

CITY OF ARMADALE

A G E N D A

**OF CITY STRATEGY COMMITTEE TO BE HELD IN THE COMMITTEE ROOM,
ADMINISTRATION CENTRE, 7 ORCHARD AVENUE, ARMADALE ON TUESDAY,
11 MARCH 2003, AT 7.00 PM.**

Meal to be served at 6.15 pm

PRESENT:

APOLOGIES:

OBSERVERS:

IN ATTENDANCE:

DISCLAIMER

The Disclaimer for protecting Councillors and staff from liability of information and advice given at Committee meetings to be read by the Chairman.

DECLARATION OF MEMBERS' INTERESTS

QUESTION TIME

DEPUTATION

Nil

CONFIRMATION OF MINUTES

RESOLVED

Minutes of the City Strategy Committee Meeting held on 14 January 2003, be confirmed.

Minutes of the Special City Strategy Committee Meeting held on 24 February 2003, be confirmed.

ITEMS REFERRED FROM INFORMATION BULLETIN

INFORMATION BULLETIN – ISSUE NO.3/2003 and ISSUE NO. 5/2003

The following items were included for information in the “City Strategy section”

- Progress Report on Contingency, Operational and Strategic Projects
- Report on Outstanding Matters

If any of the items listed above requires clarification or a report for a decision of Council, this item to raised for discussion at this juncture.

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CITY STRATEGY COMMITTEE

11 MARCH 2003

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***PUBLIC OPEN SPACE STRATEGY STAGE 3 –GARLAND AND CALYTRIX
RESERVES ROLEYSTONE***

WARD : Roleystone
FILE REF : POS/1
DATE : 30 January 2003
REF : RVD
RESPONSIBLE : EDDS
MANAGER

In Brief:-

- Further consultation has occurred regarding two reserves to determine which should be retained and which should be cancelled and sold.
- Draft Town Planning Scheme No 4 provides an opportunity to progress the POS Strategy, rather than initiating a separate amendment.
- Recommend that Reserve 30058 (4 Garland Rd) be vested in the City, Reserve 28906 (7 Calytrix Rd) be rezoned, cancelled and sold and that scheme amendments necessary for Stages 2 & 3 be achieved through Town Planning Scheme No 4.

Tabled Items

Nil.

Officer Interest Declaration

Nil.

Strategic Implications

Social Infrastructure Item 2.3 *Develop a Strategic Plan for the provision of recreation services and facilities.*

Legislation Implications

Land Administration Act 1997
Town Planning and Development Act 1928
Town Planning Scheme No 2

Council Policy / Local Law Implications

Nil.

Budget / Financial Implications

The funds that would be available from the cancellation and sale of reserves has not yet been determined, because this would require valuations to occur. Valuations must be sought within 6 months of a sale.

Consultation

In accordance with Council's resolution (see Background section below), letters were sent to the 16 adjacent landholders and one submitter from the previous consultation whose grandchildren live near the reserves. Six submissions were received in response to the letters, and their comments are summarised below:

Address of submitter(s)	Summary of comments relevant to the matter at hand
14 Calytrix Rd (live opposite Calytrix Rd Reserve)	Prefer Garland Rd reserve because it is beneficial for wildlife including Red-tailed Black Cockatoos, adds to the beautiful flora and fauna of Roleystone and provides place for local boys to play in natural bush. Consider Calytrix Rd reserve never used and a nuisance because of weeds growing on it.
11 Hawkstone Rd (back onto Garland Rd reserve)	Same submission as from 14 Calytrix Rd.
9 Hawkstone Rd (back onto Garland Rd reserve) – 2 separate and different submissions.	<ol style="list-style-type: none"> 1. Strongly oppose residential development of Garland Rd reserve because it provides a place of natural beauty for reflection, provides habitat for Quenda and has a nice stand of Jarrah and Marri. No comments on Calytrix Rd Reserve. 2. Oppose residential development of Garland Rd reserve because concerned about cutting down our native trees and consider that this would invite unwanted publicity. Also notes reserves natural beauty and value for Quenda. No comments on Calytrix Rd Reserve.
5 Calytrix Rd (next door to reserve at Calytrix Rd reserve)	<p>Both should be retained as they have unique, distinct values. Submitter then discusses merits of reserves noting that:</p> <ul style="list-style-type: none"> • existing bushland is nearby at Windsor Ave reserve that provides children a nature playground for imaginative play and the bushland experience, but neither Garland Rd reserve or Windsor Ave reserve provide for ball games, running freely and kite flying like Calytrix Rd reserve; • Calytrix Rd reserve appearance could be improved through tree planting around the perimeter without inhibiting other values; • consider vegetation would have to be removed from Garland Rd reserve to provide for play equipment & space for ball games; • fencing to prevent vehicular access through Garland Rd reserve to rear of properties may be unsightly; • use of a park as a children’s park and bandicoot habitat is considered incompatible; • need to analyse which reserve is most centrally located; • need to consider cost of development of facilities. <p>Purchased house wanting to live next to public open space. Both reserves should be improved from existing funds, not from the sale of irreplaceable public open space. If have to choose, Calytrix Rd reserve preferred.</p>

Address of submitter(s)	Summary of comments relevant to the matter at hand
3 Garland Rd (directly opposite Garland Rd Reserve)	Would prefer Calytrix Rd reserve – would rather live next to residential development than playground that could attract anti-social behaviour.
2 Winstanley Rd (has grandchildren on south side of Brookton Highway in vicinity of these reserves)	Prefer Calytrix Rd reserve because it would cost less to develop, children can play ball games on it, and it only has three properties abutting it that could be affected by children's activity. Consider development on Garland Rd reserve would probably retain trees, probably more so than the area to be cleared for a playground.

Three residents who objected to the disposal of Garland Rd in the first round of consultation did not write again. Two of the residents had signed "standard" letters also sent by other residents expressing concern that the reserve was important for wildlife such as the Quenda and noting that it had recently been treated for dieback. The other letter from the first round of consultation stated that the Garland Rd reserve is cared for by local residents having been recently treated for dieback, is used by residents as a rear access to their yards, used by many species of wildlife, and has value for children's play.

BACKGROUND

At its meeting of 21 October 2002 Council resolved:

2. *That Council seek responses from the submitters and adjacent landholders of Reserve 28906 (7 Calytrix Rd) and Reserve 30058 (4 Garland St) to the suggestion that only one of the two reserves should be retained and that the retained reserve would be fenced to prohibit vehicular access, signposted and be considered as a suitable site for future playground development.*
3. *That following Council's consideration of responses regarding Reserve 28906 (7 Calytrix Rd) and Reserve 30058 (4 Garland St) (as per Recommendation 2), Council consider initiating a scheme amendment to rezone the following reserves from Parks and Recreation (Local) to the proposed zones shown in the table below.*

Reserve	Address	Proposed zone
29992	18-20 Slab Gully Rd, Roleystone	R5
30232	3 Urch Rd, Roleystone	R5
35492	Between 3&5 Knuckey Dr	R5
45889	Between Burns Rd and Keates Rd, Armadale	General Industry

Since October 2002 it has become apparent that draft Town Planning Scheme No 4 is immanent.

A POS Strategy Working Party consisting of the Executive Director Development Services, Manager Planning Services, Manager Parks, Manager Recreation Services and Environmental Officer has been established for many years.

DETAILS OF PROPOSAL

It is proposed to seek to cancel and sell Reserve 28906 (7 Calytrix Rd) which is currently vested in the City, and accept vesting of Reserve 30058 (4 Garland St), which is currently unvested.

It is considered that the outcome sought through initiation of a scheme amendment as foreshadowed at Council's October 2002 meeting (see Part 3 under Background above) can best be achieved by ensuring that the maps for draft Town Planning Scheme No 4 are consistent with the proposed zonings.

COMMENT

Analysis

Following consideration of comments from public consultation and site inspections by members of the POS Strategy Working Party, the Working Party considered that Reserve 30058 (4 Garland St) should be retained because:

- is better located in relation to other open space in the area;
- it is larger than the Calytrix Rd reserve;
- the soil surface and terrain is worse on Calytrix Rd reserve;
- there is existing shade and vegetation on Garland Rd reserve under which playground equipment could be installed. A playground could be located on the reserve where it will not significantly impact on the vegetation and wildlife values of Garland Rd; and
- tree planting would be necessary to provide shade on Calytrix Rd.

Options

Council could decide to:

- retain both reserves (i.e. accept vesting of 4 Garland St)
- retain only 7 Calytrix Rd (i.e. not accept vesting of 4 Garland St); or
- retain neither reserve.

CONCLUSION

The six submissions received in response to this round of public consultation were fairly evenly divided regard which reserve would be preferable to retain. However, on balance it is concluded that Reserve 30058 (4 Garland St) has more values than Reserve 28906 (7 Calytrix Rd) and should be retained. Funds from the sale of Reserve 28906 (7 Calytrix Rd) could be utilised to fence, signpost and build playground equipment on Reserve 30058 (4 Garland St).

Draft Town Planning Scheme No 4 presents an opportunity to achieve desired amendments to the Town Planning Scheme without initiation of a separate amendment and provides an additional opportunity to receive public comment.

