



TOWN PLANNING SCHEME NO. 4

WEST OF RAIL PRECINCT
DEVELOPMENT CONTRIBUTION AREA
AND PLAN

AMENDMENT
No. 120

CONTENTS

- 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. 120

- 1. Pursuant to Section 75 of the *Planning and Development Act 2005*, initiate Amendment No.120 to Town Planning Scheme No. 4 as a complex amendment in accordance with Part 5, Clause 34 – complex amendment, subsection (e) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, as follows:**

- a) Amending Special Control Map 3 as shown on the attached Proposed Zoning – Special Control Area Map 3 Plan by including Lots 4 and 502 Green Avenue, Armadale within Development Contribution Area 8.**

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

- It is an amendment to identify a development contribution area and prepare a development contribution plan.**

Dated this 26th day of July 2021

JOANNE ABBISS
CHIEF EXECUTIVE OFFICER

D22/7/21

CITY OF ARMADALE
TOWN PLANNING SCHEME NO. 4

AMENDMENT NO. 120

SCHEME REPORT

Contents

1. OVERVIEW OF PROPOSAL	5
2. SUBJECT LAND	5
3. LANDOWNERS	5
4. APPLICANT	5
5. CURRENT ZONING	5
6. PROPOSED ZONING	5
7. BACKGROUND	5
8. DETAILS OF PROPOSAL	6
9. CONCLUSION	7

1. OVERVIEW OF PROPOSAL

The West of Rail precinct is in the process of being normalised from DevelopmentWA's planning control to the City's planning control, including its Development Contribution Plan (DCP). As part of that process, Scheme Amendment No.120 is intended to extend the proposed boundaries of the Development Contribution Area (DCA) 8 as shown on the Special Control Area Map 3 for Scheme Amendment No.117 to include Lots 4 and 502 Green Avenue, Armadale.

The amendment is accompanied by a DCP Report and Infrastructure Cost Schedule (Revision 1) to set out in detail the calculation of the Cost Contribution for each Owner and the Infrastructure Items to be funded, as well as other operational matters to guide the administration of DCP 8.

2. SUBJECT LAND

West of Rail Precinct

3. LANDOWNERS

Various

4. APPLICANT

City of Armadale

5. CURRENT ZONING

DevelopmentWA Redevelopment Area

6. PROPOSED ZONING

Under separate Amendment 108, Mixed Business/Residential for the most part and a small portion Strategic Regional Centre.

7. BACKGROUND

At its 14 December 2020 meeting, Council initiated Amendment No.117 to incorporate DCP 8 into Schedule 9B of the Scheme and designate the West of Rail Precinct as Development Contribution Area (DCA) 8 on the TPS No.4 Special Control Area Map No.3. Consent to advertise was subsequently granted by the WAPC and following this, the City advertised the amendment for a period of 60 days.

The purpose of Amendment No.117 was to introduce the required statutory framework within TPS No.4 to support the proposed DCP to operate within the West of Rail Precinct.

The Development Contribution Area (DCA) is to be shown on Scheme Special Control Area Map 3 as DCA 8 and is commonly known as West of Rail. DCP 8 is intended to apply to all land within the West of Rail Precinct upon development or subdivision. Owners are required to contribute to infrastructure that is attributable to the subdivision and development of the precinct and their land.

Effective redevelopment of the Precinct requires the cost efficient provision of infrastructure and facilities, such as roads, open space and servicing infrastructure. This physical and social infrastructure will greatly benefit the standard of living, mobility and lifestyle choices of the community and will support the economic and social wellbeing of the community.

The Precinct is uniquely situated within a City Centre setting. Based on the proposed residential densities and built form outlined in the planning framework for the area, it is important that the level of infrastructure being provided is commensurate with the standard of infrastructure that would be expected within an activity centre.

DCP costs have been distributed over the entire precinct having regard to the principles underlying development contributions described in the WAPC's State Planning Policy 3.6 – Infrastructure Contributions (SPP 3.6).

The proposed infrastructure items to be funded by the DCP include:

- Cornish Street construction including a laneway to Fifth Avenue;
- Development of a public square opposite the train station;
- Sewer upgrades; and
- DCP administration costs.

