

# **Town Planning Scheme No.4**

## **(Local Planning Scheme)**

**FINAL**

Gazetted 4<sup>th</sup> November 2005

(V1 was adopted and printed as at 17<sup>th</sup> March 2003,

V3 was approved to proceed to advertising 16<sup>th</sup> February 2004,

V4 was endorsed for submission for final approval 20<sup>th</sup> September 2004,

V5 dated 30<sup>th</sup> June 2005 incorporated required modifications

V6 the Final Scheme Text dated 21<sup>st</sup> October 2005 and Gazetted 4<sup>th</sup> November 2005

## **Preamble**

This Town Planning Scheme of the City of Armadale consists of this Scheme Text and the Scheme Maps. The Scheme Text should be read with the Local Planning Strategy.

Part 2 of the Deemed Provisions sets out the Local Planning Policy Framework. At the core of this Framework is the Local Planning Strategy, which sets out the long-term planning directions for the City of Armadale, applies State and regional planning policies and provides the rationale for the zones and other provisions of the Scheme.

In addition to the Local Planning Strategy, the Framework provides for Local Planning Policies, which set out the general policies of the City of Armadale on matters within the Scheme. Provision has also been made in this part for the preparation of Structure Plans to be used as a basis for guiding subdivision and controlling development in new Urban Development Areas.

The Scheme divides the City of Armadale district into zones to identify areas for particular uses, and identifies land reserved for public purposes. Most importantly, the Scheme controls the types of uses and development allowed in different zones. There are particular controls included for heritage and special control areas. The Scheme Text also sets out the requirements for development approval, enforcement of the Scheme provisions and non-conforming uses.

# SCHEME DETAILS

## City of Armadale Town Planning Scheme No.4 (Local Planning Scheme)

The City of Armadale under the powers conferred by the *Planning and Development Act 2005* makes the following Town Planning Scheme.

NB. Amendments which affect the Scheme Map are also listed.

Amendments subsequent to this sixth printing, including changes consequential to the Armadale Redevelopment Scheme 2004 or amendments thereto, will be listed on the Amendment Schedule following and any relevant affected pages will be supplied in loose-leaf fashion.

The Text is retained by Council and can be corrected and updated as required. Text errors or problems experienced in using the document should be brought to the notice of the Town Planning Department so that they may be corrected or brought to the notice of Council.

Although care has been taken in compiling this document, **the City of Armadale accepts no liability for errors or omissions in this Text.**

The document is for reference/technical use and in case of dispute or litigation the gazetted Scheme and Amendments thereto should be used.

PAUL SANDERS  
EXECUTIVE DIRECTOR  
DEVELOPMENT SERVICES

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## PART 1 — PRELIMINARY

### 1.1 Citation (and revocation of existing schemes)

1.1.1. The local government of Armadale Scheme No.4 (“**the Scheme**”) comes into operation on its Gazettal date.

1.1.2. The following Schemes are revoked —

<u>Name of Scheme</u>	<u>Gazettal date</u>
Town Planning Scheme No.2	18 October 1985
Town Planning Scheme No.3	16 October 1992

### 1.2 Responsible authority

The local government (City of Armadale) is the responsible authority for implementing the Scheme.

### 1.3 Scheme area

The Scheme applies to the Scheme area, which covers all of the local government district of the City of Armadale as shown on the Scheme Map.

*Note: The Scheme area is also subject to the region planning scheme (see clause 1.10).*

### 1.4 Contents of Scheme

The Scheme comprises —

- (a) the Scheme Text;
- (b) the Scheme Map (sheets 1-10);
- (c) supplementary (Special Control Area) Maps (sheets 1-3)
- (d) the deemed provisions (set out in the *Planning and Development (Local Planning Schemes) Regulation 2015* Schedule 2)

The Scheme is to be read in conjunction with the Local Planning Strategy.

*Note: Other documents upon which the scheme relies include Structure Plans, Development Envelope Plans, Local Planning Policies, the local government’s Heritage List or Municipal Heritage Inventory, the State Planning Strategy and Statements of Planning Policy adopted by the WA Planning Commission.*

### 1.5 Purposes of Scheme

The purposes of the Scheme are to —

- (a) set out the local government planning aims and intentions for the Scheme area;
- (b) set aside land as reserves for public purposes;
- (c) zone land within the Scheme area for the purposes defined in the Scheme;
- (d) control and guide land use and development;
- (e) set out procedures for the assessment and determination of planning applications;
- (f) make provision for the administration and enforcement of the Scheme; and
- (g) address other matters set out in the Schedule 7 to the *Planning and Development Act 2005*.

## 1.6 Aims of the Scheme

The aims of the Scheme are —

- (a) To promote and safeguard the health, safety, convenience and general welfare of the inhabitants of the district, and to achieve an improved quality of living for the people of Armadale;
- (b) To preserve and enhance the amenities of the district and to manage land uses so as to minimise conflicts between otherwise incompatible uses;
- (c) To promote a sense of place and community identity for residents by fostering a distinctive character based on good design principles;
- (d) To provide for a variety of development to meet the needs of the community with regard to housing, employment and services, and to facilitate the provision of a wide range of social and cultural experiences within the district;
- (e) To promote the development of an integrated strategic regional centre with a wide range of services, including housing, business, commercial, recreational, leisure, entertainment and community facilities;
- (f) To promote a safe and energy-efficient pattern and form of development, balancing the needs of development with those of sustainable economic, social and environmental systems;
- (g) To improve the means of access into and around the district, and to ensure the safe and convenient movement of people throughout the district, including pedestrians, cyclists, public transport users and motorists;
- (h) To promote sustainable development that integrates consideration of economic, social and environmental goals for the district;
- (i) To protect and enhance areas of prime agricultural production to assist in sustaining their use and economic contribution to the district;
- (j) To conserve and enhance the natural environmental and biodiversity attributes of the district by incorporating environmental principles into public and private decision making;
- (k) To facilitate and encourage effective public involvement in planning issues of significance to the character, amenity and environmental attributes of the district.
- (l) To facilitate and encourage high quality design, built form and streetscapes throughout the district.
- (m) To prioritise the protection of life and property from bushfire attack where areas with an elevated bushfire risk are being planned for new development having regard to the objectives of retaining native vegetation and biodiversity.

## **1.7 Definitions**

- 1.7.1 Unless the context otherwise requires, words and expressions used in the Scheme have the same meaning as they have —
- (a) in the *Planning and Development Act 2005*; or
  - (b) if they are not defined in that Act —
    - (i) in the Dictionary of defined words and expressions in Schedule 1; or
    - (ii) in the R-Codes.
- 1.7.2 If there is a conflict between the meaning of a word or expression in the Dictionary of defined words and expressions in Schedule 1 and the meaning of that word or expression in the R-Codes —
- (a) in the case of a residential development, the definition in the R-Codes prevails; and
  - (b) in any other case the definition in the Dictionary prevails.
- 1.7.3 Notes, and instructions printed in italics, are not part of the Scheme.
- 1.7.4 A reference to anything, includes a reference to a part of that thing.

## **1.8 Relationship with local laws**

Where a provision of the Scheme is inconsistent with a local law, the provision of the Scheme prevails.

## **1.9 Relationship with other Schemes**

There are no other Schemes of the local government, which apply to the Scheme area.

*Note: The Metropolitan Redevelopment Authority is the responsible authority for the Armadale Redevelopment Scheme and areas within the local government area, subject to the Armadale Redevelopment Scheme, are identified on the Scheme Maps for information.*

## **1.10 Relationship with the region planning scheme**

The Scheme is complementary to the region planning scheme and the provisions of the region planning scheme continue to have effect.

*Note: The authority responsible for implementing the region planning scheme is the Western Australian Planning Commission.*

## **PART 2 — RESERVES**

### **2.1 Reserves (Classification)**

Certain lands within the Scheme area are classified as —

- (a) Regional Reserves; or
- (b) Local Reserves.

### **2.2 Regional Reserves**

2.2.1 The lands shown as “Regional Reserves” on the Scheme Map are lands reserved under the region planning scheme and are shown on the Scheme Map for the purposes of the *Planning and Development Act 2005*. These lands are not reserved under the Scheme.

*Note: The provisions of the region planning scheme continue to apply to such Reserves and approval is required under the region planning scheme from the Commission for the commencement or carrying out of any use or development on a Regional Reserve unless specifically excluded by the Region Scheme.*

### **2.3 Local Reserves**

“Local Reserves” are delineated and depicted on the Scheme Map according to the legend on the Scheme Map.

### **2.4 Use and development of Local Reserves**

2.4.1 A person must not —

- (a) use a Local Reserve; or
- (b) commence or carry out development on a Local Reserve, without first having obtained development approval under Part 8 of the Deemed Provisions.

2.4.2 In determining an application for development approval the local government is to have due regard to —

- (a) the matters set out in clause 67 of the Deemed Provisions; and
- (b) the ultimate purpose intended for the Reserve.

2.4.3 In the case of land reserved for the purposes of a public authority, the local government is to consult with that authority before determining an application for development approval.

## **PART 3 — ZONES AND THE USE OF LAND**

### **3.1 Zones**

3.1.1. The Scheme area is classified into the zones shown on the Scheme Map.

3.1.2. The zones are delineated and depicted on the Scheme Map according to the legend on the Scheme Map.

### **3.2 Objectives of the zones**

The objectives of the respective zones are as follows—

#### *3.2.1 Residential*

- (a) To provide for a range of housing and a choice of residential densities to meet the needs of the variety of household types which make up the community.
- (b) To provide for a range of associated compatible activities and development, which will assist in the creation of efficient and sustainable residential neighbourhoods.
- (c) To facilitate and encourage high quality design, built form and streetscapes throughout residential areas.

#### *3.2.2 Special Residential*

- (a) To provide for low density residential development in a rural setting, in which natural environmental values are conserved as far as possible for the enjoyment of residents as well as the maintenance of ecological and landscape values.
- (b) To ensure development is sited and designed to achieve an integrated and harmonious character within each of the estates.

#### *3.2.3 Rural Living*

- (a) To provide for a variety of rural living environments based on defined lot sizes, land form and natural environmental characteristics.
- (b) To provide for a range of associated compatible development, consistent with the environmental opportunities and constraints applicable to individual sites.
- (c) To ensure development is sited, designed and managed in harmony with the natural environment and so as to protect the rural landscape and amenity.

#### *3.2.4 General Rural*

- (a) To provide for a wide variety of productive farming activities, ranging from broad acre razing to intensive horticulture, depending on the defined lot sizes, land form and natural resource base.
- (b) To provide for a range of associated compatible activities and development to complement the primary productive use of the land while preserving the rural character and amenity.

3.2.5 *Local Centre*

- (a) To provide for a limited range of shopping and community services to meet the day-to-day needs of individual neighbourhoods.
- (b) To ensure the design and landscaping of development provides a high standard of safety and amenity and contributes towards a sense of place and community within the local neighbourhood.

3.2.6 *District Centre*

- (a) To provide for an extended range of shopping, commercial and community services to meet the weekly needs of neighbourhood groupings, and contribute towards the employment needs of the local workforce.
- (b) To ensure the design and landscaping of development provides a high standard of safety and amenity and contributes towards a sense of place and community within the service area.

3.2.7 *Mixed Business/Residential*

- (a) To provide for a range of compatible commercial and community services, in addition to residential development, in a zone which will complement the overall development of the adjacent Strategic Regional Centre.
- (b) To ensure the design and landscaping of development provides a high standard of safety and amenity and contributes towards a sense of place and community within the service area.
- (c) To facilitate and encourage high quality design, built form and streetscapes throughout residential areas.

3.2.8 *General Industry*

- (a) To provide for a wide range of industrial and associated activities, which can be undertaken without undue constraints on operational performance, so as to meet the needs of the wider community for industrial services and facilities.
- (b) To facilitate the aggregation of industrial, storage and distribution activities, based on efficient use of infrastructure and synergies between industries and activities.

3.2.9 *Industrial Business*

- (a) To provide for a range of industrial business and related services to be accommodated in specific policy precincts and meet the needs of the district in relation to those goods and services which cannot be practically provided within commercial centres because of either the extensive land area requirements or the performance characteristics of the activity.
- (b) To ensure development and operation of businesses achieves relatively high environmental performance and amenity standards based on the level of public access and proximity to residential areas.

3.2.10 *Urban Development*

- (a) To provide for the orderly planning of large areas of land for residential and associated purposes through a comprehensive Structure Plan which is able to respond to changing circumstances throughout the developmental stages of the area.
- (b) To promote the sustainable development of new urban communities in accordance with the social, environmental and economic goals of the local government of Armadale.

3.2.11 *Strategic Regional Centre*

- (a) To designate land for future development in the Armadale Strategic Metropolitan City Centre.
- (b) To provide a basis for future detailed planning in accordance with the structure planning provisions of this Scheme or the Activity Centres State Planning Policy.”

3.2.12 *Industrial Development Zone*

- (a) To designate land for future industrial development; and
- (b) To provide a basis for future detailed planning in accordance with the structure planning provisions of this Scheme.

3.2.13 *Special Rural Zone*

- (a) To provide for a bushland and/or semi-rural lifestyle based on defined lot sizes, land form and natural environmental characteristics with potential to undertake development incidental to the residence as well as a range of small scale agricultural land uses compatible with the site and locality’s amenity and natural values.
- (b) To ensure development is sited, designed and managed in harmony with the natural environment and so as to protect the vegetation, rural landscape and amenity of the site and locality.

**3.3 Zoning Table (interpretation)**

3.3.1 The Zoning Table indicates, subject to all the provisions of the Scheme, the uses permitted in the Scheme area in the various zones and the general zoning permissibility of any use is determined by cross reference between the list of use classes on the left hand side of the Zoning Table and the list of zones at the top of the Zoning Table.

3.3.2 The symbols used in the cross reference in the Zoning Table have the following meanings —

- ‘P’ means that the use is permitted by the Scheme providing the use complies with the relevant development standards and the requirements of the Scheme;
- ‘D’ means that the use is not permitted unless the local government has exercised its discretion by granting development approval;

- ‘A’ means that the use is not permitted unless the local government has exercised its discretion by granting development approval after giving special notice in accordance with clause 64 of the Deemed Provisions;
- ‘X’ means a use that is not permitted by the Scheme.

- 3.3.3 Except as otherwise provided for under the Scheme, a change in the use of land from one use to another is permitted if —
- (a) the local government has exercised its discretion by granting development approval;
  - (b) the change is to a use which is designated with the symbol ‘P’ in the cross reference to that zone in the Zoning Table and the proposed use complies with all the relevant development standards and any requirements of the Scheme;
  - (c) the change is an extension of a use within the boundary of the lot which does not change the predominant use of the lot; or
  - (d) the change is to an incidental use that does not change the predominant use of the land.

*Note:*

1. *The development approval of the local government is required for the development of land in addition to any approval granted for the use of land. In normal circumstances one application is made for both the use and development of land.*
2. *In considering a ‘D’ or ‘A’ use, the local government will have regard to the matters set out in clause 67 of the Deemed Provisions and may refuse or impose conditions on any such use.*
3. *The local government must refuse to approve any ‘X’ use of land. Approval to an ‘X’ use of land may only proceed by way of an amendment to the Scheme.*
4. *Changes from one use class to another will be subject to control, and in approving any such change of use, the local government may impose conditions as provided for under clause 68 of the Deemed Provisions of the Scheme.*
5. *In the case of the Urban Development Zone and Industrial Development Zone the general permissibility of land uses shall be determined by reference to the specific zone identified on the Structure Plan in accordance with Part 4E and Part 4 of the Deemed Provisions.*

*Note: The provisions of the Scheme apply in addition to the requirements of other relevant legislation, under which separate approval may also be required, e.g. Aboriginal Heritage Act, Swan River Trust Act, region planning scheme, Soil & Land Conservation Act and Regulations.*

### **3.4 Interpretation of the Zoning Table**

- 3.4.1 Where a specific use is mentioned in the Zoning Table, it is deemed to be excluded from the general terms used to describe any other use.
- 3.4.2 If a person proposes to carry out on land any use that is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the type, class or genus of activity of any other use category the local government may —
- (a) determine that the use is consistent with the objectives of the particular zone and is therefore permitted;
  - (b) determine that the use may be consistent with the objectives of the particular zone and thereafter follow the advertising procedures of clause 64 of the Deemed Provisions in considering an application for development approval; or
  - (c) determine that the use is not consistent with the objectives of the particular zone and is therefore not permitted.

3.4.3 Where a person proposes to carry out more than one use on land, each individual use shall be required to meet the requirements of the Scheme.

3.4.4 Where a use is mentioned in the Zoning Table, it is deemed to include activities incidental to that use.

*Note: While the use of land, which is incidental to a predominant use is provided for under the scheme, such use may be subject to limitation and/or control under the scheme. For example, incidental car parking may be subject to restrictions on location, design and number in conjunction with a development approval or otherwise as provided for under the Scheme.*

### **3.5 Additional uses**

Despite anything contained in the Zoning Table, the land specified in Schedule 2 may be used for the specific use or uses that are listed in addition to any uses permissible in the zone in which the land is situated, subject to any conditions or limitations set out in Schedule 2 with respect to that land.

*Note: An additional use is a land use that is permitted on a specific portion of land in addition to the uses already permissible in the zone that applies to the land. In some circumstances the additional use may have the potential to conflict with one or more of the permitted uses in the parent zone, and accordingly such 'P' uses are required by the terms of Schedule 2 to be dealt with as 'D' uses, being subject to discretionary control under the Scheme.*

### **3.6 Restricted uses**

The land specified in Schedule 3 and on the Scheme Map indicates where the permissibility of uses listed in the general Zoning Table is modified by Schedule 3 such that approval of Schedule 3 listed uses will only be in accordance with the permissibility listed for Restricted Uses and specified Conditions under Schedule 3.

### **3.7 Special use zones**

Land use and development in accordance with the Uses and Conditions specified in Schedule 4 shall be permissible.

### **3.8 Non-conforming uses**

Except as otherwise provided in the Scheme, no provision of the Scheme is to be taken to prevent —

- (a) the continued use of any land for the purpose for which it was being lawfully used immediately prior to the Gazettal date;
- (b) the carrying out of any development on that land for which, immediately prior to the Gazettal date, an approval or approvals, lawfully required to authorize the development to be carried out, were duly obtained and are current; or
- (c) subject to clause 80 of the Deemed Provisions, the continued display of advertisements which were lawfully erected, placed or displayed prior to the Gazettal date.

*Note: "Land" has the same meaning as in the Planning and Development Act 2005 and includes houses, buildings and other works and structures.*

### **3.9 Extensions and changes to a non-conforming use**

3.9.1 A person must not —

- (a) alter or extend a non-conforming use;
- (b) erect, alter or extend a building used in conjunction with or in furtherance of a non-conforming use; or
- (c) change the use of land from a non-conforming use to another non-conforming use, without first having applied for and obtained development approval under the Scheme.

3.9.2 An application for development approval under this clause is to be advertised in accordance with clause 64 of the Deemed Provisions.

3.9.3 Where an application is for a change of use from an existing non-conforming use to another non-conforming use, the local government is not to grant its development approval unless the proposed use is less detrimental to the amenity of the locality than the existing non-conforming use and is, in the opinion of the local government, closer to the intended purpose of the zone.

### **3.10 Discontinuance of non-conforming use**

Where a non-conforming use of any land has been discontinued for a period of 6 months the land must not be used after that period otherwise than in conformity with the provisions of the Scheme.

### **3.11 Termination of a non-conforming use**

The local government may effect the discontinuance of a non-conforming use by the purchase of the land, or by the payment of compensation to the owner or occupier or to both the owner and occupier of that land, and may enter into an agreement with the owner for that purpose.

*Note: Sections 190 and 191 of the Planning and Development Act 2005 enables the local government to purchase, or, with the consent of the Governor, compulsorily acquire land for the purpose of a town planning scheme, subject to Part 9 of the Land Administration Act 1997.*

### **3.12 Destruction of non-conforming use buildings**

If a building used for a non-conforming use is destroyed to 75% or more of its value, the building is not to be repaired, rebuilt, altered or added to for the purpose of being used for a non-conforming use or in a manner not permitted by the Scheme, except with the development approval of the local government.

## ZONING TABLE

USE CLASSES	ZONES (Note 6 and Note 7)										
	Residential	Special Residential	Rural Living	Special Rural	General Rural	Local Centre	District Centre	General Industry	Industrial Business	Mixed Business/ Residential	Strategic Regional Centre
Agriculture - Extensive	X	X	A	X	P	X	X	X	X	X	X
Agriculture - Intensive	X	X	A	A	P	X	X	X	X	X	X
Agroforestry	X	X	A	X	A	X	X	X	X	X	X
Amusement Parlour	X	X	X	X	X	A	D	X	X	X	D
Ancillary Accommodation	P	D	D	D	D	X	X	X	X	X	X
Animal Establishment	X	X	X	X	X	X	X	X	X	X	X
Animal Husbandry - Intensive	X	X	X	X	A	X	X	X	X	X	X
Auction Mart	X	X	X	X	X	D	D	D	D	D	A
Bed & Breakfast	D	A	D	D	D	X	X	X	X	D	D
Betting Agency	X	X	X	X	X	P	P	X	X	D	D
Bulky Goods Showroom	X	X	X	X	X	X	X	X	D	X	D
Car Park	X	X	X	X	X	D	D	P	P	D	D
Caravan Park	X	X	X	X	A	X	X	X	X	X	X
Caretaker's Dwelling	X	X	X	X	A	D	D	D	D	D	D
Child Care Premises	A	X	A	X	X	P	P	X	D	D	D
Cinema/Theatre	X	X	X	X	X	X	D	X	X	X	P
Civic Use	D	X	X	X	X	P	P	A	D	D	D
Club Premises	A	X	A	X	X	A	A	X	D	D	D
Commercial Vehicle Parking	A	A	A	A	A	D	D	P	P	A	D
Community Purpose	A	X	A	X	X	D	D	X	D	D	P
Consulting Rooms	A	X	X	X	X	P	P	X	D	D	P
Convenience Store	X	X	X	X	X	A	A	X	A	D	P
Corrective Institution	X	X	X	X	A	X	X	X	X	X	X
Dam Construction	X	X	D	D	D	X	X	X	X	X	X
Display Home Centre	D	X	X	X	X	X	X	X	X	D	X
Educational Establishment	A	X	A	X	X	D	D	D	D	D	D
Exhibition Centre	X	X	A	X	A	P	P	X	D	P	D
Family Day Care	D	D	D	D	D	X	X	X	X	X	X
Fast Food Outlet	X	X	X	X	X	D	D	X	A	D	D
Fuel Depot	X	X	X	X	X	X	X	D	X	X	X
Funeral Chapel	X	X	X	X	X	D	D	A	D	A	X
Funeral Parlour	X	X	X	X	X	D	D	A	D	A	X
Garden Centre - Retail	X	X	A	X	A	D	D	X	D	A	D
Grouped Dwelling	D	X	X	X	X	D	D	X	X	A	A
Holiday Accommodation	X	X	A	X	A	D	D	X	X	D	A
Home Business	A	A	A	A	A	D	D	X	P	P	D
Home Occupation	D	D	D	D	D	P	P	X	D	D	D
Home Office	P	P	P	P	P	P	P	P	P	P	D
Home Store	A	X	X	X	X	X	X	X	X	X	D
*Hospital	X	X	X	X	X	D	D	X	X	D	D
Hotel	X	X	X	X	X	A	A	X	X	A	D
Industry - Cottage	D	D	D	D	D	P	P	P	P	P	D
Industry - Extractive	X	X	X	X	A	X	X	X	X	X	X
Industry - General	X	X	X	X	X	X	X	P	X	X	X
Industry - Light	X	X	X	X	X	X	X	P	D	X	X
Industry - Mining	X	X	X	X	A	X	X	X	X	X	X

USE CLASSES	ZONES (Note 6 and Note 7)										
	Residential	Special Residential	Rural Living	Special Rural	General Rural	Local Centre	District Centre	General Industry	Industrial Business	Mixed Business/ Residential	Strategic Regional Centre
Industry - Rural	X	X	X	X	D	X	X	P	X	X	X
Industry - Service	X	X	X	X	X	D	D	P	D	D	X
Land Sales Office	D	X	X	X	X	X	X	X	X	X	X
Liquor Store - Small	X	X	X	X	X	D	P	X	X	A	D
Liquor Store - Large	X	X	X	X	X	X	D	X	X	X	D
Lunch Bar	X	X	X	X	X	P	P	D	D	P	P
Market	X	X	X	X	X	D	D	X	X	D	P
Medical Centre	X	X	X	X	X	P	P	X	D	D	P
Motel	X	X	X	X	X	A	A	X	X	D	X
Motor Vehicle Repair	X	X	X	X	X	A	A	P	D	X	A
Motor Vehicle Wash	X	X	X	X	X	D	D	P	D	A	A
Motor Vehicle, Boat & Caravan Sales	X	X	X	X	X	A	A	D	D	A	X
Multiple Dwelling	D	X	X	X	X	D	D	X	X	D	D
Night Club	X	X	X	X	X	X	A	X	X	X	A
Occasional Uses	A	A	A	A	A	D	D	D	D	D	D
Office	X	X	X	X	X	P	P	X	A	P	P
Park Home Park	X	X	X	X	A	X	X	X	X	X	X
Place of Worship	A	X	A	X	X	D	D	X	X	D	D
Plantation	X	X	A	X	X	X	X	X	X	X	X
Reception Centre	X	X	A	X	A	D	D	X	D	D	D
Recreation - Domestic	P	P	P	P	P	X	X	X	X	P	D
Recreation - Private	A	X	A	X	A	D	D	D	D	D	D
Recreation - Public	P	A	X	X	P	P	P	D	P	P	P
Residential Building	A	A	X	X	X	D	D	X	X	D	X
Restaurant	X	X	A	X	A	P	P	X	A	D	P
Restricted Premises	X	X	X	X	X	X	X	X	A	X	X
Rural Home Business	X	X	A	A	A	X	X	X	X	X	X
Rural Pursuit	X	X	D	D	P	X	X	X	X	X	X
Service Station	X	X	X	X	X	A	A	D	D	X	D
Shop	X	X	X	X	X	P	P	X	A	A	P
Small Bar	X	X	X	X	X	A	A	X	X	A	P
Single Bedroom Dwelling	P	X	X	X	X	P	P	X	X	D	D
Single House	P	P	P	P	P	P	P	X	X	P	D
Storage	X	X	X	X	X	X	X	P	D	X	X
Tavern	X	X	X	X	X	A	A	X	X	A	P
Telecommunications Infrastructure (Note 1)	X	X	A	A	A	A	A	D	A	A	A
Trade Display	X	X	X	X	X	D	D	D	D	X	X
Trade Supplies	X	X	X	X	D	X	X	D	D	X	D
Transport Depot (Note 2)	X	X	X	X	X/A	X	X	P	D	X	X
Vehicle Wrecking	X	X	X	X	X	X	X	D	X	X	X
Veterinary Centre	X	X	A	X	D	D	D	D	D	D	X
Warehouse	X	X	X	X	X	X	X	P	D	X	X
Winery	X	X	A	X	D	X	X	A	X	X	X

*Note 1: Under the Commonwealth Telecommunications Act 1997 Low Impact Telecommunications Facilities are exempt from local government control.*

*Note 2: In the case of the General Rural zone, the use class Transport Depot shall be an 'X' use where the number of commercial vehicles parked or garaged on the site is more than two. Where the number of such vehicles is two or less, the use class shall be a 'A' use.*

*Note 3: In the case of the Urban Development Zone and Industrial Development Zone the general permissibility of land uses shall be determined by reference to the specific zone identified on the Structure Plan in accordance with Part 4E of the Deemed Provisions.*

*Note 4: In the case of the Special Use Zone the general permissibility of land uses shall be determined by reference to Clause 3.7 and the Uses and Conditions specified in Schedule 4.*

*Note from clause 3.3.2:*

*'P' means that the use is permitted by the Scheme providing the use complies with the relevant development standards and the requirements of the Scheme;*

*'D' means that the use is not permitted unless the local government has exercised its discretion by granting development approval;*

*'A' means that the use is not permitted unless the local government has exercised its discretion by granting development approval after giving special notice in accordance with clause 64 of the Deemed Provisions;*

*'X' means a use that is not permitted by the Scheme.*

## PART 4 — GENERAL DEVELOPMENT REQUIREMENTS

*This Part includes the general requirements for development in all zones, and should be read in conjunction with the zone-specific requirements of Parts 4A to 4D and the requirements applicable within any relevant Special Control Areas under Part 5 as well as any other specific provisions applicable to individual sites.*

### 4.1 Compliance with development standards and requirements

Any development of land is to comply with the provisions of the Scheme.

### 4.2 R-Codes

- 4.2.1 A copy of the R-Codes is to be kept and made available for public inspection at the offices of the local government.
- 4.2.2 Unless otherwise provided for in the Scheme, the development of land for any of the residential purposes dealt with by the R-Codes is to conform with the provisions of those Codes.
- 4.2.3 The R-Codes density applicable to land within the Scheme area is to be determined by reference to the R-Codes density number superimposed on the particular areas contained within the borders shown on the Scheme Map or where such an area abuts another area having a R-Code density, as being contained within the area defined by the centre-line of those borders. Where a dual code is depicted, the lower code is applicable to subdivision and development, unless a density bonus has been granted in accordance with Clause 4.2.4.
- 4.2.4 Notwithstanding 4.2.3 above, the local government may permit development above the lower density code in the following circumstances subject to an *Application for development approval* being granted by the local government in accordance with *Local Planning Policy 3.1 Residential Density Development*—
- (a) Where land is identified on the Scheme Map as R10/25, R12.5/25, R15/25 or R17.5/25 -
    - (i) up to R25 in the case of all properties;
    - (ii) up to R30 in the case of properties fronting more than one street or abutting a public open space reserve, where the design will result in development providing surveillance of the streets or public open space reserve respectively; and
    - (iii) up to R40 in the case of properties abutting public access ways (PAWs), where the design will result in development providing surveillance of the PAW.
  - (b) Where land is identified on the Scheme Map as R15/40 or R25/40 up to the higher density code -
    - (i) where the property is provided with reticulated sewerage, adequate drainage, adequate waste collection and a footpath/cycleway system; and
    - (ii) where the proposal is located in close proximity to the following facilities—
      - (a) a public transport stop or station;
      - (b) a convenience shopping site;
      - (c) a recreational open space or other recreational facility; and
      - (d) a community facility.

- (c) Where land is identified on the Scheme Map as R15/60 or R25/60
  - (i) up to R40 where -
    - (a) the provisions of clause 4.2.4 b) are satisfied and street trees are retained.
  - (ii) up to R60 where:
    - (a) the provisions of Clause 4.2.4(b)(i) and (ii) are satisfied and street trees retained;
    - (b) the lot/development site has a minimum area of 1,400m<sup>2</sup> and a minimum frontage of 25 metres;
    - (c) where the development is for Grouped Dwellings, a minimum of 75% of dwellings comprise at least two storeys with at least one habitable room on the second floor; and
    - (d) existing trees with a trunk circumference of 0.6m or greater at a height of 1m from the natural level of the ground are retained, where possible.
  - (iii) up to R80 for multiple dwellings only where:
    - (a) the provisions of Clause 4.2.4(b)(i) and (ii) are satisfied and street trees retained;
    - (b) the lot/development site has a minimum area of 2,000m<sup>2</sup> and a minimum frontage of 25 metres; and
    - (c) existing trees with a trunk circumference of 0.6m or greater at a height of 1m from the natural level of the ground are retained, where possible.

Where the development under Clause 4.2.4 c) (ii) and (iii) is for Multiple Dwellings, for each Multiple Dwelling positioned above another, a minimum of 50% of the plot ratio area must be vertically above the lower dwelling.'

4.2.5 The potential maximum one-third reduction to the minimum and average site areas permitted under the R-Codes in respect of Aged or Dependant Persons Dwellings or Single Bedroom Dwellings—

- (a) does not apply where land is identified on the Scheme Map as R10/25, R12.5/25, R15/25, R17.5/25 or R80, and is replaced by the ability to make application for the higher R-Code in the context of Clause 4.2.4 (a); and
- (b) may be considered by the local government in addition to the applicable higher R-Code (R40 or R60 with a one-third reduction to the minimum and average site areas) where land is identified on the Scheme Map as R15/40 or R25/40 subject to the application of Clause 4.2.4(b), or for land identified on the Scheme Map as R15/60 or R25/60 subject to Clause 4.2.4(c)(i).

4.2.6 In those non-residential zones in which grouped or multiple dwellings are permitted at the discretion of the local government (Local Centre, District Centre and Mixed Business / Residential), the maximum density of development shall be determined by the local government, taking into consideration the suitability of the area for the proposed development and the likely impact of the development on the amenity of the locality.

### 4.3 Special application of R-Codes (variations and additions)

#### 4.3.1 *Special Residential Zones:*

- (a) Buildings in the Special Residential zone are to accord with the requirements of R5 under the R-Codes unless otherwise required by the Scheme in accordance with part (b) below or provided for under an adopted Structure Plan.
- (b) Except where an approved development envelope is located closer to the boundary, the following setbacks are to apply by way of variation to the R-Codes, unless otherwise approved by the local government –
  - (i) Where lots have an effective width of between 25 and 40 metres, side setbacks are to be a minimum of 3 metres.
  - (ii) Where lots have an effective width of more than 40 metres, side setbacks are to be a minimum of 6m.
  - (iii) Where lots have an effective depth of more than 50m, rear setbacks are to be a minimum of 15m.

#### 4.3.2 *Building coverage*

A maximum building coverage of 500 square metres (including outbuildings) is to apply to areas coded R5 or less, unless otherwise approved by the local government.

### 4.4 Restrictive covenants

A restrictive covenant affecting any land in the local planning scheme area by which, or the effect of which is that, the number of residential dwellings which may be constructed on the land is limited or restricted to less than that permitted by the Scheme (including any covenant purporting to–

- i) limit or restrict subdivision, or
- ii) limit or restrict the maximum area occupied by a dwelling),

is hereby extinguished or varied to the extent that it is inconsistent with the provisions of the R-Codes which apply under the Scheme.

*Note: This will necessitate information on restrictive covenants affecting density. A copy of the title will accordingly be required for grouped or multiple dwellings.*

### 4.5 Variations to site and development standards and requirements

4.5.1 Except for development in respect of which the R-Codes apply, if a development is the subject of an application for development approval and does not comply with a standard or requirement prescribed under the Scheme, the local government may, despite the non-compliance, approve the application unconditionally or subject to such conditions as the local government thinks fit.

4.5.2 In considering an application for development approval under this clause, where, in the opinion of the local government, the variation is likely to affect any owners or occupiers in the general locality or adjoining the site which is the subject of consideration for the variation, the local government is to —

- (a) consult the affected parties by following one or more of the provisions for advertising uses under clause 64 of the Deemed Provisions; and
- (b) have regard to any expressed views prior to making its determination to grant the variation.

- 4.5.3 The power conferred by this clause may only be exercised if the local government is satisfied that —
- (a) approval of the proposed development would be appropriate having regard to the criteria set out in clause 67 of the Deemed Provisions; and
  - (b) the non-compliance will not have an adverse effect upon the occupiers or users of the development, the inhabitants of the locality or the likely future development of the locality.
- 4.5.4 Local Development Plans approved under a repealed redevelopment scheme are to operate as if they were approved under the Scheme, with any provisions which refer to repealed redevelopment area requirements being applied at the local government's discretion.

#### **4.6 Environmental conditions**

- 4.6.1 Environmental conditions to which the Scheme is, or amendments to the Scheme are, subject are incorporated into the Scheme by Schedule 6 of the Scheme.
- 4.6.2 Where appropriate, the environmental conditions are indicated on the maps comprising the Scheme by the symbol EC to indicate that environmental conditions apply to the land.
- 4.6.3 The local government is to —
- (a) maintain a register of all relevant statements published under sections 48F and 48G of the *Environmental Protection Act 1986*; and
  - (b) make the statements available for public inspection at the offices of the local government.

*Note: Environmental conditions are those required to be incorporated into a Scheme or an amendment to a Scheme following assessment under the Environmental Protection Act 1986.*

#### **4.7 Development Envelopes**

- 4.7.1 Where development envelopes are, pursuant to this Scheme, required to be depicted on a Local Development Plan, Structure Plan or Subdivision Guide Plan, or are otherwise depicted on an approved development envelope plan, all development shall be located within the development envelopes shown on those Plans.
- 4.7.2 Development envelopes shall be determined having regard to criteria contained in any relevant policy adopted under Part 2 of the Deemed Provisions.
- 4.7.3 The local government may, having regard to any relevant policy adopted under Part 2 of the Deemed Provisions, approve the relocation or modification of a development envelope.
- 4.7.4 Notwithstanding the provisions of clause 4.7.1, the local government may at its discretion, approve the construction of the following structures outside of development envelopes: minor earthworks, septic tanks and non-inverted leach drains, water tanks, windmills, stock watering and feed troughs, and roofed structures open on all sides for the purpose of providing shade and shelter for animals.
- 4.7.5 Where a development envelope has been identified on an approved development plan, no clearing of natural vegetation or the destruction or damage of trees is to take place on the lot, other than within the designated envelope, except:
- (a) as necessary for the establishment of an approved vehicular access from the adjacent street to the designated development envelope;
  - (b) as required to satisfy necessary bush fire protection measures as determined by the local government or other relevant authority; or
  - (c) as otherwise approved by the local government in accordance with the provisions of clause 4.5.
- 4.7.6 Where any inconsistency arises between clause 4.7 and any other provision of the Scheme, the provisions of this clause shall prevail to the extent of that inconsistency.

#### **4.8 Management of construction sites**

- 4.8.1 In addition to any requirements which may be imposed as conditions of development, construction sites are to be managed so as to minimise soil erosion or the degradation of any water resource due to the action of wind or water and protect as far as practicable, the natural resource values of the site and of the adjacent area.

*Note: Where a construction site is, in the opinion of the local government, being managed in such a way as to cause undue erosion of soil or the pollution of any water resource, the local government may, in accordance with Section 218 of the Planning and Development Act 2005, require the owner to take steps to prevent any further erosion or pollution and remediate the site. Such action may include stabilisation of soil or re-instatement of vegetation cover and repair of any damage to the land or water resources.*

#### **4.9 Drainage and water sensitive design**

- 4.9.1 Any development which increases the area of impermeable surfaces or which otherwise reduces stormwater recharge of groundwater systems, is to utilise best management practices so as to minimise as far as practicable:
- (a) changes to both the rate and quantity of direct stormwater discharge from the site; and
  - (b) the export of water borne pollutants (including nutrients).
- 4.9.2 Drainage system design and management is to be undertaken in accordance with best management practices and in order to mitigate any degradation of land or water resources, and measures are to be put in place to prevent litter from entering drainage systems.

#### **4.10 Effluent Disposal**

- 4.10.1 Where access to a reticulated sewerage system is not available, on-site effluent disposal facilities are to be provided to treat and dispose of any domestic effluent.
- 4.10.2 No effluent disposal facility (including any leach drain or soak well) is to be located:
- (a) within 6m of any open drainage channel or subsoil drain; or
  - (b) within 30 metres of the outer edge of an intermittent water course; or
  - (c) within 50 metres of the outer edge of a permanent water course in the case of a nutrient removal system or within 100 metres for a conventional septic system; or
  - (d) within 50 metres of any protected wetland, or within such greater distance as may be required to achieve a minimum one metre vertical separation between the natural ground level at that distance and the natural ground level of the adjacent wetland vegetation; or
  - (e) within 50 metres of a bore or underground water source used for human consumption,
- unless otherwise approved by the local government in accordance with the provisions of clause 4.5.
- 4.10.3 Nothing in this clause is to prevent the local government requiring additional setback requirements for effluent disposal facilities and/or requiring the installation of specific types of facilities (including those involving the removal of nutrients) where it considers such requirements appropriate or necessary for the protection of water resources or other environmental values.

#### **4.11 Bicycle facilities**

- 4.11.1 Unless otherwise approved by the local government in accordance with the provisions of clause 4.5, end of trip bicycle facilities are to be provided in accordance with the standards for respective uses detailed in Austroads Standard *Guide to Traffic Engineering Practice Part 14 - Bicycles* as set out in Schedule 7B.

#### **4.12 Subdivision**

- 4.12.1 Subdivision within a Development Area is subject to the provisions of Part 4 of the Deemed Provisions, which requires the preparation and approval of a Structure Plan prior to subdivision.
- 4.12.2 In an area where comprehensive planning is required, a Structure Plan may be required prior to the local government support for subdivision, notwithstanding the area has not specifically been defined as a Development Area.
- 4.12.3 In approving applications for commencement of development relative to subdivision, the local government may recommend that the Commission impose conditions requiring the continuous fencing of lots backing on to or abutting a public reserve.

#### **4.13 Additional site and development requirements for areas covered by structure plan, activity centre plan or local development plan**

- 4.13.1 Schedule 8 sets out requirements relating to development that are included in structure plans, activity centre plans and local development plans that apply in the Scheme area.

## **PART 4A — RESIDENTIAL AND SPECIAL RESIDENTIAL ZONE REQUIREMENTS**

*This Part includes the requirements for development in the Residential Zone and Special Residential Zone, and should be read in conjunction with the general requirements of Part 4 and the requirements applicable within any relevant Special Control Areas under Part 5 as well as any other specific provisions applicable to individual sites.*

**4A** This Part applies to the Residential Zone and the Special Residential Zone, unless expressly stated to the contrary in a clause of this Part.

### **4A.1 Car parking and vehicular access (including parking of commercial vehicles)**

4A.1.1 Car parking is to be provided in accordance with the standards for respective uses detailed in Schedule 7A. Unless otherwise approved or required by the local government, required car parking is to be provided on the site of the proposed development.

4A.1.2 Parking spaces and manoeuvring areas shall be designed in accordance with Australian Standard AS 2890.1 *Off-street parking*, and paved, kerbed, drained, marked and landscaped with shade trees and shrubs to the satisfaction of the local government.

4A.1.3 Safe and convenient vehicular access is to be provided to all development sites, and where required by the City, vehicular access is to be provided to service any required car parking or service areas provided on the development site.

4A.1.4 The location and design of vehicular access to any road is to be subject to the local government's approval in accordance with the provisions of the Scheme. In considering any proposal for new or modified vehicular access, the local government may, having regard to safety of pedestrian and vehicular traffic:

- (a) determine the width of the crossover and/or vehicular access way;
- (b) refuse to permit more than one vehicular access to any lot;
- (c) require separate entrances and exits, and the provision of appropriate signage indicating the direction of movement; or
- (d) require that entrances and exits be placed in positions nominated by the local government.

4A.1.5 No person shall park a commercial vehicle except for immediate delivery or loading purposes normally associated with a domestic or residential use, unless approved by the local government except in accordance with the following requirements:

- (a) not more than one such vehicle is to be parked on a lot;
- (b) the load capacity of the vehicle shall not exceed 2.5 tonnes;
- (c) the overall height of the vehicle (including any load) shall not exceed 2 metres;
- (d) the overall length of the vehicle (including any trailer or attachments) shall not exceed 5 metres;
- (e) the lot on which the vehicle is parked is to have an area of at least 600m<sup>2</sup>;
- (f) the lot on which the vehicle is parked shall contain only a single house and associated outbuildings;
- (g) the operator of the vehicle shall be the owner or occupier of the property on which the vehicle is to be parked;
- (h) on-site provision for garaging or parking of the vehicle behind the front building setback line, is to be made in a manner satisfactory to the local government; and
- (i) the amenity of the neighbourhood is not to be prejudicially affected by the emission of light, noise, vibration, smell, fumes, smoke or dust.

