

# CITY OF ARMADALE

## MINUTES

OF DEVELOPMENT SERVICES COMMITTEE HELD IN THE COMMITTEE ROOM, ADMINISTRATION CENTRE, 7 ORCHARD AVENUE, ARMADALE ON TUESDAY, 9 JANUARY 2007 AT 7:00 PM.

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**PRESENT:** Cr H A Zelones JP Chair  
Cr P J Hart  
Cr J Knezevich  
Cr C J MacDonald  
Cr R J Tizard  
Cr L Reynolds AM JP  
Cr G T Wallace (Deputy for Cr J Everts)

**APOLOGIES:** Cr J Everts (Leave of Absence)  
Mr P Meyrick Health Services Manager  
Mr I Townson (Leave of Absence)

**OBSERVERS:** Cr L Scidone

**IN ATTENDANCE:** Mr W A Bruce A/Chief Executive Officer  
Mr I MacRae Executive Director Development Services  
Mr P Sanders Planning Services Manager  
Mr J Edwards A/Building Services Manager  
Mr R Van Delft Project Coordinator / Snr Environmental Planner  
Mrs N Cranfield Minute Secretary

Public Nil

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***DISCLAIMER***

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The Disclaimer for protecting Councillors and staff from liability of information and advice given at Committee meetings was not read by the Chairman as there were no members of the public present.

***DECLARATION OF MEMBER'S INTERESTS***

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Nil.

***QUESTION TIME***

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Nil.

***CONFIRMATION OF MINUTES***

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**RESOLVED**

Minutes of the Development Services Committee Meeting held on 12 December 2006, to be confirmed.

MOVED Cr Hart  
MOTION CARRIED (7/0)

***ITEMS REFERRED FROM INFORMATION BULLETIN – ISSUE No.1/2007***

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The following items were included for information in the “Development Services” section -

- **Outstanding Matters & Information Items**  
Report on Outstanding Matters – Development Services Committee  
Metropolitan Region Scheme – Omnibus No.7 – MRS No.1113/33A
- **Health**  
Health Services Manager’s Report for the month of November 2006
- **Planning**  
Planning Services Manager’s Report for the month of November 2006  
Town Planning Scheme No.4 – Amendment Action Table  
Planning Applications Monthly Statistics - November 2006  
Subdivision Applications – WAPC Approvals/Refusals - November 2006  
Subdivision Applications – Report on Lots Registered for 2005/06 & 2006/07  
PAW Closure Report – Significant Actions during November 2006  
Road Naming Report 2006 & consequential action of Council Recommendation
- **Building**  
Building Services Manager’s Report for the month of November 2006  
Building Applications Monthly Statistics for the month of November 2006

*The following items were raised by Committee –*

- ♦ *Cr Hart sought clarification on whether recent development of properties on Leworthy Loop in Karragullen had installed Camlock connections to the water tanks;*

*Executive Director Development Services undertook to investigate.*

*Committee noted the information and no further items were raised for discussion and/or further report purposes.*

- ♦ *Committee congratulated all officers involved in the processing of the extreme amount of building and planning applications being received.*
- ♦ *Cr Hart wished to express her thanks to all officers involved with the removal of the Heritage Road Pylon Sign.*

# DEVELOPMENT SERVICES COMMITTEE

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9 JANUARY 2007

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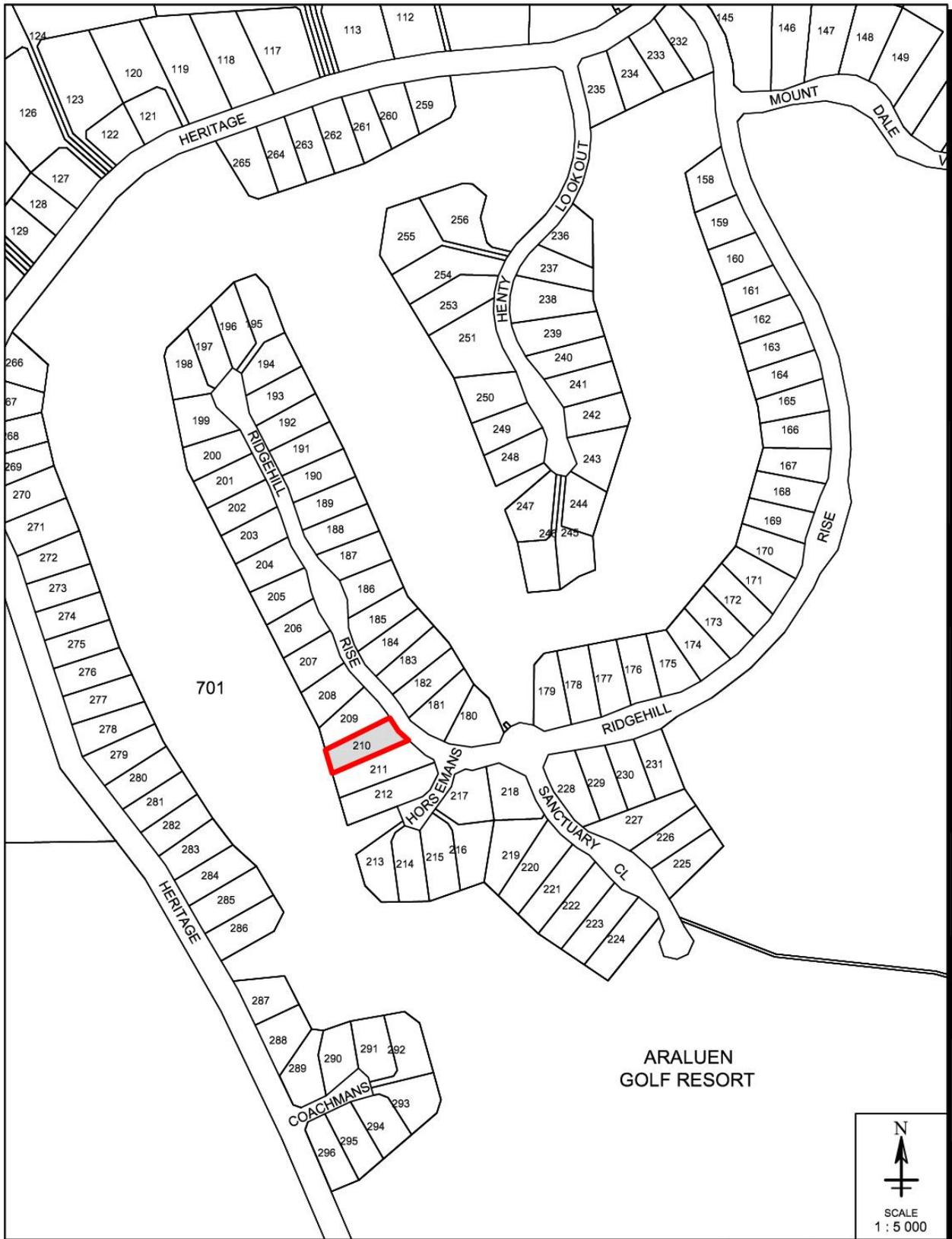
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**LOCATION PLAN**  
LOT 210 RIDGEHILL RISE, ROLEYSTONE

***PROPOSED RESIDENCE & ANCILLARY ACCOMMODATION –  
LOT 210 (NO.60) RIDGEHILL RISE, ROLEYSTONE***

WARD : JARRAH

APPLN NO. : 10.2006.468.1

DATE : 1 December 2006

REF : EP

RESPONSIBLE MANAGER : PSM

APPLICANT : Delstrat Pty Ltd

LANDOWNER : P & Sand M & A Chantrell

SUBJECT LAND : Lot 210 Ridgehill Rise,  
Roleystone  
Property size 2066m<sup>2</sup>

ZONING  
MRS / TPS No.4 : Rural / Special Residential  
(Additional Use 30)

**In Brief:**

- The City has received an application to construct a residence with an attached ancillary accommodation.
- The application proposes several variations to TPS No.4 and the City's Ancillary Accommodation Policy PLN 3.6.
- The application was advertised to surrounding neighbours and no submissions were received.
- Recommend approval subject to appropriate conditions.

**Tabled Items**

Nil.

**Officer Interest Declaration**

Nil.

**Strategic Implications**

Development - "To balance the needs of development of sustainable economic, social and environmental objectives".

**Legislation Implications**

Planning and Development Act 2005  
Town Planning Scheme (TPS) No.4  
Residential Design (RD) Codes

**Council Policy / Local Law Implications**

PLN 3.7 – Araluen Residential Estate  
PLN 3.6 Ancillary Accommodation – Control of Additional Accommodation

**Budget / Financial Implications**

Nil.

**Consultation**

- ◆ Development Control Unit
- ◆ Surrounding neighbours



## **BACKGROUND**

An application has been received for the construction of a residence on Lot 210 Ridgehill Rise, Roleystone, which is located within the Araluen Estate in Roleystone. The application proposes to construct a large residence that incorporates an ancillary accommodation component for the purpose of accommodating the owner's elderly parents. The land does not contain any vegetation and backs onto the golf course. Given the large size of the residence in terms of the floor area and variations sought to TPS No.4 and the City's Ancillary Accommodation Policy PLN 3.6, the application has been referred to Council for determination.

## **DETAILS OF PROPOSAL**

The application proposes to construct a 586m<sup>2</sup> residence. Internally, the building is designed with four (4) bedrooms, two (2) bathrooms and three (3) carports for the main residence at the front and one (1) bedroom, one (1) bathroom and two (2) carports for the ancillary accommodation to the rear, both are connected by a laundry area. The proposal is designed to be under one roof with an external appearance of a large single house. The residence/s will be serviced by a single driveway from Ridgehill Rise.

## **COMMENT**

### ***Development Control Unit (DCU)***

DCU considered the proposal at its meeting of 16 November 2006 and supported the application as it satisfies the Residential Design Code (RD Codes) requirements and can be considered a single residence under both the Building Codes of Australia and RD Codes.

### ***Advertising***

The application was advertised for public comment; no submissions were received.

## **ANALYSIS**

### ***Town Planning Scheme No.4***

The land is zoned 'Special Residential' under TPS No.4. Clause 5.3.1(b) of TPS No.4 notes that buildings within the Special Residential zone are to accord with the provisions of R5 of the Residential Design Codes of Western Australia. The application complies with the requirements of the RD Codes, in terms of open space and setbacks to the boundaries.

However, Clause 5.3.2 of TPS No.4 specifies a "*maximum building coverage of 500m<sup>2</sup> (including outbuildings) is to apply to areas coded R5 or less, unless otherwise approved by the City.*" The proposed total building coverage is 621m<sup>2</sup> (including two alfresco areas and verandas to the house).

Clause 5.5 of TPS No.4 states that if a proposal "*does not comply with a standard or requirement prescribed under the Scheme, the City may, despite the non-compliance, approve the application unconditionally or subject to such conditions as the City thinks fit*".



**AERIAL PHOTOGRAPH**  
LOT 210 RIDGEHILL RISE, ROLEYSTONE

***Residential Design Codes (RD Codes)***

The RD Codes defines a single house as:

*“A dwelling standing wholly on its own green title or survey strata lot, together with any easement over adjoining land for support of a wall or for access or services and excludes dwellings on titles with areas held in common property.”*

A dwelling is defined as:

*“A building or a portion of a building used, adopted or designed or intended to be used for the purpose of human habitation on a permanent basis by a single person, a single family, or no more than six persons who do not comprise a single family”.*

The RD Codes does not place any restrictions on the number of bedrooms, other facilities or floor area that a dwelling could consist of and nor does it need to be occupied by a single family. However, the RD Codes defines ancillary accommodation as:

*“Self-contained living accommodation on the same lot as a Single House that may be attached or detached from the Single House occupied by members of the same family as the occupiers of the main dwelling.”*

As such, the rear portion of the proposed building should be considered as ancillary accommodation, therefore the requirements of the RD Codes for ancillary accommodation and the City’s Ancillary Accommodation Policy PLN 3.6 should apply.

***PLN 3.6 Ancillary Accommodation – Control of Additional Accommodation***

The City’s Ancillary Accommodation Policy PLN 3.6 aims to facilitate the accommodation of the extended family on the same property without detriment to residential amenity. The Policy Statement reads as follows:

1. The ancillary accommodation is to be occupied by relatives of the same family which occupy the residence.
2. Unless approved by Council, the maximum floor area of the additional accommodation is not to exceed 60m<sup>2</sup> and consist of not more than two bedrooms.
3. The additional accommodation shall:
  - a) If added to the existing building, have direct internal access to the original part of the building.
  - b) If not directly attached to the existing building, be connected to it by a properly constructed walkway.
4. In the case of 3b where the additional accommodation is detached from the residence and unless approved by Council, the maximum distance between the two buildings shall not exceed 6 metres.

The proposed Ancillary Accommodation is for the parents of the family and is attached to the main dwelling, however the dwelling is significantly greater than 60m<sup>2</sup> (being 124m<sup>2</sup>).



### ***PLN 3.7 – Araluen Residential Estate***

Policy PLN 3.7 is prepared to assist developers and the Council in guiding development within the Araluen Residential Estate. The objectives of this Policy are:

- ◆ To ensure that development enhances the residential amenity for existing and future Araluen residents;
- ◆ To protect and enhance the natural environmental features of the locality; and
- ◆ To provide clear guidance to Council in the exercise of its discretion to approve development.

The Policy provides guidelines relating to building design, streetscape, site works, vegetation, fencing and outbuildings. The application generally complies with all such requirements. However, given the open cleared nature of the site and size of the residence, a condition should be imposed to implement a landscaping plan for the land.

### ***Amenity Issues***

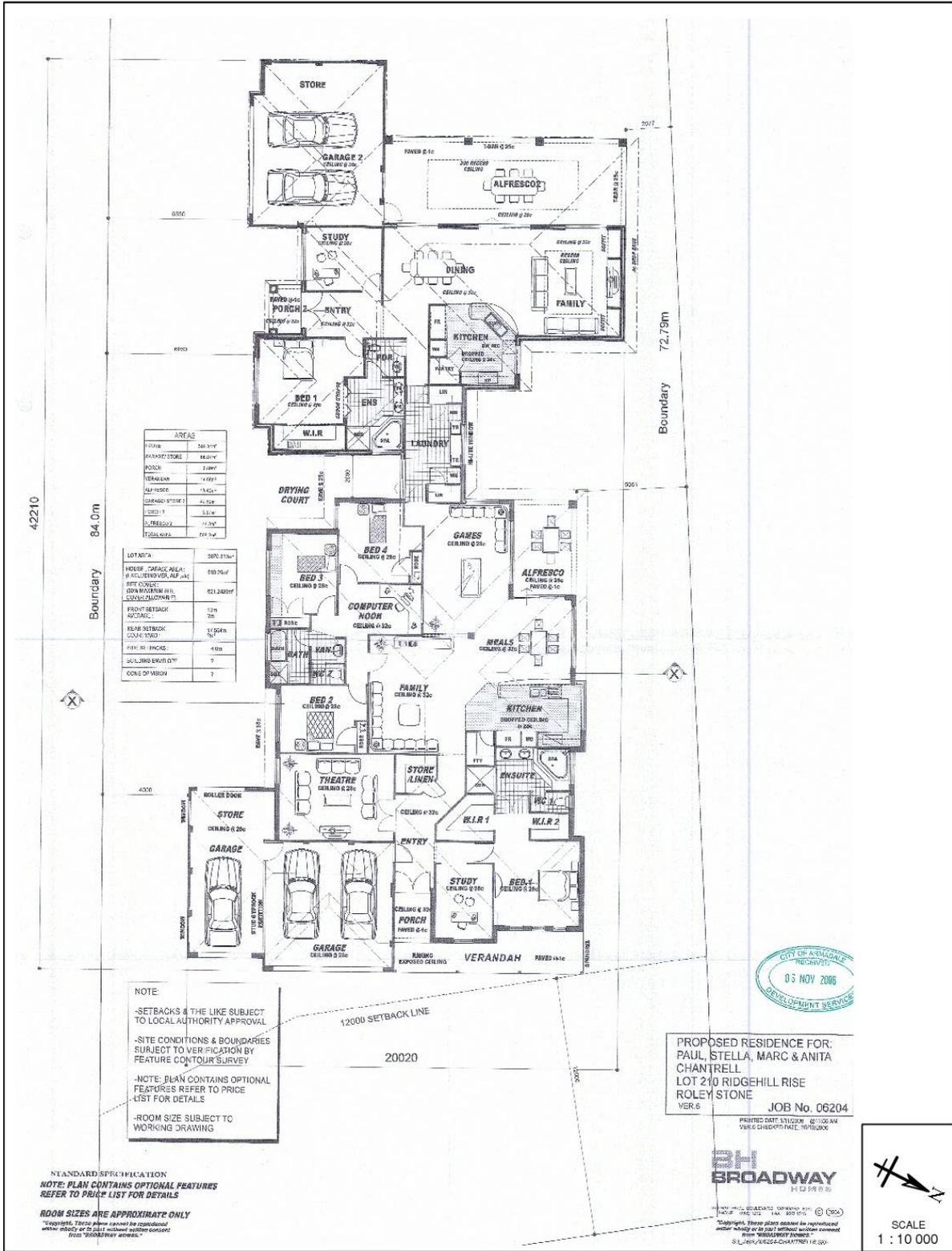
Whilst extended family living is often encouraged, the main concerns with regards to this development are the open cleared nature of the site and the possible visual impact of the building on the surrounding neighbours due to its large size. The proposed design and elevations presents a single dwelling appearance from the street and therefore, it is unlikely to detract from the existing streetscape in Araluen Estate. The proposal is generally consistent with the objectives of the Policy for the Araluen Estate. Substantial tree planting along site perimeters could minimise any visual impact of the residence.

### **OPTIONS**

1. Council could approve the application subject to relevant conditions if it is satisfied that the proposal will not have a detrimental affect on the amenity of the Araluen Estate.
2. Council could refuse the proposal if it believes that the amenity of the area may be detrimentally affected by the proposed dwelling in terms of visual impact.

### **CONCLUSION**

The application proposes several variations to the provisions of TPS No.4, the RD Codes and City's Policies. The size of the proposed building is a significant deviation from the policy for ancillary accommodation, however the total building is not excessive in the context of the many existing large family homes in the Araluen Estate. The design is viewed as satisfactory in terms of its single house appearance and streetscape, provided reasonable landscaping is installed to soften the visual impact from the surrounding properties. The intent of the development being for extended family living is considered a reasonable proposition in this instance. The lack of submissions to the advertising indicate acceptability of the proposal by the Araluen Estate community. Therefore, Option 1 above is recommended.



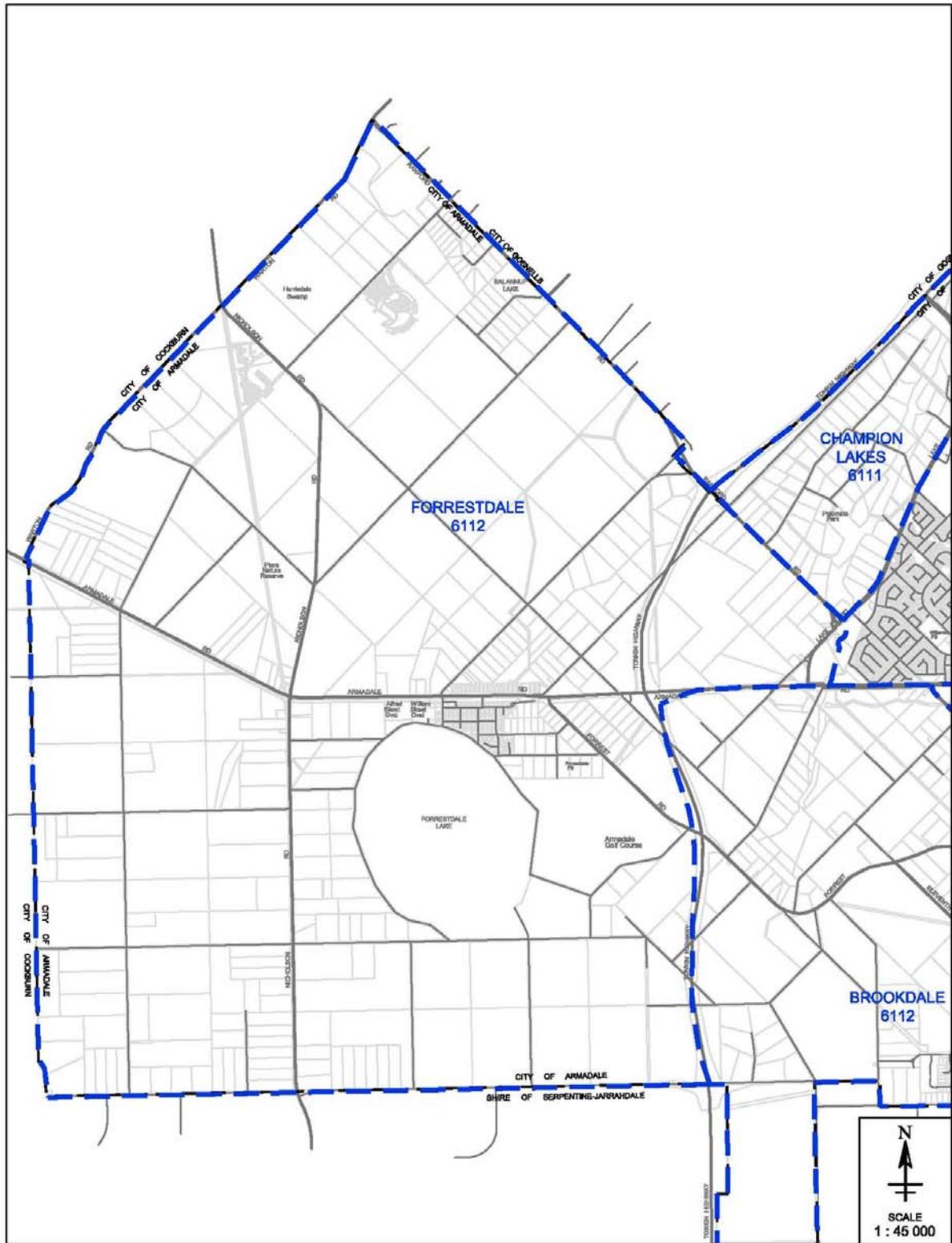
**FLOOR PLAN**  
LOT 210 RIDGECREST RISE, ROLEYSTONE

**D1/01/07            RECOMMEND**

**That Council resolve to:**

- 1. Approve the application for a residence and ancillary accommodation at Lot 210 Ridgehill Rise, Roleystone, subject to the following conditions:**
  - a) A schedule of external colours and materials is to be submitted to and approved by the Executive Director Development Services. The development to be completed and maintained in accordance with the approved schedule to the satisfaction of the Executive Director Development Services.**
  - b) The submission of a comprehensive landscape plan to indicate revegetation of the site with planting of substantial trees mainly along the property perimeters to the satisfaction of the Executive Directors of Technical Services and Development Services. Such plan to include plant species (predominantly West Australian natives), numbers, location, size and method of irrigation of the landscaped areas. The landscape plan is to be approved and the landscaping installed and maintained thereafter, to the satisfaction of the said officer.**
  - c) Alfresco dining areas to be screened from abutting sites to the satisfaction of the Executive Director Development Services.**
  - d) Driveway to be brick paved to the specifications and satisfaction of the Executive Director Development Services.**
  - e) Ancillary accommodation is to be occupied by members of the principle residents' family only.**
- 2. Include standard advice notes to the satisfaction of the Executive Director Development Services.**

MOVED Cr Hart  
MOTION CARRIED (7/0)



**LOCATION PLAN - FORRESTDALE LOCALITY**

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***RENAMING A PORTION OF THE FORRESTDALE LOCALITY***

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WARD	:	LAKE
FILE REF	:	NAM/6
DATE	:	22 December 2006
REF	:	PMS/PS
RESPONSIBLE MANAGER	:	PSM
LANDOWNER	:	Various
ZONING MRS/TPS No.4	:	Urban, Rural and Parks and Recreation / Urban Development, General Rural, Rural Living X, Mixed Business and Parks and Recreation.

**In Brief:-**

Council resolved at its meeting on 21 August 2006 to seek public comment on:

- the suitable locality boundaries for localities within the North Forrestdale area;
- suitable names for localities within the North Forrestdale development area;
- to support the creation of two localities in North Forrestdale: one for the area east of Nicholson Road and one to the area west of Nicholson Road; and
- names that could be suggested by the City as part of the public consultation that could include Harrisdale and Balannup for the area east of Nicholson Road, and Piara and Buchanan for the area south and west of Nicholson Road.

Recommend that Council:

- Seek approval from GNC for the creation of two localities in the northern portion of Forrestdale: Harrisdale and Piara.

**Tabled Items**

Nil.

**Officer Interest Declaration**

Nil.

**Strategic Implications**

Developing our City to sustain and maintain the distinctive character of the City.

**Legislation Implications**

Land Administration Act 1997

**Council Policy / Local Law Implications**

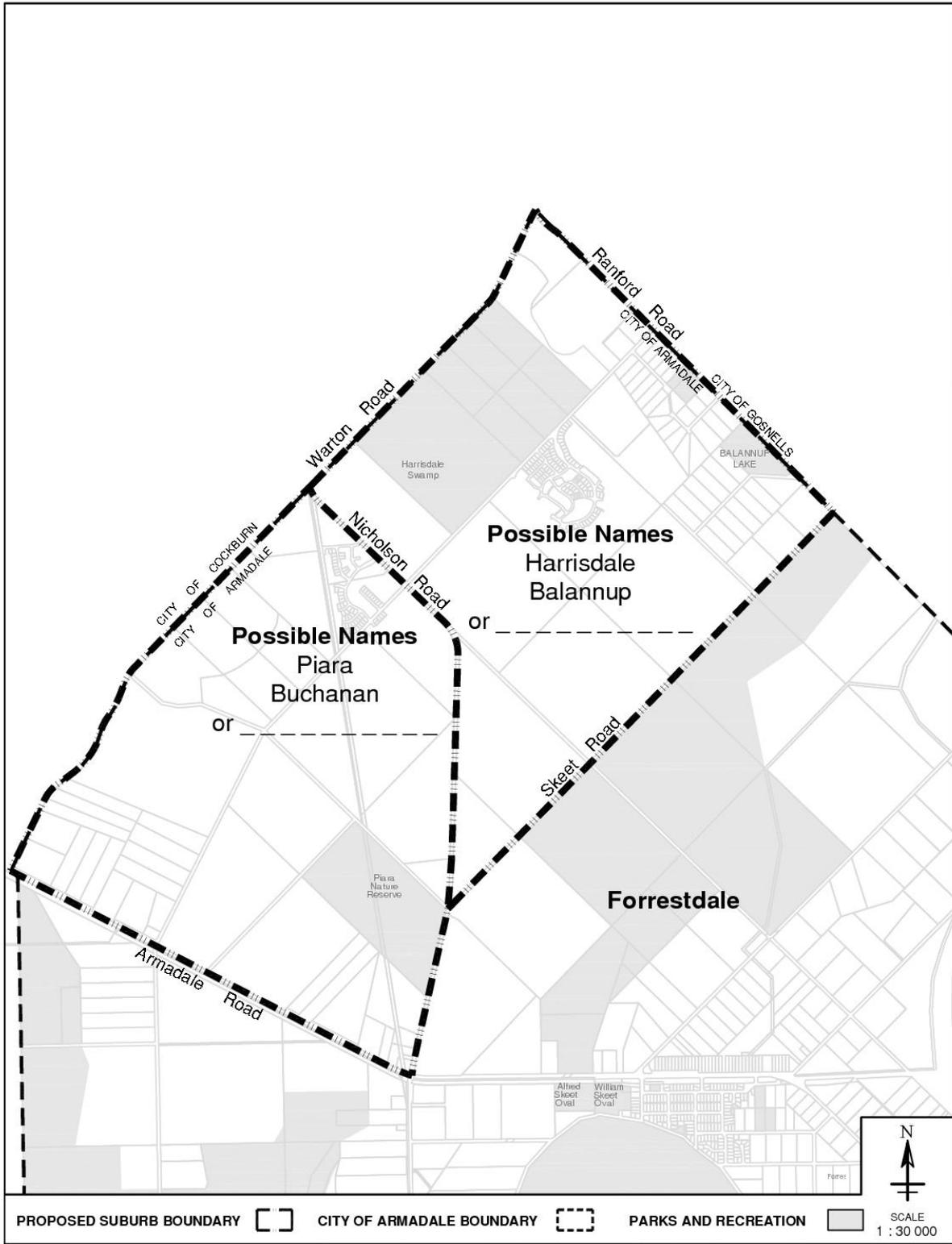
Nil

**Budget / Financial Implications**

Nil.