DCP 8 will effectively replace the West of Rail Precinct DCP that is currently being administered by DevelopmentWA.

8. DETAILS OF PROPOSAL

In response to submissions received during advertising for Amendment No.117 and following further assessment, the initiation of Amendment No.120 to TPS No.4 to extend the DCA 8 boundaries in the Special Control Area Map No.3 to include Lots 4 and 502 Green Avenue, Armadale is proposed.

The purpose of Amendment No.120 is to extend the DCA 8 boundaries in the Special Control Area Map No.3 beyond the boundaries illustrated in the SCA 3 Map No.3 that was advertised as part of Amendment No.117 to include Lots 4 and 502 Green Avenue, Armadale.

During the advertising period for Amendment No.117, submitters raised objection to the exclusion of Lots 4 and 502 Green Avenue from the DCP suggesting that these lots were included in an earlier version of the DevelopmentWA's West of Rail DCP but were subsequently removed at a later stage due to lack of need/nexus.

However, the exclusion of Lots 4 and 502 was not based on a lack of need/nexus. The proposed DCA boundaries identified in Amendment No.117 are consistent with the DCP administered by DevelopmentWA. These particular lots are owned by State Government agencies and are directly adjacent to the railway reserve.

It is understood that the exclusion of these lots from a previous version of the DevelopmentWA administered DCP was based on the fact that these lots are owned by State Government agencies and that some of the infrastructure works in the vicinity of these lots would be funded by the State Government on an 'in kind' basis to correspond with infrastructure needs identified by future masterplanning undertaken for the proposed Armadale Railway station upgrade.

As these factors are no longer applicable, there is merit in considering having Lots 4 and 502 Green Avenue being included within the future DCA boundaries.

9. CONCLUSION

Amendment No.120 which proposes to extend the proposed DCA 8 boundaries in the Special Control Area Map No.3 to include Lots 4 and 502 Green Avenue will achieve the following:

- It will result in a logical expansion of the DCA to include all of the lots held in freehold title which lie to the west of the railway reserve and which fall within the current DevelopmentWA redevelopment area boundaries;
- It will facilitate closer alignment with the planning framework established through Amendment No.108 to TPS No.4 which introduces the planning framework for zonings and land uses within the current DevelopmentWA redevelopment area boundaries as part of the normalisation process;
- Amendment No.120 will enhance consistency with the WAPC's SPP 3.6 in terms of need and nexus between common infrastructure and land benefiting from the provision of this common infrastructure; and
- It will enable the costs of common infrastructure included in DCP 8 to be apportioned over a wider area resulting in a minor reduction in cost contributions per square metre.

Having regard to the preceding objectives, the inclusion of Lots 4 and 502 Green Avenue within the West of Rail precinct DCA 8 through Amendment No.120 is considered appropriate.

