



LOCAL PLANNING SCHEME No. 5

Amendment No. 1

FORM 2A

*Planning and Development Act 2005*RESOLUTION TO PREPARE AMENDMENT TO
LOCAL PLANNING SCHEME

SHIRE OF TOODYAY

LOCAL PLANNING SCHEME NO. 5 - AMENDMENT NO. 1

RESOLVED that the local government pursuant to section 75 of the *Planning and Development Act 2005*, amends the above local planning scheme by:

1. Reclassifying portion of Lot 9508 Burt Parkway, Nunile from Public Open Space reserve to:
 - a. Residential zone and applying a density coding of R20 and R35; and
 - b. Local Road reserve; and
2. Reclassifying Lot 8006 Murray Walkway, Nunile from Residential zone to Public Open Space reserve and removing the R10 density coding from the affected parcel.

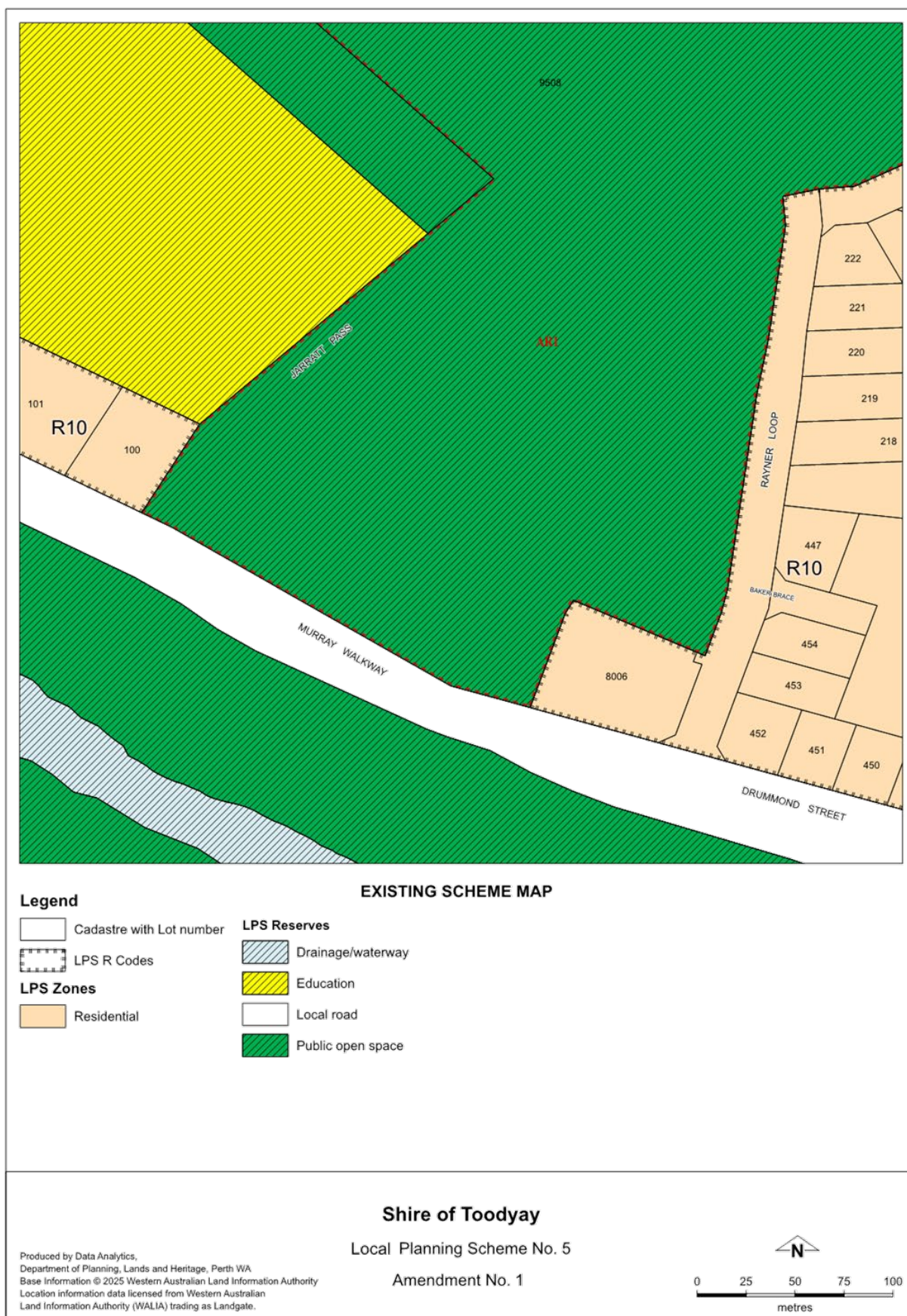
The Amendment is standard under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reason(s):

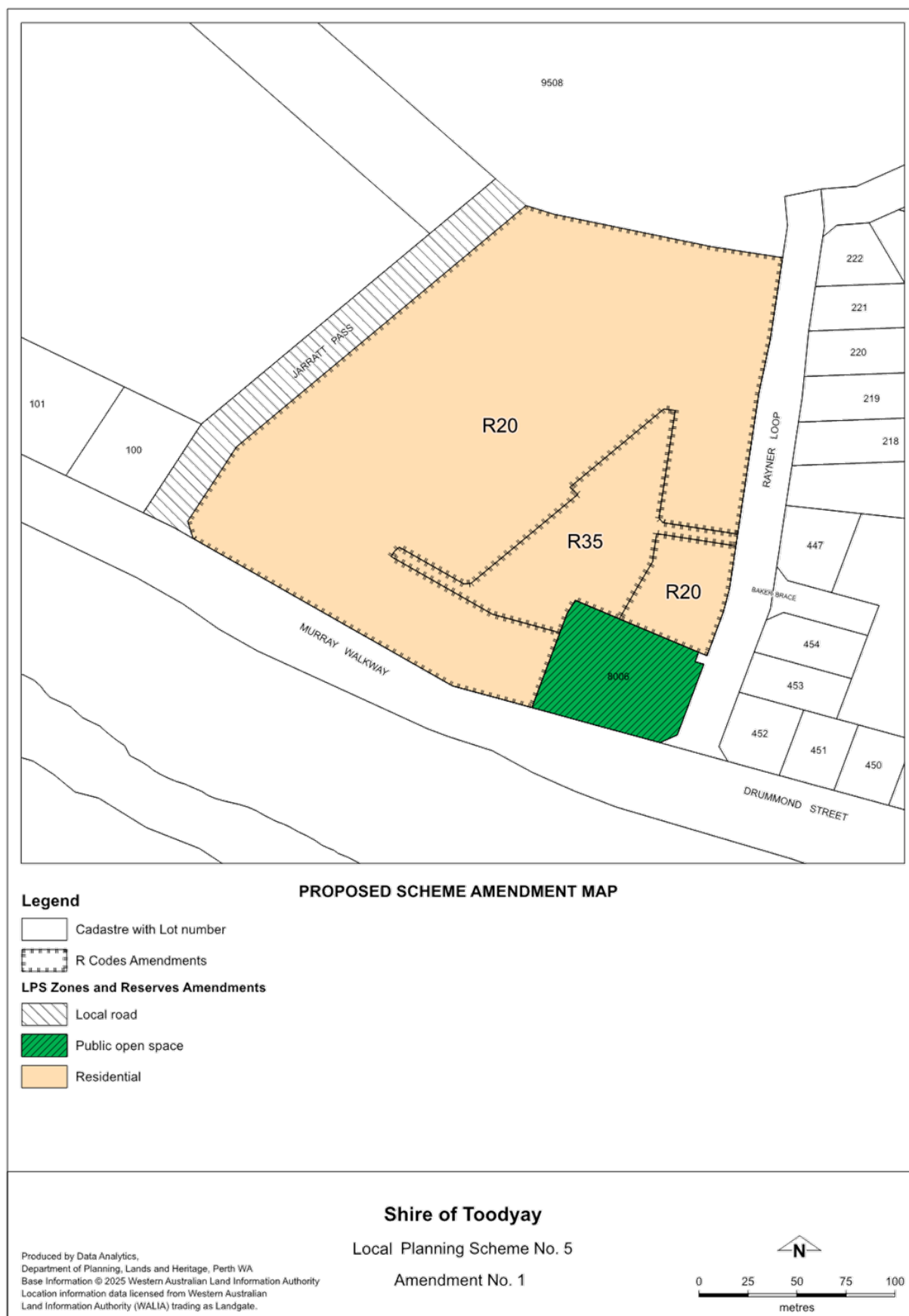
- An amendment that is consistent with a local planning strategy for the scheme that has been endorsed by the Commission.

Date of Council Resolution.....

.....
(Chief Executive Officer)

Dated this day of 20.....





SHIRE OF TOODYAY
LOCAL PLANNING SCHEME NO. 5 - AMENDMENT NO. 1
SCHEME AMENDMENT REPORT

Table of Contents

1	INTRODUCTION	1
1.1	PROPOSAL	1
1.2	RATIONALE FOR R20 AND R35 DENSITY	1
1.3	ASSOCIATED ASSESSMENTS AND APPROVALS PROCESSES	2
1.4	IMPORTANCE OF THE AMENDMENT	2
1.5	HOUSING SUPPLY AND DEMAND	3
1.6	RECREATION AND PUBLIC OPEN SPACE NEEDS	3
2	SITE CONTEXT AND CONSIDERATIONS	7
2.1	LOCATION	7
2.2	SITE AREA	7
2.3	LAND DETAILS AND OWNERSHIP	7
2.4	CURRENT AND SURROUNDING LAND USES	7
2.5	EXISTING SITE CHARACTERISTICS	12
2.6	INFRASTRUCTURE REQUIREMENTS	15
3	STATE AND REGIONAL PLANNING FRAMEWORK	16
3.1	STATE PLANNING POLICY 2.0 – ENVIRONMENT AND NATURAL RESOURCES POLICY	16
3.2	STATE PLANNING POLICY 3.0 – URBAN GROWTH AND SETTLEMENT	16
3.3	STATE PLANNING POLICY 3.4 – NATURAL HAZARDS AND DISASTERS	17
3.4	STATE PLANNING POLICY 3.7 – BUSHFIRE	18
3.5	GOVERNMENT SEWERAGE POLICY	18
3.6	RESIDENTIAL DESIGN CODES VOLUME 1	18
3.7	WHEATBELT REGIONAL PLANNING AND INFRASTRUCTURE FRAMEWORK	18
4	LOCAL PLANNING FRAMEWORK	20
4.1	SHIRE OF TOODYAY LOCAL PLANNING SCHEME No.5	20
4.2	SHIRE OF TOODYAY LOCAL PLANNING STRATEGY	23
4.3	FOGGARTHORPE STRUCTURE PLAN	25
4.4	HERITAGE	27
5	DEVELOPMENT CONCEPT	28

5.1 CONCEPT28

5.2 STATUS OF DEVELOPMENT CONCEPT.....28

5.3 BUSHFIRE CONSIDERATIONS.....29

6 OVERVIEW AND SUMMARY31

Appendices

APPENDIX A – BUSHFIRE MANAGEMENT PLAN

1 Introduction

1.1 Proposal

This scheme amendment proposes to amend the Shire of Toodyay Local Planning Scheme No.5 (the Scheme) by reclassifying:

- a portion of Lot 9508 Burt Parkway, Nunile from Public Open Space reserve to:
 - Residential zone (with a density of R20 and R35 applied to the new zone); and
 - Local Road reserve (over the current alignment of Jarratt Pass).
- Lot 8006 Murray Walkway, Nunile from Residential zone to Public Open Space reserve.

The amendment has been prepared by the Shire of Toodyay as part of its commitment to the Federal Government Housing Support Program.

The amendment is required to facilitate the subdivision and development of housing in the town of Toodyay. This site will have a particular focus on the provision of key worker accommodation, with related markets including aged, social and affordable housing. Pre-development of the site is being assisted by federal, state and local government funding/assistance.

Lot 9508 is owned freehold by the Shire of Toodyay. It is an inverted 'L'-shaped lot with the 4.3ha portion to be reclassified being the bottom of the 'L' bounded by Drummond Street, Murray Walkway and Jarratt Pass. The remaining 9.8ha of the 14.1ha site houses the Toodyay Sports and Recreation Complex and its expansion area.

Whilst Lot 9508 has been reserved by the Scheme for public open space (POS), it is not included in the 10% POS required to be ceded to the Crown free of charge as a condition of the subdivision of residential land. This report will identify that the land is surplus to both the overall orderly and proper provision of POS in the town and to the needs of the Shire of Toodyay to support its community.

Lot 8006 houses a drainage sump and open space that was included in the original POS contribution calculations for the Foggarthorpe Structure Plan Area. The Amendment seeks to reflect this by reserving Lot 8006 as POS reserve rather than its current residential zoning.

In addition to reclassification of the site, a development concept has been prepared that illustrates the Shire of Toodyay's intentions for its subdivision and development (**Figure 5.1**). This concept is not intended as a statutory structure plan, rather a general indication of development intent and to inform the preparation of a Bushfire Management Plan (**Appendix A**).