RECOMMEND

1. **That draft Town Planning Scheme No 4 map identify the following reserves as follows:**

Reserve	Address	Proposed zone
28906	7 Calytrix Rd	R5
29992	18-20 Slab Gully Rd, Roleystone	R5
30232	3 Urch Rd, Roleystone	R5
35492	Between 3&5 Knuckey Dr	R5
45889	Between Burns Rd and Keates Rd, Armadale	General Industry

2. **That Council advise the Department of Land Administration of the outcomes of the Stage 2 & 3 Public Open Space Strategy consultation with particular reference to Councils view that the reserves identified in Part 1 (above) should be cancelled and sold following public consultation on draft Town Planning Scheme No 4.**
3. **That Council advise submitters of Council's decisions and the opportunity to provide additional comment when Town Planning Scheme No 4 is advertised.**

Moved Cr _____
Carried/Lost ()

***PUBLIC OPEN SPACE STRATEGY - COMMENCEMENT OF STAGE 5 AND
INCLUSION OF STAGES 1-5 INTO DRAFT TOWN PLANNING SCHEME NO 4***

WARD : All (with Stage 5 affecting Kelmscott and Roleystone wards)
FILE REF : POS/1
DATE : 26 February 2003
REF : RVD
RESPONSIBLE : EDDS
MANAGER

In Brief:-

- Propose to commence Stage 5 of the POS strategy to achieve administrative efficiencies.
- Consultant's Public Open Space Assessment report has been reviewed by the Working Group for reserves for Stage 5.
- Recommend that Council commence public consultation in accordance with DOLA guidelines, accept various reserves subject to no adverse public comments, seek comment on the cancellation and sale of various reserves, investigate the possibility of leasing reserves with poor access (to reduce maintenance costs), and transfer a portion of a reserve to Department of Conservation and Land Management. Recommend that vesting be accepted for two reserves in the Hills North (2) precinct and they be amalgamated with the Roley Pool reserve.
- Recommend that proposals agreed to by Council from Stages 1 to 4 and as a result of Councils consideration of Stage 5 be incorporated into draft Town Planning Scheme 4.

Tabled Items

- Consultants Report Assessment of existing Public Open Space within the urban areas of the City of Armadale (A copy of this report was supplied to Councillors in February 2001).
- Department of Land Administration *Guidelines for the administration of Section 20A "Public Recreation" Reserves.*
- Cadastral maps at 1:2,000 scale of all reserves being considered in this report.

Officer Interest Declaration

Nil.

Strategic Implications

Social Infrastructure Item 2.3 *Develop a Strategic Plan for the provision of recreation services and facilities.*

Legislation Implications

Land Administration Act 1997
Town Planning and Development Act 1928
Town Planning Scheme No 2

Council Policy / Local Law Implications

Nil.

Budget / Financial Implications

Advertising and associated costs will be met from the Town Planning Scheme Amendment Advertising budget.

In the event of all recommended reserves being accepted in Stage 5, then the Parks and Reserves Department would be required to manage an additional 7ha of land. Costs for managing minor passive reserves are about \$1,600 per hectare, so an increase in the Parks and Reserves Maintenance budget of about \$11,000 would be needed when the administrative processes are complete. Management costs for new reserves vested in the City will be considered when the Five Year Plan is next updated.

Consultation

- ◆ Public Open Space Strategy Working Group (Executive Director Development Services, Manager Parks, Manager Recreation Services, Planning Services Manager, Environmental Officer)
- ◆ Department of Land Administration

BACKGROUND

At its meeting of September 2001 Council resolved (CS67/01):

- A) *That Council stage the implementation of the recommendations of the Public Open Space Assessment as identified in Table T-1, with a report to Council listing reserves to be vested, transferred or disposed of prior to commencement of each stage.*

Table T-1 listed seven stages, with Stage 5 being the Canning River & Foothills (1) and Hills North (2) precincts.

In February 2002 Council resolved to initiate an amendment to Town Planning Scheme No 2 to reflect the outcomes of public consultation from Stage 1 of the Public Open Space Strategy (CS10/02 Part 1) which reads:

1. *That pursuant to Section 7 of the Town Planning and Development Act 1928 (as amended), Council resolves to initiate an amendment to Town Planning Scheme No.2 by:*
 - A) *Rezoning reserves 32584 and 29932 from the Parks and Recreation (Local) reservation to the Residential R12.5 zone; and*
 - B) *Rezoning reserves 33118, 34698, 35639, 33151 and 34702 from Parks and Recreation (Local) reservation to the Residential R15 zone;*

However, CS10/02 Part 1 has not yet been implemented due to more immediate priorities.

Stages 2 and 3 were run concurrently and following a public consultation period Council made determinations regarding the future of all but two reserves. The two remaining reserves are the subject of another report.

Stage 4 was considered at Council's October meeting and public consultation is expected to commence in March 2003.

DETAILS OF PROPOSAL

It is proposed that Council's recommendations from Stages 1 to 5 (i.e. Stages 1 to 4 and the outcome of the deliberations associated with this Agenda item) be reflected in draft Town Planning Scheme No 4. Given that draft Town Planning Scheme No 4 is imminent it is recommended that the proposed amendment to Town Planning Scheme No 2 not be pursued (CS10/02 Part 1), but the proposed amendment be reflected in Town Planning Scheme No 4.

It is now proposed to commence Stage 5 generally following the process used for previous stages. However, there is now an opportunity to speed up the process by including Council's recommendations in Town Planning Scheme No 4 maps. There is nothing that prevents public consultation that meets Department of Land Administration requirements occurring at the same time as consultation on Town Planning Scheme No 4.

Proposals for each precinct in Stage 5 of the Public Open Space Strategy are listed in table form, and some general comments about the proposals follow.

GENERAL COMMENTS

Reserves along the Canning River

Seven of the reserves in these precincts are along the Canning River, which currently has a patchwork of reserves that are ultimately expected to join into a linear park. Two of the reserves along the Canning River do not have access from nearby roads and another one has a steep narrow access leg that significantly restricts machinery access. It is recommended that before Council accept vesting of reserves with no or poor access, the possibility of leasing the reserves on a short to medium term basis to adjacent landholders be investigated as a potential way of reducing maintenance costs of reserves currently unable to be accessed easily by the public.

Department of Land Administration guidelines state that leaseback of foreshore reserves to the subdivider may occur in rural areas, but that this policy is being reviewed. An officer of the Department said that in general leaseback is contrary to their policy for Public Recreation reserves, but would be considered on a case-by-case basis on the advice of the Department for Planning and Infrastructure.

It is proposed to investigate the range of lease conditions that may be necessary, including lease conditions in regard to species that may be planted in the reserve, fire management, fencing and public access in consultation with the Department of Land Administration and the Department for Planning and Infrastructure.

It is proposed to split Hills North (2) Site 4 (Reserve 30254) so that land adjacent to land managed by Department of Conservation and Land Management is transferred to them, with the remainder of the reserve being vested in the City.

Narrow drainage reserves

In the Canning River and Foothills (1) precinct, Site 7 (Reserve 44600), Site 8 (Reserve 30047) and Site 34 (Reserve 31927) are narrow drainage reserves. The first two reserves are tributaries of Wright Brook, and Reserve 31927 is only 2-3m wide. It is not proposed to accept vesting of these drainage reserves through this process. However, recommendations to have these drainage

reserves that have no recreational or open space value to be reserved as Public Purpose in draft Town Planning Scheme No 4.

Reserves identified as Cancel/ Sell – procedure

For reserves listed as Cancel/ Sell, Department of Land Administration Guidelines apply which require:

- for reserves to be cancelled, Council must signpost the affected reserve to indicate the intended change, advertise in the local newspaper and, in appropriate cases, canvas nearby landholders by mail in order to demonstrate to the Minister the level of ratepayers support;
- that funds generated from reserves that are sold must be used to either purchase replacement land of equal area and suitability, or be allocated to a specific project subject to community support and the approval of the Department for Planning and Infrastructure. Funds generated must be used for parks or recreation facilities. Council resolved in February 2002 to establish an appropriate trust fund to meet this requirement; and
- fees to be payable to the Department of Land Administration (\$500 or 5% of unimproved market value, whichever is the greater), as well as other statutory fees that may be associated with the action (e.g. rezoning or subdivision costs).

To meet the Department of Land Administration guideline that requires demonstration of a favourable community attitude for specific projects to be funded from the sale of reserves, consultation with the community needs to suggest likely projects and seek public comment on other potential projects. Examples of projects that could be funded in the Canning River and Foothills (1) precinct from the sale of reserves are:

- walk trails and seating along the Canning River;
- improvements at Lloyd Hughes Park and Fancote Park;
- upgrade lighting at Frye Park.

No reserves are proposed to be disposed of in the Hills North (2) precinct, so no proposals for expenditure of funds need be considered.

Freehold land held by Council

Within Canning River and Foothills (1) precinct there are two lots owned freehold by the City of Armadale. Whilst previous public open space precinct reviews have recommended sale of freehold lots, it is considered that in this precinct it would be advantageous to retain the landholdings so they can be utilised by the City when it endeavours to implement the Kelmscott Enquiry by Design recommendations.

In the Hills North (2) precinct the only freehold land owned by the City is located on the Canning River south of the intersection of Collins Road and Thompson Rd and it is reserved for Parks and Recreation (Local).

CANNING RIVER AND FOOTHILLS (1)

Map No	Reserve Details	Category of POS	POS Criteria	Meets criteria Yes/ No	How ¹	Comments & information	Recommendation
1	Reserve No 37779 Area: (2050m ²) Canning River (west bank) one lot south of Centre Road, Kelmscott	Local	Functional & environmental Economic	Y N	WW, S, T -	- of regional significance Bush Forever Site 246 - no road access - has some (secondary) landscape quality and therefore social significance - linear park potential - Reserve purpose – Reserve for Recreation; S20A Unvested. - Scheme 2 shows P&R (Local)	Consider accepting vesting after investigation of leasing possibility
2	Reserve No 44836 Area: (4700m ²) Wright Brook from Greener Way to Canning River, Kelmscott	Drain Reserve useful as POS	Functional & environmental Economic	Y Y	SQM, S, WW, T A	- moderate access - poor surveillance - secondary landscape quality area in Rural Strategy - contributes to local recreation - potential trail route linking to Canning River - potential for wider reserve with future subdivision - joins City vested Reserve 36382 (site 3) - Reserve purpose – Drainage; S20A Unvested. - Scheme 2 shows Public Purpose.	Accept vesting Amalgamate with Reserve 36382 Reserve as P&R (Local)
4	Reserve No 33954 Area: (4117m ²) Wright Brook from Connell Ave to Greener Way, Kelmscott	Drain Reserve useful as POS	Functional & environmental Economic	Y N	SQM, S, WW, T A	- good access - moderate surveillance - secondary landscape quality area in Rural Strategy - potential short trail route - joins City vested Reserve 33976 - Reserve purpose – Drainage; S20A Unvested. - Scheme 2 shows Public Purpose.	Accept vesting Amalgamate with Reserve 33976 Reserve as P&R (Local)
7	Reserve No 44600 Area: (2418 m ²) Wright Brook from Megisti Pl to Turner Rd, Kelmscott	Drain Reserve	Functional & environmental Economic	Y N	SQM WW, S, T -	- secondary landscape quality area in Rural Strategy - narrow reserve (14m wide) with deeply incised brook lined by backyards. - no recreational value - Reserve purpose – Drainage; S20A Unvested. - Scheme 2 shows Urban.	Rezone to Public Purpose Not recommended that vesting be accepted through this process.

