

# Amendment No.121 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 No.121, and what land is affected?

The amendment proposes to rezone Lots 601 - 606 Balannup Road & Lots 200 - 202 Skeet Road, Harrisdale from the 'General

Rural' zone to the 'Urban Development' zone. The Urban Development zone is used to identify land where a structure plan is required to coordinate further subdivision and development.

The Amendment area is bounded by Ranford Road, Skeet Road and Balannup Road.

A location plan of the Amendment area is available from the Public Notices/Open for Comment section on the City's website under the Amendment No.121 heading:

[www.armadale.wa.gov.au](http://www.armadale.wa.gov.au)

### Why is Amendment No.121 being proposed?

The provisions of the *Planning and Development Act 2005* requires that the City's Town Planning Scheme No.4 be consistent with the State Government's Metropolitan Region Scheme, which is a planning scheme covering the entire Perth Metropolitan Area.

In 2021, based on a number environmental and servicing studies completed by landowner representatives undertaking planning investigations to support rezoning and future structure plan applications, the Western Australian Planning Commission transferred the land from the 'Urban Deferred' zone to the 'Urban' zone (MRS Amendment 1383/27), which came into effect on 6 August 2021.

Amendment No.121 aims to bring TPS No.4 zoning into conformity with the Metropolitan Region Scheme (MRS) Urban zone by inclusion of the land in the Urban Development zone.

## What specifically is included in Amendment No.121?

The following modifications to the TPS No.4 are proposed through Amendment No.121:

1. Amend the Town Planning Scheme No.4 Scheme Map zoning from 'General Rural' to 'Urban Development' zone;
2. Amend the Town Planning Scheme No.4 Scheme Special Control Area Map 3 – Development Areas, to identify the new Structure Plan (Development) Area No.72; and,
3. Insert provisions into Town Planning Scheme No.4 Schedule 8 – Development (Structure Planning) Areas, to identify design responses to be addressed in a future Structure Plan, set out management plans that will accompany a future Structure Plan for the precinct, and identify requirements for future subdivision/development.

## What is the 'Urban Development' zone?

The Urban Development zone is a transitional zone allowing for more detailed planning/investigations to be undertaken through preparation of a Structure Plan/s. It requires Structure Plan/s to be prepared prior to further subdivision and development.

## What is a Structure Plan and why is it needed?

Structure Plans set out the pattern of land use for the area (e.g residential or commercial land uses), infrastructure and facilities such as utilities, roads, open space (including for active sports recreation or for protection/enhancement of environmental features such as bushland or wetland areas/buffers which provide passive recreation opportunities for the future residential community) and sporting/community facilities in new urban areas.

Structure Plans allow for site planning/investigations to be scaled down to more detailed levels following rezoning of land under the MRS and/or TPS. Structure Plans are comprised of a spatial map, a report comprising a Part 1 section (with subdivision/development standards) and a Part 2 section (Explanatory documentation), and Appendices (Reports on engineering, drainage, bushfire management, environmental management and other and technical inputs).

The Structure Plan process can take up to 2 years to complete, with final decision making authority resting with the State Government's Western Australian Planning Commission.

Structure Plans, once approved by the WAPC, provide landowners with approved framework whereby they can prepare their detailed plans for future subdivision/development. Structure Plans also provide a standard against which local governments and the Western Australian Planning Commission can assess future applications to subdivide and/or develop land.

Planning Consultants representing landowner/s within an Urban Development zone are able to prepare and lodge a Structure Plan application for assessment and consideration by Council. Where a Structure Plan covers multiple lots in a precinct the City encourages landowners to work together preparing/implementing their detailed plans for future subdivision and creation of new lots and for future development.

In respect to the proposed Urban Development zone under Amendment 121 the City is aware that a landowner representative/s is currently preparing a formal Structure Plan application for advertising. Following a check of compliance with the Planning and Development (Local Planning Schemes) Regulations 2015 (Regulations) the City is required to advertise the formal Structure Plan application for public review and submissions. It should be noted that a Structure Plan is likely to be advertised at a later date in 2022-23 and all affected and nearby landowners will be notified by letter when this occurs.

Following consideration of the formal Structure Plan and submissions Council

will make its recommendations on the formal Structure Plan to the Western Australian Planning Commission (WAPC).

## How does the amendment respond to significant environmental values?

The provisions Amendment No. 121 proposes to insert into Schedule 8 – Development (Structure Planning) Area No.72, will guide design responses to be addressed by a future Structure Plan. It also identifies the management plans that will be required as part future Structure Plan/s and/or future subdivision/development.

