. Change density to R25 as recommended by Department of Planning.	Note - split coding no longer contemplated by the structure plan.
11	Lot 8 Curtiss Rd	Foreshore Buffer 1. The foreshore buffer zone to creek is too excessive. Some land identified as foreshore is developable. A 10m foreshore area either side of the creek is more practical.	Foreshore Buffer 1. The City of Albany (2013), Yakamia Creek, Arterial Drainage Plan (Essential Environmental) shows a steady flow of water through Lot 8 Curtiss Road, with the potential for flooding (100yr flood event).	No changes required. Foreshore buffers shown on the plan are indicative designations and specific provisions are included to ensure the actual width of foreshore areas (including any buffers) is determined at rezoning, subdivision or development stage (as appropriate).

No.	Submitter	Submission	Council Recommendation	WAPC Recommendation
		<p>Public Open Space Contribution</p> <p>1. A 10% contribution is considered unnecessarily onerous if the area is to be developed at a density of R5.</p>	<p>Public Open Space Contribution</p> <p>1. Change density to R25 as recommended by Department of Planning. In accordance with the <i>Planning and Development Act 2005</i>, properties with the potential to create more than two lots may be required to provide a POS contribution at the time of subdivision.</p>	No changes required - R5 development no longer contemplated by the structure plan.
		<p>Foreshore – Weeds, Maintenance and Security (path).</p> <p>1. Who is going to maintain function of foreshore? Problem with weeds adjacent to creek. Security concern with persons walking through foreshore.</p>	<p>Foreshore – Weeds, Maintenance and Security (path).</p> <p>1. As noted in the structure plan, the foreshore is to be ceded to the Crown for its intended purpose (foreshore reserve, public open space) at the time of subdivision or development, free of cost and without payment of compensation by the Crown.</p> <p>2. As noted in the structure plan, subdivision and development will need to be designed to ensure surveillance (i.e. development of roads adjacent to foreshores).</p>	No changes required - structure plan clarifies that foreshore areas will be ceded to and managed by the Crown.
		<p>Fire</p> <p>1. We are concerned about the risk of fire due to vegetation in the vicinity. Retention of all vegetation places too much of an onus on developers and the City to manage risk.</p>	<p>Fire</p> <p>1. The foreshore and properties west of Curtiss Road are fire prone. Development within 100m of fire prone vegetation will need to accommodate a building protection zone, hazard separation measures and ember and flame attack measures. Prior to supporting subdivision, a bushfire attack level assessment will need to be undertaken. The structure plan makes requirements for fire management.</p> <p>2. Based on identified fire risk and legislative requirements, it is recommended that the following Yakamia/Lange Structure Plan conditions remain with minor amendments as follows:</p> <p><i>A detailed Fire Management Plan and Bushfire Attack Level assessment shall be prepared for any subdivision and/or development in areas within 100m of fire prone vegetation. These areas are generally defined by the 'Fire Risk' design element on the Structure Plan Map, and will require further refinement at future planning stages.</i></p> <p><i>Any subdivision and/or development within 100m of fire prone vegetation shall accord with an approved Fire Management Plan and Bushfire Attack Level assessment in accordance with the relevant bushfire planning and management frameworks of the WAPC and DFES, and any City of Albany fire management requirements.</i></p> <p><i>Where appropriate to do so, hazard separation areas are to be reduced and BAL building standards increased as a means to protect vegetation.</i></p> <p><i>Hazard separation areas are not to include riparian vegetation or areas beyond the boundaries of a lot.</i></p>	Note. Fire management provisions in the structure plan are consistent with SPP3.7.
		<p>Dual Zoning</p> <p>1. The ability to economically provide sewer to the precinct will determine whether a high density can be achieved. If some land is developed at a low density without deep sewer, viability of developing will be affected. Yakamia is acknowledged as a key opportunity to consolidate urban development – close to the CBD.</p>	<p>Dual Zoning</p> <p>1. The structure plan currently recommends minimum lot sizes in this precinct of 2000m² (R5 – without deep sewer) or 300m² (R25 – with deep sewer). The Department of Planning has required that development in the Yakamia Structure Plan area (other than for the 'Yakamia Creek' zone properties) connect to deep sewer. Development/subdivision potential is unknown without a fire management plan and bushfire attack level assessment. It is recommended that an R25 density is designated with a condition for connection to deep sewer and compliance with a fire management plan and bushfire attack level assessment.</p>	Note - split coding no longer contemplated by the structure plan.
12	Lot 6 Mason	Foreshore Buffer	Foreshore Buffer	No changes required. Foreshore buffers shown

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Rd	Rd	1. Foreshore buffer to creek is too excessive.	1. The City of Albany (2013), Yakamia Creek, Arterial Drainage Plan (Essential Environmental) shows the potential for flooding and erosion at Lot 6 Mason Road. Due to a rising gradient, the extent of foreshore can be marginally reduced.	on the plan are indicative designations and specific provisions are included to ensure the actual width of foreshore areas (including any buffers) is determined at rezoning, subdivision or development stage (as appropriate).
		Horticulture 1. Our intent is to advertise the potential for horticulture farming within the foreshore area. The designation as a foreshore is to our detriment – financially.	Horticulture 1. Noted. A 'foreshore' is defined as " <i>land adjoining or directly influencing a body of water that is managed to protect waterway and riparian values</i> " (<i>Water and Rivers Commission Foreshore Policy 1, 2002</i>). The use of land adjacent to the creek for horticulture maybe to the detriment of the waterway and riparian values.	Note. The structure plan does not reserve the designated areas and controls already exist in the planning scheme over land use proposals within and adjacent to foreshore areas.
		Fire 1. We are concerned about the risk of fire due to vegetation in the vicinity.	Fire 1. Noted. The vegetated foreshore area and vegetated properties south of Mason Rd are fire prone. In accordance with the Western Australian Planning Commission's <i>Planning for Bushfire Protection Guidelines – Edition 2, 2010</i> , development within 100m of fire prone vegetation needs to accommodate fire protection measures including, a building protection zone, hazard separation measures and ember and flame attack measures.	Note. Fire management provisions in the structure plan are consistent with SPP3.7.
		Vermin 1. The future foreshore will increase vermin.	Vermin 1. Noted. The amount and diversity of flora and fauna is expected to increase, the result of enhancing the foreshore.	Note.
13	Lot 5 Chester Pass Rd	Proposed Intersection (Barnesby Drive/Chester Pass Road) 1. The structure plan recommends that Barnesby Drive is connected to a corner and downhill section of Chester Pass Road. The purpose being to relieve congestion at the main Chester Pass roundabout. Given that Chester Pass Road is a heavy freight route, the location of the intersection is not appropriate. Trucks need to maintain speed through this section of road to get up the hill. An intersection at this location is fraught with danger. 2. A better option may be to connect Beaufort Road to Barnesby Drive to provide connection via Edward Street to Chester Pass Road.	Proposed Intersection (Barnesby Drive/Chester Pass Road) 1. Main Roads WA have agreed in principle to left in and left out treatments only. Recommend that the structure plan is changed such that connection to Barnesby Drive is restricted to left out and left in only. 2. Recommend indicating on the structure plan, the potential to connect Beaufort Rd to Barnesby Drive.	1. Dismiss. MRWA have assessed and are supportive of intersection location and turning treatments as set out in the structure plan. 2. Note - finalised structure plan shows this road connection.
14	Lot 1001 Catalina Road	Residential (R25) 1. The land demonstrates similar vegetation types and values to other properties within the YLSP area which have not been burdened with an 'Environment Protection and Biodiversity Conservation' classification. The selective nature of choosing properties for this classification is not a fair process and all landowners should be given the opportunity to seek relevant environmental approvals. Opportunities and constraints mapping included within the draft YLSP only identifies half of the property as being 'Relatively Constrained', with the remainder having 'Some Constraints' or being 'Relatively Unconstrained'. The following conclusions can be made regarding the representation of the vegetation type at the subject property (Afra/Emar/Ccal/Athe): <ul style="list-style-type: none">• It is well represented;• Nearly 10% (preferred) is protected within conservation reserves;• The vegetation type is common and widespread; and• The property contains a small, relatively isolated pocket of this vegetation type in varying condition. It is respectfully requested that the City of Albany consider the reclassification of Lot 1001 Catalina Road, Lange to 'Residential', with a	Residential (R25) 1. The Environmental Assessment (Aurora Environmental) has identified the southern half of Lot 1001 Catalina Road as having some constraints and the northern portion as being relatively constrained. Recommend changing the structure plan for Lot 1001 Catalina Road to support development in the southern portion of Lot 1001 Catalina Road.	Note. Finalised structure plan provides residential R25 designation over a portion of Lot 1001 with the balance as 'private conservation', which EPA has clarified is acceptable given condition of the vegetation on the southern portion.