Planning and Development Act 2005

RESOLUTION TO AMEND LOCAL PLANNING SCHEME

CITY OF ARMADALE TOWN PLANNING SCHEME NO. 4

AMENDMENT NO. 120

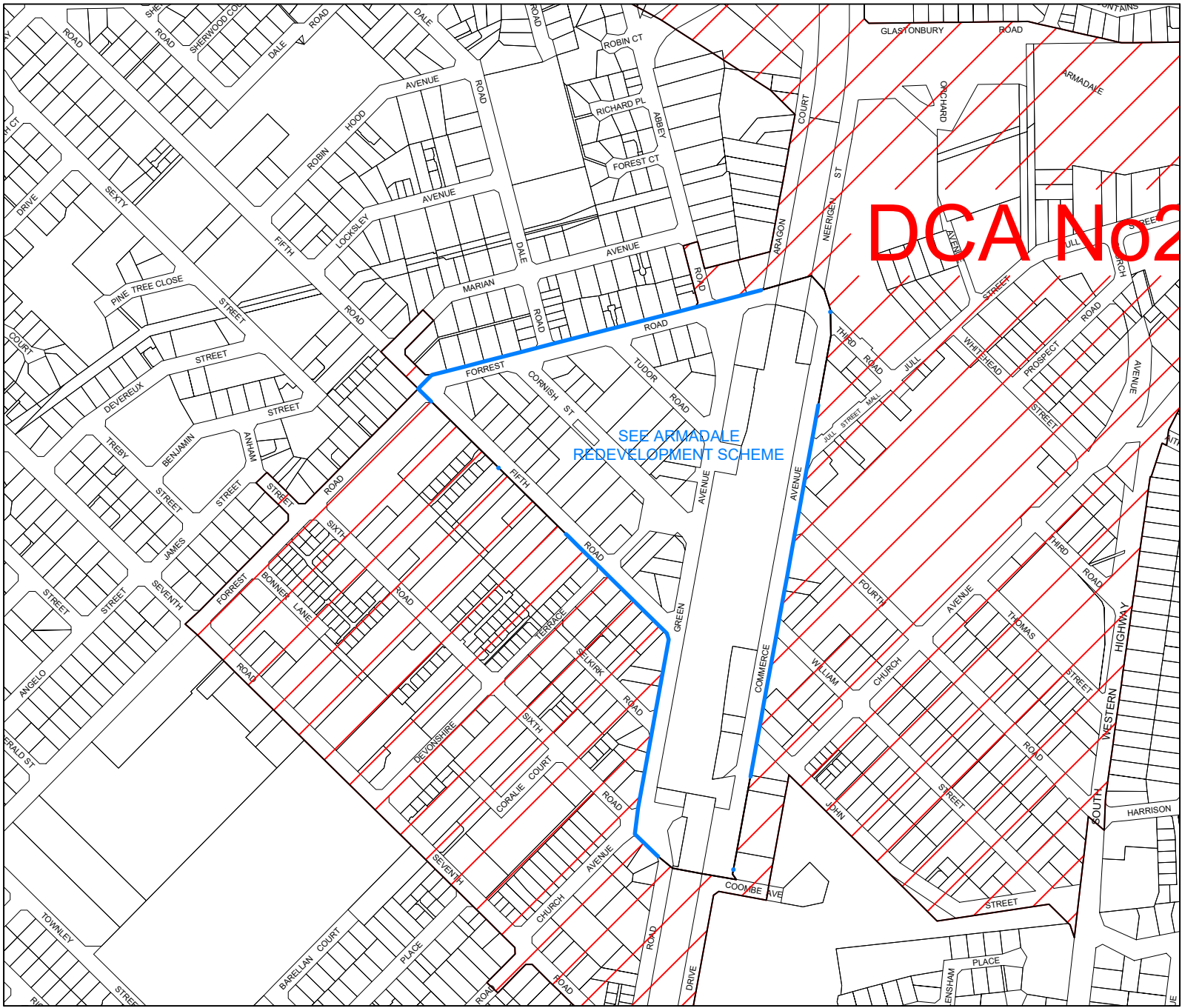
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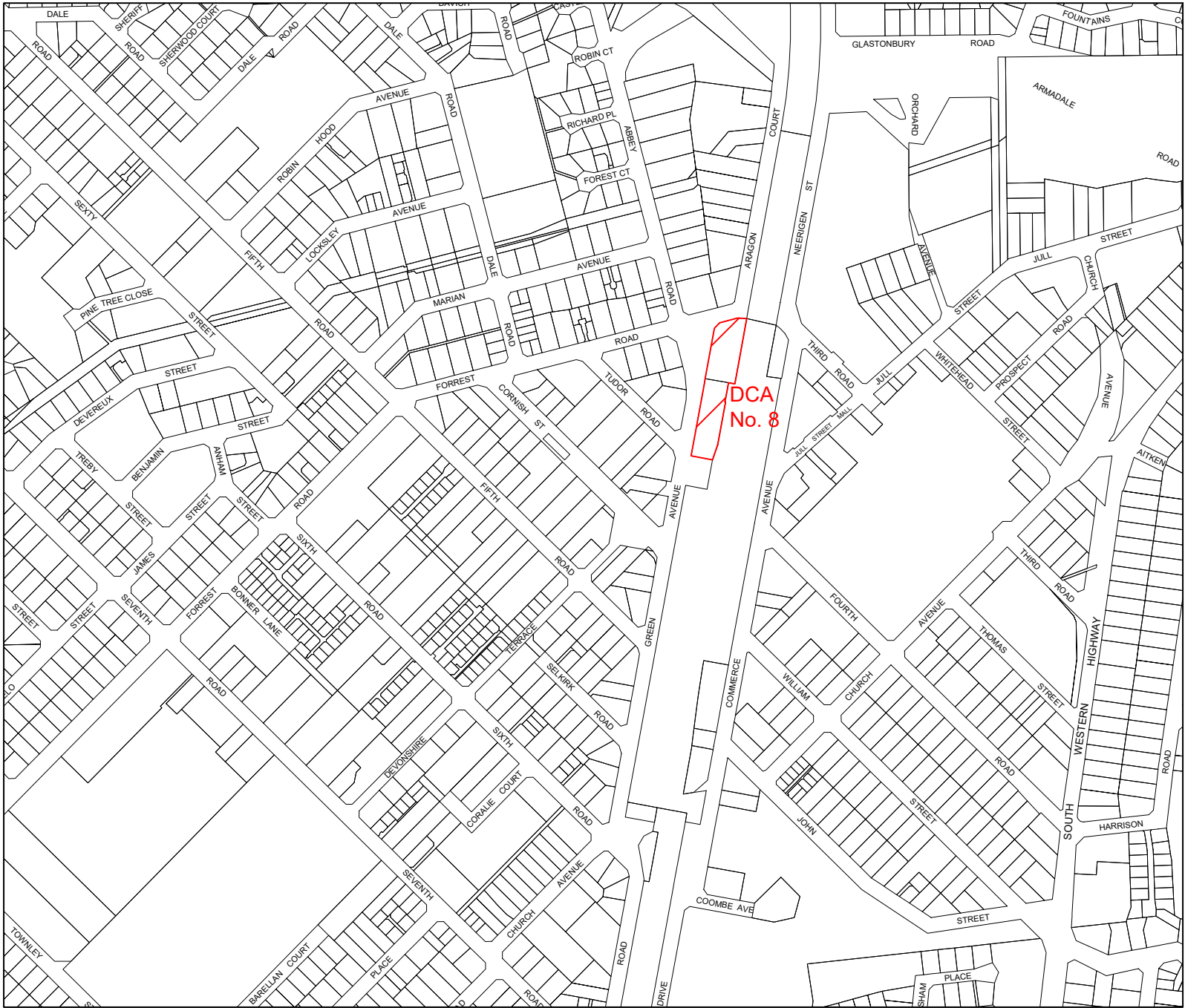
EXISTING ZONING - SPECIAL CONTROL AREA MAP 3



