CITY OF ARMADALE

AGENDA

OF **DEVELOPMENT SERVICES COMMITTEE** TO BE HELD IN THE **COMMITTEE ROOM**, ADMINISTRATION CENTRE, 7 ORCHARD AVENUE, ARMADALE ON **TUESDAY, 22 SEPTEMBER 2015 AT 7:00 PM.**

A meal will be served at 6:15 p.m.

PRESENT:

APOLOGIES:

OBSERVERS:

IN ATTENDANCE:

PUBLIC:

*"For details of Councillor Membership on this Committee, please refer to the City's website – **www.armadale.wa.gov.au/your council/councillors**."*

DISCLAIMER

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

DECLARATION OF MEMBERS' INTERESTS

QUESTION TIME

DEPUTATION

CONFIRMATION OF MINUTES

RECOMMEND

Minutes of the Development Services Committee Meeting held on 18 August 2015 be confirmed.

ITEMS REFERRED FROM INFORMATION BULLETIN - ISSUE 16 / 2015

- **Outstanding Matters & Information Items**
  Report on Outstanding Matters - Development Services Committee
  Review before the State Administrative Tribunal (SAT)
- **Health**
  Health Services Manager's Report - August 2015
- **Planning**
  Planning Applications Report - August 2015
  Town Planning Scheme No.4 - Amendment Action Table
  Subdivision Applications - WAPC Approvals/Refusals - August 2015
  Subdivision Applications - Report on Lots Registered for 2015/2016
  PAW Closure Report - Significant Actions during August 2015
  Compliance Officer's Report - August 2015
- **Building**
  Building Services Manager's Report - August 2015
  Building Health/Compliance Officer's Report - August 2015
  Building Applications Monthly Statistics - August 2015

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

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DEVELOPMENT SERVICES COMMITTEE

22 SEPTEMBER 2015

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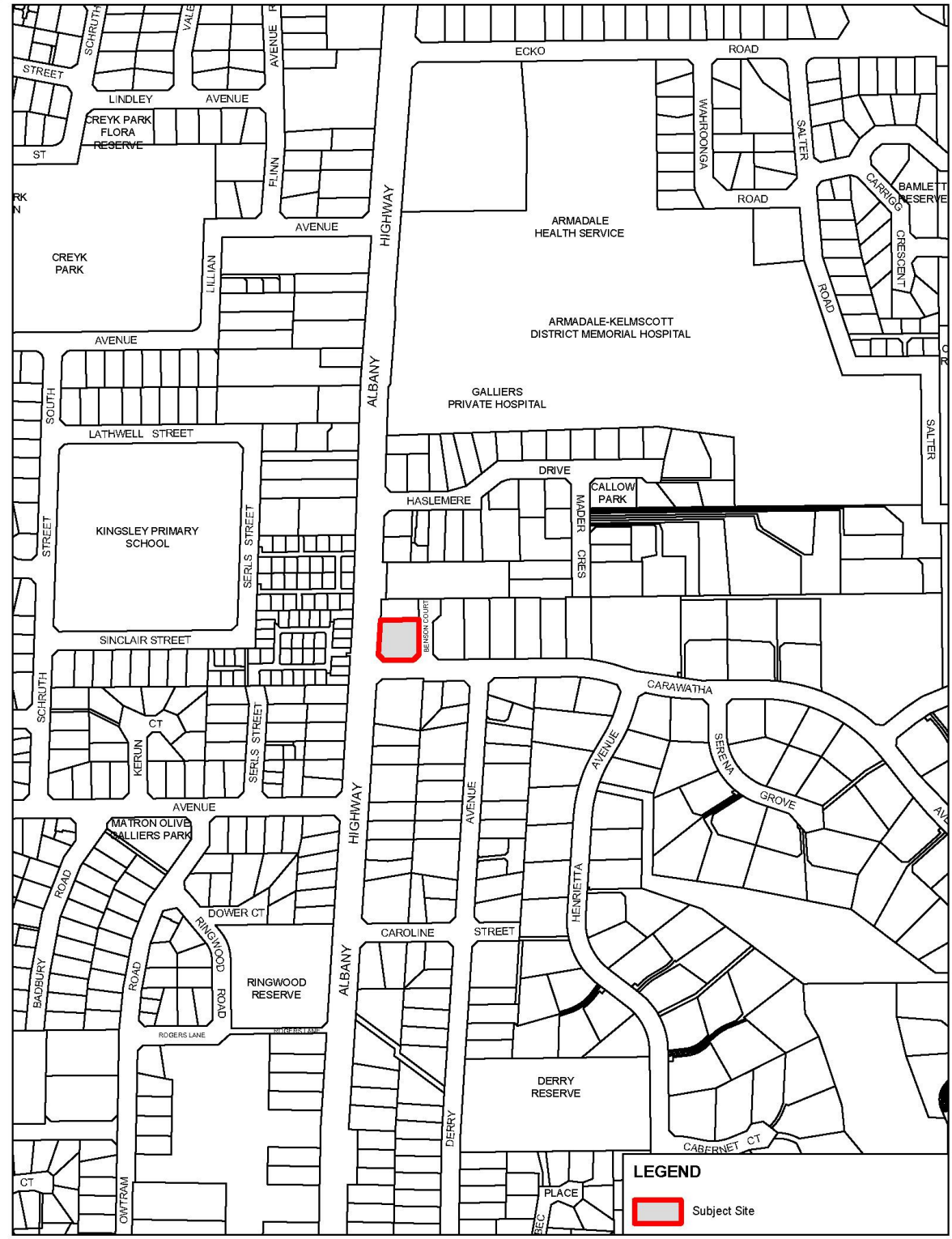

LOT 200 CARAWATHA AVE
MT NASURA
Location Plan

Based on information provided by and with the permission of the Western Australian Land Information Authority trading as Landgate (2012). Aerial photograph supplied by Landgate, Photomaps by NearMap.

DATE 3 September 2015 - REVISION 1501

CITY OF Armadale

1.1 - ADOPTION OF BUSINESS PLAN AND SALE OF LOT 200 (121) CARAWATHA AVENUE, MOUNT NASURA

WARD : RIVER

FILE No. : M/656/15

DATE : 10 September 2015

REF : SW

RESPONSIBLE MANAGER : A/EDDS

In Brief:

- The subject site was originally part of a parcel purchased for extraction of gravel in 1909.
- Over the course of time the original 4 hectare parcel was subdivided into a number of lots, for various uses.
- Lot 200 has remained in the City's ownership as a freehold lot and is surplus to requirements. It is therefore proposed that Lot 200 be sold, with a portion of the funds being reinvested and a portion being allocated to strategic capital projects.
- To facilitate this sale a business plan has been prepared and is required to be advertised for comment for a period of 42 days as per the provisions of the *Local Government Act, 1995.*
- Recommend that Council endorses the attached Business Plan and advertises the document for public comment.

Tabled Items
Nil.

Officer Interest Declaration
Nil.

Strategic Implications
4.2.1 Develop, implement and report on Council's strategic and business plans.

Legislation Implications
Planning and Development Act, 2005
Former Town Planning and Development Act, 1928
Local Government Act, 1995 – Section 3.59 Commercial Enterprises by Local Governments
Local Government (Functions and General) Regulations, 1996

Council Policy/Local Law Implications
N/A

Budget/Financial Implications
The property is vacant at the moment, and as such incurs only minimal maintenance costs.

Historically, the City's 15 Year Plan proposed expenditure of funds from the sale of Lot 200 to occur as a part of the City's 'Freehold Land Sales and Investment Strategy (Strategic Land Asset)'. 70% of the funds raised from the disposal of these strategic land assets are reinvested in revenue producing assets yielding a higher investment return and the remaining 30% is allocated to towards major capital projects. That methodology was endorsed at Council's meeting of 20th November 2006 (CS109/11/06).

LOT 200 CARAWATHA AVE
MT NASURA
Aerial Photograph

15 0 15 30m

SCALE 1 : 1500

Based on information provided by and with the permission of the Western Australian Land Information Authority trading as Landgate (2012). Aerial photograph supplied by Landgate. Photomaps by NearMap.

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DATE 3 September 2015 - REVISION 1501

Consultation

1. Corporate Services
2. Technical Services

BACKGROUND

Site History

Lot 200 was originally part of a 4 hectare lot (Pt. Lot 118) which was acquired for the extraction of gravel in 1909. That long, narrow lot had road frontage to Albany Highway.

The introduction of Town Planning Scheme No.1 (TPS No.1) in 1973 provided for a range of land uses on Pt. Lot 118 including hotel, service station, shops, civic uses, residential and a recreation reserve. A range of commercial, civic and recreational uses continued to be provided for, through an amendment to TPS No.1 in 1978 and the introduction of Town Planning Scheme No.2 (TPS No.2) in 1985. None of these commercial uses were ever implemented, however, by 1986 Pt. Lot 118 had been subdivided into:

- 11 residential lots fronting Carawatha Avenue;
- A Place of Worship site fronting Carawatha Avenue;
- A public open space reserve of 9255m^2, at the eastern end of the site; and
- A freehold lot of 5037m^2, fronting both Albany Highway and Carawatha Avenue, which remained in the ownership of the City of Armadale (Lot 60).

Lot 60 has been further subdivided in recent years, to provide an alternative public road frontage to an adjoining lot to the north that only had frontage to Albany Highway. That subdivision involved the construction and dedication of a cul-de-sac called Benson Court, and the creation of two lots on either side of that road: Lot 200 (121) and Lot 201 (119) Carawatha Avenue.

Amendment No.54 was an omnibus amendment to Town Planning Scheme No.4 (TPS No.4) which, amongst other things, modified the Additional Use text into the form that is described in more detail in the Property Description section of the report. That amendment was gazetted on 7 February 2012.

Property Description

Lot 200, which is the subject of this report, is located on the corner of Albany Highway, Carawatha Avenue and Benson Court. It is a sloping, vacant lot of 1812m², which is zoned "Residential R15/25" and Additional Use under Town Planning Scheme No.4 (TPS No.4).

Under normal circumstances Clause 5.2.4 of TPS No.4 makes provision for residential development on split-coded land to take place at the lower of the two nominated density codes, and at a higher density code in certain circumstances. In this case, however, the Additional Use partly supercedes Clause 5.2.4 by making Grouped Dwellings a discretionary use up to the R40 code. The other Additional Use which is a discretionary use, is Medical Centre comprising more than 3 Consulting Rooms.

Application of an Additional Use is subject to a number of conditions, as follows:

"17.1 Residential subdivision and development shall be in accordance with the Residential Design Codes (R15, or subject to the City's discretion R40).

17.2 In association with subdivision or development, a comprehensive site plan indicating a proposed landscaping and fencing of the site is to be prepared, submitted and subsequently implemented to the City's satisfaction. The aspects to be covered include:

a) High quality fencing integrated with landscaping.

17.3 Unless otherwise determined by the City, provision shall be made for vehicle traffic access from Carawatha Avenue, to Lot 100, north of the lot, for development or subdivision of the lot. [Note: this has been satisfied by the construction of Benson Court by the developer.]

17.4 No vehicle access shall be provided to Albany Highway.

17.5 A minimum of 16 metres buffer between the existing Water Corporation pump building located on adjoining Pt Lot 58 to any building.

17.6 All other discretionary uses shall meet the following requirements:

a) A plot ratio limited to 0.3
b) The overall development of the site should be of a high quality unified architectural design that reflects a level of integration and consistency with the surrounding built environment.
c) Will have the same level of permissibility as listed in the Residential Zone provisions of the Zoning Table;"

Condition No.17.5 above was first applied by Amendment No.163 to Town Planning Scheme No.2, following a submission from the Water Corporation. The Water Corporation had advised that the buffer was required in order to mitigate potential noise impacts from the water supply pumping station on the adjacent Lot 58.

Amendment No.54 to TPS No.4 was an omnibus amendment which initially proposed the deletion of the buffer required by Condition No.17.5 above. During public advertising the Water Corporation objected to that proposal as it would compromise the function of the water booster pump station, and advised that the buffer is required for noise from pump operation and maintenance. The Minister for Planning subsequently upheld the Water Corporation's submission and required that Amendment No.54 be modified to retain the buffer requirement.

DETAILS OF PROPOSAL

The proposal is to dispose of Lot 200 Carawatha Avenue and to proceed to advertise its Business Plan as required under the *Local Government Act, 1995* in respect to major land transactions.

COMMENT

Business Plan

A major land transaction is defined by the Local Government (Functions and General) Regulations, 1996 and relates to the requirement for a Business Plan where a major land transaction is proposed. A major land transaction can generally be described as including any operating costs and expected revenues that are collectively worth more than $1 million dollars.

It is debatable that the proposed sale may be exempt from the requirements of a Business Plan, given that the operating cost and forecast revenue may not trigger the need for a Business Plan. However, as the total value of the 'Freehold Land Sales and Investment Strategy (Strategic Land Asset)' exceeds $1 million, the preparation of the Business Plan is warranted. The plan is required to be publically advertised for a period not less than 42 days in a newspaper with (state-wide) circulation.

A copy of the proposed Land Transaction Business Plan is presented in the Attachments to this report.

Disposal/Sale

Section 3.58 of the Local Government Act, 1995 delineates requirements local authorities must abide by when undertaking the disposal of land. These methods of disposal include sale by way of public auction, public tender and private treaty. Section 3.58 of the Local Government Act, 1995 also stipulates the processes required to be engaged for each method of disposal.

In the event Council wishes to proceed with the proposed disposal and endorse the Business Plan, Council have the option of disposing of the property via public auction or the most acceptable tender under 3.58(2) of the Local Government Act, 1995, or by way of private treaty. Section 3.58(3) of the Local Government Act, 1995 allows Local Government to sell land by way of private treaty after the details of the property and consideration of the proposed disposition have been advertised for a period not less than two (2) weeks (referred to as local public notice). Council is then required to consider all submissions and record its decision in the minutes of a Council meeting in the event that the advertising attracts submissions.

ANALYSIS

Since Benson Court has now been constructed and dedicated, Lot 200 which is now surplus to the City's requirements, may be offered for sale.

OPTIONS

1. Council could resolve to proceed with the proposal to advertise the Business Plan to dispose of Lot 200 Carawatha Avenue, Mount Nasura in accordance with Section 3.59 of the *Local Government Act, 1995.*

2. Council could retain Lot 200 Carawatha Avenue, Mount Nasura.

CONCLUSION

The City (then "Road Board") came into ownership of the subject land in 1909. Following completion of Benson Court it is now surplus to requirements.

In the event that the Business Plan is endorsed, advertised and adopted, the proceeds from the sale will be used as part of the City's 'Freehold Land Sales and Investment Strategy (Strategic Land Asset)'.

Given the above, Option One is recommended.

RECOMMEND

That Council:

1. Endorse the Land Transaction Business Plan for the sale of Lot 200 Carawatha Avenue, Mount Nasura as presented at the Attachment to this report.

2. Give state wide notice of the endorsed Business Plan in accordance with Section 3.59(4) of the Local Government Act, 1995.

3. Be provided with a further report on the proposed land sale following the closure date for receipt of public submissions to the advertised Business Plan.

ATTACHMENTS

1. Land Transaction Business Plan - Lot 103 Carawatha Ave, Mt Nasura
2. TPS No.4 Map - Lot 200 Carawatha Ave, Mt Nasura

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LOT 9 BANKEN COURT
FORRESTDALE
Location Plan

DATE 4 September 2015 - REVISION 1501

Based on information provided by and with the permission of the Western Australian Land Information Authority trading as Landgate (2012). Aerial photograph supplied by Landgate, Photomaps by NearMap.

1.2 - ADOPTION OF BUSINESS PLAN AND SALE OF LOT 9 BANKEN COURT, FORRESTDALE

WARD	:	LAKE
FILE No.	:	M/812/15
DATE	:	4 September 2015
REF	:	SW
RESPONSIBLE MANAGER	:	EDDS

In Brief:

- The subject site was originally two adjacent recreation reserves which have been rezoned and amalgamated.
- Lot 9 is now in the City's ownership as a freehold lot and is surplus to requirements. It is therefore proposed that Lot 9 be sold, with 70% of the funds being used to upgrade parks and recreation facilities in the same precinct and 30% of the funds being transferred for Strategic Recreational Initiatives.
- To facilitate this sale, a business plan has been prepared and is required to be advertised for comment for a period of 42 days as per the provisions of the *Local Government Act, 1995.*
- Recommend that Council endorses the attached Business Plan and advertises the document for public comment.

Tabled Items
Nil.

Officer Interest Declaration
Nil.

Strategic Implications
4.2.1 Develop, implement and report on Council's strategic and business plans.

Legislation Implications
Planning and Development Act, 2005
Former Town Planning and Development Act, 1928
Local Government Act, 1995 – Section 3.59 Commercial Enterprises by Local Governments
Local Government (Functions and General) Regulations, 1996

Council Policy/Local Law Implications
N/A

Budget/Financial Implications
The property is vacant at the moment, and as such incurs only minimal maintenance costs. It was acquired by the City from the Crown at 5% of the unimproved market value, in accordance with the State Government's Land Administration & Registration Practice Manual. The disposal will be at market value, which will generate funds for the improvement and development of Public Open Space areas. The purchase price for the land was drawn from the City's POS Land Acquisition Account.

DPI has advised that funds generated must be used in the same precinct and used for upgrades to existing POS or for the purchase of alternate POS. The City was granted permission to spend 30% of the funds from the POS Strategy on Strategic Recreational Initiatives. Once funds generated through the sale of Public Open Space are obtained by the City, the exact allocation of funds to public open space improvement projects within Precinct N will be dealt with through a report to Council.

LOT 9 BANKEN COURT
FORRESTDALE
Aerial Photograph

15 0 15 30m

SCALE 1 : 1500

Based on information provided by and with the permission of the Western Australian Land Information Authority trading as Landgate (2012). Aerial photograph supplied by Landgate. Photomaps by NearMap.

CITY OF Armadale

DATE 4 September 2015 - REVISION 1501

In addition, this parcel of land is likely to be used for residential purposes and will provide additional rate revenue for the City without the need to create any new assets, such as roads.

Consultation
Relevant City Directorates

BACKGROUND

Site History

Lot 9 Banken Court originally comprised two Reserves for Public Recreation (37274 & 37275) located within Precinct 7 - Rural (N) of the POS Strategy. Council resolved to commence public consultation for Precinct 7 at its meeting of 20 February 2006 (31/2/2006). The report to Council, which recommended that the two reserves be cancelled and disposed of, noted the following:

- Both reserves abut each other. If the adjacent Lot 388 Leake Street is subdivided its 10% POS requirement could join with these reserves, but would create open space of only 2600m^2 which under policy ADM 11 is too small to be accepted (4000m^2 minimum);
- Uneconomic to maintain;
- Poor surveillance and access;
- No significant vegetation; and
- Other POS within 450m.

