



TOWN PLANNING SCHEME NO. 4

AMENDMENT NO. 116

REZONING OF LOTS 10 AND 12 (863) ROWLEY ROAD, LOTS 5 (596), 7 AND 9 OXLEY ROAD AND LOT 5066 KARGOTICH ROAD, FORRESTDAL FROM RURAL LIVING 20 ZONE TO INDUSTRIAL DEVELOPMENT ZONE.

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- A. Form 2A (Regulation 35 (1))
- B. Scheme Report
- C. Final adoption and signatures

Planning and Development Act 2005

**RESOLUTION TO PREPARE AMENDMENT TO
LOCAL PLANNING SCHEME**

CITY OF ARMADALE TOWN PLANNING SCHEME NO. 4

AMENDMENT NO. 116

RESOLVED that the local government pursuant to section 75 of the *Planning and Development Act 2005*, amend the above Local Planning Scheme by:

- a. Rezoning Lot 10 and portion of Lot 12 (863) Rowley Road, Lots 5 (596), 7 and 9 Oxley Road and Lot 5066 Kargotich Road Forrestdale from “Rural Living 20” zone to “Industrial Development” zone as shown on the Scheme Amendment map and, amend the Scheme Maps accordingly;
- b. Amend Special Control Area Map 3 to extend the boundaries of Development Area 46 to include Lot 10 and portion of Lot 12 (863) Rowley Road, Lots 5 (596), 7 & 9 Oxley Road & Lot 5066 Kargotich Road, Forrestdale; and
- c. Amend Schedule 8 Development (Structure Plan) Areas in the Scheme Text by:
 - i amending the “Description of Land” for Development Area 46 to include the land the subject of Amendment No.116 as follows:
“South Forrestdale Industrial Area” - Lots 6, 8 and 200 Rowley Rd, Forrestdale (Stage 1) and Lot 10 & portion of Lot 12 (863) Rowley Rd, Lots 5 (596), 7 & 9 Oxley Rd and Lot 5066 Kargotich Road, Forrestdale (Stage 2)”.
 - ii Amending provision 46.3 to the following:

46.3 The Structure Plan shall make adequate provision for the 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 Environmental Protection Authority and the local government through:

- i *The provision of appropriate buffers between future industrial development and the Bush Forever site and Conservation Category Wetland on Lot 12 and environmentally sensitive areas abutting the northern boundaries of Lots 5, 7 and 9 Oxley Road. The buffer areas are to be detailed on the Structure Plan. The extent/width of the buffers is to be to the satisfaction of the EPA and the DBCA.*
- ii *A Buffer Management Plan for the buffer areas determined by the EPA and DBCA. 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.

iii *At the Subdivision stage, the land identified for buffer areas is to be ceded free of cost as reserves for Public Open Space and Drainage.*

iii Adding a part c, to provision 46.4 as follows:

c. *A Local Water Management Strategy which, in addition to standard matters, addresses the location and design of any proposed 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.*

The Amendment is Standard under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reasons:

- a. Amendment No.116 is an amendment that is consistent with a local planning strategy for the scheme that has been endorsed by the Commission; and
- b. Amendment No.116 is an amendment required to the scheme so that it is consistent with a region planning scheme that applies to the scheme area.

Dated this 28th day of September, 2021

J ABBISS
CHIEF EXECUTIVE OFFICER

D32/9/21

CITY OF ARMADALE
TOWN PLANNING SCHEME NO. 4

AMENDMENT NO. 116

SCHEME REPORT

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1. DETAILS OF PROPOSAL

The City has received a request to initiate an amendment to:

- a. Rezone the area which will comprise Stage 2 of the South Forrestdale Industrial Area (SFIA) from Rural Living 20 zone to Industrial Development zone. Note: some portions of these lots that are affected by wetlands and buffers to wetlands and/or Bush Forever or other conservation areas are proposed to retain a Rural Living 20 zone.
- b. Amend Special Control Area Map 3 to extend the boundaries of Development Area 46 to include Lots 10 & 12 (863) Rowley Rd, Lots 5 (596), 7 & 9 Oxley Rd & Lot 5066 Kargotich Rd Forrestdale; and
- c. Amend Schedule 8 Development (Structure Plan) Areas in the Scheme Text by:
 - i Amending the “Description of Land” for Development Area 46 to include the lots detailed above.
 - ii Inserting a new provision 46.4 to address particular issues relating to the need for buffers between the industrial development and various environmental areas including Bush Forever Area 345 and the wetland within Stage 2.
 - iii Renumbering existing provision 46.4 as 46.5.

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

- i The amendment to the zoning will bring the Scheme into consistency with the current MRS zoning that applies to the land.

- ii 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.
- iii The associated provisions outlined in Schedule 8 will ensure that key site considerations will be addressed by the future structure plan, responding to advice from the EPA and other referral agency comments received as part of the MRS Amendment process.
- iv The landholdings subject to the amendment proposal are identified as a Priority Industrial Site for further investigation under the WAPC’s Economic and Employment Land (EELS) (non-heavy industry) Strategy 2012 and the Directions 2031 Strategy and as an Industrial Expansion Area in the Perth and Peel @ 3.5 Million South Metropolitan and Peel Sub-regional framework. The delivery of a mix of light, general and service industry and complementary commercial activities will be contemplated through subsequent structure planning; as encouraged in the State strategic planning framework.
- v The proposed amendment is timely in its submission, facilitating ongoing planning and development of the subject land, as a Priority Industrial Site, in conjunction with the delivery of residential development to the east, south and north within the Southern River/ Brookdale / Forrestdale / Wungong District Structure Plan area and beyond.
- vi The amendment will facilitate employment and economic growth within the south-east sub region and improve the quality of life for residents in the City through improved access to necessary goods, services and employment opportunities.

