

Our Reference: 3257Ltr5A

Enquiries: Daniel Martinovich

8 February 2021

City of Armadale 7 Orchard Avenue ARMADALE WA 6112

Attention: Meredith Kenny

Dear Meredith

RE: PROPOSED AMENDMENT 116 TO TOWN PLANNING SCHEME NO. 4 SOUTH FORRESTDALE INDUSTRIAL AREA, STAGE 2

On behalf of the South Forrestdale Stage 2 Landowners Group, we write to request that the City of Armadale initiate Amendment 116 to Town Planning Scheme No. 4 (TPS4).

The amendment proposes to rezone Stage 2 of the South Forrestdale Industrial Area (SFIA) from 'General Rural' and 'Industrial Development'. The amendment also proposes to update the scheme text under Development Area No.46 (DA 46) at Schedule 8 of TPS4. Additional textual provisions are required in order to address the extension of existing DA 46 over Stage 2, which presently only covers Stage 1 of the SFIA.

Accompanying the proposed amendment are the following technical reports:

- Environmental Impact Assessment (Attachment 1);
- District Water Management Strategy (Attachment 2);
- Traffic Assessment (Attachment 3);
- Bushfire Management Plan (Attachment 4); and
- Engineering / Servicing Report (Attachment 5).

BACKGROUND

Location

The amendment area ('the site') is approximately 170 ha and situated within the City of Armadale. It is strategically located with excellent access to the regional road network, with a southern boundary and interface with Rowley Road and an eastern boundary with Tonkin Highway. Lake Forrestdale is north of the site with rural residential lots to the west.

A Location Plan showing the amendment area is provided at Attachment 6.

Planning Context

An amendment to the Metropolitan Regional Scheme (MRS) to rezone the site from 'Rural' to 'Industrial' was gazetted in October 2019 (MRS Amendment 1340/57). In accordance with section 124 of the *Planning and Development Act 2005*, proposed Amendment 116 will address the current inconsistency between the MRS and TPS4 by zoning the site 'Industrial Development' under TPS4. The 'Industrial Development' zone will provide for the future subdivision and development of the land for industrial purposes in accordance with an approved local structure plan.

The key outcomes of the MRS Amendment process considered relevant to the initiation of Amendment 116 are as follows:

- The Environmental Protection Authority (EPA) determined that the MRS Amendment should not be assessed under Part IV Division 3 of the *Environmental Protection Act 1986*. As part of its advice, the EPA acknowledged that the future zoning under TPS4 would require preparation of a structure plan and confirmed it's expectation that "a future local scheme amendment will include text provisions to address the requirements for the appropriate buffer between the industrial development and adjacent conservation areas. This text should specifically address retention management, revegetation, access, road layout, fire management and drainage to ensure no negative impacts to Forrestdale Lake and CCWs."
- The final version of the MRS map (refer Attachment 7) responds to the environmental features on the adjoining land to the north and west, specifically Forrestdale Lake, Bush Forever site 345 and Conservation Category Wetlands (CCWs). Whilst the lodged MRS Amendment originally proposed to rezone the entire site to 'Industrial', the final MRS Map approved by the WAPC retained the land adjoining the northern and western boundaries within the 'Rural' zone under the MRS. This was presumably to ensure that the land is not capable of development for industrial purposes thereby serving as a buffer to the offsite environmental features;
- The Department of Biodiversity, Conservation and Attractions (DBCA) in its submission noted the expectation that "a future structure plan for the area will include both the 'Industrial' and 'Rural' zoned portions and that appropriate buffers to the conservation areas and wetlands will be identified at that time."

Underpinning the MRS amendment at a strategic level of planning, the Western Australian Planning Commission's (WAPC) *South Metropolitan Peel Sub-regional Planning Framework's* ('the Framework) identifies the site as 'Industrial Expansion'.