Following public consultation, Council considered the finalisation of Precinct 7 at its meeting of 18 September 2006 (243/9/2006) where it resolved to cancel and dispose of Reserves 37274 and 37275 as one parcel. The decision to amalgamate the two adjoining sites was a response to advice from the Department for Planning and Infrastructure (State Land Services) that one of the parcels would otherwise become landlocked.

The next step in the process was to rezone the Reserves, to reflect the proposed change of use. Amendment No.16 to the City's Town Planning Scheme No.4 was advertised for public comment, closing on 27 July 2006, and Council resolved to adopt a modified form of the amendment at its meeting of 12 September 2006. On 17th October 2007 the Minister of Planning approved Amendment No.16, which rezoned the Reserves from "Parks and Recreation (Local)" to "Residential R12/25".

Following the POS Strategy and rezoning processes, the City had to resolve several encroachments and fencing issues. Once resolved, the City wrote to the Department of Lands and requested the reserves be cancelled and acquired by the City. Lot 9 Banken Court has been owned by the City as a freehold property since 2015.

Property Description

The property is situated on the southern side of Banken Court and comprises a vacant residential site with an area of approximately 1763m².

The subject lot is zoned "Residential R12.5/25" under Town Planning Scheme No.4 (TPS No.4) and has a dual density code. Under Clause 5.2.4(c) an application for grouped dwellings at the higher density can be made to the City. It should be noted that the lot must be able to connect to sewerage services in order to be considered suitable for development at the higher density code and currently there is no sewer service in this area.

DETAILS OF PROPOSAL

The proposal is to dispose of Lot 9 Banken Court and to proceed to advertise its Business Plan as required under the Local Government Act, 1995 in respect to major land transactions.

COMMENT

Business Plan

A major land transaction is defined by the Local Government (Functions and General) Regulations, 1996 and relates to the requirement for a Business Plan where a major land transaction is proposed. A major land transaction can generally be described as including any operating costs and expected revenues that are collectively worth more than $1 million dollars.

It is debatable that the proposed sale may be exempt from the requirements of a Business Plan, given that the operating cost and forecast revenue may not trigger the need for a Business Plan. However, as the total value of the POS Strategy exceeds $1 million, the preparation of the Business Plan is warranted. The plan is required to be publically advertised for a period not less than 42 days in a newspaper with (state-wide) circulation.

A copy of the proposed Land Transaction Business Plan is presented in the Attachments to this report.

Disposal/Sale

Section 3.58 of the Local Government Act, 1995 delineates requirements local authorities must abide by when undertaking the disposal of land. These methods of disposal include sale by way of public auction, public tender and private treaty. Section 3.58 of the Local Government Act, 1995 also stipulates the processes required to be engaged for each method of disposal.

In the event Council wishes to proceed with the proposed disposal and endorse the Business Plan, Council have the option of disposing of the property via public auction or the most acceptable tender under 3.58(2) of the Local Government Act, 1995, or by way of private treaty. Section 3.58(3) of the Local Government Act, 1995 allows Local Government to sell land by way of private treaty after the details of the property and consideration of the proposed disposition have been advertised for a period not less than two (2) weeks (referred to as local public notice). Council is then required to consider all submissions and record its decision in the minutes of a Council meeting in the event that the advertising attracts submissions.

ANALYSIS

As Lot 9 has now been transferred into the City's ownership the next step in the process is to put a Business Plan in place, so that the site may be offered for sale.

OPTIONS

1. Council could resolve to proceed with the proposal to advertise the Business Plan to dispose of Lot 9 Banken Court, Forrestdale in accordance with Section 3.59 of the Local Government Act, 1995.
2. Council could retain Lot 9 Banken Court, Forrestdale.

CONCLUSION

The land is surplus to requirements, being undeveloped as a recreation reserve for the reasons outlined in the Site History section of the report.

In the event that the Business Plan is endorsed, advertised and adopted, 70% of the proceeds from the sale would be used to upgrade parks and recreation facilities in this precinct and 30% of the funds would be spent on Strategic Recreational Initiatives.

Given the above, Option One is recommended.

RECOMMEND

That Council:

1. **Endorse the Land Transaction Business Plan for the sale of Lot 9 Banken Court, Forrestdale as presented at the Attachment to this report.**

2. **Give state wide notice of the endorsed Business Plan in accordance with Section 3.59(4) of the Local Government Act, 1995.**

3. **Be provided with a further report on the proposed land sale following the closure date for receipt of public submissions to the advertised Business Plan.**

ATTACHMENTS

1. Land Transaction Business Plan - Lot 9 Banken Court, Forrestdale
2. TPS No.4 Map - Lot 9 Banken Court, Forrestdale

CANNING RIVER CLIFTON STREET (SOUTH) PRECINCT

LOTS 20-26 CLIFTON ST, KELMSCOTT

LOCATION PLAN

DATE 26 August 2015 - REVISION 1501

80 0 80 160m

SCALE 1 : 8000

Based on information provided by and with the permission of the Western Australian Land Information Authority trading as Landgate (2012). Aerial photograph supplied by Landgate, Photomaps by NearMap.

CITY OF Armadale

1.3 - PROPOSED STRUCTURE PLAN - LOTS 20-26 CLIFTON STREET - CANNING RIVER CLIFTON STREET PRECINCT (SOUTH)

WARD	:	RIVER
FILE No.	:	M/782/15
DATE	:	16 September 2015
REF	:	AV
RESPONSIBLE MANAGER	:	A/EDDS
APPLICANT	:	Harley Dykstra, on behalf of City of Armadale, R & J Buggins and G & S Morfitt
LANDOWNERS	:	City of Armadale Ack Pty Ltd M Sells R & J Buggins G & S Morfitt A Grayden
SUBJECT LAND	:	Lots 20-26 (No's 77, 79, 89, 91, 99, 107 and 111) Clifton Street, Kelmscott
ZONING		
MRS	:	Urban
TPS	:	Urban Development

In Brief:

- The City has received a proposed Structure Plan from Harley Dykstra for the Canning River Clifton Street Precinct (South). The Structure Plan has been prepared on behalf of landowners including the City of Armadale, R & J Buggins and G & S Morfitt.
- The City owns Lots 20 and 21, which form part of its portfolio of Strategic Land Assets.
- Planning for Urban (residential) development in the Canning River Precinct originated from the Kelmscott Enquiry-by-Design exercise and the associated outcomes report. This informed MRS Amendment 1202/41 and subsequent TPS No.4 Amendment No.70 that respectively rezoned the land Urban and Urban Development.
- The Structure Plan proposes Residential land use with densities ranging from R40 to R80, and facilitates the ceding of a foreshore reserve along the Canning River and additional areas for local public open space.
- Pursuant to Town Planning Scheme No.4 Clause 6A.3.2(b), recommend that Council determine that the Structure Plan is not to be advertised until minor modifications are made to the satisfaction of the Acting Executive Director Development Services.

Tabled Items

Nil.

Officer Interest Declaration

Nil.

Strategic Implications

2.1 Long term planning and development that is guided by a balance between economic, social and environmental objectives.

2.1.1 Review, update and implement the City's Town Planning Scheme, taking into account social, economic and environmental considerations.

CANNING RIVER CLIFTON STREET (SOUTH) PRECINCT

LOTS 20-26 CLIFTON ST, KELMSCOTT

AERIAL PHOTOGRAPH

DATE 25 August 2015 - REVISION 1501

30 0 30 60m

SCALE 1 : 3000

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CITY OF Armadale

2.3 Diverse and attractive development that is integrated with the distinctive character of the City.
2.3.2 Ensure preservation and maintenance of heritage buildings, heritage items and places.
2.4 Attractive and user-friendly streetscapes and open space.
2.4.2 Maintain and improve where required the quality, amenity and accessibility of open spaces.

Legislation Implications
Planning and Development Act 2005
Town Planning Regulations 1967
Metropolitan Region Scheme
Town Planning Scheme No.4
Environmental Protect Action 1986
Aboriginal Heritage Act 1972

Council Policy/Local Law Implications
Town Planning Scheme No.4
Local Planning Strategy 2005
Local Planning Strategy – adopted by Council March 2015
Canning River Precinct Community Consultation Study
Kelmscott Enquiry by Design Workshop (2003)
Municipal Heritage Inventory
Local Planning Policy PLN 3.9 River Road Heritage Precinct Policy

Budget/Financial Implications
In conjunction with a number of landowners, the City committed a portion of the costs to engage consultants to prepare the proposed Structure Plan and technical reports. Historically, the City also committed funds to the consultation and planning processes associated with rationalising the Canning River Clifton Street Precinct.

The City owns Lots 20 and 21 Clifton Street as freehold lots. In the future the lots are likely to be sold as part of the City's Strategic Land Assets rationalisation.

Consultation
Numerous consultation exercises (both statutory and non-statutory) have been undertaken for this precinct since the mid-1990s. These include public consultation of strategic TPS-review discussion papers in the mid-1990s, the Kelmscott Enquiry-by-Design workshop in 2003, Canning River Precinct Community Consultation Study workshops in 2005, MRS Amendment 1202/41 in 2011 and a Town Planning Scheme No.4 amendment to rezone the land in 2013.

This report requests Council's determination to advertise the Structure Plan for public and agency comments. If Council determines that the Structure Plan is satisfactory for advertising, the Structure Plan will be advertised.

As part of the City's assessment, Planning Services has consulted with the applicant and other business units.

BACKGROUND

Council has received a request to adopt a proposed Structure Plan for Lots 20-26 (No's 77, 79, 89, 91, 99, 107 and 111) Clifton Street, Kelmscott, described as Canning River Clifton Street Precinct (South) (hereinafter referred to as the Structure Plan area). The Structure Plan area is approximately bound by lots fronting Gilwell Avenue to north, Clifton Street to the east, the unconstructed Martin Street road reserve to the south. Note that the Special Residential zoned lots fronting Gilwell Avenue are not included within this boundary for the South Precinct as no change is proposed for this land. (***refer to Location Plan, Aerial Photograph and Town Planning Scheme No.4 Zoning Plan***).

The overall Canning River Clifton Street Precinct (hereinafter referred to as the overall precinct) extends further north of Gilwell Avenue, to Brookside Avenue. Planning for development of the overall precinct will take place in a number of stages, as landowners prepare the necessary structure plans and studies to progress urban development for portions of the land. This Structure Plan is the first stage received in the overall precinct as different landowners have different timeframes for redevelopment. (***refer to Overall Precinct Plan presented in the attachments to this report***).

The facilitation of land use change in the overall precinct has been one of the City's key strategic planning initiatives for many years. This objective aims to support growth and development of the Kelmscott Town Centre and to protect and enhance the Canning River environs by ensuring that the waterway and a foreshore reserve are brought into the public domain. Urban development of the broader precinct has been considered in a number of studies, strategies and rezoning amendments since the mid-1990s. A brief summary of the significant reports is provided in the attachment. ***(a copy of the Synopsis of Planning History – Canning River Clifton Street Precinct summary is presented in the attachments to this report).***

DETAILS OF PROPOSAL

The City has received a Structure Plan prepared by Harley Dykstra for the Canning River Clifton Street Precinct (South). The Structure Plan includes a Statutory Section (known as Part 1) that specifies provisions that apply to future subdivision and development of the land, the Structure Plan map, an Explanatory Section (known as Part 2), and Technical appendices. ***(refer to Proposed Structure Plan and applicant's proposed Structure Plan Part One provisions presented in the Attachments to this report)***.

The Structure Plan allocates areas for both public open space (POS) and residential land uses. The location and design of POS areas are intended to increase the width of the future Canning River foreshore area, and all lots but one (Lot 25) contribute additional POS. These POS areas are separated from adjoining residential areas by road reserves. The WAPC's Liveable Neighborhoods policy permits some storage and treatment of drainage in POS, and parts of the local POS are also proposed to be used for this purpose. A portion of land currently identified as local POS is in fact a Bush Forever Site (BFS No.246); the extent of BFS No.246 will need to be identified on the proposed Structure Plan map.

The proposed Structure Plan does not affect the balance of the Lots 20-26 that are still zoned Rural under TPS No.4. The Urban Development zoning boundary defines the extent of future residential development and the land to be ceded for the future foreshore reserve. This area retains many important biophysical features which will be retained in the future reserve, including the Canning River floodway, the majority of the associated floodplain and BFS No.246.

The Structure Plan provisions include a requirement for the applicant to prepare a Foreshore Management Plan prior to creating any lots. The Foreshore Management Plan will be required to address particular foreshore environmental issues relevant to the Structure Plan area, such as (but not limited to) erosion, vegetation and weed removal.

In respect to residential development, the Structure Plan proposes an ultimate maximum yield of 375 dwellings, with residential densities ranging from R40 to R80. This figure is approximate, and will likely reduce in response to site-specific constraints and design requirements. Areas of lowest proposed density (R40) are located along Clifton Street to provide an interface with existing established residential lots and the balance of development in the Structure Plan area. A portion of the remaining area is coded R60 while the portion of land in closest proximity to the Kelmscott Town Centre is indicated as R80 density code.

Lot 22 Clifton Street is a unique lot in the context of the Structure Plan area, as land use change is not anticipated in the short to medium term. The site is currently approved for use as an aged care facility, with construction of one building and associated outdoor living space. While Lot 22 would be required to cede a foreshore reserve and/or contribute 10% local public open space if it was subdivided or developed at some future time. The status quo will remain for Lot 22 for the foreseeable future until the landowner opts to redevelop the land in accordance with an approved Structure Plan. (***refer to Concept Plan presented in the attachments to this report***).

COMMENT

The Structure Plan features a number of considerations, including the proposed built form, environmental characteristics, public open space, bushfire risk management, heritage features and engineering and servicing requirements.

Built Form Considerations

The applicant has proposed densities ranging from R40 to R80, with the lower density providing an interface to existing R15/25 residential development along Clifton Street and the pocket of highest density located in closest proximity to the Town Centre and Kelmscott Train Station.

The applicant argues that there is a justifiable case for the increase in densities above the originally-anticipated R20-R40 densities. The proposed Structure Plan is located within close proximity to the Kelmscott Town Centre, and additional population will support its functions. It is also argued that the Structure Plan area adjoins what will become a significant foreshore park, as well as the City's Frye Park. The majority of the Structure Plan area is also located within an 800m radius of the Kelmscott Train Station.

When assessing proposed densities the City is mindful of the need to align future development proposes with the strategies espoused in the State Government's Directions 2031 and Beyond, the Perth and Peel Sub-Regional Strategy and the draft Local Planning Strategy (endorsed by Council in March 2015). Directions 2031 and Beyond is a broad spatial plan for the Perth and Peel region that provides a framework for further planning and delivery of housing, infrastructure and services to support Perth and Peel's growing population. Its objectives include the improvement of infill development rates, enhancement of existing activity centres and encouraging greater use of public transport. In respect to infill and density, Directions 2031 sets a target of 47% of Perth and Peel's required dwellings to be provided as infill development and an increase in the current average residential density of 10 dwellings per gross urban zoned hectare. The associated Perth and Peel Sub-Regional Strategy identifies an estimated dwelling yield of 7,200 – 8,500 dwellings from infill/redevelopment sites within the City of Armadale.

In response to the above, the City's draft LPS supports a number of strategic changes to TPS No.4 in key established areas, especially in respect to dwelling density. The draft LPS recognises that increased dwelling diversity is required in the City, that household sizes are generally reducing and that the City needs to promote the principles in the WAPC's Directions 2031. The Housing Strategy component of the draft LPS states describes the following objective in Section 13.1.i, regarding strategic changes to density in the City's TPS No.4:

> *"increase density potential around the main centers (particularly the Strategic Regional Centre) to R60 and R80 or higher subject to design requirements."*

It is also noted that Council has previously supported densities above R40 for sites in close proximity to the Armadale Town Centre and Train Station, such as the densities proposed in Amendment No.71 (Lot 100 Little John Road, Armadale) and Amendments No.79 (various lots at the corner of Armadale Road and Abbey Road, Armadale). Council has endorsed densities on these sites of R15/60 and R80 respectively. While it is noted that these locations are in close proximity to the Strategic Regional Centre (Armadale) and have not yet been developed, it is noted that Council has supported densities above R40 in other infill areas of the City.

While Consolidated Scenario Four of the Canning River Precinct Study considered that densities for the overall precinct would range between R20 and R40, it is noted that the WAPC and the City's policies encourage higher densities in proximity to Activity Centres especially where supported by Public Transport rail infrastructure. On the basis of the above discussion of strategic objectives and previous Council decisions, there is merit in retaining the requested densities for advertising purposes. Further determinations in respect to density may be made following receipt of community and agency comments.

The proposed Structure Plan also adopts a number of measures to control built form outcome (i.e. building appearance). This is required to ensure dwelling diversity (such as multiple dwelling developments or townhouse developments) and ensure that increased density does not lead to a proliferation of single storey grouped dwelling development. A two storey building height limit is proposed for lots fronting Clifton Street. Development in density codes of R60 and R80 requires a minimum development height of two storeys.

The City will also require the inclusion of provisions that ensure consideration of solar access to dwellings. This is especially warranted in areas where increased dwelling heights may impact on the ability for natural light to be provided to habitable rooms and outdoor living areas. Both building height and solar access can be addressed in future Local Development Plans (formerly called Detailed Area Plans). ***(refer to the City's modified Structure Plan Part One provisions presented in the attachments to this report).***

It should be noted that, in addition to controls provided by the Structure Plan, any future applications for grouped dwellings or multiple dwellings will require the assessment and approval of the City or Joint Development Assessment Panel, on the basis of TPS No.4 and Local Planning Policy PLN 3.1 Residential Density Development.

Environmental Considerations

The key environmental feature associated with the Structure Plan is the Canning River and the future foreshore reserve.

As has been previously reported by the City and the WAPC, some native vegetation along the banks of the Canning River is presently in poor condition due to weed invasion, loss of native wood and herbaceous understory, escaped exotic trees and physical disruption by various human activities. However government, community groups and schools are undertaking and have undertaken various rehabilitation works to date. The ceding of foreshore reserves as a result of subdivision/development guided by the Structure Plan will create further opportunities for vegetation and rehabilitation, particularly along the eastern banks.