In support of the request for the Scheme Amendment, the following Technical Studies have been submitted:

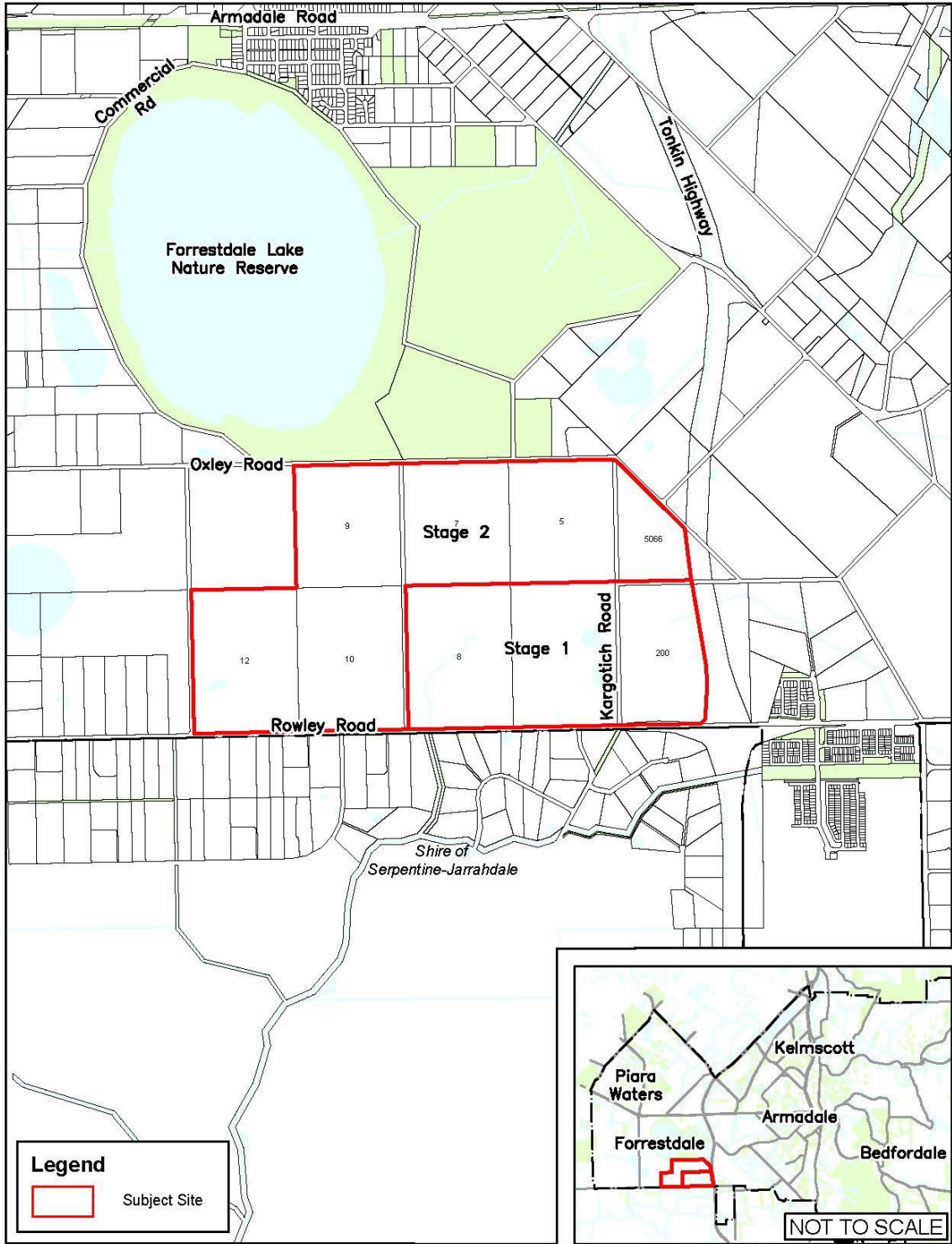
- Engineering Servicing Report;
- Bushfire Hazard Level Assessment;
- Traffic Impact Assessment;
- District Water Management Strategy; and
- Environmental Impact Assessment

2. SUBJECT LAND

Lots 10 and portion of 12 (863) Rowley Road, Lots 5 (596), 7 and 9 Oxley Road and Lot 5066 Kargotich Road, Forrestdale.

3. LANDOWNERS

Lot 10 Rowley Road Forrestdale	S & M D’Orazio
Lot 12 (863) Rowley Road Forrestdale	S Catellani
Lot 5 (596) Oxley Road Forrestdale	G Di Florio, N & M D’Orazio, I Da Prato
Lot 7 Oxley Road Forrestdale	Lot C & F Valentino
Lot 9 Oxley Road Forrestdale	R & L Roney
5066 Kargotich Road Forrestdale	D Kendrick



LOCATION PLAN
 TPS Amendment 116



DATE: 27 August 2021 - REVISION: 2102
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Boundaries shown are based on the latest available information and are not intended to be a legal description of the land. All boundaries are subject to change without notice.



