

# CITY OF ARMADALE

## MINUTES

**OF DEVELOPMENT SERVICES COMMITTEE HELD IN THE FUNCTION ROOM,  
ADMINISTRATION CENTRE, 7 ORCHARD AVENUE, ARMADALE ON MONDAY, 17  
JULY 2023 AT 7.00PM.**

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**PRESENT:** Cr S Mosey (Deputy Chair)  
Cr R Butterfield  
Cr P A Hetherington  
Cr K Kamdar  
Cr G J Smith

**APOLOGIES:** Cr M J Hancock (Leave of Absence)  
Cr S S Virk (Leave of Absence)  
Cr M Silver (Deputy to Cr Virk)

**OBSERVERS:** Cr M Northcott (*via Teams*)

**IN ATTENDANCE:** Ms J Abbiss Chief Executive Officer  
Mr P Sanders Executive Director Development Services  
Mr J Lyon Executive Director Corporate Services (*via Teams*)  
Mr M Andrews Executive Director Technical Services (*via Teams*)  
Ms R Milnes A/Executive Director Community Services (*via Teams*)  
Mrs N Cranfield Executive Assistant Development Services

**PUBLIC:** 2

*“For details of Councillor Membership on this Committee, please refer to the City’s website  
– [www.armadale.wa.gov.au/your\\_council/councillors](http://www.armadale.wa.gov.au/your_council/councillors).”*

**DISCLAIMER**

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The Disclaimer for protecting Councillors and staff from liability of information and advice given at Committee meetings was read.

**DECLARATION OF MEMBERS' INTERESTS**

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Nil.

**QUESTION TIME**

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Nil.

**CONFIRMATION OF MINUTES**

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**RECOMMEND**

**Minutes of the Development Services Committee Meeting held on 19 June 2023 be confirmed.**

**Moved Cr P A Hetherington  
MOTION CARRIED**

**(5/0)**

**ITEMS REFERRED FROM INFORMATION BULLETIN - ISSUE 10 - JUNE 2023**

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*Committee noted the information and no further items were raised for discussion and/or further report purposes.*

**DEPUTATION**

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**Consideration of Minister's Modifications – TPS No.4 – Amendment No.121 – Rezoning of Lots 601-603 Balannup Road & Lots 200-202 Skeet Road, Harrisdale**

Mr Richard Henderson, landowner of Lot 604 (No.57) Balannup Road, Harrisdale addressed the Committee at 7.03pm and provided the following comments -

- In regard to the above report being considered at tonight's meeting and my property boundary at Lots 603 and 604 Balannup Road, Harrisdale, I have previously put my objections in writing to the Council stating my objections to the boundary fencing and have not received a response.

I would like privacy fencing on my property boundary being Lots 603 and 604 Balannup Road, my property is quite a mess and I would like to leave it that way at the moment. The current development plan shows 25 houses on the boundary facing into my property. I would like to know what the Council's opinion on this is.

*The Executive Director Development Services advised that the WAPC is currently determining the Structure Plan and the WAPC will determine the design of the subdivision application, including whether residential lots or a road will abut the subject lot. The Executive Director Development Services further advised that it's common for landowners to liaise with the developer and discuss any proposed boundary fencing.*

*Chair thanked Mr Henderson for his attendance.  
Deputation retired at 7.11pm.*

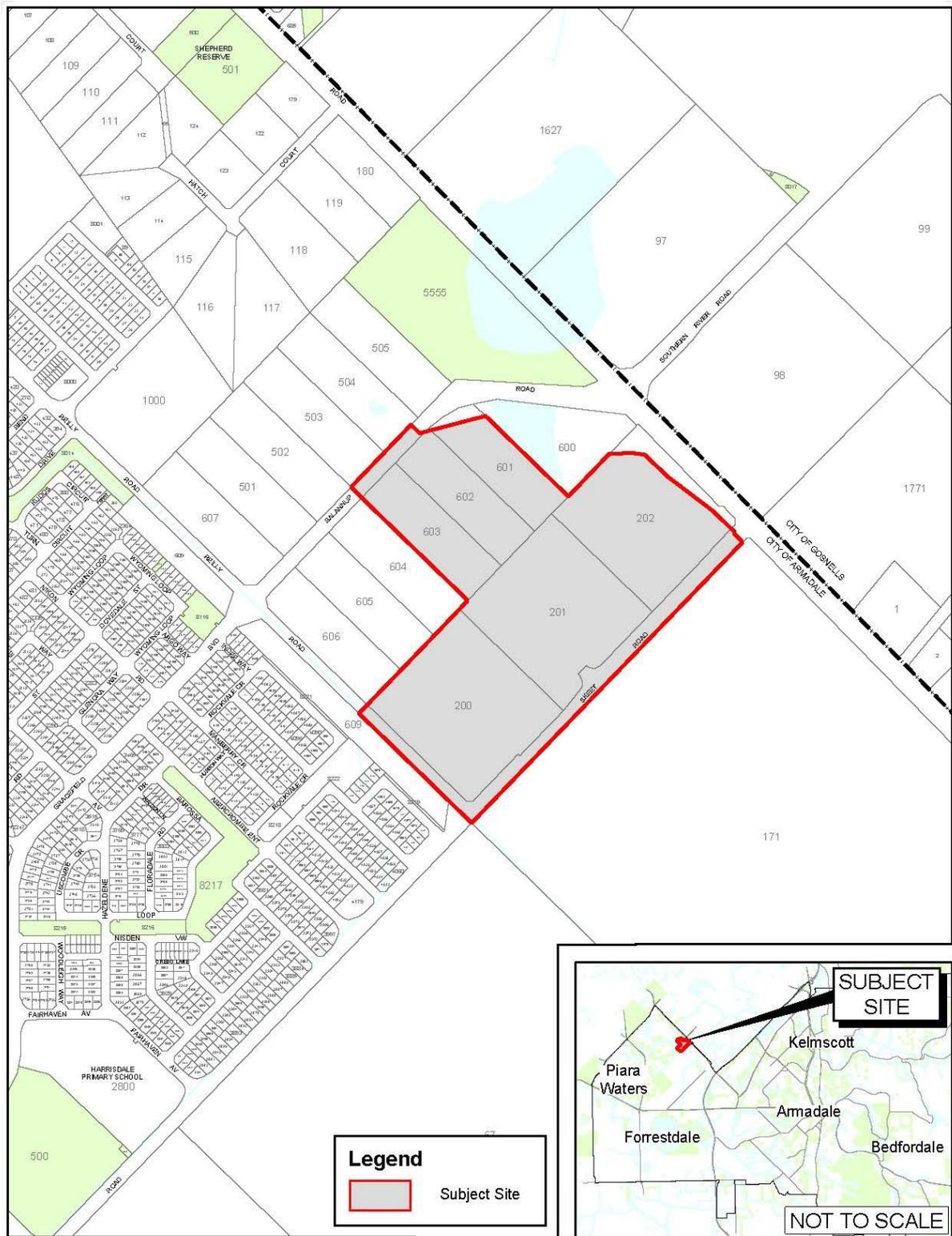
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## DEVELOPMENT SERVICES COMMITTEE

17 JULY 2023

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**LOCATION PLAN**  
 TPS No.4 Amendment 121  
 Lots 601-606 Balannup Road and Lots 200-202 Skeet Road,  
 Harrisdale



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DATE: 9 June 2023 - REVISION: 2301  
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**4.1 - CONSIDERATION OF MINISTER'S MODIFICATIONS - TPS NO.4  
AMENDMENT NO.121 - REZONING OF LOTS 601-603 BALANNUP ROAD & LOTS  
200-202 SKEET ROAD, HARRISDALE**

Committee agreed to bring forward the following Report to this juncture of the meeting in the interests of the public gallery. Moved: Cr Smith

WARD : RANFORD  
FILE No. : - M/337/23  
DATE : 13 JULY 2023  
REF : AR  
RESPONSIBLE MANAGER : EDDS  
APPLICANT : Hex Design and Planning  
LANDOWNER : Various  
SUBJECT LAND : Lots 601 - 603 Balannup Road & Lots 200 - 202 Skeet road, Harrisdale  
ZONING MRS / : Urban  
TPS No.4 : General Rural

**In Brief:**

- At its 24/10/2022 meeting, Council resolved to adopt Town Planning Scheme No.4 Amendment No.121 with modifications and to forward the amendment to the Western Australian Planning Commission and the Minister for Transport, Planning and Ports for final approval.
- The WAPC has advised the City that the Minister requires the City to further modify the Amendment pursuant to Section 87(2) of the *Planning and Development Act 2005*.
- The Minister's modifications require the re-inclusion of Lots 601 – 603 Balannup Road into the amendment area.
- Recommend that Council adopt the modified Amendment in accordance with the Minister's decision.

**Tabled Items**

Nil.

**Decision Type**

- Legislative** The decision relates to general local government legislative functions such as adopting/changing local laws, town planning schemes, rates exemptions, City policies and delegations etc.
- Executive** The decision relates to the direction setting and oversight role of Council.
- Quasi-judicial** The decision directly affects a person's rights or interests and requires Councillors at the time of making the decision to adhere to the principles of natural justice.

**Officer Interest Declaration**

Nil

**Strategic Implications**

- 2.5.1 Ensure the City's planning framework is modern, flexible, responsive and aligned to achieving the outcomes of the Strategic Community Plan and Corporate Business Plan.
- 3.3.1 Ensure the City has contemporary strategies and dynamic planning frameworks to be responsive to economic development opportunities and trends.



**AERIAL PLAN**  
TPS No.4 Amendment 121



SCALE 1 : 8000

DATE 15 September 2022 - REVISION 2201  
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**Legal Implications**

*Planning and Development Act 2005*  
*Town Planning Regulations 1967*  
*Planning and Development (Local Planning Schemes) Regulations 2015*  
Town Planning Scheme (TPS) No.4  
Metropolitan Region Scheme

**Council Policy/Local Law Implications**

Local Planning Strategy 2016  
Local Planning Policies

**Budget/Financial Implications**

Nil.

**Consultation**

The October 2022 Council minutes documents the consultation undertaken with stakeholders, government and the community as part of the City's consideration of the Amendment. The City will write to all submitters advising upon gazettal of the Amendment.

**BACKGROUND**

The Amendment to rezone Lots 601 - 606 Balannup Road and Lots 200 - 202 Skeet Road, Harrisdale from 'General Rural' to 'Urban Development' was initiated at Council's September 2021 meeting to ensure that TPS No.4 remained consistent with the MRS 'Urban' zone. This is a legislative requirement pursuant to Section 125 (3) of the *Planning and Development Act 2005 (P&D Act)*. Amendment No.121 is considered a Standard Amendment which has followed the appropriate process set out in the *Planning and Development (Local Planning Schemes) Regulations 2015*.

The various proposals of this Amendment (as advertised and described in the September 2021 report) are outlined as follows:

1. Rezone Lots 601 - 606 Balannup Road and Lots 200 - 202 Skeet Road, Harrisdale to the TPS No.4 'Urban Development' zone to enable the preparation of a Structure Plan;
2. Include the area in the TPS No.4 Special Control Area Map 3 – Development Areas, to identify the new Structure Plan (Development) Area;
3. Insert applicable provisions into TPS No.4 Schedule 8 Development (Structure Planning) Areas to address later structure planning, subdivision and development; and
4. Remove the poultry farm buffer from TPS No.4 Special Control Area Map 1 as a result of the permanent closure of the poultry farm on the corner of Skeet Road and Ranford Road.

***Refer to Council Resolution D36/9/21 (including Plan (Amendment No.121 – Initiation)) in the report Attachments.***

The Amendment was advertised for public review. The Council recommended at the 24 October 2022 meeting for the adoption of the Amendment subject to modifications excluding Lots 601 - 606 Balannup Road. Several landowners had also lodged wetland reclassification requests to the the Department of Biodiversity, Conservation and Attractions (DBCA), which has been determined by the DBCA. Further detailed discussion on the landowner objections and the DBCA wetland reclassification is included within the October 2022 Council meeting report.

***Refer to Council Resolution D19/10/22 and recommended modified zoning Plan (Amendment No.121 – Adoption) in the report Attachments.***

The WAPC has now written to the City advising that the then Minister for Transport, Planning and Ports (Minister) requires a number of modifications to the Amendment in accordance with Section 87(2)(b) of the *Planning and Development Act 2005 (Act)*. Section 87(2)(b) states as follows:

“(2) *The Minister may, in relation to a local planning scheme or amendment submitted to the Minister under subsection (1) —*

...

(b) *require the local government concerned to modify that local planning scheme or amendment in such manner as the Minister specifies before the local planning scheme or amendment is resubmitted for the Minister’s approval under this subsection;”*

## **DETAILS OF PROPOSAL**

This report advises of the Minister’s modifications to TPS No.4 Amendment No.121 under Section 87(2)(b) of the *Act*, outlines the City’s assessment of the extent of each modification and a recommendation for subsequent progression of the Amendment. A copy of the modified Amendment text and the Amendment Plan as instructed by the Minister is attached. Council is required to resubmit the duly modified Amendment to the Minister for approval.

***The Minister’s Amendment No.121 text and Plan Modifications are presented in the Attachments to this report.***

The table below has been prepared to summarise Council’s adopted Amendment proposal and describe the Minister’s required modification.

<b>Council Resolution Part</b>	<b>Details of Resolution</b>	<b>Minister’s Required Modification and City Planning Services Department Response</b>
1.a.	Rezone Lots 200 – 201 Skeet Road and Lot 202 Skeet Road from the ‘General Rural’ zone to the ‘Urban Development’ zone;	Modified to also include Lots 601 – 603 Balannup Road into the Amendment area as originally advertised.  Refer to later discussion in this report.
1.b.	Rezone portions of Skeet Road and Reilly Road reserves to ‘Urban Development’ zone;	Modified to also include portion of Balannup Road abutting Lots 601 - 603.  This is a minor modification as a result of the changes to 1.a.

<b>Council Resolution Part</b>	<b>Details of Resolution</b>	<b>Minister's Required Modification and City Planning Services Department Response</b>
1.c.	Insert the following text in Schedule 8 Development (Structure Planning) Areas for the land generally bound by Ranford Road, Skeet Road, Reilly Road and the western boundary of lots fronting Skeet Road	Modified to refer to Lots 601, 602 and 603 Balannup Road, and Lots 200, 201 and 202 Skeet Road.  This is a minor flow-on modification as a result of the changes to 1.a.
1.c Schedule 8 72.1	Subdivision and development of land is to generally be in accordance with a structure plan prepared and approved pursuant to Part 4 of the Deemed Provisions of <i>the Planning and Development (Local Planning Schemes) Regulations 2015</i> (as amended).	Provision 72.1 has been removed.  This is a minor modification and therefore should be supported. Subdivision and development will still be required to be consistent with any subsequent structure plan in accordance with the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .
1.d	Include the land generally bound by Ranford Road, Skeet Road, and Reilly Road and the western boundary of lots fronting Skeet Road within Special Control Area Map 3 with the appropriate 'Development Area (Structure Plan) Schedule 8' and 'No.72' designations;	Modified to refer to Lots 601, 602 and 603 Balannup Road, and Lots 200, 201 and 202 Skeet Road.  This is a minor modification as a result of the changes to 1.a.
1.e.	Modify Special Control Area Map 1 to remove the entire Poultry Farm Buffer over all properties;	No modification required.
1.f	Amend scheme maps as above.	No modification required.

## COMMENT

The Minister's required modifications that are deemed to be substantial in nature relate to the re-inclusion of Lots 601 – 603 Balannup Road into the Amendment area. As such Lots 601 – 603 will be rezoned from 'General Rural' to 'Urban Development' under the TPS No.4 and will now be shown on SCA Map 3 within Development Area 72.

DPLH Officers, on behalf of the Minister and the WAPC, have provided the following explanatory justification for the required modifications:

- *Lots 601, 602 and 603 Balannup Road are unencumbered by wetlands or wetland buffers and the landowners of these respective properties have advised of their objection to the City's proposed modification to the amendment. As such, the Minister for Planning has supported their inclusion in the amendment land.*
- *Matters relating to Lots 604, 605 and 606 Balannup Road are currently under consideration by DBCA per the request of the landowner, and these lots have been removed from the amendment land accordingly.*

## **ANALYSIS**

Council has been directed by the Minister under Section 87(2)(b) of the *Act* to make modifications to Amendment No.121. There are no formal appeal or rights of review if Council is aggrieved by the changes required. Notwithstanding, it is open for Council to advocate a position to the Minister, if Council so determines. Should Council wish to make a submission to the Minister with respect to some or all of the modifications required, then that option is available.

Lots 601 – 603 were included in the advertised Scheme Amendment area. These lots are not affected by the wetland reclassification process the Department of Biodiversity, Conservation and Attractions (DBCA) was undertaking.

## **OPTIONS**

1. Council may acknowledge and note the modifications instructed by the Minister and authorise the Mayor and CEO to execute the modified amendment documentation prior to returning the documentation for final approval and gazettal.
2. Council may lodge a submission seeking the Minister to reconsider the modifications and explaining why Council queries the changes required by the Minister and await the Minister's further response, prior to implementing modifications to Amendment No.121 and authorising the Mayor and CEO to execute the modified amendment documentation.

## **CONCLUSION**

Lots 601 – 603 are not impacted by any DBCA wetland reclassification application/decision. Council's previous resolution (D25/12/22) included that if DBCA determines the Structure Plan area contains wetlands of regional significance for protection, then the City write to the WAPC requesting the wetlands and buffers be reserved for Parks and Recreation in the Metropolitan Region Scheme to enable landowners to be compensated.

In accordance with Option 1 above, it is recommended that Council resolve to note the modifications requested by the Minister, authorise the Mayor and CEO to execute the modified Amendment documentation and return the documentation for final approval and gazettal.

## **ATTACHMENTS**

1. ↓ TPS No.4 Map - Amendment No.121 - Initiation
2. ↓ Special Control Area Map 3 - Amendment No.121 - Initiation
3. ↓ Special Control Area Map 1 - Amendment No.121 - Initiation
4. ↓ TPS No.4 Map - Amendment No.121 - Adoption
5. ↓ Special Control Area Map 3 - Amendment No.121 - Amended
6. ↓ Special Control Area Map 1 - Amendment No.121 - Adoption
7. ↓ Schedule of Modifications - TPS No.4 - Amendment No.121
8. ↓ TPS No.4 Map - Amendment No.121 - Ministers Modification for Adoption
9. ↓ Special Control Area Map 3 - Amendment No.121 - Ministers Modification for Adoption
10. ↓ Special Control Area Map 1 - Amendment No.121 - Adoption

## **RECOMMEND**

D18/7/23

### **That Council:**

1. **Notes the Minister for Transport, Planning and Port's direction pursuant to Section 87(2) of the *Planning and Development Act 2005* as advised in the WAPC's letter dated 18 July 2023 to require the implementation of modifications to Amendment No.121 prior to the Amendment receiving final approval; and**
2. **Authorises the Mayor and the Chief Executive Officer to execute the modified scheme amendment documentation prior to the documentation being returned to the Western Australian Planning Commission.**

**Moved Cr K Kamdar  
MOTION CARRIED**

**(5/0)**

***\*\*1.1 - HEALTH (MISCELLANEOUS PROVISIONS) ACT 1911 - APPOINTMENT OF DEPUTIES OF THE LOCAL GOVERNMENT***

WARD : ALL  
FILE No. : M/235/23  
DATE : 13 July 2023  
REF : DD  
RESPONSIBLE MANAGER : EDDS

**In Brief:**

- This report requests Council to appoint Officers as the City's Deputies for the purposes of exercising and discharging provisions of the *Health (Miscellaneous Provisions) Act 1911* and its relevant regulations, local laws and orders.
- Recommend that Council appoint the listed persons as Deputies of the Local Government for the purposes of the *Health (Miscellaneous Provisions) Act 1911*.

**Tabled Items**

Nil.

**Decision Type**

- Legislative** The decision relates to general local government legislative functions such as adopting/changing local laws, town planning schemes, rates exemptions, City policies and delegations etc.
- Executive** The decision relates to the direction setting and oversight role of Council.
- Quasi-judicial** The decision directly affects a person's rights or interests and requires Councillors at the time of making the decision to adhere to the principles of natural justice.

**Officer Interest Declaration**

Nil

**Strategic Implications**

- 1.2 Improve community wellbeing  
1.2.4 Facilitate the delivery of health and wellbeing programs and services within the community.
- 2.1 Protection and restoration of the natural environment, and the reduction of environmental impacts  
2.1.2 Improve the quality of water in the City's rivers, streams, brooks, drains and wetlands.
- 2.5 Quality development that enhances the amenity and livability of the City  
2.5.6 Seek improvements to the nature and standard of developments within the City.

**Legal Implications**

Section 26 of the *Health Miscellaneous Provisions) Act 1911* authorises and directs every local government to carry out within its district the provisions of the *Act* and its relevant *regulations*, local laws and orders.

**Council Policy/Local Law Implications**

Nil.

**Budget/Financial Implications**

The appointment enables to City to perform its functions under the *Health (Miscellaneous Provisions) Act 1911* in an efficient manner.

### **Consultation**

City Directorates.  
City's Solicitors.

### **BACKGROUND**

Section 26 of the *Health (Miscellaneous Provisions) Act 1911* (the *Act*) authorises and directs every local government to carry out within its district the provisions of the *Act* and its relevant *regulations*, local laws, and orders.

This section also provides the ability for the local government to appoint and authorise a person to be its Deputy and exercise and discharge all or any of the powers and functions of the local government under the *Act*, subject to conditions and limitations (if any) as determined by the local government.

Such an appointment does not affect the exercise or discharge of any power or function by the local government itself.

### **DETAILS OF PROPOSAL**

To ensure that the City is able to continue to efficiently and effectively administer its obligations under the *Act*, it is requested that Council resolve to appoint Deputies of the local government for the purposes of the *Act*.

Section 26 of the *Act* provides that “*a local government may appoint and authorise any person to be its deputy and in that capacity to exercise and discharge all or any of the powers and functions of the local government*”.

For all intents and purposes this will have no effect on how the City's officers carry out their roles, since a delegate and a Deputy effectively perform the same function. Multiple Deputies need to be appointed to ensure effective discharge of the City's functions under the *Act*.

Whilst the *Act* refers to “authorised officers” to perform particular functions assigned to their office, this does not extend to *regulations 4 and 4A* of the *Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974* which require a “local government” to grant approval for the construction or installation of an apparatus for the treatment of sewage and disposal of effluent and liquid waste (*reg 4*) and provide a report in relation to an application for approval of an apparatus made to the Chief Health Officer (*reg 4A*).

It is recommended that the City's Coordinator Health Services, Senior Environmental Health Officers and Environmental Health Officers be appointed as Deputies of the local government for the purposes of the *Act*, subject to the condition that these officers may only:

1. Issue approvals for the construction and installation of apparatus for the treatment of sewerage and the disposal of effluent and liquid waste in accordance with *Regulations of the Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974*; and
2. Prepare and provide a local government report in relation to an application for an approval made to the Chief Health Officer under *Regulation 4A* of the *Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974*.

These conditions will not affect their current powers and functions as an authorised officer as references to an authorised officer under the *Act* and associated *regulations* refer to those appointed as an authorised officer under the *Public Health Act 2016*.

## CONCLUSION

Section 26 of the *Act* provides for the local government to appoint and authorise any person to be its Deputy and exercise any of the local government's powers or duties under that *Act*. It is recommended that a specific resolution of Council is passed to appoint the City's Deputies to fulfil the requirements of the *Act*.