1.2 Rationale for R20 and R35 density

A density code of R20 is proposed over the majority of the new residential zone due to the following reasons:

- The amendment site is fully serviced with water, sewer and electricity connections at three frontages;
- The proposed density acts as a stand-alone site with no shared boundaries to lower-coded lots;
- Given the availability of sewer, there is no necessity for a dual coding where a default lower coding is applied unless sewer is provided;

1

Scheme Amendment No.1 – Lot 8006 Murray Walkway and 9508 Burt Parkway, Nunile (Rev 1) | Prepared by: Land Insights |
February 2025

- The amendment site is located adjacent to the Toodyay Sports and Recreation Complex and the Avon River foreshore, both of which are reserved for public open space;
- The amendment site is located in close walking distance to the Toodyay District High School and in easy walking distance to the town centre via the existing pedestrian bridge across the Avon River;
- The R20 density is used on large areas of the Toodyay townsite with the proviso of sewer being made available;
- The R20 density would allow for efficient use of services and infrastructure; and

The R20 density would allow for a range of dwelling and tenure types to be explored for the amendment site, consistent with the Shire's intent and commitment to the Federal Housing Support Program.

Smaller areas of R35 density are proposed within the new residential zone. These are located on two grouped dwelling sites that are shown on the development concept. The intent of these two sites is to provide smaller housing more appropriate for weekday workforce accommodation and grouped housing opportunities. The R35 density has been applied to allow for a maximum of 19 grouped dwellings. The opportunity has been taken to sleeve the grouped dwelling sites to retain an R20 single house streetscape. Given the shapes of the grouped dwelling sites, detailed planning will be required to identify the internal layout and final yield. The smaller site is proposed to be utilised by the Shire of Toodyay for staff housing. The larger site may support a social housing provider or grouped dwelling developer.

Consideration was made to utilise a single density across the site or to provide for a split coding. However, the concept plan that has been developed is sufficiently progressed to allow for the boundaries of the R20 and R35 areas to be denoted in the amendment.

1.3 Associated assessments and approvals processes

Reclassification of the site is the first stage in the ultimate objective of releasing residential land targeting key workers accommodation. In event of this amendment being approved, the amendment site will be excised from the remainder of Lot 9508 by application to the Western Australian Planning Commission (WAPC). Subsequent subdivision and development that is generally consistent with the development concept at Chapter 5 will take place over time.

1.4 Importance of the amendment

There is currently a market failure in the provision of serviced land and housing to accommodate current needs and envisaged growth trends. The Shire of Toodyay is part of the AROC-Dandaragan Workforce Housing Investigation 2024, this investigation identified that the Shire has a current estimated shortage of between 95-135 private and public sector workforce dwellings.

To accommodate the private and public sector workforce anticipated between 2024 and 2031, an additional 221-261 dwellings are required over this period. Total dwellings required over the same time (all sectors) is estimated at 340-400, which is 1.6-1.9 times greater than current building activity.

There is a shortage of suitably serviced residential lots in the town of Toodyay. A recent search of vacant land for sale, with an area of up to 2,000m², identified 6 lots. Of these, 5 were 1,000m²-1350m² in area, with the final lot 350m². This amendment will support a greater range of lot sizes in the townsite and would be relatively affordable when compared with the majority of larger existing lot sizes.

The current shortfall in workforce accommodation, housing construction not meeting demand and the lack of serviced lots on the market point to a general market failure in Toodyay. This market failure has been

2

Scheme Amendment No.1 – Lot 8006 Murray Walkway and 9508 Burt Parkway, Nunile (Rev 1) | Prepared by: Land Insights | February 2025

identified in the Workforce Housing Investigation 2024 and is not constrained to the Shire of Toodyay. Other Shires in the Wheatbelt are experiencing similar market failure and consequential shortfall in workforce housing.

This amendment will allow the Shire of Toodyay to directly intervene in the supply of residential land and housing to the benefit of the community. This amendment will clearly show that reclassification of the land from POS will not adversely impact on the provision of recreational and community infrastructure in the Shire. Rather, it will realise a community-held asset and promote continued investment and development in the town of Toodyay.

1.5 Housing supply and demand

Between 2011 and 2021, population and number of dwellings increased by 214 and 108 respectively. The average household size decreased from 2.4 to 2.3 in the same time period. Looking forward, the population in 2031 is projected to be 4,984, with 340-400 additional dwellings required between now and 2031.

Whilst the housing investigations commissioned by the Shire have focussed on workforce housing, these have also identified an undersupply in other housing sectors, such as aged accommodation. There is currently an undersupply of housing to meet public and private workforce demands of 95-135 dwellings.

In addition to workforce and specialised housing needs, Toodyay also experiences demand for commuter housing. With Perth property prices and rental values increasing dramatically over the past 5 years, there is likely to be an increase in demand for housing in Toodyay as people are shifted outwards in search of cheaper accommodation.

There is comparatively little land available for sale in the Toodyay townsite. This translates to reduced supply of new housing. Whilst alternatives to a residential lot in town exist in the surrounding rural and rural residential areas, this is unlikely to fully cater for demand.

The amendment site provides an opportunity to produce more residential supply whilst meeting the Shire's objectives related to increasing workforce housing. The amendment site is well suited as it has not been identified for any other development and is not part of the public open space requirement for the Foggarthorpe Structure Plan.

1.6 Recreation and public open space needs

Public open space provision

There is a general principle of residential land subdivision in Western Australia that a minimum of 10% of the gross subdividable area is ceded to the Crown free of cost for public open space. Whilst there are some exemptions and modifications to this approach, it applies to the subdivision of the Foggarthorpe Structure Plan area. Between 2001 and 2006, a 9ha parcel of land within the estate land holding was ceded as a condition of subdivision as "public recreation". This in effect provided the 10% POS required for the entire Foggarthorpe structure plan area. Drains / POS were anticipated to be a part of that open space but were classified as Residential land, despite their crown reserve status.

Additional land was subsequently ceded around Boyagerring Brook and some drainage/recreation sites on Drummond Street. In total, 15.6% of the gross residential subdividable land has been ceded free of cost to the Crown and subsequently vested in the Shire of Toodyay. **Figure 1.1** outlines the POS contribution for the structure plan as calculated in the 2016 version of the Foggarthorpe Structure Plan.

3

Scheme Amendment No.1 – Lot 8006 Murray Walkway and 9508 Burt Parkway, Nunile (Rev 1) | Prepared by: Land Insights |
February 2025

It is stressed that current Lot 9508 is not included as part of the POS required for the Estate. This land was purchased at commercial rates by the Shire of Toodyay in 2013, after all POS had been ceded. Lot 8006 is one of the 4 drainage sites located in Drummond Street.

	Previous (DP25741)	2007 Plan
Structure Plan Area	99.7678 ha	
Less		
• Rural Lots	27.0563 ha	=
• High School Expansion	1.385 ha	=
• Special Site	1.7048 ha	=
Gross Subdivisible Area		69.6217 ha
10% POS Provision		
Total Public Open Space		
• Lot 1 POS ceded	9.2401 ha	=
• POS – Surrounding Boyagerring Brook (usable – external to floodline)		0.94154 ha
• 4 Drainage Sites in Drummond St		0.445 ha
Public Open Space Provided	9.2401 ha	1.38654 ha
Total POS	10.62664 ha or 15%	

Figure 1.1 – Extract from Foggarthorpe Structure Plan 2016 relating to POS contributions

2001 – 2014 Recreation Concept

The 2001 Foggarthorpe Structure Plan provided for a new recreation and sporting complex to be located to the west of Boyagerring Brook. This approximately 7ha site was subsequently ceded to the Crown at no cost and vested in the Shire of Toodyay for Public Recreation. This land remains reserved to this purpose to this day. However, it is not being used or considered for recreational activity since the Toodyay Sports and Recreation Complex was constructed.

2014 Sporting Master Plan

In 2014, the Shire drew its attention to an alternative site for a future recreation complex. This site occupied 14.1ha of land that the Foggarthorpe Structure Plan identified for residential lots. The 2014 site is now Lot 9508.

The 2014 design concept is shown in **Figure 1.2** below. The concept proposed all sporting and recreational facilities to be located on the main portion of the site, north of Burt Parkway. The amendment site is shown as "public open space" with no sporting infrastructure.



Figure 1.2 – 2014 Sporting Master Plan (Full Development)

2018-19 Sporting Master Plan

During 2019, the Shire refined its sporting master plan for the precinct to improve the functionality of the site. Whilst the focus was on Stage 1, the master plan considered the football and cricket oval as a second stage. As with the previous master plan, there was no intention of developing sporting facilities on the amendment site. In this masterplan, the amendment site was removed completely.

This 2019 Masterplan forms the basis for the subsequent construction of Stage 1 (aquatic centre, ball courts, hockey/rugby/soccer pitch and pavilion).

5

Scheme Amendment No.1 – Lot 8006 Murray Walkway and 9508 Burt Parkway, Nunile (Rev 1) | Prepared by: Land Insights |
February 2025

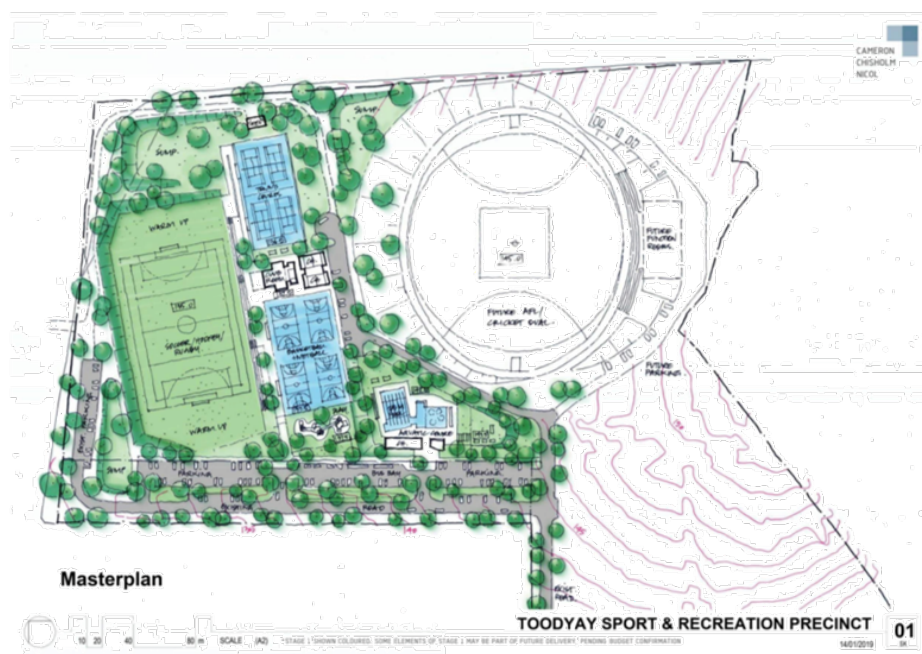


Figure 1.3 – 2019 Sporting Complex Master Plan

Current Situation

The 2019 masterplan remains the most contemporary planning document for the Toodyay Sports and Recreation Complex. Development of the football and cricket oval will depend upon funding opportunities and the Shire's capital work planning. In the meantime, filling of the oval site has taken place as opportunities arise.

Whilst there is no immediate commitment to construction of the oval, the amendment site can be independently planned and developed. The future extension of Burt Parkway to link with Drummond Street forms a natural boundary between the future recreation complex expansion and residential development of the amendment site.

2 Site context and considerations

2.1 Location

The amendment site is located to the east of Toodyay District High School and is bounded by Murray Walkway to the south, Jarratt Pass to the West and Drummond Street to the east. A future extension of Burt Parkway will be the future northern boundary of the site.

The site is located approximately 2km by road from the Toodyay Town Centre, although pedestrian access is shorted due to the presence of a footbridge across the Avon River in Newcastle Park. Bitumen road access to the town is via Stirling Terrace, Goomalling-Toodyay Road and Drummond St East.

2.2 Site area

The amendment site is 4.1ha in area. However, as the site is portion of a larger allotment, the final area and dimensions are subject to survey.

2.3 Land Details and Ownership

Lot 9508 on Deposited Plan 77718 is 14.1ha in area. The lot is shown on Certificate of Title Volume 2823 Folio 852. The registered proprietor of the lot is the Shire of Toodyay, with the purchase taking place in October 2013 (\$1.3 million).

The Certificate of Title includes the following limitations, interests, encumbrances and notifications:

1. The right to mines of coal or other minerals being excluded from a portion of the lot near the present-day rugby/hockey/soccer pitch (does not affect the amendment site);

Easements to the Shire of Toodyay for public access purposes. These easements have been converted to road reserve with the exception of the easement running east-west across Lot 9508. This was originally a future road alignment, but has been developed for the Toodyay Sports and Recreation Complex. Access across the area has been provided via Murray Walkway, Jarratt Pass and Burt Parkway. This easement does not affect the amendment site;

2. Easement burden for sewerage (benefit Water Corporation); and
3. Easement burden for drainage (benefit Shire of Toodyay).

There are no easements or other encumbrances affecting the amendment site. Future subdivision of the site will extinguish the east west public access as this need will have fallen away through the provision of an extension to Burt Parkway.

2.4 Current and surrounding land uses

Current land uses

The land is currently vacant and is cleared of most vegetation. The alignment of roads identified in the Foggarthorpe Structure Plan have been developed as narrow access tracks. There is no evidence of previous development on the amendment site.

The northern part of the site was partially filled with excavated soil that resulted from the development of the sports and recreation complex. This fill has been levelled and graded to manage weeds.

Surrounding Land Uses

The amendment site is located in an area intended to be predominantly residential, with supporting educational (Toodyay District High School) and recreational uses (Toodyay Sports and Recreation Complex). The site is located on the northern side of the Avon River, with the town centre located on the southern side. Pedestrian access to the school from the town centre is via a bridge across the Avon River at Newcastle Park.