- 4A.1.6 An application for parking a commercial vehicle shall be subject to an application for annual approval and if in the opinion of the local government, a nuisance or annoyance to the owners or occupiers of land in the neighbourhood occurs as a consequence of the parking of a commercial vehicle, the local government may revoke or refuse to renew its approval.

#### **4A.2 Storage of goods and materials**

- 4A.2.1 A person must not store or allow to be stored goods or materials on land, except where the goods or materials are:

- (a) for domestic use;
- (b) for building purposes associated with an authorised development of the site; or
- (c) for use in conjunction with an authorised home occupation or home business.

- 4A.2.2 Any goods or materials are to be housed within a building or otherwise screened from view from any adjacent public place, except in the following cases:

- (a) building materials for use in conjunction with an approved development, provided such materials do not remain on site for more than 12 months;
- (b) landscaping supplies, provided such materials do not remain on site for more than 12 months; or
- (c) firewood, provided the supplies are stored behind the front of the dwelling.

#### **4A.3 Prohibited Materials**

- 4A.3.1 In the Special Residential zone, no building or structure shall use zincalume, galvanised or unpainted steel surfaces as an exterior finish.

- 4A.4** In the case of Residential R-AC0 in the Armadale Strategic Metropolitan City Centre, setbacks are to be in accordance with an approved Activity Centre Plan or Precinct Plan prepared in accordance with the requirements of the Commission's State Planning Policy 4.2 – Activity Centres for Perth and Peel and/or State Planning Policy 7.2 – Precinct Design.

- 4A.5** In the case of Residential R-AC0 in the Armadale Strategic Metropolitan City Centre, building heights are to be in accordance with an approved Activity Centre Plan or Precinct Plan prepared in accordance with the requirements of the Commission's State Planning Policy 4.2 – Activity Centres for Perth and Peel and/or State Planning Policy 7.2 – Precinct Design.

- 4A.6** For Residential R-AC0 in the Armadale Strategic Metropolitan City Centre, plot ratio is to be determined in accordance with an approved Activity Centre Plan or Precinct Plan prepared in accordance with the requirements of the Western Australian Planning Commission's State Planning Policy 4.2 – Activity Centres for Perth and Peel and/or State Planning Policy 7.2 – Precinct Design.

## **PART 4B — RURAL LIVING, GENERAL RURAL AND SPECIAL RURAL ZONE REQUIREMENTS**

*This Part includes the requirements for development in the Rural Living zone, General Rural zone and Special Rural zone, and should be read in conjunction with the general requirements of Part 4 and the requirements applicable within any relevant Special Control Areas under Part 5 as well as any other specific provisions applicable to individual sites.*

**4B** This Part applies to the Rural Living zone, the General Rural zone and the Special Rural zone, unless expressly stated to the contrary in a clause of this Part.

### **4B.1 Setbacks**

4B.1.1 Where no development envelope has been identified for the particular site, the minimum setbacks from all lot boundaries shall be 15 metres, unless otherwise approved by the local government in accordance with the provisions of clause 4.5.

4B.1.2 No building (including an outbuilding) may be erected:

- (a) within 30 metres of the outer edge of an intermittent water course; or
- (b) within 50 metres of the outer edge of a permanent water course; or
- (c) within 50 metres of a protected wetland, or within such greater distance as may be required to achieve a 1 metre vertical separation between the natural ground level at that distance and the natural ground level of the adjacent wetland vegetation;

unless otherwise approved by the local government in accordance with the provisions of clause 4.5.

### **4B.2 Building Height**

4B.2.1 Unless otherwise approved by the local government in accordance with the provisions of clause 4.5, no building is to be constructed so that:

- (a) the height of walls exceeds 6 metres; or
- (b) the overall height of roof exceeds 9.0 metres.

4B.2.2 No sand pad for the purpose of constructing a dwelling house or outbuilding may have a height exceeding 1.5m, unless otherwise approved by the local government in accordance with the provisions of clause 4.5.

*Note: Where a sand pad exceeds 1m in vertical height it is required to be retained in accordance with the local government's building requirements.*

### **4B.3 Building coverage**

4B.3.1 Building coverage is not to exceed 500 square metres (including outbuildings), unless otherwise approved by the local government in accordance with the provisions of clause 4.5.

#### **4B.4 Car parking and vehicular access (including parking of commercial vehicles)**

- 4B.4.1 Car parking is to be provided in accordance with the standards for respective uses detailed in Schedule 7A. Unless otherwise approved or required by the local government, required car parking is to be provided on the site of the proposed development.
- 4B.4.2 Parking spaces and manoeuvring areas shall be designed in accordance with Australian Standard AS 2890.1 *Off-street parking*, and paved, kerbed, drained and marked to the satisfaction of the local government.
- 4B.4.3 Safe and convenient vehicular access is to be provided to all development sites, and where required by the local government, vehicular access is to be provided to service any required car parking or service areas provided on the development site.
- 4B.4.4 The location and design of vehicular access to any road is to be subject to the local government's approval in accordance with the provisions of the Scheme. In considering any proposal for new or modified vehicular access, the local government may, having regard to safety of pedestrian and vehicular traffic:
- (a) determine the width of the crossover and/or vehicular access way;
  - (b) refuse to permit more than one vehicular access to any lot;
  - (c) require separate entrances and exits, and the provision of appropriate signage indicating the direction of movement; or
  - (d) require that entrances and exits be placed in positions nominated by the local government.
- 4B.4.5 No person shall park a commercial vehicle except for immediate delivery or loading purposes normally associated with a domestic or rural use, unless approved by the local government except in accordance with the following requirements:
- (a) on-site provision for garaging or parking of the vehicle behind the front building setback line, is to be made in a manner satisfactory to the local government; and
  - (b) the amenity of the neighbourhood is not to be prejudicially affected by the emission of light, noise, vibration, smell, fumes, smoke or dust.
- 4B.4.6 Nothing in sub-clause 4B.4.5 restricts the parking of a commercial vehicle used for the purpose of an approved rural use or rural industry.
- 4B.4.7 An application for parking a commercial vehicle shall be subject to an application for annual approval and if in the opinion of the local government, a nuisance or annoyance to the owners or occupiers of land in the locality occurs as a consequence of the parking of a commercial vehicle, the local government may revoke or refuse to renew its approval.

#### **4B.5 Water supply (domestic)**

4B.5.1 No dwelling shall be erected unless the lot is connected to water mains or the local government is satisfied that there is a satisfactory water supply consisting of:

- (a) a roof water tank of not less than 90,000 litres, with a minimum catchment area of 250m<sup>2</sup>; or
- (b) a bore, well spring soak or dam yielding water at a sufficient rate, or with associated storage capacity, to meet the reasonable needs of the occupiers of the dwelling.

For the purposes of this clause, satisfactory water supply means water, which has been bacteriologically and chemically analysed to establish that water is fit for human consumption.

4B.5.2 Nothing in this clause is to be construed as approval for the installation of a water supply bore, the construction of a dam or the diversion of water from a stream or spring soak.

#### **4B.6 Stocking rates and control of grazing**

4B.6.1 Unless otherwise approved by the local government in accordance with the provisions of clause 4.5, stocking rates shall not exceed those recommended by Agriculture WA.

*Note: The 'Stocking Rate Guidelines for Rural Small Holdings' should be used to determine appropriate stocking rates for the applicable pasture type unless specifically recommended otherwise by Agriculture WA.*

4B.6.2 Notwithstanding the provisions of clause 4B.6.1, land is not to be grazed or stocked in such a way as to:

- (a) cause topsoil to be exposed;
- (b) cause trees to be ring-barked or otherwise damaged;
- (c) degrade the margins of water courses; or
- (d) otherwise detrimentally affect natural resource values.

*Note: Where, in the opinion of the local government, land is being grazed in such a way as to detrimentally affect land or water resources, the local government may, in accordance with Section 214 and Section 218 of the Planning and Development Act 2005, order a reduction in number of stock or removal of stock and/or the protection of trees or vegetation.*

#### 4B.7 Remnant vegetation protection

- 4B.7.1 The clearing of remnant native vegetation or the destruction or damage of native trees within the Rural Living Zone and Special Rural zone, shall not be permitted except:
- (a) as required to accommodate any approved development on the site, including the curtilages of any approved building;
  - (b) as necessary for the establishment of an approved vehicular access from the adjacent street to an approved building or development;
  - (c) as required to satisfy necessary bush fire protection measures as determined by the local government or other relevant authority; or
- as otherwise approved by the local government in accordance with the provisions of clause 4.5.
- 4B.7.2 Subject to the provisions of Part 5, the local government may approve an application for clearing for a rural use, where it can be shown to the satisfaction of the local government that such clearing would not detrimentally affect the character or resource values of the locality, including water resources. Any such approval may be subject to conditions, which the local government may see fit, to maintain the character and resource values of the locality.
- 4B.7.3 Where particular trees or areas of native vegetation are located within the General Rural zone and have been specifically identified for Tree Preservation under Schedule A - clause 80A or are located on a site for which a Development Envelope has been identified under the provisions of clause 4.7, those trees or areas shall be protected.

#### 4B.8 Housing density and subdivision

- 4B.8.1 Except as otherwise provided for under the Scheme, the density of housing within the Rural Living and General Rural Zones is to accord with the following recommended subdivisional standards for the respective RL Codes shown on the Scheme Maps:

<b>Zone</b>	<b>Code</b>	<b>Minimum Lot Size</b>
Rural Living	RL-1	1 ha
Rural Living	RL-2	2 ha
Rural Living	RL-4	4 ha
Rural Living	RL-10	10 ha
Rural Living	RL-20	20 ha
Rural Living	RL-X	No further subdivision
General Rural	-	40 ha
Special Rural	SR 1	1 hectare
Special Rural	SR 2	2 hectares
Special Rural	SR 4	4 hectares

- 4B.8.2 In the General Rural zone only, where a lot has an area in excess of 8ha, a second dwelling may be permitted, provided it can be demonstrated to the satisfaction of the local government that the additional accommodation is required for the continued operation of an existing productive rural use of the property.
- 4B.8.3 Nothing in this clause is to prevent the development of a single house on an existing lot, or the provision of ancillary accommodation as otherwise provided for under the Scheme.

- 4B.8.4 The existence of a second dwelling house on any lot is not to be construed as support or justification for the subdivision of the land, whether under *the Planning and Development Act 2005* or the *Strata Titles Act*.
- 4B.8.5 The local government may recommend that subdivision be permitted in areas Coded RLX where land is subject to Statement of Planning Policy No.2.3, *Jandakot Groundwater Protection Policy*, where comprehensive structure planning has been undertaken.

*Note: A larger lot size may be necessary if environmental and servicing assessments deems it necessary, irrespective of the minimum lot size indicated in 4B.8.1.*

#### **4B.9 Off-site buffers**

- 4B.9.1 Where a proposed development is likely if approved, to give rise to any significant off-site environmental impacts, including pollution (gaseous emissions, odours or noise) or risk, which is likely to result in nuisance or adverse impacts on adjacent areas, the local government may:
- (a) refuse the application; or
  - (b) approve the application subject to conditions designed to ameliorate any impact.
- 4B.9.2 In its determination of any application for development approval, the local government is to take into consideration the potential environmental impact on the use and enjoyment of adjacent land or property, having regard to:
- (a) the concentration of any pollutants (including gaseous emissions, odour and noise) or the level of risk, at the location of impact;
  - (b) the frequency and duration of events associated with the environmental impact;
  - (c) any relevant microclimatic factors likely to affect the distribution or dispersion of pollutants;
  - (d) the practicability and effectiveness of any amelioration measures which form part of the proposed development; and
  - (e) the zoning, use and likely future development or occupancy of the adjacent land or property upon which the environmental impacts will impinge.
- 4B.9.3 Before approving any application involving off-site environmental impacts, the local government is to have regard to any relevant buffer distances recommended by the Department of Environment.

*Note: Nothing in the Scheme obviates the need for formal assessment of proposals under the Environmental Protection Act. Where such assessment is required, the local government is precluded from making any decision that could have the effect of causing or allowing the proposal to be implemented, until the environmental assessment process (including any associated appeals) has been completed.*

#### **4B.10 “A” uses to the Rural Living zone**

4B.10.1 In determining an application for the following “A” uses—child care premises, club premises, community purpose, educational establishment, exhibition centre, garden centre-retail, holiday accommodation, place of worship, reception centre, recreation-private, restaurant, winery and veterinary centre, the City shall have regards for the following—

- (a) accessibility by public transport, cycling and walking;
- (b) potential to meet outdoor noise criteria as specified in noise regulations that operate under the *Environmental Protection Act 1986* (may include the requirement for an Acoustic Assessment);
- (c) potential for the form, layout, appearance, colours and textures of any building and landscaping to mitigate against any potential visual impact (may include the requirements for a Visual Impact Assessment);
- (d) potential for setbacks and separation distances from adjacent sensitive land uses to mitigate against rural amenity impacts and land use conflicts;
- (e) adequacy of the road capacity in the locality to accommodate traffic generated by the development, and access capable of safely accommodating vehicle movements generated by the development (may include the requirement for a Traffic Impact Assessment); and
- (f) potential impact of any uses incidental or ancillary to the predominant use.

## **PART 4C — STRATEGIC REGIONAL CENTRE, DISTRICT CENTRE, LOCAL CENTRE AND MIXED BUSINESS/RESIDENTIAL ZONE REQUIREMENTS**

*This Part includes the requirements for development in the Mixed Business/Residential, District Centre and Local Centre Zones, and should be read in conjunction with the general requirements of Part 4 and the requirements applicable within any relevant Special Control Areas under Part 5 as well as any other specific provisions applicable to individual sites.*

**4C** This Part applies to the Strategic Regional Centre Zone, the Mixed Business / Residential Zone, the District Centre Zone and the Local Centre Zone, unless expressly stated to the contrary in a clause of this Part.

### **4C.1 Setbacks**

**4C.1.1** Buildings are to be setback from boundaries in accordance with an adopted Activity Centre Plan and/or Precinct Plan prepared in accordance with the requirements of the Commission's State Planning Policy 4.2 – Activity Centres for Perth and Peel and/or State Planning Policy 7.2 – Precinct Design, and having regard to:

- (a) any adopted policy or Design Guidelines for the Centre or the type of development proposed;
- (b) the setbacks of any adjoining or adjacent development with which the proposed building is likely to relate, and in the case of a site which adjoins land in another zone, the setback requirements for that zone;
- (c) the use or usability of the setback area, taking into consideration the nature of the adjoining street and the desirability or otherwise of direct vehicular access to that street, and from any adjoining property;
- (d) the desirability of continuous building frontages where pedestrian access is to be provided adjacent to the frontage of the building or where such access and associated pedestrian shelter would be desirable to facilitate movement between adjoining sites;
- (e) the space requirements for pedestrian access, and the need and/or desirability of segregating pedestrian access from vehicular access and parking areas;
- (f) the desirability or otherwise of landscaping within the setback area in order to reduce any adverse visual impact associated with the proposed building façade and/or associated use of setback areas; and
- (g) the safety and convenience of pedestrian and vehicular access to the site from the adjoining street and from adjacent sites.

**4C.1.2** Setback requirements applicable to development, are not necessarily to be interpreted as minimum setbacks, and where the local government considers it appropriate, it may impose maximum or minimum setbacks as it thinks fit, or it may prescribe a building setback line for any building or part of a building.

**4C.1.2** In the case of District Centres, Local Centres and Mixed Business / Residential Zones outside of the Armadale Strategic Metropolitan City Centre, buildings are to be setback having regard to any Structure Plan and/or Precinct Plan and the following criteria:

- i. The setbacks of any adjoining or adjacent development with which the proposed building is likely to relate, and in the case of a site which adjoins land in another zone, the setback requirements for that zone;

- ii. The use or usability of the setback area, taking into consideration the nature of the adjoining street and the desirability or otherwise of direct vehicular access to that street, and from any adjoining property;
- iii. The desirability of continuous building frontages where pedestrian access is to be provided adjacent to the frontage of the building or where such access and associated pedestrian shelter would be desirable to facilitate movement between adjoining sites;
- iv. The space requirements for pedestrian access, and the need and/or desirability of segregating pedestrian access from vehicular access and parking;
- v. The desirability or otherwise of landscaping within the setback area in order to reduce any adverse visual impact associated with the proposed building façade and/or associated use of setback areas; and
- vi. The safety and convenience of pedestrian and vehicular access to the site from the adjoining street and from adjacent sites.

#### **4C.2 Building height**

4C.2.1 Buildings heights are to be in accordance with the adopted Activity Centre Plan and/or Precinct Plan prepared in accordance with the requirements of the Commission's State Planning Policy 4.2 – Activity Centres for Perth and Peel and/or State Planning Policy 7.2 – Precinct Design.

4C.2.2 In the case of District Centres, Local Centres and Mixed Business / Residential Zones outside of the Armadale Strategic Metropolitan City Centre, building heights are to have regard to any Structure Plan and/or Precinct Plan and the following criteria:

- i. The height of any adjoining or adjacent development, and the desirability or otherwise of maintaining consistency in relation to the height and scale of buildings within the particular centre or precinct;
- ii. In the case of a site which adjoins land in another zone, the height and setback requirements of that zone;
- iii. The effect of shading associated with the proposed development and in particular whether there will be any significant overshadowing of existing or proposed pedestrian spaces;
- iv. The need for safe and convenient pedestrian shelter, and the desirability of maintaining continuity and/or compatibility in relation to adjoining pedestrian facilities;
- v. The design of the external facades of the building, including the height of any awnings or parapets and their relationship with those of adjacent buildings; and
- vi. The finished ground level proposed for the development site in relation to that of the adjoining sites.

#### **4C.3 Building bulk**

4C.3.1 Unless otherwise approved by the local government in accordance with the provisions of clause 4.5, the maximum plot ratio within the respective zones and precincts is to accord with the following standards:

- |                                |   |
|--------------------------------|---|
| (a) Mixed Business/Residential | 1.5   |
| (b) District Centre Zone:      | 1.0   |
| (c) Local Centre Zone:         | 1.0   |
| (d) Strategic Regional Centre: | To be determined by an adopted structure plan or Precinct Plan. |

For Mixed Business/Residential R-AC0 in the Armadale Strategic Metropolitan City Centre, plot ratio is to be determined by an approved Structure Plan or Precinct Plan

#### **4C.4 Design and pedestrian access**

4C.4.1 The design and layout of buildings and the arrangement of spaces and activity areas, is to have regard to:

- (a) any policy or Design Guidelines adopted for the Centre or the type of development proposed;
- (b) the need for continuity of development along shopping streets so as to improve functional integration and maintain visual interest;
- (c) the need for safe and convenient pedestrian access and movement, including the need for pedestrian shelter;
- (d) the physical access needs of persons with disabilities, with reference to any relevant Australian Standards; and
- (e) the design and architectural character of adjacent development, and its relationship with the development proposed.

#### **4C.5 Landscaping**

- 4C.5.1 Landscaping is to be provided and maintained so as to enhance visual amenity and contribute towards overall environmental performance of all development sites.
- 4C.5.2 The area, distribution and form of landscaping of individual sites is to be determined in conjunction with each proposed development, having regard to:
- (a) the layout of development, including particularly the extent and location of any uncovered car parking and service areas which may benefit from landscape screening;
  - (b) the design of building façades and their relationship to adjacent streets and other public spaces;
  - (c) the desirability of integrating landscape planting with stormwater management in order to achieve more water sensitive design outcomes;
  - (d) the desirability of providing shade trees within or adjacent to the development so as to improve the microclimate for users of the facilities;
  - (e) the need for safe and convenient pedestrian access to and within the development site, including particularly access from the street and adjacent sites; and
  - (f) the desirability of providing areas within or adjacent to the site for respite and relaxation by users of the development site.
- 4C.5.3 Where uncovered car parking areas are to be provided, landscape planting is to be provided and maintained so as to minimise the visual impact of the parking areas, and is to include:
- (a) a minimum 2 metre wide landscape strip between the parking area and the street boundary of the site; and
  - (b) provision of shade trees at a rate of one (1) tree per four (4) parking bays planted at intervals of no greater than 10 metres along any line of car parking bays. Where those bays are immediately adjacent to a building, the City may permit the required trees in another location of site.
- 4C.5.4 Having regard to the amount and quality of landscaping to be provided in conjunction with any proposed development, the local government may impose a requirement for up to 5 per cent of the area of the development site to be allocated for landscaping.
- 4C.5.5 The local government may permit a lesser area than 5 per cent of a site to be provided for landscaping where a cash-in-lieu contribution equivalent to the value of the land, by which the landscaped area is less than the full 5 per cent of the development site, is expended on the enhancement of landscaped areas adjacent to the site.
- 4C.5.6 In the event of cash-in-lieu contributions being required by the local government as a condition of development approval, any contributions shall be placed in a trust account for expenditure on landscape works in the immediate vicinity of the site in relation to which the funds were required.

#### 4C.6 Car parking and vehicular access

- 4C.6.1 Car parking is to be provided in accordance with the standards for respective uses detailed in Schedule 7A, unless otherwise approved by the local government in accordance with the provisions of clause 4.5. Unless otherwise approved or required by the local government, required car parking is to be provided on the site of the proposed development.
- 4C.6.2 Where on-street car parking is specifically provided for immediately adjacent to the frontage of the development site, the local government may accept such facilities as part of the required car parking. On-street parking facilities are only to be credited towards required car parking where:
- (a) use of such facilities to service the development site would not prejudice an adjacent development or adversely affect the safety or amenity of the locality; and
  - (b) any such on-street car parking will remain available to the general public during peak demand periods for the development site towards which the parking facilities have been credited.
- 4C.6.3 Parking spaces and manoeuvring areas shall be designed in accordance with the specifications contained in Australian Standard AS 2890.1 *Off-street parking*, and paved, kerbed, drained and marked to the satisfaction of the local government.
- 4C.6.4 When considering an application for planning consent, the local government shall have regard to and may impose, conditions with respect to the location of parking on the site, and the pedestrian and vehicle traffic circulation system proposed.
- 4C.6.5 Safe and convenient vehicular access is to be provided to all development sites, and where required by the local government, vehicular access is to be provided to service any required car parking or service areas provided on the development site.
- 4C.6.6 The location and design of vehicular access to any road is to be subject to the local government's approval in accordance with the provisions of the Scheme. In considering any proposal for new or modified vehicular access, the local government may, having regard to safety of pedestrian and vehicular traffic:
- (a) determine the width of the crossover and/or vehicular access way;
  - (b) refuse to permit more than one vehicular access to any lot;
  - (c) require separate entrances and exits, and the provision of appropriate signage indicating the direction of movement;
  - (d) require that entrances and exits be placed in positions nominated by the local government; or
  - (e) require an agreement to be entered into so as to provide for shared use of vehicular access ways in favour of users of adjacent properties.

#### **4C.7 Cash-in-lieu or land-in-lieu of parking**

- 4C.7.1 The local government may, if it is in conformity with an adopted public parking policy, accept or require a cash payment or transfer of land or both, in lieu of the provision of all or a proportion of required car parking spaces, but subject to the requirements of this Clause.
- 4C.7.2 The local government may only require cash-in-lieu of parking where it is satisfied that the provision of parking on-site, and/or associated vehicular access, would be detrimental to the overall development and integrity of the centre of which the development site forms a part.
- 4C.7.3 Except as otherwise provided, a cash-in-lieu payment shall be:
- (a) the estimated cost to the local government of providing and constructing the parking spaces required by the Scheme, plus
  - (b) the value, as estimated by a licensed valuer appointed by the local government, of that area of the development site which would have been occupied by the required parking spaces and associated manoeuvring areas.
- 4C.7.4 Where in the opinion of the local government it is likely there will be a sharing of public parking facilities by uses with significantly different peak demand times, the cash-in-lieu contribution in respect of requisite number of parking spaces may be reduced by up to 50 per cent.
- 4C.7.5 Payments made under this Clause shall be paid into a trust fund to be used to provide public parking in the locality of the development sites in relation to which the cash-in-lieu contributions have been received.
- 4C.7.6 In the case of the local government accepting a transfer of land, it shall only accept such land free of cost, in fee simple and in a location satisfactory to the local government. The area of land concerned shall not be less than the area, which would have had to be provided by the developer for car parking purposes.
- 4C.7.7 In the case of the local government accepting a transfer of land, unless the land area transferred exceeds the area to be provided by the developer for parking purposes by a sufficient margin to reflect the cost of constructing the parking, the local government shall require payment in cash of the cost of constructing the parking in addition to the transfer of land.
- 4C.7.8 In the interest of accommodating growth and a flexible approach to expanding business, nothing in the Scheme shall prevent the local government from seeking rezoning classification and sale of the lands referred to, provided that the originally required car parking provision is relocated elsewhere.

#### 4C.8 Shared use of parking facilities

- 4C.8.1 Parking facilities may be shared between two or more owners or users of land or by one owner or user in respect of separate buildings or uses, subject to the satisfaction of the standards and requirements set out in this clause.
- 4C.8.2 The local government may permit the parking spaces for a building or use to be provided jointly with any one or more other buildings or uses whether or not those others separately have the prescribed number of parking spaces, provided that the peak hours of operation of the buildings or uses so sharing do not substantially overlap.
- 4C.8.3 The local government may require that reciprocal access and circulation arrangements are provided for any buildings or uses affected by this subclause when, in the opinion of the local government, such arrangements are deemed necessary to assure the continued access to shared parking facilities.
- 4C.8.4 The following requirements shall be complied with where off-site or shared parking is proposed:
- (a) evidence shall be provided sufficient to satisfy the local government that no substantial conflict will exist in the peak hours of operation of the buildings or uses for which the joint use of parking spaces or the reciprocal access and circulation arrangements is proposed;
  - (b) the number of parking spaces to be provided on the land which is not the subject of the application, is sufficient to meet the shortfall in parking in respect of the development subject of the application; and
  - (c) shared use of the parking facilities on the land which is not the subject of the application, will not result in any deficiency in parking for that site.
- 4C.8.5 The local government may require an agreement to be prepared by a solicitor at the expense of the applicant, detailing the relevant arrangements for off-site or shared parking, and executed by all parties concerned.
- Note: Any such agreement shall be designed to ensure that access to, and use of shared parking facilities will continue for the duration of the development for which the parking is provided, and that the arrangements for shared use of facilities are not altered without the consent of the local government.*
- 4C.8.6 Where the local government agrees to a reduction in the number of on-site car parking spaces provided, based on shared use of parking facilities, the provisions of sub-clause 4C.7.4 relating to reduction in the cash-in-lieu contributions are not to apply.

#### **4C.9 Tree protection**

4C.9.1 Subject to clause 4C.9.2, a person shall not without the prior written approval of the local government remove, lop, top, chop, ringbark or otherwise trim or destroy a tree within any of the Commercial zones.

4C.9.2 Clause 4C.9.1 does not apply to, or prevent the removal of:

- (a) a fruit tree;
- (b) a tree which the local government certifies in writing is likely to create a hazard;
- (c) a tree which it is necessary to remove for the purpose of constructing or erecting a building, fence or access way in respect of which a building licence has been issued by the local government;
- (d) a tree which the local government or a public authority considers it necessary to remove or lop in order to be able to provide a public utility or service; or
- (e) a tree having a trunk of a circumference less than 0.6m at a height of 1m from the natural level of the ground.

## **PART 4D — INDUSTRIAL BUSINESS AND GENERAL INDUSTRY ZONE REQUIREMENTS**

*This Part includes the requirements for development in the Industrial Business Zone, and General Industry Zone, and should be read in conjunction with the general requirements of Part 4 and the requirements applicable within any relevant Special Control Areas under Part 5 as well as any other specific provisions applicable to individual sites.*

**4D** This Part applies to the Industrial Business Zone and the General Industry Zone, unless expressly stated to the contrary in a clause of this Part.

### **4D.1 Setbacks**

4D.1.1 Buildings are to be setback from boundaries having regard to:

- (a) any policy or Design Guidelines adopted by the local government for development in the industrial zones;
- (b) the setbacks of any adjoining or adjacent development with which the proposed building is likely to relate, and in the case of a site which adjoins land in another zone, the setback requirements for that zone;
- (c) the use or usability of the setback area, taking into consideration the nature of the adjoining street and the desirability or otherwise of direct vehicular access to that street, and from any adjoining property;
- (d) the desirability of continuous building frontages where pedestrian access is to be provided adjacent to the frontage of the building or where such access and associated pedestrian shelter would be desirable to facilitate movement between adjoining sites;
- (e) the space requirements for pedestrian access, and the need and/or desirability of segregating pedestrian access from vehicular access and parking areas;
- (f) the desirability of landscaping within the setback area in order to reduce any adverse visual impact associated with the proposed building façade and/or associated use of setback areas; and
- (g) the safety and convenience of pedestrian and vehicular access to the site from the adjoining street and from adjacent sites.

4D.1.2 Where the local government considers it appropriate, it may impose maximum or minimum setbacks as it thinks fit, or it may prescribe a building setback line for any building or part of a building.

## **4D.2 Building height**

4D.2.1 The height of buildings is to be determined, having regard to:

- (a) any policy or Design Guidelines adopted by the local government for development in the industrial zones;
- (b) the height of any adjoining or adjacent development, and the desirability or otherwise of maintaining consistency in relation to the height and scale of buildings within the particular precinct;
- (c) in the case of a site which adjoins land in another zone, the height and setback requirements for that zone;
- (d) the need for safe and convenient pedestrian shelter, and the desirability of maintaining continuity and/or compatibility in relation to adjoining pedestrian facilities;
- (e) the design of the external façades of the building, including the height of any awnings or parapets and their relationship with those of adjacent buildings; and
- (f) the finished ground level proposed for the development site in relation to that of the adjoining sites.

## **4D.3 Building bulk**

4D.3.1 Unless otherwise approved by the local government in accordance with the provisions of clause 4.5, the maximum plot ratio is to be 1.0.

## **4D.4 Landscaping**

4D.4.1 Landscaping is to be provided and maintained so as to enhance visual amenity and contribute towards the achievement of high environmental standards on all development sites.

4D.4.2 The area, distribution and form of landscaping of individual sites is to be determined in conjunction with each proposed development, having regard to:

- (a) the layout of development, including particularly the extent and location of any uncovered car parking and service areas which may benefit from landscape screening;
- (b) the design of building façades and their relationship to adjacent streets and other public spaces;
- (c) the desirability of integrating landscape planting with stormwater management in order to achieve more water sensitive design outcomes;
- (d) the desirability of providing shade trees within or adjacent to the development so as to improve the microclimate for users of the facilities;
- (e) the need for safe and convenient pedestrian access to and within the development site, including particularly access from the street and adjacent sites; and
- (f) the desirability of providing areas within or adjacent to the site for respite and relaxation by users of the development site.

4D.4.3 Landscape planting is to be provided and maintained so as to minimise any adverse visual impact associated with the use and development of land, and is to include:

- (a) a minimum 2-metre-wide landscaping strip across all street boundaries;
- (b) a minimum 3-metre-wide landscape strip along all street boundaries within the 'General Industry' and 'Industrial Business' zone areas bound by Armadale Road, Ranford Road and Tonkin Highway.
- (c) provision of shade trees at a rate of one (1) tree per four (4) parking bays planted at intervals of no greater than 10 metres along any line of car parking bays. Where those bays are immediately adjacent to a building, the City may permit the required trees in another location on site.

#### **4D.5 Car parking and vehicular access**

- 4D.5.1 Car parking is to be provided in accordance with the standards for respective uses detailed in Schedule 7A, unless otherwise approved by the local government in accordance with the provisions of clause 4.5. Unless otherwise approved or required by the local government, required car parking is to be provided on the site of the proposed development.
- 4D.5.2 Parking spaces and manoeuvring areas shall be designed in accordance with Australian Standard AS 2890.1 *Off-street parking*, and paved, kerbed, drained and marked to the satisfaction of the local government.
- 4D.5.3 When considering an application for planning consent, the local government shall have regard to and may impose, conditions with respect to the location of parking on the site, and the pedestrian and vehicle traffic circulation system proposed.
- 4D.5.4 Safe and convenient vehicular access is to be provided to all development sites, and where required by the local government, vehicular access is to be provided to service any required car parking or service areas provided on the development site.
- 4D.5.5 The location and design of vehicular access to any road is to be subject to the local government's approval in accordance with the provisions of the Scheme. In considering any proposal for new or modified vehicular access, the local government may, having regard to safety of pedestrian and vehicular traffic:
- (a) determine the width of the crossover and/or vehicular access way;
  - (b) refuse to permit more than one vehicular access to any lot;
  - (c) require separate entrances and exits, and the provision of appropriate signage indicating the direction of movement;
  - (d) require that entrances and exits be placed in positions nominated by the local government; or
  - (e) require an agreement to be entered into so as to provide for shared use of vehicular access ways in favour of users of adjacent properties.

#### **4D.6 Shared use of parking facilities**

- 4D.6.1 Parking facilities may be shared between two or more owners or users of land or by one owner or user in respect of separate buildings or uses, subject to the satisfaction of the standards and requirements set out in this clause.
- 4D.6.2 The local government may permit the parking spaces for a building or use to be provided jointly with any one or more other buildings or uses whether or not those others separately have the prescribed number of parking spaces, provided that the peak hours of operation of the buildings or uses so sharing do not substantially overlap.
- 4D.6.3 The local government may require that reciprocal access and circulation arrangements are provided for any buildings or uses affected by this subclause when, in the opinion of the local government, such arrangements are deemed necessary to assure the continued access to shared parking facilities.
- 4D.6.4 The following requirements shall be complied with where off-site or shared parking is proposed:
- (a) evidence shall be provided sufficient to satisfy the local government that no substantial conflict will exist in the peak hours or operation of the buildings or uses for which the joint use of parking spaces or the reciprocal access and circulation arrangements is proposed;
  - (b) the number of parking spaces to be provided off-site, is sufficient to meet the shortfall in parking in respect of the development the subject of the application; and
  - (c) shared use of off-site parking facilities will not result in any deficiency in parking for that site.
- 4D.6.5 The local government may require an agreement to be prepared by a solicitor at the expense of the applicant, detailing the relevant arrangements for off-site or shared parking, and executed by all parties concerned.
- Note: Any such agreement shall be designed to ensure that access to, and use of shared parking facilities will continue for the duration of the development for which the parking is provided, and that the arrangements for shared use of facilities are not altered without the consent of the local government.*
- 4D.6.6 In clause 4D.6.4 ‘off-site’ means land other than that which is the subject of the application for development approval, on which parking or access facilities are proposed to service the development the subject of the application.

#### **4D.7 Access for Loading and Unloading Vehicles**

- 4D.7.1 A person shall not construct or use a building for a Bulky Goods Showroom, a warehouse or an industry unless there is provided a paved access way for vehicles from the street to the rear of and to any other part of the building where provision is made in the external walls of the building for the entry of or the loading or unloading of vehicles.
- 4D.7.2 The access way referred to in clause 4D.7.1 shall be so constructed that all vehicles using it can enter from and return to a street in forward gear without reversing on to any part of the street.
- 4D.7.3 Except as hereinafter mentioned, the access way referred to in clause 4D.7.1 shall be not less than 6m in width; if the size of the lot makes the provision of a 6m wide access way impracticable the local government may permit an access way of a narrower width of not less than 3m in width.

#### **4D.8 Storage Yards**

A person shall not use land for open storage purposes unless it is screened from public view by a fence or wall to the satisfaction of the local government.

#### **4D.9 Off-site buffers**

4D.9.1 Where a proposed development is likely, if approved, to give rise to any significant off-site environmental impacts including pollution (gaseous emissions, odours or noise) or risk, which is likely to result in nuisance or adverse impacts on adjacent areas, the local government may:

- (a) refuse the application; or
- (b) approve the application subject to conditions designed to ameliorate any impact.

4D.9.2 In its determination of any application for development approval, the local government is to take into consideration the potential environmental impact on the use and enjoyment of adjacent land or property, having regard to:

- (a) the concentration of any pollutants (including gaseous emissions, odour and noise) or the level of risk, at the location of impact;
- (b) the frequency and duration of events associated with the environmental impact;
- (c) any relevant microclimatic factors likely to affect the distribution or dispersion of pollutants;
- (d) the practicability and effectiveness of any amelioration measures which form part of the proposed development; and
- (e) the zoning, use and likely future development or occupancy of the adjacent land or property upon which the environmental impacts will impinge.

#### **4D.10 Minimum Lot Size**

4D.10.1 The minimum lot size shall be 2000m<sup>2</sup>.

#### **4D.11 Effluent disposal**

4D11.1 Where a proposed industry involves the discharge of effluent, other than that associated with staff toilet facilities, then either:

- (a) the premises must be connected to a reticulated sewerage system, or
- (b) where a connection to reticulated sewerage is not available, the premises are to be serviced by an on-site disposal and/or collection system of such capacity and design as to prevent pollution of (including nutrient discharge to) any ground or surface water systems in the vicinity of the site.

4D.11.2 Where, either because of the nature or quantity of effluent to be discharged, or the characteristics of the site and its environment, the requirements for effluent disposal referred to in clause 4D11.1 cannot be met to the satisfaction of the local government, the application may be refused notwithstanding that the use of the site may be designated 'P' in the Zoning Table.

## **PART 4E — URBAN DEVELOPMENT ZONE REQUIREMENTS AND INDUSTRIAL DEVELOPMENT ZONE REQUIREMENTS**

*This Part includes the requirements for development in the Urban Development Zone and the Industrial Development Zone, and should be read in conjunction with the general requirements of Part 4 and the requirements applicable within any relevant Special Control Areas under Part 5 as well as any other specific provisions applicable to individual sites.*

**4E This Part applies to the Urban Development Zone and the Industrial Development Zone, unless expressly stated to the contrary in a clause of this Part.**

### **4E.1 Subdivision and Development**

4E.1.1 Subdivision and Development within the Urban Development Zone and the Industrial Development Zone shall be in accordance with an approved Structure Plan prepared in accordance with Part 4 of the Deemed Provisions.

4E.1.2 Where a use identified on a Structure Plan refers to a use that does not correspond to a Zone or Reserve, a subsequent Structure Plan is required to be prepared for that area in accordance with Part 4 of the Deemed Provisions.

## **PART 5 — SPECIAL CONTROL AREAS**

*This Part includes special requirements for development in areas identified on the Supplementary Scheme Maps 1 - 3 as Special Control Areas. These requirements should be read in conjunction with the general requirements of Part 4 and the requirements applicable to particular zones under Parts 4A, 4B, 4C or 4D as well as any specific provisions applicable to individual sites.*

### **5.1. Operation of special control areas**

5.1.1. The following special control areas are shown on the Scheme Maps:

- (a) Flood prone areas (Special Control Area Map 2)
- (b) Public drinking water resource protection areas (Special Control Area Map 2)
- (c) Wetland protection areas (Special Control Area Map 2)
- (d) Landscape and bushland protection areas (Special Control Area Map 1)
- (e) Prime agricultural land protection areas (Special Control Area Map 1)
- (f) Areas of potential environmental hazard impacts (Special Control Area Map 1)
- (g) Catchment protection area – Peel Harvey Coastal Plain Catchment (Special Control Area Map 2)
- (h) Development (Structure Planning) Areas (Special Control Area Map 3)
- (i) Development Contribution Areas (Special Control Area Map 3)

5.1.2. In respect of a special control area shown on a Scheme Map, the provisions applying to the special control area apply in addition to the provisions applying to any underlying zone or reserve and any general provisions of the Scheme.

***Note:** The designation of particular parts of the district within a Special Control Area should not be interpreted to imply that areas outside the designated areas have none of the risks, hazards or values specifically ascribed to land within the designated areas.*

## 5.2 Flood prone areas

5.2.1 Flood Prone Areas are defined on the Scheme Map in accordance with the 1 in 100 year flood levels and associated mapping produced by the Department of Environment. The purpose of this designation is to highlight the potential for flooding within this area and to provide a basis for the avoidance and/or minimisation of flood damage associated with any development in this area. Flood Prone Areas include Floodways and Flood Fringes.

5.2.2. All building development or earthworks within Flood Prone Areas, shall be subject to a requirement for development approval, and shall be subject to the discretion of the local government, notwithstanding that the use may be designated a 'P' use under the Scheme.

*Note: Flood Prone Areas include a designated 'floodway' and a 'flood fringe', as defined by the Department of Environment.*

5.2.3 No building or filling is to take place within a Floodway, except for public works undertaken with the approval of the local government in consultation with the Department of Environment.

5.2.4 Unless otherwise approved by the local government in accordance with the provisions of clause 4.5, all habitable buildings constructed within the Flood Fringe are to have a floor level of at least 0.5 metre above the relevant 1 in 100 year flood level as determined by the Department of Environment.

5.2.5 Where building is approved within the Flood Fringe, special measures are to be employed to protect the foundations from water erosion during extreme flood events.

5.2.6. The local government may refuse any application for development approval or impose conditions on any development approval so as to:

- (a) constrain the location of development;
- (b) control the form of construction, including foundations and associated works;
- (c) determine the form, location and construction of access; and
- (d) require the registration of a notification under section 70A of the *Transfer of Land Act 1893* on the title to the land giving notice of the potential risk associated with flood events at the applicant's cost.

5.2.7 In this clause: 'Floodway' refers to that part of a floodplain, which determines the flow capacity of the waterway, and where any obstruction within the area has the potential to increase the flood height upstream of the obstruction; and 'Flood Fringe' is that area beyond the extent of the 'Floodway', which is affected by flooding, where the natural ground level is below the 1 in 100 year flood level.

### 5.3 Public drinking water resource protection areas

- 5.3.1 Public Drinking Water Resource Protection Areas are defined on the Scheme Map in accordance with information provided by the Department of Environment. The purpose of this designation is to provide a basis for the protection of those resources through the control of land use or development, which has the potential to prejudice the quality of water supplies for public use.
- 5.3.2 All development (including use of land, the removal of vegetation and earthworks) within a Public Drinking Water Resource Protection Area shall be subject to a requirement for development approval and shall be subject to the discretion of the local government, notwithstanding that the use may be designated a 'P' use under the Scheme. Where land is identified within a Priority 3\* Drinking Water Source Protection Area, the following residential land uses (including any incidental or ancillary development) are excluded from the requirements of this clause—
- a. Ancillary Accommodation;
  - b. Grouped Dwelling;
  - c. Home Business (by definition are carried out in a dwelling or on land around a dwelling, to be no greater than 50sqm, and not to affect amenity of the neighbourhood);
  - d. Home Occupation (by definition are carried out in a dwelling or on land around a dwelling, to be no greater than 20sqm, and not to affect amenity of the neighbourhood);
  - e. Home Office;
  - f. Home Store (shop with net lettable area less than 100sqm and attached to a dwelling);
  - g. Multiple Dwelling;
  - h. Residential Building;
  - i. Single House;
  - j. Single Bedroom Dwelling; and
  - k. Bed and Breakfast.'
- 5.3.3 In its determination of any application for development approval and its advice in relation to land subdivision, the local government is to have particular regard to:
- (a) the Department of Environment Water Quality Protection Note: *Land Use Compatibility in Public Drinking Water Source Areas* or superseding guidance, and any advice received from the Commission;
  - (b) the requirements of Statement of Planning Policy No.2.3 *Jandakot Groundwater Protection Policy*, including particularly the land use permissibility designations contained in that policy;
  - (c) the requirements of Statement of Planning Policy No.2.7, *Public Drinking Water Source Policy*;
  - (d) the potential impact of the proposal on the quality of the water resource;
  - (e) the practicability and cost of any ameliorative measures proposed for the protection of the resource;
  - (f) the existing level of protection of the resource provided, with reference to management of land and location of development;
  - (g) the nature, location and performance of any existing or proposed effluent disposal system; and
  - (h) the drainage characteristics of the land, including surface and groundwater flow, and the adequacy of proposed measures to manage run-off and drainage.