To support rezoning and future Structure Plan applications the landowner representatives undertaking land planning investigations prepared various draft Concept Plan iterations at the MRS and TPS application stages and in response to ongoing site investigations and feedback from State Agencies and the City of Armadale.

Following Council's initiation of Amendment No.121 the Scheme Amendment documentation was referred to the Environmental Protection Authority (EPA) together with the supporting environmental studies and illustration of potential future development outcomes in the form of a draft Concept Plan. The EPA assessment included its consideration of advice/ recommendations provided by the Department of Biodiversity, Conservation and Attractions (DBCA Wetlands Branch). In response to issues raised by EPA/DBCA during the EPA assessment the City

proposes to consider further modifications to the Schedule 8 provisions to assist in addressing environmental values and clarifying relevant Schedule 8 provisions, These were assisted by further preparation (iteration) of the draft Concept Plan illustrating a portrayal of possible development outcomes. Copies of the EPA Notice of Assessment advice, the applicant's Environmental study and draft Concept Plan are included on the City's website together with the proposed further modifications to Schedule 8 provisions, which Council will consider when it considers public review submissions and final recommendations on Amendment No.121.

On 28 February 2022 the EPA issued its Notice of Assessment advice on environmental values to be considered/addressed during planning processes. The EPA decision allows Amendment No.121 to proceed to the public review phase whereby the City invites public submissions on the Amendment No.121 proposal.

## Will there be a Development Contribution Plan for the Precinct?

The site is located within Development Contribution Area No.3 which sets out mechanisms for land developers in areas of fragmented land/landownership to contribute to the common infrastructure cost items described in the Scheme. These mechanisms assist in the delivery of common infrastructure items such as sporting/community facilities, major roads and other infrastructure.

The City previously advertised a Scheme Amendment (Amendment No.115) to amend the Development Contribution Area No.3 Infrastructure Cost Schedule currently operating in the area.

The statutory framework for the DCP is set out in TPS No.4. In accordance with TPS No.4, urban development within the DCA No.3 area requires landowner contributions towards the cost of providing common infrastructure works.

The coordinated approach established by DCP No.3 has enabled the City to deliver essential infrastructure and facilities to new residential communities in an effective and timely manner since the DCP was first established in 2007.

Amendment No.115 was presented to Council for Final Adoption on 22 November 2021 and is currently pending final decisions by the WAPC and the Minister for Planning.

Further information on Amendment No.115 is available from the Community Consultation section on the City's website under the Amendment No.115 heading: <https://www.armadale.wa.gov.au/community-consultation>

## Is there a Public Review Period when I can comment on the Amendment No.121 proposal?

At its meeting on 28 September 2021, Council resolved to initiate Amendment No.121 for the purpose of public review and

to call for submissions from the public. The City received notice in February 2022 that the EPA will not conduct an environmental assessment of the Amendment and can therefore proceed to public advertising.

Council will consider any submissions received on the proposal from the public and government agencies during the public review phase prior to making its final recommendations on Amendment No. 121 to the Western Australian Planning Commission.

## Who is being consulted on proposed Amendment No. 121?

All of the landowners that fall within the area identified in the proposed Scheme Map are invited to lodge submissions during the public review phase. Additionally, various state government agencies are also being consulted on the proposed amendment. Any person may lodge a submission which Council will take into consideration.

Amendment No.121 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 No.121 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 No.121 heading: [www.armadale.wa.gov.au](http://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 8:15am to 4:45pm Monday to Friday, or you may request a copy to be mailed or emailed to you.

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](mailto: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 Amendment No.121 submission period close?

The advertising period for a Standard Scheme Amendment is required to be at least 42 days in accordance with the requirements of the *Planning and Development (Local Planning Scheme) Regulations 2015*.

The advertising period for Amendment No.121 closes at 4.45pm on **11 June 2022**.

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 No.121 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 No.121 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 Amendment No.121 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 Transport, Planning and Ports. 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.

If Amendment No.121 proceeds to final approval by the Hon. Minister for Transport, Planning and Ports, TPS No.4 will be

amended to reflect the zonings and scheme text modification proposed to support urban development. The City will publish the updated Town Planning Scheme (including Maps and Text) on its website following gazettal of the Amendment.

## Who can I contact for more information on this proposal?

For further information on proposed Scheme Amendment No.121 please contact A Romano, Strategic/Statutory Planning Officer, on 9394 5000 or email [info@armadale.wa.gov.au](mailto:info@armadale.wa.gov.au)