## ATTACHMENTS

1. [Health \(Miscellaneous Provisions\) Act 1911 - Section 26 Extract](#)

## RECOMMEND

D19/7/23

### That Council:

1. Pursuant to section 26 of the *Health (Miscellaneous Provisions) Act 1911*, appoint the persons listed below as the City's Deputies for the purposes of exercising and discharging any of the provisions of the *Health (Miscellaneous Provisions) Act 1911* and its relevant *Regulations*, including local laws and orders made under the aforementioned legislation, subject to the condition detailed below:
  - a) Chief Executive Officer
  - b) Executive Director Development Services
  - c) Manager Health Services
  - d) Coordinator Health Services
  - e) Senior Environmental Health Officers
  - f) Environmental Health Officers

### *Conditions:*

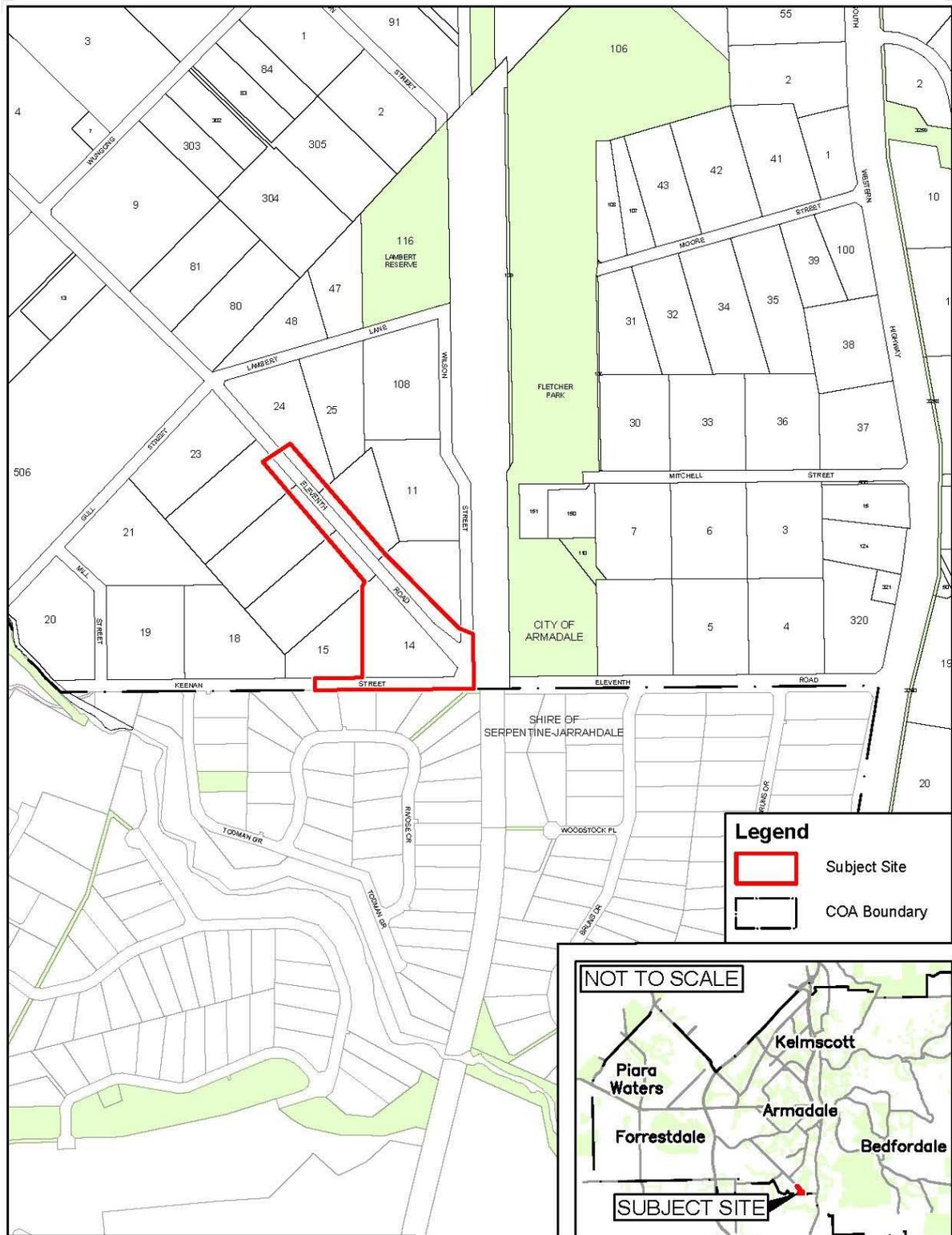
*The Coordinator Health Services, Senior Environmental Health Officers and Environmental Health Officers may only as Deputies:*

- i. Issue approvals for the construction and installation of apparatus for the treatment of sewage and the disposal of effluent and liquid waste in accordance with Regulation 4 of the Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974.*
- ii. Prepare and provide a local government report in relation to an application for an approval made to the Chief Health Officer under Regulation 4A of the Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974.*

## ABSOLUTE MAJORITY RESOLUTION REQUIRED

Moved Cr R Butterfield  
MOTION CARRIED

(5/0)



**LOCATION PLAN**  
Eleventh Road Bridge DWA



DATE 19 June 2023 - REVISION 2301  
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***2.1 - DEVELOPMENTWA REFERRAL - PROPOSED ELEVENTH ROAD BRIDGE  
AND ASSOCIATED WORKS - WUNGONG***

WARD : MINNAWARRA  
FILE No. : - M/293/23  
APPLN NO. : 37.2023.64.1  
DATE : 13 July 2023  
REF : JC/SW/PS  
RESPONSIBLE MANAGER : EDDS  
APPLICANT : MetConnx/Public Transport Authority  
LANDOWNER : Various  
SUBJECT LAND : Various  
ZONING : Armadale  
MRS / : Redevelopment  
TPS No.4 : Scheme 2

**In Brief:**

- The Byford Rail Extension (BRE) project will replace a number of existing level crossings on the Armadale Railway Line with grade separated crossings.
- This third development application associated with the BRE project is for the replacement of the Eleventh Road level crossing with a road over rail bridge.
- The subject site straddles the boundary of the Armadale Redevelopment Area. Land west of the railway line is located within the Redevelopment Area and works within that area require development approval from DevelopmentWA (DWA). DWA have referred this application to the City for comment.
- The land east of the railway corridor is located within Planning Control Area (PCA) No.164 and works within that PCA are exempt from the requirement for planning approval. The Public Transport Authority's (PTA) contractors MetConnx have referred those works to the City for comment, as part of the Design Packages for the project.
- Recommend that Council advise DWA that it supports the development application subject to conditions.
- Recommend that Council advise the Public Transport Authority (PTA) of several matters and improvements that need to be addressed as part of the Design Packages.

**Tabled Items**

Nil.

**Decision Type**

**Legislative**

The decision relates to general local government legislative functions such as adopting/changing local laws, town planning schemes, rates exemptions, City policies and delegations etc.

**Executive**

The decision relates to the direction setting and oversight role of Council.

**Quasi-judicial**

The decision directly affects a person's rights or interests and requires Councillors at the time of making the decision to adhere to the principles of natural justice.



**AERIAL PLAN**  
Eleventh Road Bridge DWA

DATE 5 January 2021 - REVISION 2101  
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### **Officer Interest Declaration**

Nil.

### **Strategic Implications**

- 1.2.1.6 Support projects that improve the perception and safety of patrons on the Armadale Line and increase train patronage.
- 3.1.2.1 Participate in the MetroNet working group for the Byford extension and advocate for outcomes that support the future growth of the Armadale City Centre.
- 2.2.2 Improve the amenity of streetscapes in established suburbs to provide an attractive, shaded network that connects residents to locations of interest.
- 4.1.1 Advocate for the delivery of key transformational projects.

### **Legal Implications**

*Public Works Act 1902*

*Metropolitan Redevelopment Authority Act 2011*

*Railway (MetroNet) Act 2018*

Metropolitan Region Scheme

WAPC's State Planning Policy 5.4 - Road and Rail Noise (SPP 5.4)

Town Planning Scheme (TPS) No.4

### **Council Policy/Local Law Implications**

PLN 2.4 - Landscape Feature and Tree Preservation

PLN 3.12 - Percent for Public Art

Urban Forest Strategy

Local Biodiversity Strategy

### **Budget/Financial Implications**

PTA are proposing to transfer management of landscaping and drainage areas to the City for management, which will be the subject of future reports for Council's consideration. The City understands that Main Roads WA will be managing the asset of the Eleventh Road Bridge and north/south Principal Shared Path (PSP), with the City being asked to consider management of other ground level assets outside of the Railway Corridor.

Whilst DWA are considering a Development Application at this time, it is important to note that the City's advice on the development application and the DWA's decision should not be construed as acceptance of management of assets by the City. The City's acceptance of management responsibilities will require further discussions and the contractors and PTA/MetroNet achieving the City's standards for assets.

### **Consultation**

1. City of Armadale Staff participating in working groups and providing comment on 'Design Packages'. The City's staff have been required by MetroNet/PTA to sign a Confidentially Agreement in regard to the Project.
2. Advertising of the Development Application.
3. The City has advocated for MetConnx and PTA to engage with the local community and local environmental groups, in particular regarding any works that affect residents and environmental assets in the area. Limited consultation has occurred to date.
4. The Community Engagement document contains details from the main project rather than the actual engagement on the Eleventh Rd Bridge – eg. Briefing of COA Councillors on the project has not occurred and there are substantial changes from previous designs the City has provided advice on.

## **BACKGROUND**

### Subject Site

The subject site is located on the City's southern boundary with the Shire of Serpentine Jarrahdale. The proposed bridge over the railway is located approximately 600m west of the intersection of Eleventh Road and the South Western Highway. Eleventh Road connects the South Western Highway to Forrest Road and Wollaston Road.

Eleventh Road is currently constructed as a two lane rural standard road and with an active (flashing light controlled) level crossing at the railway line. The site is surrounded by predominately rural residential properties and adjacent to Fletcher Park to the north east. Properties to the south and north east of the proposed bridge are zoned Rural Residential and range between approximately 2000m<sup>2</sup> to 2ha in area. Surrounding properties west of the proposed bridge are also rural residential in nature and range between approximately 1 - 2ha in area, but are identified for future urban development by the Wungong Urban Water Master Plan.

### Byford Rail Extension Project

This project will:

- extend the Armadale Line approximately 8km south to a new train station in Byford;
- remove all existing level crossings from (and including) Armadale Road to the new Byford Station: this includes the Eleventh Road level crossing;
- remove the three level crossings within the Armadale City Centre by the grade separation of the railway onto a viaduct that shall run above Armadale Road, Forrest Road and Church Avenue; and
- rebuild Armadale Station as an elevated station at the same level as the viaduct, which will form part of a separate development application.

The State Government has awarded the contract to construct the BRE to the 'MetConnx' Alliance comprising Laing O'Rourke Australia Construction Pty Ltd, Pritchard Francis Consulting Pty Ltd and Kellogg Brown & Root Pty Ltd.

### Planning Control Area No.164

The WAPC has declared a Planning Control Area (PCA) No.164 over some land in Armadale, in support of the BRE project (*see Attachments*). Declaration of a PCA under the *Planning and Development Act 2005* is a statutory planning process used to protect strategically important land from inappropriate development and can facilitate acquisition by the WAPC where required.

### Planning Exemption & Development Application

It should be noted that many of the temporary and permanent works associated with the BRE project are 'METRONET Works' on reservations/land subject to the Metropolitan Region Scheme and are therefore exempt from the requirement for planning approval, by virtue of the *Public Works Act 1902*, *Planning and Development Act 2005* and *Railway (MetroNet) Act 2018*.

Land west of the railway line is located within the Redevelopment Area where the Metropolitan Region Scheme is not operational and DWA has planning control. The exemptions and PCA mentioned above do not apply within the Redevelopment Area and development approval for the proposed works within the Redevelopment Area is required to be obtained from DWA. The City has been referred this development application by DWA and given an opportunity to provide comment for the western part of the Eleventh Road Bridge development only.

The City is being referred Design Packages for comment for sections of the bridge within the PCA. However it should be noted that the City's support should be obtained for infrastructure that is proposed to be transferred by the PTA to the City for management.

#### Wungong Urban Water Master Plan (Master Plan)

DWA's Master Plan broadly guides land use and development of the Redevelopment Area. The Master Plan assigns land surrounding the bridge as a predominately Suburban place code (Residential R35) and identifies a Passive Open Space place code to Conservation Category Wetlands and their buffers.

#### Eleventh Road Future Upgrade

The development of the Wungong Master Plan will generate additional traffic that necessitates the upgrade of existing rural standard roads in the area. Eleventh Road is identified as a District Entry Road standard (the highest road classification in the Wungong Movement Network Policy) and proposed to be widened to 33m. The ultimate road cross section will accommodate four lanes of traffic, bicycle lanes and dual use paths.

#### Draft Precinct 17 (Cell H) Structure Plan (SP)

A draft SP was prepared for the area of Wungong Urban Water surrounding the proposed bridge in 2022. The SP included:

- A network of residential streets either side of Eleventh Road;
- Upgrades to Eleventh Road;
- A Community Park for Lot 14 Eleventh Road; and
- Passive Open Space reservations over Conservation Category Wetlands and their buffers.

The applicant is not pursuing the draft SP any further at the moment, and the application has not been determined by DWA. It is expected that a new Structure Plan will be prepared in the future.

#### State Planning Policy 5.4 - Road and Rail Noise

The WAPC's State Planning Policy 5.4 - Road and Rail Noise (SPP 5.4) applies to the preparation and assessment of development proposals in Western Australia, including major upgrades of railways. The Policy:

- sets the noise targets for this project;
- requires that the certain design considerations be undertaken to ensure that the proposal achieves overall noise management outcomes; and
- requires that the proposal be accompanied by a noise management plan to determine actual noise levels accounting for any relevant adjacent zoning under an applicable region or local scheme, and demonstrate that the proposal can adequately mitigate the noise impacts.

See the Acoustic & Vibration Report section below for further details of the proposal's compliance with SPP 5.4.

#### State Planning Policy 3.7 - Planning in Bushfire Prone Areas

The WAPC's State Planning Policy 3.7 - Planning in Bushfire Prone Areas (SPP 3.7) applies to a variety of different stages of planning, including the assessment of development proposals. The Policy and the supporting Planning in Bushfire Prone Areas Guidelines (Bushfire Guidelines) require proposals to consider the impact of bushfire and provide appropriate measures to mitigate bushfire risk. The Bushfire Guidelines also specify requirements for road connectivity, design and construction specifications to ensure there are sufficient access and egress routes available in a bushfire emergency. Given the proposal includes alterations to the roads and access to surrounding properties these requirements are applicable to the development.

#### LPP PLN 2.4 - Landscape Feature and Tree Preservation

PLN 2.4 - Landscape Feature and Tree Preservation identifies mechanisms for protection of those significant trees through the planning and development process. While the applicant and DWA may have regard for this Local Planning Policy, neither are bound by the Policy.

#### MetroNet Sustainability Strategy

MetroNet's Sustainability Strategy, which was published in December 2021, identifies objectives, targets and outcomes that are applicable to transport infrastructure, stations and precincts. The following outcomes are relevant to the development application:

- *Native vegetation retention is prioritised. Where impacts are unavoidable, aim to minimise, rehabilitate or offset impacts to native vegetation.*
- *At least 20% vegetation canopy cover of the project footprint, or LGA target where higher.*
- *A landscape architect/designer involved early at project concept design to support realisation of good landscape design and opportunities for community amenity, lower maintenance costs, environmental values, green infrastructure and WSUD.*
- *Landscape design plans integrate and enhance biodiversity, tree canopy coverage, fire risk resilience and WSUD.*
- *The stakeholder and community engagement plan provides opportunity for the community in precinct planning and design.*
- *The community is consulted on their values and priorities for a precinct area, with values considered in precinct design and delivery.*

#### DWA's Development Policy 4 – Providing Public Art

The abovementioned DWA Policy applies to the proposed development within the Redevelopment Area. For developments between \$2 - 50 million in value the policy requires a contribution of 1% of the development construction cost to be made towards public art by either:

- i. make a monetary contribution to the DWA Public Art Fund for the area; or,
- ii. provide public art work to the value of one per cent (1%) of the total development cost.

### MetroNet Public Art Strategy

MetroNet's Public Art Strategy, which was published in October 2019, identifies the following objectives for public art delivery across the MetroNet program, including the BRE project:

- *Drive the delivery of a diverse program of high-quality progressive, bold, meaningful and inspiring public art that is reflective of and valued by the community.*
- *Support the appeal and legibility of public spaces connected to stations and other transport infrastructure by creating points of interest, landmarks and destinations; supporting walkability and building a sense of adventure.*
- *Help animate public spaces, showcase local cultures and build place identity.*
- *Celebrate and/or honour, respect and acknowledge Australia's First People by promoting, engaging and responding to local Aboriginal connection to place, culture, community, heritage and history.*
- *Encourage creativity and innovation, and support the development of creative capital, employment opportunities and the sustainability of the professional and emerging local arts sector.*
- *Leave a positive project legacy to acknowledge the significance of MetroNet.*

### **DETAILS OF PROPOSAL**

#### Development Application

The Development Application proposes replacement of the existing Eleventh Road level crossing with a two lane road over rail bridge, and includes the following:

- Construction of a two lane road over rail bridge (only the portion of the bridge west of the railway corridor);
- Construction of a PSP on the south side of Eleventh Road (only the portion of the PSP west of the railway corridor);
- Construction of a drainage basin within Lot 14 Eleventh Road, which will accommodate road reserve drainage;
- Extension of Keenan Street to provide access to Lot 16 Eleventh Road, as its existing road frontage to Eleventh Road will become inaccessible;
- Construction of an Emergency Accessway within the Keenan Street road reserve;
- Construction of a Western Power maintenance access track north of Eleventh Road;
- Realignment of existing Lot 12, 16 and 17 Eleventh Road driveways, to accommodate the new road layout; and
- Realignment of services to accommodate the proposed modifications.

A number of technical reports are included with the application and some aspects of the following reports will be discussed in more detail below:

- Landscaping Strategy;
- Construction and Staging Management Plan;
- Urban Design Treatment Strategy; and
- Operational Noise and Vibration.

Tree Retention and Replacement Landscaping (within Development Application)

The application proposes the removal of vegetation alongside Eleventh Road within the verges and front of properties acquired by PTA. The development also proposes:

- Clearing within Lots 14 and 110 Eleventh Road to accommodate bridge batters, drainage and powerline infrastructure;
- modification of vegetation within the Keenan Street road reserve to meet low threat requirements of the Bushfire Guidelines; and
- Replanting of areas proposed to be cleared surrounding the development with new plantings.

Public Art (within Development Application)

The City and the proponent have discussed improvements being made to the appearance of the structures constructed as part of the BRE. In response, the proponent is proposing the artistic treatment of the walls of the proposed bridge to improve its appearance to surrounding properties. At this stage, it isn't clear how the Public Art contribution/works will be progressed.

State Planning Policy 3.7 - Planning in Bushfire Prone Areas (within Development Application)

The application is accompanied by a Bushfire Vehicle Access Review that proposes to alter or restrict existing access points to surrounding properties from Eleventh Road and make a number of alterations or additional access ways to provide emergency access/egress from surrounding properties, including:

- Construction of a new access track across Lot 12 Eleventh Road to provide an alternative access route for the adjoining Lot 110 Eleventh Road;
- Construction of a new emergency accessway (partial using the proposed PSP) running alongside the railway between Wilson Street and the intersection of Eleventh Road and the Keenan Street road reserve to provide north-south connectivity under the Eleventh Road bridge; and
- Construction of a new emergency accessway (within the Keenan Street road reserve) from the end of Keenan Street to the existing emergency accessway connecting to Rivose Crescent.

Pedestrian/Cycle Access

The development also proposes the construction of a PSP that will run alongside the railway line under the Eleventh Road Bridge. A path is also proposed on top of the Eleventh Road Bridge, on the southern side of the road. A link is proposed between the path on Eleventh Road and the PSP close to the proposed cul-de-sac head at the end of Keenan Street.

Proposed Road Closure (within Development Application)

It is proposed that construction of the new bridge will require a period of 11 months where Eleventh Road is closed and vehicles are required to take alternative routes (Wungong Road or Rowley Road). Access to the surrounding properties would need to be maintained by the contractors during this period.

### Design Packages

In addition to the development listed above, the following works which are exempt from planning approval have been referred to the City for comment, by MetConnx, as part of the Design Packages for the project:

- Construction of a two lane road over rail bridge (portion east of the railway corridor only);
- Construction of Principal Shared Paths on Eleventh Road (south side) and adjacent to the railway line under the bridge;
- Construction of a drainage basin within Lot 1 Eleventh Road;
- Construction of an access driveway within Lot 1 Eleventh Road to provide property access and access for utilities maintenance;
- Construction and reconfiguration of various Fire Service and Emergency Accessways;
- Alterations to the intersection of Eleventh Road and Burns Drive to create a cul-de-sac at the end of Bruns Drive and provide a left-in access from Eleventh Road to Bruns Drive;
- Realignment of existing driveways to properties south of Eleventh Road, to accommodate the new road layout; and
- Realignment of services to accommodate the proposed modifications.

These works are not included in this development application and are largely subject to separate assessment.

### Environmental Approval

MetConnx have advised that an environmental approval for the BRE (and associated offsets) has been approved which would permit removal of any mature trees within the subject area, where required. In order to offset that removal the environmental approval requires that the proponent implement on-ground management of specific area/locations that contain the same environmental values that are being impacted: for example, the DBCA's Lambert Lane Nature Reserve is one of the nominated offset locations.

### Environment (within Design Packages)

The proposal impacts vegetation north of Eleventh Road, including within Fletcher Park Reserve. Fletcher Park forms part of the Bush Forever Site 264 *Lambert Lane Bushland*. The park contains bushland mapped as a Threatened Ecological Community (TEC) Floristic Community Type 3a *Corymbia calophylla – Kingia australis* woodlands on heavy soils (Keighery 1994). This TEC is listed under the Federal *Environmental Protection and Biodiversity Conservation Act (EPBC Act)* as Endangered and Critically Endangered under the State *Biodiversity and Conservation Act (BC Act)*. The *Kingia australis* TEC within Fletcher Park is estimated to be several hundred years old and are critically endangered unique individuals (the only species within the Genus) that are confined to the southern region of WA. The site is known to contain 105 native flora species and 51 introduced species. Several species of Declared Rare Flora, *Eucalyptus balanites* and *Diuris purdiei* have also been recorded within the site and are also protected under the *EPBC Act* and *BC Act*.

*Diuris purdiei* (Purdie's Donkey orchid) grows on sand to sandy clay soils, in areas subject to winter inundation. The existing drainage pattern provides this winter wet habitat for the orchid. The proposed works could significantly alter the drainage around the orchid.

There is a high level of fauna activity within Fletcher Park, particularly quenda. Prioritising the preservation of habitat linkages and the inclusion of fauna crossings within the proposed bridge design is critical in maintaining biodiversity and supporting the health of ecosystems to facilitate gene flow, dispersal and movement of fauna for continued access to resources. Cutting off linkages may result in reduced biodiversity of the local fauna and flora populations. Two fauna crossings of the railway are proposed north of the subject area.

#### Land Acquisition & Future Dedication of Reserves

The PTA has acquired Lot 14 Eleventh Road and portions of some other adjoining properties to facilitate the construction of the bridge. At the time of writing these land transfers were in order for dealings. The City understands that PTA will finalise the transfer of land and dedication of land.

### **COMMENT**

#### **Public Advertising**

This development application was advertised by DWA for a period of 21 days between 13 June 2023 and 4 July 2023. DevelopmentWA have advised that two submissions were received. One submission stating the submitter had no objection and one submission advising the submitter had the following concerns:

- Concern with the process undertaken in relation to the acquisition of the land required to undertake the project;
- Queries regarding the need for the infrastructure (drainage basins) the land acquired will accommodate; and
- Concerns regarding the impact to property value and amenity loss due to the loss of the land and highlighted a preference to investigate an alternative solution.

#### **DWA's Design Review Panel**

The applicant's presented to DWA's Design Review Panel (DRP) on 10 July 2023. Unlike like the WAPC's Design Review Panels for the Armadale Station, the City was not given the opportunity to present its views to the DWA's Design Review Panel and was only able to observe. This is an unusual approach, given that the Shire of Serpentine/Jarrahdale and the City of Armadale are key stakeholders in the outcome of this project and will be asked manage some of the assets. The DRP Notes are not yet available and are not likely to be provided to the City. The main matters raised in the Design Review Panel included:

- Significant loss of vegetation and lack of focus on protecting existing vegetation;
- The application contains limited environmental analysis. Matters such as Acid Sulphate Soils and Dieback management measures are not addressed in the proposal;
- Design needs to focus on future urban areas and interface;
- Bridges are very large structures and will dominate the landscape. Bridge should focus on design outcomes, rather than Main Roads WA transport requirements;
- Significant improvement to pedestrian/cyclist network;
- Proposed low threat revegetation and management responsibilities – has the management authority accepted this responsibility?;
- Bushfire risk management; and
- Turning movements and safety for Burns Dr intersections and movements.

## ANALYSIS

### Bridge (within Development Application)

The development replaces the existing level crossing with a two lane road bridge over the railway corridor. The applicant's traffic analysis indicates that the proposed bridge is sufficient to meet projected 2036 traffic volumes. It is noted that the consultants have used Main Roads WA modeling and applied a small increase in the vehicle numbers. This modeling is not consistent with the Traffic modeling undertaken by the City for the area as part of the Wungong Redevelopment Area, traffic modelling that was received for DWA's Cell H draft Structure Plan and the Department of Planning, Housing and Lands traffic modelling of arterial roads. This has been raised with the consultants several times during the design review process.

### Alterations to Local Road Network (within Development Application)

The proposal includes alterations to the existing local road network to ensure ongoing access to surrounding properties. Longer term, the proposed bridge will affect the proposed road network within the Cell H draft Structure Plan. This includes impacts on street blocks abutting Eleventh Road and restricting intersecting streets. Any subsequent revisions of the Cell H Structure Plan will be required to address the impacts of the proposed bridge and propose an alternative road network, which would be possible.

### Tree Retention and Replacement Landscaping (within Development Application)

The City notes the following about the proposal and the Tree Canopy Plans included with the application:

- A greater focus on tree retention in the first instance and the project adopting a culture of aiming to minimise land clearing and maximising tree retention;
- The proposal focusses on the replanting of new vegetation, rather than the retention of existing mature vegetation;
- The plans are based on a desktop assessment: no feature survey has been undertaken;
- Vegetation within private property, outside of the development footprint, has been included in the assessment of future canopy; and
- Some areas shown as suitable for vegetation replanting are not suitable for large trees, such as under powerlines.

The City considers a number of alterations should be made to the proposal to improve environmental outcomes of the project, including:

- Undergrounding of powerlines proposed to be located north of Eleventh Road;
- Increasing the amount of vegetation planted on the batters;
- The substitution of the proposed 5 litre pot size trees with 45 litre pot sizes; and
- Redesigning drainage swales within Lot 14 Eleventh Road to avoid existing vegetation.

The Officer Recommendation includes conditions to prioritise tree retention.

Public Art and Urban Design Treatment Strategy (within Development Application)

An Urban Design Treatment Strategy has prepared that seeks to outline considerations of the aesthetic impact of the bridge and associated infrastructure with efforts made to reduce the impact to both the immediate environment and local stakeholders. The City is supportive of the principle of preparing such a document, however the Urban Design Treatment Strategy has:

- Been prepared without any input by the City or Councillors;
- Establishes proposed treatment priorities to reflect Main Roads WA requirements based on current land uses and housing density, the Strategy does not recognise or proposed treatments based on the future Residential development of the area west of the Railway as part of the DevelopmentWA's Wungong Urban Water.