5.3.4 The local government may refuse any application for development approval or impose conditions on any development approval so as to:

- (a) protect the resource; and
- (f) require the registration of a notification under section 70A of the *Transfer of Land Act 1893* on the title to the land giving notice of any limitations or constraints associated with the protection of resources at the applicant's cost.

*Note: There will be a general presumption against development or use of land, which is not compatible with Public Drinking Water Source Areas or which involves a significant risk to the resource. The onus will be on the proponent of development to demonstrate that the proposed activity will not prejudice the resource.*

## 5.4 Wetland protection areas

5.4.1 Wetland protection areas are defined on the Scheme Map in accordance with resource information provided by the Department of Environment and subsequent work undertaken by the local government. The purpose of this designation is to highlight the environmental significance of these resources, the opportunities for the enhancement or rehabilitation of wetland functions, and to provide a basis for the avoidance and/or minimisation of degradation associated with any development in the vicinity of these areas.

5.4.2 All development (including use of land, the removal of vegetation, drainage, filling and earthworks) within Wetland Protection Areas, shall be subject to a requirement for development approval and shall be subject to the discretion of the local government, notwithstanding that the use may be designated a 'P' use under the Scheme.

*Note: Development within the Forrestdale Lake Environmental Management Area which may have a significant adverse impact on that lake's environmental values (as defined under the RAMSAR Convention) also requires referral and assessment under the Commonwealth Environmental Protection and Biodiversity Conservation Act.*

5.4.3 In its determination of any application for development approval and its advice in relation to land subdivision, the local government is to have particular regard to:

- (a) the environmental quality objectives contained within any relevant Environmental Protection Policy under the *Environmental Protection Act 1986*, relating to wetlands and any beneficial uses or water quality standards relevant to the particular wetland;
- (b) the potential impact of the proposal on the environmental values of the resource, including wetland function, wetland vegetation communities and habitat types, wetland hydrology and water quality;
- (c) the quantities and characteristics of any chemicals such as pesticides, hydrocarbons or fertilizers associated with the proposed land use or development;
- (d) the practicability and cost of any ameliorative measures proposed for the protection of the resource;
- (e) the existing level of protection of the resource provided, with reference to fencing and/or management of land and location of development;
- (f) the nature, location and performance of any existing or proposed effluent disposal system; and
- (g) the drainage characteristics of the land, including surface and groundwater flow.

5.4.4 The local government may refuse any application for development approval or impose conditions on any development approval so as to:

- (a) protect the resource and its associated values and beneficial uses; and
- (b) require the registration of a memorial or a notification under section 70A of the *Transfer of Land Act 1893* on the title to the land giving notice of any limitations or constraints associated with the protection of resources at the applicant's cost.

## **5.5 Landscape and bushland protection areas**

- 5.5.1 Landscape and Bushland Protection Areas are defined on the Scheme Map based on mapping work undertaken by the Department for Planning and Infrastructure and the local government. The purpose of this designation is to highlight the importance of areas of quality landscapes and bushland resources and to provide a basis for the avoidance and/or minimisation of degradation associated with development in the resource areas and in some circumstances the enhancement of landscape and bushland values.
- 5.5.2 All development (including use of land, the removal of indigenous vegetation and earthworks) within Landscape and Bushland Protection Areas, shall be subject to a requirement for development approval, and shall be subject to the discretion of the local government, notwithstanding that the use may be designated a 'P' use under the Scheme.
- 5.5.3 In its determination of any application for development approval and its advice in relation to land subdivision, the local government is to have particular regard to:
- (a) the potential impact of the proposal on the value of the resource, including its ecological and landscape values and its value as a corridor for fauna movement;
  - (b) the practicability and cost of any ameliorative measures proposed for the protection of the resource;
  - (c) the existing level of protection of the resource provided, with reference to fencing and/or management of land and visibility of any buildings; and
  - (d) the nature, location and performance of any existing or proposed effluent disposal system.
- 6.5.4. The local government may refuse any application for development approval or impose conditions on any development approval so as to:
- (a) protect and/or enhance the resource; and
  - (b) require the registration of a notification under section 70A of the *Transfer of Land Act 1893* on the title to the land giving notice of any limitations or constraints associated with the protection of the resource at the applicant's cost.

## **5.6 Prime agricultural land protection area**

- 5.6.1 Prime Agricultural Land Protection Areas are defined on the Scheme Map based on the horticultural resource values of the Karragullen locality, taking into account the need for appropriate buffers. The purpose of this designation is to highlight the importance of these resources; to provide a basis for their on-going and sustainable use for a variety of productive agricultural purposes; to prevent incompatible land uses being established, impinging on current productive agricultural and horticultural uses; and to ensure human health and amenity is considered in any proposals involving creation of new lots or new dwellings.
- 5.6.2 All development other than agricultural or horticultural use and ancillary development, within Prime Agricultural Land Protection Areas, shall be subject to a requirement for development approval, and shall be subject to the discretion of the local government, notwithstanding that the use may be designated a 'P' use under the Scheme.
- 5.6.3 In its determination of any application for development approval and its advice in relation to land subdivision, the local government is to have particular regard to:
- (a) the potential impact of the proposal on the value and continued productive agricultural use of the resource; and
  - (b) the contribution (if any) of the proposed development to the on-going productive use of the land resource.
- 5.6.4. The local government may refuse any application for development approval or impose conditions on any development approval so as to:
- (a) protect the resource; and
  - (b) require the registration of a notification under section 70A of the *Transfer of Land Act 1893* on the title to the land giving notice of any limitations or constraints associated with the protection of the resource at the applicant's cost.

## **5.7 Areas of potential environmental hazard impacts**

- 5.7.1 Areas of potential environmental hazard impacts are defined on the Scheme Map in accordance with the advice of the EPA and the Commission. The purpose of these designations is to:
- (a) highlight the potential for diminished environmental quality in the vicinity of rural and industrial activities involving gaseous emission, odours, dust, noise or risk likely to result in nuisance or adverse impacts on adjacent areas; and
  - (b) provide a basis for the avoidance and/or minimisation of the environmental impacts associated with the activity concerned.
- 5.7.2 All residential development within an Area of potential environmental hazard impact, shall be subject to a requirement for development approval, and shall be subject to the discretion of the local government, notwithstanding that the use may be designated a 'P' use under the Scheme.
- 5.7.3 In its determination of any application for development approval, the local government is to take into consideration the potential impact of any use of the adjacent land on the use and enjoyment of the proposed development, having regard to:
- (a) the concentration of any pollutants (including gaseous emissions, odour and noise) or the level of risk, at the location of impact;
  - (b) the frequency and duration of events associated with any environmental impact;
  - (c) any relevant microclimatic factors likely to affect the distribution or dispersion of pollutants;
  - (d) the duration or estimated duration of the development responsible for the environmental impact, in the event that there is a firm proposal to relocate the facility;
  - (e) the nature and occupancy of the proposed development upon which any environmental impacts will impinge; and
  - (f) the practicability and effectiveness of any amelioration measures which form part of the proposed development.
- 5.7.4. The local government may refuse any application for development approval or impose conditions on any approval so as to:
- (a) minimise the impact of any environmental characteristics on the proposed development; and
  - (b) require the registration of a memorial or notification under section 70A of the *Transfer of Land Act 1893* on the title to the land giving notice of any risk or nuisance factors or constraints on the occupation and use of the development site at the applicant's cost.

## **5.8 Catchment protection area – Peel Harvey Coastal Plain Catchment**

- 5.8.1 The Peel-Harvey Catchment Protection Area is defined on the Scheme Map in accordance with *Statement of Planning Policy No.2.1 - Peel-Harvey Coastal Plain Catchment*. The purpose of this designation is to highlight the environmental sensitivity of the catchment and to provide a basis for avoidance and/or minimisation of degradation associated with any development in the area.
- 5.8.2 All development (including use of land for intensive agriculture, intensive animal husbandry, dairy milking sheds, the removal of vegetation or drainage) within the Peel-Harvey Catchment Protection Area, shall be subject to a requirement for development approval and shall be subject to the discretion of the local government, notwithstanding that the use may be designated a ‘P’ use under the Scheme.
- 5.8.3 In its determination of any application for development approval, the local government is to have particular regard to:
- (a) the objectives and policy provisions contained in *Statement of Planning Policy No.2.1 - Peel-Harvey Coastal Plain Catchment*;
  - (b) the objectives and policy statements contained in the Environmental Protection Policy (*Peel Inlet-Harvey Estuary*) prepared under the *Environmental Protection Act 1986*;
  - (c) the potential impact of the proposal on the environmental values of the resource, taking into account soil types and land contours;
  - (d) the practicability and cost of any ameliorative measures proposed for the protection of the resource;
  - (e) the existing level of protection of the resource provided, with reference to management of land and location of development;
  - (f) the nature, location and performance of any existing or proposed effluent disposal system; and
  - (g) the drainage characteristics of the land, including surface and groundwater flow.
- 5.8.4 The local government may refuse any application for development approval or impose conditions on any development approval so as to:
- (a) protect the resource; and
  - (b) require the registration of a notification under section 70A of the *Transfer of Land Act 1893* on the title to the land giving notice of any limitations or constraints associated with the protection of resources at the applicant’s cost.

## **PART 5A: DEVELOPMENT CONTRIBUTION AREAS**

*This Part is to enable a Development Contribution Plan to be prepared to share the costs of the provision of specific items of infrastructure across a number of landowners in the Development Area.*

**5A Development Contribution Areas are described in Special Control Area Map 3 and Schedule 9A and Schedule 9B, which sets out the infrastructure to which cost sharing arrangements relate and the cost sharing arrangements which apply.**

### **5A.1 Interpretations**

In this part, unless the context otherwise requires:

**“Cost Contribution”** means the contribution to the cost of Infrastructure payable by an Owner under this part, Schedule 9A or 9B and the applicable Development Contribution Plan;

**“Infrastructure”** means services and facilities which, in accordance with the Commission’s policy, it is reasonable for Owners to make a Cost Contribution towards; and

**“Owner”** means an owner of land that is located within a Development Contribution Area.

### **5A.2 Purpose**

- (a) To identify areas requiring Cost Contributions that relate to subdivision and development.
- (b) To provide for the equitable sharing of the costs of Infrastructure between Owners and in particular, to ensure that Cost Contributions are only required towards such Infrastructure as is reasonably required as a result of the subdivision and development of land in the Development Contribution Area.
- (c) To coordinate the timely provision of Infrastructure.

### **5A.3 Development Contribution Plan Pre-requisite to Subdivision and Development**

5A.3.1 Where a Development Contribution Area is prescribed in the Scheme, all Owners within that Development Contribution Area are required to make a Cost Contribution in accordance with the applicable Development Contribution Plan contained in Schedule 9A or Schedule 9B and the provisions of this part.

5A.3.2 The Development Contribution Plan for any Development Contribution Area does not have effect until it has been incorporated in Schedule 9A or Schedule 9B as part of the Scheme.

5A.3.3 Subject to clause 5A.3.4, the local government is not to support subdivision and/or development in a Development Contribution Area until a Development Contribution Plan is in effect and the Owner who has applied for subdivision and/or development has made arrangements in accordance with clause 5A.6.1 for the payment of the Owner’s Cost Contribution.

5A.3.4 Where a Development Contribution Plan is necessary but is not in effect, the local government may support subdivision and/or development where the Owner has made other arrangements satisfactory to the local government with respect to the Owner’s contribution towards the provision of Infrastructure in the Development Contribution Area.

#### **5A.4 Content and Principles of Development Contribution Plans**

- 5A.4.1 The Development Contribution Plan is to specify:
- (a) the Development Contribution Area to which the Development Contribution Plan applies;
  - (b) the Infrastructure to be funded through the Development Contribution Plan; and
  - (c) the method of determining the Cost Contribution of each Owner towards the Infrastructure to be funded through the Development Contribution Plan.
- 5A.4.2
- (a) A Development Contribution Plan is to specify the period during which it is to operate, but in any event, should not operate for more than 5 years, unless specified in Schedule 9A or 9B or by Council.
  - (b) The period during which a Development Contribution Plan is to operate may be extended by the local government and the Development Contribution Plan may be amended accordingly.
- 5A.4.3 The Development Contribution Plan for any Development Contribution Area is to be prepared in accordance with the following principles unless otherwise specified in Schedule 9A or 9B:
- (a) it is to provide for Cost Contributions to only the cost of such Infrastructure as fairly and reasonably relates to, and is reasonably required as a result of, the subdivision and development of land in the Development Contribution Area;
  - (b) it is to provide for Cost Contributions generally in accordance with the Commission's policies on developer contributions for Infrastructure;
  - (c) matters requiring land contribution, such as public open space, are to be treated as the cost of Infrastructure with any necessary adjustments to establish, where appropriate, a money equivalent;
  - (d) the Cost Contribution is to be based upon the proportion that the area or value of that Owner's land bears to the total area or value of land within the Development Contribution Area;
  - (e) the Cost Contribution is to take into account the highest and best uses attainable for the Owner's land; and
  - (f) the cost of Infrastructure is to be based on amounts expended, but when an expenditure has not occurred, it is to be based on the best and latest estimated costs available to the local government.
- 5A.4.4 For the purposes of paragraph 5A.4.3(d), in calculating both the area of an Owner's land and the total area of land in a Development Contribution Area, the area of land provided or required in that Development Contribution Area for:
- (a) roads designated under the region planning scheme as Primary Regional Roads and Other Regional Roads;
  - (b) existing public open space and land reserved for Parks and Recreation under the region planning scheme;
  - (c) government primary secondary schools and public utilities;
  - (d) such other land as is set out in the Development Contribution Plan; and
  - (e) the land areas of any other developments, which in the opinion of the Council have a limited subdivision or development potential, is to be excluded.

- 5A.4.5 (a) Where a Development Contribution Plan contains estimated costs, such estimated costs are to be reviewed at least annually by the local government in accordance with the best and latest information available to the local government until the expenditure on the relevant item of Infrastructure has occurred.
- (b) Where requested in writing by an Owner, the local government is to have such estimated costs independently certified by an appropriate qualified person at the owner's cost.
- 5A.4.6 Where any Cost Contribution has been calculated on the basis of an estimated cost for Infrastructure, the local government may:
- (a) adjust the Cost Contribution of any Owner in accordance with the revised estimated costs or the final expenditure; or
- (b) accept a Cost Contribution based upon estimated costs as a final Cost Contribution and may enter into an agreement with an Owner accordingly.
- 5A.4.7 Where an Owner's Cost Contribution is adjusted under clause 5A.4.6, the local government, on receiving a request in writing from an Owner, is to provide the Owner with a copy of estimated costs and the calculation of adjustments.

### **5A.5 Liability for Cost Contributions**

An Owner's liability to pay the Owner's Cost Contribution to the local government arises on the earlier of:

- (a) prior to the local government confirming to the Commission that conditions of subdivision or strata approval supervised by the local government and imposed on an application to subdivide, strata title or amalgamate the Owner's land within the Development Contribution Area have been complied with;
- (b) prior to the Commission endorsing its approval on the relevant plan or deposited plan (Diagram of Survey) of the amalgamation, subdivision, survey strata or strata subdivision of the Owner's land within the Development Contribution Area;
- (c) at the time of carrying out any development or commencing any new or extended use on the Owner's land within the Development Contribution Area;
- (d) at the time of applying to the local government or Commission for approval of any new or extended use, or any other development on the Owner's land within the Development Contribution Area;
- (e) prior to the local government providing written advice to the Commission confirming that conditions relating to a survey strata or strata subdivision within a Development Contribution Area have been complied with.
- (f) prior to the issue of a Building Permit or Building Approval Certificate for any development (including land use) on the land of an Owner within a Development Contribution Area have been complied with; or
- (g) on the expiry of the Development Contribution Plan.

## 5A.6 Collection and Enforcement

- 5A.6.1 (a) The Owner, with the agreement of the local government, is to pay the Owner's Cost Contribution by:
- (i) cheque or cash;
  - (ii) transferring to the local government land to the value of the Cost Contribution;
  - (iii) some other method acceptable to the local government; or
  - (iv) any combination of these methods.
- (b) The Owner, with the agreement of the local government, may pay the Owner's Cost Contribution in a lump sum, by instalments or in such other manner as agreed with the local government.
- 5A.6.2 (a) The amount of any Cost Contribution for which an Owner is liable under clause 5A.5, but has not paid, is a charge on the Owner's land to which the Cost Contribution relates, and the local government may lodge a caveat against the Owner's title to that land.
- (b) The local government may, at the Owner's expense and subject to such other conditions as the local government thinks fit, withdraw a caveat lodged under clause 5A.5 2(a) to permit a dealing and then re-lodge the caveat to prevent further dealings.
- (c) If the Cost Contribution is paid in full, and if requested to do so by the Owner, the local government may, at the expense of the Owner, withdraw any caveat lodged in accordance with clause 5A.6.2.

## 5A.7 Administration of Funds

- 5A.7.1 The local government is to establish and maintain a reserve account in accordance with the *Local Government Act 1995* for each Development Contribution Area into which Cost Contributions for that Development Contribution Area will be credited and from which all payments for the cost of Infrastructure within that Development Contribution Area will be paid. The purpose of such a reserve account or the use of money in such a reserve account is limited to the application of funds for that Development Contribution Area.
- 5A.7.2 The local government is to make available an audited annual statement of accounts for that Development Contribution Area as soon as practicable after the audited annual statement of accounts becomes available.
- 5A.7.3 (a) Within any Development Contribution Area the local government may satisfy the provisions of Clause 5A.7.1 by establishing separate reserve accounts for Cost Contributions by individual owners or groups of owners.
- (b) Such separate reserve accounts can be kept for accounting or administration purposes including, but without limiting the generality of the foregoing, for the purpose of accounting to each owner for interest accrued on the owner's Cost Contributions relevant to a particular Development Contribution Area.
- (c) Notwithstanding 5A.7.3(b), any reserve account for an individual owner is to contain only funds relevant to Cost Contributions for a particular Development Cost Contribution Area, and all individual accounts for a particular Development Contribution Area are to be identified as belonging to that Development Contribution Area".

### 5A.8 Shortfall or Excess in Cost Contributions

5A.8.1 If there is a shortfall in the total of Cost Contributions when all Cost Contributions have been made or accounted for in a particular Development Contribution Area, the local government may:

- (a) make good the shortfall from its municipal fund;
- (b) enter into agreements with Owners to fund the shortfall; or
- (c) raise loans or borrow from a financial institution.

but nothing in paragraph 5A.8.1(a) restricts the right or power of the local government to impose a differential rate to a specified Development Contribution Area in that regard.

5A.8.2 If there is an excess in the total of Cost Contributions when all Cost Contributions have been made or accounted for in a particular Development Contribution Area, the local government is to use the excess funds for the provision of additional facilities in that Development Contribution Area.

### 5A.9 Valuation

5A.9.1 (a) Unless Part 10 of the *Land Administration Act 1997* applies, clause 5A.9 applies if it is necessary to ascertain the Value of any land for the purposes of this part, with the exception of Developer Contribution Plans No.3 and No.4, where land is valued in accordance with the provisions of Development Contributions Plans No.3 and No.4 contained within Schedule 9B. Clauses 5A.9.2 to 5A.9.6 do not apply to Development Contribution Plans No.3 and No.4.

(b) In clause 5A.9 unless, Schedule 9A or 9B specifies the method of land valuation for a particular Development Contribution Area:

“**Value**” means the fair nett expectance value inclusive of subdivisional profit from and in respect of the sale of the vacant land in its optimum subdivided form:

- (i) on the basis that there are no buildings, fences or other improvements of a like nature on the land;
- (ii) on the assumption that any rezoning necessary for the purpose of the development has come into force; and
- (iii) taking into account the added value of all other improvements on or appurtenant to the land.

“**Valuer**” means a licensed valuer agreed by the local government and the Owner, or where the local government and the Owner are unable to reach agreement, a valuer appointed by the President of the Australian Property Institute for the time being.

5A.9.2 If any Owner objects to a valuation made by the Valuer, the Owner may give notice to the local government requesting a review of the amount of the Value, at the Owner’s expense, within 28 days after being informed of the Value.

- 5A.9.3 If the Valuer does not change the Value of the land to a figure acceptable to the Owner, the Value is to be determined under clause 5A.9.6.
- 5A.9.4 (a) At the request of the local government or the Owner, the Value placed upon the land of an Owner may be revised from time to time by a Valuer. Where the local government does not consider a revised valuation necessary, the owner is liable for costs associated with re-valuation.
- (b) The Valuer may:
- (i) reconsider the Values placed on other land in the Development Contribution Area; and
  - (ii) make such revisions as considered just and equitable to those Values if the Valuer considers this is necessary as a result of a re-valuation made under clause 5A.9.2.
- 5A.9.5 The date of valuation is the date that the Owner's liability to pay the Owner's Cost Contribution to the local government arises under clause 5A.5, or such other date as is agreed between the local government and the Owner.
- 5A.9.6 (a) Where there is a dispute or difference between the local government and the Owner regarding a Value, the dispute or difference is to be resolved as follows:
- (i) by any method agreed upon by the local government and the Owner;  
or
  - (ii) if the local government and the Owner cannot agree, by arbitration in accordance with the *Commercial Arbitration Act 1985*.
- (b) In any case, mediation of the dispute is to be attempted without prejudice to the rights of either the local government or the Owner.

*Note: Valuation in accordance with clause 5A.9 does not apply when land is compulsorily acquired under clause 5A.10, as section 241 of the Land Administration Act prescribes the method of determining compensation when land is compulsorily acquired. Valuation of land may be necessary however, under clause 5A.9, in order to determine the amount of an Owner's Cost Contribution, where any formula for Cost Contributions relates to the value of land, or for determining the value of land when it is purchased by agreement under section 190 of the Planning and Development Act 2005.*

## **5A.10 Land Acquisition**

The local government may acquire land for the carrying out of any Infrastructure works either by agreement or compulsorily under the powers conferred by sections 190 and 191 of the *Planning and Development Act 2005*.

## **5A.11 Arbitration**

Subject to clause 5A.9.6, any dispute between any Owner and the local government in connection with the Cost Contribution required to be made by an Owner under clause 5A is to be resolved by arbitration in accordance with the *Commercial Arbitration Act 1985*.

## **SCHEDULES**

- Schedule A Supplemental Provisions to the Deemed Provisions
- Schedule 1 Dictionary of defined words and expressions
- General definitions
  - Land use definitions
- Schedule 2 Additional uses
- Schedule 3 Restricted uses
- Schedule 4 Special use zones
- Schedule 5 Exempted advertisements
- Schedule 6 Environmental conditions
- Schedule 7A Car parking standards
- Schedule 7B End of Trip Facilities for Bicycle Users
- Schedule 8 Development (Structure Plan) Areas
- Schedule 9A Legacy Plans from previous Town Planning Schemes No.2 & No.3
- Schedule 9B Newly adopted plans under Town Planning Scheme No.4

## SCHEDULE A —

### SUPPLEMENTAL PROVISIONS TO THE DEEMED PROVISIONS

- Clause 60(a) The Local Government may appoint a Design Review Panel for the purposes of considering and advising the Local Government with respect to applications and/or planning documents.
- Clause 60(b) The Local Government shall prepare and adopt a local planning policy that details the operation of the Design Review Panel and specifies the matters on which the Design Review Panel will be consulted.
- Clause 60(c) When considering applications and/or planning documents on which a recommendation has been made by the Design Review Panel, the decision-maker shall have due regard for that recommendation.
- Clause 61(1)(k) the erection or extension of a single house on a lot in the General Rural zone unless this requires the exercise of discretion by the Local Government under the Scheme to vary any Local Planning Policy adopted by the Local Government, or any applicable clause of the Scheme Text, or the development is located in a place that is -
- (i) entered in the Register of Heritage Places under the *Heritage Act 2018*; or
  - (ii) the subject of an order under the *Heritage Act 2018* Part 4; or
  - (iii) included on a heritage list prepared in accordance with this Scheme; or
  - (iv) within an area designated under the Scheme as a heritage area; or
  - (v) the subject of a heritage agreement entered into under the *Heritage Act 2018* section 90.
- Clause 61(1)(l) the erection or extension of an ancillary dwelling, outbuilding, external fixture, boundary wall or fence, patio, pergola, veranda, garage, carport or swimming pool on the same lot as a single house located in the General Rural zone unless this requires the exercise of discretion by the Local Government under the Scheme to vary any Local Planning Policy adopted by the Local Government, or any applicable clause of the Scheme Text, or the development is located in a place that is -
- (i) entered in the Register of Heritage Places under the *Heritage Act 2018*; or
  - (ii) the subject of an order under the *Heritage Act 2018* Part 4; or
  - (iii) included on a heritage list prepared in accordance with this Scheme; or
  - (iv) within an area designated under the Scheme as a heritage area; or
  - (v) the subject of a heritage agreement entered into under the *Heritage Act 2018* section 90.
- Clause 61(1)(m) the demolition of any other building or structure not specified in Clause 61(1)(e) except where the building or structure is:
- (i) entered in the Register of Heritage Places under the *Heritage Act 2018*; or
  - (ii) the subject of an order under the *Heritage Act 2018* Part 4; or
  - (iii) included on a heritage list prepared in accordance with this Scheme; or
  - (iv) within an area designated under the Scheme as a heritage area; or
  - (v) the subject of a heritage agreement entered into under the *Heritage Act 2018* section 90; or
  - (vi) entered in a Local Heritage Survey adopted by the local government.

- Clause 61(1)(n) any of the exempted classes of advertisements listed in Schedule 5 except in respect of a place:
- (i) entered in the Register of Heritage Places under the *Heritage Act 2018*; or
  - (ii) the subject of an order under the *Heritage Act 2018* Part 4; or
  - (iii) included on a heritage list prepared in accordance with this Scheme; or
  - (iv) within an area designated under the Scheme as a heritage area; or
  - (v) the subject of a heritage agreement entered into under the *Heritage Act 2018* section 90; or
  - (vi) entered in a Local Heritage Survey adopted by the local government.
- Clause 61(1)(o) any domestic recreation or social activity ancillary to the residential use of a site, including incidental development relating to such activity unless the development involves the exercise of discretion under the Scheme or R-Codes, but excluding the construction of a tennis court involving the use of lighting for night games.
- Clause 61(1)(p) the erection, construction, maintenance, improvement or alteration of a boundary fence or wall, except where the proposal requires the exercise of a discretion by the Local Government under the Scheme or the R-Codes.
- Clause 61(1)(q) minor filling, excavation or re-contouring of land, provided there is no more than 0.5 metre change to the natural ground level, which change is to include any sand pad or site works associated with building development.
- Clause 61(1)(r) removal of vegetation except where approval of such development is otherwise required by the provisions of the scheme.
- Clause 61(2)(g) agriculture where permitted in the particular zone, including the keeping of stock in accordance with the Agriculture WA ‘Stocking Rate Guidelines for Rural Small Holdings’ for the applicable pasture type.
- Clause 67(zc) Include any advice of a Design Review Panel.
- Clause 80A The Local Government may by notice served upon individual landowners or upon a subdivider of land, require the preservation of a tree or group of trees. Thereafter no landowner shall cut, remove or otherwise destroy any tree unless the Local Government grants approval or rescinds the notice or order.

## SCHEDULE 1 — DICTIONARY OF DEFINED WORDS AND EXPRESSIONS

[cl. 1.7]

### 1. GENERAL DEFINITIONS

In the Scheme, unless the context otherwise requires —

**“amenity”** means all those factors which combine to form the character of an area and include the present and likely future amenity;

**“commercial vehicle”** means a licensed or unlicensed vehicle (including any trailer or attachment) whether in a serviceable condition or not, used, designed or intended to be used in the course of trade or commerce and includes vehicles described in the First Schedule to the *Road Traffic Act 1974*, but does not include a caravan, farm tractor, motor car, motor carrier, motor cycle, station sedan, station wagon or utility;

**“commercial zone”** means and includes the Regional Centre zone, the District Centre zone and the Local Centre zone;

**“common infrastructure”** means those infrastructure items which are jointly required by all landowners in order to facilitate subdivision and development, and requiring a cost contribution in accordance with clause 5A and the Commission’s policy on Developer Contributions for Infrastructure as amended from time to time;

**“common infrastructure cost”** means the cost of common infrastructure of any Development Area;

**“contribution arrangement”** means the provisions of the Scheme, and more particularly in Schedule 9A and Schedule 9B, defining the common infrastructure cost of a Development Area and apportioning the common infrastructure cost between Owners in the Development Area;

**“cost contribution”** means the contribution to the cost of common infrastructure payable by an owner under Part 5A and the applicable Development Contribution Plan;

**“development”** has the same meaning as in section 4(1) of the *Planning and Development Act 2005*;

**“development area”** means an area identified on the Scheme Maps in which a Structure Plan is required to be prepared in accordance with Part 4 of the Deemed Provisions prior to subdivision and which may be further described by and subject to further additional specific provisions in Schedule 8 - Development (Structure Planning) Areas;

**“development contribution area”** means the area identified on the Scheme Maps in which a development contribution plan is required to be prepared prior to subdivision in accordance with Part 5A and which may be further described by and subject to further additional specific provisions in Schedule 9A and Schedule 9B - Development Contribution Plans;

**“development contribution plan”** is defined in Part 5A;

**“development envelope”** means an area of land within a lot marked on a plan approved by the responsible authority within which all buildings and effluent disposal facilities on the lot must be contained;

**“development plan”** means a plan approved by the responsible authority and identifying the location and features of development approved by the local government including development envelopes;

**“dwelling”** has the same meaning as in the R-Codes;

**“extraction of groundwater”** means extraction of subsurface water resources and includes extraction methods such as bores or wells;

**“floor area”** has the same meaning as in the *Building Code of Australia 1996* published by the Australian Building Codes Board;

**“frontage”**, when used in relation to a building that is used for —

- (a) residential purposes, has the same meaning as in the R-Codes; and
- (b) purposes other than residential purposes, means the road alignment at the front of a lot and, if a lot abuts two (2) or more roads, the one to which the building or proposed building faces;

**“Gazettal date”**, in relation to a Scheme, means the date on which the Scheme is published in the *Gazette* under section 87(4) of the *Planning and Development Act 2005*;

**“height”** when used in relation to a building that is used for —

- (a) residential purposes, has the same meaning as in the R-Codes; or
- (b) purposes other than residential purposes, means the maximum vertical distance between the ground level and the finished wall or roof height directly above;

**“incidental use”** means a use of premises which is ancillary and subordinate to the predominant use;

**“industrial zone”** means any Industrial Business Zone, Light Industry Zone or General Industry Zone;

**“infrastructure”** means such services and items as are or may reasonably be required to enable land to be subdivided and developed including the services reasonably required or expected to be provided in a fully developed area of the kind in question and without limiting the generality of the foregoing, may include such items as sewerage, drainage, water supply, power supply, telecommunications, thoroughfares and transport services;

**“landscape, landscaping or landscaped”** has the same meaning as in the R-Codes;

**“Local Heritage Survey”** means a local heritage survey prepared under Part 8 of the Heritage Act 2018;

**“lot”** has the same meaning as in the *Planning and Development Act 2005* but does not include a strata or survey strata lot;

**“minerals”** has the same meaning as in the *Mining Act 1978*;

**“net lettable area (nla)”** means the area of all floors within the internal finished surfaces of permanent walls but excludes the following areas —

- (a) all stairs, toilets, cleaner’s cupboards, lift shafts and motor rooms, escalators, tea rooms and plant rooms, and other service areas;
- (b) lobbies between lifts facing other lifts serving the same floor;
- (c) areas set aside as public space or thoroughfares and not for the exclusive use of occupiers of the floor or building;
- (d) areas set aside for the provision of facilities or services to the floor or building where such facilities are not for the exclusive use of occupiers of the floor or building;

**“non-conforming use”** has the same meaning as it has in section 172 of the *Planning and Development Act 2005*;

**“occupier”**, in relation to any land, means —

- (a) the person by whom or on whose behalf the land is actually occupied and will include a lessee or licensee, and if an owner is on the land, will include the owner; or;
- (b) if there is no occupier, the person entitled to possession of the land and includes the owner; or;
- (c) a person in unauthorised occupation of Crown land and where under a licence or concession there is a right to take profit of Crown land specified in the licence or concession, means the person having that right;

**“plot ratio”** means the ratio of the floor area of a building to an area of land within the boundaries of the lot or lots on which the building is located;

**“precinct”** means a definable area where particular planning policies, guidelines or standards apply;

**“predominant use”** means the primary use of premises to which all other uses carried out on the premises are subordinate, incidental or ancillary;

**“premises”** means land or buildings;

**“protected wetland”** means a lake or wetland which is identified on the supplementary Scheme Maps as a special control area for the purpose of Wetlands Protection;

**“public / pedestrian access way”** has the same meaning as in section 152 of the *Planning and Development Act 2005*;

**“remnant native vegetation”** has the same meaning as “native vegetation” in Clause 51A of the *Environmental Protection Act 1986 (as amended)* and as further defined by Clause 4 of the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004*;

“**retail**” means the sale or hire of goods or services to the public;

“**rural zone**” means and includes the Rural Living Zone, the General Rural zone and the Special Rural zone;

“**water course**” means as any river, stream or creek in which water flows in a natural channel, whether permanently or intermittently;

“**wholesale**” means the sale of goods or materials to be sold by others;

## 2. LAND USE DEFINITIONS

In the Scheme, unless the context otherwise requires —

“**agriculture - extensive**” means premises used for the raising of stock or crops but does not include agriculture – intensive or animal husbandry – intensive;

“**agriculture - intensive**” means premises used for trade or commercial purposes, including outbuildings and earthworks, associated with the following —

- (a) the production of grapes, vegetables, flowers, exotic or native plants, or fruit or nuts;
- (b) the establishment and operation of plant or fruit nurseries;
- (c) the development of land for irrigated fodder production or irrigated pasture (including turf farms); or
- (d) aquaculture;

“**agroforestry**” means land used commercially for tree production and agriculture where trees are planted in blocks of more than one hectare;

“**amusement parlour**” means premises open to the public, where the predominant use is for amusement by means of amusement machines and where there are more than 2 amusement machines operating within the premises;

“**ancillary accommodation**” has the same meaning as in the R-Codes;

“**animal establishment**” means premises used for the breeding, boarding, training or caring of animals for commercial purposes but does not include animal husbandry – intensive or veterinary centre;

“**animal husbandry - intensive**” means premises used for keeping, rearing or fattening of pigs, poultry (for either egg or meat production), rabbits (for either meat or fur production) and other livestock in feedlots;

“**auction mart**” means premises on or in which goods are exposed or offered for sale by auction, but does not include a place used for the sale by auction of fresh food, fruit, vegetables or livestock;

“**bed and breakfast**” means a dwelling, used by a resident of the dwelling, to provide accommodation for persons away from their normal place of residence on a short-term commercial basis and includes the provision of breakfast;

“**betting agency**” means an office or totalisator agency established under the *Totalisator Agency Board Betting Act 1960*;

**“bulky goods showroom”** means premises--

- (a) used to sell by retail any of the goods and accessories of the following types that are principally used for domestic purposes--
  - (i) automotive parts and accessories;
  - (ii) camping, outdoor and recreation goods;
  - (iii) electric light fittings;
  - (iv) animal supplies including equestrian and pet goods;
  - (v) floor and window coverings;
  - (vi) furniture, bedding, furnishings, fabrics, manchester and homewares;
  - (vii) household appliances, electrical goods and home entertainment goods;
  - (viii) party supplies;
  - (ix) office equipment and supplies;
  - (x) babies' and children's goods, including play equipment and accessories;
  - (xi) sporting cycling, leisure, fitness goods and accessories;
  - (xii) swimming pools;

or

- (b) used to sell goods and accessories by retail if--
  - (i) a large area is required for the handling, display or storage of the goods; or
  - (ii) vehicular access is required to the premises for the purpose of collection of purchased goods;

**“caravan park”** has the same meaning as in the *Caravan Parks and Camping Grounds Act 1995* and includes land or premises licensed as such under that Act;

**“caretaker’s dwelling”** means a dwelling on the same site as a building, operation, or plant, and occupied by a supervisor of that building, operation or plant;

**“car park”** means premises used primarily for parking vehicles whether open to the public or not but does not include any part of a public road used for parking or for a taxi rank, or any premises in which cars are displayed for sale;

**“child care premises”** means premises used for the daily or occasional care of children in accordance with the regulations for child care under the *Child Care Services Act 2007*, but does not include a Family Day Care;

**“cinema/theatre”** means premises where the public may view a motion picture or theatrical production;

**“civic use”** means premises used by a government department, an instrumentality of the Crown, or the local government of Armadale, for administrative, recreational or other purposes;

**“club premises”** means premises used by a legally constituted club or association or other body of persons united by a common interest;

**“commercial vehicle parking”** means premises used for the parking or garaging of a commercial vehicle;

**“community purpose”** means the use of premises designed or adapted primarily for the provision of educational, social or recreational facilities or services by organizations involved in activities for community benefit;

**“consulting rooms”** means premises used by no more than 2 health consultants for the investigation or treatment of human injuries or ailments and for general outpatient care;

**“convenience store” means premises —**

- (a) used for the retail sale of convenience goods commonly sold in supermarkets, delicatessens or newsagents; and
- (b) operated during hours which include, but may extend beyond, normal trading hours; and
- (c) the floor area of which does not exceed 300 m<sup>2</sup> net lettable area;

**“corrective institution”** means premises used to hold and reform persons committed to it by a court, such as a prison or other type of detention facility;

**“dam construction”** means any works involving construction of an on-stream or off-stream basin and/or constriction of flow associated with a water course, but excludes any drainage work undertaken as part of an approved subdivision of land, or public works undertaken by the authority responsible for the management or maintenance of the particular water course;

**“display home centre”** means a dwelling or dwellings intended to be open to the public for inspection for the purpose of marketing services and/or dwellings for a particular builder or building company;

**“educational establishment”** means premises used for the purposes of education and includes a school, tertiary institution, business college, academy or other educational centre;

**“Electoral Sign”** means a sign erected to encourage persons to vote for a candidate, political party or issue relating to an election of the Parliament of the Commonwealth or State or Local Government or a referendum;

**“exhibition centre”** means premises used for the display, or display and sale, of materials of an artistic, cultural or historical nature, and includes a museum or art gallery;

**“family day care”** means premises used to provide a child care service in a private dwelling in a family or domestic environment, within the meaning of the *Child Care Services Act 2007*;

**“fast food outlet”** means premises used for the preparation, sale and serving of food to customers in a form ready to be eaten without further preparation, primarily off the premises, but does not include a lunch bar;

**“fuel depot”** means premises used for the storage and sale in bulk of solid or liquid or gaseous fuel, but does not include a service station and specifically excludes the sale by retail into a vehicle for final use of such fuel from the premises;

**“funeral chapel”** means a building or part of a building where funeral services are performed, and may include facilities for the viewing of bodies which have been prepared for burial, but does not include the preparation or storage of bodies;

**“funeral parlour”** means premises used to prepare and store bodies for burial or cremation;

**“garden centre - retail”** means land or buildings used for the purposes of propagating and/or growing and/or selling by retail plants and may incidentally include selling by retail domestic garden products and utilities and/or motorised garden implements and/or prefabricated garden buildings and/or bulk garden products;

**“grouped dwelling”** has the same meaning as in the R-Codes;

**“holiday accommodation”** means accommodation comprising two or more cabins, apartments, chalets, cottages, or flats which, by way of trade or business, or for the purpose of any trade or business, is held out as being available or is made available for holiday purposes for occupation by persons other than the proprietor;

**“home business”** means a business, service or profession carried out in a dwelling or on land around a dwelling by an occupier of the dwelling which —

- (a) does not employ more than 2 people not members of the occupier’s household;
- (b) will not cause injury to or adversely affect the amenity of the neighbourhood;
- (c) does not occupy an area greater than 50 square metres;
- (d) does not involve the retail sale, display or hire of goods of any nature;
- (e) in relation to vehicles and parking, does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood, and does not involve the presence, use or calling of a vehicle more than 3.5 tonnes tare weight; and
- (f) does not involve the use of an essential service of greater capacity than normally required in the zone;

**“home occupation”** means an occupation carried out in a dwelling or on land around a dwelling by an occupier of the dwelling which —

- (a) does not employ any person not a member of the occupier’s household;
- (b) will not cause injury to or adversely affect the amenity of the neighbourhood;
- (c) does not occupy an area greater than 20 square metres;
- (d) does not display a sign exceeding 0.2 square metres;
- (e) does not involve the retail sale, display or hire of goods of any nature;
- (f) in relation to vehicles and parking, does not result in the requirement for a greater number of parking facilities than normally required for a single dwelling or an increase in traffic volume in the neighbourhood, does not involve the presence, use or calling of a vehicle more than 2 tonnes tare weight, and does not include provision for the fuelling, repair or maintenance of motor vehicles; and
- (g) does not involve the use of an essential service of greater capacity than normally required in the zone;

**“home office”** means a home occupation limited to a business carried out solely within a dwelling by a resident of the dwelling but which does not —

- (a) entail clients or customers travelling to and from the dwelling;
- (b) involve any advertising signs on the premises; or
- (c) require any external change to the appearance of the dwelling;

**“home store”** means any shop with a net lettable area not exceeding 100 square metres attached to a dwelling and which is operated by a person resident in the dwelling;

**“hospital”** means premises in which persons are admitted and lodged for medical treatment or care and includes a maternity hospital;

**“hotel”** means premises providing accommodation the subject of a hotel licence under the *Liquor Licensing Act 1988*, and may include a betting agency on those premises, but does not include a tavern or motel;

**“industry”** means, in the context of the industry sub-categories defined by the Scheme, premises used for any of the following but not limited to the manufacture, dismantling, processing, assembly, treating, testing, servicing, maintenance or repairing of goods, products, articles, materials or substances and may include but is not limited to, premises on the same land used for—

- (a) the storage of goods;
- (b) the work of administration or accounting;
- (c) the selling of goods by wholesale or retail; or
- (d) the provision of amenities for employees;

incidental to any of those industrial operations;

**“industry - cottage”** means a trade or light industry producing arts and crafts goods, which does not fall within the definition of a home occupation and which —

- (a) does not cause injury to or adversely affect the amenity of the neighbourhood;
- (b) where operated in a residential zone, does not employ any person other than a member of the occupier’s household;
- (c) is conducted in an out-building which is compatible with the principal uses to which land in the zone in which it is located may be put;
- (d) does not occupy an area in excess of 50 square metres; and
- (e) does not display a sign exceeding 0.2 square metres in area;

**“industry - extractive”** means an industry which involves the extraction, quarrying or removal of sand, gravel, clay, hard rock, stone or similar material from the land and includes the treatment and storage of those materials, or the manufacture of products from those materials on, or adjacent to, the land from which the materials are extracted, but does not include industry – mining;

**“industry - general”** means an industry other than a cottage, extractive, light, mining, rural or service industry;

**“industry - light”** means an industry —

- (a) in which the processes carried on, the machinery used, and the goods and commodities carried to and from the premises do not cause any injury to or adversely affect the amenity of the locality;
- (b) the establishment or conduct of which does not, or will not, impose an undue load on any existing or proposed service for the supply or provision of essential services;

**“industry - mining”** means land used commercially to extract minerals from the land;

**“industry - rural”** means —

- (a) an industry handling, treating, processing or packing rural products; or
- (b) a workshop servicing plant or equipment used for rural purposes;

**“industry - service”** means —

- (a) an industry – light carried out from premises which may have a retail shop front and from which goods manufactured on the premises may be sold; or
- (b) premises having a retail shop front and used as a depot for receiving goods to be serviced;

**“land sales office”** means a temporary office used for the sale of the land for a new subdivision estate;

**“liquor store-small”** means any land or buildings the subject of a liquor store licence granted under the provisions of the *Liquor Control Act 1988* (as amended) where the net leasable area does not exceed 300m<sup>2</sup>;

**“liquor store-large”** means any land or buildings the subject of a liquor store licence granted under the provisions of the *Liquor Control Act 1988* (as amended) where the net leasable area exceeds 300m<sup>2</sup>;

**“lunch bar”** means premises or part of premises used for the sale of takeaway food (in a form ready to be consumed without further preparation) within industrial or commercial areas;

**“market”** means premises used for the display and sale of goods from stalls by independent vendors;

**“medical centre”** means premises, other than a hospital, used by one or more health consultant(s) for the investigation or treatment of human injuries or ailments and for general outpatient care (including preventative care, diagnosis, medical and surgical treatment, and counselling);

**“motel”** means premises used to accommodate patrons in a manner similar to a hotel but in which specific provision is made for the accommodation of patrons with motor vehicles and may comprise premises licensed under the *Liquor Licensing Act 1988*;

**“motor vehicle, boat or caravan sales”** means premises used to sell or hire motor vehicles, boats or caravans;

**“motor vehicle repair”** means premises used for or in connection with —

- (a) electrical and mechanical repairs, or overhauls, to vehicles; or
- (b) repairs to tyres;

but does not include premises used for recapping or re-treading of tyres, panel beating, spray painting or chassis reshaping;

**“motor vehicle wash”** means premises where the primary use is the washing of motor vehicles;

**“multiple dwelling”** has the same meaning as in the R-Codes;

**“night club”** means premises —

- (a) used for entertainment with or without eating facilities; and
- (b) licensed under the *Liquor Licensing Act 1988*;

**“occasional use”** means use of any land or building on an occasional basis for the purpose of recreation, entertainment, community or other similar activity which does not in the opinion of the local government prejudice the orderly and proper planning or the preservation of the amenity of the locality in which the land or building is situated. The term includes a swap-meet, market, fair, sausage sizzle, cake stall or artistic performance;

**“office”** means premises used for administration, clerical, technical, professional or other like business activities;

“**park home park**” has the same meaning as in the Caravan Parks and Camping Grounds Regulations 1997 and includes land or premises licensed as such under that Act;

“**place of worship**” means premises used for religious activities such as a church, chapel, mosque, synagogue or temple;

“**plantation**” has the same meaning as in the *Code of Practice for Timber Plantations in Western Australia* (1997) published by the Department of Conservation and Land Management and the Australian Forest Growers;

“**reception centre**” means premises used for functions on formal or ceremonial occasions but not for un-hosted use for general entertainment purposes;

“**recreation - domestic**” means part of premises used for indoor or outdoor leisure, recreation or sport which are ancillary to the residential use of the premises;

“**recreation - private**” means premises used for indoor or outdoor leisure, recreation or sport which are not usually open to the public without charge;

“**recreation - public**” means premises used for indoor or outdoor leisure, recreation or sport which are usually open to the public without charge;

“**residential building**” has the same meaning as in the R-Codes;

“**restaurant**” means premises where the predominant use is the sale and consumption of food and drinks on the premises and where seating is provided for patrons, and includes a restaurant licensed under the *Liquor Licensing Act 1988*;

*Note: The use class restaurant does not include a fast food outlet.*

“**restricted premises**” means premises used for the sale by retail or wholesale, or the offer for hire, loan or exchange, or the exhibition, display or delivery of—

- (a) Publications that are classified as restricted under the *Classification (Publications, Films and Computer Games) Act 1995* (Commonwealth); or
- (b) Materials, compounds, preparations or articles which are used or intended to be used primarily in or in connection with any form of sexual behaviour or activity; or
- (c) Smoking-related implements;

“**rural home business**” means a dwelling or land around a dwelling used by an occupier of the dwelling to carry out a business, service or occupation if the carrying out of the business, service or occupation—

- (a) does not involve employing more than 2 people who are not members of the occupier’s household;
- (b) will not cause injury to or adversely affect the amenity of the neighbourhood;
- (c) does not occupy an area greater than 200m<sup>2</sup>;
- (d) does not involve the retail sale, display or hire of any goods unless the sale, display or hire is done only by means of the Internet;
- (e) does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood;
- (f) does not involve the presence, use or calling of more than 3 vehicles at any one time or of a vehicle of more than 30 tonnes gross weight.