To the east of the amendment site is a relatively new residential area with a density code of R10. Lot sizes start at 890m² with the majority 1000-1100m² in area. There are still a number of undeveloped sites in this area.

Toodyay District High School is located on a 7.1ha site to the west of the amendment site. This school caters for students from Kindergarten to Year 10. Years 11 and 12 are catered at Northam or metropolitan schools.

The Toodyay Sports and Recreation Complex is located on Lot 9508 (i.e. the same lot as the amendment site). The complex currently comprises an aquatic centre, ball courts and a grassed rugby / hockey / soccer pitch. There is also a pavilion providing community space and changing facilities. There is sufficient space located between the existing complex and the amendment site for a future football / cricket oval. Some filling of the site has occurred over time.

The southeastern corner of the site is excised for Reserve 53674 (Lot 8006), which is vested in the Shire of Toodyay for the purpose of drainage and zoned Residential R10.

Context Plan

9

Scheme Amendment No.1– Lot 8006 Murray Walkway and 9508 Burt Parkway, Nunile (Rev 1) | Prepared by: Land Insights |
February 2025

An overall context plan of the site in relation to the southeastern part of the Toodyay Townsite is shown at

10

Scheme Amendment No.1– Lot 8006 Murray Walkway and 9508 Burt Parkway, Nunile (Rev 1) | Prepared by: Land Insights |
February 2025



11

Scheme Amendment No.1– Lot 8006 Murray Walkway and 9508 Burt Parkway, Nunile (Rev 1) | Prepared by: Land Insights | February 2025

Figure 2.1.

2.5 Existing Site Characteristics

Located on the northern bank of the Avon River, the amendment site features a rising slope with an approximately 20m rise from southwest to northeast as depicted in **Figure 2.2**. The eastern side of the site has a slightly steeper incline compared to the more moderate western side. The site is largely cleared of vegetation, with a stand of trees situated near the centre.

Bitumen road access is available on the eastern, southern and western frontages. An extension of Burt Parkway along the northern edge of the amendment site will provide another access point, as well as act as the northern extent of the site.

12

Scheme Amendment No.1 – Lot 8006 Murray Walkway and 9508 Burt Parkway, Nunile (Rev 1) | Prepared by: Land Insights |
February 2025



Figure 2.1 – Context Plan

13

Scheme Amendment No.1 – Lot 8006 Murray Walkway and 9508 Burt Parkway, Nunile (Rev 1) | Prepared by: Land Insights | February 2025



Figure 2.2 – Amendment site plan

14

Scheme Amendment No.1 – Lot 8006 Murray Walkway and 9508 Burt Parkway, Nunile (Rev 1) | Prepared by: Land Insights | February 2025

2.6 *Infrastructure requirements*

The amendment site is serviced by the following:

- Water Corporation water mains and gravity sewer mains in Drummond Street, Murray Walk and Jarratt Place;
- Shire drainage in the three adjacent roads and in abutting Reserve 53674; and
- Western Power underground power in the verges of the three adjacent roads.

It can be assumed that planning of services was based on the original structure plan that included full residential development of Lot 9508. Therefore, there is spare capacity to cater for residential development of the amendment site. Furthermore, existing services are located abutting the amendment site on three sides. This allows for ease of connection or mains extension.

3 State and regional planning framework

3.1 State Planning Policy 2.0 – Environment and natural resources policy

This policy requires the integration of environmental and natural resources considerations into the planning process. Specific to this amendment, the Policy requires reclassification and rezoning to:

- Protect and enhance the natural environment;
- Promote sustainable land use; and
- Align with broader environmental goals.

The amendment site is located within the Toodyay settlement area and can be considered an infill site. The site is also located outside of flood areas and is predominantly cleared. It is an idea candidate for development when considered against the Policy principles.

3.2 State Planning Policy 3.0 - Urban growth and settlement

The purpose of State Planning Policy 3.0 (SPP 3.0) is to promote a sustainable and well-planned pattern of settlement across Western Australia. SPP 3.0 aims to ensure sufficient and suitable land for housing, employment, recreation and open space, while managing urban growth in response to social, economic, and environmental factors.

The objectives of State Planning Policy 3.0 are outlined in the table below with a comment/response on how this amendment addresses each objective.

Objective	Description	Comment / Response
Sustainable Settlement	Promote a sustainable and well-planned pattern of settlement across the state, ensuring sufficient and suitable land for housing, employment, recreation facilities, and open space.	Toodyay is a recognised regional town is close proximity to the Perth Metropolitan Region and the sub-regional centre of Northam. Residential expansion in the Toodyay townsite is supported on sustainability grounds given the concentration of existing services and community facilities.
Community Building	Build on existing communities with established local and regional economies, concentrate investment in the improvement of services and infrastructure and enhance the quality of life in those communities.	The amendment proposes increasing the residential land area available in the Toodyay townsite. It is consistent with this objective.
Urban Growth Management	Manage the growth and development of urban areas in response to the social and economic needs of the community and in recognition of relevant climatic, environmental, heritage and community values and constraints.	The amendment proposes utilising 4.3ha of land not required for the future recreational needs of the Toodyay community. This land is located adjacent to existing residential development and located next to the Toodyay District High School. The land is predominantly cleared and is serviced. The

16

Scheme Amendment No.1 – Lot 8006 Murray Walkway and 9508 Burt Parkway, Nunile (Rev 1) | Prepared by: Land Insights |
February 2025

Objective	Description	Comment / Response
		amendment is consistent with this objective as it is considered infill development and an efficient use of land.
Sustainable Neighbourhoods	Promote the development of a sustainable and liveable neighbourhood form which reduces energy, water and travel demand whilst ensuring safe and convenient access to employment and services by all modes, provides choice and affordability of housing and creates an identifiable sense of place for each community.	The amendment site is located in close proximity to the Toodyay town centre, District High School and Sports and Recreation Complex. Direct pedestrian access into the town centre is via a footbridge across the Avon River. The development concept proposes a range of housing types with the ability to cater for a range of housing market sectors, including workforce housing, aged housing and affordable housing. The objective is met by the amendment.
Infrastructure Coordination	Coordinate new development with the efficient, economic, and timely provision of infrastructure and services.	Water, sewerage and underground electricity are at the boundary. Bitumen roads are provided on three frontages. Planning for the Foggarthorpe structure plan area was based upon residential development of Lot 9508. The return to residential use of a portion of this lot is readily catered by the existing services.

3.3 State Planning Policy 3.4 – Natural hazards and disasters

The purpose of SPP 3.4 is to encourage local governments to adopt a systematic approach to the consideration of natural hazards and disasters when performing statutory or advisory functions. In this case, the relevant natural hazards are flood and bushfire. Both of these hazards are enshrined in the Shire of Toodyay's planning framework.

In relation to flood, the Local Planning Strategy identified a flooding special control area (SCA), based upon state government flood data. This SCA has subsequently been placed into the Scheme. The amendment site is located outside of this flood area or flood fringe and is not located within the SCA. No special consideration of flood hazard is required for this amendment or the future development of the amendment site.

It is noted that bushfire hazard is now dealt with by standalone State Planning Policy 3.7 *Bushfire*. This is addressed in the section below.

17

Scheme Amendment No.1 – Lot 8006 Murray Walkway and 9508 Burt Parkway, Nunile (Rev 1) | Prepared by: Land Insights | February 2025

3.4 State Planning Policy 3.7 – Bushfire

Policy

State Planning Policy 3.7 Bushfire (SPP 3.7) was gazetted in November 2024. The intent of SPP 3.7 is to implement effective, risk-based land use planning and development which in the first instance avoids bushfire risk. Where this is unavoidable, management and mitigation of the risk to people, property and infrastructure to an acceptable level is promoted.

Guidelines

The Planning for Bushfire Guidelines support SPP 3.7. The Guidelines were revised in November 2024 and provide detailed guidance on the management and mitigation of bushfire risk at all stages of the planning process. For this amendment, the requirements of Criteria 4 (Strategic Planning) and Criteria 5 (Structure Plan / Subdivision) have been applied. A Bushfire Management Plan to support this amendment and a future subdivision is included at **Appendix A**.

The Bushfire Management Plan has been prepared in full compliance with the strategic planning and subdivision elements of the Guidelines and does not require an outcomes-based approach to show compliance with the bushfire protection criteria.

The indicative Bushfire Attack Levels (BAL) for the lots shown on the Development Concept are generally BAL-LOW and BAL-12.5. The lots fronting Murray Walkway and located adjacent to the Avon River reserve are indicatively BAL-40 with a note stating that the lots are of a sufficient size to accommodate building construction to a maximum of BAL-29. This will be readily accommodated by locating the buildings behind the deemed-to-comply street setback of 6m.

The State Planning Policy and associated Guidelines have been complied with by this amendment and the Development Concept.

3.5 Government sewerage policy

The Government Sewerage Policy generally requires all new development to be connected to reticulated sewerage at the subdivision stage. The amendment site is connected to the Toodyay reticulated sewerage scheme, thereby meeting the intent of the Policy.

3.6 Residential Design Codes Volume 1

The Residential Design Codes (R-Codes) provide planning and design provisions to ensure appropriate standards of housing, promote diverse housing types and encourage sustainable development. The amendment proposes to apply a residential zone and density code of R20 and R35 to the amendment site. This will then trigger the requirements of the R-Codes Volume 1 as it relates to the ultimate development of the amendment site for dwellings.

No variations to the R-Codes are proposed to be inserted into the Scheme by this amendment.

3.7 Wheatbelt regional planning and infrastructure framework

The Wheatbelt Regional Planning and Infrastructure Framework is a regional strategic planning document that provides an overview of regional planning issues and serves as a basis for ongoing planning and

18

Scheme Amendment No.1 – Lot 8006 Murray Walkway and 9508 Burt Parkway, Nunile (Rev 1) | Prepared by: Land Insights |
February 2025

development. It was endorsed in December 2015 and will be superseded in the future by the proposed Wheatbelt Regional Planning Strategy.

The Wheatbelt framework identifies Toodyay as a key area for residential growth due to its proximity to Perth and its attractive rural lifestyle. The amendment is consistent with the framework in this regard.

4 Local planning framework

4.1 Shire of Toodyay Local Planning Scheme No.5

The amendment site is currently reserved for Public Open Space. **Figure 4.1** shows the zones and reserves in the vicinity of the amendment site. To the east is residential-zoned land with a density of R10. To the west is predominantly a public purposes reserve for the Toodyay District High School, with two Residential R10 lots on Murray Walkway.

This amendment seeks to reclassify the amendment site to Residential R20 and R35 zone and Local Roads reserve and reclassify Lot 8006 from Residential zone to PublicOpen Space reserve.

No amendments to the Scheme Text are proposed.

Special Control Areas

The amendment site is located within, or situated in proximity to the following special control areas:

SCA	Purpose / Considerations	Comment
SCA 1 – Infrastructure Toodyay Bypass Special Control Area	To protect future residential development from traffic noise impacts associated with the Bypass. Rezoning, subdivision or development is to have regard to the potential impact of the bypass on future residential amendment.	The bulk of the amendment site is not located within this SCA. A small portion of the site in the northeastern corner affects the rear of two proposed single house lots. The northern edge of the amendment site is located approximately 200m from the outer edge of the road reserve for the future bypass. This is considered a sufficient separation based on Table 2 of the <i>State Planning Policy 5.4 Road and Rail Noise Guidelines</i> (September 2019) for an Other Significant Freight / Traffic Route located in a rural area with 100+ km/hr speed limit. No further measures are required at this distance.
SCA 2 – Flood and Landscape Avon River Special Control Area	To preserve the ecological values of the Avon River as a significant drought refuge for freshwater fishes and water birds. To ensure that any development takes place in a manner that safeguards the welfare of people in the area. To ensure that future	The amendment site is located outside of the SCA, with Murray Walkway forming the northern edge of the SCA. Whilst the considerations of the SCA are not applicable to the amendment, the principal of ensuring an environmentally-

20

Scheme Amendment No.1– Lot 8006 Murray Walkway and 9508 Burt Parkway, Nunile (Rev 1) | Prepared by: Land Insights | February 2025

	infrastructure development does not impact the environment.	responsive development will be applied.
SCA 5 – Landscape Protection Special Control Area	To maintain the integrity of landscape, particularly along the Avon River waterway and adjoining recreation sites. To protect and enhance the landscape and scenic values through control over location, design and siting of development.	See discussion below.

Landscape Protection

The amendment site is located within SCA 5 Landscape Protection. A visual impact assessment is required to accompany rezoning requests to allow for assessment of any impacts. In this case, landscape protection and visual impact were considerations of the Foggarthorpe Structure Plan prepared in 2007. This plan provided for the amendment site to be developed for housing, consistent with the development east of Drummond Street. The development concept will see housing on the amendment site in a similar manner to the 2007 structure plan. Further, the development acts as an infill between the existing residential area to the east and the Toodyay District High School to the west.

The Shire of Toodyay may wish to consider expanding the Design Guidelines Policy for the Foggarthorpe Structure Plan to encompass the amendment area, prior to development taking plan.