It is recommended that a condition be applied to revised the Urban Design Treatment Strategy to reflect the future Residential development of area west of the Railway as part of the DevelopmentWA's Wungong Urban Water Redevelopment Area.

Operational Noise and Vibration (within Development Application)

An Operational Noise and Vibration Report has been provided with the application which predicts future noise and vibration emissions and compares them to the relevant targets in state noise policies and industry guidelines. The report does not include detailed noise contour maps for the development and it is recommended that this information and any required mitigation measures be provided at a later stage. This is an unusual approach. A condition is recommended that a revised report be provided that includes detailed modelling and outlines noise mitigation measures once detailed design is progressed.

Proposed Temporary Road Closure (within Development Application)

When the applicant first contacted the City regarding closure of Eleventh Road they were proposing an 18 month closure. Following discussions and the City's officers raising concerns, the proposed closure period has now been reduced to 11 months, however that period is still considered to be excessive in terms of its impact upon residents of the broader area and it should be noted that some of the alternative east-west routes would themselves be subject to some closure impacts. Other issues that need to be addressed are:

- Eleventh Road is a part of the Restricted Access Vehicle (RAV) road network for heavy vehicles, and a viable alternative route would need to be found, following consultation; and
- The impact of the road closure upon emergency access/egress from properties in this bushfire prone area.

It is recommended that Council seek an amendment of the Construction Management Plan to address the abovementioned conditions.

Pedestrian/Cycle Access (within Development Application)

An opportunity exists for a linking path to be provided between the proposed Eleventh Road PSP and Keenan Street to provide greater connectivity for pedestrians and cyclists and connect to the future urban area west of the railway line.

A condition is recommended to address this issue.

### Bushfire Vehicle Access Review

The Bushfire Vehicle Access Review recommends a number of actions that will have ongoing management implications for PTA and the City. For example, it is proposed that the City will be required to maintain the Keenan Street verges and vegetation within Lot 14 Eleventh Road to low threat standards which will be an ongoing management obligation for the City. This will place additional expectations and costs on the City, which are inconsistent with its landscape and environmental objectives.

Conditions are recommended to ensure PTA's implementation of the review report and for the proposed low threat vegetation requirements that are proposed to be managed by the City to be reviewed in the context of the City's expected costs and landscape and environmental objectives in the area.

### Environment (within Design Packages)

While Ministerial Approval No. 1183 grants the proponent approval to clear vegetation for the project, conditions of this approval require the approval of an Offset Management Plan (OMP) prior to the commencement of ground disturbing activities. At the time of writing, the OMP had not been finalised and the City has not been consulted during its preparation. The City is responsible for managing reserves that are impacted by the Ministerial Approval and has requested involvement in the finalisation of the OMP. However this has not occurred.

### Flora

*Diuris purdiei* (Purdie's Donkey orchid) grows in areas subject to winter inundation. The existing drainage pattern provides this winter wet habitat for the orchid. Further information is required regarding the proposed drainage works to determine the impact on the orchid. The City also notes that different drawings within the application documents shows different drainage flow directions. The City recommends these errors need to be rectified to confirm the drainage impact on the orchid and measures are in place for its protection.

*Drosera oreopodion* (Pygmy Drosera) and *Johnsonia pubescens subsp. cygnorum* are also identified as priority species within the development area. These areas have not been marked on any of the design drawings. The City recommends this species be identified and protected on a detailed Tree Retention and Removal Plan and has included a condition to this effect.

The City has identified the following regarding the proposed vegetation removal within Fletcher Park:

- The application plans do not show the full extent of vegetation clearing within Fletcher Park. Inconsistencies have been identified in the amount of vegetation proposed to be cleared in different plans that accompany the application.
- The proposed swale on the north side of Eleventh Road could be piped to reduce the horizontal separation distance between the proposed bridge and the swale and therefore reduce the amount of clearing needed for the swale.
- The overhead powerlines appear to be located outside the land acquisition boundary on the proposed landscaping plan which will result in additional clearing outside the land acquisition boundary to achieve Western Power's vegetation clearance requirements.
- Undergrounding powerlines on the north side of Eleventh Road would greatly reduce the amount of clearing required to accommodate the powerlines and the Western Power maintenance access track.

Dieback Management should be carefully considered as part of the works to prevent spread within Fletcher Park, particularly where soil translocation is proposed. Fletcher Park has been marked as being dieback infected, however mapping the disease edge is unclear. The City recommends dieback management measures are included in the Tree Retention Strategy.

#### Fauna

A high level of fauna activity exists in Fletcher Park. The construction of the bridge will impact the north-south of movement pattern of fauna. The City recommends fauna tunnels be constructed as part of the development to enable to existing fauna movement patterns are maintained or alternatively, the fencing around the base of the bridge on the eastern side of the railway being modified to enable fauna to move north/south under the bridge between Fletcher Park and the land south of Eleventh Road in a corridor between the railway line and bridge structure. The City also recommends a Fauna Relocation and Management Plan is prepared.

#### Access

The following alterations are proposed to access to Fletcher Park:

- Current access from Eleventh Road and informal verge parking along the northern verge of Eleventh Road will be lost due to the elevation of Eleventh Road above ground level; and
- The development will remove an existing firebreak along the southern boundary of Fletcher Park and two fire access gates.

The City requires ongoing vehicle access (including during construction) to Fletcher Park from Eleventh Road for volunteers, visitors, fire and maintenance. Currently there are not sufficient access tracks into Fletcher Park from the north. The closure of access from Eleventh Road would result in the need to clear vegetation within the park for access and firebreaks.

The City identified a number of discrepancies between application plans and the Bushfire Vehicle Access Review report regarding fire access to Fletcher Park and the location of access tracks.

The City recommends:

- Arrangements be considered to provide access into Fletcher Park from the proposed cul-de-sac within the adjacent Lot 1 Eleventh Road;
- The design incorporate joint access tracks to service the bridge, drainage, power lines, Fletcher Park reserve and firebreak maintenance activities both between Eleventh Road, Reserve 14217 and extending to Mitchell Street;
- Plans be revised to show proposed firebreaks/maintenance tracks constructed with an appropriate treatment;
- The Bushfire Vehicle Access Review report be revised to acknowledge alterations proposed to access to Fletcher Park; and
- That the City advise PTA the proposed 1.8m chain-link fence with 3 rows of barbwire on the new southern reserve boundary shown “Accommodation Works Plan” supplied by PTA is not supported and should amended to meet the City’s fencing standards.

A recommendation is included to address the above issues.

### Future City Assets & Design/Maintenance Issues

As the development progresses, the City and PTA will need to consider future tenure and management of Lot 14 Eleventh Road and infrastructure within the Eleventh Road road reserve. The City's acceptance of management responsibilities will require further discussions and the contractors and PTA/MetroNet achieving the City's standards for assets.

### **OPTIONS**

Council has the following options:

1. Recommend to DWA that the development application for the Eleventh Road Bridge be approved subject to conditions.
2. Recommend to DWA that the development application for the Eleventh Road Bridge be refused and specify planning reasons.

### **CONCLUSION**

The proposed bridge is consistent with the MetroNet's project, however this application gives rise to many important issues that will be required to be addressed during subsequent stages. It is therefore recommended that the development application be supported subject to conditions to address these matters.

### **ATTACHMENTS**

1. [Planning Framework - Eleventh Road Bridge](#)
2. [Separate Attachment - Development Application - Eleventh Road Bridge](#)

### **RECOMMEND**

D20/7/23

#### **That Council:**

- A) Recommend that DevelopmentWA approve the development application for the proposed Eleventh Road Bridge and Associated Works pursuant to clause 5.20(1)b of the Armadale Redevelopment Scheme 2 subject to the following conditions and advice:**
1. **The proposed development is to be carried out in accordance with the attached plans approved by DevelopmentWA, subject to any modifications as required by the conditions of approval.**
  2. **A public art plan being submitted and approved to the satisfaction of DevelopmentWA, on the advice of the City of Armadale and MetroNet office. Once approved, the plan shall be implemented in its entirety.**
  3. **A revised Tree Retention Strategy shall be submitted to and approved by DevelopmentWA, on the advice of the City of Armadale, prior to the commencement of site works. Once approved, the Tree Retention Strategy is to be implemented in its entirety to the satisfaction of DevelopmentWA and the City.**

4. **A detailed Landscape Plan shall be submitted and approved by DevelopmentWA, on the advice of the City of Armadale, prior to the commencement of operations. Once approved, the Landscape Plan is to be implemented in its entirety.**
5. **A revised Construction Management Plan shall be submitted and approved by DevelopmentWA, on the advice of the City of Armadale, prior to the commencement of site works. Once approved, the Construction Management Plan is to be implemented in its entirety to the satisfaction of DevelopmentWA.**
6. **A revised Traffic Management Plan shall be submitted to and approved by DevelopmentWA, on the advice of the City of Armadale prior to the commencement of site works. Once approved, the Traffic Management Plan is to be implemented in its entirety to the satisfaction of DevelopmentWA.**
7. **A revised Bushfire Vehicular Access Review shall be submitted to and approved by DevelopmentWA, on the advice of the City of Armadale prior to the commencement of site works. Once approved, the Bushfire Vehicular Access Review is to be implemented in its entirety to the satisfaction of DevelopmentWA.**
8. **An updated Operational Noise and Vibration Report shall be submitted and approved to the satisfaction of DevelopmentWA, on the advice of the City of Armadale prior to the commencement of site works. Once approved, the Operational Noise and Vibration Report is to be implemented in its entirety to the satisfaction of DevelopmentWA.**
9. **A Drainage Management Plan shall be prepared to the satisfaction of DevelopmentWA on the advice of the Department of Water and Environmental Regulation and the City of Armadale, prior to the commencement of relevant construction works. Once approved, the plan is to be implemented in its entirety.**
10. **A revised Urban Design Treatment Strategy shall be prepared, submitted and approved by DevelopmentWA, on the advice of the City of Armadale, to amend the proposed Treatments and related text/measures to be consistent with DWA's future Urban Redevelopment Area prior to the commencement of operations. Once approved, the Urban Design Treatment Strategy is to be implemented in its entirety.**
11. **All accessible structures within three metres of ground level which are the subject of this application are to be applied with an anti-graffiti coating or other agreed treatment to the satisfaction of DevelopmentWA on the advice of City of Armadale.**
12. **Any damage to trees that were not identified for removal in the Tree Retention Strategy or removal of vegetation located outside the development area and incurred during the construction process shall be replaced or repaired at the cost of the landowner/applicant, to the satisfaction of DevelopmentWA, on the advice of the City of Armadale.**

13. **A Dilapidation Survey of surrounding properties within an identified Zone of Influence being undertaken to the satisfaction of DevelopmentWA, on the advice of the PTA, prior to the commencement of any site works that may involve substantial earthworks, vibration and/or dewatering.**
14. **Lighting shall be provided for cyclists and pedestrians on the PSPs and the path on the bridge to the satisfaction of the City.**
15. **Modification of the proposed civil plans to include a shared path linking the proposed Keenan Street extension to the proposed shared path.**
16. **Prior to the commencement of any site works, a Dust Management Plan shall be prepared and submitted to DevelopmentWA for approval on advice from the City of Armadale Health Services. The approved plan shall be implemented and all work shall be carried out in accordance with the approved plan thereafter.**
17. **A Soil Management Strategy shall be submitted and approved by DevelopmentWA, on the advice of the City of Armadale, prior to the commencement of operations. Once approved, the Soil Management Strategy is to be implemented in its entirety.**
18. **A Dilapidation Survey of road infrastructure within an identified Zone of Influence being undertaken to the satisfaction of DevelopmentWA, on the advice of the PTA, prior to the commencement of any site works that may involve substantial earthworks, vibration and/or dewatering.**

#### **ADVICE NOTES**

1. **In relation to Conditions 3, 4 & 7:**
  - a. **The proposed vegetation maintenance requirements for Bushfire Protection, and their impact upon existing and proposed vegetation need to be agreed with the City and then consistently reflected across the 3 documents.**
  - b. **Drawings should clearly indicate the extent of works proposed to be handed over to the City of Armadale for its review and consideration for approval.**
  - c. **Drawings do not, but should, show the full extent of proposed tree clearing. For example, Page 5 – the area proposed to be cleared in Reserve 14217 is not shown. Page 9, also not shown.**
  - d. **Request a specific tree and vegetation removal plan that comprehensively considers drainage, hard treatments, access and setbacks from maintenance associated with the WP overhead power lines. The overhead power lines appear to fall outside of the land acquisition boundary on Landscaping Plan – page 21, which will result in additional clearing to achieve vegetation clearance requirements.**
  - e. **Consideration should be given to the relocation/alteration of the**

- proposed drainage basin and swale within Lot 14 Eleventh Road to reduce the amount of existing vegetation required to be cleared for this infrastructure.
- f. Civil drawings do not show fencing around proposed drainage basins. Fencing specifications need to be confirmed and agreed to by the City.
  - g. Review scope for additional tree planting along the road embankments, in addition to those shown planted along the proposed footpath. New trees appear to be 5Lt installation size, where larger pot size such as 45Lt would be more suitable.
  - h. The Tree Canopy Calculations should not include tree replacement on privately owned land, where trees are cleared from public managed land.
  - i. Optimise areas for additional new tree planting.
  - j. Planting mix density and species mix to be reviewed by the City.
  - k. Pea gravel above the embankment footpath to be reconsidered as if the material is not contained it will become a slip hazard.
  - l. Modification of the Bushfire Vehicular Access Review and civil plans to identify all Emergency Accessways and Fire Service Access Routes being treated with a minimum standard of compacted road base.
  - m. The proposed low threat vegetation requirements that are proposed to be managed by the City shall be reviewed in the context of the City's expected costs and landscape and environmental objectives in the area.
2. In relation to Condition 5, the revised Construction Management Plan shall address:
    - a. A viable alternative route for heavy vehicles needs to be determined, following consultation with affected stakeholders.
    - b. The impact of the road closure upon emergency access/egress from properties in this bushfire prone area to ensure suitable access/egress routes are available throughout the construction period.
  3. In relation to Condition 8, the finalised version of the Operational Noise and Vibration Report should include:
    - a. Modelling and detailed discussion of LAeq Day and LAeq Night levels as per WAPC's SPP5.4.
    - b. A list and elaboration of any noise mitigation measures (including noise wall specifications, use of sound absorption materials etc.)
  4. In relation to Condition 9, the Drainage Management Plan should include:
    - a. Drainage Layout Plan sheet 3 shows water flow away from basin.

**In other plans, it shows flow towards. Clarity over the intention for this swale is requested.**

- 5. The developer is reminded of the requirement under the provisions of the Environmental Protection Act 1986 that all construction work (which includes earthworks and similar) be managed with due regard for noise control. Works generating noise, and rock breaking in particular, are not permitted:-**

- a. Outside the hours of 7.00am to 7.00pm; or**
- b. On a Sunday or Public Holiday.**

- 6. In relation to Condition 17 requiring a Soil Management Strategy, soil compaction is often responsible for poor performance or failure of plantings. The process of construction usually involves the removal of topsoil and grading of the subsoil. Greater axle loads lead to deeper compaction. Soil compaction has negative impacts on storm- water runoff, infiltration, and vegetative establishment and growth. Therefore, the Soil Management Strategy should address the following:**

- a. Controlling Traffic to restrict the amount of soil that is compacted, for example, using the same tracks across the site, restricting equipment within certain radius of specific areas and establishing a Tree Protection Zone for all trees.**
- b. Managing axle loads and tire pressure as heavy axle loads and wet soil conditions increase the depth of compaction, for example properly inflate tires as contact pressure between tire & soil affects subsoil compaction, requiring excavated soil to be tilled and renovated post-construction: all effects of compaction are to be reversed.**
- c. Aeration of soil with the aim of supplying oxygen to the soil and preparing the soil to support plants: methods include spike, core, liquid and Air (Soil is tilled with an air tool while adding soil amendments, beneficial bacteria/fungi, and organic granular fertilisation).**
- d. Ripping of the site prior to establishment to promote the best chance of survival for seeds and plantings in the first year.**
- e. Use of Additives and soil conditioners to aerate and provide drainage.**
- f. Vertical mulching which involves digging or drilling vertical holes in an area and then filling these holes with organic compost or mulch: this works via the same general principle that surface mulching does, except that it can improve the soil's condition more quickly, as the material is placed deep in the ground.**

- B) Advise PTA/MetConnx that the following matters in relation to the area outside the Redevelopment Area are required to be addressed:**

- 1. The City's advice on the development application and the DWA's decision**

should not be construed as acceptance of management of assets by the City. The City's acceptance of management responsibilities will require further discussions and the contractors and PTA/MetroNet achieving the City's standards for assets.

2. Revised civil plans are required to be submitted identifying the following:
  - a. The provision of a vehicle access gate into Fletcher Park from the proposed cul-de-sac within the adjacent Lot 1 Eleventh Road and parking bays within Lot 1 Eleventh Road to service visitors to Fletcher Park.
  - b. Civil plans do not show fencing of the new boundary of reserve 14217. An "Accommodation Works Plan" supplied by PTA as part of separate discussions shows a 1.8m chain-link fence with 3 rows of barbwire on the new reserve boundary. This is not supported. Fencing specifications need to be confirmed and agreed to by the City.
  - c. Drawings do not, but should, show the full extent of proposed tree clearing. For example, Page 5 – the area proposed to be cleared in Reserve 14217 is not shown. Page 9, also not shown.
  - d. Proposed firebreaks/maintenance tracks constructed with an appropriate treatment to the satisfaction of the City.
3. Information is to be provided to determine the extent of the proposed drainage infrastructure on the *Diuris purdiei* (Purdie's Donkey orchid) and its habitat.
4. A revised Tree Retention Strategy shall be prepared, prior to the commencement of site works addressing the following matters:
  - a. *Drosera oreopodion* (Pygmy Drosera) and *Johnsonia pubescens subsp. cygnorum* have also identified as priority species within the development area. These areas have not been marked on any of the design drawings. The City recommends this species be identified and protected.
  - b. Suitable Acid Sulphate Soils and Dieback mitigation measures and procedures.
  - c. The proposed overhead powerlines could be modified to underground power minimising the area of vegetation clearing required (for the infrastructure itself and the long term infrastructure maintenance) in the current Reserve 14217.
  - d. The consideration of incorporating joint access tracks to service the bridge, drainage, power lines, Fletcher Park reserve and firebreak maintenance activities both between Eleventh Road, Reserve 14217 and extending to Mitchell Street to reduce the amount of vegetation clearing required.
  - e. The proposed swale on the north side of Eleventh Road could be piped to reduce the horizontal separation distance between the proposed bridge and the swale and therefore reduce the amount of clearing

**needed for the swale.**

- 5. A Fauna Relocation and Management Plan is to be prepared addressing the following:**
    - a. Management methods during construction; and**
    - b. Provision of fauna tunnel to enable the continued north-south and east-west connectivity for bandicoots. Details and specifications are to be included to confirm tunnels are above winter groundwater level and provide suitable connectivity to habitat areas.**
    - c. The fencing around the base of the bridge on the eastern side of the railway being modified to enable fauna to move north/south under the bridge between Fletcher Park and the land south of Eleventh Road in a corridor between the railway line and bridge structure.**
  - 6. The Bushfire Vehicle Access Review report be revised to acknowledge alterations proposed to access to Fletcher Park.**
  - 7. Engagement with BEWG, Armadale Gosnell’s Landcare Group and the Wallangarra Riding and Pony Club is required with a consolidated information package with regards to changes in the City of Armadale managed reserves is recommended.**
- C) Request a Deputation by the City officers to the Armadale LRC to present the City’s Submission.**

**Moved Cr P A Hetherington  
MOTION CARRIED**

**(5/0)**

#### **4.1 - REVIEW OF THE CITY'S FREEHOLD LAND ASSETS**

WARD : ALL  
FILE No. : M/413/22  
DATE : 13 July 2023  
REF : DS  
RESPONSIBLE MANAGER : EDDS

**In Brief:**

- The purpose of this report is to provide an update on the strategic opportunities linked to the City's freehold vacant land.
- Six (6) sites have been identified for inclusion into the future Freehold Land Strategy with corresponding actions.
- Four (4) sites are recommended for use as Public Open Space.

**Tabled Items**

Nil.

**Decision Type**

- Legislative** The decision relates to general local government legislative functions such as adopting/changing local laws, town planning schemes, rates exemptions, City policies and delegations etc.
- Executive** The decision relates to the direction setting and oversight role of Council.
- Quasi-judicial** The decision directly affects a person's rights or interests and requires Councillors at the time of making the decision to adhere to the principles of natural justice.

**Officer Interest Declaration**

Nil.

**Strategic Implications**

- 4.3.1 Undertake strategic financial planning to ensure that appropriate services are effectively delivered, assets are efficiently managed and renewed and funding strategies are equitable and responsible.
- 4.3.1.11 Develop a Freehold Land Strategy.

**Legal Implications**

*Local Government Act 1995*

*Local Government (Functions and General) Regulations 1996 (Functions Regulations)*

**Council Policy/Local Law Implications**

Nil.

**Budget/Financial Implications**

Nil.

### **Consultation**

Council workshops were conducted on the 13 July 2021, 15 February 2022 and 29 May 2023. The workshops were dedicated to outlining the City’s Strategic Land Assets and future actions for consideration. Outcomes and actions from the workshops have been incorporated into the report.

### **BACKGROUND**

The City owns a total of 103 land parcels in freehold ownership, with a combined size of 178 hectares in total. The majority of these freehold parcels are zoned or used as Parks for community or park purposes or alternately don’t have any development potential due to the zoning, constraints of the land or are retained for an intended purpose (i.e. drainage, environmental values, etc). However there are freehold lots owned by the City with potential for residential or commercial development and represent development opportunities for the City. These lots are considered to be “Strategic Freehold Land Assets” and present opportunities not only for monetary gain to the City through disposal to fund infrastructure, but also allow for Council to achieve specific development outcomes in key locations throughout the City.

Many of the Freehold Land Assets have involved extensive administration work including planning processes (e.g. scheme amendments, structure plans, consultant work, studies, State Government liaison and referrals), regular maintenance (landscaping, bushfire management, cleanup, legal agreements, monitoring) amongst other considerations including offers to purchase or proposals to use the sites for temporary purposes.

### **Freehold Land Strategy Preparation**

#### **Council Workshops**

Council workshops were conducted in July 2021, February 2022 and May 2023. These workshops provided details of:

- key sites that the City had identified as Strategic Freehold Land;
- a brief overview of the background history of the properties;
- relevant past Council decisions;
- key issues;
- land matters; and
- planning and other considerations.

### **Legislation and Processes for Disposal of Freehold Land**

The *Local Government Act 1995 (LGA 1995)* sets out the rules, responsibilities, powers and procedures relating Local Government bodies within Western Australia. There are sections of the *LGA 1995* (3.58 and 3.59) that relate to the acquisition and disposal of parcels of land. The *LGA 1995* is supported by the *Local Government (Functions and General) Regulations 1996 (Functions Regulations)* and the *Local Government (Financial Management) Regulations 1996*.

The purpose of the legislation is to ensure that Local Governments are disposing of parcels with transparency and provide public notice of the disposals. It's important to note the procedures required within the *LGA 1995* can prolong the disposal process and meeting Sections 3.58 and 3.59 of the *LGA 1995* requires additional time, planning and resources. A brief summary of the Sections 3.58 and 3.59 in the *LGA 1995* is described below.

#### Section 3.58 - *LGA 1995* – Public Notice of a Direct Disposition

Section 3.58 of *LGA 1995* defines advertising requirements for disposals. Three methods of disposal are listed:

1. Highest bidder at a public auction;
2. The best option through a public tender; or
3. A direct disposition.

For a direct disposition, the offer is required to be advertised for a period of two weeks. The disposition must include details of the parties, the offer price, the value of the site confirmed through a licensed valuer and a date for the closing of the advertising period. The City has an established Valuation Panel consisting of three valuation firms that can provide valuations for the purpose of consideration of disposals in accordance with the *LGA 1995*.

#### Section 3.59 - *LGA 1995* – Business Plan

Section 3.59 of *LGA 1995* details “major land transactions” and the processes related to business plans to permit a disposal. A business plan is required to have details of the proposed facilities on the site, expected financial effect on the Local Government and the ability of the Local Government to manage any land being acquired.

Business plans must be advertised by a Local Government for a period of 6 weeks and all submissions must be considered before adoption by Council. An absolute majority of Council is required to adopt a Business Plan.

#### **Recreational Reserve Account relating to sale of City's Assets**

A report endorsed by Council in November 2006 (CS109/11/06) identified a deficit in regional level recreational infrastructure and considered existing freehold assets as a potential source of funding for future regional level sporting facilities and other major facilities. The report proposed an initiative to create a trust account for a portion of the proceeds from the sale of freehold land assets (in addition to Public Open Space Strategy land sales and Public Open Space Cash-in-Lieu subdivision payments) towards funding large scale recreational facilities. This resolution provided an excellent initiative and resulted in a significant additional funding source for the Armadale Fitness and Aquatic Centre.

There are two key outcomes that resulted from this report in relation to freehold land assets:

1. A reinvestment reserve account was created where 70% of the proceeds from the sale of any freehold land asset is put towards future strategic land purchases.
2. The creation of a separate reserve account where 30% of the funds from the proceeds of the sale go towards a trust account dedicated to regional level recreational capital projects.

