

9.1.3 RECOMMENDATION TO WESTERN AUSTRALIAN PLANNING COMMISSION ON REVIEW OF LOCAL PLANNING SCHEME 7 AND LOCAL PLANNING STRATEGY

Location	Shire of Donnybrook Balingup
Applicant	Not applicable
File Reference	TP 03
Author	Bob Wallin - Manager Development Services
Responsible Manager	Bob Wallin - Manger Development Services
Attachments	9.1.3(1) – Report of Review
Voting Requirements	Simple Majority

Recommendation
<p>That Council:</p> <ol style="list-style-type: none"> 1. Pursuant to Part 6, Division 1, Sections 66(1)(b) and (c) of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> approves the “Report of Review” (Attachment 9.1.3(1)) and provides a copy to the Western Australian Planning Commission; 2. Pursuant to Part 6, Division 1, Section 66(3)(a) of the <i>Planning and Development (Local Planning Schemes) Regulations</i> recommends to the Western Australian Planning Commission that Local Planning Scheme 7 be amended; 3. Pursuant to Part 6, Division 1, Section 66(3)(b) of the <i>Planning and Development (Local Planning Schemes) Regulations</i> recommends to the Western Australian Planning Commission that the Local Planning Strategy be reviewed.

STRATEGIC ALIGNMENT

The following outcomes from the Corporate Business Plan relate to this proposal:

Outcome:	1.2	Available land for residential, industrial and commercial development.
Strategy:	1.2.1	Support and promote appropriate development of land within the district.
Action:	1.2.1.3	Undertake major review of Local Planning Strategy and Scheme.

EXECUTIVE SUMMARY

- Pursuant to Part 6, Division 1 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the local government is required to review its Local Planning Scheme at five year intervals.
- The review process commences with the local government preparing a “Report of Review” and making recommendations to the Western Australian Planning Commission (WAPC) on how to proceed.
- In particular, the report must make recommendations on the following:
 - Whether the scheme:
 1. is satisfactory in its existing form; or
 2. should be amended; or
 3. should be repealed and a new scheme be prepared in its place.

and

- Whether the local planning strategy for the scheme:
 1. is satisfactory in its existing form; or
 2. should be reviewed; or
 3. should be repealed and a new strategy prepared in its place.
- It is recommended that Council resolves to approve the “Report of Review” recommending that Local Planning Scheme 7 be amended and the Local Planning Strategy be reviewed and provides the approved “Report of Review” to the Western Australian Planning Commission for further consideration.

BACKGROUND

Pursuant to clause 65(1) of the *Planning and Development (Local Planning Schemes) Regulations 2015* (Regulations), the local government must carry out a review of its Local Planning Scheme every five years. This review process starts with preparing a “Report of Review”. The “Report of Review” is required to be approved by Council resolution and forwarded to the Western Australian Planning Commission (WAPC).

The Shire’s Local Planning Scheme No.7 (LPS7) was gazetted 19 September 2014 and the fifth year therefore commenced on 19 September 2018. On this basis, the review was required to be complete prior to 19 September 2019, with the report to be approved by Council and forwarded to the WAPC within six months of the end of fifth year. The review was finalised by the required date and is now presented to Council for approval. A copy of the “Report of Review” is provided in Attachment 9.1.3(1).

Clause 66 of the Regulations describes the manner and form of the “Report of Review” as well as defining the specific recommendations required by the local government.

In summary, the process includes the following steps:

- 1) Shire reviews LPS7 within fifth year;
- 2) Shire prepares a 'Report of Review';
- 3) Council makes recommendations to the Western Australian Planning Commission (WAPC);
- 4) WAPC makes a decision (within 90 days of receiving report) and informs Shire; and
- 5) Shire publishes 'Report of Review' and notice of WAPC decision.

Presently, steps 1 and 2 have been completed.

The 'Report of Review' can make one of following three recommendations regarding LPS7:

1. it is satisfactory in its existing form;
2. it should be amended; or
3. it should be repealed and a new scheme prepared in its place.

Where a local government also has an adopted local planning strategy (LPS), the 'Report of Review' must make recommendations about the LPS.