**Consultation**

- ♦ Consultation with landowners, newspaper advertisements and signs on-site.



**ADVERTISED LOCALITY NAMES AND BOUNDARIES**

## BACKGROUND

In 2002 landowners requested the renaming of a portion of the Forrestdale locality north of Armadale Road. Council agreed in June 2002 to seek public comment on the proposal and comments were sought in October 2002. Of the 41 submissions received, 36 supported a change to Princeton. Five opposed any name change and eight suggested an alternative name.

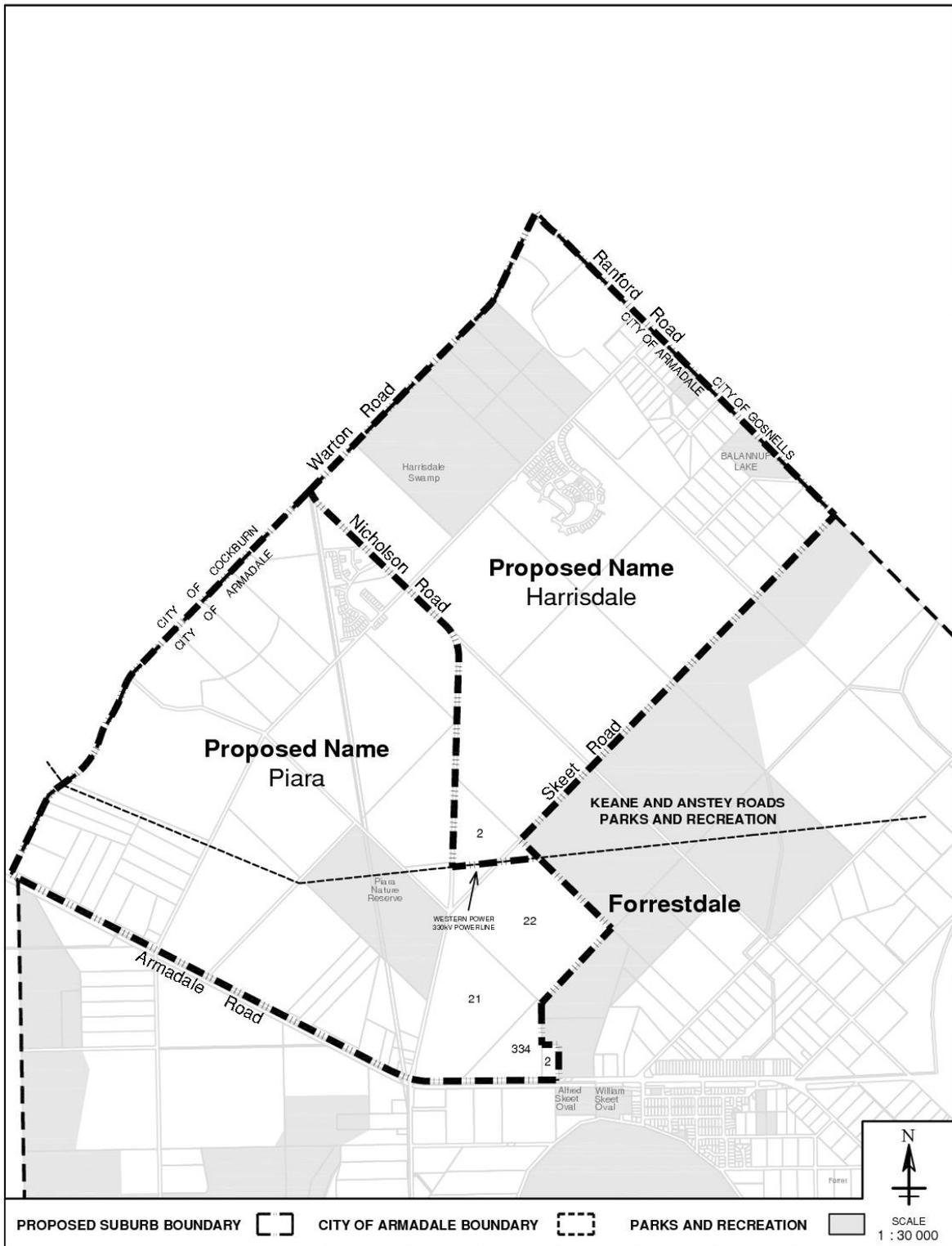
The Geographic Names Committee (GNC) criterion indicates, “*Preferred sources of names should include names from Aboriginal languages, pioneers of the State or area, or citizens who have made a significant community contribution.*” While Princeton was strongly supported by some landowners it did not carry such high credentials for a local indigenous West Australian or Australian content in terms of the GNC locality naming guidelines. Notwithstanding the predicted difficulties of achieving the name of Princeton, Council decided in January 2003 to submit the name to GNC.

Consideration of the request by GNC resulted in advice in March 2003 that the arguments for the name of Princeton were tenuous at best and that the Committee strongly supports names with an Australian emphasis, whereas Princeton tended to connect with the USA. Following the provision of additional information in June 2003, GNC advised that they remained unconvinced of the arguments connecting the name of Princeton to the area and confirmed their desire that an alternative name be sought. However, GNC agreed that the new locality could coincide with the new development area of North Forrestdale.

The North Forrestdale locality is developing at a rapid rate and over 2500 lots have been granted subdivision approval. It is timely to reconsider the naming of the suburb prior to the establishment of new housing and locality associations. The area bounded by Ranford, Warton, Armadale and Skeet Roads is estimated to have the potential to house 25,000 people when fully developed. Given its size and potential population, Council considered that it would be appropriate to consider the creation of two new localities. The northern area would more naturally relate to the names of **Harrisdale** or **Balannup**, while a southern area could relate to another equally prominent lake – **Piara**, which is the aboriginal name for the *Banksia attenuate*, **Buchanan** or another appropriate botanical, aboriginal or settler name.

Council, at its meeting on 21 August 2006, resolved (D92/8/06):

1. To undertake public consultation by letter to the residents/landowners of the North Forrestdale area, newspaper advertisement and appropriate signs on site seeking comment on:
  - ◆ the suitable locality boundaries for localities within the North Forrestdale area; and
  - ◆ suitable names for localities within the North Forrestdale development area.
2. To support the creation of two localities in North Forrestdale: one for the area east of Nicholson Road and one to the area south and west of Nicholson Road.
3. That names that could be suggested by the City as part of the public consultation could include Harrisdale and Balannup, and Piara and Buchanan for the area south and west of Nicholson Road.



**PROPOSED NEW LOCALITY BOUNDARIES AND NAMES**

## ANALYSIS

The advertising period was from 21 September 2006 and 10 November 2006. Letters and submission forms were sent to over 200 landowners within the affected area. Signs advertising the proposal were placed in prominent locations. Advertisements were also placed in the Comment News on 26 September 2006 and Weekend Examiner on 28 September 2006. Details of the proposal were also available on the City’s website and Administration office.

Thirty-two (32) responses were received during the submission period, 28 supporting and 4 objecting to the proposal. The results of the submissions are summarised below for each area.

Landowners in area east of Nicholson Road		Landowners in area west of Nicholson Road	
14 Responses		18 Responses	
13 Support		15 Support	
1 Objection		3 Objections	
Harrisdale	8	Piara	7
Balannup	2	Buchanan	4
No suggestions	2	Other Names	2
Other Names	1	No Suggestions	2
Suggestions of Boundary amendments	4	Suggestions of Boundary amendments	4

Only 4 objections were received during the submission period. One objector from the area west of Nicholson Road stated that it would cost too much to re-badge his business, whilst two objectors did not like the names Piara and Buchanan. The objector from the area east of Nicholson Road did not wish the area to be named after a swamp.

The two most popular names in the submissions were Harrisdale for the area east of Nicholson Road and Piara for the area west of Nicholson Road. Some of the other names suggested in the submissions include: New Haven, Carey, North Forrestdale, Harris, Bondvale, Kellys, Pine Tree Crossing, Melaleuka, Forrestscott, Forrestwaters, Havenswood, Warton, Dawson and Kersley. The majority of these names are unsuitable or will not comply with GNC criteria.

**Harrisdale** is derived from the Harris family who were one of the first settlers in the area (1898) with 240 acres bounded by Warton and Wright Roads. While Harrisdale has been adopted as the estate name for the land being developed on the corner of Warton and Ranford Roads, this should not exclude the adoption of the name for a wider area in view of the prominence of the Harrisdale Swamp and its associated reservations.

**Piara**, which is the aboriginal name for the *Banksia attenuate*, is the name of a prominent lake/reserve in the area along Nicholson Road.

### Locality Boundaries

The City’s suggested locality boundaries as identified on the attached plan “Advertised Locality Names & Boundaries” were:

- ◆ Armadale, Nicholson and Warton Roads for the west area; and
- ◆ Ranford, Skeet, Nicholson and Warton Roads for the east area.

Several suggestions were received in respect of amending the proposed boundary of the “east area” from the suggested boundaries of Ranford, Skeet, Nicholson and Warton Roads to be extended to include Lots 21 & Lot 22 Nicholson Road and Lots 2 & 334 Armadale Road. These submissions argued that this area should be included in the new suburb boundaries, rather than retained in the suburb of Forrestdale, for the following reasons:

- ◆ The area represents a logical rounding off and part of the emerging new urban community;
- ◆ The land is separated from the existing Forrestdale townsite by the physical boundary of Armadale Road to the south and the Anstey Keane Dampland to the east;
- ◆ The GNC’s Boundary Criteria stipulates “*boundaries are to be established along ... natural boundaries and centrelines of major highways, divided carriageways, other roads and railways*”, which supports the inclusion of the land in the new suburb; and
- ◆ The Catholic Education Office has recently purchased Lot 334 Armadale Road with the intention of locating a private school on the land, which will further separate Lots 21, 22 and 2 from the remainder of the Forrestdale townsite.

The City recommends that the submissions be upheld in part, by including portions of Lots 2 and 22 (south of the 330kv powerlines), Lot 21 Nicholson Road and Lots 2 & 334 Armadale Road within the new southern suburb boundary of Piara. The land is located some distance from the Harrisdale Swamp and is located closer to Piara Reserve/swamp (i.e. some of the land is directly opposite the reserve). Portions of Skeet Road are proposed to be realigned and the existing lot boundaries will be varied when subdivision occurs. The existing powerlines that dissect the area will not be modified as part of any development due to the substantial costs involved. The powerlines provide a logical locality boundary, given that road reserves and lot boundaries will change over time, and the powerlines will be included in a substantial linear public open space area.

One submission suggested a third locality with a new name that would include all the rural and special rural areas in Forrestdale, excluding the urban areas. It is acknowledged that Forrestdale is a large locality, however there is no need or requirement at this time to consider further rationalisation or any other new suburb boundaries in Forrestdale.

## **OPTIONS**

Council has the following options:

1. Support the creation of two new localities in the northern portion of Forrestdale and seek approval from the Geographic Names Committee to create the new suburbs of Harrisdale (north and east of Nicholson Road) and Piara (area south and west of Nicholson Road) as advertised.
2. Support the creation of two new localities in the northern portion of Forrestdale and seek approval from the Geographic Names Committee to create the new suburbs of Harrisdale and Piara, with the inclusion of portions of Lots 2 and 22 (south of powerlines), Lot 21 Nicholson Road and Lots 2 & 334 Armadale Road within the new southern suburb boundary of Piara.
3. Support other suburb names and/or boundaries and seek approval from the Geographic Names Committee.
4. Not pursue the creation and renaming of new localities in the northern portion of the Forrestdale locality at this time.

## CONCLUSION

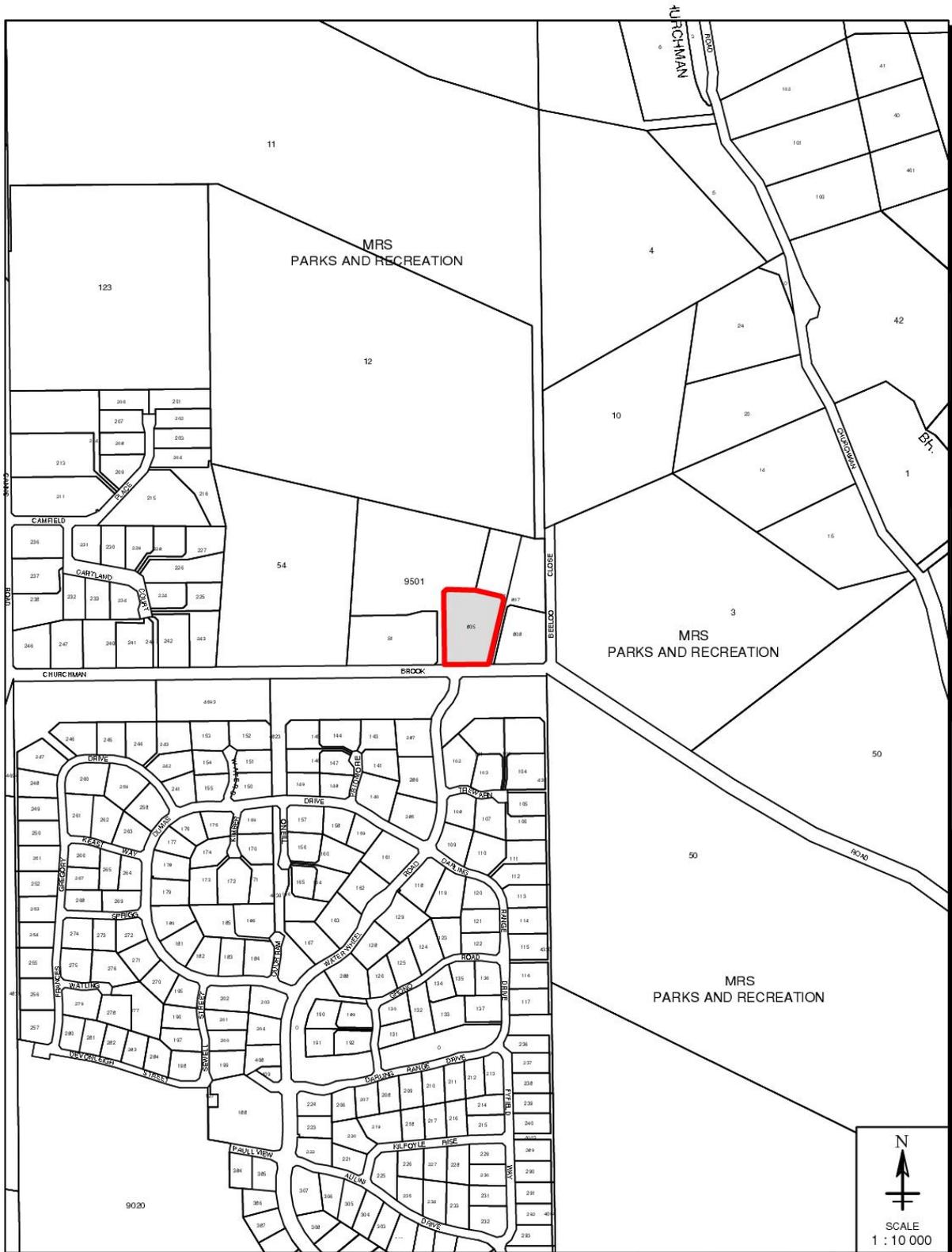
While public comment was sought in 2002 for the naming of the North Forrestdale locality, this matter was not resolved due to the selection of a name unacceptable to the Geographic Names Committee. The area bounded by Ranford, Warton, Armadale and Skeet Roads is estimated to have the potential to house 25,000 people when fully developed. Two new localities should be created. The results of the submission period indicate that Harrisdale and Piara were the most popular choices for locality names and represent significant environmental and land features in both of the proposed new suburbs. It is also recommended that the land bounded by Armadale Road, Nicholson Road, the Parks and Recreation reserve and the power lines be included in the proposed Piara locality, as a logical extension and in view of the submissions of the landowners. It is recommended that Council adopt Option 2.

### D2/01/07            RECOMMEND

**That Council resolve to:**

- 1. Support the creation of two new localities in the northern portion of Forrestdale and seek approval from the Geographic Names Committee to the creation and naming of two new localities, as identified on the attached plan, in the northern portion of Forrestdale:**
  - i) “Harrisdale” which includes the land bounded by Ranford Road to the north, Skeet Road to the east, a portion of Nicholson Road and the powerlines on Lots 2 and 22 Nicholson Road to the south and Warton Road to the west, or any other minor variation required by GNC; and**
  - ii) “Piara” which includes land bounded by Armadale Road to the south, Warton Road to the west, a portion of Nicholson Road and the powerlines on Lots 2 and 22 Nicholson Road to the north and Anstey Keane Parks and Recreation reserve to the east, or any other minor variation required by GNC.**
- 2. Advise submitters of the above decision.**

MOVED Cr MacDonald  
MOTION CARRIED (7/0)



**LOCATION PLAN**  
LOT 805 CHURCHMAN BROOK ROAD, BEDFORDALE

**CHANGE / DEPARTURE TO STRUCTURE PLAN –  
LOT 805 (288) CHURCHMAN BROOK ROAD BEDFORDALE**

WARD : NEERIGEN

DATE : 22 December 2006

APPLN No. : 35.2006.11.1

REF : JR

RESPONSIBLE MANAGER : PSM

APPLICANT : Dykstra Planning

LANDOWNER : B. Leahy

SUBJECT LAND : Property size 1.58ha  
Map 25:03

ZONING MRS : Rural

TPS No.4 : Special Residential Zone

**In Brief:**

- A change/departure to Structure Plan has been submitted to support the subdivision of Lot 805 Churchman Brook Road into 3 lots of 4024m<sup>2</sup>, 5374m<sup>2</sup> and 6404 m<sup>2</sup>.
- The plan was advertised for public submissions with no objections being received.
- Recommend that subject to minor modifications the change/departure to Structure Plan be recommended to the WAPC to guide further subdivision of Lot 805 into 3 lots.
- Recommend that Council identify a 5000m<sup>2</sup> minimum lot size policy for lots fronting Churchman Brook Road.

**Tabled Items**

Nil.

**Officer Interest Declaration**

Nil.

**Strategic Implications**

Development – “To balance the needs of development with sustainable economic, social and environmental objectives”.

**Legislation Implications**

Planning and Development Act 2005  
Metropolitan Region Scheme (MRS)  
Town Planning Scheme No.4  
Environmental Protection Act 1986

**Council Policy / Local Law Implications**

Local Planning Strategy 2005;  
Water Sensitive Urban Design Policy;  
Council’s Register of Delegations.



**AERIAL PHOTOGRAPH**  
LOT 805 CHURCHMAN BROOK ROAD, BEDFORDALE

### **Budget / Financial Implications**

Nil.

### **Consultation**

- ◆ Development Control Unit - Officers within the City's Development Services;
- ◆ Council's Technical Services Directorate is of the view an 8.5m truncation on the corner of Arania Place and Churchman Brook Road will improve the functionality of the existing intersection and will seek ceding of the land through a subdivision condition when the land is further subdivided;
- ◆ The proposal was advertised 21 days for public submissions.

### **BACKGROUND**

#### ***TPS No.2 Subdivision Guide Plans/TPS No.4 Structure Plan***

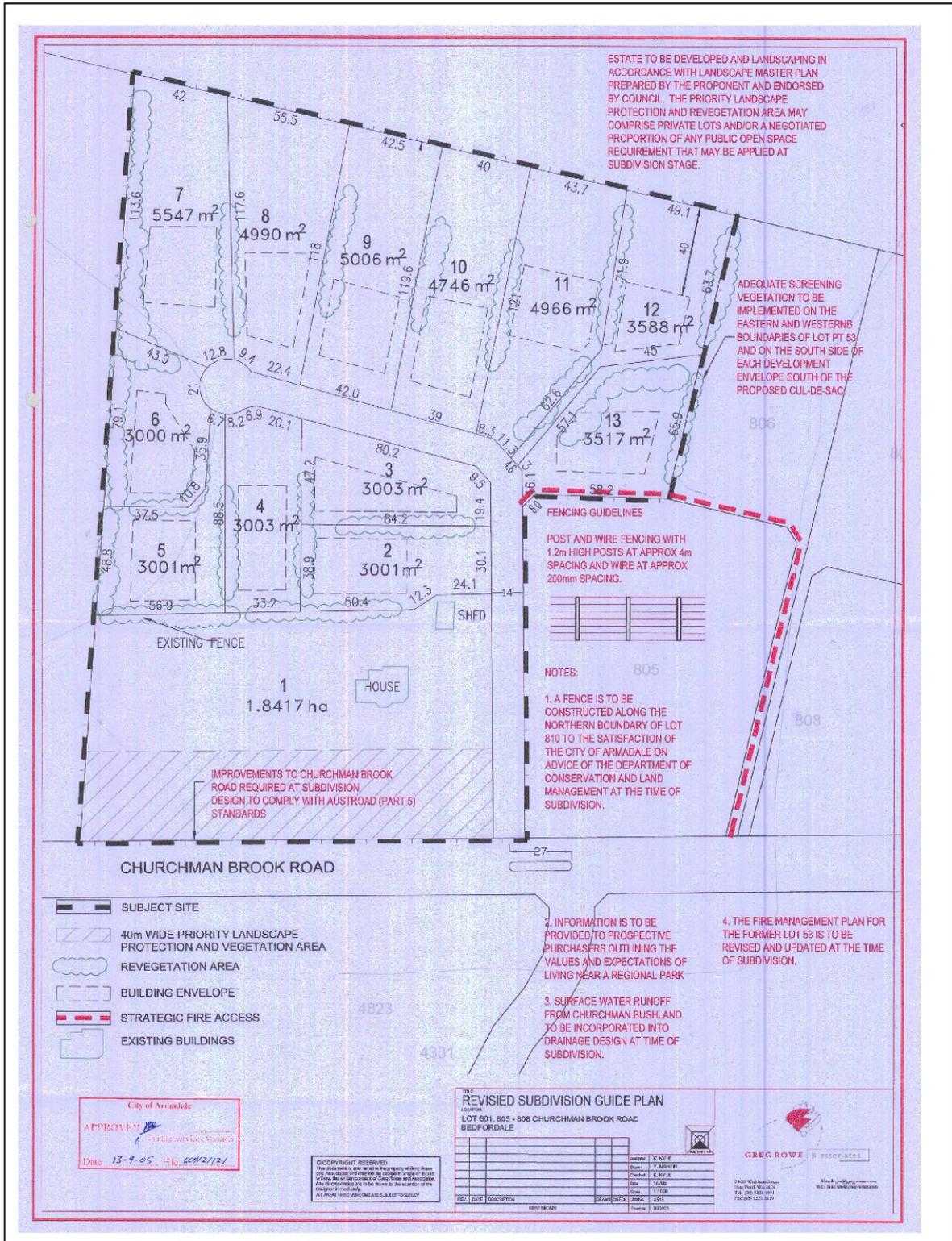
In November 2005, TPS No.4 replaced TPS No.2 and the various individual estates in the wider Churchman Brook Special Residential area were brought under the Structure Planning requirements of Development (Structure Plan) Area No.11. Part 6 of TPS No.4 requires that all subdivision in Development Areas be in accordance with an adopted Structure Plan (in TPS No.4 a Structure Plan is approximately equivalent to a Subdivision Guide Plan (SGP) under the former TPS No.2). TPS No.4 also carried those pre-existing Subdivision Guide Plans into the new Scheme where they have the same status as a Structure Plan adopted under TPS No.4.

Under Part 6 of TPS No.4, Structure Plans can be prepared for part of or all of a Development Area and.

Since the mid 1990's a series of adopted (and revised) Structure Plans put in place for the Churchman Brook Special Residential Area (Development Area No.11) under the Special Residential zone have guided subdivision and development of the area. Development Area No.11 includes areas north and south of Churchman Brook Road, which have been developed under different tenure arrangements of landscape protection and screen planting.

The proprietary "*Churchman Brook Estate*" developed south of Churchman Brook Road was based on ceding of Public Open Space reserves containing remnant bushland as the major landscape buffers between new lots (down to 3000m<sup>2</sup>) and existing district roads (Churchman Brook Road and Canns Road).

However, in contrast to the "*Churchman Brook Estate*", the concept for the Special Residential area located on former farmland north of Churchman Brook Road, was fundamentally different as there was little remnant vegetation. In that case the major landscape buffers between new lots and existing district roads (Churchman Brook Road and Canns Road) was based on a 40 metre wide landscape buffer area being replanted and vegetated as part of the subdivision development of the larger lots (initially 2ha) directly abutting the existing district road frontages. The smaller lots down to 3000m<sup>2</sup> ("cluster lots") were thus to be located away from the major frontage roads. The larger lots fronting Churchman Brook Road with landscape planting in the Landscape Priority Area on the private lots were intended to protect the landscape appearance of the precinct from the major road frontages.



**FIGURE 1 - STRUCTURE PLAN**  
 FOR BALANCE OF LOT 53 WEST OF  
 805 - 808 CHURCHMAN BROOK ROAD, BEDFORDALE

***Parent lot - Lot 53 Churchman Brook Road***

Lot 805 Churchman Brook Road was one of the first 4 lots subdivided from the parent Lot 53 Churchman Brook Road after the land was rezoned to Special Use – Rural Residential in 1997. The 4 lot subdivision was in accordance with the Subdivision Guide Plan (SGP) adopted in 1999, under the original Amendment No.121 to TPS No.2.

Over the years since 1997, various Subdivision Guide Plans/revisions (total of 6) have applied to balance portions of the original parent lot (Lot 53). In successive SGP's there has been a general tendency for more land-efficient subdivision patterns with smaller lots and the current proposal for Lot 805 continues this trend (creating more lots than in the preceding SGP).

The latest Subdivision Guide Plan (No.6) for the balance lot immediately to the west and north of the subject Lot 805, was adopted in September 2005 (*See Figure 1 Structure Plan for Balance of Lot 53 west of Lot 805*). It involves subdivision of the balance land into 13 lots and creation of a cul-de-sac (Arania Place) immediately to the west of Lot 805 (note that while the truncation requirement on the western-most corner of Arania Place/Churchman Brook Road is not shown on the Structure Plan, it was made a condition of the subdivision currently under construction and that the City's intention to seek a similar truncation on the eastern corner of Arania Place needs to be delineated and described on the subject Structure Plan for Lot 805)). This road has recently been constructed as part of the 13 lot subdivision, so that once the road is gazetted, the subject Lot 805 will be located on the corner of Arania Place and Churchman Brook Road.