Vegetation within the Structure Plan area has been cleared historically (during or before the early 1950s). The land remained cleared until imagery in 1979 reveals that a number of trees had begun to regrow close to the Structure Plan area boundary with the Canning River. All trees in other parts of the Structure Plan area have grown or been planted since 1979. A number of Flooded Gums (Eucalyptus Rudis) are located on the edge of the floodway and along the river channel. These species may contain hollows suitable for bird nesting. BFS No.246 is predominantly located within the Canning River floodway, however some portions also located in the Structure Plan area will be preserved in local open space.

While the Canning River floodway is located partly within the LSP area, on the basis of provisions in TPS No.4, the Structure Plan acknowledges that no development can take place within the floodway and therefore floodway areas are set aside as public open space. The floodway fringe also extends into the Urban Development zoned land, and therefore any future development will need to be constructed so that floor levels are at least 0.5m above this height.

The location of the Structure Plan area is such that surface drainage and groundwater flows are predominantly oriented toward the Canning River. Soils within the area are generally of low permeability, and therefore surface water flows overland to the River. Measured depth to groundwater in September 2014 varied across the area, from 5.97m in the northeast of Lot 26 to 1.34m in the southeast of Lot 21. The applicant's LWMS notes that groundwater flows are likely to be very low given the clay soils of the site. Drainage and urban water management will be detailed in the UWMP required before subdivision proceeds.

A portion of the Structure Plan area, predominantly along the western portion, is mapped as having a high risk or actual or potential Acid Sulphate Soils (ASS). These soils are located where excavation and dewatering are unlikely to occur, given the proximity to the Canning River. Notwithstanding this, the WAPC's standard subdivision conditions provide the means for future subdividers and developers to manage ASS, and this issue will be further addressed at subdivision stage as required.

The City's Environmental Services have reviewed the Structure Plan and support many of its key features. The foreshore management plan is recommended to be independent of the proposed landscape plan with an emphasis on rehabilitation of the foreshore with endemic species. The City's Environmental Services have also requested that the future foreshore management plan provide a clear delineation (i.e. hard edge such as concrete kerbing) between the conservation/rehabilitation area and the grassed reserve (including future ceded POS). The dual use path, proposed to run along the foreshore reserve, should be identified in the foreshore management plan to ensure that it can be used for Council maintenance and for firefighting purposes.

In relation to Amendment No.70, the EPA previously advised that it considered water quality and flora and vegetation to be key environmental issues for the Structure Plan. The EPA recommended that the future structure plan should include an LWMS that maintains the groundwater and surface water, sediment and/or biota to protect environmental values. The EPA also supported the location of POS adjacent to the foreshore and rehabilitation of foreshore. Finally, the EPA commented that native vegetation should not be removed to reduce bushfire hazard risk. In that regard, the proposed structure plan incorporates setbacks to the bushfire hazard and mitigation measures that do not rely on the clearing of native vegetation.

The Department of Water also provided comments relating to the proposed LWMS, recommending that specific water management issues could be dealt with as part of Structure Planning. Further comments on the proposed LWMS will be sought from the Department of Water during advertising.

In summary, the proposed Structure Plan needs to identify appropriate foreshore improvements through the future Foreshore Management Plan. The Foreshore Management Plan will need to address the matters requested by the City's Environment Services Department, and allow for input from the relevant public agencies. Upon securing a contiguous connected and continuous foreshore reserve into the public domain, the City may undertake more extensive environmental and landscape treatments to enhance the value of the foreshore to the local Kelmscott community.

Public Open Space

Public Open Space is a crucial element to the proposed Structure Plan, and one which builds on the connections provided by a foreshore reserve in public ownership. Features of future POS include a pedestrian path (alignment to be confirmed in a foreshore management plan/s) path, facilities and revegetation/rehabilitated areas. As a provision of the Structure Plan, landowners will be required to prepare a landscape plan for POS areas (and road reserves); this plan will define the facilities in, and appearance of, POS areas.

As per the requirements of the Planning and Development Act 2005, Development Control Policy 2.3 and Liveable Neighborhoods, the applicant has provided POS across the Structure Plan area. In this instance, the amount of developable land required to provide POS is affected by three considerations, being the foreshore reserve, BFS No.246 and drainage treatment.

The requirements of Liveable Neighbourhoods and the inclusion of Bush Forever sites affect POS contribution calculations. Land affected by BFS No.246 is excluded from POS contribution calculations, and also does not contribute to the required POS land area, in accordance with the requirements of Livable Neighborhoods. These deductions result in an approximate developable area of 6.15ha, though this figure does not account for area to be used for the treatment/detention of drainage. A summary of proposed POS land provision across each lot is provided in the table below; drainage has not been accounted for to date as the applicant's Local Water Management Strategy requires a number of amendments.

POS LAND AREA TABLE				
Lot	Developable area (approx.)	10% POS contribution (approx.)	POS Area proposed	Percentage POS as land
20	11,964	1,196.4	2,311.0	19%
21	12,745	1,274.5	1,533.0	12%
22	7,778	777.8	396.0	5%
23	7,869	786.9	2,132.0	27%
24	6,790	679.0	596.0	9%
25	6,560	656.0	0	0%
26	7,808	780.8	572.0	7%
Overall	**61,514**	**6,151.4**	**7,540.0**	**12%**

It is noted that there is significant variation in the amount of POS contributed by each lot. This variance is due to the need to provide land for bore infrastructure (in the case of Lot 20) and due the boundary and extent of the Canning River Floodway (in the case of Lot 23). Overall the applicant has provided 12% of the land area for POS, although this figure will likely reduce due to the impact of drainage. Final POS schedules will be determined at subdivision stage, and those lots not providing sufficient land contribution at the time of subdivision will be required to pay a cash-in-lieu contribution in accordance with the Planning and Development Act 2005, which can then be used for additional facility improvements in parkland areas.

Bushfire Risk Mitigation

The subject site has some exposure to bushfire risk, given the extent of remnant vegetation in the Canning River foreshore reserve and the need to preserve native vegetation. A Bushfire Hazard Assessment and Management Plan has been prepared, and the City has recommended a number of modifications to the applicant.

The Bushfire Hazard Assessment and Management Plan has identified that the precinct (with the exception of small area of land in the northern portion of Lot 20), is subject to elevated bushfire hazard levels and will therefore require dwellings to be constructed to Australian Standard 3959 – Construction of Buildings in Bushfire-Prone Areas in order to provide increased levels of asset protection and safety.

The western-most portion of the Structure Plan area (including land identified for Residential land use) is subject to a Bushfire Attack Level of 40 (BAL-40). The WAPC's draft State Planning Policy 3.7 Planning for Bushfire Risk Management proposes that development subject to a BAL-40 rating or higher should not be supported unless the risk is unavoidable or can be reduced.

In response to this issue, the applicant contends that development can be proposed as shown on the Structure Plan. This is due to the BAL-40 risk being a result of introduced weed vegetation currently growing in the Canning River Foreshore Reserve. These would be removed as part of implementation of future Foreshore Management Plan works, which in turn would lower the applicable bushfire attack level. The City acknowledges this, and that it has a responsibility not to create unacceptable levels of risk for its future residents. Therefore the City has recommended that the applicant modify the Structure Plan provisions to prevent development unless the bushfire attack level can be reduced below BAL-40. Removal of BAL ratings from the Structure Plan map would also provide a level of flexibility in the instance that hazard ratings can be reduced through detailed subdivision and development design, and foreshore management and implementation in subsequent planning stages.

Heritage Considerations

Heritage considerations are an important part of the proposed Structure Plan, as Lots 25 and 26 Clifton Street, the Martin Street road reserve and the Canning River are all sites of heritage significance and/or may contain places/objects or heritage significance.

Lots 25 and 26 Clifton Street are located within the area to which PLN 3.9 River Road Heritage Area applies and are located immediately north of the Martin Street Road Reserve. While the majority of the heritage policy provisions do not apply to Lots 25 and 26, past studies have identified these lots as the possibly holding the original barracks site in Kelmscott. Accordingly, PLN 3.9 specifies the need for an archaeological watching brief to be undertaken in case of future development. Provisions for an archaeological watching brief are therefore required to be included in the Structure Plan and will be recommended conditions of subdivision/development.

The Martin Street road reserve between Clifton Street and the Canning River abuts the Structure Plan area to the south and contains two places listed on the City's Municipal Heritage Inventory. These are Category A Place No.052, being Martin's Cairn, and Category B Place No.053, being Martin's Crossing (also known as Three Logs Crossing), Road Reserve and Rosebushes. The location of these heritage features in a road reserve controlled by the City ensures that no modification occurs without the City's approval. It should also be noted that the City's Planning Services has commenced the closure processes for the Martin Street road reserve and its vesting as a Conservation and Recreation Reserve.

This will be undertaken as a separate process to the Structure Plan under the Land Administration Act and will require separate public advertising. The City's Parks and Reserves Department have also contracted cuttings from the rose bushes for future propagation and planting within the City. Further advice on these actions, particularly the formal closure of the Martin Street road reserve, will be provided to Council in the future.

Aboriginal Heritage considerations also apply to the Canning River, which is listed as an Aboriginal Heritage Site (mythological heritage values) under the Aboriginal Heritage Act 1972. When commenting on the MRS Amendment the South West Aboriginal Land and Sea Council (SWALSC) advised that the buffer between the urban area and river should be maximised and revegetated with native species. The proposed foreshore reserve and 10% POS contributions will provide this buffer to the Canning River, ceding of the foreshore and facilitate revegetation of the foreshore area with native species.

Infrastructure and Servicing Considerations

The design of the Structure Plan incorporates two loop roads from Clifton Street, both separated from one another by the existing aged persons accommodation site on Lot 22 Clifton Street. Apart from Lot 22, the proposed loop roads provide a 'hard' edge to proposed POS and the Martin Street road reserve, which will be managed as a park. In the northern part of the Structure Plan area, the proposed road network allows potential for lots fronting Gilwell Avenue to obtain road access from new road abutting their rear boundary in the future. This facilitates possible redevelopment in the longer term while also managing/avoiding additional direct access to Gilwell Avenue.

The City's Technical Services have advised that, due to traffic volumes on Clifton Street, access to and from the Structure Plan area will be limited to two full movement intersection and two left-in left-out access points. Proposed road reserve widths are still under discussion with the applicant and will need to be reflected in the Structure Plan documents prior to advertising.

The Structure Plan area is well located to take advantage of existing service infrastructure such as water, power and gas. Sewer services will require extension and the Water Corporation has identified that a new service route commencing near the intersection of Lucich Street and Charles Streets, southwest (between Lots 23 and 24 Clifton Street) to the Canning River Reserve and crossing the Canning River to connect with the existing Pump Station on River Road.

The City also operates existing bore infrastructure on Lots 20 and 21 currently used for irrigation of adjacent Frye Park. The proposed Structure Plan design and provisions protect this infrastructure for the City's purposes.

ANALYSIS

Development Area Structure Plan Requirements (TPS No.4 Schedule 12)

Under TPS No.4 the area to which the Structure Plan applies is zoned Urban Development and identified on Special Control Area Map 3 as Development Area No.44. In accordance with Clause 5E.1.1 of TPS No.4, subdivision and development of land within the Urban Development zone shall be in accordance with a Structure Plan prepared in accordance with Part 6A. Clause 6A.1.1 states that a structure plan is to be prepared and adopted prior to subdivision and development in a development area. Accordingly, the proposed structure plan is required in order to progress further subdivision and development of the South Precinct.

Specific provisions applying to Development Area No.44 are listed in Schedule 12.

44.1 Subdivision shall occur in accordance with a Structure Plan for the Canning River Clifton Street Precinct Urban area which is to be prepared pursuant to the provisions outlined in Part 6A.

In response to the above provision the proposed Structure Plan, when adopted in accordance with TPS No.4 Clause 6A.3.15, will provide a framework for further subdivision and development. The Structure Plan is required to be advertised in accordance with Clause 6A.3.2 prior to approval.

44.2 The Structure Plan shall incorporate assessments and recommend design and management responses to the satisfaction of the City for the following environmental planning factors –

i) Local urban water management;
ii) flora and fauna, heritage sites, conservation category wetlands, bush fire protection and acid sulphate soils.

In response to the above provision, and as previously identified:

1. The Structure Plan incorporates a Local Water Management Strategy, which has been reviewed by the City's Technical Services and will be reviewed by agencies such as the Department of Parks and Wildlife, Department of Water and Swan River Trust. A more detailed Urban Water Management Plan will be required at subdivision stage.
2. The Structure Plan incorporates a bushfire management plan to mitigate risks to lives and assets.
3. Management responses have been recommended in respect to flora, fauna, heritage sites and acid sulphate soils. The first two components can be addressed by the future foreshore management plan, while the last two components have both been addressed by Structure Plan provisions and/or can be addressed at subdivision stage.

44.3 The Structure Plan shall make provision for the following:

i) A variety of lot sizes and high quality residential dwellings and respond to the preferred concept outcomes;
ii) Protection of value vegetation located within or adjacent to the Martin Street road reserve including options regarding the potential heritage rose bush in the vicinity of the original Martin house;
iii) Providing an archaeological watching brief in the River Road Heritage Precinct Class B zone, which is the indicative site of the former historic police barracks;
iv) Suitable provision of 10% standard Public Open Space contributions, predominantly by augmenting and extending the width of the Canning River foreshore reserve area, creating pocket parks, or in accordance with policies of the Western Australian Planning Commission equivalent cash in lieu contributions which can be used to improve public recreation opportunities and facilities in the foreshore POS reserve areas;
v) Providing Canning River foreshore reserves and management;
vi) Investigation of solar access opportunities for housing at medium and above densities;

vii) A Local Water Management Strategy to be prepared in consultation with the DoW and the City; and

viii) Servicing and infrastructure requirements including any requirements for road and bridge upgrades.

In response to the above provisions, and as previously identified:

1. The Structure Plan provides for varying residential densities and therefore a variety of lot sizes and/or dwellings types.
2. The Structure Plan does not propose the use of the Martin Street road reserve for vehicles and the City has commenced the road closure process in order to vest and manage the land as a Conservation and Recreation Reserve. The City's Parks and Reserves Department are also involved in ensuring that the values of the heritage rose bushes are preserved.
3. Structure Plan provisions provide for an archaeological watching brief over Lots 25 and 26 Clifton Street.
4. POS areas are identified along the Canning River Foreshore and cash-in-lieu contributions will be required if 10% land area is not ceded by each landholding at subdivision and/or development stage.
5. Previous MRS/TPS rezonings have identified the extent of the foreshore reserve. Future management will be provided through Foreshore Management Plan and Landscape Plans.
6. Solar access opportunities are required to be identified on future Local Development Plans.
7. A LWMS has been prepared and submitted with the Structure Plan.
8. The Structure Plan makes provision for various road (intersection) upgrades. The Structure Plan indicates that the lots are capable of being serviced subject to any necessary extensions. Specific servicing needs may be raised by agencies during advertising.

The Structure Plan is therefore considered to be consistent with, or capable of being made consistent with, TPS No.4 Schedule 12 Provisions applicable to Development Area No.44.

Local Planning Policy Requirements

A number of Local Planning Policies apply to an assessment of the Structure Plan. PLN 2.5 Erosion Prevention and Sediment Control seeks to ensure that watercourses like the Canning River are not adversely impacted by erosion and its associated impacts of nutrient enrichment, reduced river capacity and impact on habitats and fauna/flora. The proposed Structure Plan is considered to be consistent with the guidelines in Section 3.1 of the policy and further information and soil stabilization measures will be required at subdivision stage.

PLN 2.6 Water Sensitive Design also seeks to protect the natural environment and passive recreation qualities of the Canning River. In accordance with the policy, all floor levels in the Structure Plan area shall be at least 0.5m above the 1:100 year flood level. The LWMS and future UWMP will address drainage management requirements. The policy also provides recommended buffer sizes to watercourses, however it is noted that the foreshore buffer distances in this instance have been determined by previous MRS/TPS rezonings and that POS adjacent to the foreshore reserve will increase those distances. The future foreshore management plan will also be considered in the context of this policy.

As previously explained, archeological watching brief provisions of PLN 3.9 River Road Heritage Area will be included in the Structure Plan, specifically Clause 4.7, so that any historic artefacts are appropriately excavated, conserved and/or recorded as appropriate.

It is also worthy to note that future development applications of the lots at densities of R40 and above will be subject to assessment under the City's PLN 3.1 Residential Density Development.

Advertising and Adoption Procedure

As indicated throughout the report, a number of modifications are required to the Structure Plan documentation before the City considers the Structure Plan suitable for advertising. These modifications are generally as described above and include modifications to the Part One (statutory) Structure Plan Section. When these modifications and any additional modifications requested by Council have been implemented the City will advertise the Structure Plan for 28 days pursuant to TPS No.4 Clause 6A.3.5. Advertising will take place by notice to nearby landowners, advertisements in local newspapers and signs on a number of Lots in the Structure Plan area

Council should note that the *Planning and Development (Local Planning Schemes) Regulations 2015* will result in modified subsequent Structure Plan assessment processes. The Regulations include 'deemed provisions' that automatically replace many of the City's TPS No.4 provisions, including those relating to Structure Plans. The Regulations will come into force on 19 October 2015, likely while advertising of the Structure Plan is still underway. As a result, Council's approval powers in respect to Structure Plans will be replaced and the WAPC will be the sole determining authority, upon receipt of the recommendations of the City. A report will be prepared for Council's consideration of the Structure Plan and any submissions, prior to forwarding the Structure Plan to the WAPC.

OPTIONS

TPS No.4 Clause 6A.3.2 outlines Council's options in considering the proposed Structure Plan prior to advertising. Accordingly, the options available to Council are as follows:

1. Council may determine that the proposed Structure Plan is not to be advertised until further details have been provided or modifications undertaken, and thereafter advertise a modified Structure Plan in accordance with the requirements of TPS No.4 Clause 6A.3.5

2. Council may determine that the submitted proposed structure plan is satisfactory for advertising and proceed to advertise the Structure Plan in accordance with the requirements of TPS No.4 Clause 6A.3.5.

3. Council may determine that the proposed structure plan is not satisfactory for advertising, giving reasons for this to the proponent.

