

# CITY OF ARMADALE

## AGENDA

**OF DEVELOPMENT SERVICES COMMITTEE TO BE HELD IN THE FUNCTION ROOM, ADMINISTRATION CENTRE, 7 ORCHARD AVENUE, ARMADALE ON MONDAY, 7 DECEMBER 2020 AT 7.00PM.**

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

**PRESENT:**

**APOLOGIES:** Cr D M Shaw (Leave of Absence)

**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](http://www.armadale.wa.gov.au/your_council/councillors).”*

## **DISCLAIMER**

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

## **DECLARATION OF MEMBERS' INTERESTS**

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## **QUESTION TIME**

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*Public Question Time is allocated for the asking of and responding to questions raised by members of the public. Minimum time to be provided – 15 minutes (unless not required). Policy and Management Practice EM 6 – Public Question Time has been adopted by Council to ensure the orderly conduct of Public Question time and a copy of this procedure can be found at <http://www.armadale.wa.gov.au/PolicyManual>. It is also available in the public gallery. The public's cooperation in this regard will be appreciated.*

## **DEPUTATION**

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## **CONFIRMATION OF MINUTES**

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### **RECOMMEND**

**Minutes of the Development Services Committee Meeting held on 16 November 2020 be confirmed.**

## **ITEMS REFERRED FROM INFORMATION BULLETIN - ISSUE 21 - NOV 2020**

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### **Outstanding Matters & Information Items**

Report on Outstanding Matters - Development Services Committee

Review before the State Administrative Tribunal (SAT)

Design Review Panel Meetings 2020

#### **Health**

Health Services Manager's Report - November 2020

#### **Planning**

Planning Applications Report - November 2020

Town Planning Scheme No.4 - Amendment Action Table

Subdivision Applications - WAPC Approvals/Refusals - November 2020

Subdivision Applications - Report on Lots Registered for 2020/2021

Compliance Officer's Report - November 2020

#### **Building**

Building Services Manager's Report - November 2020

Building Health/Compliance Officer's Report - November 2020

*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

7 DECEMBER 2020

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***1.1 - FINAL ADOPTION - CITY OF ARMADALE ACTIVITY AND RETAIL  
(COMMERCIAL) STRATEGY***

WARD : ALL  
FILE No. : M/659/20  
DATE : 30 November 2020  
REF : SF  
RESPONSIBLE : EDDS  
MANAGER

**In Brief:**

- At its meeting in May 2019, Council appointed consultant Hassells to assist the City in preparing an Activity and Retail (Commercial) Centres Strategy.
- The Activity and Retail (Commercial) Centres Strategy is one of several critical planning documents that will support the upcoming review of Town Planning Scheme No.4 and preparation of a new Town Planning Scheme commencing in 2020/21. The preparation of a Local Planning Policy for Activity and Retail (Commercial) Centres is also a requirement of Statement of Planning Policy 4.2 – Activity Centres for Perth and Peel.
- Council at its meeting in July 2020 adopted a draft Activity and Retail (Commercial) Centre Strategy for the purposes of public consultation which was advertised for a period of 60 days.
- Following public consultation a total of 12 submissions were received. A total of 9 submissions supported the proposed strategy and 3 submissions provided comments.
- Recommend that Council adopt the Activity and Retail (Commercial) Centres Strategy subject to the Attached Schedule of Modifications.

**Tabled Items**

Nil.

**Decision Type**

**Legislative**

The decision relates to general local government legislative functions such as adopting/changing local laws, town planning schemes, rates exemptions, City policies and delegations etc.

**Executive**

The decision relates to the direction setting and oversight role of Council.

**Quasi-judicial**

The decision directly affects a person's rights or interests and requires Councillors at the time of making the decision to adhere to the principles of natural justice.

**Officer Interest Declaration**

Nil.

### **Strategic Implications**

2.5.1.1 Implement the Local Planning Strategy recommendations through amendments to TPS No.4, Structure Plans, Planning Policies and Strategies

### **Legal Implications**

*Planning and Development Act 2005*

*Planning and Development (Local Planning Scheme) Regulations 2015*

State Planning Policy SPP 4.2 Activity Centres for Perth and Peel

Town Planning Scheme No.4

### **Council Policy/Local Law Implications**

City of Armadale Local Planning Strategy (2016)

City of Armadale Health and Wellbeing Plan

### **Budget/Financial Implications**

There are sufficient funds in the 2020/21 budget for this project.

### **Consultation**

The Activity and Retail (Commercial) Centres Strategy has been prepared following consultation with key landowners, developers and government agencies.

The draft Activity and Retail (Commercial) Centres Strategy was advertised to the broader community and shopping centre owners for a period of 60 days concluding on the 6<sup>th</sup> November 2020. In addition to public comment period, the draft document was referred to the Department for Planning, Lands and Heritage (DPLH) for comment.

## **BACKGROUND**

At its meeting in May 2019, Council appointed consultant Hassells to assist the City in preparing a new Activity and Retail (Commercial) Centres Strategy. In addition, Hassells is also commissioned to prepare a draft Local Planning Policy for the Activity and Retail (Commercial) Centres Strategy that can be used to guide the planning of existing and future centres within the City of Armadale area (subject to a separate report to Council for consent to advertise in early 2021).

The requirement for a new Activity and Retail (Commercial) Centres Strategy follows a progressive update of the City's Commercial Centres framework since the City's last Local Commercial Strategy (Retail hierarchy Review) was adopted by Council in 2003. Since the preparation of the Local Commercial Strategy, large additional urban areas have been planned for, including the North Forestdale (Piara Waters and Harrisdale) Development Area and Wungong Urban Water project. In 2012, Council adopted the Activity Centres Planning Strategy – Working Paper which assisted in identifying newly developed areas in the City of Armadale in support of the City preparing its Local Planning Strategy which was approved by the Western Australian Planning Commission (WAPC) in 2016.

Since adopting the Activity Centres Planning Strategy – Working Paper, there have been changes to a number of Centres which have undergone individual review as per the WAPC’s Statement of Planning Policy and the City’s Local Planning Strategy. The City subsequently identified the following action as an outcome from the Strategic Community Plan Review workshops held in January 2020 - March 2020:

*“Key Actions under Economic Outcome - 3.1 Increased economic growth, job creation and retention, as well as educational opportunities - 3.1.1.1 Present for adoption by Council the City's Activity and Retail Centre (Commercial) Strategy”.*

The preparation of a new Activity and Retail (Commercial) Centre Strategy is required to help capture changes that have occurred since the original document and also guide policy and planning for Activity Centres within the City of Armadale for the next 5 to 10 years. The new Activity and Retail (Commercial) Strategy is also required to support the review of Town Planning Scheme No.4 which is due to commence in the latter half of 2020/21.

At its meeting in July 2020, Council adopted the draft Activity and Retail (Commercial) Centres Strategy for the purposes of public consultation. The draft Strategy was prepared following consultation with key landowners, developers and government agencies. Given the significance of the Strategy in setting the Commercial Centres framework for the City, the draft strategy was advertised for a period of 60 days.

## **DETAILS OF PROPOSAL**

The draft Activity and Retail (Commercial) Strategy contains the following information:

### **1.0 Overview of the City of Armadale**

This first section of the strategy provides an overview of the City of Armadale including metrics which are significant to retail, employment and expenditure. This includes:

- Population – Current and projected.
- Age profile of the City of Armadale.
- Implications for the Armadale Activity Centres in terms of workforce and employment.
- Overview of employment locations within the City, including where people that are living in Armadale work and where people working in Armadale live. Job ratio including self-sufficiency and self-containment and implications on Activity Centres in Armadale (existing and proposed).

### **2.0 Strategic Drivers**

This section captures the key strategic drivers that will influence, employment, retail and commercial demand and size of Activity Centres. This includes:

- New residential development.
- Changing Retail Landscape (i.e. online purchasing and its impact on bricks and mortar retail).
- Amenity and place.
- MetroNet as an enabling force (Armadale City Centre and Kelmscott District Centre).
- Centres which contribute to a local sense of place.

### 3.0 Objectives

The section clearly outlines the objectives of the Activity and Retail (Commercial) Centres Strategy which is to capture and define the following for Centres in the City of Armadale:

- Retail Centre Hierarchy
- Activity
- Movement
- Urban Form
- Out of Centre development
- Governance

### 4.0 Retail Behavior – Impact on Activity Centres

This section looks at the modern day impacts on Activity Centres as defined by changing consumer retail behaviours. It also looks at core defining parameters which effect retail expenditure and defines future growth projections as a result. This includes an examination of the following:

- Retail Behaviour – How it impacts Activity Centres in particular household expenditure.
- Discretionary expenditure captured by Activity Centres including key aspects such as online shopping, food, apparel, electronics and media.
- Growth estimates for major centres and overall implications for the City of Armadale.

### 5.0 Strategic and Policy Context

This section looks at the key strategic and policy parameters which will impact the growth and form of Activity Centres, existing and proposed. This includes an examination of the following:

- City of Armadale Local Planning Strategy – includes the existing Local Commercial Strategy, Housing Strategy, Urban Development Strategy, and past and current Town Planning Scheme Amendments.
- Normalisation of DevelopmentWA areas – Impact of transitioning from a DevelopmentWA planning and policy framework to the City of Armadale’s planning and policy framework.
- Influences of Residential Design Code increases through Town Planning Scheme Amendments.
- The role and importance of the Armadale Strategic Metropolitan City Centre Structure Plan and future Kelmscott District Centre Structure Plan.
- The role and importance of the City West of Rail project area to the Armadale Strategic Metropolitan City Centre.
- The role and importance of growth areas of Harrisdale, Piara Waters, Hilbert and Haynes and Forestdale.
- The role and importance of new major industrial areas such as Forestdale Business Park and South Forestdale Business Park, and existing industrial areas.

#### 6.0 Centres Review Outcomes

This section specifically looks at each existing and proposed centre in the hierarchy (Strategic Regional Centre, District Centres, Neighbourhood Centres and Local Centres) and identifies initiatives to improve the Centres. This section is supported by the Appendix 1 of the document.

#### 7.0 Centre Case Studies

This section examines a number of model case studies that can be used to guide the future development of existing centres and future centres in terms of size, scale and urban form. This section provides examples of all centre hierarchy (Strategic Regional Centre, District Centres, Neighbourhood Centres and Local Centres).

#### 8.0 Recommendations

This section provides an overview of recommendations that the City can consider on each of the existing and future Centres.

#### 9.0 Appendix

The Appendix of the document includes the core data developed to complete the Activity and Retail (Commercial) Centres Strategy. This includes the following:

- Detailed Centres Review – Overview of each Commercial Centre in the City of Armadale, status, retail floor space and recommendations moving forward.
- Strategic and Policy Context – This includes a detailed overview of the State and Local Planning Framework, the influence of the Metropolitan Redevelopment Authority (now DevelopmentWA) and MetroNet.
- Wungong Urban Water Project Area – This is the most significant new growth area to be included in the strategy since the last Local Commercial Strategy was developed.
- Retail Model Analysis – Includes reference to the Model study area, Retail and Commercial inputs (i.e. Household expenditure, existing shopping floor space, travel time measurement, future retail floorspace, and calibration and population growth). This section also tables the results of the modelling which leads to Retail floor space recommendations for existing and proposed Commercial Centres.

### **Public Advertising of the Activity and Retail (Commercial) Centres Strategy**

The proposed amendment was advertised for 60 days, closing on the 6<sup>th</sup> November 2020. This advertising was carried out by way of notification to relevant Government agencies, advertisements in the “West Australian” newspaper, City’s website and local community newspaper and letters to all commercial property owners. A summary of the consultation outcomes is detailed below:

Total No. of submissions received	:	12
No. of submissions of conditional support/no objection	:	9
No. of submissions of objection	:	0
No. of submissions on Comment only	:	3

*Refer to Confidential Attachment in the Agenda for the location of submitters.*

*The issues raised by the submissions have been summarised and recommendations made on each submission in the Attachment to this report.*

The main issues raised in the submissions, together with a comment on each issue are outlined below.

### ***Key Issues***

***Issue 1 – How much is the cost to implement the proposed City of Armadale Activity and Commercial Centres Strategy? There is much concern around crime, homelessness and unemployment within the City of Armadale and what are the strategies to tackle these issues.***

### **Comment**

The Activity and Retail (Commercial) Centres Strategy is a strategic document that helps guide the future planning and development of all commercial centres located within the City of Armadale. One of the ways in which the Strategy addresses this issue is by recommending retail floor space capacity and possible redevelopment options to improve the design and functions of commercial centres based on modern urban design planning principles. The Strategy does not cost each individual redevelopment option, rather provides advice to landowners on what could be done to expand and improve centres.

The City acknowledges the crime, homelessness and unemployment in the City and the strategy helps to guide future development incorporating CPTUD (Crime Prevention Through Urban Design) principles to improve safety and also encourages retail and development expansion (where applicable) that could lead to increased employment opportunities in terms of construction jobs and more long term employment opportunities with retail and service jobs.

### **Recommendation**

The City acknowledges the comments made, however no changes are required to the strategy.

***Issue 2 – The City received a submission from the owners of a shopping centre in the City of Cockburn. The submission indicated that the proposed retail floor space of a number of centres in the Strategy (see below) are inconsistent with approved structure plans and other planning instruments:***

- *Harrisdale District Centre – proposed retail floor space of 25,000sqm against recently approved structure plan of 19,000sqm.*
- *Hilbert District Centre – proposed retail floor space of 20,000sqm against recently approved structure plan of 16,900sqm.*
- *Hilbert East Neighbourhood Centre – proposed retail floor space of 3,500sqm against approved Wungong Design Guidelines of 2,500sqm.*
- *Hilbert South East Local Centre – proposed retail floor space of 1,500sqm against approved Wungong Design Guidelines of 400sqm.*

### Comment

The City's Activity and Retail (Commercial) Strategy is a strategy that outlines in part the potential for retail floor space expansion for all centres within the Armadale area. The Strategy takes a 10 to 15 year view on retail floor space capacity and accordingly this will exceed the retail floor space areas currently approved for the four centres that are mentioned in the submission.

For the Harrisdale District Centre, the WAPC recently approved a modification to the retail floor space allowing up to 19,000sqm to facilitate Stage 2 of this District Centre. The increase was supported by a retail sustainability assessment for the Centre and its surroundings. Growth of the Centre is set to continue as the population of the surrounding catchment increases. The North Forrestdale Developer Contribution Plan No.3 anticipates a gross density of 14.6 dwellings per hectare with a future total of 25,000 residents within the Piara Waters and Harrisdale locality. With the Harrisdale District Centre catchment extending beyond the Piara Waters and Harrisdale locality, the Harrisdale District Centre will need to expand in future to align with population growth in the catchment. An increase in retail floorspace to 25,000sqm is supported to facilitate the future expansion of the centre over the next 10 to 15 years.

The Hilbert District Centre Structure Plan was recently approved by DevelopmentWA and supports a retail floor space of 16,900sqm. The Hilbert District Structure Plan is the Primary Centre for the Hilbert and Haynes locality (Wungong Urban Water Project area) which is anticipated to grow to a population of between 40,000 and 45,000 people. Enabling the Hilbert District Centre to grow in retail floor space to 20,000sqm over the next 10 to 15 years will help the Centre keep pace with population growth in the area and ensure that the Centre remains the primary District Centre for the Hilbert and Haynes locality.

The Hilbert East Neighbourhood Centre and the Hilbert South East Local Centre are identified in the Wungong Design Guidelines as having a retail floor space of 2,500sqm and 400sqm respectively. The City in preparing the Activity and Retail (Commercial) Centres Strategy has been informed by recent work undertaken by DevelopmentWA and the City on the Hilbert and Haynes locality through review of the Wungong Development Contribution Scheme. With population in the Hilbert and Haynes locality anticipated to be between 40,000 and 45,000 people the hierarchy of centres within the locality are required to be appropriately sized to enable future growth and viability. Accordingly, the expansion of retail floor space for Hilbert East Neighbourhood Centre and the Hilbert South East Local Centre to 3,500sqm and 1,500sqm, respectively is considered to be appropriate to the population levels expected in the locality over the next 10 to 15 years. These centres will also have the nearby rural areas in their catchment.

For individual Centres to seek an expansion on their current floor space – say for example the Harrisdale District Centre, to expand from 19,000sqm as currently approved to 25,000sqm this would need to be supported by a Retail Sustainability Assessment that would require the approval of the City. The Activity and Retail (Commercial) Strategy prepared by the City takes a long-term view of the retail sustainability of activity centres within the Armadale area, and there are steps need to be taken to ensure retail floor space could expand to the areas identified in the Strategy.

### Recommendation

The City does not support modification of the Strategy to reflect the retail floor space areas identified in the submission for the reasons outlined above.

**Issue 3** – *The following key issues were raised by a submission from a Government Agency:*

- *Mention of the Armadale to Byford Passenger Rail Line extension being completed in 2023 should be removed from the strategy;*
- *All references to the ‘undergrounding’ of the Armadale Train Station should be removed from the document;*
- *The Strategy should be updated to mention that the Armadale to Byford Passenger Rail extension will be a catalyst for activating space within the precinct (Armadale City Centre); and*
- *Reference to a Wungong Train Station should be removed from the document.*

### Comment

The following response is made against each point above:

- The delivery date for the Byford Passenger Rail extension has been provided by Metronet previously as an indicative timeframe only and should be treated in that context. Reference to the date can be removed with reference to an indicative commencement date provided to support the context of the comment.
- Since the drafting of the Strategy, the State Government has indicated that it would consider the option of a ‘Viaduct’ to support the removal of the At-Grade Vehicle and Pedestrian Level Crossings at Armadale Road, Forrest Road and Church Avenue. This option alongside the ‘undergrounding’ of the Armadale Train Station is supported by the City as a solution to the removal of the three Level Crossings. Reference to the ‘Underground’ option in the Strategy is in the context of it being one of three options considered by the City as part of the preparation of the Armadale Strategic Metropolitan City Centre Structure Plan (ASMCCSP). The reference to the various options in the Strategy are noted in the past tense and reflect the process the City went through in considering possible solution to the level crossing removal at Armadale Road, Forrest Road and Church Avenue. The Strategy will therefore retain its reference to the various options considered as acknowledgement that they were considered as part of a larger process.
- Whilst the City acknowledges the position of the submission that the Armadale to Byford passenger Rail line is to ‘activate space within the precinct’, the City has reviewed the draft ‘Place Plan’ for the Armadale Train Station and has identified some positive design aspects to the plan with some improvement required for the activation of the ‘plaza’ to be created east of the Train Station. The City has undertaken an extensive review of the draft ‘Place Plan’ and have provided its comments to MetroNet and the State Design Review Panel meeting which occurred in late October 2020.

Further refinement of the plan is required to meet the MetroNet objectives of:

- ‘Economic Growth’;
  - ‘Accessible to All’;
  - ‘Communities with a sense of Belonging’;
  - ‘Future Proofing’; and
  - ‘Integrated Land Use’
- The City acknowledges that there are no plans currently for the Wungong Rail Station, but the City reserves the right to consider approaching State Government to progress this option in future to serve the growing population and the future station has been identified in State Planning documents. As the Activity and Retail (Commercial) Strategy is a 10 to 15 year horizon document, it is not beyond the realms of consideration that a future State Government may be persuaded to establish a future Train Station for Wungong and accordingly it should remain in the Strategy as an aspiration for the future.

#### Recommendation

The City supports in part modification of the Strategy to reflect the above issues raised in the submission.

#### **COMMENT**

Following the advertising period of a total of 12 submissions with 9 submissions supporting the Strategy and 3 submissions providing comments only.

The Activity and Retail (Commercial) Centres Strategy has a strategic focus on the hierarchy and role of all the City of Armadale’s activity centres. This is to ensure they perform a pivotal role in supporting retail and employment growth, as well as ensuring that centres evolve into places for community congregation and places of destination within the Armadale community. Understanding factors such as retail behavior and population growth influence significantly the size of activity centres and their propensity to grow in the future.

Changing policy and community sentiment also influence the size and urban form in which activity centres take. In more recent times this has resulted in retail and entertainment ‘experience’ playing a bigger role in driving the design of activity centres into the future as centre design starts to move away from the traditional big ‘box’ shopping centre to a more refined hybrid of ‘main street’, box retail and entertainment driven centres. By analysing the fundamentals such as retail behaviour, population growth and levels of discretionary spend together with changing market trends and consumer expectations, the Strategy starts to build a picture on the capacity of the City of Armadale’s activity centres and where expansion and improvements can be made.

Critically the draft Activity and Retail (Commercial) Centres Strategy analyses each activity centre within the City of Armadale and makes a series of recommendations for their expansion and/or improvement as fundamentals such as population growth and retail behaviours evolve.

The recommendations can be wide reaching and include the following as examples:

- Recommended retail / commercial floor space limits for each activity centre.
- Consider adoption of Structure Plans or Precinct Plans for selected Strategic, District and Neighbourhood centres to guide future development.
- Public Realm improvements to create more ‘pedestrian friendly’ environments.
- Improvements to movement networks to encourage greater movement and access to centres.
- Improve residential density to increase population access to centres within existing catchments.
- Improve urban design and layout of new centres to encourage development to occur on ‘main street’ principles where appropriate.
- Improve built-form design to encourage greater place activation.
- Improve safety, diversity of land use and improved sense of place to encourage people to undertake multifunctional visits to centres.
- Create centres as destinations rather than just as shopping centres.

The recommendation for each centre is different which reflects their level of maturity and propensity to grow in the future and in some circumstances such as the Armadale Strategic Metropolitan City Centre, it builds on the work done to date.

Noting that the Activity and Retail (Commercial) Strategy was prepared in draft form earlier this year a number of comments made in the document that reference ongoing planning matters such as the review of the Local Heritage Survey and a number of Town Planning Scheme Amendments for example have since progressed to conclusion. Reference to these and other like matters will be updated in the document to reflect their current status so the Activity and Retail (Commercial) Strategy can be most up to date. The modifications to the Strategy are largely minor and are included as an attachment to this report.

## **ANALYSIS**

The Activity and Retail (Commercial) Centres Strategy has been prepared in accordance with guidelines identified in SPP 4.2 Activity Centres for Perth and Peel and includes the new growth areas in Hilbert and Haynes (Wungong Urban water project area) in particular which were not included in the City’s current Commercial Strategy.

The Activity and Retail (Commercial) Centres Strategy serves a dual purpose in guiding the planning and development of existing and proposed Commercial Centres within the City and also forms a key strategic planning document that will guide the preparation of a new Local Planning Strategy and Town Planning Scheme No.5, the review of which is scheduled to commence in the latter half of the 2020/21 financial year. The Centres Hierarchy Plan which is prepared through the Activity and Retail (Commercial) Centres Strategy will form the basis of a Local Planning Policy for Commercial Centres which will be considered by Council in a separate report anticipated for early 2021.

The Activity and Retail (Commercial) Centres Strategy has been prepared in consultation with key landowners and stakeholders including DevelopmentWA which has planning jurisdiction over a number of development areas including Wungong, Kelmscott Town Centre and Champions Lakes to mention a few. These areas are scheduled to be normalised in the next few years. Consultation with the DPLH was also undertaken to ensure the Strategy meets State Planning Policy objectives.

## OPTIONS

That Council:

1. Adopt the Activity and Retail (Commercial) Strategy with or without modification.
2. Elect not to adopt the Activity and Retail (Commercial) Strategy at this time and provide reasons for doing so.

## CONCLUSION

The Activity and Retail (Commercial) Centres Strategy is critical to defining the planning and development of Centres of all hierarchy within the City and is a key strategy document that will support the upcoming review of Town Planning Scheme No.4 and preparation of a new Local Planning Strategy which is due to commence in the latter half of the 2020/21 financial year. The City received 9 submissions in support of the Strategy and 3 submissions with comment only, which highlights the confidence that government agencies and community stakeholders have with the strategy moving forward.

Accordingly, it is recommended that the Activity and Retail (Commercial) Strategy be adopted in accordance with Option 1 above.

## RECOMMEND

That Council:

1. **Adopt the City of Armadale Activity and Retail (Commercial) Strategy subject to the attached Schedule of Modifications.**
2. **Refer the adopted City of Armadale Activity and Retail (Commercial) Centres Strategy (as modified) to the Department for Planning, Lands and Heritage / WAPC for their information / consideration.**
3. **Advise submitters of Council's decision.**

## ATTACHMENTS

1. [Schedule of Submissions - Activity and Retail Centres Strategy](#)
2. [Summary of Modifications - Activity and Retail \(Commercial\) Centres Strategy](#)
3. [Separate Attachment - Local Commercial Strategy - Final Adoption](#)
4. Confidential Schedule of Submissions - Retail and Activity Centre Planning - *This matter is considered to be confidential under Section 5.23(2) (b) of the Local Government Act, as it deals with the matter relates to the personal affairs of a person*

## 1.2 - REVIEW OF LOCAL PLANNING POLICY PLN 2.4 - TREE PRESERVATION

WARD : ALL  
FILE No. : M/812/20  
DATE : 30 November 2020  
REF : SF  
RESPONSIBLE MANAGER : EDDS

### **In Brief:**

- The City's draft Corporate Business Plan, Action 2.5.2.1 identifies the need to '*develop a Local Planning Policy to increase the retention of Tree Preservation within new subdivisions and development*'. Instead of developing a separate Local Planning Policy, the City has reviewed and included the requirements in its existing Local Planning Policy PLN 2.4 – '*Tree Preservation*'.
- Following the review of the Local Planning Policy a number of changes are proposed which is described in the body of the report.
- Recommend that Council support the revised draft Local Planning Policy PLN 2.4 '*Landscape Feature and Tree Preservation*' (renamed), for the purposes of public consultation and advertise the Policy for no less than 21 days.

### **Tabled Items**

Nil.

### **Decision Type**

- Legislative** The decision relates to general local government legislative functions such as adopting/changing local laws, town planning schemes, rates exemptions, City policies and delegations etc.
- Executive** The decision relates to the direction setting and oversight role of Council.
- Quasi-judicial** The decision directly affects a person's rights or interests and requires Councillors at the time of making the decision to adhere to the principles of natural justice.

### **Officer Interest Declaration**

Nil.

### **Strategic Implications**

- 2.1.1 Preserve and improve natural areas
- 2.1.3 Ensure that developments are sensitive to pre-existing environmental values
- 2.2.2 Protect and enhance the character of the City's spaces and places.
- 2.5.1 Implement and administer the City's Town Planning Scheme and Local Planning Strategy to deliver quality development outcomes.

### **Legal Implications**

*Planning and Development Act 2005*

*Planning and Development (Local Planning Schemes) Regulations 2015*

Town Planning Scheme No.4

Local Planning Strategy 2016

Liveable Neighbourhoods

### **Council Policy/Local Law Implications**

PLN 2.4 - 'Tree Preservation'

### **Budget/Financial Implications**

Nil.

### **Consultation**

The review of Local Planning Policy PLN 2.4 'Tree Preservation' was undertaken in consultation with the following City Business Units:

- Planning Services
- Environmental Services
- Engineering and Subdivision Design
- Parks Services

The revised Local Planning Policy PLN 2.4 'Landscape Feature and Tree Preservation' (as revised) if supported by Council will be advertised in accordance with Schedule 2, Part 2, Clause 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015* for no less than 21 days.

## **BACKGROUND**

Identified in the City's draft Corporate Business Plan is a number of actions associated with the need to increase the preservation of trees within new subdivisions and development, as well as an action to advocate for environmental offsets, such as tree planting within the City of Armadale municipal boundary. The actions are described below:

*'2.1.7.4 Through planning and engineering policies and processes advocate for environmental offsets to be located within the City boundaries'*

*'2.5.2.1 Develop a Local Planning Policy and associated amendments to the City's engineering guidelines to increase the level of Tree Preservation within new subdivisions and developments'*

As a precursor to Action 2.5.2.1 a Councillor item was raised by Cr Wielinga at the meeting of Council on the 23<sup>rd</sup> September 2019 requesting the following:

*'The matter of a review of the Tree Preservation Policy be referred to the Development Services Committee'*

Whilst further details were not provided in support of the Councillor Item it is understood the request related to Tree Preservation Orders in Road Reserves, which is proposed to be addressed in this report.

The City has an existing Local Planning Policy PLN 2.4 ‘Tree Preservation’ which guides the retention of significant trees identified by the City and the community and outlines the procedures for ensuring their retention over the long term. The policy makes reference to a number of provisions in Town Planning Scheme No.4 (TPS No.4) that guide the retention of significant trees however the Policy is established for Tree Preservation Orders under Clause 80A which states the following:

*“The Local Government may by notice served upon individual landowners or upon a subdivider of land, require the preservation of a tree or group of trees. Thereafter no landowner shall cut, remove or otherwise destroy any tree unless the Local Government grants approval or rescinds the notice or order.”*

The introduction of the Policy provides a list of the many different mechanisms to protect vegetation within the City. To enhance the preservation of significant environmental assets such as ‘Significant Trees’, the City has identified an opportunity to expand the scope of what is considered an environmental asset by considering ‘Landscape Features’. Landscape Features could include ‘groups of trees’, ‘water features’ or ‘topographical landscape features’ which may be worth retaining. By recognising ‘Landscape Features’ as an environmental asset the City can aim to preserve more of its natural environment when new structure plans, subdivisions and development is considered.

In addition to considering increasing the scope of significant environmental assets for consideration and protection, the City has also identified the need to further explore the need to provide specific guidance on identifying ‘Significant Trees’ and ‘Landscape Features’ during all phases of the planning, engineering and development processes. This is considered necessary to provide clarity on the investigations required to ensure significant environmental assets such as ‘Significant Trees’ and ‘Landscape Features’ are captured early in the planning and engineering studies phases and that there is continuity from the entire development cycle – i.e. planning, engineering to development. This approach is also seen as being aligned with the State Planning Framework, specifically the ‘Liveable Neighbourhoods’ Policy which makes provision to consider the retention of environmental assets in the early phases of planning in predominately new growth areas. This is identified in Element 1 – Community Design under ‘Site and Context Analysis requirements’, specifically:

*‘1.2 – Identify and respond to significant environmental assets such as landform, geology, areas of landscape significance, Environmental Policy Protection areas, bushlands, wetlands and foreshore reserves in the proposed urban structure’*

*‘1.3 – Enhance local identity by recognising and incorporating local character values, landmark, heritage, views and any other significant natural and cultural assets’*

The City's current policy also has the scope to consider introducing guidance on the issue of vegetation offsets in situations where trees may need to be removed and replacement trees provided as 'environmental offsets'. A recent recommendation by Council to the Western Australian Planning Commission (WAPC) on the Structure Plan for Lot 9006 Reilly Road and Lot 9005 Wright Road, Harrisdale (June 2020), advised the Federal Department of the Environment and Energy and the State Government Departments of Biodiversity, Conservation and Attractions, and Department of Water and Environmental Regulation of the City's position to have '*environmental offset funds obtained by the developers to be used to acquire land or provide environmental management of equivalent areas of Threatened Ecological Community or natural vegetation within the City of Armadale or adjoining Local Governments*'. The City's position on this Structure Plan and any future application can be formalised by being introduced into a Policy framework which will assist in providing guidance to developers when similar proposals come forward in future. It is acknowledged that the City can advocate for this position to State and Federal agencies, who make most of the decisions on offsets.