**DETAILS OF PROPOSAL**

***Revised Structure Plan for Lot 805 Churchman Brook Road***

The applicant proposes a Revised Structure Plan for Lot 805 Churchman Brook Road, which is to support subdivision of Lot 805 into 3 lots of 4024m<sup>2</sup>, 5374m<sup>2</sup> and 6404m<sup>2</sup> (*see Figure 2 Revised Structure Plan for Lot 805*). For the purposes of providing context, the Revised Structure Plan also provides the indicative subdivision layout of existing and proposed adjoining lots, however, these adjacent lots are subject to separate existing Structure Plans and hence do not form part of this application (ie the new lots currently being constructed to the west and north under the 13 lot subdivision are shown in Figure 1 Structure Plan for Balance of Lot 53 and the Structure Plan which will still apply to the existing lots to the east of Lot 805 is shown in *Figure 3 Current Structure Plan for Lots 805 - 808*).

Lot 805 Churchman Brook Road has a 90m frontage to Churchman Brook Road and a 150m frontage to the new Arania Place. The site is generally cleared, with some vegetated areas around the existing dwelling on the site (*see Air Photo*).

Other features of the Revised Structure Plan for Lot 805 are:

- ◆ Building Envelopes for each of the proposed 3 lots;
- ◆ Truncation with Arania Place;
- ◆ 40 metre wide Landscape Protection and Revegetation area;



- ◆ Revegetation Areas;
- ◆ Text annotations on the plan indicate that upon subdivision; the existing Fire Management Plan will be revised; a Landscape Master Plan will be prepared and site revegetation undertaken; that the crossovers for the two new lots to the new Arania Place cul de sac will be located outside of the 40m Priority Landscape Area and that fencing be in accordance with guideline details.

The applicant's justification for the proposal is summarised as follows:

- i) Further subdivision represents a continuation of the pattern of subdivision within the adjoining special residential area on the north side of Churchman Brook Road (land to the west has an August 2005 approved Structure Plan for 13 lots at 3000m<sup>2</sup> minimum and lots further west fronting Canns Road have also been subject to a revised Structure Plan for increased density with lots of 3000m<sup>2</sup> and above. Churchman Brook Estate to the south has also been subdivided into special residential lots);
- ii) TPS No.4 does not restrict the number of lots nor the minimum lot size for the Special Residential zone;
- iii) The lot sizes down to 4024m<sup>2</sup> create a more practical and managed living environment than the current 1.58ha lot;
- iv) The 3 lots from 4024m<sup>2</sup> to 6404m<sup>2</sup> are less likely to be used for intensive agricultural or semi-commercial activities and therefore it will protect the environment;
- v) The increased density in rural living will not adversely affect the rural landscape, amenity or existing traffic arrangements.

#### ***Advertising for public comment***

With minor modifications the proposed revised Structure Plan was deemed suitable for advertising for public comment in accordance with TPS No.4. Advertising was carried out by a sign on the property, letters to adjoining and affected landowners and servicing agencies. Ward Councillors were notified by Memo.

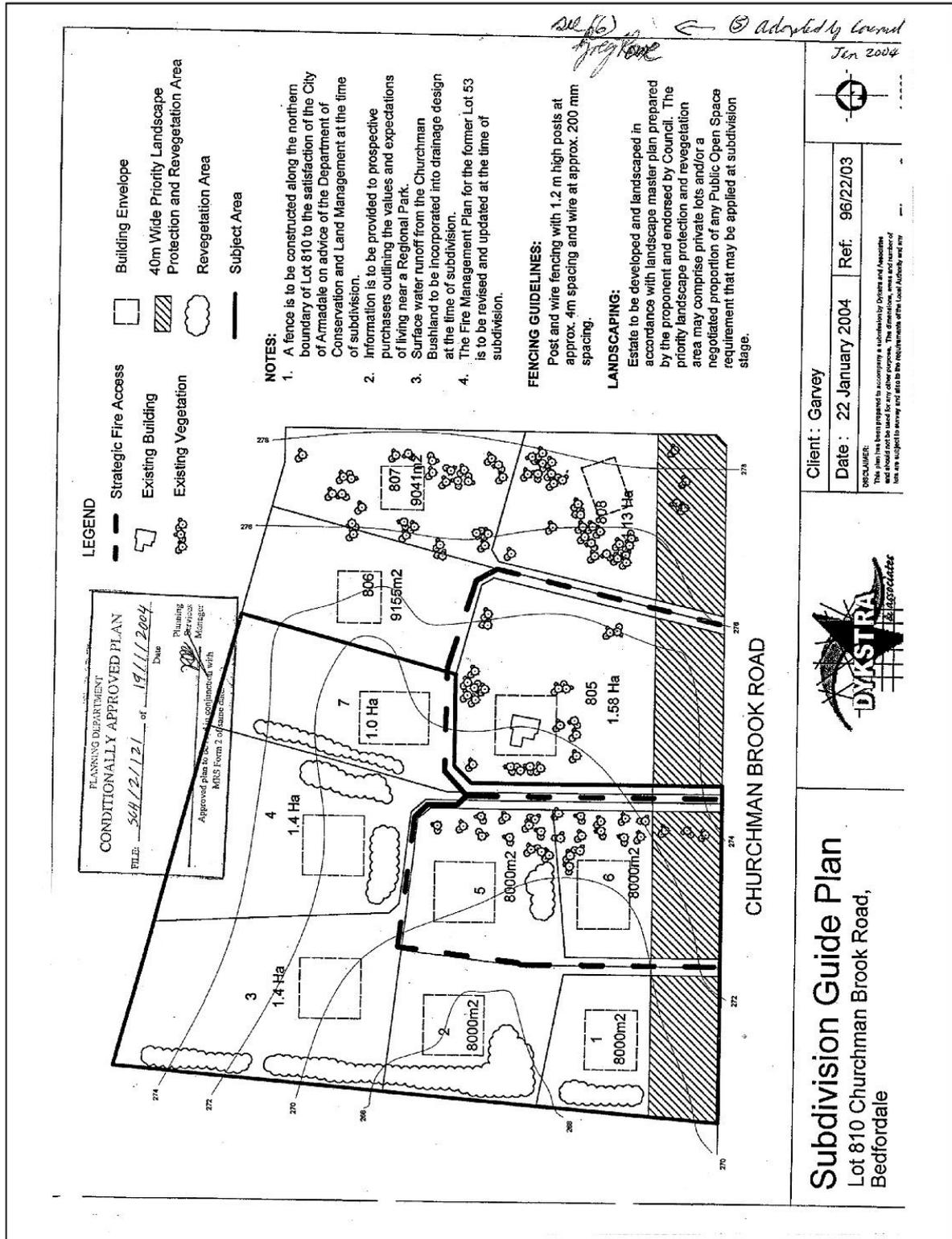
Four (4) submissions with standard advice were received from servicing and management authorities. No objections were received.

<b>TABLE OF SUBMISSIONS</b>	
Western Power	No objections
Water Corporation	No objections
Alinta	No objections
Department of Conservation and Land Management	No objections

#### **COMMENT**

##### ***Council's strategic objectives***

In Special Residential zones approved Structure Plans apply to a specific site and establish the lot sizes for that site, according to Council's strategic objectives and a detailed appraisal of the site's opportunities and constraints. The provisions of TPS No.4 provide that Council may consider approval of revisions/variations to an adopted Structure Plan where it is consistent with strategic objectives.



**FIGURE 3 - CURRENT STRUCTURE PLAN**  
 LOTS 805 - 808 CHURCHMAN BROOK ROAD, BEDFORDALE

The TPS No.4 objectives for the Special Residential zone are:

- (a) *To provide for low density residential development in a rural setting, in which natural environmental values are conserved as far as possible for the enjoyment of residents as well as the maintenance of ecological and landscape values.*
- (b) *To ensure development is sited and designed to achieve an integrated and harmonious character within each of the estates.*

The site is located in the “Canns Rural Planning Area” defined by the TPS No.4 Local Planning Strategy, which has the key planning objective of: *“to preserve the scenic and environmental quality of the area”* and the key issues of: *“control of development in relation to visual impact”*: and *“control of vegetation clearing”*.

Part 6A.1.1 of TPS No.4 requires that *“development of land is to be generally in accordance with the Structure Plan”*, which was prepared previously and adopted prior to subdivision or development of the land. Subsequent instruments of planning approval (including subdivision) applications/conditions should conform with the details described in the Structure Plan (if necessary, additional details are made “conditions” of approval).

As described above, minor revisions of the proposed Structure Plan were carried out to make the plan suitable for advertising and subsequently to make it suitable for Council consideration (ie the 8.5m truncation on the corner of Arania Place and Churchman Brook Road was identified on the Structure Plan, as requested by Technical Services).

### ***Landowner’s Notice of Intention***

Subsequent to the applicant’s submission of the revised plan showing the road truncation, a written qualification was received from the applicant outlining the landowner’s view that *“the depiction of the truncation on the Revised Structure Plan in no way obliges him to give up the land”*. The letter does, however, acknowledge that the landowner correctly understands that at the time of subdivision, Council may recommend a condition of subdivision requiring the truncation. This indeed reflects the City’s intention of having the truncation depicted on the Structure Plan, which then provides a clear statutory basis for seeking such a condition of subdivision.

Council should note that whether any recommendation to the WAPC is actually imposed or not is largely determined by the competence and understanding of local issues by the individual DPI officer preparing the report. Developers can also bring considerable pressure to bear and even where the WAPC imposes a “condition” of approval, it can subsequently be made the subject of appeal to the State Administrative Appeals Tribunal, which may overturn the condition. This therefore highlights the function of the Structure Plan in foreshadowing subsequent planning requirements made conditions of statutory planning instruments.

### ***Subdivision Conditions are subject to Appeals***

It is quite standard for the City to seek a road truncation where new lots are being created by subdivision on an intersection such as Arania Place, where no truncation exists and the intersection can be improved by implementing a truncation. As described above the reporting officer and then the Western Australian Planning Commission would consider the City's recommendation and determine whether or not the condition should be imposed for the ceding of the land for the truncation to the crown free of cost. In an appeal against the imposition of such a subdivision "*condition*", the Administrative Appeals Tribunal puts considerable weight on the statutory powers used in imposing that condition and whether imposition of the condition is reasonable.

### ***Structure Plans need to use appropriate legal terminology***

Council is aware that the City is required to expend considerable resources to defend appeals to the Administrative Appeals Tribunal. It is therefore timely to review details and wording of the statutory adopted Structure Plan.

The statutory basis of Council's intended recommendation that an 8.5 metre truncation be ceded to the crown as a condition of subdivision for the creation of any new lot(s), can be highlighted by adding the following new annotation No.4 to the text identified on the Structure Plan:

*"An 8.5 metre truncation shall be ceded to the crown as a condition of subdivision for the creation of any new lot(s)".*

It is further recommended that these annotations on the Revised Structure Plan, which are described as "Notes" on the current draft, be replaced by the heading "Provisions". The word "Provisions" more accurately conveys the statutory nature of a Structure Plan and by using appropriate Scheme terminology linking the annotations to Cl 6 A.8.3 (e) of TPS No.4, it will strengthen the legal standing in defence of any appeals.

### ***New Cul de Sac - Arania Place***

The subject Lot 805 will be located on the corner of Churchman Brook Road and the recently constructed Arania Place. Arania Place provides two of the proposed new lots with frontage to a constructed road and connection to the regional road network (one of these lots would retain the existing house). The third new lot can retain use of the existing access to Lot 805, which is via the laneway shared by the four lots in the original subdivision (the owners of Lots 805 to 808 have a reciprocal rights agreement to use the laneway, which comprises of dual battleaxe legs constructed in the form of a lane).

The provision of safe and efficient access to two lots from Arania Place, in effect enables the proposed subdivision of Lot 805 to be supported. The access provided by Arania Place permits the subdivision to occur without putting pressure on Churchman Brook Road or new driveways traversing the 40 metre wide Landscape Protection and Revegetation area on the immediate lot frontages to Churchman Brook Road.

## ANALYSIS

The visual impact of development fronting Churchman Brook Road has been highlighted as a key objective for the area. Accordingly the 40m wide Priority Landscape Protection Area endorsed on existing Structure Plans has been recognised by the current proposed revision.

In making decisions for increased lots and density for the precinct north of Churchman Brook Road, Council must not only consider the specific site, but also consider the implications of full development of the precinct, including the impact subsequent anticipated similar minimum lot size proposals will have on the landscape. While every landowner's application has to be assessed on its merits, Council also needs to be mindful of the "demonstration-effect" such approvals have on adjacent landowners.

### *The setting of minimum lot sizes on frontage to Churchman Brook Road*

The minimum lot size for subdivision on the frontage to Churchman Brook Road is currently set by the particular adopted Structure Plan applying to the land (as described above, over the years this Special Residential area has been developing, Council has repeatedly been requested by landowners to revise the Structure Plans such that more of the land has been allocated to the smaller lot sizes and the size of the frontage lots to major roads has tended to fall).

The smallest lot size on a current Structure Plan approved by Council for the Special Residential area north of and on the direct frontage to Churchman Brook Road is 6415m<sup>2</sup>, located on the corner of Canns/Churchman Brook Roads (D162/12/05). If approved, the current proposal for Lot 805 will result in the proposed 5374m<sup>2</sup> on the Churchman Brook Road frontage being the smallest approved frontage lot.

Council accordingly needs to be aware that the likely effect of reducing the minimum lot size in the subdivision of Lot 805 to just over 5000m<sup>2</sup>, would be the triggering of proposals for similar sized lots on adjacent land where potential for further subdivision may be identified. Under this scenario and assuming a 5000m<sup>2</sup> minimum, the adjacent 1.8ha lot immediately west of Arania Place would have potential for further subdivision into 3 lots at an average of 6139m<sup>2</sup>.

The above possible scenario planning assumes the owner submits and Council/WAPC approves a further revision of the current Structure Plan adopted by Council on August 2005 (D112/8/05), which shows a 1.8ha lot on the frontage to Churchman Brook Road. In that regard it is noted that a recently received subdivision application for the adjacent Lot 81 reducing the current approved Structure Plan's lot size from 1.85ha to two lots of 4,500m<sup>2</sup> and one lot of 9515m<sup>2</sup> has been recommended for refusal for reasons which include that it does not accord with the currently approved Structure Plan for the land.

The propensity for this area to produce such unplanned applications for further and re-subdivision of frontage lots into smaller and smaller parcels demonstrates the need to articulate a standard minimum lot size for the precinct and to stick to it. While currently still zoned Rural Living, the 10ha Lot 54 further to the west would also have potential for 4 lots fronting onto Churchman Brook Road if/when the property was rezoned to Special Residential zone (assuming a 60m frontage lot width similar to the subject current proposal for Lot 805).

## OPTIONS

Council could:

1. Approve the proposed change/departure to the Structure Plan for Lot 805 Churchman Brook Road to support subdivision into 3 lots from 4024m<sup>2</sup> to 6404m<sup>2</sup> as proposed. In this option it would also be recommended that Council statutorily establish 5000m<sup>2</sup> or above as the future minimum lot size acceptable directly fronting Churchman Brook Road between Canns Road and Beeloo Close, so as to demark an end to the continual revisions and diminution of lot sizes that has occurred over the years.
2. Indicate it would be prepared to support a proposed change/departure to the Structure Plan that proposed subdivision of the existing Lot 805 into 2 lots of approximately 7500m<sup>2</sup> each. It is noted that this would support maintenance of 6415m<sup>2</sup> (the current approved lot on the corner of Canns/Churchman Brook Roads) as the minimum acceptable lot size for the precinct (D162/12/05). Similar to the above, in option 2 Council should also statutorily establish the minimum lot size acceptable for new subdivisions directly fronting Churchman Brook Road at 6,500m<sup>2</sup>, in order to demark an end to continual claims for smaller lots.
3. Decline to support a proposed change/departure to the existing Structure Plan for Lot 805 Churchman Brook Road, which would maintain the status quo in terms of lot sizes and minimums, as determined by each of the current approved Structure Plans, which apply to different parts of the precinct.

Options 1 and 2 could be expected to result in proposals coming forward for similar lot size revisions on the other existing larger lots on the north side of Churchman Brook Road, while the option 3 refusal would maintain the status quo.

## CONCLUSION

The proposal for a change/departure to the Structure Plan for Lot 805 subdividing the single lot into 3 lots, which marginally increases the density of the area north of Churchman Brook Road. However, the Churchman Brook Special Residential Area is a rapidly developing area and over time Council has approved numerous changes to Structure Plans, so that the trend for marginal increases in lot density is well entrenched and possibly reflecting changing community expectations for the area together with an increasing understanding of the capacity of the locality to accommodate the more intense subdivision development.

While approval could be expected to generate other similar proposals from other properties fronting Churchman Brook Road, these would also only marginally increase the lot density and be generally in keeping with how the area has matured over time. Any concerns over the landscape impacts on Churchman Brook Road can be addressed by further landscaping screen planting undertaken by landowners as a condition of subdivision.

The proposal for Lot 805 capitalises on the new opportunity provided by the secondary road frontage and access, which has arisen from the construction of a new cul de sac immediately west of the subject lot. Arania Place permits safe access/egress to the low volume/low speed road and provides an alternative to the sensitive landscape area abutting Churchman Brook Road. It is recommended that Council endorse appropriate minor final modifications for re-submittal of a change/departure to the Structure Plan that can be approved and recommended to the WAPC under Council's Register of Delegations.

However, Council needs to also consider the timing and development stage it will consider the area is in a state of full development and as far as subdivision is concerned, a fully matured precinct. Council needs to also determine the method to control development to that extent. To that end it is further recommended that Council determine a strategic policy to control any subsequent further application for reductions in lot sizes fronting Churchman Brook Road not be supported.

Council is under no obligation to vary from existing Structure Plans and any subsequent applications can be refused. However, given the 6415m<sup>2</sup> "standard" that has already been approved on the corner of Canns Road and Churchman Brook Road, appeals against similar lot sizes may be difficult to defend.

As landholdings in the area fronting Churchman Brook Road appear to have a domino-like propensity to be subdivided into continually smaller lots and as there is a need to maintain a minimum landscape quality for the area north of Churchman Brook Road, it is recommended that 5000m<sup>2</sup> be set as a new minimum lot standard. Accordingly these requirements should be incorporated into new provisions in the Scheme (and annotated on any adopted/revised Structure Plans in the precinct). A new provision should also require all subdivision proposals to be based on a detailed land capability and servicing assessment.

As the bold boundary of the subject area for Lot 805 was missing in the latest submitted revised draft Structure Plan, the land is currently not sufficiently defined. The final Structure Plan should clearly demark the subject land from the surrounding landholdings, which are in separate ownerships and subject to separate adopted Structure Plans.

**D3/01/07                      RECOMMEND**

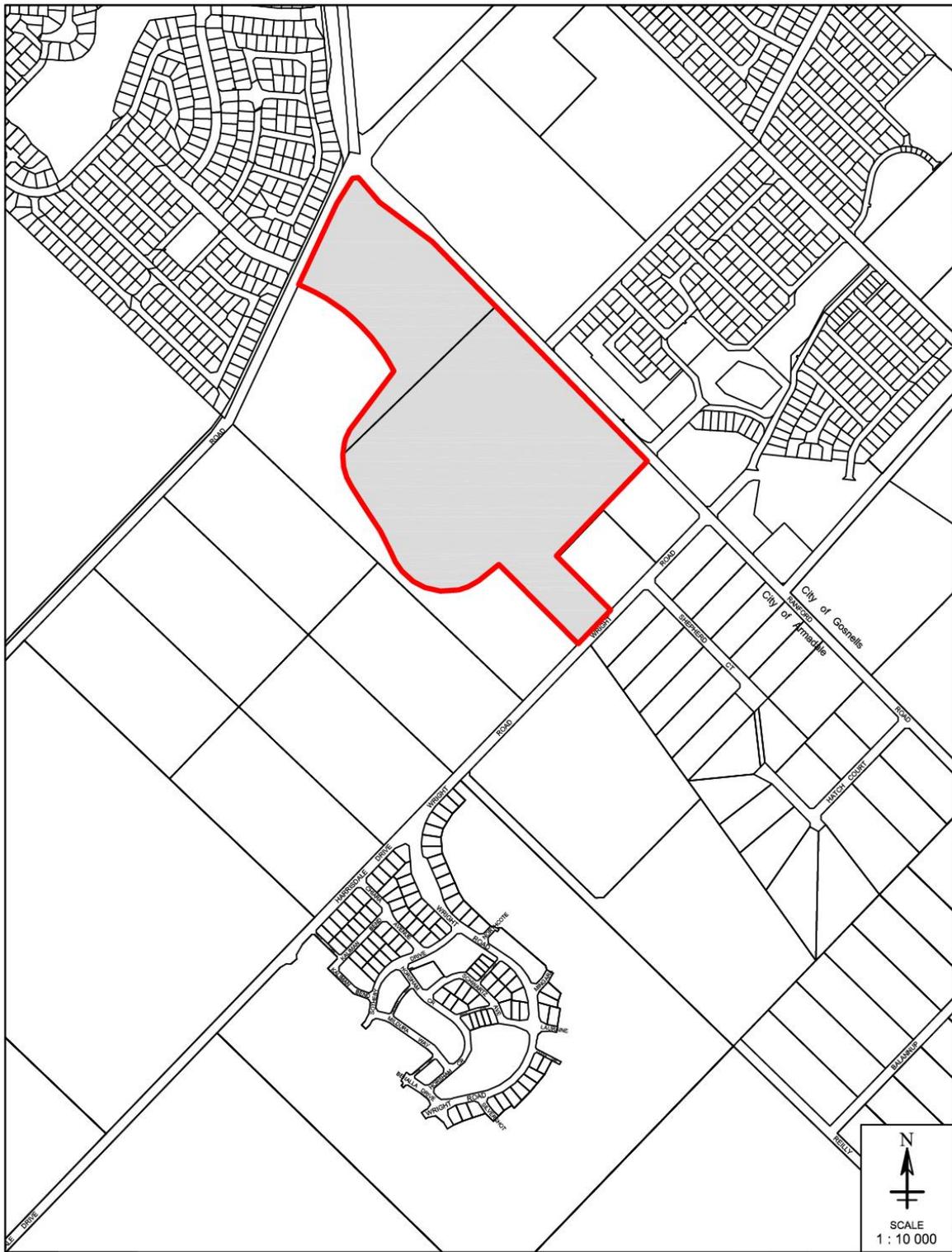
**That Council:**

- 1. Pursuant to Clauses 6A.4 and 6A.3.7(a) of Town Planning Scheme No.4, adopt the proposed Change/Departure to the Structure Plan over for Lot 805 Churchman Brook Road, Bedforddale subject to the following conditions:**
  - a) The Structure Plan is to be amended to the satisfaction of the Executive Director Development Services as follows:**
    - i) The word "Notes" is to be replaced by the word "Provisions";**

- ii) A new provision No.4 is to be added - *“An 8.5 metre truncation shall be ceded to the crown as a condition of subdivision for the creation of any new lot(s)”*;
  - iii) A new provision No.5 is to be added – *“No lot with a common boundary on the dedicated road reserve to Churchman Brook Road, shall be permitted where it would have a lot area of less than 5000m<sup>2</sup>”*; and
  - iv) The boundary of the Structure Plan area is to be more clearly demarked and defined as the boundary of Lot 805 and excluding the surrounding land, which is subject to separate Structure Plans.
2. Pursuant to Clauses 6A.4 and 6A.3.9 of Town Planning Scheme No.4, forward the proposed Change/Departure to the Structure Plan to the Western Australian Planning Commission for approval under Clauses 6A.4 and 6A.3.10.
  3. Endorse the comments made in this report regarding the submission received on the proposed Change/Departure to the Structure Plan for inclusion in the schedule of submissions to be forwarded to the Western Australian Planning Commission and advises the submitter and applicant of its decision.
  4. Advise the applicant to resubmit the full Structure Plan report revised in accordance with Part (1) above and include a hard copy and a digital copy in pdf format.
  5. Include in the next local omnibus amendment to TPS No.4 a new provision for Schedule 12, Development Area No.11 establishing that:
    - a) *“11.3 No lot with a common boundary on the dedicated road reserve to Churchman Brook Road shall be permitted where it would have an area of less than 5000m<sup>2</sup>”*.
    - b) *“11.4 All Structure Plans shall include land capability and servicing assessments for the proposed lots undertaken at the landowner’s cost and to the standard determined by the City”*.

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**LOCATION PLAN**  
HARRISDALE ESTATE, FORRESTDAL

***PROPOSED CHANGE / DEPARTURE TO STRUCTURE PLAN - DEVELOPMENT AREA NO.8 - PART LOTS 80 & 82 RANFORD ROAD, FORRESTDAL***

WARD : LAKE

APPLN NO. : 35.2006.18.1

DATE : 3 January 2007

REF : RVD

RESPONSIBLE MANAGER : PSM

APPLICANT : The Planning Group

LANDOWNER : Department of Housing and Works

SUBJECT LAND : Lots 80 & 82 Ranford Road,  
Forrestdale (Harrisdale Estate)  
Property size 30.2695ha  
Map 18-07

ZONING MRS : Urban

TPS No.4 : Residential R15/40 and Mixed  
Business /Residential &  
Schedule 12 Development  
(Structure Planning) Area No.8

**In Brief:**

- Council adopted a Structure Plan for the subject land in February 2006.
- The Structure Plan is proposed to be changed to respond to the Department of Planning and Infrastructure's decision not to allow a slip lane and parking in the Ranford Road Metropolitan Region Scheme Reservation. Only minor changes are required at the Ranford Road interface including a minor re-arrangement of public open space.
- Recommend that Council adopts the Change/Departure to the Structure Plan and forwards to the Western Australian Planning Commission.

**Tabled Items**

Nil.

**Officer Interest Declaration**

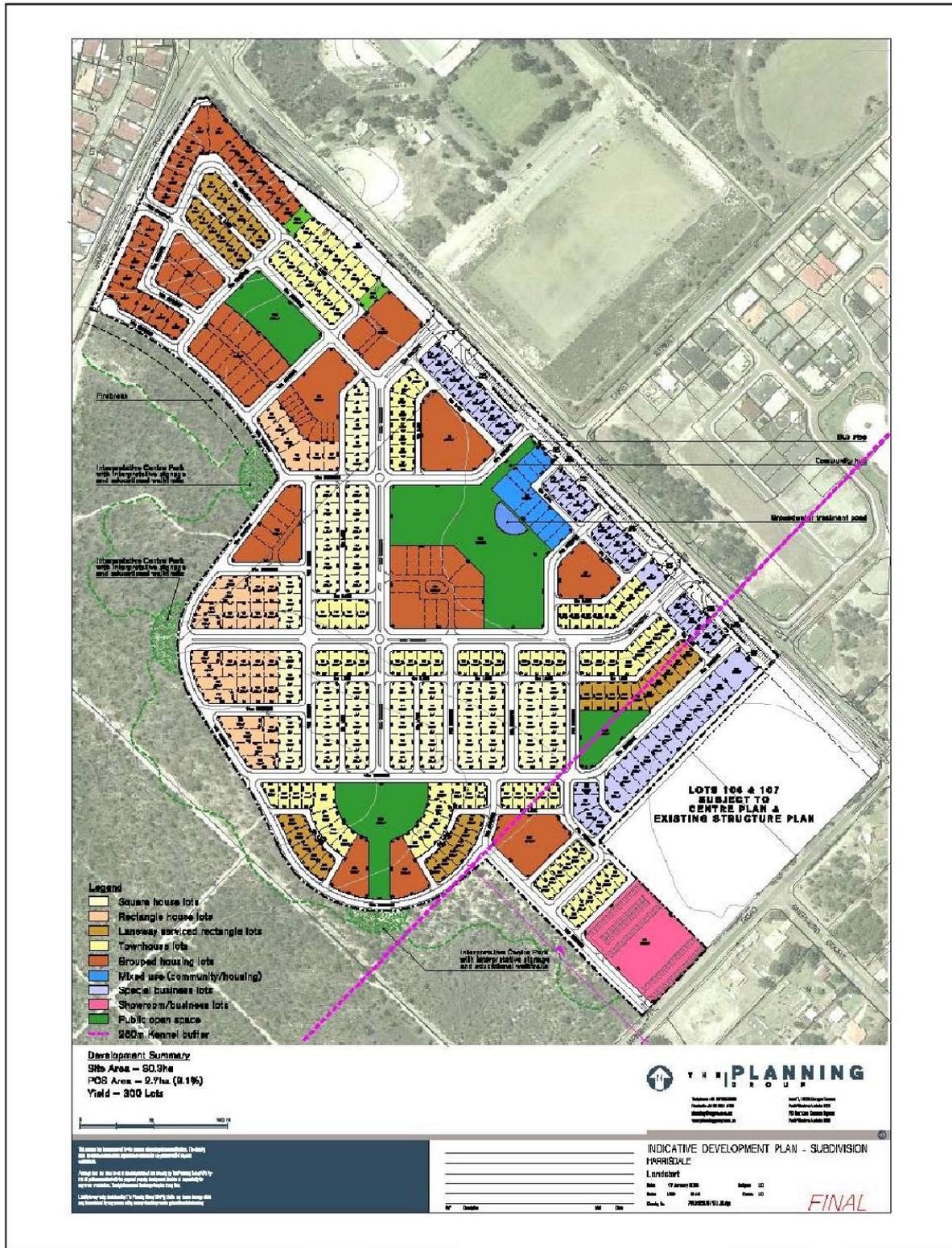
Nil.

