

Our Ref:
Our Enquiries:

TPS3/A106 PS/KR Phil Shephard

14th December 2009

Nick Ayton Ayton Baesjou Planning 11 Duke Street ALBANY WA 6330

Dear Sir/Madam

Re: Draft Town Planning Scheme No. 3 – Amendment No. 106 Documents.

Council has received your draft amendment documents for the above proposal. Unfortunately the documents are not considered sufficient at this stage for staff to prepare an item to Council as they fail to address the matters requested by Council at its September 2009 meeting when adopting the structure plan for these lots.

Council at its September 2009 meeting resolved as follows:

"That, with respect to the final approval of the Local Structure Plan for Lots 1 & 2 (previously 348), 349 & 350 Kearsley Road, Council, in accordance with clause 8.2 of the scheme:

- 1) Note the submissions received and adopt for final approval the proposed Local Structure Plan (dated June 2009) to be used to guide the future scheme amendment.
- 2) Advise the proponents that whilst the scheme amendment documents can be prepared in accordance with this decision the plan be amended to reflect that remnant vegetation area is not sufficiently protected and a maximum of 30m from the edge of the remnant vegetation area (as determined by Council) may be used for any fire protection measures to achieve a low or medium fuel zone.
- 3) Advise the proponents that it should not be construed that the submitted Fire Management Plan in its current form is endorsed by Council as Council has some concerns that it does not comply with Council Policy P100601 in relation to purporting to assign responsibility for fuel reduction measures on Council land in order to achieve the required low classifications.
- 4) Advise the proponents that the southern section of Kearsley Road south of the Wishart Place intersection will need to be assessed for traffic management impacts and contributory arrangements to its development and future construction."

The deficiencies indentified at this stage include:

• The documents do not comply with the part 2 of the resolution. The present Subdivision Guide Plan simply reflects the original one approved in the structure plan and has not addressed or altered for the amendment as required.

• There is no advice showing that the amendment is consistent with Council's Policy P100601as required. The present Fire Management Plan is the same one submitted with the structure plan. This needs to be modified to reflect Council's requirements as stated in part 3 of the resolution.

Your application will be held in abeyance until the above matters have been resolved. If you have any questions in relation to this matter, please contact Planning and Development Services on 9848 0300 during office hours.

Yours faithfully

Phil\Shephard

Acting Director of Planning & Sustainability