Stage 1 of the SFIA abuts the southern and south-eastern boundaries of the site and comprises the remaining land within the broader SFIA. Stage 1 is already zoned 'Industrial Development' with a draft structure plan prepared and advertised. The structure planning processes for Stage 1 and Stage 2 will provide a framework for the coordinated development of the SFIA in accordance with its strategic identification under the Framework.

The land to the north and west of the site is reserved for 'Parks and Recreation' under the MRS in association with its environmental attributes as referenced above. These are discussed in further detail under the 'Offsite environmental features' heading below.

SITE CHARACTERISTICS

Onsite environmental features

The site is mostly cleared in association with its historical and ongoing agricultural activities. As such, there are minimal environmental features on the site with only scattered trees remaining. A Site Plan showing the amendment area is provided at Attachment 8.

The Environmental Impact Assessment (EIA) (refer Attachment 1) prepared by Bioscience comprehensively assesses and documents the sites environmental characteristics, concluding that the site has few remaining environmental features due to its use for farming activities. The EIA recommends that mature native trees should be retained where possible and that drainage infrastructure in association with development may present an opportunity to restore some vegetation types which were formerly present. Zoning the land 'Industrial Development' as proposed provides for the following processes to implement the recommendations of the EIA:

- A further Environmental Assessment Report (EAR) will be prepared to support the local structure plan. This will identify any mature native trees for retention as well as the measures to retain and protect them;
- A Local Water Management Strategy (LWMS) will be prepared based on a structure plan
 design that identifies the locations of drainage areas and demonstrate strategies to
 manage matters such as groundwater levels and quality, surface water quality and the
 detention/retention of stormwater; and
- Based on the findings of the EAR and LWMS, the structure plan map will spatially identify
 areas for development and areas for local reserves in association with the retention of
 native vegetation and drainage.

Offsite environmental features

The site is located within proximity of offsite environmental features that require consideration as part of this amendment as well as the subsequent local structure planning process. The environmental features are summarised as follows:

- Forrestdale Lake to the north of the site;
- Bush Forever site 345 to north and west of the site;
- Conservation Category Wetlands (CCWs) within Bush Forever site 345 to the north and west; and
- Resource Enhancement Wetlands (REWs) on the eastern boundary of lot 10 and northeast of the amendment area.

Forrestdale Lake

Located within the MRS Reserve to the north of the site, Forrestdale Lake is a Ramsar Wetland and subject to its own conservation plan. Development of the site for industrial purposes will not have a direct physical impact on Forrestdale Lake given the separation distance (approximately 215m) between the lake and the land zoned 'Industrial' under the MRS. Notwithstanding the physical separation, the District Water Management Strategy (DWMS) prepared by Bioscience (refer Attachment 2) considers the hydrology of the site under an industrial land use scenario and its potential relationship with Forrestdale Lake.

The DWMS was approved as part of the MRS Amendment process where the development of the site for industrial purposes was considered and supported. Whilst the document is referred to as a DWMS, it covers an area of approximately 190 hectares which is more typical of a local structure plan size as compared to a 'district' structure plan. With the exception of referring to a specific drainage design - which can only be addressed at the local structure plan stage - the DWMS provides a comparable level of detail to an LWMS in terms of site analysis and management strategies.

With specific reference to Forrestdale Lake, the DWMS contains a detailed "overview of the management of Forrestdale Lake, identifying the various studies and investigations used to understand the system." Through this detailed analysis, the approved DWMS concludes that water levels in Forrestdale Lake are rainfall-driven with very little interaction with the local and regional groundwater system.

Under a pre-development scenario, Figure 18 'Predevelopment Modelling Results' of the DWMS shows that the site predominantly drains in a southerly direction and does not drain towards Forrestdale Lake. Two small surface water catchments drain in a north-easterly direction towards offsite CCWs and REWs, but not towards Forrestdale Lake. Importantly, the subsequent LWMS that will support the structure plan will need to maintain this pre-development scenario i.e. no surface water draining towards Forrestdale Lake. As the DWMS determined that Forrestdale Lake water levels are driven by rainfall, development of the site for industrial purposes can be appropriately managed so that pre-development surface water volumes / quality (to be documented in the LWMS) will not impact Forrestdale Lake.