The Policy does have the structure to be expanded to include provisions that aim to guide the retention of 'Significant Trees' and 'Landscape Features' throughout the entire planning and development process in addition to providing guidance on how to achieve 'environmental offsets' in the City's municipal boundary. Accordingly, in place of establishing a new Local Planning Policy, the City is recommending the review PLN 2.4 'Tree Preservation' to incorporate the mentioned elements to achieve the Corporate Business Plan actions.

## **DETAILS OF PROPOSAL**

Following the review of Local Planning Policy PLN 2.4 '*Tree Preservation*' it is proposed that the following changes to the policy be made:

- Title of the Policy to change from '*Tree Preservation*' to '*Landscape Feature and Tree Preservation*';
- The need to identify significant landscape features and trees at various stages of the Planning, Engineering and Development process as reflected in the expanded 'Policy Objectives';
- The inclusion of definitions for 'Landscape Feature(s)' and 'Significant Tree(s)';
- Overview of when the Policy is to apply – i.e. at District Structure Plans, Local Structure Plans, Subdivision Applications, Development Applications and where Individual nomination occurs for Tree Preservation Orders by community or Government organisation;
- Detailed overview of the information required by the City through the various planning stages – i.e. District Structure Plans, Local Structure Plans, Subdivision Applications, Development Applications, Civil Design, Earthworks and at Practical Completion (for subdivision works);
- Linking the relevance of the Policy to the State Planning Framework, specifically 'Liveable Neighbourhoods' which also seeks to identify and retain significant environmental assets as part of the Structure Plan and Subdivision process;
- The introduction of policy provisions to identify the preferred location of 'environmental offsets'; and
- The Policy also includes provisions which relate to when a significant tree has been removed without the City's authorisations.

*A copy of the existing Policy with the proposed changes identified in red text and the revised Local Planning Policy PLN 2.4 'Landscape Feature and Tree Preservation' is included in the Attachments.*

## COMMENT

The City's current Local Planning Policy PLN 2.4 '*Tree Preservation*' works with the City's Town Planning Scheme No.4 and the City's established Policies and Practices to set the framework for the retention of significant trees providing guidance to landowners and the City on the assessment of significant trees in relation to Tree Preservation Orders under Clause 80A of Schedule A of TPS No.4.

The changes proposed to the Local Planning Policy aim to expand the scope of the Policy to cover 'Landscape Features' which includes the identification of landscape elements such as groups of vegetation and / or trees or water bodies for retention in future subdivision and development. The Policy also brings into focus existing WAPC Policies such as Liveable Neighbourhoods Policy which encourages the retention of significant trees and landscape features as part of the Structure Planning and Subdivision process. By linking the Local Planning Policy to the State Government's Liveable Neighbourhoods Policy, the Policy will define how landowners / developers are to investigate and retain significant environmental assets during the Planning and Development process and in turn satisfy the City's objective to investigate and protect significant environmental assets as well as responding to the objectives of the Liveable Neighbourhoods Policy. The amended Policy will also support the City's role in providing advice on the Structure Plan and Subdivision process applications to the WAPC who determines these applications.

In addition the PLN 2.4 - '*Landscape Feature and Tree Preservation*' has been expanded to identify the various planning phases where consideration to Landscape Features and Significant Trees should be given and defines the information that is required to be prepared by proponents and submitted to the City for assessment. This includes the preparation of Landscape Feature and Tree Retention Strategies and Plans at the District Structure Plan, Local Structure Plan, Subdivision and Development stages. The Policy also provides guidance on what information is required at the Civil Design, Earthworks and Practical Completion stage of a project so that it captures the 'entire planning and development' cycle process. In response to these inclusions, the City's Subdivision Guidelines (engineering and water management strategies) will need to be updated should the Policy be adopted by Council.

To support the protection and enhancement of 'Landscape Features' and 'Significant Trees', the amended policy introduces provisions that outline the process to be taken when significant trees have been removed with or without prior authorization from the City. The provisions provide a framework for landowners / developers to follow which encourages replacement vegetation through 'environmental offsets' with guidance on where environmental offsets are to be provided. This includes a preference for vegetation to be provided through purchase of land or through planting within existing reserves within the City's municipal boundary. This may be a negotiated outcome, however the City may still be able to, prosecute such clearing under relevant legislation.

To enable the City's Policy to expand the scope of the protection of significant trees across the City's reserves (i.e. roads), text and notations that identify that there are other mechanisms to support the protection of trees in reserves rather than the use of Clause 80A of Schedule A of TPS No.4 has been removed from the Policy. The City can now consider invoking a Tree Protection Order on its reserves to ensure greater protection over its own environmental assets.

The new content of the revised policy has been carefully reviewed by the City through a Cross-Directorate approach, covering off various aspects touching on this issues including planning, subdivision design and engineering, parks and landscaping and environmental considerations. If supported the revised policy will be referred to the Department for Planning, Lands and Heritage for its consideration during the advertising period.

## **ANALYSIS**

Schedule 2, Part 2, Division 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, outlines the process for a Local Government to amend a Local Planning Policy. The amending of a Local Planning Policy includes the following procedures:

- Once the City resolves to amend a Local Planning Policy, it must publish a notice of the amended policy in a newspaper circulating in the Scheme area once a week for two consecutive weeks, with a public submission period being not less than 21 days from the day the notice is published. The City may carry out such other consultation as considered appropriate;
- Review or adopt (with or without modifications) the amended Local Planning Policy in the light of submissions; and
- If the City resolves to adopt the amended Local Planning 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, forwarding a copy of the Policy to the Commission.

## **OPTIONS**

1. Council could resolve to advertise the amended Local Planning Policy *PLN 2.4 'Landscape Feature and Tree Preservation'* (with or without modification).
2. Council could resolve not to initiate advertising of the amended Local Planning Policy *PLN 2.4 'Landscape Feature and Tree Preservation'* and provide reasons for doing so.

## CONCLUSION

The revised Local Planning Policy PLN 2.4 *'Landscape Feature and Tree Preservation'*, will work alongside the City's Town Planning Scheme No.4, State Government Planning Policies (i.e. Liveable Neighbourhoods) and the City's established procedures and practices to provide a comprehensive framework for the City, landowners and developers. The revised policy will encourage stakeholders to identify significant Landscape Features and Trees early in the engineering and planning processes to ensure the best possible opportunity for their retention and enhancement through the entire subdivision and development process.

Supporting the revised Local Planning Policy will enable broader consultation on the policy to be undertaken ensuring landowners and the general community provide their input into the final policy. The amended policy will also be referred to the Department for Planning, Lands and Heritage for their comment.

In this regard, Option 1 is recommended.

## RECOMMEND

### **That Council:**

- 1. Advertise the amended Local Planning Policy PLN 2.4 'Landscape Feature and Tree Preservation' for a period not less than 21 days in accordance with Schedule 2, Part 2, Division 2 of the Planning and Development (Local Planning Schemes) Regulations 2015.**
- 2. Refer the amended Local Planning Policy PLN 2.4 'Landscape Feature and Tree Preservation' to the Department for Planning, Lands and Heritage for comment.**
- 3. Note the City's Subdivision Guidelines will need to be updated to include the requirements of this Policy if adopted by Council for final adoption.**

## ATTACHMENTS

- [1.↓](#) Proposed Amendments - Draft PLN 2.4 - Landscape Feature and Tree Preservation
- [2.↓](#) Consolitated - Draft PLN 2.4 - Landscape Feature and Tree Preservation

**1.3 - PROPOSED LOCAL PLANNING POLICY PLN 3.14 - DESIGNING OUT CRIME**

WARD : ALL  
FILE No. : M/807/20  
DATE : 30 November 2020  
REF : SW  
RESPONSIBLE : EDDS  
MANAGER

**In Brief:**

- An action arising from Strategic Community Plan Review workshops held early in 2020 was to develop a Local Planning Policy for Crime Prevention Through Environmental Design.
- A Local Planning Policy is proposed to require specific development to incorporate designing out crime principles.
- Recommend that Council advertise the draft Local Planning Policy PLN3.14 for a period of 21 days in accordance with Schedule 2, Part 2, Clause 4 (2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

**Tabled Items**

Nil.

**Decision Type**

- Legislative** The decision relates to general local government legislative functions such as adopting/changing local laws, town planning schemes, rates exemptions, City policies and delegations etc.
- Executive** The decision relates to the direction setting and oversight role of Council.
- Quasi-judicial** The decision directly affects a person's rights or interests and requires Councillors at the time of making the decision to adhere to the principles of natural justice.

**Officer Interest Declaration**

Nil.

**Strategic Implications**

- 1.2.3 Recognise initiatives to improve perceptions of safety.
- 2.5.1.1 Implement the Local Planning Strategy recommendations through amendments to TPS No.4, Structure Plans, Planning Policies and Strategies

**Legal Implications**

*Planning and Development Act 2005*

*Planning and Development (Local Planning Schemes) Regulations 2015*

Town Planning Scheme No.4

### **Council Policy/Local Law Implications**

PLN 2.9 - Landscaping  
ENG 16 – Graffiti

### **Budget/Financial Implications**

Nil.

### **Consultation**

If Council resolves to prepare the policy it would be advertised to the public in accordance with the requirements of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the City's Community Engagement Strategy 2018/19 – 2022/23.

## **BACKGROUND**

Crime Prevention Through Environmental Design (CPTED) is a crime prevention strategy that focuses on the design, planning and structure of neighbourhoods. The application of CPTED principles to built-form design seeks to reduce the real or perceived opportunities for crime, largely through the improvement and on-going maintenance of surveillance.

Local Government assesses and determines development applications and has an opportunity, through that role, to apply CPTED principles to built-form design. That is already done to some extent, through the application of the Residential Design Codes to residential development and other design considerations, however opportunities exist to broaden the application of CPTED principles.

The following action was an outcome from Strategic Community Plan Review workshops held in January 2020 - March 2020:

*“Key Actions under Community Outcome – 1.2 Improve Community Wellbeing*

*1.1.1.5 Development a Local Planning Policy for Crime Prevention Through Environmental Design”.*

### ***Designing Out Crime Planning Guidelines***

The Western Australian Planning Commission (WAPC) document *“Designing Out Crime Planning Guidelines”* was published in June 2006. This planning guideline has been earmarked for review, however a draft has not yet been released for comment.

### ***Planning and Development (Local Planning Schemes) Regulations 2015***

The *Planning and Development (Local Planning Schemes) Regulations 2015* provide for the preparation of Local Planning Policies, which can address matters such as neighbourhood planning and built-form design. The Regulations also specify the process that should be followed in order to establish a Local Planning Policy.

## **DETAILS OF PROPOSAL**

The draft policy would apply to a broad range of commercial, industrial and residential uses and addresses both large scale proposals, such as Structure Plans, and small to medium scale development applications. It would operate by:

- Explaining the relevant CPTED objectives and principles which are consistent with the abovementioned WAPC Guidelines; and
- Requiring that certain types of planning applications be accompanied by a CPTED statement: this statement will demonstrate, in checklist form, that the application has been prepared in accordance with the Policy principles.

Detailed assessment of the proposal will ensure that the design provides all of the required elements, as per the statements in the checklist. The submission of the CPTED Statement would become a statutory requirement in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*, Clause 63(1)(d), which permits Local Authorities to request the submission of material accompanying a planning application.

CPTED statements would be provided for the following types of applications:

- New construction within areas zoned District Centre, Local Centre, Mixed Business/ Residential, General Industry, Industrial Business and Strategic Regional Centre.
- Multiple Dwelling development of over 20 units;
- Development with an estimated cost exceeding \$2 million (including Development Assessment Panel determined applications); and
- Any other development which, in the view of the City of Armadale, may affect the perception of public safety.

***A copy of the proposed Local Planning Policy and CPTED Statement checklist is presented in the Attachments to this report.***

## **COMMENT**

This proposed policy would:

- Complement the objectives of the City's Local Planning Strategy, which aims to facilitate the development of safe communities;
- Broaden and strengthen the application of CPTED principles to planning applications in the City's local context; and
- Be consistent with the intent of the WAPC's *Designing Out Crime Planning Guidelines*" and the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Although the policy would establish criteria that an applicant would have to address, and the City subsequently assess and require, it is considered that the potential benefits of having a safer physical environment outweigh the costs associated with that additional work. The succinct format of the CPTED checklist is intended to be simple and easy to apply and assist in the application/assessment process as much as possible.

## OPTIONS

1. Council could resolve to advertise the draft Local Planning Policy PLN 3.14 Designing Out Crime with or without modifications.
2. Council could resolve not to initiate a Local Planning Policy in respect to Designing Out Crime.

## CONCLUSION

The draft Local Planning Policy would facilitate development that would assist in reducing the likelihood of crime and anti-social behavior. Following the advertising period, a report will be prepared for Council's consideration of the submissions received during the advertising period and consideration of adoption of the draft Policy. In this regard, Option 1 is recommended.

## RECOMMEND

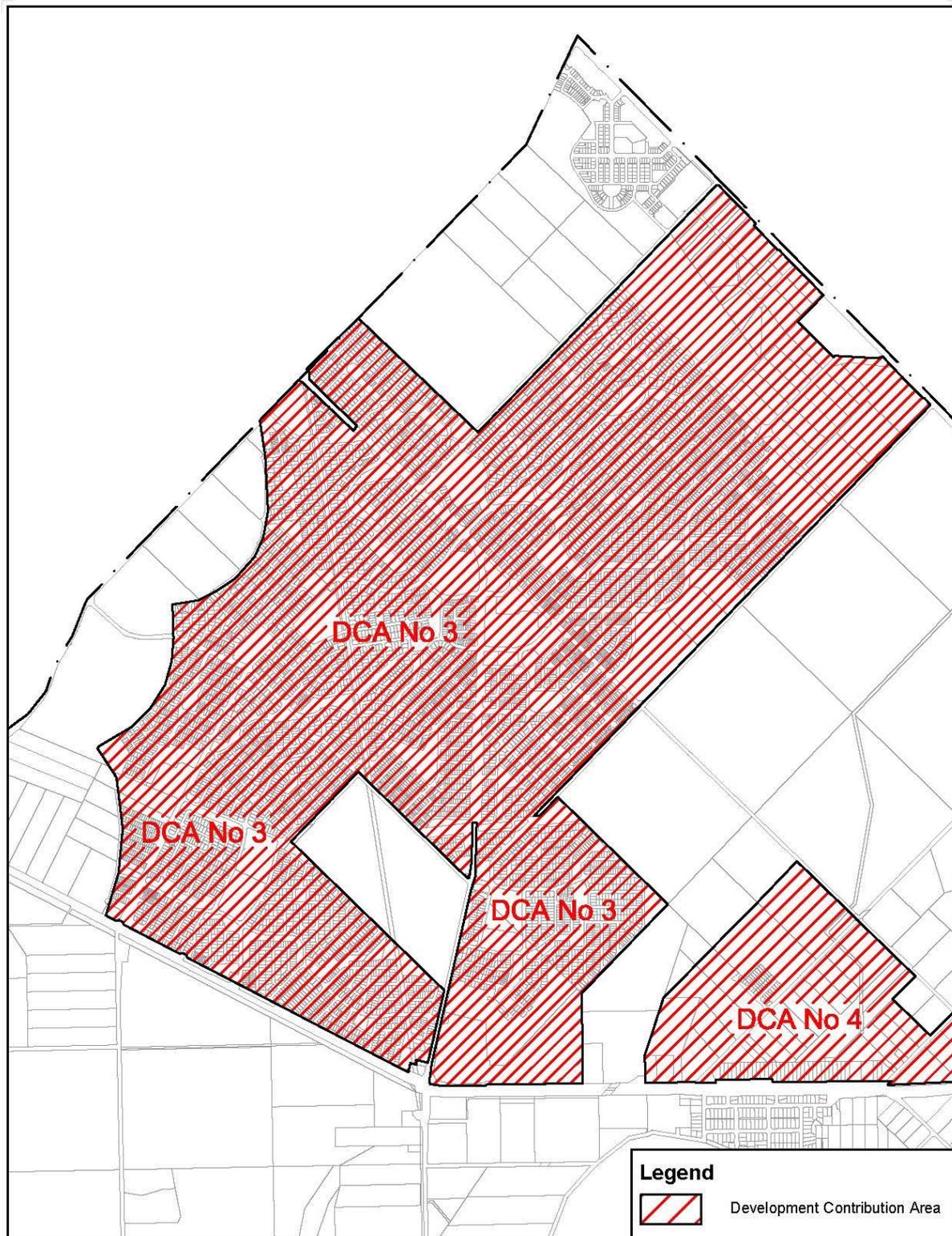
### That Council:

1. **Advertise the draft Local Planning Policy PLN 3.14 Designing Out Crime as shown in the *Attachments to this report* for a period of 21 days in accordance with Schedule 2, Part 2, Clause 4 (2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.**

## ATTACHMENTS

1. [↓](#) PLN 3.14 - Designing Out Crime - Local Planning Policy
2. [↓](#) Draft Crime Prevention Through Environmental Design (CPTED) Checklist

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**LOCATION PLAN**  
Amendment 110



SCALE 1 : 30000

DATE 21 July 2020 - REVISION 0001  
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Based on information provided by and with the permission of the  
Western Australian Land Information Authority by letter of 14 August 2020.  
Aerial photography supplied by Landgate, Perth based by their map.

***2.1 - FINAL ADOPTION - AMENDMENT NO.110 - TOWN PLANNING SCHEME NO.4  
- PROPOSED MODIFICATION TO EXPIRATION PERIOD - NORTH FORRESTDAL  
DEVELOPMENT CONTRIBUTION AREA NO.3***

WARD : All  
FILE No. : - M/508/20  
DATE : 30 November 2020  
REF : RS  
RESPONSIBLE : EDDS  
MANAGER

**In Brief:**

- At its 28 January 2020 meeting, Council initiated an amendment to modify Schedule 9B, Clause 3.14 of TPS No.4 provides to extend the operating period for DCP 3 by 5 years beyond its current expiration period to reflect that a significant portion of the DCP area has yet to be subdivided and to ensure all DCP infrastructure can be fully implemented.
- The amendment was advertised for public comment for 60 days and attracted a total of 6 submissions.
- Council is required to consider the submissions received during the advertising period and the amendment for final adoption.
- It is recommended that Council adopt the amendment without modification and request that the Hon Minister for Planning grant final approval to the amendment.

**Tabled Items**

Nil.

**Decision Type**

- Legislative** The decision relates to general local government legislative functions such as adopting/changing local laws, town planning schemes, rates exemptions, City policies and delegations etc.
- Executive** The decision relates to the direction setting and oversight role of Council.
- Quasi-judicial** The decision directly affects a person's rights or interests and requires Councillors at the time of making the decision to adhere to the principles of natural justice.

**Officer Interest Declaration**

Nil.

### **Strategic Implications**

- 1.2.2 Provide opportunities to improve health outcomes for everyone.
- 1.3.1 Plan for services and facilities in existing and emerging communities.
- 2.1 Long term planning and development that is guided by a balance between economic, social and environmental objectives.
- 2.2.1 Deliver attractive and functional streetscapes, open spaces, City buildings and facilities.
- 2.5.1 Implement and administer the City's Town Planning Scheme and Local Planning Strategy to deliver quality development outcomes.
- 2.5.1.2 Implement the Developer Contribution Plan arrangements and review as required.
- 4.3.2 Pursue non-rates revenue opportunities.

### **Legal Implications**

*Planning and Development Act 2005*

*Town Planning Scheme No.4*

*Planning and Development (Local Planning Schemes) Regulations 2015*

### **Council Policy/Local Law Implications**

N/A.

### **Budget/Financial Implications**

Through DCP No.3, the City collects Development Contributions which provide a source of funding for the provision of essential facilities and infrastructure that produces considerable benefits for the communities that reside within Harrisdale and Piara Waters. The collection of Development Contributions also has a positive effect on Council finances by virtue of the beneficiary pays framework that is established through the DCP, in contrast to the reliance on conventional municipal funding sources such as rates revenue, external grants and the like.

The City is required to cover future recurrent costs for facilities and infrastructure constructed in Harrisdale and Piara Waters. Notwithstanding, such costs are not a consequence of DCP No.3 outcomes, but more so a consequence of the need to deliver essential facilities and infrastructure to the communities of Harrisdale and Piara Waters.

### **Consultation**

In accordance with the *Environmental Protection Act 1986*, the City referred the amendment to the Environmental Protection Authority (EPA) and on 13 February 2020, the EPA subsequently advised that a formal environmental assessment would not be required.

In accordance with Clause 38 of the *Planning and Development (Local Planning Scheme) Regulations 2015*, Amendment No.110 was advertised for a period of 60 days from 17 August 2020 to 22 October 2020. Direct advertising occurred with landowners that were considered to be affected by the proposed amendments and a notification placed in the Examiner and The West Australian newspapers.

## **BACKGROUND**

In accordance with TPS No.4, all landowners within Development Contribution Area (DCA) No.3 are required to contribute towards the cost of providing common infrastructure works. DCA 3 encompasses the City's growth suburbs of Harrisdale and Piara Waters.

It is anticipated that these suburbs will have a combined total population of approximately 38,000 residents by 2041.

Development Contribution Plan (DCP) No.3 (North Forrestdale), included under Schedule 9B of TPS No.4, provides the statutory framework for the City to determine the cost of common infrastructure works within DCA 3 and establish the associated contribution cost per lot.

Established in 2007, DCP 3 provides a mechanism to equitably share the cost of providing common infrastructure items across an environmentally constrained area, where the historical nature of land ownership has been considerably fragmented.

The coordinated approach that DCP 3 has established for the provision of common infrastructure has enabled the City to deliver essential infrastructure and facilities and associated benefits for the Piara Waters and Harrisdale communities.

As of November 2020, the status of the DCP 3 program is approximately 75% complete and the current expiry date for DCP 3 in January 2022.

## **DETAILS OF PROPOSAL**

This report proposes the final adoption of Amendment No.110, which proposes to modify Clause 3.14 of Schedule 9B – Development Contribution Plans (newly adopted plans under Town Planning Scheme No.4). This clause currently reads as follows:

### *3.14 Expiration of Development Contribution Plan*

*This Development Contribution Plan should expire fifteen (15) years from the date of gazettal of Amendment No.12, however, may also be extended for further periods, with or without modification, by subsequent Scheme Amendments.*

The Amendment proposes to change the words “fifteen (15) years” as noted above to “twenty (20) years”, which will effectively result in the operating lifespan of DCP 3 being extended by a further five (5) years. In this regard, instead of expiring on 23 January 2022, DCP 3 would expire on 23 January 2027 should the Amendment be approved.

It is noted that Amendment No.110 is only a textual modification to TPS No.4 and does not necessitate modifications to any of the Scheme Maps.

### **Public Advertising of the Amendment**

As noted in the preceding 'Consultation' section, the proposed amendment was advertised for a period of 60 days. A summary of the submissions that were received is provided as follows:

Total No. of submissions received	:	6
No. of submissions of conditional support/no objection	:	6
No. of submissions of objection	:	Nil

No issues were raised in any of the submissions with respect to the main objectives of Amendment 110 to extend the operating period of DCP 3. A Schedule of Submissions is included in the attachments.

### **COMMENT**

Established in 2007, DCP 3 has been operating successfully in delivering material benefits for the Piara Waters and Harrisdale communities for almost 13 years. In order to continue the successful implementation of DCP 3, an extension to the operational lifespan of the DCP is required for the following reasons:

- 1) DCP Operating Lifespan and Undeveloped areas: the DCP operating lifespan should align with development timeframes. There are several residential estates and areas that are highly unlikely to be fully developed prior to the expiry of the DCP.
- 2) Progress of DCP Infrastructure Implementation: there are several DCP projects yet to be fully implemented.
- 3) DCP major review: a major review of the DCP is currently underway and is unlikely to be completed prior to the expiration of the DCP, particularly considering that the review it will take into consideration the Warton Road Precinct that is an *Urban Investigation Area* and currently progressing through the Metropolitan Region Scheme amendment process.
- 4) DCP closure: if and when Council decides to propose closure of DCP 3, the administrative process for this is unlikely to be completed prior to the expiration of the DCP.

Given that DCP 3 has been in operation for over 13 years, the City is currently progressing a major review of the DCP in order to further examine its performance to date, identify any changes that might be necessary, and identify any opportunities for improvements. Amendment No.110 represents Phase 1 of the major review.

### **OPTIONS**

1. Council may adopt the amendment with or without modifications and request that the Hon Minister for Planning and Infrastructure grant final approval to the amendment.
2. Council may resolve to not adopt the amendment giving reasons and request that the Hon Minister for Planning and Infrastructure refuse to approve the amendment.

## CONCLUSION

Finalisation and approval of this scheme amendment will enable DCP 3 to continue to operate beyond its current expiry date and provide the opportunity for the City to continue to progress with the DCP 3 major review. No issues or objections were raised in the submissions received during the advertising period that would give rise to reconsidering the proposal at hand to extend the DCP 3 operating period for a further five year period.

It is recommended that Council resolve to adopt the amendment without modification in accordance with Option 1 above.

## RECOMMEND

**That Council:**

- 1. Pursuant to Part 5 of the *Planning and Development Act 2005* to adopt, without modification, Amendment No.110 to Town Planning Scheme No.4 to:
  - a) Amend Clause 3.14 in Schedule 9B – Development Contribution Plan No.3 by changing the words “fifteen (15) years” to “twenty (20) years”.****
- 2. Authorise the Mayor and Chief Executive Officer to execute the Amendment documents.**
- 3. Forward the amendment documentation to the Western Australian Planning Commission for its consideration and requests the Hon Minister grant final approval to the amendment.**
- 4. Endorse the comments made in this report regarding the submissions received on this scheme amendment for inclusion in the schedule of submissions to be forwarded to the Western Australian Planning Commission.**
- 5. Advise the submitters of its decision.**
- 6. Authorise the Mayor and Chief Executive Officer to execute the modified Amendment documents, should the Hon Minister for Planning grant final approval to the Amendment subject to minor modifications.**

## ATTACHMENTS

- 1.** [↓](#) Schedule of Submissions - Amendment No.110 - North Forrestdale DC Area No.3
- 2.** Confidential - Schedule of Submissions - Amendment No.110 - North Forrestdale DC Area No.3 - *This matter is considered to be confidential under Section 5.23(2) (b) of the Local Government Act, as it deals with the matter relates to the personal affairs of a person*
- 3.** Confidential - Schedule of Submitters - Names & Address List - Amendment No.110 - *This matter is considered to be confidential under Section 5.23(2) (b) of the Local Government Act, as it deals with the matter relates to the personal affairs of a person*



**LOCATION PLAN**  
Amendment 117



SCALE 1 : 5000

DATE 9 November 2020 - REVISION 2001  
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Aerial photograph supplied by Landgate, Melbourne by email.

**2.2 - PROPOSED AMENDMENT NO.117 TO TOWN PLANNING SCHEME NO.4 -  
WEST OF RAIL DEVELOPMENT CONTRIBUTION PLAN NO.8**

WARD : Minnowarra  
FILE No. : M/464/20  
DATE : 30 November 2020  
REF : CM/SW/RS  
RESPONSIBLE MANAGER : EDDS  
APPLICANT : N/A  
LANDOWNER : Various  
SUBJECT LAND : West of Rail Precinct  
ZONING MRS / TPS No.4 : DevelopmentWA Area

**In Brief:**

- The West of Rail precinct is in the process of being normalised from DevelopmentWA's planning control to the City's planning control, including its Development Contribution Plan (DCP)
- As part of that process, Scheme Amendment No.117 is proposed to incorporate DCP 8 into Schedule 9B of the Scheme and it will operate in accordance with the provisions contained therein. The amendment will also designate the West of Rail Precinct as a Development Contribution Area (DCA) 8 on the Special Control Area Map 3.
- The amendment is accompanied by a DCP Report and Infrastructure Cost Schedule to set out in detail the calculation of the Cost Contribution for each Owner and the Infrastructure Items to be funded, as well as other operational matters to guide the administration of DCP 8. These have been circulated as a separate attachment to the main DSC agenda.
- Recommend that Council:
  - Initiate complex Amendment No.117 in accordance with the process set out in the *Planning and Development (Local Planning Schemes) Regulations 2015*.
  - Endorse the Draft Development Contribution Plan 8 Report and Infrastructure Cost Schedule for Advertising with Amendment No.117.

**Tabled Items**

Nil.

**Decision Type**

**Legislative**

The decision relates to general local government legislative functions such as adopting/changing local laws, town planning schemes, rates exemptions, City policies and delegations etc.

**Executive**

The decision relates to the direction setting and oversight role of Council.

**Quasi-judicial**

The decision directly affects a person's rights or interests and requires Councillors at the time of making the decision to adhere to the principles of natural justice.



**AERIAL PLAN**  
Amendment 117



SCALE 1 : 3000

DATE 21 July 2020 - REVISION 001  
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Aerial photograph supplied by Landscope. Photomaps by iStocktop.



### **Officer Interest Declaration**

Nil

### **Strategic Implications**

- 1.3.1 Plan for services and facilities in existing and emerging communities
- 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.
  - 2.2.1 Deliver attractive and functional streetscapes, open spaces, City buildings and facilities
  - 2.5.1 Implement and administer the City's Town Planning Scheme and Local Planning Strategy to deliver quality development outcomes
    - 2.5.1.2 Implement the Developer Contribution Plan arrangements and review as required.
  - 4.3.2 Pursue non-rates revenue opportunities.

### **Legal Implications**

*Planning and Development Act 2005*

*Planning and Development (Local Planning Schemes) Regulations 2015*

State Planning Policy 3.6 - Development contributions for infrastructure

Town Planning Scheme No.4

### **Council Policy/Local Law Implications**

Nil

### **Budget/Financial Implications**

Development Contribution Plans (DCP) enable a user pays approach to the provision of required facilities under a need and nexus approach. Items included in DCPs have a connection between development and the demand created and having these items in the DCP enables an accepted equitable mechanism to share cost between landowners to support the orderly, proper and timely planning and development of the area.