## **DETAILS OF PROPOSAL**

Following a review of the City's freehold land parcels, a total of six (6) sites were identified by the City as being Strategic Freehold Land Assets. These sites were selected by the City due to a combination of variables relating to developable land size, current or future residential or commercial zoning, a high perceived land value and key location of the sites throughout the City. The following sites were identified:

1. Lot 1, 301 and 302 Abbey Road and Lot 100 Little John Road, Armadale;
2. Lot 17, 18 and 19 Forrest Road, Hilbert;
3. Lot 33 Connell Avenue, Kelmscott (former Pries Park);
4. Lot 20 and 21 Clifton Street, Kelmscott;
5. Lot 86 Church Avenue, Armadale; and
6. Lot 51 Armadale Road, Haynes.

Upon reviewing the City's freehold land, the following five (5) sites owned by the City in freehold are recommended to be used or treated as Public Open Space for reasons detailed within this report:

1. Lot 85 Church Avenue, Armadale;
2. Lot 39 Page Road, Kelmscott;
3. Lot 201 Carawatha Avenue, Mount Nasura;
4. Lot 298 Emerald Place, Mount Richon; and
5. Lot 163 Church Avenue, Armadale.

## **COMMENT**

### **Strategic Freehold Land Assets and Actions**

#### Lots 1, 301 and 302 Abbey Road and Lot 100 Little John Road, Armadale

Lots 1, 301 and 302 Abbey Road and Lot 100 Little John Road are a collection of land parcels that the City acquired through the road realignment of Abbey Road and Armadale Road. Originally Abbey Road was planned to intersect with Armadale Road approximately 130 metres to the west of the intersection of Railway Avenue with Armadale Road, resulting in two major intersections within close proximity. Council resolved in 2006 (D33/4/06) to correct this issue by realigning Abbey Road from the south, with Railway Avenue to the north to create a four way intersection.

Scheme Amendments (D52/5/07) and Business Plans (T74/8/09) were prepared and adopted to acquire the lots and allow the intersection realignment. The road realignment commenced in May 2011 and was completed in August 2013. The land assets that remain are the remnant parcels of the realignment project with a Business Plan being endorsed (CS76/9/16) to enable disposal of the remaining parcels of land.

Following the completion of the realignment, the City completed a number of processes relating to the Abbey Road sites including:

- A consultant feasibility study, expression of interest and tender process (CS46/6/16 and CS24/3/17) to investigate short stay accommodation on the site;
- Scheme Amendment No.92 (D51/10/17 and D6/1/18) to restrict the land uses to ‘short stay accommodation’ and ‘multiple dwellings’ on Lots 1, 301 and 302;
- A subdivision progressed by the City in late 2015 which amalgamated the remaining lots on the southern side of Abbey Road to create a single superlot;
- Scheme Amendment No.79 (D60/9/13) increased the density requirements and Council adopted a Local Development Plan (D61/11/15) to encourage multiple dwelling development on Lot 100 Little John Road;
- Scheme Amendment No.103 and the draft Armadale City Centre Structure Plan, which creates the “Abbey Road” Precinct and substantially increases the development potential of the lots south of Armadale Road.
- A land swap in October 2019 coordinated by the City with the Department of Planning Lands and Heritage to swap the existing and future road reserves of the Abbey Road intersection with the new Abbey Road reserve. This included negotiating an outcome with ATCO for an easement protecting infrastructure in the existing road reserve area and enlarging the City’s western landholdings.

The Armadale City Centre Structure Plan and MetroNet Viaduct project will both have implications on the future opportunities and outcomes linked to the site. The MetroNet Viaduct and principal shared path are still being designed and further details will be provided to the City and Council in the near future.

Actions - Lots 1, 301 and 302 Abbey Road and Lot 100 Little John Road, Armadale

1. Land bank the site until the completion of the viaduct project.
2. Advise Councillors if the site is to be used temporarily for the MetroNet’s viaduct project.
3. Consider progressing Additional Land uses on the site to expand the range of development options for the land as part of TPS No.5 or future scheme amendments.
4. Report to Council if any opportunities to dispose or develop any of the sites arise and if Council intends to propose a new Business Plan process at that time.
5. Investigate a possible reduction of Primary Regional Road Reservation (Lot 304) with Main Roads Western Australia and Western Australian Planning Commission. If not possible, engage with WAPC and MRWA on future acquisition of land at an appropriate time.

Lot 17, 18 and 19 Forrest Road, Hilbert

Lots 17, 18 and 19 Forrest Road in Hilbert combine to form a significant land holding which totals around 12 hectares in size. Council resolved (CR/10/89 and F314/90) to acquire these lots in August 1990 at a negotiated value of approximately \$375,000. The sites are mostly clear of vegetation, except for two trees within Lot 17, and three low hanging trees in Lot 18.

The lots fall between two different Structure Plans (Cell D and E) within DevelopmentWA's (DWA) Wungong Urban Water Redevelopment area. The City has had ongoing involvement in the planning processes for the site, including:

- Structure Plan negotiations with DWA regarding a proposed living stream through the northern portion of the Lots 17, 18 and 19 within Cell D Structure Plan as drainage function is temporarily in place to manage stormwater events from development north of Forrest Road;
- Preparation of an aboriginal heritage survey to relocate an area of proposed Public Open Space in Cell D and salvage the heritage artefacts on site;
- Bushfire management considerations with surrounding landowners; and
- Council (D74/11/20) supported a MRS Amendment 1376/57 which proposed MRS "Urban" zoning over Lots 17, 18 and 19 and "Other Regional Road" over a portion of Forrest Road and Eleventh Road required for a future road widening.

The Forrest Road land assets offer an opportunity to develop residential development with an adjoining future living stream. There is the possibility for development of the residential land through a joint venture arrangement, City managing the land subdivision project or through a direct disposal for another party to subdivide the land. Development of the living stream public open space and ceding the MRS road widening will also both provide Developer Contributions Plan (DCP) credits or funding to the City for providing the land as part of the DWA's Wungong Developer Contribution Scheme.

Actions - Lot 17, 18 and 19 Forrest Road, Hilbert

1. Land bank the site medium term as a high value asset.
2. Continue land administration practices on the site, including bushfire management, maintaining drainage through the living stream, and monitoring Developer Contributions.
3. Facilitate road widening required for Forrest Road and Eleventh Road through a future subdivision application.

Lot 33 Connell Avenue, Kelmscott

Lot 33 is a 13 hectare parcel in Kelmscott that was originally purchased by the City for recreation purposes in 1976 with an adjoining portion of land to the southeast purchased in 1982 and amalgamated to provide access. The site was originally used for a combination of sporting pursuits including football, rugby and equestrian based activities, which have all relocated.

A brief historical overview is provided below:

- In October 2008 Council considered the results of the *Active Sporting Reserve Needs Assessment and Feasibility Study* (CS/104/10/08). This study recommended a rationalisation of existing public open space and the disposal of Lot 33 Connell Avenue, with existing recreational based activities being relocated and using the proceeds of the sale to fund sporting projects and reserves.
- A successive report was considered by Council in November 2008 (CS115/11/08) for further investigation into its disposal, including endorsing a study to investigate urban residential development and calls for tenders to engage a consultant team to undertake the relevant studies.
- Council considered Tender No.3/09 in April 2009 (D41/4/09) for the provision of consultancy services for Lot 33 Connell Avenue and resolved to accept the tender from Burgess Designs.
- Burgess commenced the process of preparing a MRS amendment and multiple supporting studies proposing an “Urban” zoning and presented the Amendment to Council on 22 August 2011 (D60/8/11). An Urban zoning would allow higher density development over the site, but the Department of Planning, Lands and Heritage wasn’t supportive of the MRS Amendment at the time due to inconsistencies with state strategies and the City’s Local Planning Strategy.
- With the advertising of *South Metropolitan Peel Sub-Regional Planning Framework (Perth and Peel @ 3.5 million)*, the City was presented with an opportunity to make a submission regarding the land. Council endorsed (D39/7/15) a submission in July 2015 advocating for urban development throughout this northern growth corridor and protection of the River foreshore.
- The final *Perth and Peel Document @ 3.5 Million* (2021) identified Lot 33 as an “Urban Investigation Area”.

Lot 33 is the largest freehold vacant land parcel owned by the City and it is located in a northern growth corridor. The property represents a unique strategic opportunity for the City.

#### Actions - Lot 33 Connell Avenue, Kelmscott

1. Land bank the site in the medium term to observe all possible development opportunities.
2. The City could monitor the potential Lot 33 to be considered for alternative uses of strategic importance.

#### Lot 20 and 21 Clifton Street, Kelmscott

Lots 20, 21 and 22 Clifton Street were purchased from a land owner in years 1980, 1982 and 1976 respectively. Records from August 1982 (F488/82) indicates that Lot 21 was purchased with the intention “to consolidate Council land in Clifton Street and for sale at some future date for use as Homes for Ages or similar purpose”. Lot 22 to the south was disposed by Council in 1998 (CS18/98) to Christadelphian Welfare Association (now MercyCare) for an aged persons accommodation. The balance of the remaining Lots 20 and 21 under freehold ownership of the City is around 3.1 hectares.

Lots 20 and 21 have been subject to considerable studies and planning processes that resulted in the South Clifton Street Structure Plan in 2014. A brief summary of the planning processes and documents is detailed below:

- Kelmscott Enquiry by Design (2003) - Discussed preliminary design concepts for Metropolitan Redevelopment Authority zoning change and new foreshore reserve frontage.
- Canning River Precinct Community Consultation and Planning Study (2006) - Consultant facilitated workshops that elaborated on the Kelmscott Enquiry by Design.
- Environmental Review (Canning River Precinct) - Prepared for the EPA to consider the foreshore as part of the MRS amendment.
- Metropolitan Region Scheme Amendment 1202/41 (2012) - Rezoning of the lots from 'Rural' to 'Urban', allowing a future Structure Plan to be prepared.
- Amendment No.70 to Town Planning Scheme No.4 (2014) – Rezoning of the lots under the Scheme to 'Urban Development' in accordance with the MRS Amendment.

Following from these planning processes, the *Canning River Clifton Street (South) Precinct Local Structure Plan* commenced preparation in 2014. This Structure Plan established the spatial framework and outlined the design criteria required for future subdivision development stages across seven lots south of Frye Park. This document was prepared by Harley Dykstra and was jointly funded by multiple landowners including the City as the owner of Lots 20 and 21. The Structure Plan includes:

- Bushfire Management Plan;
- Environmental Assessment Report;
- Foreshore Management Plan;
- Floodway and Fringe Mapping;
- Local Traffic Management Plan;
- Local Water Management Study; and
- Path Network Plan for pedestrian movements.

The Structure plan was advertised for an extended period of time and considered by Council, then endorsed by the WAPC in 2017. The endorsed Structure Plan permits a mixture of R60 and R80 development over Lots 20 and 21 Clifton Street. The Structure Plan also includes a road network, a future Foreshore Reserve which will need to be created, public open space and an indicative location of a Shared Path in the foreshore area.

Due to the close proximity to the Kelmscott City Centre and proximity to the Kelmscott Train Station, the lots have accessibility to commercial areas and transport which increases strategic prospects and opportunities. MercyCare on the adjoining southern lot have previously expressed interest in acquiring Lots 20 and 21 for expansion/redevelopment of the existing age care centre on lot 22. A residential development outcome in accordance with the approved Structure Plan can also be progressed.

Any design or development proposals will need to give due consideration to timeframes to resolve matters including:

- Excising an existing bore to include in a new public open space reserve within Lot 20 which is used for Frye Park;
- Ceding the foreshore reserve and additional public open space fronting the Canning River;
- Maintaining public access through the site to the foreshore; and
- Meeting all the necessary requirements of the Structure Plan.

#### Actions - Lot 20 and 21 Clifton Street, Kelmscott

1. Land bank the sites and report and/or advise Councillors of any substantial proposals or formal offers that are received.
2. In the event that Council considers progressing disposal or development of the lots, the City can consider advocating to the WAPC for acquisition of the foreshore reserve.

#### Lots 85 and 86 Church Avenue, Armadale

The City acquired Lots 85 and 86 through an intersection upgrade that occurred in the 1980's. A collection of lots were acquired by the City with negotiations commencing in 1981 and acquisition occurring in 1986 to accommodate the realignment/creation of Church Avenue to the south to connect with Whitehead Street. Following the ceding of the Church Avenue road reserve, Lots 85 and 86 were the remnant land parcels that the City owned in freehold.

A four story TAFE facility was approved by JDAP in June 2021 on Lot 500 Church Avenue to the southwest of Lot 85 and has commenced construction. Representatives from TAFE have informally discussed the possibility of the future expansion of the facility on the adjoining lot to the south into Lot 85, but indicated acquisition of undeveloped land could not occur until the completion of the current facility. The City has long advocated for a proposed land swap of the existing Armadale Magistrates Court site at Lot 500 Jull Street with Lot 85 Church Street, which would allow the TAFE to expand in the future and provide an opportunity for the City to progress its plans for the Civic Precinct.

Lots 85 and 86 are key parcels in the City Centre and are subject to high density increases as a result of the *Armadale City Centre Precinct Plan*. There are strategic opportunities including a land swap or disposal in the medium to long term to achieve an expanded TAFE facility on the site, whilst other options for development may also be presented with the finalisation of the City Centre Precinct Plan and the gradual intensification of land uses through the City Centre.

Lot 86 is constrained due to a Primary Regional Road Reservation in the Metropolitan Region Scheme (MRS) that includes an area of approximately 2000m<sup>2</sup> of Lot 86. Following a request by the City for review of this Primary Road Reservation in September 2022, Main Roads Western Australia have confirmed that the reserve will be rationalised at a later point as part of a future MRS Amendment. In many instances development has occurred on adjoining lots within the MRS Primary Regional Road Reserve which provides a significant precedent for the road reduction.

Lot 86 is discussed within the City’s Public Realm Strategy Stage 1 which was adopted by Council in March 2023 (D6/3/23). Within this Strategy, there are multiple references to the potential for Lot 86 to be utilised as a future POS space noting its location along Church Avenue, the site topography being a constraint to possible development and that there are Tree Preservation Orders on trees within lots adjoining Lot 86.

Actions - Lot 85 Church Avenue, Armadale

1. Continue discussions and liaising with TAFE.

Actions - Lot 86 Church Avenue, Armadale

1. Manage Lot 86 Carawatha Avenue as a Park under freehold land tenure in accordance with the City of Armadale *Public Realm Strategy Stage 1*.
2. Consider landscaping improvements to Lot 86 in accordance with the City’s *Armadale City Centre Public Realm Strategy Stage 1*.
3. Advocate to Main Roads WA and WAPC to reduce the MRS Primary Regional Road reservation on the lot.
4. Advocate for Main Roads WA and the WAPC to purchase the portion of land dedicated to the MRS Primary Regional Road reservation in the event that the land is still required.

Lot 51 Armadale Road, Haynes

Lot 51 was purchased by the City in fee simple from a deceased estate in February 1957. Titles for Lot 51 (formerly Lot 81) were transferred to the City in March 1962. Following a series of studies including “Active Sporting Reserves Feasibility Study” in 2007, Lot 51 was included as part of six lots to form the future Armadale Regional Recreation Reserve (ARRR), a 61.5 hectare area in Haynes to meet the recreational needs of the City’s and the sub-region’s rapidly growing population. The site is located within DWA’s Wungong Urban Water Redevelopment Area.

Whilst Lot 51 has been linked to the ARRR, the City has considered the northern portion of Lot 51 fronting Armadale Road to be appropriate for industrial or commercial development that would simultaneously provide local employment for residents and provide an additional source of funding for the ARRR. The State Government’s *Industrial Land Strategy Perth and Peel* identified a shortfall of industrial land in 2010 and indicated an additional 4,726 hectares would be required by 2031. Council considered the *South Metropolitan Peel Sub-Regional Planning Framework (Perth and Peel)* document and made a submission to the WAPC in 2015 that proposed to identify the northern portion of Lot 51 for industrial purposes to generate local employment and business opportunities to assist the City in addressing its employment self-sufficiency. It is also proposed to extend Alex Wood Drive through the lot to create another direct entry/exit to the Armadale Regional Recreation Reserve.

A draft MRS amendment 1376/57 was advertised for preliminary comment in July 2020 that did not incorporate the City’s recommendation from *Perth and Peel @ 3.5 million* and instead identified the entirety of Lot 51 as a “Parks and Recreation” Reserve as it was not seeking to make any changes to the Wungong Master Plan at this stage. Council considered MRS Amendment 1376/57 in November 2020 (D75/11/20) and resolved to object to the “Parks and Recreation” MRS zoning over Lot 51 and endorsed the City’s recommendation to propose an “Urban” zoning proposal over the north section of the site. It was considered that

an Urban MRS zoning might be considered by the DPLH to be a lower impact land use compared to an Industrial zoning that appropriately steps down the industrial uses in Forestdale Business Park to the north with the recreation uses to the south, whilst still achieving local job generation of show room type land uses.

After completing the submission, the City met with officers at the DPLH on 22 November 2020 to discuss the Urban zoning proposal. The DPLH were supportive of the proposal but indicated the Urban zone wasn't going to be included within Amendment 1376/57 as it was not seeking to make any changes to the Wungong Master Plan. DPLH indicated the proposal could be pursued by the City as a separate spot MRS amendment for Lot 51. Amendment 1376/57 has since been delayed due to issues relating to flood modelling/mitigation, definition of regional road reservations and environmental issues therefore DPLH have not progressed MRS Amendment 1376/57.

#### Actions - Lot 51 Armadale Road, Haynes

1. Monitor the progress of MRS Amendment 1376/57.
2. Upon finalisation of MRS Amendment 1376/57 advocate for the DPLH to progress a spot MRS amendment for inclusion in a future MRS Omnibus amendment to rezone the northern portion of Lot 51.
3. Continue to advocate for Waterworks Road to remain open to achieve at minimum a left-in/left-out intersection.

#### **Freehold land recommend for use as Public Open Space**

##### Lot 39 Page Road, Kelmscott

Lot 39 Page Road, Kelmscott was purchased in 1982 by the City with the intention of developing the site for a "future Civic use". No further references to other or more specific land uses have been identified in the City's records. The site is zoned Residential under Town Planning Scheme No.4 and measures a 2,191m<sup>2</sup> in area.

Whilst previous workshops discussed the possibilities of Lot 39 Page Road as a Strategic Land Asset given its residential zoning, preliminary consultation (including Councilor Workshops) for the Kelmscott District Centre Precinct Structure Plan led to Lot 39 being identified as Public Open Space. The Precinct Structure Plan identified Lot 39 in the "River-Edge" Precinct along with many of the properties adjoining Page Road, and designates the site as 'Parks and Recreation' land use zone.

In June 2022, Council resolved (D3/6/22) to commence public advertising of the Kelmscott District Centre Precinct Structure Plan. Following the conclusion of advertising in February 2023, Council resolved (D3/2/23) that the Western Australian Planning Commission approve the proposed Kelmscott District Centre Structure Plan and forwarded a Schedule of Submissions and a Schedule of Structure Plan Modifications to the WAPC. The City is currently progressing a Scheme Amendment to supplement the land uses defined within the Structure Plan. Council's recommendation to the WAPC on the Kelmscott Precinct Structure Plan and the WAPC's final determination will set a land use zoning direction for Lot 39.

Actions - Lot 39 Page Road, Kelmscott

1. Progress Kelmscott Scheme Amendments consistent with Precinct Structure Plan outcomes.
2. The City will continue to manage the informal Park under freehold tenure and list for future consideration the landscaping of Lot 39 as part of its Long Term Financial Plan.

Lot 201 Carawatha Avenue, Mount Nasura

Lot 201 was originally part of a 4 hectare lot (Lot 118) which was purchased by the Armadale Road Board in 1907 for the purposes of a gravel pit. The gravel pit was exhausted in the early 1970's and the City initiated a subdivision to dispose of a portion of Lot 118 to fund a portion of the City's Administration Building in the mid 1980's. The remaining freehold land following this subdivision created Lot 60.

In 1999, the City progressed Amendment No.163 to Town Planning Scheme No.2 which planned to rezone and dispose of Lot 60. However there was community opposition to the amount of public open space proposed as part of the rezoning, including a petition. The then Minister required that Amendment 163 be modified to increase the Parks and Recreation Reserve in TPS No.4 from 1,200m<sup>2</sup> to 2,105m<sup>2</sup>. This lot was later subdivided to create Benson Court in 2014 to become Lot 201.

Lot 201 is currently reserved "Parks and Recreation Local" in TPS No.4, but there have been previous considerations by Council (D4/2/16) of rezoning the site to "Residential" to enable a disposal of the land. It is recommended that this site is retained as freehold land as a passive park and retain its current "Parks and Recreation Local" Reservation.

Actions - Lot 201 Carawatha Avenue, Mount Nasura

1. Manage Lot 201 Carawatha Avenue as passive Public Open Space.
2. Consider minor landscaping improvements as part of future POS upgrades in the Long Term Financial Plan.

Lot 298 Emerald Place, Mount Richon

Lot 298 Emerald Place was transferred free of cost to the City in 1975 as part of a residential subdivision. At this time the property was not designated as a Recreation Reserve and was transferred to the municipality in fee simple (freehold) for recreational purposes. The lot was rezoned to be consistent with the Residential zoning of surrounding properties upon gazettal of Town Planning Scheme No.4 in 2005.

Due to the nature in which the City acquired the lot through subdivision, Lot 298 was linked to Precinct E of the POS Strategy, which involved disposal of parcels and proceeds from the sale proceeding upgrading surrounding parks in the Precinct in a staged manner. In June 2009, Lot 298 Emerald Place was included within a Business Plan for disposal alongside five other lots linked to Precinct E (D58/6/09) which attracted objections and a petition from surrounding residents. The Business Plan was adopted in January 2010 (D8/1/10).

The City listed the property for sale but received little interest from prospective purchasers. The site is considered highly constrained due to expensive servicing requirements, a steep gradient requiring significant earthworks and heavy surrounding bushland causing bushfire management concerns. The City progressed a subdivision approval for Lot 298 in April 2017 to explore the possibility of increasing the value and interest in the land. Since the creation of the Business Plan in 2009 and listing on the open market, the site hasn't attracted any serious offers and remains the last property for disposal as part of the POS Strategy.

Due to difficulties in disposal of the site in addition to concerns from surrounding residents, it is recommended that the site is rezoned to "Parks and Recreation" in TPS No.5 and the land is retained as a bushland area.

#### Actions - Lot 298 Emerald Place, Mount Richon

1. Consider rezoning the site to "Parks and Recreation" as part of TPS No.5.
2. Manage Lot 298 Emerald Place as Bushland parklands.

#### Lot 163 Church Avenue, Armadale

The intersection of Commerce Avenue with Church Avenue has progressed through multiple intersection reconfigurations. Historically John Street intersected with Commerce Avenue. As a result of multiple road realignments that occurred in 1992 and 2005, Church Avenue now forms a 4-way roundabout with Commerce Avenue and a cul-de-sac was constructed on the northern part of John Street.

Lot 162 and Lot 163 are remnant parcels that the City owns in freehold following the road works. Lot 162 contains Martin Park with paving, landscaping and the installation of street infrastructure following the completion of the road works. A portion of Lot 163 (approximately 700m<sup>2</sup>) has development potential but is constrained by limited vehicle access to Church Avenue to the north and vehicle access on the east side of the lot that connects to Dale Cottages to the south.

Given the key location of Lot 163 Church Avenue in relation to the future MetroNet Viaduct project, Lot 163 could be retained as an undeveloped open space for the purposes of possible landscaping as an entry statement to the City Centre.

#### Actions - Lot 163 Church Avenue, Armadale

1. Retain the site as an undeveloped parcel for public open space purposes.
2. Consider improvements and landscaping to the area following completion of MetroNet works as part of the Long Term Financial Plan.
3. Authorise progressing a subdivision or amalgamation of Lot 163 to formalise the Church Avenue Road Reserve and the adjoining public open space.

## **OPTIONS**

Council has the following options:

1. Adopt the actions for each site detailed within the report that require action to occur.
2. Modify the actions for each site detailed within the report or include other actions.
3. Defer or not progress any of the actions or land parcels.

## CONCLUSION

The report outlines the background to each of the City’s major Freehold Land Assets and identifies considerations or direction to enable future strategic opportunities for each of the sites.