4. APPLICANT

CLE Planners

5. CURRENT ZONING

MRS : Industrial, Rural

TPS No.4 : Rural Living 20

6. PROPOSED ZONING

Industrial Development and Rural Living 20. Refer to Proposed Zoning Plan

7. BACKGROUND

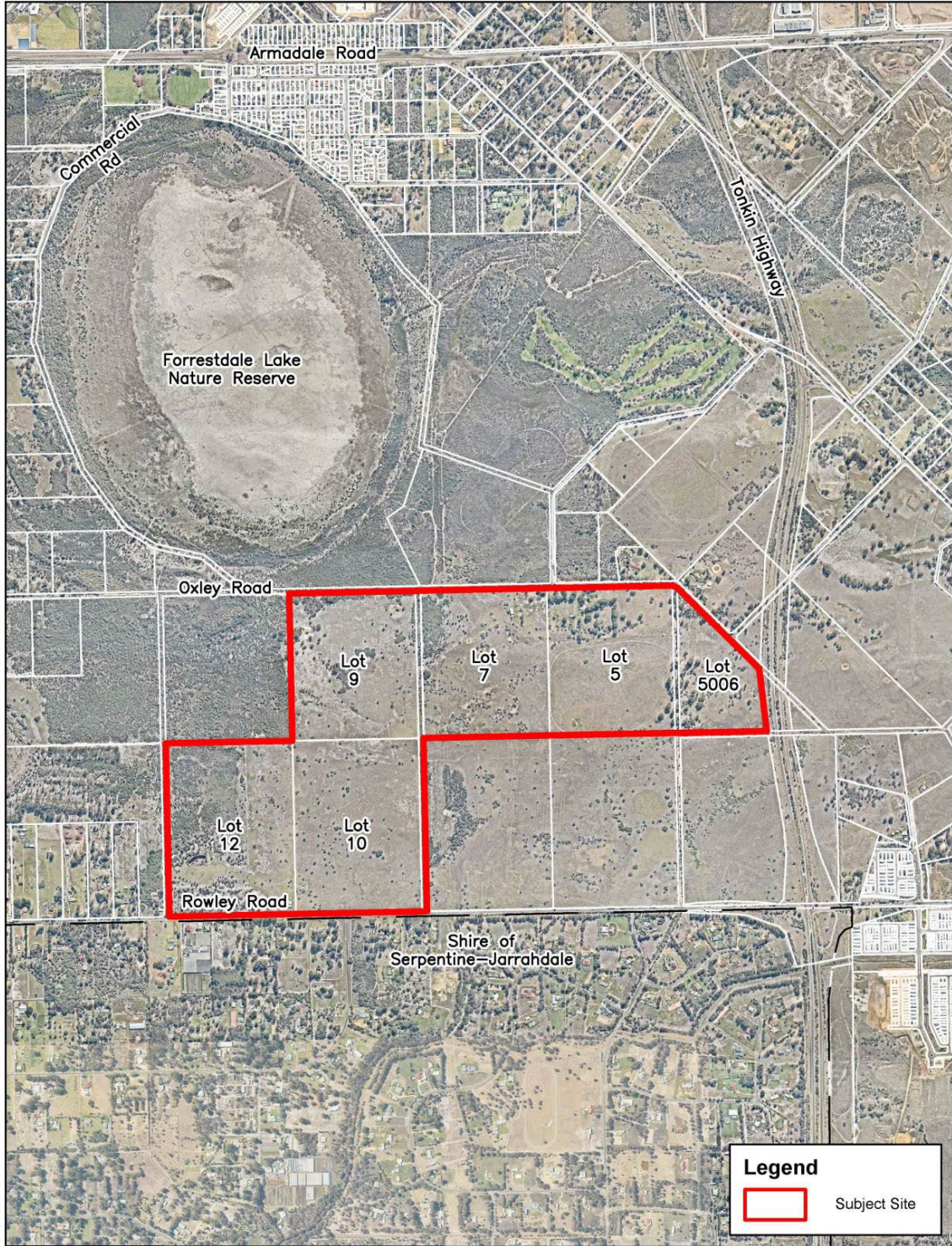
In 2009, the Government released an Industrial Lands Strategy for public comment to provide the essential strategic planning framework for industrial land use planning and development in the Perth and Peel regions over the next 20 years. In that initial 2009 Strategy, the South Forrestdale area was identified as one of six 'Priority industrial sites'. A submission on the Strategy's proposal for South Forrestdale was lodged by the City with the WAPC advocating for the prioritisation of this industrial area on the basis that providing land suitable for substantial business operations is an important element to create local economic development for the City and increase employment self-sufficiency (Refer Council Minutes 25 January 2010 D6/1/10).

In the Perth and Peel regions 43% of the labour force employment is in industrial businesses and the identification of potential industrial business sites assists in planning provision of employment opportunities to support the City's growing residential population and existing population in addition to the City's focus on Activity Centres and other employment areas.

The final report of the Strategy, produced by the WAPC, was retitled as the Economic and Employment Lands Strategy (EELS) and included the South Forrestdale site as a Priority site. In July 2015, Council considered a report on the WAPC's Perth and Peel @3.5million, which amongst other proposals, supported the designation of the South Forrestdale Precinct as an "Industrial Expansion Area", given it is consistent with the City's Local Planning Strategy, previous Council decisions and development of sites for employment and commerce are high priorities to balance the anticipated residential growth with the availability of jobs and employment. Subsequently, the WAPC's Perth and Peel @3.5 million South Metropolitan Peel – Sub-regional Planning Framework released in March 2018 included the South Forrestdale site as an "Industrial Expansion Area".

Stage 1 of the South Forrestdale Industrial Area (SFIA)

Stage 1 of the Business Park (comprised of Lots 6, 8 and 200 Rowley Road) was rezoned "Industrial" under the MRS and "Industrial Development" under the City's Town Planning Scheme No.4 in 2016. As was the case with the MRS Amendment for Stage 1 of this industrial area, the City supported the proposal for the above land to be included in the future industrial area. The development of additional potential employment centres within the City is a key objective of the City's Strategic Plan, Local Planning Strategy and Economic Development Strategy.



AERIAL PLAN
TPS Amendment 116



DATE 29 August 2021 - REVISION 2101
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Based on information provided by and with the permission of the Western Australian Land Information Authority (LIDAR) as at 1/1/2021. Aerial photography supplied by Landgate, Perth and by Newline.



All of the strategic planning processes (MRS and TPS amendments, Structure Plan) for Stage 1 of the SFIA have already been completed and a subdivision application for the first lots within Stage 1 has been lodged with the WAPC for its consideration.

Stage 2 of the South Forrestdale Industrial Area (SFIA)

An Amendment to the Metropolitan Region Scheme (MRS) rezoning the land within Stage 2 of the SFIA from “Rural” zone to “Industrial” zone was approved in October 2019. The landowners are now proposing to advance to the next stage of the planning processes to enable development of Stage 2 of the SFIA being an amendment to the City’s TPS No.4 to bring TPS No.4 into consistency with the MRS zoning that now applies to the site.

8. COMMENT

City of Armadale Development Control Unit (DCU)

The proposal was assessed by the City’s Development Control Unit and a number of comments were received from various technical teams within the City. Most of the comments related to matters to be addressed at a later stage of the Planning Process (eg the Structure Planning stage). Only those issues which need to be addressed at the Scheme Amendment stage are detailed below:

Environment Services

Environment Services advised that the Scheme Amendment needs to address both EPA and DBCA requirements for provisions addressing need for buffer between industrial development and adjacent conservation areas. Provisions are to specifically address retention management, revegetation, access, road layout, fire management and drainage to ensure no negative impacts to Forrestdale Lake and Conservation Category Wetlands.

