

*Planning and Development Act 2005*

CITY OF ARMADALE TOWN PLANNING SCHEME NO. 4

AMENDMENT NO. 103

The Armadale City Council under and by virtue of the powers conferred upon it in that behalf by the Planning and Development Act 2005, hereby amends the above Local Planning Scheme by:

**Proposal 1 – Modify the Scheme Map by rezoning from ‘Residential R40’ to ‘Strategic Regional Centre R-AC0’, Lot 35 (9), Lot 36 (11) and Lots 1 to 4 (15A to 15D) Sixth Road, Armadale.**

**Proposal 2 – Modify the Scheme Map by rezoning from ‘Mixed Business / Residential R40’ to ‘Strategic Regional Centre R-AC0’, Lots 11 (479) to 13 (483), Lot 33 (489) and Lots 1 and 2 (493 and 495) Green Avenue, Armadale and Lot 31 (4) and Lot 32 (2) Selkirk Road, Armadale.**

**Proposal 3 – Modify the Scheme Map by recoding the area bounded by Armadale Road – except Lots 22 (91), 25 (89), 1 (69), 77 and 78 Jull Street, Armadale (north); South Western Highway, Church Avenue and the south-eastern boundaries of Lot 120 and Lot 31 (90) Jull Street, and Lot 894 and Lot 58 (4) Church Avenue, Armadale (east); Thomas Street, Church Avenue - except Lot 109 (23) Thomas Street and Lot 125 (16) Third Road, and John Street (south); and Commerce Avenue and Neerigen Street (west) from ‘R-AC3’ and ‘R80’ to ‘R-AC0’.**

**Proposal 4 – Modify the Scheme Map by recoding the area bounded by Forrest Road (south), Aragon Court (east), the southern boundary of Lot 301 Abbey Road, Armadale (north) and Abbey Road (west) from ‘R40’ to ‘R-AC0’.**

**Proposal 5 – Modify the Scheme Map by recoding from ‘R80’ to ‘R-AC0’, Lot 1, Lot 330 and Lots 301 to 302 Abbey Road, Armadale.**

**Proposal 6 – Modify the Scheme Map by rezoning the area bounded by John Street (south); South Western Highway (east); Thomas Street (north) and the south-eastern boundaries of Lot 42 (43) John Street, Lot 55 (30) William Street, Lot 59 (33) William Street, Lot 82 (30) Fourth Road, Lot 5 (29) Fourth Road and Lot 107 (22) Thomas Street, Armadale (west); from ‘Mixed Business / Residential R40’ and ‘Strategic Regional Centre R80’ to ‘Residential R-AC0’.**

**Proposal 7 – Modify the Scheme Map by rezoning from ‘Strategic Regional Centre R80’ to ‘Mixed Business / Residential R-AC0’, Lot 42 (43) John Street, Lot 56 (32) William Street, Lots 1 and 2 (52 and 54) Church Avenue, Lot 59 (33) William Street, Lot 50 (35) William Street, Lot 82 (30) Fourth Road, Lot 83 (32) Fourth Road, Lot 5 (29) Fourth Road, Lot 201 (31) Fourth Road, Lot 107 (22) Thomas Street, Lot 108 (24) Thomas Street, Lot 109 (23) Thomas Street and Lot 125 (16) Third Road, Armadale.**

**Proposal 8 – Modify the Scheme Map by recoding Lot 55 (30) William Street, Armadale from ‘R40’ to ‘R-AC0’.**

**Proposal 9 – Modify the Scheme Map by rezoning the area bounded by Church Avenue (south), South Western Highway (east), Jull Street (north) and the south-eastern boundaries of Lot 120 and Lot 31 (90) Jull Street, and Lot 894 and Lot 58 (4) Church Avenue, Armadale (west) from ‘Strategic Regional Centre R-AC3’ and ‘Strategic Regional Centre R80’ to ‘Mixed Business / Residential R-AC0’.**

**Proposal 10 – Modify the Scheme Map by rezoning Lot 22 (91), Lot 25 (89) and Lot 1 (69) Jull Street, Armadale from ‘Strategic Regional Centre R-80’ to ‘Mixed Business / Residential R-AC0’.**