## ATTACHMENTS

1. ↓ Location Plan
2. ↓ Location Plan - Armadale CBD
3. ↓ Aerial - Lot 100 Little John Rd & Lots 1, 301, 302 & 304 Abbey Rd, Armadale
4. ↓ Location - Lots 17, 18 & 19 Forrest Road, Hilbert
5. ↓ Aerial - Lots 17, 18 & 19 Forrest Road, Hilbert
6. ↓ Location - Lot 33 Connell Avenue, Kelmscott
7. ↓ Aerial - Lot 33 Connell Avenue, Kelmscott
8. ↓ Location - Lot 39 Page Rd & Lots 20 & 21 Clifton St, Kelmscott
9. ↓ Aerial - Lot 39 Page Road & Lots 20 & 21 Clifton St, Kelmscott
10. ↓ Aerial - Lot 85 & 86 Church Avenue, Armadale
11. ↓ Location - Lot 51 Armadale Road, Haynes
12. ↓ Aerial - Lot 51 Armadale Road, Haynes
13. ↓ Location - Lot 201 Carawatha Avenue, Mount Nasura
14. ↓ Aerial - Lot 201 Carawatha Avenue, Mount Nasura
15. ↓ Aerial - Lot 298 Emerald Place, Mount Richon
16. ↓ Aerial - Lot 163 Church Avenue, Armadale

## RECOMMEND

D21/7/23

### That Council:

1. **Acknowledge that the following land parcels will be considered as Public Open Space under a freehold land tenure by the City:**
  - a) **Lot 86 Church Avenue, Armadale;**
  - b) **Lot 39 Page Road, Kelmscott;**
  - c) **Lot 201 Carawatha Avenue, Mount Nasura;**
  - d) **Lot 298 Emerald Place, Mount Richon; and**
  - e) **Lot 163 Church Avenue, Armadale.**
2. **List for consideration in the next review of the City’s Long Term Financial Plan minor landscaping improvements on the following lots:**
  - a) **Lot 86 Church Avenue, Armadale;**
  - b) **Lot 39 Page Road, Kelmscott;**
  - c) **Lot 201 Carawatha Avenue, Mount Nasura; and**
  - d) **Lot 163 Church Avenue, Armadale.**
3. **Note future report on the preparation of Town Planning Scheme No.5 or a scheme amendment and will include for consideration:**
  - a) **Lot 298 Emerald Place, Mount Richon from “Residential” Zone to “Parks and Recreation” Reserve; and**
  - b) **Additional Land uses over Lots 1, 301 and 302 Abbey Road, Armadale to**

**expand the range of development options for the land.**

- 4. Authorise the City to commence subdivision of the following sites to allow excision of the Primary Regional Road Reserves and/or road widening and authorise the City to engage with Main Roads Western Australia, DevelopmentWA and the Western Australian Planning Commission regarding the acquisition of the road widening in the relevant areas:**
  - a) Lot 17, 18 and 19 Forrest Road, Hilbert;**
  - b) Lot 163 Church Avenue, Armadale; and**
  - c) Lot 86 Church Avenue, Armadale.**
  
- 5. Authorise the City to engage with Main Roads Western Australia and the Western Australian Planning Commission regarding the reduction and/or acquisition of the Metropolitan Region Scheme Primary Regional Road Reservation of Lot 304 Abbey Road, Armadale.**

**Moved Cr K Kamdar  
MOTION CARRIED**

**(5/0)**

***COUNCILLORS' ITEMS***

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Nil.

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***6.1 – SAT DECISION - REFUSAL OF DEVELOPMENT APPLICATION -  
DEMOLITION - FORMER MANSE RESTAURANT - LOT 709 CHURCH AVENUE,  
ARMADALE***

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The Executive Director Development Services advised Committee of the outcome of the decision by the State Administrative Tribunal (SAT) for the Development Application for the demolition of the former Manse restaurant at Lot 709 Church Avenue, Armadale.

In June 2021 the City received a development application for the demolition of the former Manse restaurant situated at Lot 709 (31) Church Avenue, Armadale (heritage place 006 in the City's Local Heritage Survey (LHS), listed as 'Category 2 - Considerable Significance'). Following a period of public advertising during which a number of objections were received, the application was refused under delegation on 3 November 2021.

An application for Review of that decision by SAT was received 30 November 2021 (DR 252 of 2021 - PC Infrastructure Pty Ltd v City of Armadale). The City appointed representation to defend the decision, being McLeods Lawyers, Element and Altus Planning. Witness Statements and appearances at SAT were provided by Community Heritage Advisory Group members Terry Holton and Jeff Green, for which the City is grateful. The City has written to them to thank these individuals for their positive contribution and support. CHAG has been advised of the decision.

In considering the review, the presiding SAT member sought additional information as to the progress of indirectly related matters, being the Armadale City Centre Structure Plan, the Town Planning Scheme Amendment related to the Structure Plan and the introduction of new Heritage Guidelines at state level. This is the reason for the very long timeframe of the Review. The final written submission on these additional matters was made 13 March 2023. The City's officers had been working on this application and SAT matter for over two years.

The SAT finally issued its decision 23 June 2023. The City's decision to refuse the demolition was upheld and the Review dismissed, which is an excellent outcome for the community and heritage protection. The decision supported the City's work on developing the Armadale City Centre Structure Plan and Local Heritage Survey.

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***6.2 - DEVELOPMENT APPLICATION NO.3 - ARMADALE STATION & PUBLIC  
REALM***

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The Executive Director Development Services advised Committee that as per Councillor memo the Department of Planning, Lands and Heritage have now commenced public advertising of the Development Application No.3 for the Byford Rail Extension Project for the proposed Armadale Station structure, permanent bus interchange, public realm upgrades and associated car parking, pedestrian and vehicle access.

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**MEETING DECLARED CLOSED AT 7.29 PM**

<b>DEVELOPMENT SERVICES COMMITTEE</b>		
<b>SUMMARY OF ATTACHMENTS</b>		
17 JULY 2023		
<b>ATT NO.</b>	<b>SUBJECT</b>	<b>PAGE</b>
<b>1.1 HEALTH (MISCELLANEOUS PROVISIONS) ACT 1911 - APPOINTMENT OF DEPUTIES OF THE LOCAL GOVERNMENT</b>		
1.1.1	Health (Miscellaneous Provisions) Act 1911 - Section 26 Extract	56
<b>2.1 DEVELOPMENTWA REFERRAL - PROPOSED ELEVENTH ROAD BRIDGE AND ASSOCIATED WORKS - WUNGONG</b>		
2.1.1	Planning Framework - Eleventh Road Bridge	57
2.1.2	Separate Attachment - Development Application - Eleventh Road Bridge	58
<b>4.1 REVIEW OF THE CITY'S FREEHOLD LAND ASSETS</b>		
4.1.1	Location Plan	59
4.1.2	Location Plan - Armadale CBD	60
4.1.3	Aerial - Lot 100 Little John Rd & Lots 1, 301, 302 & 304 Abbey Rd, Armadale	61
4.1.4	Location - Lots 17, 18 & 19 Forrest Road, Hilbert	62
4.1.5	Aerial - Lots 17, 18 & 19 Forrest Road, Hilbert	63
4.1.6	Location - Lot 33 Connell Avenue, Kelmscott	64
4.1.7	Aerial - Lot 33 Connell Avenue, Kelmscott	65
4.1.8	Location - Lot 39 Page Rd & Lots 20 & 21 Clifton St, Kelmscott	66
4.1.9	Aerial - Lot 39 Page Road & Lots 20 & 21 Clifton St, Kelmscott	67
4.1.10	Aerial - Lot 85 & 86 Church Avenue, Armadale	68
4.1.11	Location - Lot 51 Armadale Road, Haynes	69
4.1.12	Aerial - Lot 51 Armadale Road, Haynes	70
4.1.13	Location - Lot 201 Carawatha Avenue, Mount Nasura	71
4.1.14	Aerial - Lot 201 Carawatha Avenue, Mount Nasura	72
4.1.15	Aerial - Lot 298 Emerald Place, Mount Richon	73
4.1.16	Aerial - Lot 163 Church Avenue, Armadale	74
<b>4.1 CONSIDERATION OF MINISTER'S MODIFICATIONS - TPS NO.4 AMENDMENT NO.121 - REZONING OF LOTS 601-603 BALANNUP ROAD &amp; LOTS 200-202 SKEET ROAD, HARRISDALE</b>		
4.1.1	TPS No.4 Map - Amendment No.121 - Initiation	75
4.1.2	Special Control Area Map 3 - Amendment No.121 - Initiation	76
4.1.3	Special Control Area Map 1 - Amendment No.121 - Initiation	77
4.1.4	TPS No.4 Map - Amendment No.121 - Adoption	78
4.1.5	Special Control Area Map 3 - Amendment No.121 - Amended	79
4.1.6	Special Control Area Map 1 - Amendment No.121 - Adoption	80
4.1.7	Schedule of Modifications - TPS No.4 - Amendment No.121	81
4.1.8	TPS No.4 Map - Amendment No.121 - Ministers Modification for Adoption	84
4.1.9	Special Control Area Map 3 - Amendment No.121 - Ministers Modification for Adoption	85
4.1.10	Special Control Area Map 1 - Amendment No.121 - Adoption	86

**Health (Miscellaneous Provisions) Act 1911**

**Part II** Administration

**Division 2** Local governments

**s. 25**

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*[23, 24. Deleted: No. 57 of 1985 s. 12.]*

**25. District may include water**

Any river, harbour or other water shall be deemed for the purposes of this Act, to be within such district as may be fixed by the Governor:

Provided that the Governor may revoke or vary any order made under this section.

*[Section 25, formerly section 24, renumbered as section 25: No. 38 of 1933 s. 42.]*

**26. Powers of local government**

Every local government is hereby authorised and directed to carry out within its district the provisions of this Act and the regulations, local laws, and orders made thereunder:

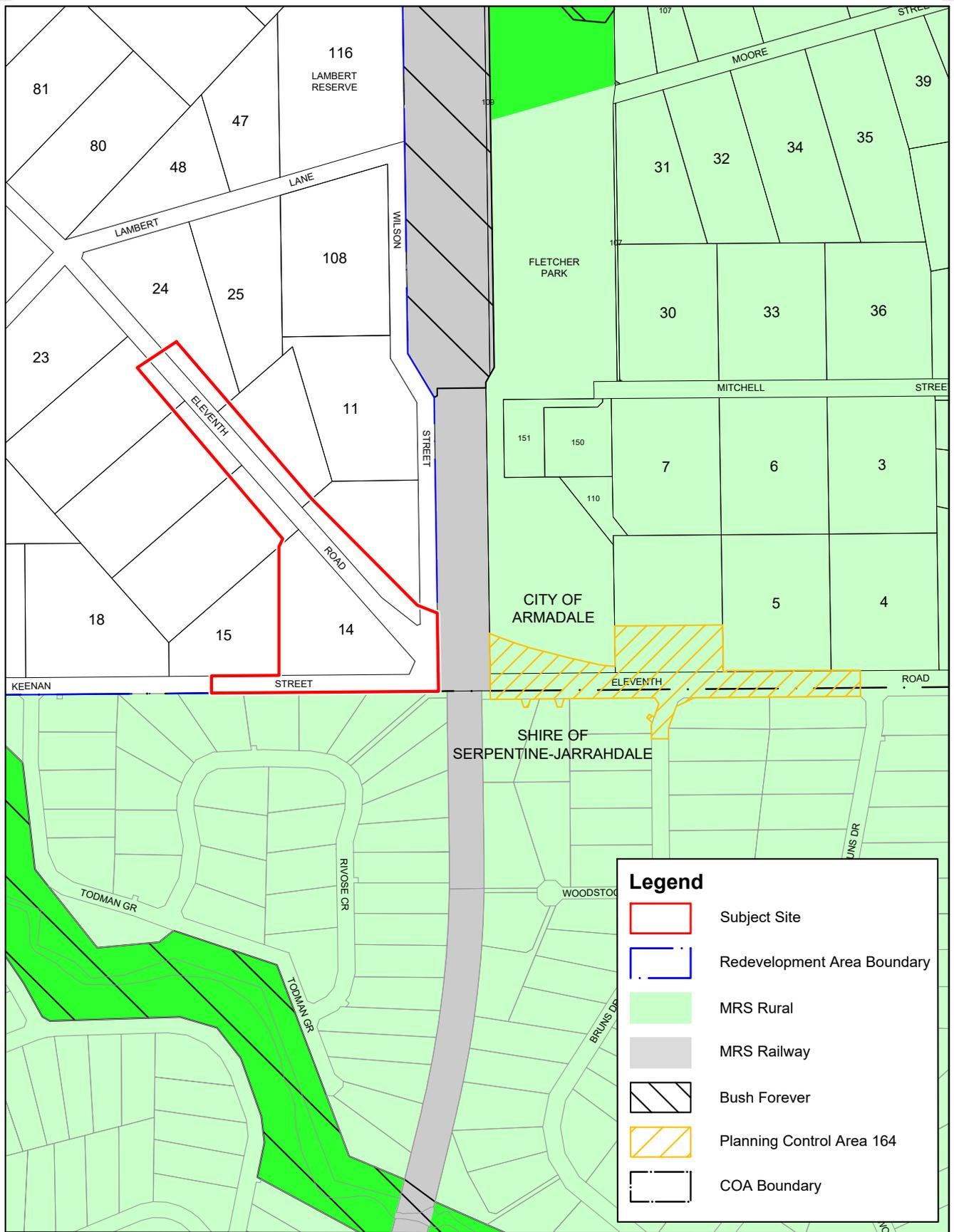
Provided that a local government may appoint and authorise any person to be its deputy, and in that capacity to exercise and discharge all or any of the powers and functions of the local government for such time and subject to such conditions and limitations (if any) as the local government shall see fit from time to time to prescribe, but so that such appointment shall not affect the exercise or discharge by the local government itself of any power or function.

*[Section 26, formerly section 25, amended: No. 17 of 1918 s. 5; renumbered as section 26: No. 38 of 1933 s. 42; amended: No. 14 of 1996 s. 4.]*

*[27-34. Deleted: No. 19 of 2016 s. 9.]*

**35. Proceedings on default of local government**

- (1) Where in the opinion of the Chief Health Officer any local government has made default in enforcing or carrying out or complying with any provisions of or in the exercise of any power conferred by this Act, or any local law or regulation



**Legend**

- Subject Site
- Redevelopment Area Boundary
- MRS Rural
- MRS Railway
- Bush Forever
- Planning Control Area 164
- COA Boundary

**PLANNING FRAMEWORK**  
 Eleventh Road Bridge DWA



DATE 19 June 2023 - REVISION 2301  
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*Refer to separate Attachments*

## **Development Application 2**

### **Eleventh Road Bridge**

#### **Byford Rail Extension (BRE) Design and Construction Project**

***Separate Attachments – Development Application 2 – Eleventh Road Bridge***

Appendix A - APPLICATION FORMS - Eleventh Road Bridge

Appendix B - CERTIFICATE OF TITLE - Eleventh Road Bridge

Appendix C - REQUIREMENTS FOR PLANNING APPROVAL - Eleventh Road Bridge

Appendix D - CONSTRUCTION AND STAGING MANAGEMENT PLAN - Eleventh Road Bridge

Appendix E - STRUCTURAL ENGINEERING PLANS - Eleventh Road Bridge

Appendix F - CIVIL DEVELOPMENT PLANS - Eleventh Road Bridge

Appendix G - GEOTECHNICAL REPORT - Eleventh Road Bridge

Appendix H - OPERATIONAL NOISE AND VIBRATION REPORT - Eleventh Road Bridge

Appendix I - DRAINAGE DESIGN - Eleventh Road Bridge

Appendix J - BUSHFIRE VEHICULAR ACCESS REVIEW - Eleventh Road Bridge

Appendix K - ENGAGEMENT SUMMARY - Eleventh Road Bridge

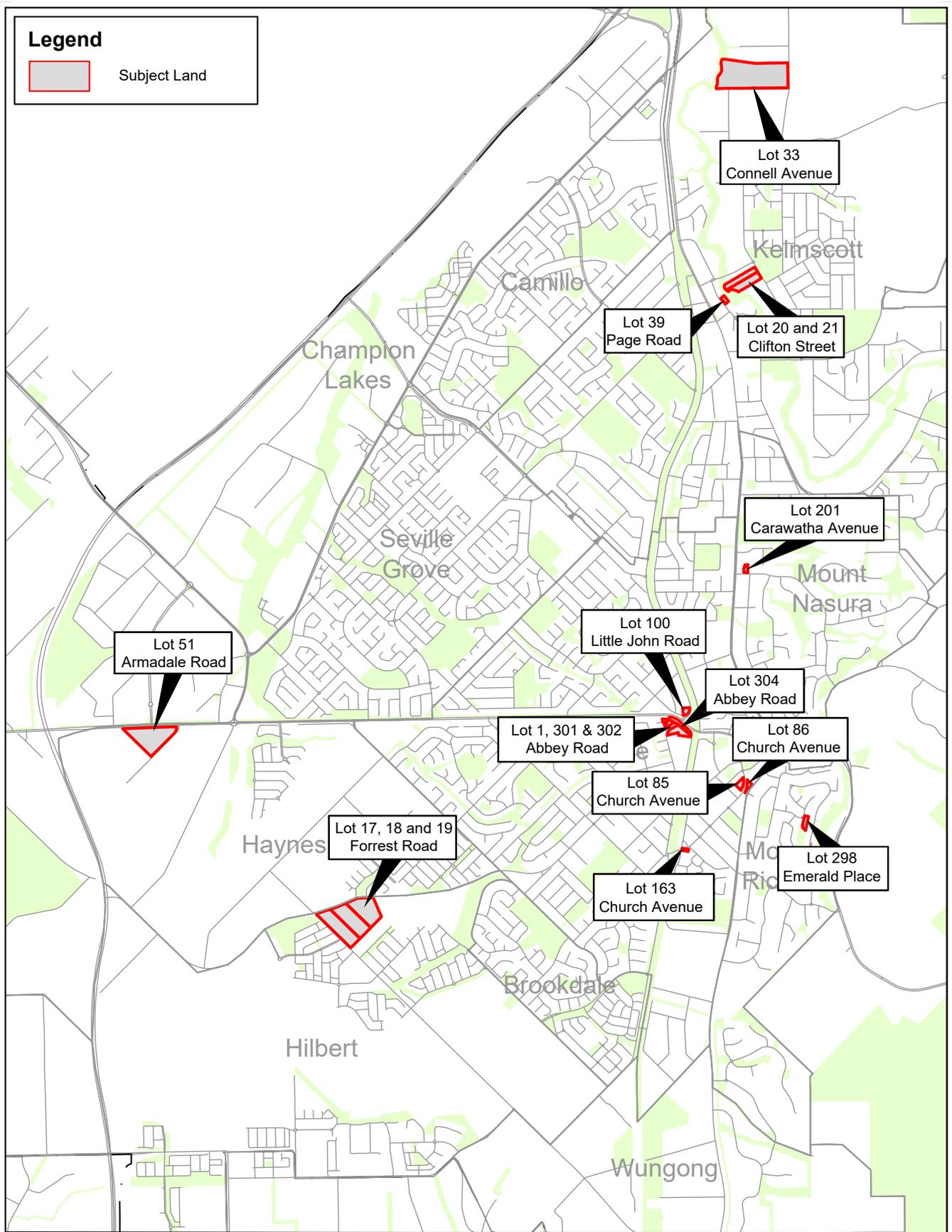
Appendix L - URBAN DESIGN STRATEGY - Eleventh Road Bridge

Appendix M - LANDSCAPING STRATEGY - Eleventh Road Bridge

PLANNING REPORT - Eleventh Road Bridge

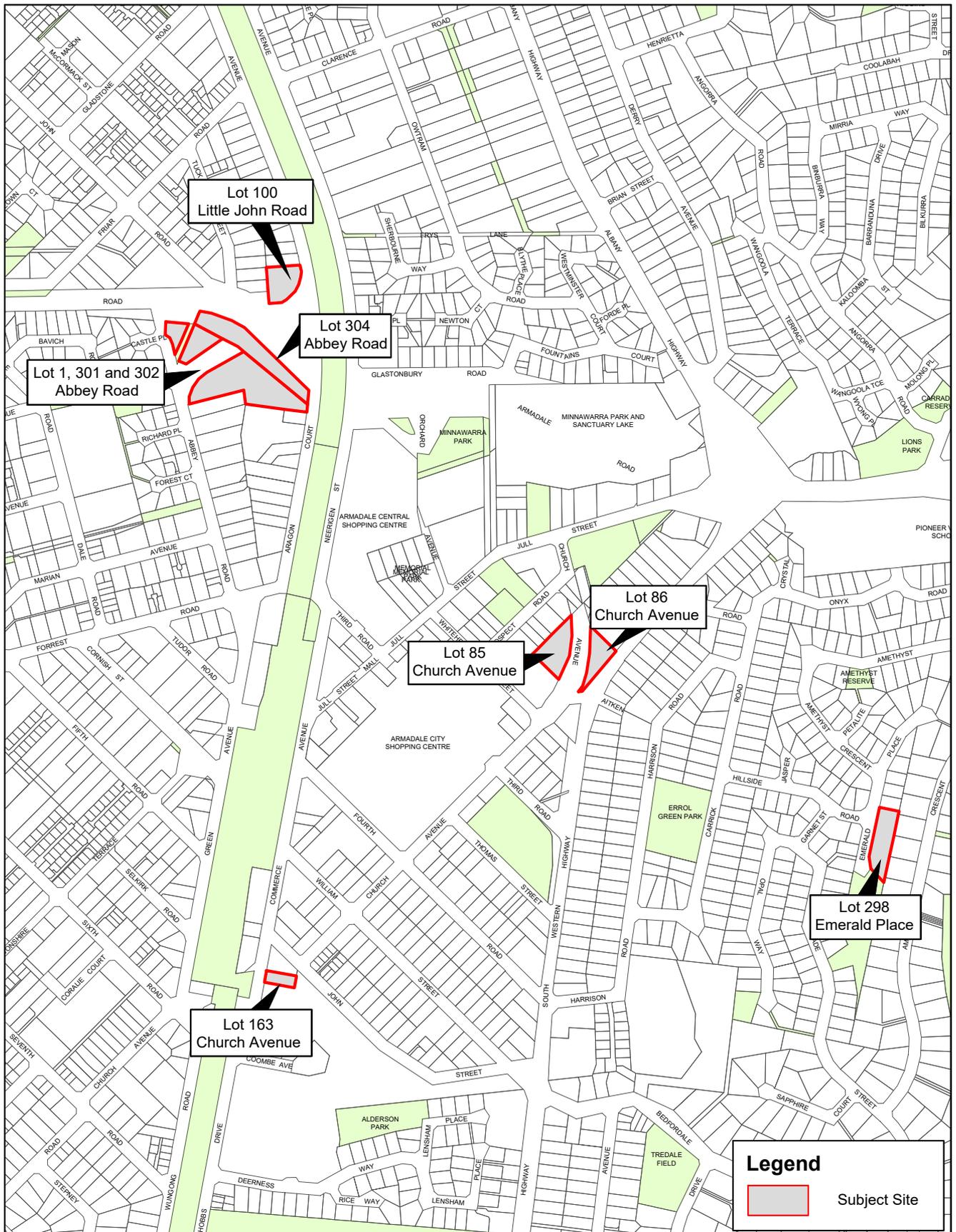
TRAFFIC MANAGEMENT PLAN - Eleventh Road Bridge