To address the matters raised by the City’s Environment Services, modifications are proposed to provisions 46.3 and 46.4 in Schedule 8 Structure Plan Development Areas. The proposed new clause 46.4 is detailed and discussed within the Analysis section of this report.

Generally the planning processes completed for Stage 1 of the industrial area have set the standards and requirements that will apply to Stage 2 of the industrial area.

Bushfire Hazard level Assessment

The site is identified as ‘bushfire prone’ under the Department of Fire and Emergency Services (DFES) ‘Map of Bushfire Prone Areas’. Accordingly, the application includes a Bushfire Hazard Level Assessment (BHLA). The BHLA 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 through methods such as setbacks, hardstand areas, building methods and materials and using species that have low flammability and are spaced appropriately within landscaping areas.

A detailed Bushfire Management Plan (BMP) will be required at the local structure plan stage to determine the measures necessary to achieve a suitable Bushfire Hazard Level for the estate and subsequent developments within the estate in accordance with State Planning Policy 3.7 – ‘Planning in Bushfire Prone Areas’.

Servicing

Water Supply

Scheme water supply is not currently available to the land included in the South Forrestdale Industrial Area. The Servicing Report lodged with this application states that the Water

Corporation has advised the area could be served through the Armadale-Kelmscott scheme subject to supply being via 5.8km extension from the existing main on Armadale Road. All mains extensions to serve the industrial area will be at the developer's cost. Stage 2 will benefit from the Water Supply extension that will be undertaken by the developers of stage 1 of the industrial area which will bring the supply closer to Stage 2 as approval of the subdivision application for Stage 1 is imminent and works are expected to commence before the end of 2021. However, it will be up to the developers of Stages 1 and 2 to liaise with regard to cost sharing for the works, which are coordinated by the Water Corporation.

Sewer

There is no existing wastewater scheme for the subject land. The Servicing Report lodged with the application states that advice from Water Corporation (WC) is that they have previously undertaken some preliminary desktop considerations of likely servicing options for the subject land and that the land could be serviced for sewerage via a temporary pump station located at a suitable low point within the industrial area, with discharge to the east to the Armadale Pump Station 2 in Hilbert Road. The temporary pump station, pressure main and related works would be undertaken at the developers' cost but costs would likely be shared between the developers' of Stages 1 and 2.

Drainage

The Servicing Report states that the Water Corporation have advised that it is unlikely that drainage discharge to existing rural drains in the area will be permitted. The subject land falls largely within the within Peel-Harvey Catchment but a small area also drains towards two other locations within the Forrestdale Main Drain catchment and the Department of Water's Forrestdale Main Drain Arterial Drainage Study (FMDADS) has assumed rural land use only for the subject land to date.

The Water Corporation previously advised the WAPC that it was opposed to rezoning Lots 6, 8 and 200 Rowley Road to the Industrial zone under the MRS until the Department of Water had reviewed district level drainage planning for the wider area. However, the WAPC did approve the amendment as the proposal was supported by a District Water Management Strategy (DWMS) that was then progressed.

The DWMS has been prepared in liaison with the Department of Water and Environment Regulation (DWER) and proposes the following:

- Water sustainability measures including the installation of Waterwise fixtures and fittings, grey water recycling, rainwater harvesting, waterwise landscaping and use of groundwater for landscaping irrigation;
- Retention and/or detention of the 1 year, 1 hour ARI event at source for infiltration, slow release into system or reuse;
- The installation of vegetated swales, rain gardens and bioretention pockets to treat surface water before discharge;
- Pre-development runoff flow rates and paths to be maintained post development through the installation of stormwater compensating basins;
- Maintenance of pre-development flood storage volumes;
- Habitable floor levels set a minimum of 0.5m above natural waterway flood levels and 0.3m above 100year ARI stormwater levels; and

- Placement of fill and installation of subsoil drainage to provide a controlled groundwater level where required to provide adequate separation between lot levels and groundwater.

A more detailed Local Water Management Strategy (LWMS) will be required to be prepared by the applicant to support the Structure Planning process.

The drainage strategy for Stage 1 initially proposed the use of open swales in verges throughout the estate for drainage but was modified at the request of the City during the Structure Plan process due to concerns about the ability of the City to maintain open swales in verges and many issues (including maintenance costs) that had arisen in Forrestdale Business Park with the extensive use of open swales within front verges. The City supports open swale drainage in medians only and not verges fronting private property or within private property. The WAPC supported the City's stance in this regard and required modifications to the DWMS and the Structure Plan prior to approving it. Accordingly, the same requirements will be applied to Stage 2.

Power

The Servicing Report states that Western Power have advised that power supply to the industrial estate can be extended from an existing High Voltage Feeder located 1.2km to the east of the industrial estate until such time as capacity due to increased demand is exceeded at that existing feeder as a result of continuing development in the Wungong Urban area and subsequently development in the industrial estate. Western Power would have to upgrade Feeder availability in the area before this occurs. The final solution would depend on the network capacity available when a full application is submitted.

Gas

There is no gas supply infrastructure available to the proposed industrial state currently but there is capacity to extend supply from the existing gas main located east of Tonkin Highway. The developers will be responsible for the connection to the gas network if it is required.

Telecommunications

The timing for NBN installation to the industrial area is unknown, however it is expected that NBN's current policy of servicing larger scale new developments would remain and NBN could be provided in developer installed pit and pipe at the time of construction. Should NBN not wish to service the development, as the provider of last resort, Telstra would be required to service the development and this would be via a connection to the existing network in Rowley Road.

Summary on Servicing

The Servicing Report confirms that the necessary infrastructure for the development can be extended to the development however, the likely required utility upgrades to service the development include:

- Construction of a water main extension from Armadale Road.
- Construction of a sewer pump station and an approximately 4.1km long pressure main;
- Construction of a 1.2km extension to Western Power's electrical supply network;
- Construction of a 950m gas main extension;
- Implementation of recommendations contained in the DWMS for drainage management.