CONCLUSION

Planning of the Canning River Clifton Street Precinct has progressed through the various regulatory stages over many years. Various strategic plans and rezoning proposals are now culminating in the preparation of Structure Plans for portions of the overall precinct, of which the Canning River Clifton Street (South) Precinct is the first. The Structure Plan facilitates the strategic objectives previously set for the overall precinct, being a foreshore reserve along the Canning River and increased population in close proximity to the Kelmscott Town Centre. The proposed Structure Plan is considered worthy of advertising for agency and community feedback, subject to minor modifications.

Considering the above, Option 1 is recommended.

RECOMMEND

That Council:

1. **Pursuant to Clause 6A.3.2(b), determine that the Canning River Clifton Street Precinct (South) Structure Plan is not to be advertised until minor modifications to the Structure Plan text and plans generally in accordance with the above report have been implemented to the satisfaction of the A/Executive Director Development Services.**

2. **Following resubmission of Structure Plan documents modified to the satisfaction of the A/Executive Director Development Services:**

    a) **Advertise the proposed Canning River Clifton Street Precinct (South) Structure Plan for public and agency comments pursuant to Clause 6A.3.2(a) of Town Planning Scheme No.4, in accordance with the advertising requirements of Clause 6A.3.5 of Town Planning Scheme No.4;**

    b) **Forward a copy of the Canning River Clifton Street Precinct (South) Structure Plan to the Western Australian Planning Commission within 7 days, pursuant to Clause 6A.3.6 of Town Planning Scheme No.4.**

ATTACHMENTS

1. TPS No.4 Map - Canning River Precinct
2. Overall Precinct Plan - Canning River Precinct
3. Synopsis of Planning History - Canning River Clifton Street Precinct
4. Concept Plan - Canning River Precinct
5. Proposed Structure Plan - Canning River Precinct
6. Applicant s recommended Structure Plan Part One provisions
7. Concept Plan - Canning River Precinct
8. City s proposed modified Structure Plan Part One provisions

1.4 - PROPOSED FINAL ADOPTION OF LOCAL PLANNING POLICY PLN 2.9

WARD : ALL

FILE No. : M/824/15

DATE : 9 September 2015

REF : GW

RESPONSIBLE MANAGER : EDDS

In Brief:

- In July 2015, Council resolved to amend and advertise Local Planning Policy PLN 2.9 to reference the City's Urban Forest Strategy.
- No public submissions were received during the 21 day advertising period.
- Recommend that Council adopt amended Local Planning Policy PLN 2.9 ***as presented in the Attachments to this report***.

Tabled Items
Nil

Officer Interest Declaration
Nil.

Strategic Implications
2.1 Long term planning and development that is guided by a balance between economic, social and environmental objectives.
2.1.1 Review, update and implement the City's Town Planning Scheme, taking into account the Local Biodiversity Strategy and other environmental considerations.

Legislation Implications
Planning and Development Act 2005
Town Planning Scheme No.4

Council Policy/Local Law Implications
Nil.

Budget/Financial Implications
Advertising costs can be accommodated in the Planning Services budget.

Consultation
Advertising of amended Policy has occurred. Notice of final adoption also to be published in newspaper.

BACKGROUND

At its meeting of 27 July 2015, Council resolved to amend Local Planning Policy PLN 2.9 and to advertise the draft Local Planning Policy for a period of 21 days in accordance with Clause 2.4 of Town Planning Scheme No.4.

DETAILS OF PROPOSAL

A summary of the proposed policy changes (as advertised) are as follows:

Existing Policy Clauses	Proposed Changes
Introduction	The introduction has been streamlined and simplified to focus on the benefits of enhanced landscaping. Key relevant documents (including aims) have also been added, including the City's Urban Forest Strategy, Local Biodiversity Strategy and the Swan and Canning Rivers Management Act 2006.
Application of Policy c) This policy applies to artificial waterbodies in the City of Armadale and to landscaping aspects of structure plans, subdivisions and development proposals for: (i) areas within the Southern River/ Forrestdale/Brookdale/ Wungong District Structure Plan area; (ii) areas zoned General Industry and Industrial Business in Town Planning Scheme No.4; (iii) areas in the suburb of Roleystone not zoned Rural Living or General Rural.	The policy has been expanded to apply to all relevant structure plans, subdivisions and development proposals within the City. Reference to artificial waterbodies has been removed as this is already and more appropriately covered by Council Policy ENG 15.
Policy Objectives 1) To achieve the City of Armadale's vision, particularly in the Roleystone area, as "A place combining city living within a beautiful bushland setting" and a City that is "Clean, green and prosperous". 2) To achieve or exceed the recommended 30% target in the Urban Water Management Strategy for the use of locally native plants in landscaping in new development areas of the Southern River/ Forrestdale/ Brookdale/ Wungong District Structure Plan area. 3) To provide a common theme for landscaping in the City's Industrial areas that still permits diversity. 4) To provide guidance on the City's expectations relating to appropriate landscaping design. 5) To provide for the use of plants from drier areas that will grow without irrigation in Perth's drying climate. 6) To ensure artificial water bodies are planned on a regional basis and constructed in accordance with City policy.	The policy objectives have been streamlined and updated to reflect the relevant key documents, and align with the Application of Policy section. A summary of the changes are as follows: • Remove specific references to the Roleystone and the Southern River/ Forrestdale/ Brookdale/ Wungong District Structure Plan areas as the policy applies to the wider City. • Remove reference to artificial water bodies as this is covered by Council Policy ENG 15. • Clarify the policy provides guidance to applicants in preparing landscaping plans and appropriate plant species selection. • Incorporate reference and objectives to facilitate implementation of the City's Urban Forest and Biodiversity Strategies.

Existing Policy Clauses	Proposed Changes
Policy Statements Relate to Artificial Water bodies, Local Centre/ District Centre (i.e. Commercial) and Grouped Housing Development, areas zoned General Industry and Industrial Business in Town Planning Scheme No.4. Outlines planning procedural matters covering artificial waterbodies and landscaping relative to the structure plan, subdivision and development processes.	The policy statement has been streamlined and reworded to better assist applicants in addressing the City's landscaping requirements. Reference to planning procedures and specific conditions has been removed as these are operational matters and unnecessarily complicate the policy. The City is mindful of the need to be able to update conditions more quickly as issues arise. The minimum 30% use of local native plants has been increased to 50% to better achieve the intent of the City's Local Biodiversity Strategy. The policy statements have been grouped into three distinct sections (Structure Plans, Subdivisions and Developments) for ease of reference and clarity. The statements include reference to relevant standards or guidelines to assist applicants in preparing landscaping plans to comply with the City's landscaping standards.

A copy of the amended Policy including changes following advertising is presented in the Attachments to this report.

ANALYSIS

Advertising of Local Planning Policy PLN 2.9

The proposed Local Planning Policy was advertised for 21 days closing on 1 September 2015. Adverting was carried out by way of advertisements in the local newspapers and on the "out for comment" section of the City's website. No public submissions were received, however suggestions were provided to include reference to the City's Parks & Reserves Streetscape/verge planting guidelines in circumstances where verge planting was required.

Amendments to Policy following Advertising

In response to the suggestions outlined above, minor amendments to the advertised Policy have been made as follows by:

1. Adding a new section relating to verges as follows:

   4.3.4 Verges
   In circumstances where landscaping of the verge area is imposed as a condition of approval, applicants are required to satisfy the City's Streetscape Fact Sheet 4 - Verge policy and guidelines.

2. Amending section **4.3.5 Species Selection** to including reference to the City's *Streetscape Fact Sheet 2 - What's best to plant?*

   It should be noted that the planting of verges can only be applied in circumstances, whereby the City's has exercised a discretionary approval and there is a clear nexus between the development and need to landscape the adjoining verge area. It is common practice for the City to require landscaping of the verge for grouped/multiple housing and commercial/industrial developments in this regard.

Procedure for making a Local Planning Policy under Town Planning Scheme No.4

The making of Local Planning Policies is covered by Part 2 of Town Planning Scheme No.4. Briefly, the remaining procedure involves:

- Review or adopt (with or without modifications) the policy in the light of submissions; and
- If the City resolves to adopt the policy, publishing of a notice in a newspaper circulating in the district and if the policy affects the interests of the Western Australian Planning Commission (WAPC), forwarding a copy of the Policy to the WAPC.

The proposed policy is not considered to affect the interests of the WAPC in this regard.

OPTIONS

1. Council could resolve to adopt the amended policy without any modifications and publish a notice in the newspaper as required by the procedure for making Local Planning Policies.
2. Council could choose not to adopt the policy.

CONCLUSION

No significant changes were required to the proposed amended policy following the advertising period. The amended policy now applies to the entire City and incorporates improved biodiversity outcomes and enhanced integration of the City's Urban Forest Strategy. The format of the policy has been improved for clarity and ease of reference to assist applicants lodging applications and addressing the City's landscaping standards. In this regard, Option 1 is recommended.

RECOMMEND

That Council:

1. **Adopt amended Local Planning Policy PLN 2.9 as *presented in the Attachments to this report.***

2. **Publish a notice in a newspaper circulating in the district stating the amended Local Planning Policy PLN 2.9 has been adopted.**

ATTACHMENTS

1. Draft Revised Planning Policy PLN 2.9 - Landscaping

**2.1 - REVIEW OF DELEGATIONS OF AUTHORITY TO THE DEVELOPMENT SERVICES DIRECTORATE

WARD	:	ALL
FILE No.	:	M/737/15
DATE	:	9 September 2015
REF	:	SS
RESPONSIBLE MANAGER	:	A/EDDS

In Brief:

- Annual review of Council Delegations of Authority to the CEO as relevant to the Development Services Directorate.
- Recommend that Council confirms the current delegations to the Chief Executive Officer and specified officers, as presented, as having ongoing application, relevance and accuracy.

Tabled Items

Nil.

Officer Interest Declaration

Nil.

Strategic Implications

Good Governance and an Effective Organisation

4.1 Good Governance and Leadership

4.1.2 Ensure governance policies, procedures and activities align with legislative requirements and best practice.

4.5 Effective and efficient administrative services

4.5.1 Ensure compliance of relevant Council policies and procedures with legislative and organisational requirements.

4.5.2 Provide professional administrative services to support Council operations and services.

Legislation Implications

The relevant Sections of the Local Government Act 1995 are as follows:

5.42 Delegation of some powers and duties to CEO.

5.43 Limits on delegations to CEO's.

5.44 CEO may delegate powers and duties to other employees.

5.46 Register of, and records relevant to, delegations to CEO's and employees.

Other relevant Legislation:

- Building Act 2011.
- Building Regulations 2012.
- Building Services (Registration) Regulations 2011.
- City of Armadale Town Planning Scheme No 4.
- Health Act 1911.
- Health (Treatment of Sewerage and Disposal of Effluent and Liquid Waste) Regulations 1974.
- Land Administration Act 1997.

Planning and Development Act 2005.
- Planning and Development Regulations 2009.
- State Planning Policy 3.1 – Residential Design Codes 2013.
- Strata Titles Act 1985.
- Transfer of Land Act 1893.

Council Policy/Local Law Implications
Various Council Policies
Local Law - Environment, Animals and Nuisances
Local Law - Fencing

Budget/Financial Implications
Nil.

Consultation
Development Services Directorate

BACKGROUND

It is a requirement of the Local Government Act 1995 (Section 5.46(2)) that delegations of authority are reviewed annually. Revised Delegations were adopted by Council at its meeting on 22 September 2014 to comply with relevant legislation. (D50/9/14)

These Delegations enable the City to efficiently make decisions on behalf of Council to meet statutory timeframes. Delegations provide guidelines for how the City can best use its resources to manage its consistently high workload within each of the Building, Health and Planning Services of Development Services.

The Delegations facilitate greater efficiency through better time management and use of Council resources, which allows for an increased focus on strategic projects, improving internal organisational processes and enable decisions to be made consistently with Council's statutory documents.

DETAILS OF PROPOSAL

Council is required to confirm Council's Delegations of Authority as relating to the functions of the Development Services Directorate.

COMMENT

In line with statutory requirements, all current Council Delegations of Authority as relating to the functions of the Development Services Directorate have been reviewed to ensure that each Delegation is compliant with current legislation and has on-going operational relevance.

Amended Delegations

Councillors have recently requested that unit applications within the Planning Policy PLN 3.9 – River Road Heritage Area be determined by Council.

Officers have previously suggested that in order to address concerns that unit developments are not meeting the expectations relative to the heritage precinct, future applications could be referred to the Community Heritage Advisory Group (even though the development itself may not relate to the Municipal Inventory), or the policy design requirements could be revisited to address the aspects of the appearance of this development that are not supported. Officers have requested suggested changes. Since the Policy was adopted in 2011, three (3) grouped dwelling applications have been received with one (1) being determined by Council as the application involved the demolition of a property listed on the City's Municipal Heritage Inventory.

A review of Policy PLN 3.9 – River Road Heritage Area has commenced to provide greater certainty to applicants, officers and Council alike. This review will be subject of a separate future report.

Officers have no objections to all unit developments located within this precinct being determined by Council whilst the policy is being reviewed, but recommend that the refusal of such applications remain with officers for best use of resources. Delegation 702 has been amended accordingly to require all unit developments with the River Road Heritage Area to be referred to Council for determination, where approvals are contemplated.

The following delegations also require minor changes as outlined below:

Minor corrections have been made to Delegations 13, 714, 721, 731, 733,800, 801, 802, 803, 804, 805, 806, 808 and 810.

Delegations 13, 714, 721,731, and 733 have had minor corrections and working alterations to clarify the delegations.

All unchanged delegations remain legislatively accurate and have ongoing relevance.

A copy of all alterations is included in the attachment.

OPTIONS

There are three options available:

1. approve the delegations as indicated in the recommendation;
2. leave the current delegations as they are; or
3. not renew any delegations.

CONCLUSION

It is recommended that the Council Delegations of Authority as relating to the functions of the Development Services Directorate and as presented in the following report recommendation be adopted.

RECOMMEND

That Council:

1. **Confirms the following current delegations to the Chief Executive Officer as having ongoing applications relevance and accuracy:**

   Delegations numbered 22, 100, 240, and 260 outlined in the attachment of the Agenda.

2. **Confirms the following amended delegations to the Chief Executive as having ongoing applications relevance and accuracy:**

   Delegation numbered 13 outlined in the attachment of the Agenda.

3. **Confirms the review of Delegations of Authority Pursuant to the Local Government Act 1995, and grant the authority under delegation in accordance with Clause 11.3.1 of the City of Armadale Town Planning Scheme No.4 as follows:**

   Delegations numbered 21, 712, 719, and 732 outlined in the attachment of the Agenda.

4. **Pursuant to Section 5.43 of the Local Government Act 1995, and grant authority under delegation in accordance with Clause 11.3.1 of the City of Armadale Town Planning Scheme No.4 delegate to the Chief Executive Officer the following amended delegation:**

   Delegations number 702, 714, 721, 731 and 733 outlined in the attachment of the Agenda.

5. **Pursuant to Section 127 of the Building Act 2011, delegate the exercise of the powers and duties under Delegation numbered 807 outlined in the attachment of the Agenda.**

6. **Pursuant to Section 127 of the Building Act 2011, delegate the exercise of the powers and duties under amended Delegations numbered 800, 801, 802, 803, 804, 805, 806, 808 and 810 outlined in the attachment of the Agenda.**

   ABSOLUTE MAJORITY RESOLUTION REQUIRED

ATTACHMENTS

1. Development Services Delegations Extract DS Delegations 2015 - Tracked Changes

2.2 - NOMINATIONS FOR APPOINTMENT FOR THE PROPOSED ARMADALE LAND REDEVELOPMENT COMMITTEE

WARD	:	ALL
FILE No.	:	M/837/15
DATE	:	14 September 2015
REF	:	NC
RESPONSIBLE MANAGER	:	A/EDDS

In Brief:

- The Mayor recently resigned from his position on the MRA's Armadale Land Redevelopment Committee due to an overlap within his role on WA Planning Commission.
- The Minister for Planning has invited the City to forward three nominees from which he will appoint a representative from the City on the Armadale Land Redevelopment Committee.
- Recommend that three nominations be made.

Tabled Items

Nil.

Officer Interest Declaration

Nil.

Strategic Implications

2.2.1 Work with the Metropolitan Redevelopment Authority on the planning and design of key areas.

Legislation Implications

Metropolitan Redevelopment Authority Bill 2011
Armadale Redevelopment Act 2001
Planning and Development Act 2005

Council Policy/Local Law Implications

Nil.

Budget/Financial Implications

Nil.

Consultation

- Minister seeks nominations from Council.

BACKGROUND

In 2011 the Metropolitan Redevelopment Authority Bill completed its progress through Parliament and resulted in the operation of the new arrangements to replace the Armadale Redevelopment Authority from 1st January 2012.

The five-member Land Redevelopment Committees (LRCs) were established by the MRA to exercise functions, under delegation from the MRA Board, in each redevelopment area. A Land Redevelopment Committee has been established to exercise the MRA's functions in the Armadale redevelopment area.

Council at its meeting in 2013 forwarded three nominees for selection by the Minister and Cr H Zelones was subsequently appointed to the Armadale Land Redevelopment Committee.

DETAILS OF PROPOSAL

The Minister for Planning has written to the City advising that Mayor Henry Zelones has resigned from the Committee effective 7 August 2015.

In accordance with Section 81(2) of the *Metropolitan Redevelopment Authority Act 2011* three nominations are required from the City of Armadale from which one will be appointed to the Armadale Land Redevelopment Committee. The term of office for a member of the Committee will be fixed upon appointment and is to be no longer than two years.

COMMENT

Council is now requested to make three new nominations from which the Minister will select a representative. Nominees will be required to provide a brief outline of their knowledge and experience in local government.

There is some urgency in that the City has not been represented since July when the Mayor advised he could not continue due to a clash with his WAPC role.

It is suggested that three nominations be forwarded for early consideration by the Minister. In the instance a change of status of any nominee occurs as a result of the forthcoming Local Government election, the matter may be addressed by the Development Services Committee and the Minister advised forthwith.

OPTIONS

Council could:

1. Make three nominations to represent the City on the Armadale Land Redevelopment Committee.
2. Decline to make any nominations to the Armadale Land Redevelopment Committee.
3. Defer the matter to the Special Council meeting on 19th October 2015.

CONCLUSION

It is important to ensure that the City has continued active involvement in the operation of the Armadale Land Redevelopment Committee. Accordingly it would be appropriate to make three nominations in accordance with Option 1.

The Chair of Development Services, Councillor Donna Shaw, has indicated a willingness to be nominated for this position.

RECOMMEND

That Council nominate:

Councillor _____

Councillor _____; and

Councillor _____

to be selected by the Minister to be a member of the Armadale Land Redevelopment Committee.