No.	Submitter	Submission	Council Recommendation	WAPC Recommendation
		density of 'R25' and subject to 'Referral to Commonwealth'.		
		Compensation 1. The draft YLSP does not offer any compensation to landowners required to conserve vegetation. Furthermore, through the conservation covenant process, the landowners will be burdened for maintenance of the land.	Compensation 1. Noted.	Note. Structure plan does not reserve, or indicate future reservation of 'private conservation' areas will occur so will not give rise to compensation under Part 11 of the <i>Planning and Development Act 2005</i> .
		Education Establishment 1. The landowner has previously had a Planning Scheme Consent issued for the development of an 'Education Establishment'. Although they did not act on this approval, it is an indication that this land use is considered acceptable for the land. The intent of the landowner is to develop an 'Education Establishment'. This use does not require the full clearing of the property and vegetation can be incorporated into the future design to ensure that this occurs. This would be well located, given the existing planned government primary school directly adjoining the western boundary.	Education Establishment 1. Noted. The planning approval has expired and is therefore no longer valid. Since the previous approval, a new <i>Local Planning Scheme No. 1</i> has been endorsed with new provisions. Applications for planning approval are assessed in accordance with provisions of the new <i>Local Planning Scheme No. 1</i> , including the following: <i>5.3.3 Vegetation Protection</i> <i>The Local Government may require the protection of existing vegetation on a site as a condition of planning approval to:</i> a) Protect a vegetation community; b) Prevent land degradation; c) Protect roadside vegetation; d) Maintain local visual amenity and the natural setting; e) Protect habitat, or a threatened species; f) Assist to provide vegetated corridors to maintain fauna and flora linkages; or g) Assist in the maintenance of water quality.	Note.
15	Lot 1003 Bond Road	Environment/Biodiversity 1. Understand that environment and biodiversity are important elements of planning, but would suggest it is way out of proportion.	Environment/Biodiversity 1. Noted. Recommend making modifications to reduce the amount of protected areas. For example, the width of foreshores has been reduced and some vegetated areas in degraded condition have been supported for development.	Note. Local Planning Strategy designates the area for future urban development and regional reserve purposes; finalised structure plan informs which areas are suitable for urban development and which are suitable for reserves.
		Fire 1. Protected vegetation will always be an extreme bushfire hazard.	Fire 1. Noted. Recommend highlighting on the structure plan, areas subject to fire risk.	Note.
		POS 1. Locate POS at northern part of Lot 1003 to border private conservation lot.	POS 1. Recommend locating POS at northern section of Lot 1003. The location of POS will be confirmed at the subdivision stage of development.	No changes required - finalised structure plan designates active POS in north western corner of the lot as recommended by the submission, with final location to be determined at subdivision stage.
16	Lot 4 Mason Road	Foreshore Buffer 1. Understand a need for a buffer around the creek but not to the extent proposed (80% of property). The creek that runs through my property is only 1m wide. Flooding occurred once over a twenty year period. The extent of buffer places a huge onus on the City for maintenance. A 10m buffer would be a fair outcome.	Environment/Biodiversity 1. The City of Albany's <i>Yakamia Creek Arterial Drainage Plan 2013</i> (Essential Environmental) shows flood (100yr event) and erosive risk characteristics of the creek running through Lot 4 Mason Road. Any reduction in foreshore boundaries should be minimal. It is recommended that the structure plan is changed to illustrate a marginally reduced foreshore boundary.	No changes required. Foreshore buffers shown on the plan are indicative designations and specific provisions are included to ensure the actual width of foreshore areas (including any buffers) is determined at rezoning, subdivision or development stage (as appropriate).
		Fire 1. Protected vegetation in the vicinity of residents in Mason Road is a fire hazard. This places onus on landholders to develop buildings to a higher standard and for City to manage fuel loads.	Fire 1. Noted. The protection of riparian vegetation takes priority over clearing to accommodate development (refer to Regulation 5 of the Environmental Protection Regulations 2004). Development within 100m of the fire prone vegetation will need to accommodate a building protection zone, hazard separation measures and ember and flame attack measures. Recommend highlighting on the structure plan, areas subject to fire risk.	Note. Fire management provisions in the structure plan are consistent with SPP3.7.

No.	Submitter	Submission	Council Recommendation	WAPC Recommendation
		Dual Density coding 1. The intent of dual residential density coding is unclear. If there is a choice and some land is developed to an R5 density, then viability of developing to a higher density is likely to be affected.	Dual Density coding 1. Uphold. In order to achieve viability, development needs to be at the R25 density and connected to deep sewer. The Department of Planning has required that development in the Yakamia Structure Plan area (other than for the 'Yakamia Creek' zone properties) connect to deep sewer.	No changes required - split coding no longer contemplated by the structure plan.
		Servicing 1. Servicing in the area is unclear, particularly in relation to deep sewer.	Servicing 1. As per comments made by the Department of Planning, development of more than one dwelling or subdivision to more than one lot will need to connect to deep sewer.	No changes required - finalised structure plan clarifies sewerage servicing requirements.
		Public Open Space Contribution 1. A 10% POS contribution is not appropriate if the land is developed at a density of R5 (2000m ² lots).	Public Open Space Contribution 1. As per comments made by the Department of Planning, an R25 density applies, meaning a POS contribution is appropriate in accordance with the <i>Planning and Development Act 2005</i> .	No changes required - R5 development no longer contemplated by the structure plan.
17	Lot 7 Curtiss Road	Foreshore Buffer 1. The extent of the foreshore reserve (150m width) is well in excess of that required for the creek and what the City is capable of managing. A 10m reserve on either side of the creek is more practical.	Foreshore Buffer 1. The City of Albany's <i>Yakamia Creek, Arterial Drainage Plan 2013</i> (Essential Environmental) shows flood (100yr event) and erosion risk characteristics of the creek running through Lot 7 Curtiss Road. Any reduction in foreshore boundaries should be minimal. It is recommended that the structure plan is changed to illustrate a marginally reduced foreshore boundary.	No changes required. Foreshore buffers shown on the plan are indicative designations and specific provisions are included to ensure the actual width of foreshore areas (including any buffers) is determined at rezoning, subdivision or development stage (as appropriate).
		Public Open Space Contribution 1. A 10% POS contribution for development at an R5 (2000m ² lots) density is too onerous.	Public Open Space Contribution 1. As per comments made by the Department of Planning, an R25 density applies, meaning a POS contribution is appropriate in accordance with the <i>Planning and Development Act 2005</i> .	No changes required - R5 development no longer contemplated by the structure plan.
		Fire 1. Retention of all vegetation is a concern from a fire hazard perspective. Retention of vegetation places onus on landholders to develop buildings to a higher standard and for City to manage fuel loads.	Fire 1. Noted. The protection of riparian vegetation takes priority over clearing to accommodate development (refer to Regulation 5 of the <i>Environmental Protection Regulations 2004</i>). Development within 100m of the fire prone vegetation will need to accommodate a building protection zone, hazard separation measures and ember and flame attack measures. Recommend highlighting on the structure plan, areas subject to fire risk.	Note. Fire management provisions in the structure plan are consistent with SPP3.7.
		Dual Density coding 1. The intent of dual residential density coding is unclear. If there is a choice and some land is developed to an R5 density, then viability of developing to a higher density is likely to be affected.	Dual Density coding 1. Agree. In order to achieve viability, development needs to be at the R25 density and connected to deep sewer. The Department of Planning has required that development in the Yakamia Structure Plan area (other than for the 'Yakamia Creek' zone properties) connect to deep sewer.	No changes required - split coding no longer contemplated by the structure plan.
		Servicing 1. Servicing in the area is unclear, particularly in relation to deep sewer.	Servicing 1. As per comments made by the Department of Planning, development of more than one dwelling or subdivision to more than one lot will need to connect to deep sewer. It is recommended that additional information is provided in the structure plan around the development/staging of deep sewer.	No changes required - finalised structure plan clarifies sewerage servicing requirements.
18	Lot 7 Ulster Rd	Foreshore Buffer 1. The extent of the foreshore reserve is too excessive. A foreshore reserve of 30m either side of the creek is considered more reasonable.	Foreshore Buffer 1. The City of Albany's <i>Yakamia Creek, Arterial Drainage Plan 2013</i> (Essential Environmental) shows flood (100yr event) and erosion risk characteristics of the creek running through Lot 7 Ulster Road. The Department of Water <i>Yakamia Creek Flood Study 2003</i> indicates a floodplain evident over Lot 7 Ulster Road. Any reduction in foreshore boundaries should be minimal and not beyond flood boundaries.	No changes required. Foreshore buffers shown on the plan are indicative designations and specific provisions are included to ensure the actual width of foreshore areas (including any buffers) is determined at rezoning, subdivision or development stage (as appropriate).

No.	Submitter	Submission	Council Recommendation	WAPC Recommendation
			<p>It is recommended that the structure plan is changed to illustrate a marginally reduced foreshore boundary to follow the floodplain boundary</p>	
		Management of foreshore 1. Given the manner in which the Yakamia creek area is likely to be developed, i.e. in a piecemeal manner over many years, it is suggested the City access funding from State or Federal sources to prepare an overall foreshore management plan, which landholders can use for maintenance.	Management of foreshore 1. South Coast Natural Resource Management in partnership with the Oyster Harbour Catchment Group developed a foreshore management plan for the Yakamia Creek. The aims of this management plan are to: <ul style="list-style-type: none"> Provide recommendations on appropriate management of Yakamia Creek/ drain by private landholders, the City of Albany and State Government agencies. Identify, and propose solutions for, key problem areas and issues. Inform environmental rehabilitation priorities for natural resource management stakeholders, the City of Albany and State Government agencies. Identify the next two to five rehabilitation sites for Yakamia Creek Living Stream Projects. <p>It is recommended that the foreshore management plan is noted in the structure plan under 'Previous Reports and Studies'.</p>	Note.
		Dual Density coding 1. Clarification is required for density. The Western Australian Planning Commission failed in its bid to require a recent subdivision in the 'Yakamia Creek' zone to connect to scheme sewer.	Dual Density coding 1. Change elements within the structure plan such that the areas adjacent to Ulster Road can only be developed to a minimum lot size of 3000m ² (deep sewer not required), being consistent with current scheme requirements.	Finalised structure plan provides clarity on residential density and servicing requirements for lots in the Yakamia Creek zone.
		Public Open Space Contribution 1. A POS contribution was not required for a recent subdivision in the 'Yakamia Creek' zone.	Public Open Space Contribution 1. Change the structure plan such that a contribution for POS is not required for properties adjacent to Ulster Road.	Note.
		Fire 1. Retention of all vegetation is a concern from a fire hazard perspective. Retention of vegetation places onus on landholders to develop buildings to a higher standard and for City to manage fuel loads.	Fire 2. Noted. The protection of riparian vegetation takes priority over clearing to accommodate development (refer to Regulation 5 of the <i>Environmental Protection Regulations 2004</i>). Development within 100m of the fire prone vegetation will need to accommodate a building protection zone, hazard separation measures and ember and flame attack measures. Recommend highlighting on the structure plan, areas subject to fire risk.	Note. Fire management provisions in the structure plan are consistent with SPP3.7.
		Servicing 1. Servicing in the area is unclear, particularly in relation to deep sewer.	Servicing 1. Areas adjacent to Bond Road are required to connect to deep sewer (more than one dwelling). Areas adjacent to Ulster Road (south side of Yakamia Creek) are not required to connect to deep sewer.	No changes required - finalised structure plan clarifies sewerage servicing requirements.
		Foreshore Buffer 1. As the creek runs through the neighbouring property (40-70m away) to the south, it is considered unnecessary for any land to be given up as foreshore.	Foreshore Buffer 1. Uphold. Modify foreshore boundary to follow southern property boundary. This is consistent with previous planning assessments undertaken at the subdivision stage.	No changes required. Foreshore buffers shown on the plan are indicative designations and specific provisions are included to ensure the actual width of foreshore areas (including any buffers) is determined at rezoning, subdivision or development stage (as appropriate).
19	Lot 11 Mercer Road	Public Open Space Contribution 1. A 10% POS contribution is unnecessarily onerous if developed to a density of R5.	Public Open Space Contribution 1. Recommend changing the density to R25. A POS contribution is required for an R25 density (<i>Planning and Development Act 2005</i>).	No changes required - R5 development no longer contemplated by the structure plan.
		Fire 1. Retention of all vegetation is a concern from a fire hazard perspective. Retention of vegetation places onus on landholders to develop buildings to a higher standard and for City to manage fuel loads.	Fire 1. Noted. The protection of riparian vegetation takes priority over clearing to accommodate development (refer to Regulation 5 of the <i>Environmental Protection Regulations 2004</i>). Development within 100m of the fire prone	Note. Fire management provisions in the structure plan are consistent with SPP3.7.