Through DCP 8 the City will act as the administrator of cost sharing arrangements for infrastructure that will deliver essential infrastructure to the West of Rail Precinct. Landowners / Developers will be required to make monetary contributions to the City upon the development or subdivision of their land, pursuant to Part 5A of TPS No.4. The contributions will be administered within a separate reserve account solely for DCP 8 funds and used to fund items included in DCP 8.

Developers, subject to the City's approval, may also make contributions by completing works in kind. The cost of these works may then be offset against contributions due. Such arrangements may result in the DCP running a deficit if essential infrastructure is delivered to support approved early stage redevelopment of the area.

### **Consultation**

1. Development Contribution Plans are regarded as complex amendments and are advertised for public comment in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* for a period of no less than 60 days.
2. The City and Development WA have been liaising through regular meetings as part of planning for normalisation of the area.
3. At the August 2020 DSC meeting, the Committee was briefed on options for Contribution Arrangements and DCP infrastructure delivery scenarios for the West of Rail precinct. A briefing was also conducted with Councilors on 27 October 2020 to discuss the DCP options.

### **BACKGROUND**

The West of Rail precinct in Armadale is in the process of being normalised from DevelopmentWA's planning control to the City's planning control. The area is bound by Forrest Road to the north, Green Avenue to the east and Fifth Avenue to the south.

At its meeting of 23 September 2019 Council had indicated its in-principle support for normalisation of DevelopmentWA's West of Rail DCP, subject to certain conditions. Those conditions required sufficient information be provided by DevelopmentWA to determine the DCP's status and indemnification of the City against any liabilities arising from the ARA's and MRA's operation of the DCP.

Amendment No. 108 to Town Planning Scheme No.4 (TPS No. 4) has been approved by the Minister and will take effect upon normalisation. Amendment 108 establishes the required post normalisation planning framework under TPS No.4 for the West of Rail precinct by designating appropriate TPS No.4 zones; inserting a new Development Area to ensure that future subdivision and development continues to be guided by a Structure Plan; and establishing an Additional Use for Bulky Goods Showroom, to protect an existing use right on one property.

DCP provisions were not included in Amendment No. 108 because DevelopmentWA's DCP had yet to be reviewed, and it was thought that the DCP (that DevelopmentWA would first review) would be normalised to the City via S.57 of the *Metropolitan Redevelopment Authority Act 2011*. It has subsequently been determined that S.57 cannot be used to normalise the DevelopmentWA DCP to the City, which has created the need for Council to consider initiating Amendment No.117.

The City needing to initiate its own DCP for West of Rail was a change to the approach, but it will still result in a DCP operating to support redevelopment of the precinct. The updated approach will avoid the need for DevelopmentWA to de-risk its DCP or indemnify the City against future claims, as per Council's requirements, however DevelopmentWA will continue to close out the DCP land acquisitions/assembly for the precinct prior to normalisation, which was part of their original proposal put to the City.

Options that have been considered for the City to progress the DCP include:

1. Draft a City of Armadale DCP reflective of current DCP arrangements as a Complex Amendment; (recommended option)
2. Draft a City of Armadale DCP as a Complex TPS Amendment with a reduction in the scope of infrastructure to be funded and/or identify alternative funding options to reduce the contribution rate;
3. Not progress a DCP over the area and the City fully fund the works; or
4. Not progress the DCP or alternative funding, which will mean Development WA would not finalise the land acquisitions.

Infrastructure being considered for inclusion in a DCP under Option 1 includes:

- Cornish Street Construction including a laneway to Fifth Avenue and development of a public square opposite the train station;
- Sewer upgrades; and
- DCP Administration Costs.

An issue that has been flagged with DevelopmentWA is that normalisation of the precinct should not occur until the City's DCP has become a 'seriously entertained' planning proposal that can be enforced. That is necessary to prevent a 'gap' between the operation of the two DCPs during which a development/subdivision application would be approved without the application of a DCP contribution condition.

Development WA recently advised that its DCP is not being reviewed or updated and it is instead proposed that it be considered for rescinding at the point of normalization to enable the DCP to be managed by the City. This approach has been undertaken for the Champion Drive Project Area with DevelopmentWA able to continue collecting any liabilities until the point of normalisation.

DevelopmentWA's position is that the West of Rail DCP will continue to be operational until the point of normalisation, even after a decision is made to rescind the document. Any contributions collected by DevelopmentWA will be transferred to the City at the point of normalization to be included in the DCP. Based on this approach, DevelopmentWA does not consider there to be a gap in DCP framework.

## **DETAILS OF PROPOSAL**

DCP 8 has been prepared in conjunction with DevelopmentWA (DWA) to support the transfer of planning control for the area to the City, including administration of the DCP. DCP 8 has been drafted to reflect the DWA's existing Armadale West of Railway Precinct Developer Contribution Scheme that has been in operation over the area since 2011. DCP 8 does however make use of updated inputs.

If Council initiates Amendment No.117 and subject to WAPC approval to advertise, then the proposal will be advertised for public and landowner feedback prior to its formal consideration for adoption and incorporation into TPS No. 4.

The proposed DCP will operate in accordance with the provisions of DCP 8 in Schedule 9B and applicable provisions of Part 5A of the Scheme. Where the provisions of Development Contribution Plan 8 are inconsistent with the provisions of Part 5A of the Scheme, then the provisions of Development Contribution Plan 8 in Schedule 9B prevail to the extent of any inconsistency.

The Development Contribution Area (DCA) is to be shown on Scheme Special Control Area Map 3 as DCA 8 and is commonly known as West of Rail. DCP 8 is intended to apply to all land within the West of Rail precinct upon development or subdivision. Owners are required to contribute to infrastructure that is attributable to the subdivision and development of the precinct and their land.

Effective redevelopment of the Precinct requires the cost efficient provision of infrastructure and facilities, such as roads, open space and servicing infrastructure. This physical and social infrastructure will greatly benefit the standard of living, mobility and lifestyle choices of the community and will support the economic and social wellbeing of the community.

DCPs facilitate a user pays approach to the provision of required infrastructure and facilities under a need and nexus approach. Items included in DCPs have a connection between development and the demand created by the development.

Landowner contributions shall be made through monetary payment or, at the discretion of the City, offset by undertaking works-in-kind. The requirement to provide a contribution arises as per Clause 5A.5 of the Scheme.

DCP costs have been distributed over the entire precinct having regard to the principles underlying development contributions described in SPP 3.6.

The purpose of DCP 4 will be to:

- a) enable the application of development contributions for the development of new, and the upgrade of existing infrastructure which is required as a result of increased demand generated in the Development Contribution Area;
- b) provide for the equitable sharing of the costs of infrastructure and administrative items between Owners;
- c) ensure that cost contributions are reasonably required as a result of the subdivision and / or development of land in the Development Contribution Area; and
- d) support the coordination and timely provision of infrastructure.

The DCP generally conforms to the planning framework for the area and takes into consideration the existing DevelopmentWA planning framework, Amendment No. 108, City of Armadale Local Planning Strategy, Armadale Activity City Centre Structure Plan, Corporate Business Plan and Strategic Community Plan.

## **Period of Plan**

DCP 8 is proposed to operate for a period of 12 years from the date of gazettal of Amendment No.117, by which time development within DCA 8 is expected to have progressed. The proposed timeframe aims to account for uncertainty regarding the staging and completion of subdivision and / or development across the whole precinct.

The local government may in the future need to consider extending the period of operation, through an amendment to the Scheme, in the event that redevelopment does not occur in the expected timeframe, or if the DCA were to be amended. The City may also terminate DCP 8 earlier, through an amendment to the Scheme, if redevelopment occurs quicker than expected and all contributions have been settled or for other reasons. All land within DCA 8 is subject to the requirements of the DCP 8 until the plan expires or is revoked or terminated.

The City is committed to providing the Infrastructure items, as soon as feasible taking into considering the rate of development and funds collected in DCP 8.

## **Principles**

As per State Planning Policy 3.6, DCP 8 has been prepared in accordance with the following principles. These principles are set out in detail within the DCP Report and SPP 3.6.

Overall Principles:

1. Need and Nexus
2. Transparency
3. Equity
4. Certainty
5. Efficiency
6. Consistency
7. Right of Consultation and Arbitration
8. Accountable

## **Infrastructure and Administrative Items**

Movement Network:

- Infrastructure Item 1a – Cornish Street Construction, including laneway connection to Fifth Avenue and urban plaza.
  - Full cost to construct Cornish Street, including laneway connection to Fifth Avenue and urban plaza and land acquisitions\* as detailed in the Development Contribution Plan Report and Infrastructure Cost Schedule.
  - Cost: \$3,246,093

\*Additional land acquisition may be required in the future, but land acquisition required to date is being funded and implemented by DevelopmentWA prior to normalisation of the area. Therefore there are currently no allocations proposed for inclusion in the Infrastructure Costs Schedule for land.

Utilities:

- Infrastructure Item 2a – Sewer Upgrade Cornish Street to Fifth Avenue
  - Contribution towards the Sewer Upgrade from Cornish Street to Fifth Avenue as detailed in the Development Contribution Plan Report and Infrastructure Cost Schedule.
  - Cost: \$189,000

Administrative Costs:

- Administrative Costs
  - Administration Costs incurred by the Local Government associated with administering DCP 8 including but not limited to: legal expenses, valuation fees, design costs, estimation and certification of costs, audit fees, consultant and contract services, project management, financing costs including interest charges, proportion of City staff salaries, technical support and office expenses for the purposes of administering the plan and expenses incurred by the City in relation to litigation in any Court of Tribunal or arbitration or any compensation paid or payable for or in respect of the provision of any of the infrastructure, land or facilities included in the Plan, whether incurred before or after the incorporation of the DCP in Schedule 9B.
  - Cost: \$350,000 (whole of life)

All costs should be reviewed at least annually as part of annual reviews.

**Method for Calculating Contribution**

The contribution to be made by each Owner to the implementation of the Infrastructure and Administration Costs shall be a Cost Contribution, on a per square metre basis calculated by the Local Government as follows:

Infrastructure Items per square metre calculation

- a) Calculation for entire Development Contribution Area  
Infrastructure Items per Square Metre Rate (E) calculated as follows at each review of the Infrastructure Cost Schedule and to remain applicable from the approval of one review to approval of the next:

Cost of infrastructure items where the costs are to be shared across the entire Development Contribution Area 8 as detailed in the Infrastructure Cost Schedule (A) + (plus) Administrative Costs (B) minus contributions collected (C) / (divide) total Developable Area remaining (ha) for Development Contribution Area 8 (D).

$$A + B - C / D = E$$

## Cost Contribution Due

The Cost Contribution due by owners shall be based on the Developable Area of an owners land parcel and calculated as follows:

1. Cost Contribution due by owners that is applicable to all Developable Area within Development Contribution Area 8:

Developable Area (m<sup>2</sup>) of an owners land parcel x (multiply) Infrastructure items per Square Metre Rate

The forecast cost contribution due for each lot within the precinct is shown in the attached draft Infrastructure Cost Schedule.

In summary, the draft DCP is proposed to have a total value of \$3,785,092.89 with a Rate of \$65.83 per square metre. The total costs are detailed in the attached ICS and summarised under the Infrastructure Items in the following section of this report.

## COMMENT & ANALYSIS

The infrastructure items proposed in this report for inclusion in DCP 8 are set out in detail below, including the scope, need and nexus and cost for each. The costs of some items are subject to change as structure plans and detailed designs are not yet finalised / approved and/or will be subject to future reviews. Notwithstanding, the estimates are considered to be at a suitable level of accuracy for inclusion in the draft DCP for advertising purposes.

### **Item 1a – Movement Network – Cornish Street Construction, including laneway connection to Fifth Avenue and urban plaza.**

#### **Proposal**

The Structure Plan for the area facilitates predominantly high density residential/mixed use development. The extension and construction of Cornish Street is envisaged to become the primary, mixed use ‘main street’ within the Structure Plan area. This will significantly improve permeability and accessibility within the Structure Plan area, and enable the development of the land

Cornish Street, which is currently a cul-de-sac, extends for 100m from Forrest Road and is constructed to a low order residential standard. It is proposed to be widened to 28.2 metres and be extended to connect to Green Avenue. Car parking and public realm works will also be included as part of the road upgrade works.

The new Cornish Street will be designed as the ‘main street’ and a laneway will also connect Cornish Street to Fifth Avenue improving access through the Structure Plan area between the grouped dwelling developments south of Fifth Road, and the Armadale public transport hub and Strategic Regional Centre. Provision is also made for an urban plaza/open space at the intersection of Green Avenue and the extended Cornish Street and extending north to provide an improved link to the railway/bus station. This public space will serve as a community and business focal point benefiting the whole precinct.

## **Need and Nexus**

Widening and construction of Cornish Street is a requirement for development of West of Rail based on structure planning for the Precinct. The road also passes several landholdings held in different ownership and the DCP supports the coordination of the construction.

The upgrading of this road is important to the success of the precinct as a mixed use and higher density area in close proximity to the Armadale Strategic Regional Centre and public transport services.

## **Scope**

The following minimum works currently apply to the construction of Cornish Street which extends from Forrest Road to Green Avenue within a 28.2m road reserve and includes a laneway connection to Fifth Avenue and urban plaza:

- Two 4.9m wide vehicle carriageways
- Two 1.5m on street cycle lanes
- Two 2.4m wide pedestrian paths
- On street parking
- Landscaping, including median, verges and the Green Avenue intersection urban plaza.
- Lighting
- Drainage
- Services Infrastructure (Sewer and Water)
- Service Relocations
- Laneway to Fifth Avenue (Wallis Way)

Cost: \$3,246,093

## **Item 2a – Public Utilities – Sewer Upgrade Cornish Street to Fifth Avenue**

### **Proposal**

A review was commissioned in 2020 to examine the impact of wastewater flows on the existing sewer infrastructure network from the West of Rail Precinct in both a minimum and maximum yield scenario considered achievable under the prevailing planning framework.

It is noted that the Water Corporation existing wastewater system was constructed to cater for development within the precinct to a maximum density of R20 and a flow rate of 2.1 l/s.

The review has identified that the proposed future wastewater flow rate will surpass the capacity of the existing sewer infrastructure network as the existing network is predicated on the precinct being developed to a maximum density of R20, which will be exceeded when the precinct is progressively redeveloped, irrespective of whether the minimum or maximum yield development scenario is achieved.

It is noted that upon redevelopment of the precinct, wastewater flow rates would increase to between 10.5 l/s (minimum yield scenario) and 12 l/s (maximum yield scenario).

## **Need and Nexus**

The proposed wastewater infrastructure upgrade is required to support and service the project area. The upgrade will ensure that the Water Corporation sewer infrastructure network has sufficient capacity to accommodate the increased development yield that is expected to be achieved when the precinct is ultimately developed in line with the mixed use/high density vision for the area.

All landowners will benefit from the ability to develop to a higher density which generates the need for upgrades to the wastewater infrastructure network.

## **Scope**

Detailed modelling has determined that the specification for the proposed wastewater infrastructure upgrade would be comprised of a DN225mm sewer extension commencing from Cornish Street north, to Forrest Road, and along Forrest Road to Fifth Avenue. This upgrade requirement has been confirmed by Water Corporation.

Cost: \$189,000

## **Financial Management**

The City will act as the administrator of DCP 8. The Development Contribution Costs are determined by the DCP 8 Infrastructure Cost Schedule (ICS) which will include a budget to cover the costs incurred by the City in managing DCP 8. The City will aim to support completion of Common Infrastructure Works in a timely manner and aim to ensure budgets remain up to date through Annual reviews of the ICS that will assist to manage risks. Annual reviews of the ICS will also help ensure equity within the contributions payable amongst developers.

Variables that can affect the DCP's aims and objectives include the accuracy of cost estimates and project scoping and the Cost Contributions paid. Council's ability to provide financial and project management support at critical times is another variable that needs to be considered.

The accuracy of predicted costs and scope will be maximized to the greatest extent practicable particularly as projects approach execution. The ICS should be reviewed at least annually and the cost estimates reassessed at this time. As projects identified in the ICS are completed, they will become fixed costs.

Clause 5A.8.1 of Town Planning Scheme No.4 provides that any shortfall in infrastructure costs after collection of all contributions may be made good by raising loans, entering into agreements with owners to fund the shortfall, or by the City funding the shortfall from its municipal fund. The City could also make the decision to not complete the works.

The City's active management of DCP No.4 through annual reviews of the ICS should assist in preventing any significant shortfall occurring or minimise any additional costs or unexpected risk consequences being imposed on the City.

## OPTIONS

1. Council may initiate the Scheme Amendment as proposed or with modifications.
2. Council may decline the initiation of the Scheme Amendment if it considers the proposed DCP unnecessary (stating reasons why) or for any other reason.

## CONCLUSION

Adoption of DCP 8 should assist in the orderly and proper planning and implementation of the West of Rail Precinct by helping to facilitate the provision of key infrastructure items to serve the precinct. Further consultation will occur through advertising of DCP 8, which will need to occur for a minimum of 60 days.

DCP 8 has been prepared in accordance with Part 5A of Town Planning Scheme No.4 and State Planning Policy (SPP) 3.6 and is accompanied by a DCP Report and ICS that set out in detail the calculation of the Cost Contribution for each Owner and the Infrastructure Items to be funded, as well as other operational matters to guide administration of DCP 4.

The final DCP 8 draft was also prepared taking into consideration the proposals and inputs from the DevelopmentWA's DCP and the existing planning framework. The DCP being proposed is consistent with the current DevelopmentWA DCP for the area.

The draft DCP will have a total value of \$3,785,092.89 with a Rate of \$65.83 per square metre.

It is considered that Draft DCP 8 is satisfactory to seek the WAPC's consent to advertise and therefore option 1 is recommended.

## RECOMMEND

### That Council:

1. Pursuant to Section 75 of the Planning and Development Act 2005, initiate Amendment No.117 to Town Planning Scheme No.4 as a complex amendment in accordance with Part 5, Clause 34 – complex amendment, subsection (e) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, as follows:
  - a) Amending Special Control Map 3 as shown on the attached Proposed Zoning – Special Control Area Map 3 Plan and include the area as Development Contribution Area 8 and insert Development Contribution Plan No.8 into Schedule 9B of Town Planning Scheme No.8 as follows:

No.	Description of Land	Contribution Arrangements
8	Development Contribution Area (DCA) 8 – West of Rail Redevelopment Area as identified on	<b>4.1 Relationship to other plans and other parts of the Scheme</b>  The development contribution plan generally conforms to the Approved Structure Plans for Development Contribution Area 8 and the Local Planning Strategy, Armadale Activity Centre Structure Plan, Corporate

	<p><b>Scheme Special Control Area Map 3</b></p>	<p><b>Business Plan and Strategic Community Plan.</b></p> <p>Where the provisions of Development Contribution Plan 8 are inconsistent with the provisions of Part 5A of the Scheme, then the provisions of Development Contribution Plan 8 in Schedule 9B prevail to the extent of any inconsistency.</p> <p><b>4.2 Definitions</b></p> <p><b>Assessed Value</b> means a land value obtained in accordance with the procedures described in clauses 4.4.5 to 4.4.6 of Development Contribution Plan 8.</p> <p><b>Developable Area</b> is defined as a total area of land minus land area deductions as detailed in the Development Contribution Plan 8 Infrastructure Cost Schedule.</p> <p><b>Development Contribution Plan Report</b> means a report appurtenant to the Scheme and Development Contribution Plan 8, and containing information and instructions on the operation of Development Contribution Plan 8, as periodically reviewed in accordance with Development Contribution Plan 8.</p> <p><b>Infrastructure Cost Schedule</b> means a schedule appurtenant to the Scheme and Development Contribution Plan 8, and containing the estimated cost of Infrastructure and Administration of Development Contribution Plan 8, contribution cost, land area deductions and land area summary, as periodically reviewed in accordance with Development Contribution Plan 8.</p> <p><b>4.3 Infrastructure and Administrative Items to be funded</b></p> <p><b>4.3.1 Infrastructure Item 1a – Movement Network and Urban Plaza</b></p> <p>Full cost to construct Cornish Street, including laneway connection to Fifth Avenue, urban plaza and land acquisition as detailed in the Development Contribution Plan Report and Infrastructure Cost Schedule.</p> <p><b>4.3.2 Infrastructure Item 2a - Public Utilities</b></p> <p>Contribution towards the Sewer Upgrade from Cornish Street to Fifth Avenue as detailed in the Development Contribution Plan Report and Infrastructure Cost Schedule.</p> <p><b>4.3.3 Administration Costs:</b></p> <p>Full costs associated with preparing and administering Development Contribution Plan 8.</p>
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		<p><b>4.4 Method for Calculating Contributions and Assessed Values</b></p> <p><b>4.4.1 Approach</b></p> <p>Contributions for infrastructure items will be calculated on a Developable Area basis.</p> <p><b>4.4.2 Cost Contribution Calculation</b></p> <p>The contribution to be made by each Owner to the implementation of the Infrastructure and Administration Costs shall be a Cost Contribution, based on a per square metre basis calculated by the Local Government as follows:</p> <p><b>4.4.2.1 Infrastructure Items per Square Metre Rate calculation</b></p> <p>a) Calculation for entire Development Contribution Area</p> <p>Infrastructure Items per Square Metre Rate (E) calculated as follows at each review of the Infrastructure Cost Schedule and to remain applicable from the approval of one review to approval of the next:</p> <p>Cost of infrastructure items where the costs are to be shared across the entire Development Contribution Area 8 as detailed in the Infrastructure Cost Schedule (A) + (plus) Administrative Costs (B) minus contributions collected (C) / (divide) total Developable Area remaining (m2) for Development Contribution Area 8 (D).</p> $A + B - C / D = E$ <p><b>4.4.2.2 Cost Contribution Due</b></p> <p>The Cost Contribution due by owners shall be based on the Developable Area of an owners land parcel and calculated as follows:</p> <p>i. Cost Contribution due by owners that is applicable to all Developable Area within Development Contribution Area 8:</p> <p>Developable Area (m2) of an owners land parcel x (multiply) Infrastructure items per Square Metre Rate.</p>
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		<p><b>4.4.3 Valuations</b></p> <p>The provisions of Clauses 5A.9.2 to 5A.9.6 of the scheme do not apply to Development Contribution Plan 8. The following variations apply to the acquisition of land for Infrastructure Works, calculation of costs and valuation of land within Development Contribution Area 8.</p> <p><b>4.4.4 Compulsory Acquisition</b></p> <p>Where land has been compulsorily acquired and a lawful claim for compensation has been served on the Council, the Council may claim compensation for betterment under Section 184 of the <i>Planning and Development Act 2005</i> and the value attributed to the betterment of the land the subject of the claim shall be set off against any compensation otherwise payable to the claimant under the <i>Land Administration Act 1997</i> or any re-enactment of its provisions related to compulsory acquisition and compensation.</p> <p><b>4.4.5 Assessed Value</b></p> <p>a) The Council may at any time ascertain the value of any land in Development Contribution Plan 8 for the purpose of estimating Infrastructure costs, payments and cost contributions.</p> <p>b) If it is necessary, for any purpose to ascertain the value of any land, such value should be determined by two licensed valuers appointed from time to time by the local government herein referred to as “the Valuation Panel”. The members of the Valuation Panel may confer as to value, and if they are unable to arrive at a consensus value, they shall confer with the Chief Executive Officer of the local government (“CEO”) or the officer to whom the CEO delegates that function from time to time. If the valuers with the officer cannot arrive at a consensus value then the officer shall select a value which represents the median value between the two values nominated by the valuers on the Valuation Panel and will be advertised under the next following paragraph (c) (“the Assessed Value”).</p> <p>The Valuation Panel may determine more than one Assessed Value in the Development Contribution Plan area, where the local government or the Panel identifies that there</p>
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		<p>are significant differences in land values within Development Contribution Area 8.</p> <p>c) As soon as possible after the Assessed Value or Assessed Values have been ascertained it should be advertised for a period of not less than 28 days to allow for submissions to be made in regard to the proposed Assessed Value or Assessed Values. Assessed Values may be advertised concurrently as part of a Development Contribution Plan 8 review carried out in accordance with Clause 4.8.1 of Development Contribution Plan 8.</p> <p>An owner who lodges an objection under this clause shall submit with the objection supporting evidence from a suitably qualified person in the specific field being objected to.</p> <p>d) The local government shall as soon as possible consider all submissions made on an Assessed Value and may refer any submission to the Valuation Panel for comment, but where a submission is accompanied by expert valuation advice based on the valuation principles contained in Development Contribution Plan 8, it should be referred by the local government to the Valuation Panel for comment.</p> <p>Having considered the submissions and any comment from the Valuation Panel, the local government shall fix upon the Assessed Value or Assessed Values to be applied under Development Contribution Plan 8 and Infrastructure Cost Schedule until the next Assessed Value or Assessed Values has been determined.</p> <p>e) It is intended that any Assessed Value or Assessed Values should apply for no more than 13 months but while an Assessed Value remains current it shall stand as the value of land within Development Contribution Plan 8 and Infrastructure Cost Schedule for all purposes under Development Contribution Plan 8 and Part 5A of the scheme and the Infrastructure Cost Schedule.</p> <p>f) Where land is ceded or acquired for a Infrastructure Work, otherwise than by compulsory taking, for the purpose of determining the amount to be paid to the owner from whom the land is acquired, the value of the land shall be calculated according</p>
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		<p>to the same Assessed Value as was applied to the Cost Contribution paid or payable by that owner on the clearance by the local government of the subdivision of land in the same deposited plan as contains the land acquired.</p> <p><b>4.4.6 Valuation Principles</b></p> <p>In ascertaining the Assessed Value or Assessed Values under Development Contribution Plan 8, all land shall be valued in its broad acre form as depicted on 1 January 2020 or other date selected by the Local Government, ignoring any services or infrastructure provided in accordance with the provisions of the relevant Local Structure Plan and applying the following principles:</p> <ul style="list-style-type: none"><li>i. regard is to be had to the land classifications and zonings existing at the date of valuation;</li><li>ii. the date of valuation is to be the date on which the local government nominates;</li><li>iii. ignoring any improvements or works on the land;</li><li>iv. the land should be valued without regard to the Infrastructure work and the purpose for which the land is acquired shall not be taken into consideration;</li><li>v. in selecting relevant sales evidence, regard should be had first to values derived from land in the same area, and if there is not adequate evidence, from nearby or similar land in the area, in priority to any other sales evidence; and</li><li>vi. the method of valuation shall otherwise be in accordance with normal fair market valuation principles.</li></ul> <p><b>4.4.7 Variance and Solatium</b></p> <ul style="list-style-type: none"><li>a) When calculating or reviewing Contribution Costs and the Infrastructure Cost Schedule, the local government will have regard to the value of the land required for Infrastructure and include an amount of 10% over and above the Assessed Value of such land, to ensure that the local government has or will receive sufficient funds in Development Contribution Plan 8 account to acquire land for Infrastructure to meet its obligations for appropriate payment to such owners, and ensure the Infrastructure can be completed in</li></ul>
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		<p>a manner that minimises the need for external borrowing. The local government may also apply a further amount above the Assessed Value to recognize any compulsory taking of land, compensations and/or acquisition of structures.</p> <p>b) Where land is acquired in the circumstances contemplated in subclause 4.4.5 (f) of Development Contribution Plan 8, the Council shall pay to the owner an additional amount not more than 10% of the amount calculated under that Clause.</p> <p><b>4.4.8 Acquisition Prior to Gazettal</b></p> <p>Where land required for Infrastructure is ceded to the Crown or acquired by the local government prior to the Minister granting final approval and publication of the Development Contribution Plan 8 Amendment in the Government Gazette, the appointment of the Valuation Panel by the local government under of Development Contribution Plan 8 or adoption of the Infrastructure Cost Schedule by the Council, the land shall be valued in-accordance with the clauses 4.4.3 to 4.4.7 of Development Contribution Plan 8 by the Valuation Panel and the date of valuation shall be the date the land for the Infrastructure Work is acquired by the local government or the local government issues its clearance to the deposited plan that contains the Infrastructure land, whichever is the earlier.</p> <p><b>4.4.9 Provision of Land for Infrastructure Works</b></p> <p>Where the Infrastructure Cost Schedule includes a land component for a Infrastructure on the relevant lot for which a Cost Contribution is due, an Owner shall cede to the Crown or transfer to the local government the required Infrastructure land at the first stage of subdivision and/or development for that particular landholding or by prior agreement at an alternative date agreed by the local government. The value of the land will be determined in accordance with Development Contribution Plan 8 and Owners will be paid once the land is ceded to the Crown or transferred to the local government and is already included in Development Contribution Plan 8 and sufficient funds have been collected in the Development Contribution Plan 8 account and / or having regard to the timing and priority of infrastructure</p>
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		<p style="text-align: center;"><b>works.</b></p> <p><b>4.5 Period of Operation</b></p> <p><b>4.5.1</b></p> <p><b>Development Contribution Plan 8 is proposed to operate for a period of 12 years from the date of gazettal of the town planning scheme amendment that introduces Development Contribution Plan 8 into the Scheme, by which time development within Development Contribution Area is expected to be largely complete. The proposed timeframe aims to account for uncertainty regarding the staging and completion of development across the entire area.</b></p> <p><b>The City may in the future consider extending the period of operation, through an amendment to the Scheme, in the event that growth does not occur as rapidly as expected, or if new growth areas occur. The City may also terminate the Development Contribution Plan 8 earlier, through an amendment to the Scheme, if growth occurs quicker than expected and all contributions have been settled.</b></p> <p><b>All land within the Development Contribution Area is subject to the requirements of the Development Contribution Plan 8 until the plan expires or revoked.</b></p> <p><b>4.6 Excess in Contributions</b></p> <p><b>4.6.1</b></p> <p><b>Clause 5A.8.2 of the scheme does not apply to Development Contribution Plan 8. If there is an excess in the total of Cost Contributions when all Cost Contributions have been made or accounted for in the Development Contribution Area, the local government is to refund the excess funds to the contributing owners or use all or some of the excess funds for improvements to infrastructure included in Development Contribution Plan 8 and subject to agreement from the majority of the contributing Owners.</b></p> <p><b>If, however, it is not reasonably practicable to identify Owners and their entitled amount of refund and consult with Owners, any excess in funds shall be applied to the provision of additional improvements to Infrastructure included in Development Contribution Plan 8.</b></p> <p><b>The local government should make information publically available regarding any spend of excess funds.</b></p> <p><b>4.7 Timing and priority</b></p> <p><b>4.7.1</b></p> <p><b>The Local Government will use its best endeavours to</b></p>
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		<p>provide Infrastructure, including the acquisition of land for infrastructure, as soon as possible taking into considering the Local Government's Corporate Business Plan, the rate of development in Development Contribution Area 8 and funds collected in Development Contribution Plan 8.</p> <p><b>4.8 Review</b></p> <p><b>4.8.1 Review</b></p> <p>Development Contribution Plan 8 will be reviewed at least every 5 years from the date of gazettal or when considered appropriate having regard to the rate of development in the area since the last review and the degree of development potential still existing.</p> <p>The estimated Infrastructure Costs, Assessed Values and Infrastructure Cost Schedule will be reviewed and updated at least annually. The Review will reflect changes in material prices, design costs, design requirements, specifications, labour requirements, Assessed Values and other expenditure associated with Development Contribution Plan 8 and actual and forecast future development patterns in the area. In some instances the costs will be indexed based on the Local Government Cost Index (LGCI) or another appropriate index and they may be reviewed and certified by a suitably qualified person. The local government's priority and timing for infrastructure will also be reviewed at least annually.</p> <p>Reviews of Development Contribution Plan 8 or Infrastructure Cost Schedule, including Assessed Values shall be undertaken in accordance with the provisions contained within the Development Contribution Plan 8 Report and applicable Local Government Local Planning Policy. In the absence of an applicable Local Government Local Planning Policy the provisions contained in the Development Contribution Plan 8 Report shall solely apply.</p>
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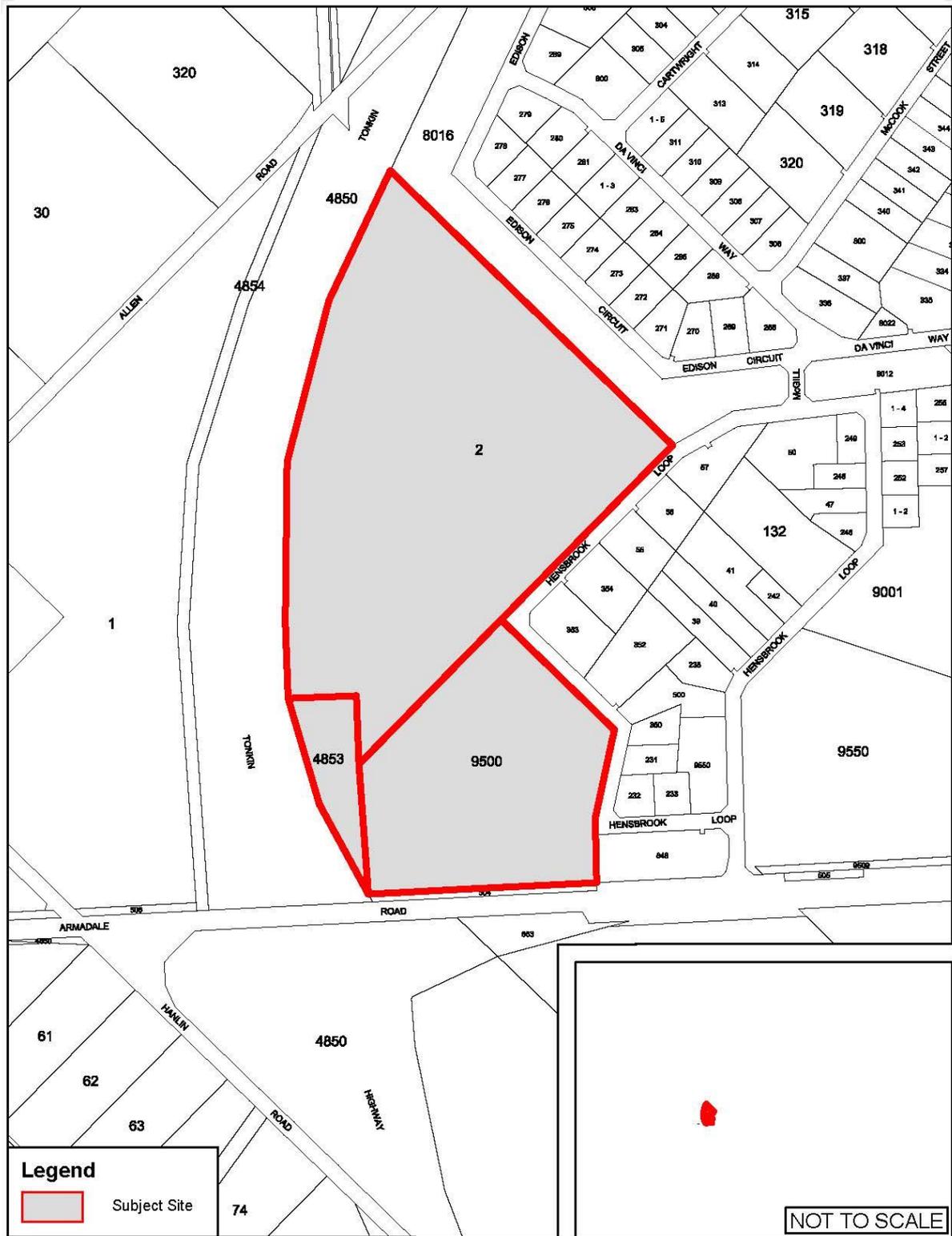
2. The Amendment is complex under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reason(s):
  - It is an amendment to identify a development contribution area and prepare a development contribution plan.
3. Refers the above Amendment to Town Planning Scheme No. 8 to the Environmental Protection Authority (EPA) pursuant to section 81 of the *Planning and Development Act 2005*.
4. Forward the Amendment to the WAPC to obtain permission to advertise the Amendment as proposed.