ATTACHMENTS
There are no attachments for this report.

COUNCILLORS' ITEMS

Items to be submitted.

EXECUTIVE DIRECTOR DEVELOPMENT SERVICES REPORT

4.1 - DAP/15/00734 - PROPERTY LOCATION: LOT 9007 WARTON ROAD, PIARA WATERS. APPLICATION: LIFESTYLE VILLAGE / PARK HOME PARK

The Park Home Park application was considered by the Joint Development Assessment Panel on 9 September 2015. The reports from the Western Australian Planning Commission and the City contained 8 and 9 refusal reasons respectively, with no alternative recommendations made. The JDAP refused both applications as recommended.

ATTACHMENTS
There are no attachments for this report.

MEETING DECLARED CLOSED AT _____

DEVELOPMENT SERVICES COMMITTEE
SUMMARY OF "A" ATTACHMENTS
22 SEPTEMBER 2015

ATT NO.	SUBJECT	PAGE
1.1	**ADOPTION OF BUSINESS PLAN AND SALE OF LOT 200 (121) CARAWATHA AVENUE, MOUNT NASURA**	
1.1.1	Land Transaction Business Plan - Lot 103 Carawatha Ave, Mt Nasura	49
1.1.2	TPS No.4 Map - Lot 200 Carawatha Ave, Mt Nasura	55
1.2	**ADOPTION OF BUSINESS PLAN AND SALE OF LOT 9 BANKEN COURT, FORRESTDALE**	
1.2.1	Land Transaction Business Plan - Lot 9 Banken Court, Forrestdale	56
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1.3	**PROPOSED STRUCTURE PLAN - LOTS 20-26 CLIFTON STREET - CANNING RIVER CLIFTON STREET PRECINCT (SOUTH)**	
1.3.1	TPS No.4 Map - Canning River Precinct	63
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1.3.5	Proposed Structure Plan - Canning River Precinct	68
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1.4	**PROPOSED FINAL ADOPTION OF LOCAL PLANNING POLICY PLN 2.9**	
1.4.1	Draft Revised Planning Policy PLN 2.9 - Landscaping	79
2.1	**REVIEW OF DELEGATIONS OF AUTHORITY TO THE DEVELOPMENT SERVICES DIRECTORATE**	
2.1.1	Development Services Delegations Extract DS Delegations 2015 - Tracked Changes	82

CITY OF Armadale

Land Transaction Business Plan

Covering the Land Parcel:

Lot 200 (121) Carawatha Avenue, Mount Nasura WA 6112

Proposal to Sell

Prepared pursuant to sections 3.58 and 3.59 of the Local Government Act 1995

Proposal

The City holds the freehold ownership of the following land parcel:

Lot No	Street Address	Approx. Land Area	Certificate of Title Details	Zoning/Code	Sewer Connection Capability
200	Carawatha Avenue, Mount Nasura WA 6112	1812m²	Volume: 2879 Folio: 383	"Residential R15/25" with the Potential to develop at a density of "R30" as per Clause 5.2.4 (a) (ii) of TPS No. 4	Yes

Lot 200 Carawatha Avenue, Mount Nasura is a freehold property which has been owned by the City on a number of different titles since 1909. In 2015 a subdivision of the preceding Lot 103 was approved, which dedicated Benson Court and created Lots 200 and 201. Lot 201 is not subject to this business plan.

Historically, the City's 15 Year Plan proposed expenditure of funds from the sale of Lot 200 to occur as a part of the City's 'Freehold Land Sales and Investment Strategy (Strategic Land Asset)'. 70% of the funds raised from the disposal of these strategic land assets is reinvested in revenue producing assets yielding a higher investment return, and the remaining 30% is allocated towards major capital projects. That methodology was endorsed at Council's meeting of 20th November 2006 (CS109/11/06).

Property

Lot 200 Carawatha Avenue, Mount Nasura

The property is located within Mount Nasura, approximately 30km south east of the Perth CBD. More specifically the property is situated on the eastern side of Albany Highway, on the corner of Albany Highway, Carawatha Avenue and Benson Court. The site comprises a vacant residential site with an area of approximately 1812m².

Image of Lot 200 taken looking from Carawatha Avenue: Monday 6th July 2015

The subject lot is zoned "Residential R15/25" and Additional Use under Town Planning Scheme No. 4 (TPS No. 4).

Under normal circumstances Clause 5.2.4 of TPS No. 4 makes provision for residential development on split-coded land to take place at the higher of the two nominated density codes, and at a higher density code in certain circumstances. In this case, however, the Additional Use partly supercedes Clause 5.2.4 by making Grouped Dwellings a discretionary use up to the R40 code. The other Additional Use which is a discretionary use, is Medical Centre comprising more than 3 Consulting Rooms. Application of an Additional Use is subject to a number of conditions, as follows:

"17.1 Residential subdivision and development shall be in accordance with the *Residential Design Codes (R15, or subject to the City's discretion R40).*

17.2 In association with subdivision or development, a comprehensive site plan indicating a proposed landscaping and fencing of the site is to be prepared, *submitted and subsequently implemented to the City's satisfaction. The aspects* to be covered include:

a) High quality fencing integrated with landscaping.

17.3 Unless otherwise determined by the City, provision shall be made for vehicle traffic access from Carawatha Avenue, to Lot 100, north of the lot, for development or subdivision of the lot.

17.4 No vehicle access shall be provided to Albany Highway.

17.5 A minimum of 16 metres buffer between the existing Water Corporation pump building located on adjoining Pt Lot 58 to any building.

17.6 All other discretionary uses shall meet the following requirements:

a) A plot ratio limited to 0.3
b) The overall development of the site should be of a high quality unified architectural design that reflects a level of integration and consistency with the surrounding built environment.
c) Will have the same level of permissibility as listed in the Residential Zone provisions of the Zoning Table;"

Considerations

Expected effect on the provision of facilities and services by the City (Section 3.59(3)(a))

The subject land is vacant land owned in fee simple by the City of Armadale. As the City does not provide any services or facilities using the land, its sale would have no potential negative effects upon the provision of facilities and services to the community. 30% of the funds derived from the sale would be directed towards large-scale capital projects, which will ultimately provide a facility and/or service to the community.

Expected effect on other persons providing facilities and services in the district (Section 3.59(3)(b))

The subject land is vacant land owned in fee simple by the City of Armadale. As there are no persons providing services or facilities using the land, its sale would have no potential negative effects upon the provision of facilities and services to the community.

Expected financial effect on the City of Armadale (Section 3.59(3)(c))

A valuation will be obtained for the property and the sale will be executed by suitable qualified experts. Expenditure incurred as a part of the sale will be absorbed by the Planning Services budget.

70% of the funds raised from the disposal of Lot 200 would be reinvested into revenue producing assets yielding a higher investment return, and the remaining 30% is allocated to towards major capital projects.

There is a likelihood that the parcel of land will be redeveloped following its sale and hence provide additional rate revenue for the City without creation of any new assets, such as roads and hence additional on-going expenditure.

Expected effect on matters contained in the City's Strategic Community Plan 2013 - 2028 (Section 3.59 (3)(d))

The City's Strategic Community Plan 2013-2028 contains the following initiatives:

4.2.1 *Develop, implement and report on Council's strategic* and business plans.

The ability of the city to manage the transaction (section 3.59(3)(e))

The City ordinarily administers large-scale financial undertakings in its day-to-day business as a Local Government entity. The City will engage appropriately qualified consultants to provide goods and services such as Licensed Valuations, Real Estate and Settlement Services, to ensure the disposal is executed correctly and effectively.

Other matters (Section 3.59(3)(f))

Nil.

Method of Disposal

The disposal/sale of the subject site comprising this transaction and the subject of the Business Plan will be accordance with Section 3.58 (2) and (3) of the Local Government Act 1995.

These sections 3.58 (2) and (3) provide the following options for disposal of property:

3.58 (2) a. to the highest bidder at public auction; or
b. to the person who at public tender makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender; or

3.58 (3) a. by a private treaty giving local public notice of the proposed disposition:
i) by describing the property concerned;
ii) giving details of the proposed disposition; and
iii) inviting submission to be made to the local government before the date specified.

Comments on this Business Plan

This business plan is being advertised for a period of 42 days from the date of notifications in the _____ newspaper, with the advertising period closing on _____ 2015.

The Business Plan can be inspected:

- At the Administration Centre of the City of Armadale between the hours of 8:15am to 4:45pm Monday to Friday; and/or
- At the City's Public Libraries located in Armadale, Kelmscott and Seville Grove between the following hours;

Copies of the Business Plan can be obtained by:

- Contacting the City's Special Projects Officer, Steve Walker on (08) 9399 0628; or
- By downloading the documents from the City's website at www.armadale.wa.gov.au

Submissions on the Business Plan are to be made in writing and to be received no later than _____.

Submissions to be addressed to:

Chief Executive Officer
City of Armadale
Locked Bag 2
ARMADALE WA 6992
Attention: Steve Walker (Special Projects Officer)

Process Following Public Advertising

Following the public advertising period the Council will consider all submissions and may decide (by absolute majority) to proceed with the Land Transaction as described in this plan in accordance with the provisions of the Local Government Act 1995.

Appendix A – Diagram / Location of Lot 200 Carawatha Avenue, Mount Nasura

INSERT PLAN HERE

LOT 200 CARAWATHA AVE
MT NASURA
Town Planning Scheme No. 4

25 0 25 50m

SCALE 1 : 2500

Based on information provided by and with the permission of the Western Australian Land Information Authority trading as Landgate (2012). Aerial photograph supplied by Landgate, Photomaps by NearMap.

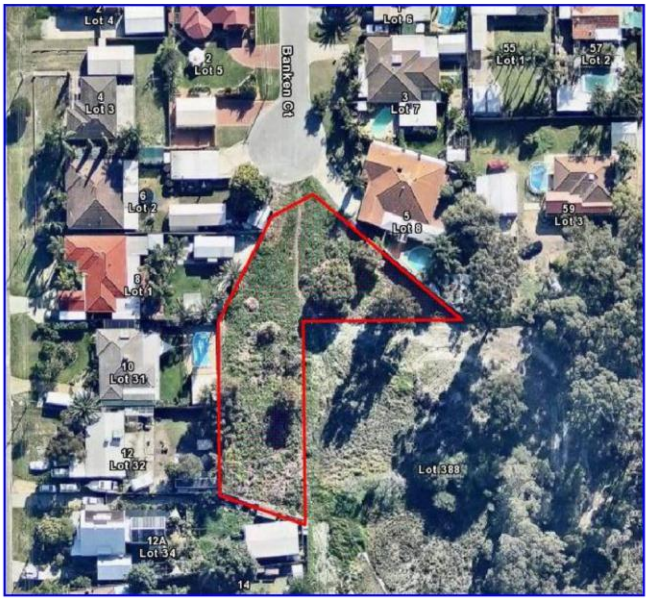
CITY OF Armadale

DATE 3 September 2015 - REVISION 1501

CITY OF Armadale

Land Transaction Business Plan

Covering the Land Parcel:



Lot 9 Banken Court, Forrestdale WA 6112

Proposal to Sell

Prepared pursuant to sections 3.58 and 3.59 of the Local Government Act 1995

Proposal

The City holds the freehold ownership of the following land parcel:

Lot No	Street Address	Approx. Land Area	Certificate of Title Details	Zoning/Code	Sewer Connection Capability
9	Banken Court, Forrestdale WA 6112	1763m²	Volume: 3165 Folio: 431	"Residential R12.5/25"	No

The City has developed a Public Open Space Strategy (POS Strategy) designed to improve the quality and usefulness of recreation reserves within the district. The POS Strategy identifies key reserves that are important to be retained and managed by the City for high quality public recreation. A portion of reserves were identified as unsuitable because they are too small or not suitably located for recreation purposes and were proposed to be cancelled and sold on a Precinct by Precinct basis. Funds from the sale of cancelled reserves are invested into capital works/upgrades to recreation reserves within the locality where the sale of the cancelled reserve occurred.

Lot 9 Banken Court originally comprised two Reserves for Public Recreation (37274 & 37275) located within Precinct N of the POS Strategy. Council resolved to commence public consultation for Precinct N at its meeting of 20 February 2006 (31/2/2006). The report to Council, which recommended that the two reserves be cancelled and disposed of, noted the following:

- Both reserves abut each other. If the adjacent Lot 388 Leake Street subdivided its 10% POS requirement could join with these reserves, but would create open space of only 2600m^2 which under policy ADM 11 is too small to be accepted (4000m^2 minimum);
- Uneconomic to maintain;
- Poor surveillance and access;
- No significant vegetation; and
- Other POS within 450m.

Following public consultation Council considered the finalisation of Precinct N at its meeting of 18 September 2006 (243/9/2006) where it resolved to cancel and dispose of Reserves 37274 and 37275 as one parcel. The decision to amalgamate the two adjoining sites was a response to advice from the Department for Planning and Infrastructure (State Land Services) that one of the parcels would otherwise become landlocked.

The next step in the process was to rezone the Reserves, to reflect the proposed change of use. On 17th October 2007 the Minister of Planning approved Amendment No. 16 to the City's Town Planning Scheme No. 4, which rezoned the Reserves from "Parks and

Recreation (Local)" to "Residential R12/25". This amendment to the Town Planning Scheme included a public consultation period.

Following the POS Strategy and rezoning processes, the City wrote to the Department of Lands and requested the reserves be cancelled and acquired by the City. Lot 9 Banken Court has been owned by the City as a Freehold property since 2015.

Seventy percent (70%) of funds generated from the land sale must be used to upgrade parks and recreation facilities within Precinct N of the City's POS Strategy. In addition, the City has been granted approval by the Minister of Planning to use 30% of the funds on Regional Recreation Initiatives.

Property

Lot 9 Banken Court, Forrestdale

Image of Lot 9 taken looking from Banken Court: Thursday 3rd September 2015

The property is located within Forrestdale, approximately 30km south east of the Perth CBD. More specifically the property is situated on the southern side of Banken Court. The subject property comprises a vacant residential site with an area of approximately 1763m².

The subject lot is zoned "Residential R12.5/25" under Town Planning Scheme No. 4 (TPS No. 4) and has a dual density code. Under Clause 5.2.4(c) an application for grouped dwellings at the higher density can be made to the City. It should be noted that the lot must be able to connect to sewerage services in order to be considered suitable for development at the higher density code and currently there is no sewer service in this area.

Considerations

Expected effect on the provision of facilities and services by the City (Section 3.59(3)(a))

The subject land is owned in fee simple by the City of Armadale. Lot 9 Banken Court does not have an active or passive recreation function and the area is too small to utilise for functional open space. Additionally William Skeet Oval is located within 560m of the subject site and Skeet Memorial Park is within 680m: those two reserves provide recreation opportunities to the local community.

The sale of the land will provide funds for the improvement and enhancement of other "Public Recreation" Reserves within Precinct N of the City's POS Strategy. As such disposal of the property will not negatively impact on the current provision of Council services and facilities. It will provide opportunities for the City to improve some of the assets and services it currently provides in the area.

Expected effect on other persons providing facilities and services in the district (Section 3.59(3)(b))

The subject site is vacant land owned by the City of Armadale. The land does not provide any services or facilities to the community. The net proceeds from the sale will generate income to be invested into improvements and enhancement of other "Public Recreation" Reserves within Precinct N of the City's POS Strategy.

Expected financial effect on the City of Armadale (Section 3.59(3)(c))

A valuation will be obtained for the property and the sale will be executed by suitable qualified experts. Expenditure incurred as a part of the sale will be absorbed by the Planning Services budget.

Funds received from the sale of the land will be held in a trust/reserve account by the City pending future consideration for expenditure. Seventy percent (70%) of proceeds from the sale of the cancelled reserves are planned to be applied to the construction of recreation improvements to parks within the general locality where the sale occurs, in this case Precinct N of the City's POS Strategy. On 12 June 2008 the then Minister for Planning and Infrastructure granted approval to allocate 30% of the sale proceeds towards the City's 'Regional Recreation Initiatives Trust 47'.

There is a strong likelihood that the parcel of land will be developed for residential purposes and hence provide additional rate revenue for the City without creation of any new assets such as roads, which would require additional on-going expenditure.

Expected effect on matters contained in the City's Strategic Community Plan 2013 - 2028 (Section 3.59 (3) (d))

The City's Strategic Community Plan 2013-2028 contains the following initiatives:

1.5.1 Provide and promote Council sport, recreation and leisure facilities.

2.4.2 Maintain and improve where required the quality, amenity and accessibility of open spaces.

4.2.1 *Develop, implement and report on Council's strategic and business plans.*

4.6.2 Actively pursue *alternative sources of revenue for Council's assets and operation.*

The ability of the City to manage the transaction (section 3.59(3)(e))

The City ordinarily administers large-scale financial undertakings in its day-to-day business as a Local Government entity. The City will also engage appropriately qualified consultants to provide goods and services such as Licensed Valuations, Real Estate and Settlement Services, to ensure the disposal is executed correctly and effectively.

Other matters (Section 3.59(3)(f))

Method of Disposal

The disposal/sale of the subject site comprising this transaction and the subject of the Business Plan will be accordance with Section 3.58 (2) and (3) of the Local Government Act 1995.

These sections 3.58 (2) and (3) provide the following options for disposal of property:

3.58 (2) a. to the highest bidder at public auction; or
b. to the person who at public tender makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender; or

3.58 (3) a. by a private treaty giving local public notice of the proposed disposition:
i) by describing the property concerned;
ii) giving details of the proposed disposition; and
iii) inviting submission to be made to the local government before the date specified.

Comments on this Business Plan

This Business Plan is being advertised for a period of 42 days from the date of notifications in The West Australian newspaper, with the advertising period closing on _____ 2015. The Business Plan shall also be advertised in a local newspaper.

The Business Plan can be inspected:

- At the Administration Centre of the City of Armadale between the hours of 8:15am to 4:45pm Monday to Friday; and/or
- At the City's Public Libraries located in Armadale, Kelmscott and Seville Grove between the following hours.

Copies of the Business Plan can be obtained by:

- Contacting the City's Special Projects Officer, Stephen Walker on (08) 9399 0628; or
- By downloading the documents from the City's website at www.armadale.wa.gov.au

Submissions on the Business Plan are to be made in writing and to be received no later than _____.

