

Amendment 115 to Town Planning Scheme No. 4

Frequently Asked Questions

What is meant by a Scheme Amendment?

A Scheme Amendment is a change to the zoning and/or permissibility of uses within the City's Town Planning Scheme. When an application to rezone land or the City proposes a change to the Scheme, the process is known as a Scheme Amendment. A Scheme Amendment can be proposed by a landowner/s, the City of Armadale or the Western Australian State Government.

Scheme Amendments may be initiated for many different reasons, such as:

- a change in zoning to accommodate a type of development for which the site is deemed suitable;
- a change in the Residential Density Code on the Scheme Maps for a specific location or precinct;
- a change in the wording of Scheme Text (the written part of the local planning regulations); or
- to correct any inconsistency or errors in the Scheme Maps or Scheme Text.

What is being proposed in Amendment 115?

The amendment proposes to include the Piara Waters West area within the Development Contribution Area (DCA) No. 3 map, the inclusion of new common infrastructure to Development Contribution

Plan No. 3 and a review of the current cost contribution methodology to account for operational requirements arising from these changes.

What is a DCP and why is it needed?

The development of land often requires the cost efficient provision of infrastructure and facilities such as utilities, roads, open space and sporting and community facilities. This physical and social infrastructure greatly benefits the standard of living, mobility and lifestyle choices of the community and supports the economic and social wellbeing of communities.

DCPs are guided by state government policy and in effect enable a user pays approach to the provision of infrastructure and facilities primarily using a need and nexus approach. Items included in DCPs have a connection between development and the demand created by the development.

Landowner contributions are made through monetary payment or, at the discretion of the City, are sometimes offset by undertaking works-in-kind or ceding land.

What do we consider when a DCP is prepared?

When preparing a DCP, the City does so in conjunction with landowners and will

consider where the sharing of costs amongst landowners is appropriate to facilitate the delivery of infrastructure in an efficient and timely manner where such infrastructure is required to support the orderly development of an area, and / or for communities and neighbourhoods to function effectively and support economic and social wellbeing.

In preparing a DCP, the City applies State Planning Policy 3.6 (Infrastructure Contributions). This policy includes eight overarching principles that guide the process for determining infrastructure contributions and the preparation of DCPs:

1. Need and the nexus
2. Transparency
3. Equity
4. Certainty
5. Efficiency
6. Consistency
7. Right of consultation and review
8. Accountable

These principles are the cornerstone of the DCP system. They are applied in situations where the need for common infrastructure is determined and to the method of calculating the level of contributions to be levied. The policy principles form the basis for seeking infrastructure contributions, including the preparation of a DCP as required.

Once endorsed by Council, all DCP's are forwarded to the WAPC for consideration and final approval from the Minister for Planning.

What is Development Contribution Plan No. 3?

Development Contribution Plan No. 3 applies to the City's growth suburbs of Harrisdale and Piara Waters establishes a statutory framework through TPS 4 to equitably share the cost of providing common infrastructure items over the area.

In accordance with TPS 4, all landowners within the DCA 3 area are required to contribute towards the cost of providing common infrastructure works.

The coordinated approach established by DCP 3 has enabled the City to deliver essential infrastructure and facilities in an effective and timely manner since the DCP was first established in 2007.

What is included in Amendment 115?

Amendment 115 proposes the following changes to TPS 4:

- 1) Amend the TPS No.4 Special Control Area Map 3 to include the Piara Waters West area bounded by Warton Road, Armadale Road and Southampton Drive/Lockeville Boulevard in the Development Contribution Area 3 (DCA 3) area;
- 2) Minor modifications to Section 5A of TPS No.4 related to the requirement for cost contributions when a DCP is under consideration; and
- 3) Amend Schedule 9B of TPS No.4 to:
 - a) Include new common infrastructure items that will be required to service Piara Waters West area;