**Proposal 11 – Modify the Scheme Map by rezoning from ‘Residential R15/25 – Additional Use No.19’ to ‘Mixed Business / Residential R-AC0 – Additional Use No.19’, Lot 17 (16) South Western Highway, Armadale, Lot 123 (16) South Western Highway, Armadale, Lot 157 (10) South Western Highway, Armadale and Lot 49 (4) Crystal Court, Mount Richon.**

**Proposal 12 – Modify the Scheme Map by recoding from ‘R-AC3’ to ‘R-AC0’, Lots 162 Commerce Avenue, Armadale and Lot 163 Church Avenue, Armadale.**

**Proposal 13 – Modify the Scheme Map by recoding from ‘R15/60’ to ‘R-AC0’, Lot 100 (1) Little John Road, Armadale.**

**Proposal 14 – Modify the Scheme Map by rezoning from ‘Strategic Regional Centre R80’ to ‘Parks and Recreation (Local)’, Lots 77 and 78 Jull Street, Armadale.**

**Proposal 15 – Modify the Zoning Table in Part 3 of the Scheme Text as follows:**

Use Class	Zones			
	Mixed Business / Residential (current)	Mixed Business / Residential (Proposed)	Strategic Regional Centre (Current)	Strategic Regional Centre (Proposed)
Ancillary Accommodation	X	X	D	X
Convenience Store	X	D	P	P
Display Home Centre	D	D	A	X
Grouped Dwelling	D	A	D	A
*Hospital	D	D	X	D
Multiple Dwelling	D	D	A	D

**Proposal 16 – make the following modifications to Part 4A and 4C of the Scheme Text:**

- (a) Include a new Clause 4A.4 with the following:

**“In the case of Residential R-AC0 in the Armadale Strategic Metropolitan City Centre, setbacks are to be in accordance with an approved Activity Centre Plan or Precinct Plan prepared in accordance with the requirements of the Commission’s State Planning Policy 4.2 – Activity Centres for Perth and Peel and/or State Planning Policy 7.2 – Precinct Design.”**

- (b) Include a new Clause 4A.5 with the following:

**“In the case of Residential R-AC0 in the Armadale Strategic Metropolitan City Centre, building heights are to be in accordance with an approved Activity Centre Plan or Precinct Plan prepared in accordance with the requirements of the Commission’s State Planning Policy 4.2 – Activity Centres for Perth and Peel and/or State Planning Policy 7.2 – Precinct Design.”**

- (c) Include a new Clause 4A.6 with the following:

**“For Residential R-AC0 in the Armadale Strategic Metropolitan City Centre, plot ratio is to be determined in accordance with an approved Activity Centre Plan or Precinct Plan prepared in accordance with the requirements of the Western Australian Planning Commission’s State Planning Policy 4.2 – Activity Centres for Perth and Peel and/or State Planning Policy 7.2 – Precinct Design.”**

- (d) Modify Clause 4C as follows:

**“This Part applies to the Strategic Regional Centre Zone, the Mixed Business / Residential Zone, the District Centre Zone and the Local Centre Zone, unless expressly stated to the contrary in a clause of this Part.”**

- (e) Delete Clause 4C.1.1 and replace with the following:

**“4C.1.1 – Buildings are to be setback from boundaries in accordance with an adopted Activity Centre Plan and/or Precinct Plan prepared in accordance with the requirements of the Commission’s State Planning Policy 4.2 – Activity Centres for Perth and Peel and/or State Planning Policy 7.2 – Precinct Design.”**

- (f) Include a new Clause 4C.1.2 as follows:

**“In the case of District Centres, Local Centres and Mixed Business / Residential Zones outside of the Armadale Strategic Metropolitan City Centre, buildings are to be setback having regard to any Structure Plan and/or Precinct Plan and the following criteria:**

- i. The setbacks of any adjoining or adjacent development with which the proposed building is likely to relate, and in the case of a site which adjoins land in another zone, the setback requirements for that zone;
- ii. The use or usability of the setback area, taking into consideration the nature of the adjoining street and the desirability or otherwise of direct vehicular access to that street, and from any adjoining property;
- iii. The desirability of continuous building frontages where pedestrian access is to be provided adjacent to the frontage of the building or where such access and associated pedestrian shelter would be desirable to facilitate movement between adjoining sites;
- iv. The space requirements for pedestrian access, and the need and/or desirability of segregating pedestrian access from vehicular access and parking;
- v. The desirability or otherwise of landscaping within the setback area in order to reduce any adverse visual impact associated with the proposed building façade and/or associated use of setback areas; and
- vi. The safety and convenience of pedestrian and vehicular access to the site from the adjoining street and from adjacent sites.”