Bush Forever Site 345

Bush Forever site 345 predominately coincides with the MRS Parks and Recreation Reserve, with a smaller portion located within the western half of lot 12 and within the 'Rural' zone. Development of the site for industrial purposes does not impact the Bush Forever site, which is predominantly reserved and located outside of the amendment area. The portion of Bush Forever site 345 that is located on lot 12 is not covered by the proposed amendment and will remain in the 'Rural' zone i.e. the 'status quo' will be maintained.

The proposed scheme text will require the preparation of a buffer management plan that outlines the management response to the buffer areas located between the industrial land and the Bush Forever site.

Conservation Category Wetlands

As outlined above, a small surface water catchment drains towards CCW 7383 located on the adjoining land to the north-east and within the MRS Reserve. The post-development scenario can either be engineered such that all surface water drains in a southerly direction and away from the CCW (as per the predominant characteristics of the site) or alternatively, pre-development flows can be maintained in this direction with water quality suitably managed. This response will be documented as part of the LWMS that will accompany the structure plan.

Resource Enhancement Wetlands

REW 15796 is located within an unmade road reserve abutting the eastern boundary of lot 10. The subsequent structure plan will maintain an appropriate buffer to the REW and implement any strategies outlined in the buffer management plan.

A small surface water catchment drains towards REW 7537 located on the adjoining land to the north-east and within the MRS Reserve. The post-development scenario can either be engineered such that all surface water drains in a southerly direction and away from the REW (as per the predominant characteristics of the site) or alternatively, pre-development flows can be maintained in this direction with water quality suitably managed. This response will be documented as part of the LWMS that will accompany the structure plan.

Bushfire

The site is mapped as 'bushfire prone' under the Department of Fire and Emergency Services 'Map of Bushfire Prone Areas'. Accordingly, a Bushfire Management Plan has been prepared to support this amendment proposal and is included at Attachment 4. The BMP assesses the potential risk of bushfire in relation to the site and concludes that the potential risks can be suitably managed under an industrial land use scenario.

A subsequent BMP will be required at the local structure plan stage in accordance with State Planning Policy 3.7 – 'Planning in Bushfire Prone Areas'. This BMP will provide additional details regarding the management of the potential bushfire risks based on a concept plan design.

Hydrology

The surface water characteristics of the site are outlined in the preceding sections and documented in further detail within the DWMS (refer Attachment 2).

In terms of groundwater, the DWMS identifies the site as having a high groundwater which needs to be managed as part of the development of the site. This can be managed through typical response measures such as the importation of fill to achieve the necessary separation to groundwater and the installation of sub soil drainage. These management strategies will be detailed as part of the LWMS that will accompany the local structure plan.

Movement and Access

A Traffic Impact Assessment (TIA) was prepared to accompany the MRS Amendment and forms Attachment 3 to this amendment request. Using high-level trip generation assumptions, the TIA assesses the ability for the external road network to support post-development traffic volumes from Stage 2, concluding that the additional volumes can be accommodated.

The MRS Amendment process resolved a number of key traffic considerations for Stage 2, specifically it:

- Confirmed the area of land required for the widening of Rowley Road by retaining this land within the 'Rural' zone:
- Confirmed the location of the Stage 2 intersections with Rowley Road; and
- Confirmed the land required to accommodate a four-way roundabout at the intersection of Rowley Road and Blair Road by retaining this land within the 'Rural' zone. This full movement intersection will be the primary access into Stage 2 from Rowley Road and will be further documented as part of the local structure plan.

As the proposed amendment to TPS4 is a rezoning process the same as the MRS amendment, there is no further traffic information that can be documented and assessed at this stage. A subsequent and more detailed TIA will be prepared as part of the future structure plan process once a concept design has been prepared for the site. This will address maters such as key road alignments, cross sections and updated land use assumptions that will inform updated traffic modelling and intersection analysis.