**Once permission to advertise is obtained from the WAPC advise, advertise the Amendment for no less than 60 days.**

- 5. Authorise the Mayor and the Chief Executive Officer to execute the Amendment documents.**
- 6. Adopt the attached Development Contribution Plan 4 Report and Infrastructure Cost Schedule for Advertising with Amendment No.117.**
- 7. Should the WAPC require any minor modifications prior to advertising, authorise the CEO and Mayor to execute the modified amendment documents**

#### **ATTACHMENTS**

1. [↓](#) Draft Development Contribution Plan No.8 Report - West of Rail - see separate Attachment



**LOCATION PLAN**  
 TPS Amendment No. 114



SCALE 1 : 7500



DATE 14 July 2020 - REVISION 2001  
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 Western Australian Land Information Authority in August 2020.  
 Aerial photography supplied by Landgate, reproduced by their logo.

**2.3 - FINAL ADOPTION - AMENDMENT NO.114 - TOWN PLANNING SCHEME NO.4  
- NORMALISATION OF LOT 2, 4853 AND 9500 FORRESTDALE BUSINESS PARK  
EAST FROM DEVELOPMENTWA TO CITY OF ARMADALE**

WARD : Ranford  
FILE No. : - M/660/20  
DATE : 30 November 2020  
REF : JC  
RESPONSIBLE MANAGER : EDDS  
APPLICANT : City of Armadale  
LANDOWNER : Multiple Landowners  
SUBJECT LAND : Lot 2 Keane Road, Lot 4853 Allen Road and Lot 9500 Armadale Road, Forrestdale  
ZONING MRS / TPS No.4 : No Zone (within Redevelopment Area)  
No Zone (within Redevelopment Area)

**In Brief:**

- Development WA is seeking normalisation of its Forrestdale Business Park East redevelopment area.
- At its 24 August 2020 meeting, Council initiated an amendment to Normalise Lots 2, 4853 & 9500 Forrestdale Business Park East.
- The proposal designates appropriate zones and reservations over the subject lots to enable the environmental assets on site to be protected.
- The amendment was advertised for public comment for 47 days and attracted no submissions.
- Council is required to consider the submissions received during the advertising period and the amendment for final adoption.
- Recommend that Council adopt the amendment without modification and request that the Hon Minister for Transport and Planning grant final approval to the amendment.

**Tabled Items**

Nil.

**Decision Type**

**Legislative**

The decision relates to general local government legislative functions such as adopting/changing local laws, town planning schemes, rates exemptions, City policies and delegations etc.

**Executive**

The decision relates to the direction setting and oversight role of Council.

**Quasi-judicial**

The decision directly affects a person's rights or interests and requires Councillors at the time of making the decision to adhere to the principles of natural justice.

**Officer Interest Declaration**

Nil



**AERIAL PLAN**  
TPS Amendment No. 114



SCALE 1 : 5000

DATE 14 July 2020 - REVISION 001  
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Western Australian Land Information Authority (Landscope (2012)).  
Aerial photograph supplied by Landscope. Photomaps by iStocktop.

**Legend**  
 Subject Site



### **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.
- 2.5.1 Implement and administer the City's Town Planning Scheme and Local Planning Strategy to deliver quality development outcomes.
- 3.2.2 Broadly promote Armadale as a place of business and investment.
- 3.1.1.8 Facilitate a strong working relationship with the MRA/LandCorp to progress the planning of key areas and timely delivery of infrastructure.

### **Legal Implications**

*Metropolitan Redevelopment Authority Act 2011*  
*Metropolitan Redevelopment Authority Regulations 2011*  
DevelopmentWA Armadale Redevelopment Scheme 2  
*Planning and Development Act 2005*  
*Planning and Development (Local Planning Schemes) Regulations 2015*  
Metropolitan Region Scheme  
City of Armadale Town Planning Scheme No.4

### **Council Policy/Local Law Implications**

Nil.

### **Budget/Financial Implications**

Normalisation of MRA areas creates a requirement for additional resources, a portion of which have already been funded and put in place.

### **Consultation**

ATCO Australia  
Department of Biodiversity, Conservation & Attractions  
Department of Fire and Emergency Services  
Department of Planning, Lands & Heritage - Indigenous Affairs  
Department of Water and Environmental Regulation  
DevelopmentWA  
Main Roads WA  
Telstra  
Water Corporation  
Western Power

The Environmental Protection Authority (EPA) advised that the amendment did not warrant an environmental assessment. The WAPC's consent to advertise the amendment was not required.

The Amendment was advertised for public comment for 47 days.

## **BACKGROUND**

The Forrestdale Business Park East Project Area (FBPE), a DevelopmentWA (DWA) Redevelopment Area bound by Tonkin Highway, Ranford Road and Armadale Road, is one of a number of Redevelopment Areas, DevelopmentWA are currently proposing to normalise to the City of Armadale's planning control. DevelopmentWA's original target date for normalisation of FBPE was 30 June 2020, however this has been delayed. DevelopmentWA have advised that normalisation may occur on 30 June 2021, however this is yet to be confirmed.

### **Site Description**

Amendment No.114 relates to three lots, located in the south-western portion of FBPE being:

- Lot 2 Keane Road, Forrestdale;
- Lot 4853 Allen Road, Forrestdale; and
- Lot 9500 Armadale Road, Forrestdale.

*Refer to Attached Location Plan included in this report.*

An extensive Conservation Category Wetland (CCW) is located on a large portion of all three subject lots. Please refer to Attachment – Conservation Category Wetland. There are four Threatened Ecological Communities mapped as potentially occurring on the subject sites, and a priority fauna species (Quenda) has been observed on the subject sites. The site is mapped as an Environmentally Sensitive Area and the majority of existing vegetation is mapped as a potential vegetated natural area in the City's Local Biodiversity Strategy.

### **Land Tenure**

The majority of this wetland is located within Lot 2 Keane Road, which is held as a freehold lot by the Department of Lands, which will be transferred to the Crown as a Reserve for Conservation in the near future. The wetland also affects all of Lot 4853 Allen Road which is Crown land held by the Department of Lands. A portion of the wetland also traverses the privately owned Lot 9500 Armadale Road, affecting approximately half of the lot area. Environmental studies are yet to be completed to determine the extent of developable land within Lot 9500.

### **Normalisation**

At its Meeting on 24 June 2019, Council resolved to conditionally support normalisation of FBPE (D36/6/19), and one of the conditions required:

*“Finalisation, prior to normalisation, of an amendment to the City's Town Planning Scheme No.4 which reintroduces the Forrestdale Business Park East Precinct.”*

Council then initiated Amendment 107 to normalise FBPE at its meeting on 23 September 2019, prior to the corresponding MRS Amendment being advertised. The three subject lots were excluded from Amendment 107, because of the complications with the DevelopmentWA planning framework and their environmental values. The expectation at the time was that two lots should be reserved for Parks and Recreation in the MRS and Lot 9500 would be introduced into TPS No.4 using s.57 of the *Metropolitan Redevelopment Act 2011*

(*MRA Act*). The MRS Amendment is discussed later in this report. That is primarily an issue for Lot 9500, as the other two lots are State Government owned and will be reserved for Parks and Recreation under the MRS.

Amendment 114 is required to be finalised before normalisation of the subject sites can occur.

### **State Solicitors Office Advice**

In early June 2020 DevelopmentWA advised the City about advice it had received from the State Solicitors Office (SSO) that s.57 of the *MRA Act* cannot be used to normalise its planning framework in Armadale, due to the *Armadale Redevelopment Act 2001* having repealed rather than ‘suppressed’ the local planning scheme. Because s.57 was the planned method of normalising the subject lots, the City is now required to determine an alternative approach.

One option remains, to normalise the subject lots utilising s.58 of the *MRA Act*, which enables the City to prepare an Amendment to TPS No.4 whilst the land is still included within a Redevelopment Area. S.58 of the *MRA Act* provides that the Amendment does not take effect until the land is removed from Schedule 1 of the *Metropolitan Redevelopment Authority Regulations 2011 (MRA Regs)*. This is the method used for the recently finalised Amendments 105, 107 and 108.

### **MRS Amendment**

A MRS Amendment for a number of Redevelopment Areas including FBPE was formally advertised from 6 December 2019 to 28 February 2020, with Council resolving at its meeting on 28 January 2020 to recommend to the WAPC that it supported the Amendment subject to the entirety of Lot 2 Keane Road and Lot 4853 Allen Road and the portion of Lot 9500 Armadale Road affected by the Conservation Category Wetland (CCW) and its buffer be reserved for ‘Parks and Recreation’ under the MRS. The WAPC resolved to partially support the City’s recommendation, to reserve Lots 2 and 4853 under the MRS, however did not reserve Lot 9500, instead zoning the entire lot ‘Industrial’ in the MRS.

### **Lot 9500 Armadale Road**

As part of the MRS Amendment process, the MRS Amendment application was formally referred to the Environmental Protection Authority (EPA) for consideration and DWA held discussions with the Department of Water and Environmental Regulation (DWER) relating to the CCW located partially within Lot 9500. DWA acknowledged that Lot 9500 contains a mapped CCW, however advised that the required environmental studies have not yet been completed. DWA and DWER considered it inappropriate to reserve the entire lot ‘Parks & Recreation’ under the MRS given Lot 9500 has some development potential and as further detailed environmental studies are still required to be undertaken to define the extent of the CCW and its buffers.

## **Local Planning Scheme and Metropolitan Region Scheme Consistency**

Whilst the WAPC determined to zone Lot 9500 as ‘Industrial’ under the MRS, choosing to only partially support Council’s resolution of 24 June 2019, which recommended applying appropriate protections for the wetland under the MRS, the *Planning and Development Act 2005 (PD Act)* restricts the City’s options to amend its Scheme in this instance. The City’s TPS No.4 is required to be consistent with the MRS ‘Industrial’ zoning of the land.

The reservation of the Conservation Category Wetland on Lot 9500 as a local ‘Parks and Recreation’ reserve under TPS No.4 may not be inconsistent with the MRS Industrial zone, however, this is not desirable as it is anticipated that subsequent structure planning will need to determine the extent of the wetland. More importantly, any reservation of the land under TPS No.4 will make the City liable to pay the landowner compensation. The City proposes to protect the CCW through future structure planning of the site. Amendment No. 114 includes provisions requiring the preparation of a Local Structure Plan that includes measures to define the extent of the wetland and its buffer and protect this land from development.

### **Initiation of Amendment No. 114**

At its Meeting on 24 August 2020, Council initiated Amendment No.114 to reintroduce the subject lots into the City’s Town Planning Scheme No.4 (TPS No.4) (D52/8/20).

## **DETAILS OF PROPOSAL**

This report proposes the final adoption of a scheme amendment that supports normalisation by designating appropriate TPS No.4 zones and reserves over the subject sites.

The Amendment also proposes to include relevant structure planning provisions into Schedule 8 – Development (Structure Planning) Areas, enabling the preparation of a Local Structure Plan to further investigate the environmental constraints of the land.

### **Public Advertising of the Amendment**

The proposed amendment was advertised for 47 days, closing on 24 November 2020. This advertising was carried out by way of notification to relevant Government agencies, advertisements in the “Examiner” newspaper, City’s website and letters to affected landowners.

Total No. of submissions received	:	7
No. of submissions of conditional support/no objection	:	7
No. of submissions of objection	:	0

***The issues raised by the submissions have been summarised and recommendation made on each submission in Attachment “Schedule of Submissions”.***

The main issue raised in the submissions, together with a comment on each issue are outlined below.

### ***Key Issues***

*Issue 1 – The Department of Biodiversity, Conservation and Attractions (DBCA) recommend a Local Water Management Strategy (LWMS) and Bushfire Management Plan (BMP) be prepared to inform any future Local Structure Plan (LSP), ensuring impacts on the CCW and its buffers are avoided.*

### **Comment**

These matters would normally be addressed, however the City can support inclusion of additional provisions in the Scheme Amendment. The City supports the DBCA's comments.

### **Recommendation**

The City recommends the amendment is modified to address DBCA's comments. The report recommendation includes additional provisions to this effect.

## **COMMENT**

Amendment 114 proposes reintroduction of the subject sites into TPS No.4 and transfer of the DevelopmentWA planning framework to TPS No.4. The City recommends modification of the Amendment to address DBCA's comments. The remainder of the matters raised in submissions are required to be considered as part of other legislation/policy and will be addressed in subsequent stages of the planning process.

## **OPTIONS**

That Council:

1. Adopt the amendment with modifications and request that the Hon Minister for Transport and Planning grant final approval to the amendment.
2. Resolve to not adopt the amendment giving reasons and request that the Hon Minister for Transport and Planning refuse to approve the amendment.

## **CONCLUSION**

Amendment No.114 will facilitate the normalisation of the three subject lots into TPS No.4, appropriately zoning the subject lots and enabling a process for the protection of the Conservation Category Wetland.

It is recommended that Council resolve to adopt the amendment with modification in accordance with Option 1 above.

**That Council:**

1. Pursuant to Part 5 of the *Planning and Development Act 2005*, to adopt, with modification, Amendment No.114 to Town Planning Scheme No.4 to:
  - a. Include Lot 9500 Armadale Road, Forrestdale as designated on the Scheme Amendment Map into the Scheme boundary;
  - b. Rezone Lot 9500 Armadale Road, Forrestdale as depicted on the Scheme Amendment Map from unzoned to ‘Industrial Development’ zone;
  - c. Rezone Lot 2 Keane Road, Forrestdale and Lot 4853 Allen Road, Forrestdale from unzoned to ‘Parks and Recreation (Regional)’ reserve;
  - d. Amend Special Control Area Map 3 to designate Development Area No.69 over Lot 9500 Armadale Road, Forrestdale as depicted on the Special Control Area Map 3;
  - e. Amend Schedule 8 – Development (Structure Planning) Areas to include the following new Development Area:

No.	Description of Land	Additional provisions applicable to subdivision and development
69	Lot 9500 Armadale Road, Forrestdale.	<p>69.1 Prior to any subdivision or development, comprehensive planning shall be undertaken by the preparation of a Structure Plan to guide subdivision and development.</p> <p>69.2 Any Structure Plan shall be accompanied by detailed plans and environmental studies of the Conservation Category Wetland and its buffers on the subject site including, but not limited to:</p> <ol style="list-style-type: none"> <li>1. flora assessment;</li> <li>2. fauna assessment;</li> <li>3. wetland management plan;</li> <li>4. local water management strategy; and</li> <li>5. bushfire management plan.</li> </ol> <p>The recommendations of the above plans and environmental studies shall be implemented and any environmental assets protected in the Structure Plan and at the subdivision and/or development stages to the satisfaction of the City of Armadale on advice from the Department of Water and Environmental Regulation and the Department of Biodiversity, Conservation and Attractions.</p> <p>Any necessary fire management requirements should be provided for within the industrial portion of the lot and should not impact the wetland or its buffers.</p>

- f. Amend the Scheme Map accordingly.**
- 2. Authorise the Mayor and the Chief Executive Officer to execute the Amendment documents.**
  - 3. Forward the amendment documentation to the Western Australian Planning Commission for its consideration and requests the Hon Minister for Transport and Planning grant final approval to the amendment.**
  - 4. Endorse the comments made in this report regarding the submissions received on this scheme amendment for inclusion in the schedule of submissions to be forwarded to the Western Australian Planning Commission.**
  - 5. Advise the submitters and DevelopmentWA of its decision.**
  - 6. Should the Hon. Minister require any minor modifications to the Scheme Amendment at the final adoption stage, then authorise the Mayor and Chief Executive Officer to sign and seal the modified amendment documents.**

#### **ATTACHMENTS**

- 1.** [↓](#) Schedule of Submissions - Amendment No.114- Normalisation of Forrestdale Business Park East
- 2.** [↓](#) Schedule of Modifications - Amendment 114 - Normalisation of Forrestdale Business Park East
- 3.** [↓](#) Special Control Area Map 3 - Amendment No.114 - Normalisation of Forrestdale Business Park East
- 4.** [↓](#) TPS Amendment No.114 Plan - Normalisation of Forrestdale Business Park East
- 5.** [↓](#) Conservation Category Wetland Plan - Amendment No.114 - Normalisation of Forrestdale Business Park East

**3.1 - ARMADALE STRATEGIC METROPOLITAN CITY CENTRE STRATEGIC INVESTMENT FRAMEWORK AND PROJECT PLAN**

WARD : ALL  
FILE No. : M/770/20  
DATE : 30 November 2020  
REF : SF  
RESPONSIBLE : EDDS  
MANAGER

**In Brief:**

- The City's draft Corporate Business Plan (CBP) outlines a number of objectives for the City associated with the implementation of the Armadale Strategic Metropolitan City Centre Structure Plan (ASMCCSP).
- The preparation of an Implementation Plan for the ASMCCSP is important to achieving the draft CBP objectives and ensuring that the full potential of the Armadale Strategic Metropolitan City Centre is achieved.
- The City intends to prepare an Implementation Plan that covers the following:
  - Identification of the current state of the Armadale Strategic Metropolitan City Centre and areas for improvement;
  - Identify areas of need including Economic Development, Jobs Creation and Services;
  - Develop a Strategic Investment Framework including solutions and a Project Plan and Program for implementation; and
  - Identify and carryout key stakeholder engagement to augment and advocate for support for the implementation objectives for the Armadale Strategic Metropolitan City Centre.
- Recommend that Council support the preparation of an Investment Framework and Project Plan for the Armadale Strategic Metropolitan City Centre.

**Tabled Items**

Nil.

**Decision Type**

**Legislative**

The decision relates to general local government legislative functions such as adopting/changing local laws, town planning schemes, rates exemptions, City policies and delegations etc.

**Executive**

The decision relates to the direction setting and oversight role of Council.

**Quasi-judicial**

The decision directly affects a person's rights or interests and requires Councillors at the time of making the decision to adhere to the principles of natural justice.

### **Officer Interest Declaration**

Nil.

### **Strategic Implications**

- 2.5.1.1 - Implement the Local Planning Strategy recommendations through amendments to TPS No.4, Structure Plans, Planning Policies and Investigations
- 2.5.1.3 - Deliver key strategic planning projects and strategies
- 3.1.1.2 - Together with regional partners, pro-actively lobby State and Federal Governments on key Regional Projects
- 3.1.1.7 - Work with State Government to maximize opportunities and outcomes through the Metronet Program
- 3.1.2.4 - Grade separation / undergrounding of Armadale Train Station in conjunction with the Metronet team and broader State and Federal Governments

### **Legal Implications**

*Planning and Development Act 2005*

*Planning and Development (Local Planning Schemes) Regulations 2015*

Metropolitan Region Scheme

Town Planning Scheme No.4

Statement of Planning Policy 4.2 – Activity Centres for Perth and Peel

### **Council Policy/Local Law Implications**

Local Planning Strategy 2016

Activity Centres Strategy 2012

Activity and Retail (Commercial) Centres Strategy (2020)

### **Budget/Financial Implications**

This project will require funding of \$200,000 to progress. Given the Strategic importance of the project, should Council wish to initiate the project now, then the following funding sources have been identified to enable this to occur:

Increase to the Operating Expenditure Budget of \$200,000

- \$200,000 - Armadale City Centre Investment Framework & Project Plan (Planning Services).

Decrease to the Operating Expenditure Budget of \$110,000

- \$110,000 - Advocacy (Office of the CEO)  
The original FY21 budget is \$136,800 and the funds can be reallocated.

Increase to the Operating Revenue Budget of \$90,000

- \$90,000 - Planning Fees (Planning Services).

The ability to fund the project in part, with additional planning application fee revenue is possible due to increased economic activity and consequently, higher revenue received to date than anticipated. Across the areas of business areas of Planning, Building and Subdivisions approvals, revenue has almost achieved the annual budget within the first five months of the financial year.

## **Consultation**

In preparation of the Armadale Strategic Metropolitan Centre Investment Framework and Project Plan, the City and the appointed consultant will be required to engage with a number of key stakeholders including the following:

- Councillors
- City of Armadale staff (Cross-Directorate)
- State Government Agencies
- Members of Parliament (State and Federal)
- Industry Bodies
- Local Businesses
- Landowners
- Community Members

The stakeholder engagement process is seen as critical to developing the Armadale Strategic Metropolitan Centre Investment Strategy and Project Plan and will support its implementation.

## **BACKGROUND**

### **Local Planning Strategy (2016)**

In March 2015 the Council adopted the City's Local Planning Strategy (LPS) which outlines the strategic planning framework that will guide future land use, growth and development in the City. The LPS was adopted by the Western Australian Planning Commission (WAPC) in December 2016 and since then, the City has embarked upon implementing the recommendations from the LPS.

The LPS identifies a number of actions arising out of the Activity and Retail (Commercial) Centres Strategy (ARCS) component of the LPS, the most significant being the requirement for a Structure Plan to be prepared for the Armadale Strategic Metropolitan City Centre:

*ARCS 6: Prepare a Centre Plan for the Armadale Strategic Regional Centre in accordance with the WAPC's Statement of Planning Policy 4.2 and a Plan for Kelmscott District Centre in conjunction with normalisation of the MRA Kelmscott Precinct.*

The preparation of the ASMCCSP (including supporting Technical Documents), Design Guidelines (Local Planning Policy) and Car Parking Strategy was supported by Council at its meeting on the 29<sup>th</sup> March 2016 (D9/3/16). At its meeting on the 28<sup>th</sup> November 2016, Council initiated the project by appointing a multi-disciplinary team led by Hassells to prepare the Structure Plan, Design Guidelines and Car Parking Strategy. Combined with Town Planning Scheme No.4 (TPS No.4) the three documents form the basis of the Planning Framework for the future expansion of the Armadale City Centre.

### Armadale Strategic Metropolitan City Centre Structure Plan

The Armadale Strategic Metropolitan Centre is one of eleven such centres within the Perth and Peel region as identified in the Western Australian Planning Commission's Statement of Planning Policy 4.2 *Activity Centres for Perth and Peel 2010* and in *Perth and Peel @3.5million* Planning Strategy. Positioned at the gateway of the south-east sector of the South Metropolitan Peel Subregional growth corridor, this region is one of the fastest growing in Australia with population anticipated to grow from 196,340 people at present to 455,770 people by 2050. During the same period the labour force in the region is required to grow from 94,600 people to 223,740 (an increase of 129,140 jobs).

When the City embarked upon the preparation of the Activity Centre plan for the Armadale Strategic Metropolitan Centre, it was important that the City reflect on the current condition of the City Centre so that it can develop a future vision that will meet the expected population growth and required employment. The City identified that with 129,140 jobs anticipated for the south-east corridor by 2050, significant expansion of the City Centre will be required particularly in the areas of tertiary institutions (i.e. TAFE and University), Government Administration, Retail and Commercial diversity and Housing diversity. Currently the City Centre is home to approximately 3,000 jobs and with population expanding significantly in the corridor, it will be necessary for the Armadale City Centre to grow substantially in both employment opportunity and diversity.

The City became aware during consultation with the MetroNet team, that the Armadale to Byford passenger rail extension will require at a minimum the grade-separation of Armadale Road, Forrest Road/Third Road and Church Avenue. This requirement which will present a significant cost is a unique opportunity to explore resolving a traffic management and safety issue whilst at the same time creating a Town Centre for Armadale that is fitting of its Strategic Metropolitan Centre status. Accordingly, as part of its planning, the City considered three scenarios for the Armadale Strategic Metropolitan Centre which reflects different treatments to the grade-separation of the at-grade crossings. These include an 'Underground Rail' option, 'Viaduct' option and 'Base' option involving removal of at-grade level crossings via bridge or underpass.

The 'Underground Rail' option formed the basis of the Activity Centre Structure Plan for the Armadale Strategic Metropolitan Centre with the 'Viaduct' solution also considered as a favourable option should undergrounding of the Train Station prove to be too costly to achieve. Following extensive stakeholder, landowner and community consultation, Council resolved to support the ASMCCSP, supporting Technical documents and Design Guidelines (Local Planning Policy) on the 21<sup>st</sup> August 2018.

### Armadale City Centre - Recommendations Report

Undertaken as part of preparing the ASMCCSP, the City and Consultant – Hassells prepared a 'Recommendations Report' which outlines the key recommendations associated with the delivery of a successful Armadale Strategic Metropolitan City Centre. A summary of the main types of proposals being considered are detailed below:

- Advocacy for Federal and State Government project support and funding.
- Advocacy for Tertiary Education and Government Services to increase service provision and tertiary jobs in the City Centre.

- Further development and implementation of the City's 'Place Activation' strategy for the City Centre to encourage greater diversity in community events and enhance day and night activation.
- The City consider, direct investment by actively improving the public realm in the City Centre. This includes the establishment of a new park in the "William Precinct" to support the increase in residential housing in this area, and the establishment of a Public Realm Strategy that guide the progressive upgrade of all streetscapes in the City Centre.
- The City engaging in direct investment to increase the supply of new office accommodation (i.e. Orchard House) into the City Centre such as the redevelopment and expansion of the Civic Precinct.
- Consider the possibility of establishing a new multi-level car park to support the expansion of the City Centre demand for car parking over time. This includes the establishment of a Local Planning Policy for the collection of cash in lieu for parking that will facilitate existing car parking upgrades and the acquisition and development of strategic site(s) for possible development into multi-level car parking over the long term.
- Improving the marketing and brand for the City Centre to enhance its image as the primary centre for employment, retail, community, cultural and entertainment activities for the south-east growth corridor.