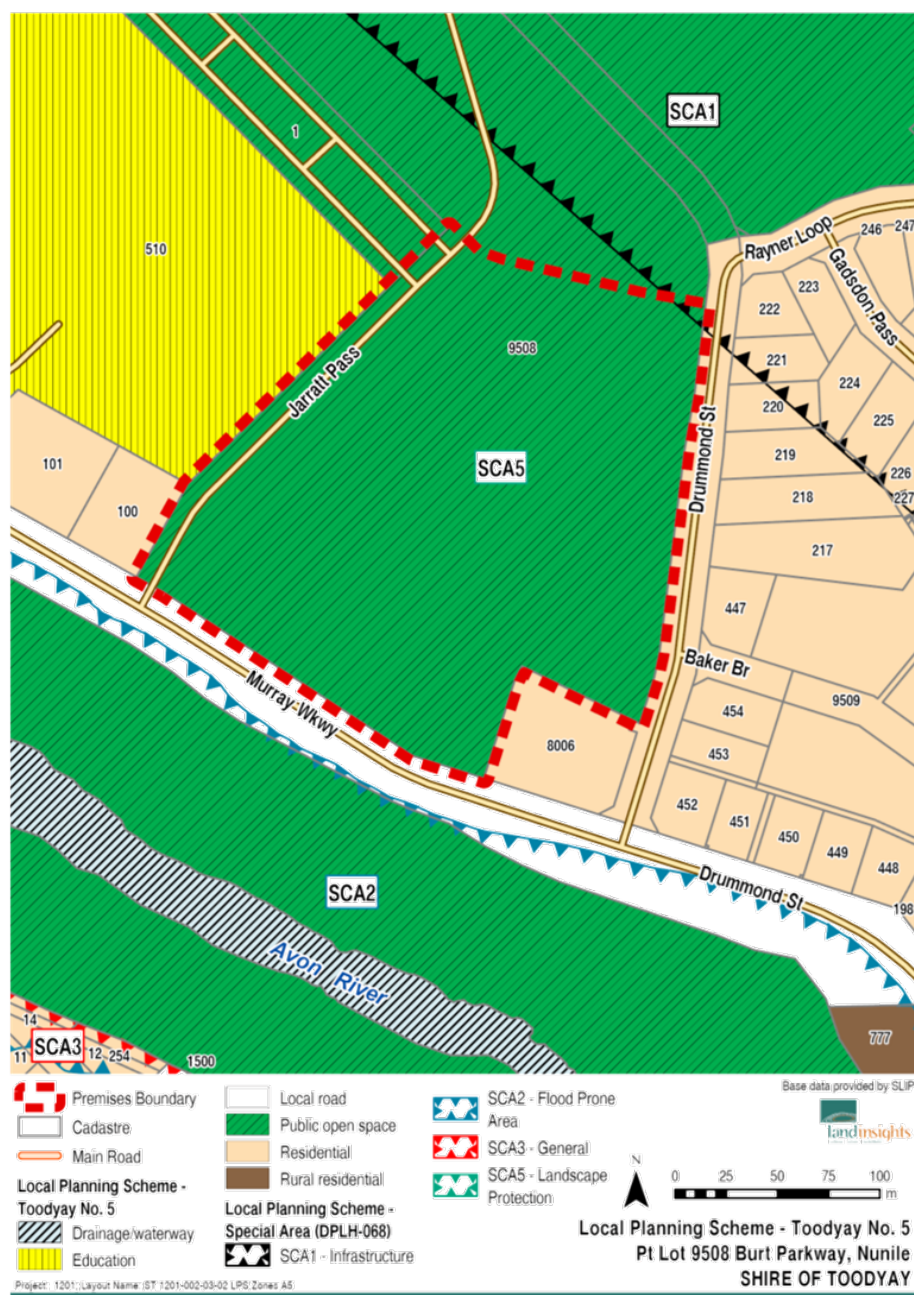


Figure 4.1 – Current Zonings and Reservations in Local Planning Scheme No.5

22

Scheme Amendment No.1 – Lot 8006 Murray Walkway and 9508 Burt Parkway, Nunile (Rev 1) | Prepared by: Land Insights | February 2025

4.2 Shire of Toodyay Local Planning Strategy

The Shire of Toodyay Local Planning Strategy was endorsed by the WAPC in June 2018. The strategy objectives that relate to this amendment are outlined in Table 1 below together with comment on how the amendment addresses the objective:

Table 1 – Local Planning Strategy Objectives

Objective	Comment / Response
Plan for the sustainable provision of land to meet existing and future needs of the community and business.	The amendment site constitutes infill development between the existing residential area to the east and the District High School to the west. It will be well-located in the context of recreational and education facilities, as well as readily accessible to the town centre via the existing road and foot bridges across the Avon River. Services have previously been installed to service residential use of the site. This amendment is consistent with the objectives of sustainability by using well-located and serviced land that is not required for recreational facilities. The amendment site was originally identified for residential development in 2001, with much of the road network and services installed to facilitate this development. The amendment site remained shown for residential development until 2016 when it was incorporated into the 14.1ha Toodyay Sports and Recreation Complex. Reversion to residential development will be consistent with the 2001 intent and the road and service planning that was implemented.
Ensure development appropriately considers potential hazards such as flood and bushfire.	Whilst the amendment site is located adjacent to the Avon River, it is on a site that is higher than the recognised floodway and flood fringe. Furthermore, the amendment site slopes upwards away from the river. Development will not require specialised consideration of flooding risk. The entire Toodyay townsite is recognised as a bushfire prone area. Specific consideration of management of this risk is included elsewhere in this report. However, given the amendment site constitutes infill development, it is not considered to increase the risk from bushfire over and above that risk that exists for the town more generally.
Protect and manage natural environmental resources of particular national, regional, and local significance, and minimise the environmental impact associated with the use or development of land.	The amendment site has been subdivided and serviced in a manner that takes into account the proximity to the Avon River and its associated riparian vegetation. Murray Walkway as a constructed public road and acts

23

Scheme Amendment No.1 – Lot 8006 Murray Walkway and 9508 Burt Parkway, Nunile (Rev 1) | Prepared by: Land Insights | February 2025

Objective	Comment / Response
	as a clear boundary between the amendment site and the river foreshore. Development of the predominantly cleared amendment site will utilise existing services and not trigger additional environmental impact.
Ensure future development takes advantage of and makes the most efficient use of available infrastructure.	Water and sewer mains and connections are available in Drummond Street, Murray Walkway and Jarratt Pass. Underground electricity mains are also located in the road verges. As these services were put in place on the assumption of a greater number of residential lots being created, there is reasonable to conclude that there is sufficient capacity to accommodate development.
Minimise the loss of productive agricultural land and areas of native vegetation by promoting sustainable development in and adjacent to existing urban areas.	Allowing development of infill land within the town area will assist in reducing the demand for additional loss of agricultural land and native vegetation.
Protect the valued landscape characteristics of the Shire's natural and rural landscapes as assets to be appreciated by residents and tourists.	The amendment site is located on the lower slopes of the Avon River valley. From a visual impact perspective, it will effectively fill in an area between the existing residential development and the Toodyay District High School rather than be visually prominent.
Ensure the development of a safe, efficient, and convenient system for the movement of both people and goods.	The road network is in place that provides convenient vehicle access into the town centre. There is also a pedestrian footbridge directly across the Avon River and into the town centre.

The Local Planning Strategy includes strategic directions and strategies for growth and settlement. Table 2 outlines those strategic directions and strategies relevant to the amendment site and provides a comment on each.

Table 2 – Growth and Settlement Strategic Directions and Strategies

Strategic direction / strategy	Comment / Response
Provide for a range of residential densities in the Toodyay townsite to facilitate the development of various housing types.	The intent for the amendment site is to provide for a range of housing types and densities to respond to housing demand. The site is 43ha in area with constructed roads and services on three sides. This will allow for a range of housing and tenure types to be considered. A development concept has been prepared to illustrate this objective.
Promote the consolidation of the townsite to reduce development costs, improve access to services, and	The amendment site is located within an existing residential area with full services available at the

24

Scheme Amendment No.1 – Lot 8006 Murray Walkway and 9508 Burt Parkway, Nunile (Rev 1) | Prepared by: Land Insights | February 2025

Strategic direction / strategy	Comment / Response
limit the impact on natural environmental resources associated with urban expansion.	boundary. Furthermore, these services are likely to have capacity to cater for the development given the amendment site was originally identified for residential use.
Use appropriate dual density coding to promote infill development and maximize the use of existing and future infrastructure.	Dual coding is not proposed for this amendment. A density of R20 for single house sites and R35 for grouped dwelling sites is proposed for the reasons outlined in section 1.2.
Ensure development adequately considers and addresses natural constraints, including bushfire and flooding.	The site is located outside of recognised flooding areas. The amendment site is identified as bushfire prone along with the remainder of the Toodyay townsite. Bushfire is considered elsewhere in this report.
Ensure that development adequately considers and addresses landscape and biodiversity protection.	The site is predominantly cleared and located in an existing urban area.

The amendment site is identified on the strategic land use plan (Map 2) as within the Environmental Conservation current land use zone. The amendment site is located outside of the indicated 1:100 year floodplain and the Toodyay Road Bypass proposed special control areas.

The environmental conservation designation reflected the 2013 purchase of Lot 9508 for the now-constructed sports and recreation complex. The designation does not reflect the low level of environmental significance of the site, which as a cleared lot, has little environmental value.

Consistency of Amendment with Strategy

Notwithstanding the strategic land use plan, the proposed reclassification of the amendment site to residential is fully consistent with the objectives and strategic directions of the Strategy as it relates to Growth and Settlement. The amendment site is not subject to environmental conservation and is a prime infill lot with services available at the boundary. The amendment site is also surplus to the public open space needs of the town. This is consistent with the objective for the sustainable provision of land. As the amendment is considered to be consistent with the endorsed local planning strategy, it is recommended that it be considered "standard" for the purposes of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

4.3 Foggarthorpe Structure Plan

The Foggarthorpe Residential Estate Structure Plan was first prepared in 2007 and subsequently amended in 2016. This plan replaced an earlier structure plan prepared in 2001 to accompany Amendment 56.

The structure plan as adopted in 2007 is shown at **Figure 4.2**. This provided for residential lots to be developed over current Lot 9508, including the amendment site. In 2016 an amendment to the structure plan was adopted

25

Scheme Amendment No.1 – Lot 8006 Murray Walkway and 9508 Burt Parkway, Nunile (Rev 1) | Prepared by: Land Insights | February 2025

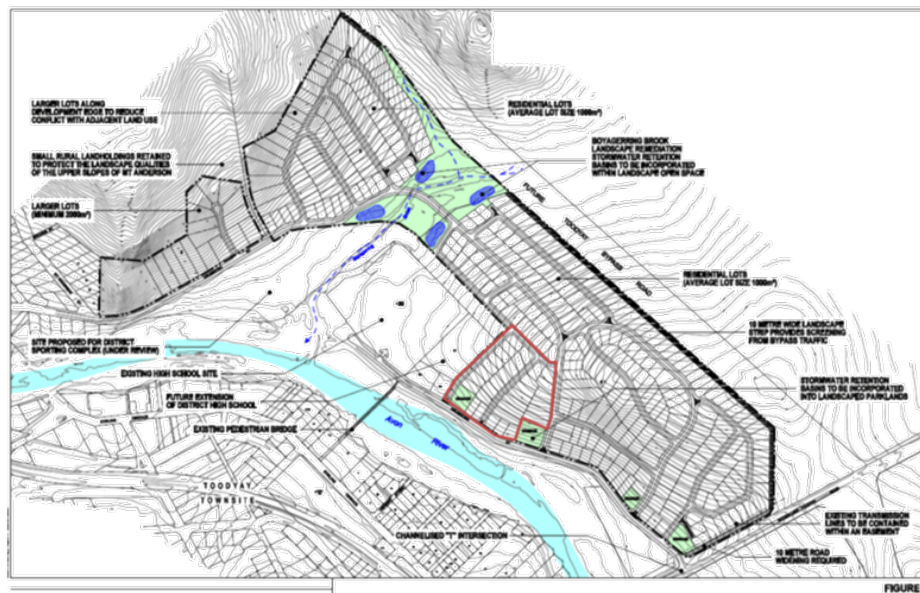


Figure 4.2 – 2007 Foggarthorpe Structure Plan (Amendment site in red)

In 2016 an amendment to the structure plan was adopted that related to Lot 9508. The amendment identifies Lot 9508 as the Toodyay Sport and Recreation Precinct as shown in Figure 4.3.



Figure 4.3 – 2016 Amendment No. 1 to Foggarthorpe Structure Plan (Amendment site in red)

26

Scheme Amendment No.1– Lot 8006 Murray Walkway and 9508 Burt Parkway, Nunile (Rev 1) | Prepared by: Land Insights | February 2025

Implications of the amendment on the structure plan

The structure plan was adopted in 2007. For the purposes of validity, the structure plan was afforded a 10 year approval on 19 October 2015 by clause 28(4) of the Deemed Provisions in Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015. This provides an expiry of 19 October 2025.

The amendment is generally consistent with the 2007 structure plan. However, it is considered a departure from Amendment No.1 of 2016 in that it effectively reverts a portion of the amendment No.1 area to residential use.

It is likely that in the event this amendment is approved, the structure plan validity will be either expired or close to expiry. Therefore, the amendment is unlikely to have any implications on the continued operation of the structure plan.

4.4 Heritage**Aboriginal Heritage**

The site has been disturbed as part of farming practices over a considerable period of time. Aerial images of the town taken in 1960 show the site as cleared and used for agriculture.

The Avon River is registered as an Aboriginal Heritage Site in two listings:

- Site 4045 Bolgart : Boolegin; and
- Site 15979 Avon River.

Development of the amendment site will not impact on these sites.

European Heritage

No places of heritage significance have been identified on or near the amendment site at either the local or state levels of protection.