This outcome is assured by the DA 46 scheme text which requires that a "transport assessment shall be prepared in accordance with Western Australian Planning Commission Guidelines" at structure plan stage.

AMENDMENT DETAILS

Part 5, Clause 34 (i) of the *Planning and Development (Local Planning Scheme) Regulations 2015* ('the Regulations') states that a local scheme amendment is defined as 'standard' where the amendment is consistent with:

- any local planning strategy for the locality.
- the region planning scheme.
- an applicable structure plan for the land.
- poses minimal impact on land in the area which is not subject to the amendment.

As the proposed amendment will address an existing inconsistency between the MRS and TPS4, Amendment 116 is suitably defined as a 'standard' amendment.

Amendment to the Scheme Map

The TPS4 Map will be amended to rezone Stage 2 of the SFIA from 'General Rural' to 'Industrial Development'. Development Area 46 will also be extended from Stage 1 of the SFIA to include Stage 2, thereby making the additional requirements for DA 46 applicable to Stage 2.

The TPS4 Zoning Plan that shows both current and proposed zoning is provided at Attachment 9. The land proposed to be zoned 'Industrial Development' is generally consistent with the land zoned 'Industrial' under the MRS with one key difference. It is proposed to include the buffer areas to the north and west (i.e. the land retained as 'Rural' under the MRS) within the 'Industrial Development' zone so that the buffers and associated management strategies can and will be addressed as part of the subsequent structure planning process. If the buffer areas were excluded from the 'Industrial Development' zone, then the structure plan would not be able to incorporate the requisite management responses for these areas. Including the buffers within the 'Industrial Development' zone will allow for an appropriate management and design response to be provided at structure plan stage, which is consistent with the following elements of the MRS assessment process:

- DBCA's submission on the MRS Amendment noted an expectation that the future structure plan would include the 'Rural' zoned portions to allow for the identification of appropriate buffers;
- The DPLH commented that the boundaries of the MRS Amendment "require further consideration as part of a future omnibus amendment process…". Including the 'Rural' zoned areas within a subsequent local structure plan will provide a mechanism to further refine the buffers as intended by the WAPC;

• In its decision to 'not assess' the MRS Amendment, the EPA confirmed an expectation that the TPS4 amendment would include text provisions that require an appropriate buffer between future industrial development and the offsite conservation areas. In order for any scheme text provisions to apply to the buffer areas, the buffers must be included within the 'Industrial Development' zone. In this regard, it should be noted that the inclusion of the buffers within the 'Industrial Development' zone does not imply nor intend that the buffers will be developed. This outcome is ensured by the fact that the land is zoned 'Rural' under the MRS and therefore cannot be developed for industrial purposes. Further, neither subdivision nor development can occur until a structure plan has been adopted over the site. Through the detailed planning and design process that will occur at structure planning stage, the buffer areas and the requisite management strategies will be confirmed.

Amendment to the Scheme Text

The scheme text for DA 46 at Schedule 8 – 'Development (Structure Planning) Areas' of TPS4 will be modified to include Stage 2 of the SFIA in addition to Stage 1. The 'additional provisions applicable to subdivision and development' column is also proposed to be expanded in order to outline matters that specifically relate to Stage 2. The proposed scheme text (as amended) is as follows:

SCHEDULE NO. 8 - DEVELOPMENT (STRUCTURE PLANNING) AREAS

No.	Description of land	Additional provisions applicable to subdivision and development	
DA 46	South Forrestdale Industrial Centre, Lots 6, 8, 10, 12 and 200 Rowley Road, Lots 5, 7, and 9 Oxley Road and Lot 5066 Kargotich Road Forrestdale (Rowley Road Industrial Area)	46.1	Subdivision and development should be generally consistent with a Structure Plan/s for Development Area 46 – Rowley Road Industrial Area to be prepared pursuant to the provisions outlined in Part 6A.
		46.2	A transport assessment shall be prepared in accordance with applicable Western Australian Planning Commission Guidelines.
		46.3	The Structure Plan/s shall make adequate provision for the rehabilitation and protection of adjoining Conservation Category Wetlands, Bush Forever land and Regional Parks and the Resource Enhancement Wetland on Lot 8 Rowley Road to the satisfaction of the Department of Water and Environmental Regulation and the local government.
		46.4	To ensure management of the environmental values adjacent the western and northern boundaries of Development Area No.46, the following information is required to accompany the Structure Plan/s: a) A Buffer Management Plan for the land zoned 'Rural' under the Metropolitan Region Scheme between the Industrial-zoned land and the adjoining Bush Forever Site 345. The Buffer Management Plan is to address the retention of any native vegetation within the buffer,

- revegetation of cleared areas, bushfire management, access and drainage. The Buffer Management Plan is to be prepared in consultation with the Department of Biodiversity, Conservation and Attractions to the satisfaction of the local authority.
- b) A Local Water Management Strategy which, in addition to standard matters, addresses the location and design of stormwater drainage features within the buffer. The Local Water Management Strategy is to be prepared in consultation with the Department of Water and Environmental Regulation to the satisfaction of the local authority.
- 46.5 The Structure Plan/s shall include the following information where relevant:
 - a) A Servicing Report detailing load demand and indicative network augmentation / reinforcement requirements for review and ratification by Western Power;
 - b) Delineate the Western Power registered easement and:
 - i. Transmission infrastructure;
 - ii. Include detailed designs and information for review, assessment and written consent of Western Power to any proposals below, if applicable, within the registered easement, in accordance with standard easement conditions:
 - Landscaping plans (including mature heights and location of species);
 - Ground level changes;
 - Permanent structures;
 - Drainage plans;
 - Conservation controls.

Supporting Documentation

As per pre-lodgement correspondence with the City of Armadale, (and with the exception of the Bushfire Management Plan), the technical reporting that was prepared to support the MRS Amendment is considered appropriate to support Amendment 116. This is because the local scheme amendment process i.e. a change to the zoning of the land, is similar to what occurred as part of the MRS amendment process. Based on the DA 46 provisions, a more detailed stage of planning is required to occur prior to subdivision or development through the preparation of a structure plan. On this basis, the scope of the local scheme amendment is comparable to the MRS amendment in terms of technical information and detail. In accordance with the textual requirements of DA 46 and the WAPCs framework for local structure plans, more detailed technical reporting will be required to support a future structure plan over Stage 2 however, preparation of such reports at this stage would be premature and would not add value to the process.

PLANNING DISCUSSION

The 'Industrial Development' zone of TPS4 is the most appropriate local scheme zoning, requiring the preparation and approval of a local structure plan to guide future development and subdivision. This is consistent with the intent for the site foreshadowed under the MRS assessment and response to advertising process.

The amended scheme text under DA 46 has been informed by pre-lodgement discussions with the City of Armadale and EPA Services (DWER).

The following provides further discussion regarding the proposed scheme text as well as the key considerations in relation to proposed Amendment 116.

Existing DA 46 provisions that will apply to Stage 2

The following 'additional provisions' that are currently listed for DA 46 are proposed to be applied to Stage 2 (in addition to Stage 1) unaltered:

- Clause 46.1 The requirement to prepare a structure plan prior to subdivision and development;
- Clause 46.2 The requirement to prepare a Traffic Impact Assessment at structure plan stage;
- Clause 46.3 The requirement for a structure plan to make adequate provision for the rehabilitation and protection of CCWs, Bush Forever land and the REW on lot 8, which is within Stage 1; and
- Clause 46.4 The requirement to prepare a detailed servicing report at structure plan stage (proposed to be renumbered to clause 46.5 as part of Amendment 116.)