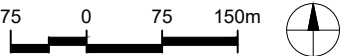
LEGEND

- Development Area (Structure Plan) (Schedule 8)
- Development Contribution Area (Schedule 9A & 9B)
- Environmental Conditions (Schedule 8)
- Armadale Redevelopment Area Boundary

PROPOSED ZONING - SPECIAL CONTROL AREA MAP 3



NOTE: The reservations are shown diagrammatically and do not purport to represent the road reservations shown in the Metropolitan Region Scheme and information in respect to road widening requirements for these roads should be obtained from the Department of Planning



SCALE 1 : 7500

Based on information provided by and with the permission of the Western Australian Land Information Authority trading as Landgate (2012). Aerial photograph supplied by Landgate. Photomaps by Nearmap.

FORM 6A

COUNCIL ADOPTION

This Complex Amendment was adopted by Resolution xxx of the Council of the City of Armadale at the Ordinary Meeting of the Council held on the xxx day of xxx 2021.

MAYOR

CHIEF EXECUTIVE OFFICER

COUNCIL RESOLUTION TO ADVERTISE

By Resolution D22/7/21 of the Council of the City of Armadale at the Ordinary Meeting of the Council held on the 26th day of July 2021 proceed to advertise this Amendment.

MAYOR

CHIEF EXECUTIVE OFFICER

COUNCIL RECOMMENDATION

This Amendment is recommended by for support by Resolution xxxxx of the City of Armadale at the Ordinary Meeting of the Council held on the xx day of xx 2021 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

FORM 6A – CONTINUED

WAPC ENDORSEMENT (r.63)

DELEGATED UNDER S.16 OF
THE PD ACT 2005

Date:- _____

APPROVAL GRANTED

MINISTER FOR PLANNING

Date:- _____