The Shire's LPS was adopted at the same time as LPS7. The 'Report of Review' can make one of the following recommendations in relation to the LPS:

1. it is satisfactory in its existing form;
2. it should be reviewed; or
3. it should be repealed and a new strategy prepared in its place.

FINANCIAL IMPLICATIONS

A review of LPS7 may be undertaken using internal officer resources. However, if mapping changes are required, it will be necessary to allocate funding for external drafting which can be undertaken by the Department of Planning Lands and Heritage.

In respect of the LPS, there is likely to be a need to allocate funds for external specialists, advice and assistance. Funds may need to be set aside for the next financial year to assist with preparing supporting documents.

POLICY COMPLIANCE

Not applicable.

STATUTORY COMPLIANCE

Part 5 of the *Planning and Development Act 2005* (the Act) provides local governments with the power to make and review local planning schemes. Division 5 of Part 5 of the Act specifically addresses matters associated with the review of local planning schemes.

The Act is supported by the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations). Attachment 2 provides details of Part 6, Division 1 – *Review and consolidation of local planning schemes*.

In summary, the Regulations define:

- a) timelines for undertaking a review of Local Planning Schemes (in the 5th year after published in the *Gazette*);
- b) matters the review must consider;
- c) format for the review which requires a 'report of review';
- d) defining three possible options for a recommendation;
- e) the process and approvals required (which includes a decision from the WAPC) and timelines required by the local government to submit the "Report for Review".

In this instance, Clause 66(1) of the Regulations requires the local government to submit its recommendation by the 19 March 2020.

CONSULTATION

The Regulations do not require public consultation during the preparation of a 'Report for Review'. However, clause 67 (2) of the Regulations does require the advertising of the decision by the WAPC and making the "Report of Review" available for inspection at its office.

Depending on the direction approved by the WAPC, future stages of the review process will require comprehensive advertising/consultation with government agencies and the community.

OFFICER COMMENT

The Regulations requires the local government to review its Local Planning Scheme and Strategy every five years to ensure that the documents are current and reflect the requirements and directions of the State Planning Framework.

LPS7 provides the legal framework for assessing planning proposals while the LPS provides a longer term strategic vision for how the Shire could develop. The intent is to allow LPS7 to be amended from time to time to accommodate development and land uses that align with settlement patterns shown in the LPS.

The following section provides a summary of the "Report of Review" (Attachment 9.1.2(1)) and is divided into two main sections, addressing LPS7 and LPS.

Summary of Local Planning Scheme 7 (LPS7) - Report of Review

In respect to the 'report of review', Regulation 66 (2) outlines the content details required, including:

- a) the date on which LPS7 was published in the *Gazette*;
- b) date on which each amendment made to the scheme was published in the *Gazette*;
- c) the date on which the LPS7 was last consolidated (n/a);
- d) an overview of the subdivision and development activity, lot take up and population changes in the scheme area since LPS7 gazetted;

- e) an overview of the extent to which the scheme has been amendment to comply with requirements of any relevant legislation, region scheme or State planning policy;
- f) a recommendation as to whether LPS7 is satisfactory in its existing form, should be amended or repealed and a new scheme prepared;
- g) a recommendation as to whether the LPS is satisfactory in its existing form, should be reviewed or should be repealed and a new strategy prepared.

The “Report of Review” (Attachment 1) has been prepared reflecting the format and details required in the Regulations.

The following provides a summary of points addressed:

- a) There have been eight amendments to LPS7 that have been gazetted. Of these, four have been omnibus amendments prepared by the Shire to ensure that LPS7 is contemporary. The most significant was Amendment 3 which ensured that the scheme text reflects the deemed provisions included in the Regulations.
- b) There has been limited subdivision and development activity during the life of LPS7. This includes the creation of:
 - 1. 205 new dwellings (average 41 per year); and
 - 2. 52 new lots, most being infill development (27 traditional residential lots and 23 rural residential). It is noted that the most significant subdivision to occur is a “greenfield” subdivision of 95 residential lots (Meldene West - Stage 2). This was approved in 2018 and site works for Stage 1 is nearing completion.
- c) Population data is limited, however, it shows a consistent positive trend.
- d) There is opportunity to undertake a further omnibus amendment to ensure that the scheme text aligns with Model Scheme Text provisions with regard to:
 - 1. Introducing objectives for reserves into a Reserves objectives table. Presently, LPS7 does not include any guidance on this;
 - 2. Reformatting zoning objectives into a Zone objectives table;
 - 3. Reformatting additional uses into the main body of the scheme text;
 - 4. Updating subdivision standards for Agricultural land to reflect State Planning Policy 2.5 and Development Control Policy 3.4;
 - 5. Reformatting restricted uses into the main body of the scheme text;
 - 6. Reformatting Special Use zones into the main body of the scheme text;
 - 7. Reformatting Environmental Conditions into the main body of the scheme text; and
 - 8. Reviewing definitions to ensure they are up to date.