**(g) Delete Clause 4C.2.1 and replace with the following:**

**“4C.2.1 – Buildings heights are to be in accordance with the adopted Activity Centre Plan and/or Precinct Plan prepared in accordance with the requirements of the Commission’s State Planning Policy 4.2 – Activity Centres for Perth and Peel and/or State Planning Policy 7.2 – Precinct Design.”**

**(h) Include a new Clause 4C.2.2 as follows:**

**“In the case of District Centres, Local Centres and Mixed Business / Residential Zones outside of the Armadale Strategic Metropolitan City Centre, building heights are to have regard to any Structure Plan and/or Precinct Plan and the following criteria:**

- i. The height of any adjoining or adjacent development, and the desirability or otherwise of maintaining consistency in relation to the height and scale of buildings within the particular centre or precinct;
- ii. In the case of a site which adjoins land in another zone, the height and setback requirements of that zone;
- iii. The effect of shading associated with the proposed development and in particular whether there will be any significant overshadowing of existing or proposed pedestrian spaces;
- iv. The need for safe and convenient pedestrian shelter, and the desirability of maintaining continuity and/or compatibility in relation to adjoining pedestrian facilities;
- v. The design of the external facades of the building, including the height of any awnings or parapets and their relationship with those of adjacent buildings; and

vi. The finished ground level proposed for the development site in relation to that of the adjoining sites.”

(j) Modify Clause 4C.3.1 to read as follows:

“Unless otherwise approved by the local government in accordance with the provisions of clause 4.5, the maximum plot ratio within the respective zones and precincts is to accord with the following standards:

- (a) Mixed Business / Residential: 1.5
- (b) District Centre Zone: 1.0
- (c) Local Centre Zone: 1.0
- (d) Strategic Regional Centre: To be determined by an approved Structure Plan or Precinct Plan.

For Mixed Business/Residential R-AC0 in the Armadale Strategic Metropolitan City Centre, plot ratio is to be determined by an approved Structure Plan or Precinct Plan.”

Proposal 17 – Modify the Table of Contents in the Scheme Text to include:

- (a) “4A.4 Setbacks in the Armadale Strategic Metropolitan City Centre”.
- (b) “4A.5 Building height in the Armadale Strategic Metropolitan City Centre”.
- (c) “4A.6 Building bulk in the Armadale Strategic Metropolitan City Centre”.

Proposal 18 – In Schedule 2 – Additional Uses, modify Additional Use No.19 to read as following:

No.	Description of Land	Additional Use	Conditions and Requirements (See Note 1)
19.	Lots 123, 157 and 17 South Western Highway and Lot 49 Crystal Court, Mount Richon.	Permitted (P) use: Mixed Uses incorporating key elements of the old Armadale Tea Rooms consisting of: <ul style="list-style-type: none"> <li>• Shop</li> <li>• Office(s)</li> <li>• Restaurant</li> <li>• Holiday Accommodation</li> <li>• Cottage Industry</li> <li>• Market</li> <li>• Motel; and</li> <li>• Showroom</li> </ul>	19.1 In determining any planning application for subdivision and development approval, the local government shall have regard to the approved Activity Centre Structure Plan or Precinct Plan.  19.2 The overall development may comprise either, a single building or multiple buildings with a common theme, and shall incorporate key elements of the Old Armadale Tearooms (Muckcross Hall) building as follows to the satisfaction of the local government: <ul style="list-style-type: none"> <li>a) the use of the building, at least in part, is to recognise the</li> </ul>