¹ A = Amalgamation opportunity, B = Bushland buffer, F = Fauna link, S = Socially significant, SQM = Stormwater quality management, T = Trail Route, W = Wetlands watercourse or buffer area

CANNING RIVER AND FOOTHILLS (1)

Map No	Reserve Details	Category of POS	POS Criteria	Meets criteria Yes/ No	How ¹	Comments & information	Recommendation
8	Reserve No 30047 Area: (1.4707 ha) South of the rear of lots along Morundah Pl, Kelmscott	Drain Reserve	Functional & environmental Economic	Y N	SQM, WW, S, T -	<ul style="list-style-type: none"> - on a tributary of Wright Brook - narrow reserve (~20m wide) with deeply incised brook often lined by backyards. - secondary landscape quality (over northern end only) in Rural Strategy - Reserve purpose – Drainage; S20A Unvested. - Scheme 2 shows Public Purpose. 	Not recommended that vesting be accepted through this process
9	Reserve No 33953 Area: (107m ²) Next to 15 Meyer Cl, Kelmscott	Drain Reserve useful as POS	Functional & environmental Economic	Y Y	SQM, S A	<ul style="list-style-type: none"> - small, 3m wide drain reserve - no evidence of drainage works on surface – currently a slab path over the reserve and visually appears to be part of Reserve 33364. - secondary landscape quality area in Rural Strategy - Reserve purpose – Drainage; S20A Unvested. - Scheme 2 shows Public Purpose. 	Accept vesting Amalgamate with Reserve 33364
15	Reserve No 24883 Area: (1024m ²) Canning River at 34 Gilwell Avenue, Kelmscott	Local	Functional & environmental Economic	Y A	WW, S -	<ul style="list-style-type: none"> - regionally significant (Bush Forever Site 246) - secondary landscape quality are in Rural Strategy - ultimately part of Canning River linear park - Reserve purpose – Recreation - Scheme No 2 shows as P& R (Local) 	Accept vesting Amalgamate with Reserve 27073
19	Reserve No 30184 Area: (2888m ²) Frye Park, Kelmscott	Drain Reserve useful as POS	Functional & environmental Economic	Y Y	SQM A	<ul style="list-style-type: none"> - 10m wide reserve on northern boundary of Frye Park - no evidence of drainage works on surface – currently a concrete path over the reserve and visually appears to be part of Reserve 30183. - good surveillance and access. - Reserve purpose – Drainage; S20A Unvested - Scheme No 2 shows as P&R (Local) 	Accept vesting Amalgamate with Reserve 30183
25	Reserve No 26755 Area: (2139m ²) Canning River (west bank) from Lefroy Rd north about 260m Kelmscott	Local	Functional & environmental Economic	Y N	WW, S, F -	<ul style="list-style-type: none"> - Reserve is only 8m wide but adjoins river which is vacant crown land. - poor surveillance and access - secondary landscape quality area in Rural Strategy - potential fauna link - Reserve purpose – Public Recreation; S20A Unvested - Scheme No 2 shows as P&R (Local) 	Accept vesting

CANNING RIVER AND FOOTHILLS (1)

Map No	Reserve Details	Category of POS	POS Criteria	Meets criteria Yes/ No	How ¹	Comments & information	Recommendation
26	Reserve No 36741 Area: (2583 m ²) Canning River (east bank) south from Orlando St Kelmscott	Local	Functional & environmental Economic	Y N	WW, S, F -	- poor surveillance and access - secondary landscape quality area in Rural Strategy - potential fauna link - Reserve purpose – Public Recreation; S20A Unvested - Scheme No 2 shows as P&R (Local)	Accept vesting
27	Reserve No 31189 Area: (1760 m ²) 8 Haimlee St, Kelmscott	Local	Functional & environmental Economic	Y N	S -	- poor surveillance and access - like two house-blocks and is mostly cleared - uneconomic size to maintain - Reserve purpose – Recreation; Unvested - Scheme No 2 shows as P&R (Local) and adjacent zoning as R10	Cancel, rezone to R10 & sell
28	Reserve No 27739 Area: (1467 m ²) 37-39 Buckingham Rd, Kelmscott	Local	Functional & environmental Economic	Y N	S -	- park development includes water fountain, bollards, large log, two rocks and some large trees. Barren appearance. - poor surveillance and access - other local parks within 200m - uneconomic to maintain - secondary landscape quality area in Rural Strategy - Reserve purpose – Public Recreation; Vested in City of Armadale. - Scheme No 2 shows as P&R (Local) and adjacent zoning R10	Cancel, rezone to R10 & sell
29	Reserve No 29842 Area: (911 m ²) Opposite 34 & 38 Arbuthnot St, Kelmscott	Local	Functional & environmental Economic	Y N	S -	- is like a house-block – currently overgrown - poor surveillance and access - secondary landscape quality area in Rural Strategy - wide road frontage but narrow depth - uneconomic maintenance size - Reserve purpose – Public Recreation; S20A Unvested - Scheme No 2 shows as P&R (Local) and adjacent zoning as R10	Cancel, rezone to R10 & sell

CANNING RIVER AND FOOTHILLS (1)

Map No	Reserve Details	Category of POS	POS Criteria	Meets criteria Yes/ No	How ¹	Comments & information	Recommendation
32	Reserve No 45382 Area: (2100 m ²) Canning River (east bank) one lot north of Bernard St, Kelmscott	Local	Functional & environmental Economic	Y N	S, WW -	<ul style="list-style-type: none"> - has many trees - secondary landscape quality area in Rural Strategy - no road access - ultimately part of linear park along Canning River - Reserve purpose – Public Recreation; S20A Unvested - Scheme No 2 shows as P&R (Local) 	Consider accepting vesting after investigation of leasing possibility
33	Reserve No 27708 Area: (5865 m ²) 12-18 Possum Pl Kelmscott	Neighbourhood	Functional & environmental Economic	Y N	LST, S -	<ul style="list-style-type: none"> - poor surveillance and access - secondary landscape quality area in Rural Strategy - moderate slope, understorey degraded but lots of trees. - economic size to maintain - Reserve purpose – Public Recreation; S20A Unvested - Scheme No 2 shows as P&R (Local) 	Accept vesting
34	Reserve No 31927 Area: (1427m ²) Possum Pl to Greendale Place Kelmscott	Drain Reserve	Functional & environmental Economic	Y N	S -	<ul style="list-style-type: none"> - narrow (~6m wide) drain lined by backyards - not obvious from most access points - Reserve purpose – Drainage; S20A Unvested - Scheme No 2 shows as un-zoned (like roads are) 	Not recommended that vesting be accepted through this process Reserve for Public Purpose
35	Reserve No 29468 Area: (3442 m ²) 8 Boondi Place Kelmscott	Local	Functional & environmental Economic	Y N	S -	<ul style="list-style-type: none"> - poor surveillance and access - uneconomic size to maintain - limited alternative use options. Very steep access at cul-de-sac head – may be difficult to develop - secondary landscape quality in Rural Strategy - understorey degraded - Reserve purpose – Public Recreation; S20A Unvested - Scheme No 2 shows as P&R (Local) and adjacent zoning as R10 	Cancel, rezone to R5 so only one house can be built on lot & sell

CANNING RIVER AND FOOTHILLS (1)

Map No	Reserve Details	Category of POS	POS Criteria	Meets criteria Yes/ No	How ¹	Comments & information	Recommendation
36	Reserve No 33647 Area: (7865 m ²) North bank of Canning River (north bank) east of Armstrong Rd/ Rockview Pl alignment Kelmscott	Neighbourhood	Functional & environmental Economic	Y N	WW, S -	<ul style="list-style-type: none"> - primary landscape quality - adjoins Canning River - linear POS - Reserve purpose – Public Recreation; S20A Unvested - Scheme No 2 shows as P&R (Local) 	Accept vesting

HILLS NORTH (2)

Map No	Reserve Details	Category of POS	POS Criteria	Meets criteria Yes/ No	How ¹	Comments and information	Recommendation
1	Reserve No: 27572 Area: (3910m ²) Canning River (north bank) rear 15 & 33 Croyden Ave, Roleystone	Regional Reserve	Functional & environmental Economic	Y N	LST, WW, S -	- dense understorey - poor access (from a 3m wide access next to 15 Croyden Rd) and surveillance - secondary landscape quality area in Rural Strategy - Reserve purpose – Reserve for Recreation S20A unvested - Scheme No 2 shows as P&R (Regional)	Consider accepting vesting after investigation of leasing possibility
2	Reserve No: 28353 Area: (1.1018ha) Caning River (north bank) Roley Pool entrance, Soldiers Rd, Roleystone	Neighbourhood	Functional & environmental Economic	Y N	LST -	- dense understorey - good access and surveillance - Roley Pool Reserve 28293 on south bank - Reserve purpose – Public Recreation; S20A unvested - Scheme No 2 shows as P&R (Local)	Accept vesting Amalgamate with Reserve 28293
3	Reserve No: 29834 Area: (754m ²) Caning River (north bank) Roley Pool entrance, Soldiers Rd, Roleystone	Local	Functional & environmental Economic	Y Y	LST A	- dense understorey - good access and surveillance - economic to maintain if amalgamated - adjoins Reserve 28353 (site 2) - Roley Pool Reserve 28293 on south bank - Reserve purpose – Public Recreation; S20A unvested - Scheme No 2 shows as P&R (Local)	Accept vesting Amalgamate with Reserve 28293