**Strategic Implications**

Development – “To balance the needs of development with sustainable economic, social and environmental objectives”.

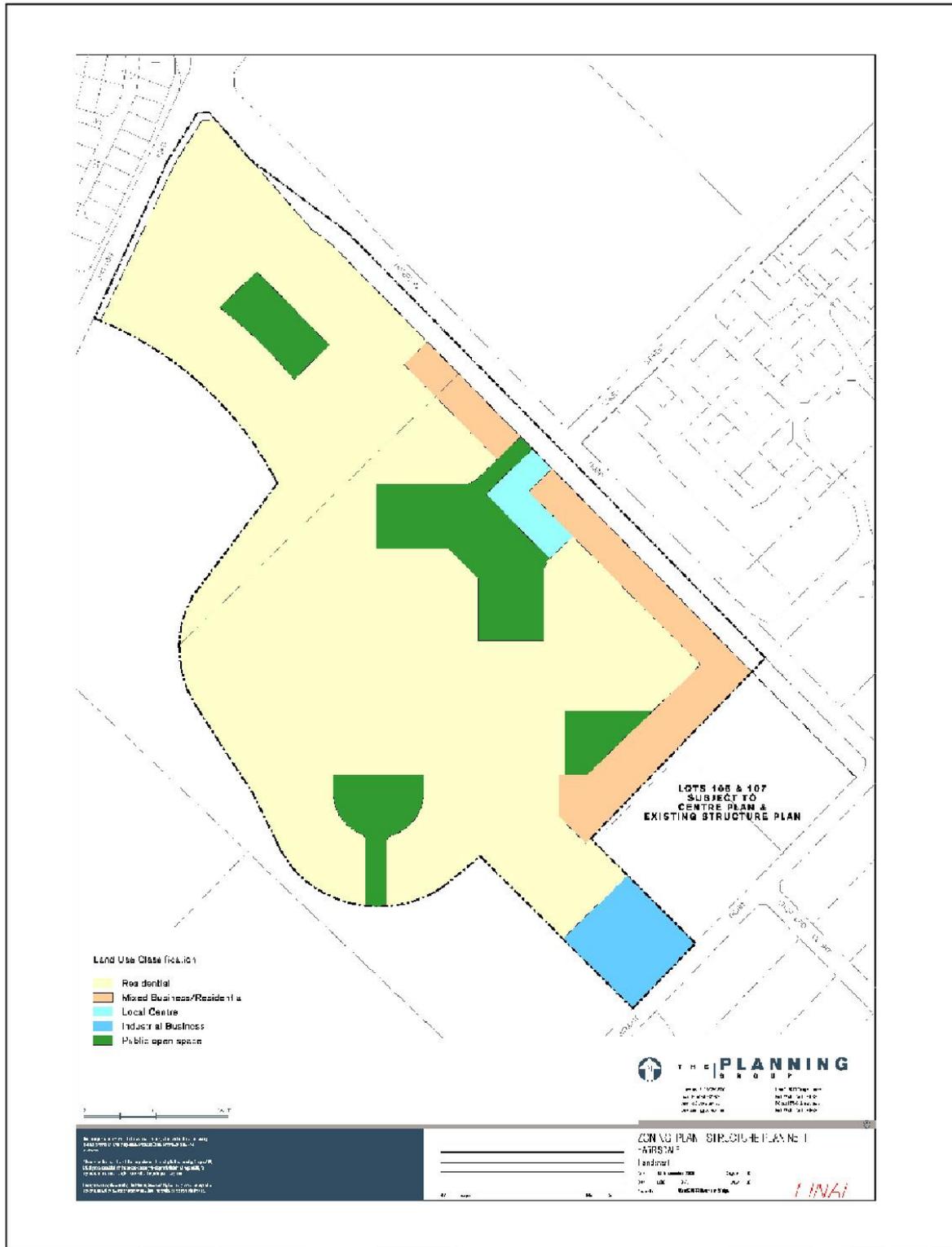
**Legislation Implications**

Planning and Development Act 2005  
Town Planning Scheme (TPS) No.4  
Metropolitan Region Scheme



**APPROVED INDICATIVE DEVELOPMENT PLAN**





**APPROVED ZONING PLAN**

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

Nil.

### **Budget / Financial Implications**

Nil.

### **Consultation**

- ◆ Development Control Unit

### **BACKGROUND**

At its meeting of 14 February 2006, Council (D13/2/6) resolved to:

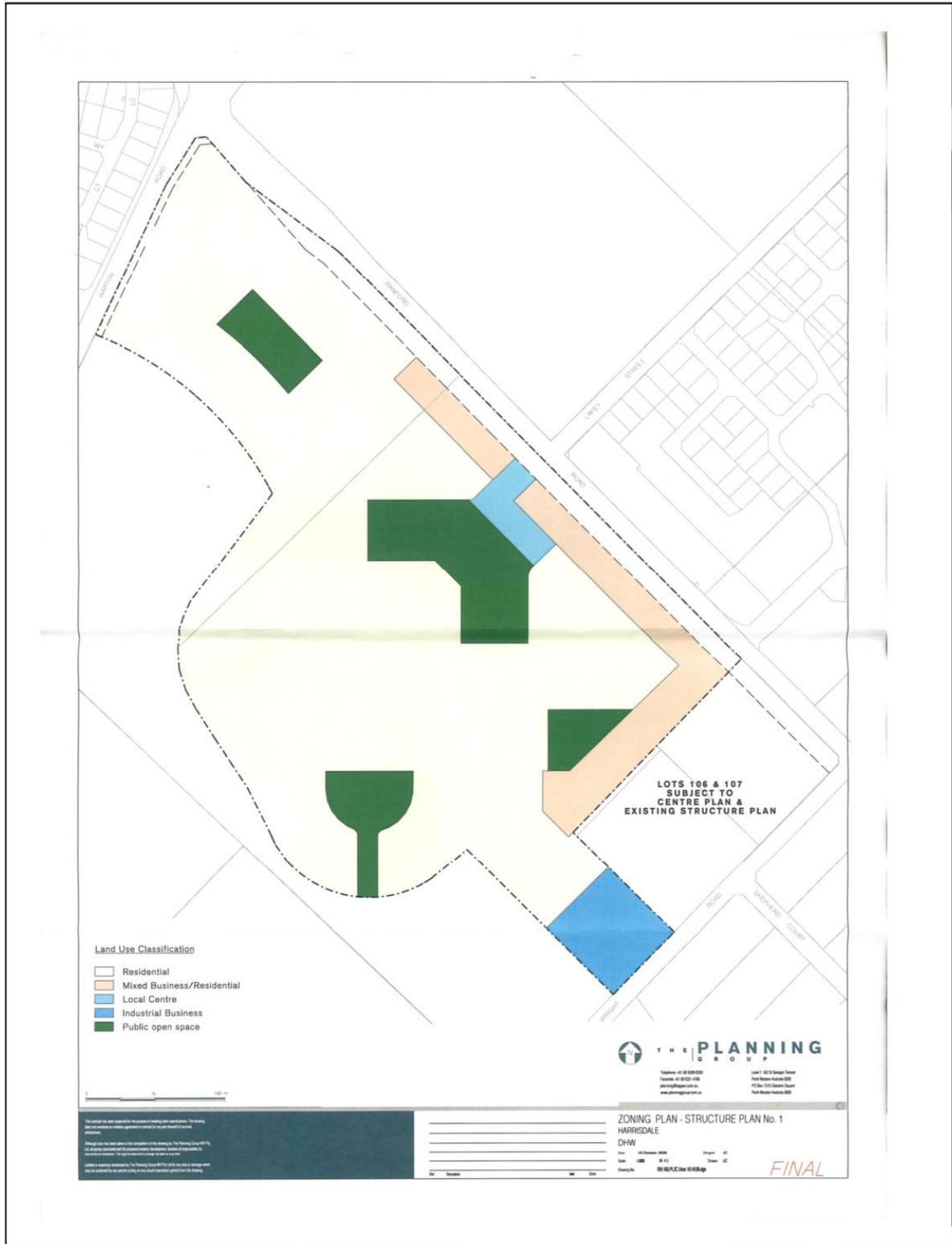
- ◆ adopt the proposed Structure Plan for Special Control Area No.8 (i.e. Part of Lots 80 and 82 Ranford Road - Harrisdale estate), subject to modifications;
- ◆ note that portions of the Structure Plan maps outside of Development Area No.8 in TPS No.4 are not adopted; and
- ◆ advise the proponent that aspects of the Structure Plan would not take effect unless the scheme amendment to rezone the subject land to Urban Development Zone, initiated in November 2005, was finalised.

At its meeting of 15 May 2006, Council resolved to adopt Amendment No.1 to TPS No.4 which rezones the subject land to Urban Development Zone. Council's resolution was forwarded to the Western Australian Planning Commission on 26 June 2006. The Minister for Planning & Infrastructure has granted final approval to the amendment and the amendment will be gazetted shortly.

The portion of the Structure Plan maps outside of Development Area No.8 showed a portion of the Metropolitan Region Scheme Reservation for Ranford Road being used to provide a slip road and parking for the adjacent Mixed Business/Residential and Local Centre zones.

There have been a number of discussions between the City of Armadale, the Department for Planning and Infrastructure and the Department of Housing and Works about proposals within the Ranford Road Metropolitan Region Scheme Reservation. The Ranford Road Metropolitan Region Scheme Reservation provides for a 40m wide road reserve.

The Structure Plan envisaged Ranford Road as a four lane road with a width of 28m. The City of Armadale's preliminary design identified that a width of 31m would be needed to provide a four lane road and cycling facilities. Both designs enabled Ranford Road to become more like the Liveable Neighbourhood integrator arterial road through centres or to become more consistent with the Network City vision, with parking and slip lanes in the reservation. However, the Department for Planning and Infrastructure identified Ranford Road as a key regional movement corridor and considered that most of the reservation should remain unencumbered to provide for future transport needs.



The Department of Planning and Infrastructure's position makes the proposal to provide slip roads and parking within the Metropolitan Region Scheme Reservation unviable and alters the nature of the interface proposed between Ranford Road and the Structure Plan area. Therefore the Department of Housing and Works has changed the Structure Plan to reflect the changed interface with Ranford Road, and has provided a revised Traffic and Transport Report.

## **DETAILS OF PROPOSAL**

The applicant proposes to change the Structure Plan as follows:

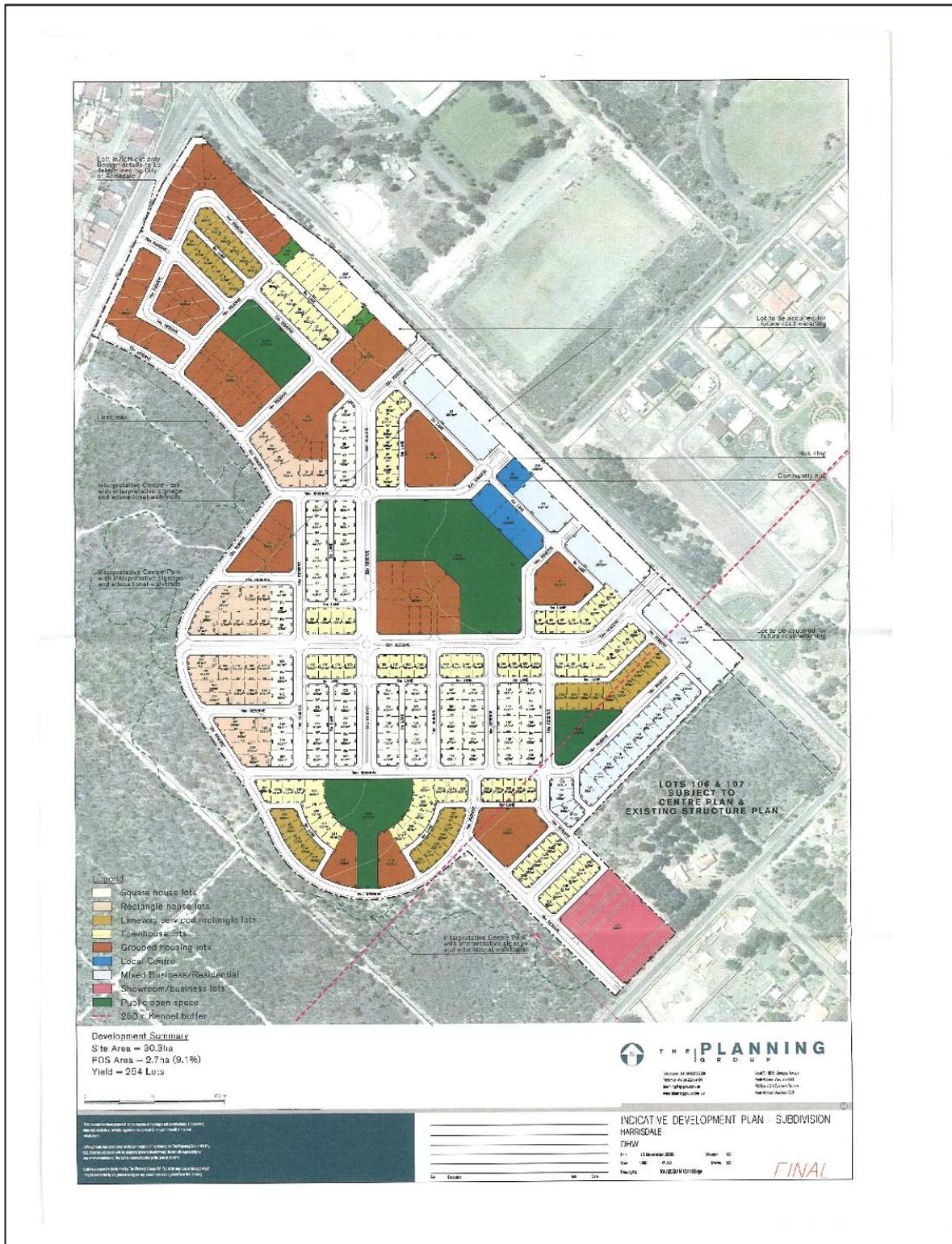
- (i) Several access points from the development to Ranford Road have now been removed resulting in minor amendments to lot layout. Roads which previously connected with the slip road have been terminated to incorporate a roundabout and car parking facilities;
- (ii) A portion of the central public open space which connected to Ranford Road to provide a pedestrian link has been removed and relocated to the grouped housing site area. The area of public open space remains unchanged and the pedestrian link is provided in the road reserve; and
- (iii) The individual Mixed Business/Residential lots fronting Ranford Road have now been amalgamated to allow for an integrated solution to parking and development of the land along Ranford Road.

## **COMMENT AND ANALYSIS**

The Development Control Unit has no objection to the proposed changes. The Technical Services Directorate expressed concern about vehicular servicing of the built form in the Mixed Business/Residential area fronting Ranford Road, which has lots up to 100 metres long with road frontage at each end serviced by a laneway along the length of the lot. However, the Structure Plan requires preparation of Detailed Area Plans for the Mixed Business/Residential areas that “*address amongst other things, building form and setbacks, pedestrian comfort, visual attractiveness, passive surveillance, parking, privacy, noise attenuation, energy efficient design and landscape*”. In addressing parking requirements, it is expected that Detailed Area Plans will consider traffic volumes and the adequacy of access to buildings and parking areas.

### ***Assessment of Proposed Changes***

The proposed changes respond appropriately to the Ranford Road interface sought by the Department for Planning and Infrastructure. Amalgamating the lots adjacent to Ranford Road into larger lots is considered an innovative and appropriate way to ensure that parking issues can be adequately resolved at the development stage. Some parking is provided in the public domain in the new cul-de-sacs which have wide road reserves that also enable creation of good pedestrian access.



**PROPOSED INDICATIVE DEVELOPMENT PLAN**





### ***Town Planning Scheme (TPS) No.4***

#### *Structure Plan modifications*

Under Clause 6A.4.1 of TPS No.4, the City may adopt a minor change to a structure plan, if in the opinion of the City “*the change or departure does not materially alter the intent of the Structure Plan*”. The City is then required to forward a copy of the change to the Western Australian Planning Commission which then also decides if the change does not materially alter the intent of the Structure Plan. If the Western Australian Planning Commission considers the change to be significant the change to the Structure Plan needs to be advertised.

The changes are not considered to materially alter the intent of the Structure Plan because:

- ◆ There has been no change to the overall pattern of residential density and general location of Local Centre and Mixed Business/Residential zones. Most of the Structure Plan is unchanged;
- ◆ There is no change to the area of public open space, and a small reduction in the area of grouped housing; and
- ◆ Pedestrian access to the Local Centre is still achieved through a wide road reserve.

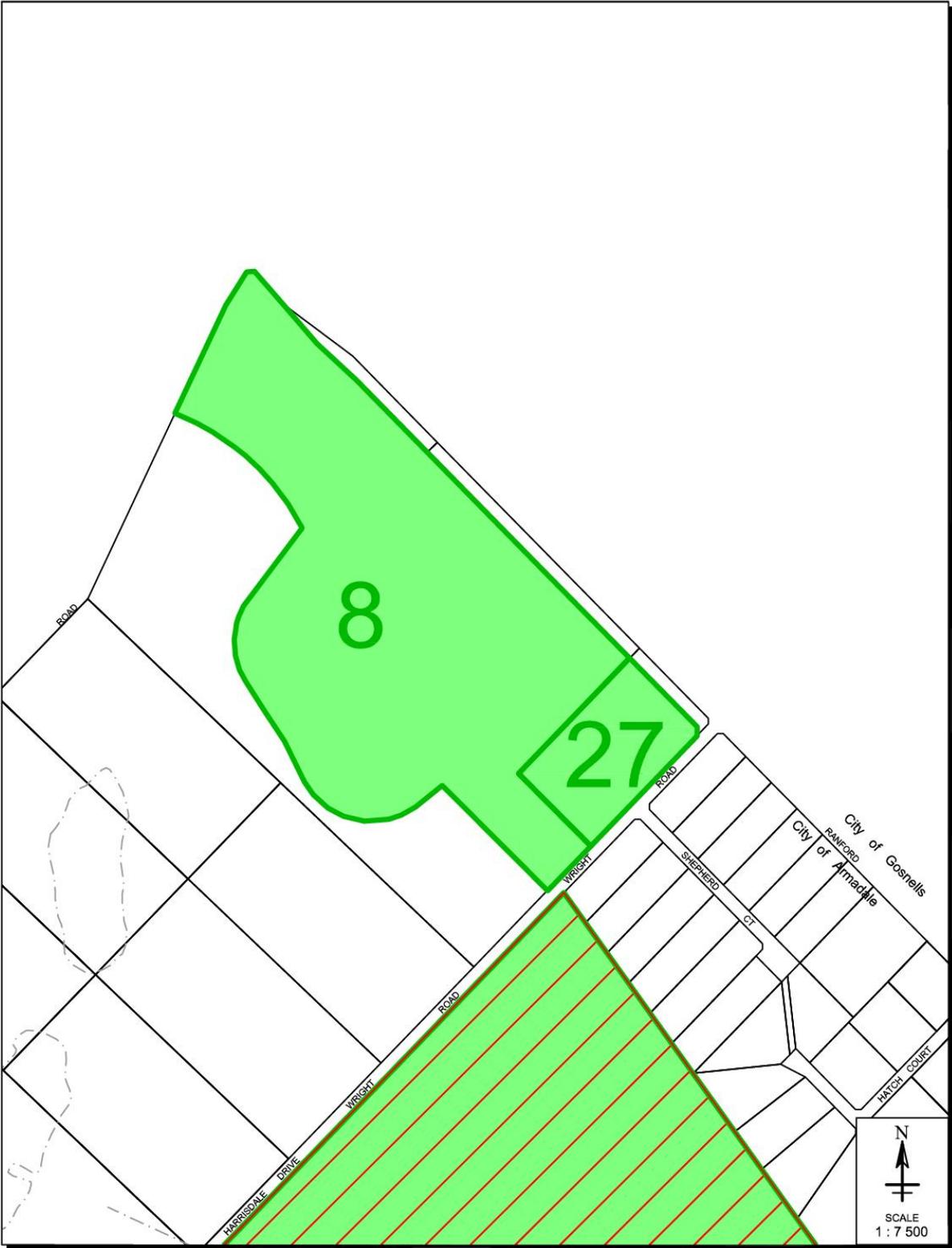
If Council considers that the change materially alters the intent of the Structure Plan, Council would then need to determine that the Structure Plan is satisfactory for advertising.

#### ***Issues Raised by Previous Submissions***

Advertising of the proposed Structure Plan in November 2005 drew seven submissions, five of which were from government agencies. The proposed change to the Structure Plan does not affect the resolution of any of the issues raised by submitters in November 2005 apart from the issue of Ranford Road which triggered the proposed change.

#### **OPTIONS**

1. Council could determine that the change does not materially alter the intent of the Structure Plan, adopt the proposed Change/Departure to the Structure Plan and forward a copy of the proposal to the Western Australian Planning Commission as required by Clauses 6A.4.1 and 6A.4.2 of TPS No.4.
2. Council could determine that the proposed Change/Departure to the Structure Plan is significant and should be advertised.
3. Council could determine that the proposed Change/Departure to the Structure Plan is not satisfactory for advertising and give reasons for this to the proponent.



**SPECIAL CONTROL AREA NUMBER 8**

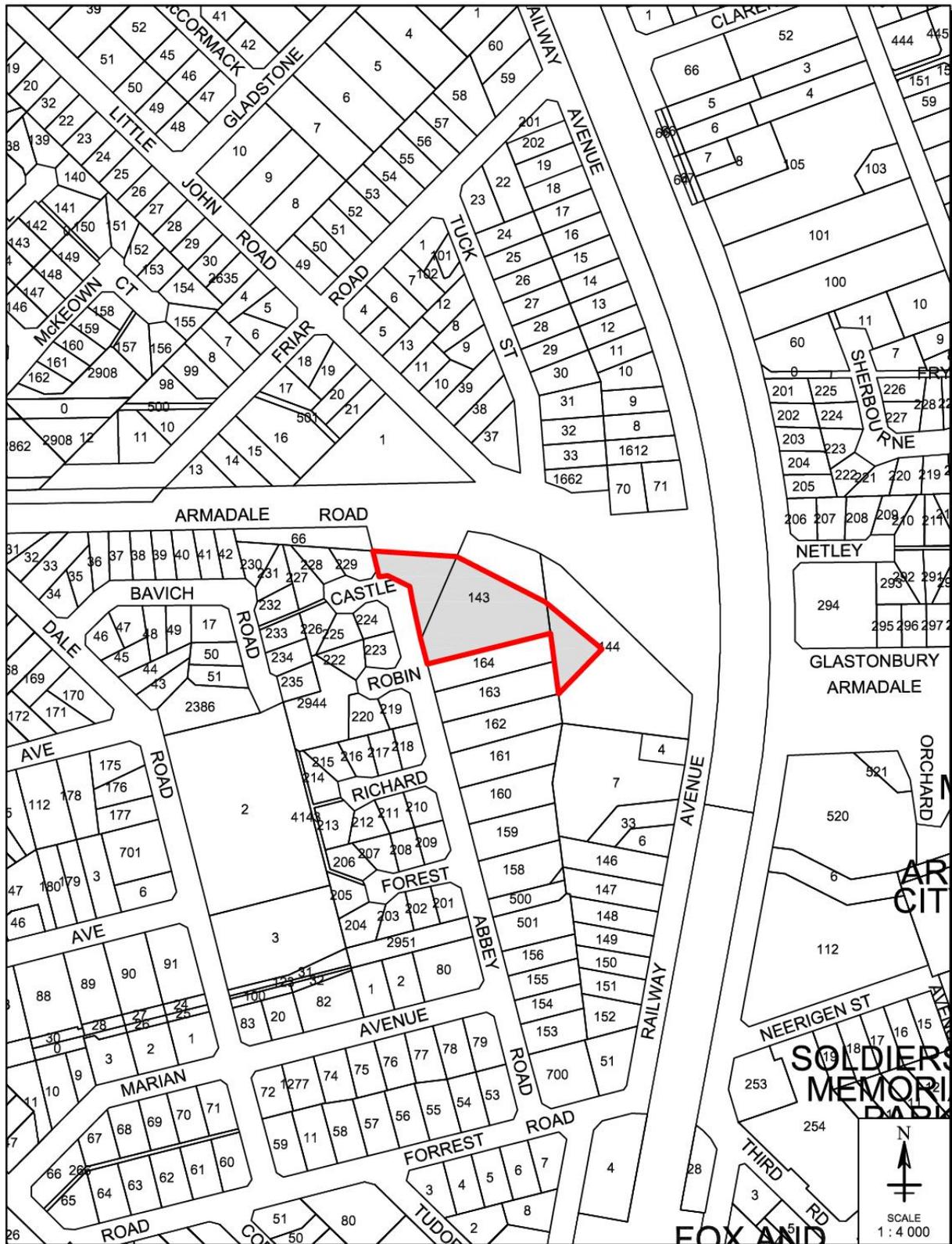
## **CONCLUSION**

The changes to the Structure Plan occur along its interface with Ranford Road and are considered to be minor and appropriate. Accordingly, Option 1 is recommended.