TRAFFIC TECHNICAL MEMO - Eleventh Road Bridge



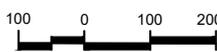
**LOCATION PLAN**



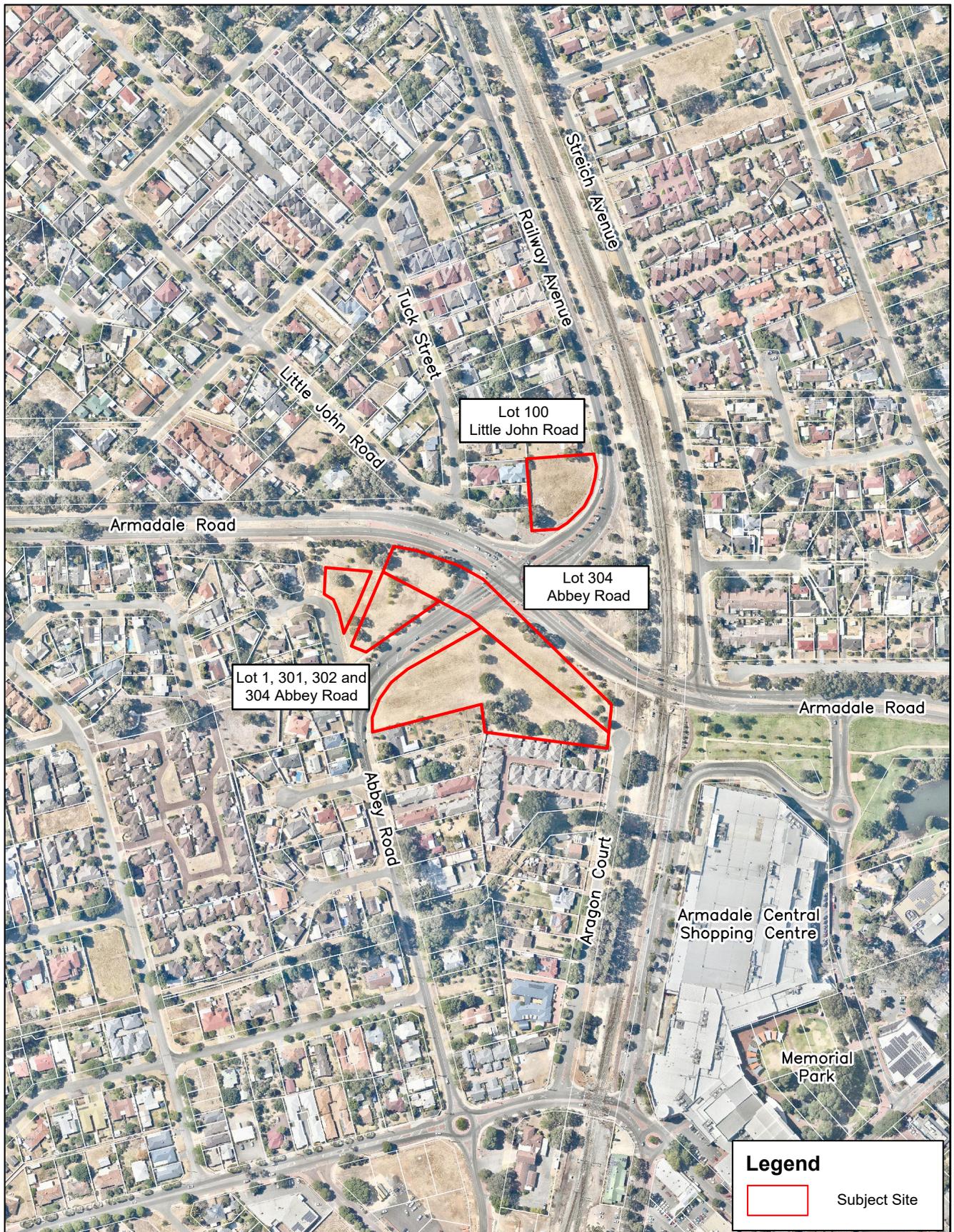


**LOCATION PLAN**

Armadale CBD



SCALE 1 : 10000



**AERIAL PLAN**

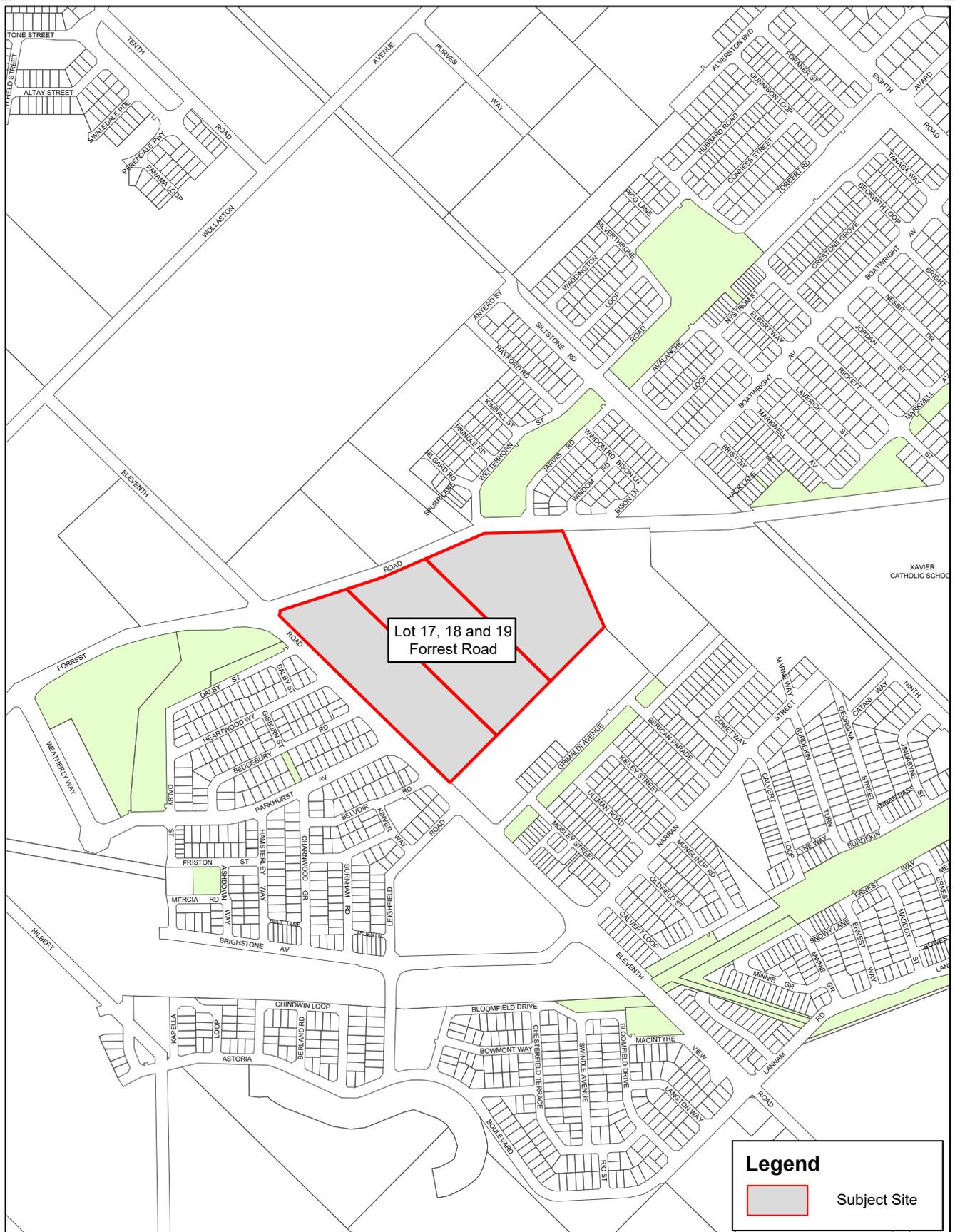
Lot 100 Little John Road and  
Lots 1, 301, 302 & 304 Abbey Road, Armadale



SCALE 1 : 5000

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**LOCATION PLAN**  
Lots 17, 18 & 19 Forrest Road, Hilbert



SCALE 1 : 10000

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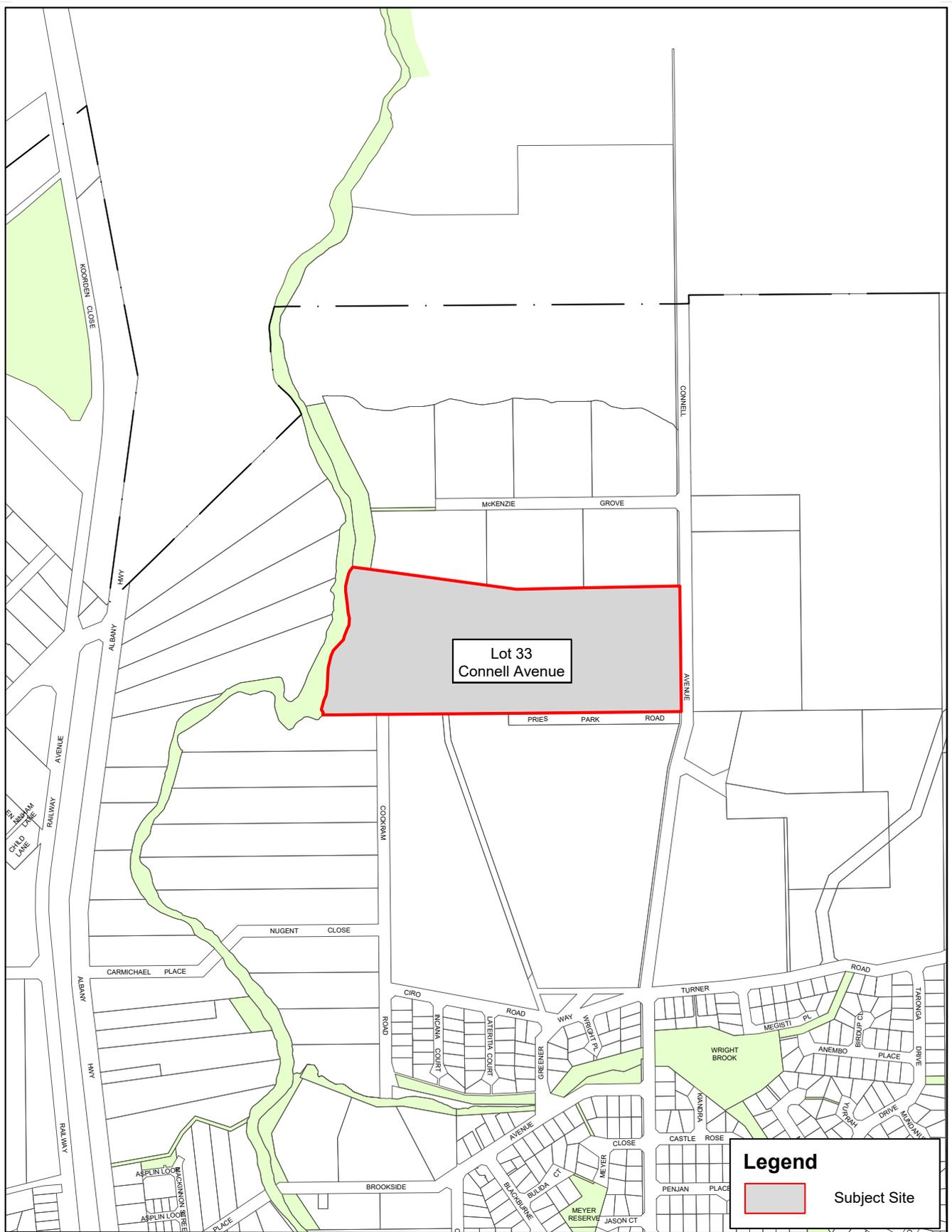


**AERIAL PLAN**

Lots 17, 18 & 19 Forrest Road, Hilbert



SCALE 1 : 7500



**LOCATION PLAN**

Lot 33 Connell Avenue, Kelmescott



SCALE 1 : 10000

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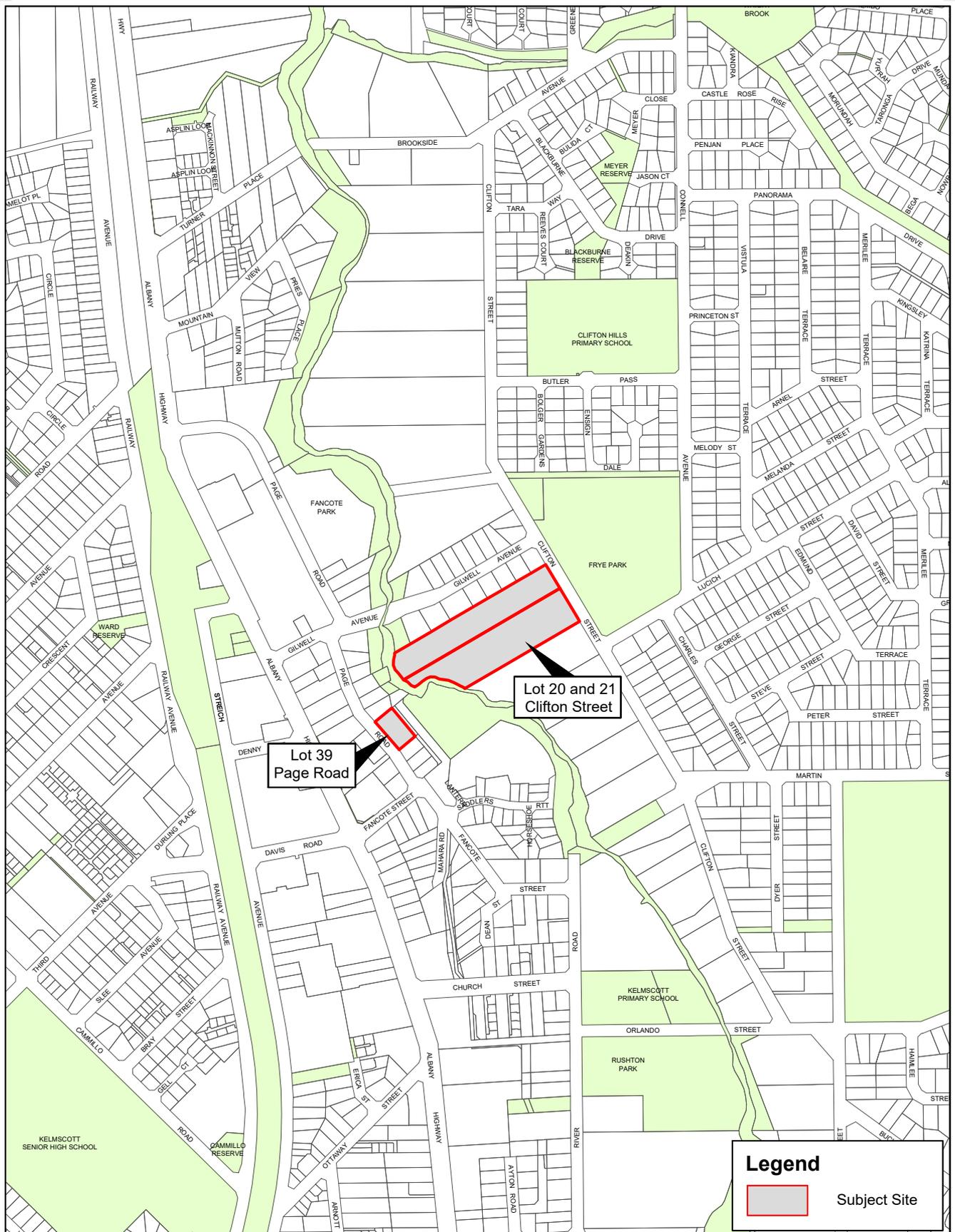


**AERIAL PLAN**  
Lot 33 Connell Avenue, Kelmescott



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**LOCATION PLAN**  
Lot 39 Page Road and  
Lots 20 & 21 Clifton Street, Kelmscott



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**AERIAL PLAN**

Lot 39 Page Road and  
Lots 20 & 21 Clifton Street, Kelmscott



SCALE 1 : 7500

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**AERIAL PLAN**

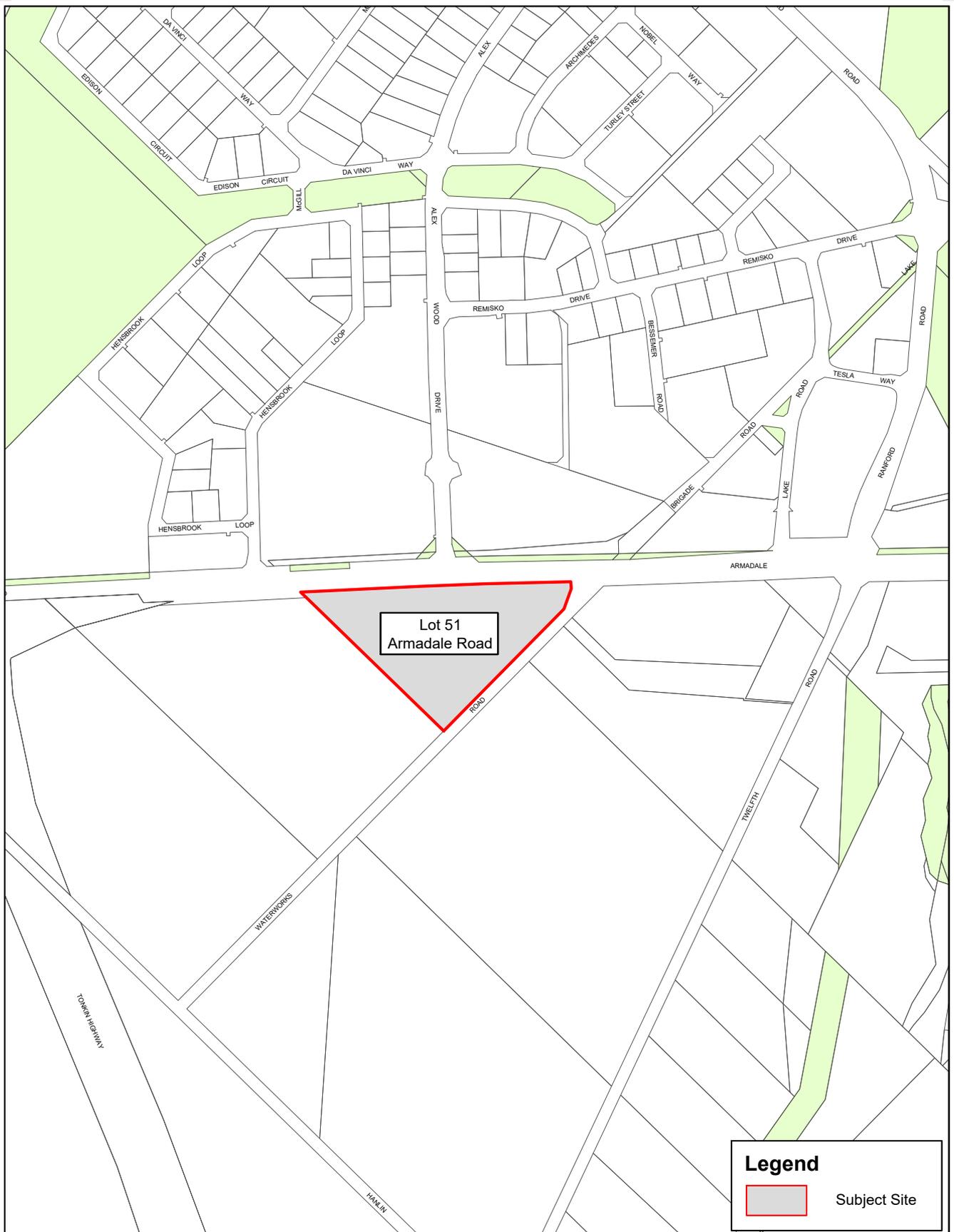
Lot 85 & 86 Church Avenue, Armadale



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**LOCATION PLAN**  
Lot 51 Armadale Road, Haynes



SCALE 1 : 10000



**AERIAL PLAN**  
Lot 51 Armadale Road, Haynes



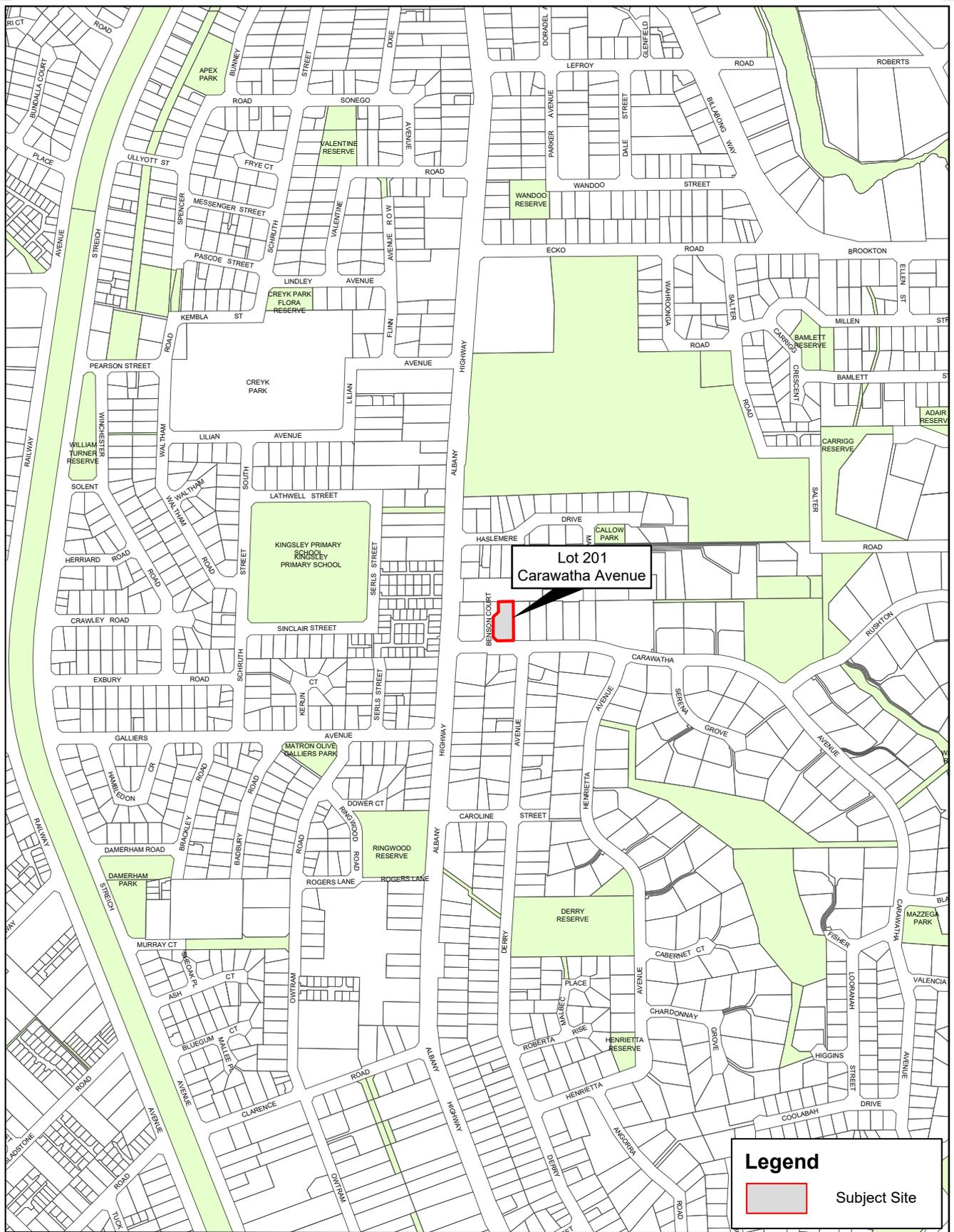
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**Legend**

Subject Site

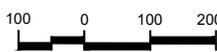
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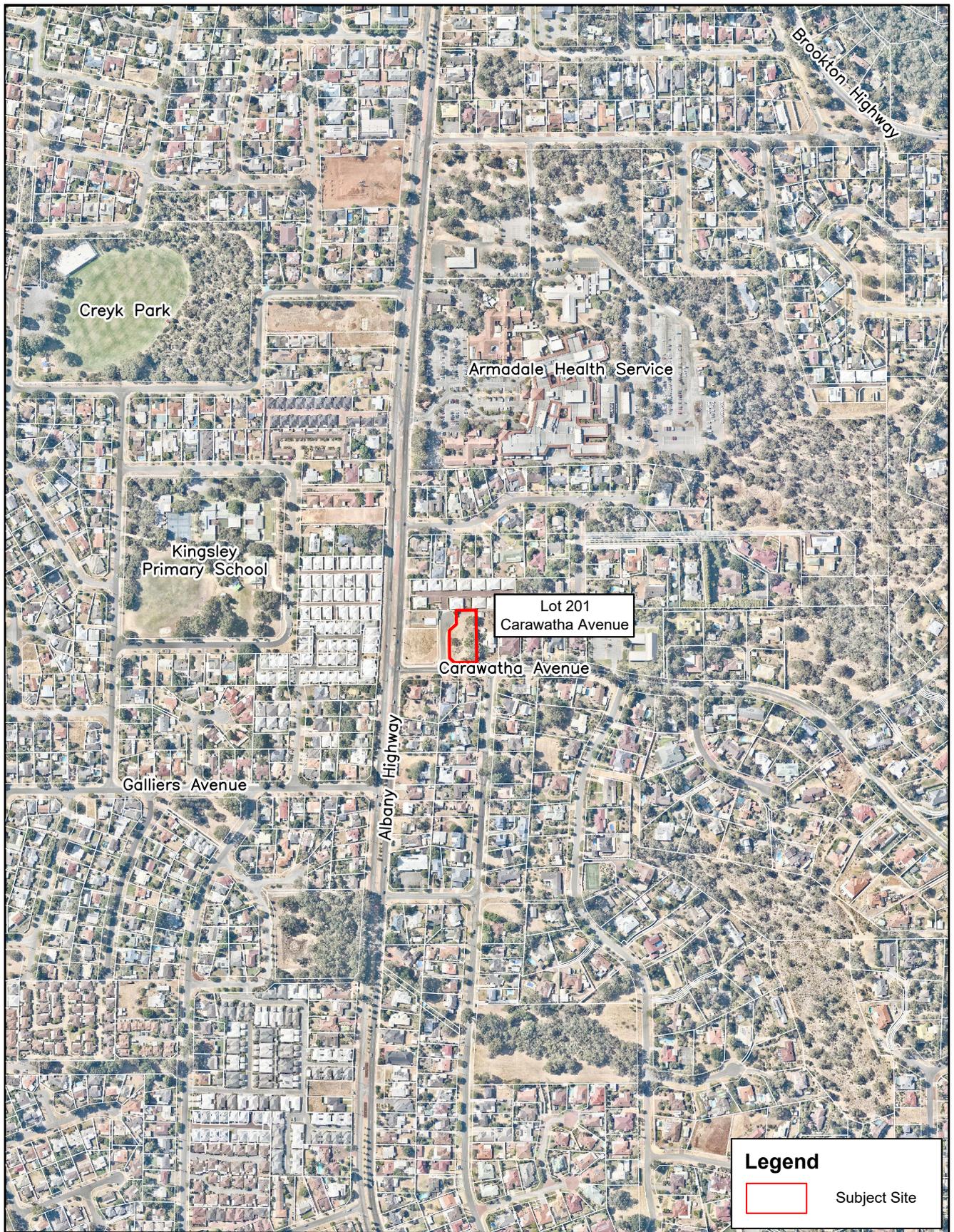