A number of the recommendations considered in the document are identified as 'Business as Usual', that is they are tasks that the City would normally progress towards implementation as normal business in most cases implementation is underway. Other recommendations require further consideration by Council in terms of priority and funding for consideration into the City's Long Term Financial Plan. It's important that the City consider the items recommended and choose which ones to implement and prioritise moving forward.

#### Implementation of the Armadale Strategic Metropolitan City Centre

To achieve the realisation of the Armadale Strategic Metropolitan City Centre as the major centre for the South-east growth corridor, it requires significant strategic planning and coordinated investment from multiple sources including Local State and Federal Government funding, as well as Private Sector funding sources. The City is currently at a pivotal point where its strategic planning framework for the City Centre is nearly complete and attention can now be focused towards implementation.

The City's draft Corporate Business Plan identifies the following actions and projects associated with the implementation of the Armadale Strategic Metropolitan City Centre:

- 3.1.3.1 Advocate for the incorporation of the Armadale Strategic Metropolitan City Centre Structure Plan into the WA Infrastructure Strategy*
- 3.1.5.1 Explore the opportunities for demonstration projects and collaborative ventures to showcase middle density development within the City Centre with entities such as DesignWA, Development WA and Department of Communities*
- 3.1.7.1 Consider the development of a building in the City Centre to act as a catalyst for the implementation of the Armadale City Centre Structure Plan*

The Corporate Business Plan highlights a number of initiatives to support the growth of the Armadale City Centre, but for the full potential for the Armadale City Centre to be realized, a ‘holistic’ strategy is required which identifies opportunities and constraints to the Armadale City Centre, investment required by all tiers of Government and the necessary stakeholder engagement and governance structures needed to ensure the Armadale City Centre achieves its Strategic Metropolitan City Centre status.

This ‘Investment Framework’ and ‘Project Plan’ which will form the blueprint for the implementation of a wide variety of initiatives for the Armadale City Centre will need to consider timing and importantly resources that the City will require to aid its implementation. This body of work will influence the City’s Long Term Financial Plan and potentially the City’s internal resourcing. A ‘scope of work’ to define the Armadale Strategic Metropolitan City Centre Investment Framework and Project Plan will be prepared and as outlined in the ‘Details of Proposal’ section of this report.

It is important that the City initiate the preparation of a ‘Investment Framework’ and ‘Project Plan’ to enable the above objectives to be achieved.

## **DETAILS OF PROPOSAL**

To deliver the Armadale Strategic Metropolitan City Centre Investment Framework and Project Plan, the scope of work has been divided into two main Parts as follows:

### **Part A – Outlining the Case for Change**

In this section of the scope of work the following will be identified:

- Define the Current State of City Centre and areas for improvement.
- Outline the Case for Change.
- Develop an Investment Mapping exercise and identify the problems confronting the City Centre and the investment needed to realise its potential.
- Develop a Program of Initiatives.
- Identify resources and governance framework for the City to support implementation of the Armadale City centre.
- Key Stakeholder Engagement to review the identification of projects and programs.
- Develop the Strategic Investment Framework including Implementation and Next Steps.
- Develop a Project Plan and Program for Implementation.

### **Part B – Stakeholder Engagement (Early Implementation)**

The second part of the engagement involves implementation of the Strategic Investment Framework by engaging with key stakeholders identified in the strategy to gauge Political and Stakeholder support for the implementation of the Strategy. The objective of the engagement will be to ensure the appropriate Governance structures and relationships with key stakeholders are established including the signing of possible Memorandum of Understanding(s) and where possible political commitment towards the implementation of the City’s Project Plan.

## **COMMENT**

The Armadale City Centre is identified as a Strategic Metropolitan Centre by the State Government, and therefore is required to be the key employment, entertainment, office, retail and service centre for the growing South-East Metropolitan corridor. After progressing to near completion the planning framework for the Armadale City Centre, the City is looking to prepare a comprehensive strategy that will guide strategic investment into the Armadale City Centre over the next 20 years.

The Strategy will be supported by a 'Project Plan' defining the Armadale City Centre as a 'project' for implementation by the City. The Project Plan will identify all the investment opportunities including opportunities that directly involve investment and advocacy by the City and other investment and advocacy opportunities that involve external parties (i.e. State Government, Private Sector etc). The 'Project Plan' will identify the budget and resource needs of the City to implement the 'Project Plan' and deliver the objectives of the Armadale City Centre over a defined period of time. The 'Project Plan' will help to inform the City's Long Term Financial Plan as related to the Armadale City Centre.

## **ANALYSIS**

Despite a population growth that has consistently exceeded the State and National average over the last 10 years, Armadale is one of the most disadvantaged local governments in the Perth metropolitan area, scoring low in the ABS Socio-Economic Indexes for Areas (SEIFA). Whilst other Strategic Metropolitan City Centres have benefitted in recent years from major public investment, the Armadale City Centre is facing the critical challenge of providing jobs for a growing region without key institutions such as a University Campus, Health Campus, significant Government Services and residential diversity and density.

COVID-19 has compounded the generational challenges the City of Armadale is trying to address. A recently released analysis of all Local Government Authorities (LGAs) in Western Australia has identified Armadale as one of the LGAs showing the most economic disadvantage from the impacts of COVID-19. The successful operation and expansion of the Armadale City centre is a critical element in resolving the broader issue of disadvantage in the Armadale City Centre. By enabling a successful Armadale City Centre, this will bring jobs, service and employment diversity and housing diversity which is critical to the success of the Armadale City Centre.

In order to transform the Armadale City Centre, direct intervention by all tiers of Government is required from the provision of services to direct investment in infrastructure and 'bricks and mortar' institutions. This requires a considered and concentrated effort over time in order to be successful.

## OPTIONS

That Council:

1. Support the Project and Budget of between \$150,000 and \$200,000 to enable the City to procure a suitably qualified consultant to assist the City in developing the 'Investment Framework' and 'Project Plan' for the Armadale City Centre.
2. Not support the Project and Budget of between \$150,000 and \$200,000 to procure a suitably qualified consultant to assist the City in developing the 'Investment Framework' and 'Project Plan' for the Armadale City Centre.

## CONCLUSION

As the primary multi-purpose centre for the South Metropolitan Peel Sub-Region growth corridor, the Armadale Strategic Metropolitan Centre is required to provide a mix of retail, office, community, entertainment, education and residential activities and perform as one of the primary areas for employment in the region. In order to realise the full potential of the Armadale City Centre, the City of Armadale needs to take the lead in coordinating initiatives that will ensure services and investment is brought into the Armadale City Centre using its own resources, the resources of State and Federal Government and by encouraging private sector investment.

By identifying the 'Investment Framework' to support the growth of the Armadale City Centre and by developing a 'Project Plan' that serves as the blueprint for its implementation, the scope of work will ensure a 'way forward' for the City to effect change and expansion of the Armadale City Centre. Accordingly it is recommended to support Option No.1 to progress with the preparation of the Armadale Strategic Metropolitan City Centre 'Investment Framework' and 'Project Plan'.

## RECOMMEND

That Council:

1. **Support the project to prepare an 'Investment Framework' and 'Project Plan' for the Armadale City Centre; and**
2. **Pursuant to Section 6.8 of the *Local Government Act 1995*, APPROVES and AMENDS the adopted 2020/21 Annual Budget as follows:**
  - (a) **Establishes a new operating budget for the Armadale City Centre Investment Framework & Project Plan (Planning Services) of \$200,000;**
  - (b) **Decreases the Operating Expenditure Budget for Armadale Advocacy from the Office of the CEO business area by \$110,000 to \$26,800.**
  - (c) **Increases the Operating Revenue budget for Planning Fees – Development Applications by \$90,000 from \$241,300 to \$331,300**

**ABSOLUTE MAJORITY RESOLUTION REQUIRED FOR PART 2**

## ATTACHMENTS

There are no attachments for this report.

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**3.2 - UDIA WA STATE CONFERENCE - 24TH TO 26TH FEBRUARY 2021 - BUNKER BAY**

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WARD : ALL  
FILE No. : M/780/20  
DATE : 30 November 2020  
REF : SS  
RESPONSIBLE : EDDS  
MANAGER

**In Brief:**

- The UDIA State Conference will be held at Bunker Bay Resort in South West WA.
- Matters to be covered should be of relevance to the City of Armadale.
- Recommend that consideration be given to nominating a Councillor to attend the conference.

**Tabled Items**

Nil.

**Decision Type**

- Legislative** The decision relates to adopting/changing local laws, town planning schemes, and City policies.
- Executive** The decision relates to the direction setting and oversight role of Council.
- Quasi-judicial** The decision directly affects a person's rights or interests and requires Councillors at the time of making the decision to adhere to the principles of natural justice.

**Officer Interest Declaration**

Nil.

**Strategic Implications**

Relates to the aim for good governance and leadership to:

- 4.1 Visionary Civic leadership and sound governance
- 4.1.3 Support the role of the elected body
- 4.1.3.3 Advocate and support Councillor engagement in outside bodies and events to maintain awareness and enhance the City's knowledge base.

**Legislation Implications**

Nil.

**Council Policy/Local Law Implications**

Council Policy ADM3 – Conferences and Training  
Council Policy EM1 – Reimbursement Councillor's Expenses

**Budget/Financial Implications**

The UDIA State Conference is on the City's approved Conference list. Officer attendance will be funded from the Development Service's Conference and Meeting budget. Sufficient funds are available in the Councillor/Member Development Budget should the City deem it appropriate that an elected member attend the conference. The cost of the conference is estimated at \$3,000 per delegate

## **BACKGROUND**

The Urban Development Institute of Australia (UDIA) is conducting its 2021 State Conference at the Bunker Bay Resort, in Bunker Bay. The event is 3 days, Wednesday, 24<sup>th</sup> to Friday, 26<sup>th</sup> February 2021.

The UDIA State Conference typically host a number of topics which are potentially applicable to the City and may provide valuable insight and information in a number of areas that impact the City.

## **DETAILS OF CONFERENCE**

The annual UDIA State conference is a positive knowledge sharing platform, and is a chance for attendees to receive the latest industry updates, market intelligence and insights into the year ahead, and examine aspects of property and development in WA. With relevant presenters and sessions structured to encourage interactive participation, delegates undertake a concentrated, focused and thorough course of learning.

Final details of the conference are still being finalized. The matter is raised for Councillors nomination to ensure timely nomination and registration. It is potentially beneficial for an Elected Member to attend the UDIA WA State Conference, given topics may be applicable to the City and offer insight into matters that are impacting the City.

## **CONCLUSION**

An Officer may be attending the 2021 UDIA WA State Conference. The matter is brought to the attention of Council to determine if it wishes to nominate a Councillor to attend.

## **RECOMMEND**

### **That Council:**

- 1. Nominates Cr \_\_\_\_\_ to attend the 2021 UDIA State Conference to be held on the 24<sup>th</sup> to 26<sup>th</sup> February 2021 at Bunker Bay Resort in South West WA.**

**or**

- 2. If there is no nomination at the Development Services Committee or the Ordinary Meeting of Council on 14 December 2020, then the recommendation be as follows:**

**That no nomination be made for an Elected Member to attend the 2020 UDIA State Conference to be held on the 24<sup>th</sup> to 26<sup>th</sup> February 2021 at Bunker Bay Resort in South West WA.**

## **ATTACHMENTS**

- 1. [2021 State Conference Program](#)**

***COUNCILLORS' ITEMS***

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Nil

***EXECUTIVE DIRECTOR DEVELOPMENT SERVICES REPORT***

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Nil

**MEETING DECLARED CLOSED AT \_\_\_\_\_**

<b>DEVELOPMENT SERVICES COMMITTEE</b>		
<b>SUMMARY OF ATTACHMENTS</b>		
7 DECEMBER 2020		
ATT NO.	SUBJECT	PAGE
<b>1.1 FINAL ADOPTION - CITY OF ARMADALE ACTIVITY AND RETAIL (COMMERCIAL) STRATEGY</b>		
1.1.1	Schedule of Submissions - Activity and Retail Centres Strategy	77
1.1.2	Summary of Modifications - Activity and Retail (Commercial) Centres Strategy	85
1.1.3	Separate Attachment - Local Commercial Strategy - Final Adoption	88
<b>1.2 REVIEW OF LOCAL PLANNING POLICY PLN 2.4 - TREE PRESERVATION</b>		
1.2.1	Proposed Amendments - Draft PLN 2.4 - Landscape Feature and Tree Preservation	89
1.2.2	Consolidated - Draft PLN 2.4 - Landscape Feature and Tree Preservation	102
<b>1.3 PROPOSED LOCAL PLANNING POLICY PLN 3.14 - DESIGNING OUT CRIME</b>		
1.3.1	PLN 3.14 - Designing Out Crime - Local Planning Policy	115
1.3.2	Draft Crime Prevention Through Environmental Design (CPTED) Checklist	120
<b>2.1 FINAL ADOPTION - AMENDMENT NO.110 - TOWN PLANNING SCHEME NO.4 - PROPOSED MODIFICATION TO EXPIRATION PERIOD - NORTH FORRESTDALE DEVELOPMENT CONTRIBUTION AREA NO.3</b>		
2.1.1	Schedule of Submissions - Amendment No.110 - North Forrestdale DC Area No.3	122
<b>2.2 PROPOSED AMENDMENT NO.117 TO TOWN PLANNING SCHEME NO.4 - WEST OF RAIL DEVELOPMENT CONTRIBUTION PLAN NO.8</b>		
2.2.1	Draft Development Contribution Plan No.8 Report - West of Rail - see separate Attachment	123
<b>2.3 FINAL ADOPTION - AMENDMENT NO.114 - TOWN PLANNING SCHEME NO.4 - NORMALISATION OF LOT 2, 4853 AND 9500 FORRESTDALE BUSINESS PARK EAST FROM DEVELOPMENTWA TO CITY OF ARMADALE</b>		
2.3.1	Schedule of Submissions - Amendment No.114- Normalisation of Forrestdale Business Park East	124
2.3.2	Schedule of Modifications - Amendment 114 - Normalisation of Forrestdale Business Park East	126
2.3.3	Special Control Area Map 3 - Amendment No.114 - Normalisation of Forrestdale Business Park East	127
2.3.4	TPS Amendment No.114 Plan - Normalisation of Forrestdale Business Park East	128
2.3.5	Conservation Category Wetland Plan - Amendment No.114 - Normalisation of Forrestdale Business Park East	129
<b>3.2 UDIA WA STATE CONFERENCE - 24TH TO 26TH FEBRUARY 2021 - BUNKER BAY</b>		
3.2.1	2021 State Conference Program	130

<b>SCHEDULE OF SUBMISSIONS RETAIL AND ACTIVITY CENTRE PLANNING</b>				
<b>NO.</b>	<b>SUBMITTER</b>	<b>SUPPORT, OBJECT, COMMENT</b>	<b>SUMMARY OF SUBMISSION</b>	<b>RECOMMENDATION</b>
1	Landowner CE/110991/20	Support	No further comments were provided in the submission.	The City Acknowledges the submission and its support for the proposed Retail and Activity (Commercial) Centre Strategy.
2	Landowner CE/111270/20	Support	No further comments were provided in the submission.	The City Acknowledges the submission and its support for the proposed Retail and Activity (Commercial) Centre Strategy.
3	Landowner CE/112027/20	Support	No further comments were provided in the submission.	The City Acknowledges the submission and its support for the proposed Retail and Activity (Commercial) Centre Strategy.
4	Landowner CD/105039/20	Support	No further comments were provided in the submission.	The City Acknowledges the submission and its support for the proposed Retail and Activity (Commercial) Centre Strategy.
5	Landowner CE/115461/20	Comment	<p>How much is the cost to implement the proposed City of Armadale Activity and Commercial Centres Strategy.</p> <p>There is much concern around crime, homelessness and unemployment within the City of Armadale and what are the strategies to tackle these issues?</p>	<p>The Activity and Retail (Commercial) Centres Strategy is a strategic document that helps guide the future planning and development of all commercial centres located within the City of Armadale. One of the ways in which the Strategy addresses this issue by recommending retail floor space capacity and possible redevelopment options to improve the design and functions of commercial centres based on modern urban design planning principles. The Strategy does not cost each individual redevelopment option, rather provides advice to landowners on what could be done to expand and improve centres.</p> <p>The City acknowledges the crime, homelessness and unemployment in the City and the strategy helps to guide future development incorporating CPTUD (Crime Prevention Through Urban Design) principles to improve safety and also encourages retail and development expansion (where applicable) that could lead to increased employment opportunities in terms of construction jobs and more long term employment opportunities with retail and service jobs.</p>

SCHEDULE OF SUBMISSIONS RETAIL AND ACTIVITY CENTRE PLANNING				
NO.	SUBMITTER	SUPPORT, OBJECT, COMMENT	SUMMARY OF SUBMISSION	RECOMMENDATION
6.	Landowner CD/105725/20	Support	The submission supports the proposed Strategy and does not see that it has any impact.	The City Acknowledges the submission and its support for the proposed Retail and Activity (Commercial) Centre Strategy.
7.	Landowner CD/109910/20	Support	No further comments were provided in the submission.	The City Acknowledges the submission and its support for the proposed Retail and Activity (Commercial) Centre Strategy.
8.	Consultant on behalf of Landowner CE/138768/20	Comment	<p>The submission expresses concerns for the indicative retail floor space proposed in the Strategy for the following Centres. The submission highlights that the retail floor space proposed is inconsistent with approved structure plans for the Centres mentioned:</p> <ul style="list-style-type: none"> <li>▪ Harrisdale District Centre – proposed retail floor space of 25,000sqm against recently approved structure plan of 19,000sqm.</li> <li>▪ Hilbert District Centre – proposed retail floor space of 20,000sqm against recently approved structure plan of 16,900sqm.</li> <li>▪ Hilbert East Neighbourhood Centre – proposed retail floor space of 3,500sqm against approved Wungong Design Guidelines of 2,500sqm.</li> <li>▪ Hilbert South East Local Centre – proposed retail floor space of 1,500sqm against approved Wungong Design Guidelines of 400sqm.</li> </ul>	<p>The City acknowledges the comments received from the submission in relation to a number of Centres within the Armadale area which have proposed maximum retail floor space that is greater than existing approvals. The City's Activity and Retail (Commercial) Strategy is a strategy that outlines in part the potential for retail floor space expansion for all centres within the Armadale area. The Strategy takes a 10 to 15 year view on retail floor space capacity and accordingly this will exceed the retail floor space areas currently approved for the four centres that are mentioned in the submission.</p> <p>The City's Activity and Retail (Commercial) Strategy is a strategy that outlines in part the potential for retail floor space expansion for all centres within the Armadale area. The Strategy takes a 10 to 15 year view on retail floor space capacity and accordingly this will exceed the retail floor space areas currently approved for the four centres that are mentioned in the submission.</p> <p>For the Harrisdale District Centre, the WAPC recently approved a modification to the retail floor space allowing up to 19,000sqm to facilitate Stage 2 of this District Centre. The increase was supported by a retail sustainability assessment for the Centre and its surroundings. Growth of the Centre is set to continue as the population of the surrounding catchment increases. The North Forrestdale Developer Contribution Plan No.3 anticipates a gross density of 14.6 dwellings per hectare with a future total of 25,000 residents within the Piara Waters and Harrisdale locality. With the Harrisdale District Centre catchment extending beyond the Piara Waters and Harrisdale locality, the Harrisdale District Centre will need to expand in future to align with population growth in the catchment. An increase in retail floorspace to 25,000sqm is supported to facilitate the future expansion of the centre over the</p>

<b>SCHEDULE OF SUBMISSIONS RETAIL AND ACTIVITY CENTRE PLANNING</b>				
<b>NO.</b>	<b>SUBMITTER</b>	<b>SUPPORT, OBJECT, COMMENT</b>	<b>SUMMARY OF SUBMISSION</b>	<b>RECOMMENDATION</b>
				<p>next 10 to 15 years.</p> <p>The Hilbert District Centre Structure Plan was recently approved by DevelopmentWA and supports a retail floor space of 16,900sqm. The Hilbert District Structure Plan is the Primary Centre for the Hilbert and Haynes locality (Wungong Urban Water Project area) which is anticipated to grow to a population of between 40,000 and 45,000 people. Enabling the Hilbert District Centre to grow in retail floor space to 20,000sqm over the next 10 to 15 years will help the Centre keep pace with population growth in the area and ensure that the Centre remains the primary District Centre for the Hilbert and Haynes locality.</p> <p>The Hilbert East Neighbourhood Centre and the Hilbert South East Local Centre are identified in the Wungong Design Guidelines as having a retail floor space of 2,500sqm and 400sqm respectively. The City in preparing the Activity and Retail (Commercial) Centres Strategy has been informed by recent work undertaken by DevelopmentWA and the City on the Hilbert and Haynes locality through review of the Wungong Development Contribution Scheme. With population in the Hilbert and Haynes locality anticipated to be between 40,000 and 45,000 people the hierarchy of centres within the locality are required to be appropriately sized to enable future growth and viability. Accordingly, the expansion of retail floor space for Hilbert East Neighbourhood Centre and the Hilbert South East Local Centre to 3,500sqm and 1,500sqm, respectively is considered to be appropriate to the population levels expected in the locality over the next 10 to 15 years. These centres will also have the nearly rural areas in their catchment.</p> <p>For individual Centres to seek an expansion on their current floor space – say for example the Harrisdale District Centre, to expand from 19,000sqm as currently approved to 25,000sqm this would need to be supported by a Retail Sustainability Assessment that would require the approval of the City. The Activity and Retail (Commercial) Strategy prepared by the City takes a long-term view of the retail sustainability of activity centres within the Armadale area, and there are steps need to be taken to ensure retail</p>

SCHEDULE OF SUBMISSIONS RETAIL AND ACTIVITY CENTRE PLANNING				
NO.	SUBMITTER	SUPPORT, OBJECT, COMMENT	SUMMARY OF SUBMISSION	RECOMMENDATION
				floor space could expand to the areas identified in the Strategy. The City, therefore does not support modification of the Strategy to reflect the retail floor space areas identified in the submission.
9.	WaterCorporation CE/140103/20	Comment	<p>The Submission provided the following comments:</p> <ul style="list-style-type: none"> <li>▪ All of the centres within the strategy are within planned water supply scheme area. Reticulated water is currently available to most of the Centres.</li> <li>▪ All of the centres within the strategy are within a planned sewerage district except for No.36 – Churchman Brook Estate. The provision for wastewater in all centres was outlined.</li> <li>▪ All of the centres within the strategy are within a Drainage Catchment. Future development will need to compensate any additional flows on their own land.</li> </ul>	<p>The City Acknowledges the submission and has no further comment to make.</p>
10.	Metronet CE/141746/20	Support	<p>The submissions supports the importance of the Strategy in guiding the future development of the Armadale Strategic Metropolitan City Centre and has the following comments to make:</p> <ul style="list-style-type: none"> <li>o <i>Page 4, Section 00 Executive Summary - Armadale Strategic Metropolitan Centre</i> – Reference to the delivery date of the Byford Rail Extension (BRE) project, i.e. by 2023, should be removed. Please also note the current project scope for BRE is as follows: <ul style="list-style-type: none"> <li>o Construction of a new at grade station at Byford, parking and bus interchange.</li> <li>o Armadale Station - Upgrade of existing platform and track, concourse bridge, bus interchange, car parking at grade and Treatment of Level Crossings</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>▪ Refer to 'main report' for the City's comments.</li> <li>▪ Whilst the City acknowledges the position of the submission that the Armadale to Byford passenger Rail line is to 'activate space within the precinct', the City has reviewed the draft 'Place Plan' for the Armadale Train Station and has identified some positive design aspects to the plan with some improvement required for the activation of the 'plaza' to be created east of the Train Station. The City has undertaken an extensive review of the draft 'Place Plan' and have provided its comments to Metronet and the State Design Review Panel meeting which occurred in late October 2020. Further refinement of the plan is required to meet the Metronet objectives of: <ul style="list-style-type: none"> <li>▪ 'Economic Growth';</li> <li>▪ 'Accessible to All';</li> <li>▪ 'Communities with a sense of Belonging';</li> <li>▪ 'Future Proofing'; and</li> </ul> </li> </ul>

SCHEDULE OF SUBMISSIONS RETAIL AND ACTIVITY CENTRE PLANNING				
NO.	SUBMITTER	SUPPORT, OBJECT, COMMENT	SUMMARY OF SUBMISSION	RECOMMENDATION
			<ul style="list-style-type: none"> <li>▪ <i>Page 4, Section 00 Executive Summary - Armadale Strategic Metropolitan Centre</i> – Please remove all references to undergrounding or lowering the rail through Armadale. For many reasons, including the complexities associated with; the mix of electric and diesel trains; the ability to demonstrate value for money; and, a likely residual severance which would not be conducive to desired development outcomes, the PTA, through the METRONET project investigations and option shortlisting, is no longer contemplating underground or lowered rail as a suitable option for Armadale Centre.</li> <li>▪ <i>Page 4, Section 00 Executive Summary - Armadale Strategic Metropolitan Centre</i> –Please include a statement with regards to the BRE project acknowledging that the intent of the Project is to act as a catalyst for activating the space within the precinct; however, it is not within the scope of the Project to develop these areas; this development would be the City's responsibility.</li> <li>▪ <i>Page 5, Section 00 Executive Summary – Local Activity Centres</i> – The PTA has no plans for a Wungong rail station within the planning horizon of this Activity Centres Strategy, nor is it being future-proofed for within the current METRONET project extending the Armadale Line to Byford.</li> <li>▪ <i>Page 31, Section 4.1.3 Movement - Advocate for high frequency buses to service activity centres</i> – the PTA is supportive of increasing density across the City of Armadale as this is conducive to growing the patronage on Transperth bus and rail services. The PTA advocates for higher residential, commercial and retail densities to maximise the opportunity for land use and public transport integration. PTA does have long term plans to grow the bus network within the City of Armadale, however this is subject to</li> </ul>	<ul style="list-style-type: none"> <li>▪ 'Integrated Land Use'</li> <li>▪ The City acknowledges that there are no plans at current for the Wungong Rail Station, but the City reserves the right to consider approaching State Government to progress this option in future to serve the growing population and the future station has been identified in State Planning documents. As the Activity and Retail (Commercial) Strategy is a 10 to 15 year horizon document, it is not beyond the realms of consideration that a future State Government may be persuaded to establish a future Train Station for Wungong and accordingly it should remain in the Strategy as an aspiration for the future.</li> <li>▪ The City acknowledges the position of the submission. It also notes that the South-East Growth Corridor is the fastest growing in the Metropolitan area, and whilst there may be no funding committed at this point in time to expand public transport services in this corridor, it is expected that this will change. The City will be advocating for increased State Government funding for the South-East Growth corridor as a priority over other areas within the Metropolitan area especially due to the growth forecasts for this region.</li> <li>▪ The City acknowledges the position of the Public Transport Authority. It should be noted that the City has initiated Town Planning Scheme Amendments around the Challis and Sherwood Train Stations aimed at increasing housing diversity and overall residential density.</li> <li>▪ The City acknowledges the comments made. It should be noted that the 'sinking' of the railway line should be treated as an 'option' that was being contemplated for the areas mentioned and therefore should be treated as such.</li> </ul>

SCHEDULE OF SUBMISSIONS RETAIL AND ACTIVITY CENTRE PLANNING				
NO.	SUBMITTER	SUPPORT, OBJECT, COMMENT	SUMMARY OF SUBMISSION	RECOMMENDATION
11.	Main Roads WA CE/142324/20	Support	<p>funding allocation, population growth and demand in the area. Currently there is no funding to introduce new services into the City due to the current low urban densities.</p> <ul style="list-style-type: none"> <li>▪ Page 45, Section 6.3 Residential Density Code Increases – the PTA is supportive of increasing density within station catchments across the network. Challis and Sherwood currently have very low patronage compared with most other stations on the Armadale Line therefore there is sufficient capacity at these stations to grow patronage.</li> <li>▪ Page 147, Section 11.4 METRONET – the Inner Armadale Level Crossing Removal project will deliver elevated rail over Hamilton, Wharf, William, Mint and Oats Street, and Welshpool Road. ‘Sinking’ rail is not an option being developed at any location.</li> </ul>	<p>The City acknowledges the comments made in the submission and has the following response:</p> <ul style="list-style-type: none"> <li>▪ Acknowledged. The City includes reference to other modes of transport in the document.</li> <li>▪ Acknowledged. The City is looking to undertake the preparation of an Integrated Transport Strategy as a separate body of work to this Strategy.</li> <li>▪ Acknowledged. The City agrees with this comment, hence one of the purposes of the Strategy is to provide guidance on the future development / expansion of Centres within the Armadale area.</li> <li>▪ The City supports these comments in general and notes that the Strategy captures this sentiment under section 4.1.3 of the document. No changes to the Strategy is recommended.</li> <li>▪ The City acknowledges the comments made and will consider such principles when it undertakes the preparation of a new</li> </ul>

<b>SCHEDULE OF SUBMISSIONS RETAIL AND ACTIVITY CENTRE PLANNING</b>				
NO.	SUBMITTER	SUPPORT, OBJECT, COMMENT	SUMMARY OF SUBMISSION	RECOMMENDATION
			<ul style="list-style-type: none"> <li>o “Ensure the transport network complements and responds to the future needs of the community and Activity Centres”</li> <li>o “The City continues to work collaboratively with developers, state government agencies to ensure the community has access to appropriate levels of infrastructure and services to meet their needs”</li> <li>▪ “Develop Vehicle Access Strategies where appropriate to ensure access is co-ordinated”.</li> <li>▪ Work is currently, underway within the Transport Portfolio to introduce a “Movement and Place” framework that will inform a future guidance document for Western Australia. The City should consider implementing “Movement and Place” planning principles as part of the precinct planning within the future Local Planning Strategy.</li> <li>▪ A robust Transport Impact Assessment (TIA) is to be prepared to support future Activity Centre Plans in accordance with WAPC’s Transport Impact Assessment Guidelines (August 2016) and the Department of Transport Modelling Guidelines for Activity Centre Structure Plans.</li> <li>▪ Where alternative access is available, Main Roads’ preference is for allotments to not have direct access onto the Primary Regional Road. This position is reflected within Development Control Policy 5.1 Regional Roads (Vehicular Access). There is no suggestion of connection in the document; however, this comment has been made for completeness.</li> <li>▪ Pre-consultation with the relevant referral agencies should be undertaken in accordance with the Transport Impact Assessment Guidelines (August 2016). This will ensure referral agencies’ interests are addressed early in the process. Main Roads encourages such preliminary consultation when an</li> </ul>	<ul style="list-style-type: none"> <li>▪ Local Planning Strategy commencing in 2021.</li> <li>▪ The City acknowledges this requirement as a pre-requisite to future planning through Activity Centre Plans.</li> <li>▪ The City is aware of the requirements for Main Roads WA in terms of access onto Primary Regional Roads. In preparing Activity Centre Plans in future, these documents will be referred to Main Road WA for their comment. A balance on access for Activity Centres is often required.</li> <li>▪ The City acknowledges the comments made. This is the standard procedure for preparing Transport Impact Assessments as per the Transport Impact Assessment Guidelines.</li> <li>▪ The City is aware of this practice. Any such proposal will be referred to Main Roads WA for comment and approval.</li> <li>▪ The City is aware of this requirement as outlined in State Planning Policy 5.4 ‘Road Transport Noise and Freight Considerations in Land Use Planning’.</li> </ul>

SCHEDULE OF SUBMISSIONS RETAIL AND ACTIVITY CENTRE PLANNING				
NO.	SUBMITTER	SUPPORT, OBJECT, COMMENT	SUMMARY OF SUBMISSION	RECOMMENDATION
12.	Landowner CE/142645/20	Support	<p>Activity Centre is proposed that impacts upon a State Road, to ensure road planning matters are addressed upfront in the consultation process.</p> <ul style="list-style-type: none"> <li>▪ The City is advised that any traffic treatments and modifications to traffic signals will require further approval from Main Roads under <i>Road Traffic Code 2000</i>. This comment has been made, as there is reference to intersection treatments in the document.</li> <li>▪ Noise sensitive land uses located adjacent to the Primary Regional Road reservation must implement acoustic attenuation measures, as outlined in State Planning Policy 5.4 Road and Rail Transport Noise and Freight Considerations in Land Use Planning, to mitigate potential negative externalities generated by the road environment.</li> </ul> <p>No further comments were provided in the submission.</p>	The City Acknowledges the submission and its support for the proposed Retail and Activity (Commercial) Centre Strategy.