### **D4/01/07            RECOMMEND**

**That Council, pursuant to Clause 6A.4.1 of Town Planning Scheme No.4, resolves to adopt the proposed Change/Departure to the Structure Plan over Part Lots 80 & 82 Ranford Road, Forrestdale for Development Area No.8 and forward a copy of the proposed Change/Departure to the Structure Plan to the Western Australian Planning Commission under Clause 4.2 of Town Planning Scheme No.4.**

MOVED Cr MacDonald  
MOTION CARRIED (7/0)



**LOCATION PLAN**  
PORTION LOTS 143 & 144 ARMADALE ROAD, ARMADALE

***FINAL ADOPTION OF AMENDMENT NO.20 TO TPS NO.4 –  
LOTS 143 & 144 ARMADALE & ABBEY ROADS, ARMADALE***

WARD : MINNAWARRA  
REF NO. : Amendment No.20  
DATE : 22 December 2006  
REF : PS  
RESPONSIBLE MANAGER : PSM  
APPLICANT : City of Armadale  
LAND OWNER : City of Armadale  
SUBJECT LAND : Property sizes 9603m<sup>2</sup> & 7442m<sup>2</sup>  
ZONING  
MRS : Urban  
TPS No.4 : Parks & Recreation (Local)

**In Brief:-**

- At its 18 April 2006 meeting, Council initiated Amendment No.20 which proposes to rezone portions of Lot 143 and 144 Armadale & Abbey Roads, Armadale from “Parks and Recreation (Local)” to “Residential R40” and indicated on the Scheme maps the proposed alignment of the Abbey Road/Railway Ave link.
- The amendment was advertised for public comment for 42 days and attracted 3 submissions of objection and 4 submissions of support/no objection.
- Council is required to consider the submissions received during the advertising period and the amendment for final adoption.
- Recommend that Council:
- Adopt the modified amendment and request that the Hon Minister for Planning & Infrastructure grant final approval to the amendment; and
- Defer consideration of the proposed alignment of the Abbey Road/Railway Ave link and road closure.

**Tabled Items**

Nil.

**Officer Interest Declaration**

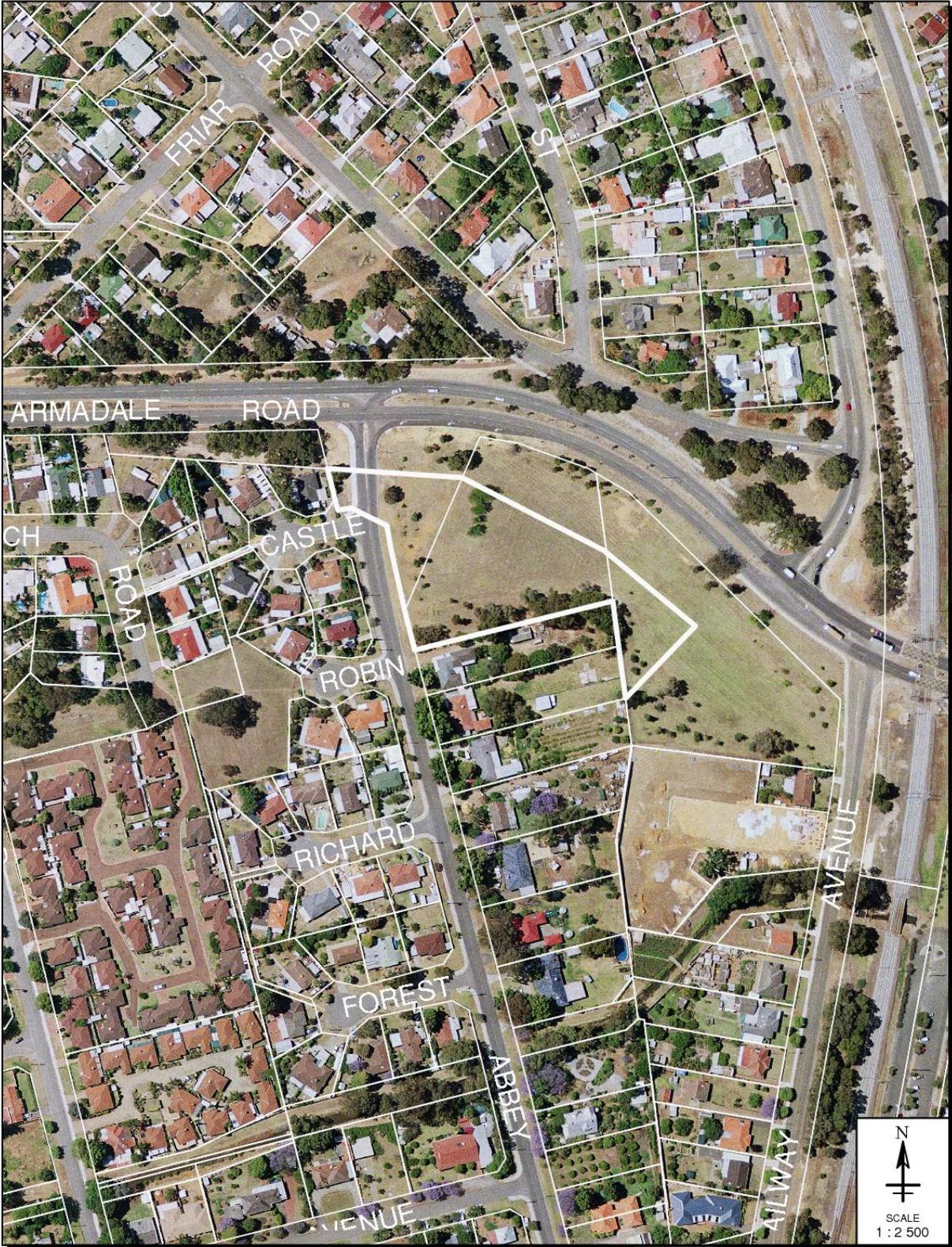
Nil.

**Strategic Implications**

Development – “To balance the needs of development with sustainable economic, social and environmental objectives”.

**Legislation Implications**

Planning and Development Act 2005  
Town Planning and Development Act 1928 (repealed on 9 April 2006)  
Metropolitan Region Town Planning Scheme Act 1959  
Metropolitan Region Scheme  
Town Planning Scheme (TPS) No.4



**AERIAL PHOTOGRAPH**  
PORTION LOTS 143 & 144 ARMADALE ROAD, ARMADALE

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

Local Planning Strategy 2005

### **Budget / Financial Implications**

It is anticipated that the return from the sale of lots created from the subdivision of Lots 143 & 144 and any residential land arising from acquisition would meet the costs of land acquisition for road purposes. However a budget report will be necessary following the town planning scheme amendment.

### **Consultation**

- ◆ Development Control Unit.
- ◆ Technical Services Directorate.
- ◆ ARA.
- ◆ MANEX.
- ◆ The Environmental Protection Authority (EPA) advised that the amendment did not warrant an environmental assessment.
- ◆ The WAPC's consent to advertise was not required in this case.
- ◆ Advertised for public comment for 42 days.

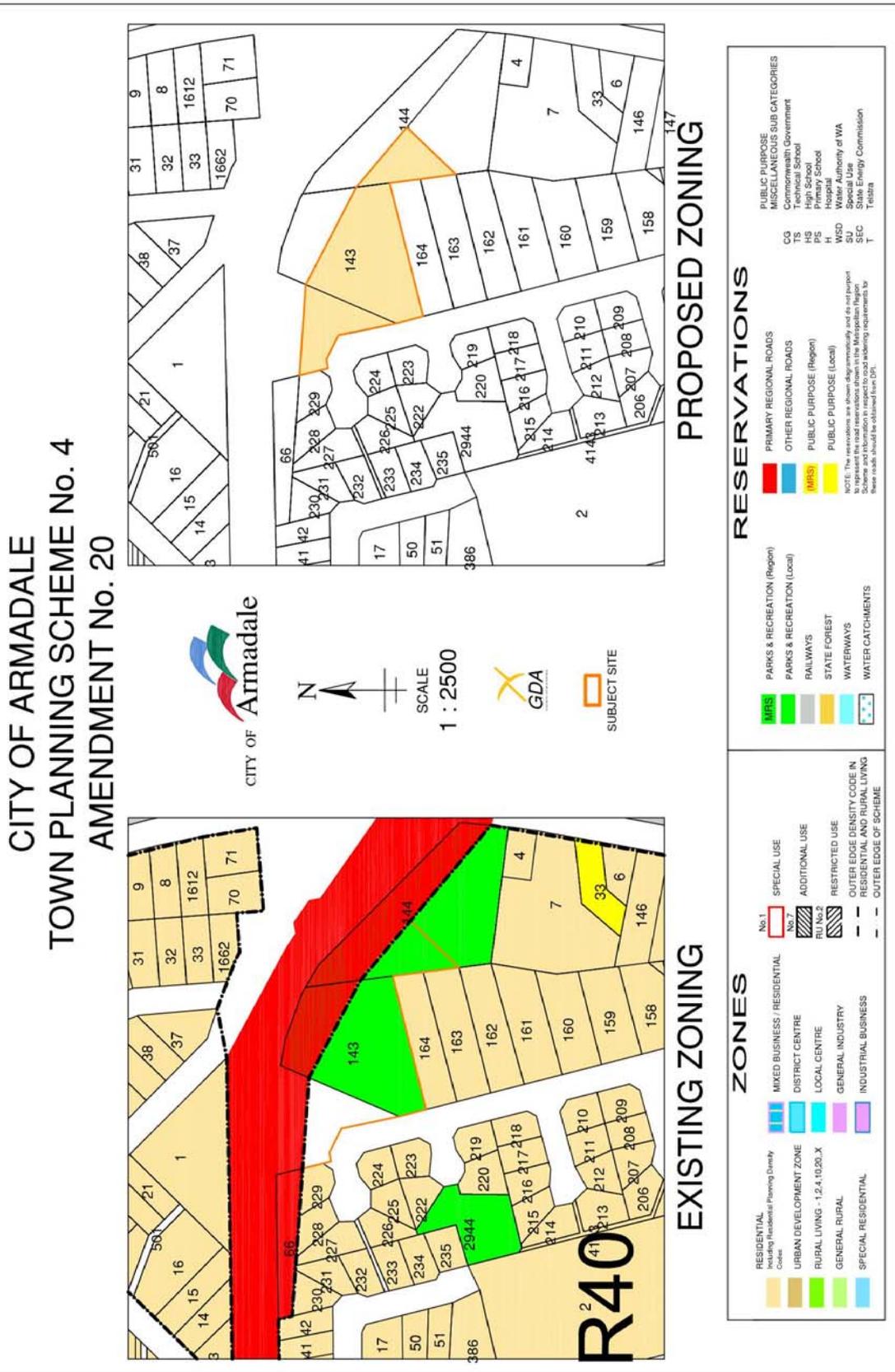
### **BACKGROUND**

At its 7 November 2005 meeting, Council resolved to support the entering into a lease which would enable the uses currently accommodated within Minnowarra House and Orchard House to relocate to Lot 144 Railway Avenue to facilitate the extension of the shopping centre. This decision was subject to the Minister for Planning and Infrastructure advising of her support to the rezoning of the adjacent Lot 143 Abbey Road. The Minister has yet to provide advice of her support to the rezoning.

Considerations of the road requirements for north-south access have lead to the conclusion that future planning should be on the basis of the connection of Abbey Road with Railway Avenue and this may have implications on adjacent privately owned land. At its meeting on 16 January 2006, Council resolved to note the need to resolve future road networks linking Green Avenue and Railway Avenue north of Armadale Road be the subject of further investigation and report.

Council, at its meeting on 18 April 2006, considered three (3) options for the alignment of the Abbey Road/Railway Avenue link and resolved to:

- 1-3. Initiate Amendment No.20 to TPS No.4 and advertise the amendment for a period of 42 days. The amendment proposes to:
  - i) rezone portions of Lots 143 and 144 Armadale Road from "Parks and Recreation" reserve to "Residential R40" and amend the Scheme Maps accordingly;
  - ii) indicate on the planning scheme maps the proposed alignment of the Abbey Road/Railway Avenue link.



- “4. *Forward a copy of the amendment to the Western Australian Planning Commission for information and with the request that the road link be included as part of the Primary Road reservation in the next Omnibus amendment to the Metropolitan Region Scheme.*
5. *That confirmation of the suitability of the proposed Abbey Road/Railway Avenue connection be sought from Main Roads WA.*
6. *Advertises, concurrently with Amendment No.20, the closure of a portion of Abbey Road, Armadale that is surplus to the City’s requirements (as shown on attached plan) in accordance with Section 58 of the Land Administration Act 1997. The closed road reserve is proposed to be amalgamated with the adjoining Lot 143 Abbey Road, Armadale owned by the City.*
7. *Request the City to seek the Department for Planning & Infrastructure’s support for the exchange of the proposed closed road reserve for an equal area of land required for the future alignment of Abbey Road road reserve on Lot 143 Abbey Road, Armadale.”*

## COMMENT

### ***Public Advertising of Amendment No.20***

The proposed amendment was advertised for 42 days, closing on 2 August 2006. This advertising was carried out by way of a sign on-site, notification to relevant Government agencies, advertisements in the “West Australian” newspaper and local community newspaper and letters to affected and nearby landowners.

Total No. of submissions received	:	7
No. of submissions of support/no objection	:	4
No. of submissions of objection	:	3

***Refer to Confidential Attachment “B1” of the Agenda for location plan of submitters.***

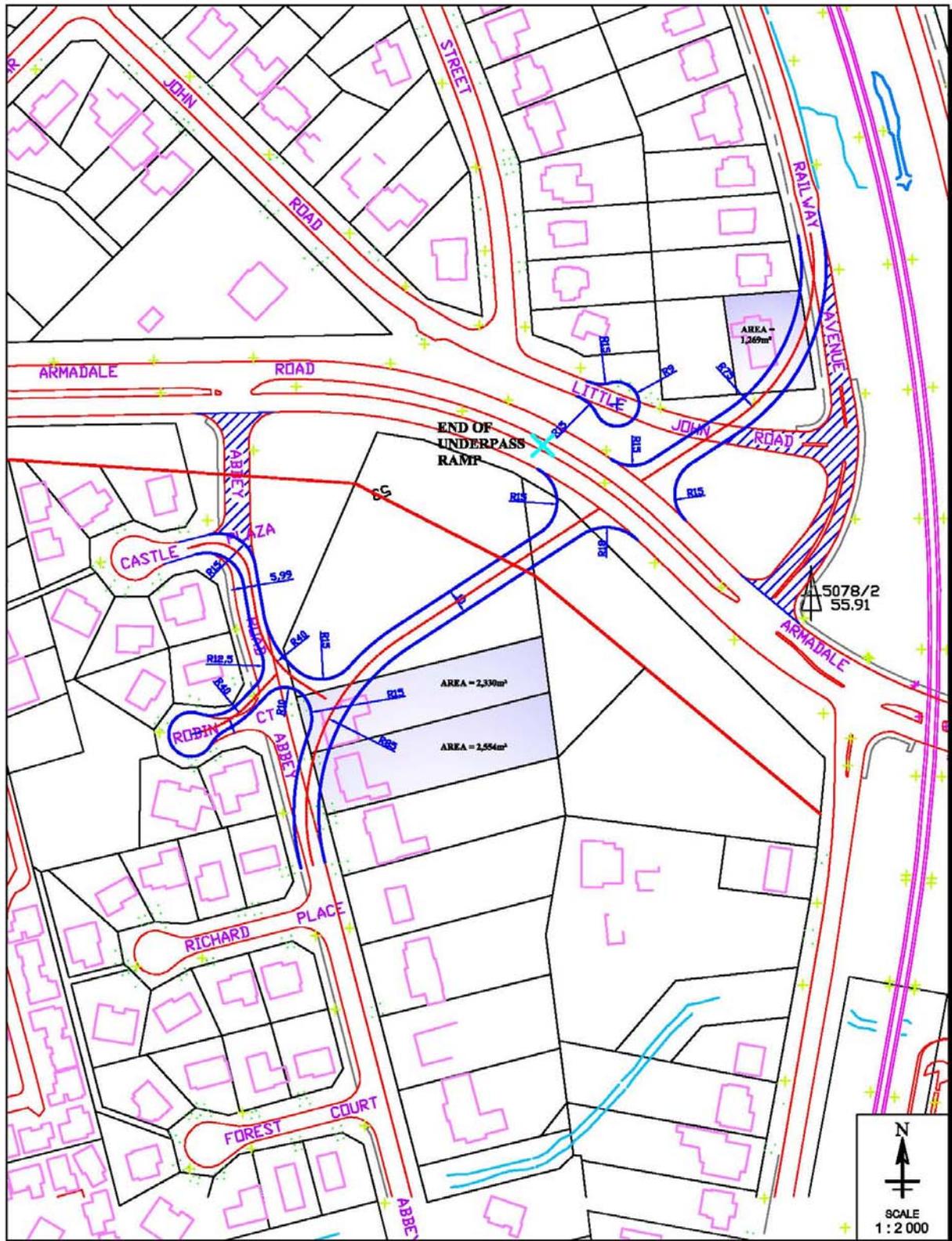
***The issues raised by the submissions have been summarised in Attachment “A1” of the Agenda.***

The main issues raised in the submissions, together with a comment on each issue are outlined below. The submissions of support/no objection included 4 submissions from Government agencies.

### ***Key Issues arising from Submissions***

#### ***Issue 1 – Loss of Park & Public Open Space (POS)***

*Two submissions objected to the loss of POS and trees. One submitter stated that the land is used to exercise dogs and other recreation and the endangered red tailed cockatoos use the trees, which are just beginning to get established. Another submitter requested that the land be developed as a park.*



**OPTION 2  
ABBAY ROAD - RAILWAY AVENUE LINK**

Comment

There is adequate POS in the area and given its location abutting busy roads, the land is of limited recreational value. The land does not contain any significant trees or vegetation. While the lots were included in the POS Strategy review in 2001, this was more due to the fact that the land was owned by the City than the intrinsic open space value of the lots. Lots 143 and 144 are not identified on the City's TPS No.4 Special Control Area Map as having any landscape or environmental qualities deserving of special control. The future disposal of the land is required to provide funding for the City's strategic projects, such as the realignment of Abbey Road. However, it is proposed to retain the majority of Lot 144 in the Parks and Recreation reserve and utilise it for community purposes.

Recommendation

That the issue not be supported.

***Issue 2 – Loss of Car Parking area for major events***

*Two submissions raised concerns about the loss of parking areas on the land for major events.*

Comment

The provision of adequate parking areas near the City Centre for major events is an important issue for the City. The City may need to make alternative arrangements to ensure that adequate parking areas are available during major events and/or encourage the use of public transport.

Recommendation

That the issue be noted.

***Issue 3 – Alignment of Abbey Road & Traffic concerns***

*One submission from a landowner along Abbey Road advised that they opposed Options 1 and 2 and supported Option 3 for the alignment of Abbey Road. The submission suggested various other traffic improvements in the locality.*

Comment

The City has been negotiating with Main Roads WA and the Department for Planning and Infrastructure for several months regarding the proposed alignment of the Abbey Road/Railway Avenue link and its impact on Armadale Road. The City has sought and been granted two extensions of time to consider the submissions and the amendment by the Western Australian Planning Commission to allow the City time to complete its negotiations with Main Roads WA and the Department for Planning and Infrastructure. The Council is now required to consider the amendment for final approval. It is likely that the negotiations will take some time to be concluded, as such the determination of the alignment of the Abbey Road/Railway Avenue link will need to be deferred at this stage and will be the subject of a separate report to Council.

Recommendation

That the issue be deferred.

## **ANALYSIS**

### ***Proposed Road Closure***

At its meeting on 18 April 2006, the Council also resolved to advertise the closure of a portion of Abbey Road that is surplus to the City's requirements, concurrently with Amendment No.20. The closed road reserve is proposed to be amalgamated with the adjoining Lot 143 Abbey Road, Armadale owned by the City. The consideration of the road closure will also need to be deferred pending the determination of the alignment of the Abbey Road/Railway Avenue link.

### ***Proposed Land Exchange***

At its meeting on 18 April 2006, the Council also resolved to request the City to seek the Department for Planning and Infrastructure's support for the exchange of the proposed closed road reserve at the corner of Abbey Road and Armadale Road for an equal area of land required for the future alignment of Abbey Road road reserve on Lot 143 Abbey Road, Armadale.

The Department for Planning and Infrastructure has advised that it is agreeable to the proposed land exchange on an equal-value basis. The land exchange will assist the City in offsetting the cost of providing its land for the new alignment of Abbey Road. The land exchange can be progressed when the road closure progresses.

## **OPTIONS**

1. Council may resolve to adopt the amendment with or without modifications and request that the Hon Minister for Planning and Infrastructure grant final approval to the amendment. Council could also defer the determination of the alignment of Abbey Road and the proposed road closure, pending further discussions with Main Roads WA and the Department for Planning and Infrastructure.
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**

Lots 143 and 144 provide part of the open vista along Armadale Road in the approach to the City centre and incorporate land for future road purposes. However, the land does not have a clear open space function and given appropriate building setbacks and the orientation of buildings to Armadale Road, the future development of the lots for residential and community purposes could provide an attractive entrance to the City.

The zoning of the land is consistent with that to the south along Abbey Road and is required to facilitate the future sale of the land for residential purposes. The portion of Lot 143 that was not zoned on the advertised amendment plan for the alignment of Abbey Road should be included in the Residential zone, so that options for the alignment of the Abbey Road/Railway Avenue link are not restricted. The amendment will need to be modified for this to occur.

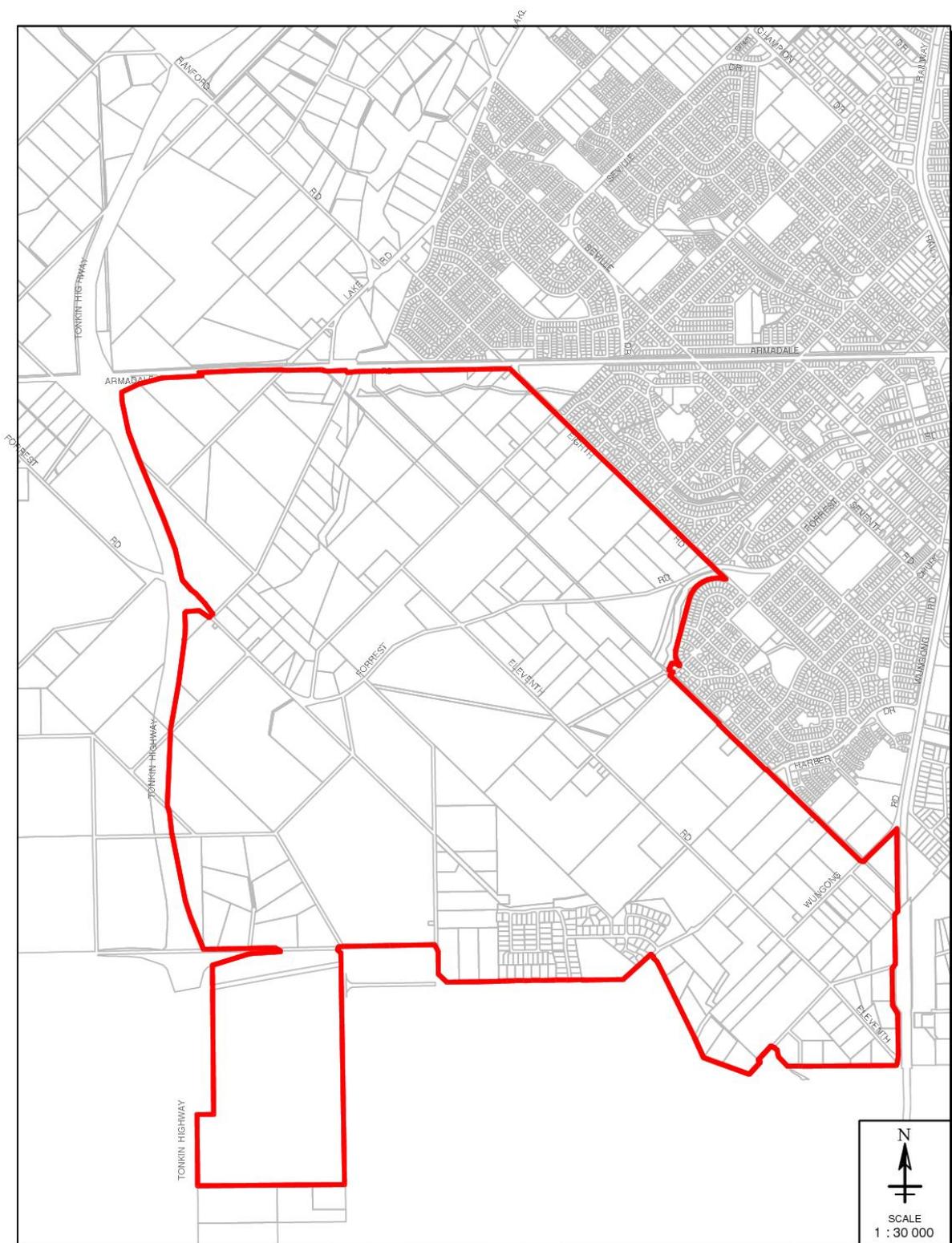
The determination of the alignment of the Abbey Road/Railway Avenue link and the proposed road closure should be deferred, pending further discussions with Main Roads WA, the Department for Planning and Infrastructure and the Technical Services Directorate. It is recommended that Council resolve to adopt the modified amendment in accordance with Option 1 above.

**D5/01/07            RECOMMEND**

**That Council:**

- 1. Pursuant to Part 5 of the Planning and Development Act 2005, adopt the modified form of Amendment No.20 to Town Planning Scheme No.4 to rezone portions of Lots 143 and 144 Armadale Road from “Parks and Recreation” reserve to “Residential R40” and amend the Scheme Maps accordingly.**
- 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 for Planning and Infrastructure 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. Defer consideration of the submissions on the proposed alignment of the Abbey Road/Railway Avenue link and the proposed Abbey Road road closure, until further advice is received from Main Roads WA, the Department for Planning and Infrastructure and the Technical Services Directorate.**
- 6. Advise the submitters of the above decision.**

MOVED Cr Knezevich  
MOTION CARRIED (7/0)



**LOCATION PLAN**  
WUNGONG URBAN WATER

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**WUNGONG URBAN WATER REDEVELOPMENT SCHEME 2006**

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WARD : LAKE  
DATE : 27 November 2006  
REF : IM  
RESPONSIBLE : EDDS  
MANAGER

**Tabled Items**

Nil.

**Officer Interest Declaration**

Nil.

**Strategic Implications**

3.1 Engaging in development of the new communities at Brookdale and Forrestdale.

**Legislation Implications**

Armadale Redevelopment Act 2001.  
Planning and Development Act 2005.  
Brookdale Redevelopment Scheme 2005.

**Council Policy / Local Law Implications**

Nil.

**Budget / Financial Implications**

Nil short term, however there are longer terms implications arising from the proposals to the extent to which the City will be required to inherit the management of reserves and facilities established by the ARA in the Brookdale locality.

**Consultation**

- ◆ Technical Services and Community Services Directorate.
- ◆ ARA.

**In Brief:-**

- The ARA has advertised a Scheme and a Master Plan to cover the 1500 hectare area now known as the Wungong Urban Water Redevelopment Area with the aim of providing a framework for the establishment of an area to eventually accommodate 40,000 people. Information relating to the Environmental Review for the area has also been released.
- The Master Plan documents provide a framework within which more detailed structure plans and contribution arrangements will be made prior to subdivision and development of the land.
- The Environmental Review documents provide a comprehensive assessment of a wide range of issues that could be impacted on by development.
- Recommend that the Master Plan and Scheme be generally supported and detailed comment be provided on the Scheme and Master Plan as outlined in the report.



February 2005 (Amended) / October 2006

NOT TO SCALE

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**WUNGONG URBAN WATER MASTER PLAN**

## **BACKGROUND**

The ARA advertised the Wungong Urban Water Redevelopment Scheme 2006 on 16 November for a 60 day period (by 19<sup>th</sup> January 2007). The City's comments are sought, although preliminary advice has been provided during the preparation of the Scheme.

The Scheme is proposed to apply to the 1500 hectare area of Brookdale broadly bounded by the Tonkin Highway, Armadale Road, Eighth Road and Rowley Road. From previous announcements it is understood that 15,000 lots will be created in the Master Plan area. To achieve this, given the extent of undevelopable areas, will require a substantially higher residential density to be achieved than any other outer area in Perth.