¹ LST = Locally Significant Trees, S = Socially significant, WW = Wetlands, watercourse or buffer area

HILLS NORTH (2)

Map No	Reserve Details	Category of POS	POS Criteria	Meets criteria Yes/ No	How ¹	Comments and information	Recommendation
4	Reserve No: 30245 Area: (12.2519ha including eastern portion of 2.1263ha) Canning River, near Butcher Rd, Roleystone	Regional Reserve	Functional & environmental Economic	Y N	S, WW -	<ul style="list-style-type: none"> - secondary landscape quality - in two separate parcels, both linear - contained in Regional Reservation - contains portion of Canning River - Reserve purpose – Public Recreation; S20A unvested - Scheme No 2 shows as P&R (Regional) 	Transfer portion that abuts Churchmans Bushland to CALM Accept vesting of easternmost portion of Reserve 30245

COMMENT

Analysis

Based on the tables above the following areas would be accepted, disposed of or transferred:

Precinct	Accept vesting (m ²)	Consider Accept & Lease (m ²)	Cancel/ dispose (m ²)	Transfer to CALM (m ²)
Canning River and Foothills (1)	31,288	4,150	7,580	-
Hills North (2)	36,945	3,910	-	101,256
TOTAL	76,293 (7.6ha)		7,580	101,256

Note: (10,000 m² = 1 ha)

Options

Council can re-consider recommendations in regard to accepting, cancellation/ disposal or transfer of reserves.

CONCLUSION

Through early consideration of Stage 5 of the Public Open Space Strategy it is expected that the public consultation process consistent with the Department of Land Administration guidelines can occur concurrently with consultation for draft Town Planning Scheme No 4, thus achieving administrative efficiencies. This should ensure Council is aware of the community's views on a strategy that could bring benefits to the community before decisions are made.

Including Public Open Space Strategy outcomes from Stages 1 to 5 into Town Planning Scheme No 4 is also expected to achieve administrative efficiencies.

RECOMMEND

1. **That Council commence public consultation for the Canning River and Foothills (1) precincts consistent with the Department of Land Administration Guidelines for administration of Section 20A Public Recreation Reserves for the reserves listed below, that includes:**
 - (i) **explanations of the assessment process used to determine whether vesting should be accepted for reserves or whether the reserve should be cancelled and disposed of; and**
 - (ii) **the intended use of funds generated from the sale of reserves that would be disposed of.**

<i>Map No</i>	<i>Reserve</i>	<i>Location</i>	<i>Proposal</i>
1	37779	Canning River (west bank) one lot south of Centre Rd, Kelmscott	Accept vesting
2	44836	Wright Brook from Greener Way to Canning River, Kelmscott	Accept vesting

<i>Map No</i>	<i>Reserve</i>	<i>Location</i>	<i>Proposal</i>
4	33954	Wright Brook from Connell Ave to Greener Way, Kelmscott	Accept vesting
9	33953	Next to 15 Meyer Cl, Kelmscott	Accept vesting
15	24883	Canning River at 34 Gilwell Ave, Kelmscott	Accept vesting
19	30184	Frye Park, Kelmscott	Accept vesting
25	26755	Canning River (west bank) from Lefroy Rd north about 260m, Kelmscott	Accept vesting
26	36741	Canning River (east bank) south from Orlando St, Kelmscott	Accept vesting
27	31189	8 Haimlee St, Kelmscott	Cancel & sell
28	27739	37-39 Buckingham Rd, Kelmscott	Cancel & sell
29	29842	Opposite 34 & 38 Arbuthnot St, Kelmscott	Cancel & sell
32	45382	Canning River (east bank) one lot north of Bernard St, Kelmscott	Accept vesting
33	27708	12-18 Possum Pl, Kelmscott	Accept vesting
35	29468	8 Boondi Pl, Kelmscott	Cancel & sell
36	33647	Canning River (north bank) east of Armstrong Rd/ Rockview Pl alignment, Kelmscott	Accept vesting

2. That subject to no adverse comment being received regarding reserves to be accepted listed under Part 1 above during the public consultation period, Council accept vesting of those reserves.
3. That Council accept vesting of the following reserves in the Hills North (2) precinct and that they be amalgamated with Reserve 28293 (Roley Pool).

<i>Map No</i>	<i>Reserve</i>	<i>Location</i>
2	28353	Canning River (north bank) Roley Pool entrance, Soldiers Rd Roleystone
3	29834	Canning River (north bank) Roley Pool entrance, Soldiers Rd, Roleystone

4. That Council write to the Department of Land Administration and Department of Conservation and Land Management recommending that the portion of Reserve 30245 adjacent to Churchmans Bushland (part of Hills North (2) Site 4) be vested in the Conservation Commission, and advising that Council would be prepared to accept vesting of the eastern portion of Reserve 30245 (east of Churchmans Bushland).
5. That Council officers investigate the possibility of leasing the following reserves to adjacent landholders prior to Council considering whether or not to accept the vesting.

<i>Precinct</i>	<i>Map No</i>	<i>Reserve</i>	<i>Location</i>
Canning River & Foothills (1)	1	37779	Canning River (west bank) one lot south of Centre Rd, Kelmscott
Canning River & Foothills (1)	32	45382	Canning River (east bank) one lot north of Bernard St, Kelmscott
Hills North (2)	1	25752	Canning River (north bank) rear 15 & 33 Croyden Ave, Roleystone

6. That the following zonings and reservations be included in draft Town Planning Scheme No 4.

(All Map Numbers refer to Canning River & Foothills (1) Precinct)

<i>Map No</i>	<i>Reserve</i>	<i>Location</i>	<i>Proposal</i>	<i>TPS No 2 (for information only)</i>
2	44836	Wright Brook from Greener Way to Canning River, Kelmscott	Reserve as P&R (Local)	Public Purpose
4	33954	Wright Brook from Connell Ave to Greener Way, Kelmscott	Reserve as P&R (Local)	Public Purpose
7	44600	Wright Brook from Megisti Pl to Turner Rd, Kelmscott	Public Purpose	Urban
27	31189	8 Haimlee St, Kelmscott	R10	P&R (Local)
28	27739	37-39 Buckingham Rd, Kelmscott	R10	P&R (Local)
29	29842	Opposite 34 & 38 Arbuthnot St, Kelmscott	R10	P&R (Local)

<i>Map No</i>	<i>Reserve</i>	<i>Location</i>	<i>Proposal</i>	<i>TPS No 2 (for information only)</i>
34	31927	Possum Pl to Greendale Pl, Kelmscott	Public Purpose	Un-zoned
35	29468	8 Boondi Pl, Kelmscott	R5	P&R (Local)

7. That Council reflect the resolutions made in respect to Stages 2 to 4 inclusive in draft Town Planning Scheme No 4.
8. That Council rescind CS10/02 Part 1 and reflect the proposed amendments identified in CS10/02 Part 1 in draft Town Planning Scheme No 4.

ABSOLUTE MAJORITY REQUIRED (FOR PART 8)

Moved Cr _____
Carried/Lost ()

TOWN PLANNING SCHEME REVIEW – ADOPTION OF DRAFT TPS No 4 FOR PUBLIC ADVERTISING

WARD : ALL
FILE REF : PSY/34
DATE : 28TH FEBRUARY
REF : JR
RESPONSIBLE : EDDS
MANAGER

In Brief:-

- Draft Scheme No 4 (District Zoning Scheme) has been prepared in accordance with Town Planning Regulations, for the purpose of obtaining public comment prior to finalising the Scheme for final gazettal.
- Recommendation that Council resolve to adopt and submit the draft Scheme to the WAPC and Minister seeking consent to advertise for review and submissions by the wider community.

Tabled Items

Nil.

Officer Interest Declaration

Nil.

Strategic Implications

Strategic Plan – Long Term Strategic Planning

1. Promote employment and residential growth, encouraging the economic well-being of the community by:

1.1 Completing the Town Planning Scheme review including the:

- Commercial Centres Strategy
- Housing Strategy
- Rural Strategy
- Vision and style of each precinct to give clarity and direction for investment.

Legislation Implications

Metropolitan Region Scheme Act and Metropolitan Region Scheme
Environmental Protection Act 1986
Armadale Redevelopment Act 2001
Town Planning and Development Act 1927
Planning Legislation Amendment Act 1996
Town Planning Regulations 1967 (as amended)

Council Policy / Local Law Implications

Town Planning Scheme No 2 (District Zoning Scheme)
Town Planning Scheme No 3 (City Centre Zoning Scheme)
Town Planning Policies – the new Town Planning Scheme is consistent with current policy directions, however the full suite of Policies will be revised and advertised concurrently with TPS No 4
Environment, Animals and Nuisance Local Laws 2002

Budget / Financial Implications

The Town Planning Scheme plays an important role in the economic development of the City by facilitating sustainable development and appropriate provision of infrastructure through land development.

Consultation

- ◆ workshops with elected members were held in May 2002 and February 2003
- ◆ informal consultation conducted with officers from DPI and DEP
- ◆ consultation with the community via submissions on planning strategy documents, a series of 6 community workshops and an initial Scheme Examination Report.