<b>SUMMARY OF MODIFICATIONS – ACTIVITY AND RETAIL (COMMERCIAL) CENTRES STRATEGY</b>	
<b>Section of the Document</b>	<b>Proposed Modification</b>
1	<p>Page 4 – Reference to the delivery date of the Armadale to Byford passenger Rail Line extension being 2023 will be removed and instead a comment included that the indicative start date for the project is the 2022/23 financial year.</p> <p>Page 5 – Under heading - ‘Neighbourhood Activity Centres’, second paragraph second sentence include the following ‘ Due to the land for a proposed Neighbourhood Centre being allocated to a residential use and the approval....’</p> <p>This change to be made throughout the document.</p> <p>Page 7 – ‘Armadale Retail (Commercial) Centres Strategy May’ – change the orientation so that it features as a ‘landscape’ format.</p> <p>Page 42 – Under sub heading ‘6.1.4 – TPS4 Amendments’ – include the purpose and status of Town Planning Scheme Amendment No.100 as finalised with amendments to the proposal.</p> <p>Page 43 – Figure 6.1 ‘City of Armadale’s Local Planning Strategy – Strategic Plan (Plan 2)’ – change the orientation so that it features as a ‘landscape’ format.</p> <p>Page 44 – Under heading – ‘6.2 Normalisation of Development Areas’ under the third paragraph update the status of Town Planning Scheme Amendments 105, 107, and 108. This section should be updated in general to accord with the current status of normalisation.</p> <p>Page 45 – Under headings – ‘6.3.1 TPS4 Amendments 89’, ‘6.3.2 TPS4 Amendment 100’, and ‘6.3.3 TPS4 Amendment 106’, update the status of all amendments and the description of the proposals. In respect to Amendment 90, all reference to this amendment to be removed from the document as the amendment was not initiated.</p> <p>Page 49 – Under heading ‘6.5 Kelmscott District Centre’, under the 5<sup>th</sup> and 6<sup>th</sup> paragraph update the text to reflect Ministerial decisions on Town Planning Scheme Amendment 100.</p> <p>Page 52 – Under heading ‘6.6 City West of Railway / Railway Station Precinct’, under paragraph 4 make the following changes:</p> <ul style="list-style-type: none"> <li>▪ Reference to land assembly and civil and landscape designs being completed by 2019 and replace with ‘2020 for civil and landscape design’, ‘2021 for land assembly’ and ‘2021 for the Development Contribution Scheme’.</li> <li>▪ Remove the final sentence starting with ‘The City of Armadale would then be....’, and replace with ‘The completion of these important tasks will facilitate normalisation of the precinct from DevelopmentWA to the City and will then enable for project development to proceed according to market conditions. This may include the City delivering civil and landscape works should market conditions enable development in the precinct to proceed’.</li> </ul>
2	<p>Section 6 – Strategic and Policy Context</p>

<b>SUMMARY OF MODIFICATIONS – ACTIVITY AND RETAIL (COMMERCIAL) CENTRES STRATEGY</b>	
<b>Section of the Document</b>	<b>Proposed Modification</b>
3	<p>Page 52 – Under heading ‘6.7 Wungong Urban Water Master Plan’ in paragraph 4 update the paragraph to reflect that the Cell F Hilbert District Structure Plan has been approved by DevelopmentWA in October 2020.</p> <p>Page 55 – Under the heading ‘6.8.2 Forrestdale Business Park’, and an additional paragraph outlining the City’s Local Planning Policy, and Town Planning Scheme Amendment which is assisting the facilitation of normalisation of the planning for the precinct from DevelopmentWA to the City.</p> <p>Page 58 – Under the heading ‘7.4 District Centre’, paragraph 4 highlight the status of Amendments 86, 87, 89 and 100 and MRS Amendment 1360/57. In respect to Amendment 90, all reference to this amendment should be removed as this amendment was not initiated.</p> <p>Page 62 – Under ‘Centre Strategy’ section of ‘Harrisdale District Centre’, remove last paragraph referencing the need for a Public Realm Strategy to be prepared as it won’t be needed for this Centre as the Centre is new and has modern public realm infrastructure.</p> <p>Page 62 – Under ‘Centre Strategy’ section of ‘Hilbert District Centre’, complete the following changes:</p> <ul style="list-style-type: none"> <li>▪ Reword the second last paragraph to say ‘Specifically, the City to continue to progress actions associated with the Normalisation of the project area to integrate the area into Town Planning Scheme No.4.</li> <li>▪ Remove last paragraph referencing the need for a Public Realm Strategy to be prepared as it won’t be needed for this Centre as the Centre is yet to commence construction and landscape design has been included into the District Structure Plan.</li> </ul> <p>Page 65 - Under ‘Residential Densities’ section of ‘River Road Local Centre’, amend the text to reflect that the area is considered a ‘heritage Precinct’ and includes a Local Planning Policy that guides development in the area along heritage design principles.</p>
4	<p>Page 87 – Under paragraph 4, modify the following:</p> <ul style="list-style-type: none"> <li>▪ First dot point – Reference only potential to expand as there has been no Development Application approvals for example that would support the expansion of retail floor space for Harrisdale District Centre to 22,000sqm.</li> <li>▪ Second dot point - Reference only potential to expand as there has been no Development Application approvals for example that would support the expansion of retail floor space for Hilbert District Centre Harrisdale District Centre to 20,000sqm.</li> <li>▪ Third dot point - Reference only potential to expand as there has been no Development Application approvals for</li> </ul>

<b>SUMMARY OF MODIFICATIONS – ACTIVITY AND RETAIL (COMMERCIAL) CENTRES STRATEGY</b>	
<b>Section of the Document</b>	<b>Proposed Modification</b>
5	<p>example that would support the expansion of retail floor space for Haynes neighbourhood Centre to 6,200sqm.</p> <ul style="list-style-type: none"> <li>▪ Fourth dot point – Reference only potential to expand as the Hilbert South Neighbourhood Centre won't be built by 2021.</li> </ul> <p>Page 88 – Under heading 'Town Planning Scheme', point 3.2.7 add to the sentence 'as per Town Planning Scheme No.4'.</p> <p>Page 88 – Under heading 'Residential Development', include under point 6.1 the following after 'part', 'or adjoining'.</p> <p>Page 89 – Under heading 'Harrisdale District Centre', remove the second sentence commencing with 'Prepare a Public Realm Strategy....'. Also under heading 'Hilbert District Centre', remove the second sentence commencing with 'Prepare a Public Realm Strategy....'.</p> <p>Page 90 – Under heading 'South Forrestdale Mixed Business/Industrial Centre', add the following text after 'for stage 2....', 'when appropriate studies are undertaken by the landowners'.</p> <p>Page 94 – Under the 'Comments' section, fifth paragraph, update the text to reflect the outcome of Amendment 100.</p> <p>Page 105 – Under the heading 'River Road Local Centre', include reference to the Centre being within a Heritage precinct with a Local Planning Policy guiding new development along heritage design principles.</p> <p>Page 114 – Under the heading 'Forrestdale Local Centre', include reference to the new small Local Centre that is being established on Anstey Road.</p> <p>Page 126 – Under heading 'Champion Lakes Local Centre' under the 'Centre Plan History' update the text to reflect that the Structure Plan is adopted.</p>

ARMADALE RETAIL  
(COMMERCIAL)  
CENTRES STRATEGY

*Refer separate Attachment*

<b>PLN 2.4</b>	<b>LANDSCAPE FEATURE AND TREE PRESERVATION</b>
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## 1. INTRODUCTION

Town Planning Scheme No.4 (TPS No. 4) includes a number of mechanisms that protect or that can be used to achieve preservation of trees or groups of trees or landscaping features including:

- a) the use of development envelopes (Clause 4.7 and Policy PLN 2.1);
- b) a requirement for permission to clear remnant vegetation in the Special Rural and Rural Living zones (Clause 4B.7);
- c) a requirement for permission to remove, lop, top, chop, ringbark or otherwise trim or destroy a certain size of tree within any of the City's Strategic Regional Centre, District Centre, Local Centre and Mixed Business / Residential zones. (Clause 4C.9);
- d) identification of areas as landscape and bushland protection areas on Special Control Area Map 1 which can serve to protect groups of trees (Clause 5.5);
- e) listing on the heritage list where those trees are of cultural heritage significance and worthy of conservation;
- f) serving of a notice requiring landholders to preserve a tree or group of trees (Clause 80A of Schedule A – Tree Preservation Orders); and
- g) retention of trees and landscape features in public open space, drainage corridors and road reserves (e.g. through the Structure Planning and subdivision process); and
- h) the identification of vegetation retention as part of the State Government's *'Liveable Neighbourhoods (i.e. Element 1 – Community Design)'*.

This policy provides guidance on the application and administration of circumstance where Clause 80A of Schedule A may be applied (item (f) above) which reads as follows:

*"The Local Government may by notice served upon individual landowners or upon a subdivider of land, require the preservation of a tree or group of trees. Thereafter no landowner shall cut, remove or otherwise destroy any tree unless the Local Government grants approval or rescinds the notice or order."*

The policy also focuses on guidance and administration on the retention of Groups of Trees and Landscape Features (item (g) and (h) above) that are deemed significant by the community and identifies mechanisms for their protection through the planning and development process.

### 1.1 DEFINITIONS

*"Landscape feature"* is defined in section 3.2.2 of this policy.

*"Registered tree"* is a tree or group of trees subject to a notice under Clause 80A of Schedule A of Town Planning Scheme No.4.

*"Significant tree"* is defined in section 3.2.1 of this policy.

*"Tree"* includes shrubs and other perennial plants, and should be read in the singular or plural to include a group of trees.

## 2. POLICY OBJECTIVES

- a) To provide guidance on the criteria that shall be used when considering whether or not a tree is significant enough to warrant issuing of a notice under Clause 80A of Schedule A of TPS No.4.
- b) To provide guidance on the review of a registered tree and guidance on administrative processes associated with the protection of a registered tree.
- c) To provide guidance on the level of information required by the City when considering significant trees and landscape features at each stage of the planning framework.
- d) To aim for the retention of significant trees and other landscape features through the strategic and statutory planning framework to retain the character of the area.
- e) To provide referral advice and / or advocate to the Western Australian Planning Commission and DevelopmentWA, the retention of trees and other landscape features when considering Structure Plans and Subdivision Plans.
- f) Advocate for the achievement of 'environmental offsets' in the City's municipal boundary.

## 3. POLICY STATEMENT

### 3.1 How the Policy is to be applied

This policy applies to all land within the City of Armadale Town Planning Scheme No.4 and, areas where the City does not have planning control and instead provides referral advice, during the following planning phases and circumstances described below:

- District Structure Plans;
- Local Structure Plans;
- Subdivision applications (10 or more lots);
- Development Applications; and
- Individual selection of significant trees (only) for protection via community or Government nomination.

This policy is to be read in conjunction with Town Planning Scheme No 4 (i.e. Clause 80A of Schedule A) and other relevant strategies and policies and is intended to complement and be used in conjunction with relevant State Government legislation, policies and guidelines, specifically Liveable Neighbourhoods – Element 1 'Community Design' under 'Site and Context Analysis requirements' as follows:

*'1.2 – Identify and respond to significant environmental assets such as landform, geology, areas of landscape significance, Environmental Policy Protection areas, bushlands, wetlands and foreshore reserves in the proposed urban structure'*

*'1.3 – Enhance local identity by recognising and incorporating local character values, landmark, heritage, views and any other significant natural and cultural assets'*

### **3.2 What is considered a Significant Tree(s) and Landscape Feature**

The criteria and process used to determine the significance of a tree and landscape feature is discussed in this section.

In respect to the application of Clause 80A of Schedule A, only trees deemed to be significant as assessed against the criteria below will warrant notice under Clause 80A or retention during the Structure Plan, Subdivision and / or Development process.

#### **3.2.1 Significance Criteria – Trees**

In terms of determining what is a Significant Tree(s) that is worthy of retention, a tree or trees will need to meet at least one of the first three criteria listed below (“a”, “b” or “c”) to be considered worthy of issuing of a notice under Clause 80A of Schedule A, or retention through the Structure Plan and Subdivision process in addition to being deemed acceptable under criteria “d” (i.e. a tree must meet criteria “d” but only needs to meet at least one of the first three criteria).

##### **a) *Heritage Significance***

Heritage significance can arise from importance to the Aboriginal community, European significance, association with a significant heritage site, or commemorative plantings.

Heritage significance should be determined by the City with due regard to the advice of the City’s Community Heritage Advisory Group, or in the case of Aboriginal significance with due regard to the advice of the Department of Planning, Lands and Heritage.

##### **b) *Species Significance***

Species significance can arise from a range of factors including outstanding size or age, horticultural significance, rarity, habitat value, or curious growth forms.

Outstanding size or age should be assessed by the City’s Parks and Reserves Services based on the size and age of the tree relative to normal mature size and age of trees for that species in the City.

Horticultural significance should be assessed by the City’s Parks and Reserves Services using the species significance factors noted above and horticultural advice.

Rarity should be considered from a state-wide and City of Armadale context. Declared Rare Flora and Priority Flora are adequately protected under the *Wildlife Conservation Act 1950* and will not be listed under this policy. The City’s Parks and Reserves Services and/or Environmental Services should provide advice on rarity.

In undertaking assessments under this policy the habitat value of a tree is deemed significant if it provides a breeding, feeding or roosting site regularly used by fauna protected under state or federal legislation or international treaties or is a mature tree with a diameter at breast height of 50cm or greater. The City's Environmental Services should provide advice on habitat value.

Habitat value may be listed as a valued attribute for trees identified as significant for other reasons, even if the tree's habitat value does not meet the abovementioned criteria. This would be the case for example for a Marri tree (*Corymbia calophylla*) listed as significant for other reasons because Marri provide habitat for a much wider range of fauna than many other local trees.

Curious growth forms include abnormal outgrowths, fused branches or unusual root structures, and should be assessed by the City's Parks and Reserves Services.

**c) *Location, Landscape and Landmark Significance***

Some trees acquire significance due to their context in and contribution to the landscape and are sometimes identified as landmarks by the community. Assessment of location, landscape and landmark significance is primarily subjective, yet many people can share the same perception. Such significance should therefore only be ascribed where there appears to be general agreement by the community.

Location, landscape and landmark significance should be assessed by the City's Planning Services, who may consult with the Community Heritage Advisory Group.

**d) *Tree Condition and Impacts***

If a tree is deemed as significant under one or more of the above Criteria, the condition of the tree and its existing and potential impacts will also need to be assessed. Such an assessment, which may take the form of a "*Quantified Risk Assessment*", will be undertaken by the City's Parks and Reserves Services and should consider the following matters:

- a) Usual Life expectancy;
- b) Health condition (vitality) and structural integrity;
- c) Evidence of existing impacts a tree is having on buildings and/or structures;
- d) Future growth habits and their potential impacts;
- e) Potential size at maturity;
- f) Safety Risks (or Risk of Harm);
- g) Amenity and Lifestyle Impacts; and
- h) If applicable, evidence from a relevant and qualified medical professional that a tree is causing medical problems to a member/s of the community.

The tree condition and impact assessment will be the final matter that is considered in deciding if a notice under Clause 80A should be issued or the trees recommended to be retained as part of the District and Local Structure Plan process or Subdivision and Development Stages. With consideration of the advice received from the City's Parks and Reserves Services (and other advice where applicable), the City's Planning Services will make the final recommendation or decision on the appropriateness of issuing a notice under Clause 80A and / or recommending to the Western Australian Planning Commission that the tree(s) be retained as part of the District and Local Structure Plan process and Subdivision and decision on Development Application process.

If the condition or impacts of a tree are deemed unacceptable by the City, it may be recommended or decided that a notice issued under Clause 80A is not issued or the trees are not retained as part of the District or Local Structure Plan process, Subdivision or Development Application process.

### **3.2.2 Significance criteria – Landscape Features**

A Landscape Feature is to be considered a unique or identifiable feature of the landscape including ridgelines, rocky outcrops, vegetation, creek lines and wetlands.

Landscape Features can be identified in the District and Local Structure Planning phase of the planning and development process and subdivision phase of the planning and development process.

In the case of a 'group' of trees being identified as a significant Landscape feature, the retention of individual trees will be undertaken in accordance with criteria identified in Section 3.2.1 of this policy.

### **3.3 Information required by the City for Assessment**

This section sets out the City's expectations on the minimum information required for investigation and management of significant trees and landscape features that may be identified during the various stages of the planning framework including District and Local Structure Planning stage, Subdivision stage, Development stage or when individually nominated by the City, Government organisation or Member of the Community.

The City may at its discretion, waive or modify any of the requirements where it is satisfied that the information provided by the applicant is appropriate for the City to consider Landscape Features and Significant Trees.

The City's requirements in relation to Significant Trees and Landscape Feature retention at each stage of the planning framework or via individual nomination is detailed below:

### **District Structure Planning**

The following information is required to be prepared and submitted to the City for approval at District Structure Planning stage to assist in satisfying Items '1.2 and 1.3' of the 'Site and Context Analysis' requirements under Element 1 'Community Design' of Liveable Neighbourhoods:

A District Landscape Feature and Tree Retention Strategy is to be submitted to the City as part of the District Structure Plan in accordance with *Schedule 2 Clause 16(1)(c)(i) of the Planning and Development (local planning schemes) Regulations 2015*. A District Landscape Feature and Tree Retention Strategy should be prepared in consultation with the City and include the following:

- Identification of all Landscape Features and Significant Trees (or groups of significant trees where appropriate) overlaid on the District Structure Plan and recent aerial image;
- Statement of how the District Structure Plan has considered and responded to Element 1 (Community Design) of Liveable Neighbourhoods; and
- Description of the process for retaining Significant Trees and Landscape Features during subsequent stages of the planning framework in accordance with this policy.

### **Local Structure Plans**

The following information is required to be prepared and submitted to the City for approval at Local Structure Planning stage to assist in satisfying Items '1.2 and 1.3' of the 'Site and Context Analysis' requirements under Element 1 'Community Design' of Liveable Neighbourhoods: :

#### **Local Landscape Feature and Tree Retention Strategy**

A Local Landscape Feature and Tree Retention Strategy is to be submitted to the City as part of a Local Structure Plan in accordance with Schedule 2, Clause 16(1)(c)(i) of the Planning and Development Regulations 2015. A Local Landscape Feature and Tree Retention Strategy should be prepared in consultation with the City and include the following:

- A description and map prepared by a suitable qualified professional (to the satisfaction of the City) showing the location, species, size and structural health of Significant trees on site;
- A map showing which Significant Trees are proposed to be retained and which Significant Trees are to be removed;
- A description of methods to avoid impacts on trees that are to be retained;
- A description of ongoing management and maintenance;
- A map and description of all landscape Features on site;
- A map of the Landscape Features that are proposed to be retained, modified or removed; and
- Statement of how the District Structure Plan has considered and responded to Element 1 (Community Design) of Liveable Neighbourhoods.

The Local Landscape Feature and Tree Retention Strategy must give due consideration to Element 1 'Community Design' of Liveable Neighbourhoods. Structure Plan is to outline how Element 1 of Liveable Neighbourhoods has been achieved and identify mechanism for implementation at subdivision stage.

a) **Subdivision Applications**

In order for the City to provide advice to the Western Australian Planning Commission for the assessment of subdivision applications where 10 or more lots are proposed, or where an existing Landscape Feature and Tree Retention Plan exists (i.e. for District and / or Local Structure Plan), the City will require the following:

b) **Landscape Feature and Tree Retention Plan**

A Landscape Feature and Tree Retention Plan is to be prepared in consultation with the City prior to the submission of a Subdivision Application to the Western Australian Planning Commission with the intention of resolving any inconsistencies between:

- The retention of the Significant Trees and Landscape Features and the location of services, driveways, garage locations and retaining walls; and
- Preliminary engineering designs / water management plans, and the retention of Significant Trees and Landscape Features to be retained.

The Landscape Feature and Tree Retention Plan should be consistent with the Local Landscape Strategy and/or approved Local Structure Plan and should identify (where applicable):

- A map prepared by a suitable qualified professional (as determined by the City) showing the location, species, size and structural health of Significant Trees to be retained;
- A description of methods to avoid impact of Significant Trees that are to be retained;
- Cut and fill levels where Significant Trees are to be retained;
- Buffer distances around Significant Trees in accordance with AS4970-2009 – Protection of Trees on development sites (or as amended);
- A description of ongoing management and maintenance of Landscape Features and Significant trees; and
- A map of the Landscape Features that are proposed to be retained.

When subdivision applications are assessed under this Policy, the City may recommend conditions to the Western Australian Planning Commission requiring Landscape Features and/or Significant Trees to be retained in accordance with a Landscape and Tree Retention Plan that has been approved by the City.

c) **Civil Design**

Following subdivision approval by the WAPC, where a Landscape and Tree Retention Plan is in place following previous phases of the approval framework, at the Civil Design stage the following information is required:

- Civil drawings submitted to the City (including for retaining walls, drainage and POS, roads, services and footpaths) shall be consistent with the Landscape and Tree Retention Plan adopted by the City. Requirements of the adopted plan need to be incorporated into the Civil drawings;
- The proponent will be required to engage with the City to undertake a site visit to demonstrate how the Landscape and Tree Retention Plan is to be followed; and
- Plans of the location, approximate height, diameter, species and condition of the Significant Trees and Landscape Feature shall be provided to the City with the civil drawings.

d) **Prior to Earthworks / Engineering Approval**

Following subdivision approval by the WAPC, where a Landscape and Tree Retention Plan is in place following previous phases of the approval framework, the following is required prior to the issue of earthworks / engineering approval by the City:

- Construction drawings to be provided in the appropriate format showing the location, species, approximate height, DBH and canopy of all retained trees and landscape features;
- Ground truth public open space and road reserves prior to clearing, with a representative from the City to ensure Significant Trees and Landscape Features are to be protected, are surveyed and clearly identified on site;
- Service installation in the proximity of Significant Trees and / or Landscape Features shall be undertaken using methods other than excavation which comply with AS 4970-2009; and
- Where services conflict with a Significant Tree or Landscape Feature, the City may require service alignments to be altered to minimise impact on the Significant Tree and Landscape Feature, in agreement with the service provider.

e) **Requirements at Practical Completion of Subdivision**

Following the completion of civil and landscape works in a stage of subdivision the following is required:

- A representative from the City will undertake an inspection of the subdivision works to determine if the Significant Trees and Landscape Features have been retained in accordance with the Landscape Feature and Tree Retention Plan;
- Any Significant Trees with damage may require review by an independent arborist to determine if the tree is viable. Trees that are not viable will be removed and replaced with a tree of the same species at the full expense of the proponent and to the satisfaction of the City.

f) **Development Applications**

Development application approvals may also be conditioned requiring Landscape Features and / or Significant trees to be retained in accordance with a Landscape Feature and Tree Retention Plan that has been approved by the City.

If a Landscape Feature and Tree Retention Plan does not apply to a Development Application the City can undertake its own assessment using the criteria established in clause 3.2.1 and 3.2.2 and if necessary issue a Tree Preservation Notice via Clause 80A of TPS No.4 or alternatively apply a condition of Development Approval for the Tree Retention and / or Landscape Feature.

g) **Nomination of Significant Tree by Government or Community**

It is possible that either a Government entity or Member of the Community can identify and seek the approval of the City to retain a Significant Tree on a property or road reserve.

In these circumstances the City will undertake an assessment in accordance with Clause 3.2.1 and if warranted will consider the best mechanism for protecting the tree. In general Clause 80A should only be used:

- when other mechanisms (e.g. as identified in the introduction to this policy) are deemed inadequate or not suitable; and/ or
- the tree in question is of such significance that additional protection is warranted.

Trees of cultural significance that qualify for heritage listing under *Schedule 2, Part 3 of Planning & Development (Local Planning Schemes) Regulations 2015* should also be protected by a notice issued under Clause 80A of the Scheme.

In the course of processing an application for planning approval, the City may require an owner to submit a site plan identifying trees likely to be deemed significant under this Policy that are affected by the proposed development. Details will also need to be submitted of proposed measures to protect trees identified on the site plan as outlined in the Australian Standard 4970-2009: Protection of trees on development sites (or superseding Australian Standard).

**3.4 Process for requesting the City to issue a notice**

In circumstances where 3.3 (f) applies in this policy, requests should be prepared using the form provided (attached).

Once received the request will be processed by the City's officers by undertaking an assessment using the framework provided by Clause 3.2.1 of this policy.

### **3.5 Administrative mechanisms for the protection of registered trees**

The City will maintain a Tree Preservation Register that lists notices issued, their date of issue and a brief summary of the tree's significance.

Trees in the Tree Preservation Register will be identified on the City's geographic information system.

To assist owners with registered trees the City offers:

- a standard plinth and plaque for the base of a significant tree at cost; and
- advice to approved contractors on tree pruning as outlined in the Australian Standard 4373-2007: Pruning of amenity trees (or superseding Australian Standard).

Subject to availability of resources, the City will undertake regular inspections when development works are approved in the vicinity of a registered tree, with development works to be undertaken as outlined in the Australian Standard 4970-2009: Protection of trees on development sites (or superseding Australian Standard).

If a registered tree is on public land (e.g. road reserve) the City will install a plaque or sign except where it is decided that erection of a sign next to the tree will increase threats to the tree (e.g. increased likelihood of theft or damage due to the advertisement of its importance).

### **3.6 Review of Registered Trees**

The City's Parks and Reserves Services will reinspect all registered trees at least every five years.

As part of a reinspection, the City's Parks and Reserves Services will consider Significance Criteria as per Clause 3.2.1 above to help determine the appropriateness of a tree remaining registered or to determine what action is required to ameliorate the impacts and improve the condition of a registered tree.

If in between inspections a landowner identifies that the condition of a registered tree on private land or on public land has deteriorated and its impacts are becoming a risk, they can provide evidence and request the City's Parks and Reserves Services to inspect the tree to determine if remedial action is necessary. There is therefore a duty of care placed on a landowner in this regard, as outside of the City's inspections that occur every five years, the City will only inspect a registered tree when requested in writing.

The City's Planning Services will make the final recommendation or decision on the appropriateness of a tree remaining registered or what action is required to ameliorate the impacts and/or improve the condition of a registered tree.

### **3.7 Protection of Registered Trees and Landscape Features within Future Developments and Subdivisions**

Proposed development, strata titling and/or subdivision of private land shall be designed to account for Registered Tree and /or identified Landscape Features with consideration to the potential impacts and growth habits of a tree throughout its life cycle to the City's satisfaction, with all works adjacent to significant trees to be undertaken as outlined in the Australian Standard 4970-2009: Protection of trees on development sites (or superseding Australian Standard).

The City shall require a Section 70A notification to be placed on the Certificate of Title of private property affected by a Registered Tree as part of a development, strata titling and/or subdivision approval.

### **3.8 Removal of a Significant Tree identified for retention without appropriate authorisation**

Should a landowner wish to remove a Significant Tree that has been identified in a Landscape Feature and Tree Retention Plan or via another mechanism identified in this Policy, the express permission of the City and / or formal approval is required before undertaking any site works. The City will undertake its investigation in accordance with Clause 3.6 above.

In the event that a Significant Tree that is identified for retention is part of a Landscape Feature or is identified in a Tree Retention Plan, or is identified in the City's register of protected trees and has been removed without authorisation from the City, the following may result:

- If the tree relates to a Structure Plan and / or Subdivision application, the City may withhold the issue of subdivision clearance until such time as a suitable replacement has been agreed with the City (where a subdivision condition requesting a Landscape Feature and Tree Retention Plan applies); and
- If the tree relates to a Development Application or tree on the City's Tree Register, a suitable replacement may be sought to the City's satisfaction or alternatively the City may take compliance action under the *Planning and Development Act 2005*.

### 3.9 Environmental Offsets

There may be circumstances where a landowner and/or developer is granted permission to remove 'significant trees' for a proposal such as in the scenarios below:

- Removal of Significant Trees without authorisation (Section 3.8); and
- Removal of Significant Trees and / or Vegetation in accordance with the Environmental, Protection and Biodiversity Conservation Act 1999;

Where the above circumstances apply, it will be the City's Policy to request the landowner / developer to provide environmental offsets within the project area or suburb as the first priority. If this is not possible the City can request the following:

- The landowner / developer to purchase land in the City to be protected for environmental purposes to the City's satisfaction; or
- The landowner / developer come to an agreement with the City to plant new trees within existing reserves within the City of Armadale to the City's satisfaction.

In the case where the above options are not possible, the City reserves the right to advocate to the relevant Federal or State Government body for the environmental offsets to be provided within the City of Armadale.