5 Development concept

5.1 Concept

It is proposed to utilise a density of R20 across the majority of the 4.3ha amendment site. A density of R35 is to be provided for two grouped dwelling sites. These densities have been selected to reduce complexity and to reflect the likely lot size expectations of the community. The densities proposed will allow for a wide range of housing choice, with the exception of multiple dwellings (apartments) to ensure the character of the locality is maintained. The resultant development concept is attached at **Figure 5.1**. This concept is informed by the following site and infrastructure constraints / characteristics:

- Ensuring there is a sufficient supply of lots fronting existing roads and services was a key consideration. This allows for the efficient release of lots to market in the short term with later stages requiring road construction and service extension to follow.
- Single house lots are generally 570m² - 900m², with a prevailing lot size of approximately 630m². A total of 46 single house lots are provided in the concept. Larger lots have been placed fronting Murray Walkway to accommodate slightly larger front setbacks to avoid a BAL-40 designation.
- Two grouped dwelling sites of approximately 1,600m² and 3,500m² have been provided to accommodate up to 19 units at R35.
- Cul-de-sacs were avoided to reduce the complexity of bush fire assessment and to provide regularly-shaped lots wherever possible.
- A 16m road reserve width was provided for the internal roads to accommodate services, footpaths and street trees. An exception was made for Jarratt Pass where a 20m width is proposed to accommodate the existing alignment, footpath and services.
- Where possible, 18m-19m lot frontages are provided to allow for future side access to backyards, be consistent with surrounding areas and to accommodate site works and retaining.

The internal roads proposed in the development concept have been named using the allocated names for similar roads in the original structure plan.

It is noted that the configuration of the development concept would allow for additional single house lots to be incorporated into the future grouped housing lots. This may occur due to a desire for a larger site or to provide direct road frontage for grouped dwellings. Given the need to delineate the extent of the R35 density, it is possible that a resultant larger grouped dwelling site could have two densities (R20 and R35). Whilst this may not be considered ideal, it is a situation that can be readily coordinated by the Shire of Toodyay at the time of subdivision and development.

5.2 Status of Development Concept

The development concept is not intended to act as a formal structure plan or local development plan made under the Deemed Provisions. Rather, it is provided to illustrate how the amendment site could be developed, to identify densities and to allow for the formulation of a Bushfire Management Plan.

The development concept is not a detailed subdivision plan. Further refinement, including survey and engineering considerations will be needed prior to subdivision taking place. However, there is unlikely to be any significant impediment to the subdivision of the amendment site given the surrounding area has previously been developed and the site was included in the 2007 Foggathorpe Structure Plan.

5.3 *Bushfire Considerations*

The development concept has been designed with compliance with the planning for Bushfire Protection Guidelines in mind at all times. The Bushfire Management Plan at **Appendix A** has assessed the development concept.

The layout meets all elements without the need for an outcomes-based approach to be taken. All lots fronting Drummond Street, Jarratt Pass and Burt Parkway will have a Bushfire Attack Level of BAL-LOW or BAL-12.5. The lots fronting Murray Parkway, which overlook the Avon River, have an indicative BAL or BAL-40. However, the lots are deeper and of sufficient size and dimension to allow for a maximum of BAL-29 when the deemed-to-comply setback provisions for R20 are used (nominally 6m setback to the street boundary).

29

Scheme Amendment No.1 – Lot 8006 Murray Walkway and 9508 Burt Parkway, Nunile (Rev 1) | Prepared by: Land Insights |
February 2025



30

Scheme Amendment No.1 – Lot 8006 Murray Walkway and 9508 Burt Parkway, Nunile (Rev 1) | Prepared by: Land Insights | February 2025

6 Overview and summary

The amendment focuses on the reclassification of a portion of Lot 9508 Burt Parkway, Nunile from Public Open Space (POS) reserve to Residential zone and Local Roads reserve. It will also reclassify Lot 8006 from Residential zone to Public Open Space reserve. The amendment aims to facilitate the subdivision and development of housing in Toodyay, with a particular focus on key worker accommodation.

There is currently a market failure in the provision of serviced land and housing in Toodyay, with an estimated shortage of 95-135 workforce dwellings and a projected need for 340-400 additional dwellings by 2031.

Lot 9508 is a 14.1ha site owned by the Shire of Toodyay, having purchased the land freehold in a 2013 commercial dealing. The 4.3ha portion to be reclassified is currently reserved by Local Planning Scheme No.5 for POS. However, it is not part of the 10% POS that is ceded for residential land subdivision, nor is it vested in the Crown. The amendment will not adversely impact the provision of recreational and community infrastructure, with the remaining 9.8ha of Lot 9508 sufficient to cater for current and future sports and recreation needs.

Lot 8006 is vested in the Shire of Toodyay for drainage purposes. The parcel is included in the POS contributions provided with the subdivision of the existing residential area east and north of Drummond Street. The site is currently zoned Residential. It is proposed to reclassify to POS to reflect its intended purpose of open space and drainage.

The amendment aligns with various state and regional planning policies, including those related to environmental protection, sustainable settlement, and bushfire management. The proposed densities will allow for the creation of approximately 65 single and grouped dwelling lots. These will provide a positive impact on housing land supply in the town.

31

Scheme Amendment No.1 – Lot 8006 Murray Walkway and 9508 Burt Parkway, Nunile (Rev 1) | Prepared by: Land Insights |
February 2025

APPENDIX A

Bushfire Management Plan

Scheme Amendment Report – Lot 9508 Burt Parkway, Nunile (Rev 1) | Prepared by: Land Insights | February 2025

TEXT MODIFICATION PAGE

PLANNING AND DEVELOPMENT ACT 2005

SHIRE OF TOODYAY

LOCAL PLANNING SCHEME NO. 5 - AMENDMENT NO. 1

The Shire of Toodyay under and by virtue of the powers conferred upon it in that behalf by the Planning and Development Act 2005 hereby amends the above local planning scheme by:

1. Reclassifying portion of Lot 9508 Burt Parkway, Nunile from Public Open Space reserve to:
 - a. Residential zone and applying a density coding of R20 and R35; and
 - b. Local Road reserve; and
2. Reclassifying Lot 8006 Murray Walkway, Nunile from Residential zone to Public Open Space reserve and removing the R10 density coding from the affected parcel.

COUNCIL ADOPTION

This [Standard](#) Amendment was adopted by resolution of the Council of the Shire of Toodyay at the Ordinary Meeting of the Council held on the [\[number\]](#) day of [\[month\]](#), 20[\[year\]](#)

.....
SHIRE PRESIDENT

.....
CHIEF EXECUTIVE OFFICER

COUNCIL RESOLUTION TO ADVERTISE

By resolution of the Council of the Shire of Toodyay at the Ordinary Meeting of the Council held on the [\[number\]](#) day of [\[month\]](#), 20[\[year\]](#), proceed to advertise this amendment.

.....
SHIRE PRESIDENT

.....
CHIEF EXECUTIVE OFFICER

COUNCIL RECOMMENDATION

This Amendment is recommended for [\[support with/without modification or not support\]](#) by resolution of the Shire of Toodyay at the Ordinary Meeting of the Council held on the [\[number\]](#) day of [\[month\]](#), 20[\[year\]](#), and the Common Seal of the Shire of Toodyay was hereunto affixed by the authority of a resolution of the Council in the presence of:

.....
SHIRE PRESIDENT

.....
CHIEF EXECUTIVE OFFICER

WAPC RECOMMENDATION FOR APPROVAL

.....
DELEGATED UNDER S.16 OF
PD ACT 2005

DATE

Approval Granted

.....
MINISTER FOR PLANNING

DATE

Petition to Lot 9508 being rezoned from Public Open Space to R35 and R20
Petition to Lot 8006 being rezoned from Residential to Public Open Space

Addressee: Shire of Toodyay President, Cr. Michael McKeown

Petitioners: The Electors of the Shire of Toodyay

Petitioners Notice: RICHARD MEHL 15 RAYNER LOOP NUNILE

Petition to Lot 9508 being rezoned from Public Open Space to R35 and R20
Petition to Lot 8006 being rezoned from Residential to Public Open Space

The Electors of the Shire of Toodyay object to the proposed amendment to Local Planning Scheme 5 to rezone two portions of land and create a road reserve being:

1. A portion of Lot 9508 Public Open Space to residential
2. All of Lot 8006 from residential to public open space
3. Creation of a road reserve to be known as Jarrett Pass.

The reasons are imbedded in the intent of the Shire of Toodyay Council Plan 2023 – 2033 which represents the vision and will of the Toodyay community.

Vision

A caring and visionary rural community, working together to preserve and enrich Toodyay's environment, character and lifestyle

Place

Our rural lifestyle is valued and is being enhanced with thoughtful planning and development. The community also values local playgrounds, parks and reserves. The Shire is attracting a growing number of residents from Perth who are seeking an alternative semi-rural lifestyle.

- The proposed amendment does not reflect the rural expectation conveyed in the Plan.
- Existing public open space was to support community expectation of the amenity of the subdivision and is contained in the Foggarthorpe Structure Plan.
- Land for housing is readily available in Nunile and smaller block sizes available in town.
- There is a pending subdivision (100 blocks) at Drumond Street which could accommodate smaller lots if approved.
- The size and density that occurs from rezoning Lot 9508 impacts the ambience and property values in River Hills and is not in keeping with the amenity of a country town.
- The density of residential blocks in Nunile is not supported.
- Lot 8006 is a drainage sump and does not support the expected uses of open public space.
- No public consultation or survey was provided to support the need for extra land in Toodyay.
- The studies to identify the current and projected need for housing in the Shire and wider region mentioned in the Officer's report is not publicly available to support this need.
- Historically, many of the quoted previous studies inaccurately projected a substantial population growth in Toodyay. This did not occur, Population in Toodyay is approximately 4500.

Signatures appear shows in consent of the petition

Petition to Lot 9508 being rezoned from Public Open Space to R35 and R20
Petition to Lot 8006 being rezoned from Residential to Public Open Space

The Residents of River Hills Estate, Nunile, WA 6566 object to the proposed amendment to Local Planning Scheme 5 to rezone two portions of land in the subdivision and create a road reserve being:

1. A portion of Lot 9508 Public Open Space to residential
2. All of Lot 8006 from residential to public open space
3. Creation of a road reserve to be known as Jarrett Pass.

The amendment is not supported:

- Land sizes proposed R35 (200m² and 300m²)
- This does not reflect the rural lifestyle associated with Toodyay
- Public open space is an amenity created in the subdivision
- The amenity is contained in the Fogarhorpe Structure Plan
- Land for housing is readily available in Nunile
- Residents who purchased land should not be subjected to rezoning of the amenity public open space
- Or the urbanisation of Nunile

Signatures appear shows in consent of the petition

NAME	ADDRESS	PHONE NUMBER	SIGNATURE
Josh Parker	44 Rayner Loop		
Carry Edward	35 Rayner Loop ^{Nunile}		
Ron Mordeck	2 LYNN LOOKOUT		
JAN ROGERS	14 GADSDON PASS		
MERV FAIRBANKS	12 GADSDON PASS N		
DAVID SIMS	6 GADSDON PASS		
P. HERA	1 GADSDON PASS		
B. MASTIN	12 RAYNER LOOP		
D. Ringrose	8 Rayner Loop		
A. DUNNISON	78 DRUMMOND ST EAST		
L. MUSIELAK	14 DRUMMOND ST EAST		

Petition to Lot 9508 being rezoned from Public Open Space to R35 and R20
Petition to Lot 8006 being rezoned from Residential to Public Open Space

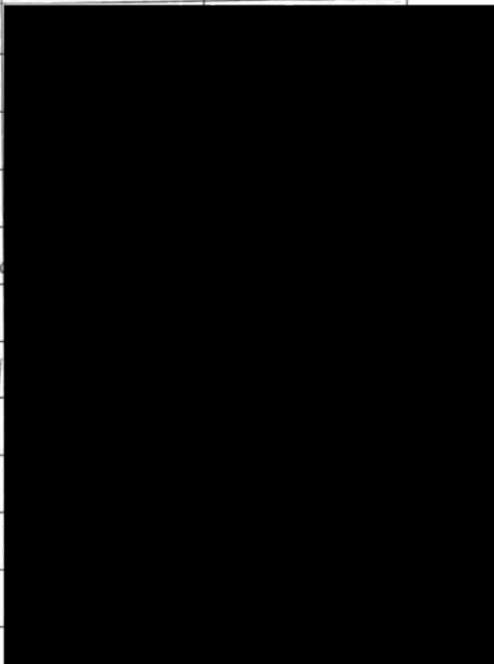
The Residents of River Hills Estate, Nunile, WA 6566 object to the proposed amendment to Local Planning Scheme 5 to rezone two portions of land in the subdivision and create a road reserve being:

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2. All of Lot 8006 from residential to public open space
3. Creation of a road reserve to be known as Jarrett Pass.