BACKGROUND

In accordance with Town Planning Regulation 4(1), Council published its intention to prepare a new TPS No 4 in the Government Gazette on 19th September 1997.

Following a series of six (6) workshops held with local communities in various localities, three (3) discussion paper documents foreshadowed the issues to be addressed in the new Town Planning Scheme. The *Local Commercial Strategy*, *Residential Neighbourhood Strategy* and *Revised Rural Strategy* were also each subject to public consultation and submissions from the community (parts of the *Local Commercial Strategy* are currently being reviewed by Shrapnel Urban Planning through a joint project with the ARA – the “*Armadale Retail Hierarchy Review*”).

Council considered a draft consolidated Local Planning Strategy document in October 2001.

DETAILS OF PROPOSAL

Town Planning Scheme No. 4 comprises a Local Planning Strategy, a Scheme Text and Scheme Maps. The Scheme Maps comprise of a set of Zoning Maps and a set of Supplementary Maps, which delineate the Special Control Areas that apply in the municipality.

The Local Planning Strategy was prepared by Sheryl Chaffer and Associates initially in 2001 based upon information contained in the rural, commercial and neighbourhood strategies and various other strategic planning reports Council has adopted. It has been subsequently updated to take account of latest Census information, State policies and recent developments. The Local Planning Strategy provides guidance for local area policies, should these be developed in the future and sets out the broad policy approach upon which a number of the scheme provisions are based.

The Scheme Text has been prepared with the assistance of Chris O'Neill and Associates following the format and main administrative and legislative provisions of the Model Scheme Text.

One the main features of the new Scheme is the connection between the new provisions and the those of its TPS No 2 and 3 antecedents. TPS 4 aims to be “evolutionary” in the way it incorporates much of the detailed planning that was achieved under TPS No 2 and No 3, with essential controls being continued in the new Scheme. In this way the local characteristics of the

Armadale municipality have been married to the requirements of current WAPC policy and best practice.

Attention is drawn to:

- the simplified Zoning Table in Part 4 which uses the cross-tabulated format common to most schemes;
- Clause 5.2 relating to variations to the R-Codes which acknowledges the historic right under TPS No. 2 to develop grouped dwellings to a higher density than the coding shown on the scheme map by allowing group dwelling density in R12.5-R17.5 zones up to R25. In addition a density bonus is given to corner lots, lots facing parks and PAWs and areas Codes R15/40 may be developed to the higher density where requirements of the planning policy are met.
- Clause 5.5 provides a general discretion to vary standards (subject to consultation) as allowed under TPS 2 and 3.
- Clause 5.9 follows through the control over reflective building materials in TPS No 2 apart from normal residential areas west of the Albany/South West Highway.
- Clause 5.12 enables the City to impose conditions relating to the provision of end of trip cycle facilities.
- Clause 5A1 establishes that the design standards of the R-Codes apply in Special Residential zones.
- Clause 5B.8.1 establishes that various Rural Living zones are required to achieve a minimum lot size, compared with minimum and average lot sizes under TPS No. 2.
- Clause 5B.8.2 limits two houses on one lot to lots of over 40 ha, compared with a more general discretion in the rural zone under TPS No. 2.
- Under Part 6 eight Special Control Areas are provided with additional controls associated with the affected areas which have various environmental constraints.
- Parts 6A and 6B set out structure planning requirements and requirements for landowners to contribute towards infrastructure costs, in accordance with a model previously published by the Commission.
- Part 7 sets out the heritage provisions, and under Part 8 retains the protections under TPS No. 2 and 3, wherein development of property listed on the Municipal Heritage Inventory requires Council approval.
- Schedule 2 includes Additional Uses arising from many of the Special Uses under TPS No. 2 which in combination with a “base” or underlying zoning, will provide greater flexibility in the event of the use changing. Schedule 2 now incorporates any Special Uses and related requirements, that fall outside of the standard provisions of the new TPS No 4 zonings. While many of the former Special Use requirements have been incorporated into the standards under new zonings, some land uses and their related provisions, have been transferred into the Additional Use table.
- Schedule 3 includes areas where certain uses are restricted in a particular zone.
- The car parking standards for all zones are included in Schedule 11A.
- The structure plan areas to be subject to the provisions of Part 6A are set out in Schedule 12 and the areas subject to the provisions of Part 6B (Development Contribution Areas) are set out in Schedule 13.

The Scheme Maps generally reflect TPS No. 2 and 3 with the following exceptions:

- areas within the purview of the Armadale Redevelopment Authority have been excluded as a separate Armadale Redevelopment will be Gazetted prior to or concurrent with Scheme 4.
- Rural A, B, C, D, E and X have been replaced with RL (Rural Living) zones with the minimum lot size indicated by the relevant number. The objective has been to generally retain existing subdivision potentials of rural land under TPS No. 2 under the new provisions. Some small increase in subdivision potential has been provided in some areas following analysis of land capability and the prevailing lot size.
- The Shopping zone has been replaced with District and Local Centre Zones.
- A new zone, the Special Residential Zone, has been introduced to address areas that were covered by a number of Special Use zones for special residential development, where the lot sizes were typically between 2000m² to 4000m² and upwards to 1 hectare.
- A Mixed Business/Residential zone has been introduced for areas adjacent to the Strategic Regional Centre.
- An Industrial Business zone has been introduced to provide greater flexibility for a range of industrial business and related services.
- Rural Areas identified for potential further subdivision have been given appropriate Rural Living coding and included as areas which will require a Structure Plan to be prepared prior to subdivision.
- Areas indicated within the Local Planning Strategy map for increased residential density have been shown on the Scheme map as coded R40, R30, R15/40 and R25. Residential areas located between the Albany Highway and the railway and within proximity to railway stations and shopping centres (particularly Armadale and Kelmscott) have been selected for increased R-Coding. The selection of areas for increased R-Coding has also taken account of the age and condition of the housing stock, prevailing lot sizes and the coding under existing schemes. The areas with greatest development potential (in particular those closest to facilities) have been coded R15/40. In these areas under proposed Clause 5.2.5 development up to R40 will be contingent upon meeting access, design and drainage requirements set out in the local planning policy. A larger area is proposed to be coded R25. These areas are generally coded R15 currently and generally comprised of 800-900 sq m lots.

COMMENT

Councillors Workshops

A number of matters were raised at the February workshop and have been updated in the Scheme documents. The Local Planning Strategy has been revised to incorporate the following:

- updated bus routes,
- removal of the reference to piggeries,
- updated postal localities,

The Scheme Text has been revised to incorporate the following:

- provisions in Schedules for Araluen have been consolidated into Schedule 2 with controls on animals in Special Residential zones now covered by Local Laws (Environment, Animals and Nuisance, 2002),
- “Restricted Uses” have been revised,
- the zoning permissibility of some uses class have been revised in the uses class table consequent to discussion and review,
- The provision dealing with clearing trees in the General Rural Zone areas has been reviewed and removed. It is considered that most hills areas suitable for orchards are already cleared and in production. In respect to the coastal plain the state government requires approval for any clearing over 1ha and much of the General Rural Land under Scheme 4 is earmarked for future urban/residential development under the Southern River Forrestdale Brookdale Wungong District Structure Plan, with the balance of former General Rural land proposed as Rural Living zone under Scheme No 4, in which the more general clearing controls will apply. As there is concern that new controls may stimulate ad-hoc clearing for no purpose other than to pre-empt gazettal of the new Scheme the General Rural Zone provisions have been modified to remain similar to the current Scheme No 2. However, if deemed necessary where particular trees are identified as requiring protection, the opportunity remains to apply the Tree Preservation protections under clause 11.8 or the Development Envelope provisions of clause 5.7 in the General Rural Zone.
- More general controls on the clearing of remnant vegetation in the Rural Living zones are included in Scheme No. 4 under 5B.7.1, which is similar to existing controls under the current Scheme No 2. Under Scheme No. 4 the clearing controls recognise the importance of trees and vegetation, not only for protection of biodiversity and water resources, but also for the landscape values that foster the development and growth of tourism.

The Scheme Maps have been revised to incorporate the following:

- revised rural lot sizes have been identified along Urch Road, Roleystone consequent to review of site capabilities and constraints and the area identified as a new Rural Development Area in Schedule 12,
- the prime agricultural land has been confined to the Karragullen orchards area, allowing landowners to promote land use changes in current orchard areas north and west of Roleystone, coordinated through the Scheme Amendment process.

Other matters raised and which Council may wish to further deliberate include:

- *Densities of residential development.* The R25 code, which is proposed under TPS No.4 for areas between Kelmscott and Armadale requires a minimum of 320 sq m, an average of 350 sq m and a minimum frontage of 8m. It is considered that over time coding for R25 will provide the opportunity for the development of two houses on a lot currently occupied by one. It is probable that most such development will be as a result of the demolition of the existing house and the replacement with two houses side by side. The development of two houses, one behind the other, may occur where there is sufficient room (minimum 445 sq m) at the rear. In these circumstances there

is a requirement under the R-Codes for development to have a window or door with a clear view of the street and in the event of the house behind the house being a grouped dwelling, upgrading the front house to the standard of the rear would be a requirement. The more strategic areas proposed to be coded R15/40 are expected to result in opportunities over time for redevelopment at R40 to produce townhouse development on small lots.

Subsequent to the Councillor workshop, it has been requested that further consideration be given to increasing residential densities in West Armadale to reflect changing life styles with a trend to single living and people getting married later in life, and because of their careers, not having children. More R60, or at least R40/R60, coding is suggested. A tour to look at R80, R60 and R40 developments in other areas so that councillors can have an appreciation of this type of land use is requested.