The purpose of the Scheme is to provide:

- statutory control over development within the subject area
- a framework for more detailed planning of the precincts
- a framework for establishing new development standards
- a framework for infrastructure provision and contributions

Currently development in the locality is governed by the Brookdale Redevelopment Scheme 2005 which effectively provides a moratorium on development.

The City's input should be guided primarily by a desire to support innovation and high quality design provided the long term implementation of the Scheme is manageable. Obviously the City will have to inherit the Scheme at some time in the future.

In addition it should be recognized that while there are risks and costs associated with some of the approaches anticipated in the Scheme, it is acknowledged that if the development was to follow the pattern of nearby development then it would not achieve the City's objective of creating a point of difference and higher quality development.

## **THE MASTER PLAN**

The Wungong Master Plan (*see Master Plan*) is included in the Scheme at Appendix 1. The Master Plan fulfils part of the traditional function of a Scheme Map except there is a need for structure plans to be prepared throughout the Master Plan area before it is possible to determine how land should be subdivided and developed.

The Master Plan indicates broadly what the main land uses will be and for these Place Based Codes will be prepared. These include:

- Centres (District and Neighbourhood);
- Urban development;
- Suburban development;
- Rural residential development; and
- Open space (Active and Passive).

In addition Elements are shown on the Master Plan and these relate to the main road network, waterways, conservation areas, buffer areas and school sites.

There are considerable implications for landowners from the Master Plan, however the real details will be spelt out in the Structure Plans and it is doubted whether useful comprehensive technical advice can be provided by the City to the ARA based on the details of the Master Plan.

However, there are features of the Master Plan that could be highlighted and an opinion expressed.

### ***Town Centre***

- ◆ The site of the Town Activity Centre may not be optimal in view of it being bounded on one side by the Hilbert Road wetland. It is noted that a consultants study (Shrapnel Urban Planning) has been undertaken to assess the retail potential of the Master Plan area, but this focuses on the justification for the retail floorspace and does not address locational suitability in detail.
- ◆ Similarly the focus of the Urban Development Area (ie higher density) is around the CCW, justified in supporting information on the grounds that higher density has less detrimental impact on environmentally sensitive areas than lower density.

### ***The Road Network and Transport issues***

- ◆ The broad street orientation north of the Wungong River is broadly NE-SW which is contrary to current thinking regarding solar access for which N-S roads are deemed more appropriate. However, there is a strong argument that the current road system and cadastre cannot be easily ignored. In any event it is understood from other supporting information that the detailed structure plans will facilitate a greater degree of solar orientation.
- ◆ A main feature of the Master Plan is the network of Avenues (roads and linear parkland with avenues of trees). These are being vigorously debated by some of the landowners who contend that such a design feature would have significant implications on the amount of imported fill needed and hence the cost of development. This matter will no doubt be further researched, however, from the City's point of view, the Avenues are an attractive feature provided they can be managed for their recreational and water management purposes.
- ◆ It is possible that in the future the Urban Zone will extend into the Shire of Serpentine Jarrahdale and west of the Tonkin Highway. The implications of this should be considered, particularly from the point of view of the impact on road requirements.
- ◆ There are some specific concerns regarding the road network which are detailed in ***Attachment "A2" of the Minutes***. The Master Plan is underpinned by a Traffic Planning report that assumes a very low proportion of trips being taken by private vehicle – it is assumed that there will only be around five vehicle movements per day per dwelling which is roughly half the figure generally used elsewhere. If these low figures do not eventuate the road system will need retrospective adjustments. These can be significant, for instance where a local distributor road of 4000 vpd is elevated to a road carrying 8000 vpd treatments would be required particularly at intersections.

- ◆ It would be appropriate to prepare a road safety audit similar to that prepared for North Forrestdale to ensure that the road network is properly assessed in the context of safety issues.
- ◆ The Master Plan does not take advantage of the railway line and the possibility of a future railway station, by surrounding the station with a more dense urban form. While the supporting Transport and Traffic Planning Report refers to the possibility of the rail extension in the long term, there is no response in the Master Plan to this possibility. The Wungong development could be used as a further justification for the early provision of a passenger rail service to Byford.

#### ***Landfill site***

- ◆ An indicated buffer zone has been included around the Hopkinson Road land fill site. This need not be an absolute constraint in the future, however there should be an awareness of the constraint and it is therefore supported.
- ◆ The southernmost primary school site should be reorientated to include its playing field within the Hopkinson Road Landfill and Recycling Facility buffer. This will maximize the developable land for residential purposes and allow compatible uses in the buffer area.

#### ***Public Open Space***

- ◆ The open space network is comprised of small pocket parks (of around 4000m<sup>2</sup>), a range of wetland areas with surrounding buffers, linear parkland along brooks and watercourses and linear Park Avenues. In addition eight primary schools have been identified which are intended to provide joint use of playing fields. Elsewhere joint use has resulted partly from the 10% POS contribution and partly from the school site whereas at Wungong it appears that in most cases the schools are identified separately from POS. The formal arrangements to secure the provision of playing fields for the general community will need to be confirmed during the structure planning process. There is concern that there will be insufficient land associated with the school sites to provide for a range of sporting fields (including some senior playing fields) to serve the community.
- ◆ The primary school sites only require junior sized ovals. The City requires larger senior sized ovals, so the principle of overlapping ovals and shared facilities can not work, unless additional POS for senior ovals is allocated adjoining schools sites.
- ◆ Playing fields/areas should be identified on the Master Plan or there will be significant difficulties in planning and provision of such sites.

#### ***Community Facilities***

- ◆ Only two Community Centres are identified on the Plan. These sites are the already at capacity Evelyn Gribble Centre and a proposed centre in SW Wungong. It can be envisaged that additional sites will be required and certainly a site within the Town Activity Centre should be identified.



### ***City Owned Land***

The City owns three lots exceeding 12 hectares in area on Forrest road, central to the Master Plan area. This land is included within Structure Plan Precinct Areas D and E. The future development of the land will be affected by the Master Plan provisions. Although most of the land is identified as “Suburban Development” a portion is included in a School Site and a relocated Brook Drain traverses the property. The City may need to take an active role in structure planning for its land within the Precinct to ensure City asset is maintained. In future, funding may need to be allocated for consultants and studies.

The Evelyn Gribble Community Centre located on Ninth Road is vested in the City and included in Structure Plan Area G. The Centre is recognized as a community centre in the Master Plan.

### **General**

- ◆ Structure plans will be prepared to give effect to the Master Plan. However, it is not clear how closely the structure plans will need to follow the Master Plan. It is hoped that there be a flexible approach to interpreting the Master Plan.

A large number of reports have been prepared by consultants over the past two years. These are available for perusal from the ARA website and provide greater detail and rationale concerning landscape, traffic, environmental, water, civil engineering and retail considerations amongst others.

Although it is not possible to read some details into the Master Plan, it is evident from the supporting information that a number of features will be manifested in future development which would generally not be found elsewhere. These include water management, TravelSmart and sustainability initiatives. These are generally supported, however they do impose an additional cost on development.

### **SCHEME PROVISIONS**

Many of the Scheme provisions (applications, approvals, appeals, making policies etc) are standard. The main areas of difference are in respect of Place Based Codes and Structure Plans.

Rather than providing a Land Use Table within which uses are determined, the Scheme anticipates the preparation of structure plans and a new Code which will determine the acceptability of uses and developments in particular areas. As neither the structure plans or the Code have yet been produced all that is included in the Scheme at this stage are a series of objectives for each of the Place Based Code areas and the area boundaries for the structure plans which are included on a plan at Appendix 2 of the Scheme – *see Structure Plan map*. The boundaries of the structure plan areas in some cases cut across cadastral boundaries (as they do in the case of the City’s own land). It would be preferable for the boundaries to include whole lots or be defined by clear boundaries such as roads.

However some detailed comments could be made with respect to greater consistency with the City’s Scheme for interpretation purposes and particular provisions that would improve the operation of the Scheme.

### *Place Based Codes*

The avowed purpose of the Place Based Codes (known elsewhere as “Form Based Codes”) is to emphasize the future physical form of the built environment. The yet to be prepared Codes will more actively promote a particular type of development rather than focus on stating what land uses are not permitted and how development should be limited. The concept of Place or Form Based Codes has recently become popular in the United States where the history of planning has been very different from here and where the excesses of suburban development have been more rampant. The US-flavoured criticisms of the current system may not be so directly applicable to fringe planning in Perth and it may not be necessary to go to the lengths of establishing a complete set of new Codes to address perceived problems. Possibly a simpler approach could achieve the desired outcome by overhauling Elements 1 (Housing Density) and 9 (Design for Climate) of the Residential Design Codes for the Wungong precinct. Moreover an approach which places additional requirements on developers may be one less suitable for trialing in Brookdale than more affluent areas and such a trial which may have universal application should not be paid for entirely by Brookdale landowners. However, the ARA should not be discouraged from setting its sights high to achieve best quality development as is the intention of the new Codes.

The Place Based Codes, once prepared, will be adopted as a Planning Policy under the Scheme. It is understood that the Codes will be prescriptive and thereby not require discretionary interpretation. This is a significant issue in terms of administration as the City will have to inherit the Scheme. There are staffing implications where a DA is required for all residential development rather than only for those that do not comply with the Codes. It remains to be seen whether the prescriptive code envisaged is achievable.

The lack of a land use table could also have administrative implications. While the selection of acceptable uses will be guided by the Objectives of the Place Based Code areas (set out in Section 3.4 of the Scheme) and according to S. 3.5 Structure Plans and development standards will clearly establish what uses are permitted, it may not be clear whether a desired use will be permitted without submitting a DA to the Authority for determination. Clearly the Code and the structure plans will have to address this and if they do so in the guise of a number of prescriptions it may actually result in a situation not far different from the current land use table of the City’s Scheme.

### *Administration of Scheme*

There will be a need to consider how the large number of DAs will be assessed under the Scheme and associated policies. It would be appropriate for an Estate Architect to be engaged to confirm compliance with the requirements prior to submission to the City for a Building Licence.

### ***Contribution Plan***

Part 7 of the Scheme sets out the contribution area costs and method of imposing and reviewing the costs and payments. Contributions will be applied to each Structure Plan area but contributions will also be required to be made for matters affecting the whole Scheme area.

An unusual provision is contained whereby any charitable body owning land in the contribution area and using it for a charitable purpose may apply for an exemption from contributions. This provision is not included in the WAPC model provisions for preparing Development Contribution Schemes and would result in Scheme costs being shouldered by other landowners on behalf of those claiming charitable status. If such a clause is acceptable it should be subject to a covenant or some equivalent legal arrangement by which any change of circumstance would result in the full payment of the contributions that would otherwise have been levied.

The matters to be subject to contributions are set out in Schedule three (29 listed items) and more fully explained in the Appendix to the Scheme Amendment Report.

Some of the matters to be funded are standard, indeed the following items are also funded in the North Forrestdale Scheme:

- ◆ Major Road intersections and bridges;
- ◆ Regional dual use paths
- ◆ Regional Road upgrades/realignments;
- ◆ District entry intersections;
- ◆ Water Corporation Mains Sewer, Main Extension and pump station;
- ◆ Land for Wetlands and buffers;
- ◆ Drainage infrastructure;
- ◆ Scheme Administration costs;
- ◆ Land for Certain Buildings for Community Infrastructure;
- ◆ Regional Open Space and Facilities.

The following additional matters are proposed to be included in the Wungong Scheme but were not provided for in the North Forrestdale Developers Contribution Scheme (noting that power line relocation was specifically provided for at North Forrestdale but not at Wungong):

- ◆ Community bores (to provide a non-potable water supply and third pipe network);
- ◆ Communications fibre to homes, (the ARA has resolved that Wungong become a “Smart Community” by requiring fibre to the home and the engagement of an appropriate supplier. The actual lot connection of \$4000 per lot will be the responsibility of individual developers);
- ◆ Telstra infrastructure extension (cost of additional trenching as the area is considered non frontal);
- ◆ Gas mains extension (costs of main extension could be \$500,000 as the development is considered non-frontal);
- ◆ Service infrastructure (it is not clear from the documentation what this would apply to);

- ◆ Land for Public Open Space (whereas land parcels in North Forrestdale were designed to incorporate their individual 10% POS contributions, due to the greater number of landowners this will not be feasible in Wungong consequently it is being provided as a Scheme provision),
- ◆ Aboriginal Heritage Sites (for interpretive works and site preservation);
- ◆ Establishment of Living Streams (to rehabilitate the Wungong River);
- ◆ Land for Foreshore buffer (there may be a need for additional Scheme payments where a foreshore buffer cannot be accommodated in the POS contribution);
- ◆ Landscaping (for Avenues, Wungong and Neerigen Brooks, Gateways, Wetland buffers and Living Streams);
- ◆ Master Planning Consultant investigation (in North Forrestdale the costs of technical environmental, water management and planning studies were individually met by landowners prior to the introduction of the Contribution Scheme. The costs of preparing the Scheme was partly met by the City);
- ◆ Marketing costs (individual developers are marketing estates in North Forrestdale – there is no separate marketing for the whole district);
- ◆ Travel Smart Program costs (this program to provide people with information, advice and encouragement to make choices about using alternative modes transport is intended to result in decreased car use upon which reduced road infrastructure is to be provided);
- ◆ Water Course Restoration (to restore existing rivers, brooks and associated drains).

The eight primary school sites will be funded proportionally by landowners separately from the Scheme.

From the above listing of inclusions into the contribution scheme it is evident that landowners will be required to make substantial payments per lot. The size of the payments has yet to be calculated. It should be recognized that most of the payments are those which in other suburbs would be funded by individual landowners separately from a Scheme. The additional requirements include those designed to achieve Wungong's water conservation status (community bores, living streams and water course restoration), to provide higher levels of service (fibre, Telstra and Alinta) and to reduce energy use (Travel Smart).

While the Contribution Scheme identifies contributions for open space and community infrastructure, it is not clear whether this includes facilities such as change rooms and toilets associated with public open space. These would be required.

## **ENVIRONMENTAL REVIEW**

In tandem with the advertising of the Master Plan, an Environmental Review (ER) has been prepared to describe the effects on the environment as required by the EPA. Submissions are also sought on this Review with a closing date of January 19<sup>th</sup>.

The ER consists of an overall report which summarises the nine technical areas that are more fully described in the appendices. The matters addressed relate to landscape, flora and vegetation, fauna, wetlands, water management, acid sulfate soils, Aboriginal heritage and cultural heritage. Most of these technical reports have been sighted previously by the City but have been repackaged to meet the EPA requirements for its assessment.

A table is included in the report summarizing the management plans designed to enhance the environmental attributes of the Master Plan. A rather foreboding list of 34 such plans are identified for the ARA or the landowners to prepare.

Some of the points of interest relating to the environmental assessment could be noted:

- ◆ The ARA has developed a **Sustainability Audit Tool** which will form part of the development application and building application assessment and approvals processes.
- ◆ Most new development will be required to complete a Sustainability Audit. This is a legislative requirement (ARA Regulations 2003) although it is not clear whether the City will inherit this obligation at the cessation of the life of the ARA. The report notes (p.51) that a final site visit will be undertaken by the ARA to ensure compliance with the various indicators identified in the audit. The ARA could be reminded of the significant manpower implications of such a procedure.
- ◆ The assessment of **vegetation** leads to the conclusion that the area is characterized by a history of clearing and pasture however some areas of significance, although no Declared Rare Flora were recorded in the 2005 survey. Three Bush Forever sites are located in the area which are retained in the Master Plan and the Avenues and structure planning process are seen as providing wildlife corridors and the protection of vegetation and flora.
- ◆ In respect of **fauna**, the Master Plan indicates the retention of all the key fauna habitats and provision for north-south and east west ecological corridors.
- ◆ There are risks to the identified **wetlands** from modifications to the existing water regime, impacts due to inadequate buffers, water quality changes and weed infestation. For development near an identified EPP wetland a Wetland Management Plan will need to be prepared and other measures are proposed relating to water management and buffer zone management to protect wetlands.
- ◆ **Watercourses** in the area are highly modified. Total water cycle management is required to revitalize the Wungong River and improve flow and water quality and control sediment loads. It is proposed that the existing waterways will be enhanced through establishment of living streams, restoration of riparian vegetation, buffers of between 50m and 70m and various water management strategies.
- ◆ There will be a general preclusion against removal of established **trees**. Tree surveys will be undertaken as part of each structure plan and foreshore management plans, creation of ecological corridors, wetland and Bush Forever protection will enable the Plan to satisfy the EPA's objective in respect of Key Natural Areas and Ecological Corridors.
- ◆ With respect to the need to maintain **surface water** quantity and quality a number of strategies are to be employed. These include higher density development near wetlands which apparently is better able to control inputs, and the integration of water planning into each stage of the planning approvals process. Realignment of the Brickworks drains and the use of existing Wungong, Neerigen Brook North and South will provide regional drainage. More local stormwater management will be addressed with a series of pipes, swales, multiple use corridors and living streams with storage and slow release via the street system, parks and existing wetlands.

- ◆ The management of **groundwater** has taken account of the changing policy environment which now allows controlled and managed groundwater levels below average annual maximum levels. However, the majority of the area has groundwater levels within one metre of the surface and it is estimated that 69% of the area would require fill to provide 1.2m clearance above AAMGL for development (7.5million cubic metres).
- ◆ Current information regarding **acid sulfate soils** suggests that generally the risk is not high but that an area of high risk in the southeast corner has not been recognized before. Lowering groundwater levels could increase risk accordingly careful investigation will be required prior to this.
- ◆ It is proposed to undertake a broad scale **Air Quality** Management Plan. While this may contain suggestions to reduce emissions and forewarn of potential land use conflicts in cases of odour emitting land uses, it does appear to be a somewhat onerous impost as it would not be a general requirement for other development in the region.
- ◆ Issues such as **Greenhouse gases, noise and vibration, and nuisance insects such as mosquitoes** have been described in the report but would appear to be addressed without the need for additional separate or on-going study.
- ◆ The **archaeological** survey undertaken should be noted and the extent of consultation with a range of Aboriginal representatives. The ARA's proposals with regard to waterways is consistent with Aboriginal concerns regarding the protect the area's waterways and wetlands. Of the sites identified 75% can be retained through sensitive design and within POS and other public areas.
- ◆ There are no places in the area included on the City's Register or classified by the National Trust.

## ISSUES RELATING TO THE IMPLEMENTATION OF THE MASTER PLAN

There are a number of management issues that do not appear to have been considered in the planning for the Wungong area.

Consideration should be given to the long term maintenance of the public areas (particularly the Avenues and the open space areas). The principles of long term asset management need to be recognized and addressed in the subdivision approval process.

The implications of Aboriginal sites is not clear, in particular whether specific future management requirements will be imposed on the local government.

It should be noted that the City's Lakes Policy and Asset Management Policies will need to be incorporated into ARA's approval processes, to prevent significant ongoing maintenance costs for the City.

Some consideration should be given to the possibility of Specified Area Rating, given the emphasis on drainage/POS management and other asset management issues. Future residents should be forewarned if an SAR was to be contemplated. The question of community bores would need to be addressed as a long term commitment. While this may be supported in principle, the Water Corporation should be encouraged to undertake management.

## OPTIONS

Council could:

1. Provide comment as outlined in the report on the Wungong Scheme and Master Plan;
2. Not provide comment on the Wungong Scheme and Master Plan;
3. Provide other comment on the Wungong Scheme and Master Plan.

## CONCLUSION

The Wungong Scheme and Master Plan provide an important step in the planning of a critical area for the City's future development and sustainability. The proposals advertised provide a framework for future statutory planning in which some novel approaches will be employed. While the City should generally encourage any initiative which would establish high quality development, there are risks where innovation is taken too far too quickly. Comments have been made on the approaches with a view to assisting the ARA and ensuring that the City's interests (as the inheritor of the Scheme, the public areas and the authority responsible for much of the administration) are protected. A number of the City's concerns relating to the need to consider the long term management of the public areas have been overlooked and these which relate to the implementation of the Master Plan should be communicated to the ARA.

The substantial information provided for the Environmental Review should be noted, however it is not considered necessary to make a separate submission on the individual components of the Review.

The development of the Wungong Master Plan area will have considerable impact on the future development of the City. It is important for the City's officers and Councillors to be fully appraised of the project at each stage. It would be appropriate to seek briefings for Councillors and officers regarding the key issues associated with the future development.

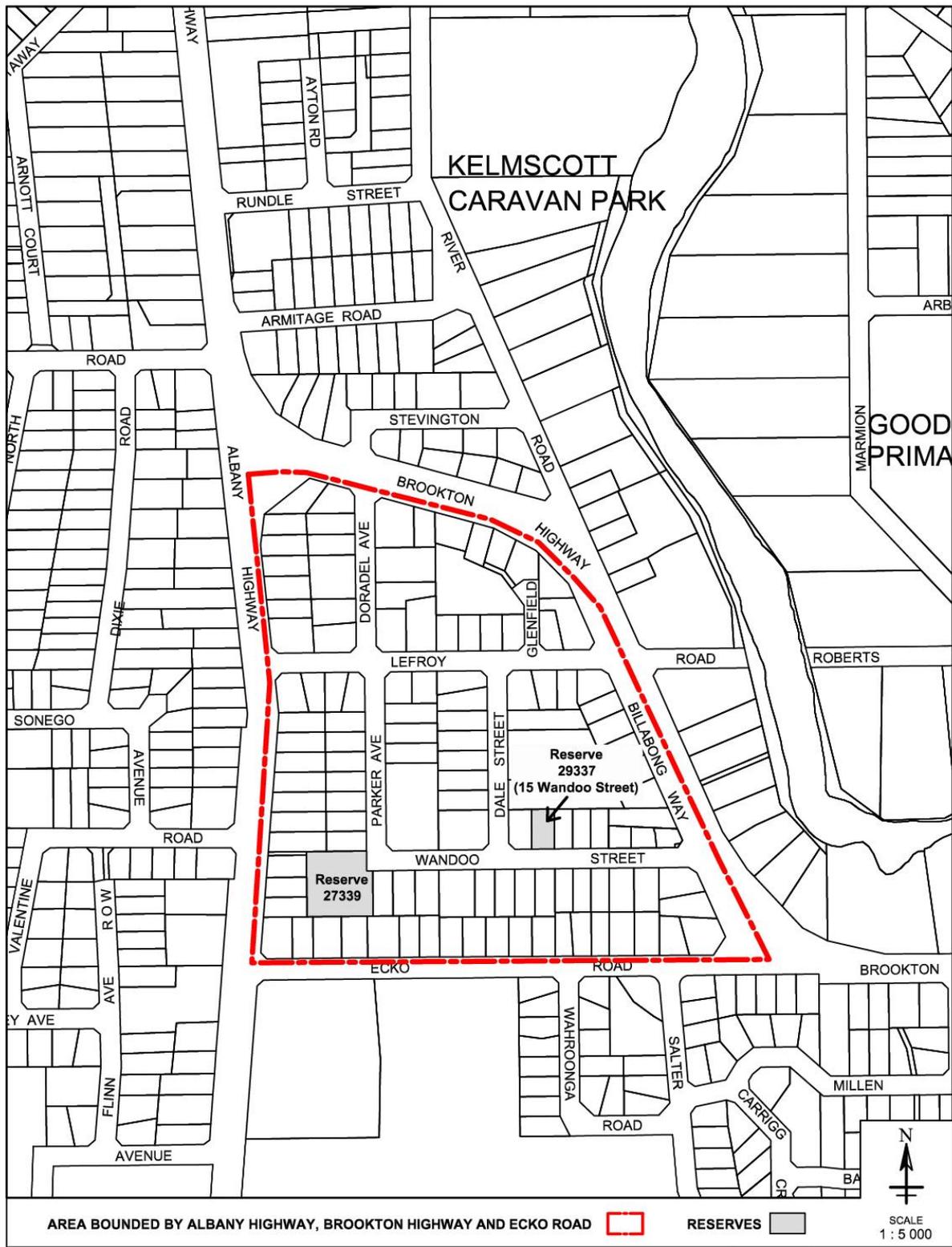
*Executive Director Development Services briefed COMMITTEE on issues relating to the implementation and support of the Wungong Scheme and Master Plan.*

### D6/01/07      **RECOMMEND**

**That Council resolves to:**

1. **Generally support the Wungong Urban Water Redevelopment Scheme and Master Plan.**
2. **Provide the detailed comments and concerns to the ARA on the *Wungong Urban Water Redevelopment Scheme 2006*, the Master Plan and its implementation as outlined in *Attachment "A2" of the Minutes*.**
3. **Request the WAPC to assist the ARA in financing the preparation of the Form Based Codes in view of the likely general applicability of the Codes, or at least the findings of the experiment, for all developing areas.**

MOVED Cr MacDonald  
MOTION CARRIED (7/0)



**LOCATION PLAN**

**PETITION - RESERVE 29337 (NO.15) WANDOO STREET, MT NASURA**

WARD : RIVER  
 DATE : 29 December 2006  
 REF : RVD  
 RESPONSIBLE : PSM  
 MANAGER  
 SUBJECT LAND : Property size 924m<sup>2</sup>  
 Map 23-05

**In Brief:**

- A non-conforming petition has been received requesting Council reverse decisions made in respect to Reserve 29337 (No.15) Wandoo Street, Mt Nasura.
- Each point raised by the petitioners is considered in detail and it is concluded that no new information has been presented that warrants reconsideration of the decisions. The short and long-term costs associated with reversing the decision are significant, and there are few benefits.
- Recommend that Council receive the non-conforming petition and provide the petitioner and the Hon Alannah MacTiernan MLA with a copy of this report.

**Tabled Items**

Nil.

**Officer Interest Declaration**

Nil.

**Strategic Implications**

Development – “To balance the needs of development with sustainable economic, social and environmental objectives”.

**Legislation Implications**

Planning and Development Act 2005  
 Town Planning Scheme No.4

**Council Policy / Local Law Implications**

Policy ADM 11 Vesting of Crown Reserves in Urban areas.

**Budget / Financial Implications**

See ‘Costs of reversing the decision’ under Analysis.

**Consultation**

Nil. Council has previously consulted on this matter on several occasions.



**AERIAL PHOTOGRAPH**  
RESERVE 29337 WANDOO STREET, MOUNT NASURA

## **BACKGROUND**

At its meeting of 4 December 2006 Council received a non-conforming petition with 33 signatories, the prayer of which reads:

*“That Council reverse any plans to rezone, sell or otherwise dispose of Reserve 29937 in Wandoo Street, Mt Nasura for the following reasons:*

- 1. The vast majority of residents in the local area in question greatly value the reserve as quiet open space (the only space in the street).*
- 2. Residents value the stand of 15 Wandoo trees on the reserve.*
- 3. Residents greatly value the large, mature wandoo tree on the verge not only for its splendid appearance but for the home it provides for an assortment of wildlife. (Detailed in past submissions by some residents, including Mr T Holton).*
- 4. It is felt that this mature tree was probably the reason for the name “Wandoo Street”.*
- 5. Residents do not seek development, but enjoy the passive benefits afforded by this reserve and point out that maintenance is minimal.*
- 6. On several previous occasions a number of residents have expressed their wish that the reserve be preserved for their enjoyment and request that their wishes be respected.”*

Council resolved that the petition be received and be referred to the Development Services Committee (283/11/2006).

A copy of the petition was sent to Ms MacTiernan, who is the local member for Armadale and the Minister for Planning and Infrastructure.

Council has considered this reserve on a number of occasions and most recently adopted Amendment No.13 to TPS No.4 in May 2006 to rezone the land to Residential.

