

Schedule of Submissions –
Comments from Public Authorities and Other Local Governments:

Local Development Plan – Belmont Park Racecourse Precinct A
(Town ref: 5.2021.436.1)

No.	Public Authority	Submission Position	Submission Comments	Officer Comment
1	Department of Communities (CM9 D22/16812)	Support subject to conditions	Provision is to be made for the inclusion of affordable housing. Provided here is an opportunity for the developers and the Town of Victoria Park to ensure an equitable share of this significant site.	Noted. The LDP has been modified to include a suitable provision.
2	Department of Education (CM9 D22/24325)	No objection (in principle) subject to comments	<ul style="list-style-type: none"> • should the combined dwelling yield across the Precincts exceed the 4,500 dwelling limit, a holistic review of public educational needs is to be undertaken as part of any future formulation / amendment to the Local Structure Plan and associated Precinct Local Development Plans; and • additional primary school site(s) may be required within the Burswood Peninsula District Structure Plan area to ensure that the number of school sites corresponds accordingly with the residential growth. 	<p>Noted. No modification required.</p> <p>Taking into account the existing approved LDP for Precinct D, estimated dwelling yield in Precinct B and proposed dwelling yield in Precinct A, the combined dwelling yield will be below 4,500 dwellings. Should the LDP for Precinct B seek to vary this requirement this matter will be reviewed accordingly.</p>
3	Department of Fire and Emergency Services (DFES) (CM9 D22/23923)	N/A	The proposed Local Development Plan does not fall into an area designated as bushfire prone pursuant to the Fire and Emergency Services Act 1998 (as amended) as identified on the Map of Bush Fire Prone Areas.	Noted. No modification required.
4	Department of Water and Environmental	No objection	<ul style="list-style-type: none"> • Stormwater management - A Local Water Management Strategy (LWMS) (as required under 	Noted. No modification required.

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	Regulation (DWER) (CM9 D22/16227 and D22/30459)		<p>the Better Urban Water Management Framework (WAPC, 2008)) has not been included in the supporting documentation. A LWMS was prepared and endorsed by the DWER back in 2012 (Belmont Park Racecourse Redevelopment – Local Water Management Strategy (Emerge Associates, Nov 2012)). This LWMS should be revised by the applicant given it is now 10 years old and may not reflect changes to the proposed structure plan over the last 10 years. This revised LWMS should then be included in the supporting information for review by Government Departments and the public.</p> <ul style="list-style-type: none"> • Contaminated site – A portion of land at Lot 3001, as shown as Subject M on Deposited Plan 414105 (on certificate of title 4015/406), was classified under the CS Act as remediated for restricted use on 2 January 2020 and a memorial (reference number O334827ML) was placed on the certificate of title. The remaining portion of Lot 3001 was classified as not contaminated – unrestricted use under the CS Act on 2 January 2020 and was found suitable for all land uses. Development of the site for any use will require the development and implementation of a Remedial Action Plan and/or an additional site management plan to mitigate potential risks from contaminants in soil and groundwater to ensure it is suitable for the proposed land use. • Acid sulfate soils - mapping indicates that Lot 3001 lies within an area identified as having a high to moderate risk of acid sulfate soils occurring within 	<ul style="list-style-type: none"> • Stormwater management - It is considered that the LWMS does not need to be updated at this stage. A Urban Water Management Plan (UWMP) will be provided at subdivision stage. The UWMP will need to be based on current site conditions. • Contaminated site – Noted. No modification required. This matter will be addressed at future development and/or subdivision stages. • Acid sulfate soils – Noted. No modification required. This matter will be addressed at future development and/or subdivision stages.