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- This does not reflect the rural lifestyle associated with Toodyay
- Public open space is an amenity created in the subdivision
- The amenity is contained in the Fogarhorpe Structure Plan
- Land for housing is readily available in Nunile
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- Or the urbanisation of Nunile

Signatures appear shows in consent of the petition

NAME	ADDRESS	PHONE NUMBER	SIGNATURE
GLENN DAY	7 GADSDON PASS		
Vincent J.	13, Gadsdon Pass		
Perry Veyce	15 Gadsdon Pass		
Mario Strano	22 Gadsdon Pass		
DEAN	23 GADSDON		
Anna dePaul	50 Drummond str		
Henri Guri	40 Drummond str		
Joanne O'Driscoll	24 Drummond str		
Yashvi Rochford	6 Rayner Loop		
Jadyn Rochford	6 Rayner Loop		
Paige Ludwig	29 Rayner Loop		

Petition to Lot 9508 being rezoned from Public Open Space to R35 and R20
Petition to Lot 8006 being rezoned from Residential to Public Open Space

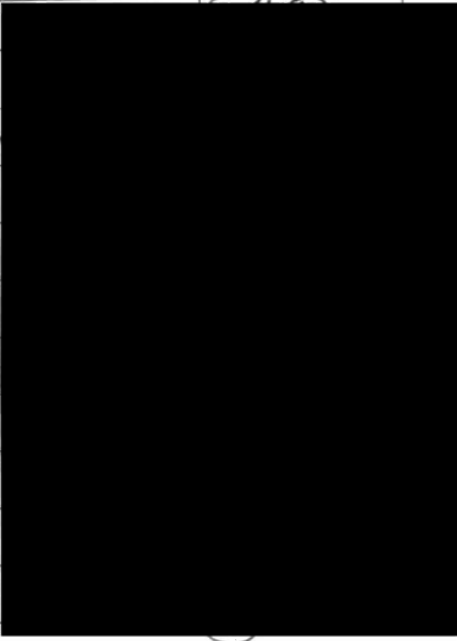
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- Or the urbanisation of Nunile

Signatures appear shows in consent of the petition

NAME	ADDRESS	PHONE NUMBER	SIGNATURE
Paul Delfino	34 Tonkin Bend Nunile		
RICHARD MEHL	15 RAYNER LOOP		
ERIC HODD	16 Weedon Ent		
BRETT BEICH	14 WEEDON ENT		
ROSE MURFIT	11 Weedon Ent		
DAVID SIMPSON	19 WEEDON EAST		
Brett Wilkins	28 Rayner Loop		
TONY FAULKNER	40 RAYNER LOOP		
DAVID READING	42 RAYNER LOOP		
ROBIN STADENKOVIC	19 RAYNER LOOP		
Julie Turner	4 Gadsdon Pass		

Petition to Lot 9508 being rezoned from Public Open Space to R35 and R20
Petition to Lot 8006 being rezoned from Residential to Public Open Space

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- Residents who purchased land should not be subjected to rezoning of the amenity public open space
- Or the urbanisation of Nunile

Signatures appear shows in consent of the petition

NAME	ADDRESS	PHONE NUMBER	SIGNATURE
MARGARET CAREY	24 RAYNER LOOP		
KAREN HARLING	42 TOMKINS BEND		
Craig Barker	40 Tomkins Bend		
Cassy Coe	18 Tomkins Bend		
TREVA WAGNER	8 TOMKINS BEND		
Claire McEwan	3 Weedon Ent. Nunile		
ALDO LAMAS	17 RAYNER LOOP NUNILE		
Bob Wallis	5 Tomkins Bend		
Callan Walker	7 Tomkins Bend		
Brook Walker	11 Tomkins Bend		
RAYMOND KESSE	9 TOMKINS BEND		

Petition to Lot 9508 being rezoned from Public Open Space to R35 and R20
Petition to Lot 8006 being rezoned from Residential to Public Open Space

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- Or the urbanisation of Nunile

Signatures appear shows in consent of the petition

NAME	ADDRESS	PHONE NUMBER	SIGNATURE
MARK JONES	44. TOMKINS BEND.		
JOY PRANWELL	14 RAYNER LOOP		
SUMNER WOODFORD	17 Weeden Ent Nunile		
NIGEL TWINING	16 RAYNER LOOP TOODYAY		

	ADDRESS (ROAD)	RESPONSE	PROXIMITY	SUBMISSION	OFFICER COMMENT
1	BOWERS RD COONDLE	NEUTRAL	More than 10km	- One matter has been overlooked in this proposal which needs to be addressed before going forward. There is no Traffic Management Plan, especially with regard to the intersection of Drummond Street and Goomalling Road, and Goomalling Road onto Stirling Terrace. I feel this needs to be looked at as increased traffic turning right out of Drummond Street and then right onto Stirling Terrace, in both cases interacting with a main road carrying heavy vehicles has the potential to cause problems and will carry a risk to residents. - If the Toodyay bypass was in place this consideration would not arise but as the bypass may never be constructed management within the current infrastructure framework does need to be addressed. - The boat regarding employment the self-sufficiency of Toodyay has already sailed but public safety should always be a consideration when assessing the suitability of further subdivisions.	- The traffic management plan for the Foggerthorpe Structure Plan anticipated a higher number of traffic movements to the Corner of Drummond and the Goomalling Road. Even factoring in the more intensive land use of the Recreation Centre into the Traffic Management Plan, it is expected that the Drummond / Goomalling intersection will operate within the Ausroads Standards. - If this intersection and the one on the corner of Stirling Terrace and Goomalling Road were to exceed forecasted traffic levels, the shire and Main Roads WA can initiate a series of traffic management plans to address the situation. - Noted
2	RAYNER LOOP NUNILE	OBJECT		- Is Government Housing/ Homeswest included in this proposal? - Why do you want to turn this into Ellenbrook and The Vines? Then it will look like a suburb attached to a town. That's unacceptable - Why is Bypass still detailed on these plans if it's not happening at all? Old plans utilised?	- There is no proposed Government Housing in this estate. The Shire intends to include 4 houses for Staff Housing and a site for up to 10 Aged Persons Homes. If a government agency chose to purchase a lot then the Shire cannot refuse that sale. - There is no intention of making this estate into high density housing like parts of Perth. The proposed density of lots is substantially less than the newer estates in the Metropolitan area. - The Toodyay Bypass (Toodyay - Bindi Bindi Road) will remain part of the Shires long term strategic planning. land is often reserved decades before it is needed.
3	TOODYAY WEST RD TOODYAY	OBJECT	More than 3km	- In location characteristics, it states that the location would be too expensive to retain & develop for community/recreational use, why would rezoning to residential land make the cost any less? - Would the cost not become higher due to specific retaining walls and earthworks needing to be done for housing? - The shire has not been specific about the housing, is this going to be government housing that is controlled by Homeswest or will it be privately owned and homes supplied to local families etc that cannot find housing to allow them to stay in Toodyay? - The map provided of the changes requested to be made only shows the area to be changed, what sizes are the blocks going to be? - What are the costs going to be taken on by the shire to redevelop this land and costs to change the area to residential zoning? - The request to change to residential zoning is quite detailed in the documents supplied however, the future plans on exactly what housing is to be supplied is limited information. If the changes were to happen to the land, do residents/rate payer lose any say in how the land is utilised for housing? Our community is known for its safety and also the large amount of areas that we have available to keep the town 'country'. If we bring in subsidised housing, what impact will it have on the surrounding areas and the impact on the prices of the houses in that specific area?	- The cost to develop this site and level the land or to build a large-scale recreation facility would be expensive. Substantial retaining walls and earthworks would be required. - Residential development would require small retain walls being cheaper to build. - All lots will be offered for public sale except one, which will be retained for Staff housing. The best outcome will be to support young families in the shire to build their first home or retired couples looking to downsize to a smaller block of land. - It is too soon to decide on lot sizes, but the shire is committed to provide large and small lots in a range between 450m² and 900m² - The Shire will receive a grant for the cost of providing the buried infrastructure and the construction of roads in the estate. Any remaining costs would be deducted from the sale of the land. - Yes, Only the cost of developing the land is being subsidised. Lots will be sold at market value and landowners will be responsible for developing their own houses. It is unknown what impact it will have on surrounding land and house prices.

4	SALT VALLEY RD TOODYAY	OBJECT	More than 10km	1. As a rate payer and resident, I object to the amendment Lot 9508 and Lot 8006, Drummond Street and Burt Pass, Nunile. 2. The vision for the Toodyay Shire from the Council Plan and supported by the community is: "A caring and visionary rural community, working together to preserve and enrich Toodyay's environment, character and lifestyle."The apparent motivation is to provide land for more housing. The officer's report page 30 OCM March, "In recent years the Shire has participated in studies to identify the current and projected need for housing in the Shire and wider region. This work has identified a housing shortfall."To address this a Scheme Amendment is necessary to reclassify the Public Open Space reserve to the Residential zone."A Wheat Belt Commission Report in an overview highlighted a shortage of housing for workers in the wheatbelt in the next ten years. Federal funding has been approved, to assist applicants to provided worker accommodation. It is not a requirement to develop land, but can be applied to retrofit or find alternate means of accommodation. 3. Where is the evidence to support extra land for housing is needed in the Toodyay Shire or there is a land shortfall for housing in the Toodyay Shire? Many of the quoted previous studies erroneously projected a population growth of 10,000 by 2025. The Toodyay population is approximately. 4,600. Many of the quoted previous studies erroneously projected a population growth of 10,000 by 2025. The Toodyay population is approximately. 4,600. Toodyay Council approved a subdivision in 2022 in Drummond St (100 blocks). There is a "green light" for two new subdivisions. 4. The possibility exists for CEO or his delegate to determine planning applications without coming to Council or community knowledge. 5. There are over 30 vacant blocks in the area of the proposed amendment. These have been available since 2016. 6. The approved Foggerthorpe Structure Plan provided future residents with amenity, an open public space. The zoning of R35 and R 20 does not fit with the Foggerthorpe Structural Residential Estate Plan for Lots 3 & 6 Goomalling-Toodyay Road, Nunile. 7. The officer's report also refers to: "The proposed rezoning site is sloping and contains little natural environment and would be expensive to level, retain and develop for recreational or community use." There is a slight slope, but in the main the open space lends itself to community use. 8. The area for the proposed amendment is on the other side of town. 9. Open space is not readily accessible for the residents settled in this area. 10. The amendment would allow for greater housing density. This would increase the need for open public space. 11. The Council Plan to advocate for more social housing in the Shire of Toodyay, should not come at the expense of Residents who purchased their land in a rural open setting with the ambience of open public space. It was a condition of the subdivision and in place when residents purchased their land. 12. In addition to reclassifying portion of Lot 9508, the amendment aims to reclassify Lot 8006 to Public Open Space. This is a drainage sump with surrounding open space and not suitable for open public space. 13. In discussions with Toodyay residents the appeal of Toodyay is the "Rural" character. People have settled in Toodyay to experience peacefulness and space. There was an expressed need to escape the city high density and urbanisation with 200m2 and 300m2 blocks. Small land lots with boxed buildings and little space does not fit the vision of Toodyay. This is supported by the development several years ago, of 10 blocks this size in the Town centre. The developer could not attract buyers.	1. Noted 2. Noted 3. The most evident and obvious need is demonstrated in the lack of residential lots listed for sale in the Shire. Population projections are based upon assumptions and market forces. They change constantly, but the biggest upset to these projections has been the impact of the COVID pandemic which has changed settlement patterns across Australia. 4. Correct. Less than 2% of all development applications are presented to Council for determination. 5. Vacant land is not an indication of land available for sale. Many of these lots in the River Hills estates are subject to development applications (new houses), or are held by landowners for future development. 6. The original Foggerthorpe Structure Plan did not anticipate smaller lots. However, that structure plan was changed to reduce the total number of homes with the creation of the recreation centre. What is being proposed is a return of some of those missing homes to a small corner of the estate. 7. Development of the site will require extensive retaining to level the site for active sporting activities. The environment consists of little natural flora, degraded trees and a history of broadacre farming, with poor soil types. Many trees on site are regrowth and will be retained in the road reserve where possible. 8. This statement is not understood. 9. There is approximately 500ha of open space to the south of the estate on both sides of the Avon River. A further 8.5ha of active open space at the recreation centre and about 11.5ha of public open space in the Boyagerring Creek reserve. All within easy access to residents. 10. Additional public open space is not required where a development occurs within a structure plan, where public open space has previously been provided, <i>Development Control Policy 2.3 – Public Open Space</i>. 11. The only social housing category that is being provided is for is Key Worker Housing for shire staff, and 10 over 55's homes for seniors in the community. Residents who purchased their lots did so within a low-density suburban estate in proximity to public open space. However, a small percentage of that overall open space is now being proposed to be developed for housing. 12. The land is currently zoned as residential R10 which would permit housing to be built on the site. This is not a good use of the land so that land is being reclassified as Public Open Space in the Scheme. It is common in Western Australia for unfenced drainage reserves to be within this zone. 13. The difficulty of sale of smaller lots in the town centre may have occurred but there are no longer any of those lots left for sale. Past reporting is not an indicator of current demand for house lots. 14. Correct. The success or failure of this scheme amendment will dictate the next steps. If this amendment were successful then a detailed financial analysis will be undertaken into costs with a significant portion of the grant being directed towards infrastructure costs. A proportion of the land is currently serviced with pipes and wires, as the former developer constructed this network before selling the land to the Shire. 15. The previous developer has already removed many of the construction constraints prior to the sale of the land to the Shire. The Shire will likely include retaining walls in this estate prior to the sale of the land, reducing individual expenses for construction. 16. Noted, but not relevant to this topic. 17. Noted.
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5	TOMKINS BEND, NUNILE	OBJECT	More than 300m	1. I strongly object to zoning changes at Riverhills. 2. Homeowners and lot buyers have relied on shire and planning advice that the land is public open space, a major social amenity to their chosen lifestyle in a precinct of education, sports and recreation. A change now, at the least is not acceptable, and morally wrong. 3. I understand the original developer was obliged to donate this land for public open space which in turn raised development costs per lot which undoubtedly were passed on to the lot buyer. 4. There is plenty of adjoining land available for residential development by private developers and any level of government should support those lots rather than compete in the market with competent professionals. 5. I would like to know: - Who is the current owner of the land, State of WA or Shire of Toodyay? 6. If sold who is the beneficiary of those proceeds? 7. If the change of zoning proceeds, will it be sold to a private entity to develop? If not, who will develop the land? 8. If a government entity, will the group housing site be designated low-cost housing or rentals? 9. Low cost housing by sale or rent is usually associated with demand for government services all of which are only available in Northam (which actually has a lower land cost base now and Toodyay has no public transport system to access Northam). 10. The need for small group housing sites in Toodyay is minimal and fifteen such sites have been unsuccessfully available in the main street for many years.	1. Noted 2. Noted 3. This land Lot 9081 was purchased by the Shire for the relocation of the recreation centre and for the location of the swimming pool. Further uses on this land are for the establishment of a full-size AFL oval. This land is in addition to the 10% open space requirements of the original development. 4. While there is a large amount of land zoned suitable for residential development, those landowners have not indicated a willingness to develop. The Shire has chosen to intervene in the market because the developers are not responding to community needs. 5. The land is owned by the Shire of Toodyay, freehold in title. 6. The beneficiary is the Toodyay community as the profits will be reinvested into community facilities. 7. No decision has been made in this regard, but it is likely to be the Shire. 8. The Shire is the government entity. One of the group housing sites is intended to be for Shire staff housing and the other for over 55's living, whoever the owner is. 9. Toodyay has a limited public transport system vis the Avontlink and Merredin Link train line. 10. I do not know which sites you refer, but there is little land on the main street for sale.
6	STIRLING TERRACE TOODYAY	OBJECT	More than 1km	1. Toodyay has long been known for its sense of community and safety. Opening up affordable housing has its positives but potential impact on public safety and overall character of our town is something to seriously consider. 2. Developments of this nature can bring persons from outside of town who may not share the same values as we do in Toodyay. 3. We also need to consider the limited resources in our town that will further affect the persons of our community. I have no supporting documents to attach	1. Agree 2. Noted 3. As Toodyay attracts more people to live in our community, then we are likely to see more services in town as well as more shops.
7	GADSDON PASS NUNILE	OBJECT		1. I object based on the information that government funded homes are being planned. 2. I came to this country town to avoid the addicts that were my neighbours in Perth. Please do not bring cheap houses to our lovely town. They will drain more money from our council than they provide.	1. There are no state government funded homes being proposed. The Shire is intending that there be a small cluster of Shire staff homes and a site for over 55's living. 2. Noted