- b) Modify the description of community infrastructure already identified in the DCP in recognition that the opportunity for shared use of sporting fields with adjacent primary school sites may no longer exist, thereby enabling the development of community infrastructure to occur in areas that are not adjacent to a primary school;
- c) Include the ability for the DCP to acquire land to facilitate the development of community infrastructure already identified in the DCP as a specified works item, and to acquire land for an environmentally significant wetland within the DCA;
- d) Transfer provisions relating to the calculation and apportionment of common infrastructure costs and cost contributions from Schedule 9B to the Infrastructure Cost Schedule (ICS) to reflect the WAPC's draft State Planning Policy 3.6 – Infrastructure Contributions and provide more flexibility to be able to respond to changes; and
- e) Include new scheme provisions to enable common infrastructure costs to be apportioned to discrete areas within the DCA.

facilities within the Piara Waters West including land acquisition.

- New common infrastructure – development of sporting facilities for shared community use on the Department of Education high school site (contribution only).
- New common infrastructure – acquisition and/or betterment of the rehabilitated wetland UFI 7176 (as amended) located in Piara Waters on various lots bounded by the 330KVA Western Power transmission line easement to the north, Wright Road to the east, Armadale Road to the south, and Warton Road to the west (contribution only).

What infrastructure is being proposed by Amendment 115 within the existing DCA 3 area?

- Scheme provisions to facilitate the acquisition of land for the development of the 8e Harrisdale North - Site 'A' sporting and community facility that is currently identified in DCP 3.
- New common infrastructure – acquisition and/or betterment of the rehabilitated Wetland UFI 14880 (as amended) located on Lot 200 on DP 415389 Skeet Road, Harrisdale (contribution only).

What infrastructure is proposed by Amendment 115 within the Piara Waters West area?

- New common infrastructure – full cost of constructing sporting and community

What is the Infrastructure Cost Schedule?

The ICS is a table appurtenant to TPS No.4 which itemises, calculates and apportions common infrastructure costs and the per lot contribution rate applicable to DCP 3. The ICS and Proposed Values are reviewed at

least on an annual basis in accordance with the TPS No.4. The current ICS was adopted by Council at its meeting of June 2021.

What is the Draft Infrastructure Cost Estimate?

Costs associated with common infrastructure proposed under Amendment 115 (refer to FAQ's for *What infrastructure is being proposed in Amendment 115*) are described in a draft Infrastructure Cost Estimate which is provided in the attachments being advertised as part of Amendment 115. The draft Infrastructure Cost Estimate also includes estimated allocations for existing DCP infrastructure that will be considered at the next ICS review.

When Amendment 115 is finally approved by the Minister for Planning, the ICS will need to be reviewed and advertised for public comment in order to implement the outcomes of the amendment. Council will be required to approve the ICS within 90 days following the Minister's approval of Amendment 115.

Costs for new common infrastructure identified in Amendment 115, and future proposed ICS allocations for existing DCP infrastructure are denoted in red text in the draft Infrastructure Cost Estimate. These costs are subject to change once the planning framework has been confirmed. Further opportunities to comment on the costs of infrastructure contained in the draft Infrastructure Cost Estimate/future ICS will be provided when the ICS is reviewed and advertised for public comment following the Minister's approval of Amendment 115.

What happens if my land is proposed for acquisition in Amendment 115 and/or the Draft Infrastructure Cost Estimate?

The City will use its best endeavours to provide infrastructure, including the acquisition of land for infrastructure as soon as necessary and possible.

Clause 3.12 in Schedule 9B of TPS 4 sets out the requirements and process for undertaking land valuations to determined assessed values and subsequently acquiring land for common infrastructure works.

The aforementioned scheme provisions have been in place since DCP 3 was first established in 2007 and are not proposed to be modified under Amendment 115. TPS 4 ultimately sets out a fair and transparent process for land values to be established, and for land to be acquired.

Is there a Public Review Period when I can comment on the Amendment 115 proposal?

At its meeting of 22 March 2021, Council resolved to initiate Amendment 115 for the purpose of public review and to call for submissions from the public.