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			vegetation will need to accommodate a building protection zone, hazard separation measures and ember and flame attack measures. Recommend highlighting on the structure plan, areas subject to fire risk.	
		Dual Density coding 1. Clarification is required for density. If there is a choice and some land is developed at an R5 density, then the viability of developing to a higher density is likely to be affected.	Dual Density coding 1. Recommend changing the density to R25 in keeping with Department of Planning comment.	No changes required - split coding no longer contemplated by the structure plan.
		Management of foreshore 1. Given the manner in which the Yakamia creek area is likely to be developed, i.e. in a piecemeal manner over many years, it is suggested the City access funding from State or Federal sources to prepare an overall foreshore management plan, which landholders can use for maintenance.	Management of foreshore 1. South Coast Natural Resource Management in partnership with the Oyster Harbour Catchment Group is developing a foreshore management plan for the Yakamia Creek. The aims of this management plan are to: <ul style="list-style-type: none">• Provide recommendations on appropriate management of Yakamia Creek/ drain by private landholders, the City of Albany and State Government agencies.• Identify, and propose solutions for, key problem areas and issues.• Inform environmental rehabilitation priorities for natural resource management stakeholders, the City of Albany and State Government agencies.• Identify the next two to five rehabilitation sites for Yakamia Creek Living Stream Projects. It is recommended that the foreshore management plan is noted in the structure plan under 'Previous Reports and Studies'.	Note.
20	Lot 16 Mercer Road	Framework 1. Given the fragmented nature of landholdings within Yakamia, the presentation of an overall structure plan is required to provide a framework to coordinate the provision and arrangement of future land use, subdivision and development, staging, servicing, transport networks, public open space, foreshore reserves and urban water management.	Framework 1. Provide additional information within the structure plan around the provision and arrangement of future land use, subdivision and development, staging, servicing, transport networks, public open space, foreshore reserves and urban water management.	Note.
		Development Potential 1. The excessive designation of foreshore reserve within the precinct is likely to deter landholders from proceeding to develop their land, which in turn could complicate cooperation and coordination of servicing in the area.	Development Potential 1. Recommend reducing areas designated as 'Foreshore Protection and Enhancement' to comply with characteristics of the land (e.g. topography) and water (e.g. flow and flooding characteristics).	No changes required - identification and protection of foreshore areas via the land development process is a WAPC policy requirement. Foreshore designations shown on the plan are indicative and specific provisions are included to ensure the actual width of foreshore areas (including any buffers) is determined at rezoning, subdivision or development stage (as appropriate).
		Servicing 1. It is unclear how sewer will be provided and staged. Further information at Plan 26 would assist in demonstrating how development can be staged.	Servicing 1. Provide additional information to demonstrate potential staging of development.	No changes required - finalised structure plan clarifies sewerage servicing requirements.
21	Lot 17 Mercer Road	Foreshore Buffer 1. As a drainage line does not pass through the property, it is considered that there is no valid reason for any foreshore reserve to be taken from Lot 17.	Foreshore Buffer 1. Recommend modifying foreshore boundary outside of subject property.	Note. Finalised structure plan shows foreshore adjacent to this property and actual extent will be confirmed at future subdivision/development stages.
		Development Potential 1. The excessive designation of foreshore reserve within the precinct is likely to deter landholders from proceeding to develop their land, which in turn	Development Potential 1. Recommend reducing areas designated as 'Foreshore Protection and Enhancement' to comply with characteristics of the land (e.g. topography)	No changes required - identification and protection of foreshore areas via the land development process is a WAPC policy

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		could complicate cooperation and coordination of servicing in the area.	and water (e.g. flow and flooding characteristics).	requirement.
		Servicing 1. It is unclear how sewer will be provided and staged. Further information at Plan 26 would assist in demonstrating how development can be staged.	Servicing 1. Provide additional information to demonstrate potential staging of development.	No changes required - finalised structure plan clarifies sewerage servicing requirements.
22	Lot 18 Catalina Road	Foreshore Buffer 1. Given the creek only runs on a seasonal basis, the extent of foreshore reserve is considered unnecessarily extensive. The fact that the foreshore is proposed to be used for active public open space is contrary to the intent of the Town Planning Act. If part of it is to be used for POS then it should be designated as such, not as foreshore reserve.	Foreshore Buffer 1. Recommend modifying foreshore boundary to comply with characteristics of the land (e.g. topography) and water (e.g. flow and flooding characteristics).	Note. Foreshore designations shown on the plan are indicative and specific provisions are included to ensure the actual width of foreshore areas (including any buffers) is determined at rezoning, subdivision or development stage (as appropriate). Active POS designation referred to is indicative and practical implementation would be to locate it outside any creek lines once their location is established through detailed site investigations.
		Power Station 1. The power station designated on the neighbouring property should only be contemplated as a last resort and should accommodate a buffer within its own property boundaries.	Power Station 1. Recommend changing the structure plan such that the power station accommodates a buffer within its own property boundaries.	No changes required - finalised structure plan requires buffering of any future substation within the lot and provides for urban residential development to occur as an alternative if the site is no longer required by Western Power for a substation.
		Servicing 1. It is unclear how sewer will be provided and staged. Further information at Plan 26 would assist in demonstrating how development can be staged.	Servicing 1. Provide additional information to demonstrate potential staging of development.	No changes required - finalised structure plan clarifies sewerage servicing requirements.
23	Lot 28 Sydney Street	Costs incurred to Subdivide 1. Costs expected from subdivision are excessive. More information needs to be provided to explain what ratepayers may expect from costs incurred from subdividing.	Costs incurred to Subdivide 1. Provide additional information to explain what costs landholders may expect as a result of subdivision.	Dismiss. Structure plan indicates likely works required for subdivision however it is not possible to provide actual development costs.
24	Lot 82 Bond Road	Future Urban Zone 1. Strongly object to any environmental protection measures base on the zoning of Future Urban. I was led to believe that the property could be developed with block sizes of 450-700m ² .	Future Urban Zone 1. Dismiss. The property in question has been designated for urban development (R25). An area consisting of a foreshore with riparian vegetation exists and is required to be protected in accordance with state requirements. The subject area contains habitat for threatened species and therefore an application to clear vegetation may need to be made to the Commonwealth in accordance with the <i>Environmental Protection and Biodiversity Conservation Act</i> .	Dismiss. Local Planning Strategy designates the area for future urban development and regional reserve purposes; finalised structure plan informs which areas are suitable for urban development and which are suitable for reserves. Approximately 66% of Lot 82 Bond Road is designated in the structure plan for R25 urban development with the remainder as foreshore.
25	Lot 87 Ulster Road	Foreshore Buffer 1. A 30m buffer either side of the creek should be used as the benchmark for this section of creek. This is the norm for the area. The designation of a foreshore reserve down the eastern boundary is considered unnecessary given the distance from the creek. Plan 16 of the structure plan demonstrates how filling and building is acceptable within the flood fringe. This appears to be at odds with the excessive designation of foreshore reserve in the draft plan.	Foreshore Buffer 1. Recommend reducing the extent of foreshore in the northern precinct based on land characteristics (topography). The foreshore boundary in the southern precinct of the subject lot is to stay the same due to flood characteristics.	Note. Foreshore designations shown on the plan are indicative and specific provisions are included to ensure the actual width of foreshore areas (including any buffers) is determined at rezoning, subdivision or development stage (as appropriate). Finalised structure plan clarifies matters relating to development in the flood fringe.
		Sewer/Density/POS 1. The majority of subdivision in this locality is choosing to develop larger un-	Sewer/Density/POS 1. Recommend changing the structure plan as follows:	No changes required - land referred to is within Yakamia Creek zone where unsewered 3000m ²