**Town Planning Scheme No.4 - Tree Register Nomination Form**

Address or location of tree (or group of trees)

\_\_\_\_\_

Owner's Name and address (if known)

\_\_\_\_\_

Common name and/ or botanical name

Reason for nominating the tree (please tick the box)

- |  |   |
|--|---|
| <input type="checkbox"/> Heritage significance           | <input type="checkbox"/> Species significance |
| <input type="checkbox"/> Location/ landmark significance | <input type="checkbox"/> Other                |

Please provide more information of significance of tree, by reference to the criteria provided in City of Armadale Policy PLN 2.4. Please attach other sheets as needed.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Photographs attached?                      Yes / No  
What is the general condition of the tree?      Good / Fair / Poor

Nominator's details

\_\_\_\_\_  
Name  
\_\_\_\_\_  
Address  
\_\_\_\_\_  
Phone No & e-mail  
\_\_\_\_\_

Signed and dated  
Nomination forms should be sent to the Chief Executive Officer, City of Armadale, Locked Bag No 2, Armadale WA 6992 or via email on [info@armadale.wa.gov.au](mailto:info@armadale.wa.gov.au)

- D106/6/03      Development Services Committee 9 June 2003 - Adopted by Council 16 June 2003**
- D160/9/04      Development Services Committee 13 Sept 2004 - Adopted by Council 20 Sept 2004**
- D113/9/07      Development Services Committee 11 Sept 2007 - Adopted by Council 17 Sept 2007**
- D65/9/12      Development Services Committee 17 Sept 2012 - Adopted by Council 24 Sept 2012**
- D32/8/16      Development Services Committee 16 Aug 2016 - Adopted by Council 22 Aug 2016  
- Revised September 2017 & April 2018 (as per Amendment 86)**
- D32/5/20      Development Services Committee 19 May 2020 – Adopted by Council 25 May 2020**

**PLN 2.4** | **LANDSCAPE FEATURE AND TREE PRESERVATION**

**1. INTRODUCTION**

Town Planning Scheme No.4 (TPS No. 4) includes a number of mechanisms that protect or that can be used to achieve preservation of trees or groups of trees or landscaping features including:

- a) the use of development envelopes (Clause 4.7 and Policy PLN 2.1);
- b) a requirement for permission to clear remnant vegetation in the Special Rural and Rural Living zones (Clause 4B.7);
- c) a requirement for permission to remove, lop, top, chop, ringbark or otherwise trim or destroy a certain size of tree within any of the City's Strategic Regional Centre, District Centre, Local Centre and Mixed Business / Residential zones. (Clause 4C.9);
- d) identification of areas as landscape and bushland protection areas on Special Control Area Map 1 which can serve to protect groups of trees (Clause 5.5);
- e) listing on the heritage list where those trees are of cultural heritage significance and worthy of conservation;
- f) serving of a notice requiring landholders to preserve a tree or group of trees (Clause 80A of Schedule A – Tree Preservation Orders); and
- g) retention of trees and landscape features in public open space, drainage corridors and road reserves (e.g. through the Structure Planning and subdivision process); and
- h) the identification of vegetation retention as part of the State Government's 'Liveable Neighbourhoods (i.e. Element 1 – Community Design)'.

This policy provides guidance on the application and administration of circumstance where Clause 80A of Schedule A may be applied (item (f) above) which reads as follows:

*"The Local Government may by notice served upon individual landowners or upon a subdivider of land, require the preservation of a tree or group of trees. Thereafter no landowner shall cut, remove or otherwise destroy any tree unless the Local Government grants approval or rescinds the notice or order."*

The policy also focuses on guidance and administration on the retention of Groups of Trees and Landscape Features (item (g) and (h) above) that are deemed significant by the community and identifies mechanisms for their protection through the planning and development process.

**1.1 DEFINITIONS**

*"Landscape feature" is defined in section 3.2.2 of this policy.*

*"Registered tree" is a tree or group of trees subject to a notice under Clause 80A of Schedule A of Town Planning Scheme No.4.*

*"Significant tree" is defined in section 3.2.1 of this policy.*

*"Tree" includes shrubs and other perennial plants, and should be read in the singular or plural to include a group of trees.*

## 2. POLICY OBJECTIVES

- a) To provide guidance on the criteria that shall be used when considering whether or not a tree is significant enough to warrant issuing of a notice under Clause 80A of Schedule A of TPS No.4.
- b) To provide guidance on the review of a registered tree and guidance on administrative processes associated with the protection of a registered tree.
- c) To provide guidance on the level of information required by the City when considering significant trees and landscape features at each stage of the planning framework.
- d) To aim for the retention of significant trees and other landscape features through the strategic and statutory planning framework to retain the character of the area.
- e) To provide referral advice and / or advocate to the Western Australian Planning Commission and DevelopmentWA, the retention of trees and other landscape features when considering Structure Plans and Subdivision Plans.
- f) Advocate for the achievement of 'environmental offsets' in the City's municipal boundary.

## 3. POLICY STATEMENT

### 3.1 How the Policy is to be applied

This policy applies to all land within the City of Armadale Town Planning Scheme No.4 and, areas where the City does not have planning control and instead provides referral advice, during the following planning phases and circumstances described below:

- District Structure Plans;
- Local Structure Plans;
- Subdivision applications (10 or more lots);
- Development Applications; and
- Individual selection of significant trees (only) for protection via community or Government nomination.

This policy is to be read in conjunction with Town Planning Scheme No 4 (i.e. Clause 80A of Schedule A) and other relevant strategies and policies and is intended to complement and be used in conjunction with relevant State Government legislation, policies and guidelines, specifically Liveable Neighbourhoods – Element 1 'Community Design' under 'Site and Context Analysis requirements' as follows:

*'1.2 – Identify and respond to significant environmental assets such as landform, geology, areas of landscape significance, Environmental Policy Protection areas, bushlands, wetlands and foreshore reserves in the proposed urban structure'*

*'1.3 – Enhance local identity by recognising and incorporating local character values, landmark, heritage, views and any other significant natural and cultural assets'*

### **3.2 What is considered a Significant Tree(s) and Landscape Feature**

The criteria and process used to determine the significance of a tree and landscape feature is discussed in this section.

In respect to the application of Clause 80A of Schedule A, only trees deemed to be significant as assessed against the criteria below will warrant notice under Clause 80A or retention during the Structure Plan, Subdivision and / or Development process.

#### **3.2.1 Significance Criteria – Trees**

In terms of determining what is a Significant Tree(s) that is worthy of retention, a tree or trees will need to meet at least one of the first three criteria listed below (“a”, “b” or “c”) to be considered worthy of issuing of a notice under Clause 80A of Schedule A, or retention through the Structure Plan and Subdivision process in addition to being deemed acceptable under criteria “d” (i.e. a tree must meet criteria “d” but only needs to meet at least one of the first three criteria).

##### **a) *Heritage Significance***

Heritage significance can arise from importance to the Aboriginal community, European significance, association with a significant heritage site, or commemorative plantings.

Heritage significance should be determined by the City with due regard to the advice of the City’s Community Heritage Advisory Group, or in the case of Aboriginal significance with due regard to the advice of the Department of Planning, Lands and Heritage.

##### **b) *Species Significance***

Species significance can arise from a range of factors including outstanding size or age, horticultural significance, rarity, habitat value, or curious growth forms.

Outstanding size or age should be assessed by the City’s Parks and Reserves Services based on the size and age of the tree relative to normal mature size and age of trees for that species in the City.

Horticultural significance should be assessed by the City’s Parks and Reserves Services using the species significance factors noted above and horticultural advice.

Rarity should be considered from a state-wide and City of Armadale context. Declared Rare Flora and Priority Flora are adequately protected under the *Wildlife Conservation Act 1950* and will not be listed under this policy. The City’s Parks and Reserves Services and/or Environmental Services should provide advice on rarity.

In undertaking assessments under this policy the habitat value of a tree is deemed significant if it provides a breeding, feeding or roosting site regularly used by fauna protected under state or federal legislation or international treaties or is a mature tree with a diameter at breast height of 50cm or greater. The City's Environmental Services should provide advice on habitat value.

Habitat value may be listed as a valued attribute for trees identified as significant for other reasons, even if the tree's habitat value does not meet the abovementioned criteria. This would be the case for example for a Marri tree (*Corymbia calophylla*) listed as significant for other reasons because Marri provide habitat for a much wider range of fauna than many other local trees.

Curious growth forms include abnormal outgrowths, fused branches or unusual root structures, and should be assessed by the City's Parks and Reserves Services.

**c) *Location, Landscape and Landmark Significance***

Some trees acquire significance due to their context in and contribution to the landscape and are sometimes identified as landmarks by the community. Assessment of location, landscape and landmark significance is primarily subjective, yet many people can share the same perception. Such significance should therefore only be ascribed where there appears to be general agreement by the community.

Location, landscape and landmark significance should be assessed by the City's Planning Services, who may consult with the Community Heritage Advisory Group.

**d) *Tree Condition and Impacts***

If a tree is deemed as significant under one or more of the above Criteria, the condition of the tree and its existing and potential impacts will also need to be assessed. Such an assessment, which may take the form of a "*Quantified Risk Assessment*", will be undertaken by the City's Parks and Reserves Services and should consider the following matters:

- a) Usual Life expectancy;
- b) Health condition (vitality) and structural integrity;
- c) Evidence of existing impacts a tree is having on buildings and/or structures;
- d) Future growth habits and their potential impacts;
- e) Potential size at maturity;
- f) Safety Risks (or Risk of Harm);
- g) Amenity and Lifestyle Impacts; and
- h) If applicable, evidence from a relevant and qualified medical professional that a tree is causing medical problems to a member/s of the community.

The tree condition and impact assessment will be the final matter that is considered in deciding if a notice under Clause 80A should be issued or the trees recommended to be retained as part of the District and Local Structure Plan process or Subdivision and Development Stages. With consideration of the advice received from the City's Parks and Reserves Services (and other advice where applicable), the City's Planning Services will make the final recommendation or decision on the appropriateness of issuing a notice under Clause 80A and/or recommending to the Western Australian Planning Commission that the tree(s) be retained as part of the District and Local Structure Plan process and Subdivision and decision on Development Application process.

If the condition or impacts of a tree are deemed unacceptable by the City, it may be recommended or decided that a notice issued under Clause 80A is not issued or the trees are not retained as part of the District or Local Structure Plan process, Subdivision or Development Application process.

### **3.2.2 Significance criteria – Landscape Features**

A Landscape Feature is to be considered a unique or identifiable feature of the landscape including ridgelines, rocky outcrops, vegetation, creek lines and wetlands.

Landscape Features can be identified in the District and Local Structure Planning phase of the planning and development process and subdivision phase of the planning and development process.

In the case of a 'group' of trees being identified as a significant Landscape feature, the retention of individual trees will be undertaken in accordance with criteria identified in Section 3.2.1 of this policy.

### **3.3 Information required by the City for Assessment**

This section sets out the City's expectations on the minimum information required for investigation and management of significant trees and landscape features that may be identified during the various stages of the planning framework including District and Local Structure Planning stage, Subdivision stage, Development stage or when individually nominated by the City, Government organisation or Member of the Community.

The City may at its discretion, waive or modify any of the requirements where it is satisfied that the information provided by the applicant is appropriate for the City to consider Landscape Features and Significant Trees.

The City's requirements in relation to Significant Trees and Landscape Feature retention at each stage of the planning framework or via individual nomination is detailed below:

### **District Structure Planning**

The following information is required to be prepared and submitted to the City for approval at District Structure Planning stage to assist in satisfying Items '1.2 and 1.3' of the 'Site and Context Analysis' requirements under Element 1 'Community Design' of Liveable Neighbourhoods:

A District Landscape Feature and Tree Retention Strategy is to be submitted to the City as part of the District Structure Plan in accordance with *Schedule 2 Clause 16(1)(c)(i) of the Planning and Development (local planning schemes) Regulations 2015*. A District Landscape Feature and Tree Retention Strategy should be prepared in consultation with the City and include the following:

- Identification of all Landscape Features and Significant Trees (or groups of significant trees where appropriate) overlaid on the District Structure Plan and recent aerial image;
- Statement of how the District Structure Plan has considered and responded to Element 1 (Community Design) of Liveable Neighbourhoods; and
- Description of the process for retaining Significant Trees and Landscape Features during subsequent stages of the planning framework in accordance with this policy.

### **Local Structure Plans**

The following information is required to be prepared and submitted to the City for approval at Local Structure Planning stage to assist in satisfying Items '1.2 and 1.3' of the 'Site and Context Analysis' requirements under Element 1 'Community Design' of Liveable Neighbourhoods: :

#### **Local Landscape Feature and Tree Retention Strategy**

A Local Landscape Feature and Tree Retention Strategy is to be submitted to the City as part of a Local Structure Plan in accordance with Schedule 2, Clause 16(1)(c)(i) of the Planning and Development Regulations 2015. A Local Landscape Feature and Tree Retention Strategy should be prepared in consultation with the City and include the following:

- A description and map prepared by a suitable qualified professional (to the satisfaction of the City) showing the location, species, size and structural health of Significant trees on site;
- A map showing which Significant Trees are proposed to be retained and which Significant Trees are to be removed;
- A description of methods to avoid impacts on trees that are to be retained;
- A description of ongoing management and maintenance;
- A map and description of all landscape Features on site;
- A map of the Landscape Features that are proposed to be retained, modified or removed; and
- Statement of how the District Structure Plan has considered and responded to Element 1 (Community Design) of Liveable Neighbourhoods.

The Local Landscape Feature and Tree Retention Strategy must give due consideration to Element 1 'Community Design' of Liveable Neighbourhoods. Structure Plan is to outline how Element 1 of Liveable Neighbourhoods has been achieved and identify mechanism for implementation at subdivision stage.

a) **Subdivision Applications**

In order for the City to provide advice to the Western Australian Planning Commission for the assessment of subdivision applications where 10 or more lots are proposed, or where an existing Landscape Feature and Tree Retention Plan exists (i.e. for District and / or Local Structure Plan), the City will require the following:

b) **Landscape Feature and Tree Retention Plan**

A Landscape Feature and Tree Retention Plan is to be prepared in consultation with the City prior to the submission of a Subdivision Application to the Western Australian Planning Commission with the intention of resolving any inconsistencies between:

- The retention of the Significant Trees and Landscape Features and the location of services, driveways, garage locations and retaining walls; and
- Preliminary engineering designs / water management plans, and the retention of Significant Trees and Landscape Features to be retained.

The Landscape Feature and Tree Retention Plan should be consistent with the Local Landscape Strategy and/or approved Local Structure Plan and should identify (where applicable):

- A map prepared by a suitable qualified professional (as determined by the City) showing the location, species, size and structural health of Significant Trees to be retained;
- A description of methods to avoid impact of Significant Trees that are to be retained;
- Cut and fill levels where Significant Trees are to be retained;
- Buffer distances around Significant Trees in accordance with AS4970-2009 – Protection of Trees on development sites (or as amended);
- A description of ongoing management and maintenance of Landscape Features and Significant trees; and
- A map of the Landscape Features that are proposed to be retained.

When subdivision applications are assessed under this Policy, the City may recommend conditions to the Western Australian Planning Commission requiring Landscape Features and/or Significant Trees to be retained in accordance with a Landscape and Tree Retention Plan that has been approved by the City.

**c) Civil Design**

Following subdivision approval by the WAPC, where a Landscape and Tree Retention Plan is in place following previous phases of the approval framework, at the Civil Design stage the following information is required:

- Civil drawings submitted to the City (including for retaining walls, drainage and POS, roads, services and footpaths) shall be consistent with the Landscape and Tree Retention Plan adopted by the City. Requirements of the adopted plan need to be incorporated into the Civil drawings;
- The proponent will be required to engage with the City to undertake a site visit to demonstrate how the Landscape and Tree Retention Plan is to be followed; and
- Plans of the location, approximate height, diameter, species and condition of the Significant Trees and Landscape Feature shall be provided to the City with the civil drawings.

**d) Prior to Earthworks / Engineering Approval**

Following subdivision approval by the WAPC, where a Landscape and Tree Retention Plan is in place following previous phases of the approval framework, the following is required prior to the issue of earthworks / engineering approval by the City:

- Construction drawings to be provided in the appropriate format showing the location, species, approximate height, DBH and canopy of all retained trees and landscape features;
- Ground truth public open space and road reserves prior to clearing, with a representative from the City to ensure Significant Trees and Landscape Features are to be protected, are surveyed and clearly identified on site;
- Service installation in the proximity of Significant Trees and / or Landscape Features shall be undertaken using methods other than excavation which comply with AS 4970-2009; and
- Where services conflict with a Significant Tree or Landscape Feature, the City may require service alignments to be altered to minimise impact on the Significant Tree and Landscape Feature, in agreement with the service provider.

**e) Requirements at Practical Completion of Subdivision**

Following the completion of civil and landscape works in a stage of subdivision the following is required:

- A representative from the City will undertake an inspection of the subdivision works to determine if the Significant Trees and Landscape Features have been retained in accordance with the Landscape Feature and Tree Retention Plan;
- Any Significant Trees with damage may require review by an independent arborist to determine if the tree is viable. Trees that are not viable will be removed and replaced with a tree of the same species at the full expense of the proponent and to the satisfaction of the City.

**f) Development Applications**

Development application approvals may also be conditioned requiring Landscape Features and / or Significant trees to be retained in accordance with a Landscape Feature and Tree Retention Plan that has been approved by the City.

If a Landscape Feature and Tree Retention Plan does not apply to a Development Application the City can undertake its own assessment using the criteria established in clause 3.2.1 and 3.2.2 and if necessary issue a Tree Preservation Notice via Clause 80A of TPS No.4 or alternatively apply a condition of Development Approval for the Tree Retention and / or Landscape Feature.

**g) Nomination of Significant Tree by Government or Community**

It is possible that either a Government entity or Member of the Community can identify and seek the approval of the City to retain a Significant Tree on a property or road reserve.

In these circumstances the City will undertake an assessment in accordance with Clause 3.2.1 and if warranted will consider the best mechanism for protecting the tree. In general Clause 80A should only be used:

- when other mechanisms (e.g. as identified in the introduction to this policy) are deemed inadequate or not suitable; and/ or
- the tree in question is of such significance that additional protection is warranted.

Trees of cultural significance that qualify for heritage listing under *Schedule 2, Part 3 of Planning & Development (Local Planning Schemes) Regulations 2015* should also be protected by a notice issued under Clause 80A of the Scheme.

In the course of processing an application for planning approval, the City may require an owner to submit a site plan identifying trees likely to be deemed significant under this Policy that are affected by the proposed development. Details will also need to be submitted of proposed measures to protect trees identified on the site plan as outlined in the Australian Standard 4970-2009: Protection of trees on development sites (or superseding Australian Standard).

**3.4 Process for requesting the City to issue a notice**

In circumstances where 3.3 (f) applies in this policy, requests should be prepared using the form provided (attached).

Once received the request will be processed by the City's officers by undertaking an assessment using the framework provided by Clause 3.2.1 of this policy.

### **3.5 Administrative mechanisms for the protection of registered trees**

The City will maintain a Tree Preservation Register that lists notices issued, their date of issue and a brief summary of the tree's significance.

Trees in the Tree Preservation Register will be identified on the City's geographic information system.

To assist owners with registered trees the City offers:

- a standard plinth and plaque for the base of a significant tree at cost; and
- advice to approved contractors on tree pruning as outlined in the Australian Standard 4373-2007: Pruning of amenity trees (or superseding Australian Standard).

Subject to availability of resources, the City will undertake regular inspections when development works are approved in the vicinity of a registered tree, with development works to be undertaken as outlined in the Australian Standard 4970-2009: Protection of trees on development sites (or superseding Australian Standard).

If a registered tree is on public land (e.g. road reserve) the City will install a plaque or sign except where it is decided that erection of a sign next to the tree will increase threats to the tree (e.g. increased likelihood of theft or damage due to the advertisement of its importance).

### **3.6 Review of Registered Trees**

The City's Parks and Reserves Services will reinspect all registered trees at least every five years.

As part of a reinspection, the City's Parks and Reserves Services will consider Significance Criteria **as per Clause 3.2.1** above to help determine the appropriateness of a tree remaining registered or to determine what action is required to ameliorate the impacts and improve the condition of a registered tree.

If in between inspections a landowner identifies that the condition of a registered tree on private land or on public land has deteriorated and its impacts are becoming a risk, they can provide evidence and request the City's Parks and Reserves Services to inspect the tree to determine if remedial action is necessary. There is therefore a duty of care placed on a landowner in this regard, as outside of the City's inspections that occur every five years, the City will only inspect a registered tree when requested in writing.

The City's Planning Services will make the final recommendation or decision on the appropriateness of a tree remaining registered or what action is required to ameliorate the impacts and/or improve the condition of a registered tree.

### **3.7 Protection of Registered Trees and Landscape Features within Future Developments and Subdivisions**

Proposed development, strata titling and/or subdivision of private land shall be designed to account for **Registered Tree and /or identified Landscape Features** with consideration to the potential impacts and growth habits of a tree throughout its life cycle to the City's satisfaction, with all works adjacent to significant trees to be undertaken as outlined in the Australian Standard 4970-2009: Protection of trees on development sites (or superseding Australian Standard).

The City shall require a Section 70A notification to be placed on the Certificate of Title of private property affected by a Registered Tree as part of a development, strata titling and/or subdivision approval.

### **3.8 Removal of a Significant Tree identified for retention without appropriate authorisation**

Should a landowner wish to remove a Significant Tree that has been identified in a Landscape Feature and Tree Retention Plan or via another mechanism identified in this Policy, the express permission of the City and / or formal approval is required before undertaking any site works. The City will undertake its investigation in accordance with Clause 3.6 above.

In the event that a Significant Tree that is identified for retention is part of a Landscape Feature or is identified in a Tree Retention Plan, or is identified in the City's register of protected trees and has been removed without authorisation from the City, the following may result:

- If the tree relates to a Structure Plan and / or Subdivision application, the City may withhold the issue of subdivision clearance until such time as a suitable replacement has been agreed with the City (where a subdivision condition requesting a Landscape Feature and Tree Retention Plan applies); and
- If the tree relates to a Development Application or tree on the City's Tree Register, a suitable replacement may be sought to the City's satisfaction or alternatively the City may take compliance action under the *Planning and Development Act 2005*.

### 3.9 Environmental Offsets

There may be circumstances where a landowner and/or developer is granted permission to remove 'significant trees' for a proposal such as in the scenarios below:

- Removal of Significant Trees without authorisation (Section 3.8); and
- Removal of Significant Trees and / or Vegetation in accordance with the Environmental, Protection and Biodiversity Conservation Act 1999;

Where the above circumstances apply, it will be the City's Policy to request the landowner / developer to provide environmental offsets within the project area or suburb as the first priority. If this is not possible the City can request the following:

- The landowner / developer to purchase land in the City to be protected for environmental purposes to the City's satisfaction; or
- The landowner / developer come to an agreement with the City to plant new trees within existing reserves within the City of Armadale to the City's satisfaction.

In the case where the above options are not possible, the City reserves the right to advocate to the relevant Federal or State Government body for the environmental offsets to be provided within the City of Armadale.

**Town Planning Scheme No.4 - Tree Register Nomination Form**

Address or location of tree (or group of trees)

\_\_\_\_\_

Owner's Name and address (if known)

\_\_\_\_\_

Common name and/ or botanical name

Reason for nominating the tree (please tick the box)

- |  |   |
|--|---|
| <input type="checkbox"/> Heritage significance           | <input type="checkbox"/> Species significance |
| <input type="checkbox"/> Location/ landmark significance | <input type="checkbox"/> Other                |

Please provide more information of significance of tree, by reference to the criteria provided in City of Armadale Policy PLN 2.4. Please attach other sheets as needed.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Photographs attached?	Yes / No
What is the general condition of the tree?	Good / Fair / Poor

Nominator's details

\_\_\_\_\_  
Name  
\_\_\_\_\_  
Address  
\_\_\_\_\_  
Phone No & e-mail  
\_\_\_\_\_

Signed and dated  
Nomination forms should be sent to the Chief Executive Officer, City of Armadale, Locked Bag No 2, Armadale WA 6992 or via email on [info@armadale.wa.gov.au](mailto:info@armadale.wa.gov.au)

- D106/6/03** Development Services Committee 9 June 2003 - Adopted by Council 16 June 2003
- D160/9/04** Development Services Committee 13 Sept 2004 - Adopted by Council 20 Sept 2004
- D113/9/07** Development Services Committee 11 Sept 2007 - Adopted by Council 17 Sept 2007
- D65/9/12** Development Services Committee 17 Sept 2012 - Adopted by Council 24 Sept 2012
- D32/8/16** Development Services Committee 16 Aug 2016 - Adopted by Council 22 Aug 2016  
- Revised September 2017 & April 2018 (as per Amendment 86)
- D32/5/20** Development Services Committee 19 May 2020 – Adopted by Council 25 May 2020

**PLN 3.14**

**DESIGNING OUT CRIME – LOCAL PLANNING POLICY**

**1. INTRODUCTION**

This Policy sets out design guidelines for development to assist in reducing the likelihood of crime and anti-social behaviour in the City of Armadale.

Crime Prevention Through Environmental Design (CPTED) is a crime prevention strategy that focuses on the design, planning and structure of neighbourhoods. The effective design of building and plans using CPTED principles can assist with reducing crime and the opportunity for such activities.

There is no prescriptive method to designing out crime and as such, each planning proposal will be dealt with on a case by case basis. There are however, five key principles which inform CPTED in all instances. These are:

- Surveillance.
- Access control.
- Territorial reinforcement.
- Target hardening (security measures).
- Management and maintenance.

The use of terminology within this policy shall have the same meaning as the Western Australian Planning Commission's 'Designing Out Crime Planning Guidelines'.

**2. APPLICATION OF POLICY**

When an applicable planning proposal is made to the City, the proposal shall take into consideration the five principles of crime prevention through environmental design.

The City will require the submission of a CPTED Statement Checklist for development applications and in the following instances, the submission of a CPTED statement as part of the application:

- District and Local Structure Plans and Precinct Plans;
- New commercial construction within areas zoned District Centre, Local Centre, Mixed Business/Residential, General Industry, Industrial Business and Strategic Regional Centre.
- Multiple dwelling development of over 20 units;
- Development with an estimated cost exceeding \$2 million; and
- Any other development which, in the view of the City of Armadale, may affect the perception of public safety.

The Policy divides proposals into two categories. These are:

**Large scale – District Structure Plans, Local Structure Plans and Precinct Plans**

Designing out crime considerations include:

- Land Uses;
- Local Movement Networks; and
- Location of Public Open Space.

**Small to Medium Scale – Development Applications**

Designing out crime considerations include:

- Building Orientation;
- Built Form;
- Materials;
- Fencing; and
- Landscaping.

**3. POLICY OBJECTIVES**

The Policy Objectives are:

- a) Encourage development within the City to incorporate designing out crime principles;
- b) Provide guidance in relation to built outcomes that assist in supporting the reduction in actual and perceived crime and anti-social behaviour; and
- c) Provide guidance on the design and assessment of planning proposals.

**4. POLICY STATEMENT**

**4.1. Surveillance**

Surveillance is one of the most simple and effective principles of crime prevention. In this regard, when people perceive that they can be seen, they are less likely to engage in anti-social behaviour and crime. Most development can be designed to have opportunities for natural surveillance whereby clear sightlines are created.

**4.1.1 Large Scale**

- a) Lots should be located and orientated to ensure adequate surveillance of adjoining public realm spaces.
- b) Land uses should be compatible with neighbouring uses.
- c) Streets, footpaths and cycle ways to be in view of adjacent land uses.
- d) 'Big box uses' should be designed to have no public access to the sides of buildings.
- e) Avoid over use of buffer and security zones which push land uses apart to the point of isolation.
- f) Design out unwanted congregation areas and entrapment spots.
- g) Where possible, avoid location of car parks in one area. Where unavoidable, mitigate large expansive areas with landscaping or other features.
- h) Provide overlooking opportunities for power line easements.
- i) Landscaping is designed to maximise sightlines with lighting to prevent opportunity.

#### 4.1.2 Small to Medium Scale

- a) Locate uses that can provide natural surveillance wherever possible.
- b) Where public buildings and park facilities are being located on large sites or reserves, they should be close enough to street to ensure surveillance, and building access points should face the street.
- c) Avoid concave building footprints that create concealed areas away from public view by having adequate setbacks between buildings.
- d) Ensure, where possible, clear sightlines with a direct line of sight, from all windows and entrances to public realm area from adjacent buildings.
- e) Illuminate primary pedestrian routes and demonstrate effective lighting of communal areas. This provision shall be demonstrated by the submission of a lighting plan or alternatively, shall be a condition of approval.
- f) Consider existing topography of site, by ensuring level changes do not obscure communal areas and level changes of greater than 1 metre will need to demonstrate how visibility to communal spaces is achieved.
- g) Front boundary fencing should be visually permeable.

#### 4.2. Access Control Considerations

Natural and built access control involves the use of the environment and built form to clearly mark borders and transitional zones to physically and psychologically deter movement of illegitimate users into protected spaces.

Access control is important to provide wayfinding and directional guidance for visitors during business hours, and limiting access/egress outside of business hours.

##### 4.2.1 Large Scale

- a) Create places and streets that support active uses in full view of the community.
- b) Limit the use of cul-de-sacs linked by pedestrian routes, unless part of a wider open space connection with surveillance.
- c) Delineation and alignment of public access routes away from adverse environments.
- d) Link all bicycle and pedestrian paths within staged development.
- e) Design of public spaces to attract people into the area (eg lighting).

##### 4.2.2 Small to Medium Scale

- a) Fencing and gates, if proposed, are to be visually permeable.
- b) Where level differences are proposed between buildings, the subject site and/or the public realm, consider utilising ramps and steps to create effective local access control.
- c) Consider restricting access to internal areas by fences, gates, doors, bollards and vegetation.
- d) Consider integrating security screens and bars as design elements at design phase rather than post development.
- e) Consider the design of fences to reduce scalability.
- f) Where proposed as part of an application, public spaces on private land should be designed to encourage pedestrian / passive use through the provisions of elements like lighting, seating, shade and all-weather protection. Placement of public art via PLN3.12 Percent for Public Art would be appropriate in these areas, where applicable.

#### **4.3. Territorial Reinforcement**

People are more likely to take pride in a space they have a level of ownership over. It is therefore important to identify private and public land through the use of appropriate territorial reinforcement measures.

Territorial reinforcement is the use of physical features designed to express ownership and control of the environment and delineate, semi-private and public spaces. Territorial reinforcement reduces the ambiguity of space ownership.

People usually maintain territory that they feel is their own and have a certain respect for the territory of others. Identifying intruders is much easier in a well defined space. An area that looks protected and maintained gives the impression that greater effort is required to commit a crime.