It is noted that most of these elements primarily relate to formatting and do not result in material changes in purpose and intent.

Summary of Local Planning Strategy (LPS) – Report of Review

The “Report of Review” includes the need to assess if the LPS is satisfactory in its existing form, reviewed or repealed and a new strategy prepared.

Overall, the LPS has provided appropriate strategic guidance and is generally acceptable in its current format based on the following observations:

- a) There has been limited development during the life of the LPS; and
- b) There is a suitable supply of land available for expansion.

In summary, the “Report of Review” (Attachment 1) shows that:

- a) there is a suitable supply of residential land;
- b) the settlement patterns for the Shire’s townsites have provided adequate guidance for future planning; and
- c) there is appropriate guidance for land use controls and direction on zoning intensions.

Notwithstanding the above, a review would provide scope to investigate the following strategic issues:

Availability of Industrial land

In May 2015, Council adopted a “*Growing Donnybrook Balingup Growth Plan*” (Growth Plan) which provided a strategic vision for the Shire (year 2050). This Growth Plan consisted of the following three stages:

1. Analysis of potential growth drivers and development of a sustainability framework and growth scenarios;
2. A gap analysis of existing capacity of townsites with opportunities and constraints; and
3. Formulating plans.

The Growth Plan highlighted several strategic issues that need action. It is considered that one of the key and most pressing relates to the availability of “Industrial” land. An audit of existing “General Industry” zoned land shows that there are no vacant lots available. The Growth Plan shows that land presently “zoned” for “General Industry” is constrained due to topography, vegetation and lack of native title resolution. A review of the LPS is required to address availability of alternative sites for “Industrial” land uses.

Review of Special Control Area 4 (SCA4) control mechanisms

Several requests have been received to review the extent and need of SCA4. The requests highlight the competing interests between quarry activity that plays a very limited role in the local economy but generates off-site impacts and limits potential growth opportunities for the Donnybrook townsite.

A review of the LPS has potential to re-visit the effectiveness in controlling land use conflict through a special control area and if there are alternatives that limit potential to sterilise adjoining land.

Potential to explore low density residential expansion

A scan of LPS maps show that there is significant zoned land available for traditional residential development. However, the majority of this land is constrained due to servicing (lack of reticulated sewer). This effectively sterilises land availability due to significant upfront costs, combined with low land values and relatively slow sales rates.

There is opportunity to explore potential for expansion of low density residential land options in proximity to the Donnybrook townsite. This can be undertaken in a manner that will not impact on the overall supply of good quality agricultural land or create long term sustainability issues generally associated with “sprawl”.

A review of the LPS has potential to consider opportunities for a range of housing/lot types and servicing arrangements near the Donnybrook townsite. There is opportunity to explore this as part of the current review of the Bunbury Geographie Sub-regional Strategy.

CONCLUSION

The “Report of Review” has been prepared in a format and includes content to satisfy the requirements of the Regulations. The “Report of Review” shows that that LPS7 and the LPS are generally satisfactory, however, would benefit from an amendment and review.

COUNCIL RESOLUTION 210/19

Moved: Cr Atherton

Seconded: Cr Lindemann

That Council:

- 1. Pursuant to Part 6, Division 1, Sections 66(1)(b) and (c) of the *Planning and Development (Local Planning Schemes) Regulations 2015* approves the “Report of Review” (Attachment 9.1.3(1)) and provides a copy to the Western Australian Planning Commission;**
- 2. Pursuant to Part 6, Division 1, Section 66(3)(a) of the *Planning and Development (Local Planning Schemes) Regulations* recommends to the Western Australian Planning Commission that Local Planning Scheme 7 be amended;**
- 3. Pursuant to Part 6, Division 1, Section 66(3)(b) of the *Planning and Development (Local Planning Schemes) Regulations* recommends to the Western Australian Planning Commission that the Local Planning Strategy be reviewed.**

CARRIED 9/0 by En Bloc Resolution

9.2 STRATEGIC BUILT PROJECTS AND ASSETS

Nil.