## **ANALYSIS**

### ***Previous consideration of Wandoo Street Reserve (Points 1 and 6 of the petition)***

Council has considered whether or not to retain Wandoo Reserve as part of its deliberations on Stage 6 of the Public Open Space Strategy on several occasions.

Council initiated the first stage of public consultation for Stage 6 in October 2004, considered and deferred consideration of Stage 6 in March 2005, October 2005 and then considered Stage 6 in the light of public submissions in December 2005. Council initiated a scheme amendment to rezone the reserve for Residential purposes in December 2005 and adopted the scheme amendment in May 2006, following consideration of public submissions on the amendment.

Since Council’s adoption of the amendment administrative processes have been implemented that make the decision difficult to reverse.



**Photographs of Reserve 29937**

***Comment on other points in the petition***

*Point one - The Reserve is valued as the only open space in the street*

Point one of the petition identifies Reserve 29937 as “*the only space in the street*” (presumably meaning the only public open space in the street). However, another reserve namely Reserve 27337 is located on the corner of Wandoo Street and Parker Avenue. Wandoo Street is 320m long, so all residents in Wandoo Street have ready access to Reserve 27337.

*Points two and three - Protection of the Wandoo trees*

Points two and three of the petition have previously been considered by Council in its deliberations on Stage 6 of the Public Open Space Strategy in December 2005. The report to Council notes:

*“Submissions specifically refer to the significance of the large wandoo tree that occurs on the verge of reserve, and suggest the potential for the tree to be added to the Council’s register of significant trees. The particular tree is outside of Reserve 29937.*

*Submissions also related to the grove of wandoo trees that occur on the reserve. This grove of wandoo trees is not part of a functioning natural bushland. It is recognised that these trees are of value to the native birds, reptiles and insects that may be utilising them for habitat. However, an area with degraded vegetation such as Reserve 29937 (see **photograph**) is unlikely to be managed by the City as a natural area. No trees on this reserve are listed on the City’s register of trees of significance.*

In response to concerns raised by submitters Council resolved to “*refer the matter of the long-term preservation of the wandoo tree that occupies the verge to the City’s Heritage Advisory Committee for consideration*”.

The City’s Heritage Advisory Committee recommended in February 2006 “*that Council place a Tree Preservation Order under paragraph 11.8.1 of the City of Armadale’s Town Planning Scheme No.4 on the Wandoo tree on the verge of Reserve 29937 to ensure its long-term protection, subject to a report by a qualified arboreaculturist on the trees health and expected longevity*”.

*Point four - the Wandoo on the verge may be the reason for the name Wandoo Street*

As noted in response to points two and three above, the tree on the verge is recommended for protection, subject to a report by a qualified arboreaculturist on the trees health and expected longevity. The reasoning behind the naming of Wandoo Street has not been researched, but if it were because of the tree on the verge, that tree is expected to be protected.

*Point five - The residents enjoy the passive benefits afforded by the reserve and consider maintenance is minimal.*

The small size and narrow width of the reserve (approximately 23m wide and 40m deep), along with its relatively rough surface, maintenance regime that permits relatively tall grass from time to time, and lack of shade for much of the day significantly limits the types of recreation that can be undertaken on the reserve.

Although the petition states that residents do not want improvements to the reserve, future residents may press Council to improve the reserve. The costs of improving the reserve and its maintenance regime are high in comparison to the recreational benefits that could be gained when compared to cost/benefit outcomes for larger reserves for similar investments. The City's conservation priorities are to keep good condition bushland in good condition and current resources do not stretch to revegetation except where required to provide a buffer around Threatened Ecological Communities or where Friends Groups seek to revegetate in or around existing bushland to reduce weed threats. Given the City's limited resources and the low the cost/benefit ratio of investing in improvements for this reserve either for recreation or conservation purposes, improvements to the reserve are difficult to justify and unlikely even in the long-term.

### **Policy ADM 11**

Policy ADM 11 identifies that reserves of less than 4,000m<sup>2</sup> should not be accepted unless there are inadequate neighbourhood parks. Within the area bounded by Brookton Highway, Albany Highway and Echo Road, no resident is more than 450m from Reserve 27337, which is an undeveloped reserve of about 4,260m<sup>2</sup>. The basis for identifying a minimum area of 4,000m<sup>2</sup> was that park maintenance costs are significantly influenced by the time it takes to transport machinery to each site and in some cases load and unload machinery at the site.

### ***Costs of reversing the decisions***

Given that Amendment No.13 has progressed to the final adoption stage, it is considered that if Council wished to retain the Reserve the best course of action would be to initiate a Scheme Amendment to rezone the subject land from Residential to Parks and Recreation (Local). Rescinding the previous decision on Amendment No.13 could significantly delay the progress of Stage 6 of the Public Open Space Strategy and opportunities to raise funds from the sale of land to fund facilities in other parks. The cost of undertaking a scheme amendment in staff time and advertising costs is estimated at more than \$5,000.

In addition to the cost of the rezoning, it is expected that at some stage in the future Council would be requested to improve the reserve and its maintenance regime. As noted above, given the low cost/benefit ratio of spending funds on this reserve in comparison to other reserves, additional funding for this reserve would be difficult to justify. However, Council would need to fulfil its obligations to prevent fire, collect any rubbish dumped on the reserve and occasionally mow the grass.

Council would also forgo significant funds from the sale of this land that would be used to upgrade other reserves in this Precinct, including Reserve 27337 on the corner of Wandoo Street and Parker Avenue. Local residents would benefit significantly from the use of such funds for the upgrading and provision of facilities in existing local parks in the Precinct.

## **OPTIONS**

1. Council could receive the petition and provide the petitioner with a copy of this report.
2. Council could consider reversing the decisions. However, this has significant costs and few benefits.

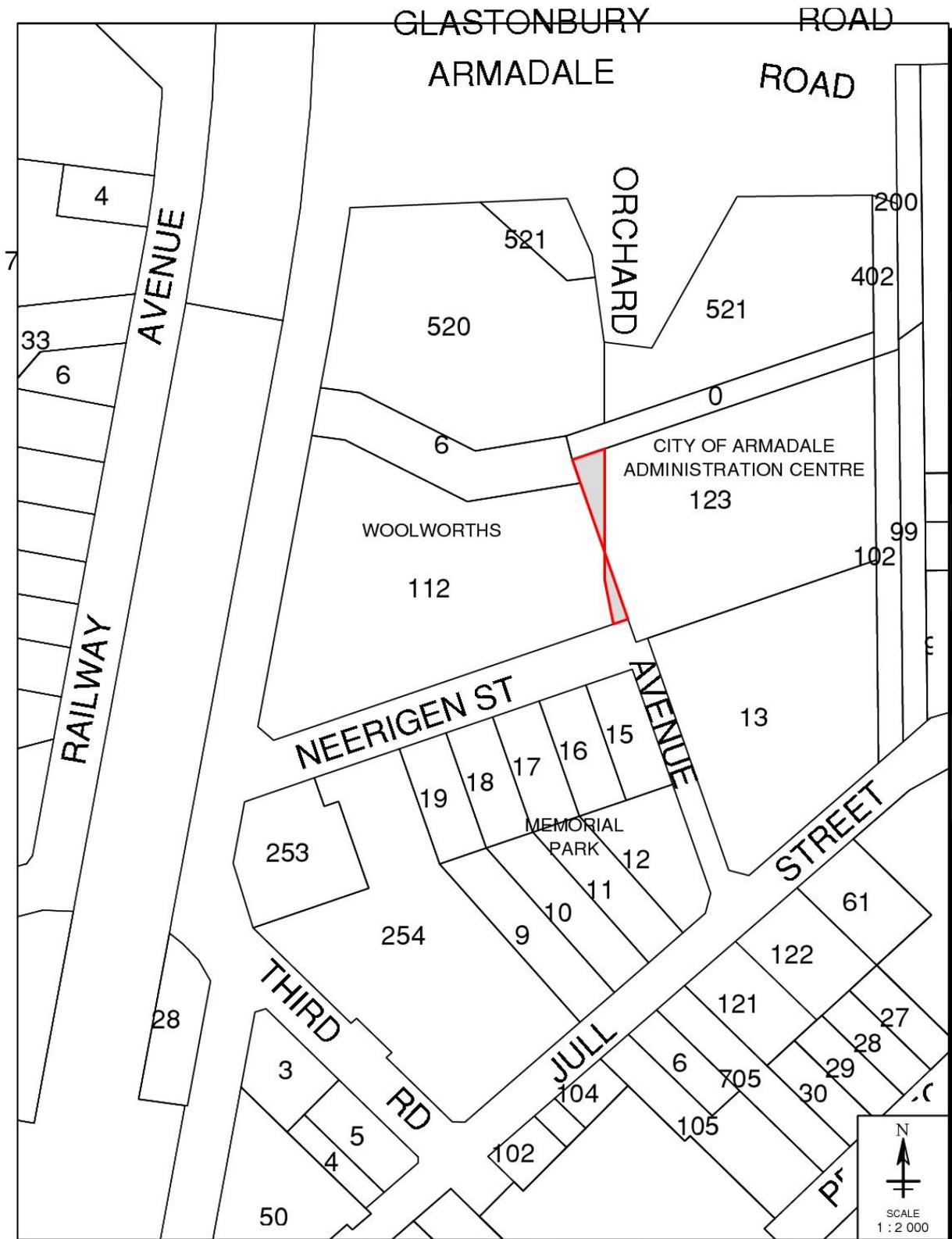
## **CONCLUSION**

Each point raised in the petition has been considered in detail. However, the petition has not presented any new or compelling information as to why Council should consider reversing its decision. The costs of reversing the decisions are significant, and would lead to ongoing maintenance costs for Council with little benefit for the community in regard to either conservation or recreation. Accordingly, Option 1 is recommended.

## **D7/01/07            RECOMMEND**

**That Council receive the non-conforming petition and provide the petitioner and the Hon Alannah MacTiernan MLA with a copy of this report.**

MOVED Cr Tizard  
MOTION CARRIED (7/0)



**LOCATION PLAN**  
PORTION LOT 112 NEERIGEN STREET AND LOT 123 ORCHARD AVENUE, ARMADALE

***\*PROPOSED LAND RATIONALISATION BETWEEN CITY OF ARMADALE AND WESTZONE ENTERPRISES PTY LTD***

WARD : MINNAWARRA  
FILE REF : A43793  
DATE : 15 December 2006  
REF : HC  
RESPONSIBLE MANAGER : EDDS  
APPLICANT : Westzone Enterprises Pty Ltd  
LAND OWNER : Westzone Enterprises Pty Ltd and the City of Armadale  
SUBJECT LAND : Property size 512m<sup>2</sup> affected Map 22.03  
ZONING MRS : Central City Area  
TPS : ARA Scheme

**In Brief:-**

- Westzone Pty Ltd, in the redevelopment of the Armadale Plaza and Woolworths site, is seeking a land rationalisation of small portions of land with the City to accommodate the Orchard Avenue road reserve and the shopping centre development.
- A valuation of \$201/m<sup>2</sup> has been received and a subdivision application for the proposal has been signed.
- Recommend that Council accept the value of the land that is the subject of the rationalisation, resolve to sell the portion and progress the disposal of the City's 280m<sup>2</sup> portion by private treaty to Westzone, and grant delegation to the CEO to sign the Offer and Acceptance for the amounts of \$56,280 (sale price for the City's land) and \$18,090 (purchase price of Westzone's land) exclusive of GST.

**Tabled Items**

Nil.

**Officer Interest Declaration**

Nil.

**Strategic Implications**

Fits with aims for developing our City to:

- ♦ Create and integrated metropolitan centre with a full range of services;
- ♦ Balance the needs of development with sustainable economic, social and environmental objectives.

**Legislation Implications**

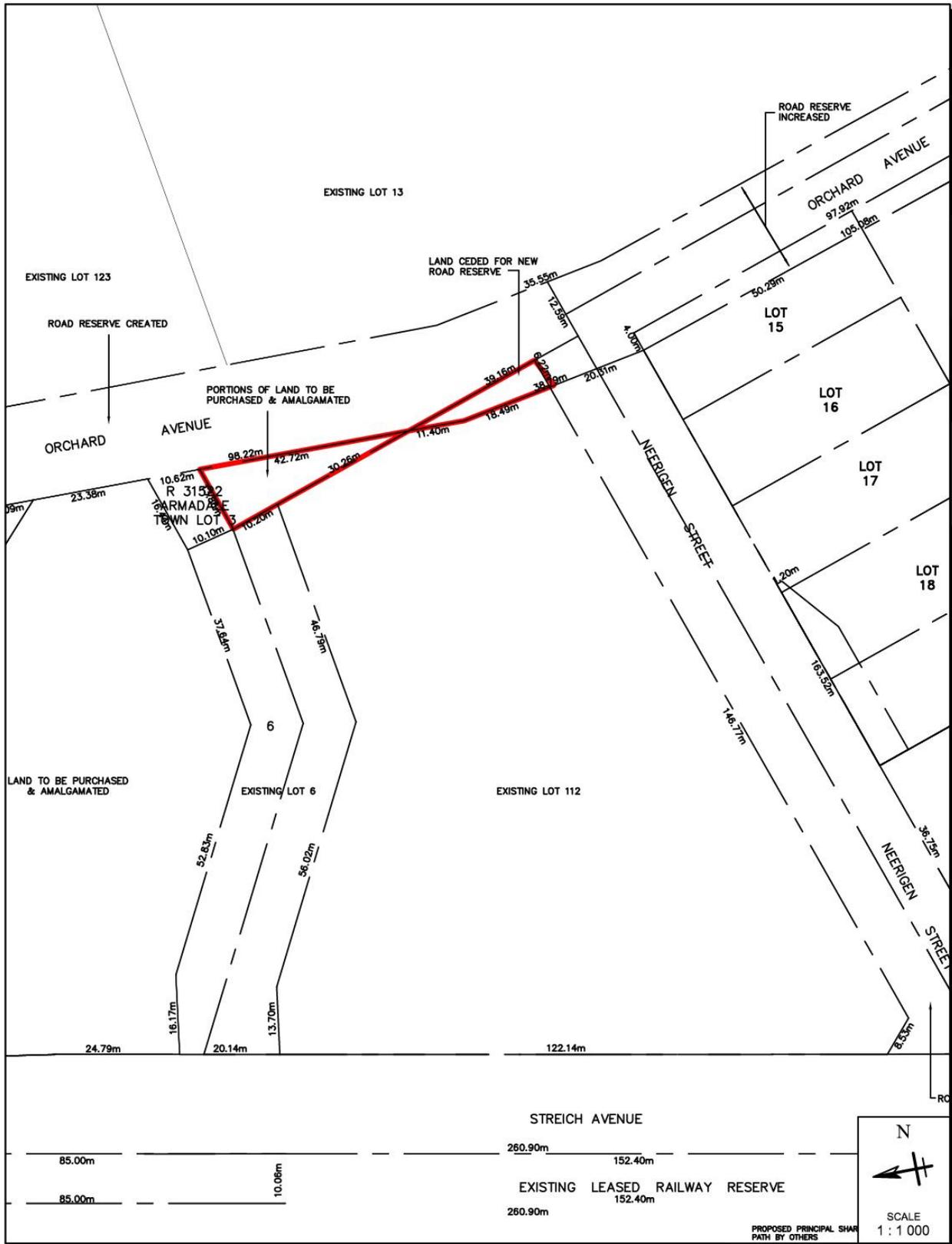
Local Government Act 1995  
Planning and Development Act 2005  
Transfer of Land Act 1893

**Council Policy / Local Law Implications**

Nil.

**Budget / Financial Implications**

Positive result from sale of land for City of Armadale.



**LAND DEALING PLAN**  
 PORTION LOT 112 NEERIGEN STREET AND LOT 123 ORCHARD AVENUE, ARMADALE

### **Consultation**

- ◆ Westzone
- ◆ Burgess Rawson (Valuers)
- ◆ Corporate Services

### **BACKGROUND**

Westzone Enterprises Pty Ltd is proposing a major redevelopment of the Armadale Plaza Shopping Centre and the Woolworths area to be known as Armadale Central Shopping Centre. The alignment of Orchard Avenue with City of Armadale and Westzone land suggests a rationalisation of some boundaries may be appropriate to more appropriately suit the road alignment and proposed shopping centre development. The Orchard Avenue road reserve is still to be created on plans and dedicated as road reserve. The development of the Armadale Central Shopping Centre will require the closure of Neerigen Street and the construction of a new road to the north of the proposed shopping centre and the extension of an unmade portion of Streich Avenue.

At its meeting on 20 March 2006, Council resolved inter alia that:

1. Council authorise officers to progress the land swap involving the City purchasing approximately 90m<sup>2</sup> from Westzone's Lot 112 Neerigen Street and Westzone purchasing approximately 280m<sup>2</sup> from the City's Lot Pt 123 Orchard Avenue, following valuation by a certified Valuer and subject to Westzone Enterprises Pty Ltd bearing the costs of valuation, surveying and subdivision.
2. The Chief Executive Officer be authorised to sign any offer and acceptance regarding 1 above and to sign any required subdivision applications on behalf of the City.

A subdivision application for the proposal has been signed and is being progressed by the applicant.

### **DETAILS OF PROPOSAL**

The applicant proposes a land rationalisation between the City of Armadale and Westzone, necessitated by the creation of the proposed Orchard Avenue road reserve. The land rationalisation would involve:

- ◆ Westzone purchasing approximately 280m<sup>2</sup> from the City's Lot Pt 123 Orchard Avenue; and
- ◆ The City purchasing approximately 90m<sup>2</sup> from Westzone's Lot 112 Neerigen Street.

### **COMMENT**

A valuation undertaken by Burgess Rawson on 6 December 2006 indicates a rate of \$201/m<sup>2</sup> for each parcel of land on the basis of a "before and after" basis. This equates to:

- ◆ The 280m<sup>2</sup> required by Westzone from the City's Lot Part 123 having a value of \$56,280; and
- ◆ The 90m<sup>2</sup> of land from Westzone to be acquired by the City having a value of \$18,090.

Though the transactions will of necessity be kept separate, they will in effect result in a positive gain to the City of \$38,190 which is intended to be transferred to the City's Land Acquisition Reserve Account.

The valuation accords with the value per square metre agreed for the sale of portions of the State's land in the area to be purchased by Westzone to accommodate the shopping centre development.

This matter is put to Council for information and confirmation of the proposed price and to seek approval to advertise the proposed disposal of the 280m<sup>2</sup> of the City's land at Part Lot 123 Orchard Avenue by private treaty under the conditions of section 3.58 of the Local Government Act 1995. Should there be no submissions received from the advertisement, it is proposed that the CEO be delegated to sign the necessary Offer and Acceptances at the valuation price. Should there be submissions on the proposed disposal of the land, the matter will be referred back to Council for consideration.

Under the provisions of Section 3.58 of the Local Government Act 1995, land owned by Council can usually only be disposed of to:

- a) The highest bidder at public auction; or
- b) The person who at public tender called by the local government, makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.

However, the Act also allows the land to be sold by private treaty if, before Council agrees to dispose of the property, it:

- ◆ Gives local public notice of the details of the proposed disposition and the property concerned (an advertisement in a newspaper circulating generally through the area, notice on noticeboard and in our public libraries) outlining the parties involved and the market value of the property as ascertained by a valuation carried out not more than 6 months before the proposed disposition; and
- ◆ Invites and considers submissions on the proposed disposition.

The implications of GST must also be considered in both transactions. There are two (2) methods by which GST can be calculated and it is up to the seller to elect which is used:

1. The full GST rate of the Market Value; or
2. The Margin Scheme which is 10% of the difference in the valuation of the property as at 1 July 2000 and the sale price.

As the land to be sold will only be created following subdivision, the Margin Scheme cannot be used.

## **ANALYSIS**

Council has agreed to the proposed land rationalisation as an appropriate action to tidy up boundaries adjoining and created by the Orchard Avenue road reserve and to facilitate the shopping centre development. It is suggested that the valuation is commercially sound and of advantage to the City at \$201/m<sup>2</sup>.

## OPTIONS

1. Council could agree to accept the value of the land that is the subject of the rationalisation, resolve to sell the portion and progress the disposal of the City's 280m<sup>2</sup> portion by private treaty to Westzone, authorise the advertising of the disposal according to the requirements of section 3.58 of the Local Government Act 1995 and grant delegation to the CEO to sign the Offer and Acceptance for the amounts of \$56,280 (sale price for the City's land) and \$18,090 (purchase price of Westzone's land);
2. Council could resolve not to accept the valuation and seek a further valuation prior to progressing the matter.

## CONCLUSION

The valuation provided appears to be in keeping with the valuation of other land in the immediate vicinity that is the subject of rationalisation between the State Government and Westzone. It is suggested that the price is appropriate and that the sale be progressed by private treaty according to the requirements of section 3.58 of the Local Government Act 1995. Accordingly Option 1 is preferred.

## D8/01/07            RECOMMEND

### That Council:

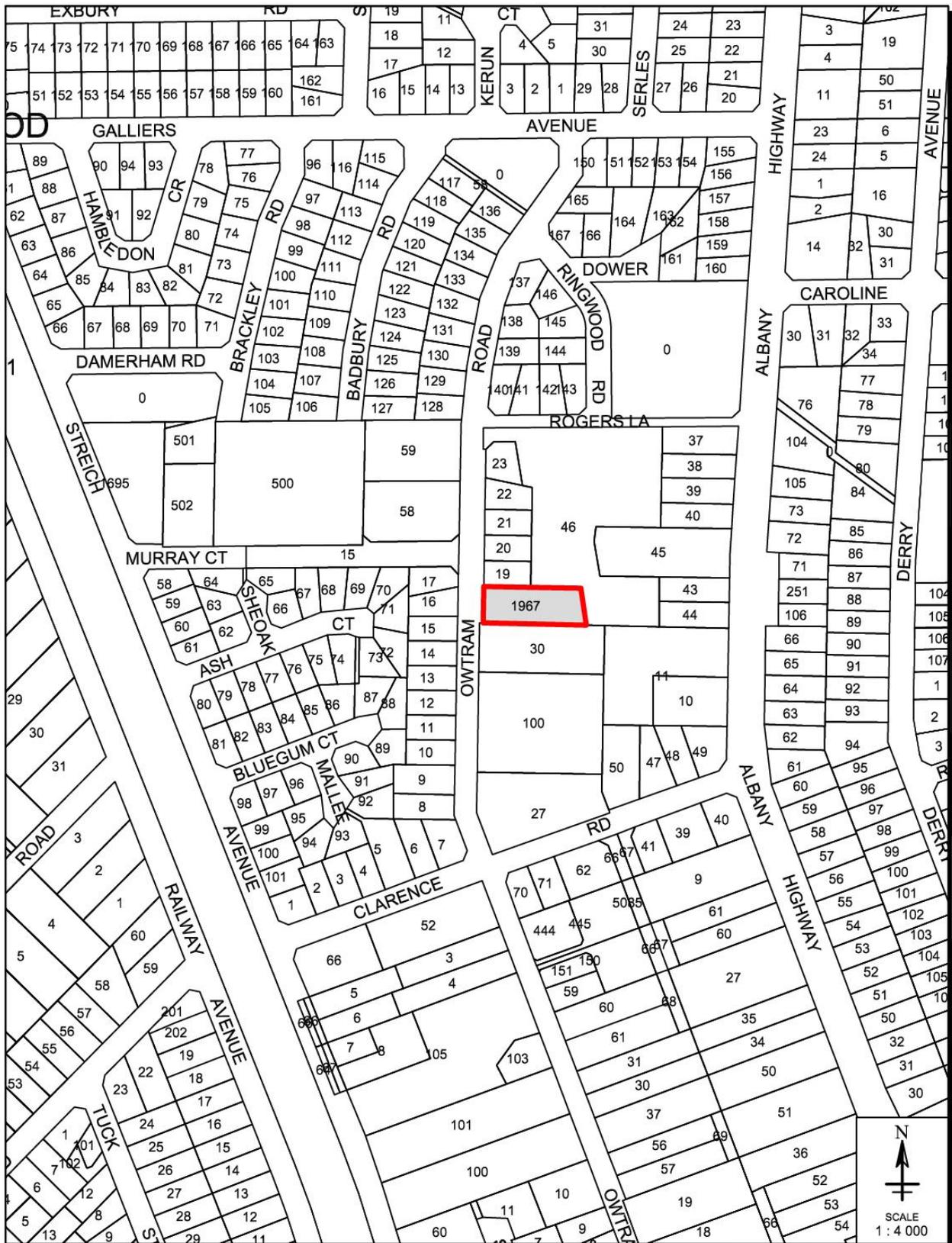
1. **in relation to the proposed rationalisation of land holdings involving Westzone Enterprises Pty Ltd's shopping centre development in the vicinity of Orchard Avenue and Neerigen Street, Armadale and more particularly, the related land sale:**
  - a) **authorise pursuant to Section 3.58(3) and (4) of the Local Government Act 1995, the sale by private treaty of a portion (280m<sup>2</sup>) of the City's Part Lot 123 Orchard Avenue, to Westzone Enterprises Pty Ltd for an amount of \$56,280 plus GST to be calculated at the full market value;**
  - b) **pursuant to section 5.42 of the Local Government Act 1995, delegate to the Chief Executive Officer the authority to:**
    - i) **sign, on Council's behalf, the Offer and Acceptance in relation to the sale of land referred to in part (a) of this recommendation;**
    - ii) **give local public notice of Council's intent to sell 280m<sup>2</sup> of Council Part Lot 123 Orchard Avenue by private treaty; and**

- iii) **barring any public submissions being received in response to the giving of local public notice, conclude the land sale referred to in part (1) of this recommendation. Should any submissions be received, then the matter be referred to Council for consideration.**
  
- 2. **in relation to the proposed rationalisation of land holdings involving Westzone Enterprises Pty Ltd's shopping centre development in the vicinity of Orchard Avenue and Neerigen Street, Armadale and more particularly, the related land purchase:**
  - a) **pursuant to Section 5.42 of the Local Government Act 1995, delegate to the Chief Executive Officer the authority to sign on Council's behalf, the Offer and Acceptance for the purchase of a portion (90m<sup>2</sup>) of Lot 112 Neerigen Street Armadale, owned by Westzone Enterprises Pty Ltd, for an amount of \$18,090 plus GST.**
  
- 3. **in relation to parts (1) and (2) of this recommendation and pursuant to Section 6.8 of the Local Government Act 1995,**
  - a) **authorise the following expenditure:**
    - **Purchase of Land –**
      - portion of Lot 112 Neerigen Street **\$18,090**
    - **Transfer to Land Acquisition Reserve Account** **\$38,190**
  
  - b) **amend the 2006-07 Annual Budget as follows:**
    - Expenditure**
      - **Purchase of Land –**
        - portion of lot 112 Neerigen Street **\$18,090**
      - **Transfer to Land Acquisition Reserve Account** **\$38,190**
    - Income**
      - **Sale of Land –**
        - portion of part lot 123 Orchard Avenue **\$56,280**

**\* ABSOLUTE MAJORITY REQUIRED**

MOVED Cr Knezevich  
MOTION CARRIED (7/0)

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**LOCATION PLAN**  
LOT 1967 OWTRAM ROAD, ARMADALE

**\* PROPOSED SALE BY PRIVATE TREATY OF LAND PREVIOUSLY KNOWN AS RESERVE 27571 OWTRAM ROAD, ARMADALE**

WARD : MINNAWARRA  
FILE REF : A181644  
DATE : 27 December 2006  
REF : HC/PS  
RESPONSIBLE MANAGER : EDDS  
APPLICANT : Craig Marshall  
LAND OWNER : City of Armadale  
SUBJECT LAND : Property size 2456m<sup>2</sup>  
Map 22.04  
ZONING MRS : Urban  
TPS No.4 : Residential R15/40

**In Brief:-**

- Council has previously agreed “in principle” to dispose of Reserve 27571 to the applicant at a value assessed by the Valuer-General.
- Council now holds the title in fee simple and has received a current valuation from the Valuer-General.
- Recommend that Council agree to sell the property by private treaty to the applicant and delegate authority to the CEO to sign the Offer and Acceptance and to advertise the proposed disposal in accord with Section 3.58 of the Local Government Act 1995.