**LOCATION PLAN**

Lot 201 Carawatha Avenue, Mount Nasura



SCALE 1 : 10000



**AERIAL PLAN**

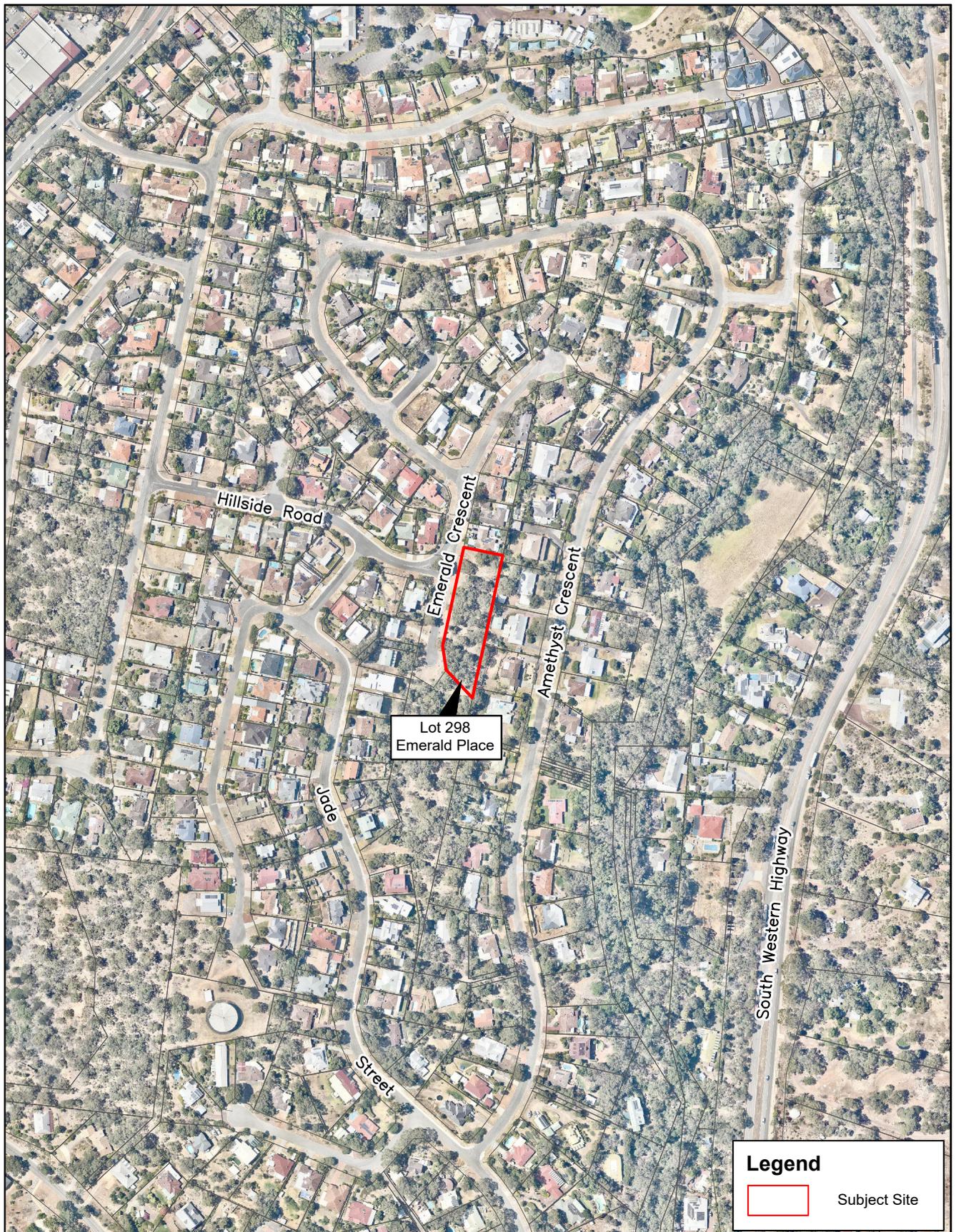
Lot 201 Carawatha Avenue, Mount Nasura



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**AERIAL PLAN**

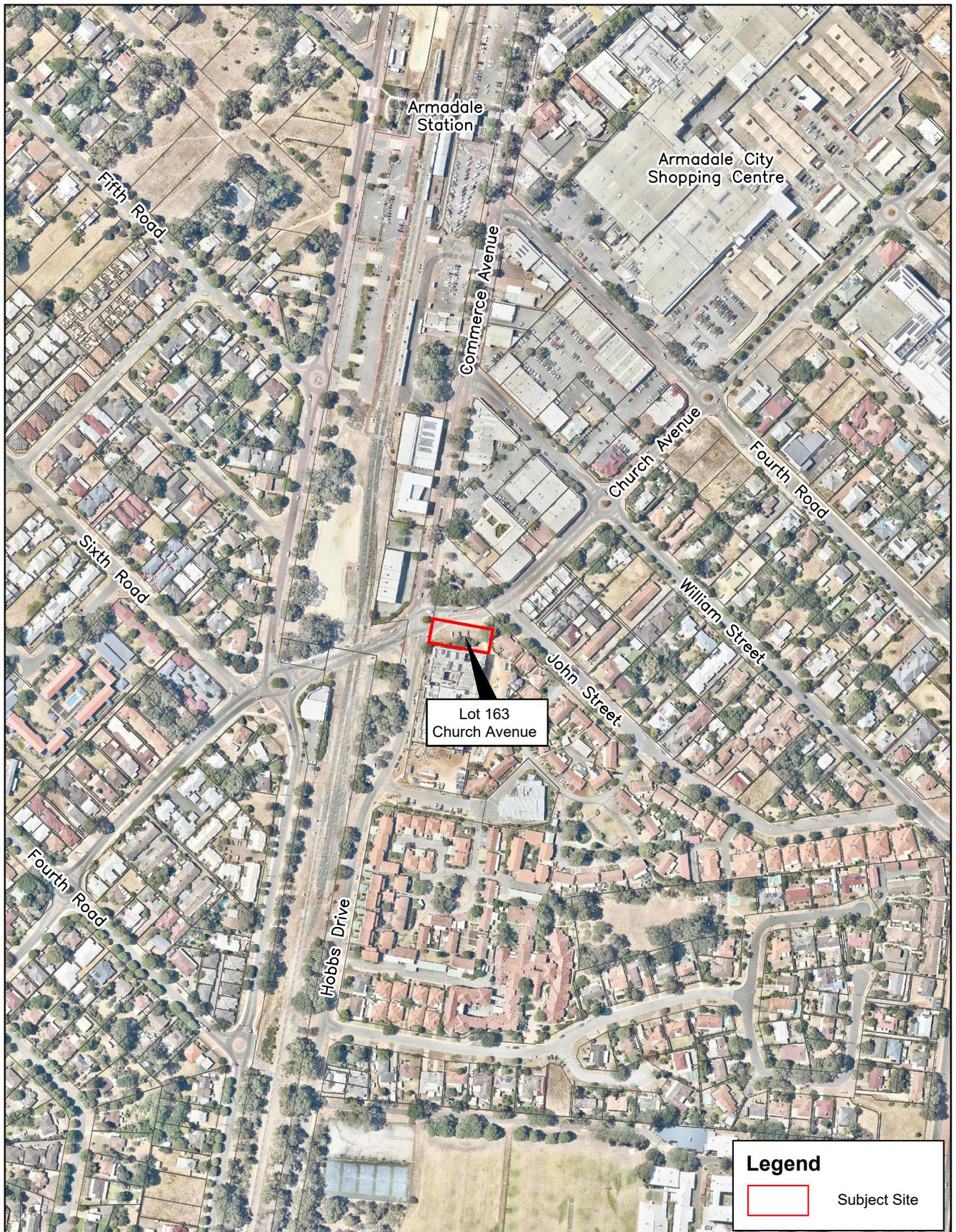
Lot 298 Emerald Place, Mount Richon



SCALE 1 : 5000

DATE 26 June 2023 - REVISION 2301  
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**AERIAL PLAN**  
Lot 163 Church Avenue, Armadale



SCALE 1 : 5000

DATE 26 June 2023 - REVISION 2301  
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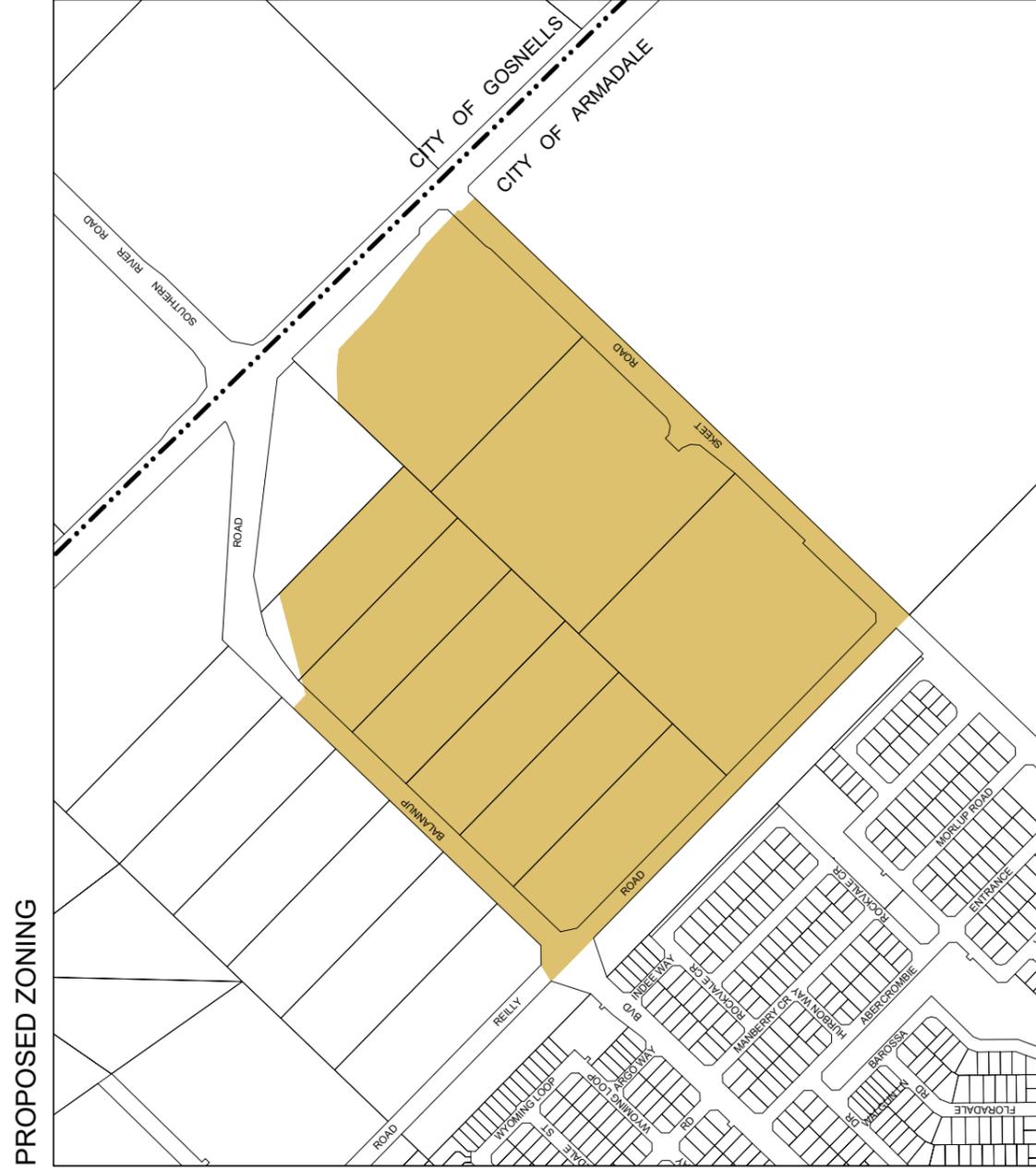
EXISTING ZONING

- ZONES**
- RESIDENTIAL Including Residential Planning Density Codes
  - URBAN DEVELOPMENT ZONE
  - RURAL LIVING - 1,2,4,10,20,X
  - GENERAL RURAL
  - SPECIAL RURAL
  - SPECIAL RESIDENTIAL
  - MIXED BUSINESS / RESIDENTIAL
  - LOCAL CENTRE
  - DISTRICT CENTRE
  - STRATEGIC REGIONAL CENTRE
  - GENERAL INDUSTRY
  - INDUSTRIAL BUSINESS
  - INDUSTRIAL DEVELOPMENT
  - SPECIAL USE
  - ADDITIONAL USE
  - RESTRICTED USE
  - DENSITY CODE BOUNDARY
  - SCHEME BOUNDARY

**RESERVATIONS**

- PARKS & RECREATION (Region)
- PARKS & RECREATION (Local)
- RAILWAYS
- STATE FOREST
- WATERWAYS
- WATER CATCHMENTS
- PRIMARY REGIONAL ROADS
- OTHER REGIONAL ROADS
- PUBLIC PURPOSE (Local)
- PUBLIC PURPOSE (Region)
- PUBLIC PURPOSE Miscellaneous Sub Categories
- CG Commonwealth Government
- TS Technical School
- HS High School
- PS Primary School
- H Hospital
- WSD Water Authority of WA
- SU Special Use
- SEC State Energy Commission
- T Telstra

**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



PROPOSED ZONING



SCALE 1 : 6000

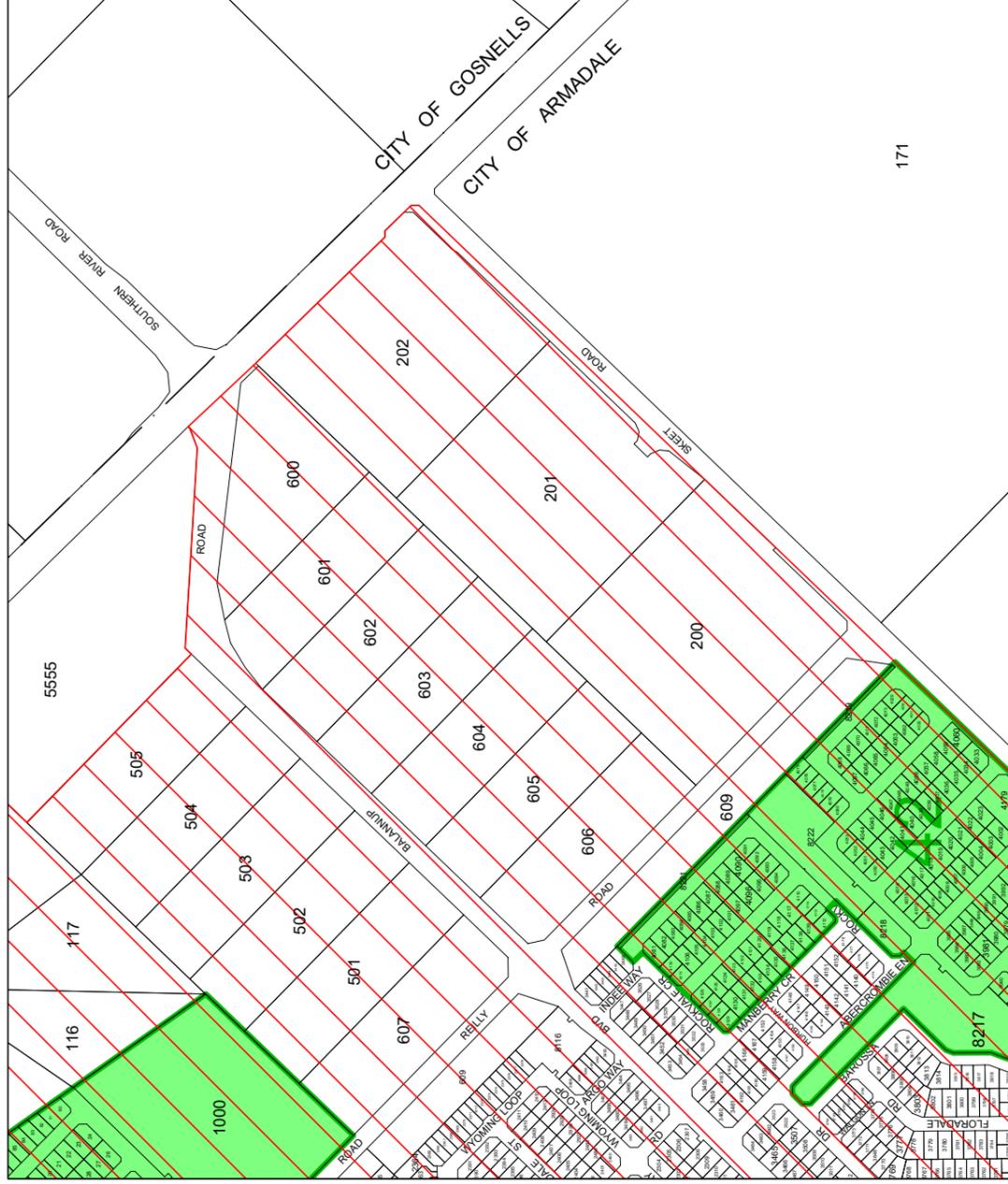


**AMENDMENT No. 121 - INITIATION**  
City of Armadale Town Planning Scheme No. 4

DATE 23 August 2021 - REVISION 2101  
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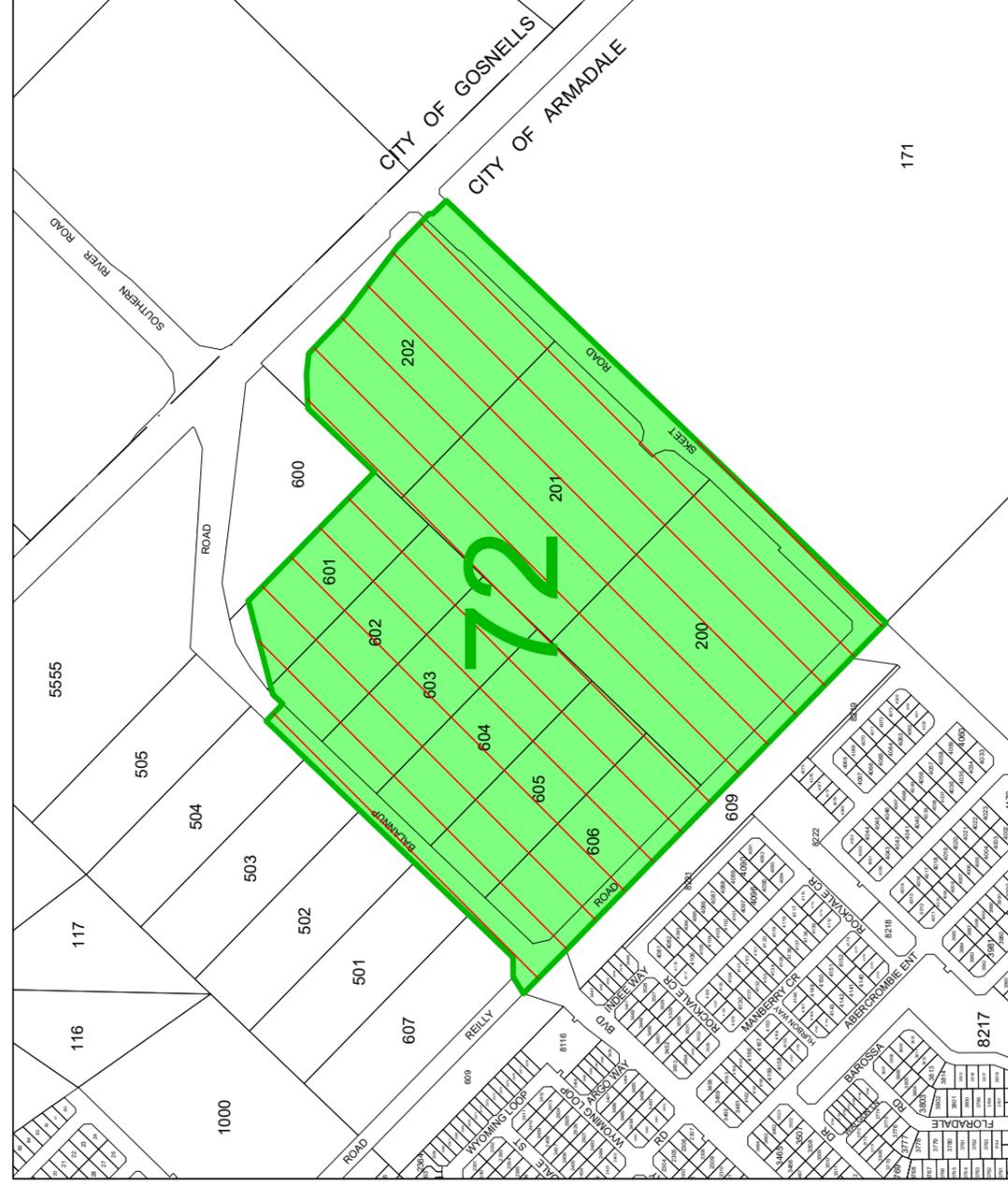
EXISTING ZONING - SPECIAL CONTROL AREA MAP 3



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 : 6000

AMENDMENT No. 121 - INITIATION  
 City of Armadale Town Planning Scheme No. 4  
 Special Control Area Map 3

DATE 26 August 2021 - REVISION 2102  
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 Aerial photograph supplied by Landgate. Photograph by NetMap.

EXISTING ZONING - SPECIAL CONTROL AREA MAP 1



LEGEND

- Prime Agricultural Land Protection Area
- Development Envelope Areas
- Bush Forever Sites - Outside of Parks and Recreation Reservations
- Prime Landscape Quality
- Green Links With Remnant Vegetation - Outside of Parks and Recreation Reservations
- Water Courses With Remnant Vegetation - Outside of Parks and Recreation Reservations
- Bushfire Protection Areas
- Sewerage Septage Treatment Plant Buffer
- Poultry Farm Buffer
- Armadale Landfill and Recycling Centre Buffer
- Natural Gas Pipeline Buffer
- Brick Works Buffer
- Kennels Buffer
- Armadale Redevelopment Area Boundary
- Local Government Boundary
- Subject Site

PROPOSED ZONING - SPECIAL CONTROL AREA MAP 1



**AMENDMENT No. 121 - INITIATION**  
 City of Armadale Town Planning Scheme No. 4  
 Special Control Area Map 1

DATE 26 June 2023 - REVISION 2001  
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SCALE 1 : 8000

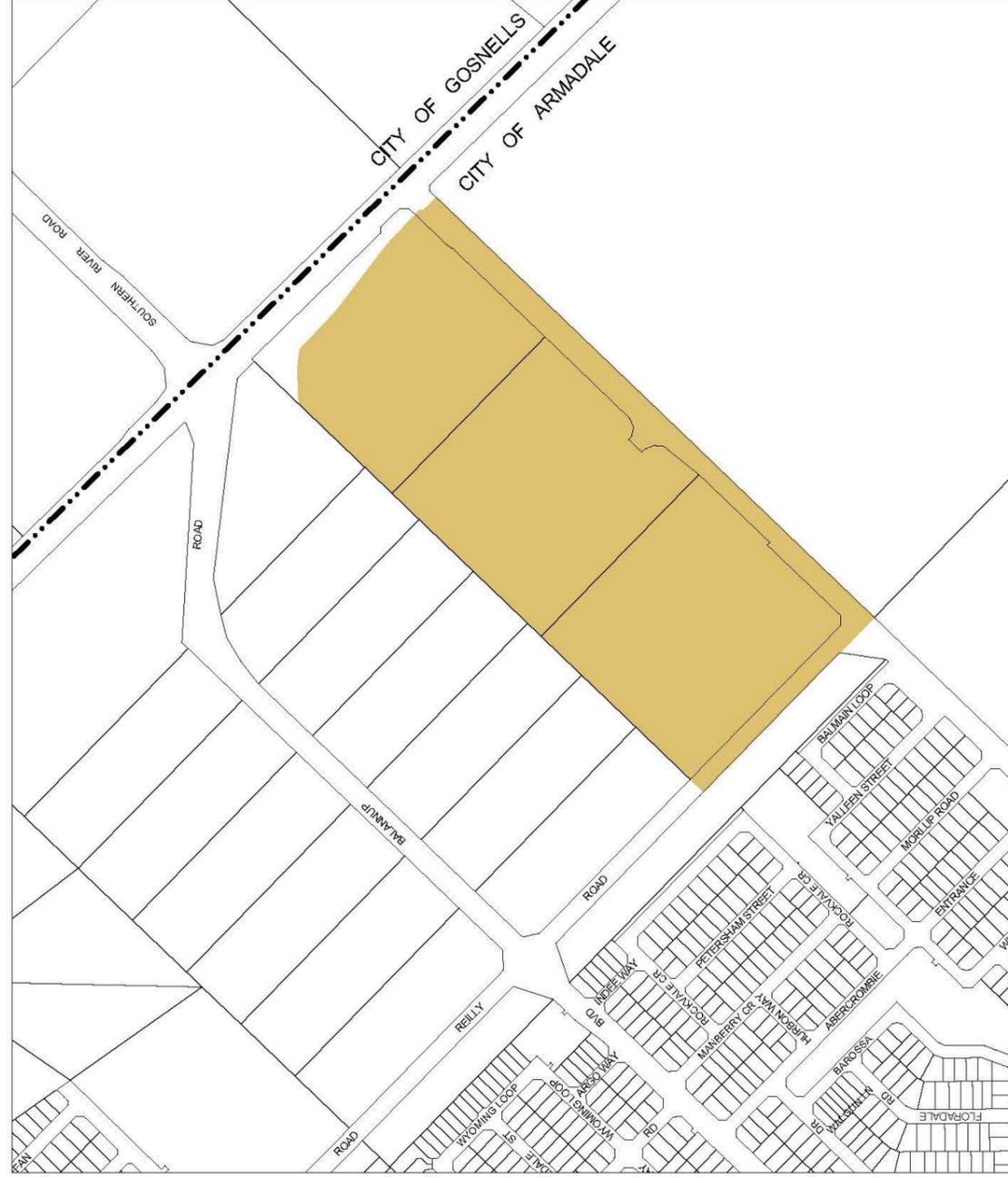
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EXISTING ZONING



PROPOSED ZONING



ZONES

- RESIDENTIAL Including Residential Planning Density Codes
- URBAN DEVELOPMENT ZONE
- RURAL LIVING - 1,2,4,10,20,X
- GENERAL RURAL
- SPECIAL RURAL
- SPECIAL RESIDENTIAL
- MIXED BUSINESS / RESIDENTIAL
- LOCAL CENTRE
- DISTRICT CENTRE
- STRATEGIC REGIONAL CENTRE
- GENERAL INDUSTRY
- INDUSTRIAL BUSINESS
- INDUSTRIAL DEVELOPMENT
- SPECIAL USE
- ADDITIONAL USE
- RESTRICTED USE
- DENSITY CODE BOUNDARY
- SCHEME BOUNDARY

RESERVATIONS

- PARKS & RECREATION (Region)
- PARKS & RECREATION (Local)
- RAILWAYS
- STATE FOREST
- WATERWAYS
- WATER CATCHMENTS
- PRIMARY REGIONAL ROADS
- OTHER REGIONAL ROADS
- PUBLIC PURPOSE (Local)
- PUBLIC PURPOSE (Region)
- PUBLIC PURPOSE
- Miscellaneous Sub Categories
- CG Commonwealth Government
- TS Technical School
- HS High School
- PS Primary School
- H Hospital
- WSD Water Authority of WA
- SU Special Use
- SEC State Energy Commission
- T Telstra