The Engineering Servicing Report was prepared to support the MRS Amendment in 2015. It is likely that more up to date information will improve servicing requirements and provide more detail on current requirements. An updated Servicing Report should be prepared and submitted to the City, prior to the Council considering a report on the TPS Amendment for final adoption and recommendation to the Hon Minister for Planning.

Traffic Impact Assessment

A Traffic Impact Assessment (TIA) was prepared to accompany the MRS 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 for at least four (4) lanes for Rowley Road;
- 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 (Blair Road is located on the south side of Rowley Road within the Shire of Serpentine Jarrahdale) 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 TPS No.4 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 matters such as key road alignments, road widths/cross sections and updated land use assumptions that will inform updated traffic modelling and intersection analysis.

Schedule 8 (Development (Structure Plan) Areas) of TPS No.4 contains a requirement for a “transport assessment to be prepared in accordance with Western Australian Planning Commission’s Guidelines” at structure plan stage for land within the South Forrestdale Industrial Area.

Environmental Impact Assessment (EIA)

The site is predominantly cleared as it has historically and currently been predominantly used for grazing of cattle. Tree coverage is generally scattered except for some more substantial vegetation coverage within the wetland on Lot 12, within the Western Power easement on the western side of Lot 7 and cluster of trees in the north-west corner of Lot 9 abutting the northern part of the Western Power easement.

The majority of the existing vegetation on Lot 12 is within part of Bush Forever Site 345 and the remainder is within the portion of the site that retained a Rural zoning when the MRS amendment for Stage 2 was completed. The eastern boundary of Bush Forever Site 345 follows the boundary of the portion of the Conservation Category Wetland that is on Lot 12.

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. Future Structure Planning for Stage 2 will include the preparation of a detailed Environmental Assessment Report (EAR) which will identify any mature native trees for retention as well as any measures required to be implemented to retain and protect them. This assessment will need to address the requirements of the City's Local Planning Policy PLN 2.4 Landscape Feature and Tree Preservation which identifies the criteria for retention of a significant tree/group of trees.

It is recommended that the buffer areas (Rural Living 20 zone) be required to be ceded as Crown Reserves for Conservation, Public Open Space and Drainage purposes. This would enable adequate protection for the buffers in perpetuity and enable maintenance and rehabilitation of the existing vegetation in these areas. This will also prevent them being used for purposes (rural or industrial) that may impact vegetation both in the buffers and in the adjacent Bush Forever and Regional Parks reserves. Continued use of the land for grazing purposes would damage the environmental values proposed to be protected. This requirement would need to be addressed in the Structure Plan provisions for the estate in Schedule 8 of TPS No.4.

The ceding of the buffer areas could potentially add approximately 12 hectares of land to the conservation estate in that area.

There is the potential for drainage serving the Industrial estate to be developed within the land that will form the buffer between the Industrial area and the wetland on Lot 12 and Bush Forever site 345. The potential for drainage infrastructure to be placed within the buffer areas would be developed more when the Local Water Management Strategy is prepared at the Structure Planning stage. Strategic fire breaks for the Industrial Area could also be located within the buffer areas.

There are a number of offsite environmental features adjacent to the lots included in Stage 2 that will require consideration as part of this amendment as well as the subsequent local structure planning process. These include:

- Forrestdale Lake to the north of the site;
- The remainder of Bush Forever site 345 to north and west of the site;
- The remainder of the 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.

The final version of the MRS Amendment to rezone the land within Stage 2 to Industrial zone partly addressed these matters raised by the EPA during the amendment process by retaining a Rural zone over the land adjoining the northern and western boundaries. This was to ensure that the land is not capable of development for industrial purposes thereby serving as a buffer to the offsite environmental features.

This final outcome under the MRS amendment was also consistent with the Department of Biodiversity, Conservation and Attractions (DBCA) submission on the MRS amendment where the DBCA 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."

However, there are no mechanisms within the applicant's amendment submission to enable the protection of the Bush Forever area and wetland on Lot 12. In the WAPC's final report on submissions on the MRS amendment for Stage 2 it is detailed that the owner of Lot 12 requested that the WAPC reserve the Bush Forever Site for Parks and Recreation as part of the MRS Amendment process. The WAPC's response to this in the Report on Submissions for the MRS Amendment was that the owner of Lot 12 should write to the WAPC requesting the Commission purchase the land designated as Bush Forever. Accordingly, the owner of Lot 12 wrote to the WAPC requesting that they acquire the land to which the WAPC responded, stating that they would not purchase the land and that it was of "*a regular size and shape to facilitate subdivision consistent with the Rural Living 20 zoning under the City's Town Planning Scheme*".

As a result of WAPC's response the applicant advises that Amendment 116 proposes the 'status quo' in terms of ownership and tenure of the portion of Lot 12 containing a portion of Bush Forever Area 345 and the CCW within the Bush Forever Area. The applicant advises that Amendment 116 will provide a framework for the protection of the Bush Forever Area and CCW from the potential impacts of industrial development through the establishment and management of buffers. However, it is important to consider that there are not any specific provisions included in Schedule 8 of TPS No.4 relating to the Bush Forever area on Lot 12 as it is outside the amendment area. This means that activities currently carried out on Lot 12 (grazing of cattle) could continue to the detriment of the vegetation in the Bush Forever area. In addition, as the land is zoned Rural Living, the applicant could apply for other rural land uses over the balance area of Lot 12 that could impact the Bush Forever area.

Part of Council's resolution with regard to Amendment 116 includes a requirement for the City to write to the WAPC requesting that the portion of Bush Forever Area 345 on Lot 12 be reserved for Parks and Recreation under the Metropolitan Region Scheme (MRS) through a future Omnibus Amendment to the MRS, which will enable the WAPC to acquire the land from the landowner in the future. The Council considers that this will ensure an adequate level of protection is provided to the whole of Bush Forever Area 345.

9. ANALYSIS

Town Planning Scheme No.4

The following provision of TPS No.4 requires a Structure Plan to be prepared before any development occurs in the Industrial Development zone:

4E.1 Subdivision and Development

4E.1.1 Subdivision and Development within the Urban Development Zone and the Industrial Development Zone shall be in accordance with an approved Structure Plan prepared in accordance with Part 4 of the Deemed Provisions.