The above 'additional provisions' are directly transferrable to Stage 2 and will provide for the coordinated planning of the site through the subsequent structure planning process.

Additional provisions that will apply to Stage 2

A new clause 46.4 is proposed to be inserted into the DA 46 'additional provisions' column to address matters that specifically relate to Stage 2. These primarily relate to the fact that Stage 2 shares a common boundary with the adjoining MRS Parks and Recreation reserve to the north and west whereas Stage 1 does not. Additional scheme text provisions are therefore required in order to ensure that the structure plan process provides for the appropriate protection and management of the offsite environmental values. The amended scheme text seeks to achieve this by requiring additional technical reporting and management commitments at the appropriate planning stage. Please note that the 'additional provisions' text sets out requirements for technical reports to address specific matters as relevant to Stage 2. It does not provide an exhaustive list of technical reports required to support a structure plan in accordance with the WAPCs 'Structure Plan Framework'. Only those technical reports required to address Stage 2-specific matters are specified within the scheme text, with additional reports to be prepared as per standard practice for local structure plans.

Draft clause 46.4 a) requires preparation of a Buffer Management Plan for the land zoned 'Rural' under the MRS. The 'Rural' zoned land exists between the 'Industrial' zoned land and the adjoining Parks and Recreation reserve, serving as a spatial buffer between the developable areas and the environmental features. Draft clause 46.4 a) sets out the necessary matters to be addressed within the Buffer Management Plan in accordance with the EPA's advice on the MRS Amendment and our pre-lodgement meeting. Preparation of the Buffer Management Plan will be to the satisfaction of the DBCA to ensure that the appropriate management responses are established.

Draft clause 46.4 b) sets out the requirement to prepare a Local Water Management Strategy (LWMS) at local structure plan stage. Whilst an LWMS is a standard requirement for a local structure plan, the draft scheme text sets out matters to be addressed in relation to Stage 2, specifically the location and design of drainage features within the buffer areas. Once the more detailed planning and design has been undertaken in association with the future local structure plan, the optimal location for drainage areas will be confirmed and documented within the LWMS. Importantly, a future LWMS that proposes drainage within the buffer areas will need to demonstrate measures to ensure that water volumes and quality exiting the site match the predevelopment scenario in accordance with standard practice. No specific textual provisions are proposed in this regard, given the established principles that inform preparation of an LWMS.

Conclusion

Amendment 116 to the City of Armadale's TPS4 proposes to rezone Stage 2 of the SFIA to 'Industrial Development', consistent with the current strategic planning framework and will ensure that the local scheme is consistent with the MRS.

Zoning the site 'Industrial Development' will ensure that comprehensive planning will be undertaken by way of a structure plan, which provides the mechanism to manage the relationship with adjoining environmental features, confirm drainage areas and a network of local roads. The associated provisions outlined in Schedule 8 will ensure that key site considerations will be addressed by the structure plan, responding to advice from the EPA and other referral agency comments received as part of the MRS Amendment process.

We understand that a fee of \$12,495.00 is payable (standard amendment) prior to Council's initiation of the amendment, with payment to be arranged upon confirmation of the amendment's status (i.e. standard amendment).

We look forward to the favourable consideration of our request and the subsequent initiation of Amendment 116. Should you have any queries regarding this application please contact Daniel Martinovich on 9382 1233 or via email daniel@cleplan.com.au.