**“rural pursuit”** means any premises used for —

- (a) the rearing or agistment of animals;
- (b) the stabling, agistment or training of horses;
- (c) the growing of trees, plants, shrubs or flowers for replanting in domestic, commercial or industrial gardens; or
- (d) a riding school; or
- (e) the sale of produce grown solely on the lot;

but does not include agriculture – extensive or agriculture – intensive;

**“service station”** means premises used for —

- (a) the retail sale of petroleum products, motor vehicle accessories and goods of an incidental/convenience retail nature; and
- (b) the carrying out of greasing, tyre repairs and minor mechanical repairs to motor vehicles;

but does not include premises used for a transport depot, panel beating, spray painting, major repairs or wrecking;

**“shop”** means premises other than bulky goods showroom, a liquor store--large or a liquor store--small, used to sell goods by retail, to hire goods, or to provide services of a personal nature, including hairdresser or beauty therapist services;

**“single bedroom dwelling”** has the same meaning as in the R-Codes;

**“single house”** has the same meaning as in the R-Codes;

**“small-bar”** means premises licenced as a small bar under the *Liquor Control Act 1988* and used to sell liquor for consumption on the premises, but not including the sale of packaged liquor; and with the number of persons who may be on the licensed premises limited to a maximum of 120;

**“storage”** means premises used for the storage of goods, equipment, plant or materials;

**“tavern”** means premises licensed as a tavern under the *Liquor Licensing Act 1988* and used to sell liquor for consumption on the premises;

**“telecommunications infrastructure”** means land used to accommodate any part of the infrastructure of a telecommunications network and includes any line, equipment, apparatus, tower, antenna, tunnel, duct, hole, pit or other structure used, or for use in or in connection with, a telecommunications network;

**“trade display”** means premises used for the display of trade goods and equipment for the purpose of advertisement;

**“trade supplies”** means premises used to sell by wholesale or retail, or to hire, assemble or manufacture any materials, tools, equipment, machinery or other goods used for any of the following purposes including goods which may be assembled or manufactured off the premises--

- (a) automotive repairs and servicing;
- (b) building including repair and maintenance;
- (c) industry;
- (d) landscape gardening;
- (e) provision of medical services;
- (f) primary productions;
- (g) use by government departments or agencies, including local government'.

**“transport depot”** means premises used for the parking or garaging of two or more commercial vehicles, or premises used for the transfer of goods or people from one such vehicle to another and includes the maintenance and repair of such vehicles;

**“vehicle wrecking”** means any land or buildings used for the breaking up, dismantling or storage of vehicles, and may include the sale of second hand parts and accessories;

**“veterinary centre”** means premises used to diagnose animal diseases or disorders, to surgically or medically treat animals, or for the prevention of animal diseases or disorders;

**“warehouse”** means premises used to store or display goods and may include sale by wholesale;

**“winery”** means premises used for the production of viticultural produce and may include sale of the produce.

## SCHEDULE 2 — ADDITIONAL USES

[cl. 4.5]

No.	Description of Land	Additional Use	Conditions and Requirements (See Note 1)
1.	Lot 100 located on the south-east corner of the intersection of Albany Highway and South Western Highway, Armadale.	<p>Pioneer Village, being a 19<sup>th</sup> Century building exhibition.</p> <p>a) Permitted (P) Uses:</p> <ul style="list-style-type: none"> <li>• Motel;</li> <li>• Hotel;</li> <li>• Restaurants;</li> <li>• Educational Establishment</li> <li>• Cafes;</li> <li>• Shops;</li> <li>• Cottage Industry;</li> </ul> <p>including the making or selling goods or crafts incidental to the nature of the Village.</p> <p>b) Uses permissible only with the local government's discretion (D Uses):</p> <ul style="list-style-type: none"> <li>• Cinema/Theatre</li> <li>• Recreation - Public</li> <li>• Recreation - Private</li> </ul>	<p>1.1 All permissible use classes listed for the base Residential zone shall be D (discretionary).</p> <p>1.2 In determining any planning application for development approval the local government shall have regard to the compatibility of proposed uses with the existing use of the site and any additional uses, which are permissible under the Additional Use provisions.</p> <p>1.3 No access permitted to Residential zone abutting southern boundaries.</p> <p>1.4 Shops are limited to those demonstrating a 19<sup>th</sup> Century character to the satisfaction of the local government.</p>
2.	Lot 22 Canns Road, Bedfordale.	<p>Elizabethan Village functioning principally as 16<sup>th</sup> Century period architecture exhibition.</p> <p>a) Permitted (P) Uses:</p> <ul style="list-style-type: none"> <li>• Tavern and Associated Restaurant</li> <li>• Brewery</li> <li>• Shop</li> <li>• Service facilities including public toilets and car parking</li> <li>• Market stalls</li> <li>• Other non-noisy public amusement or tourist related uses of a minor or incidental nature to the purpose of the village.</li> </ul> <p>b) Uses permissible only with the local government's discretion (D Uses):</p> <ul style="list-style-type: none"> <li>• Cinema/ Theatre;</li> <li>• Recreation - Public;</li> <li>• Recreation - Private</li> </ul>	<p>2.1 All permissible use classes listed for the base Rural zone shall be D (discretionary).</p> <p>2.2 In determining any planning application for development approval the local government shall have regard to the compatibility of proposed uses with the existing use of the site and any additional uses, which are permissible under the Additional Use provisions.</p> <p>2.3 The overall site coverage by buildings shall not exceed 10%.</p> <p>2.4 All buildings shall be constructed in appearance and scale in a manner compatible with the site redevelopment theme, which includes buildings that are characteristic of an English 16th century village.</p> <p>2.5 The restaurant/tavern shall be combined in a single building and constitute a unique facility to the site.</p> <p>2.6 The Brewery shall be limited to a maximum gross floor area of 315m<sup>2</sup> and shall not involve any bottling processes.</p> <p>2.7 The establishment of any dwellings on site or use of any building for holiday or bed and breakfast accommodation shall be conditional upon exemption being granted by the Health Department of WA to the standard requirements of the Government Sewerage Policy.</p>

No.	Description of Land	Additional Use	Conditions and Requirements (See Note 1)
			<p>2.8 Bed &amp; Breakfast Accommodation may be incidentally permitted within a building, which is otherwise approved and occupied as a dwelling in accordance with the R-Codes. Guest Accommodation shall not exceed more than 4 persons in 2 bedrooms within any dwelling.</p> <p>2.9 Holiday Accommodation may only be permitted within the existing buildings known as Anne Hathaway's Cottage and Shakespeare's Birthplace subject to compliance with the <i>Health Act and Building Code of Australia</i> standards for Class 1(b) building.</p> <p>2.10 One shop only may be permitted which shall be limited in function to the sale of books, antiques, souvenirs, crafts, curios or other articles of tourist interest and light refreshments.</p>
3.	Lot 500 (No.8) Wygonda Road, Roleystone.	Permitted (P) Uses: <ul style="list-style-type: none"> <li>• Recreation - Public</li> <li>• Recreation - Private (Squash courts and ancillary leisure activities)</li> </ul>	<p>3.1 All P use classes listed for the base Residential zone shall be D (discretionary).</p> <p>3.2 In determining any planning application for development approval the local government shall have regard to the compatibility of proposed uses with the existing use of the site and any additional uses, which are permissible under the Additional Use provisions.</p>
4.	<i>Deleted under Amendment No.97</i>		
5.	Lot 53 (No.9) Wygonda Road, Roleystone.	Permitted (P) Use: <ul style="list-style-type: none"> <li>• Office and Medical Centre</li> </ul>	<p>5.1 All P use classes listed for the base zone shall be D (discretionary) uses notwithstanding that they are P in the Zoning Table.</p> <p>5.2 In determining any planning application for development approval the local government shall have regard to the compatibility of proposed uses with the existing use of the site and any additional uses which are permissible under the Additional Use provisions.</p>
6.	Lot 11 (No.1287) Brookton Highway, Karragullen.	Permitted (P) Use: <ul style="list-style-type: none"> <li>• Service station</li> </ul>	<p>6.1 All P use classes listed for the base zone shall be D (discretionary) uses notwithstanding that they are P in the Zoning Table.</p> <p>6.2 In determining any planning application for development approval the local government shall have regard to the compatibility of proposed uses with the existing use of the site and any additional uses which are permissible under the Additional Use provisions.</p>

No.	Description of Land	Additional Use	Conditions and Requirements (See Note 1)
7.	Lot 60 (No.770) cnr Hawkstone Road and Brookton Highway, Roleystone.	Permitted (P) Use: • Service station	7.1 All P use classes listed for the base zone shall be D (discretionary) uses notwithstanding that they are P in the Zoning Table. 7.2 In determining any planning application for development approval the local government shall have regard to the compatibility of proposed uses with the existing use of the site and any additional uses, which are permissible under the Additional Use provisions.
8.	Lot Pt 161, cnr Canning Road, Brookton Highway, Karragullen.	Permitted (P) Use: • Service station	8.1 All P use classes listed for the base zone shall be D (discretionary) uses notwithstanding that they are P in the Zoning Table. 8.2 In determining any planning application for development approval the local government shall have regard to the compatibility of proposed uses with the existing use of the site and any additional uses, which are permissible under the Additional Use provisions.
9.	Lot 21 Girraween Street, Armadale.	Permitted (P) Uses: • Battery and Tyre Sales and Service	9.1 All P use classes listed for the base zone shall be D (discretionary) uses notwithstanding that they are P in the Zoning Table. 9.2 In determining any planning application for development approval the local government shall have regard to the compatibility of proposed uses with the existing use of the site and any additional uses, which are permissible under the Additional Use provisions.
10.	Pt Lot 200 (No.49) Lake Road, Lake View Terrace, Westfield.	Permitted (P) Uses: • Caravan Park • Shop • Restaurant	10.1 Shop not to exceed 100m <sup>2</sup> NLA Restaurant seating area not to exceed 100m <sup>2</sup> . 10.2 All P use classes listed for the base zone shall be D (discretionary) uses notwithstanding that they are P in the Zoning Table. 10.3 In determining any planning application for development approval the local government shall have regard to the compatibility of proposed uses with the existing use of the site and any additional uses which are permissible under the Additional Use provisions.
11.	Lot 82 (No.80) River Road, Kelmscott.	Permitted (P) Use: • Caravan Park	11.1 All P use classes listed for the base zone shall be D (discretionary) uses notwithstanding that they are P in the Zoning Table. 11.2 In determining any planning application for development approval the local government shall have regard to the

No.	Description of Land	Additional Use	Conditions and Requirements (See Note 1)
			compatibility of proposed uses with the existing use of the site and any additional uses, which are permissible under the Additional Use provisions.
12.	Lot 2 Mount Street, Kelmscott.	<p>Tourist Facilities</p> <p>a) Permitted (P) Uses:</p> <ul style="list-style-type: none"> <li>• Reception Centre</li> <li>• Alternative Health Centre</li> <li>• Caretaker's dwelling</li> <li>• Car Park tied to these uses</li> </ul> <p>b) Uses permissible only with the local government discretion (D Uses):</p> <ul style="list-style-type: none"> <li>• Child Minding</li> <li>• Civic Use</li> <li>• Cottage Industry</li> <li>• Cinema/Theatre</li> <li>• Rural Industry</li> <li>• Holiday accommodation other than as permitted above</li> </ul>	<p>12.1 Development shall generally be in accordance with the approved Development Plan;</p> <p>12.2 Uses shall generally comply with the approved Development Plan;</p> <p>12.3 Gross site coverage of all buildings on the property in the Development Plan will not exceed 5% of the total site area unless otherwise approved by the local government;</p> <p>12.4 Discretionary Uses:-</p> <ul style="list-style-type: none"> <li>• Will have the same level of permissibility as listed in the Rural Living Zone provisions of the Development Table;</li> <li>• Will be determined by the local government in accordance with the Rural Living Zone provisions of the Scheme except on lots created in a Strata Subdivision where the requirements for setbacks and site coverage of developments for the particular strata lot will be at the discretion of the local government.</li> </ul> <p>12.5 No vehicular access to or from Brookton Highway.</p> <p>12.6 Holiday Accommodation Chalets shall be limited to 20 Residential Chalets however, additional Holiday Accommodation shall be an A use.</p> <p>12.7 The Alternative Health Centre shall be limited to 10-Units.</p> <p>12.8 A Rural Industry shall only be permitted incidental to packing sheds associated with an orchard (Rural Pursuit).</p> <p>12.9 In determining any planning application for development approval the local government shall have regard to the compatibility of proposed uses with the existing use of the site and any additional uses, which are permissible under the Additional Use provisions.</p>

No.	Description of Land	Additional Use	Conditions and Requirements (See Note 1)
13.	Lot 70 (No.1360) Brookton Highway, Cassoti Road, Herbert Road and Conifer Road, Karragullen.	Permitted (P) Use: <ul style="list-style-type: none"> <li>• Tavern</li> <li>• Pub TAB</li> <li>• Small Bar</li> </ul>	<p>13.1 All P use classes listed for the base zone shall be D (discretionary) uses notwithstanding that they are P in the Zoning Table.</p> <p>13.2 In determining any planning application for development approval the local government shall have regard to the compatibility of proposed uses with the existing use of the site and any additional uses, which are permissible under the Additional Use provisions.</p> <p>13.3 The Pub TAB use is to be operated from the existing building only and not to exceed a maximum floor area of 15m<sup>2</sup>.</p>
14.	Lot 501 (No.21) Angelo Street and Townsend Street, Armadale.	Permitted (P) Use: <ul style="list-style-type: none"> <li>• Hospital</li> </ul>	<p>14.1 All P use classes listed for the base zone shall be D (discretionary) uses notwithstanding that they are P in the Zoning Table.</p> <p>14.2 In determining any planning application for development approval the local government shall have regard to the compatibility of proposed uses with the existing use of the site and any additional uses, which are permissible under the Additional Use provisions.</p>
15.	Lot 502 (No.174) South West Highway, Armadale.	Permitted (P) Use: <ul style="list-style-type: none"> <li>• Service station</li> </ul>	<p>15.1 All P use classes listed for the base zone shall be D (discretionary) uses notwithstanding that they are P in the Zoning Table.</p> <p>15.2 In determining any planning application for development approval the local government shall have regard to the compatibility of proposed uses with the existing use of the site and any additional uses, which are permissible under the Additional Use provisions.</p>

No.	Description of Land	Additional Use	Conditions and Requirements (See Note 1)
16.	Lot 888 Saunders Way, Rokewood Way, Old Station Road, Karragullen.	<p>Permitted (P) Use:</p> <ul style="list-style-type: none"> <li>• Warehouse (cool stores)</li> <li>• Incidental car park</li> </ul>	<p>16.1 Screening of all storage areas from public streets and private lots.</p> <p>16.2 Maintenance of a landscape buffer of trees and vegetation to adjacent residential properties to the satisfaction of the local government.</p> <p>16.3 Development shall be generally in accordance with the Concept Development Plan adopted by the local government as the guide to future development and use of the site.</p> <p>16.4 Setbacks to be to the local government's satisfaction, with a minimum 3 metre setback from Saunders Way to apply to all new development.</p> <p>16.5 Additional landscaping to the satisfaction of the local government is to be provided between any new buildings and the relevant street frontage of the site.</p> <p>16.6 All permissible use classes listed for the base Special Residential zone shall be D (discretionary).</p> <p>16.7 In determining any planning application for development approval the local government shall have regard to the compatibility of proposed uses with the existing use of the site and any additional uses, which are permissible under the Additional Use provisions.</p>
17.	Lot 60 Carawatha Avenue, Mt Nasura.	<p>Permitted (P) Use:</p> <ul style="list-style-type: none"> <li>• Grouped Dwelling at R15</li> </ul> <p>Uses permissible only with the local government discretion (D Uses):</p> <ul style="list-style-type: none"> <li>• Grouped Dwelling (R40 Maximum)</li> <li>• Medical Centre consisting of more than 3 Consulting Rooms</li> </ul>	<p>17.1 Residential subdivision and development shall be in accordance with the R-Codes (R15, or subject to the local government's discretion R40).</p> <p>17.2 In association with subdivision or development, a comprehensive site plan indicating a proposed landscaping and fencing of the site is to be prepared, submitted and subsequently implemented to the local government's satisfaction. The aspects to be covered include:</p> <p>a) High quality fencing integrated with landscaping.</p> <p>17.3 Unless otherwise determined by the local government, provision shall be made for vehicle traffic access from Carawatha Avenue, to Lot 100, north of the lot, for development or subdivision of the lot.</p> <p>17.4 No vehicle access shall be provided to Albany Highway.</p> <p>17.5 A minimum of 16 metres buffer between the existing Water Corporation pump</p>

No.	Description of Land	Additional Use	Conditions and Requirements (See Note 1)
			<p>building located on adjoining Pt Lot 58 to any building.</p> <p>17.6 All other discretionary uses shall meet the following requirements:</p> <ul style="list-style-type: none"> <li>a) A plot ratio limited to 0.3</li> <li>b) The overall development of the site should be of a high quality unified architectural design that reflects a level of integration and consistency with the surrounding built environment.</li> <li>c) Will have the same level of permissibility as listed in the Residential Zone provisions of the Zoning Table;</li> </ul>
18.	Lot 600 (No.53) Railway Avenue, Kelmscott.	<p>Permitted (P) Uses:</p> <ul style="list-style-type: none"> <li>• Medical Centre</li> <li>• Incidental Shop for a Dispensary only.</li> </ul>	<p>18.1 Sales of goods to be confined to a Dispensary incidental to the primary uses of Medical Centre.</p> <p>18.2 The overall development of the site should be of a high quality unified architectural design that reflects a level of integration and consistency with the surrounding built environment.</p> <p>18.3 Plot Ratio limited to 0.3.</p> <p>18.4 Site layout, parking provision are to be to the local government's satisfaction and are to address the following:</p> <ul style="list-style-type: none"> <li>• minimisation of impact of the development on adjacent residential properties by measures including the provision of high quality masonry walling.</li> </ul> <p>18.5 Comprehensive landscape plan of the site to be prepared, submitted and consequently implemented to the local government's satisfaction. The issues to be covered to include:</p> <ul style="list-style-type: none"> <li>• retention of existing trees;</li> <li>• generous screening landscaping on common boundaries.</li> </ul> <p>18.6 Car parking spaces abutting any residential lot shall be screened by a masonry wall and landscaping strip to the specification of the local government.</p> <p>18.7 All permissible use classes listed for the base Residential zone shall be D (discretionary).</p> <p>18.8 In determining any planning application for development approval the local government shall have regard to the compatibility of proposed uses with the existing use of the site and any additional uses, which are permissible under the Additional Use provisions.</p>

No.	Description of Land	Additional Use	Conditions and Requirements (See Note 1)
19.	Lots 123, 157 and 17 South Western Highway and Lot 49 Crystal Court, Mount Richon	<p>Permitted (P) use: Mixed Uses incorporating key elements of the old Armadale Tea Rooms consisting of:</p> <ul style="list-style-type: none"> <li>• Shop</li> <li>• Office(s)</li> <li>• Restaurant</li> <li>• Holiday Accommodation</li> <li>• Cottage Industry</li> <li>• Market</li> <li>• Motel; and</li> <li>• Showroom</li> </ul>	<p>19.1 In determining any planning application for subdivision and development approval, the local government shall have regard to the approved Activity Centre Structure Plan or Precinct Plan.</p> <p>19.2 The overall development may comprise either, a single building or multiple buildings with a common theme, and shall incorporate key elements of the Old Armadale Tearooms (Muckross Hall) building as follows to the satisfaction of the local government:</p> <ol style="list-style-type: none"> <li>a) the use of the building, at least in part, is to recognise the building's original function as a meeting place;</li> <li>b) recognition of the large open truss construction of the internal parts of the building;</li> <li>c) respect for the existing roofline and the original cladding style of the roof;</li> <li>d) materials for the existing walls may be replaced provided the appearance respects the original character; and</li> <li>e) the building could be extended out the back and side, provided the outline of the façade and roofline, as visible from the Albany Highway approach into Armadale, retains its character and shape.</li> </ol> <p>19.3 A Traffic Management Plan addressing site access and car parking both on and off site will need to be prepared and implemented, to the satisfaction of Council, as part of any development application for redevelopment of the land.</p> <p>19.4 Vehicular access to Crystal Court shall be limited to residential uses only and may require a traffic study prior to Council granting approval.</p> <p>19.5 In preparing and/or assessing any planning application for development approval, the applicant and the local government should consider the possible provision of access for vehicular and pedestrian movement and parking, together with drainage, where applicable over the adjacent Lot 100 (Pioneer Village Narrogin Inne premises) Albany Highway, in a manner satisfactory to the Local Government to ensure safe, convenient and integrated traffic circulation. Such an arrangement may require agreement with the landowners of Lot 100 Albany Highway.</p>

No.	Description of Land	Additional Use	Conditions and Requirements (See Note 1)
			19.6 Notification in the form of a Section 70A notification, pursuant to the <i>Transfer of Land Act 1893</i> (as amended) is to be placed on the Certificate of Title on Lot 17 South Western Highway, Armadale advising prospective purchasers that the lot may be affected by noise from the Water Corporation pump station on the adjoining Lot 18 South Western Highway.
20.	Portion Lot 1 (No.447) cnr Springdale Road and Chevin Road, Roleystone.	Permitted (P) Use: • Motor Vehicle Repair	20.1 Buildings and repair activities to be screened from public view by retention of trees and flora. 20.2 All permissible use classes listed for the base Rural Living zone shall be D (discretionary). 20.3 In determining any planning application for development approval the local government shall have regard to the compatibility of proposed uses with the existing use of the site and any additional uses, which are permissible under the Additional Use provisions.
21.	Portion Lot 2 (No.700) Nicholson Road, Forrestdale.	Permitted (P) Use: • Bulky Goods Showroom	21.1 Goods sold to be limited to Farm Equipment & Equestrian Supplies 21.2 All permissible use classes listed for the base Rural Living zone shall be D (discretionary). 21.3 In determining any planning application for development approval the local government shall have regard to the compatibility of proposed uses with the existing use of the site and any additional uses, which are permissible under the Additional Use provisions.
22.	Lot 224 (No.88) Ypres Road, cnr Westfield Road, Camillo.	Permitted (P) Use: • Veterinary Centre	22.1 No overnight animal accommodation. 22.2 All permissible use classes listed for the base Residential zone shall be D (discretionary). 22.3 In determining any planning application for development approval the local government shall have regard to the compatibility of proposed uses with the existing use of the site and any additional uses, which are permissible under the Additional Use provisions.
23.	Lot 2 (No.270) South Western Highway, Armadale.	Permitted (P) Use: • Caravan Park including Park Home Park	23.1 Development may include ancillary overnight chalets, ancillary camping area, a Manager's Residence and Office, a kiosk and swimming pool/playground area. 23.2 Only one vehicular access is permitted from South Western Highway, Armadale.

No.	Description of Land	Additional Use	Conditions and Requirements (See Note 1)
			<p>23.3 All permissible use classes listed for the base Residential zone shall be D (discretionary).</p> <p>23.4 In determining any planning application for development approval the local government shall have regard to the compatibility of proposed uses with the existing use of the site and any additional uses, which are permissible under the Additional Use provisions.</p>
24.	Lot 501 (No.273) Railway Avenue, Champion Drive and Stott Close, Armadale.	Permitted (P) Use: <ul style="list-style-type: none"> <li>• Medical Centre</li> <li>• Shop</li> </ul>	<p>24.1 Access from Stott Close be permitted only to staff car park.</p> <p>24.2 All permissible use classes listed for the base Residential zone shall be D (discretionary).</p> <p>24.3 In determining any planning application for development approval the local government shall have regard to the compatibility of proposed uses with the existing use of the site and any additional uses, which are permissible under the Additional Use provisions.</p> <p>24.4 The use 'Shop' to be limited to 90m<sup>2</sup> NLA.</p>
25.	Lot 186 (No.537) Lake Road, Armadale.	Permitted (P) Use: <ul style="list-style-type: none"> <li>• Service Station</li> </ul>	<p>25.1 All P use classes listed for the base zone shall be D (discretionary) uses notwithstanding that they are P in the Zoning Table.</p> <p>25.2 In determining any planning application for development approval the local government shall have regard to the compatibility of proposed uses with the existing use of the site and any additional uses, which are permissible under the Additional Use provisions.</p>
26.	Lot 26 (No.10) corner Wygonda & Dreyer Roads, Roleystone.	Permitted (P) Use: <ul style="list-style-type: none"> <li>• Office</li> </ul>	<p>26.1 Maximum Plot Ratio for development of the site shall be 0.3 to reflect scale of surrounding residential development.</p> <p>26.2 All permissible use classes listed for the base Residential zone shall be D (discretionary).</p> <p>26.3 In determining any planning application for development approval the local government shall have regard to the compatibility of proposed uses with the existing use of the site and any additional uses, which are permissible under the Additional Use provisions.</p>
27.	Lot 10 (No.3249) Albany Highway, Armadale.	Permitted (P) Use: <ul style="list-style-type: none"> <li>• Service Station</li> <li>• Incidental Car Wash</li> </ul>	<p>27.1 All P use classes listed for the base zone shall be D (discretionary) uses notwithstanding that they are P in the Zoning Table.</p>

No.	Description of Land	Additional Use	Conditions and Requirements (See Note 1)
		<p>Uses permissible only with the local government's discretion (D Uses):</p> <ul style="list-style-type: none"> <li>• Convenience Store</li> <li>• Fast Food</li> </ul>	<p>27.2 In determining any planning application for development approval the local government shall have regard to the compatibility of proposed uses with the existing use of the site and any additional uses, which are permissible under the Additional Use provisions.</p> <p>27.3 Incidental Car Wash is permitted subject to an acoustic study being undertaken (demonstrating compliance with Environment Protection Noise Regulations 1997).</p> <p>27.4 Fast Food shall be restricted to 90m<sup>2</sup> (GFA).</p>
27.	<i>Additional Use No.27 – Deleted – Amendment No.89 – gg 13/05/22</i>		
28.	<i>Additional Use No.28 – Deleted – Amendment No.109 – GG 26/11/21.</i>		
29.	<p>Lots 525 (No.240) Seville Drive, Armadale.</p>	<p>Permitted (P) Uses:</p> <ul style="list-style-type: none"> <li>• Medical Centre,</li> <li>• Consulting Rooms</li> <li>• Veterinary Clinic</li> <li>• Pharmacy and Offices</li> </ul> <p>(The offices must be incidental to the overall development in terms of floor space).</p>	<p>29.1 The offices must be incidental to the overall development in terms of floor space.</p>
30.	<p>Portion of Lot 701 Thompson Road /Old Albany Lane, Heritage Drive, Roleystone and including:</p> <p>Lot 157 (No.26), lot 156 (No.24), lot 155 (No.22), lot 154 (No.20), lot 153 (No.18), lot 152 (No.16), lot 151 (No.14), lot 150 (No.12), lot 149 (No.10), lot 148 (No.8), lot 147 (No.6), lot 146 (No.4), lot 145 (No.2), Mount Dale View;</p> <p>Lot 102 (No.25), lot 101 (No.23), lot 144 (No.36), lot 143 (No.34), lot 142 (No.28),</p>	<p>Private Golf Course specially designed and integrated with an adjacent Special Residential and Rural Living development.</p> <p>Permitted (P) Uses:</p> <ul style="list-style-type: none"> <li>• shop-kiosk,</li> <li>• restaurant,</li> <li>• reception centre,</li> <li>• caretakers house,</li> <li>• extraction of groundwater,</li> <li>• holiday accommodation, and</li> <li>• recreation private</li> </ul>	<p>30.1 The following uses shall only be permitted on the portion of Lot 701 Thompson Road /Old Albany Lane, Heritage Drive, being the golf course land and shall be X (not permitted) uses on all private Special Residential or Rural Living lots:</p> <ul style="list-style-type: none"> <li>• shop-kiosk;</li> <li>• restaurant;</li> <li>• reception centre;</li> <li>• caretakers house;</li> <li>• holiday accommodation;</li> <li>• extraction of groundwater; and</li> <li>• recreation-private</li> </ul> <p>30.2 All permissible use classes listed for the base Special Residential or Rural Living zones shall be D (discretionary) on the portion of Lot 701 Thompson Road /Old Albany Lane, Heritage Drive being the golf course land, notwithstanding that the permissibility in the Development Table for the base zone shall apply to all other Special Residential and Rural Living lots unless otherwise restricted by provisions of the scheme.</p> <p>30.3 In determining any planning application for development approval, the local</p>

No.	Description of Land	Additional Use	Conditions and Requirements (See Note 1)
	lot 109 (No.39), lot 396 (No.0), lot 115 (No.61), lot 105 (No.59), lot 114 (No.57), lot 116 (No.63), lot 117 (No.65), lot 118 (No.67), lot 119 (No.69), lot 120 (No.71), lot 121 (No.73), lot 122 (No.75), lot 123 (No.77), lot 124 (No.79), lot 125 (No.81), lot 126 (No.83), lot 391 (No.230), lot 297 (No.164), lot 298 (No.166), lot 299 (No.168), lot 300 (No.170), lot 301 (No.172), lot 302 (No.174), lot 303 (No.176), lot 304 (No.178), lot 305 (No.180), lot 321 (No.203), lot 367 (No.223), lot 368 (No.225), lot 369 (No.227), lot 370 (No.229), lot 371 (No.231), lot 372 (No.233), lot 373 (No.235), lot 374 (No.237), lot 375 (No.239), lot 376 (No.241), lot 377 (No.243), lot 378 (No.245), lot 379 (No.247), lot 380 (No.249), lot 381 (No.251), lot 382 (No.253), lot 383 (No.255), lot 384 (No.257), lot 385 (No.259), lot 386 (No.261), lot 387 (No.263), lot 287 (No.144), lot 288 (No.146), lot 127 (No.85), lot 128 (No.87), lot 129 (No.89), lot 130 (No.91), lot 131 (No.93),		<p>government shall have regard to the compatibility of proposed uses with the existing use of the site and any additional uses, which are permissible under the Additional Use provisions.</p> <p>30.4 In approving all development or exercising its discretion under the Scheme, the local government shall have regard to Policy for the Araluen Special Residential Area, adopted as a Local Planning Policy under Part 2 of the Deemed Provisions.</p> <p>30.5 Holiday Accommodation shall be limited to a maximum of 50 Holiday Accommodation chalets or equivalent as determined by the local government.</p> <p>30.6 All dwellings and holiday accommodation chalets shall be designed, located and constructed in such a manner that they blend with the natural landform and minimise clearing of existing vegetation of the site.</p> <p>30.7 All dwellings and holiday accommodation chalets located within the Eastern Valley, as defined on the Structure Plan, shall be serviced with nutrient removing effluent disposal systems to the satisfaction of the local government.</p>

No.	Description of Land	Additional Use	Conditions and Requirements (See Note 1)
	lot 132 (No.95), lot 133 (No.97), lot 134 (No.99), lot 266 (No.100), lot 267 (No.102), lot 268 (No.104), lot 269 (No.106), lot 270 (No.108), lot 271 (No.110), lot 272 (No.112), lot 273 (No.114), lot 274 (No.116), lot 275 (No.118), lot 276 (No.120), lot 277 (No.122), lot 278 (No.124), lot 279 (No.126), lot 280 (No.128), lot 281 (No.130), lot 282 (No.132), lot 283 (No.134), lot 284 (No.136), lot 285 (No.138), lot 286 (No.140), lot 320 (No.194), lot 110 (No.43), lot 111 (No.49), lot 106 (No.51), lot 112 (No.53), lot 113 (No.55), lot 232 (No.40), lot 233 (No.42), lot 234 (No.44), lot 235 (No.46), lot 262 (No.58), lot 263 (No.60), lot 264 (No.62), lot 265 (No.64), lot 259 (No.52), lot 260 (No.54), lot 261 (No.56), Heritage Drive;  Lot 322 (No.2 ), lot 323 (No.4), lot 324 (No.6), lot 325 (No.8), lot 326 (No.10), lot 327 (No.12), lot 328 (No.14), lot 329 (No.16), lot 330 (No.18), lot 331 (No.20), lot 332 (No.22), lot 333 (No.24),		

No.	Description of Land	Additional Use	Conditions and Requirements (See Note 1)
	<p>lot 334 (No.26), lot 335 (No.28), lot 336 (No.30), Forrest Edge Retreat;</p> <p>Lot 337 (No.1), lot 338 (No.3), lot 339 (No.5), lot 340 (No.7), lot 341 (No.9), lot342 (No.11), lot 343 (No.13), lot 344 (No.15), lot 345 (No.17), lot 347 (No.16), lot 346 (No.18), lot 348 (No.14), lot 349 (No.12), lot 365 (No.4), lot 366 (No.2), lot 350 (No.10), lot 351 (No.8), Sophia Grove;</p> <p>Lot 352 (No.7), lot 353 (No.11), lot 354 (No.13), lot 355 (No.15), lot 356 (No.17), lot 357 (No.16), lot 358 (No.14), lot 359 (No.12), lot 360 (No.10), lot 361 (No.8), lot 362 (No.6), lot 363 (No.4), lot 364 (No.2), Protector Grove;</p> <p>Lot 218 (No.1), lot 219 (No.3), lot 220 (No.5), lot 221 (No.7), lot 222 (No.9), lot 223 (No.11), lot 224 (No.13), lot 225 (No.10), lot 226 (No.8), lot 227 (No.6), lot 228 (No.2), Sanctuary Court;</p> <p>Lot 229 (No.48), lot 230 (No.46), lot 231 (No.44), lot 158 (No.7),</p>		

No.	Description of Land	Additional Use	Conditions and Requirements (See Note 1)
	lot 159 (No.9), lot 160 (No.11 ), lot 161 (No.13), lot 162 (No.15), lot 163 (No.17), lot 164 (No.19), lot 165 (No.21), lot 166 (No.23), lot 167 (No.25), lot 168 (No.27), lot 169 (No.29), lot 170 (No.31), lot 171 (No.33), lot 172 (No.35), lot 173 (No.37), lot 174 (No.39), lot 175 (No.41), lot 176 (No.43), lot 177 (No.45), lot 178 (No.47), lot 179 (No.49), lot 180 (No.55), lot 181 (No.57), lot 182 (No.59), lot 183 (No.61), lot 184 (No.63), lot 185 (No.65), lot 207 (No.66), lot 208 (No.64), lot 209 (No.62), lot 210 (No.60), lot 211 (No.56), lot 186 (No.67), lot 187 (No.69), lot 188 (No.71), lot 189 (No.73), lot 190 (No.75), lot 191 (No.77), lot 192 (No.79), lot 193 (No.81), lot 194 (No.83), lot 195 (No.85), lot 196 (No.88), lot 197 (No.86), lot 198 (No.84), lot 199 (No.82), lot 200 (No.80), lot 201 (No.78), lot 202 (No.76), lot 203 (No.74), lot 204 (No.72), lot 205 (No.70), lot 206 (No.68), lot 306 (No.190),		

No.	Description of Land	Additional Use	Conditions and Requirements (See Note 1)
	<p>Ridgehill Rise;</p> <p>Lot 289 (No.2), lot 290 (No.4), lot 291 (No.6), lot 292 (No.8), lot 293 (No.7), lot 294 (No.5), lot 295 (No.3), lot 296 (No.1), Coachmans Place;</p> <p>Lot 212 (No.1), lot 213 (No.10), lot 214 (No.8), lot 215 (No.6), lot 216 (No.4), lot 217 (No.2), Horsemans View;</p> <p>Lot 307 (No.4), lot 308 (No.6), lot 309 (No.8), lot 310 (No.10), lot 311 (No.12), lot 312 (No.14), lot 313 (No.15), lot 314 (No.13), lot 315 (No.11), lot 316 (No.9), lot 317 (No.7), lot 318 (No.5), lot 319 (No.3), Country Club Avenue;</p> <p>Lot 236 (No.8), lot 237 (No.10), lot 238 (No.12), lot 239 (No.14), lot 240 (No.16), lot 241 (No.18), lot 242 (No.20), lot 243 (No.22), lot 244 (No.24), lot 245 (No.26), lot 246 (No.31), lot 247 (No.29), lot 248 (No.25), lot 249 (No.23), lot 250 (No.21), lot 251 (No.19), lot 253 (No.15), lot 254 (No.13), lot 255 (No.11), lot 256 (No.9)</p>		

No.	Description of Land	Additional Use	Conditions and Requirements (See Note 1)
	<p>Henty Lookout; Lot 108 (No.2), lot 107 (No.6), lot 104 (No.12), lot 103 (No.3), Misty Valley View;  Lot 140 (No.42) Thompson Road; and  Lot 135 (No.11), lot 138 (No.21), lot 137 (No.19), lot 136 (No.17), Old Albany Lane</p>		
<p>31.</p>	<p>Pt Lot 61 (No.3) Railway Avenue/Centre Road.</p>	<p>Permitted (P) Use: Bulky Goods Showroom and warehouse for a stockfeed and rural supplies merchant Uses Permissible only with the local government's discretion (D Uses):</p> <ul style="list-style-type: none"> <li>• Car Park</li> <li>• Office</li> <li>• Garden Centre - Retail</li> <li>• Veterinary Centre</li> <li>• Industry - Service</li> <li>• Recreation - Private</li> </ul>	<p>31.1 The intent of the zone is to accommodate stockfeed and rural supplies merchants in a high quality landscaped garden setting in a manner that is compatible with the adjacent residential zone.</p> <p>31.2 Subdivision shall be generally in accordance with a Development Plan and the following standards:-</p> <ul style="list-style-type: none"> <li>• minimum lot size 2000m<sup>2</sup></li> </ul> <p>31.3 All development to be conditional upon the establishment and maintenance of:</p> <ol style="list-style-type: none"> <li>a) a high quality screen fence and shelter belt of trees to the rear of all lots where they abut a Residential use;</li> <li>b) 5 metre wide landscape buffer to Railway Avenue; and</li> <li>c) Building setbacks: <ul style="list-style-type: none"> <li>• front - 15 metres</li> <li>• Side - 3 metres</li> </ul> </li> <li>d) Car parking and driveway access can be accommodated with the building setbacks and veranda and colonnade treatments may extend to 3m within the front setback.</li> <li>e) The materials of all buildings shall be of high quality construction (e.g. brick, masonry) and shall have tones consistent with the intent of the zone through the use of low impact non-reflective natural colours.</li> <li>f) Plot ratio - maximum 0.3.</li> <li>g) No fencing permitted forward of the building line.</li> <li>h) Advertising is to be incorporated into the building design, and all advertising proposed forward of the building line shall only be permitted where a co-ordinated format of</li> </ol>