Submissions to be addressed to:

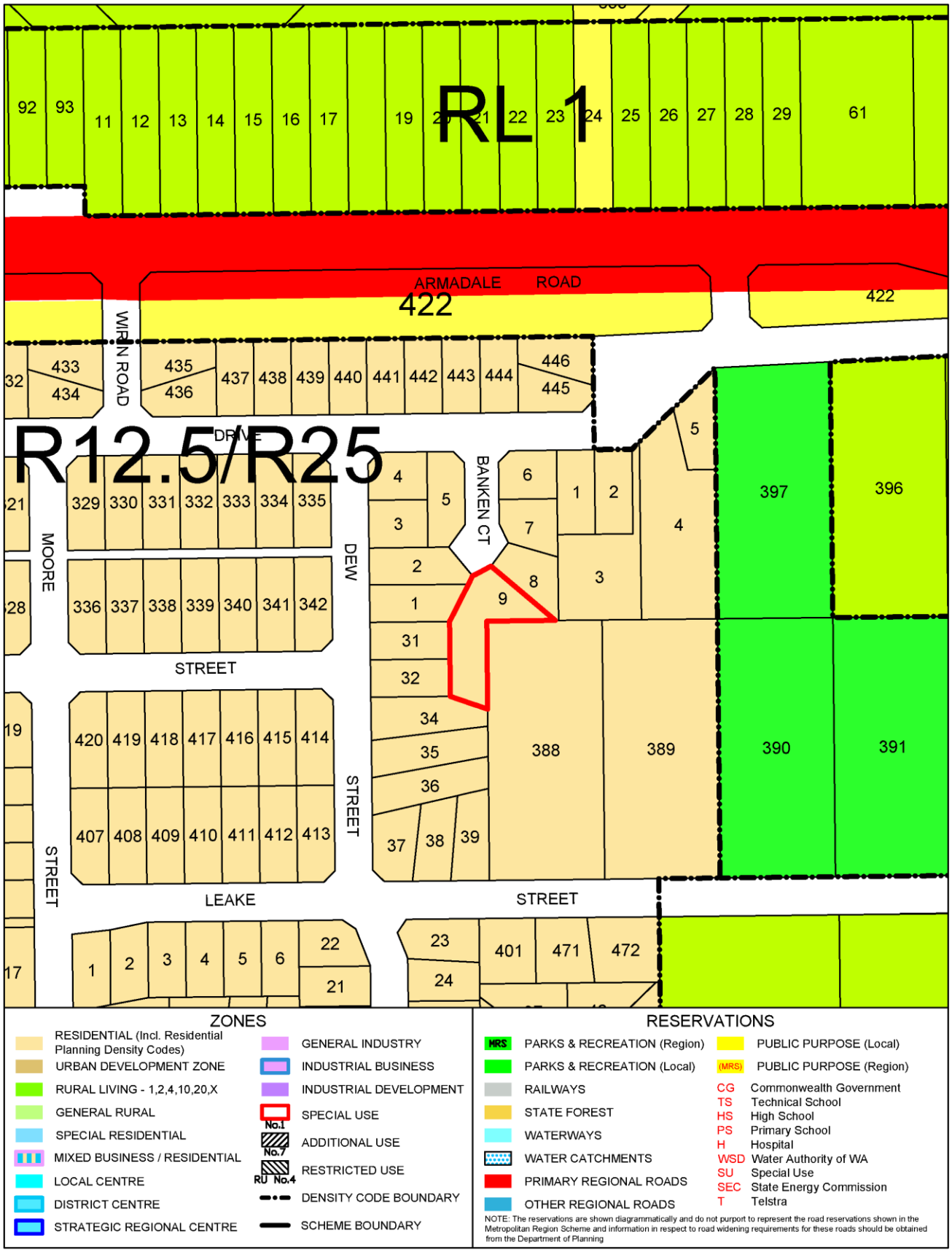
Chief Executive Officer
City of Armadale
Locked Bag 2
ARMADALE WA 6992
Attention: Stephen Walker (Special Projects Officer)

Process Following Public Advertising

Following the public advertising period the Council will consider all submissions and may decide (by absolute majority) to proceed with the Land Transaction as described in this plan in accordance with the provisions of the Local Government Act 1995.

Appendix A – Diagram / Location of Lot 9 Banken Court, Forrestdale

INSERT PLAN HERE



LOT 9 BANKEN COURT
FORRESTDALE
Town Planning Scheme No. 4

25 0 25 50m

SCALE 1 : 2500

Based on information provided by and with the permission of the Western Australian Land Information Authority trading as Landgate (2012). Aerial photograph supplied by Landgate, Photomaps by NearMap.

CITY OF Armadale

DATE 4 September 2015 - REVISION 1501

ZONES

- RESIDENTIAL (Incl. Residential Planning Density Codes)
- URBAN DEVELOPMENT ZONE
- RURAL LIVING - 1,2,4,10,20,X
- GENERAL RURAL
- SPECIAL RESIDENTIAL
- MIXED BUSINESS / RESIDENTIAL
- LOCAL CENTRE
- DISTRICT CENTRE
- STRATEGIC REGIONAL CENTRE
- GENERAL INDUSTRY
- INDUSTRIAL BUSINESS
- INDUSTRIAL DEVELOPMENT
- No.1 SPECIAL USE
- No.7 ADDITIONAL USE
- RU No.4 RESTRICTED USE
- DENSITY CODE BOUNDARY
- SCHEME BOUNDARY

RESERVATIONS

- MRS PARKS & RECREATION (Region)
- PARKS & RECREATION (Local)
- RAILWAYS
- STATE FOREST
- WATERWAYS
- WATER CATCHMENTS
- PRIMARY REGIONAL ROADS
- OTHER REGIONAL ROADS
- PUBLIC PURPOSE (Local)
- (MRS) PUBLIC PURPOSE (Region)
- CG Commonwealth Government
- TS Technical School
- HS High School
- PS Primary School
- H Hospital
- WSD Water Authority of WA
- SU Special Use
- SEC State Energy Commission
- T Telstra

NOTE: The reservations are shown diagrammatically and do not purport to represent the road reservations shown in the Metropolitan Region Scheme and information in respect to road widening requirements for these roads should be obtained from the Department of Planning

CANNING RIVER CLIFTON STREET (SOUTH) PRECINCT

LOTS 20-26 CLIFTON ST, KELMSCOTT
TOWN PLANNING SCHEME No. 4 ZONING PLAN

DATE 9 September 2015 - REVISION 1501

40 0 40 80m

SCALE 1 : 4000

Based on information provided by and with the permission of the Western Australian Land Information Authority trading as Landgate (2012). Aerial photograph supplied by Landgate, Photomaps by NearMap.

CITY OF Armadale

CANNING RIVER CLIFTON STREET PRECINCT

LOTS 20-26 CLIFTON ST, KELMSCOTT

OVERALL PRECINCT PLAN

DATE 26 August 2015 - REVISION 1501

80 0 80 160m

SCALE 1 : 8000

Based on information provided by and with the permission of the Western Australian Land Information Authority trading as Landgate (2012).
Aerial photograph supplied by Landgate, Photomaps by NearMap.

CITY OF Armadale

SYNOPSIS OF PLANNING HISTORY
CANNING RIVER CLIFTON STREET PRECINCT

The following attachment provides a brief overview of the planning history of the Canning River Clifton Street Precinct and the strategic planning initiatives that have been undertaken to date.

Kelmscott EBD exercise and Canning River Precinct Community Consultation Study

In 2003 the City and the WAPC collaborated to conduct the Kelmscott Enquiry-by-Design workshops and associated report. The workshops and report identified that the Kelmscott Town Centre could benefit from increased population density to support the local economy. It also recognized the environmental and social opportunities for a future foreshore park along the banks of the Canning River. As a result, the report recommended that land use change and increased densities be considered in the precinct. Council considered the report and submissions at its meetings in December 2003 and April 2004.

Subsequent to the Enquiry-by-Design exercise three Canning River Community Consultation Study community workshops were held in 2005. The workshops built on the Enquiry-by-Design consultation and outcomes of the Kelmscott EBD exercise. They explored design, planning and management of the overall precinct to generate a number of future development scenarios for the land. The study involved landowners in the study area, government agencies (including the then Department for Planning and Infrastructure), Councilors and City staff. The final community consultation study resulted in a concept plan known as 'Consolidated Scenario Four', which envisaged residential development across the precinct at densities ranging from R20-R40. Consolidated Scenario Four was subsequently endorsed by Council in February 2006. (**refer to Consolidated Scenario Four Plan**)

MRS Amendment 1202/41 – Canning River Precinct

As part of the February 2006 report on the Caning River Precinct Community Consultation Study, Council proposed a MRS Amendment to rezone the overall precinct from Rural to Urban. Council recommended that the WAPC initiate and advertise the amendment, and also recommended that the WAPC allow for a future foreshore reserve along the Canning River by reclassifying the required foreshore reserve from the Rural zone to the Parks and Recreation reserve.

Prior to initiation of the Amendment, the City was required to undertake further environmental and urban water management reporting. This resulted in the 2010 Canning River Precinct Environmental Study, jointly undertaken by the Department of Planning and the City in 2009-2010. The study reported on environmental features of the site (including flora, vegetation and fauna) to determine an appropriate foreshore width. The resulting proposed Urban zoned portion included land that was predominantly cleared at least 30 years ago for rural and rural-residential land use, while the foreshore reserve policy area would accommodate the most significant portions of remnant native vegetation.

The future foreshore reserve area was determined through the assessment of the environmental constraints within the overall precinct. Bush Forever areas, floodways, flood plains, native vegetation and standard foreshore policy setback distance at the time (30m) were considered, and combined to delineate a foreshore width that balanced the opportunities

and constraints. The Environmental Study also recommended that the standard 10% Public Open Space contribution which is made at subdivision stage should also be located along the foreshore where possible to create an additional buffer width. This would provide for additional foreshore parkland and improve overall amenity.

MRS Amendment 1202/41 was initiated by the WAPC and advertised from 25 January 2011 to 29 April 2011. Following consideration of submissions and public hearings the amendment was approved and gazetted on 25 May 2012. It rezoned the majority of the overall precinct to Urban, while a portion of land along the Canning River retained its MRS Rural zoning (thereby delineating the future foreshore reserve area). The WAPC decided to retain this future foreshore reserve land in the MRS Rural zone pending completion of subdivision and a future further amendment.

In accordance with the requirements of the Planning and Development Act 2005 the Environmental Protection Authority considered whether the MRS amendment needed to be assessed under Section 48A(1)(a) of the Environmental Protection Act 1986. The EPA determined that an assessment was not required.

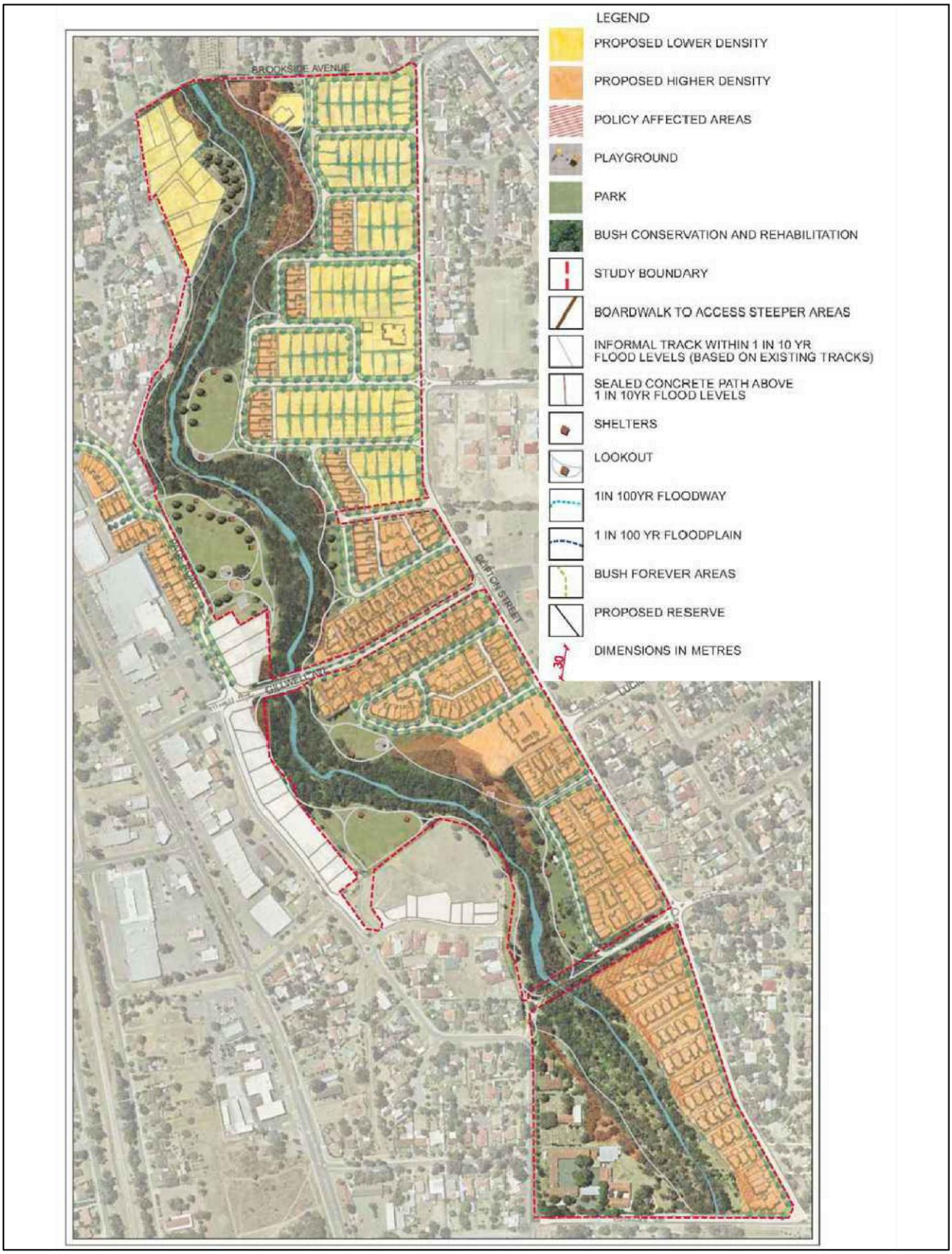
City of Armadale Town Planning Scheme Amendment No. 70

As a result of MRS Amendment 1202/41, and in accordance with Section 124 of the Planning and Development Act 2005, the City resolved to initiate an amendment to TPS No.4 on 25 February 2013. TPS No.4 Amendment No.70 was advertised for public and agency comment from late April to early June 2013.

Amendment No.70 proposed that the MRS Urban land (previously rezoned under MRS Amendment 1202/41) in the overall precinct be rezoned to Urban Development (east of the Canning River) and a portion Residential (west of the Canning River) under TPS No.4. The St Mary's in the Valley site was also granted a Restricted Use designation to retain the existing church uses and facilitate securing of foreshore areas by the WAPC in the future.

The Urban Development zoning requires future structure plans to be prepared prior to subdivision and development. This would grant the City, the Department of Planning and service agencies the ability to review the proposal and detailed servicing, traffic and water management information, and also allow the community to provide further comments prior to more detailed subdivision and development. In this regard, Amendment No.70 also included provisions in TPS No.4 Schedule 12 that specifically applied to any structure planning in the overall precinct. The relevant Schedule 12 provisions are discussed in the main report.

TPS No.4 Amendment No.70 was subsequently approved by the Minister for Planning and published in the Government Gazette on 14 February 2014.



CANNING RIVER CLIFTON STREET (SOUTH) PRECINCT

CONSOLIDATED SCENARIO FOUR PLAN
CANNING RIVER PRECINCT STUDY (2005)

DATE 9 September 2015 - REVISION 1501

NOT TO SCALE

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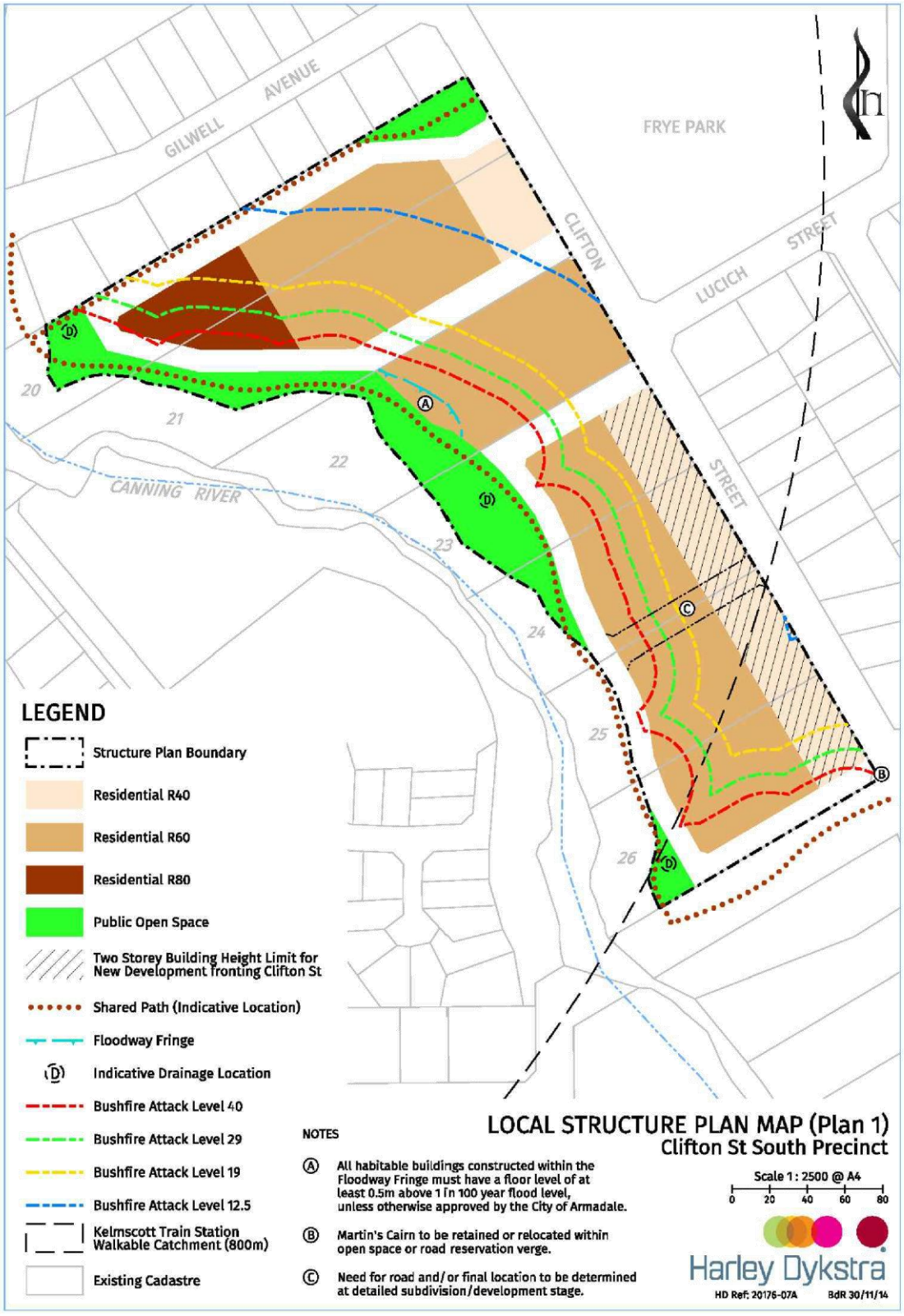
CITY OF Armadale



CANNING RIVER CLIFTON STREET (SOUTH) PRECINCT
LOTS 20-26 CLIFTON ST, KELMSCOTT
PROPOSED STRUCTURE PLAN
DATE 31 August 2015 - REVISION 1501

NOT TO SCALE

Based on information provided by and with the permission of the Western Australian Land Information Authority trading as Landgate (2012). Aerial photograph supplied by Landgate, Photomaps by NearMap.