Yours faithfully

DANIEL MARTINOVICH SENIOR ASSOCIATE

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CLE TOWN PLANNING + DESIGN

Enc: Attachment 1 - Environmental Impact Assessment;

Attachment 2 - District Water Management Strategy;

Attachment 3 - Traffic Assessment;

Attachment 4 - Bushfire Management Plan;

Attachment 5 - Engineering / Servicing Report;

Attachment 6 - Location Plan (CLE ref 3257-06-01);

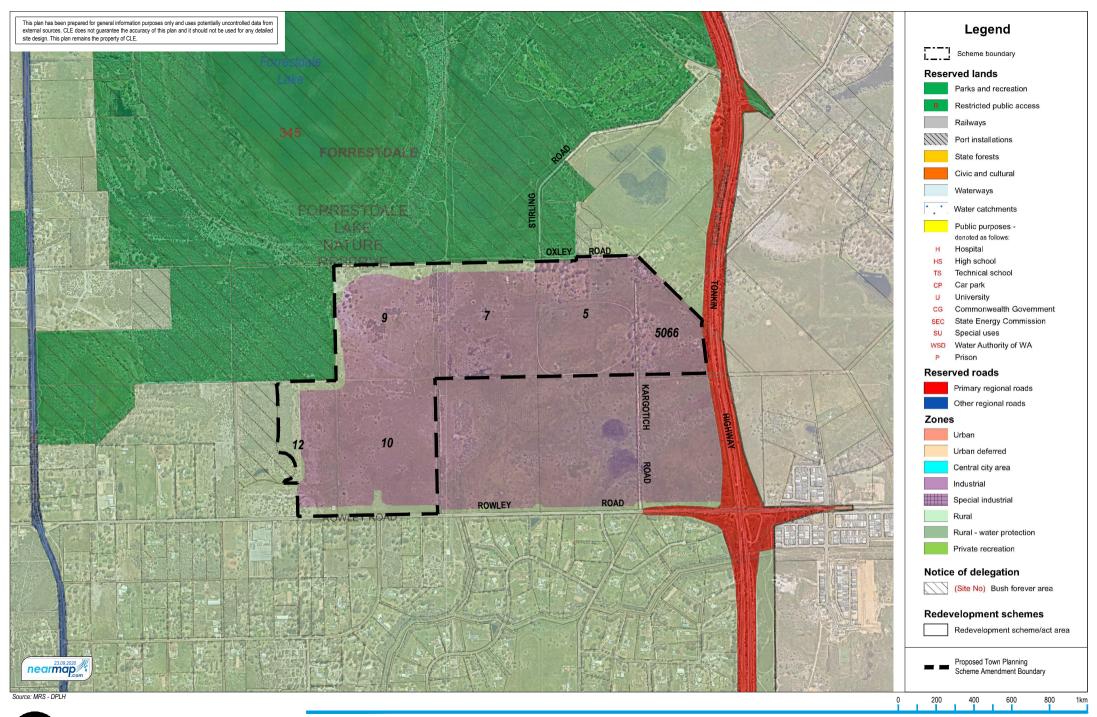
Attachment 7 - Metropolitan Region Scheme;

Attachment 8 - Site Plan (CLE ref 3257-07-01);

Attachment 9 - Town Planning Scheme No.4 - Amendment Plan (CLE ref 3257-03-01).