Accordingly, it will be necessary to add the lots within Stage 2 to Schedule 8 of TPS No.4 under Development Area 46 so that the requirement for development to be consistent with an approved structure plan and other requirements that will need to be met by the developers can be enforced. Currently, the listing for Development Area 46 only includes those lots that

comprise Stage 1. It will also be necessary to amend Special Control Area Map 3 to extend the boundaries of Development Area 46 to include the lots comprising Stage 2.

The application report indicates that future structure planning for Stage 2 will only include those parts of the subject lots that are zoned “Industrial” under the Metropolitan Region Scheme (MRS). This is contrary to the WAPC’s determination on the MRS Amendment (1340/57) that was detailed in the submissions report for the MRS Amendment which stated as follows:

“the environmental values within and adjacent to the amendment area, including at its northern and north-western boundaries as discussed above, will need to be addressed through subsequent stages of the planning process. It is the WAPC’s expectation that future local planning scheme amendments, and structure plans will address these values and interface areas having regard to the advice of the EPA and DBCA”.

The EPA advice in the Submissions’ Report for MRS Amendment 1340/57 was that they recommended that the future City of Armadale local scheme amendment will need to contain specific mechanisms and provisions to adequately secure, protect and manage the environmental values within the amendment area. The EPA recommended that the Department of Planning, Lands and Heritage and the Department of Biodiversity, Conservation and Attractions liaise with the City of Armadale to develop appropriate mechanisms which can be included in the local scheme amendment to ensure no negative impacts to Bush Forever site 345, Forrestdale Lake and adjacent wetlands. Accordingly, the amendment text (including modifications to the existing provisions relating to the South Forrestdale Industrial Area) includes requirements for the buffers to be ceded for purposes such as conservation, recreation and drainage as determined appropriate.

It is considered that the retention of a Rural Living zoning over the portion of Lot 12 not included in the buffer areas and containing the Bush Forever Area and CCW will mean that these environmental assets will potentially be subject to further degradation and clearing as a result of Rural land uses being continued on the land. Lot 12 has been used for grazing purposes for many years and this use will be able to continue unrestricted in the future. The landowner also has the ability to seek approval for other intensive rural land uses on the balance of Lot 12 that will be outside the future Structure Plan area and the Industrial Development zone, unless the WAPC moves to provide greater protection for the area through reserving the land for Parks and Recreation under the MRS and acquiring the land containing the Bush Forever area. Also until such time as the buffer areas are ceded for Parks and Recreation there is a risk they will be further degraded through rural land uses continuing. Once the Structure Plan is in place there will be some protection for the buffer areas as they will be designated on the Structure Plan and provisions can be included in the Structure Plan restricting land uses within them until they area ceded as local reserves at the subdivision stage.

City officers and the applicant met with officers of the Department of Planning, Lands and Heritage (DPLH) to determine:

- The intentions of DPLH/WAPC in excluding the proposed buffer areas and the Bush Forever Area/Conservation Category Wetland on Lot 12 from the Industrial zone as part of the MRS Amendment.

- The rezoning of the land comprising Stage 2 of the Industrial area under the City’s Town Planning Scheme (TPS).
- What mechanisms are able to be put in place to enable the protection, rehabilitation and maintenance of the Bush Forever Area/CCW on Lot 12.

DPLH Officers advised that only the land zoned Industrial and the land identified for buffers between the Industrial Area and adjacent environmentally sensitive areas in the MRS Amendment for Stage 2 should be included in the Development (Structure Plan) Area and Amendment 116. DPLH advised that the remainder of Lot 12 should not be included in Amendment 116 and the City should not require the Bush Forever Area to be ceded as part of the Structure Plan provisions in this town planning scheme amendment.

The current details and provisions relating to the South Forrestdale Industrial Area are as follows:

<i>Schedule 8 Development (Structure Plan) Areas No.</i>	Description of Land	Additional provisions applicable to subdivision and development
46.	'South Forrestdale Industrial Centre, Lots 6, 8 and 200 Rowley Road, Forrestdale (Rowley Road Industrial Area).	<p>46.1 Subdivision and development should be generally consistent with a Structure Plan for Development Area 46 – Rowley Road Industrial Area to be prepared pursuant to Part 4 of the Deemed Provisions.</p> <p>46.2 A transport assessment shall be prepared in accordance with applicable Western Australian Planning Commission Guidelines.</p> <p>46.3 The Structure Plan 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 Environmental Protection Authority and the local government.</p> <p>46.4. The Structure Plan for Development Area No.46 - Rowley Road Industrial Area shall:</p> <p>a. include a servicing report detailing load demand and</p>

		<p>indicative network augmentation / reinforcement requirements for review and ratification by Western Power;</p> <p>b. delineate the Western Power registered easement and i transmission infrastructure;</p> <p>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:</p> <ul style="list-style-type: none"> • Landscaping plans (including mature heights and location of species); • Ground Level Changes • Permanent Structures • Drainage Plans • Conservation controls
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All of the existing provisions for Development Area 46 in Schedule 8 will apply to Stage 2 if they are not modified via Amendment 116.

It is recommended that modifications are required to provisions 46.3 and 46.4 in Schedule 8.

With regard to provision 46.4 modifications are required to address the requirement for a Local Water Management Strategy to be prepared and to address any drainage within the buffer area raised by the EPA at the Metropolitan Region Scheme Amendment stage. Accordingly, it is proposed to add a new part c. to provision 46.4 in Schedule 8 as follows:

c. A Local Water Management Strategy which, in addition to standard matters, addresses the location and design of any 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.

With regard to provision 46.3, modifications are proposed as the provision is not consistent with the outcome of the MRS amendment and does not deal with the

need for buffers between the industrial development and adjoining environmental elements, rehabilitation and management of the buffers and protection of the buffers through reserving them for public open space. Currently provision 46.3 states as follows:

46.3 The Structure Plan 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 Environmental Protection Authority and the local government.