8	BOYAGERRING RD DUMBARTON	OBJECT	More than 3km	1. I am writing to formally submit my objection to the proposed amendment to rezone a designated "Open Space" area to residential housing. 2. Open spaces are vital to the wellbeing of our community. They provide essential habitat for wildlife and support biodiversity, which in turn strengthens the health of our local ecosystems. These areas also deliver a range of environmental benefits, including improved air quality, reduced noise pollution, and enhanced visual appeal of our neighbourhoods. Beyond their environmental value, open spaces contribute positively to property values and overall liveability. They offer places for recreation, relaxation, and social connection — elements that foster a strong sense of community. Access to green areas has also been linked to increased physical activity, reduced stress levels, and improved mental health. Toodyay's community is notably diverse, comprising young families, retirees, long-term residents, and newcomers seeking a quieter, rural lifestyle. Open spaces serve all of these groups in different yet equally important ways. Families need safe, accessible areas for children to play and socialise; older residents benefit from peaceful places to walk, rest, or connect with nature; and newcomers often value the sense of space, community, and wellbeing that green areas provide. Retaining open space ensures that Toodyay continues to be inclusive and welcoming for all, enhancing quality of life across every age group and stage of life. 3. Importantly, the section proposed for rezoning is located directly opposite our local school. This is a highly strategic and beneficial location for a community open space. It presents the perfect opportunity to create a nature-based recreational area or children's playground — a safe, accessible space for students and families before and after school, and a broader asset for the town. 4. Replacing this opportunity with housing would be a significant loss for current and future residents. In addition, introducing more residential properties in this location would likely increase traffic congestion and parking issues around the school, especially during drop-off and pick-up times. 5. Maintaining the area as open space would help mitigate these concerns and support safer access for children and families. When reviewing the current subdivision, it's also concerning that no visible planning has been made for any open space at all. There are no designated areas for playgrounds, community parks, or walking spaces for pet owners — all essential features of a balanced, family-friendly neighbourhood. 6. If Toodyay is to grow, we must plan not just for more housing, but for quality of life. That includes green infrastructure such as parks, recreation zones, and public open spaces. Toodyay is a rural town, and its character is part of its charm. If we allow unchecked development, we risk becoming a "mini Perth." Replacing green space with housing not only degrades that rural identity, but also contributes to urban heat, biodiversity loss, and an erosion of the natural environment. We should be planting trees, not pouring concrete. We must protect and invest in open spaces to ensure the long-term health, identity, and liveability of our community. As a constructive alternative, I would suggest the Shire explore a balanced approach — such as allowing limited residential development on a smaller section of the open space while retaining the majority of the area for public use. This compromise would preserve the environmental, social, and recreational value of the space while still contributing to the town's housing needs. It is possible to support growth without sacrificing Toodyay's unique character and community wellbeing. For these reasons, I respectfully urge the Shire to retain the area as public open space, or at minimum, ensure that a significant portion is preserved for community benefit.	1. Noted 2. Noted 3. It is the strategic location close to the school that makes the site more attractive to housing. As discussed in Submission 3.9, there is a substantial amount of high amenity and high quality public open space in the area, of a level far higher than the degraded former constructions site (by the last developer) for housing in this proposal. 4. It is expected that future residents will walk to the school rather than driving. The road network designed in the Foggerthorpe Structure Plan planned for more vehicle movements that what this infill housing proposal anticipated. Overall there is likely to be less vehicle movements generated than what was anticipated in that initial study. 5. The Foggerthorpe Structure plan exceeded its 10% public open space requirements when approved by the WAPC. This was further expanded by the Shire's purchase of land for the Recreation Centre, and now proposed to be reduced for this proposal. In total calculation after this amendment there will be a much higher level of public open space, per hectare than any other estate in the Shire. 6. Quality of life also includes housing that is suitable for all members of the community. The "loss" of this open space will not negatively impact on the surrounding biodiversity of Nunile. Less than a third of the land in this lot is being developed for housing with the remaining land being used for the recreation centre and a future AFL oval. These facilities are for the community benefit of the entire Shire.
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9	DRUMMOND STREET NUNILE	OBJECT	Less than 300m	1. I have objections to the proposed subdivision regarding the size of the lots and the loss of the public open space where I walk my dogs, when we purchased our land we were told it would always remain public open space of which was the final sweetener for us to purchase 2. The loss of Toodyay's rural lifestyle which is the Mission Statement for Toodyay in the Plan for the Future Toodyay at a glance: The Shire of Toodyay is known for its abundance of natural beauty, rural charm and rustic heritage buildings Our Vision: A caring and visionary rural community, working together to preserve and enrich Toodyay's environment, character and lifestyle 3. I do not believe that this subdivision fits in with the above statements which were compiled from community input 4. When we purchased our block in Toodyay it was to move away from an urban society and enjoy our future retirement in the beautiful, peaceful, attractive rural lifestyle that we hear so much about. With a subdivision of small lots, roof joining roof and social housing does not fit in with the above statements 5. If this project was to go ahead would it not be more in keeping with the current estate to have the blocks along Drummond Street kept to R10 or a minimum of R12.5 zoning Restrict the lower part of the R35 to have Restrictive Covenants recorded against there titles to be used for over 55's or aged low care housing 6. Lot 8006 is a storm water base for the water runoff and does not pass for public open space, where would we be able to walk our dogs off lead without having to load the car and travel to another site Since the Shires announcement we have tried to make contact with as many residents and landowners in the area to discuss and all are of the same opinion and some even quite hostile about the proposal	1. Noted 2. Agree 3. Noted 4. We are glad that you have chosen Toodyay for your home. However these lots will be smaller than your own, but not by much, with larger lots facing Drummond Street. There is not any proposed social housing bar the establishment of a small over 55's site and a few houses for staff housing. 5. Yes the intention is to create larger lots facing Drummond Street. And we agree that restricting the use of the larger grouped housing site to over 55's is a good idea. 6. Open storm water basins are normally zoned public open space, which is a common land use practice. Currently the site is zoned residential which does not reflect the use of the site. Yes, I have had meetings with landowners and they have expressed their strong opinions towards this project.
10	DRUMMOND STREET NUNILE	FOLLOWING SHIRE MEETING	Less than 300m	1. With reference to :- Amendment No 1 to Local Planning Scheme No 5 This amendment aims to :- * Reclassify a 4Ha portion of Lot 9508 (Burt Parkway, Nunile) from Public Open Space to Residential to support future housing needs. * Formalize Jarratt Pass as a Local Road Reserve. * Rezone Lot 8006 (Murray Walkway, Nunile) from Residential to Public Open Space to reflect its existing use as a drainage reserve. 7. Following up on our meeting with the shire last week, my comments as to what may be acceptable to get my support, would be :- 1. Zoning of the individual blocks to be not higher density than R15; & 2. The proposed two high density, multiple dwelling blocks to have Restrictive Covenants recorded against their titles describing the uses which would be allowable on those blocks, such as :- a. Block one only being allowed to be used for an over 55's, low care, housing estate; and b. Block two to be retained by the Shire of Toodyay, and only to be used to provide rental housing to full time employees of the Shire of Toodyay	1. Noted 7. The Shire has two options, readvertise the proposed Residential Codes to a lower density or create larger lots on the estate to a point where subdivision is not possible. The larger group housing site can be easily covenanted to over 55's, but the shire lot cannot be restricted – you cannot restrict a lot to the benefit of the owner. However, the Shire's intention is to retain at least one lot for staff housing.