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		sewered lots which will make the R25 option increasingly unlikely.	<p>Council Recommendation</p> <ul style="list-style-type: none"> The minimum size for properties adjacent to Ulster Road is 3000m², which is in keeping with scheme provisions for the Yakamia Creek zone. Deep sewer and a contribution for POS is not required for this area. Areas to the north of the foreshore adjacent to Bond Road are to be developed to an R25 density (subject to connecting to deep sewer and providing a POS contribution). 	lot subdivision can be entertained in accordance with the planning scheme.
26	Lot 372 Catalina Road	<p>Range Road Alignment</p> <ol style="list-style-type: none"> Range Road needs to be moved further into 'substation' land for a better buffer to our home. 	<p>Range Road Alignment</p> <ol style="list-style-type: none"> Range Road has been aligned to comply with an endorsed structure plan (Catalina Structure Plan). The alignment for range Road will be defined by an engineer at the subdivision stage (refer to endorsed Catalina Structure Plan showing endorsed road reserve). 	No changes required - designation is indicative and final alignment of Range Road will be confirmed at future development stages.
27	Lot 102 Ulster Road	<p>Foreshore</p> <ol style="list-style-type: none"> A recent outcome of a State Administrative Tribunal decision designated 18% of the subject property for drainage, as opposed to 68% designated as foreshore under the draft structure plan. The width of the foreshore should be approximately 66m, which is consistent with other areas. <p>Drainage</p> <ol style="list-style-type: none"> The structure plan shows a large drainage basin within the foreshore area. Where drainage basins are required on an owners land over and above their own requirement, then it is fair that they be compensated. <p>Management</p> <ol style="list-style-type: none"> Where possible, makes sense for land owners to remain responsible for ongoing management of foreshore areas. 	<p>Foreshore</p> <ol style="list-style-type: none"> Recommend maintaining foreshore in keeping with flood boundaries and riparian vegetation. <p>Drainage</p> <ol style="list-style-type: none"> Recommend removing drainage basin from floodplain. <p>Management</p> <ol style="list-style-type: none"> Where land is subdivided, areas designated foreshore, are to be ceded to the Crown and managed by the City. The South Coast Natural Resource Management in partnership with the Oyster Harbour Catchment Group is developing a foreshore management plan for the Yakamia Creek. The aims of this management plan are to: <ul style="list-style-type: none"> Provide recommendations on appropriate management of Yakamia Creek/ drain by private landholders, the City of Albany and State Government agencies. Identify, and propose solutions for, key problem areas and issues. Inform environmental rehabilitation priorities for natural resource management stakeholders, the City of Albany and State Government agencies. Identify the next 2 to 5 rehabilitation sites for Yakamia Creek Living Stream Projects. It is recommended that the foreshore management plan is noted in the structure plan under 'Previous Reports and Studies'. 	<p>Note. Foreshore designations shown on the plan are indicative and specific provisions are included to ensure the actual width of foreshore areas (including any buffers) is determined at rezoning, subdivision or development stage (as appropriate).</p> <p>No changes required - finalised structure plan does not show drainage basins in foreshore areas.</p> <p>Note. Foreshore areas designated on existing private land in the structure plan will remain under private management until such time as further rezoning and/or subdivision occurs.</p> <p>Finalised structure plan advocates ceding of foreshore areas to the Crown for ongoing management and public access purposes at these stages, which is consistent with WAPC policy and practice for such areas.</p>
		<p>Sewer</p> <ol style="list-style-type: none"> Further clarification is required on the potential to provide scheme sewer. 	<p>Sewer</p> <ol style="list-style-type: none"> The structure plan is to be modified to state that connection to deep sewer is not mandatory for properties fronting Ulster Road. 	No changes required - finalised structure plan clarifies sewerage servicing requirements.
		<p>POS</p> <ol style="list-style-type: none"> Concern is also raised in relation to the requirement to provide cash-in-lieu in addition to ceding land free of cost for foreshore reserve. 	<p>POS</p> <ol style="list-style-type: none"> Recommend changing the structure plan such that POS as land or cash-in-lieu is not necessary for properties fronting Ulster Road. 	Note. POS provisions in finalised structure plan are consistent with legislative and policy requirements.
28	Lot 152 Ulster Road	<p>Foreshore</p> <ol style="list-style-type: none"> The extent of foreshore illustrated is excessive. A 30m buffer either side of the creek should be used as the benchmark for this section of creek. Given 	<p>Foreshore</p> <ol style="list-style-type: none"> Recommend maintaining foreshore in keeping with flood boundaries and riparian vegetation. 	Note. Foreshore designations shown on the plan are indicative and specific provisions are included to ensure the actual width of foreshore

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		<p>the manner in which the Yakamia creek area is likely to be developed, ie in a piecemeal manner over many years, it is suggested the City access funding from State or Federal sources to prepare an overall foreshore management plan, which landholders can use for maintenance.</p>		areas (including any buffers) is determined at rezoning, subdivision or development stage (as appropriate).
		<p>Deep Sewer/Density/POS</p> <p>1. Insufficient information is provided regarding the ability to provide deep sewer. Clarification is required for density. If there is a choice and some land is developed at an R5 density, then the viability of developing to a higher density is likely to be affected. Concern is also raised in relation to the requirement to provide cash-in-lieu in addition to ceding land free of cost for foreshore reserve.</p>	<p>Deep Sewer/Density/POS</p> <p>1. Recommend changing the density for properties adjacent to Ulster Road to minimum lot size of 3000m² in keeping with scheme provisions for the Yakamia Creek zone.</p> <p>Connection to deep sewer and a contribution for POS is not required for this area.</p> <p>Areas to the north of the foreshore adjacent to Bond Road are to be developed to an R25 density (subject to connecting to deep sewer and providing a POS contribution).</p>	No changes required - finalised structure plan clarifies sewerage servicing requirements.
29	Lot 201 Ulster Road	<p>Foreshore</p> <p>1. The extent of foreshore illustrated is excessive. A 30m buffer either side of the creek should be used as the benchmark for this section of creek.</p>	<p>Foreshore</p> <p>1. Recommend maintaining foreshore in keeping with flood boundaries and riparian vegetation.</p>	<p>Note. Foreshore designations shown on the plan are indicative and specific provisions are included to ensure the actual width of foreshore areas (including any buffers) is determined at rezoning, subdivision or development stage (as appropriate).</p>
		<p>Management</p> <p>1. Consideration should be given to ongoing management costs for the City who would be responsible for managing significant areas of reserve. Given the manner in which the Yakamia creek area is likely to be developed, ie in a piecemeal manner over many years, it is suggested the City access funding from State or Federal sources to prepare an overall foreshore management plan, which landholders can use for maintenance.</p>	<p>Management</p> <p>2. Where land is subdivided, areas designated foreshore, are to be ceded to the Crown and managed by the City. The South Coast Natural Resource Management in partnership with the Oyster Harbour Catchment Group is developing a foreshore management plan for the Yakamia Creek. The aims of this management plan are to:</p> <ul style="list-style-type: none"> • Provide recommendations on appropriate management of Yakamia Creek/ drain by private landholders, the City of Albany and State Government agencies. • Identify, and propose solutions for, key problem areas and issues. • Inform environmental rehabilitation priorities for natural resource management stakeholders, the City of Albany and State Government agencies. • Identify the next 2 to 5 rehabilitation sites for Yakamia Creek Living Stream Projects. <p>It is recommended that the foreshore management plan is noted in the structure plan under 'Previous Reports and Studies'.</p>	Note.
		<p>Density/POS</p> <p>1. Clarification is required for density. If there is a choice and some land is developed at an R5 density, then the viability of developing to a higher density is likely to be affected. Concern is also raised in relation to the requirement to provide cash-in-lieu in addition to ceding land free of cost for foreshore reserve.</p>	<p>Density/POS</p> <p>1. Recommend changing the density for properties adjacent to Ulster Road to minimum lot size of 3000m² in keeping with scheme provisions for the Yakamia Creek zone.</p> <p>Connection to deep sewer and a contribution for POS is not required for this area.</p> <p>Areas to the north of the foreshore adjacent to Bond Road are to be developed to an R25 density (subject to connecting to deep sewer and providing a POS contribution).</p>	<p>No changes required - split density codes no longer contemplated by the structure plan.</p> <p>WAPC policy provides that if foreshore areas are required, these are ceded separately to POS (however credits/concessions may apply).</p>
30	Lot 5 Mercer Road	<p>Water Supply</p> <p>1. The draft plan would impact on our current water supply. We would lose our dam which is used to provide water to our livestock and gardens.</p>	<p>Water Supply</p> <p>1. Recommend modifying the structure to show the foreshore boundary following the cadastre boundary.</p>	<p>Note. Foreshore designations shown on the plan are indicative and specific provisions are included to ensure the actual width of foreshore areas (including any buffers) is determined at rezoning, subdivision or development stage (as appropriate).</p>

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31	Lot 212 Ulster Road	Subdivision 1. Neighbouring properties have rights of carriage over Lot 212 Ulster Road. The carriageway is 5m wide and any further subdivision and subsequent increased traffic will be unsafe due to poor line of site and impact on the amenity of our land.	Subdivision 1. Recommend modifying the structure plan to limit the amount of subdivision to 3000m ² lots in keeping with current scheme requirements.	Note. Such matters would be addressed at future subdivision stages.
32	Lot 420 Sydney Street	Referral to Commonwealth 1. We are concerned regarding the label applied to our land being: 'Referral to Commonwealth'.	Referral to Commonwealth 1. Species listed as being threatened in the <i>Environment Protection and Biodiversity Act 1999</i> have been known to inhabit the area. Include additional information within the structure plan to explain environmental issues. An overview of the Environment Protection and Biodiversity Act 1999, written by the Australian, Department of the Environment and Heritage states: <i>If a developer is proposing to take action (e.g. clearing of remnant vegetation) that is likely to have a significant impact on a matter of national environmental significance (e.g. Carnaby's Black Cockatoo), the developer may require approval from the Commonwealth Environment Minister. An overview of the Environment Protection and Biodiversity Conservation Act 1999, written by the Australian, Department of the Environment and Heritage states:</i> <i>A person must not take an action that has, will have or is likely to have a significant impact on a matter of national environmental significance except:</i> <ul style="list-style-type: none">• <i>in accordance with an approval from the Commonwealth Environment Minister; or</i>• <i>in accordance with an approval from another Commonwealth decision-maker under a management plan accredited by the Commonwealth Environment Minister for the purposes of a Ministerial declaration (declarations are explained on p.7); or</i>• <i>in accordance with an approval from a State in accordance with a management plan accredited by the Commonwealth Environment Minister for the purposes of a bilateral agreement (bilateral agreements are explained on p.7).</i>• <i>The unlawful taking of an action that has a significant impact on a matter of national environmental significance may attract a civil penalty of up to \$5.5 million or a criminal penalty of up to 7 years imprisonment.</i> <i>The Act provides for the listing of:</i> <ul style="list-style-type: none">• <i>nationally threatened native species and ecological communities;</i>• <i>internationally protected migratory species; and</i>• <i>marine species.</i>	No changes required - this designation has been removed from the finalised structure plan and additional provisions included to clarify under what circumstances referral of proposals to the Commonwealth may be necessary.
33	Lot 541 Mercer Road	Structure Plan 1. We are very much in favour of the plan.	Structure Plan 1. Noted.	Note.
34	Lot 990 Mercer Road	Foreshore Buffer 1. Give this is a tributary, the extent of foreshore is extreme. The area of foreshore shown also includes a cleared area adjacent to Mason Road. The foreshore should only be 10m either side of the creek.	Foreshore Buffer 1. A site visit was conducted to confirm location of riparian vegetation and extent of topographies. Recommend modifying the foreshore boundaries in accordance with characteristics of the area.	Note. Foreshore designations shown on the plan are indicative and specific provisions are included to ensure the actual width of foreshore areas (including any buffers) is determined at rezoning, subdivision or development stage (as appropriate).
		Public Open Space Contribution/Density	Public Open Space Contribution	No changes required - R5 development no