Prior to proceeding further with the scheme amendment process and making final recommendations to the Western Australian Planning Commission, Council

will consider any submissions received on the proposal from the public and government agencies.

Who is being consulted on proposed Scheme Amendment 115?

All of the landowners that fall within the area identified in the attached Special Control Area No. 3 Map are being consulted. Additionally, various state government agencies are also being consulted on the proposed amendment.

Amendment 115 is being advertised through newspaper advertisements and all information is available on the City's website. Anyone interested in the proposal can provide feedback through making a submission by email or in hard-copy form.

How do I provide feedback?

If you wish to comment on Amendment 115 and the City wrote to you directly, please complete the Submission Form provided. The Submission Form is also available from the Public Notices/Open for Comment section on the City's website under the Amendment 115 heading: www.armadale.wa.gov.au

A hardcopy of the Submission Form can also be obtained from the City's Administration Building at 7 Orchard Avenue Armadale during business hours 8:15 to 4:45 Monday to Friday, or you may request a copy to be mailed or emailed.

You must lodge your submission with the City by the closing date below. You can either post the Submission Form back to

the City (Locked Bag 2, Armadale WA 6992), deliver it to the City's Administration Building (7 Orchard Avenue Armadale) or email it to: info@armadale.wa.gov.au

An information sheet with tips on how to write a submission can be found on the City's website via the link below.

<https://www.armadale.wa.gov.au/information-sheets-forms-and-fees-building-planning>

When does the submission period close?

The advertising period for a Standard Scheme Amendment is required to be at least 60 days in accordance with the requirements of the *Planning and Development (Local Planning Scheme) Regulations 2015*.

The advertising period for Amendment 115 closes at 4.45pm on **24 September 2021**.

If you would like to be informed by email when the Amendment and submissions will be going back to a Council meeting for a final recommendation, or other progress of this Scheme Amendment, please ensure your email address is provided on your Submission Form.

Will the personal details on my submission be released to the public?

The City will not publish your name and address in the Council reports on the outcomes of the Public Review and Submissions Period. However, your full

comments may be reproduced and published in planning reports. Note that a schedule of submissions, including the full details of submitters, are provided confidentially to Councillors however, this will not be made available to the public. The schedule and copy of all submissions are also provided to the Western Australian Planning Commission.

Will I receive any further notifications on Amendment 115 after I lodge my submission?

Scheme Amendments may take several months following Council's final adoption decision before the State Government's final decision is known, however, the City will advise all persons who make a submission of the final outcome.

If you lodge a submission on Amendment 115 the City will write to or email you at the following stages:

1. When Council has made a decision to adopt the Amendment for final approval and forwarding its recommendation to the Western Australia Planning Commission; and
2. When the Hon. Minister for Planning has issued a final decision on the Scheme Amendment.

What happens next?

After the close of the Public Review and Submissions Period, the City will summarise all submissions received from the public and government agencies and prepare a planning report for Council's consideration at a future round of Council

meetings. Council can determine to either adopt Scheme Amendment 115 for final approval, with or without modifications, or resolve to not support the amendment.

Council's decision is then forwarded to the Western Australian Planning Commission, which considers the proposal and submissions before making a final recommendation to the Minister for Planning. The Minister may grant final approval to the scheme amendment, with or without modifications, or may refuse to approve the scheme amendment. The final decision rests with the Hon. Minister for Planning.

An approved Scheme Amendment becomes part of the statutory Town Planning Scheme on the date it is published in the Government Gazette following the Minister's decision. The City will publish the updated Town Planning Scheme (including Maps and Text) on its website following gazettal of the Amendment.

If Amendment 115 proceeds to final approval by the Hon. Minister for Planning, TPS 4 will be amended to introduce the Piara Waters West area in the DCA 3 area, and the various amendments to Part 5A and Schedule 9B of TPS 4 of the scheme will be introduced.

Who can I contact for more information on this proposal?

For further information on proposed Scheme Amendment 115 please contact Rob Sklarski, Senior Project Officer Contribution Arrangements on 9394 5361 or email info@armadale.wa.gov.au