No.	Description of Land	Additional Use	Conditions and Requirements (See Note 1)
			<p>advertising is agreed to by the local government.</p> <p>31.4 In order to achieve a well-planned high quality streetscape, the development shall be co-ordinated to reflect consistent building setbacks and harmonious architectural themes.</p>
32.	Lot 100 (No.9) and Lot 101 (No.3) Foster Road Kelmscott.	<p>Additional Use Permissible only with the local government's discretion (D Use):</p> <ul style="list-style-type: none"> <li>• Medical Centre.</li> </ul>	<p>32.1 A maximum of ten (10) consulting rooms shall be permitted.</p> <p>32.2 The overall development shall be of high quality unified architectural design that is consistent and integrated with the surrounding built environment.</p> <p>32.3 Car parking areas adjacent to residential properties and drainage reserve shall be screened with masonry fencing along the common boundaries to the satisfaction of the local government.</p> <p>32.4 No vehicular ingress / egress shall be permitted onto Albany Highway.</p> <p>32.5 The site is to be amalgamated into a single lot.</p> <p>32.6 Any planning application for development approval is to be accompanied by a tree survey undertaken that identifies existing significant trees to be retained.</p>
33.	Lots 11 (No.3033) and 3 (No.3043) Albany Highway, Kelmscott.	<p>Additional Use Permissible only with the local government's discretion (D Use):</p> <ul style="list-style-type: none"> <li>• Medical Centre</li> </ul>	<p>33.1 A coordinated Development Plan shall be required for both lots within the Description of land for this Additional Use.</p> <p>33.2 The coordinated Development Plan shall address the following matters to the local government's satisfaction, prior to any development:</p> <ul style="list-style-type: none"> <li>• demonstrate site layout, vehicular access and car parking provision, including any access to/from Albany Highway to the satisfaction of Main Roads Western Australia, and provision of reciprocal rights of access to/from adjacent lots, or where appropriate, the amalgamation of lots.</li> <li>• minimisation of impact of the development on adjacent residential properties by measures including the provision of high quality masonry walling abutting any residential lot and a landscaping strip between car parking spaces proposed to directly abut any residential lot.</li> </ul>

No.	Description of Land	Additional Use	Conditions and Requirements (See Note 1)
			<p>33.3 The overall development of the site should be of a high quality unified architectural design that reflects a level of integration and consistency with the surrounding built environment.</p> <p>33.4 Plot Ratio limited to 0.3.</p> <p>33.5 Comprehensive landscape plan of the site to be prepared, submitted and consequently implemented to address the following matters to the local government satisfaction:</p> <ul style="list-style-type: none"> <li>• retention of existing trees;</li> <li>• generous screening landscaping on common boundaries to residential lots.</li> </ul> <p>33.6 In determining any planning application for development approval the local government shall have regard to the compatibility of the proposed uses with the existing uses.</p>
34.	A Portion of Lot 65 (No.3057) corner Lilian Avenue and Albany Highway and Lot 1 (No.3061) Albany Highway, Armadale	<p>Additional Use Permissible only with the local government's discretion (D Use):</p> <ul style="list-style-type: none"> <li>• Medical Centre</li> <li>• Shop (Pharmacy)</li> </ul>	<p>34.1 A coordinated Development Plan shall be required for both (2) lots within the Description of land for this Additional Use.</p> <p>34.2 The coordinated Development Plan shall address the following matters to the local government satisfaction, prior to any development:</p> <ul style="list-style-type: none"> <li>• demonstrate site layout, vehicular access and car parking provision, including any access to/from Albany Highway to the satisfaction of Main Roads Western Australia, and provision of reciprocal rights of access to/from adjacent lots, or where appropriate, the amalgamation of lots.</li> <li>• minimisation of impact of the development on adjacent residential properties by measures including the provision of high quality masonry walling abutting any residential lot and a landscaping strip between car parking spaces proposed to directly abut any residential lot.</li> </ul> <p>34.3 The overall development of the site should be of a high quality architectural design, with glass facades that address both street frontages and to be setback in accordance with the existing streetscapes.</p> <p>34.4 Plot Ratio limited to 0.3.</p>

No.	Description of Land	Additional Use	Conditions and Requirements (See Note 1)
			<p>34.5 Comprehensive landscape plan of the site to be prepared, submitted and consequently implemented to address the following matters to the local government's satisfaction:</p> <ul style="list-style-type: none"> <li>• retention of existing trees where appropriate;</li> <li>• generous screening landscaping on common boundaries to residential lots.</li> </ul> <p>34.6 The development of 'shop' floor space shall not exceed 250m<sup>2</sup> NLA and be limited to use by a Pharmacy only in conjunction with the operation of a Medical Centre on the site.</p>
35.	Part of Lot 114 Warton Road and part of Lot 3 Nicholson Road, Forrestdale comprising the CY O'Connor ERADE (Education, Research and Development and Employment) Village being the area identified on Scheme Map.	<p>Education, Research and Development and Employment Village and Neighbourhood Centre.</p> <p>Permitted (P) Uses:</p> <ul style="list-style-type: none"> <li>• Caretaker's Dwelling</li> <li>• Car Parking</li> <li>• Child Minding Centre</li> <li>• Civic Building</li> <li>• Club Premises</li> <li>• Educational Establishment</li> <li>• Laboratory</li> <li>• Office</li> <li>• Recreation (public)</li> <li>• Research Facility</li> <li>• Residential Building</li> </ul> <p>The local government may at its discretion, permit the following uses (D Uses):-</p> <ul style="list-style-type: none"> <li>• Aged Person's Dwelling</li> <li>• Consulting Room</li> <li>• Convenience Store</li> <li>• Convention Centre</li> <li>• Community Purpose</li> <li>• Depot</li> <li>• Grouped Dwelling</li> <li>• Health Studio</li> <li>• Medical Centre</li> <li>• Multiple Dwelling</li> <li>• Liquor Store Small</li> <li>• Public Amusement</li> <li>• Recreation (Private)</li> <li>• Restaurant</li> <li>• Service Industry</li> </ul>	<p>35.1 All subdivision and development, including the building disposition, car parking, landscaping and vehicular access shall take place in accordance with the adopted Local Structure Plan and generally in accordance with an ERADE Village Development Plan to be approved by the local government, and in accordance with the Urban Water Management Strategy prepared by the Department of Environment, Water and Catchment Protection.</p> <p>35.2 The maximum retail floor area for commercial development within the zone shall be in accordance with the provisions of the Metropolitan Centres Policy as adopted by the Western Australian Planning Commission (WAPC), or a Retail Strategy for the Forrestdale locality which has been adopted by the local government and WAPC.</p> <p>35.3 The design of the Neighbourhood Centre shall encourage a mix of floor space to accommodate a range of commercial and community based land uses, demonstrate a suitable architectural theme and scale to promote its character and prominence within the locality, and incorporate clear and convenient access for pedestrians, cyclists, motorists and public transport users.</p> <p>35.4 Stormwater drainage and management techniques shall incorporate principles of Water Sensitive Urban Design to the satisfaction of the local government.</p>

No.	Description of Land	Additional Use	Conditions and Requirements (See Note 1)
		<ul style="list-style-type: none"> <li>• Service Station</li> <li>• Shop</li> <li>• Bulky Goods Showroom</li> <li>• Take Away Food Establishment</li> <li>• Telecommunication Infrastructure</li> </ul> <p>The local government may at its discretion, permit the following uses (A Uses):-</p> <ul style="list-style-type: none"> <li>• Hotel/Motel</li> <li>• Small Bar</li> <li>• Tavern</li> <li>• Retail Garden Centre</li> </ul>	<p>35.5 Service Industry shall only be permitted by the local government where it is satisfied such use is compatible with surrounding uses.</p> <p>35.6 Site layout, built form, parking provision and landscaping are to be fully integrated to the local government's satisfaction.</p> <p>35.7 Development within the application area shall be designed to achieve a well-planned high quality streetscape and aesthetic quality through the following elements:</p> <ol style="list-style-type: none"> <li>a. Appropriately designed built form and car parking to create and protect private areas, to screen service areas, and to minimise any impact on the rural amenity of the development on adjoining and adjacent lots;</li> <li>b. Incorporation of landscaping within the site to provide shade, screening and visual enhancement;</li> <li>c. Co-ordination of facades to reflect consistent building setbacks and harmonious architectural themes from public vantage points, to the satisfaction of the local government; and</li> <li>d. Distribution of grouped/multiple dwelling development within the site to provide effective linkages to public open space, commercial nodes and public transport routes.</li> </ol> <p>35.8 Residential development shall not exceed a maximum density of R40 and is to be designed in accordance with the R-Codes.</p> <p>35.9 A Noise Impact Assessment report is to be prepared by a suitably qualified acoustic consultant to the satisfaction of the local government and the Environmental Protection Authority. The report is to demonstrate/determine any appropriate buffer zones from the adjoining Resource (Kennel Operations) Zone in which residential development is to be prohibited and in which Memorials are to be placed on Certificates of Titles on future residential lots to advise prospective purchasers of the potential impacts of noise. The subject memorials</p>

No.	Description of Land	Additional Use	Conditions and Requirements (See Note 1)
			<p>should also advise affected properties of potential impacts of odours.</p> <p>35.10 Residential uses associated with the incubator units may be approved within the buffer zone of the Resource (Kennel Operations) Zone subject to the outcome of the Noise Assessment report, due to the incidental nature of their operation to the ERADE Village.</p> <p>35.11 All subdivision and development within the application area shall incorporate drainage infrastructure which has been designed to maintain existing groundwater levels and avoid the development of acid sulphate soils within the application area, to the satisfaction of the local government and the Department of Environment, Water and Catchment Protection.</p>
36.	Lot 7 (No.3258) Albany Highway, Armadale, Wirra Willa Gardens.	<p>Uses Permissible only with the local government's discretion (D Uses):</p> <ul style="list-style-type: none"> <li>• Restaurant</li> <li>• Café</li> <li>• Reception centre</li> <li>• Garden centre retail (with restrictions relating to motorized garden implements, prefabricated garden buildings and bulk garden products),</li> <li>• Incidental tourism related use; and</li> <li>• Limited residential development up to a maximum density of R40.</li> </ul>	36.1 Development to be located and designed to ensure that the natural landscape elements are protected and conditions will be applied relating to landscaping, design, garden retention, public access and vehicle access and parking to be to the satisfaction of the local government.

No.	Description of Land	Additional Use	Conditions and Requirements (See Note 1)
38.	Pt Lot 8 Albany Highway, Kelmscott.	Permitted (P) Uses – <ul style="list-style-type: none"> <li>• Office;</li> <li>• Consulting Rooms.</li> </ul>	38.1 All permissible use classes listed for the base Residential zone shall be D (discretionary). 38.2 In determining any planning application for development approval the local government shall have regard to the compatibility of proposed uses with the existing use of the site and any additional uses, which are permissible under the Additional Use provisions. 38.3 The additional uses shall be located within the heritage building at the front of the lot. 38.4 The existing heritage character building at the front of the lot shall only be used for the Additional Uses following the completion of development in accordance with a development approval and which details the proposed upgrading and refurbishment of the building and the development of landscaping, access and car parking on the site. 38.5 All development shall generally be in accordance with the approved Development Plan.

No.	Description of Land	Additional Use	Conditions and Requirements (See Note 1)
39.	Lot 65 Rokewood Way, Karragullen.	Permitted (P) Uses – <ul style="list-style-type: none"> <li>• Warehouse (Cool Storage/Packing Facility);</li> <li>• Incidental car park, office and Exhibition Centre.</li> </ul>	39.1 Development of the site shall be generally in accordance with the adopted Concept Development Plan and shall address the following – <ul style="list-style-type: none"> <li>• Minimisation of the visual impact of the development on adjacent residential properties by measures including the provision of high quality painted masonry walls and non-reflective roofing material.</li> <li>• All loading and unloading activities to be carried out from inside the building.</li> <li>• Additional landscaping to the satisfaction of the local government to be provided between any new building / parking areas and the relevant street frontage of the site.</li> <li>• A 15m minimum vegetation buffer / setback to be applied from all property boundaries to any new buildings and car parking areas.</li> <li>• No storage outside the building or in car parking areas is permitted.</li> </ul> 39.2 The eastern portion of Lot 65 Rokewood Way (east of the driveway accessing Canning Road) shall not be developed or be used for the expansion of the facility. Native vegetation on the eastern portion of Lot 65 shall be retained and maintained to the satisfaction of the local government.           39.3 All ‘P’ use classes listed for the base zone shall be ‘D’ (discretionary) uses notwithstanding they are ‘P’ in the zoning table.           39.4 A traffic study to be prepared to detail the number and direction of truck routes, driveway construction, acceptable sight lines on Canning Road and condition of road pavements to further assess the proposed traffic arrangements prior to approval of a development application for the site.

No.	Description of Land	Additional Use	Conditions and Requirements (See Note 1)
40.	A portion of Lot 34 (No.6) Wygonda Road, Roleystone.	Permitted (P) Use – • Office(s)	<p>40.1 Development of site limited to maximum plot ratio of 0.2.</p> <p>40.2 Development of site limited to maximum of two storeys.</p> <p>40.3 Existing vegetation to be incorporated into landscaping areas.</p> <p>40.4 All “P” uses listed for the base zone shall be “D” uses (discretionary), notwithstanding that they are “P” uses in the zoning table.</p> <p>40.5 In determining any planning application for development approval, the local government shall have regard to the compatibility of proposed uses with the existing use of the site and any additional uses, which are permissible under the “Additional Use” provisions.</p> <p>40.6 Any planning application for development approval is to be accompanied by a tree survey undertaken in consultation with the local government that identifies existing trees to be retained and justification for tree removal associated with proposed development.</p>
41.	Lot 41 (No.1) Lefroy Road, Mount Nasura.	Additional Use Permissible only with the local government’s discretion (D Use) – • Medical Centre	<p>41.1 A maximum of three consulting rooms are allowed with no more than six clients per hour subject to car parking being provided in accordance with the standard for Medical Centres in Schedule 7A of Town Planning Scheme No.4 and the amount of traffic created by the medical centre not adversely affecting the amenity of residents in the immediate area to the satisfaction of Council.</p> <p>41.2 The Development Standards of the R-Codes pertaining to Building Height (Category B Standards) and Setbacks apply to any new building on the lot. All rooms of the Medical Centre shall be defined as habitable rooms as defined in the R-Codes for assessment purposes.</p> <p>41.3 There shall be a maximum of 55% Building Site Cover.</p> <p>41.4 No vehicular ingress / egress shall be permitted onto Albany Highway.</p>

No.	Description of Land	Additional Use	Conditions and Requirements (See Note 1)
42.	Lot 409 (27) Waterwheel Road North, Bedforddale.	Permitted (P) Use— • Convenience Store  The local government may at its discretion, permit the following uses (D Uses)— • Shop	42.1 It is intended that development of the site will take the form of a Convenience Store or Shop, in accordance with the Churchman Brook Estate Structure Plan prepared for Development (Structure Planning) Area No.11, for the daily grocery needs of residents of the area.
43.			
44.	Lot 1 (75) Cross Road, Bedforddale	Discretionary (A) Uses— Child Care Premise	44.1 In determining any development application the local government shall have regard to the compatibility of proposed uses with the existing use of the site.  44.2 Development is to be designed and located to ensure that the natural landscape elements of the site and locality are protected including retention of existing vegetation and topography for non-developed areas of the property.
45.	Lot 276 (No.17), 277 (No.19), 278 (No.21) and 294 (No.37) Edison Circuit, Forrestdale, and Lot 280 (No.28) Da Vinci Way, Forrestdale	Permitted (P) Uses - • Bulky Goods Showroom	45.1 In determining any planning applications for development approval the local government shall have regard to the compatibility of proposed uses with the existing use of the site and any Additional Use, which are permissible under the Additional Use provisions.
46.	Strata Lots 1-5 (No.20) Forrest Road, Armadale	Permitted (P) Uses • Bulky Goods Showroom	46.1 In determining any planning application for development approval the local government shall have regard to the compatibility of proposed uses with the existing use of the site and any Additional Uses, which are permissible under the Additional Use provisions.
47.	Lot 88 (No.20) Riva Entrance Piara Waters	Uses permissible only with the Local Government's discretion (D Uses):  - Medical Centre - Shop (Pharmacy)	47.1 All other uses in accordance with Residential R40 zone as defined under Town Planning Scheme No.4
48.	Lot 4 (No.15) Alex Wood Drive, Forrestdale	Permitted (P) Uses • Office	48.1 In determining any planning application for development approval the local government shall have regard to the compatibility of proposed uses with the existing use of the site and any Additional Uses, which are permissible under the Additional Use provisions.

No.	Description of Land	Additional Use	Conditions and Requirements (See Note 1)
49.	Lot 1 (1256) Armadale Road, Armadale (Haynes Shopping Centre)	The local government may at its discretion, permit the following uses (D uses) <ul style="list-style-type: none"><li>• Bulky Goods Showroom</li></ul>	

*Note 1: The conditions and requirements listed are in addition to any conditions and/or requirements, which may be imposed or required by the local government in conjunction with approval of development.*

### SCHEDULE 3 — RESTRICTED USES

[cl. 4.6]

No.	Description of Land	Restricted Use	Conditions
1.	<p>The Kelmscott – South, Mixed Business Area comprises of Albany Highway frontage properties south of the Kelmscott District Centre and including: Lot 70 (No.2978), Pt 4 (No.2970) Albany Highway; lots 101 (No.2976) and Pt 5 (No.2972) corner Armitage Road/Albany Highway; lots 100 (No.2964) and Pt 14 (No.2954) corner Albany Highway/ Rundle Street; lots 15 (No.2950), Lot 104 (No.2946 &amp; No.2944), 3 (No.2942), 103 (No.2938), Pt 12 (No.2932) Albany Highway; lots 128 and 60 (No.2916) corner Church Street/Albany Highway; Pt 22 (No.2912), Pt 6 (No.2910), lots 59 (No.2906), 58 (No.2904), 7 (No.2902), 8 (No.2900), 57 (No.2898), 56 (No.2896) Albany Highway, lot 2 (No.1) corner Fancote Street/Albany Highway, lots 24 (No.5), 25 (No.7), 26 (No.9), Lot 82 Ottaway Street and 27 (No.15) Fancote St, Kelmscott.</p> <p>Lot 59 (No.2913) Albany Highway, Kelmscott</p>	<p>The District Centre Zone - Restricted Use Area (R) acknowledges that the location and accessibility characteristics of the Albany Highway frontages adjacent to the Kelmscott Town Centre allow discretionary consideration of applications for a range of mixed business uses, which are generally supportive of, however, which do not represent a dispersal of the major Kelmscott Town Centre functions as a District Retail Commercial Centre.</p> <p>The intent of Restricting permissible land uses is to maintain the central retail Town Centre functions located within the unrestricted central area of the District Centre Zone, preventing their diffusion into an adjacent linear Restricted area.</p> <p>The following uses that are not permitted in the District Centre zone shall be discretionary ('D') uses in the Restricted Use area;</p> <ul style="list-style-type: none"> <li>• Bulky Goods Showroom; and</li> <li>• Trade Supplies.</li> </ul> <p>The following uses potentially permissible in the retail commercial core of the District Centre zone shall be uses that are Not Permitted (X) in the Restricted Use Area:</p> <ul style="list-style-type: none"> <li>• Amusement Parlour</li> <li>• Auction Mart</li> <li>• Car Park</li> <li>• Cinema / Theatre</li> <li>• Convenience Store</li> <li>• Fast Food Outlet</li> </ul>	<p>1.1 In determining any planning application for development approval the local government shall have regard to the compatibility of proposed uses with the existing and potential uses of the site.</p> <p>1.2 Where proposed development interfaces with existing or proposed residential development, special design consideration shall be required for the screening, separation or noise attenuation of adjacent premises.</p> <p>1.3 The local government may impose conditions and require proposed developments to specifically address the following issues:</p> <ul style="list-style-type: none"> <li>• a high quality unified architectural design and overall development of the site that reflects a level of integration and consistency with the surrounding built environment;</li> <li>• vehicular access to the site including access to/from Albany Highway which shall be to the satisfaction of Main Roads Western Australia;</li> <li>• the amalgamation of lots or provision of reciprocal rights of access where appropriate;</li> <li>• the screening and/or landscaping of car parking areas from adjacent residential uses;</li> <li>• the precluding of overnight accommodation of animals in respect to Veterinary Centres;</li> <li>• interface with adjacent parks and recreation reservations abutting the Canning River;</li> <li>• the retention of existing on-site trees or significant vegetation.</li> </ul> <p>1.4 An ancillary kiosk Shop may be permitted where a kiosk is an incidental use, which is subordinate to the predominant use of the site.</p>

No.	Description of Land	Restricted Use	Conditions
	<p>Lot 12 (No.2917) Albany Highway, Kelmscott</p> <p>Lot 116 (No.2921) Albany Highway, Kelmscott</p> <p>Lot 115 (2925) Albany Highway, Kelmscott</p> <p>Lot 82 (No.1) Ottaway Street, Kelmscott</p>	<ul style="list-style-type: none"> <li>• Liquor Store - Small</li> <li>• Liquor Store - Large</li> <li>• Lunch Bar</li> <li>• Market</li> <li>• Night Club</li> <li>• Restricted Premises</li> <li>• Service Station</li> <li>• Shop</li> <li>• Small Bar</li> <li>• Tavern</li> </ul>	<p>1.5 Other than for a Single House, any use of Lot 70 (No.2978 corner Albany Highway/ Brookton Highway shall require the site amalgamation with the adjoining Lot 101 (No.2976) corner Armitage Road/Albany Highway.</p>
<p>2.</p>	<p>The Kelmscott – North, Mixed Business Area comprises of Albany Highway frontage properties north of the Kelmscott District Centre and including: lots 99 and 10 (No.4) Page Road; lot 11 corner Page Road/Albany Highway; lots 71 and 75 Albany Highway; lots 76 (No.2708) corner of Mountain View/ Albany Highway; lot 100 (No.2696) corner of Mountain View/ Albany Highway/Turner Place; lots 101 (No.2690) and 102 (No.2684) corner of Albany Highway/ Turner Place, Kelmscott.</p>	<p>The District Centre Zone - Restricted Use Area (R) acknowledges that the location and accessibility characteristics of the Albany Highway frontages adjacent to the Kelmscott Town Centre allow discretionary consideration of applications for a range of mixed business uses, which are generally supportive of, however which do not represent a dispersal of the major Kelmscott Town Centre functions as a District Retail Commercial Centre. The intent of Restricting permissible land uses is to maintain the central retail Town Centre functions located within the unrestricted central area of the District Centre Zone, preventing their diffusion into an adjacent linear, and Non-retail Restricted area. The following uses potentially permissible in the retail commercial core of the District Centre zone shall be uses that are Not Permitted (X) in the Restricted Use Area:</p> <ul style="list-style-type: none"> <li>• Amusement Parlour</li> <li>• Auction Mart</li> <li>• Car Park</li> <li>• Cinema / Theatre</li> <li>• Commercial Vehicle Parking</li> <li>• Convenience Store</li> <li>• Fast Food Outlet</li> </ul>	<p>2.1 In determining any planning application for development approval the local government shall have regard to the compatibility of proposed uses with the existing and potential uses of the site.</p> <p>2.2 Where proposed development interfaces with existing or proposed residential development, special design consideration shall be required for the screening, separation or noise attenuation of adjacent premises.</p> <p>2.3 The local government may impose conditions and require proposed developments to specifically address the following issues:</p> <ul style="list-style-type: none"> <li>• a high quality unified architectural design and overall development of the site that reflects a level of integration and consistency with the surrounding built environment;</li> <li>• vehicular access to the site including access to/from Albany Highway, which shall be to the satisfaction of Main Roads Western Australia;</li> <li>• the amalgamation of lots or provision of reciprocal rights of access where appropriate;</li> <li>• the screening and/or landscaping of car parking areas from adjacent residential uses;</li> <li>• the precluding of overnight accommodation of animals in respect to Veterinary Centres;</li> <li>• interface with adjacent parks and recreation reservations abutting the Canning River;</li> </ul>

No.	Description of Land	Restricted Use	Conditions
		<ul style="list-style-type: none"> <li>• Garden Centre - Retail</li> <li>• Liquor Store - Small</li> <li>• Liquor Store - Large</li> <li>• Lunch Bar</li> <li>• Market</li> <li>• Motor Vehicle Repair</li> <li>• Motor Vehicle Wash</li> <li>• Motor Vehicle, Boat and Caravan Sales</li> <li>• Night Club</li> <li>• Restricted Premises</li> <li>• Service Station</li> <li>• Shop</li> <li>• Bulky Goods Showroom</li> <li>• Small Bar</li> <li>• Tavern</li> </ul>	<ul style="list-style-type: none"> <li>• the retention of existing on-site trees or significant vegetation.</li> </ul> <p>2.4 An ancillary kiosk Shop may be permitted where a kiosk is an incidental use, which is subordinate to the predominant use of the site.</p>
3	Lot 651 Shrike Court, Westfield.	<p>The Residential Zone (Restricted) acknowledges that the location and accessibility characteristics make this site suitable for Aged or Dependent Persons Dwellings up to a density of R40. The following uses listed in the base Residential zone shall be uses that are Not Permitted (X) in the Restricted Use Area:</p> <ul style="list-style-type: none"> <li>• Single Dwelling (other than for Aged or Dependent Persons Dwelling)</li> <li>• Single Bedroom Dwelling (other than for Aged or Dependent Persons Dwelling)</li> <li>• Group Dwelling (other than for Aged or Dependent Persons Dwelling)</li> </ul>	<p>3.1 All other permitted use classes listed in the base Residential zone shall be D (discretionary) in the Restricted Use Area.</p> <p>3.2 In determining any planning application for development approval the local government shall have regard to the compatibility of proposed uses with the existing and potential uses of the site.</p>
4.	Lots 2, 3 & 4 Nicholson Road, Piara Waters.	<p>The Restricted Use acknowledges that the location and accessibility characteristics need to be addressed and that some of Local Centre uses conflict with the predominant use of the site as a Service Station and the location of the land in the Forrestdale Environmental Management Area.</p> <p>All use classes in the Zoning table for this site are “X” except as follows:-</p>	<p>4.1 A Structure Plan shall be prepared and approved that considers traffic circulation, the need for provision of turning lanes, the location of overnight truck parking (if any), the allocation of retail floor space and management of noise, prior to consideration of any application for development approval by the local government.</p> <p>4.2 In considering a Structure Plan or an application for development approval the local government should seek advice from Main Roads Western Australia.</p>

No.	Description of Land	Restricted Use	Conditions
		<p><b>P Use Class-</b></p> <ul style="list-style-type: none"> <li>• Betting Agency</li> <li>• Home Occupation</li> <li>• Home Office</li> <li>• Liquor Store - Small</li> <li>• Lunch Bar</li> <li>• Restaurant</li> <li>• Shop</li> <li>• Single House</li> </ul> <p><b>D Use Class-</b></p> <ul style="list-style-type: none"> <li>• Car Park</li> <li>• Commercial Vehicle Parking</li> <li>• Home Business</li> <li>• Industry-Service</li> <li>• Occasional uses</li> </ul> <p><b>P/D Use Class-</b></p> <ul style="list-style-type: none"> <li>• Advertisement (Note 1)</li> </ul> <p><b>A Use Class-</b></p> <ul style="list-style-type: none"> <li>• Amusement Parlour</li> <li>• Convenience Store (Note 2)</li> <li>• Motor Vehicle, Boat and Caravan Sales</li> <li>• Service Station</li> <li>• Telecommunications Infrastructure (Note 4)</li> </ul>	<p>4.3 Development proposals shall demonstrate compliance with the relevant Conclusions/ Recommendations of the Southern River/ Forrestdale/ Brookdale/ Wungong Structure Plan Urban Water Management Strategy published by the Water and Rivers Commission.</p> <p>4.4 A Stormwater Management Plan that meets the requirements of the local government on the advice of the Department of Environment is required for all development applications that include Service Station and Commercial Vehicle Parking components. Stormwater Management shall incorporate principles of Water Sensitive Urban Design to the satisfaction of the local government.</p> <p>4.5 A fuel tank decommissioning plan that addresses soil and groundwater hydrocarbon contamination shall be prepared and implemented when the existing Service Station ceases to be used.</p> <p>4.6 Development proposal shall include a Noise Management Plan that demonstrates noise levels at adjacent premises can meet the Environmental Protection (Noise) Regulations 1967.</p>
5.	<i>Deleted under Amendment No.94</i>		
6.	Lot 62 Croyden Road, Roleystone.	<p>The Rural Living zone (Restricted) acknowledges that the subject lot is to be used solely for a Holiday Accommodation Resort. The following uses potentially permissible in the Rural Living zone shall be uses that are Not Permitted (X) in the Restricted Use Area-</p> <ul style="list-style-type: none"> <li>▪ Agriculture – Extensive</li> <li>▪ Agriculture – Intensive</li> <li>▪ Agroforestry</li> <li>▪ Ancillary Accommodation</li> <li>▪ Animal Husbandry – Intensive</li> <li>▪ Bed and Breakfast</li> <li>▪ Child Care Premises</li> <li>▪ Civic Use</li> <li>▪ Club Premises</li> <li>▪ Commercial Vehicle Parking</li> <li>▪ Community Purpose</li> </ul>	<p>6.1 The only use classes in the base Rural Living zone that may be permitted in the Restricted Use Area are –</p> <ul style="list-style-type: none"> <li>- Holiday Accommodation “A”;</li> <li>- Dam Construction “D”;</li> <li>- Exhibition Centre “A”;</li> <li>- Reception Centre “A”;</li> <li>- Recreation Private “A”;</li> <li>- Restaurant “A”;</li> <li>- Single House “P”.</li> </ul> <p>6.2 An ancillary structure to house the reception area and communal facilities for the resort may be permitted.</p> <p>6.3 That the local government requires the development of at least 20 chalets in the vicinity of the Golf Club house prior to or at the first stage of the development of the Holiday Accommodation Resort.</p> <p>6.4 The local government shall impose conditions and require proposed developments to specifically address the following issues –</p>

No.	Description of Land	Restricted Use	Conditions
		<ul style="list-style-type: none"> <li>▪ Consulting Rooms</li> <li>▪ Display Home Centre</li> <li>▪ Educational Establishment</li> <li>▪ Family Day Care</li> <li>▪ Fuel Depot</li> <li>▪ Garden Centre – Retail</li> <li>▪ Home Business</li> <li>▪ Home Occupation</li> <li>▪ Home Office</li> <li>▪ Hospital</li> <li>▪ Industry – Cottage</li> <li>▪ Industry – Rural</li> <li>▪ Occasional Uses</li> <li>▪ Place of Worship</li> <li>▪ Plantation</li> <li>▪ Recreation – Domestic</li> <li>▪ Recreation – Public</li> <li>▪ Residential Building</li> <li>▪ Rural Pursuit</li> <li>▪ Storage</li> <li>▪ Telecommunications Infrastructure</li> <li>▪ Veterinary Centre</li> <li>▪ Winery</li> </ul>	<ul style="list-style-type: none"> <li>- The ceding of a minimum 30 metres wide foreshore reserve to the Crown, free of cost, along both sides of the Canning River (measured from the outer edge of the water course) within the lot and to include all the land between the Canning River and the Croyden Road reserve. The ceding of the foreshore reserve is to take place prior to the first occupation of any portion of the development.</li> <li>- Approval from the Department of Health Western Australia and Department of Environment and Conservation in respect of the use of an on-site wastewater treatment plant.</li> <li>- A Foreshore Management Plan for the foreshore reserve shall be prepared and implemented to the satisfaction of the local government upon the advice of the Swan River Trust prior to the first occupation of any portion of the development. The Plan shall provide for the developer to fully construct (or fund to enable Council to fully construct) the section of the proposed path which will be located on the reserve ceded from Lot 62.</li> <li>- A Fire Risk Management Plan shall be prepared and implemented prior to the first occupation of any portion of the development.</li> <li>- A Nutrient and Irrigation Management Plan shall be prepared and implemented to the satisfaction of the local government on advice of the Swan River Trust, such that during and following development of the site there is no increase in the level of pollutants (including nitrogen and phosphorus) entering the Canning River from the site.</li> <li>- A Sedimentation and Erosion Management Plan shall be prepared and implemented to the satisfaction of the local government on advice of the Swan River Trust, such that no increase in the level of sediments entering the Canning River shall occur during either construction or operation of the development.</li> </ul>

No.	Description of Land	Restricted Use	Conditions
			<ul style="list-style-type: none"> <li>- There is to be no direct discharge of stormwater into the designated watercourses.</li> <li>- Prior to commencement of development a Construction Management Plan shall be prepared to the satisfaction of the local government on advice from the Swan River Trust to minimise the impacts of construction on and off the site including the Canning River.</li> <li>- The following works be undertaken to the satisfaction of the Executive Director Technical Services –               <ul style="list-style-type: none"> <li>• The widening and channelisation treatment to the intersection of Heritage Drive and Croyden Road;</li> <li>• Works to properties on Croyden Road where the crossovers have clearly demonstrated visibility issues when being accessed from Croyden Road;</li> <li>• The clearing of vegetation to improve site lines;</li> <li>• The upgrading of the bridge on Heritage Drive to accommodate pedestrians.</li> </ul> </li> <li>- Car parking areas shall be landscaped and screened from public vantage points to the satisfaction of the local government.</li> <li>- A Landscaping Management and Planting Plan, maximising the use of local native species, maximising retention of existing trees and maximising use of local species, shall be prepared and implemented to the satisfaction of the local government.</li> <li>- Revegetation is required, with indigenous species, along drainage lines and areas of remnant vegetation disturbed during construction.</li> <li>- The design, in particular height, colour and texture, and positioning of the buildings shall have regard to the natural landscape and views from public vantage points.</li> <li>- The maximum number of accommodation units on the site shall be one hundred and twenty (120) in addition to ten (10) self-contained chalets.</li> <li>- If the Holiday Accommodation Resort is to be developed in stages, all</li> </ul>

No.	Description of Land	Restricted Use	Conditions
			<p>facilities such as reception, pool, restaurant and caretaker's residence are to be constructed as part of the first stage and completed prior to occupation of any accommodation.</p> <ul style="list-style-type: none"> <li>- A Noise Management Plan shall be prepared and implemented to demonstrate compliance with the Environmental Protection (Noise) Regulations 1997.</li> <li>- The development shall at all times operate and be managed as a cohesive tourist accommodation facility, with a minimum requirement that at all times there shall be an appropriate management agreement to cover, but not be limited to resort reception, security, maintenance, caretaking, refurbishment, marketing and other services.</li> <li>- No buildings capable of occupation be permitted within 30 metres of a designated watercourse (as shown on TPS No.4 (Special Control Area Map 2)).</li> <li>- The provision of an independent details geotechnical investigation that supports the design, construction and location of the proposed development and water treatment features to the satisfaction of the local government.</li> </ul>
7.	<i>Deleted under Amendment No.103</i>		
8.	<i>Deleted under Amendment No.103</i>		
9.	<p>Reserve 24458 (Lots 1352 and 3268) Robin Road, Roleystone.</p>	<p>The location and accessibility characteristics make this site suitable for a development catering for aged and/or dependent persons up to a maximum density as permitted under the Government Sewerage Policy.</p> <p>The following uses listed in the base Residential zone shall be uses that are Not Permitted ("X") in the Restricted Use Area—</p> <ul style="list-style-type: none"> <li>• Single Dwelling (other than for Aged or Dependent Persons Dwellings)</li> <li>• Single Bedroom Dwelling (other than for Aged or Dependent Persons Dwellings)</li> </ul>	<p>9.1 All other permitted use classes listed in the base Residential zone shall be Discretionary ("D") in the Restricted Use area.</p> <p>9.2 'Park Home Park' shall only be considered as a discretionary land use where an application proposes to maximise the development potential of the site in accordance with Condition 9.4.</p> <p>9.3 Reserve 24458 (Lots 1352 and 3268) Robin Road, Roleystone being amalgamated prior to any approvals for development, subdivision or strata being issued.</p> <p>9.4 The base density of R5 may be increased to R12.5, and the one-third reduction of the required R12.5 site area per dwelling applicable from the R-Codes of Western Australia in respect of development catering for</p>

No.	Description of Land	Restricted Use	Conditions
		<ul style="list-style-type: none"> <li>• Grouped Dwelling (other than for Aged or Dependent Persons Dwellings)</li> <li>• Multiple dwellings (other than for Aged or Dependant Persons Dwellings)</li> </ul> <p>The following uses that are Not Permitted (X) in the Residential zone shall be uses that are discretionary (“D”) in the Restricted Use Area—</p> <ul style="list-style-type: none"> <li>• Park Home Park</li> </ul>	<p>aged and/or dependant persons, may be applied in addition to the R12.5 density subject to—</p> <ul style="list-style-type: none"> <li>(a) The development catering for aged persons, as per the definition within the R-Codes of Western Australia.</li> <li>(b) The provision of independent soil testing and a detailed geotechnical investigation that supports the design, construction and location of the proposed development and wastewater treatment facilities.</li> <li>(c) Approval from the Department of Health Western Australia (and if required the Economic Regulation Authority) and/or the local government in respect of wastewater treatment facilities.</li> <li>(d) Submission and approval of a Local Development Plan prior to any approvals for development, subdivision and/or strata being issued.</li> </ul> <p>9.5 The DAP referred to in the previous Condition shall address the following issues—</p> <ul style="list-style-type: none"> <li>(a) A common set of design principles in keeping with the area, including roof pitch, built form, building materials, fencing, landscaping, setbacks and privacy.</li> <li>(b) Vehicular access to be derived from Robin Road.</li> <li>(c) Measures being taken to ensure the identification and protection of any vegetation on the site worthy of retention.</li> </ul> <p>9.6 The local government may impose Conditions on any development, subdivision and/or strata approval to require -</p> <ul style="list-style-type: none"> <li>(a) The preparation and implementation of a Fire Management Plan for the site, including a specific requirement that all development shall be constructed to ‘AS3959 - Construction of Buildings in Bushfire Prone Areas’ standards or superseded standard.</li> <li>(b) The Public Open Space contribution is to be located such</li> </ul>

No.	Description of Land	Restricted Use	Conditions
			<p>that the highest possible retention of existing significant vegetation is achieved.</p> <p>(c) A Public Open Space Implementation and Access Strategy.</p> <p>(d) The relocation and/or upgrade of stormwater drainage pipes on site as necessary at the landowner/developer's cost.</p>
10.	The portion of Lot 39 River Road zoned Urban in the region planning scheme, site of the St Mary in the Valley Church and graveyard.	The Restricted Use acknowledges the church and graveyard as a historically significant "Place of Worship" worthy of conservation. Accordingly, all P (permitted) uses of the Residential Zone are D (discretionary) uses in the Restricted Use Area.	10.1 In determining any planning applications or recommendations, the local government shall have regard to- (a) the compatibility of proposed uses with heritage values; (b) the existing and potential uses of the site; (c) providing mechanisms for a foreshore reserve in the MRS Rural zoned portion of the site; and (d) the provision of access linkages to other public areas on the Canning River.
11.	Lot 200 (4) Church Street, Kelmscott.	<p>The following uses potentially permissible in the retail commercial core of the District Centre zone shall be uses that are Not Permitted (X) in the Restricted Use Area:</p> <ul style="list-style-type: none"> <li>• Amusement Parlour</li> <li>• Auction Mart</li> <li>• Car Park</li> <li>• Cinema / Theatre</li> <li>• Commercial Vehicle Parking</li> <li>• Liquor Store Large</li> <li>• Market</li> <li>• Motor Vehicle Repair</li> <li>• Nightclub</li> <li>• Restricted Premises</li> <li>• Small Bar</li> <li>• Tavern</li> </ul>	<p>11.1 In determining any planning application for development approval the local government shall have regard to the compatibility of proposed uses with the existing and potential uses of the site.</p> <p>11.2 Where proposed development interfaces with existing or proposed residential development, special design consideration shall be required for the screening, separation or noise attenuation of adjacent premises.</p> <p>11.3 The local government may impose conditions and require proposed developments to specifically address the following issues:</p> <p>a. high quality unified architectural design and overall development of the site that reflects a level of integration and consistency with the surrounding built environment;</p> <ul style="list-style-type: none"> <li>• vehicular access to the site from Albany Highway shall be restricted to left in access only (no right in or left out) to the satisfaction of Main Roads Western Australia;</li> </ul>

No.	Description of Land	Restricted Use	Conditions
			<ul style="list-style-type: none"> <li>• vehicular access from and egress to Church Street shall be to the satisfaction of the local government and may, in consultation with Main Roads Western Australia and at the expense of the developer, include upgrades or widening to the Albany Highway/ Church Street intersection and to Church Street where it abuts the subject land;</li> <li>• prior to approval of a development application for the site, the landowner/applicant is to prepare and have approved by Main Roads Western Australia and the local government, a traffic management plan to address, but not limited to, the installation of appropriate signage and traffic calming devices to: <ul style="list-style-type: none"> <li>- Prevent vehicles greater than 12.5m in length accessing the subject land excluding tanker refuelling trucks for the Convenience store/Service Station; and</li> <li>- Ensure service delivery vehicles exit the site by a right turn only movement to Church Street.</li> </ul> </li> <li>• the approved traffic management plan is to be implemented</li> <li>• the amalgamation of lots or provision of reciprocal rights of access where appropriate;</li> <li>• the screening and/or landscaping of car parking areas from adjacent residential uses;</li> <li>• the precluding of overnight accommodation of animals in respect to Veterinary Centres;</li> </ul> <p>11.4 The development of 'shop' floor space shall not exceed 200m<sup>2</sup> and be limited to use by a Pharmacy only in</p>

No.	Description of Land	Restricted Use	Conditions
			<p>conjunction with the development of a Medical Centre on the site.</p> <p>11.5 Liquor Store - Small shall only be permissible where it can be demonstrated to the satisfaction of the local government that it involves a relocation of an existing liquor store from another site within the local government.</p>
12.	<p>Lot 1, Lot 330 and Lots 301 to 302 Abbey Road, Armadale</p>	<p>All land uses permissible in the Strategic Regional Centre zone shall be 'X' Uses, with the exception of the following Discretionary (D) uses:</p> <ul style="list-style-type: none"> <li>• Holiday Accommodation</li> <li>• Hotel</li> <li>• Multiple Dwellings</li> <li>• Reception Centre</li> <li>• Restaurant</li> <li>• Small Bar</li> <li>• Tavern</li> <li>• Motel</li> <li>• Exhibition Centre</li> </ul> <p>The following land use is to be an (A) use:</p> <ul style="list-style-type: none"> <li>• Grouped Dwellings</li> </ul>	<p>12.1 Development shall be in accordance with an approved Activity Centre Plan or Precinct Plan.</p> <p>12.2 No vehicular access permitted from Armadale Road.</p> <p>12.3 Reception Centre, Restaurant, Tavern, Exhibition Centre and Small Bar shall only be permitted where the uses form part of an integrated Hotel / Motel / Holiday Accommodation development.</p>
13.	<p>Lots 158 (19) to 162 (33), 500 (17) to 502, 153 (5 - 7) to 156 (11), 700 (3) Abbey Road, Armadale and Lots 51 (6), 800 (8), 150 (10), 146 (18) to 150 (10) 6 (20), 33, 12 (24) and 4 (26) Aragon Court, Armadale.</p> <p>Area bounded by and including Lot 43 (41) John Street, Lot 54 (28) William Street, Lot 60 (31) William Street, Lot 81 (28) Fourth Road, Lot 4 (27) Fourth Road and Lot 106 (20) Thomas Street, Armadale to the west; Thomas Street to the north; John Street to the south; and the South Western Highway to the east.</p>	<p>The following land uses are to be an (A) use in areas prescribed as semi-active edge only in an approved Structure Plan or Precinct Plan:</p> <ul style="list-style-type: none"> <li>• Restaurant</li> <li>• Convenience Store</li> <li>• Office</li> </ul> <p>The following land use is to be a (D) use:</p> <ul style="list-style-type: none"> <li>• Single House</li> </ul> <p>The following land use is to be a (A) use:</p> <ul style="list-style-type: none"> <li>• Grouped Dwelling</li> </ul>	<p>13.1 Development shall be in accordance with an approved Activity Centre Plan or Precinct Plan.</p>

*Note 1: The conditions and requirements listed are in addition to any conditions and/or requirements, which may be imposed or required by the local government in conjunction with approval of development.*

## SCHEDULE 4 — SPECIAL USE ZONES

[cl. 4.7.]