			<p>building's original function as a meeting place;</p> <ul style="list-style-type: none"> <li>b) recognition of the large open truss construction of the internal parts of the building;</li> <li>c) respect for the existing roofline and the original cladding style of the roof;</li> <li>d) materials for the existing walls may be replaced provided the appearance respects the original character; and</li> <li>e) the building could be extended out the back and side, provided the outline of the façade and roofline, as visible from the Albany Highway approach into Armadale, retains its character and shape.</li> </ul> <p>19.3 A Traffic Management Plan addressing site access and car parking both on and off site will need to be prepared and implemented, to the satisfaction of Council, as part of any development application for redevelopment of the land.</p> <p>19.4 Vehicular access to Crystal Court shall be limited to residential uses only and may require a traffic study prior to Council granting approval.</p> <p>19.5 In preparing and/or assessing any planning application for development approval, the applicant and the local government should consider the possible provision of access for vehicular and pedestrian movement and parking, together with drainage, where applicable over the adjacent Lot 100 (Pioneer Village Narrogin Inne premises) Albany Highway, in a manner satisfactory to the Local Government to ensure safe, convenient and integrated traffic circulation. Such an arrangement may require agreement with the landowners of Lot 100 Albany Highway.</p> <p>19.6 Notification in the form of a Section 70A notification, pursuant to the</p>
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			<i>Transfer of Land Act 1893</i> (as amended) is to be placed on the Certificate of Title on Lot 17 South Western Highway, Armadale advising prospective purchasers that the lot may be affected by noise from the Water Corporation pump station on the adjoining Lot 18 South Western Highway.
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**Proposal 19 - Delete Restricted Use No.7 and Restricted Use No.8 from the Scheme Map and Schedule 3 of the Scheme Text.**

**Proposal 20 - In Schedule 3 – Restricted Uses, delete Restricted Use No.12 and replace with the following:**

No.	Description of Land	Restricted Use	Conditions and Requirements (See Note 1)
12.	Lot 1, Lot 330 and Lots 301 to 302 Abbey Road, Armadale.	<p>All land uses permissible in the Strategic Regional Centre zone shall be ‘X’ Uses, with the exception of the following Discretionary (D) uses:</p> <ul style="list-style-type: none"> <li>• Holiday Accommodation</li> <li>• Hotel</li> <li>• Multiple Dwellings</li> <li>• Reception Centre</li> <li>• Restaurant</li> <li>• Small Bar</li> <li>• Tavern</li> <li>• Motel</li> <li>• Exhibition Centre</li> </ul> <p>The following land use is to be an (A) use:</p> <ul style="list-style-type: none"> <li>• Grouped Dwellings</li> </ul>	<p>12.1 Development shall be in accordance with an approved Activity Centre Plan or Precinct Plan.</p> <p>12.2 No vehicular access permitted from Armadale Road.</p> <p>12.3 Reception Centre, Restaurant, Tavern, Exhibition Centre and Small Bar shall only be permitted where the uses form part of an integrated Hotel / Motel / Holiday Accommodation development.</p>

**Proposal 21 – Modify the Scheme Map and the table in Schedule 3 – Restricted Uses of the Scheme Text to include a new Restricted Use No.13 as follows:**

No.	Description of Land	Restricted Use	Conditions
13	Lots 158 (19) to 162 (33), 500 (17) to 502, 153 (5 - 7) to 156 (11), 700 (3) Abbey Road, Armadale and Lots 51 (6), 800 (8), 150 (10),	The following land uses are to be an (A) use in areas prescribed as semi-active edge only in an	13.1 Development shall be in accordance with an approved Activity Centre Plan or Precinct Plan.