9.3 EXECUTIVE MANAGER OPERATIONS

Nil.

9.4 MANAGER WORKS AND SERVICES

Nil.

Report of Review

Local Planning Scheme No.7

- (a) The Scheme was published in the Gazette on 19 September 2014.
 (b) The following amendments have been published in the Gazette.

Amendment No	Date of Publication in Gazette	Property/Purpose of Amendment (Summary Overview)
1	11/3/16	Omnibus amendment. Schedule 12 - Including Community Events particulars Replace Clause 5.52.3.1 (iv) Inserting new Clause 8.2(iii) Amending Clause 5.54.9.1 Amending Clause 5.54.9.3 Amending Schedule 15 SPA3 - Portion of Lot 2934 Bentley Road Donnybrook
2	13/1/17	Rezone Lot 102 South Western Highway from "Residential R5/2.5" to "Residential R5/10". Amend the Scheme Maps accordingly
3	19/5/17	Amended clause 1.4. Deleted the following clauses from the Scheme Text, as they have been superseded by the deemed provisions set out in the Planning and Development (Local Planning Scheme) Regulations 2015 Schedule 2: • PART 2 - LOCAL PLANNING FRAMEWORK; • Structure Plan Areas (SCA8) clauses 6.9.1.2, 6.9.4 to 6.10.2 inclusive (Structure Plan Areas SCA8); • DIVISION D: Local Development Plans; • PART 7 - HERITAGE PROTECTION; • PART 8 - DEVELOPMENT OF LAND; • PART 9 - APPLICATIONS FOR PLANNING APPROVAL; • PART 10 - PROCEDURES DEALING WITH APPLICATIONS • PART 11 - ENFORCEMENT AND ADMINISTRATION Deleted the following definitions from Schedule 1, as they have been superseded by the definitions in the deemed provisions set out in the Planning and Development (Local Planning Scheme) Regulations 2015 Schedule 2: Advertisement, Local Government, Local Planning Strategy, Owner, Residential Design Codes, Substantially commenced, Premises, Cultural heritage significance, Amenity, Zone. Amended the following clauses by removing the cross reference to the clause deleted by the amendment and replaced them with cross reference to deemed provisions set out in the Planning and Development (Local Planning Scheme) Regulations 2015 Schedule 2 (including renumbering and updating cross references accordingly): 3.4.1, 3.4.2(i), 3.5(vii), 4.17.2, 4.17.3, 4.18.2(ii), 4.20.2, 5.4.2, 5.5.2(i), 5.5.3(i), 5.9.9, 5.18.1-2, 5.22(i), 5.45.1, 5.45.2, 5.51.2.2, 5.56.6.4, 5.58.3.2, 5.59.2, 5.9.6, 5.9.9, 6.1.4, 6.1.7, 6.5.3.2(ii), 6.13.3.3-4.