The provision is too broadly worded such that it would require developers of the industrial area to carry out rehabilitation of lands that are not within their control such as the Forrestdale Nature Reserve, the whole of Bush Forever site 345 and other MRS Regional Reserve to the north and west of the industrial area. It is recommended that Provision 46.3 be modified to read as follows:

46.3 The Structure Plan shall make adequate provision for the 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 Environmental Protection Authority and the local government through:

- i The provision of appropriate buffers between future industrial development and the Bush Forever site and Conservation Category Wetland on Lot 12 and environmentally sensitive areas abutting the northern boundaries of Lots 5, 7 and 9 Oxley Road. The buffer areas are to be detailed on the Structure Plan. The extent/width of the buffers is to be to the satisfaction of the EPA and the DBCA.*
- ii A Buffer Management Plan for the buffer areas determined by the EPA and DBCA. 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.*
- iii At the Subdivision stage, the land identified for buffer areas is to be ceded free of cost as reserves for Public Open Space and Drainage.*

City of Armadale Local Planning Strategy 2016

The City's current Local Planning Strategy (LPS) accommodates the land use intentions identified in the Directions 2031 Strategy and the Economic and Employment Lands Strategy.

Accordingly, the proposed South Forrestdale Industrial Area is included in the LPS strategy map as an Employment Area and this supports the rezoning of Stage 2 of the industrial area to the Industrial Development zone. Specifically the LPS Activity and

Retail (Commercial) Centres Strategy Actions 1 and 8 apply to this Amendment and subsequent Structure Planning process as follows:

1. *Prepare and maintain controls over a hierarchy of activity centres and indicative floorspace quantity to ensure the centres hierarchy is maintained, while also allowing a degree of flexibility responsive to changes in community and market preferences for commercial activities and centres.*
8. *Allocate enough land for the long term floorspace potential of planned mixed use centres and ensure that developers comply.*

The following Bushfire Protection Strategy actions contained in the LPS are relevant to this amendment and subsequent planning proposals:

1. *Establish the goal of protection of life and property from bushfire attack as the highest priority in the planning of new land developments in areas with an elevated bushfire risk.*
2. *At rezoning stages designate areas determined by bushfire hazard analysis as sites of elevated bushfire risk into the TPS No.4 Special Control Area of "Prime Bushfire Hazard Protection Area" to ensure the appropriate Australian Construction Standard is applied to habitable buildings commensurate to the level of bushfire attack.*
3. *Ensure that bushfire risks and impacts in new areas of closer subdivision and development are reduced and minimised by implementing a Bushfire hazard analysis and preparation of Bushfire Management Plans in risk areas from the earliest stages in planning assessment processes at the rezoning, structure plan, subdivision and development stages.*

With regard to Action 2 above, it should be noted that the Department of Fire and Emergency Services mapping of Bushfire Prone Land supersedes this Action in the 2016 LPS. As a result it is not necessary for the City to include Bushfire Prone Land on the Special Control Area maps that are part of TPS No.4.

The following Biodiversity Strategy Actions contained in the LPS are applicable to this proposed Scheme Amendment:

2. *Balance objectives for protection and management of areas of significant local natural bushland and other natural areas with social and economic development objectives in the City's land use and development decisions.*
3. *Have regard to the management and protection of biodiversity in recommendations and decisions for land use and development, particularly in rezoning, structure plans and subdivisions.*

City of Armadale Retail (Commercial) Centres Strategy 2020

Industrial areas including the proposed South Forrestdale Industrial Area are included as Activity Centres in the City's Retail (Commercial) Centres Strategy 2020 (adopted by Council at their meeting on 14 December 2020) as they do include in some instances Shop retail and generally in all instances Other Retail which generally takes the form of Bulky Goods Showrooms. The Strategy identifies a floorspace for Other Retail of approximately 16000m² by 2041 (development commencing from approximately 2021) but does not allow for any Shop retail floorspace.

There are several proposed and existing shopping centres (Wungong Urban Area) which will adequately accommodate the Shop retail needs of the adjacent residential areas and it is important not to diminish the capacity/viability of those centres by also allowing Shop Retail in the South Forrestdale Industrial Area. The extent of Other Retail in Stage 2 of the South Forrestdale Industrial Area will be addressed at the Structure Planning stage.

Local Planning Policies

A number of Local Planning Policies (LPP's) will apply to development of this industrial area including:

- PLN 2.4 Landscape Feature and Tree Preservation
- PLN 2.6 Water Sensitive Design
- PLN 2.9 Landscaping
- PLN 4.1 The Design of Industrial Sites and Estates

As per the identified parameters within the "Application of the Policy" part of each policy, these policies will predominantly be applied during the Structure Plan and Subdivision stages of the planning processes which is when detailed design of the layout of the estate is carried out. The provisions of these policies will impact such elements as road layout, drainage methods and public open space locations. For example, at the Structure Planning stage PLN 2.4 Landscape Feature and Tree Preservation will be implemented through the identification of Public Open Space areas within Stage 2 that will enable retention of existing vegetation in bulk and the design of the alignment and widths of road reserves to enable the retention of trees within verges and medians where possible. Preparation of the Local Water Management Strategy (LWMS) will be when the details of how the developers will implement the requirements of PLN 2.6 Water Sensitive Design will be achieved. PLN 2.9 Landscaping is generally implemented at the Development Application stage for individual lots but will also be implemented through the preparation of Landscape Plans for Public Open Space Areas and Tree Planting within verges and medians in roads during the Subdivision process. PLN 4.1 - The Design of Industrial Sites and Estates is specific to the subdivision design stage of development.

State Planning Instruments

The following State planning instruments are relevant to the assessment of the proposal.

Metropolitan Region Scheme

The subject land is now predominantly contained within the 'Industrial' zone under the Perth Metropolitan Region Scheme (MRS). The MRS Amendment assessment process resulted in land for the future widening of Rowley Road reservation being left in the Rural zone under the

MRS at the request of Main Roads WA and the Department of Planning, Lands and Heritage. This will enable the road reserve for Rowley Road to be widened to 40 metres in the future. The road widening areas retaining the Rural zone under the MRS will retain a 'Rural Living' zoning under TPS No.4 through this scheme amendment.

The "Rural" zone under the MRS was also retained over portions of the lots comprising Stage 2 that contain environmental assets or required buffers between the environmental assets and future industrial development. This will also be reflected in Amendment No.116 to TPS No.4.