##### **4.3.1 Large Scale**

- a) Create sub-neighbourhoods to engender local character areas.
- b) Define public and private land use areas and ownership boundaries clearly.
- c) Align major transport infrastructure to minimise land take.
- d) Plan and design communities with supporting facilities and land uses.

##### **4.3.2 Small to Medium Scale**

- a) Consider defining boundaries of private ownership by structures, vegetation or other design elements.
- b) Avoid ambiguity of ownership and responsibility between private and public property.

#### **4.4 Target Hardening (Security Measures)**

Target Hardening is often provided for at the detailed planning stage and usually includes security doors, roller shutter, security camera and security fencing. The objective of this Principle is to ensure that buildings are secure and access is denied to unauthorised persons.

By incorporating these elements into the urban form, it can actively discourage antisocial behaviour. It is important to strike a balance between designing out crime principles and other outcomes to ensure the amenity of an area is not adversely affected.

If required, target hardening elements including fencing and roller shutters should be utilised as sparingly as possible, be visually permeable and sympathetic to the built form design.

Target hardening should be the last approach taken, after all other designing out crime measures have been utilised.

#### 4.4.1 General Provisions

- a) Consider the installation of traffic management elements such as bollards or speed humps to avoid vehicle-enhanced crimes to commercial premises.
- b) Consider installation of video surveillance, including Closed Circuit Television (CCTV) where natural surveillance is poor: refer to the Office of Crime Prevention's CCTV Guidelines.
- c) Consider the specific needs and characteristics of the site relative to the provision of target hardening elements.
- d) Consider incorporating shutters and bars as design elements where openings are susceptible to break-ins and concealed exits.

#### 4.4 Management and Maintenance

Good management and consistent maintenance of a space can be a deterrent to anti-social behaviour. If areas are run down and subject to graffiti and vandalism it is likely they will be less visited by the community and generally more intimidating to those users. Management and maintenance seeks to remove indicators of crime and the use of lighting, painting and vegetation management creates a cared for environment that can reduce the fear of crime and induce legitimate behaviour.

##### 4.5.1 Large Scale

- a) Establish effective maintenance plans for public spaces.
- b) Consider durability, adaptive re-use and robustness of built form and open spaces in the design and decision making process.

##### 4.5.2 Small to Medium Scale

- a) Incorporate management conditions such as shopping trolley collection points where practical in planning approvals.
- b) Ensure spatial management responsibility is clear between public and private sector organisations through the submission of an operational management plan.
- c) Establish systems for reporting of problems and fixing them.
- d) Remove graffiti as soon as possible after occurrences.
- e) Establish maintenance plans for communal spaces.
- f) Train maintenance staff to identify and report potential problems.

**CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN (CPTED) CHECKLIST**

The purpose of this checklist is to assist landowners, developers and the City of Armadale to ensure that designing out crime principles are incorporated within the design of planning proposals. It should be read and used in conjunction with the City’s Local Planning Policy 3.14 – Designing Out Crime.

Please ensure this completed checklist accompanies your CPTED Statement when submitting an applicable Development Application.

DESIGN	Criteria met (✓)
The design encourages natural surveillance by people and activities	
The design allows clear sightlines and visibility	
Adequate security lighting is provided	
The design achieves an aesthetically pleasing environment which addresses safety and security concerns	
Are there any entrapment spots, can they be eliminated or closed after hours?	
Are design elements (eg down pipes, bin storage, balconies, fences etc) placed in such a way that they prevent access to windows or upper storeys)?	
Shop front security bars, shutters and doors allow observation of the street (ie visually permeable)	
<b>OPEN AND PUBLIC SPACE</b>	
The area is designed to encourage natural surveillance	
If there is more than one entry point, are these visible from nearby streets and footpaths?	
Signage is provided for easy identification of nearby amenities, parking areas and the intended uses of the space.	
<b>FOOTPATHS/WALKWAYS</b>	
Safe pedestrian routes are adequately lit after dark	
Footpaths and walkways are visible from nearby residences/buildings, parking areas and the street	
Sharp corners or sudden changes that reduce sight lines are avoided or modified	
Barriers along paths are visually permeable	
<b>LANDSCAPING</b>	
The design and landscaping encourages solutions which maintain natural surveillance	
The landscaping clearly defines public and private space	
The landscaping is designed to reduce spaces where unauthorised persons can hide	
The landscaping allows for entrances/exits that are clearly visible from the street and from parking areas	

DESIGN	Criteria met (✓)
<b>CAR PARKING</b>	
The most commonly used car parking area is visible from the main entrance	
The parking area is adequately lit	
Parking is satisfactorily integrated with the building and landscaping	
<b>LIGHTING</b>	
If the premises is intended to be used at night – does the lighting allow adequate visibility	
A sensor or automated lighting is installed near entrances/exit and walkways to provide safety after hours	
Lighting provides uniform spread and reduces contrast between shadow and illuminated areas	
The location of lighting fixtures illuminates pedestrian routes, entrapment areas or other areas requiring visibility	
Lighting is protected against vandalism or uses vandal resistant materials	
<b>SIGNAGE</b>	
Entrance, car parking and other significant uses have been identified with a suitable sign	
Signage is clearly visible, easy to read and simple to understand	
Signage in the parking area advising users to lock their cars	
If exits are closed after hours – does signage provide this information at the car parking entrance?	
<b>BUILDING IDENTIFICATION</b>	
The building/address number is clearly visible from the street by both pedestrians and vehicles	
Street numbers are made of durable materials, preferably reflective or luminous	
<b>FENCING</b>	
The fencing allows natural surveillance from the street to the building	
<b>ENTRANCE/EXITS</b>	
The main entrances/exits are clearly visible from the street and nearby parking areas	
<b>MAINTENANCE/MANAGEMENT</b>	
The design allows for easy maintenance	
The signage in the public domain displays how maintenance issues are reported	
Rubbish bins and recycling bins are adequately located and sufficient lighting is installed	

SCHEDULE OF SUBMISSIONS			
AMENDMENT 110 – PROPOSED MODIFICATION TO EXPIRATION PERIOD: NORTH FORRESTDALE DEVELOPMENT CONTRIBUTION AREA NO.3			
NO	Internal Reference	Object/Support/Comment	Summary of Submission Recommendation
1	CE/1021808/20	Support	The submitter noted that they were “keen to close out the power line reimbursement”. DCP 3 makes a nominal contribution to the upgrade of the 132kv transmission line network in the area, including section that transverse land developed by the developer. A reimbursement claim has been lodged by the developer.  Noted. The City is currently waiting on additional information from the developer to progress finalising of the reimbursement claim.
2	Department of Transport CE/104688/20	No objection	The Department would like to note that the Long-Term Cycle Network (LTCN) was recently endorsed by Council and therefore the development of the regional path network should be reflective of the LTCN.  Noted.
3	Department of Water and Environmental Regulation CE/106278/20	No objection	Noted.
4	Department of Health CE/109683/20	No objection	Noted.
5	Main Roads WA CE/119345/20	No comment	Noted.
6	Department of Fire and Emergency CE/131443/20	No objection	Given the proposal seeks to extend the operating period of DCP 3 which may not be considered an intensification of land use, the application of <i>State of Planning Policy 3.7 Planning in Bushfire Prone Areas</i> (SPP 3.7) may not be required, in this instance.  Noted.

DRAFT DEVELOPMENT  
CONTRIBUTION  
PLAN No.8 REPORT

WEST OF RAIL

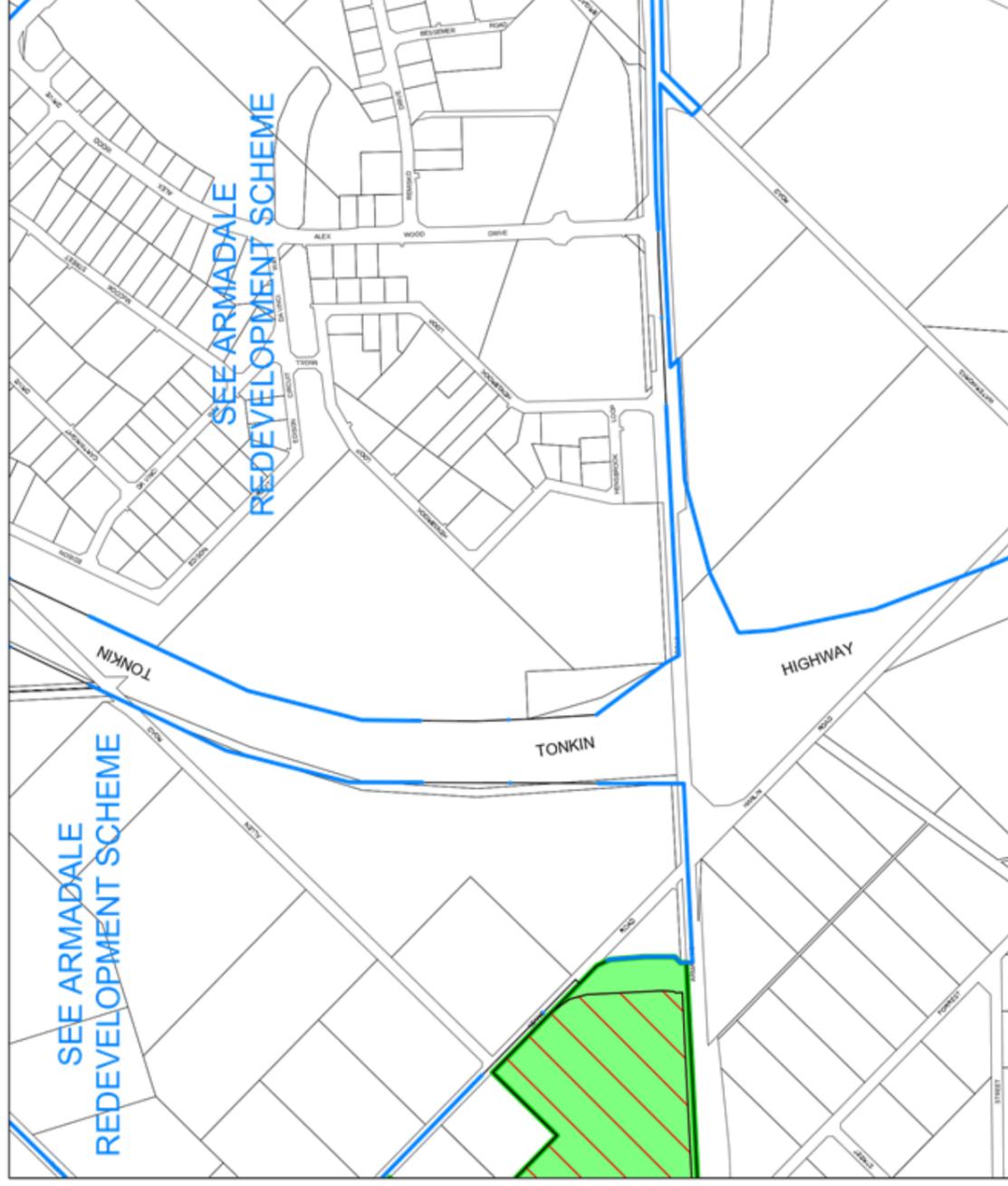
*Refer separate Attachment*

SCHEDULE OF SUBMISSIONS – TOWN PLANNING SCHEME NO. 4 – AMENDMENT NO. 114				
NO.	SUBMITTER	SUPPORT, OBJECT, COMMENT	RESUME OF SUBMISSION	
GOVERNMENT AGENCY RESPONSES				
			RECOMMENDATION	
1	ATCO Gas CE/145613/20	No Objection	ATCO has no objection to the proposed Amendment 114 being formalised as ATCO does not operate gas mains nor infrastructure within the area of the Property. Our closest asset is the High Pressure gas main within the opposite side road reserve of Armadale Road being a minimum of 30metres to the south of the Property.	Noted.
2	Department of Planning, Lands & Heritage – Indigenous Affairs CE/116031/20	Comments	A review of the Register of Places and Objects as well as the DPLH Aboriginal Heritage Database and the information provided by the City of Armadale concludes that the specified area intersects the boundary of three Aboriginal sites ID 17924 (FL-2), ID 17925 (SEC/1C-1) and ID 17928 (SEC/1C-5) as administered by DPLH.  It is understood the TPS 4 changes refer to amending the zoning of these areas, and does not involve physical impacts. Therefore based on the information held by DPLH no approvals under the AHA are required.  Should proposed development involving physical impact be proposed in future, the City should seek further advice from DPLH.	Noted. The Amendment only relates to the zoning of the land and doesn't involve physical impacts. Any future subdivision or development will require further advice from DPLH with regard to Aboriginal Heritage sites.
3	Department of Fire and Emergency Services CE/135802/20	Comments	Given the proposal is to transfer land designated under the Armadale Redevelopment Scheme 2 to TPS No. 4, the proposal may not be considered an intensification of land use.  DFES additionally notes that a Structure Plan will be required that will need to have regard to environmental constraints.  The application of State Planning Policy 3.7 – Planning in Bushfire Prone Areas (SPP 3.7) may not be required in this instance.  Western Power no longer provide comment on strategic referral applications.	Noted. SPP3.7 will be required to be addressed as part of future structure planning. The requirement for a Bushfire Management Plan to be prepared as part of a LSP is recommended to be included within the provisions proposed to be inserted into Schedule 8 – Development (Structure Planning) Areas.
4	Western Power CE/131855/20	No Comment		Noted. The Amendment does not involve physical impacts to the land. Future Structure Planning will be required to address any impacts on Western Power's assets within the subject site.

SCHEDULE OF SUBMISSIONS – TOWN PLANNING SCHEME NO. 4 – AMENDMENT NO. 114				
NO.	SUBMITTER	SUPPORT, OBJECT, COMMENT	RESUME OF SUBMISSION	RECOMMENDATION
5	DWER CE/143587/20	No Objection	No Objection.	Noted.
6	MRWA CE/145565/20	No Comments	Main Roads has reviewed the information and have no comments to offer.	Noted.
7	DBCA CE/151051/20	Comment	<p>DBCA understands that proposed Amendment 114 will provide for industrial development within Lot 9500 and retain the Parks and Recreation (Regional) reservation on Lots 2 and 4853. The requirements in the proposed scheme text for the provision of a Structure Plan for Lot 9500 informed by environmental studies and a wetland management plan, should ensure that the important biodiversity values are retained and that impacts from the industrial development are avoided.</p> <p>The local water management strategy that will be prepared to inform the Structure Plan, should demonstrate that impacts to the Conservation category wetland are avoided and ensure the predevelopment hydrology is maintained.</p> <p>All necessary fire management requirements should be provided for within the industrial portion of Lot 9500, in accordance with the provisions of <i>State Planning Policy 3.7 Planning in Bushfire Prone Areas</i> and the associated guideline.</p>	<p>Noted. A future LSP will be required to ensure the biodiversity values of the wetland are retained and protected from future industrial development.</p> <p>A LWMS and BMP will be required to be prepared as part of any future LSP and ensure impacts from industrial development (hydrological or bushfire asset protection zones) do not impact the wetland. These requirements are recommended to be included within the provisions proposed to be inserted into Schedule 8 – Development (Structure Planning) Areas.</p>

<b>TOWN PLANNING SCHEME NO. 4 - AMENDMENT NO.114                  SCHEDULE OF MODIFICATIONS MADE PRIOR TO FINAL ADOPTION OF SCHEME AMENDMENT</b>			
<b>Relevant Schedule or Clause</b>	<b>Advertised Scheme Wording</b>	<b>Modified Scheme Wording</b>	<b>Justification</b>
<p>8 – Development (Structure Planning) Areas - DA69</p> <p>Clause 69.2</p>	<p>Any Structure Plan shall be accompanied by detailed environmental studies of the Conservation Category Wetland and its buffers on the subject site including, but not limited to:</p> <ol style="list-style-type: none"> <li>1. flora assessment;</li> <li>2. fauna assessment; and</li> <li>3. wetland management plan.</li> </ol> <p>The recommendations of any environmental studies shall be implemented and any environmental assets protected in the Structure Plan and at the subdivision and/or development stages to the satisfaction of the City of Armadale on advice from the Department of Water and Environmental Regulation and the Department of Biodiversity, Conservation and Attractions.</p>	<p>Any Structure Plan shall be accompanied by detailed <b>plans and</b> environmental studies of the Conservation Category Wetland and its buffers on the subject site including, but not limited to:</p> <ol style="list-style-type: none"> <li>1. flora assessment;</li> <li>2. fauna assessment;</li> <li>3. wetland management plan;</li> <li>4. <b>local water management strategy; and</b></li> <li>5. <b>bushfire management plan.</b></li> </ol> <p>The recommendations of <b>the above plans and</b> environmental studies shall be implemented and any environmental assets protected in the Structure Plan and at the subdivision and/or development stages to the satisfaction of the City of Armadale on advice from the Department of Water and Environmental Regulation and the Department of Biodiversity, Conservation and Attractions.</p> <p><b>Any necessary fire management requirements should be provided for within the industrial portion of the lot and should not impact the wetland or its buffers.</b></p>	<p>The modified wording addresses comments received from DBCA in relation to potential bushfire management mitigation measures and hydrological impacts of future industrial development that could adversely impact the adjacent CCW and its buffers.</p>

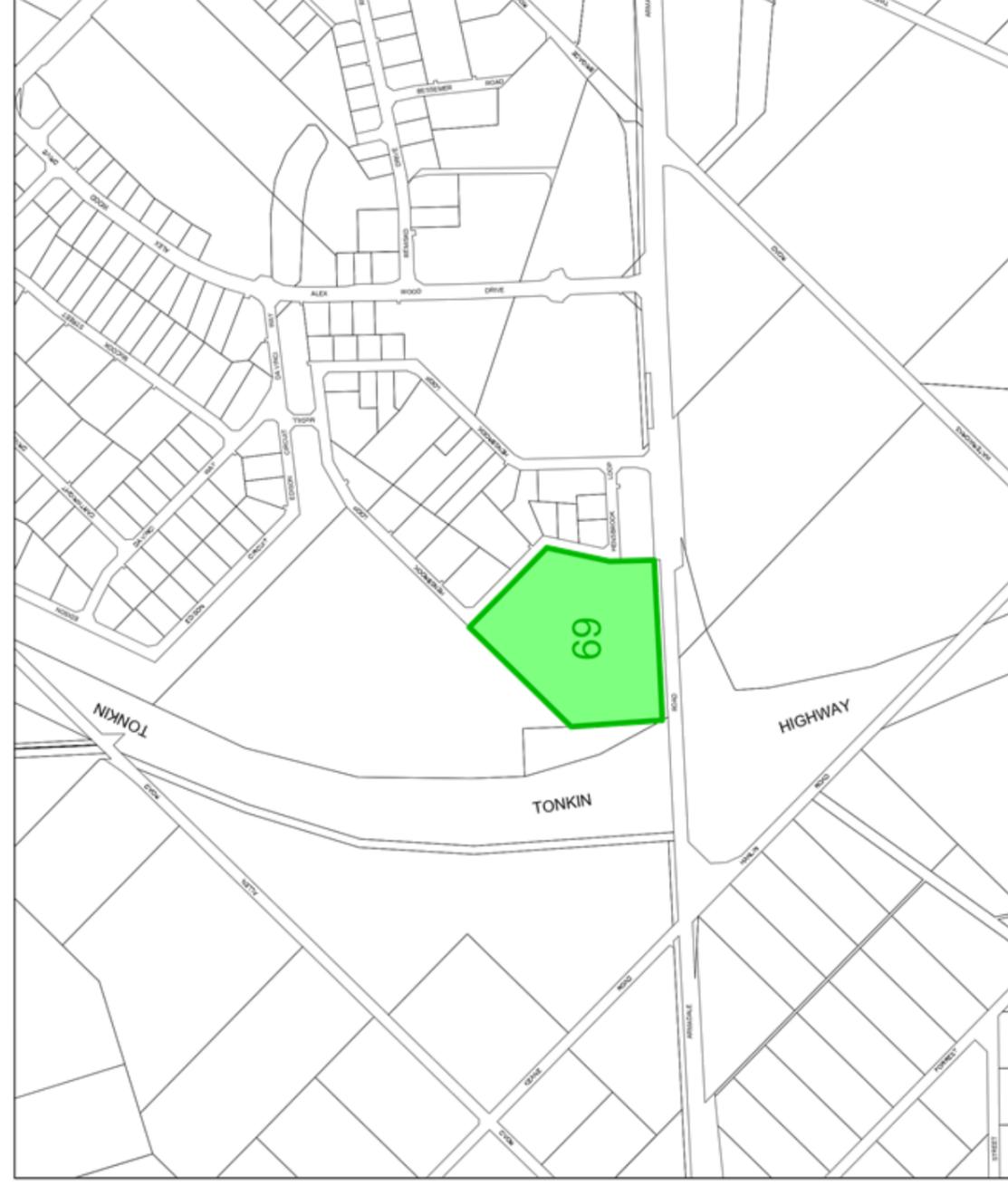
EXISTING ZONING - SPECIAL CONTROL AREA MAP 3



LEGEND

-  Development Area (Structure Plan) (Schedule 8)
-  Development Contribution Area (Schedule 9A & 9B)
-  Environmental Conditions (Schedule 8)
-  Armadale Redevelopment Area Boundary

PROPOSED ZONING - SPECIAL CONTROL AREA MAP 3



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

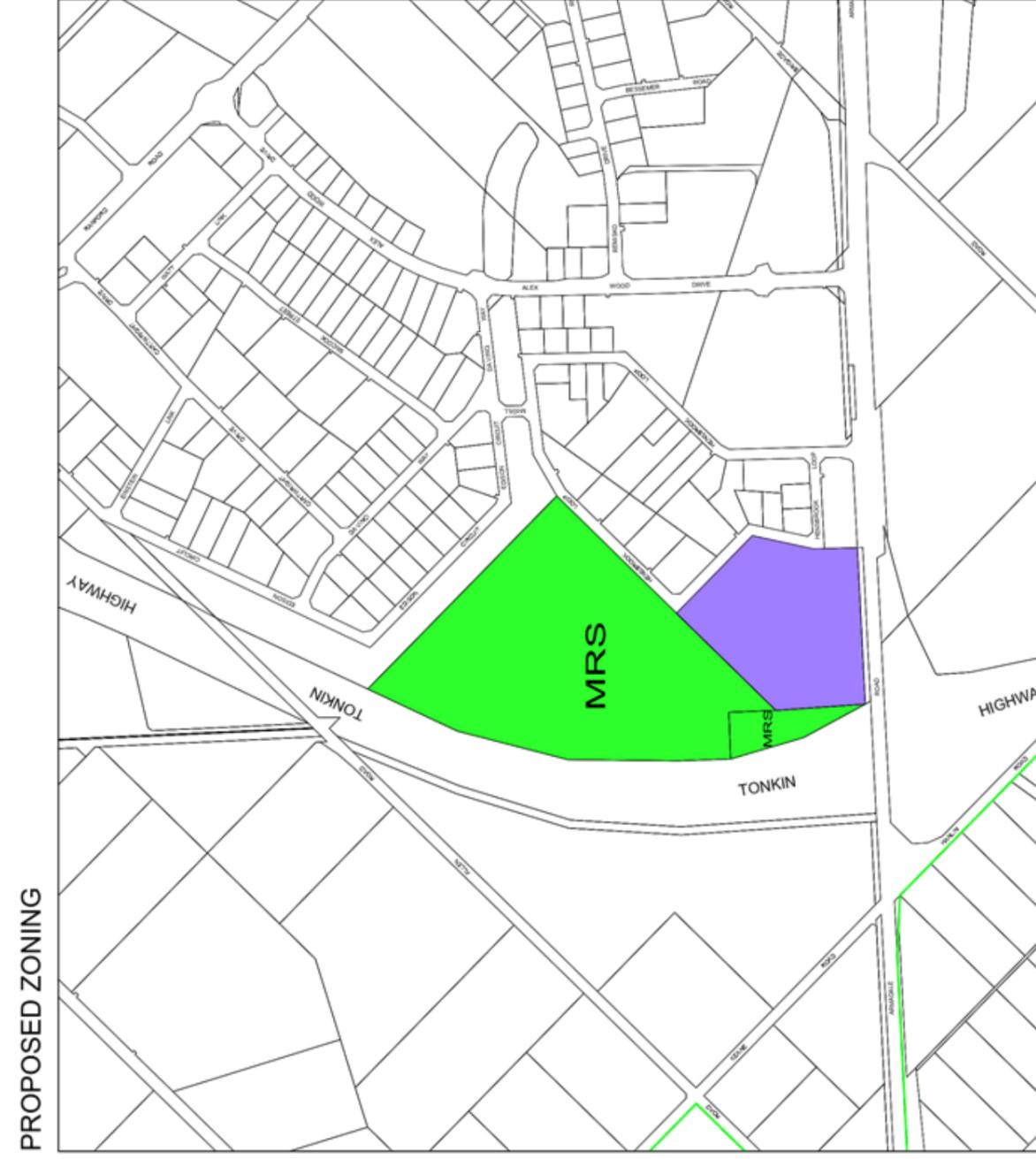


SCALE 1 : 10000

**AMENDMENT No. 114**  
 City of Armadale Town Planning Scheme No. 4  
 Special Control Area Map 3  
 DATE 6 April 2018 - REVISION 1801  
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 Armadale Photographic Survey by Landgate. Permission No. 100/10/11



**ZONES**

- RESIDENTIAL Including Residential Planning Density Codes
- URBAN DEVELOPMENT ZONE
- RURAL LIVING - 1,2,4,10,20,X
- GENERAL RURAL
- SPECIAL RURAL
- SPECIAL RESIDENTIAL
- MIXED BUSINESS / RESIDENTIAL
- LOCAL CENTRE
- DISTRICT CENTRE
- STRATEGIC REGIONAL CENTRE
- GENERAL INDUSTRY
- INDUSTRIAL BUSINESS
- INDUSTRIAL DEVELOPMENT
- SPECIAL USE
- ADDITIONAL USE
- RESTRICTED USE
- DENSITY CODE BOUNDARY
- SCHEME BOUNDARY

**RESERVATIONS**

- PARKS & RECREATION (Region)
- PARKS & RECREATION (Local)
- RAILWAYS
- STATE FOREST
- WATERWAYS
- WATER CATCHMENTS
- PRIMARY REGIONAL ROADS
- OTHER REGIONAL ROADS
- PUBLIC PURPOSE (Local)
- PUBLIC PURPOSE (Region)
- PUBLIC PURPOSE
- Miscellaneous Sub Categories
  - 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



**AMENDMENT No. 114**  
City of Armadale Town Planning Scheme No. 4

DATE 14 July 2020 - REVISION 2001  
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**Legend**

- Conservation Category Wetland \*
- Lot 9500 Armadale Road, Lot 4853 Allen Road & Lot 2 Keane Road

\* Wetland mapping based on a desktop survey and is unlikely to represent the final outcome for Lot 9500. The environmental studies accompanying a structure plan may result in more refined wetland mapping.

**Conservation Category Wetland**  
 Lot 2 Kean Rd, Lot 4853 Allen Rd and  
 Lot 9500 Armadale Rd



DATE 23 June 2020 - REVISION 2001  
 P:\AutoCAD\Job\_Requests\Planning\Individuals\Janni\Lot\_9500\_Armadale\_Ro\conservation\_category\_wetland.dwg

Based on information provided by and with the permission of the  
 Western Australian Landmarks Authority as a Landmark (20172)  
 Aerial photograph supplied by Landsat. Photographs by HereMap.

# DC. 2021

## ANNUAL DEVELOPMENT CONFERENCE

Resilience | Recovery | Renewal



WED 24 - FRI 26 FEB  
Bunker Bay Resort





# PROGRAM

## WEDNESDAY 24 FEBRUARY: ARRIVAL & WELCOME PROCEEDINGS

3.00PM Registrations Open

6.00PM - 10.00PM OFFICIAL CONFERENCE WELCOME PROCEEDINGS

## THURSDAY 25 FEBRUARY: DAY ONE

### SESSION 1: ECONOMIC REALITIES OF A PANDEMIC AND FUTURE GROWTH

8.45AM - 9.00AM Conference Opening Address

*Col Dutton, President- UDIA WA*

9.00AM - 9.30AM Economic Overview

Covering population growth, immigration, fiscal policy, taxation settings, etc.

9.30AM - 10.00AM Economic Realities for WA - Panel Discussion

Looking at the next 12 months for WA.

10.00AM - 10.30AM MORNING TEA

### SESSION 2: SETTING THE GOVERNMENT AGENDA FOR 2021 & BEYOND

10:30AM - 11:00AM Leading the State's Recovery

11:00AM - 11:30AM Government Priorities - McGowan Government

11:30AM - 12:00PM Government Priorities - Opposition

11:30AM - 12:00PM Panel Discussion: What we learned from the 2020 Stimulus Package

12.30PM - 1.30PM LUNCH





# PROGRAM

## THURSDAY 25 FEBRUARY: DAY ONE (continued)

### SESSION 3: URBAN PLANNING IN A POST COVID WORLD

**1:30PM - 2:00PM The Future of Urban Development & Design in a post-COVID world**  
What is likely to change and what will stay the same?

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**2:00PM - 2:30PM Panel Discussion**

Exploring what the expert planners think might change moving forward for planning and the future of Perth.

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**2:00PM - 2:30PM Community Titles Act**

How will it change the development of new communities

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**3:00PM - 3:30PM AFTERNOON TEA**

### SESSION 4: FUTURE PROOF PROJECTS - A LOOK AT THE REAL WORLD

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**3:30PM - 4:00PM Montreal Commons**

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**4:00PM - 4:30PM Eco Village at Witchcliffe**

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**4:30PM - 5:00PM Environmental Approvals**

How are we responding to the challenges?

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**5:00PM Day One Summary & Close**

*Col Dutton, President- UDIA WA*

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**6:00PM - 10:30PM SUNSET COCKTAIL FUNCTION**





# PROGRAM

## FRIDAY 26 FEBRUARY: DAY TWO

### SESSION 5: REVIVING OUR MAJOR CITIES

**8.45AM - 9.00AM Conference Opening Address**  
*Col Dutton, President- UDIA WA*

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**9.00AM - 9.30AM A Vision for Perth as a Global City**

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**9.30AM - 10.00AM Opportunities for Fremantle**

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**10.00AM - 10.30AM Murdoch Precinct**

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**10.30AM - 11.00AM MORNING TEA**

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### SESSION 6: EYES ON THE FUTURE

**11:00AM - 12.00PM Leading in a Time of Crisis**

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**12.00PM End of Conference Summary & Close**  
*Col Dutton, President- UDIA WA*

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**12:00PM - 2:00PM OPTIONAL LONG TABLE LUNCH**

