

PLANNING AND DEVELOPMENT ACT 2005

APPROVED LOCAL PLANNING SCHEME AMENDMENT City of Armadale

LOCAL PLANNING SCHEME No. 4 - AMENDMENT No. 115

Ref: TPS/2715

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the City of Armadale Local Planning Scheme amendment on 14 November 2022 for the purpose of:

Proposal 1

- A. Amending Special Control Map 3 as shown on the attached Proposed Zoning – Special Control Area Map 3 Plan to include the Piara Waters West (Warton Road) Urban Precinct;

Proposals 2,3 and 5

- B. Amend Clause 3.6.3 (8) (e) of Schedule 9B by inserting the words 'land acquisition' following the words '100% of the total cost to construct sporting and community facilities, including', and inserting the words 'where applicable in the West Piara Urban Precinct identified in MRS Amendment 1369/57, and in Harrisdale within the area generally bounded by Ranford Road, Wright Road, Reilly Road and Skeet Road.' Following the words 'abutting proposed primary schools';
- C. Amend Clause 3.6.3 (8) (f) of Schedule 9B by deleting all of the words that follow 'A contribution as defined in Infrastructure Cost Schedule to the total cost to construct a senior multiple purpose sporting oval' and replacing these words with the following 'and acquire land where applicable as follows:
- (i) adjoining each of the public primary schools where applicable minus contributions from the Department of Education when they become available for ovals shared with public primary schools;
 - (ii) a senior multiple purpose sporting oval in the West Piara Urban Area identified in MRS Amendment 1369/57;
 - (iii) a senior multiple purpose sporting oval in Harrisdale within the area generally bounded by Ranford Road, Wright Road, Reilly Road and Skeet Road; and
 - (iv) a senior multiple purpose sporting oval in Lot 48 Nicholson Road'.

Proposal 4

- D. Amend Clause 3.6.3 (10) by deleting the words 'Conservation Category' from the heading of the clause;
- E. Amend Clause 3.6.3 (10) by adding the following: '(b) Contribution towards the cost of acquisition and/or betterment of rehabilitated wetlands (as amended) and identified on an approved structure plan';

Proposal 6

- F. Amend Clause 3.4.2 of Schedule 9B by adding the word 'base' following the words 'based on a' and adding the words 'and where applicable, an additional Cost Contributions Per Lot' following the words 'Cost Contribution Per Lot';
- G. Amend Clause 3.4.2 (a) of Schedule 9B by inserting the word 'base' between the words 'The' and the words 'Cost Contribution Per Lot', and inserting the words 'of Infrastructure which is subject to the base Cost Contribution as specified in the Infrastructure Cost Schedule' following the words 'Net Common Infrastructure Costs'.
- H. Amend Clause 3.4.2 (a) (i) of Schedule 9B by inserting the word 'base' following the words 'A = gross cost of' and inserting the words 'as prescribed in the Infrastructure Cost Schedule' following the words 'estimated future costs';
- I. Amend Clause 3.4.2 (a) (i) of Schedule 9B by adding the words 'where the base cost contribution per lot applies' following the words 'B = payments made to date by owners of land who subdivide or develop land within the Development Contribution Area';
- J. Amend Clause 3.4.2 (a) (i) (I) of Schedule 9B at the third dot point by deleting all of the words that follow 'of 14.6 lots per hectare' and replacing these words with the following words 'for the Area equivalent of the land holding of an owner after 28 October 2014 onwards and prior to the gazettal of Amendment No. 115; and
- K. Amend Clause 3.4.2 (a) (i) (I) of Schedule 9B by adding a fourth dot point to follow the second dot point which reads as follows '- the lots produced at the density rate prescribed in the Infrastructure Cost Schedule from gazettal of Amendment No. 115; or
- L. Amend Clause 3.4.2 (b) of Schedule 9B by inserting the word 'base' following the word 'The', inserting the words 'where the base cost contribution per lot rate applies as specified in the Infrastructure Cost Schedule' following the words 'Cost Contribution payable by each owner of land in the Development Contribution Area', and inserting the word 'base' following the words ' is

calculated by multiplying the number of freehold lots produced from the owner's land by';