The specific areas proposed for consideration of R60 coding include:

1. The undeveloped area included in the boundaries of Lowanna way, Railway avenue, Gladstone and McCormack. (Proposed for R15/40 in draft scheme).
2. Area included in the boundaries of Gladstone, Railway, Littlejohn. (Proposed for R15/40 in draft scheme).
3. Area included in the boundaries of Armadale, Dale, Robinhood, Fifth, Sixty, Anham, Forrest, Railway. (Proposed for R15 in draft scheme).
4. Area included in the boundaries of Forrest, Sixth, 7th, Church. (Proposed for Mixed Business/Residential in draft scheme, which has an R Coding of R40 for residential development).

Areas 1 and 2 above are currently identified as R15/40 in draft Scheme 4. R 40 allows a minimum lot size of 200 sq m compared with a minimum of 160 sq m for R60.

The coding for Area 3 was reviewed and it is agreed that this area, as far west as Sixty Street, also meets the criteria for increasing the R Coding (previously shown as R15) and it has accordingly been coded as R40 on the Scheme Map. The intention for Area 4 (proposed for Mixed Business/Residential) is to also allow residential development up to R40, in addition to Mixed Business uses and an R40 Code has accordingly been designated on the Scheme Maps for Area 4.

- *Solar design.* It was suggested at the Councillor's workshop that greater incentive be given to those prepared to incorporate solar design features into development. Most solar design features relate to building rather than planning controls and a number are to be incorporated in the Building Code of Australia from July 1st 2003. New houses will have to comply with the new building Code requirements, so any incentive would have to relate to additional matters to those in the new codes Energy Efficiency Measures.
- *Reflective roof provisions.* Scheme No 2 requires Council approval for the use of reflective building materials. Under the proposed Scheme No. 4 Clause 5.9 provides control over reflective building materials be controlled except in normal residential areas west of Albany /South West Highway where this issue is not anticipated to be a

problem. In order to provide greater clarity it is proposed that unacceptable reflective materials are those with an absorbance value of less than 0.5.

- *Agricultural statistics.* It was suggested in the Councillors workshop that the data used in the Local Planning Strategy on which comment was made on the agricultural areas was out of date. While some of the data is derived from mid 1990s publications, this is due to there being no more current published data.
- *Retirement housing in rural localities.* The suggestion was made in the Councillor's workshop that opportunities should be provided for retirement accommodation in rural areas. While no specific such provision has been made in TPS No. 4, support for an Additional Use to allow such development would be possible depending upon the density of the development. A cluster development yielding a low net residential density could be permitted within the Rural zone – although any green title or strata subdivision would require Commission approval and compliance with Government Sewerage Policy.
- *Orchards.* The suggestion was made that orchards in the Roleystone locality were a declining industry that should be given zoning support for land use change. TPS 4 accordingly designates only the orchard areas in Karragullen as the “prime agricultural land protection” Special Control Area. In the Roleystone locality, existing orchards are given recognition by a General Rural zoning. However, as the Roleystone area is not deemed as part of the municipality's “prime agricultural land”, should owners of existing orchards wish in future, to coordinate the introduction of alternative land uses, this opportunity will be available through the normal Scheme Amendment and environmental review process (existing orchards have specific requirements in respect to buffer setbacks to adjacent new rural residential developments, particularly in respect to the use of toxic sprays, and hence the need that such land use changes be coordinated).

Environmental Assessment of Scheme

In accordance with the Planning Legislation Amendment Act 1996 the new Scheme will be required to obtain clearance from the EPA prior to advertising. Once it has obtained this clearance TPS No 4 will be an “Assessed Scheme” under the EP Act. Subdivisions and developments that are in accordance with the gazetted Scheme will hence not require any further environmental assessment.

In accordance with WAPC and EPA policies, a number of procedures and standards have been built into the new Scheme in order to protect the environment, including provisions for:

- Special Control areas for closer scrutiny of locations in sensitive landscapes (eg Flood Plains) or in close proximity to sites that may have incompatible landuses (eg Poultry Farms);
- The development envelope, tree preservation and control of clearing vegetation in the General Rural and Rural Living zones;
- The setback of rural development from rivers and waterbodies;
- The requirement to prepare a local Structure Plan prior to subdivision in areas of further Rural subdivision (the local Structure Plan will define the environmental capabilities, in

addition to the environmental protection and servicing requirements of the of the proposed development);

In order to obtain clearance of the EPA for public advertising of the Scheme a summary environmental review of TPS No 4 will be prepared and forwarded to the DEP.

Retail Hierarchy Review

The consultant study into the retail hierarchy is shortly to be completed. It is possible the study outcomes may recommend minor modifications/additions to the Local Planning Strategy. If required minor modifications/additions can be accommodated either prior to the Minister's consent to advertise the draft or prior to gazettal of the new Scheme.

Summary of Changes

A supplementary report summarising major differences between the new Scheme and its Town Planning Schemes No 2 and 3 antecedents is provided as ***Attachment 1 to the Agenda***. The report also summarises where Scheme 4 departs from the standard clauses of the Model Scheme Text in order to adequately deal with the specific needs and idiosyncrasies of the Armadale municipality.

CONCLUSION

Town Planning Scheme No 4 has been drafted to respond to provisions in antecedent Schemes No 2 and No 3, including those in current Scheme amendments, which Council has supported to the point of recommendation for gazettal. It also addresses the requirements of current WAPC Policies, the Metropolitan Region Scheme and the Armadale Redevelopment Act. The new Scheme incorporates contemporary best practice planning instruments and provisions that will enable the City to meet the needs for future sustainable and economic development, while also giving due regard to protection of the environment.

Scheme No 4 is proposed to be forwarded to the WAPC, EPA and Minister for Planning and Infrastructure to enable its display for a period of public review during which written submissions will be sought from the community. The new Town Planning Scheme is consistent with Council's current policy directions, however the full suite of Town Planning Policies are being revised for consistence with TPS No 4. The revised and updated Policies will be referred to a future Council meeting with a recommendation for advertising concurrently with the new Scheme.

The advertising of the draft Scheme for public comment will enable Council to conduct a review the draft Scheme, incorporating any necessary updates, revisions and responses to submissions from government agencies and the Armadale community, prior to recommending its final gazettal to the Minister. As some ongoing Scheme Amendments to TPS No 2, have outstanding matters to be clarified with respect to environmental review provisions, they will be incorporated into the final Scheme 4 as soon as practical and prior to gazettal of Scheme 4. In the interim, Scheme 2, including any amendments thereto will continue to apply. Any ongoing Scheme Amendments to TPS No 2, which are able to progress to a recommendation for gazettal, prior to the Minister's endorsement of TPS No 4 for public review, will also be incorporated into the draft Scheme prior to advertising.

RECOMMEND

That Council:

- 1. In accordance with Regulation 13 of the Town Planning Regulations 1967, resolve to adopt the proposed Scheme No 4 for submission to the Commission and the Minister for consent to advertise for public inspection.**
- 2. That together with environmental review documentation of the new Scheme, the Local Planning Strategy, Scheme Text and Scheme Maps be forwarded to the DEP and DPI.**

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ELECTED MEMBERS TRAINING

WARD All
FILE REF: CRS/004
DATE 7 March 2003
REF MH
RESPONSIBLE CEO
MANAGER

In Brief:

- Council confirms commitment to training and development at both organisational and elected member level.
- A Training Needs Survey has been conducted amongst the Elected Members identifying a variety of needs.
- A draft Elected Members Training Programme has been developed for consideration and implementation in conjunction with a special Induction Programme for new Elected Members.
- It is proposed to provide one training module per month for Elected Members effective from May 2003.
- In May and June 2003 special induction programme workshops are scheduled for new Elected Members. Current Elected Members are also invited to attend.
- Training can be provided both onsite and offsite.
- The training programme also incorporates development through attendance at selected conferences/seminars.

Strategic Implications

To foster an effective professional environment for the governance and administration of the City's services.

To achieve dialogue with the community in order to have a clear understanding of the community's needs and expectations.

Legislation Implications

Nil.

Council Policy/Local Law Implications

Nil.

Budget/Financial Implications

Training modules and conference attendance will be funded out of 2002/2003 and 2003/2004 Budget.

Consultation

WALGA, External Training Providers

BACKGROUND

Council last considered the matter of Elected Member training and development in October 2001 and March 2002. In those two reports, recently circulated under separate cover, Council considered a framework that combined attendance at training courses and workshops with the opportunities provided by local, State and National Conferences.

Council was of the view that training and broadening of the City's knowledge base is an essential part of the role of Elected Members, complementing the development program for staff. Accordingly, Budget provision has been made that should see all Elected Members attend a number of training modules throughout the year, plus a State or National Conference each two years, subject to relevant opportunity and areas of interest.

An updated list of relevant State/National Conferences for the remainder of 2003 is provided overleaf – Refer Schedule 1.

It is proposed to extend this list to June 2004 for Budget purposes and to plan attendance from the start of the new financial year.

The Schedule is attached for discussion and inclusion of any relevant seminars overlooked to date. This will enable a planned strategy for knowledge development and appropriate planning of diaries and travel arrangements.

Training Courses Available

The basic opportunities for elected member training are courses and modules provided by WALGA and various private firms.

While WALGA provides essential "local government" modules, there are broader programmes (communications, computer skills, public speaking, conflict resolution) provided by others.

A training needs survey was sent out in December 2002 to all Elected Members and five responses were received, providing a good indicator of the types of training preferred.

- Computer skills training (4)
- Policy Development (3)
- Legal Responsibilities of an Elected Member (2)
- Performance Appraisals of CEO in Local Government (2)
- Local Government Finance (2)
- Strategic Planning (2)
- Land Use Planning (2)
- Ethics and Conduct for Elected Members (1)
- Stress Management (1)

It is proposed to offer one development course/workshop a month for all Elected Members. Expressions of interest will be sent out to all Elected Members at least a month in advance. It is proposed that, where possible, training sessions will be arranged in-house and that Elected Members from neighbouring Councils be invited to attend. Should the level of interest not warrant holding the training in-house, arrangements will be made for Elected Members to attend the training offsite. Should there be an individual need (not covered in the Elected Members Programme), special arrangements can be made for Elected Members to attend specific training.