		<p>Reworded clause 5.52.4.1.</p> <p>Modified Zoning Table to make Ancillary Accommodation a 'P' use in the Residential zone.</p> <p>Deleted Schedules 9, 10, 11 and 13 and renumbered and updated cross references of remaining Schedules.</p> <p>Created a new 'Schedule A - Supplemental Provisions' to the Scheme and amended and transferred the 'permitted development' clauses 8.2(iii), (iv), (v), (viii) to (xi) inclusively, and (xiv) to (xxv) inclusively to Schedule A.</p> <p>Renumbered the remaining scheme provisions and schedules sequentially and updated any cross referencing to the new clause numbers as required, including 'Contents'.</p> <p>Amended the scheme text to replace references to 'planning' application and 'planning' approval with 'development' application and 'development' approval</p>
4	4/7/17	<p>Inserted new clause 4.56.6.5.</p> <p>Amended clause 4.54.8.1 (ii) and (iii).</p> <p>Amended SU1 of Schedule 5 – Special Use Zone.</p> <p>Replaced clause 4.52.3.1 (iv).</p> <p>Amended Schedule 12 – Development Contribution Plans by inserting Moveable signs.</p> <p>Amended clause 4.44.2 (iii). Inserted new clause 4.23.3</p>
7	25/8/17	<p>Amending the Scheme Map by rezoning Lot 20 Spencer Street, Balingup from 'Residential R10' to 'Special Use 5'.</p> <p>Update schedule 5 to include – SU5 – Lot 20 Spencer Street, Balingup.</p>
9	7/9/18	<p>Amend Schedule 6 - Additional Uses - A4 - Lot 9504 (RN80) Kelly Road, Donnybrook and adjoining closed road. (Land ID 3086771). Modify the Scheme Maps accordingly to reflect the Additional Use No. A4.</p>
6	9/10/18	<p>Rezone Lot 1 Hurst Road, Argyle from 'General Agriculture' to 'Rural Residential'.</p> <p>Amend the Scheme Map accordingly.</p> <p>Include the land within 'Schedule 2 - Rural Residential Additional Requirements' .</p> <p>Remove DIA2 from Schedule 13, and the scheme maps.</p>

10	26/4/19	<p>Delete the 'Parks and Recreation' reservation from Lot 4 Hearle Road, Glen Mervyn and replace with 'General Agriculture' zone in accordance with the Scheme Amendment Map.</p> <p>Rezone Lots 613 and 614 South Western Highway, Donnybrook from 'Tourist' to 'Commercial' in accordance with the Scheme Amendment Map.</p> <p>Delete item No. 1 from Schedule 12 and insert into Schedule 9 Exempted Advertisements.</p> <p>Amend Schedule 6 Additional Uses to include an additional use of 'Tavern' for Lots 11 and 268 Goldfields Road, Upper Capel.</p> <p>Modify clause 4.56.4.1. Delete Clause 4.56.4.8 and replace.</p> <p>Place an Additional Use designation 'A5' over Lots 11 and 268 Goldfields Road, Upper Capel.</p>
----	---------	---

The following amendments have been subject of resolutions to prepare, but not yet published in the Gazette -

Amendment Number	Date of Resolution to Prepare and current stage in process	Property/Purpose of Amendment (Summary Overview)
11	Granted consent to advertise by OCM 28 November 2018. Advertising closed raising issues regarding secondary road access to satisfy fire management requirements	Rezone Lot 384 Marshall Road, Argyle from "General Agriculture" to "Rural Residential"
12	Granted consent to advertise by OCM 22 May 2019	Rezone Lot 151 Bentley Road, Donnybrook from "General Agriculture" to "Residential"
13	Granted consent to advertise by OCM 28 August 2019.	Insert an additional use "Industry – Light" for Lot 176 South Western Highway, Donnybrook

Note

Two additional amendments have been initiated and are unlikely to be progressed to finalisation. These are:

Amendments 5 was a complex amendment to rezone a 2ha portion of Lot 71 Grimwade Road, Balingup to "Rural Residential". The proposal was initiated by Council at its OCM 27 April 2016. The amendment did not receive consent to advertise by the WAPC without modifications. The applicant did not have the funds to proceed.

Amendment 8 was a complex amendment to zone Lots Lots 424 and 425 Bakewell Street, Donnybrook. The amendment was advertised and recommended for final approval by Council at its OCM 26 September 2018. The WAPC requested changes that the applicant and Council had no budget availability to proceed. A request to not proceed has been presented to the WAPC.

- (c) The Scheme has not been consolidated in accordance with the formal requirements of Part 5, Division 5 of the *Planning and Development Act 2005*.
- (d) The following is a summary of development activity and population growth since the Scheme was first published in the Gazette:

Year	# of building permits issued for new dwellings	Population growth
2011		5192 (ABS data)
Sept 14-31 December 2014	26	
2015	49	
2016	38	5940 (WA Tomorrow)
2017	30	
2018	37	6062 (ABS data)
2019 to Sept	25	
Totals	205	
<p>Note: Data availability on population is not extensive. However, it shows that there is a relatively low and steady rate of population increase.</p> <p>Projections in WA Tomorrow indicate population forecasts of 6235 by 2026 and 6430 for 2031 (band C – medium forecast)</p>		

