

Council

Town Planning Scheme Policy No. 18 (Draft) – Draft
Local Planning Strategy – Submissions Received

Extract From Full List of Department of Planning
Modifications
Summary of Submissions
Schedule of Modifications

Meeting Date: 13 October 2009

Number of Pages: 73

Extract From Full List of Department of Planning Modifications to June 2008 Local Planning Strategy showing those Requiring Actions

No.	Section	Issue	Modification/WAPC Recommendation	Comment	Recommendation
Main Document					
1.	2 – General	Section contains a high level of contextual detail. It is questionable whether this level of detail is appropriate given that it adds substantial bulk to the document. Simply providing the higher level objectives and policy statements of these other documents is likely to be sufficient to inform PLPS' strategic direction.	Council consider condensing contextual information within strategy document and including the more detailed information from this section in a 'background policy document' or similar. This information could be combined with the existing background environmental document (dated 2003) to form a single policy document. PLPS could then reference this background document.	The document follows the format set by the Commission. If this format had not been followed Council would have been criticised also. The Chairman agreed on 7 July 2009 the Council could split the document into two.	Split document into two – Background Report and Strategy Report.
2.	2.2.3	Section lists some policy documents under dot points but omits others that are discussed in greater detail in sections 2.3 – 2.6. Other documents listed are not given dot points. Listing all under dot points would add consistency and clarification to the section.	Add dot points for all other policy documents discussed in Section 2.3. List existing Liveable Neighbourhoods; Albany Regional Strategy; Lower Great Southern Strategy; WAPC operational policies; and Residential Design Codes using dot points as per other stated documents.	Add dot points to three documents.	Add dot points.
13.	4.1.2	Paragraph more appropriate in Section 4.2.	Move to beginning of S4.2.	The updated 4.2.3 has 2008 figure of 4,950 people.	Delete 4.1.2.
20.	4.10.3.2	Average summer maximum temperature quoted appears unusually high.	Double check accuracy of figures and correct if necessary.	Typo. Correct/update all figures to DAF figures.	Change all figures.
47.	6.1.4.1	Reference to 'unless otherwise varied by Council' in Part 4 is ambiguous and could be abused given it provides no other guidance to Council on which variations may be acceptable.	Delete reference and replace with 'in accordance with SPP 2.5 Appendix 3'.	Wording does need adjustment.	Introduce 'The Council will' before 'only'. Delete 'unless otherwise varied by Council' and insert 'in accordance with SPP 2.5'.

48.	6.1.4.2	e) Part 3 (vii) does not make sense. If a tourist use is to be excised from an agricultural lot on the basis it is secondary to the agriculture use, following its excision it becomes a stand alone use on a separate lot no longer secondary, incidental to or supporting the rural use. As per no. 42 above, subdivision of incidental accommodation/facilities (such as chalets etc.) is contrary to SPP 2.5 and should be precluded unless prior rezoning has occurred.		This clause relates to the use and not the subdivision. Rather than be proactive consider deleting the clause.	Delete 6.1.4.2.3(vii).
53.	6.1.4.9	Last paragraph on pg. 84 is too vague to be a functional strategy statement.	Delete or clarify as appropriate.	Agree.	Delete two lines.
65.	6.1.7.3	Appears to be a range of lot sizes not covered by either rural residential or rural smallholdings lot size provisions under PLPS (4ha-10ha lots).	Council should consider implications of this and address this via appropriate lot size provisions if deemed necessary.	Agree – change 10ha in 6.1.7.4.1.2(i) to be 4ha.	Alter 10ha to 4ha.
122.	8.1.1	States that PLPS identifies three new areas for residential however corresponding figure and statements elsewhere in PLPS indicate six areas.	Requires correction/clarification.	Agree – delete some words. The thrust was to identify the three large areas.	Delete ‘in three areas’.
211.	General	Policy statements appear largely contradictory to stated objectives for various planning units. For example: a) P1, P3 and P4 objectives include maintaining existing mix of lot sizes and continuation of broadscale agriculture. However subdivision and development guidelines explicitly allow for subdivision to 200ha lots with no other justification and 80ha lots subject to proven intensive ag capability (but use does not have to exist). Given the large lot sizes in these planning units (up to 1,200ha) it is likely that the existing mix of lot sizes will not be maintained and broadscale agricultural land will be fragmented into smaller lots; and b) P4, P5, P9, P11 and P12 contain general presumptions against further subdivision however provisions support subdivision to 200ha with no other justification required, as well as allowing other forms of subdivision.		a) This is specific for planning units based on the land and its location and capability. Smaller lot proposals need to be proven. 1,200ha lots is a misleading statement when one looks at and reads the LPS. As DAFWA are nervous delete for now and consider in review of LPS. b) 200ha = 500 acres – must read LPS in context – As DAFWA are nervous delete 200ha sizes and 80ha sizes for now and consider when LPS reviewed. P5 does not refer to 200ha.	Delete 200ha and 80ha from P1, P3 and P4. Delete 200ha reference for now from P9, P11 and P12.

212.	General	Some planning units lack necessary information. For example, P10 states lot sizes and subdivision/development guidelines are 'not applicable'. There are substantial areas of priority and general agricultural land within this planning unit not dealt with by the 'Porongurup Rural Village' provisions and it is unclear which land use controls, if any, apply to these areas.		P10 will need adjustment to include land not covered in unit on proposals plan in Appendix 4.	Include details for future proposals in P10 for areas outside Porongurup strategy plan.
215.	General	Planning units P9 and P12 are adjacent to Stirling Range National Park but do not contain any provisions addressing management of this interface, e.g. fire, pest and animal control, farming practices etc.	Additional information/provisions considered necessary to address these issues.	Agree – include additional words under 9.5 and 12.5.	Modify to include reference to National Park and interface.
218.	11.3	Indicates land in the 'north west portion' of the planning unit for rural smallholdings but does not clearly define on a map/figure. This is a concern given the north west portion contains priority agricultural land.	If RSH area is to be identified in this planning unit it should be justified in wider context of supply/demand for this land use type within PL Shire, and clearly delineate on a map/figure. RSH not supported on priority agricultural land.	Agreed – 11.3 – P11 – area needs to be identified and justified.	Describe land area and include appropriate text.
219.	11.5	80ha minimum lot size contradicts 40ha lot size stated at 11.2.	Clarification required. General concerns regarding subdivision of rural land remain.	11.5 of P11 – agree – refer to 40ha west of Highway.	Include reference to 40ha west of Highway.
220.	12	Minimum 200ha lot size appears unjustified given existing broadscale agricultural land uses and predominantly very large lots (approx. 1,200ha) in this planning unit. Provisions will encourage fragmentation of rural land and will not achieve stated objective of maintaining existing mix of lot sizes.	Remove reference to minimum lot size. Retain general presumption against subdivision and objective of retaining existing lot sizes as a way of achieving stated objectives of encouraging continued broadscale agriculture.	P12 – agree – delete words.	Delete 'while supporting subdivision to a minimum or 200ha' – see 211.