Wherever a training course for staff is appropriate to extend to Councillors this will be added to the Schedule. It is noted that Councillors have different time constraints and must attain a balance between the time required for essential training, the demands of their role as Councillor and their own personal or business commitments.

SCHEDULE 1: CONFERENCES 2003/2004

CEO

Conference	Councillor Attendance	Staff Attendance	When	Where	Costs (per person)
LGMA National Conference	Y	Y	25-28 May 03	Adelaide	\$2500
Local Government Week	Y	Y	August 03	Perth	\$400
ALGA National Assembly	*	*	Aug-Sept 03	TBA	TBA
LGMA State Conference	*	Y	29-31 Oct 03	Perth	\$600

DEVELOPMENT SERVICES

Conference	Councillor Attendance	Staff Attendance	When	Where	Costs (per person)
Urban Development Institute of Australia	N	N	17-20 March 03	Melbourne	\$3000
Planning Institute of Australia	N	N	31 March-2 April 03	Adelaide	\$2500
Austr Institute of Building Surveyors	*	*	10-11 April 03	Perth	TBA
Housing Industry Association					
Chartered Inst Environmental Health	*	N	23-25 Sept 03	Belfast (?)	TBA
WA Inst of Environmental Health	*	Y	October 03	Perth	\$300 per day
Austr Inst of Environmental Health National Conference	*	*	November 03	Tasmania	\$3000

TECHNICAL SERVICES

Conference	Councillor Attendance	Staff Attendance	When	Where	Costs (per person)
Enviro Australia	*	Y	6-10 April 03	Perth	\$1,400
ARRB	*	*	18-23 May 03	Cairns	\$3,500
IPWEA – Back to Engineering	Y	Y	24-28 Aug 03	Hobart	\$3000
Parks and Leisure Australia	*	Y	26-29 Oct 03	Perth	\$600

CORPORATE SERVICES

Conference	Councillor Attendance	Staff Attendance	When	Where	Costs (per person)
CPA Australia – Public Sector Convention	*	Y	19-21 Nov 03	Perth	\$1000

COMMUNITY SERVICES

Conference	Councillor Attendance	Staff Attendance	When	Where	Costs (per person)
Western Australian Local Government Librarians Assoc	N	Y	7 March 03	Perth	\$170
Emergency Management Australia	Y	*	27-28 March 03	Perth	TBA
Museums Australia National Conference	*	Y	25-30 May 03	Perth	\$500
International Association of Homes and Services for the Aging	N	N	23-25 June 03	Sydney	\$3500
LG Community Services Assoc of Australia	*	N	28-30 June 03	Townsville	TBA
WA Rangers Association	*	Y	18-19 Sept 03	Perth	\$330 (members)
Leisure Aquatics	*	Y	October 03	Perth	\$500
Australasian Fire Authorities Council – Wildland Fire Conference	*	Y	3-6 October 03	Sydney	TBA
Leisure Institute of WA	*	Y	November 03	Perth	\$500
LGCSA of WA	*	*	December 03	Perth	\$300

* Not considered as yet

NB Attendance at all conferences subject to relevance of course program and budget constraints. Officer attendance at Interstate conferences subject to Council decision. All Councillor attendance in accordance with Policy ADM 3.

A special induction programme will be developed for new Elected Members effective from May 2003. This induction programme will be incorporated in the Elected Members Programme and current Elected Members will also be given the opportunity to attend.

The development courses can be combined with attendance at a range of Local, State and National seminars and Conferences and a list of Conferences and Seminars is attached in Schedule 1.

Nationally, the framework allowed Council to be represented by an Elected Member at up to four interstate conferences per year. This could be varied depending on demand.

DETAILS OF DEVELOPMENT MODULES

May 2003: Computer skills

Training provider: Mirage Technology

This training will be organised in-house. The computer workshops will be held in conjunction with the Staff Corporate Training modules to be held from 12 –23 May 2003. Elected Members can choose to participate in the following courses:

Microsoft Outlook

With Microsoft Outlook being an important form of communication within the office and in the society, it has been identified that staff and Elected Members could benefit from this course. The three hours course is aimed to give participants an overview of possibilities of Outlook as an information management tool.

Microsoft Word

Microsoft Excel

Microsoft PowerPoint

At the end of this training, participants should have a clear understanding and ability of how to use these Microsoft Office tools. A questionnaire-based assessment will be used to gauge the level of each participant to identify the level of training required. Three levels of training will be offered:

- Basic
- Intermediate
- Advanced

Each session takes up to three hours and Elected Members interested in attending are invited to advise the Human Resources Manager.

May 2003: Induction Programme new Elected Members:

The key to your success as an Elected Member, “Getting Started”

Training provider: WALGA

This is a one-day professional development opportunity for new and current Elected Members, facilitated by WALGA. The course will be offered to new Elected Members. Current Elected Members can also register to attend.

The module “Getting Started” is an excellent way for new Councillors to take a major step in learning about being an Elected Member. It also presents an opportunity for other Councillors to refresh their knowledge about the functions, scope and boundaries of being an Elected Member. The course covers a wide range of topics, all essential to being a Councillor, such as the legislative framework, conduct and participation in meetings, support networks for elected members, teamwork, the Code of Conduct, financial management and community consultation. Training will be held on WALGA’s premises. Further information will be provided in the Information Bulletin and Elected Members interest in attending will be invited to advise the Human Resources Manager.

**June 2003: Customer Services and Conflict Resolution –
Managing Difficult Customer Behaviour**

Training provider: Brian Greedy Business Solutions

This half a day workshop can be offered to all Elected Members (provided that the level of interest is sufficient). Elected members from neighbouring Councils can be invited to attend. This is a highly interactive workshop focusing on the training of practical coping skills where effective communication and positive customer influence is essential. The training is recommended for anyone involved in communicating with an emphasis on face-to-face interactions. It is aimed to develop better communications and conflict management skills in interactions between individuals and a quality service delivery.

The course will be tailored to situations related to the interaction between Elected Members, the public and office staff. The program is supported with a workbook to reinforce the learning outcomes below:

- Understand the importance of Customer Focus in all areas of work activity.
- The importance of Elected Members in the public image projected by the Council.
- Appreciate the balance between service and customer satisfaction.
- Understand how customer aggression occurs and what motivates behaviour.
- Have specific skills to better manage difficult behaviours in interactions.
- Have a more confident and effective approach to coping with others through heightened self-esteem and awareness.
- Have identified the key elements of effective behaviours and when and how to use them.

July 2003: Policy Development (Module 11)

Training provider WALGA

This four hours module enhances the ability of Elected Members to participate in the strategic management of their Local Government by focusing on policy development. On completion of this module, it is expected that participants will be able to:

- Differentiate between Council decision based policies and operational procedures;
- Explain the relationship between policies and existing services;
- Explain the links between policy making and strategic planning;
- List ways to increase opportunities for policy discussion; and
- Describe the need to move policy development away from the traditional agenda driven environment.

August 2003: Balance for Busy People

Training provider: Rachel Green

This course offers a quick and practical way to put stresses of balancing work, family and other commitment into perspective. Participants learn to better use available time, getting everything done and still having time to look after themselves. This is a three and a half hours session and training can be organised in-house.

September – October 2003: Land Use Planning

Training provider: WALGA

This course aims to provide Elected Members with information, resources and tools for making more effective long-term plans for land-use in their area and to keep participants informed of land use concepts, legislation and their roles and responsibilities in relation to land-use. The Land Use Planning module comprises three separated but related training modules:

- The Legislative Framework, Module 2A
- Local Strategic Planning & Policy Making, Module 2B
- Planning Application Assessment & Decision Making, Module 2C

This is a comprehensive course and the course will be run over 2.5 days scheduled in September and October 2003.

November 2003: Cultural Awareness

Training provider: TBA

This training is aimed to better equip participants with the skills and knowledge to work effectively with aboriginal clients and to expose participants to the different cultures through a mix of formal discussions and experiences to fully appreciate the cultural differences and to explore the diversity of the population of the Armadale area and relate this to the policies and practices of the City. The course will be offered to all staff in July 2003 and Elected Members will be offered to benefit from this training in November 2003.

No workshops are scheduled for December 2003 and January 2004.

A training needs survey will be held in November 2003 to identify training needs for 2004.

RECOMMEND

- 1. That in accordance with Council's framework for Elected Member training, Councillors' preferences be ascertained and development courses be scheduled on a monthly basis over the remainder of 2003.**
- 2. That a tentative program for anticipated Conference/Seminar attendance be prepared to assist preparation of the training and development Budget 2003/04.**

Moved Cr _____
Motion Carried/Lost (....)

RECIPROCAL GIFTS

At Council's meeting on 4th March 2003, Cr Munn referred the following:-

“That the matter of reciprocal gifts to interstate and international visitors be referred to the City Strategy Committee.”

Comments provided by Cr Munn:

In the recent past there have been occasions when elected members have attended functions and met with interstate and international visitors. It is customary that gifts/mementos are presented at such functions and it would be appropriate for our elected members to be able to reciprocate.

It is suggested that Committee consider some ideas for one or two such gifts.

RECOMMEND

To be considered.

Moved Cr _____

Motion Carried/Lost (...)

COUNCILLORS' ITEMS

CITY STRATEGY COMMITTEE

SUMMARY OF "A" ATTACHMENTS

11 MARCH 2003

Attachment No.	Subject	Page
A-1	Town Planning Scheme No. 4 Supplementary report summarising major differences between the New Scheme and TPS No.2 & 3	43-47

CITY OF ARMADALE TOWN PLANNING SCHEME No 4

Departures from the Model Scheme Text and Major changes from Town Planning Scheme No 2 and 3

BACKGROUND

The Model Scheme Text (MST) now forms part of regulations which prescribe the general form and administrative contents of all local government town planning schemes. However, there is provision for the Minister to approve variations from the MST, which also provides for local development control provisions in the form land use control and development requirements. The MST is also itself currently under review, with submissions having been sought and received in 2002, and it is anticipated some of the deficiencies in the current MST will be redressed as part of this review.