Year	# of subdivision applications	# of lots proposed	# of subdivision lots created			# total lots created
			Residential	Rural Residential	Other	
Sept 14-31 December 2014	2	2				0
2015	10	16	5		2	7
2016	11	13	14	8		22
2017	12	10	6	5		11
2018	8	95		4		4

2019 to Sept	2	5	2	6		13
Totals	68	141	27	23	2	52

Notes:

- 1) The vast majority of subdivision represents small ad-hoc infill. The only exception relates to Stage 2 Meldene Estate (95 lots in 2018). This land was rezoned (Amendment 2) and represents a greenfield expansion of the urban footprint for the Donnybrook Townsite. Subdivision works have been substantially commenced with lots expected to be created in the very near future.
- 2) The 13 Rural Residential lots created are the direct result of reducing the minimum lot size to 1ha, allowing infill to occur within existing rural residential areas.

- (e) There is no relevant region planning scheme. Amendments to the Scheme have been variously published in the Gazette. In relation to this review, the most relevant is Amendment 3. This amendment ensured the LPS7 was consistent with the Regulations. The specific details contained in this amendment are shown in the table above.

Relevant Plans and Policies

There are an extensive range of plans and policies that have been considered in preparing this report, including -

- 1) Shire of Donnybrook Balingup Strategic Community Plan 2017-2027
- 2) Shire of Donnybrook Balingup Corporate Business Plan 2017 - 2021
- 3) Local Planning Strategy 2014
- 4) Growing Donnybrook-Balingup Growth Plan (June 2015)
- 5) Shire of Donnybrook Balingup Town Planning Policies
- 6) South West Regional Blueprint (SWDC, 2014)
- 7) State Planning Policies (various dates)

Based on the limited activity occurring during the life of LPS7 and recent “omnibus” amendments to improve and clarify issues that came to light through applying LPS7 as well as updating the scheme text to reflect the Regulations, it is considered that LPS7 is generally satisfactory in its existing form. However, it will benefit from an amendment to improve consistency with Model Scheme Text formatting and updating provisions to align with recent policy directions. There is also opportunity to review opportunities to diversify incidental land use in the Priority Agriculture zone.

Recommendation

Pursuant to clause 66.(3)(a) of the *Planning and Development Local Planning Schemes) Regulations 2015* it is recommended that Local Planning Scheme 7 be amended.

Local Planning Strategy

- (a) The Local Planning Strategy was endorsed in September 2014.
- (b) There have been no amendments to the Local Planning Strategy.

Land supply Assessment

Land supply identified in the LPS consist of four main categories, being:

- a) Residential;
- b) Rural residential;
- c) Commercial/industrial; and
- d) Agricultural.

The following provides an assessment on these four main categories.

Residential land supply

One of the key purposes of an LPS is to define the settlement patterns for towns and ensure that there is suitable land available for expansion and to meet demand. In respect to residential land (investigation areas and green-field sites), the LPS and LPS7 identifies the following:

Localities	Existing residential zoned land (undeveloped)	Estimated lot yields	Investigation areas (residential)	Estimated lot yields
Donnybrook townsite	161ha	990	120ha	799
Kirup Townsite	40ha	140	n/a	
Mullalyup Townsite	8ha	28	n/a	
Balingup Townsite	41ha	133	56ha	104
Totals	250ha	1291	125ha	903

Note:

- a) Estimated lot yields are based on calculations developed as part of the Growing Donnybrook Balingup Growth Plan 2015 for Donnybrook and Balingup townsites
- b) Estimated residential zoned land in Mullalyup does not include areas within the townsite that have potential for infill development.
- c) Estimated residential yields for Mullalyup and Kirup are based on 20% of gross subdividable land being set aside for roads and drainage and 10% for open space. A minimum lot size of 2000m² has then be applied to reflect zoning and densities allowed without reticulated sewer.
- d) Estimated residential zoned land in Kirup includes areas within the townsite that have potential for infill development.
- e) These estimates do not include established residential areas within Donnybrook, Mullalyup and Balingup that have infill subdivision potential.

It is reasonable to conclude that there is a suitable supply of zoned land for traditional residential purposes, when considering the limited lot creation over the life of the LPS (52 lots).