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



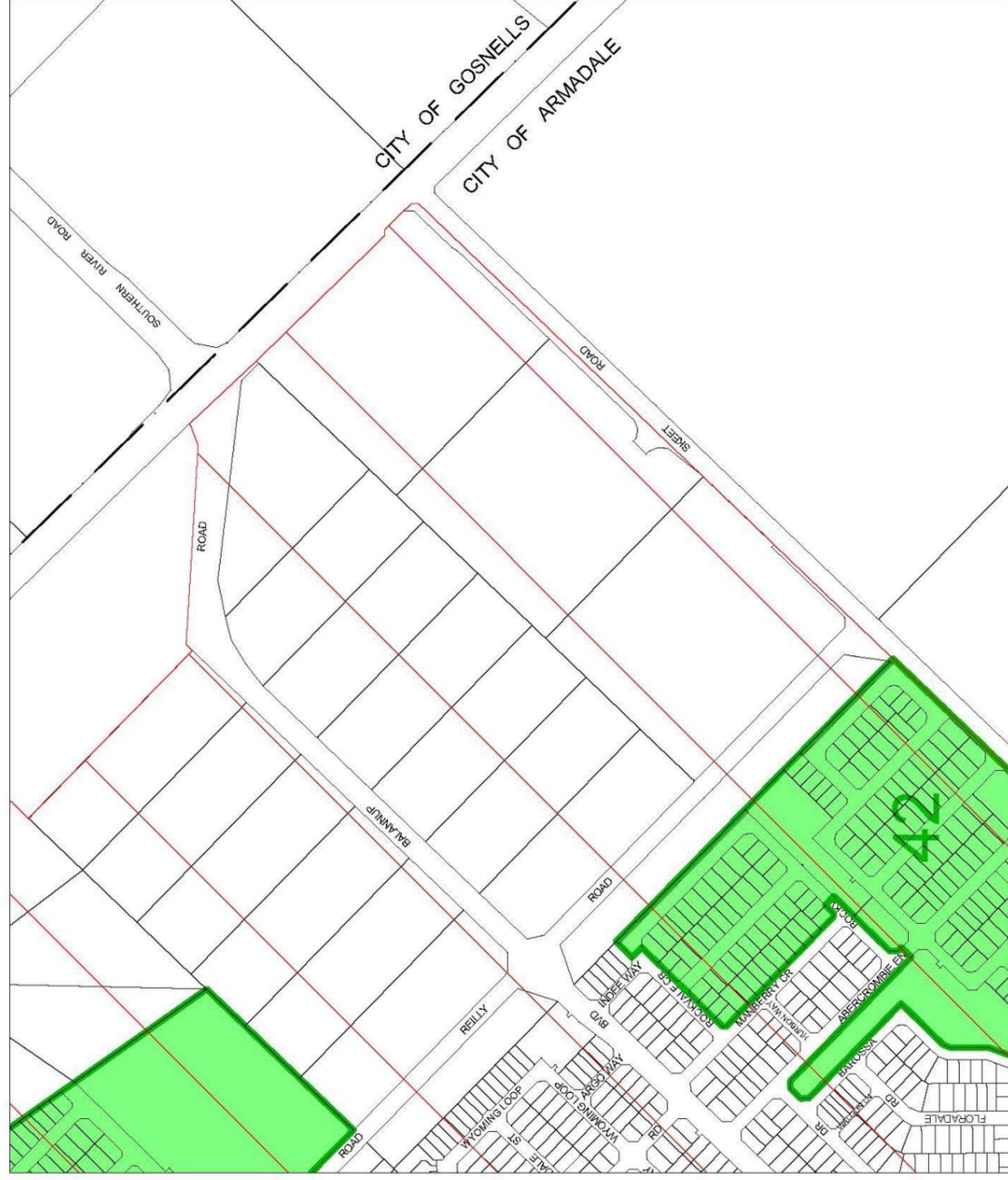
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AMENDMENT No. 121 - ADOPTION  
 City of Armadale Town Planning Scheme No. 4

DATE 20 October 2022 - REVISION 2001  
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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 : 6000



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**AMENDMENT No. 121 - ADOPTION**  
 City of Armadale Town Planning Scheme No. 4  
 Special Control Area Map 3

DATE 20 October 2022 - REVISION 2201  
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EXISTING ZONING - SPECIAL CONTROL AREA MAP 1



LEGEND

- Prime Agricultural Land Protection Area
- Development Envelope Areas
- Bush Forever Sites - Outside of Parks and Recreation Reservations
- Prime Landscape Quality
- Green Links With Remnant Vegetation - Outside of Parks and Recreation Reservations
- Water Courses With Remnant Vegetation - Outside of Parks and Recreation Reservations
- Bushfire Protection Areas
- Sewerage Septage Treatment Plant Buffer
- Poultry Farm Buffer
- Armadale Landfill and Recycling Centre Buffer
- Natural Gas Pipeline Buffer
- Brick Works Buffer
- Kennels Buffer
- Armadale Redevelopment Area Boundary
- Local Government Boundary
- Subject Site

PROPOSED ZONING - SPECIAL CONTROL AREA MAP 1



**AMENDMENT No. 121 - ADOPTION**  
 City of Armadale Town Planning Scheme No. 4  
 Special Control Area Map 1

DATE 26 June 2023 - REVISION 2001  
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SCALE 1 : 8000

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**CITY OF ARMADALE**  
**TOWN PLANNING SCHEME NO.4 - AMENDMENT NO.121**  
**Schedule of Modifications**

Replace the amendment resolution with the following:

Resolved that the Local Government pursuant to section 75 of the Planning and Development Act 2005, amend the Local Planning Scheme by:

- a. Rezone Lots 603 Balannup Road, Lots 200 – 201 Skeet Road, portions of Lot 601, 602 Balannup Road and Lot 202 Skeet Road from the ‘General Rural’ zone to the ‘Urban Development’ zone;
- b. Rezone portions of Balannup Road, Skeet Road and Reilly Road reserves to ‘Urban Development’ zone;
- c. Insert the following text in Schedule 8 Development (Structure Planning) Areas for Lots 601, 602 and 603 Balannup Road, and Lots 200, 201 and 202 Skeet Road:

No.	Description of Land	Additional provisions applicable to subdivision and development
72.	Skeet-Balannup Precinct East	<p>72.2 In addition to standard requirements, the following plans are to be prepared by the applicant and approved by the City of Armadale as part of the Structure Plan:</p> <ul style="list-style-type: none"> <li>a. Local Water Management Strategy, prepared in accordance with any relevant District Water Management Strategy, in consultation with the Department of Water and Environmental Regulation and shall demonstrate to the satisfaction of the City that surface water drainage and groundwater conditions within the subject land will be managed in a manner that does not adversely impact significant wetlands or groundwater dependent ecosystems either within or surrounding the amendment area.</li> <li>b. An Acoustic assessment shall be prepared to address noise from traffic along Ranford Road, future commercial development and kennel noise;</li> <li>c. An Environmental Management Plan shall be prepared to the satisfaction of the City of Armadale. The Environmental Management Plan shall address as a minimum, actions to prevent and manage impacts of urban development on vegetation identified for retention within the site and adjacent Bush Forever Sites, and be informed by a botanical survey undertaken during optimal flowering period to assess the potential presence of conservation significant flora.</li> </ul> <p>72.3 The Structure Plan shall provide design and management responses for implementation through subdivision and development, addressing:</p> <ul style="list-style-type: none"> <li>a. Acid sulphate soils;</li> <li>b. Site contamination;</li> <li>c. Identification and protection of significant</li> </ul>

No.	Description of Land	Additional provisions applicable to subdivision and development
		<p>landscape trees and features as per Local Planning Policy PLN 2.4 Landscape Feature and Tree Preservation, where possible;</p> <ul style="list-style-type: none"> <li>d. Maximized retention of banksia woodland species within POS areas and within the area identified as excellent condition on Lot 200 Skeet Road where possible. Any bushland POS area identified as being below excellent condition must be improved by the landowner to an excellent condition at the time the POS is vested to the City. In addition, the Environmental Management Plan must specify how the condition of the banksia woodland will be improved and managed at an excellent condition category to the satisfaction of the City.</li> <li>e. Visual impact of noise attenuation measures.</li> <li>f. Create an appropriate link between significant wetland and POS areas within the Structure Plan area.</li> </ul> <p>72.4 At the subdivision stage, applications are to be prepared with, but not limited to the following plans:</p> <ul style="list-style-type: none"> <li>a. Detailed Wetland and Buffer Management Plan (where applicable), consistent with provision 72.2(c) and prepared in consultation with the Department of Biodiversity, Conservation and Attractions and the Environmental Protection Authority to the satisfaction of the City of Armadale. The Detailed Wetland and Buffer Management Plan shall address as a minimum: <ul style="list-style-type: none"> <li>i. Buffers for sites subject of, and/or adjacent to, a Wetland and/or a Threatened Ecological Community; and,</li> <li>ii. How potential impacts to the wetlands from adjacent urban development will be managed.</li> </ul> </li> <li>b. A Midge and Mosquito Management Plan demonstrating how larvae will be kept to a minimum (non-nuisance levels) and done in a manner that minimises the application of chemicals during and after development to the satisfaction of the City.</li> <li>c. All new titles impacted by the Mosquitos are to include a notification on title.</li> <li>d. Prior to undertaking any earthworks or development of the land, the landowners shall demonstrate to the satisfaction of the City, Department of Health and the WAPC that primary production or filling has not occurred on the subject land, or, undertake a Soil Contamination Assessment of the land, at the landowner's cost to determine the presence or absence of soil contamination to the satisfaction of DWER. The Soil Contamination Assessment should: <ul style="list-style-type: none"> <li>i. be in accordance with National Environmental</li> </ul> </li> </ul>

No.	Description of Land	Additional provisions applicable to subdivision and development
		<p>Protection (Assessment of Site Contamination) Measure guidelines;</p> <p>ii. reviewed by an independent Contaminated Sites Auditor in accordance with Contaminated Sites Regulations 2006 reg 31(1).</p> <p>iii. take into consideration:</p> <ul style="list-style-type: none"> <li>• Buried waste.</li> <li>• Asbestos containing material.</li> <li>• Groundwater contamination.</li> </ul> <p>e. Should any soil contamination be identified in the soil contamination assessment, a Site Remediation and Validation Report for the subject land shall be prepared in accordance with legislative and regulatory requirements at the landowner's cost by the developer/subdivider and remediation works shall be undertaken at the landowner's cost for all identified contamination and should be validated as being free of contamination above acceptance guidelines to the satisfaction of the DWER, prior to undertaking any earthworks or development of the land.</p> <p>f. An Urban Water Management Plan, consistent with the approved Local Water Management Strategy and prepared in consultation with the Department of Water and Environmental Regulation to the satisfaction of the City of Armadale, will specify site drainage and fill details to prevent adverse impacts on significant wetlands or groundwater dependent ecosystems, either within or surrounding the amendment area.</p> <p>g. A fauna management plan, prepared to the satisfaction of the City of Armadale, which specifies measures to avoid impacts to significant fauna including:</p> <p>i. traffic calming and/or signage measures where fauna may conflict with vehicle movements</p>

- d. Include Lots 601, 602 and 603 Balannup Road, and Lots 200, 201 and 202 Skeet Road within Special Control Area Map 3 with the appropriate 'Development Area (Structure Plan) Schedule 8' and 'No.72' designations;
- e. Modify Special Control Area Map 1 to remove the entire Poultry Farm Buffer over all properties; and
- f. Amend the Scheme Maps accordingly.



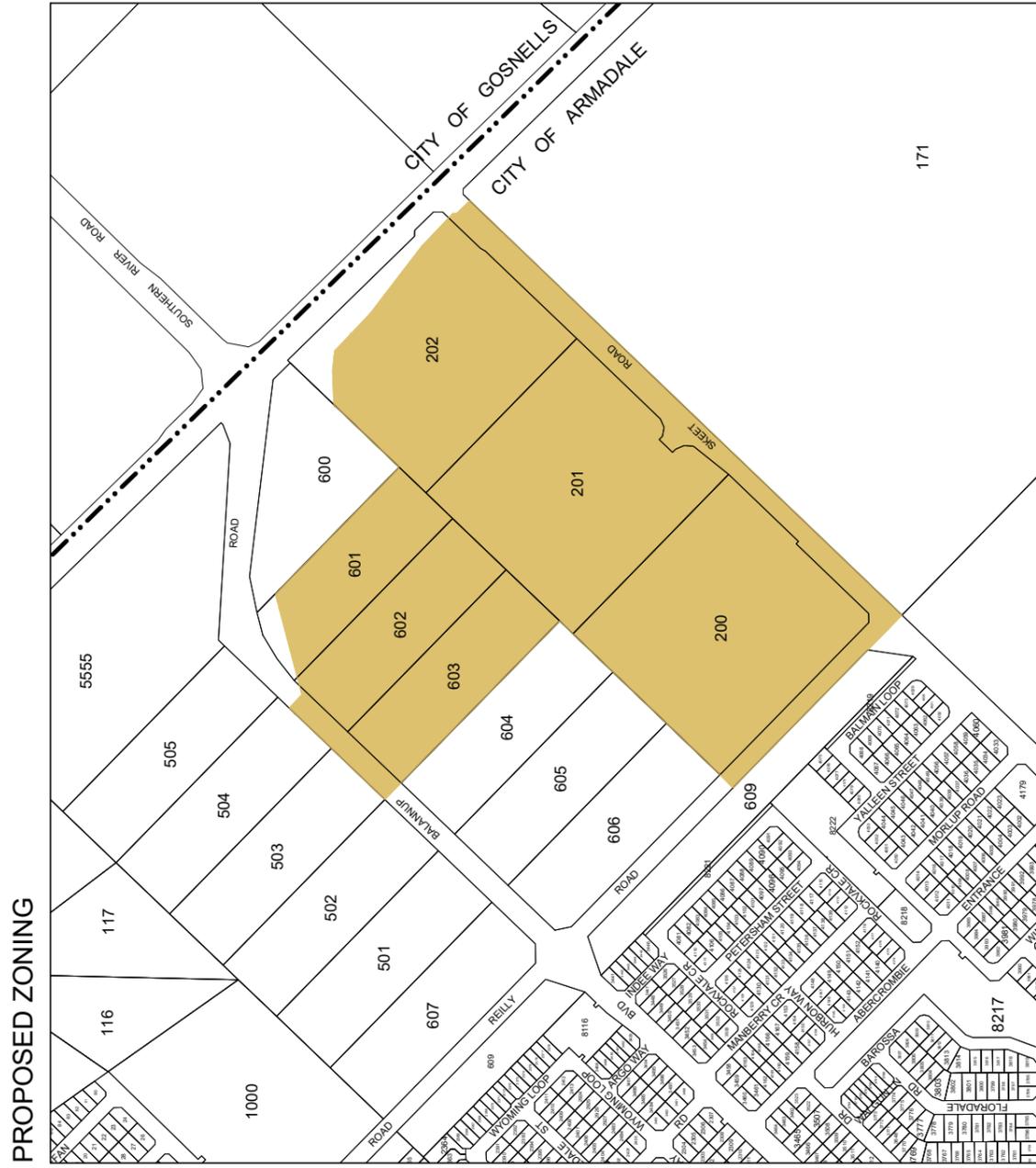
EXISTING ZONING

- ZONES**
- RESIDENTIAL Including Residential Planning Density Codes
  - URBAN DEVELOPMENT ZONE
  - RURAL LIVING - 1,2,4,10,20,X
  - GENERAL RURAL
  - SPECIAL RURAL
  - SPECIAL RESIDENTIAL
  - MIXED BUSINESS / RESIDENTIAL
  - LOCAL CENTRE
  - DISTRICT CENTRE
  - STRATEGIC REGIONAL CENTRE
  - GENERAL INDUSTRY
  - INDUSTRIAL BUSINESS
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  - SPECIAL USE
  - ADDITIONAL USE
  - RESTRICTED USE
  - DENSITY CODE BOUNDARY
  - SCHEME BOUNDARY

**RESERVATIONS**

- PARKS & RECREATION (Region)
- PARKS & RECREATION (Local)
- RAILWAYS
- STATE FOREST
- WATERWAYS
- WATER CATCHMENTS
- PRIMARY REGIONAL ROADS
- OTHER REGIONAL ROADS
- PUBLIC PURPOSE (Local)
- PUBLIC PURPOSE (Region)
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- PS Primary School
- H Hospital
- WSD Water Authority of WA
- SU Special Use
- SEC State Energy Commission
- T Telstra

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



PROPOSED ZONING

**AMENDMENT No. 121 - MINISTERS MODIFICATION FOR ADOPTION**  
City of Armadale Town Planning Scheme No. 4



SCALE 1 : 6000

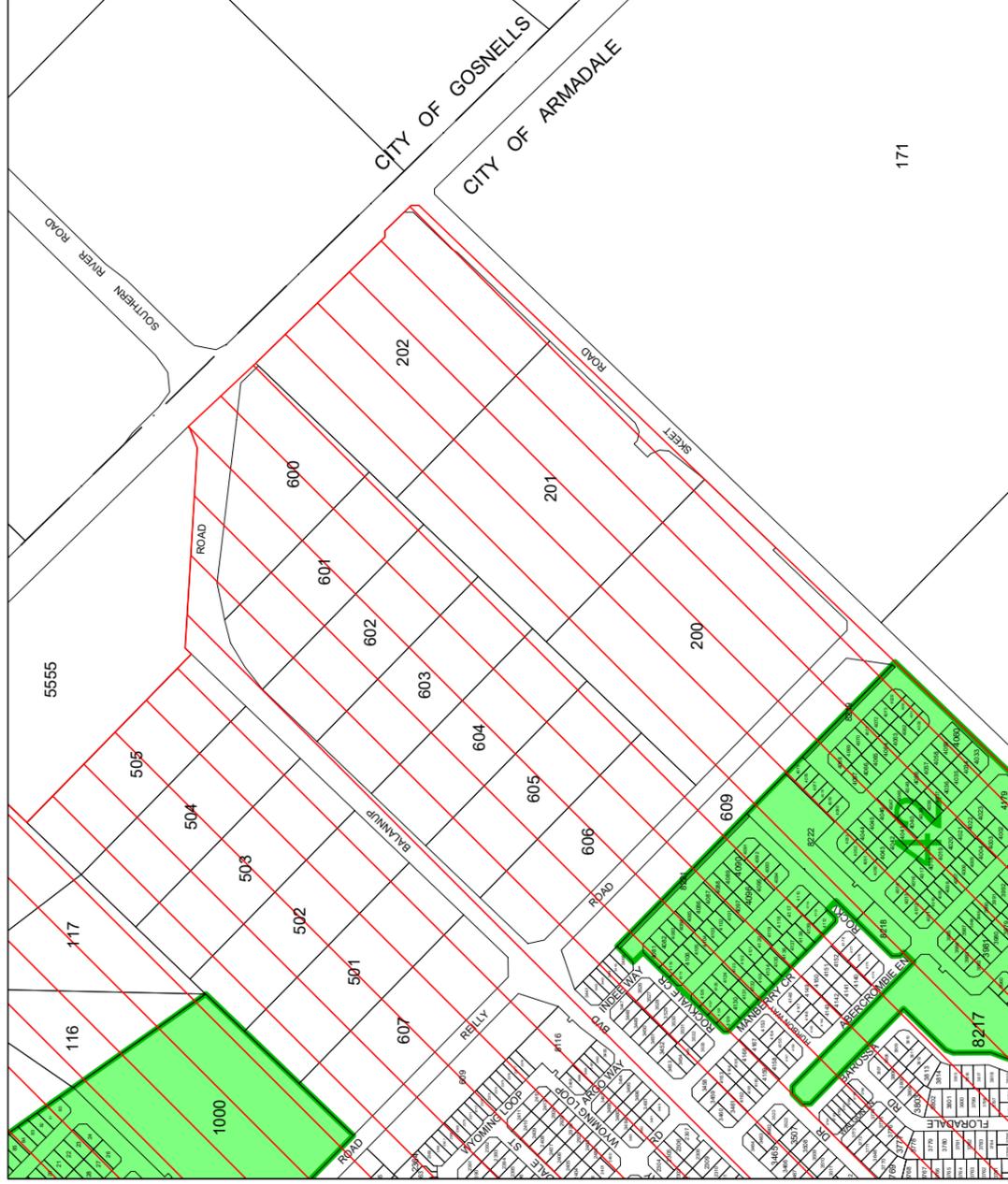
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DATE 23 August 2021 - REVISION 2101  
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CITY OF ARMADALE

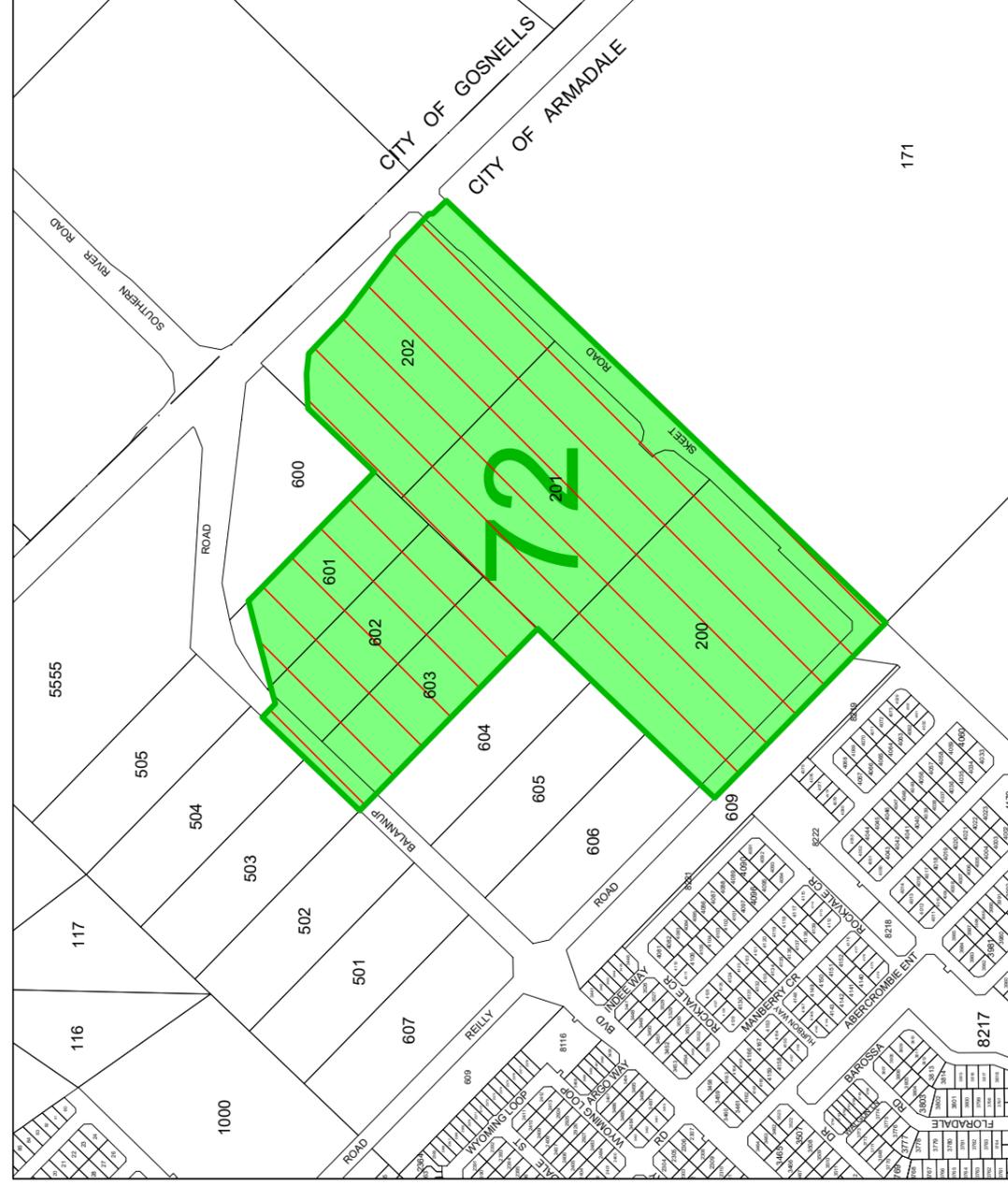
EXISTING ZONING - SPECIAL CONTROL AREA MAP 3



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



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SCALE 1 : 6000

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AMENDMENT No. 121 - MINISTERS MODIFICATION FOR ADOPTION

City of Armadale Town Planning Scheme No. 4  
 Special Control Area Map 3

DATE 26 August 2021 - REVISION 2102  
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EXISTING ZONING - SPECIAL CONTROL AREA MAP 1



LEGEND

- Prime Agricultural Land Protection Area
- Development Envelope Areas
- Bush Forever Sites - Outside of Parks and Recreation Reservations
- Prime Landscape Quality
- Green Links With Remnant Vegetation - Outside of Parks and Recreation Reservations
- Water Courses With Remnant Vegetation - Outside of Parks and Recreation Reservations
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- Armadale Landfill and Recycling Centre Buffer
- Natural Gas Pipeline Buffer
- Brick Works Buffer
- Kennels Buffer
- Armadale Redevelopment Area Boundary
- Local Government Boundary
- Subject Site

PROPOSED ZONING - SPECIAL CONTROL AREA MAP 1



AMENDMENT No. 121 - ADOPTION (No minister modification instructed)

City of Armadale Town Planning Scheme No. 4  
Special Control Area Map 1

DATE 26 June 2023 - REVISION 2001  
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SCALE 1 : 8000

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