TPS 4 generally accords with the MST and the new regulations necessitated a number of changes from Town Planning Schemes No 2 and 3, which will be replaced by TPS 4. Other changes have been proposed to address specific inadequacies in the previous schemes or to facilitate more effective control of development in line with current best practice.

The following is an overview of the variations from the MST and the major changes compared with the two operative Town Planning Schemes.

MODEL SCHEME TEXT (Variations)

Planning Policies: A new clause 2.6 has been included to recognise policies prepared in accordance with the previous town planning schemes, which might otherwise cease to have effect and give rise to a policy vacuum upon gazettal of the new scheme. It is however, proposed that the suite of existing policies will be reviewed and advertised concurrently with the scheme review, in accordance with the policy making provisions under the current schemes. These are essentially the same as those in the MST, and therefore the public will have the same opportunity to participate in the policy review process.

Change of use: Currently changes of use are subject to planning approval, and the MST seeks to exempt such changes where both the existing use and that proposed are designated 'P' uses. It is proposed to vary this provision, so as only to exempt those changes which involve the same use class. This will enable the application of appropriate conditions in relation to the change of use which may not otherwise be possible, e.g, upgraded landscaping, location of car parking and vehicular access.

Extension of use or change to an incidental use: The MST seeks to enable extensions of a use within the boundary of a lot, or changes to an incidental use provided this does not change the predominant use of the land. This would for example, enable the extension of car parking or open air storage into areas which may previously have been identified as unsuitable or which may have been required to be set aside for landscaping or some other purpose. It is therefore proposed to vary this provision so as to apply only where the extension is consistent with a previous planning approval.

Multiple uses: A new clause 4.4.3 included to make it clear that where multiple uses are involved, they should not be regarded as a use not listed and therefore discretionary, i.e. they should be considered as a composition of uses. This issue has been a matter of some confusion in the past, with the Tribunal finding on at least one occasion, that a combination of a permissible use and a prohibited use, could be approved under the discretionary provisions of a town planning scheme.

Incidental uses: A new clause is proposed that would provide specific recognition and permissibility for incidental uses. While changes to incidental uses are exempt from specific planning approval, the uses themselves are not often uses which are not permitted in the first place, with many not being recognised in the definition of the particular use class to which they may relate.

Form of application: A change to the wording of clause 9.1 has been made to avoid any confusion as to the form of applications in respect of required approvals not specifically referred to, and to clarify the intent of the clause (which is not to provide a head of power for approvals but to prescribe the form of application in respect of all planning approvals required under the scheme).

Powers of enforcement: The provisions of clause 11.4 have been modified to bring them into line with a recent change to the planning legislation which will allow for the service of notices in respect of unauthorised development and the require restoration works to be undertaken. The existing powers in respect of tree preservation have been included in a new clause 11.8, in line with the principle of consolidation which underlies the MST.

Definitions: A number of additional use classes have been included in the new scheme to supplement the list included in the MST and recognise the particular local circumstances in Armadale which warrant a greater level of differentiation of use classes. Examples include funeral chapel, garden centre, holiday accommodation, cemetery, hazardous and noxious industry, transport depot and vehicle wrecking.

MAJOR CHANGES TO EXISTING TOWN PLANNING SCHEMES

Special use zones: These have been omitted in favour of the normalisation of development, either within general zoning or by way of additional uses. The intention of this is to increase flexibility and to avoid the need for costly and time-consuming rezoning amendments where an owner wishes to subsequently develop land in accordance with the surrounding zoning.

Zoning Table: The zoning tables from each of the existing schemes have been consolidated, and use classes amended to accord generally with those included in the MST. As noted above, a number of additional use classes have been included in the new scheme to supplement the list included in the MST and recognise the particular local circumstances in Armadale which warrant a greater level of differentiation of use classes.

Density bonus: The existing discretionary provisions relating to density bonuses have been tightened up by the inclusion of new clauses 5.2.4 and 5.2.5 with reference to criteria and policy which is proposed to assist the Council in the consistent exercise of discretion

relating to residential density and ensure appropriate consultation with potentially affected property owners.

Clearing control: Control over land clearing and removal of significant remnant vegetation has been revamped in line with a more sensitive approach towards the protection of natural environmental resources. Refer clauses 5.7, 5B7 and 11.8.

Construction sites: A new provision has been included to address maintenance and amenity issues relating to construction sites. Refer clause 5.8.

Reflective cladding: The existing control over reflective roofing and external cladding has been revised to provide a more objective basis for administration, through the use of absorptive values soon to be employed in the new Building Code energy provisions. Refer clause 5.9 (N.B. Restriction on the use of reflective roofing is not entirely consistent with the intent of the new BCA provisions, which seek to improve energy efficiency through more effective management of solar radiation).

Drainage: A new provision has been included to encourage more sensitive management of stormwater and the recharge of underground aquifers where practicable. Refer clause 5.10.

Effluent disposal: A new provision has been included to provide greater protection to waterways and wetlands through the setting back of on-site effluent disposal systems and where appropriate the specification of systems which will reduce the level of nutrient enrichment of water bodies. Refer clause 5.11.

Bicycle facilities: A new provision has been included to recognise the importance of bicycle facilities as a mode of travel and ensure that end-of-trip facilities are provided where it is practical to do so. Refer clause 5.12.

Subdivision: Existing provisions regarding subdivision have been consolidated and enhanced to highlight the important role of the Council as a referral authority and in the coordination of subdivision through Structure Plans. Refer clause 5.13.

Development standards: These have been re-vamped based on zoning rather than individual land uses, so as to avoid anomalies with respect to urban design outcomes and complications where changes of use take place.

Storage of goods: A new clause has been included to address storage of goods associated with building, home occupations and domestic activities in residential areas, providing a basis for locational control and protection of residential amenity. Refer clause 5A.3.

Setback from waterways: A new clause has been included to provide for the control of building setbacks from waterways and wetlands, recognising the significance of these landscape features and the need to maintain an environmental buffer to facilitate visual amenity and ecological processes. Refer clause 5B.1. As for all other development standards, there is provision for discretionary variation of the standard setbacks from waterways and wetlands.

Housing density: The existing minimum lot size standards within the Rural A-D zones have been replaced by a housing density standard based on the previous minimum lot size, but extending also to address multiple occupancy properties. In recognition of the difficulties and

inconsistencies which have been experienced in the past with two houses on small rural lots, a minimum lot area of 40ha has been included, together with criteria against which to consider proposals for additional housing. Refer clause 5B.8.

Off-site buffers: New provisions have been included to address the need for off-site buffers for rural industries and intensive horticulture (poultry farms and piggeries), so as to enable more effective segregation of these activities from adjacent housing or future residential areas. Refer clause 5B.9.

Urban design: New provisions have been included to provide a more effective urban design in commercial areas where main street principles are to be promoted, e.g. street frontage building development and out-of-site car parking. Refer clause 5C.1.

Cash-in-lieu of car parking: Provision has been included to enable the Council to require as well as accept, cash-in-lieu of on-site car parking, where the provision of parking on-site would compromise urban design objectives. This provision is likely to have limited application outside the Town Centre, but will be important upon the normalisation of controls in this area. Refer clause 5C.7.

Industrial setbacks: A more flexible approach is proposed for the setting back of industrial buildings, which will be based on a range of functional criteria guided by policy. Refer clause 5D.1.

Off-site buffers: New provisions have been included to address the need for off-site buffers for industry, so as to enable more effective segregation of these activities where they have the potential to impinge on adjacent housing or future residential areas. Refer clause 5D.9.

Special (Environmental) Control Areas: A number of discrete special control areas have been introduced in the new scheme to recognise and respond to the need for more specific controls on development in flood prone areas, public drinking water resource areas, wetland catchments, landscape and bushland areas, prime agricultural land areas, bushfire prone areas, and the Peel-Harvey catchment. The special control provisions will merely provide a head of power to enable the Council to assess and determine applications which affect or which may be affected by particular environmental factors. Refer Part 6.

Structure Planning: Provisions governing the preparation, advertisement and approval of structure plans and also the application of these plans to subdivision and development have been included in a separate part of the scheme. The provisions accord with draft structure planning provisions adopted by the WA Planning Commission, but have been included as a separate part rather than as a Special Control Area as suggested by the Commission. Refer Part 6A.

Development Contribution Areas: Provisions governing the preparation, advertisement and approval of developer contribution plans have been included in a separate part of the scheme. The provisions accord with draft developer contribution provisions adopted by the WA Planning Commission, but have been included as a separate part rather than as a Special Control Area as suggested by the Commission. Refer Part 6B.

Heritage protection: The provisions of the scheme relating to heritage protection follow the standard clauses of the MST, which draws a distinction between the Municipal Inventory of Heritage Places and the Heritage List which is to be adopted by resolution (following the gazettal of Town Planning Scheme No 4). While the Heritage List may be based on the MI, it may not include all entries. It is important to understand, that inclusion of a property on the Heritage List (or indeed the MI) merely provides an additional head of power for the Council to consider proposals for development (including demolition) which might otherwise be exempt from the requirements for planning approval. Refer clause 7.1.

Car parking standards: These have been reviewed with reference to standards generally applied elsewhere in the region, with minor adjustments where necessary to bring particular parking requirements into conformity with current practice. Refer Schedule 11A.

Bicycle end-of-trip facilities: A new schedule has been included to address end-of-trip facilities, using the guidelines published as part of the Austroads Standard *Guide to traffic engineering practice Part 14*. Refer Schedule 11B.