

Local Government Schedule of Part 1 Modifications Dated 23/02/2023 – Kelmscott District Centre Precinct Structure Plan

Issue/Section Reference	Proposal	Modification	Justification
<p>1. Part 1 Section 1.3.1 Relationship to Policies</p>	<p>Outline of the relationship between Precinct Structure Plan provisions and the provisions of the City Local Planning Policies and Western Australian Planning Commission (WAPC) State Planning Policies.</p>	<p>Insert references stating that where a matter is dealt with in a Local Planning Policy, but not in the Precinct Structure Plan, the Local Planning Policy shall apply in addition to the Precinct Structure Plan.</p>	<p>Clarify that the precedence this section confers on the Precinct Structure Plan does not remove the need to comply with Local Planning Policies on matters where the Precinct Structure Plan is silent. This is identical to the manner in which the Precinct Structure Plan currently relates to State Planning Policies (as per this section).</p>
<p>2. Part 1 Section 1.4 Staging</p>	<p>Reference to staging of development subject to landowner decisions and development progress.</p>	<p>Insert reference to Joint Development Assessment Panels alongside references to the City and the WAPC.</p>	<p>Completes list of relevant planning decision makers.</p>
<p>3. Part 1 Section 2.1 Zoning and Land Use</p>	<p>The distribution of land use zoning and reservations throughout the Precinct SP area are outlined on Plan 1. The formal implementation of zonings and reservations is subject to separate consideration and progression of an amendment to the City of Armadale Town Planning Scheme No. 4 (TPS 4) to incorporate the revised zoning and subsequent land use permissibility within TPS 4.</p>	<p>Insert additional reference to Plan 1 in the second sentence.</p>	<p>Provides confirmation that the zones and reserves referenced in the second sentence are those found on Plan 1.</p>
<p>4. Part 1 Sections 2.1.1 Commercial and 2.1.3 Mixed Use Residential</p>	<p>Objectives relating the ‘Commercial’ and ‘Mixed Use – Residential’ zones identified on Plan 1.</p>	<p>Clarify the intention that references to retail uses in these zones are intended to be oriented toward larger format retail uses (e.g. showrooms) in the Commercial zone and smaller-scale retail activities in the Mixed Use Residential zone that support the intensive finer-grain retail, cultural and employment-generating land uses in the Mixed Use Core.</p>	<p>Emphasise the role and preference for intensive finer-grain retail uses in the Mixed Use Core Area, rather than in the Commercial and Mixed Use Residential land use zones. Commercial areas are oriented toward larger format retail and showroom activities on the periphery of the District Centre. Areas identified as</p>

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			Mixed Use Residential will contain smaller shop retail activities to support the intensive retail/shop, cultural and employment-generating land uses of the Mixed Use Core zone where the majority of activity and vibrancy is will occur.
5. Section 2.2 Density Coding	Identification of density codes on the Precinct Structure Plan (Plan 1).	Insert the words “Where the proposed density code does not already apply under TPS No.4...” at the beginning of the first sentence.	Acknowledge that some density codes proposed by the Precinct Structure Plan are already applicable to certain lots under TPS No.4.
6. Part 1 Section 2.3.5 Core, Objective f)	Existing wording.	Replace as follows: “Create activated east-west pedestrian links to provide clear connections between the rail crossing points and the Canning River. Methods include the renewal of private land, the enhancement of Gilwell Avenue and Fancote Street, and the provision of new urban laneways.”	Editorial modifications clarifying the original intent of the objective by improving sentence structure and removing typographical errors.
7. Section 2.4 Built Form Design; Section 4.0 Additional Information	Introduction to built form provisions in Sections 2.4.1 - 2.4.10. Additional information to be submitted at future subdivision and development stages.	Include additional sentence that the City may waive requirements in this clause at its discretion for change of use applications where no alteration to built form is proposed.	Enable discretion to be exercised on built form design provisions and information lodgement requirements where change of use applications do not modify built form (e.g. change of use for a single tenancy in a commercial development).
8. Part 1 Section 2.4.1.3 c) Building Setbacks – Podium Level	Street setbacks are permitted to be averaged, up to a maximum of 50% of the setback distance, where a benefit to the streetscape or to broader community is demonstrated.	In addition to streetscape benefit and community benefit, clarify that the 50% averaging will only apply where compliance with landscaping provisions in the Precinct Structure Plan can be demonstrated.	Ensure that landscaping provisions and outcomes are not compromised.
9. Part 1 Plan 4; Part 1 Plan 6	Setback of building podium level(s) from the street	Replace all Type 1 (Nil) street setbacks proposed for segments of the Albany Highway frontage and the Page Road frontage (between Gilwell Avenue and Fancote Street) with Type 3 (4m) street setbacks. Identify new areas of Type 3 setbacks on Albany Highway and Page Road as ‘Building	Promote landscaping within the street setback (private realm) for all street frontages along Albany Highway and Page Road (between Gilwell Avenue and Fancote Street).