CITY OF Armadale

APPLICANT'S PROPOSED STRUCTURE PLAN PART ONE PROVISIONS CANNING RIVER CLIFTON STREET PRECINCT (SOUTH) STRUCTURE PLAN

1.0 Local Structure Plan Area

The Local Structure Plan shall apply to Lots 20-26 Clifton Street, Kelmscott being the land contained within the inner edge of the line denoting the structure plan boundary shown on the Local Structure Plan Map (**Plan 1**).

2.0 Local Structure Plan Content

This Local Structure Plan comprises:

a) Part One – Statutory Section

This section includes the Local Structure Plan Map and statutory planning provisions and requirements.

b) Part Two – Non-Statutory (Explanatory) Section

This section is to be used as a reference guide to interpret and justify the implementation of Part One.

c) Appendices – Technical reports and supporting plans and maps.

3.0 Interpretations and Relationship with City of Armadale Town Planning Scheme No.4

Unless otherwise specified in this part, the words and expressions used in this Structure Plan shall have the respective meanings given to them in the City of Armadale Town Planning Scheme No. 4 (the Scheme) including any amendments gazetted thereto.

The Local Structure Plan Map (Plan 1) outlines land use, zones and reserves applicable within the Local Structure Plan area. The zones and reserves designated under this Local Structure Plan apply to the land within it as if the zones and reserves were incorporated into the Scheme.

Pursuant to Clause 6A.7 of the Scheme:

a) The provisions, standards and requirements specified under Part One of this Local Structure Plan shall have the same force and effect as if it were a provision, standard or requirement of the Scheme. In the event of there being any variations or conflict between the provisions, standards or requirements of the Scheme and the provisions, standards or requirements of this Local Structure Plan, then the provisions, standards or requirements of this Local Structure Plan shall prevail;

b) Any other provision, standard or requirement of Part One of the Local Structure Plan that is not otherwise contained in the Scheme, shall apply to the

Local Structure Plan area as though it is incorporated into the Scheme, and shall be binding and enforceable to the same extent as if part of the Scheme; and

c) Part Two of this Local Structure Plan and all appendices are to be used as a reference only to clarify and guide interpretation and implementation of Part One.

4.0 Operation

In accordance with Clause 6A.7.1 of the Scheme, this Local Structure Plan shall come into operation when it is either certified by the Western Australian Planning Commission (WAPC) pursuant to Clause 6A.3.10 the Scheme or adopted, signed and sealed by the Council pursuant to Clause 6A.3.15 of the Scheme, whichever is the latter.

5.0 Land Use & Subdivision

The Local Structure Plan Map (Plan 1) outlines land use, zones and reserves applicable within the Local Structure Plan area. The zones and reserves designated under this Local Structure Plan apply to the land within it as if the zones and reserves were incorporated into the Scheme.

5.1 Land Use Permissibility

Land use permissibility within the Local Structure Plan area shall be in accordance with the corresponding zone or reserve under the Scheme.

5.2 Residential

5.2.1 Dwelling Target

a) Objective

To provide for a minimum of 250 dwellings within the Local Structure Plan area.

5.3 Public Open Space

The provision of a minimum of 10 per cent public open space being provided in accordance with the WAPC's Liveable Neighbourhoods. Public open space is to be provided generally in accordance with Plan 1, with an updated public open space schedule to be provided at the time of subdivision for determination by the WAPC, upon the advice of the City of Armadale.

5.4 Bushfire Management

5.4.1 A Bushfire Management Plan shall be prepared and implemented for the Local Structure Plan area to the satisfaction of the City of Armadale.

5.4.2 All buildings erected with the Local Structure Plan area shall comply with the requirements of Australian Standard 3959:2009 Construction of buildings in bushfire prone areas under the Building Code of Australia.

5.5 Water Management

5.5.1 A Local Water Management Strategy shall be prepared and implemented for the Local Structure Plan area to the satisfaction of the City of Armadale.

5.6 Reports/Strategies Required Prior to Subdivision

Prior to the lodgement of subdivision applications to the WAPC, the following management plans are to be prepared, as applicable, to the satisfaction of the relevant authority and provided with the application for subdivision:

a) Foreshore Management Plan (City of Armadale, on advice of Swan River Trust).

5.7 Conditions of Subdivision Approval

a) At the time of subdivision, the City may recommend to the WAPC that a condition of subdivision approval be imposed requiring:

a. that a notification be placed on the Certificate(s) of Title(s) to advise that land or lots may be affected by a Bush Fire Hazard as identified in outlined the Fire Management Plan contained within Appendix B;

b. the preparation and approval of an Urban Water Management Plan;

c. the preparation and approval of a Local Development Plan/s for all proposed lots;

d. the preparation, approval and implementation of a Landscape Plan for proposed public open space areas;

e. the preparation of an archaeological watching brief for Lots 25 and 26 in accordance with Clause 4.7 of the City of Armadale's Local Planning Policy PLN 3.9 River Road Heritage Area; and

f. that satisfactory arrangements be made by the landowners with the City of Armadale regarding the relocation of existing underground bore services associated with Lot 20 to road/open space reserves.

6.0 Development

6.1 Minimum Building Height

All dwellings in areas coded R60 and R80 on Plan 1 shall be constructed with two levels, being the ground floor and first storey or loft.

6.2 Maximum Building Height

The maximum building height for new dwellings in the vicinity of Clifton St, between Lucich St and Martin St, as identified on Plan 1 shall be two storeys, as calculated in the Residential Design Codes.

6.3 Flood Fringe

All habitable buildings constructed within the Flood Fringe, as identified on Plan 2, are to have a floor level of at least 0.5m above the relevant 1 in 100 year flood level and are subject to the approval of the City of Armadale.

6.4 Archaeological Watching Brief – Lots 25 & 26

A condition of development approval may be applied by the City of Armadale requiring the preparation of an archaeological watching brief for Lots 25 and 26 in accordance with Clause 4.7 of the City of Armadale's Local Planning Policy PLN 3.9 River Road Heritage Area.

CANNING RIVER CLIFTON STREET (SOUTH) PRECINCT
LOTS 20-26 CLIFTON ST, KELMSCOTT
CONCEPT PLAN
DATE 31 August 2015 - REVISION 1501

NOT TO SCALE

Based on information provided by and with the permission of the Western Australian Land Information Authority trading as Landgate (2012). Aerial photograph supplied by Landgate, Photomaps by NearMap.

CITY OF Armadale

CITY'S PROPOSED MODIFIED STRUCTURE PLAN PART ONE PROVISIONS CANNING RIVER CLIFTON STREET PRECINCT (SOUTH) STRUCTURE PLAN

1.0 Local Structure Plan Area

The Local Structure Plan shall apply to Lots 20-26 Clifton Street, Kelmscott being the land contained within the inner edge of the line denoting the structure plan boundary shown on the Local Structure Plan Map (Plan 1).

2.0 Local Structure Plan Content

This Local Structure Plan comprises:

a) Part One – Statutory Section

This section includes the Local Structure Plan Map and statutory planning provisions and requirements.

b) Part Two – Non-Statutory (Explanatory) Section

This section is to be used as a reference guide to interpret and justify the implementation of Part One.

c) Appendices – Technical reports and supporting plans and maps.

3.0 Interpretations and Relationship with City of Armadale Town Planning Scheme No.4

Unless otherwise specified in this part, the words and expressions used in this Structure Plan shall have the respective meanings given to them in the City of Armadale Town Planning Scheme No. 4 (the Scheme) including any amendments gazetted thereto.

The Local Structure Plan Map (Plan 1) outlines land use, zones and reserves applicable within the Local Structure Plan area. The zones and reserves designated under this Local Structure Plan apply to the land within it as if the zones and reserves were incorporated into the Scheme.

Pursuant to Clause 6A.7 of the Scheme:

a) The provisions, standards and requirements specified under Part One of this Local Structure Plan shall have the same force and effect as if it were a provision, standard or requirement of the Scheme. Pursuant to Clause 6A7.5 of the Scheme, the provisions, standards or requirements of the Scheme shall prevail in the event of there being any variations or conflict between the provisions, standards or requirements of the Scheme and the provisions, standards or requirements of this Local Structure Plan;

b) Any other provision, standard or requirement of Part One of the Local Structure Plan that is not otherwise contained in the Scheme, shall apply to the

Local Structure Plan area as though it is incorporated into the Scheme, and shall be binding and enforceable to the same extent as if part of the Scheme; and

c) Part Two of this Local Structure Plan and all appendices are to be used as a reference only to clarify and guide interpretation and implementation of Part One.

4.0 Operation

In accordance with Clause 6A.3.15 of the Scheme, this Local Structure Plan shall come into operation when it adopted by the City.

5.0 Land Use & Subdivision

The Local Structure Plan Map (Plan 1) outlines land use, zones and reserves applicable within the Local Structure Plan area. The zones and reserves designated under this Local Structure Plan apply to the land within it as if the zones and reserves were incorporated into the Scheme.

5.1 Land Use Permissibility

Land use permissibility within the Local Structure Plan area shall be in accordance with the corresponding zone or reserve under the Scheme.

5.2 Residential

5.2.1 Dwelling Target

a) Objective

To provide for a minimum of 250 dwellings within the Local Structure Plan area.

5.3 Public Open Space

The provision of a minimum of 10 per cent public open space being provided in accordance with the WAPC's Liveable Neighbourhoods. Public open space is to be provided generally in accordance with Plan 1, with an updated public open space schedule to be provided at the time of subdivision for determination by the WAPC, upon the advice of the City.

5.4 Bushfire Management

5.4.1 A Bushfire Management Plan shall be prepared and implemented for the Local Structure Plan area to the satisfaction of the City.

5.4.2 All buildings erected with the Local Structure Plan area shall comply with the requirements of Australian Standard 3959:2009 Construction

of buildings in bushfire prone areas under the Building Code of Australia.

5.4.3 All dwellings are to be located to ensure a maximum rating of BAL-29 or less is achieved.

5.4.4 Dwellings are to be located to ensure a minimum 20m building protection zone can be achieved from dwellings at the interface with vegetation threats as required by the WAPC's Planning for Bushfire Protection Guidelines (2010, as amended). The BPZ's may include setbacks, footpaths, road reserves and areas maintained in a minimal fuel state or compliant with AS3959s2.2.3.2(f).

5.4.5 A Section 70A Notification shall be lodged on the Certificate of Title of each lot notifying owners/prospective purchasers that the use and development of the land is to be in accordance with the approved Bushfire Management Plan.

5.5 Water Management

5.5.1 A Local Water Management Strategy shall be prepared and implemented for the Local Structure Plan area to the satisfaction of the City.

5.6 Movement Network

5.6.1 Unless otherwise agreed to by the City, a maximum number of two full movement intersections with Clifton Street shall be permitted. The remaining number of intersections shown on the Structure Plan are to be left-in/left-out configuration.

5.6.2 The City may require future developers or subdividers to investigate and, if required, provide, upgrade or modify existing traffic management arrangements and devices on Clifton Street (including the intersections of Gilwell Avenue and Martin Street), if proposed development or subdivision warrants upgrades/modifications to those devices.

5.6.3 Future subdivision or development on Lot 20 is to demonstrate that proposed road corners can provide a safe vehicle turning path, to the satisfaction of the City.

5.7 Reports/Strategies Required Prior to Subdivision

Prior to the lodgement of subdivision applications to the WAPC, the following management plans are to be prepared, as applicable, to the satisfaction of the relevant authority and provided with the application for subdivision:

a) Foreshore Management Plan (City of Armadale, on advice of Department of Water -Swan River Trust).

5.8 Conditions of Subdivision Approval

a) At the time of subdivision, the City may recommend to the WAPC that a condition of subdivision approval be imposed requiring:

a. A notification on the Certificate(s) of Title(s) to advise owners/prospective purchasers that land or lots may be affected by a Bush Fire Hazard, and that the use and development of the land is to be in accordance with the approved Bushfire Management Plan contained within Appendix B;

b. The preparation and approval of an Urban Water Management Plan;

c. The preparation and approval of a Local Development Plan/s for all proposed lots;

d. The preparation, approval and implementation of a Landscape Plan for proposed public open space, foreshore areas and road reserves;

e. The preparation of an archaeological watching brief approval by the City prior to commencement of ground-breaking works on Lots 25 and 26 in accordance with Clause 4.7 of the City's Local Planning Policy PLN 3.9 River Road Heritage Area; and

f. Satisfactory arrangements to be made by the owner/developer of Lot 20 with the City regarding the relocation of the City's existing underground bore services to road/open space reserves.

g. The implementation of any measures to satisfy Clause 5.6 above.

h. Any restrictions on direct vehicle access/egress to/from residential lots and Clifton Street.

i. Land abutting the Canning River being ceded to the Crown as a foreshore reserve in accordance with WAPC Development Control Policy 2.3 Public Open Space in Residential Areas.

6.0 Development

6.1 Minimum Building Height

All dwellings in areas coded R60 and R80 on Plan 1 shall be constructed with two levels, being the ground floor and first storey.

6.2 Maximum Building Height

The maximum building height for new dwellings in the vicinity of Clifton St, between Lucich St and Martin St, as identified on Plan 1 shall be two storeys, as calculated in the Residential Design Codes.

6.3 Flood Fringe

All habitable buildings constructed within the Flood Fringe, as identified on Plan 2, are to have a floor level of at least 0.5m above the relevant 1 in 100 year flood level and are subject to the approval of the City of Armadale.

6.4 Archaeological Watching Brief – Lots 25 & 26

A condition of development approval may be applied by the City of Armadale requiring the preparation of an archaeological watching brief for Lots 25 and 26 in accordance with Clause 4.7 of the City of Armadale's Local Planning Policy PLN 3.9 River Road Heritage Area.

6.5 Further Development of Lot 22

Lot 22 is currently developed for an Aged Care Facility. Future development and/or subdivision shall be in accordance with the Structure Plan and conditional upon the ceding of a foreshore reserve for the non-MRS Urban portion of the land abutting the Canning River.

6.6 Local Development Plans

In addition to any standard matters identified in State Planning Policy 3.1 Residential Design Codes that may be addressed through a Local Development Plan, future Local Development Plans shall provide for solar access to habitable rooms and outdoor living areas.

PLN 2.9	LANDSCAPING

1. INTRODUCTION

Landscaping provides an opportunity to enhance environmental amenity and has a number of benefits including:

- Community character. Promotion of local character and a 'sense of place' for the City of Armadale.
- Community benefits. Provide shade, shelter and enhanced amenity.
- Enhanced local biodiversity. Use of local native plants will provide food and habitat for local fauna, and help reduce the genetic isolation caused by clearing of native vegetation through allowing connectivity between isolated bushland remnants.
- Water conservation. Landscaping can be designed to require less water and nutrients by utilising appropriate plant species.
- Air quality. Trees used in the landscaping generate oxygen, recycle water and filter air pollution.
- Climate adaptation. In adapting to global warming the cooling effect of trees can reduce the urban heat island effect and provide benefits such as a reduction in the use of energy intensive air-conditioning.

The above benefits are supported by the following key documents and aims:

Local Biodiversity Strategy - aims to protect, retain and manage a network of viable local and natural bushland areas that support biodiversity and related processes by providing priorities, guidance and integration with land use planning and community involvement.

Urban Forest Strategy - aims to strengthen the diverse landscape character through allocating suitable tree diversity, being proactive in appropriate landscape planning while showcasing the City's botanic heritage and enhancing Armadale as an expanding 'tree change' destination and distinguishing Armadale from other parts of the Perth metropolitan area.

Swan and Canning Rivers Management Act 2006 - aims to protect the environmental values of Perth's major river system, including the Canning and Wungong rivers in the City of Armadale.

2. APPLICATION OF POLICY

a) This policy applies to all Structure Plan, Subdivision and Development proposals, where the provision of landscaping and revegetation plans are required in accordance with Town Planning Scheme No.4 or any other Planning approval.

3. POLICY OBJECTIVES

The objectives of the policy are as follows:

1) To conserve and enhance the natural environmental and biodiversity attributes of the district by incorporating environmental principles into public and private decision making.

2) To provide applicants with guidance and requirements on landscaping design and appropriate tree/plant selection in accordance with the City's Urban Forest Strategy.

3) To provide a common theme for landscaping throughout the City that encourages the enhancement of biodiversity in accordance with the City's Urban Forest and Biodiversity Strategies.

4) To provide for climate change adaption by using native plants that use less water and which provide cooler microclimates.

4. POLICY STATEMENTS

4.1 Structure Plans

Any local Structure Plan shall be accompanied by the information required by Part 6A Development (Structure Planning) Areas of Town Planning Scheme No.4 that relates to key attributes and constrains of the area, including natural environment, land form and topography as follows:

(i) Detailed site survey identifying any native vegetation and trees on site worthy of retention taking into consideration specie significance, size, rarity and habitat value to native fauna.

(ii) Identify areas proposed to be revegetated including open space, conservation and verge areas.

(iii) Submission of a landscape / revegetation master plan addressing 4.1(i) and (ii) above incorporating a minimum of 50% of local native plants in open space, conservation and verge areas.