There is opportunity to consider alternative forms of residential development such as lower density housing options. This will allow potential to grow the Shire's townsites by removing constraints for servicing (reticulated sewer) and providing housing options that

reflect market demand and provide choice not available in other townsites and the “Bunbury” urban areas.

Rural Residential land supply

In respect to Rural Residential development, LPS7 introduced potential for infill, reducing the lot size requirement from 2ha to 1ha. This has resulted in the creation of an additional 23 lots. Constraints to progressing infill and new rural residential estates has resulted from fire management controls.

An audit of existing Rural Residential lots has concluded that there is potential for additional infill as shown below:

Location	Total potential (including properties that may require removal of existing dwelling)	Unconstrained properties (can be reasonably subdivided without removing dwellings)
Donnybrook	85	31
Balingup	34	34
Total	119	65
Note: Constrained lots have been identified by a desk top analysis of aerial maps where lots contain dwellings located in positions that would make a simple subdivision design impractical without removal). Potential lots do not include lots without access to a potential secondary emergency access An additional 20 infill lots could be added to the unconstrained column for Donnybrook if amendment 11 relating to Marshall Road can resolve secondary emergency access		

The LPS identifies opportunities for limited expansion near existing rural residential areas. This includes four sites near the Donnybrook townsite and three sites near the Balingup townsite. It is noted that two of the sites near Donnybrook have been progressed. This includes a subdivision approval to create 3 lots and a rezoning being considered to create 18 lots. The rezoning is subject to resolving a secondary access.

Commercial/Industrial land supply

In respect of Industrial land, the following observations are made:

Localities	Existing Industry zoned land (undeveloped)	Investigation areas
Donnybrook townsite	180ha	72ha
Kirup Townsite	5.7ha	n/a
Mullalyup Townsite	n/a	n/a
Balingup Townsite	n/a	n/a
Totals	185.7ha	72ha

Notes

- a) The availability and potential to develop industrial land within Donnybrook is significantly constrained due to native title, topography and remnant vegetation.
- b) A review of suitable industrial land was undertaken as part of the Growing Donnybrook Balingup Growth Plan 2015. This identified 76ha of Industrial land and investigation areas of 90ha.
- c) Land within Kirup contains two existing residential dwellings.
- d) Donnybrook townsite also includes 2 vacant light industry sites with a combined area of 2.2ha. There is also a 1.4ha site that contains an existing dwelling. Most the vacant land is constrained due to being flood prone.

In respect to Commercial zoned land, and audit of Donnybrook and Balingup townsites concluded that:

Localities	# of vacant Commercial zoned lots	Lot areas	# of vacant buildings/units
Donnybrook townsite	2	2.7ha	8
Kirup Townsite	1	2800m ²	1
Mullalyup Townsite	1	3780m ²	n/a
Balingup Townsite	1	896m ²	7
Totals	5	3.44ha	16

Notes

- a) In the Mullalyup townsite there is a Commercial zoned parcel of land that is set aside and developed as open space. This has not been included in the table
- b) The vacant lot in Balingup has vehicular access restrictions
- c) In Donnybrook, the following factors need to be considered:
 - There are a significant number of established residential buildings in the Commercial zone that have potential to accommodate commercial development (along Collins Street)(10 lots) and the northern extent of the SW Hwy (10 lots).
 - Lots with dual frontage Clifford Road/SW Highway (18 lots) have potential for infill to take advantage of the Clifford Road frontage (presently no buildings address Clifford Road).
 - The current mini major (IGA) is in the process of expanding.

Agricultural land use

In respect of Agricultural zoned land, the LPS has two main zones – General Agriculture and Priority Agriculture.

The intent of the Priority Agriculture zone is to protect good quality and productive agricultural land from land uses and activities that can generate conflict and compromise agricultural activity and production.

The intent of the General Agriculture zone is to promote diversity of land use activity to improve economic activity and viability outside townsites.

The LPS and LPS7 provisions presently reflect this intent, however, subdivision standards need to be amended to reflect changes in the State Planning Framework.

Recommendation

Pursuant to clause 66.(3)(b) of the *Planning and Development Local Planning Schemes) Regulations 2015* it is recommended that Local Planning Strategy be reviewed.

DRAFT