Environmental Impact Assessment

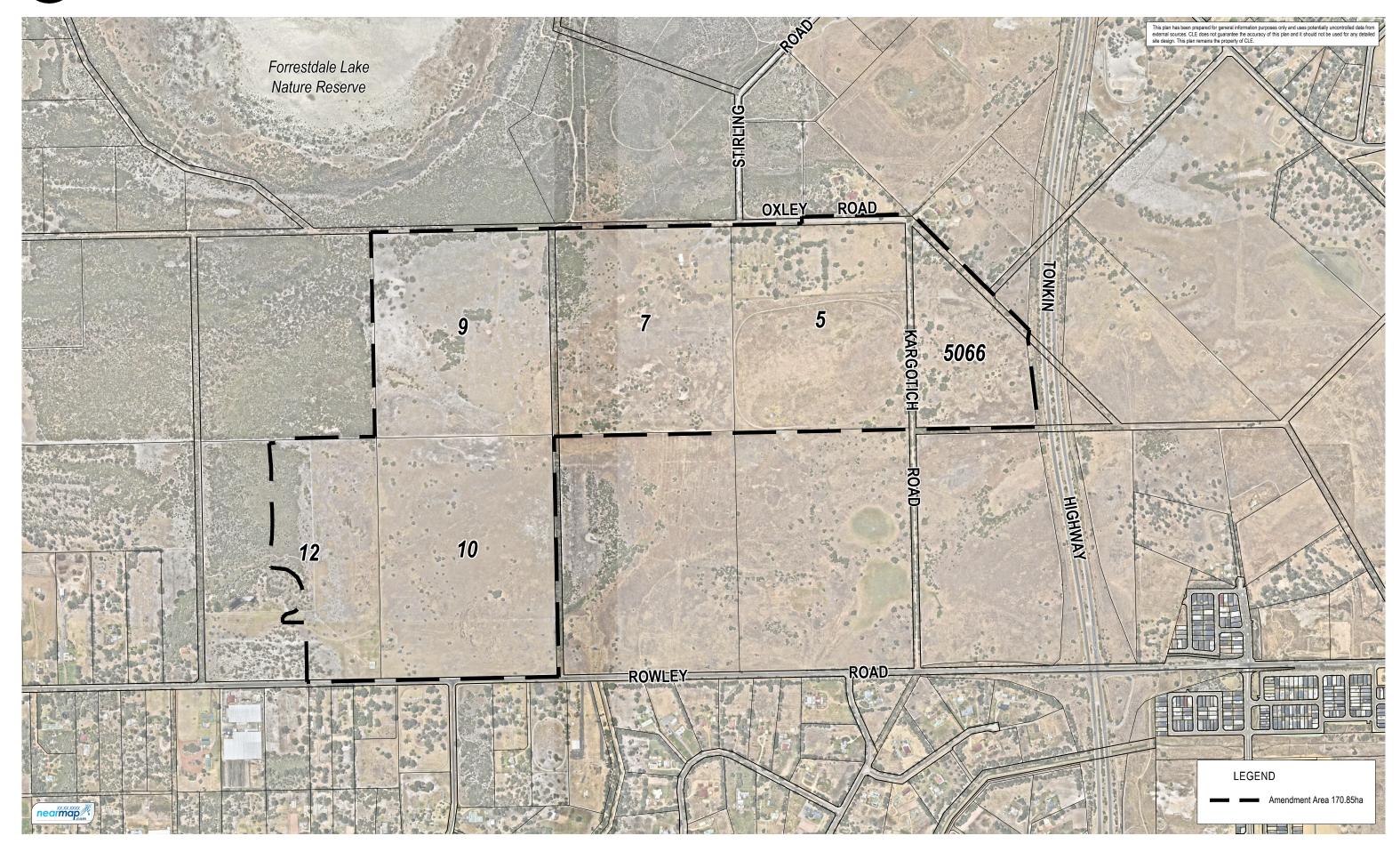
Metropolitan Region Scheme





Site Plan

CLE Town Planning + Design



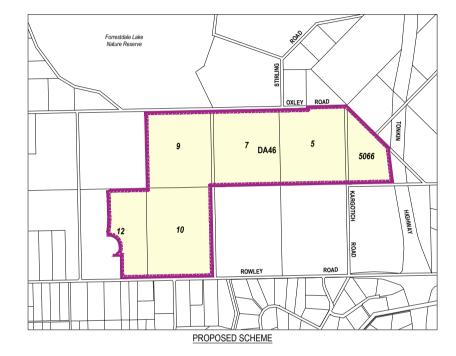
Town Planning Scheme No.4 – Amendment Plan

This plan has been prepared for general information purposes only and uses potentially uncontrolled data from external sources. CLE does not guarantee the accuracy of this plan and it should not be used for any detailed site design. This plan remains the property of CLE.



EXISTING SCHEME





LOCAL SCHEME RESERVES

Industrial Development

OTHER CATEGORIES

DA1 Development Area

Source: DPLH

CLE Town Planning + Design