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			<p>three metres of the natural soil surface. The department may recommend that acid sulfate soils condition EN8 and advice Ena1 be applied to future approvals granted by WAPC, as published in 'Model Subdivision Conditions Schedule' (Department of Planning, Lands and Heritage; WAPC, December 2020).</p>	
5	<p>Department of Planning, Lands and Heritage (DPLH) (CM9 D22/24170)</p>	Comments	<ul style="list-style-type: none"> • LDP planning mechanism – The DPLH notes that a LDP, prepared and adopted under Schedule 2, Part 6, Clause 47 of the Planning and Development (Local Planning Schemes) Regulations 2015, is the appropriate mechanism to guide design and coordinate development of Precinct A. • Lot layout – A single cohesive plan is to be included in the LDP. The reference to 'masterplan' should be removed. The LDP should make it clear that the configuration of lots, the layout of roads and footpaths, allocation of regional and local public open space will be determined by the WAPC and the responsible authority for the subdivision of land. • Public open space (POS) – <ul style="list-style-type: none"> ○ The LDP departs from the Structure Plan's indicative provision of POS in Precinct A. The WAPC's <i>Development Control Policy 2.3 – Public Open Space in Residential Areas</i> (DC 2.3) generally requires 10 percent of the gross subdivisible area to be given up free of cost by the subdivider for POS and vested in the Crown as a Reserve for Recreation. Similarly, Liveable Neighbourhoods 	<ul style="list-style-type: none"> • LDP planning mechanism - Noted. No modification required. • Lot layout - The LDP has been modified to include a suitable plan (refer to Plan 1) and the term 'masterplan' has been removed. The responsible authority for making a decision on various matters is noted. • POS – The LDP has been modified to remove reference to the amount of POS to be provided. It is noted that the WAPC is the responsible authority for the determination of this matter. • Vegetation – Then LDP has been modified to include an objective that highlights the importance of retaining and enhancing existing foreshore vegetation wherever possible, including the Juncus and Samphire planting communities. Due to the requirement to raise site levels to accommodate future Swan River floodplain levels the developable area will be cleared of these vegetation communities, however, an equivalent area will be replaced within the foreshore reserve area. A

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			<p>2015 (LN) provides a minimum contribution of 10% of the gross subdivisible area for POS and that it be distributed in such a way to ensure that all residential lots are within 300m of a POS site and within the catchment of sites providing access to sport, recreation and nature opportunities. In addition to this, Element 5, Clause 8.5 of LN provides standards for linear open spaces, noting that linear open spaces are to be at least 15 metres wide on average and those less than 15 metres wide are considered a pedestrian accessway, and not credited as POS. POS provision that is less than 10% of the gross subdivisional area is generally not consistent with orderly and proper planning. Whether a reduced amount is acceptable will be assessed at the subdivision stage on merit, in the context of the characteristics of the broader peninsula and in accordance with the State planning framework, including LN and DC 2.3. Therefore, it is recommended that the LDP is silent on the percentage of POS and it should indicate that POS provision is indicative only and will be determined at the subdivision stage. In addition, it is recommended that the width of the proposed linear POS is addressed.</p> <ul style="list-style-type: none"> • Vegetation – <ul style="list-style-type: none"> ○ A future subdivision will provide an opportunity to cede the P&R reserve to the Crown and landscape, and foreshore plans, will facilitate the regeneration and rehabilitation of native 	<p>condition to this effect has been imposed on the recently approved forward works development approval for the North Park area of Precinct A.</p> <ul style="list-style-type: none"> • Interface with the P&R Reserve – Noted. No modification required. The adopted Structure Plan did not require the provision of a road between the Foreshore Lots and foreshore. The Town’s Officers and Design Review Panel are supportive of the proposed road network and lot layout. It is considered that the public will have adequate points of access to the foreshore reserve. In respect to the setbacks to the foreshore reserve please refer to the Analysis section of the Council report. • Building height and dwelling yield – Noted. No modification required. The building height is discussed in the Analysis section of the Council report. Taking into account the existing approved LDP for Precinct D, estimated dwelling yield in Precinct B and proposed dwelling yield in Precinct A, the combined dwelling yield will be below the maximum of 4,500 dwellings identified in the Structure Plan. Should the LDP for Precinct B seek to vary this requirement this matter will be reviewed accordingly. • R-Codes variations – Noted. No modification required. Should the LDP contain any variations requiring WAPC approval then the LDP will be referred to the WAPC for approval accordingly. This matter will be further addressed in the Council