No.	Submitter	Submission	Council Recommendation	WAPC Recommendation
		<p>1. A 10% POS contribution is unnecessarily onerous if developed to a density of R5. Clarification is required for density. If there is a choice and some land is developed at an R5 density, then the viability of developing to a higher density is likely to be affected.</p> <p>Fire</p> <p>1. Retention of all vegetation is a concern from a fire hazard perspective. Retention of vegetation places onus on landholders to develop buildings to a higher standard and for City to manage fuel loads.</p>	<p>1. Recommend changing the density to R25, meaning POS will need to be provided as land or cash in lieu.</p> <p>Fire</p> <p>1. Noted. The protection of riparian vegetation generally takes priority over clearing to accommodate development (refer to Regulation 5 of the <i>Environmental Protection Regulations 2004</i>). Development within 100m of the fire prone vegetation will need to accommodate a building protection zone, hazard separation measures and ember and flame attack measures. Recommend highlighting on the structure plan, areas subject to fire risk.</p>	longer contemplated by the structure plan. Note. Fire management provisions in the structure plan are consistent with SPP3.7.
35	Lot 991 Mercer Road	<p>Foreshore Buffer</p> <p>1. Give this is a tributary, the extent of foreshore is extreme. The area of foreshore shown also includes a cleared area adjacent to Mason Road. The foreshore should only be 10m either side of the creek.</p> <p>Public Open Space Contribution/Density</p> <p>1. A 10% POS contribution is unnecessarily onerous if developed to a density of R5. Clarification is required for density. If there is a choice and some land is developed at an R5 density, then the viability of developing to a higher density is likely to be affected.</p> <p>Fire</p> <p>1. Retention of all vegetation is a concern from a fire hazard perspective. Retention of vegetation places onus on landholders to develop buildings to a higher standard and for City to manage fuel loads.</p>	<p>Foreshore Buffer</p> <p>1. Recommend changing the foreshore boundary to align with land characteristics (topography) and neighbouring property designations.</p> <p>Public Open Space Contribution/Density</p> <p>1. Recommend changing the density to R25, meaning POS will need to be provided as land or cash in lieu.</p> <p>Fire</p> <p>1. Noted. The protection of riparian vegetation takes priority over clearing to accommodate development (refer to Regulation 5 of the <i>Environmental Protection Regulations 2004</i>). Development within 100m of the fire prone vegetation will need to accommodate a building protection zone, hazard separation measures and ember and flame attack measures. Recommend highlighting on the structure plan, areas subject to fire risk.</p>	Note. Foreshore designations shown on the plan are indicative and specific provisions are included to ensure the actual width of foreshore areas (including any buffers) is determined at rezoning, subdivision or development stage (as appropriate). No changes required - R5 development no longer contemplated by the structure plan. Note. Fire management provisions in the structure plan are consistent with SPP3.7.
36	Lot 996 Dragon Road	<p>Fire</p> <p>1. Object to the plan on the grounds of the bushfire risk, the result of vegetation protection.</p> <p>POS</p> <p>1. Public Open Space being taken off some blocks and not others.</p> <p>Contributions/Roads</p> <p>1. Road infrastructure should be divided equally between blocks.</p>	<p>Fire</p> <p>1. Noted. The protection of riparian vegetation takes priority over clearing to accommodate development (refer to Regulation 5 of the <i>Environmental Protection Regulations 2004</i>). Development within 100m of the fire prone vegetation will need to accommodate a building protection zone, hazard separation measures and ember and flame attack measures. Recommend highlighting on the structure plan, areas subject to fire risk.</p> <p>POS</p> <p>1. A minimum contribution of 10% of a gross subdivisional area must be given up free of cost by the developer/subdivider as land for public parkland and/or as cash to be used to develop public parkland and associated facilities.</p> <p>The Western Australian Planning Commission's <i>Liveable Neighbourhoods</i> 'Public Open Space Model' accomplishes at least two local parks and one neighbourhood park per 400m radius (neighbourhood). A district park is recommended for every four neighbourhoods.</p> <p>Contributions/Roads</p> <p>1. Recommend providing additional information within the structure plan to explain what costs landholders may expect as a result of subdivision. Recommend making cost contributions in accordance with the Western</p>	Dismiss. Structure plan responds appropriately to identified environmental values within the locality, whilst providing for urban development to occur where it is responsive to any fire hazards from retained vegetation. Note. POS provision on the structure plan is generally consistent with WAPC policy and practice, and exact locations will be subject to refinement at future rezoning and/or subdivision stages. Dismiss. Impractical to divide physical road infrastructure equally between lot parcels; as an alternative measure, finalised structure plan contains guidance for developer cost sharing for

No.	Submitter	Submission	Council Recommendation	WAPC Recommendation
			<p>Australian Planning Commission's <i>State Planning Policy 3.6 – Development Contributions for Infrastructure</i>. This Policy has been developed to:</p> <ul style="list-style-type: none"> • Promote the efficient and effective provision of public infrastructure and facilities to meet the demands arising from new growth and development; • Ensure that development contributions are necessary and relevant to the development to be permitted and are charged equitably among those benefiting from the infrastructure and facilities to be provided; • Ensure consistency and transparency in the system for apportioning, collecting and spending development contributions; • Ensure the social well-being of communities arising from, or affected by, development. 	major roads within the structure plan area.
		Substation 1. Disagree with a substation near a proposed school.	Substation 1. Western Power has retained the need to develop its site owned at Lot 36 Catalina Road, Albany for substation purposes within a 10-25 year period.	Note. Finalised structure plan contains detailed provisions to ensure adequate buffering of any future substation from surrounding sensitive land uses.
37	Lot 1002 Dragon Road	Condition of Vegetation 1. The subject property was originally cleared and is not natural bush.	Condition of Vegetation 1. Aerial photographs going back 19 years and 61 years (1954 and 1996) illustrate vegetation over the subject property. Twenty year old regrowth is deemed to be remnant.	Note.
		Bush Blocks 1. We have attached a plan for what we are seeking bearing in mind conservation that the City seeks. Our plan proposes six rural lifestyle bush blocks. This would leave 57% of the property protected and vegetated.	Bush Blocks 1. Noted. The Office of the Environmental Protection Authority has recommended protection of the vegetation at the subject property. Recommend including the following notation within the structure plan: <i>If a proposal is lodged for a property designated for private conservation, and it appears that the proposal is likely to have a significant effect on the environment, the local government will refer the proposal to the Environmental Protection Authority.</i> <i>If a developer is proposing to take action (e.g. clearing of remnant vegetation) in a designated private conservation area that is likely to have a significant impact on a matter of national environmental significance (e.g. Carnaby's Black Cockatoo), the developer may require approval from the Commonwealth Environment Minister prior to taking any action.</i>	Dismiss. EPA advice provided to the City recommended retention of Lot 1002 as one lot with a single building envelope, due to environmental values. Finalised structure plan reflects this advice by designating the lot for private conservation purposes.
38	Lots 77 and 78 Range Rd and Lot 81 Bond Rd	Foreshore/POS 1. The landholder objects land shown as foreshore (Lot 78), which has previously been given up as a condition of subdivision for POS. The structure plan then requires a cash contribution for POS, in addition to the foreshore being given up. This is not considered justifiable. Object to just under half of Lot 81 being designated for a foreshore reserve. The excessive foreshore makes it extremely unlikely that the land can be economically developed.	POS 1. A site visit has concluded that the areas shown as foreshore have characteristics of a foreshore. A 'foreshore' is defined as; "land adjoining or directly influencing a body of water that is managed to protect waterway and riparian values" (<i>Water and Rivers Commission Foreshore Policy 1 2002</i>). The land is low lying and adjacent to a creek. The soil is wet under foot in the winter months and the vegetation includes Taxandria (Heath), which occurs in soil (clay loam) common to wet areas. Recommend keeping the foreshore designations in keeping with characteristics. Recommend keeping POS designation in keeping with previous Western Australian Planning Commission subdivision approval.	No changes required - designation on Lot 78 is for active recreation/POS on the finalised structure plan. Foreshore designations shown on the plan for Lot 81 are considered reasonable based on EPA and DoW advice; and the City's environmental opportunities and constraints plan (appendix 2). Notwithstanding, designation is indicative and specific provisions are included to ensure the actual width of foreshore areas (including any buffers) is determined at rezoning, subdivision or development stage (as appropriate).
		Local Centre 1. A local centre needs to be identified at the intersection of Target Road and Range Road to service the predominantly residential area.	Local Centre 1. Recommend not identifying a local centre until such time that a review of the <i>Albany Local Planning Strategy</i> is completed. This strategy will consider	Dismiss. Local centre not identified in any strategic planning documents for this structure plan area (local planning strategy or commercial