<b>No.</b>	<b>Description of land</b>	<b>Land use</b>	<b>Conditions</b>
<b>1.</b>	That portion of Page Road Kelmscott abutting Lot 24 (Fancote Park site) plus a 12 metre wide portion of Lot 24 abutting Page Road.	Uses shown on a plan of development as approved by the Commission.	Conditions as approved by the Commission.
<b>2.</b>	<i>Special Use No.2 – Deleted – Amendment No.89 – gg 13/05/22</i>		

**SCHEDULE 5 — “EXEMPTED ADVERTISEMENTS”**  
[cl. 8.2(f)]

*Note: Approval under the region planning scheme is required for signage within MRS reserves.*

<b>Land use and/or development</b>	<b>Exempted sign</b>	<b>Maximum size</b>
Home Occupation & Home Business	One advertisement describing the nature of the home occupation or home business.	0.2m <sup>2</sup>
Public Places and Reserves	<p>(a) Advertisement signs (illuminated and non-illuminated) relating to the functions of government, a public authority or council of a municipality excluding those of a professional nature constructed or exhibited by, or on behalf of any such body;</p> <p>(b) Advertisement signs (illuminated and non-illuminated) required for the management or control of traffic on any public road, car park, cycleway, railway or waterway where such advertisement has been constructed or exhibited by or at the direction of a Government department, public authority or the council of a municipality; and</p> <p>(c) Advertisement signs (illuminated and non-illuminated) required to be exhibited by or pursuant to any statute or regulation or the like made pursuant to powers contained within a statute provided that any such advertisement is constructed and/or exhibited strictly in accordance with the requirements specified therein.</p>	<p>Not applicable</p> <p>Not applicable</p> <p>Not applicable</p>
Advertisements within a Building or Centre	All advertisements placed or displayed within a building or centre, which cannot ordinarily be seen by a person outside of those buildings.	Not applicable
All classes or buildings other than single dwellings	One advertisement sign affixed to the façade of the building which contains the name, number and address of the building, the purpose for which the building or the name and address of the managing agent thereof.	0.2m <sup>2</sup>
<p>Building construction sites as follows –</p> <p>(i) Dwelling</p> <p>(ii) Multiple Dwellings, Shops, Commercial and Industrial projects</p> <p>Large Development or redevelopment projects involving shopping centres, office or other buildings exceeding 3 storeys in height</p>	<p>Temporary Signs: Advertisement signs displayed only for the duration of the construction as follows -</p> <p>One advertisement per street frontage containing details of the project and the contractor undertaking the construction work</p> <p>One sign as for (i) above.</p> <p>One sign as for (i) above.</p> <p>One additional sign showing the name of the project builder.</p>	<p>2m<sup>2</sup></p> <p>2m<sup>2</sup></p> <p>10m<sup>2</sup></p> <p>5m<sup>2</sup></p>

Land use and/or development	Exempted sign	Maximum size
<p>Property Transactions. Advertisement signs displayed for the duration of the period over which property transactions are offered and negotiated as follows—</p> <p>(a) Dwellings</p> <p>(b) Multiple Dwellings, Shops, commercial and industrial properties</p> <p>(c) Large properties comprised of shopping centres, buildings in excess of four storeys and rural properties in excess of 5 ha</p>	<p>One sign per street frontage for each property relating to the sale, leasing or impending auction of the property at or upon which the sign is or the signs are displayed.</p> <p>One sign as for (a) above.</p> <p>One sign as for (a) above.</p>	<p>Each sign shall not exceed an area of 2m<sup>2</sup>.</p> <p>Each sign shall not exceed and area of 2m<sup>2</sup>.</p> <p>Each sign shall not exceed an area of 10m<sup>2</sup>.</p>
<p>Display Homes. Advertisement signs displayed for a period over which homes are on display for public inspection.</p>	<p>One sign only for each dwelling on display, erected on the property boundary.</p> <p>Or</p> <p>One sign for each group of dwellings displayed by single project builder giving details of the project building company and details of the range of dwellings on display.</p>	<p>2m<sup>2</sup></p> <p>5m<sup>2</sup></p>

**Note:** All advertisements shall be of professional quality, kept clean and free from unsightly matter and maintained at all times in good order and repair.

**Note:** In addition to the standards outlined in the table above, advertisements shall comply with section 4.2 of Local Planning Policy PLN 4.2 Advertisements (Signage).

**SCHEDULE 6 — ENVIRONMENTAL CONDITIONS**

[cl.4.6]

Scheme or Amendment No.	Gazettal Date	Environmental Conditions
<p>Under Scheme Amendment No 143 to Town Planning Scheme No 2, Statement that a Scheme may be Implemented No 000642 was issued pursuant to the provisions of Division 3 of Part IV of the <i>Environmental Protection Act 1986</i> (and applies to Pt Lot 449 Taylor Road, Lot 501 Oxley Road, Lots 6, 7 and 8 Wolfe Road, Pt Lot 421 Taylor Road and Lot 432 Oxley Road, Forrestdale). These provisions are additional to provisions included under Schedule 8 of the Scheme, which also apply to this Development Area.</p>	<p>5<sup>th</sup> April 2005</p>	<p>1. Structure Plan</p> <p>1.1 Subdivision shall generally be in accordance with a Structure Plan prepared in accordance with Part 4 of the Deemed Provisions, excluding Lot 27 Oxley Road, as agreed by the Environmental Protection Authority.</p> <p>1.2 The Structure Plan shall ensure that all development envelopes are located a minimum of 50m from the Conservation Category Wetland on Lot 501 Oxley Road, as defined by the Department of Environment.</p> <p>1.3 The Structure Plan shall ensure a 300 buffer is provided around all existing poultry sheds on Lot 434 Taylor Road and all approved extensions to the poultry farm approved prior to 5<sup>th</sup> April 2005.</p> <p>2. Environmental Management Plans</p> <p>2.1 Prior to approval of subdivision for rural residential uses, the following Environmental Management Plans shall be prepared by the subdivider(s) in accordance with the specifications set out in Attachment 1 of the Statement that a Scheme may be Implemented No.000642 and shall be subsequently implemented in accordance with the provisions of the Plans, to the satisfaction of the local government of Armadale on the advice of the Environmental Protection Authority and the Department of Environment:</p> <ul style="list-style-type: none"> <li>▪ Rehabilitation and Landscape Plan;</li> <li>▪ Declared Rare and Priority Flora Management Plan;</li> <li>▪ Fire Management Plan</li> <li>▪ Drainage and Nutrient Management Plan</li> <li>▪ Site Contamination and Remediation Program</li> <li>▪ High Pressure Natural Gas Pipeline Management Plan</li> </ul>

Scheme or Amendment No.	Gazettal Date	Environmental Conditions
		<p>3. Effluent Disposal</p> <p>3.1 No effluent disposal system shall be permitted within:</p> <ul style="list-style-type: none"> <li>▪ 50 metres of the Conservation Category Wetland on Lot 501 Oxley Road as determined by the Department of Environment;</li> <li>▪ 300 metres of Water Corporation production bores J10 and J20 as shown in the Plan in Attachment 2 of the Statement that a Scheme may be Implemented;</li> <li>▪ 500 metres of Water Corporation production bore J30 as shown in the Plan in Attachment 2 of the Statement that a Scheme may be Implemented, unless otherwise approved by the Water Corporation.</li> </ul> <p>3.2 Prior to approval of subdivision for rural residential purposes, the applicant shall demonstrate that the proposed lots within the application area will comply with the Government Sewerage Policy, to the satisfaction of the local government and the Department of Health. Any lots, which are not supported on this basis, are to be excluded from the Amendment, the Structure Plan or Subdivision Plan.</p> <p>3.3. All dwellings to be provided with Alternative Wastewater Treatment Systems capable of retaining phosphorus to the satisfaction of the local government of Armadale.</p> <p>4. Poultry Farm Buffer</p> <p>4.1 No new building or development is to be permitted within 300 metres of any existing poultry/broiler farm or at 8<sup>th</sup> April 2005 any valid approval for a shed extension or new sheds, located on Lot 434 Taylor Road without the prior written approval of the local government in consultation with the Department of Health, the Department of Environment and Western Australian Planning Commission. Relaxation of the 300 metre buffer for new development may be permitted where the potential for any adverse</p>

Scheme or Amendment No.	Gazettal Date	Environmental Conditions
		<p>impact on the quality of rural residential living can be demonstrated to be minimal through appropriate odour and noise assessments by competent and reputable analysts on the advice of the Department of Environment.</p> <p>5. Livestock</p> <p>5.1 The keeping of livestock including horses, is not permitted on any lot within the Development Area.</p> <p>6. Fencing</p> <p>6.1 All boundary and other fencing shall be of open post and rail and wire construction and shall be installed by the subdivider and maintained to the satisfaction of the local government. Side and rear boundary fencing is prohibited where those boundaries fall within the Conservation Category Wetland and 50 metre buffer identified in the Structure Plan to ensure no unnecessary clearing is undertaken and wildlife movement is not constrained.</p>

*Note: Environmental conditions are imposed by the Environmental Protection Authority following its assessment of the Scheme under the Environmental Protection Act. Conditions imposed under a previous Town Planning Scheme have been carried over in the expectation that they will continue to have application under Town Planning Scheme No.4.*

## SCHEDULE 7A — CAR PARKING STANDARDS

The car parking standards for the City apply as per Table 1, with the exception of the Armadale Strategic Metropolitan City Activity Centre Structure Plan area where car parking standards apply as per Table 2

[cl. 14A.1.1, 4B.4.1, 4C.6.1, 4D.5.1]

Table 1

Land Use	Minimum Parking Standard
Aged or Dependent Persons Dwelling	As prescribed by the R-Codes
Amusement Parlour	6 spaces per 100 square metres of NLA
Ancillary Accommodation	1 space in addition to requirement for principal dwelling
Animal Establishment	1 space for every 10 animals the facility is designed to accommodate, plus 1 space for every employee Minimum 4 spaces
Bed and Breakfast	1 space per unit of accommodation in addition to requirement for principal dwelling
Betting Agency	6 spaces for every 100 square metres NLA
Bulky Goods Showroom	3 spaces per 100 square metres NLA of display or sales area, plus 2 spaces per 100 square metres of storage area.
Caretaker's Dwelling	2 spaces (as for Single House)
Child Care Premises	1 space per every 8 children allowed under maximum occupancy, plus 1 space per employee or staff member
Cinema/Theatre	1 space per employee or staff member, plus 1 space per every 2.5 square metres of seating area
Civic Use	1 space for every 5 persons the facility is designed to accommodate
Club Premises	As per Hotel where applicable to particular use, or As otherwise determined by the local government.
Community Purpose	1 space for every 5 persons the facility is designed to accommodate
Consulting Rooms	6 spaces for every consulting room used at any one time
Convenience Store	6 spaces per 100 square metres of NLA Minimum 4 spaces
Educational Establishment - Pre-Primary	1 space for every staff member, plus 1 space for every 2 students
- Primary School	1 space for every staff member, plus 14 drop-off spaces for every 100 students
- Secondary School	1 space for every staff member, plus 7 drop-off spaces for every 100 students.
Exhibition Centre	6 spaces for every 100 square metres of NLA
Family Day Care	1 space in addition to residential requirements
Fast Food Outlet	1 space for every 2.5 square metres waiting area with a minimum of 3 spaces, plus 1 space for every 5 square metres seating area, plus 4 car queuing spaces for any drive through facility.
Funeral Chapel	1 space for every 2.5 square metres seating area, plus 1 space for every staff member present during services.
Funeral Parlour	1 space for every staff member. Minimum 4 spaces
Garden Centre (Retail)	2 spaces for every 100 square metres display or sales area, Minimum 4 spaces

<b>Land Use</b>	<b>Minimum Parking Standard</b>
Grouped Dwelling	As per the R-Codes.
Holiday Accommodation	1 space per unit of accommodation or 1 space for every 5 beds whichever is the greater.
Home Business & Rural Home Business	1 space for every staff member not living on the premises, plus 2 spaces for client parking
Home Occupation	Nil in addition to residential requirements
Home Office	Nil in addition to residential requirements
Home Store	6 spaces per 100 square metres of NLA, Minimum 4 spaces
Hospital	1 space for every 4 beds provided plus 4 spaces for every 100 square metres of out-patient treatment area including waiting rooms.
Hotel	1 space for every 2.5 square metres of bar area, plus 1 space for every 5 square metres of lounge or beer garden area;  1 space for every 5 seats provided or 1 space for every 5 square metres of eating area, whichever is the greater  1 space for every 5 seats provided in assembly area, or 1 space for every 2.5 square metres of assembly, whichever is the greater  1 space for each bedroom or residential unit.
Industry - Cottage	2 spaces per 100 square metres of industrial area, or 1 space per person employed, whichever is greater.
Industry - Extractive	1 space for every person employed.
Industry - General	2 spaces per 100 square metres of industrial area, or 1 space per person employed, whichever is greater. Minimum 4 spaces per tenancy.
Industry - Light	2 spaces per 100 square metres of industrial area, plus 1 space per person employed, whichever is greater. Minimum 4 spaces per tenancy.
Industry - Mining	1 space for every person employed.
Industry - Service	4 spaces per 100 square metres of floor space open to the public, plus 2 spaces per 100 square metres industrial area, or 1 space per person employed, whichever is greater. Minimum 4 spaces per tenancy.
Liquor Store - Small or Large	6 spaces per 100 square metres of NLA
Lunch Bar	6 spaces per 100 square metres NLA
Market	6 spaces per 100 square metres of market area.
Medical Centre	4 spaces for every consulting room used at any one time
Motel	1 space for each bedroom or unit, plus 1 space for every staff member present at any one time, plus 1 space for every 5 square metres dining area.
Motor Vehicle Repair	4 spaces to each working bay, plus 1 space for every person employed on site
Motor Vehicle Wash	5 spaces for every 2 wash stalls. (A wash stall shall be counted as a parking space.)
Motor Vehicle, Boat & Caravan Sales	1 space for every 100 square metres display area, plus 1 space for every employee Minimum 4 spaces
Multiple Dwelling	As per the R-Codes.
Night Club	1 space for every 2.5 square metres of public bar area, plus 1 space for every 5 square metres of lounge/garden area
Office	3 spaces per 100 square metres NLA, Minimum 4 spaces per tenancy
Place of Worship	1 space for every 2.5 square metres seating area, plus 1 space for every staff member present during peak operation

Land Use	Minimum Parking Standard
Reception Centre	1 space for every 5 seats, or 1 space for every 5 persons the facility is designed to accommodate, or 1 space for every 5 square metres dining area, whichever is the greater
Recreation - Gymnasium - Health Studio - Bowling Alley - Cricket - Skating Rink - Swimming Pool - Squash Courts - Spectator Seating - Dining/Drinking - Staff	1 space for every 10 square metres net floor area 1 space for every 10 square metres net floor area 4 spaces for every lane 10 spaces per court 1 space for every 20 square metres skating area 1 space for every 20 square metres pool area 2 spaces for every court 1 space for every 5 seats provided 1 space for every 5 square metres floor space 1 space for every staff member present at any one time
Recreation - Public	1 space for every 5 persons, based on the maximum capacity of all facilities when used simultaneously.
Residential Building	1 space per bed and 1 space per staff member present at any one time.
Restaurant	1 space for every 5 seats or 1 space for every 5 square metres seating area, whichever is the greater.
Restricted Premises	6 spaces per 100 square metres of NLA (as per Shop)
Service Station	4 spaces for every working bay
Shop	6 spaces per 100 square metres of NLA
Single Bedroom Dwelling	As per the R-Codes.
Single House	As per the R-Codes.
Small Bar	1 space for every 2.5 square metres of bar area, plus 1 space for every 5 square metres of lounge or beer garden area; 1 space for every 5 seats provided or 1 space for every 5 square metres of eating area, whichever is the greater; 1 space for every 5 seats provided in assembly area, or 1 space for every 2.5 square metres of assembly, whichever is the greater.
Storage	2 spaces per 100 square metres of storage area, or 1 space per person employed, whichever is greater. Minimum 4 spaces per tenancy.
Tavern	1 space for every 2.5 square metres of bar area, plus 1 space for every 5 square metres of lounge or beer garden area; 1 space for every 5 seats provided or 1 space for every 5 square metres of eating area, whichever is the greater 1 space for every 5 seats provided in assembly area, or 1 space for every 2.5 square metres of assembly, whichever is the greater
Trade Display	2 spaces per 100 square metres NLA of display or sales area.
Transport Depot	1 space for every person employed.
Vehicle Wrecking	1 space for every person employed, plus 2 spaces per 100 square metres of storage area.
Veterinary Centre	4 spaces per veterinary practitioner, plus 1 space for every 10 animals the facility is designed to accommodate
Warehouse	2 spaces per 100 square metres of storage area, or 1 space per person employed, whichever is greater. Minimum 4 spaces per tenancy.
Winery	2 spaces per 100 square metres floor space, or 1 space per person employed, whichever is greater, plus 1 space for every 5 square metres used for eating or drinking
All other uses	To be negotiated with the local government at the time of an application for approval to commence development

Table 2 – Armadale Strategic Metropolitan City Centre

Land Use	Minimum Parking Standard
Residential	<p>In accordance with Clause 6.3.3 Criteria A (Properties within 800m of a high frequency rail line and/or within 250m of a high frequency bus route) for all residential development.</p> <p>A minimum of one in four bays shall be designated for visitor use, which may on agreement with the City of Armadale be publicly available.</p>
Non-Residential Uses (Office and Shop)	<p>A capped rate of 1 space per 45m<sup>2</sup>.</p> <p>Reduction in car parking supply will be supported based on shared / reciprocal parking for retail and office use due to different peak periods.</p> <p>A minimum 10% of commercial / office and 50% of retail parking shall be designated publicly available.</p>
Education Uses (Tertiary)	15 bays per 100 FTE's (staff and students)
Civic and Community Purpose	1 space per 50m <sup>2</sup> for community purpose and civic uses.
Other	Car parking for all other land uses is to be in accordance with Table 1.

## SCHEDULE 7B — END OF TRIP FACILITIES FOR BICYCLE USERS

Reproduced from Austroads Standard *Guide to traffic engineering practice Part 14.*

[cl. 4.11]

All non-residential developments that are required to provide 6 or more employee bicycle parking bays in accordance with Schedule 7B, must also provide end of trip facilities meeting the following criteria:

- i. A minimum of one female and one male shower, located in separate change rooms or a minimum of two separate unisex showers and change rooms.
- ii. Additional shower facilities to be provided at a rate of one shower for every 10 additional bicycle parking bays.
- iii. End of trip facilities are to be located as close as possible to the bicycle parking facilities.”

Land Use	Employee/Resident Spaces	Class	Visitor/Shopper Spaces (gfa is gross “floor area”)	Class
Amusement Parlour	*	1 or 2	2 plus 1 per 50m <sup>2</sup> gfa	3
Apartment House	1 per 4 habitable rooms	1	1 per 16 habitable rooms	3
Art Gallery	1 per 1500m <sup>2</sup> gfa	2	2 + 1 per 1500m <sup>2</sup> gfa	3
Bank	1 per 200m <sup>2</sup> gfa	2	2	3
Café	1 per 25m <sup>2</sup> public area	2	2	3
Community Centre	1 per 1500m <sup>2</sup> gfa	2	2 + 1 per 1500m <sup>2</sup> gfa	3
Consulting Rooms	1 per 8 practitioners	2	1 per 4 practitioners	3
Drive-in Shopping Centre	1 per 300m <sup>2</sup> sales floor	1	1 per 500m <sup>2</sup> sales floor	3
Flat	1 per 3 flats	1	1 per 12 flats	3
General Hospital	1 per 15 beds	1	1 per 30 beds	3
General Industry	1 per 150m <sup>2</sup> gfa	1 or 2	*	3
Health Centre	1 per 400m <sup>2</sup> gfa	1 or 2	1 per 200m <sup>2</sup> gfa	3
Hotel	1 per 25m <sup>2</sup> bar floor area & 1 per 100m <sup>2</sup> lounge, beer garden	1	100m <sup>2</sup> lounge, beer garden	3
Indoor Recreation Facility	1 per 4 employees	1 or 2	1 per 200m <sup>2</sup> gfa	3
Library	1 per 500m <sup>2</sup> gfa	1 or 2	4 plus 2 per 200m <sup>2</sup> gfa	3
Light Industry	1 per 1000m <sup>2</sup> gfa	1 or 2	*	3
Major Sports Ground	1 per 1500 spectator places	1	1 per 250 spectator places	3
Market	*	2	1 per 10 stalls	3
Motel	1 per 40 rooms	1	*	3
Museum	1 per 1500m <sup>2</sup> gfa	1	2 & 1 per 1500m <sup>2</sup> gfa	3
Nursing Home	1 per 7 beds	1	1 per 60 beds	3
Office	1 per 200m <sup>2</sup> gfa	1 or 2	1 per 750m <sup>2</sup> over 1000m <sup>2</sup>	3
Place of Assembly	*	2	*	3
Place of Worship	*	2	1 per 40m <sup>2</sup> gfa	3
Public Hall	*	1 or 2	*	3
Residential Building	1 per 4 lodging rooms	1	1 per 16 lodging rooms	3
Restaurant	1 per 100m <sup>2</sup> public area	1 or 2	2	3
Retail Show Room	1 per 750m <sup>2</sup> sales floor	1	1 per 1000m <sup>2</sup> sales floor	3
School	1 per 5 pupils over year 4	2	*	3
Service Industry	1 per 800m <sup>2</sup> gfa	1	*	3
Service Premises	1 per 200m <sup>2</sup> gfa	1	*	3
Shop	1 per 300m <sup>2</sup> gfa	1	1 per 500m <sup>2</sup> over 1000m <sup>2</sup>	3
Swimming Pool	-	1 or 2	2 per 20m <sup>2</sup> of pool area	3
Take-Away	1 per 100m <sup>2</sup> gfa	1	1 per 50m <sup>2</sup> gfa	3
University or Institute of Technology	1 per 100f/t students 2 per 100f/t students	1 or 2	*	3

*Class 1* refers to fully enclosed individual lockers which provide a high level of security.

*Class 2* refers to locked compounds fitted with class 3 facilities, with communal access using duplicate keys or electronic swipe cards, and which provide a medium level of security.

*Class 3* refers to facilities to which the bicycle frame and wheels can be locked, and which provides a low level of security.

\* Indicates that no parking demand information is available, and therefore planners should make their own assessment of the required bicycle parking provisions, on an individual project basis.

*N.B.* It is sometimes appropriate to make available 50% of the level of provision recommended in the table, at the initial installation stage; however space should be set aside to allow 100% provision in the event that the full demand for bicycle parking is realised.

**SCHEDULE 8 –  
DEVELOPMENT (STRUCTURE PLANNING) AREAS**

No.	Description of land	Additional provisions applicable to subdivision and development
1.	Roleystone Hills Urban - Residential Development Area being the area bounded by Chevin Road, Holden Road, Raeburn Road and Heath Road, (as identified on Scheme Map).	<p>1.1 Comprehensive planning for the area shall be undertaken by preparation of a Structure Plan to guide subdivision and development.</p> <p>1.2 No land owner shall carry out subdivision or development (other than the development of a single house and/or associated facilities involved in the use and enjoyment of the property by the occupants of the single house) other than in accordance with the Structure Plan.</p>
2.	Ninth Road Urban Residential Development Area being the area bounded by Ninth Road, Wungong Drive and developed Residential lots, Brookdale (as identified on Scheme Map).	2.1 Comprehensive planning for the area shall be undertaken by preparation of a Structure Plan to guide subdivision and development.
3.	Seville Drive Armadale Urban - Residential Development Area being the area bounded by Armadale Road, Braemore Street, Williams Road, Champion Drive, Lake Road, San Jacinta Road and Riverside Lane and previously described as the A14 Urban Unit (as identified on Scheme Map).	3.1 Comprehensive planning for the area shall be undertaken by preparation of a Structure Plan to guide subdivision and development.
4.	Armadale Road Local Centre/Medium Density Residential Development Area (as identified on Scheme Map).being the area bounded by Eighth Road, Armadale Road and the boundary of the lots fronting Girraween Street (as identified on Scheme Map).	4.1 Comprehensive planning for the area shall be undertaken by preparation of a Structure Plan to guide subdivision and development.
5.	Centre Road Westfield Urban – Residential Development Area being the area bounded by Centre Road, Lake Road and the lots fronting Railway Avenue (as identified on Scheme Map).	5.1 Comprehensive planning for the area shall be undertaken by preparation of a Structure Plan to guide subdivision and development.
6.	Lot 15 (No 651) Nicholson Road Forrestdale.	<p>6.1 Comprehensive planning for the area shall be undertaken by preparation of a Structure Plan to guide subdivision and development.</p> <p>6.2 The Structure Plan shall include an Environmental Management and Improvement Statement prepared in accordance with policy PLN2.7 Environmental Management and Improvement and implemented as part of any subdivision development of the land.</p>

No.	Description of land	Additional provisions applicable to subdivision and development
7.	<p>Warton Road Forrestdale Urban - Residential Development Area comprising the CY O'Connor ERADE (Education, Research and Development and Employment) Village being the area bounded by Nicholson Road and Warton Road (as identified on Scheme Map).</p>	<p>7.1 Comprehensive planning for the area shall be undertaken by preparation of a Structure Plan to guide subdivision and development.</p> <p>7.2 The Structure Plan is to:</p> <ul style="list-style-type: none"> <li>a. indicate any buffer zones within which residential development will be prohibited and within which Memorials are to be registered on the Certificates of Title of residential lots advising prospective purchasers of the potential negative impacts of noise associated with the adjoining Dog Kennels area. The subject memorials should also advise affected properties of potential impacts of odours;</li> <li>b. indicate that all subdivision and development within the application area shall incorporate drainage infrastructure which has been designed to maintain existing groundwater levels and avoid the development of acid sulphate soils within the application area, to the satisfaction of the local government of Armadale and the Department of Environment, Water and Catchment Protection;</li> <li>c. indicate that all vehicular access onto Warton Road and Nicholson Road is to be restricted to one access road only, unless a traffic study prepared by a suitably qualified consultant can demonstrate otherwise to the satisfaction of the Executive Director Development Services;</li> <li>d. indicate that all that vehicular access/intersections/road design are to be subject to final approval of the local government of Armadale and that unsignalised four-way intersections will not be permitted along Nicholson Road.</li> </ul>
8.	<p>Ranford Road Forrestdale Urban - Residential Development Area being the area bounded by Ranford Road, Warton Road, Wright Road and adjacent Reservation for Parks and Recreation (as identified on Scheme Map).</p> <p><i>(Note: this site was subject to Scheme Amendment No 186 under former Town Planning Scheme No 2).</i></p>	<p>8.1 Subdivision and Development shall occur in accordance with a Structure Plan prepared and adopted pursuant to the provisions outlined in Part 4 of the Deemed Provisions.</p> <p>8.2 The Structure Plan should make adequate provision for protection of Conservation Category Wetlands, Bush Forever Sites and interfacing with adjacent existing and proposed Reservation for Parks and Recreation and existing kennels to the satisfaction of the Environmental Protection Authority and the local government.</p> <p>8.3 Prior to subdivision, a noise assessment study shall be submitted to the satisfaction of the local government, whom may recommend the imposition of subdivision conditions requiring memorials on the titles of newly created lots advising of the close</p>

No.	Description of land	Additional provisions applicable to subdivision and development
		<p>8.4 proximity to kennels and that lots may be affected by noise associated with the operation of kennels. Prior to development of noise sensitive uses, a noise assessment study shall be submitted to the satisfaction of the local government whom may require noise attenuating measures to be implemented as development approval conditions.</p>
9.	<p>Railway Avenue Westfield Urban – Residential Development Area being the area bounded by Centre Road, Railway Avenue and existing small lot development and incorporating Lots 58, 59 and Pt Lot 60 Centre Road, Pt lot 1008 and Pt Lot 27 Railway Avenue (as identified on Scheme Map).</p>	<p>9.1 Comprehensive planning for the area shall be undertaken by preparation of a Structure Plan to guide subdivision and development.</p> <p>9.2 The Structure Plan shall address stormwater and nutrient management due to the constraint of high levels of ground water, in addition to the interfacing with the existing ground levels of adjacent development.</p>
10.	<p>Araluen Special Residential, Rural Living and Golf Course Development Area being the area bounded by Thompson Road, Old Albany Lane, Heritage Drive, Forestedge Retreat, Reservations for State Forests and Parks and Recreation, and Rural Living Lots 5 and 6 Bristol Road and Lot 62 Heritage Drive (as identified on Scheme Map).</p>	<p>10.1 Comprehensive planning for the area shall be undertaken by preparation of a Structure Plan to guide subdivision and development.</p>
11.	<p>“Churchman Brook” Special Residential Development Area being the area bounded by Canns Road, Lot 19 (444) Canns Road, Bedforddale and adjacent Regional Parks and Recreation Reserve to the west; Development (Structure Planning) Area No.39, Lot 54 (310) Churchman Brook Road, Bedforddale and adjacent Regional Parks and Recreation Reserve to the north; Beeloo Close and adjacent Regional Parks and Recreation Reserve to the east; and Waterwheel Road and adjacent Regional Parks and Recreation Reserve to the south (as identified on Scheme Map).</p>	<p>11.1 Comprehensive planning for the area shall be undertaken by preparation of a Structure Plan to guide subdivision and development.</p> <p>11.2 The Structure Plan may identify a Convenience Store.</p> <p>11.3 No lot with a common boundary on the dedicated road reserve to Churchman Brook Road shall be permitted where it would have an area of less than 5000m<sup>2</sup>.</p> <p>11.4 All Structure Plans shall include land capability and servicing assessments for proposed lots undertaken at the landowner’s cost and to the standard determined by the local government.</p>
12.	<p>Lake Road Champion Lakes Special Residential Development Area being the area bounded by Lake Road Lake View Terrace and adjacent Reservations for Tonkin Highway and Parks and Recreation.</p>	<p>12.1 This area is already developed and any proposal for further subdivision shall require comprehensive planning for the area by preparation of a Structure Plan to guide subdivision and development.</p>
13.	<p>Narbethong Road / Dmietrieff Road Bedforddale Rural Living Development Area being the area</p>	<p>13.1 Comprehensive planning for the area shall be undertaken by preparation of a Structure Plan to guide subdivision and development.</p>

No.	Description of land	Additional provisions applicable to subdivision and development	
	bounded by Albany Highway, Waterwheel Road and Parks and Recreation Reservations (as identified on Scheme Map).	13.2	The Structure Plan shall provide a range of lots as determined by the detailed land capability and site assessment.
14.	Wungong Close / Albany Highway Wungong Rural Living Development Area being the area bounded by Wungong Close, Albany Highway and Parks and Recreation Reservations (as identified on Scheme Map).	14.1	Comprehensive planning for the area shall be undertaken by preparation of a Structure Plan to guide subdivision and development.
15.	Leys Rise Wungong Rural Living Development Area being the area bounded by Leys Rise and Parks and Recreation Reservations (as identified on Scheme Map).	15.1	Comprehensive planning for the area shall be undertaken by preparation of a Structure Plan to guide subdivision and development.
16.	<p>Irymple Road and Pasture Road Karragullen Rural Living Development Area being Location 532, the area bounded by Irymple Road and Pasture Road, Parks and Recreation Reservations and General Rural Zone (as identified on Scheme Map).</p> <p><i>(Note: this site was subject to Scheme Amendment No 173 under former Town Planning Scheme No 2).</i></p>	16.1	Comprehensive planning for the area shall be undertaken by preparation of a Structure Plan to guide subdivision and development.
		16.2	All development envelopes are to maintain a minimum setback of 150metres from any lots containing orcharding activities.
		16.3	Any proposed Lots adjacent to the western boundary or north eastern corner of Location 532 are to incorporate a vegetated buffer of 40 metres width to attenuate spray drift from surrounding orchard activities. Vegetation within this buffer is to be planted and maintained to attenuate spray drift in accordance with a Vegetation Plan submitted to and approved by the local government.
		16.4	The subdivider shall prepare a Drainage Management Plan, also incorporating details on the management of erosion and sediment control, prior to the subdivision and development of lots within the application area. All development shall be designed and maintained in accordance with this plan.
		16.5	The proposed fencing along the common boundary between the proposed lots and the Stinton Cascades Nature Reserve is to be to the satisfaction of the Department of Conservation and Land Management.
17.	<p>Brookton Highway Karragullen Rural Living Development Area being –</p> <ul style="list-style-type: none"> <li>♦ Lots 102 and 103, the area bounded by Brookton Highway, Pasture Road, Parks and Recreation Reservations and General Rural Zone;</li> <li>♦ Part Lot 4 Irymple Road, Karragullen,</li> </ul>	17.1	Comprehensive planning for the area shall be undertaken by preparation of a Structure Plan to guide subdivision and development.
		17.2	All lots to be provided with development envelopes to the satisfaction of the local government, which are to maintain a minimum setback of 150 metres from any lots containing orcharding activities, or such lesser distance approved by the local government where the lot dimensions do not permit the prescribed separation to be achieved.
		17.3	Vegetation on the site is to be installed and maintained to attenuate spray drift in accordance

No.	Description of land	Additional provisions applicable to subdivision and development
	(as identified on Scheme Map). <i>(Note: this site was subject to Scheme Amendment No 180 under former Town Planning Scheme No 2).</i>	with a Vegetation Plan approved by the local government.
18.	Urch Road Roleystone Rural Living Development Area being the area bounded by Urch Road, Rural Living 2 zone and General Rural Zone (as identified on Scheme Map).	18.1 Comprehensive planning for the area shall be undertaken by preparation of a Structure Plan to guide subdivision and development.
19.	South Armadale Industrial Area bounded by Dickens Place, South West Highway, the Perth to Bunbury Railways Reservation and Reserve No.39773 (as identified on the Scheme Map).	<p>19.1 Comprehensive planning for the area shall be undertaken by preparation of a Structure Plan to guide subdivision and development.</p> <p>19.2 The Structure Plan road network design shall have regard to the conceptual objectives outlined in the Armadale Enquiry-by-Design Workshop – Report No.4 (Department of Planning, 1999).</p> <p>19.3 The Structure Plan shall be complemented by Land use Policy Precincts to guide land use and development over portions of the Development Area.</p> <p>19.4 The Structure Plan shall investigate and, unless otherwise approved by the local government, specify a road network design which provides permeability between Dickens Place to the south and the Armadale Town Centre to the north including -</p> <ul style="list-style-type: none"> <li>a) a new road extending Hobbs Drive through the brickworks site at Lots 12 and 104 adjacent to the rail reserve and linking to a new road access point on South Western Highway;</li> <li>b) linking of the extension of Hobbs Drive in (a) above through Lots 12 and 104 to provide a direct connection to the south to Dickens Place and to a potential new rail crossing at Harber Drive;</li> <li>c) a subdivision design for the land fronting South Western Highway which provides access to fronting lots for local traffic, without conflicting with regional traffic movements on South Western Highway.</li> </ul> <p>19.5 The Structure Plan road network design shall, unless otherwise approved by the local government, make appropriate provision for a new crossing of the rail line and potentially linking Harber Drive located west of the rail line with the future new subdivisional road design described above.</p> <p>19.6 The Structure Plan shall investigate and, unless otherwise approved by the local government, specify Policy Precincts for the Industrial Business zoned portions of Lot 12 South Western Highway and Lot 104 Hobbs Drive, to provide for a range of</p>

No.	Description of land	Additional provisions applicable to subdivision and development
		<p>industrial and business commercial land uses that support the local and regional functions of the Armadale Strategic Regional Centre and the South Armadale Industrial Area.</p> <p>19.7 The Policy Precincts for the portions of Lot 12 South Western Highway and Lot 104 Hobbs Drive zoned Industrial Business zone shall include special Development Design Guidelines which specifically address objectives, controls and development standards for the following issues -</p> <ul style="list-style-type: none"> <li>- lot size and lot frontages</li> <li>- access and circulation</li> <li>- setbacks</li> <li>- car parking</li> <li>- access for loading and unloading vehicles</li> <li>- streetscape and landscaping</li> <li>- built form</li> <li>- building location</li> <li>- building design</li> <li>- signage</li> <li>- parapet walls</li> <li>- storage and bin areas</li> <li>- fencing</li> <li>- public open space.</li> </ul> <p>19.8 The Structure Plan and Policy shall -</p> <ol style="list-style-type: none"> <li>a) identify and describe any places and items within the site of heritage value;</li> <li>b) specify arrangements for the recording and recognition of the above heritage values, including where appropriate their future protection and/or preservation on-site, or subject to approval by the local government in an alternative location;</li> <li>c) identify appropriate land for Public Open Space for local recreation and/or accommodation of heritage value which upon subdivision may be required to be ceded;</li> <li>d) specify proposed arrangements for developer contributions towards the cost of infrastructure required by subdivision and development of Lot 12 South Western Highway and Lot 104 Hobbs Drive in accordance with the Structure Plan, including but not confined to contributions to road upgrading, protection of heritage values and establishment of a rail crossing opposite Harbor Drive unless otherwise approved by the local government.</li> </ol> <p>19.9 Potential site contamination considerations shall be addressed for relevant land prior to subdivision and development of Lot 12 South Western Highway and Lot 104 Hobbs Drive and addressing -</p> <ol style="list-style-type: none"> <li>a) the potential for contamination associated with prior land use of the land such that any</li> </ol>

No.	Description of land	Additional provisions applicable to subdivision and development
		<p>subdivision or substantial development that proposes a change in land use or the disturbance of a volume of soil greater than or equal to 25 cubic metres such that the application shall be forwarded to the Contaminated Sites Branch, Department of Environment and Conservation (DEC). This provision does not include routine maintenance or upgrade works by a public authority or Council.</p> <p>b) where an application is forwarded to the DEC as above, the proposal shall be accompanied by a Detailed Site Investigation to the standards prescribed by the DEC. The DEC shall review the application with regard to the potential for ecological and/or human health related risk, and may request conditions to be imposed upon any approval to address any contamination prior to subdivision and development.</p> <p>c) where remediation is required, conditions shall be imposed on the approval requiring the submission of a Site Management Plan and a Post-Remediation Validation Report.</p> <p>d) points a) &amp; b) above shall not apply where a development application is submitted for approval to demolish a building so as to enable works relating to the subdivision of the land on which the building is located to proceed.</p>
20.	Anstey Road Forrestdale Industrial Development Area being the area bounded by Anstey Road, Ranford Road, Reservation for Parks and Recreation and Bush Forever Sites (as identified on Scheme Map).	<p>20.1 Comprehensive planning for the area shall be undertaken by preparation of a Structure Plan to guide subdivision and development.</p> <p>20.2 The Structure Plan should make adequate provision for protection of Conservation Category Wetlands, Bush Forever Sites and interfacing with adjacent existing and proposed Reservation for Parks and Recreation to the satisfaction of the Environmental Protection Authority and the local government.</p>
21.	Taylor Road Forrestdale Development Area "No.21" being the area bounded by Taylor Road, Rowley Road, Wolfe Road, Oxley Road and the municipal boundary (as identified on the maps comprising the Scheme). These provisions are additional to the formal Environmental Conditions included under Schedule 6 of the Scheme (and the Statement that a Scheme may be Implemented No.000642), which also apply to this Development Area.	<p>21.1 Comprehensive planning for the area shall be undertaken by preparation of a Structure Plan to guide subdivision and development.</p> <p>21.2 The Structure Plan shall meet the following requirements:</p> <p>a. identify a range of lots as determined by the detailed land capability and site assessment;</p> <p>b. identify development envelopes for all lots located a minimum of 15 metres from any lot boundary;</p> <p>c. identify all Conservation Category Wetlands within the site;</p> <p>d. identify minimum separation buffers as outlined in the Environmental Conditions.</p>

No.	Description of land	Additional provisions applicable to subdivision and development	
	<p><i>(Note: this site was subject to Scheme Amendment No.143 under former Town Planning Scheme No.2).</i></p>	<p>21.3 21.4 21.5  21.6  21.7  21.8</p>	<p>All dwellings and outbuildings shall be located a minimum of 15 metres from any lot boundary.</p> <p>All effluent disposal systems shall be constructed within the approved development envelope.</p> <p>The local government shall recommend a condition of subdivision approval for any new lot created within 500 metres of any existing poultry/broiler shed or valid and current approval for a shed extension or new sheds, located on Lot 434 Taylor Road, that all Certificates of Title be required to provide a memorial on the title, advising prospective purchasers of the potential for amenity impacts from the poultry farm as follows: “the proposed lot is located close to an existing poultry farm and may be affected by odours, noise and other negative impacts associated with the operation of a poultry farm. Further information may be obtained from the local government of Armadale”.</p> <p>Notwithstanding the general permissibility of land uses applying to the Rural Living zone no land use shall be permitted on any lot which is located or partly located within the Groundwater Protection zone in the region planning scheme, other than a land use which is permitted under the Jandakot Groundwater Protection Policy or is subject to discretionary approval under that policy.</p> <p>All applications for groundwater abstraction shall require documentation of its acceptability to the Water Corporation and Department of Environment and the following requirements:</p> <ul style="list-style-type: none"> <li>a. abstraction level is to be limited to any level imposed by the Water Corporation and Department of Environment; and</li> <li>b. the lot owner shall sign an acknowledgement of any groundwater extraction limit imposed by the Water Corporation and Department of Environment.</li> </ul> <p>The Subdivider shall make arrangements satisfactory to the local government to ensure that the prospective purchasers of all lots are advised in writing of those provisions in this Town Planning Scheme, which relate to the land use and management of the land located within the Development Area.</p>
<p>22.</p>	<p>Oxley Road Forrestdale Rural Living Development Area being the area bounded by Oxley Road, Taylor Road and reservations for Parks and Recreation (as identified on Scheme Map).</p> <p><i>(Note: this site was subject to Scheme Amendment No 183 under former Town Planning Scheme No 2).</i></p>	<p>22.1 22.2</p>	<p>Comprehensive planning for the area shall be undertaken by preparation of a Structure Plan to guide subdivision and development.</p> <p>The Structure Plan shall meet the following requirements:</p> <ul style="list-style-type: none"> <li>a. identify a range of lots as determined by the detailed land capability and site assessment;</li> <li>b. identify development envelopes for all lots and located a minimum of 15 metres from any lot boundary; and</li> </ul>

No.	Description of land	Additional provisions applicable to subdivision and development
		<p>c. identify all Conservation Category Wetlands within the site.</p> <p>22.3 Prior to commencement of subdivision works, effluent disposal envelopes shall be identified for all lots on a plan approved by the local government and accompanied by documentation that meets the following requirements:</p> <p>a. demonstrate by means of a geotechnical report that the minimum requirements for unsewered subdivision as specified in Appendix 1 of the Government Sewerage Policy – Perth Metropolitan Region, will be achieved; and</p> <p>b. demonstrate the acceptability of the effluent disposal envelopes to the Health Department of WA; and</p> <p>c. be located a minimum of fifty (50) metres from any Conservation Category Wetlands identified on the Structure Plan;</p> <p>22.4 All effluent disposal systems shall be constructed within the defined effluent disposal envelope.</p> <p>22.5 All dwellings shall be provided with alternative Treatment Units (ATU’s) to the satisfaction of the local government in consultation with the Department of Health.</p> <p>22.6 Prior to the commencement of subdivision works the following Environmental Management Plans shall be prepared by the subdivider and approved by the local government:</p> <p>a. Rehabilitation and Landscape Plan;</p> <p>b. Fire Management Plan; and</p> <p>c. Drainage and Nutrient Management Plan.</p> <p>22.7 Environmental Management plans shall be prepared in accordance with the following specifications:</p> <p><u>Rehabilitation and Landscape Plan</u></p> <p>a) A Rehabilitation and Landscape Plan will be prepared in consultation with the Department of Environment.</p> <p>b) The Rehabilitation and Landscape Plan will include but is not limited to:</p> <p>(i) Rehabilitation of the 50m buffer areas for the Conservation Category Wetlands;</p> <p>(ii) Revegetation strategies to apply to other parts of the subdivision area;</p> <p>(iii) Maintenance of the rehabilitated areas; and</p> <p>(iv) Allocation of responsibilities and timing for implementation of the Plan.</p> <p><u>Fire Management Plan</u></p> <p>a) The Fire Management Plan will include but is not limited to:</p> <p>(i) Strategies to limit the spread of fire and protect residents and areas of</p>