**Tabled Items**

Nil.

**Officer Interest Declaration**

Nil.

**Strategic Implications**

To enhance the qualities and benefits of our natural and built environment.

**Legislation Implications**

Local Government Act 1995  
Planning and Development Act 2005  
Transfer of Land Act 1893

**Council Policy / Local Law Implications**

Nil.

**Budget / Financial Implications**

The funds from the sale of the land will be placed in the City’s POS Trust Fund. Expenditure of the funds on POS areas will be the subject of future consideration by the Council.



**AERIAL PHOTOGRAPH**  
LOT 1967 OWTRAM ROAD, ARMADALE

### **Consultation**

- ◆ Valuer-General's Department.
- ◆ Applicant.

### **BACKGROUND**

At its meeting of 19 July 2004, Council resolved that it agrees “in principle” to progress disposal of Reserve 27571 Owtram Road, Armadale by private treaty to JL Craig Marshall on behalf of JLG & DE Marshall at the market value to be assessed by the Valuer-General.

Reserve 27571 was created in 1964 as a condition for the provision of Public Open Space (POS) on the subdivision of land on Owtram Street owned by the late Mr Lloyd Marshall. The reserve remained undeveloped and management was not vested in Council. In the City's Review of POS, Reserve 27571 was identified for cancellation and disposal.

The applicant objected to the proposed disposal, seeing it as, in effect, a resumption of land without compensation. After the land was transferred to the Crown it was not used for POS and now it has been decided it is not suitable for POS and is to be disposed of. It was contended by the applicant that this was unfair and unjust and that the land should be transferred back to the family at no cost.

The applicant raised the matter with the Minister for Planning and Infrastructure and the City's then Planning Services Manager and Administrator Planning Services attended a meeting with the Minister, the applicant and an officer of the Department for Planning and Infrastructure on 28 May 2004.

In discussion, the Minister outlined that the reserve had been taken legitimately for POS as the State recognised the necessity of recreational land being set aside under the subdivision process. The Minister also made clear that if a reserve is not wanted for its original purpose, local government can sell the land provided the proceeds of sale are used to make capital improvements to other recreational lands in the area or to purchase replacement POS. In a letter to the applicant, the Minister stated:

*“The City of Armadale has undertaken a review of various reserves that they consider are surplus to their requirements. As a result of this process they have decided that reserve 27571 should be sold and the proceeds placed in the public open space trust fund. This process is not unfair to the subdivider as the proceeds are providing for the open space.”*

The Minister advised the applicant:

*“However once the land is transferred to the City of Armadale for disposal it would be possible for them to offer this land to your mother or your father's estate at full market value. I would support the Council if they decided on this course of action. A valuation by the Valuer-General will be effected as part of the process of transferring the land to Council.”*

Reserve 27571 is included in Stage 4 and Precinct G of the City's POS Strategy. The Reserve was rezoned from "Parks & Recreation (Local)" to "Residential R 15/40" when the City adopted its Town Planning Scheme No.4. The City has now purchased the land from the State and is in a position to dispose of the land to the applicant.

The valuation of the land has been the subject of ongoing discussions with the applicant. A revised valuation was received on 22 December 2006 from the Valuer-General, which values the land at \$630,000 including GST (some \$572,727.28 excluding GST).

### **DETAILS OF PROPOSAL**

The applicant has advised that he is prepared to accept the valuation of \$630,000 and asks that the matter be progressed.

### **COMMENT**

Under the provisions of Section 3.58 of the Local Government Act 1995, land owned by Council can usually only be disposed of to:

1. The highest bidder at public auction; or
2. The person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.

However, the Act also allows the land to be sold by private treaty if, before Council agrees to dispose of the property, it:

- ◆ Gives local public notice of the proposed disposition and the property concerned (an advertisement in a newspaper circulating generally throughout the district, notice on the noticeboard and in our public libraries); and
- ◆ Invites and considers submissions on the proposed disposal.

This matter is put to Council for its consideration of the proposed purchase price and to seek approval to advertise the proposed disposal of Reserve 27571 Owtram Road, Armadale by private treaty to JL Craig Marshall on behalf of the Estate of DE Marshall under the provisions of section 3.58 of the Local Government Act 1995. Should there be no submissions received from the advertisement, it is suggested that the CEO be delegated to sign the necessary Offer and Acceptances at the valuation price. Should there be submissions on the proposed disposal of the land, the matter will be referred back to Council for consideration of any submissions.

## **ANALYSIS**

Council has previously agreed “in principle” to progress the sale of the land by private treaty to the applicant. The valuation of the land is up to date and proceeds from the disposal will be placed in the POS Trust Fund for use on the purchase of extra POS, or the improvement of existing POS, in the Precinct. The disposal of the land will therefore be of benefit to POS areas in the vicinity. Future expenditure of the funds on POS areas will be the subject of future consideration by the Council.

## **OPTIONS**

1. Council could agree to progress the disposal of the City’s Reserve 27571 by private treaty to JL Craig Marshall on behalf of the Estate of DE Marshall, authorise the advertising of the disposal according to the requirements of section 3.58 of the Local Government Act 1995 and grant delegation to the CEO to sign the Offer and Acceptance for the amount of \$630,000 including GST. Should any submissions be received from the advertising process, the matter be referred to Council for consideration.
2. Council could agree to progress the disposal of the City’s Reserve 27571 by private treaty to JL Craig Marshall on behalf of the Estate of DE Marshall, authorise the advertising of the disposal according to the requirements of section 3.58 of the Local Government Act 1995 and grant delegation to the CEO to sign the Offer and Acceptance for the amount of \$630,000 including GST. Should any submissions be received from the advertising process, the CEO be authorised to determine the submissions.
3. Council could refuse to progress the sale of the land to the applicant and put the land on the open market for sale by auction or public tender.

## **CONCLUSION**

The preparation and consideration of the City’s POS Strategy has been ongoing for several years. This land is the first of the former POS areas to be progressed to completion through the lengthy approval processes that are required by several State Government procedures and relevant legislation.

Council has already agreed “in principle” to pursue the disposal of the property to the applicant. As there is a ready purchaser for the property at the market value determined by the Valuer-General, the City will not have to seek professional assistance for the marketing of the land or contend with the advertising costs, time, agent costs and prevailing market conditions at the time of a future attempted sale. It is recommended that Council agree to dispose of the property to the applicant in accordance with the valuation from the Valuer-General as per Option 1.

**D9/01/07**

**RECOMMEND**

- 1. That pursuant to Section 3.58(3) and (4) of the Local Government Act 1995, Council authorise the sale by private treaty of the property now known as Canning location 1967 Volume 0000 Folio 0000 (previously Reserve 27571) to JL Craig Marshall on behalf of the Estate of DE Marshall for an amount of \$630,000 inclusive of GST.**
- 2. That pursuant to Section 5.42 of the Local Government Act 1995, Council delegates to the Chief Executive Officer the authority:**
  - a) to sign, on Council's behalf an Offer and Acceptance for the sum of \$630,000 (inclusive of GST) and any other necessary documentation to progress the disposal of the land to the applicant;**
  - b) give local public notice of the proposed disposal by advertising in both local newspapers according to the provisions of section 3.58 of the Local Government Act 1995 seeking submissions; and**
  - c) barring any public submissions being received in response to the giving of local public notice, in which case the proposed sale is to be referred back to Council, conclude the land sale referred to in part (1) of this recommendation.**
- 3. That the Council note that GST is to be calculated at the full GST rate of the market value for the property.**
- 4. That the Council note that the proceeds of the sale of the property now known as Canning location 1967 Volume 0000 Folio 0000 (previously Reserve 27571) be credited to the City of Armadale's POS Trust Fund.**

**\* ABSOLUTE MAJORITY REQUIRED FOR PARTS 1 & 2**

MOVED Cr Knezevich  
MOTION CARRIED (7/0)

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**VACANCY FOR WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION MEMBER – WA PLANNING COMMISSION INFRASTRUCTURE COORDINATING COMMITTEE**

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WARD : ALL  
DATE : 3 January 2007  
REF : HC  
RESPONSIBLE MANAGER : EDDS

**In Brief:-**

- WALGA is seeking nomination to fill the position of -
  - WALGA Member –  
WAPC Infrastructure Coordinating Committee.

**DETAILS OF PROPOSAL**

Notification has been received from the Western Australian Local Government Association inviting Council to submit nomination/s for appointment of a Western Australian Local Government Association Member to the WAPC Infrastructure Coordinating Committee.

*A copy of the Nomination Forms and details are at Attachment “A3” of the Agenda.*

*There being no nomination from members present, Committee resolved to refer the matter to the Council Meeting of 15 January 2007 for nomination.*

**D10/01/07 RECOMMEND**

**That no nomination be made for the position of Western Australian Local Government Association Member – WAPC Infrastructure Coordinating Committee.**

MOVED Cr Zelones  
MOTION CARRIED (7/0)

*Council resolved at its Ordinary Meeting on 15 January 2007 that no nomination be made for the position of Western Australian Local Government Association Member – WAPC Infrastructure Coordinating Committee.*

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**VACANCY FOR WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION MEMBER – WA PLANNING COMMISSION STATUTORY PLANNING COMMITTEE**

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WARD : ALL  
DATE : 3 January 2007  
REF : HC  
RESPONSIBLE : EDDS  
MANAGER

**In Brief:-**

- WALGA is seeking nomination to fill the position of -
  - WALGA Member –  
WAPC Statutory Planning Committee.

**DETAILS OF PROPOSAL**

Notification has been received from the Western Australian Local Government Association inviting Council to submit nomination/s for appointment of a Western Australian Local Government Association Member to the WAPC Statutory Planning Committee.

*A copy of the Nomination Forms and details are at Attachment “A4” of the Agenda.*

*There being no nomination from members present, Committee resolved to refer the matter to the Council Meeting of 15 January 2007 for nomination.*

**D11/01/07 RECOMMEND**

**That no nomination be made for the position of Western Australian Local Government Association Member – WAPC Statutory Planning Committee.**

MOVED Cr Zelones  
MOTION CARRIED (7/0)

***Council resolved at its Ordinary Meeting on 15 January 2007 that no nomination be made for the position of Western Australian Local Government Association Member – WAPC Statutory Planning Committee.***

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**VACANCY FOR WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION MEMBER – WA PLANNING COMMISSION (WAPC)**

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WARD : ALL  
DATE : 3 January 2007  
REF : HC  
RESPONSIBLE : ED DS  
MANAGER

**In Brief:-**

- WALGA is seeking nomination to fill the positions of -
  - WA Planning Commission Metropolitan Member and Deputy Metropolitan Member.

**DETAILS OF PROPOSAL**

Notification has been received from the Western Australian Local Government Association inviting Council to submit nomination/s for appointment of a Western Australian Local Government Association Member and Deputy Member for the WA Planning Commission (WAPC).

*A copy of the Nomination Forms and details are at Attachment “A5” of the Agenda.*

*Cr Zelones advised that he would like to be appointed as Member or Deputy Member of this Committee.*

*Committee recommended that Cr Zelones be nominated by Council for the position of WA Local Government Association Member or Deputy Member for the WA Planning Commission.*

**D12/01/07 RECOMMEND**

**That Cr H A Zelones be nominated by Council for the position of Western Australian Local Government Association Member or Deputy Member for the WA Planning Commission.**

MOVED Cr Hart  
MOTION CARRIED (7/0)

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**VACANCY FOR WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION  
MEMBER – SWAN RIVER TRUST**

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WARD : ALL  
DATE : 3 January 2007  
REF : HC  
RESPONSIBLE : ED DS  
MANAGER

**In Brief:-**

- WALGA is seeking nomination to fill the position of -
  - WALGA Member – Swan River Trust.

**DETAILS OF PROPOSAL**

Notification has been received from the Western Australian Local Government Association inviting Council to submit nomination/s for appointment of a Western Australian Local Government Association Member for the Swan River Trust.

*A copy of the Nomination Forms and details are at Attachment “A6” of the Agenda.*

*Committee recommended that Cr Munn be nominated by Council for the position of WA Local Government Association Member – Swan River Trust.*

**D13/01/07 RECOMMEND**

**That Cr J H Munn JP CMC be nominated by Council for the position of Western Australian Local Government Association Member – Swan River Trust.**

MOVED Cr Knezevich  
MOTION CARRIED (7/0)

***LATE ITEMS***

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Nil.

***COUNCILLORS' ITEMS***

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***Cr Hart***

**1. WAPC – Planning Approval Conditions**

Cr Hart queried the policing and monitoring of conditions placed on planning subdivision approval applications by the WA Planning Commission.

*Planning Services Manager advised that Council first needs to be nominated as the clearing authority on a condition on a subdivision approval to have a significant role in the subdivision. Approval and clearance processes are a lot more thorough now, than in the past, in regards to new estates and road construction / upgrading etc. Subdivision clearances are now monitored by staging processes by the WAPC and / or the City, where subdivision conditions need to be satisfactorily met prior to final approval.*

Executive Director Development Services advised Committee:-

- **Armadale Shopping Centre** - As of Monday, 8 January, entry into the Armadale Shopping Centre has been partially closed providing limited access to pedestrians. The City has received numerous complaints and signage regarding access entries into the shopping centre has not yet been provided. ING Development has advised that the manufacturing of signs had been delayed and that all appropriate signage will be erected over the next few days.
- **Public Access Ways - Westfield** - Correspondence has been received from the Minister for Planning and Infrastructure inviting Council to participate in an "Enquiry by Design" project in regards to the public access ways in Westfield and to explore the types of solutions that may be used to create a guide to assist the retrofitting of cul-du-sac style suburbs with similar issues.

Preliminary discussions have been held with DPI and a further meeting is scheduled on Wednesday, 10 January 2007 following which the City, through the Mayor, will be better able to respond.

- **Lot 62 Croyden Road, Roleystone** – A copy of the Caveat and Rezoning, Subdivision & Development Deed for Lot 62 Croyden Rd, Roleystone is available for Councillors viewing in the Executive Director Development Services office. Viewing arrangements can be made through the Executive Director Development Services PA.

**MEETING DECLARED CLOSED AT 8.10 PM**



<b>SCHEDULE OF SUBMISSIONS TOWN PLANNING SCHEME NO.4 - AMENDMENT NO.20</b>				
<b>NO</b>	<b>NAME &amp; ADDRESS</b>	<b>AFFECTED PROPERTY</b>	<b>RESUMÉ OF SUBMISSION</b>	<b>RECOMMENDATION</b>
1	Water Corporation	Government Agency	1.1 Comments only. Provided advice on services in area	1.1 Noted.
2	Western Power	Government Agency	2.1 No objection. Provided advice on services in area	2.1 Noted.
3	Karen Drummond 11 Tuck Street Armadale	Nearby resident	3.1 Not supported for three reasons: - Land is used to exercise dogs and other recreation. - Trees on the land are just beginning to get established. The endangered red tailed cockatoos use the trees. - Will increase traffic and reduce parking availability for special events 3.2 Comments about location and size of advertising signs.	3.1 Dismiss. There is adequate public open space nearby. The land's location abutting arterial roads and shape of Lots 143 and 144 make the land unsuitable as a public open space area. The trees on the land are not significant and are unlikely to impact on wildlife. Alternative parking arrangements could be made. 3.2 Proposal advertised in accordance with relevant Legislation and Council procedures.
4	FT Nancarrow 29 Abbey Road Armadale	Nearby resident	4.1 Oppose options 1 and 2. Support Option 3. 4.2 Wishes to develop No 29 & 33 for units 4.3 Suggests various traffic improvements in locality.	4.1 Deferred. Further report to Council to consider options for alignment of Abbey Road. 4.2 Noted. 4.3 As per 4.1 above.
5	Alinta Gas	Government Agency	5.1 Provided advice on services in area.	5.1 Noted.
6	Main Roads WA	Government Agency	6.1 No Comment on proposed rezoning. Advise that approval required is a new road connection is proposed. Recommend that MRWA be consulted prior to finalisation of the amendment if a new road connection to Armadale Road is proposed.	6.1 Deferred pending further discussion with MRWA. Further report to Council to consider options for alignment of Abbey Road.
7	E & M Longyear 6 Robinhood Ave Armadale	Nearby resident	7.1 Object to loss of open space. Land would be used if developed into a park. 7.2 Concerned about loss of parking during major functions/events.	7.1 Dismiss. There is adequate public open space nearby. The land's location abutting arterial roads and shape of Lots 143 and 144 make the land unsuitable as a public open space area. 7.2 Alternative parking arrangements could be made.

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**DETAILED COMMENTS TO THE ARMADALE REDEVELOPMENT AUTHORITY –  
WUNGONG URBAN WATER REDEVELOPMENT AREA**

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**The Master Plan:**

*General*

- ◆ The suitability of locating the town activity centre within Area F so close to the conservation category wetland should be reconsidered.

*Road Network and Transport*

- ◆ While the principle of having the Avenues is supported, there remains uncertainty on how the Avenues will be designed and managed and this will need to be further refined during the structure plan preparation process.
- ◆ The Traffic Report which supports the Master Plan needs to take account of through traffic (existing and future) from Armadale and the Shire of Serpentine-Jarrahdale. It is suggested that Transport consultants and the ARA meet with the City's officers to discuss this issue.
- ◆ It may be appropriate to consider the likely extension of the urban zone to beyond the ARA's boundary to ensure that roads have adequate capacity and optimal alignments are selected. This would have particular relevance for the alignment of Rowley Road. It appears that the proposed realignment of Rowley Road to provide a smoother connection in the vicinity of Hopkinson Road, as included in previous road layouts for the area, has been deleted. The proposed two right angle bends are not really appropriate for a road carrying the volumes of traffic indicated.
- ◆ The Master Plan shows too many cross roads which will inevitably end up requiring roundabouts. As such it is not in general conformance with Liveable Neighbourhoods guidelines.
- ◆ The suitability of the right angle bend at the end of Wungong Road should be considered.
- ◆ The Master Plan shows too many cross roads for relatively high volume roads which will inevitably end up requiring roundabouts. As such it is not in general conformance with Liveable Neighbourhoods guidelines.
- ◆ For the above and other reasons the ARA should consider the preparation of a road safety audit on the Master Plan road layout to ensure that the road network is properly assessed in the context of safety issues. Such an audit was usefully undertaken for the North Forrestdale structure plan.
- ◆ It is not clear whether the Master Plan accommodates the connection of Tonkin Highway and Forrest Road via a grade separated interchange or whether it just allows an overpass. Final design of the interchange is proposed to be grade separated, at a point approximately 150m south of the existing interchange and also will allow for connection from future urban zones to the west. The plan should address all of these points.
- ◆ The alignment of Forrest Road in the vicinity of Francis Xavier School may not be the optimum. Previous concept plans have shown the road to be realigned further to the south, closer to the drain. Because the road in this area will be fairly busy it will be more appropriate for it to be aligned away from the main entrance to the school.
- ◆ It would be appropriate to indicate higher density proximate to the railway line and a possible future station location in the South East corner of the Master Plan.
- ◆ With regard to the Transport Plan which underpins the Master Plan road layout a provisional assessment has identified the following matters which should be addressed.

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**DETAILED COMMENTS TO THE ARMADALE REDEVELOPMENT AUTHORITY –  
WUNGONG URBAN WATER REDEVELOPMENT AREA *cont'd...***

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- ◆ It would be better if the predicted traffic volumes could be updated to include estimates for through traffic. Whilst acknowledging the comments made in the document that such volumes of through traffic may not be able to be predicted accurately other similar studies in North West Armadale and North Forrestdale have taken a count so there would appear to be no reason why this cannot be the case.
- ◆ Estimates of traffic from the likely future urban areas to the south of the Forrestdale townsite and west of Tonkin Highway should be taken into account.
- ◆ The road cross sections proposed for district entry A and district entry B roads are not considered to be suitable for cyclists and do not match standard Liveable Neighbourhoods cross sections. "Kerbed boulevard style" roads with carriage way widths of 3.75m will not be adequate for a car to pass a cyclist.
- ◆ It appears that future traffic volumes in the area are based on generation rates determined from TravelSmart surveys. This has resulted in figures of approximately half that which we would normally use in similar areas i.e. 4.5-5 vehicles/lot/day instead of 9-10 vehicles/lot/day. Since the TravelSmart survey areas to date have generally been in areas with high levels of public transport and close to the Perth City centre it is questionable whether such rates can be justified in metropolitan fringe areas such as Wungong. If the traffic generation rates do prove to be underestimates, significant adjustments will need to be made, particularly at intersections.

*School Sites*

- ◆ The formal arrangements to secure the provision of playing fields in conjunction with the Education Department for the general community will need to be confirmed during the structure planning process. There is concern that there will be insufficient land associated with the school sites to provide for a range of sporting fields (including senior playing fields) to serve the community.
- ◆ The southernmost primary school site should be reorientated to include its playing field within the Hopkinson Road Landfill and Recycling Facility buffer. This will maximize the developable land for residential purposes and allow compatible uses in the buffer area.

*Public Open Space*

- ◆ Portions of Wungong Road are identified as Active Open Space and Wetland. As the road is already constructed the plan should reflect this.
- ◆ The primary school sites only require junior sized ovals. The City requires larger senior sized ovals, so the principle of overlapping ovals and shared facilities can not work, unless additional POS for senior ovals is allocated adjoining schools sites.
- ◆ Playing fields/areas should be identified on the Master Plan or there will be significant difficulties in planning and provision of such sites.
- ◆ The "active open space" identified is a misnomer in view of the identified areas being insufficient for active sports.
- ◆ The Regional/District Playing fields should be marked on Master Plan, rather than being designated "design to be determined".
- ◆ Part of the private lots in the Brookwood estate are identified as open space. The POS areas should reflect the approved boundaries and existing reserves.

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**DETAILED COMMENTS TO THE ARMADALE REDEVELOPMENT AUTHORITY –  
WUNGONG URBAN WATER REDEVELOPMENT AREA *cont'd...***

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*Community Sites*

- ◆ Only two Community Centres are identified on the Plan. It can be envisaged that additional sites will be required and certainly a site within the Town Activity Centre should be identified.
- ◆ The Evelyn Gribble Community Centre (Ninth Road) is currently at capacity and will require additional land and building to serve the southern portion of Wungong Master Plan area. This item should be included as a developer contribution and the Master Plan should include additional land for Community Centre.
- ◆ The location of a Community purpose site near Rowley Road on the edge of City could be better located more central to population or near Wungong River.

*Editorial*

- ◆ The Master Plan is shown as Attachment 1 but should be Appendix 1 as referred to under S. 3.3 of the Scheme.
- ◆ The Master Plan Legend indicates "Scarred Tree" – it is queried whether this does not mean "Sacred Tree".
- ◆ Delete the words "Approved Development" on land parcel abutting Armadale Road as the approvals have expired.

**Master Plan Implementation:**

- ◆ A flexible approach should be adopted to the interpretation of the Master Plan within the individual structure plans.
- ◆ It is recommended that an Estate Architect be engaged to confirm that DAs comply with the Scheme/policy requirements prior to applications being made for building approval.
- ◆ It is not clear whether the City will inherit the obligation to complete a Sustainability Audit at the cessation of the life of the ARA. However, the compliance with the various indicators identified in the audit would have significant manpower implications.
- ◆ Consideration should be given to the long term maintenance of the public areas (particularly the Avenues and the open space areas). The principles of long term asset management need to be recognized and addressed in the subdivision approval process.
- ◆ The implications of Aboriginal sites is not clear, in particular whether specific future management requirements will be imposed on the local government.
- ◆ It should be noted that the City's Lakes Policy and Asset Management Policies will need to be incorporated into ARA's approval processes, to prevent significant ongoing maintenance costs for the City.
- ◆ Some consideration should be given to the possibility of Specified Area Rating, given the emphasis on drainage/POS management and other asset management issues. The question of community bores would need to be addressed as a long term commitment. While this may be supported in principle, the Water Corporation should be encouraged to undertake management.
- ◆ To ensure that the City's officers and Councillors are fully engaged on the key issues associated with the planning of the Wungong Master Plan area, it is suggested that briefings be held between key consultants/staff involved in the project.
- ◆ It may be appropriate to engage an independent consultant to undertake an assessment of the Urban Water Management Strategy.

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**DETAILED COMMENTS TO THE ARMADALE REDEVELOPMENT AUTHORITY –  
WUNGONG URBAN WATER REDEVELOPMENT AREA *cont'd...***

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**The Scheme**

*General*

- ◆ There is no process indicated under S.3.3 for the amendment of the Master Plan.
- ◆ Delete last word in title at S. 3.3 (Master)
- ◆ S. 3.4.5 includes a preamble which is inconsistent with the other Place Based Code objectives.
- ◆ S. 3.4.6 Active Open Space – it is doubted whether native vegetation existing on site would be retained to a significant degree in Active Open Space areas.
- ◆ S. 3.14 (2) delete “is” in line 2.
- ◆ S. 7.8(2) – the subclause (3) mentioned in this clause does not exist.
- ◆ The definition of “grouped dwelling” should refer to two *or more* dwellings.
- ◆ The definition of Multiple dwelling should refer to *one dwelling* rather than *one dwellings*.
- ◆ There should be greater consistency between definitions with City’s Scheme.

*Structure Plans*

- ◆ The ARA should have ability to prepare a Structure Plan under Clause 6.8 – this would enable the ARA to progress areas with fragmented landownership with costs recovered from landowners. This could be facilitated by insertion of the words “or ARA” after the words “an owner(s)” in Clause 6.8.
- ◆ The boundaries of the structure plan areas in some cases cut across cadastral boundaries (as they do in the case of the City’s own land). It would be preferable for the boundaries to include whole lots or be defined by clear boundaries such as roads.

*Place Based Codes*

- ◆ While the ARA is supported in aiming to provide a higher standard of design through the Place Based Codes, this should be weighed against the extent to which such an approach would further complicate development. It may be more practical to modify the Residential Design Codes, possibly by the overhaul of Elements 1 and 9 rather than develop a complete new Code.
- ◆ In view of the additional and complicated requirements resulting from the implementation of the Place Based Code, the City would support the engagement of an estate architect to confirm compliance with requirements prior to submission of applications for a Building Licence.

*Contribution Scheme*

- ◆ With respect to the proposed Developer Contribution Provisions – the principles and provisions of the North Forrestdale Contribution Scheme should be considered for inclusion in the Scheme, particularly the provisions relating to valuation and prefunding works.
- ◆ The Developer Contribution Scheme should make provision for community land and buildings as developer contribution items.
- ◆ The provision whereby any charitable body owning land in the contribution area and using it for a charitable purpose may apply for an exemption from contributions would not be appropriate within a Contribution Scheme – although subsequent rating concessions for a developed facility may be appropriate. If such a clause was included it should be accompanied by a covenant or some equivalent legal arrangement by which any change of circumstance would result in the full payment of the contributions that would otherwise have been levied.
- ◆ Provision should be made in the Contribution Scheme for facilities such as change rooms and toilets associated with public open space.
- ◆ Appendix 1 & Schedule 3 Contribution Area Redevelopment Works – “Land for POS” should specify “Land Above 10% POS”.