No.	Submitter	Submission	Council Recommendation	WAPC Recommendation
			planning criteria around defining the appropriate location of commercial centres.	centres strategy).
		<p>Vegetation</p> <p>1. It is unclear as to what criteria is used to determine whether or not to protect vegetation (e.g. vegetation that's poorly represented in the region, vegetation deemed to be in good to excellent condition and/or vegetation associated with Conservation Category wetland). An effective balance of development versus protecting vegetation needs to be achieved to enable development to occur.</p>	<p>Vegetation</p> <p>1. Noted. Vegetation throughout the area is in good to excellent condition. The vegetation forms corridors, provides habitat to flora and is visually appealing. In accordance with Local Planning Scheme 1 (Clause 5.3.3), the Local Government may require the protection of existing vegetation on a site to:</p> <ul style="list-style-type: none"> (a) Protect a vegetation community; (b) Prevent land degradation; (c) Protect roadside vegetation; (d) Maintain local visual amenity and the natural setting; (e) Protect habitat, or a threatened species; (f) Assist to provide vegetated corridors to maintain fauna and flora linkages; or (g) Assist in the maintenance of water quality. <p>The structure plan seeks to protect the vegetation in accordance with <i>Local Planning Scheme No. 1</i> and for the following reasons:</p> <ul style="list-style-type: none"> • Vegetation is adjacent to foreshores; • Vegetation forms a natural corridor with neighbouring vegetation; • The vegetation acts as a habitat for fauna; • Clearing of vegetation will substantially alter the character of the area and may cause land degradation such as erosion and water management issues. 	Note.
39	Lots 79 and 80 Bond Rd and Lots 75 and 76 Range Rd.	<p>Vegetation</p> <p>1. The <i>Albany Regional Vegetation Survey</i> (ARVS) does not give an overall conservation status or rating for vegetation units. A threshold value was used in the ARVS being:</p> <ul style="list-style-type: none"> • 30% being a threshold level; and • <10% being an endangered level. <p>The ARVS makes the following assessment on clearing:</p> <ul style="list-style-type: none"> • Units 12 and 59 – Unclear • Unit 13, 14, 46 and 47 – <30% <p>Based on the ARVS assessment, clearing will take the extent of vegetation below thresholds. The impact of clearing from the subject landholdings (8-10ha) would have little impact on the percentage remaining given the extent of vegetation species remaining in the region (13,144ha).</p> <p>There is an argument that land within the City of Albany urban expansion area should be considered as a 'constrained area' as is the case for the Perth Metropolitan Region and parts of the Greater Bunbury Region. The target retention of vegetation types in constrained areas is 10%. All vegetation associations have a lot more than 10% remaining.</p> <p>The EPA's <i>Environmental Protection Bulletin No. 13</i> states that for the quantitative determination of the impact of clearing on vegetation in the Albany region, the Vegetation Association data contained in Shepherd et al. 2002 and DAFWA 2005 should be used. On that basis the clearing of vegetation on the Ardross Yakamia landholdings would not impact on the 30% retention target for vegetation associations that occur on land.</p>	<p>Vegetation</p> <p>1. Noted. The City is currently reviewing the <i>Albany Local Planning Strategy</i>, which may include criteria for clearing within a 'Constrained Area'.</p>	<p>Note. Lots 79 and 80 Bond Road contain designations for R25 urban development outside identified foreshore and high value vegetation areas.</p> <p>Lots 75 and 76 Range Road are designated for private conservation purposes based on EPA advice to the City that these be retained as single lots with one building envelope, due to high environmental values.</p>

No.	Submitter	Submission	Council Recommendation	WAPC Recommendation
		<p>Proposal</p> <p>1. We believe the structure plan is not a viable plan for development but rather a plan for vegetation protection. We contend that the process to get to where we are was not sufficiently inclusive of landowners.</p>	<p>Proposal</p> <p>1. Noted. The development of the structure plan involved consulting with land holders and government agencies. The structure plan seeks to find a compromise between supporting some development in environmentally constrained areas and protecting some vegetation that's in good to excellent condition, forms a corridor, acts to provide a habitat to threatened species and is visually appealing. The Office of the Environmental Protection Authority has recommended protecting vegetation. Recommend including the following notation in the structure plan:</p> <p><i>If a proposal is lodged for a property designated for private conservation, and it appears that the proposal is likely to have a significant effect on the environment, the local government will refer the proposal to the Environmental Protection Authority.</i></p> <p><i>If a developer is proposing to take action (e.g. clearing of remnant vegetation) in a designated private conservation area that is likely to have a significant impact on a matter of national environmental significance (e.g. Carnaby's Black Cockatoo), the developer may require approval from the Commonwealth Environment Minister prior to taking any action.</i></p>	<p>Dismiss. Local Planning Strategy designates the area for future urban development and regional reserve purposes; finalised structure plan informs which areas are suitable for urban development and which are suitable for reserves.</p> <p>City of Albany has provided documentary evidence detailing extent of public consultation including targeted stakeholder workshops after public advertising.</p>
		<p>Additional Work</p> <p>1. Prior to finalisation of the structure plan more detailed work needs to be done on:</p> <ul style="list-style-type: none"> • cost sharing arrangements for infrastructure; • 'Referral to Commonwealth' (our understanding is that structure plans are not formally assessed by the EPA, therefore referral to commonwealth is unnecessary); and • Determination of land designated as 'Environmental Protection and Biodiversity Conservation'. <p>2. The WAPC structure plan preparation guidelines advise that 'the local structure plan also identifies all land uses (as provided under the local planning scheme)'. Neither 'Environment Protection and Biodiversity Conservation' nor 'Foreshore Protection and Enhancement Area' are land uses identified in the Scheme as zones, reserves or anything else.</p> <p>3. It seems likely that contributions will be required from subdividers to pay for land and construction of distributor roads beyond the sites of the subdivisions themselves. In addition, the designation of whole parcels of land for conservation purposes means that the only means by which these purposes can be realistically achieved is through acquisition. For both of these reasons it appears a Development Contribution Plan is required and should be presented concurrently with the structure plan.</p>	<p>Additional Work</p> <p>1. Recommend including additional information within the structure plan around cost sharing arrangements. Recommend including the following additional information within the structure plan around referral to Commonwealth.</p> <p><i>If a developer is proposing to take action (e.g. clearing of remnant vegetation) in a designated private conservation area that is likely to have a significant impact on a matter of national environmental significance (e.g. Carnaby's Black Cockatoo), the developer may require approval from the Commonwealth Environment Minister prior to taking any action.</i></p> <p>Species listed as being threatened in the <i>Environment Protection and Biodiversity Act 1999</i> have been known to habituate the area. An overview of the <i>Environment Protection and Biodiversity Act 1999</i>, written by the Australian Department of the Environment and Heritage states:</p> <p><i>If a developer is proposing to take action (e.g. clearing of remnant vegetation) that is likely to have a significant impact on a matter of national environmental significance (e.g. Carnaby's Black Cockatoo), the developer may require approval from the Commonwealth Environment Minister. An overview of the <i>Environment Protection and Biodiversity Conservation Act 1999</i>, written by the Australian, Department of the Environment and Heritage states:</i></p> <p><i>A person must not take an action that has, will have or is likely to have a significant impact on a matter of national environmental significance except:</i></p> <ul style="list-style-type: none"> • <i>in accordance with an approval from the Commonwealth Environment Minister; or</i> • <i>in accordance with an approval from another Commonwealth decision-maker under a management plan accredited by the Commonwealth Environment Minister for the purposes of a Ministerial declaration (declarations are explained on p.7); or</i> • <i>in accordance with an approval from a State in accordance with a management plan accredited by the Commonwealth Environment Minister for the purposes of a bilateral agreement (bilateral agreements are explained on p.7).</i> • <i>The unlawful taking of an action that has a significant impact on a</i> 	<p>No changes required - finalised structure plan responds to submission by:</p> <ul style="list-style-type: none"> • removing reference to 'referral to Commonwealth' and including additional provisions to clarify under what circumstances referral of proposals to the Commonwealth may be necessary. • providing guidance for road contributions by developers in appendix 3.

No.	Submitter	Submission	Council Recommendation	WAPC Recommendation
			<p>Council Recommendation</p> <p><i>matter of national environmental significance may attract a civil penalty of up to \$5.5 million or a criminal penalty of up to 7 years imprisonment.</i></p> <p><i>The Act provides for the listing of:</i></p> <ul style="list-style-type: none"> • <i>nationally threatened native species and ecological communities;</i> • <i>internationally protected migratory species; and</i> • <i>marine species.</i> 	
40	Lot 9000 Ulster Road	Foreshore 1. Contest the proposed size of the area of land to be designated as foreshore, particularly at the northerly end of the property where the topography rises. Suggest a reserve distance of 40m to the north of the creek.	Foreshore 1. A site visit clearly indicated a change in land characteristics at around a 75m distance from the edge of the creek. Land between the creek and a distance of approximately 75m is subject to characteristics of a foreshore, such as, inundation of water, erosion and clay loam soils. Recommend maintaining the designated foreshore at approximately 75m from creek on northern side.	Note. Foreshore designation is indicative and specific provisions are included to ensure the actual width of foreshore areas (including any buffers) is determined at rezoning, subdivision or development stage (as appropriate).
		Density/POS 1. Please confirm density and POS requirements.	Density/POS 1. Recommend changing the structure plan to show the following: <ul style="list-style-type: none"> • Minimum 3000m² lot development south of Yakamia Creek (connection to deep sewer not required). • Connection to deep sewer is required for development on the north side of Yakamia Creek. The northern precinct may be developed to a density of R25. 	No changes required - finalised structure plan clarifies both for the land in question (within Yakamia Creek zone).

**Yakamia-Lange Structure Plan
Schedule of Modifications**

No.	Modification	Reason
1	In S1.4, delete reference to clause 5.9 of the local planning scheme and replace with reference to the deemed provisions for structure plan preparation.	Conformance with <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .
2	Delete existing S2.2.1 and replace with the following: Areas within the structure plan that are zoned 'Future Urban' may be developed in accordance with the provisions of this structure plan and <i>Local Planning Scheme No. 1</i> . Land use and development proposals in "Future Urban" and 'Residential' zones within the structure plan area will be assessed against the relevant land use and development provisions of <i>Local Planning Scheme No. 1</i> , having due regard to the designations (including density codes), vision, objectives and provisions of the structure plan.	Conformance with <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .
3	Delete existing paragraph 2 of S2.4.2 and replace with the following: Notwithstanding the above, retention of current standards of utility services to existing single houses may be acceptable at the discretion of the decision making authority where: <ul style="list-style-type: none"> • The land is within the Future Urban zone; and • It is subdivision of a single house from a lot, both of which existed at the time of approval of the structure plan; and • The subdivision creates one lot of the smallest reasonable size to contain the single house and its curtilage, and remain compliant with onsite effluent disposal requirements; and one balance lot; and • The balance lot receives a notification, covenant, or other suitable instrument confirming that any further subdivision or development of the lot will require full provision of utility services to the urban residential standards outlined above; and • The subdivision is otherwise generally in accordance with the designations, vision, objectives and provisions of the structure plan. 	Current wording gives rise to potential for incremental unserviced subdivision and development, which is contrary to the objectives of the Structure Plan.
4	In S3.4.1: <ol style="list-style-type: none"> a) In dot point 4, replace 'the arterial drain' with 'Yakamia Creek'. b) Add a 6th dot point: 'No development is permitted in the 	Clarification.