11	DRUMMOND STREET NUNILE	OBJECT	Less than 300m	1. Being a rate payer and resident of Shire of Toodyay, I do not agree with this amendment. • A portion Lot 9508 from Public Open Space to Residential - approved reserve • All of Lot 8006 from Residential to Public Open Space (developed as a drainage sump) • Creation of a road reserve being known as Jarratt Pass 2. This proposal is not supported in the vision of Toodyay: "A caring and visionary rural community, working together to preserve and enrich Toodyay's environment, character and Lifestyle" People purchasing land and building exceptional houses in the Estate have not purchased, built and chosen to live in River Hills Estate to be accompanied by high density living pockets. People have come to Toodyay to experience the peace, tranquillity and quiet away from the hustle and traffic of metro urban life. Small land lots with roof-to-roof buildings does not fit with this vision of Toodyay. 3. Urbanisation of Nunile is not supported. Lot 8006 is a developed drainage sump and does not comply with the amenity of public open space 4. Zoning of R35 and R 20 does not fit with the Foggerthorpe Structural Residential Estate Structure Plan for Lots 3 & 6 Goomalling-Toodyay Road, Nunile. 5. In a response to a previous question asked the answer was: This estate represents lot sizes in keeping with the "Toodyay town centre without changing the town centre through increased density" The proposed changes to Lots 9508 and 8006 will affect the environment, density, amenity and aesthetics of River Hills Estate. 6. This is not acceptable Affordable Housing: It has been noted by all persons who have built in River Hills Estate that the topography, granite and earthworks does not make for affordable land and housing: • Engineering works \$75,000 • BAL fees up to \$30,000 • Earthworks alone can cost up to \$90,000.00 • A large dyke is under the land which will also make earthworks costly • A steep slope from the top of Burt Way to the bottom of Murray Walkway will hamper the design and create difficulty in building • Retaining walls have been known to cost in the vicinity of \$40,00 to \$60,000 • And this is before the shovel has been put into the ground. 7. Caravans, trailers, boats are required to be at the rear of the building- on a 250- 400 sqm block this will be difficult to achieve. 8. Available lots for building: • There are 35 vacant lots in the River Hills Estate. A subdivision of 18 lots to be built along Bakers Brace. 100 lots to be built in the subdivision along Drummond Street which has already received approval in 2022 from the WAPC. Cascade Lane has a subdivision of 18 small lots which has stood still for several years with only 4 houses occupied. 9. Drummond Street East, Nunile. The blocks along Drummond Street East are zoned R10. The proposal for the proposed subdivision would benefit to reflect this in keeping with the blocks and buildings already constructed in this area. 10. Local Planning Strategy 2018- page 47 Future Residential Needs Generally, there is sufficient residential and future residential zoned land with the Shire of Toodyay to cater for existing and future demand. A review of the residential density codes in the town site is recommended in this Strategy to ensure that opportunities to utilise essential infrastructure are maximised whilst encouraging an increase in medium density housing where it is appropriate and has been appropriately planned for. Ad hoc increases in density should not be supported. 11. In over 24 years of being a rate payer in Toodyay, it has been said that the population will reach figures of over 5,000 people. To date there has been no evidence of this, with figures topping around the 4,600 mark- even with the influx from Covid.	1. Noted 2. The proposed lots are still considered to be much larger than those being developed in Perth. However it is recognised that there will be smaller than those currently in the River Hills estate. These smaller lots do not mean that future residents will not embrace the Toodyay lifestyle 3. It is common for unfenced drainage infrastructure to be zoned Public Open Space in Western Australia. The current Residential zone is not appropriate. 4. The proposed residential densities were not anticipated in the Foggerthorpe Structure plan however as a result of this amendment, there will not be a higher number of houses than originally anticipated. 5. Noted 6. The Shire's access to a federal infrastructure grant will help reduce the development costs of the estate and provide an opportunity (through design) to reduce individual site costs to home builders. 7. Noted 8. While there are a number of vacant lots in the Riverhills estate, many of these lots are now commencing home construction. Other lots are being held by private landowners who's intentions are unknown. There are very few of these lots available for sale. As for the other mentioned estates, these land develop have not shown intention to develop their land, causing a land shortage. 9. The larger lots to the east of this proposal are not being rezoned and will retain their character and larger lot sizes. This rezoning proposal and future housing will have larger lots interfacing with the current estate to lessen the impact and transition to smaller lots. 10. While that report supports enough land being made available for future housing the landowners in these areas have chosen to not develop their opportunity, creating a shortage of available lots (today). While higher townsite densities have been created, there has been a low uptake of these opportunities. This proposed amendment is not deemed to be ad-hoc due to its size. 11. Noted.
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12	GADSDON PASS NUNILE	OBJECT		Do not believe it is necessary for the zoning to be changed to allow for "more housing in Toodyay". The proposed rezoning change is not needed.	Noted
13	GADSDON PASS NUNILE	OBJECT		- I've had the displeasure of previously living near government housing which resulted in constant domestic violence, drug dealing, garbage and noise complaints lodged by nearly everyone in our neighbourhood. I was personally robbed by an indigenous man who lived 50 metres from my property. He was living in government housing. - We don't need that kind of degeneracy in Nunile. You'll destroy a wonderful neighbourhood.	- Noted - The Shire will always work to develop high quality development in the Shire and we are intending to develop a complementary housing estate close to existing facilities that will attract local residents.
14	DRUMMOND STREET NUNILE	OBJECT		- We bought our land in Toodyay after visiting and falling in love with the peaceful village lifestyle - especially when comparing it to our current home in Perth. When we bought the land we were advised that the lot opposite us wouldn't be built on and instead would be open public land. It was included in the paperwork we were given when we were considering the land - as attached. Brilliant we thought, our children will have a wonderful space to play on. Now we are told that they want to build units and houses on the land. - Toodyay is not built to support that many additional houses and the infrastructure of the community will crumble. Where will all the kids go to school? - Where will everyone do their shopping? We're disappointed by this proposal and strongly object. It is making us consider selling our land and building plans to look elsewhere.	- The shire is revaluating its landholdings and is proposing to change the land use of this land, while the remainder will continue to be used for open space and recreational activities. - The current recreation centre is underused and the School has the capacity for many hundreds of additional children. - Shopping opportunities exist within the Toodyay town centre with other opportunities 20m away in Northam (not a preferred destination). We hope that you remain in Toodyay and enjoy our community.
15	RAYNER LOOP NUNILE	OBJECT	More than 200m	I wish to lodge my objection, the open space will be very much needed by the time the next two stages are sold and I did not build here to be part of a Social Housing Project.	I presume that you mean the land on Drummond Street to the north of the recreation centre which is closer to the Boyagerring Creek open space.
16	DRUMMOND STREET NUNILE	OBJECT		- We are disappointed in this amendment, as the reason for us purchasing our block was because of the position, the views and open space across the road. - If this goes ahead, our outlook will be roof to roof buildings. Because of the density, we feel it would be like living in a suburb of Perth. - We would at least expect some recreational space to be left, so that all of the community can enjoy their surrounds. I would hate for this to change the reason why people move to Toodyay.	- Noted - Noted - There is substantial open space to the South of your property, being the Avon River Reserve, also the Swimming pool and recreation centre to the north.
17	HARCOURT STREET TOODYAY	NEUTRAL	More than 1km	- I think it's great that the shire is revisiting this policy and making landholders and companies accountable for the damage they do to our local roads. But, I will only support this if the shire still gives the local owned and operated Toodyay businesses a discounted rate compared to out of town companies. - Our local businesses employ a lot of local people, do a lot for the town and are very beneficial to Toodyay with the support they give organisations within it e.g. Sponsorship, donations, cheaper contracts etc. Those companies that are national or state wide businesses should pay a lot larger fee as the potential for them to expand is greater which can leave a bigger footprint on our local roads and land. You only have to drive Toodyay road and see how many trucks come through Toodyay local roads (clay, rubbish landfill) from Perth that cause a large amount of damage to our roads as well as all the extra rubbish that blows out the top of all the rubbish trucks coming up from Perth. Someone has to be made accountable and pay up for this and it should not be the local businesses.	- It is intended that the lots for sale will be sold at market value to any purchaser. - Noted
18	STIRLING TERRACE TOODYAY	SUPPORT	More than 1km	I support this local planning scheme amendment. More housing is required outside of the city to help young families, like mine, find financial security. It will attract young families to put down roots in Toodyay and invest in developing a resilient social system.	Noted

19	NOTTINGHAM RD TOODYAY	OBJECT	More than 3km	1. The inclusion of Public open space in any housing development is for the well known benefits that it provides. These include community cohesion, the physical and psychological health of nearby residents, and the provision of opportunities for social interaction for all ages. 2. Public open space is also essential in the long term for preserving multiple environmental benefits. Forward planning surely requires foresight in these matters. 3. There is also the inequity for adjacent residents in rezoning this area. A higher density also implies an even greater need for such space to remain. It makes no sense.	1. Noted 2. Agree 3. State planning policy does permit surplus public open space to be utilised for other purposes within a locality. This amendment is surplus land purchased by the Shire. The Foggerthorpe structure plan remains well above the 10% open space requirements if this amendment is approved
20	DRUMMOND STREET NUNILE	NEUTRAL	Less than 300m	2. With reference to :- Amendment No 1 to Local Planning Scheme No 5 This amendment aims to :- * Reclassify a 4Ha portion of Lot 9508 (Burt Parkway, Nunile) from Public Open Space to Residential to support future housing needs. * Formalize Jarratt Pass as a Local Road Reserve. * Rezone Lot 8006 (Murray Walkway, Nunile) from Residential to Public Open Space to reflect its existing use as a drainage reserve. 3. Following up on our meeting with the shire last week, my comments as to what may be acceptable to get my support, would be :- 1. Zoning of the individual blocks to be not higher density than R15; & 2. The proposed two high density, multiple dwelling blocks to have Restrictive Covenants recorded against their titles describing the uses which would be allowable on those blocks, such as :- a. Block one only being allowed to be used for an over 55's, low care, housing estate; and b. Block two to be retained by the Shire of Toodyay, and only to be used to provide rental housing to full time employees of the Shire of Toodyay	2. Noted 3. The Shire has two options, readvertise the proposed Residential Codes to a lower density or create larger lots on the estate to a point where subdivision is not possible. The larger group housing site can be easily covenanted to over 55's, but the shire lot cannot be restricted – you cannot restrict a lot to the benefit of the owner. However, the Shire's intention is to retain at least one lot for staff housing.

21	MCKNOE DRIVE MORANGUP	OBJECT	More than 20km	1. No supporting evidence has been provided to suggest that Toodyay needs more higher density housing. Toodyay population remains at about 4,500, current residentially zoned land could already support a much larger population if required. 2. The Structure Plan designated this open public space for community amenity purposes, it cannot be replaced by the re-classification of a drainage sump as public open space. 3. Housing of this density is not appropriate as an enclave within Riverhills and is an unreasonable impost on existing Riverhills residents who bought land in a open setting with rural views/surrounds having the expectation of nearby public open space in perpetuity. 4. There is already a small subdivision with small block sizes being released progressively – this is more in keeping with the character of Toodyay 5. A Shire decision to advocate for more social housing in the Shire of Toodyay, should not come at the expense of the rural character of Toodyay, or the well-being of residents. 6. Toodyay infrastructure, social and recreational support resources are insufficient to provide for an influx of new residents, and provision of these would add further burdens to existing ratepayers. This is particularly significant if the new residents have no experience of living in a semi-rural area, with little ‘entertainment’ available. 7. The rationale behind this decision would appear to be related to the possible acquisition of some Government funding. It should be borne in mind that government funding rarely comes without a requirement for co-contribution from the recipient. 8. Costs will finally fall on existing ratepayers (as in the case of the Rec Centre). Any potential revenue from this likely to be far outweighed by the costs to the community. 9. The assertion that there is ‘little natural environment’ in the current open space has been made without any evidence (i.e. no survey/environmental evaluation) and completely ignores the environmental importance of even small and degraded pockets of bushland as wildlife habitat in the built environment.	1. Numerous reports have shown a need for more housing in the Shire. There are pockets of land that are capable for more housing to be established but those landowners have not created the expected lots for sale. The Shire has chosen to provide lots to the market where private developers have not. 2. The original first version of the Foggerthorpe structure plan showed this land as housing, and earthworks were partially completed. The first amendment to the structure plan then added a significant portion of land to Public Open Space, to which that a third is now being proposed to be returned to housing. 3. Noted 4. Agreed and that subdivision has no more lots for sale. 5. There is no social housing proposed for the site other than an over 55’s lot and housing for Shire staff. 6. Hard infrastructure such as water, power and sewer are more than capable to support more housing in an area that was expected to have housing. The Shire’s sporting and cultural facilities are more than capable of receiving more members, as is the school. 7. Yes, the Shire will receive federal funding for the development of this estate, if the amendment is supported. The shire will also invest money into this project. 8. Noted 9. The environmental clearances were undertaken during the development of the Foggerthorpe structure plan. Many trees will be preserved in the road reserve and new residents will establish gardens.
22	RAYNER LOOP NUNILE	OBJECT (LATE SUBMISSION)		1. I bought into this area thinking that there would not be high density social housing just down the road from me, it is not ok to just change the zoning to suit your requirements. 2. If an area is planned for in the future that is similar to or maybe even adjacent to, the river hills estate, then include social housing into that. 3. I object to this rezoning.	1. The Shire is not proposing social housing. 2. Noted 3. Noted
23	Raynor Loop	OBJECT (LATE SUBMISSION)		1. I bought into this area thinking that there would not be high density social housing just down the road from me, it is not ok to just change the zoning to suit your requirements. 2. If an area is planned for in the future that is similar to or maybe even adjacent to, the river hills I object to this rezoning.	1. Based on the 14 proposed social houses which are over 55’s and houses for shire staff, amongst a possible 50 total dwellings, what is proposed is not considered to be high density. 2. Noted
24	Raynor Loop	Object		1. Disagree whole heartedly with this re zoning.	1. Noted

Petition 22/05/2025		
Submission		Officer Comment
The Electors of the Shire of Toodyay object to the proposed amendment to Local Planning Scheme 5 to rezone two portions of land and create a road reserve being: 1. A portion of Lot 9508 Public Open Space to residential 2. All of Lot 8006 from residential to public open space 3. Creation of a road reserve to be known as Jarrett Pass. The reasons are imbedded in the intent of the Shire of Toodyay Council Plan 2023 - 2033 which represents the vision and will of the Toodyay community. <i>Vision</i> A caring and visionary rural community, working together to preserve and enrich Toodyay's environment, character and lifestyle <i>Place</i> Our rural lifestyle is valued and is being enhanced with thoughtful planning and development. The community also values local playgrounds, parks and reserves. The Shire is attracting a growing number of residents from Perth who are seeking an alternative semi-rural lifestyle.		
	1. The proposed amendment does not reflect the rural expectation conveyed in the Plan. 2. Existing public open space was to support community expectation of the amenity of the subdivision and is contained in the Foggerthorpe Structure Plan. 3. Land for housing is readily available in Nunile and smaller block sizes available in town. 4. There is a pending subdivision (100 blocks} at Drummond Street which could accommodate smaller lots if approved. 5. The size and density that occurs from rezoning Lot 9508 impacts the ambience and property values in River Hills and is not in keeping with the amenity of a country town. 6. The density of residential blocks in Nunile is not supported. 7. Lot 8006 is a drainage sump and does not support the expected uses of open public space. 8. No public consultation or survey was provided to support the need for extra land in Toodyay. 9. The studies to identify the current and projected need for housing in the Shire and wider region mentioned in the Officer's report is not publicly available to support this need. 10. Historically, many of the quoted previous studies inaccurately projected a substantial population growth in Toodyay. This did not occur; Population in Toodyay is approximately 4500.	1. Land within the Foggerthorpe Structure Plan area was never planned to be for rural development. All lots created post 2007, have been developed as a low density residential development. 2. The current open space in the original Foggerthorpe Structure Plan area met the WAPC requirements of 10% open space. The Shire added more open space to build the Recreation Centre, and now is returning a third of that addition back to housing. 3. There is a significant shortfall in the number of lots for sale in the Shire. Numerous developers have not met this demand, and the Shire has chosen to intervene in the land market to support more homes to be developed. 4. This is true, but they have not yet chosen to develop those lots. The approved lots are large and does not cater for the current need for smaller lots. 5. Ambience and property values are subjective, and the proposed development is aside the current river hills development. 6. Noted 7. Unfenced drainage reserves are expected to be zoned as public open space. In this case the administrative correction is more suitable than the current residential R10 zone. 8. The Shire's Strategic Community Plan and the review of the Local Planning Scheme identified the need to cater for more residential land. However, this has not manifested, and the Shire has chosen to intervene in the market. 9. Noted. 10. Past studies do not reflect the current market need in 2025.

DESIGN WORKING PLANS



Indicative Lot Design

Indicative Road Network

600m²

Indicative Lot Area

Subject to Survey