M. Amend Clause 3.4.2 by adding the following provisions to follow (b):

'(c) The additional Cost Contribution Per Lot is determined by first deriving the Net Common Infrastructure Costs of Infrastructure which is subject to the additional Cost Contribution as specified in the Infrastructure Cost Schedule:

(i) $A1 - B1 = C1$

Where:

A1 = gross cost of Common Infrastructure Works being the total of fixed actual and estimated future costs as prescribed in the Infrastructure Cost Schedule, which will be based on costs estimated no more than 12 months in advance. Such estimates may be based on an average for each Common Infrastructure work cost and shall recognise all factors affecting the development of the relevant Development Contribution Area and associated constraints the local government will encounter in the provision of the Common Infrastructure Works. This shall include (but not be limited to) variable market conditions and the nexus between the time frame of development and provision of Common Infrastructure Works.

B1 = payments made to date by owners of land who subdivide or develop land within the Development Contribution Area where the additional cost contribution per lot applies calculated on the basis of whichever is the lesser of:

- (1) the lots produced at the density rate prescribed in the Infrastructure Cost Schedule from gazettal of Amendment 115; or
- (2) the actual number of lots produced by the land holding of an owner where the additional cost contribution rate applies;

C1 = Common Infrastructure work costs;

and then dividing the Common Infrastructure work costs by the subdivision potential of the balance of the Area of the Development Contribution Area remaining unsubdivided where the additional cost contribution per lot rate applies, excluding those land uses in Clause 3.3 of Development Contribution Plan No. 3 and Clause 5A4.4, and multiplying that area by the density rate prescribed in the Infrastructure Cost Schedule.

(ii) $C1 \div D1 = E1$

Where:

D1 = the number of lots to be produced to achieve the density rate prescribed in the Infrastructure Cost Schedule for the area equivalent of the unsubdivided balance area of the Development Contribution Area where the additional cost contribution per lot rate applies, excluding those land uses in Clause 3.3 of Development Contribution Plan No. 3 and Clause 5A4.4; E1 = the additional Contribution Cost Per Lot.

E1 = the additional Contribution Cost Per Lot.

(d) the additional Cost Contribution payable by each owner of land in the Development Contribution Area where an additional rate applies as specified in the Infrastructure Cost Schedule, is calculated by multiplying the number of freehold lots produced from the owner's land by the additional Contribution Cost Per Lot';

N. Renumber Clause 3.4.2 Clause (c) to Clause (e) accordingly.

Proposal 7

- O. Amend Clause 3.4.2 (a) (i) (2) of Schedule 9B by inserting the word 'where the base cost contribution per lot rate applies' following the words 'C = Common Infrastructure work costs; and then dividing the Common Infrastructure work costs by the subdivision potential of the balance of the Area of the Development Contribution Area remaining unsubdivided', and deleting the word '14.6' following the words 'excluding those land uses in Clause 3.3 of Development Contribution Plan No. 3 and Clause 5A4.4, and multiplying that area by', and inserting the following words 'the density rate prescribed in the Infrastructure Cost Schedule.'
- P. Amend Clause 3.4.2 (a) (ii) (2) of Schedule 9B by deleting the words '14.6 lots per hectare' following the words 'D = the number of lots to be produced to achieve' and replacing this with the following words 'the density rate prescribed in the Infrastructure Cost Schedule.' and inserting the words 'where the base cost contribution per lot rate applies,' to follow the words 'for the area equivalent of the unsubdivided balance area of the Development Contribution Area'.

Proposal 8

- Q. Amend Clause 5A.3.3 of TPS No. 4 by adding the words 'and/or development' after the word 'subdivision' where this word occurs; and
- R. Amend Clause 5A.3.4 of TPS No. 4 by adding the words 'and/or development' after the word 'subdivision' where this word occurs.

Proposal 9

- S. Amend Clause 3.6.2 (b) of Schedule 9B by replacing words 'Conservation Category Wetlands' following words 'community facilities and' with the word 'wetlands'.

R BUTTERFIELD
MAYOR

J ABBISS
CHIEF EXECUTIVE OFFICER