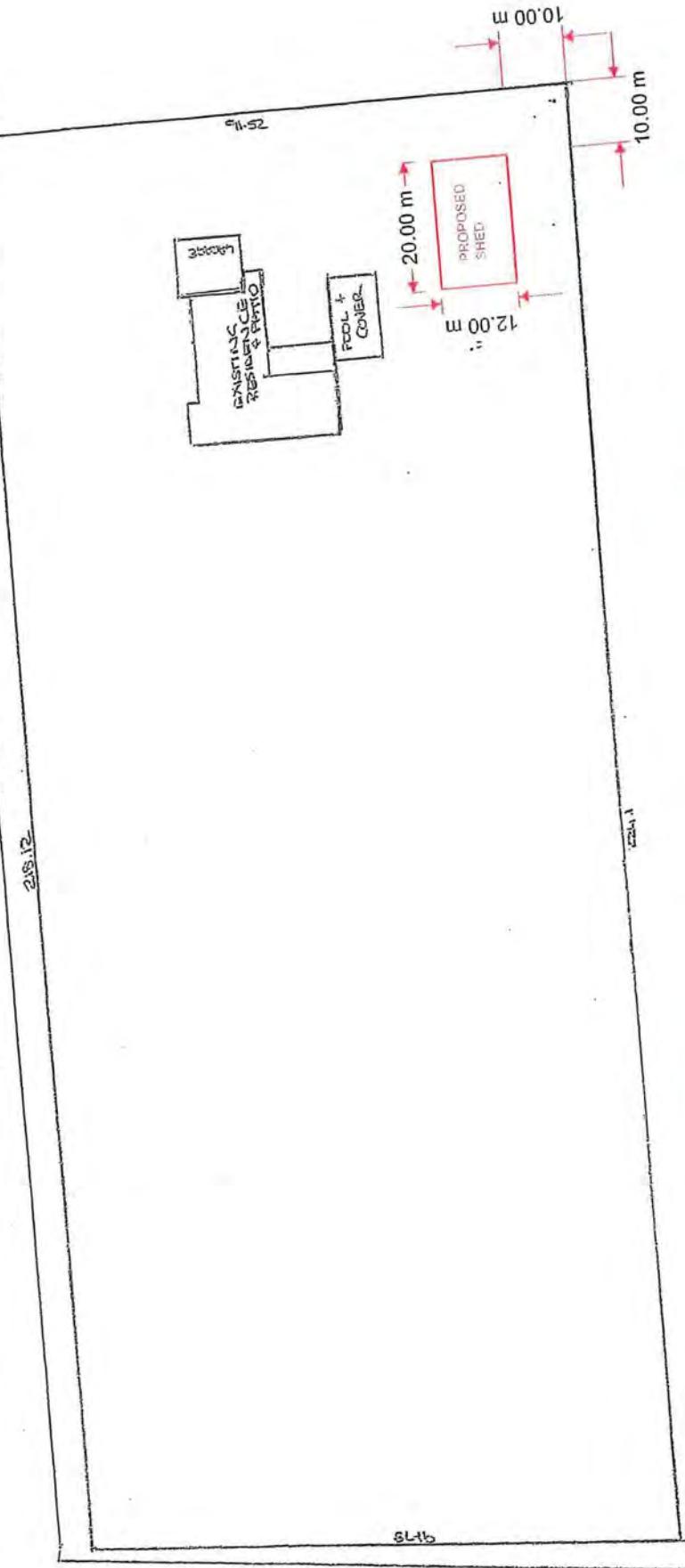
	Yakamia Creek floodway.'	
5	In S3.6, delete 'subdivision or' from the first line of paragraph 2.	Clarification.
6	<p>In S3.7:</p> <p>a) Reword the first paragraph to "The majority of the Structure Plan area is identified as bushfire prone on DFES bushfire prone area maps (Figure 2). The extent of bushfire prone areas will be refined at future planning stages with rezoning, subdivision and/or development proposals being accompanied by the requisite bushfire information as specified in relevant WAPC policies, guidelines, Regulations and the Local Planning Scheme."</p> <p>b) Reword the first line of the second paragraph to "Any subdivision and/or development in bushfire prone areas shall.."</p> <p>c) Include a new Figure 2 in this section showing the DFES bushfire prone area map for the Structure Plan area.</p> <p>d) Re-number existing Figure 2 (Structure Plan Map) to Figure 3 and update figure references in the table of contents and throughout document text accordingly.</p>	Consistency with SPP3.7, guidelines and associated Regulations released in December 2015.
7	Delete 'fire risk' designations from the Structure Plan map and legend.	Does not correspond to existing bushfire prone land shown on DFES bushfire prone area maps; related to modification 6 above.
8	<p>In appendix 3 (road contributions plan), Barnesby Drive section:</p> <ul style="list-style-type: none"> • Delete reference to interim cul-de-sac at Barnesby/Chester Pass Road intersection and replace with provision for developers to contribute to cost of intersection construction. 	<p>Interim cul-de-sac compromises timely provision of road connection.</p> <p>Developer contribution to intersection construction (as opposed to bearing full cost) is reasonable and consistent with DC1.1 and DC1.7.</p>



ITEM NO: 9.6

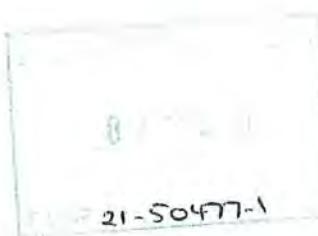
**Development Application for Rural Shed – Lot 202 (No. 62)
Oakover Road, Middle Swan**

OAK OVER ROAD



Railway Parade

ATTACHMENT 1



M2 & MRS PALAMINA
LOT 202 OAKOVER ROAD
MIDDLE SWAN

1:1000

City of Swan
APPROVED PLAN
No 1 d 2
File No PA 697-15
The plan relates to the approval
of a development grant
by Council at the Ordinary Meeting
held on 16/12/2015

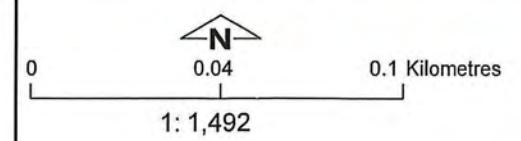
A



Aerial Photograph

INTERNAL USE ONLY

Internal Spatial Viewer
[Link to website](#)



Projection: WGS 1984 Web Mercator Auxiliary Sphere

Produced by: **FUNCTIONALITY TO COME**
Date produced: 23-Feb-2016



Legend

Local Government Area

Cadastre (View 1)

Roads

Minor

Development Applications

Outstanding

Refused

Notes:

The data that appears on the map may be out of date, not intended to be used at the scale displayed, or subject to license agreements. This information is stored in the relevant layers metadata. For these reasons the map should not be distributed outside of the Department.

Map was produced using DoP's PlanViewWA.



Government of Western Australia
Department of Planning

Legend

Swan Valley Planning Act (2006)

Area B - agricultural uses (min lot size)

Local Government Area

Cadastre (View 1)

Roads

— Minor

Development Applications

Outstanding

Refused

Area B

Area B

6

21

23

RAILWAY PDE

6

OAKOVER RD

OAKOVER RD

Area B

RAILWAY PDE

9

202

202

60

9

Indicative Shed Areas

Area B

RAILWAY PDE

50

98

98

SVP Area

INTERNAL USE ONLY

PlanViewWA

[Link to viewer](#)