No.	Description of land	Additional provisions applicable to subdivision and development
		<p>significant vegetation, including the location and dimensions of firebreaks;</p> <p>(ii) Mechanisms to avoid or minimise the affects of firebreak installation on remnant vegetation, including siting of firebreaks in areas without significant vegetation and using of methods of installing firebreaks, such as slashing, which reduces the requirement for clearing;</p> <p>(iii) Maintenance to be undertaken to ensure the continued effectiveness of fire breaks or other management measures; and</p> <p>(iv) Allocation of responsibilities and timing for implementation of the Plan.</p> <p><u>Drainage and Nutrient Management Plan</u></p> <p>a) A drainage and Nutrient Management Plan is to ensure the maintenance of water levels and quality in Conservation Category wetlands and the maintenance or enhancement of surface water quality discharging from the site.</p> <p>b) The Drainage and Nutrient Management Plan will be with the concurrence of the Department of Environment will include but is not limited to:</p> <p>(i) Management actions and objectives consistent with the Environmental Protection (Peel Inlet-Harvey Estuary) Policy 1992, Statement of Planning Policy No.2.1 (1992) and best management practices;</p> <p>(ii) Mechanisms to protect the water quality and water levels in onsite and adjacent Conservation Category wetlands;</p> <p>(iii) A monitoring program, including definition of performance criteria, to demonstrate that management objective are being achieved;</p> <p>(iv) Contingency measures to be implemented in the event that performance criteria are not being met; and</p> <p>(v) Allocation of responsibilities and timing for implementation of the Plan.</p> <p>22.8 No livestock, inclusive of the keeping or stabling of horses is to be kept within any new lot created by subdivision.</p> <p>22.9 Notwithstanding the general permissibility of land uses applying to the Rural Living zone use of lots shall accord with the following requirements:</p>

No.	Description of land	Additional provisions applicable to subdivision and development
		<p>a. no land use shall be permitted on any lot which is located or partly located within the Groundwater Protection zone in the region planning scheme, other than a land use which is permitted under the Jandakot Groundwater Protection Policy or is subject to discretionary approval under that policy;</p> <p>b. no land use other than a single house and residential living, shall be approved where the local government, in consultation with the Water Corporation and Department of Environment, determines that an excessively high level of groundwater use would be required.</p> <p>22.10 No dwelling or outbuilding shall be constructed within 15 metres of any lot boundary.</p> <p>22.11 No side or rear boundary fencing shall be constructed on the parts of the lot, which would fall within the Conservation Category Wetland area of any lot identified on the Structure Plan as containing a Conservation Category Wetland.</p> <p>22.12 All other boundary and other fencing shall be of open post and rail and wire construction and shall be installed and maintained to the satisfaction of the local government.</p> <p>22.13 The Subdivider shall make arrangements satisfactory to the local government to ensure that the prospective purchasers of all lots are advised in writing of those provisions in this Town Planning Scheme, which relate to the land use and management of the land located within the Development Area.</p>
23.	<p>Taylor Road Forrestdale Rural Living Development Area “No 2” being the area bounded by Taylor Road to the west and the rear boundary of lots fronting Rowley Road to the south and the rear boundary of lots fronting Freeman Road to the east Recreation (as identified on Scheme Map).</p> <p><i>(Note: this site was subject to Scheme Amendment No 170 under former Town Planning Scheme No 2).</i></p>	<p>23.1 Comprehensive planning for the area shall be undertaken by preparation of a Structure Plan to guide subdivision and development.</p> <p>23.2 The Structure Plan shall meet the following requirements:</p> <p>a. identify a range of lots as determined by the detailed land capability and site assessment;</p> <p>b. identify development envelopes for all lots and located a minimum of 15 metres from any lot boundary;</p> <p>c. identify all Conservation Category Wetlands within the site.</p> <p>23.3 A Plan of Subdivision shall not be supported unless it is in accordance with a comprehensive drainage design submitted by the applicant and accordingly approved by the local government.</p> <p>23.4 The drainage design shall be prepared by a certified consulting engineer and be accompanied by documentation that meets the following requirements:</p>

No.	Description of land	Additional provisions applicable to subdivision and development
		<p>a. confirm the acceptability of the drainage design to the relevant environmental agencies;</p> <p>b. demonstrate that groundwater levels within all development envelopes will not rise above a level which is 500mm below the natural ground surface;</p> <p>c. demonstrate by means of certified engineering calculations, how the 500mm minimum clearance of groundwater below natural ground surface will be achieved; and</p> <p>d. demonstrate how drainage water shall be removed from or contained on the site.</p> <p>23.5 Prior to commencement of subdivision works, effluent disposal envelopes shall be identified for all lots on a plan approved by the local government and accompanied by documentation that meets the following requirements:</p> <p>a. demonstrate by means of a geotechnical report, which is based upon the highest known groundwater level as the reference water table depth, that the minimum requirements for unsewered subdivision as specified in Appendix 1 of the Government Sewerage Policy – Perth Metropolitan Region, will be achieved;</p> <p>b. demonstrate the acceptability of the effluent disposal envelopes to the Health Department of WA;</p> <p>c. be located a minimum of fifty (50) metres from any Conservation Category Wetlands identified on the Structure Plan; and</p> <p>d. be located a minimum of one hundred (100) metres of any Water Corporation production bore, unless otherwise approved by the Water Corporation.</p> <p>23.6 All effluent disposal systems shall be constructed within the defined effluent disposal envelope.</p> <p>23.7 All dwellings shall be provided with alternative Treatment Units (ATU's) to the satisfaction of the local government in consultation with the Department of Health.</p> <p>23.8 Prior to the commencement of subdivision works the following Environmental Management Plans shall be prepared by the subdivider and approved by the local government:</p> <p>a. Rehabilitation and Landscape Plan;</p> <p>b. Fire Management Plan; and</p> <p>c. Drainage and Nutrient Management Plan.</p> <p>23.9 Environmental Management plans shall be prepared in accordance with the following specifications:</p>

		<p><u>Rehabilitation and Landscape Plan</u></p> <p>a) A Rehabilitation and Landscape Plan will be prepared in consultation with the Department of Environment.</p> <p>b) The Rehabilitation and Landscape Plan will include but is not limited to:</p> <ul style="list-style-type: none"> <li>(i) Rehabilitation of the 50m buffer areas for the Conservation Category Wetlands;</li> <li>(ii) Revegetation strategies to apply to other parts of the subdivision area;</li> <li>(iii) Maintenance of the rehabilitated areas; and</li> <li>(iv) Allocation of responsibilities and timing for implementation of the Plan.</li> </ul> <p><u>Fire Management Plan</u></p> <p>a) The Fire Management Plan will include but is not limited to:</p> <ul style="list-style-type: none"> <li>(i) Strategies to limit the spread of fire and protect residents and areas of significant vegetation, including the location and dimensions of firebreaks;</li> <li>(ii) Mechanisms to avoid or minimize the affects of firebreak installation on remnant vegetation, including siting of firebreaks in areas without significant vegetation and using of methods of installing firebreaks, such as slashing, which reduces the requirement for clearing;</li> <li>(iii) Maintenance to be undertaken to ensure the continued effectiveness of fire breaks or other management measures; and</li> <li>(iv) Allocation of responsibilities and timing for implementation of the Plan.</li> </ul> <p><u>Drainage and Nutrient Management Plan</u></p> <p>a) A drainage and Nutrient Management Plan is to ensure the maintenance of water levels and quality in Conservation Category wetlands and the maintenance or enhancement of surface water quality discharging from the site.</p> <p>b) The Drainage and Nutrient Management Plan will be with the concurrence of the Department of Environment will include but is not limited to:</p> <ul style="list-style-type: none"> <li>(i) Management actions and objectives consistent with the Environmental Protection (Peel Inlet-Harvey Estuary) Policy 1992, Statement of Planning Policy No.2.1 (1992) and best management practices;</li> <li>(ii) Mechanisms to protect the water quality and water levels in onsite and</li> </ul>
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No.	Description of land	Additional provisions applicable to subdivision and development
		<p>adjacent Conservation Category wetlands;</p> <p>(iii) A monitoring program, including definition of performance criteria, to demonstrate that management objective are being achieved;</p> <p>(iv) Contingency measures to be implemented in the event that performance criteria are not being met; and</p> <p>(v) Allocation of responsibilities and timing for implementation of the Plan.</p> <p>23.10 No new building or development is to be permitted within 300 metres of any existing poultry/broiler shed or compound located on Lot 434 Taylor Road without the prior written approval of the local government in consultation with the Department of Health, the Department of Environment and Western Australian Planning Commission, notwithstanding that where the potential for any adverse impact on the quality of rural residential living can be demonstrated to be minimal, a relaxation of the 300 metre buffer to new development may be acceptable to the local government.</p> <p>23.11 No dwelling or outbuilding shall be constructed within 15 metres of any lot boundary, unless the local government exercises its discretion to approve a setback variation.</p> <p>23.12 No livestock is to be kept within any new lot created by subdivision, accepting that the local government may approve an application for the stabling and keeping of horses subject to the discretionary approval of the local government in consultation with relevant government departments to determine the environmental acceptability of the proposal.</p> <p>23.13 The stabling and keeping of horses shall only be permitted where the following requirements are met;</p> <p>a. where the application is for a lot containing a Conservation Category Wetland which has been identified on the Structure Plan, more than 50% of the lot area must be located outside of the Conservation Category Wetland area and the area shall be fenced to a stock proof standard of fencing approved by the local government;</p> <p>b. on any lot the stabling or keeping of horses may be subject to conditions of approval and include limits on stocking levels to an appropriate carrying capacity limit.</p> <p>23.14 Notwithstanding the general permissibility of land uses applying to the Rural Living zone use of lots shall accord with the following requirements:</p>

No.	Description of land	Additional provisions applicable to subdivision and development
		<p>a. no land use shall be permitted on any lot which is located or partly located within the Groundwater Protection zone in the region planning schemes, other than a land use which is permitted under the Jandakot Groundwater Protection Policy or is subject to discretionary approval under that policy;</p> <p>b. no land use other than a single house and residential living, shall be approved where the local government, in consultation with the Water Corporation and Department of Environment, determines that an excessively high level of groundwater use would be required.</p> <p>23.15 All applications for groundwater abstraction shall require documentation of its acceptability to the Water Corporation and the following requirements:</p> <p>a. abstraction level is to be limited to any level imposed by the Water; and</p> <p>b. the lot owner shall sign an acknowledgement of any groundwater extraction limit imposed by the Water Corporation.</p> <p>23.16 Side or rear boundary fencing on a lot identified on the Structure Plan as containing a Conservation Category Wetland, shall not be constructed on the parts of the lot, which would fall within the Conservation Category Wetland area.</p> <p>23.17 All other boundary and other fencing shall be of open post and rail and wire construction and shall be installed and maintained to the satisfaction of the local government.</p> <p>23.18 The Subdivider shall make arrangements satisfactory to the local government to ensure that the prospective purchasers of all lots are advised in writing of those provisions in this Town Planning Scheme, which relate to the land use and management of the land located within the Development Area.</p>

No.	Description of land	Additional provisions applicable to subdivision and development
24.	Albany Highway / Settlers Common Rural Living Development Area being Pt Lots 6 and 7 and Lots 18 and 19 Albany Highway Bedfordale (as identified on the Scheme Map).	<p>Additional Provisions applicable to subdivision and development</p> <p>24.1 Further subdivision may be permitted to a minimum lot size of 2ha; however, subdivision into lots of less than 4ha will require prior comprehensive planning undertaken by preparation of a Structure Plan to guide subdivision and development.</p> <p>24.2 Unless otherwise agreed by Council in consultation with MRWA, the Structure Plan shall provide new lots of less than 4ha with access to the road network via a new internal road system, centrally located on the Albany Hwy frontage.</p> <p>24.3 The Structure Plan shall provide for public pedestrian movements between Settlers Common and Albany Highway. Unless otherwise agreed the Structure Plan public pedestrian linkage shall be provided by means of a minimum 10 metre width Public Access way or road reserve such that public pedestrian movements may be co-located with vehicle access to proposed new lots over part or all of the linkage. The Public Access way or road reserve shall facilitate pedestrian access between Settlers Common, which abuts the Development Area and the Bungendore Park land located on Albany Highway directly opposite the Development Area.</p> <p>24.4 The Structure Plan shall identify measures for bushfire protection and demonstrate all proposed lots are capable of achieving requirements for:</p> <ul style="list-style-type: none"> <li>▪ Potable water supplies;</li> <li>▪ Development Envelopes and protection of landscape amenity;</li> <li>▪ Protection of water courses and the abutting Armadale Settlers Common.</li> </ul>
25.	<p>North Forrestdale First Stage Structure Plan being the area bounded by Warton Road, Nicholson Road, Keane Road, Skeet Road, Wright Road and land zoned as General Rural and Rural Living Zones and land Reserved as Parks Recreation (MRS) (as identified on Scheme Map).</p> <p><i>(Note: this site was subject to Scheme Amendment No 190 under former Town Planning Scheme No 2).</i></p>	<p>25.1 Subdivision and development shall occur in accordance with a Structure Plan for the North Forrestdale First Stage to be prepared pursuant to the provisions outlined in Part 4 of the Deemed Provisions and taking effect upon adoption by both the local government and the Western Australian Planning Commission;</p> <p>25.2 The Structure Plan shall incorporate assessments and recommend management responses to the satisfaction of the local government of Armadale for key environmental planning factors identified as follows:</p> <ol style="list-style-type: none"> <li>a. The urban water management outcomes recommended in the Southern River / Forrestdale / Brookdale / Wungong District Structure Plan - Urban Water Management Strategy;</li> <li>b. Surveys of existing flora and fauna, heritage sites, conservation category wetlands, land contamination, sources of noise or odour</li> </ol>

No.	Description of land	Additional provisions applicable to subdivision and development
		<p>impacts on development and interfaces to adjacent conservation areas.</p> <p>25.3 All landowners within the North Forrestdale First Stage shall make a proportional contribution to the costs of infrastructure in accordance with a Developer Contribution Plan prepared pursuant to Part 5A Development Contribution Areas.</p>
26.	<p>Carradine Road Bedfordale Rural Living Development Area being Lot 15 bounded by Carradine Road, Parks and Recreation Reservation (MRS) and Rural Living Lots (as identified on Scheme Map).</p> <p><i>(Note: this site was subject to Scheme Amendment No 197 under former Town Planning Scheme No 2).</i></p>	<p>26.1 Comprehensive planning for the area shall be undertaken by preparation of a Structure Plan to guide subdivision and development.</p> <p>26.2 Subdivision resulting in new in new development envelopes within 150m from the adjoining orchard area may only be supported where:</p> <ul style="list-style-type: none"> <li>• The Commission and local government are satisfied that an impact assessment has demonstrated that the operation of the orchard will not adversely affect the new residents; or</li> <li>• The orchard activity cease, and the orchards are removed.</li> </ul> <p>26.3 Effluent disposal systems are to be located a minimum of 50m from the soak area to the satisfaction of the local government.</p> <p>26.4 At subdivision, the watercourse is to be included in a drainage easement.</p> <p>26.5 At subdivision, a minimum of 15 m each side of the watercourse centre-line is to be revegetated to the satisfaction of the local government using local native vegetation.</p> <p>26.6 Prior to any site works, including boundary fencing and firebreak construction, a report on the potential for erosion is to be submitted to the satisfaction of the local government and plans to minimize erosion are to be subsequently implemented as part of the subdivision development.</p> <p>26.7 Prior to subdivision, a Fire Management Plan is to be prepared to the satisfaction of the local government in consultation with the Fire and Emergency Services Authority of Western Australia, including but not limited to the following:</p> <ul style="list-style-type: none"> <li>• Firebreaks;</li> <li>• Water tanks;</li> <li>• Contributions towards firefighting equipment.</li> </ul>

No.	Description of land	Additional provisions applicable to subdivision and development
27.	<p>Wright Rd/Ranford Road Commercial Development Area, being Lots 106 and 107 Wright Rd/Ranford Road Forrestdale (as identified on Scheme Map).</p> <p><i>(Note: this site was subject to Scheme Amendment No 187 under former Town Planning Scheme No 2).</i></p>	<p>27.1 Comprehensive planning for the area shall be undertaken by preparation of a Structure Plan to guide subdivision and development.</p> <p>27.2 Subdivision and development shall occur generally in accordance with the Structure Plan report and map and the associated Centre Plan report and map prepared pursuant to the provisions outlined in Part 4 of the Deemed Provisions and taking effect upon adoption by both the local government and the Western Australian Planning Commission.</p> <p>27.3 Proposals for residential uses, other than a caretakers dwelling, shall be not permitted unless the local government has exercised its discretion by granting development approval after giving special notice in accordance with clause 64 of the Deemed Provisions and an acoustic noise impact assessment study has been completed to the satisfaction of the local government and the Department of Environment;</p>
28.	<p>Girraween Street Medium Density Residential/Local Centre Development Area (former West Armadale Shopping Centre), being the area bounded by Girraween Street, Balanda Place and adjoining Reserve for Parks and Recreation and Residential zone (as identified on Scheme Map).</p>	<p>28.1 Comprehensive planning for the area shall be undertaken by preparation of a Structure Plan to guide subdivision and development.</p>
29.	<p>Old Admiral Lane rural Living area bound by Admiral Road, Bedforddale and adjoining reserves (as identified on Scheme Map).</p>	<p>29.1 The subject area shall be subdivided in accordance with an approved Structure Plan</p>
30.	<p>Part Lot 4 Irymple Road, Karragullen.</p>	<p>30.1 The subject area to be included in Development (Structure Planning) Area No.17.</p>
31.	<p>North Forrestdale Second Stage Urban Development Area, being Lots 21, 22 and Pt Lot 2 Nicholson Road and Lot 334 Armadale Road, Forrestdale.</p>	<p>31.1 Subdivision shall occur in accordance with a Structure Plan for the Second Stage Urban Development Area to be prepared pursuant to provisions outlined in Part 4 of the Deemed Provisions and taking effect upon adoption by both the local government of Armadale and the Western Australian Planning Commission.</p> <p>31.2 The Structure Plan shall incorporate assessments and recommend design and management responses to the satisfaction of the local government for the following environmental planning factors –</p> <p>(i) The urban water management recommendations in the Southern River / Forrestdale / Brookdale / Wungong District Structure Plan – Urban Water Management Strategy and subsequent guidelines for integrating urban water management with</p>

No.	Description of land	Additional provisions applicable to subdivision and development
		<p>land use planning in the North Forrestdale area;</p> <p>(ii) Survey assessments of existing flora and fauna, heritage sites, conservation category wetlands, land contamination, acid sulphate soils, sources of noise or odour impacts on development and interfaces to adjacent conservation areas.</p> <p>31.3 All landowners within the Second Stage Urban Development Area shall make a proportional contribution to the costs of infrastructure in accordance with a Developer Contribution Plan prepared pursuant to Part 5A and Schedule 9B– Development Contribution Plans.</p>
32.	Lot 681 Canns Road, Bedfordale.	<p>32.1 Comprehensive Planning for the area shall be undertaken by preparation of a Structure Plan under Part 4 of the Deemed Provisions.</p> <p>32.2 Overall maximum number of lots shall be 43 lots and shall be in accordance with the adopted Structure Plan.</p> <p>32.3 Minimum lot sizes shall be 3,000m<sup>2</sup>, except for the proposed Lot 43 on the Structure Plan, which shall have a minimum lot size of 2.5 ha.</p> <p>32.4 Prior to subdivision, all existing inert landfill shall be consolidated with the area depicted on the approved Structure Plan and the base of the existing quarry area shall be tested and rehabilitated to the satisfaction of the local government and the Department of Environment.</p> <p>32.5 Submission of a Dieback Management Plan that includes controlled access to Settlers Common, fencing, dieback treatment spraying and appropriate signage.</p> <p>32.6 A memorial being placed on the lot identified as Lot 43 on the Structure Plan to advise the prospective property owner/s that the subject lot contains landfill material.</p> <p>32.7 All lots shall be provided with reticulated water supply.</p> <p>32.8 All lots shall be provided with an underground power supply.</p> <p>32.9 In lieu of provision of a Public Open Space contribution, the subdivider shall contribute 5% cash-in-lieu to the local government for open space and recreation facilities in the locality. The POS cash-in-lieu contribution is to be valued in-accordance with Section 155 of the Planning &amp; Development Act.</p> <p>32.10 Effluent drains for septic systems (leach drains) shall be located such that any consolidated laterite duricrust is totally removed to the depth of the underlying soil horizon and extending to one (1)</p>

No.	Description of land	Additional provisions applicable to subdivision and development
		<p>metre around the perimeter of each drain and the excavated area backfilled with friable soils under and around the drains to allow effluents to drain into the underlying soil horizon.</p> <p>32.11 Effluent disposal systems using alternative disposal technologies should not be located over the duricrust.</p> <p>32.12 Stormwater and drainage management techniques shall meet the requirements of the local government's Water Sensitive Design Policy to the satisfaction of the local government.</p> <p>32.13 All fencing shall be limited to open rural type fencing in accordance with the post and wire or post and rail, rural fencing model/guidelines depicted on the Structure Plan.</p> <p>32.14 Fencing along the common property boundary with the MRS Reserve (Settlers Common) to be in accordance with the specifications and to the satisfaction of the local government.</p> <p>32.15 Revegetation is to be established in accordance with the proposals identified on the Structure Plan which shall include:</p> <ul style="list-style-type: none"> <li>• A 40 metre buffer strip parallel and adjacent to Canns Road;</li> <li>• Landscaped drainage detention swales; and</li> <li>• Vegetation strips around the perimeters of each lot.</li> </ul> <p>32.16 Strategic Fire Breaks as nominated on the Structure Plan shall be provided/constructed and maintained by the owners of the lots to the satisfaction of the local government.</p> <p>32.17 On approval of any subdivision application for the site, the current development approval for landfill operations shall cease and be void.</p>
35.	<p>North Forrestdale Third Stage Urban Development Area, being Lots 4 to 7, 25, 30 and Part 46 Wright Road, Lots 10, 11 (A and B) 12, 30 to 31, 45 and 58 Armadale Road, Lots 2 to 6 and portion of Lot 40 Nicholson Road and Lot 12 Mason Road Piara Waters.</p>	<p>35.1 Subdivision shall occur in accordance with a Structure Plan for the Third Stage Urban Development Area to be prepared pursuant to the provisions outlined in Part 4 of the Deemed Provisions;</p> <p>35.2 The Structure Plan shall incorporate assessments and recommend design and management responses to the satisfaction of the local government for the following environmental planning factors –</p> <ul style="list-style-type: none"> <li>• The urban water management recommendations in the Southern River / Forrestdale / Brookdale Wungong District Structure Plan – Urban Water Management Strategy and subsequent guidelines for integrating urban water management with land use planning in the North Forrestdale urban development area;</li> <li>• Survey assessments of existing flora and fauna, heritage sites, conservation category wetlands,</li> </ul>

No.	Description of land	Additional provisions applicable to subdivision and development
		<p>land contamination, acid sulphate soils, sources of noise or odour impacts on development and interfaces to adjacent conservation areas.</p> <p>35.3 All landowners within the Development Contribution Area covering the Third Stage Urban Development Area shall make a proportional contribution to the costs of infrastructure in accordance with a Development Contribution Plan prepared pursuant to Part 5A and Schedule 9B – Development Contribution Plans.</p>
36.	Lot 20 Robinson Road, Roleystone (as identified on Scheme Map).	<p>36.1 Comprehensive planning for the area shall be undertaken by preparation of a Structure Plan to guide subdivision and development.</p> <p>36.2 A Fire Management Plan shall be adopted as part of the Structure Plan and will need to be implemented by the subdivider prior to subdivision of the land. Landowners shall be responsible for ongoing implementation of the Fire Management Plan on their land.</p> <p>36.3 Memorials on each lot title shall advise purchasers that the lot is bushfire prone and that the use and development of the lot is to be in accordance with the Fire Managements Plan and the local government shall recommend a condition of subdivision to that effect.</p> <p>36.4 All habitable buildings shall be built in accordance with Australian Standard 3959 – Construction of Buildings in Bushfire-Prone Areas in accordance with the adopted Fire Management Plan.</p> <p>36.5 The subdivider shall landscape and revegetate the areas specified on the adopted Structure Plan prior to the local government endorsing a Deposited Plan of subdivision for the creation of new lots. Landowners shall be responsible for ongoing maintenance of the vegetation and revegetation where required by the local government.</p>

No.	Description of land	Additional provisions applicable to subdivision and development
37.	Lots 201 and 202 Coventry Road, Roleystone (as identified on Scheme Map).	<p>37.1 Comprehensive planning for the area shall be undertaken by preparation of a Structure Plan to guide subdivision and development.</p> <p>37.2 Memorials or Notifications on each lot title shall be required and advise purchasers that the lot is in a bushfire prone area and that the use and development of the lot is subject to a Fire Management Plan. The local government shall recommend a condition of subdivision to that effect.</p> <p>37.3 All habitable buildings shall be built in accordance with Australian Standards 3959 – Construction of Buildings in Bushfire-Prone Areas or superseded requirement in accordance with the adopted Fire Management Plan.</p> <p>37.4 A Fire Management Plan shall be adopted as part of the Structure Plan and shall be implemented by the subdivider, prior to subdivision of the land. Landowners shall be responsible for ongoing implementation of the Fire Management Plan on their land.</p> <p>37.5 Submission and implementation of a Dieback Management Plan that includes appropriate signage, dieback treatment spraying and uniform fencing.</p> <p>37.6 Uniform fencing shall be constructed by the subdivider on the lot boundaries abutting the land reserved for Parks and Recreation in the region planning scheme.</p>
39.	Lot 123 Canns Road – Special Residential Development Area (as identified on Scheme Map).	<p>39.1 Comprehensive planning for the area shall be undertaken by preparation of a Structure Plan to guide subdivision and development.</p> <p>39.2 The Structure Plan for the site shall include a Fire Management Plan prepared to the satisfaction of the local government in consultation with the Department of Conservation and state agencies relevant to fire protection and management of the abutting regional bushland.</p> <p>39.3 The Structure Plan, subdivision and development of the site shall meet the following requirements – <u>Bushfire Protection</u></p> <p>39.4 Memorials on each lot title shall advise purchasers that the lot is bushfire prone and that the use and development of the lot is to be in accordance with the Fire Management Plan and the local government shall recommend a condition of subdivision to that effect.</p> <p>39.5 The Building Protection Zone and Hazard Separation Zone on each lot shall be prepared with the general fuel loadings and criteria specified in the Fire Management Plan prior to the clearance of conditions for the creation of new lot titles and the local government shall recommend a condition of subdivision to that effect.</p>

No.	Description of land	Additional provisions applicable to subdivision and development
		<p>39.6 Strategic firebreaks and access to emergency water resources identified on the Structure Plan shall be provided as an easement on the title of any affected lot.</p> <p>39.7 All building development shall require an application for development approval.</p> <p>39.8 All dwellings shall be constructed in accordance with the Level 1 standards specified by Australian Standard 3959 – Construction of Buildings in Bushfire Prone Areas.</p> <p>39.9 A new dwelling shall not be occupied or otherwise used as a habitable dwelling until the owner has provided the local government with a Statutory Declaration that the fuel loadings and criteria specified in the Fire Managements Plan have been implemented and the local government may require an appropriately qualified person acceptable to the local government to certify that this work has been completed.</p> <p>39.10 No revegetation or planting shall be undertaken on any lot other than in accordance with the Landscape Master Plan or Fire Management Plan.</p> <p><u>Effluent Disposal</u></p> <p>39.11 The Structure Plan shall identify Building / Development Envelopes on all lots and indicate those lots requiring nutrient removing effluent disposal systems.</p> <p>39.12 No effluent disposal system or effluent disposal area shall be permitted within the 30m buffer to the sump land of seasonally waterlogged soils identified on the Structure Plan and no leach drains permitted within 50m of any watercourse, well or open water body.</p> <p>39.13 All effluent disposal systems within 50m of the sump land identified on the Structure Plan shall be Nutrient Removing Systems.</p> <p>39.14 Applications for all leach drain effluent disposal systems will need to demonstrate that the site chosen for effluent disposal has free draining soil to a depth of 2 metres and a width of 3 metres, which, may require removal of the layer of lateritic duricrust and replacement with clean fill, as determined by soil depth conditions on specific lots.</p> <p>39.15 Subsoil drains shall be required upslope of all effluent disposal areas to divert any shallow seepage away from effluent disposal areas.</p> <p><u>Stormwater Management</u></p> <p>39.16 The design and construction of roads and vehicle / pedestrian crossings over the watercourse shall have regard to Department of Water construction guidelines and minimise detrimental impacts on</p>

No.	Description of land	Additional provisions applicable to subdivision and development
		<p>waterways and the local government will recommend a subdivision footnote to that effect.</p> <p>39.17 The design and construction of the stormwater management system shall have regard to the guidance contained in the “Stormwater Management Manual for Western Australia (Department of Environmental 2004 as amended) and the local government will recommend a subdivision footnote to that effect.</p> <p><u>General</u></p> <p>39.18 In lieu of provision of a Public Open Space contribution, the subdivider shall contribute 5% of the site as cash-in-lieu to the local government for open space and recreation facilities in the locality with the land valued in accordance with Section 155 of the <i>Planning and Development Act 2005</i>.</p> <p>39.19 The purchasers of all lots shall be advised of the provisions of the Scheme applying to the site and the local government shall recommend a condition of subdivision to that effect.</p> <p>39.20 Maximum number of lots shall be 27 in accordance with the Structure Plan and the local government will not support further subdivision.</p> <p>39.21 The irrigation of any lot by diverting or otherwise removing water flowing in the watercourse adjacent to Canns Road shall not be permitted and the local government shall recommend a condition of subdivision to that effect.</p> <p>39.22 Subdivision works are to be implemented in accordance with a Dieback Management Plan prepared to the specification of the local government and the local government shall recommend a condition of subdivision approval to that effect.</p>
40.	Lots 7, 50, 3 and 16 Carradine Road, Bedforddale and a portion of Lot 6 Carradine Road, Bedforddale Development Area.	<p>40.1 Comprehensive planning for the area shall be undertaken by preparation of a structure plan to guide subdivision and development.</p> <p>40.2 A Fire Management Plan has been adopted as part of this Structure Plan and will need to be implemented by the subdivider before the subdivision of the land. Landowners shall be responsible for ongoing implementation of the Fire Management Plan on their land.</p> <p>40.3 All habitable buildings shall be built in accordance with Australian Standard 3959 – Construction of Buildings in Bushfire-Prone Areas in accordance with the adopted Fire Management Plan. Notification on the Titles of all lots will be required at the subdivision stage specifying this requirement.</p> <p>40.4 The subdivider shall landscape and revegetate the areas specified on this Structure Plan prior to the local government endorsing a Deposited Plan of subdivision for the creation of new lots. Landowners</p>

No.	Description of land	Additional provisions applicable to subdivision and development
		<p>shall be responsible for ongoing maintenance of the vegetation.</p> <p>40.5 Submission of a Dieback Management Plan that includes controlled access to Settlers Common, fencing, dieback treatment spraying and appropriate signage.</p>
41.	<p>Brookwood Special Residential Development Area (formerly Adios Estate) bounded by Rowley Road, Reservation for Parks and Recreation (MRS), Lots 26 and 28 Hilbert Road, Lots 2, 3 and 1000 Rowley Road (as identified on the Scheme Map).</p>	<p>41.1 Subdivision and development shall be guided by the Structure Plan/Subdivision Guide Plan adopted by the local government for the area.</p> <p>41.2 Overall maximum number of lots permitted on the Structure Plan shall be 132 lots and no further subdivision shall be permitted.</p> <p>41.3 Landowners shall be responsible for ongoing maintenance of the vegetation specified on the Landscape Master Plan.</p> <p>41.4 Fencing shall be limited to open rural type fencing in accordance with the post and wire or post and rail rural fencing model/guidelines depicted on the Landscape Master Plan adopted by the local government unless otherwise approved by the local government.</p>
42.	<p>North Forrestdale Fourth Stage Urban Development Area, being Lot 54 and Lot 800 Skeet Road and Lot 5000 Reilly Road, Harrisdale</p>	<p>42.1 Subdivision shall occur in accordance with a Structure Plan for the Fourth Stage Urban Development Area to be prepared pursuant to the provisions outlined in Part 4 of the Deemed Provisions and taking effect upon adoption by both the local government of Armadale and the Western Australian Planning Commission.</p> <p>42.2 The Structure Plan shall incorporate assessments and recommend design and management responses to the satisfaction of the local government for the following environmental planning factors—</p> <ul style="list-style-type: none"> <li>(i) The urban water management recommendations in the Southern River / Forrestdale / Brookdale / Wungong District Structure Plan—Urban Water Management Strategy and subsequent guidelines for integrating urban water management with land use planning in the North Forrestdale urban development area.</li> <li>(ii) Survey assessments of existing flora and fauna, heritage sites, conservation category wetlands, land contamination, acid sulphate soils, sources of noise or odour impacts on development and interfaces to adjacent conservation areas.</li> </ul> <p>42.3 All landowners within the Fourth Stage Urban Development Area shall make a proportional contribution to the costs of infrastructure in accordance with a Development Contribution Plan prepared pursuant to Part 5A and Schedule 9B - Development Contribution Plans.</p>
43.	<p>Lot 805 Weelarra Heights, Bedforddale Rural Living</p>	<p><u>General</u></p>

No.	Description of land	Additional provisions applicable to subdivision and development
	Development Area (as identified on Scheme Map)	<p>43.1 Comprehensive planning for the area shall be undertaken by preparation of a Structure Plan to guide subdivision and development. The maximum number of lots shall be eleven (11).</p> <p>43.2. A geotechnical report shall be prepared for the site by a suitably qualified person at the expense of the subdivider prior to subdivision.</p> <p>43.3 The purchasers of all lots shall be advised by the subdivider of the provisions of the Scheme, Fire Management Plan and Structure Plan applying to the site as part of future sale contracts.</p> <p>43.4 A Pedestrian Access Way linking the road/s within the structure plan area with Settlers Common shall be provided as part of future subdivision of the land to the satisfaction of the local government.</p> <p><u>Environmental Assessment</u></p> <p>43.5 An environmental assessment for the land shall be completed as part of the structure plan. The Structure Plan shall guide subdivision and development of the land taking into consideration the findings of the environmental assessment.</p> <p>In addition to other applicable matters as determined by the local government, the environmental assessment shall address the following matters—</p> <ul style="list-style-type: none"> <li>· Land Capability</li> <li>· Land Suitability</li> <li>· Effluent Disposal</li> <li>· Erosion and Sediment Control</li> <li>· Existing Vegetation and Flora</li> <li>· Fauna and Habitats</li> <li>· Land Form</li> <li>· Topography</li> <li>· Revegetation</li> <li>· Soils</li> <li>· Surface Hydrology</li> <li>· Groundwater Hydrology</li> <li>· Landscape and Amenity Values</li> <li>· Drainage</li> </ul> <p><u>Landscapes and Vegetation</u></p> <p>43.6 Prior to subdivision, a Revegetation/Rehabilitation Plan shall be prepared, adopted by the local government and implemented by a suitably qualified person at the expense of the subdivider to the satisfaction of the local government. The Revegetation/ Rehabilitation Plan shall include the following—</p> <ul style="list-style-type: none"> <li>· A 15.0m wide vegetated buffer measured from the centreline line of watercourses and around the boundary of open water bodies, wetlands and seasonally saturated areas;</li> </ul>

No.	Description of land	Additional provisions applicable to subdivision and development
		<ul style="list-style-type: none"> <li>· Screening vegetation along Carradine Road and adjacent to development envelopes;</li> <li>· A vegetated link between Settlers Common and the Neerigen Brook Tributary;</li> <li>· Consideration of Bush Fire Management requirements; and</li> <li>· Landscaping within the road reserve.</li> </ul> <p>43.7 Landowners shall be responsible for the ongoing management of the Revegetation/Rehabilitation Plan on their land.</p> <p>43.8 Development and clearing (other than for the clearing requirements of the approved Fire Management Plan or for approved driveways/access to development envelopes from the road) is not permitted within existing areas of vegetation considered significant or worthy of retention by the local government or within Revegetation/Rehabilitation Areas identified in the plan referred to in Provision No.6 above.</p> <p>43.9 Habitats considered significant or worthy of retention by the local government shall be retained and protected.</p> <p>43.10 Subdivision works shall be implemented in accordance with a Dieback Management Plan prepared by a suitably qualified person at the expense of the subdivider and approved by the local government prior to subdivision works commencing.</p> <p>43.11 Subject to the local government's written approval, a maximum of 1.5m of fill (measured from natural ground level) is permitted on all lots unless otherwise approved in writing by the local government. The local government will not entertain the approval of more than 1.5m of fill on lots in the structure plan area on the grounds that more fill is a more attractive economic proposition.</p> <p>A planning application for development which includes in excess of 1.5m of fill will need to be accompanied by a written report completed by a suitably qualified engineer unequivocally demonstrating to the local government's satisfaction that more than 1.5m of fill is required to develop the lot and no other design/construction options exist.</p> <p>Landowners need to consider all design/construction options (such as pole or split level homes) so the natural topography of the land is retained in an optimum manner.</p> <p><u>Restrictive Covenants/Water Extraction</u></p> <p>43.12 A Restrictive Covenant pursuant to Section 129BA of the <i>Transfer of Land Act 1893</i> (as amended) in favour of the local government is to be placed on the Certificate of Title of the proposed lots that include</p>

No.	Description of land	Additional provisions applicable to subdivision and development
		<p>a watercourse/s advising of the existence of a restriction on the use of the land. Notice of this restriction is to be included on the Deposited Plan. The restrictive covenant must be drafted to—</p> <ul style="list-style-type: none"> <li>· Prevent any landowners from draining water from the Neerigen Brook tributary other than that drained from the existing dam on proposed Lot 9 for irrigation of the "Weelarra Homestead" gardens only; and</li> <li>· Prevent persons from constructing any new dams or weirs or interfering with the flow of water into the brook.</li> </ul> <p><u>Effluent Disposal</u></p> <p>43.13 All new proposed effluent disposal systems and effluent disposal areas shall be setback a minimum of 50m from water courses and water bodies and 30m from wetlands and seasonally saturated areas identified on the Structure Plan.</p> <p>43.14 Within each lot, leach drains or irrigation areas shall be placed as nearly as possible in the location with the greatest depth of laterite. Areas with less than 0.5m of soil over laterite should be avoided for leach drains and irrigation areas. Where laterite is unavoidable it should be excavated to a depth of 2m and a width of 1.2m on each side of the leach drain or irrigation area. The pit should be backfilled with aggregate, gravel or similar porous medium.</p> <p>43.15 On sloping sites with shallow laterite a subsoil cut off drain immediately above the laterite upslope of the leach drain or irrigation area shall be installed in order to divert downslope seepage around the leach drain/irrigation area (the local government will determine when this is required based on information provided at the expense of landowners).</p> <p>43.16 The use of Aerobic Treatment Units (ATU) is required for onsite effluent disposal for all proposed lots within the 30m and 50m buffer areas mentioned in provision No.13 above.</p> <p><u>Management Strategies</u></p> <p>43.17 A Local Water Management Strategy and Soil Management Strategy (the latter to include Erosion and Sediment Control) shall be prepared by a suitably qualified person at the expense of the subdivider. The strategies shall be implemented by the subdivider before subdivision of the land to the satisfaction of the local government. The Local Water Management Strategy shall meet the requirements of the local government's Water Sensitive Design Policy. Where applicable, landowners shall be responsible for the ongoing implementation of the strategies on their land.</p> <p><u>Bushfire Protection</u></p>

No.	Description of land	Additional provisions applicable to subdivision and development
		<p>43.18 Prior to the subdivision of the land, a Fire Management Plan shall be prepared and implemented by a suitably qualified person at the expense of the subdivider to the satisfaction of the local government. Landowners shall be responsible for the ongoing implementation of the Fire Management Plan on their land.</p> <p>43.19 Development Envelopes which are located on vegetated sites are to be sized with due regard to the clearing requirements of the Fire Management Plan.</p> <p>43.20 The lots shall be prepared with the general fuel loadings and criteria specified in the Fire Management Plan prior to subdivision to the satisfaction of the local government.</p> <p>43.21 All habitable buildings shall be constructed in accordance with Australian Standard 3959— Construction of Buildings in Bush fire Prone Areas or the standards which supersede it.</p> <p>43.22 All habitable buildings shall be a minimum of 60m from the lot boundary with Settlers Common for bush fire protection.</p> <p>43.23 There shall be a minimum of two vehicle connections onto Carradine Road from the Structure Plan area which can be accessed by the public using a conventional two wheel drive vehicle in all-weather at all times.</p> <p>43.24 Emergency Access Ways, Fire Access Routes and Battleaxe Access legs as required by the local government shall be prepared as follows—</p> <ul style="list-style-type: none"> <li>· Emergency Access Ways shall be provided as an easement on the title of any affected lot, remain accessible at all times, and be prepared by the subdivider prior to subdivision to the satisfaction of the local government as follows— <ul style="list-style-type: none"> <li>- be cleared to a minimum width and height of 3.5m and 4.0m respectively;</li> <li>- have a trafficable surface suitable for conventional two wheel drive vehicles in all weather that is a minimum width of 3.5m;</li> <li>- include erosion control measures;</li> <li>- be sign posted; and</li> <li>- have passing points as required by the local government.</li> </ul> </li> <li>· If provided, Battleaxe Access Legs shall be prepared by the subdivider prior to subdivision to the satisfaction of the local government as follows— <ul style="list-style-type: none"> <li>- be cleared to a minimum width and height of 6.0m and 4.0m respectively;</li> <li>- include erosion control measures;</li> <li>- have a trafficable surface suitable for conventional two wheel drive vehicles in all</li> </ul> </li> </ul>

No.	Description of land	Additional provisions applicable to subdivision and development
		<p>weather that is a minimum width of 4.0m; and</p> <ul style="list-style-type: none"> <li>- have a minimum of one passing point.</li> </ul> <ul style="list-style-type: none"> <li>· Fire Service Access Routes shall be provided as an easement on the title of any affected lot, remain accessible at all times and be prepared by the subdivider prior to subdivision to the satisfaction of the local government as follows— <ul style="list-style-type: none"> <li>- Be cleared to a minimum width and height of 6.0m and 4.0m respectively;</li> <li>- have a trafficable surface suitable for fire appliances in all weather that is a minimum width of 4.0m;</li> <li>- include erosion control measures;</li> <li>- be sign posted; and</li> <li>- have turn around areas/passing points suitable for 3.4 fire appliances every 500 metres.</li> </ul> </li> </ul> <p>43.25 Landowners shall be responsible for the ongoing management of the Emergency Access Ways, Fire Access Routes and/or Battleaxe Access legs on their land in accordance with the standards described above.</p> <p><u>Fencing</u></p> <p>43.26 Prior to subdivision of the land, the subdivider shall construct uniform rural fencing along the common boundary (as determined by the local government) of the subject land to Armadale Settlers Common to the satisfaction of the local government.</p> <p>43.27 Other than as required by the approved Fire Management Plan, fencing standards shall be in accordance with the local government’s Fencing Local Law (or standards which supersede it).</p> <p><u>Title Notifications</u></p> <p>43.28 Notifications are to be placed on the certificate of title of all future lots to advise landowners of the following matters—</p> <ul style="list-style-type: none"> <li>· The area is identified as being bush fire prone.</li> <li>· The use and development of all lots within the subdivision shall be in accordance with the approved Fire Management Plan.</li> <li>· Landowners shall be responsible for ongoing implementation of the approved Fire Management Plan on their land.</li> <li>· Fire Service Access Routes, Battle Axe Access Legs and Emergency Access Ways identified on a Structure Plan for the land shall be maintained in accordance with the standards described above by the owners of any affected lot.</li> <li>· All habitable buildings shall be constructed in accordance with Australian Standard 3959—</li> </ul>