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<p>10. Section 2.4.1.4 a) Building Setbacks – Above Podium</p>	<p>Reference to the primary and secondary street setbacks in a clause addressing the setback of above podium building elements from the edge of the (lower) podium.</p>	<p>setbacks to enable tree planting only (no parking within front setback)’ on Plan 6. Replace existing wording of 2.4.1.4 a) with the following: “Plan 5 outlines the minimum building setbacks above podium level applying to street frontages. These setbacks shall be measured from the podium edge.”</p>	<p>Avoid confusion that may arise from references to primary and secondary street setbacks. Confirms the original intent that building setbacks above the podium are to be measured from the podium edge where a building fronts a street. Note that Section 2.4.1.3 applies street setback distances to podiums.</p>
<p>11. Section 2.4.1.4 b) Building Setbacks – Above Podium</p>	<p>Reference to variations to the primary and secondary street setbacks in the Residential Design Codes</p>	<p>Replace existing wording of 2.4.1.4 b) with the following: “The setbacks along street frontages specified on Plan 5 replace the generic primary and secondary street setbacks specified under State Planning Policy 7.3 – Residential Design Codes.”</p>	<p>Improve clarity in line with modifications to Section 2.4.1.4 a)</p>
<p>12. Part 1 Plan 5</p>	<p>Existing plan title (“Plan 5: Buildings above Podium Street Setbacks Plan”)</p>	<p>Amend plan title to state “Plan 5: Above Podium Building Setback Plan – Street Frontages”. Amend legend text to state: “Setback distance for buildings above podium level – street frontages”</p>	<p>Avoid confusion over the purpose of Plan 5, which is to provide a setback distance for above-podium building elements to be measured from the edge of podiums along street frontages. Plan 5 operates in conjunction with Plan 4, which applies setback distances for lower podium levels and is measured from the street or MRS road reservation boundary.</p>
<p>13. Part 1 Section 2.4.3 Facades</p>	<p>Provisions applying to the treatment of building facades, enhancement of building frontage, creation of visual interest and streetscape activation.</p>	<p>Amend 2.4.3 b) relating to glazing to ensure windows are kept free of advertising signage, painting or the like.</p>	<p>Maintain streetscape amenity, passive surveillance and high quality building frontages. Ensure 2.4.3 b) is consistent with the minimisation of blank walls the subject of 2.4.3 e).</p>
<p>14. Part 1 Section 2.4.6 Landmark Sites</p>	<p>Section 2.4.6 b) states that a Local Development Plan may be prepared and approved by the</p>	<p>Reword to state that the City may prepare or require preparation and approval of a Local</p>	<p>Provide a clear trigger at the City’s discretion for a Local Development Plan</p>

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	City prior to a development application for landmark sites.	Development Plan prior to a development application for a landmark building.	to be prepared for landmark sites, if required.
15. Part 1 Section 2.4.7 Tree Retention	Section 2.4.7 Tree Protection refers in part to trees located within public reserves managed by an external agency, and refers to Local Planning Policy PLN 2.4 Landscape Feature and Tree Preservation.	Amend the second sentence of the second paragraph to include a reference to development design so that the sentence reads: "...proponents should undertake a Significant Tree Survey and the results should be used to inform the subdivision and/or development design process" Insert additional reference to TPS No.4 Clause 4C.9 Tree Protection in the third paragraph as another	Correct omission of the word "development" in the second sentence to reflect the intention of Section 2.4.7 to refer to both subdivision and development. Emphasise that the provisions of TPS No.4 that protect trees in the commercial zones (including District Centre zone) continue to apply in the Precinct Structure Plan area.
16. Part 1 Plan 1 Precinct Structure Plan	Precinct Structure Plan Map	Identify existing TPS No.4 Tree Preservation Order locations on the Precinct Structure Plan map; add an appropriate symbol in the plan legend.	Identify TPS No.4 Tree Preservation Order locations for improved transparency and clarity.
17. Part 1 Section 2.4.9 Amenity	Screening of loading docks and service areas within development sites from residential units.	Include reference to visual screening from the public realm.	Screening from the public realm is a commonly-accepted planning principle for preservation of amenity, and consistent with subsections of the provision (e.g. Section 2.4.9 i) and k))
18. Part 1 Section 2.4.10 Landscaping	Section 2.4.10 d) refers to tree planting locations for lots where buildings are to be setback to enable tree planting.	Include reference to tree provision at a rate of 1 tree for every 5m where building setbacks are determined by tree planting, unless otherwise varied by the City.	Provide greater certainty of landscaping outcomes. Trees with more compact canopies and root structures are likely to be proposed in proximity to buildings, necessitating a higher ratio of tree provision for shade and visual amenity.
19. Part 1 Section 2.4.10 Landscaping	Section 2.4.10 i) refers to street tree requirements applicable to grouped dwelling proposals.	Replace provision with the following: "For all development within the Precinct SP area, the City may impose a condition of development approval to require the planting of a new street tree or trees where no street tree(s) exist(s) or will be retained, at the applicant's cost, on an abutting road reserve. Street trees are to be provided at a rate of 1 tree for every 10m, unless otherwise varied by the	Section 2.4.10 i) should refer to all development in order to improve street tree outcomes. An exemption for lots with a Plan 6 "Landscaping Interfaces" designation (shown on the advertised Plan 6 under the "Other" heading) is warranted as those lots are subject to specific tree installation requirements within private