<p>146 (18) to 150 (10) 6 (20), 33, 12 (24) and 4 (26) Aragon Court, Armadale.</p> <p>Area bounded by and including Lot 43 (41) John Street, Lot 54 (28) William Street, Lot 60 (31) William Street, Lot 81 (28) Fourth Road, Lot 4 (27) Fourth Road and Lot 106 (20) Thomas Street, Armadale to the west; Thomas Street to the north; John Street to the south; and the South Western Highway to the east.</p>	<p>approved Structure Plan or Precinct Plan:</p> <ul style="list-style-type: none"> <li>• Restaurant</li> <li>• Convenience Store</li> <li>• Office</li> </ul> <p>The following land use is to be a (D) use:</p> <ul style="list-style-type: none"> <li>• Single House</li> </ul> <p>The following land use is to be a (A) use:</p> <ul style="list-style-type: none"> <li>• Grouped Dwelling</li> </ul>	
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**Proposal 22 – Modify Schedule 7A – Car Parking Standards of the Scheme Text to:**

- (a) Insert the following paragraph between the heading “Schedule 7A – Car Parking Standards” and the Table:

“The car parking standards for the City apply as per Table 1, with the exception of the Armadale Strategic Metropolitan City Activity Centre Structure Plan area where car parking standards apply as per Table 2.”

- (b) Insert a new heading “Table 1” above the Table.
- (c) Insert a new Table at the end of the Schedule as follows:

**Table 2 – Armadale Strategic Metropolitan City Centre”**

<b>Land Use</b>	<b>Minimum Parking Standard</b>
Residential	In accordance with Clause 6.3.3 Criteria A (Properties within 800m of a high frequency rail line and/or within 250m of a high frequency bus route) for all residential development. A minimum of one in four bays shall be designated for visitor use, which may on agreement with the City of Armadale be publicly available.
Non-Residential Uses (Office and Shop)	A capped rate of 1 space per 45m <sup>2</sup> . Reduction in car parking supply will be supported based on shared / reciprocal parking for retail and office use due to different peak periods. A minimum 10% of commercial / office and 50% of retail parking shall be designated publicly available.
Education uses (Tertiary)	15 bays per 100 FTE’s (staff and students)



Civic and Community Purpose	1 space per 50m <sup>2</sup> for community purpose and civic uses.
Other	Car parking for all other land uses is to be in accordance with Table 1.

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**Proposal 23 - Modify Schedule 7B – End of Trip Facilities for Bicycle Users by introducing the following notation:**

**“All non-residential developments that are required to provide 6 or more employee bicycle parking bays in accordance with Schedule 7B, must also provide end of trip facilities meeting the following criteria:**

- i. A minimum of one female and one male shower, located in separate change rooms or a minimum of two separate unisex showers and change rooms.**
- ii. Additional shower facilities to be provided at a rate of one shower for every 10 additional bicycle parking bays.**
- iii. End of trip facilities are to be located as close as possible to the bicycle parking facilities.”**

**Proposal 24 – Modify the Table in Schedule 8 – Development (Structure Plan) Areas of the Scheme Text, and include corresponding changes on the Scheme Map, identifying a new Development Area No.66 as follows:**

<b>No.</b>	<b>Description of land</b>	<b>Additional provisions applicable to subdivision and development</b>
<i>DA 66</i>	<p><b>Armadale Strategic Metropolitan City Centre being the area:</b></p> <ul style="list-style-type: none"> <li>▪ <b>bounded by Armadale Road (north), South Western Highway (east), John Street (south), Commerce Avenue and Neerigen Street (west);</b></li> <li>▪ <b>bounded by Armadale Road (north), Abbey Road (west), Forrest Road (south) and Aragon Court (east); and</b></li> <li>▪ <b>including Lot 100 (1) Little John Road; Lots 11 (479) to 13 (483), Lot 33 (489) and Lots 1 and 2 (493 and 495) Green Avenue, Armadale, Lots 31 (4) and 32 (2) Selkirk Road, Armadale; Lot 163 Church Avenue and Lot 162 Commerce Avenue; and Lots 17 (16), 123 (16) and Lot 157 (10) South Western Highway, Armadale, and Lot 49 (4) Crystal Court, Mount Richon.</b></li> </ul>	<b>66.1 Generally in accordance with an approved Activity Centre Structure Plan or Precinct Plan.</b>

**Proposal 25 - Modify the objectives of the ‘Strategic Regional Centre’ under Section 3.2.11 of the Scheme Text to read as follows:**

**“Strategic Regional Centre**

- (a) To designate land for future development in the Armadale Strategic Metropolitan City Centre.**
- (b) To provide a basis for future detailed planning in accordance with the structure planning provisions of this Scheme or the Activity Centres State Planning Policy.”**