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			<p>vegetation. This is important to safeguard the quality of the river foreshore, including its health, amenity and landscape values, and its recreational and scenic qualities are preserved, consistent with <i>State Planning Policy 2.10 - Swan-Canning River System</i>.</p> <ul style="list-style-type: none"> ○ The LDP identifies that preload and fill is proposed in portions of the site where Subtropical and Temperate Coastal Saltmarsh (Coastal Saltmarsh TEC) has been mapped in a very good and good condition, particularly around the lake. The Coastal Saltmarsh TEC is afforded direct statutory protection at a State level under the <i>Biodiversity and Conservation Act 2016</i> and associated Regulations, and at a federal level it is classified as 'vulnerable' under the <i>Environmental Protection and Biodiversity Conservation Act 1999</i>. ○ The Department has consistently conveyed the importance of maximising the retention of protected vegetation where possible, and has encouraged alternate engineering design solutions to mitigate harm, as evident from the north eastern portion of the Precinct where Controlled Modulus Columns are proposed. Therefore, it is recommended that the Town continues to work closely with the Department of Biodiversity, Conservation and Attractions and the Department of Water and Environmental Regulation to retain as much protected vegetation as possible. 	<p>report, as applicable.</p> <ul style="list-style-type: none"> ● Aboriginal Heritage – Noted. No modification required.

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			<ul style="list-style-type: none"> • Interface with the P&R Reserve – <ul style="list-style-type: none"> ○ Clause 7.4.14 of SPP2.10 states that private space should be separated from foreshore reserves by a public road. However, there may be alternatives to a hard road edge if there are specific site characteristics, such as topography, access provision and the extent of the development front that would warrant a different design approach. Notwithstanding, it is important to ensure the public has easy and uninterrupted access to the entire foreshore reserve. The design solution should discourage an arrangement where the general public is at a disadvantage from using the reserve for recreational purposes due to the presence of adjacent private development. ○ The proposed setbacks to the P&R reserve are as little as 1.5m at first floor level. A more substantial setback would provide an improved transition between the public and private spaces in the absence of a public road separating the lots from the P&R reserve. Therefore, the applicant should provide robust justification for the proposed setbacks and demonstrate how these achieve adequate separation and delineation between the two spaces to meet the intent of Clause 7.4.14. Otherwise, the LDP should be modified. • Building height and dwelling yield – <ul style="list-style-type: none"> ○ The LDP proposes a maximum building height of 19 storeys whereas the Belmont Park SP contemplates a maximum height of 13 storeys. I understand that this height difference is to 	

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			<p>compensate for a reduced height to minimise overshadowing the racetrack area for the lots adjacent to its northern boundary. In addition, the Belmont Park SP contemplates an estimated dwelling yield of 950 dwellings for Precinct A, whereas the LDP contemplates 1,344 dwellings. This equates to a 34% increase in dwelling yield. Furthermore, the LDP states that the exact number of dwellings to be delivered is to be determined at a later date and subject to market conditions.</p> <ul style="list-style-type: none"> ○ Any height increase will need to be assessed in the context of the estimated dwelling yield and traffic impact assessments for the Belmont Park SP as a whole. If additional dwelling yield cannot be accommodated in the road network, a reduced yield and height may be needed. Impact on the road network will be an important consideration at the time of subdivision and will be assessed in the context of the total dwelling yield for the broader peninsula and in consultation with other state government agencies, and the Town. A dwelling increase may be acceptable in Precinct A if this is offset by a reduction in dwelling yield for Precinct B, or if traffic impact assessments can demonstrate that the road network is capable of accommodating the additional trips generated by the increase. ○ In addition, the Town will need to be satisfied the transition between the various building typologies is appropriate from an urban design view point and are generally consistent with the Belmont 	