Directions 2031 Strategy

The Directions 2031 Strategy identifies Priority Industrial sites to meet demand for industrial land over the coming 20 years, to provide employment land supporting economic growth and a balanced distribution of employment across the Perth and Peel regions.

The subject land is identified as a Priority Industrial site, which will substantially contribute to meeting metropolitan employment and economic growth needs, along with the needs of households. The Strategy identifies a need to provide a balanced distribution of industrial centres across Perth to reduce freight handling and improve the provision of products and services for the broader community into the future. The timely delivery of lots for general industry and industrial business development on the subject land will serve to meet the intent of the Strategy.

The Directions 2031 Strategy identified six sub-regional planning areas for distinct planning and policy development measures. The south east sub-region is estimated to experience population growth of up to 228,000 persons, being a 34 per cent increase on current population levels. The Strategy also identifies an employment self-sufficiency target of 55 per cent for the sub-region, requiring 31,000 new jobs by 2031. In order for this to be realised, concerted action will be required over the next two decades.

This amendment is therefore timely in its preparation; as it will enable subsequent detailed structure planning to take place in the near future, enabling the delivery of additional new employment land in the medium term.

Economic and Employment Lands Strategy (non - heavy Industrial) for Perth and Peel (WAPC, 2012)

The Economic and Employment Lands Strategy 2012 (EELS) identified several locations where future industrial sites may be considered, to accommodate future demand and economic growth in the south east sub-region, in response to and in order to achieve the following:

- Population growth;
- Sustained levels of economic growth and employment targets;
- Improved freight infrastructure; and
- De-constraining existing industrial land.

The subject land was included within an area identified as a medium term non-heavy industrial site (4-10 years/2016-2022) under EELS.

The EELS Strategy states the predominant type of industrial development for the South Forrestdale site will include general industrial development. However, it also states that some of the site should also be zoned 'Industrial Business' in order to enable the provision of

additional employment opportunities for nearby residential areas (both existing and future). In this regard, the EELS Strategy identifies land uses such as commercial vehicle parking, storage and warehousing along with activities such as recreation-public, garden centre and showrooms. The land use mix in Stage 2 of the South Forrestdale Industrial area will be determined through the subsequent Structure Planning process following completion of Amendment 116.

Perth and Peel @ 3.5 Million – South Metropolitan and Peel Sub-regional Framework

The South Metropolitan and Peel Sub-regional Framework was published in 2018 and identifies Stage 1 of the industrial area as Industrial (as the land had already been zoned for Industrial development at both the MRS and TPS levels) and the land that will comprise Stage 2 as Industrial Expansion. At the time the MRS amendment relating to Stage 2 of South Forrestdale had not been commenced.

State Planning Policy 4.2 - Activity Centres for Perth and Peel

The State Planning Policy 4.2 Activity Centres for Perth and Peel (SPP4.2) sets out broad planning requirements guiding the development of new and existing activity centres. With regards to land for industrial purposes, the policy aims to ensure that the key uses for industrial land are to be maintained and commensurate with industrial purposes. To this end, the future structure plan adopted by the City and endorsed by the WAPC will ensure an appropriate response meeting with the intent of this policy.

10. CONCLUSION

The amendment proposes to rezone Lot 10 and portion of Lot 12 (863) Rowley Road, Lots 5 (596), 7 and 9 Oxley Road and Lot 5066 Kargotich Road Forrestdale from Rural Living 20 zone to Industrial Development zone to enable the local Structure Planning to progress.

To implement the recommendations of the EPA and DBCA Provisions 46.3 and 46.4 in Schedule 8 (Development (Structure Plan) Areas) in TPS No.4 be proposed to detail the requirements with regard to wetland and bushland protection (buffers) and stormwater management. Special Control Area Map 3 is also required to be amended to include the lots the subject of Amendment No.116 within Development Area 46

In summary, the proposed Scheme Amendment:

- Achieves the aims and objectives of the City of Armadale Town Planning Scheme No.4 and the applicable Local and State planning frameworks.
- Will assist in achieving relevant objectives contained in the City's Strategic Community Plan 2020-2030 and Corporate Business Plan 2020-2030.
- Will implement a framework enabling more detailed consideration of impacts on environmental features and appropriate solutions during subsequent structure planning over the land.
- Will assist the City in working towards achieving new job creation within the City of Armadale.

DPLH have advised the City that the Bush Forever Area and Conservation Category Wetland on a portion of Lot 12 Rowley Road were not intended to be included in the Local Scheme Amendment and would remain in the Rural zone under the MRS and Rural Living zone under

TPS No.4. Council's resolution in regard to the initiation of Amendment 116 requires the City to write to the WAPC requesting that the Bush Forever Area and CCW be included in a future MRS Omnibus amendment to transfer the land to Parks and Recreation reservation in the MRS and the land being subsequently acquired by the WAPC. This when enable the protection of these environmental assets into the future.

Planning and Development Act 2005

CITY OF ARMADALE TOWN PLANNING SCHEME NO. 4

AMENDMENT NO. 116

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:

**--> AFTER CONSIDERATION OF SUBMISSIONS COUNCIL RESOLUTION
IN FULL TO BE INSERTED HERE. ONLY INCLUDED MAIN PART OF
RESOLUTION THAT RELATES TO THE AMENDMENT ITSELF <-- ###
Invalid Field Definition ###**

COUNCIL ADOPTION

This Standard Amendment was adopted by Resolution D32/9/21 of the Council of the City of Armadale at the Ordinary Meeting of the Council held on the 28th day of September, 2021.

MAYOR

CHIEF EXECUTIVE OFFICER

COUNCIL RECOMMENDATION

This Amendment is recommended **for support/ not to be supported** by Resolution D..... of the City of Armadale at the Ordinary Meeting of the Council held on the day of 202.. and the Common Seal of the City of Armadale was hereunto affixed by the authority of a resolution of the Council in the presence of:

(seal)

MAYOR

CHIEF EXECUTIVE OFFICER

WAPC RECOMMENDATION FOR APPROVAL

DELEGATED UNDER S.16 OF
THE PD ACT 2005

Date:- _____

APPROVAL GRANTED

MINISTER FOR PLANNING

Date:- _____