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<p>20. Part 1 Section 2.5.1 Interim Land Uses</p>	<p>Provision addressing the assessment of interim land uses (including criteria to be satisfied by such development) and the validity period of determinations.</p>	<p>City. The City will not normally impose a condition under this clause for street frontages adjacent to a “Landscaping Interfaces” designation on Plan 6.”</p> <p>Retitle clause to “Interim Development”.</p> <p>Amend existing provision b) to state that the City “may impose a condition limiting the approval of the interim development to a period up to 10 years. The approval may be renewed once for a period up to 5 years where the City considers that there are no changes to the applicable planning framework since the time of the initial approval”.</p> <p>Existing criteria in a) i., iii. and iv. to be mandatory criteria, with applicants to address one of ii. or v. Criterion a) vi. is to be amalgamated with criterion a) ii</p> <p>Amend references from “Council” to “The City” to accommodate instances where delegated determinations are made.</p> <p>Correct clause numbering by removing the second “a)” subsection, replace with “b)” and correct subsequent ordering.</p>	<p>lot street setbacks to compensate for the inability to install street trees in the adjoining road reserve (predominantly Albany Highway).</p> <p>Amending clause to “Interim Development” captures both the development and use of land as per the definition of “development” in the <i>Planning and Development Act 2005</i>.</p> <p>Improve clarity for extensions of time (time periods unchanged from the advertised Precinct Structure Plan), and include reference to granting of extensions where there no substantial changes to the planning framework have been made, to guide the City’s consideration of extension applications.</p> <p>Criterion ii with amalgamation of criterion vi is mutually exclusive with criterion v (removal from site). That is to say, buildings are to be structurally capable of vertical intensification over time and adaptable to a permanent land use, or must be easily removable from the site.</p> <p>Other modifications address matters such as delegations and minor renumbering.</p>
<p>21. Part 1 Section 2.5.3 European Heritage Places</p>	<p>Development application triggers and approval requirements.</p>	<p>Amend clause to reference situations where development approval may be required in accordance with the heritage provisions of the Deemed Provisions of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>.</p>	<p>Ensure that Precinct Structure Plan provision can be implemented and is consistent with the higher-order development application trigger conditions in the Deemed Provisions of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>.</p>

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<p>22. Plan 4 Podium Street Setbacks Plan; Plan 6 Street Interface Type Plan</p>	<p>Lot 9003 (No. 2888) Albany Highway (cnr Fancote Street) shown as nil setback to Albany Highway on Plan 4; Plan 6 illustrates ‘Landscaped Parking’ to Albany Highway front setback</p> <p>Legend headings and descriptions.</p>	<p>Amend Plan 4 to be consistent with Plan 6. The Plan 6 outcome (“Landscaped Parking within Front Setback”) is the intended outcome for Lot 9003.</p> <p>Include additional note on Plan 4 to state “Refer landscaping interfaces identified on Plan 6”.</p> <p>Create new “Landscaping Interfaces” heading on Plan 6 and place landscaping features underneath heading.</p>	<p>Correct an identified inconsistency, and improve cross referencing between Plans 4 and 6 regarding landscaping interfaces and podium setbacks.</p>
<p>23. Part 1 – Various provisions</p>	<p>Existing wording.</p>	<p>Section 2.2 Second Paragraph: replace “coding” with “codes”.</p> <p>Section 2.3.5 Objective f): remove isolated letter ‘t’</p> <p>Section 2.3.6 Objective c): replace “David” with “Davis”.</p> <p>Section 2.4.10 h): Replace reference to ‘h)’ with ‘g)’.</p> <p>Section 2.4.1.3 b): Replace reference to “Plan 3” with “Plan 4”.</p> <p>Section 2.4.5.1 Heading: Delete redundant heading “Section 2.4.5.1 Car Parking Requirements”.</p> <p>Section 2.4.6 Heading: Delete repeated “2.4.6” numbering.</p> <p>Section 2.5.2 First Paragraph: replace “aboriginal” with “Aboriginal”</p> <p>Plan 4 Legend: Replace “Type 6” with “Type 5” in legend description for Type 5.</p>	<p>Resolve typographical errors and remove redundant headings</p>