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			<p>Park SP.</p> <ul style="list-style-type: none"> R-Codes variations - The LDP proposes variations to several development provisions contained in State Planning Policy 7.3 - Residential Design Codes Volume 1 and Volume 2 (R-Codes). The Town may approve these variations pursuant to Clause 7.3.1 of Volume 1 and Clause 1.2.2 of Volume 2, however, it must be satisfied they are consistent with the Design Principles and Element Objectives of the R-Codes. Any development provisions which are not listed at Clause 7.3.1 of Volume 1 or Clause 1.2.2 of Volume 2 and are being varied may require the approval of the WAPC, which for the avoidance of doubt would include any variations to Clause 5.3.1 Outdoor living areas and 5.4.2 Solar access contained at Volume 1. Aboriginal heritage - The Department can confirm that Precinct A does not intersect with any Aboriginal Heritage sites. 	
6	City of Belmont (CM9 D22/18096)	No objection	The provisions of the LDP are not considered to result in any significant implications for the City of Belmont.	Noted. No modification required.
7	Perth Airport (CM9 D22/22850)	Comments only	Perth Airport provided a list of conditions and advice notes for future consideration for development in Precinct A.	Noted. No modification required. It is considered that the LDP does not require modification to address these comments. Development applications will be referred to Perth Airport in accordance with relevant planning requirements. Conditions and advice notes will be imposed on development approvals, as applicable.

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				A copy of these comments have been forwarded to the developer for reference purposes.
8	Perth Transport Authority (CM9 D22/22851)	Comments	<ul style="list-style-type: none"> Needs to be provision for Transperth services to adequately serve the area. Neighbourhood connector should be extended to the north east corner of the development and be an appropriate width to accommodate Transperth buses. A terminus location sized to accommodate a Transperth articulated bus should be identified on the plans in the north east corner of the development for any future bus route to be able to dwell and terminate. 	<p>Noted. The LDP has been modified to include a suitable provision.</p> <p>The LDP has been amended to address the PTA comments. Further consideration of the suitability of the neighbourhood connector road reserve width and road design will be addressed at subdivision stage.</p>
9	Department of Biodiversity, Conservation and Attractions (DBCA) (CM9 D22/58044 and D22/58722)	Objection	<ul style="list-style-type: none"> Parking Management Strategy – The updated PMP notes that 67 bays have been provided for visitors to Townhouses within Precinct A which has an excess of 16 bays. 11 additional bays for Public Open Space are also provided in association with the City Park use. It is noted that one area of off-street parking is provided adjacent to the activation node in North Park. It is not clear how many visitor parking bays are being provided to service the remainder of the foreshore and its facilities, particularly within West Park, including jetties, beach, boat ramp, walk trails, play gardens and picnic areas. On-street bays are shown along the boulevard, but these are some distance from the foreshore reserve and are likely to be fully patronised by residents and visitors of those residences. DBCA maintains that consideration needs 	<p>Noted. The LDP has been modified to include a suitable provision/information.</p> <ul style="list-style-type: none"> PMP – The Town’s Officers are satisfied with the provision of visitor parking. Open Space – The Town’s Officers are satisfied with the provision of open space. Development setback requirements – The Town is supportive of the proposed setbacks to the foreshore reserve. Further commentary regarding this matter is provided in the Council report. Stormwater management – These considerations will be addressed in a UWMP that will be submitted by the developer at subdivision stage.