4.2 Subdivisions

Subdivision proposals shall be assessed in accordance with 4.1 above. In addition, prior to commencement of subdivisional works, applicants are required to identify and protect any vegetation worthy of retention in accordance with the City's Subdivision and Development Guidelines.

Landscaping plans shall incorporate water wise plants and tree species identified within the City's Urban Forest Strategy and be designed in accordance with the City's Landscape Design Guide for Public Open Space in New Residential Developments.

4.3 Developments

Developments shall be landscaped and maintained in accordance with Town Planning Scheme No.4 and the City's landscaping guidelines. Each guideline outlines detailed design principles relating to species selection, layout and installation requirements for the following circumstances:

4.3.1 Grouped / Multiple Housing

Grouped/Multiple housing developments shall take into consideration the 'Open Space and Landscaping' requirements of Planning Policy PLN 3.1 Residential Density Development and satisfy the City's Landscaping Guideline - Grouped/Multiple Dwellings.

4.3.2 Industrial and Commercial

Industrial and Commercial development need to take into consideration Clauses 5D.4 and 5C.5 of Town Planning Scheme No.4 relating to landscaping respectively and satisfy the City's Landscaping Guideline - Industrial and Commercial.

4.3.3 Screening

In circumstances where landscape screening is imposed as a condition of approval, applicants are required to satisfy the City's Landscaping Guidelines - Screening.

4.3.4 Verges

In circumstances where landscaping of the verge area is imposed as a condition of approval, applicants are required to satisfy the City's Streetscape Fact Sheet 4 - Verge policy and Guidelines.

4.3.5 Species selection

Landscaping plans shall incorporate appropriate plant species to meet the objectives of this policy. Applicants are encouraged to utilise water wise plants and tree species identified within the City's Urban Forest Strategy. Refer to the City's Streetscape Fact Sheet 6 - Urban Forest Strategy, Fact Sheet 7 - Trees for Confined Spaces and *Fact Sheet 2: What's best to* plant?

The City has identified a range of plants species that are not suitable due to invasiveness and toxicity. Refer to the City's Landscaping Guidelines - Plants to Avoid.

Local Government Act 1995

NO	SECTION	DELEGATION	ASSIGNEE
1	3.25(1)	Notices requiring certain things to be done by owner or occupier of land.	Yes
13	9.28	All of the powers and duties of the City of Armadale under the Town Planning Scheme, the Planning and Development Act 2005 and the associated Planning and Development Regulations ~~2009~~.	Yes
14	3.26(2)	Take action to achieve compliance with a notice given under s3.25(1).	Yes
21	5.43.(d)	The Chief Executive Officer is delegated authority to acquire land identified for Development Contribution Plan No.3 in Schedule 13B of Town Planning Scheme No.4 and/or the associated adopted Infrastructure Cost Schedule: a) at a value less than or equal to the Assessed Value plus 10% (as per Clause 3.12.5 of Development Contribution Plan No.3); or b) at a value equal to or less than the Assessed Value plus the amount allowed by Clause 3.12.5 and any additional claim that is not significant and/or in accordance with advice from the City's valuer.	Yes
22	5.42 & 5.43(d)	Pursuant to Sections 5.42 and 5.43(d) of the Local Government Act 1995, delegates to the Chief Executive Officer (CEO) authority to: ▪ sign any offer and acceptance for the sale of land, including land in the Public Open Space Strategy (POS Strategy) and the City's Strategic Land Assets, where offers are not less than 10% below a current market valuation and do not exceed 100% of a current market valuation, subject to Council determining the sale of land being by private treaty; ▪ lodge any contracts, transfer documents and any other related documents in relation to the above if no submissions are received following advertising as required under Section 3.58(3)(iii) of the Local Government Act 1995. Where a contract for sale is entered into under Delegated Authority by the CEO, which proceeds to the execution of a Transfer of Land document, the sale shall be reported in the Executive Director Development Services Report for Council's information.	No

Strata Titles Act 1985

NO	SECTION	DELEGATION	ASSIGNEE
100		The Chief Executive Officer is delegated authority to approve and sign Strata Title Certificates which come within the boundaries of the Municipality.	Yes

Local Law – Environment, Animals and Nuisances

NO	SECTION	DELEGATION	ASSIGNEE
240	5.44(1)	The Chief Executive Officer is delegated authority to discharge the following powers and functions under the City of Armadale Environment, Animals and Nuisance Local Laws 2002: a) The granting, refusal, cancellation and setting conditions of approval to conduct activities; b) The carrying out of works in default of a duly served notice; Any other powers and functions where, in the opinion of the Health Services Manager, immediate action is necessary to prevent or alleviate a public health hazard.	Yes

Local Law – Fencing

NO	SECTION	DELEGATION	ASSIGNEE
260	Various	The Chief Executive Officer is delegated authority to approve all discretionary matters covered under the City's Fencing Local Law 2011.	Yes

Planning Delegations

NO	SECTION	DELEGATION	ASSIGNEE
702	**11.3**	**Authority to Exercise Powers under the Town Planning Scheme, Policies, and provide advice/recommendations to the WAPC for Subdivisions, Amalgamations, Strata and Survey Strata applications for all areas of the City.** The Chief Executive Officer be given full delegation to deal with: 1. All strata, survey strata, subdivision and amalgamation applications within the City and the ~~Armadale~~ Metropolitan~~development~~ Redevelopment Authority Area within Armadale. 2. Determination of applications for 'P' Uses, 'D' Uses, 'A' Uses, 'Uses Not Listed (Cl.4.4.2)' and 'Non-Conforming Uses'*. 3. Determination of applications for signage and/or advertising devices, illuminated directional signs and directional signs. 4. Determination of applications for an extension to the term of a planning approval. 5. Where delegation is specifically provided for in accordance with a Council resolution or adopted policy. 6. Determination of applications for the establishment or variation of a development envelope. 7. Determination of applications for two houses on one lot in a General Rural Zone. 8. Determination of setbacks within all areas of the City. 9. Determination of variations to the Residential Design Codes. 10. Refuse applications for "X" uses in all zones. 11. Determine requests to waive or refund in whole or in part payment of a fee for a planning service. 12. Determine all applications for commercial vehicle parking, including approvals, refusals and/or renewals. 13. Determine or make decisions where an adopted policy requires a discretionary decision regarding policy provisions that refer to "Council" and/or "the City". 14. Determine all retrospective applications, including approvals or refusals. 15. Determine Outline Development Concept Plans under Policy PLN 3.1. 16. Amending or revoking planning approvals. The Chief Executive Officer also be given full delegation to deal with: 1. All Notice of Determinations for single houses and outbuildings within all zones. 2. Determination of applications for variations to approved group housing and aged person's developments. *Exemptions: • Applications involving new unit developments (grouped, multiple, aged or single persons dwellings) within the River Road Heritage Precinct Area covered by Policy PLN 3.9 shall be referred to Council for determination, where approval is contemplated.	YES

Planning Delegations Cont…

NO	SECTION REF.	DELEGATION	ASSIGNEE
712	11.3	**Authority to Exercise Discretion on Behalf of Council to Reach Determination, Where Appropriate, of Appeals Processed by Mediation** The Chief Executive Officer is delegated authority to perform all functions associated with applications for review and to exercise discretion on behalf of Council to attend and reach determination, where appropriate, of Applications for Review processed by mediation within the State Administrative Tribunal system under the Planning and Development Act 2005. City of Armadale Town Planning Scheme No 4	YES
714	11.3	**Authority to Determine Applications Involving Properties Listed on the Municipal Heritage Inventory** **Approvals** The Chief Executive Officer is delegated authority to approve applications involving properties listed on the Municipal Heritage Inventory subject to the application satisfying the following criteria: Applications for development involving properties, objects, structures and places listed as Category 'A' in the Municipal Heritage Inventory: • The proposal is consistent with the current Town Planning Scheme and any Policy provisions that may be relevant; • Consultation has been undertaken with the Heritage Council of Western Australia is undertaken and no objection/ comment or unfavourable advice~~/comment or favourable advice~~ is received; and • Consultation has been undertaken with the Community Heritage Advisory Group (or its members) is undertaken and no response, ~~–~~no objection / comment or unfavourable advice is received.~~ or favourable advice is received~~; Applications for development involving properties, objects, structures and places listed as Categories 'B' through 'F' in the Municipal Heritage Inventory: • The proposal is consistent with the current Town Planning Scheme and any policy provisions that may be relevant; or • Consultation has been undertaken with the Community Heritage Advisory Group (or its members). **Refusals** The Chief Executive Officer is delegated authority to refuse applications involving properties listed on the Municipal Heritage Inventory if any of the following apply: • The proposal is not consistent with the current Town Planning Scheme and/or any relevant Policy provisions, or any other planning reason; • The proposal would have a detrimental effect on the integrity of heritage value of the site; • The advice received from the heritage referral agencies or the Community Heritage Advisory Group (or its members) is not favourable to the application. **Notes** Where an application has been submitted by a qualified heritage architect or is accompanied by a report from such a professional, this will contribute to ~~the~~ a favourable consideration of the application. City of Armadale Town Planning Scheme No 4	YES

Planning Delegations Cont…

DELEGATION		ASSIGNEE	
719	**11.3**	**Authority to Determine the Necessity, Duration and Extent of Advertising of Development Services Applications** The Chief Executive Officer is delegated authority to determine the necessity, duration and extent of advertising of development applications under Town Planning Scheme No.4, the Residential Design Codes of Western Australia and any policy of Council. City of Armadale Town Planning Scheme No 4	Yes
721	**11.3**	**Authority to Determine Requests for Tree Removal or Maintenance Approvals** The Chief Executive Officer is delegated authority to: • Determine requests to remove trees with a trunk circumference in excess of 0.6 metres measured at a height of one (1) metre from the ground in the District Centre, Local Centre and Mixed Business/Residential zone. • Determine requests to remove trees in all other Zones. • Determine requests to maintain trees that are subject to tree preservation orders. Note: Where appropriate, an arboriculturalist's report can be required to clearly outline whether the removal or maintenance of a tree or trees is necessary. **Refusals** The Chief Executive Officer is delegated authority to refuse such applications. City of Armadale Town Planning Scheme No 4	Yes
731	**11.3**	**Authority to Make Decisions and Determine Structure Plans and ~~Detailed Area~~Local Development Plans Under Part 6A of Town Planning Scheme No.4** The Chief Executive Officer is delegated authority to make the decisions and determinations referred to under Part 6A - Development (Structure Planning) Areas of Town Planning Scheme No.4 in respect of Structure Plans and Detailed Area Plans as follows: • Advertising of a Structure Plan and Changes or Departures to a Structure Plan; • Adoption of a Structure Plan under Clauses 6A.3.7 and 6A.3.15; • Adoption of Changes or Departures to a Structure Plan under Clauses 6A.3 and 6A.4; • Revocation of a Structure Plan or part of a Structure Plan under Clause 6A.4.4; • Revocation of a Local Development ~~Detailed Area~~ Plan under Clause 6A.5.5; • Advertising and/or adoption of a **Local Development** ~~Detailed Area~~ Plan and any modification or amendment to an adopted **Local Development** ~~Detailed Area~~ Plan; • Revocation of a Structure Plan or part of a Structure Plan under Clause 6A.4.4; • Refusal of a **Local Development** ~~Detailed Area~~ Plan and any modification or amendment to an adopted **Local Development** ~~Detailed Area~~ Plan; • Any other decision under the Town Planning Scheme in relation to Structure Plans and/or **Local Development** ~~Detailed Area~~ Plans.	YES

Planning Delegations Cont…

NO	SECTION	DELEGATION	ASSIGNEE
732	**11.3**	**Authority to implement works or grant Credit offsets for Common Infrastructure Works in the adopted Infrastructure Cost Schedule - Development Contribution Plan No.3** 1. The Chief Executive Officer is delegated authority to undertake works or authorise prefunding of Common Infrastructure Works leading to Credits under Clauses 3.7 and 3.10 of Development Contribution Plan No.3 in Schedule 13b of Town Planning Scheme No.4 for all Common Infrastructure Works funded in the adopted Infrastructure Cost Schedule subject to the Chief Executive Officer being satisfied that: (i) the works will meet the objectives implicit in the Scheme text describing the Common Infrastructure Work; and (ii) the works are in accordance with the Development Contribution Plan No.3 Scheme text and specifications or guidance noted in the adopted Infrastructure Cost Schedule; and (iii) it is timely to fund the works in the context of the Infrastructure Cost Schedule Forward Financial Plan, the current Development Contribution Plan No.3 Reserve Fund balance, the need to act opportunistically to achieve the works, and advice from the North Forrestdale Planning Steering Group where appropriate; and (iv) the cost of works to be undertaken is at or below current market rates; or (v) where the cost is higher than that identified in the Infrastructure Cost Schedule, that the costs can be justified and that decisions are considered with due regard for points two (2) and three (3) below. 2. Where in the opinion of the Chief Executive Officer quotations for works significantly exceed that budgeted in the Infrastructure Cost Schedule, the Chief Executive Officer shall refer the Common Infrastructure Work proposal to Council for consideration as to whether the work should be implemented as proposed, revised in scope, or deferred. 3. The granting of Credits may be conditional upon the owner providing itemised records of expenditure with Credits being accrued only after receipt of expenditure records. 4. The Chief Executive Officer is delegated authority to grant Credits or Credit offsets for the acquisition of land identified in Development Contribution Plan No.3 in Schedule 13B of Town Planning Scheme No.4 and/or the associated adopted Infrastructure Cost Schedule: (i) at a value less than or equal to the Assessed Value plus the amount permitted under Clause 3.12.5; or (ii) at a value equal to or less than the Assessed Value plus the amount allowed by Clause 3.12.5 and any additional claim that is not significant and/or in accordance with advice from the City's valuer.	Yes

Planning Delegations Cont…

NO	SECTION	DELEGATION	ASSIGNEE
733	**11.3**	**Authority to Issue, Refuse and Rescind Tree Preservation Notices (Clause 11.8)** The Chief Executive Officer is delegated authority to: • determine if a tree is sufficiently significant to warrant issuing a notice to an owner based on advice and assessment in accordance with Policy PLN 2.4; • issue a notice in accordance with Clause 11.8 if a tree is determined to be sufficiently significant, or if it is expedient to do so until such time as an assessment is completed; and • rescind a notice issued in accordance with Clause 11.8 following an assessment or re-assessment of the tree in accordance with Policy PLN 2.4; and • refuse or decline requests to rescind a notice issued in accordance with Clause 11.8. • ~~When a nomination is received seeking issuance of a notice and the City does not consider the tree sufficiently significant to warrant a notice, the City may~~ refuse to issue a notice when a nomination is received seeking issuance of a notice and the City does not consider the tree sufficiently significant to warrant a notice. Note: Following the City's determination on individual Tree Preservation Applications that a report on the outcomes be listed in the Information Bulletin (Development Services) for Council information.	Yes

Building Act 2011 Delegations

NO.	SECTION	Authorisations	ASSIGNEE
		Note: In addition to the Delegations 800-808, Building Surveyors must hold the appropriate qualifications as set out under part 3A – Building Surveyors of the Building Services (Registration) Regulations 2011.	
800	**18, 20, 22, 23, 24 & 127**	**Approve or refuse to grant building permit** The Building Services Manager, Co-ordinator Building Services (Commercial), Co-ordinator Building Services (Residential) and Senior Building Surveyors are delegated authority to approve or refuse to grant building permits under section, 18, 20, 22, 23, 24 and 127 of the Building Act 2011.	No
801	**21, 22, 23, 24 & 127**	**Approve or refuse to grant demolition permit** The Building Services Manager, Co-ordinator Building Services (Commercial), Co-ordinator Building Services (Residential) and Senior Building Surveyors are delegated authority to approve or refuse to grant demolition permits under section, 21, 22, 23, 24 and 127 of the Building Act 2011.	No
802	**27 & 127**	**Conditions of building permit or demolition permit** The Building Services Manager, Co-ordinator Building Services (Commercial), Co-ordinator Building Services (Residential) and Senior Building Surveyors are delegated authority to impose, add, vary or revoke conditions on the grant of a building permit or demolition permit under section 27 and 127 of the Building Act 2011.	No
803	**32 & 127**	**Duration of building permit or demolition permit** The Building Services Manager, Co-ordinator Building Services (Commercial), Co-ordinator Building Services (Residential) and Senior Building Surveyors are delegated authority to extend the time during which building permits or demolition permits have effect under section 32 and 127 of the Building Act 2011.	No
804	**58, 59, 60 & 127**	**Approve or refuse to grant occupancy permit or building approval certificate** The Building Services Manager, Co-ordinator Building Services (Commercial), Co-ordinator Building Services (Residential) and Senior Building Surveyors are delegated authority to grant, modify or refuse to grant occupancy permits or building approval certificates under section 58, 59, 60 and 127 of the Building Act 2011.	No
805	**62 & 127**	**Conditions of occupancy permit or building approval certificate** The Building Services Manager, Co-ordinator Building Services (Commercial), Co-ordinator Building Services (Residential) and Senior Building Surveyors are delegated authority to impose, add, vary or revoke conditions on the grant of an occupancy permit or building approval certificate under section 62 and 127 of the Building Act 2011.	No

Building Act 2011 Delegations

NO.	SECTION	Authorisations	ASSIGNEE
806	**65 & 127**	**Approve or refuse to extend duration of occupancy permit or building approval certificate** The Building Services Manager, Co-ordinator Building Services (Commercial), Co-ordinator Building Services (Residential) and Senior Building Surveyors are delegated authority to approve or refuse to extend period of duration of occupancy permits or building approval certificates under section 65 and 127 of the Building Act 2011.	No
807	**110, 111, 112 & 127**	**Issue notices and building orders** The Building Services Manager, Co-ordinator Building Services (Commercial), Co-ordinator Building Services (Residential) are delegated authority to issue notices and building orders pursuant to section 110, 111, 112 and 127 of the Building Act 2011.	No
808	**117 & 127**	**Revoke building orders** The Building Services Manager, Co-ordinator Building Services (Commercial), Co-ordinator Building Services (Residential) are delegated authority to revoke building orders pursuant to section 117 and 127 of the Building Act 2011.	No
810	**118 & 127**	**Give effect to building order if non-compliance** The Building Services Manager, Co-ordinator Building Services (Commercial), Co-ordinator Building Services (Residential) are delegated authority if there is non-compliance with an order, to take any action specified or to commence or complete any work or cease any action specified in the order pursuant to section 118 and 127 of the Building Act 2011.	No