1:2,296

at A4

Projection: WGS 1984 Web Mercator Auxiliary Sphere

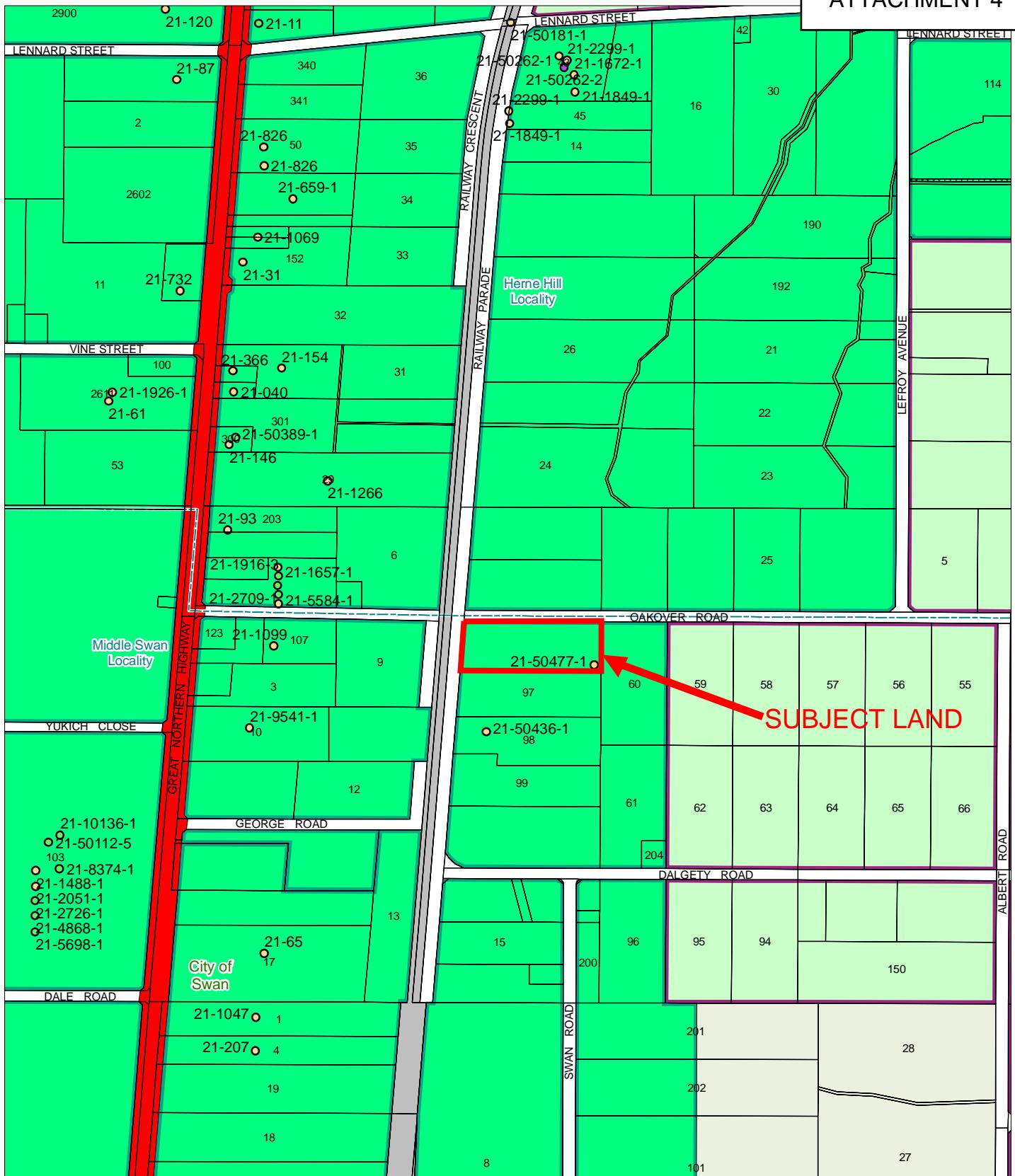
Notes:

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Map was produced using DoP's PlanViewWA.

Produced by: FUNCTIONALITY TO CO

Date produced: 23-Feb-20



Location Plan for: Development Application

This data is to be used only for the processing of
Development Application

Application Number: **21-50477-1**

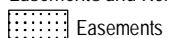
Decision: **OUTSTANDING**

Printed: 11/01/2016

Application Status

- Approved
- Refused
- Outstanding

Easements and Referrals



Existing LPS Zones and Reserves

General rural

Rural living

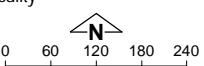
Rural living

Region Scheme Reserves

Primary regional roads

5

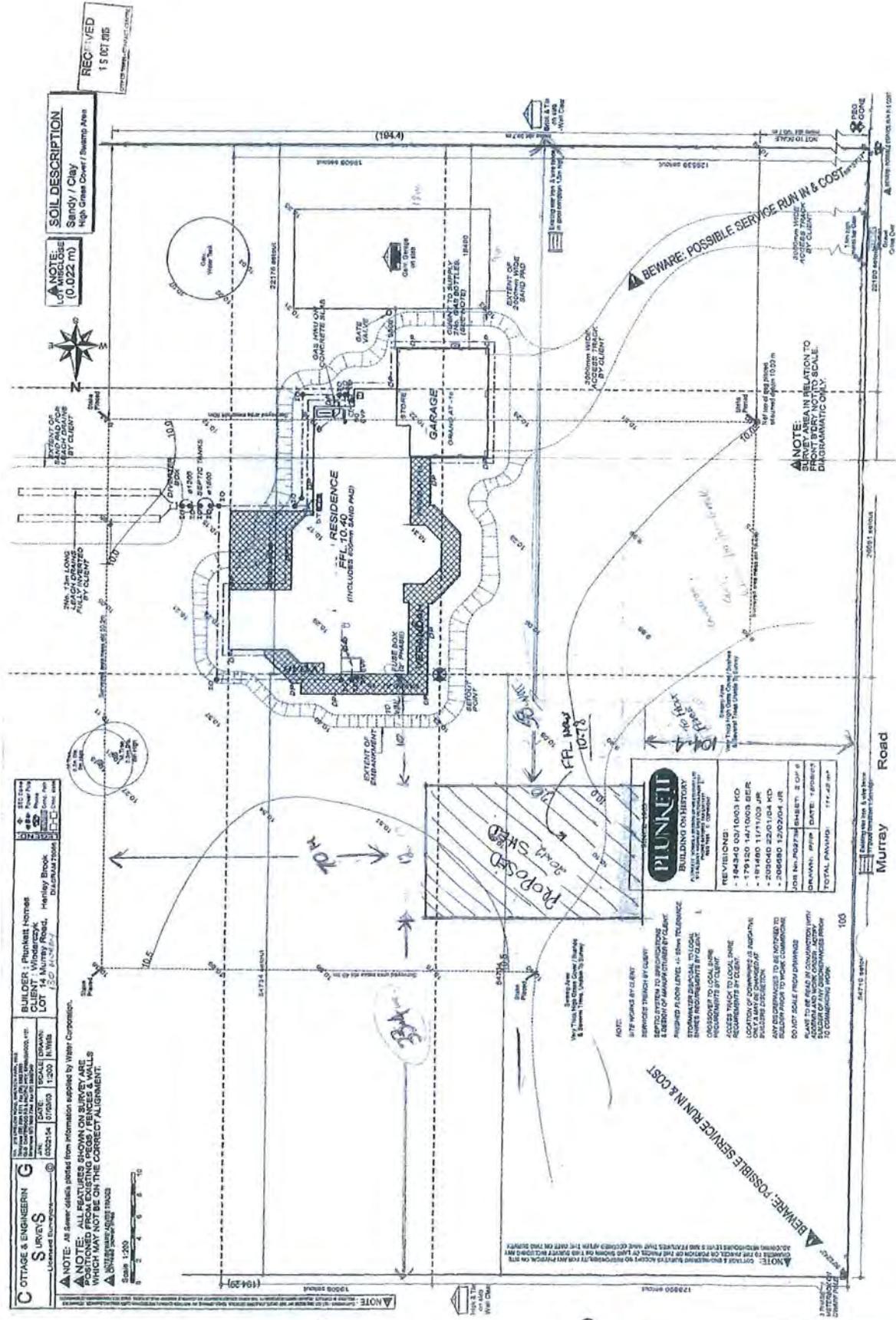
Localities & Local Government Boundaries





ITEM NO: 9.7

**Proposed Shed within Swan Valley Planning Act 1995 Area
– Lot 14 (No. 130) Murray Road, Henley Brook**



DEPARTMENT OF PLANNING

23 FEB 2016

EII E 2-1-50468-1

<p>GABLE END</p>		<p>RIGHT SIDE WALL</p>																													
<p>GABLE END</p>		<p>LEFT SIDE WALL</p>																													
<p>RECEIVED</p> <p>15 OCT 2015</p> <p>CITY OF SWAN - CONTACT CENTRE</p> <p>FILE: 1-5046-1</p> <p>DEPARTMENT OF PLANNING</p> <p>23 FEB 2016</p> <p>PACIFIC SHEDS COMPANY</p> <p>DOOR SCHEDULE:</p> <table border="1"> <tr> <th>No.</th> <th>Height (mm)</th> <th>Width (mm)</th> <th>Type</th> </tr> <tr> <td>1.</td> <td>4000</td> <td>4000</td> <td>Ridge door</td> </tr> <tr> <td>2.</td> <td>2000</td> <td>820</td> <td>PA door</td> </tr> <tr> <td>3.</td> <td></td> <td></td> <td></td> </tr> <tr> <td>4.</td> <td></td> <td></td> <td></td> </tr> <tr> <td>5.</td> <td></td> <td></td> <td></td> </tr> <tr> <td>6.</td> <td></td> <td></td> <td></td> </tr> </table> <p><small>1. All measurements shown on door schedule and individual door widths state NOT opening sizes</small></p>				No.	Height (mm)	Width (mm)	Type	1.	4000	4000	Ridge door	2.	2000	820	PA door	3.				4.				5.				6.			
No.	Height (mm)	Width (mm)	Type																												
1.	4000	4000	Ridge door																												
2.	2000	820	PA door																												
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	Job No.: TW200415JD Date: _____ Scale: N.T.S. Ref: _____ Sheet: 2 of 7	Name: Tony Wlodarczyk Site Address: _____ Town/Suburb: _____ State: _____ Postcode: _____	<small>SH.S12.H6.B6.A2 UB STEEL FRAME UNIVERSAL BEAM SECTION 200 UB 21 (200mm x 100mm - 21.7kg/m) Terrain Category 2 Importance Level 1 Region A - 41 mps</small>	<small>Eric Zhu MIEAust:4152355 Date: 13/04/2015</small>																											



Legend

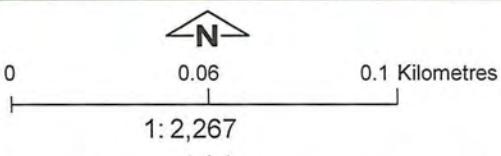
- Local Government Area
- Cadastre (View 1)

Location of proposed shed



Notes:

The data that appears on the map may be out of date, not intended to be used at the scale displayed, or subject to license agreements. This information is stored in the relevant layers metadata. For these reasons the map should not be distributed outside of the Department.



INTERNAL USE ONLY

PlanViewWA
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Date produced: 17-Mar-2016



**Location Plan for:
Development Application**

This data is to be used only for the processing of
Development Application

Application Number: **21-50486-1**

Decision: **OUTSTANDING**

Printed: **25/02/2016**



Department of
Planning



Application Status

- Approved
- Outstanding

Easements and Referrals

Region Scheme Reserves
Other regional roads

Existing LPS Zones and Reserves

- | | |
|---|-------------------|
| | Rural residential |
| | Special use |

Localities & Local Government Boundaries

- | | |
|--|---------------------------|
| | Local government boundary |
| | Locality |



Attachment 4: Street View onto subject site