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			<p>to be given within Precinct A for appropriate provision of visitor parking for the foreshore reserve. Visitor parking provided for the purpose of servicing residents is not considered to address the regional nature of the foreshore reserve. Alternatively, should there be less infrastructure and greater emphasis on rehabilitation of the foreshore within West Park, then the current allocation of visitor parking may be considered appropriate.</p> <ul style="list-style-type: none"> • Open Space Management Strategy – The treatment of neighbourhood play within “green finger” areas is still not considered to provide residents with local level recreational needs. The Public Open Space area located in North Park is removed and not readily accessible from some of the residential spaces within West Park. DBCA notes the reliance on the foreshore reserve to fulfill these recreational needs of residents within West Park. The LDP details areas associated with canoe launching, beaches, three jetties, play gardens and picnic areas. These areas are not considered to be accessible to visitor parking which occurs mostly on-street within the residential areas of Precinct A and a small amount of parking provided adjacent to the activation node within North Park. Justification regarding public access to the foreshore has not been suitably addressed within Precinct A, particularly for West Park. Reference is made to an integrated public access solution across the site, however, this relies heavily upon the development of Precinct B to accommodate visitor parking and public 	

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			<p>access to Precinct A overall.</p> <ul style="list-style-type: none"> • Development Setback Requirements – DBCA does not agree with the Applicant’s response to retain the 4 metre ground floor setback from the Development Control Area (DCA) to Townhouses within West Park. Justification is provided on the basis that the development is adjacent to a wider portion of foreshore reserve, however, in this area the foreshore is less than 150 metres. Corporate Policy No. 48 refers to a wide foreshore area being more than 150 metres. It is considered building bulk in this area will continue to have an impact on the adjacent foreshore reserve, particularly considering development in this location is adjacent to public infrastructure (pedestrian/cycle path) and has the potential to detract from the community’s use and enjoyment of the foreshore in the immediate vicinity. • Stormwater management - DBCA notes that the Foreshore Management Plan (FMP) does not form part of the approval of the LDP, however, some elements of the LDP refer to urban stormwater management, with the collection of water from impermeable surfaces through the site being treated in bio-swales before arriving at bioretention basins within DCA. Previous comments raised by DBCA regarding the treatment of stormwater over the site and into the DCA should be addressed at the appropriate stage of development. This includes retaining or detaining surface flows and integrating these into the 	

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			<p>rehabilitation of the foreshore along with considering the potential impact of hydrological changes to the subtropical and temperate coastal saltmarsh TEC. DBCA notes that they are being referenced within the LDP ahead of consideration of an Urban Water Management Plan and Landscape Concept Plan (that contains plant species) for Precinct A. A review of the LDP and supporting documents has noted some changes to drainage, with bioretention basins now shown within the DCA. DBCA notes the detailed stormwater management system design, particularly for the vegetated swales proposed within the 'green fingers', the biofilters proposed within POS and the biofilters and/or vegetated swales proposed within the foreshore reserve, is to be included within an Urban Water Management Plan (UWMP). The UWMP must also include details about how runoff from the minor and major rainfall events would be conveyed to the Swan River and not cause erosion and sedimentation; this should be via overland flow across vegetation, such as the shallow vegetated swales proposed in the Local Water Management Strategy.</p>	
10	Main Roads WA (CM9 D22/59815)	Objection	<ul style="list-style-type: none"> • There is insufficient detail regarding provision of road infrastructure to support the facilitation of the LDP as presented. • The Transport Impact Assessment (TIA) prepared for this LDP suggests a reduction to trip generation based on the proposed shuttle bus service. Please provide further details regarding how this service will operate in an updated TIA. This information is required to justify the trip generation proposed. 	<p>Noted. No modification required.</p> <ul style="list-style-type: none"> • The Town is satisfied with the proposed movement network within Precinct A. Additional clarification regarding this matter was sought from Main Rods, however, the Town's Officers were advised that further information could not be provided due to the private and confidential nature of current negotiations with the landowner and developer. • The updated TIA has removed reference to the

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				Shuttle Bus. The road network has been designed to accommodate a future Transperth bus service.