No.	Description of land	Additional provisions applicable to subdivision and development
		<p>Construction of Buildings in Bushfire Prone Areas or the standards which supersede it.</p> <ul style="list-style-type: none"> <li>· Fauna Habitats (as identified by the local government) shall be retained and protected.</li> <li>· Clearing outside building envelopes other than for approved or mandatory Fire Management Purposes is not permitted unless approved by the local government and/or the Department of Environment and Conservation or their successor.</li> </ul>
44.	Canning River Clifton Street Precinct Urban Structure Plan Area, being Lots 11 and 12 Brookside Avenue, Lots 11, 12, 1, 14, 15, 16, 17 and 20 to 26 Clifton Street as defined on the Scheme Maps.	<p>44.1 Subdivision shall occur in accordance with a Structure Plan for the Canning River Clifton Street Precinct Urban area which is to be prepared pursuant to the provisions outlined in Part 4 of the Deemed Provisions.</p> <p>44.2 The Structure Plan shall incorporate assessments and recommend design and management responses to the satisfaction of the local government for the following environmental planning factors -</p> <ul style="list-style-type: none"> <li>(i) Local urban water management;</li> <li>(ii) flora and fauna, heritage sites, conservation category wetlands, bush fire protection and acid sulphate soils.</li> </ul> <p>44.3 The Structure Plan shall make provision for -</p> <ul style="list-style-type: none"> <li>(i) a variety of lot sizes and high quality residential dwellings and respond to the preferred concept outcomes of the Canning River Precinct Study (Consolidated Scenario 4);</li> <li>(ii) protection of valued vegetation located within or adjacent to the Martin Street road reserve including options regarding the potential heritage rose bush in the vicinity of the original Martin house;</li> <li>(iii) providing an archaeological watching brief in the River Road Heritage Precinct Class B zone, which is the indicative site of the former historic police barracks;</li> <li>(iv) suitable provision of 10% standard Public Open Space contributions, predominantly by augmenting and extending the width of the Canning River foreshore reserve area, creating pocket parks, or in accordance with policies of the Western Australian Planning Commission equivalent cash in lieu contributions which can be used to improve public recreation opportunities and facilities in the foreshore POS reserve areas;</li> <li>(v) providing Canning River foreshore reserves and management;</li> <li>(vi) investigation of solar access opportunities for housing at medium and above densities;</li> </ul>

No.	Description of land	Additional provisions applicable to subdivision and development
		<p>(vii) a Local Water Management Strategy to be prepared in consultation with the DoW and the local government; and</p> <p>(viii) servicing and infrastructure requirements including any requirements for road and bridge upgrades to provide access to the additional residential development and to manage local traffic.</p>
45.	Lots 4 and 6 Bay Court, Lots 5 and 10 Lake Road and Lot 9 McNeill Road, Champion Lakes (Lake Road Structure Plan Area).	<p>45.1 Comprehensive planning for the area shall be undertaken by preparation of a Structure Plan to guide subdivision and development.</p> <p>45.2 As part of subdivision and/or development of the land Conservation Category Wetlands shall be retained, rehabilitated, managed and protected at the expense of the owner, subdivider and/or developer to the local government's satisfaction.</p> <p>45.3 As part of subdivisions or development of the land existing trees and vegetation considered worthy of retention by the local government shall be retained and protected at the expense of the subdivider or developer to the local government's satisfaction.</p> <p>45.4 Prior to subdivision or development of the land, a Landscaping and Streetscape Plan for Public Open Space, drainage features and Road Reserves shall be prepared and implemented by a suitably qualified person at the expense of the subdivider or developer to the requirements and satisfaction of the local government. The Landscaping Plan and Streetscape Plan shall address the following matters to the local government's satisfaction--</p> <ul style="list-style-type: none"> <li>a. An existing vegetation and tree condition assessment and tree survey shall be provided;</li> <li>b. The design and construction of Public Open Space and Road Reserves shall make provision for the retention of existing trees and vegetation considered worthy of retention by the local government;</li> <li>c. The design and construction of drainage features within Public Open Space and Road Reserves shall be integrated with the overall landscaping design;</li> <li>d. Public Open Space shall be revegetated with local native species as required and approved by the local government;</li> <li>e. Public Open Space shall include grassed areas as required and approved by the local government;</li> <li>f. The provision of street trees using local native species as required and approved by the local government;</li> </ul>

No.	Description of land	Additional provisions applicable to subdivision and development
		<p>g. Reticulation of the Public Open Space and Street Trees shall be provided as required by the local government and approved by the local government;</p> <p>h. On street car parking bays adjacent to Public Open Space shall be provided; and</p> <p>i. A connected pedestrian footpath network shall be provided and constructed as follows--</p> <ul style="list-style-type: none"> <li>i. On at least one side of every street;</li> <li>ii. Within the centre corridor of public open space from Lake Road to the River;</li> <li>iii. Adjacent to Bay Court and McNeill Road Reserves from Lake Road to the River;</li> <li>iv. Adjacent to Lake Road Reserve; and</li> <li>v. The paths required under the points i to iv above shall be connected.</li> </ul> <p>45.5 Prior to subdivision or development of the land, a Foreshore Management and Improvement Plan shall be prepared and implemented by a suitably qualified person at the expense of the subdivider or developer to the requirements and satisfaction of the local government.</p> <p>45.6 Public Open Space shall be implemented by the subdivider or developer in accordance with the Landscaping and Streetscape Plan and Foreshore Management and Improvement Plan prior to subdivision or development.</p> <p>45.7 The purchasers of all lots shall be advised by the subdivider or developer of the provisions of the Scheme, Structure Plans and Local Development Plans applying to the site as part of future sale contracts to the satisfaction of the local government.</p> <p>45.8 As part of structure planning, subdivision or development a Local Water Management Strategy and Urban Water Management Plan shall be prepared and implemented by a suitably qualified person at the expense of the subdivider or developer to the requirements and satisfaction of the local government.</p>
46.	<p>South Forrestdale Industrial Area - Lot 6, 8 and 200 Rowley Rd, Forrestdale (Stage 1) and Lot 10 and portion of Lot 12 (863) Rowley Rd, Lots 5 (596), 7 and 9 Oxley Rd and Lot 5066 Kargotich Road, Forrestdale (Stage 2)</p>	<p>46.1. Subdivision and development should be generally consistent with a Structure Plan for Development Area 46 – Rowley Road Industrial Area to be prepared pursuant to Part 4 of the Deemed Provisions.</p> <p>46.2. A transport assessment shall be prepared in accordance with applicable Western Australian Planning Commission Guidelines.</p> <p>46.3. The Structure Plan shall make adequate provision for the protection of adjoining Conservation</p>

No.	Description of land	Additional provisions applicable to subdivision and development
		<p>Category Wetlands, Bush Forever land and Regional Parks and the Resource Enhancement Wetland on Lot 8 Rowley Road to the satisfaction of the Environmental Protection Authority and the local government through -</p> <p>(a) The provision of appropriate buffers between future industrial development and the Bush Forever site and Conservation Category Wetland on Lot 12 and environmentally sensitive areas abutting the northern boundaries of Lots 5, 7 and 9 Oxley Road. The buffer areas are to be detailed on the Structure Plan. The extent/width of the buffers is to be to the satisfaction of the EPA and the DBCA.</p> <p>(b) A Buffer Management Plan for the buffer areas determined by the EPA and DBCA. The Buffer Management Plan is to address the retention of any native vegetation within the buffer, revegetation of cleared areas, bushfire management, access and drainage. The Buffer Management Plan is to be prepared in consultation with the Department of Biodiversity, Conservation and Attractions to the satisfaction of the local authority.</p> <p>(c) At the Subdivision stage, the land identified for buffer areas is to be ceded free of cost as reserves for Public Open Space and Drainage.</p> <p>46.4. The Structure Plan for Development Area No.46 - Rowley Road Industrial Area shall:</p> <p>a. include a servicing report detailing load demand and indicative network augmentation / reinforcement requirements for review and ratification by Western Power;</p> <p>b. delineate the Western Power registered easement and</p> <p>i transmission infrastructure;</p> <p>ii include detailed designs and information for review, assessment and written consent of Western Power to any proposals below, if applicable, within the registered easement, in accordance with standard easement conditions:</p> <ul style="list-style-type: none"> <li>• Landscaping plans (including mature heights and location of species);</li> <li>• Ground level changes;</li> <li>• Permanent structures;</li> <li>• Drainage plans;</li> <li>• Conservation controls.</li> </ul>

No.	Description of land	Additional provisions applicable to subdivision and development
		<p>c. A Local Water Management Strategy which, in addition to standard matters, addresses the location and design of any proposed stormwater drainage features within the buffer. The Local Water Management Strategy is to be prepared in consultation with the Department of Water and Environmental Regulation to the satisfaction of the local authority.</p>
47.	<p>Lots 1-2, 22, 25-26, 84, 86-87, 98-99, 102-103 Albany Highway, 1-5, 91-93 Turner Place, 201-202, 211, 9000 Mackinnon Street, and 203-210 and 212 Asplin Loop, Kelmscott--Centre Road Canning River (West) Urban Structure Plan.</p>	<p>47.1 Comprehensive planning for the area shall be undertaken by preparation of a Structure Plan to guide subdivision and development.</p>
48.	<p>Lot 13 Poad Street and Lots 14-18 Lake Road (Precinct A1)</p>	<p>48.1 Comprehensive planning for the area shall be undertaken by preparation of a Structure Plan to guide subdivision and development.</p> <p>48.2 A Local Water Management Strategy shall be prepared by a suitably qualified person at the expense of the subdivider or developer and approved by the City prior to Structure Plan approval.</p> <p>48.3 As part of subdivision or development of the land existing trees and vegetation considered worthy of retention by the City shall be retained and protected at the expense of the subdivider or developer to the City's satisfaction.</p> <p>48.4 As part of subdivision or development of the land, a Landscaping and Streetscape Plan for Public Open Space, drainage features and Road Reserves shall be prepared and implemented by a suitably qualified person at the expense of the subdivider or developer to the requirements and satisfaction of the City. The Landscaping and Streetscape Plan shall address the following matters to the City's satisfaction--</p> <ul style="list-style-type: none"> <li>a. An existing vegetation and tree condition assessment and tree survey shall be provided;</li> <li>b. The design and construction of Public Open Space and Road Reserves shall make provision for the retention of existing trees and vegetation considered worthy of retention by the City;</li> <li>c. The design and construction of drainage features within Public Open Space and Road Reserves shall be integrated with the overall landscaping design;</li> <li>d. Public Open Space shall be revegetated with local native species as required and approved by the City;</li> <li>e. Public Open Space shall include grassed areas as required and approved by the City;</li> <li>f. The provision of street trees using local native species as required and approved by the City;</li> </ul>

No.	Description of land	Additional provisions applicable to subdivision and development
		<p>g. Reticulation of the Public Open Space and Street Trees shall be provided as required by the City and approved by the City;</p> <p>h. On street car parking bays adjacent to Public Open Space shall be provided; and</p> <p>i. A connected pedestrian footpath network shall be provided and constructed as follows -</p> <ul style="list-style-type: none"> <li>i. On at least one side of every street;</li> <li>ii. Adjacent to Poad Street Road Reserve from Lake Road to the River;</li> <li>iii. Adjacent to Lake Road Reserve;</li> <li>iv. Adjacent to the Wungong River Foreshore; and</li> <li>v. The paths required under the points i to iii above shall be connected.</li> </ul> <p>48.5 As part of subdivision or development of the land, the following plans shall be prepared, approved by the City and implemented by a suitably qualified person at the expense of the subdivider or developer to the requirements and satisfaction of the City -</p> <ul style="list-style-type: none"> <li>a. Foreshore Management and Improvement Plan;</li> <li>b. Midge and Mosquito Management Plan;</li> <li>c. Bushfire Management Plan;</li> <li>d. Urban Water Management Plan;</li> <li>e. Geotechnical Report.</li> </ul> <p>48.6 Masonry uniform fencing shall be constructed in the locations shown on any approved Structure Plan and be visually permeable where required by the City.</p> <p>48.7 Public open space shall be developed by the subdivider or developer in accordance with the Landscaping and Streetscape Plan prior to subdivision.</p> <p>48.8 A minimum primary street dwelling setback of 4m, and a minimum garage setback of 4.5m, shall apply to all lots with an R25 density code within the Precinct A1 Structure Plan area.</p>
49.	Lots 1-3 Bay Court, Lot 101 Lake Road, and Lots 102-105 Arabian Court, (Precinct C)	<p>49.1 Comprehensive planning for the area shall be undertaken by preparation of a Structure Plan to guide subdivision and development.</p> <p>49.2 Prior to Structure Plan approval, the following plans shall be prepared and approved by the City. The plans shall be implemented by a suitably qualified person at the expense of the subdivider or developer, and to the satisfaction of the City, prior to subdivision—</p> <ul style="list-style-type: none"> <li>a. Local Water Management Strategy;</li> <li>b. Bushfire Management Plan;</li> <li>c. Foreshore Management Plan; and</li> <li>d. Wetland Management Plan.</li> </ul> <p>49.3 As part of subdivision or development of the land, a Landscaping Plan for Public Open Space, drainage features and Road Reserves shall be prepared and implemented by a suitably qualified person at the expense of the subdivider or developer to the</p>

No.	Description of land	Additional provisions applicable to subdivision and development
		<p>requirements and satisfaction of the City. The Landscaping Plan shall include the following—</p> <ul style="list-style-type: none"> <li>a. The design and construction of Public Open Space and Road Reserves shall make provision for the retention of existing trees and vegetation considered worthy of retention by the City;</li> <li>b. A connected pedestrian footpath network shall be provided and constructed as follows— <ul style="list-style-type: none"> <li>i. On at least one side of every street;</li> <li>ii. Adjacent to Lake Road Reserve;</li> <li>iii. Adjacent to the Wungong River Foreshore;</li> <li>iv. Connection to Champion Drive; and</li> <li>v. The paths required under the points i to iii above shall be connected.</li> </ul> </li> </ul> <p>49.4 The closure and/or rededication of existing road and parks and recreation reserves shown on any approved Structure Plan and required at subdivision stage shall be undertaken at the subdivider's cost. Any rededication of Parks and Recreation Reserve area shall be offset by the ceding and construction of an identical area of Public Open Space free of cost to the City.</p> <p>49.5 As part of any subdivision of Lots 1 and 3 Bay Court, the developer shall make arrangements with the City to the City's satisfaction for the ceding and construction of POS on Lot 2 Bay Court.</p>
50.	<p>Champion Drive Precinct Residential development area bounded by Westfield Road, Kalanchoe Approach, Blaxland Elbow, Seville Drive, Heathcote Road, Sullivan Road and Champion Drive. Also includes Lot 30 Champion Drive, Lot 801 Gilliam Drive, and Lot 9502 and 9503 on Deposited Plan 401884.</p>	<p>50.1 Comprehensive planning for the area shall be undertaken by preparation of a Structure Plan to guide subdivision and development.</p> <p>50.2 (a) Public Open Space areas are to be designated in the Structure Plan to protect the vegetation mapped as Eucalypt Woodland and Open Eucalypt Grassland on Figure 3.3 of the Champion Drive Black Cockatoo Habitat Assessment and Level 1 Fauna Assessment prepared by Biologic Environmental Survey and dated October 2019 (Revision No.3) –</p> <ul style="list-style-type: none"> <li>i. At Lot 13 Seville Drive identified on Diagram D017641;</li> <li>ii. In the north-western corner of Lot 7 Seville Drive identified on Diagram D016112; and,</li> <li>iii. In the south-eastern half of Lot 9002 Westfield Road identified on Plan P401883.</li> </ul> <p>The Public Open Space areas shall be ceded free of cost to the Crown for conservation and recreation purposes—</p> <ul style="list-style-type: none"> <li>(a) Prior to any earthworks Black Cockatoo habitat trees outside of the areas identified in a) above, will be identified for retention to be retained and protected in accordance with AS 4970-2009. It is recommended native vegetation (particularly Black Cockatoo foraging species), potential breeding trees and all trees containing hollows are retained wherever possible.</li> <li>(b) If clearing is proposed to be undertaken during the Black Cockatoo breeding season a survey will be undertaken immediately prior to clearing to inspect the hollows of all trees identified as having potential</li> </ul>

No.	Description of land	Additional provisions applicable to subdivision and development
		<p>nesting hollows to confirm the nesting status of each. If any trees are identified as being used by Black Cockatoos for breeding at the time, the tree will not be removed until the Black Cockatoos have relocated.</p> <p>50.3 Should an application for subdivision be received for balance Lots 9502 or 9503 on Deposited Plan 401884, or Lot 30 Champion Drive that is generally consistent with the previous Champion Drive Structure Plan dated 27/5/2008, a new Structure Plan is not required to guide subdivision of these three lots.</p> <p>50.4 Radley Street is to be extended at least to the north-eastern boundary of Lot 9503 on Deposited Plan 401884.</p> <p>50.5 The Structure Plan should identify the location for a primary school site to the satisfaction of the City, in consultation with the Department of Education.</p>
51.	Anstey Keane Precinct, Forrestdale	<p>51.1 The subdivision and development of land in the precinct is to generally be in accordance with a structure plan prepared and approved pursuant to Part 4 of the deemed provisions.</p> <p>51.2 The Structure Plan shall provide a 50-metre setback to the:</p> <ul style="list-style-type: none"> <li>a. Bush Forever Site No.342 adjacent to the Threatened Ecological Community SCP10A ‘shrublands and dry clay flats’; and</li> <li>b. Wetlands identified as UFI 14170, 14876, 15427 and 15428 in Geomorphic Wetlands Swan Coastal Plain dataset.</li> </ul> <p>51.3 The Structure Plan shall incorporate assessments and recommend design and management responses for:</p> <ul style="list-style-type: none"> <li>a. sources of noise impacts on development; and</li> <li>b. interface with the high-pressure gas pipeline.</li> </ul> <p>51.4 The following plans are to be prepared by the applicant and approved by the local government and used to inform the Structure Plan:</p> <ul style="list-style-type: none"> <li>a. 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.</li> <li>b. A Bushfire Management Plan.</li> <li>c. An Environmental Management Plan, in consultation with the Department of Biodiversity, Conservation and Attractions and the Environmental Protection Authority. The Environmental Management Plan shall address as a minimum, actions to prevent and manage impacts of urban development on sites subject of, and/or adjacent to, a Threatened Ecological Community.</li> </ul> <p>51.5 Subdivision and/or development applications shall be accompanied by a Detailed Wetland and Buffer Management Plan, prepared in consultation with the</p>

No.	Description of land	Additional provisions applicable to subdivision and development
		Department of Biodiversity, Conservation and Attractions and the Environmental Protection Authority. The Detailed Wetland and Buffer Management Plan shall address as a minimum, buffers for sites subject of, and/or adjacent to, a Wetland and/or a Threatened Ecological Community.
65.	West Rail Mixed Use area bound by Forrest Road, Fifth Road, Green Avenue and the Perth to Bunbury Railways Reservation.	65.1 Comprehensive planning for the area shall be undertaken by preparation of a Structure Plan to guide subdivision and development.
66.	<p>Armadale Strategic Metropolitan City Centre being the area:</p> <ul style="list-style-type: none"> <li>▪ bounded by Armadale Road (north), South Western Highway (east), John Street (south), Commerce Avenue and Neerigen Street (west);</li> <li>▪ bounded by Armadale Road (north), Abbey Road (west), Forrest Road (south) and Aragon Court (east); and</li> <li>▪ including Lot 100 (1) Little John Road; Lots 11 (479) to 13 (483), Lot 33 (489) and Lots 1 and 2 (493 and 495) Green Avenue, Armadale, Lots 31 (4) and 32 (2) Selkirk Road, Armadale; Lot 163 Church Avenue and Lot 162 Commerce Avenue; and Lots 17 (16), 123 (16) and Lot 157 (10) South Western Highway, Armadale, and Lot 49 (4) Crystal Court, Mount Richon.</li> </ul>	66.1 Generally in accordance with an approved Activity Centre Structure Plan or Precinct Plan.
69.	Lot 9500 Armadale Road, Forrestdale	<p>69.1 Prior to any subdivision or development, comprehensive planning shall be undertaken by the preparation of a Structure Plan to guide subdivision and development.</p> <p>69.2 Any Structure Plan shall be accompanied by detailed plans and environmental studies of the Conservation Category Wetland and its buffers on the subject site including, but not limited to—</p> <ol style="list-style-type: none"> <li>1. flora assessment;</li> <li>2. fauna assessment;</li> <li>3. wetland management plan;</li> <li>4. local water management strategy; and</li> <li>5. bushfire management plan</li> </ol> <p>The recommendations of the above plans and environmental studies shall be implemented and any environmental assets protected in the Structure Plan and at the subdivision and/or development stages to the</p>

No.	Description of land	Additional provisions applicable to subdivision and development
		<p>satisfaction of the determining authority on advice from the Department of Water and Environmental Regulation and the Department of Biodiversity, Conservation and Attractions.</p> <p>Any necessary fire management requirements should be provided for within the industrial portion of the lot and should not impact the wetland or its buffers.</p>
70.	West Piara Urban Precinct South	<p>70.1 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).</p> <p>70.2 Prior to the preparation and lodgement of a Structure Plan, the applicant shall prepare an Environmental Assessment Report in consultation with the Department of Biodiversity, Conservation and Attractions and the Department of Water and Environmental Regulation (EPA Services Branch), to the satisfaction of the City of Armadale. The Environmental Assessment Report shall address as a minimum—</p> <ul style="list-style-type: none"> <li>(a) botanical survey confirming vegetation type and condition, and assessing potential presence of conservation significant flora;</li> <li>(b) assessment of wetland values;</li> <li>(c) assessment of the potential presence of threatened fauna, including habitat and feeding trees/sources; and</li> <li>(d) the identification and protection of Wetland UFI's 7176 and 13342 (as amended from DBCA wetland reclassification assessment Ref No. 2021/001070-01 and proposed in Concept Plan CLE Ref 3278-43A-3/DWER Ref DWERDT509144) including buffers and other areas of high quality vegetation.</li> </ul> <p>70.3 The following plans are to be prepared by the applicant and approved by the local government and used to inform 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 addressing the potential impacts of stormwater flows on wetland UFIs 7176, 13342 and 15532 (as amended);</li> <li>(b) Bushfire Management Plan;</li> <li>(c) Traffic Impact Assessment, including (but not limited to) analysis of the Warton Road/Mason Road intersection;</li> <li>(d) Acoustic Assessment to address traffic and shooting range noise;</li> <li>(e) Environmental Management Plan, addressing actions to prevent and manage impacts of urban</li> </ul>

No.	Description of land	Additional provisions applicable to subdivision and development
		<p>development on threatened flora, vegetation identified for retention, for implementation at subdivision and development stage;</p> <p>(f) Wetland and Buffer Management Plan, addressing mitigation, management and rehabilitation measures to ensure the long-term viability of the wetland and buffer area, prepared in consultation with the Department of Biodiversity, Conservation and Attractions.</p> <p>70.4 The structure plan shall provide design and management responses for implementation through subdivision and development addressing—</p> <p>(a) design of road intersections to Warton Road;</p> <p>(b) widening and upgrading of Mason Road including its intersection with Warton Road;</p> <p>(c) design of the intersection of Mason Road, Southampton Drive and Lockeville Boulevard;</p> <p>(d) high pressure gas mains;</p> <p>(e) visual impact of noise attenuation measures;</p> <p>(f) mosquito management;</p> <p>(g) location of a Department of Education operated primary school;</p> <p>(h) location of a senior multiple purpose sporting oval; and protection of significant flora, vegetation and environmental features.</p>
71.	West Piara Urban Precinct North	<p>71.1 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.</p> <p>71.2 The following plans are to be prepared by the applicant and approved by the local government and used to inform the Structure Plan—</p> <p>a. 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;</p> <p>b. A Bushfire Management Plan;</p> <p>c. An acoustic assessment, to address traffic and kennel noise;</p> <p>d. An Environmental Management Plan in consultation with the Department of Biodiversity, Conservation and Attractions. The Environmental Management Plan shall address as a minimum, actions to prevent and manage impacts of urban development on vegetation identified for retention, and be informed by a botanical survey to assess the potential presence of conservation significant flora.</p> <p>71.3 The Structure Plan shall provide design and management responses for implementation through subdivision and development, addressing—</p>

No.	Description of land	Additional provisions applicable to subdivision and development
		<ul style="list-style-type: none"> <li>a. Road intersections to Warton Road and Southampton Drive/Pipeline Boulevard for safe and efficient traffic distribution and congestion management, on the advice of the local government;</li> <li>b. High pressure gas mains;</li> <li>c. Visual impact of noise attenuation measures; and</li> <li>d. Mosquito management.</li> </ul>
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 landscape trees and features as per Local Planning Policy PLN2.4 Landscape Feature and Tree Preservation, where possible—</li> <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</li> </ul>

No.	Description of land	Additional provisions applicable to subdivision and development
		<p>improved and managed at an excellent condition category to the satisfaction of the City.</p> <ul style="list-style-type: none"> <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 Protection (Assessment of Site Contamination) Measure guidelines;</li> <li>ii. reviewed by an independent Contaminated Sites Auditor in accordance with <i>Contaminated Sites Regulations 2006</i> reg 31(1).</li> <li>iii. take into consideration— <ul style="list-style-type: none"> <li>• Buried waste.</li> <li>• Asbestos containing material.</li> <li>• Groundwater contamination.</li> </ul> </li> </ul> </li> <li>e. Should any soil contamination be identified in the soil contamination assessment, a Site Remediation and Validation Report for the subject land shall be</li> </ul>

No.	Description of land	Additional provisions applicable to subdivision and development
		<p>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 movement.</p>

## SCHEDULE 9A - DEVELOPMENT CONTRIBUTION PLANS

(Legacy plans from previous Town Planning Schemes No.2 and No.3)

[cl. 5A]

No.	Description of Land	Infrastructure to which cost sharing arrangements relate	Cost sharing arrangement
1.	The Roleystone Hills Residential Development Area (as identified on Scheme Map).	<p>1. <u>Purpose:</u></p> <p>1.1 The purpose of establishing the Roleystone Hills Precinct is to permit the subdivision and development of an integrated low density residential estate prescribed by the R5 code of the Residential Planning Codes of Western Australia and to facilitate, at no cost to the local government's ratepayers (other than owners of land within the relevant Structure Plan Area), the equitable apportionment of Structure Plan Area Costs among the owners of all land within a Structure Plan Area.</p> <p>1.2 Contributions may be required in respect to:</p> <p>a) all planning investigations, reports and administration works involved which result in the finalisation of the relevant scheme amendments and implementation of a Structure Plan; and</p> <p>b) all development works involved which results in the relevant stages of the Structure Plan Area being made ready for subdivision as depicted on the Structure Plan and may include but is not necessarily limited to:</p> <ul style="list-style-type: none"> <li>• provision of water supply,</li> <li>• drainage,</li> <li>• road upgrading,</li> <li>• landscaping,</li> <li>• fencing, and</li> <li>• other infrastructure and headworks</li> </ul> <p>as may be required by the local government and/or the relevant servicing authority.</p> <p>2. <u>Interpretation:</u></p> <p><i>"Initial Participating Owners"</i> means, in any relation to any Structure Plan Area within the Roleystone Hills Residential Development Area, such owners of land within that Structure Plan Area as</p>	<p>1.1 The Area Basis method of cost apportionment is to be used for all elements of infrastructure for which costs are to be apportioned.</p> <p>1.2 Contributions are not payable in respect of the development of a single house and/or associated facilities.</p>

No.	Description of Land	Infrastructure to which cost sharing arrangements relate	Cost sharing arrangement
		<p>initially contributed to the Structure Plan Area costs in respect of that Structure Plan Area.</p> <p><i>“Manager”</i> means, in relation to any Structure Plan Area, such person or persons as the Initial Participating Owners from time to time appoint for the purpose of administering the collection and distribution of the respective Structure Plan Area costs.</p> <p><i>“Structure Plan”</i> means any Structure Plan prepared in respect of land within the Roleystone Hills Residential Development Area.</p> <p><i>“Structure Plan Area”</i> means the area of land in respect of which a Structure Plan has been prepared.</p> <p><i>“Structure Plan Area 1”</i> means that part of the Roleystone Hills Residential Development Area as is shown on the <i>Structure Plan</i> and which is entitled "Roleystone Hills Residential Development Area Initial Structure Plan Area";</p> <p><i>“Structure Plan Area Costs”</i> means all costs and expenses paid by the initial participating owners in respect of:-</p> <ul style="list-style-type: none"> <li>a) all planning investigations, reports and administration works involved which result in the finalisation of the relevant rezoning's and implementation of a Structure Plan; and</li> <li>b) all development works involved which results in the relevant stages of the Structure Plan Area being made ready for subdivision as depicted on the Structure Plan and may include but is not necessarily limited to provision of water supply, drainage, road upgrading, landscaping, fencing, and other infrastructure and headworks as may be required by the local government and/or the relevant servicing authority.</li> </ul> <p><i>“Participating Owner”</i> means an owner of land within a Structure Plan Area other than an Initial Participating Owner;</p> <p><i>“Roleystone Hills Residential Development Area”</i> means the area</p>	

No.	Description of Land	Infrastructure to which cost sharing arrangements relate	Cost sharing arrangement
		<p>shown on the Scheme Special Control Area Map; and</p> <p>3. <u>Structure Plan:</u></p> <p>3.1 The provisions of Part 4 of the Deemed Provisions and B apply to the Roleystone Hills Residential Development Area so far as they are not varied by or inconsistent with the express terms of this Schedule.</p> <p>3.2 A Structure Plan must be prepared in respect of Structure Plan Area 1.</p> <p>3.3 No person shall carry out subdivision or development (other than by the development of a single house and/or associated facilities involved in the use and enjoyment of the property by the occupants of the single house) in a Structure Plan Area within the Roleystone Hills Residential Development Area other than in accordance with and in compliance with the Structure Plan prepared in respect of that Structure Plan Area.</p> <p>4. <u>Distribution of Structure Plan Area Costs:</u></p> <p>4.1 The contribution of a Participating Owner to Structure Plan Area Costs is the amount which bears the same proportion to the aggregate of Structure Plan Area costs as the area of the Participating Owners land bears to the gross area of all subdividable land within the applicable Structure Plan Area.</p> <p>4.2 A Participating Owner must pay the contribution referred to the Manager for the Initial Participating Owners prior to:</p> <p>a) in the case of a subdivision, the date upon which the Western Australian Planning Commission endorses its final approval on a diagram or plan of subdivision of that Participating Owner's land; and</p> <p>b) in the case of development (other than the development of a single house and/or associated facilities involved in the use and enjoyment of the property by the occupants of the single house),</p>	

No.	Description of Land	Infrastructure to which cost sharing arrangements relate	Cost sharing arrangement
		<p>the approval of the local government to that development.</p> <p>4.3 The local government will withhold its clearance to any plan or diagram of subdivision until that Participating Owner has given to the local government evidence of compliance with this clause.</p> <p>4.4 A certificate from the Manager that the Participating Owner has complied with these provisions may be relied upon by the local government as conclusive evidence of that fact.</p> <p>5. <u>Arbitration:</u></p> <p>5.1 If an Initial Participating Owner or a Participating Owner is unable to reach agreement with the Manager as to the value or estimated value of Structure Plan Area cost or costs and the method by which such costs are apportioned under these provisions, the matter should be resolved independently of the local government and referred to Arbitration by a single Arbitrator in the manner provided by the <i>Commercial Arbitration Act 1985</i>.</p> <p>5.2 The costs of arbitration should be shared equally between the relevant parties involved in arbitration.</p> <p>6. <u>Fencing:</u> Within the Roleystone Hills Residential Development Area only open rural type boundary fences shall be constructed to the specifications and satisfaction of the local government.</p>	

No.	Description of Land	Infrastructure to which cost sharing arrangements relate	Cost sharing arrangement
2.	Armadale City Centre Drainage Development area (as shown on Scheme Map)	<ul style="list-style-type: none"> <li>a) The cost of all drainage works necessary for the proper drainage of those parts of the Scheme Area which require drainage and which are shown on the Special Control Area Supplementary Scheme Map pertaining to Drainage Areas;</li> <li>b) The cost of acquisition of any land for drainage services;</li> <li>c) The amount to reimburse the local government for all overhead, supervision and management costs it incurs in the implementation and administration of the Scheme in respect of drainage works;</li> <li>d) All fees, costs and expenses paid to engineering consultants, surveyors and other professional consultants and valuation costs in respect of the drainage works;</li> <li>e) All other costs and expenses which the local government incurs in order to implement and complete the Scheme in respect of the drainage works.</li> </ul>	<ul style="list-style-type: none"> <li>2.1 All landowners within the designated drainage area(s) shall make a proportional contribution to the cost of common infrastructure.</li> <li>2.2 The Area Basis method of cost apportionment is to be used for all elements of infrastructure for which costs are to be apportioned.</li> </ul>

## SCHEDULE 9B - DEVELOPMENT CONTRIBUTION PLANS

(Newly adopted plans under Town Planning Scheme No.4)

[cl. 5B]

No.	Description of Land	Contribution Arrangements
3.	<p>Development Contribution Area No.3 North Forrestdale (Piara Waters and Harrisdale) Urban Development Area as identified on the Scheme Special Control Area Map 3</p>	<p><b>3.1 Cost Contributions</b></p> <p><b>3.1.1</b></p> <p>All Owners within the Development Contribution Area No.3 shall make a proportional Cost Contribution to the cost of the Common Infrastructure Works identified in Development Contribution Plan No.3 and the Infrastructure Cost Schedule.</p> <p><b>3.1.2</b></p> <p>This Development Contribution Plan applies to the Development Contribution Area No.3 specified on the Scheme's supplementary Special Control Areas Map 3.</p> <p><b>3.1.3</b></p> <p>Where the provisions of Development Contribution Plan No.3 are inconsistent with the provisions of Part 5A of the Scheme, then the provisions of Schedule 9B prevail to the extent of any inconsistency.</p> <p><b>3.2 Definitions</b></p> <p>In this part unless the context requires otherwise:</p> <p>“<i>Assessed Value</i>” means a land value obtained in accordance with the procedures described in subclauses 3.12.3 and 3.12.4 of this Schedule.</p> <p>“<i>Credit</i>” means the amount of excess Cost Contribution which has been made either in money or Common Infrastructure works (including land), over and above the amount of Cost Contribution for which an owner is liable at any particular time.</p> <p>“<i>Estimated Lot Yield</i>” means at any particular time, the total potential number of lots including freehold title, survey strata and strata lots, which are capable of being produced from the land within the Development Contribution Area that remains to be subdivided or developed and which is calculated in accordance with the methods specified in subclause 3.4.1 of Development Contribution Plan No.3.</p> <p>“<i>Infrastructure Cost Schedule</i>” means a table appurtenant to the Scheme and the Development Contribution Plan, and containing the itemised estimates of costs of Common Infrastructure Works, as periodically reviewed under Development Contribution Plan No.3 and Part 5A.</p> <p>“<i>Nominal Contribution</i>” means a Cost Contribution in respect of an area of land specified by the local government of Armadale for exclusive use by a private educational establishment, which is set at a lesser rate than the Cost Contribution that would apply for residential subdivision and development, in acknowledgement that private educational establishments contribute betterment to the Development Contribution Area by virtue of the services provided to the community and that a full Cost Contribution may act as a disincentive to the provision of such services.</p> <p>“<i>Potential Lots</i>” means the total number of lots, including freehold title, survey strata and strata lots, a particular parcel of land, which has been identified for group housing, aged persons housing, office, shop, bulky goods showroom, place of worship or other commercial or non-residential</p>

No.	Description of Land	Contribution Arrangements
		<p>uses approved in writing by the local government, is capable of producing if subdivided or developed to the maximum capacity permitted under the Scheme as calculated in accordance with the methods specified in Clause 3.4 of Development Contribution Plan No.3.</p> <p>“<i>Preliminary Contribution</i>” means a claim amount agreed to by the local government for carrying out the implementation of Common Infrastructure Works by an Owner and / or a payment made by an Owner pursuant to a condition of subdivision or development approval or a notice served upon an Owner by the local government, prior to the gazettal of Amendment No.12 and adoption of the Infrastructure Cost Schedule under the Development Contribution Plan by the local government.</p> <p><b>3.3 Calculation of Deductions from Development Contribution Area</b></p> <p>Pursuant to the land area calculations identified by Clause 5A.4.4(d) of the Scheme, the following areas are to be additionally excluded from the land area calculations of both the total land area in the Development Contribution Area and the Owners land:</p> <ul style="list-style-type: none"> <li>- Sites nominated by the relevant Structure Plan for exclusive use of private educational establishments and which have also been approved by the local government of Armadale for a Nominal Contribution;</li> <li>- Conservation category wetlands;</li> <li>- Drainage reserves;</li> <li>- Public utility sites;</li> <li>- Public school and educational sites;</li> <li>- Community purpose sites;</li> <li>- Land required for Common Infrastructure Works; and</li> <li>- Any other areas specified in the Infrastructure Cost Schedule or its revisions and amendments.</li> </ul> <p><b>3.4 Calculation and Apportionment of Common Infrastructure Costs and Cost Contributions</b></p> <p><b>3.4.1</b></p> <p>The local government will, for the purposes of apportioning Common Infrastructure Costs to Owners, make an estimate of the lot yield for the Development Contribution Area called the ‘Estimated Lot Yield’. This will be calculated by determining the number of hectares in the Development Contribution Area, excluding those land uses in Clause 3.3 of Development Contribution Plan No.3 and Clause 5A.4.4, and multiplying that area by 14.6.</p> <p><b>3.4.2</b></p> <p>The contribution to be made by each owner of land within the Development Contribution Area to the implementation of the Common Infrastructure Works shall be a Cost Contribution, based on a base Cost Contribution Per Lot and where applicable, an additional Cost Contributions Per Lot which is to be calculated by the local government in the following manner:</p> <p>(a) The base Cost Contribution Per Lot is determined by first deriving the Net Common Infrastructure Costs of Infrastructure which is subject to the base Cost Contribution as specified in the Infrastructure Cost Schedule:</p>

No.	Description of Land	Contribution Arrangements
		<p>(i) <math>A - B = C</math></p> <p>Where:</p> <p>A = gross cost of base Common Infrastructure Works being the total of fixed actual and estimated future costs as prescribed in the Infrastructure Cost Schedule, which will be based on costs estimated no more than 12 months in advance. Such estimates may be based on an average for each Common Infrastructure work cost and shall recognise all factors affecting the development of the relevant Development Contribution Area and associated constraints the local government will encounter in the provision of the Common Infrastructure Works. This shall include (but not be limited to) variable market conditions and the nexus between the time frame of development and provision of Common Infrastructure Works.</p> <p>B = payments made to date by owners of land who subdivide or develop land within the Development Contribution Area where the base cost contribution per lot applies calculated on the basis of whichever is the lesser of:</p> <ul style="list-style-type: none"> <li>- the lots produced at the rate of 10 lots per hectare for the Area equivalent of the land holding of an owner prior to the gazettal of Amendment No.67;</li> <li>- the lots produced at the rate of 10.6 lots per hectare for the Area equivalent of the land holding of an owner after gazettal of Amendment No.67 and prior to 28 October 2014;</li> <li>- the lots produced at the rate of 14.6 lots per hectare for the Area equivalent of the land holding of an owner after 28 October 2014 onwards and prior to the gazettal of Amendment No.115; and</li> <li>- the lots produced at the density rate prescribed in the Infrastructure Cost Schedule from gazettal of Amendment No. 115; or</li> <li>- the actual number of lots produced by the land holding of an owner;</li> </ul> <p>Where the base cost contribution per lot rate applies</p> <p>C = Common Infrastructure work costs;</p> <p>and then dividing the Common Infrastructure work costs by the subdivision potential of the balance of the Area of the Development Contribution Area remaining unsubdivided, where the base cost contribution per lot rate applies, excluding those land uses in Clause 3.3 of Development Contribution Plan No.3 and Clause 5A.4.4, and multiplying that area by the density rate prescribed in the Infrastructure Cost Schedule.</p> <p>(ii) <math>C \div D = E</math></p> <p>Where:</p>

No.	Description of Land	Contribution Arrangements
		<p>D = the number of lots to be produced to achieve the density rate prescribed in the Infrastructure Cost Schedule for the area equivalent of the unsubdivided balance area of the Development Contribution Area where the base cost contribution per lot rate applies, excluding those land uses in Clause 3.3 of Development Contribution Plan No.3 and Clause 5A.4.4;</p> <p>E = the Contribution Cost Per Lot.</p> <p>(b) The base Cost Contribution payable by each owner of land in the Development Contribution Area where the base cost contribution per lot rate applies as specified in the Infrastructure Cost Schedule is calculated by multiplying the number of freehold lots produced from the owner's land by the base Contribution Cost Per Lot.</p> <p>(c) The additional Cost Contribution Per Lot is determined by first deriving the Net Common Infrastructure Costs of Infrastructure which is subject to the additional Cost Contribution as specified in the Infrastructure Cost Schedule—</p> <p>(i) <math>A1 - B1 = C1</math> Where— A1 = gross cost of Common Infrastructure Works being the total of fixed actual and estimated future costs as prescribed in the Infrastructure Cost Schedule, which will be based on costs estimated no more than 12 months in advance. Such estimates may be based on an average for each Common Infrastructure work cost and shall recognise all factors affecting the development of the relevant Development Contribution Area and associated constraints the local government will encounter in the provision of the Common Infrastructure Works. This shall include (but not be limited to) variable market conditions and the nexus between the time frame of development and provision of Common Infrastructure Works. B1 = payments made to date by owners of land who subdivide or develop land within the Development Contribution Area where the additional cost contribution per lot applies calculated on the basis of whichever is the lesser of—</p> <ol style="list-style-type: none"> <li>(1) the lots produced at the density rate prescribed in the Infrastructure Cost Schedule from gazettal of Amendment 115; or</li> <li>(2) the actual number of lots produced by the land holding of an owner where the additional cost contribution rate applies;</li> </ol> <p>C1 = Common Infrastructure work costs; and then dividing the Common Infrastructure work costs by the subdivision potential of the balance of the Area of the Development Contribution Area remaining unsubdivided where the additional cost contribution per lot rate applies, excluding those land uses in Clause 3.3 of Development Contribution Plan No.3 and Clause 5A4.4, and multiplying that area by the density rate prescribed in the Infrastructure Cost Schedule.</p> <p>(ii) <math>C1 \div D1 = E1</math> Where— D1 = the number of lots to be produced to achieve the density rate prescribed in the Infrastructure Cost Schedule for the area</p>

No.	Description of Land	Contribution Arrangements
		<p>equivalent of the unsubdivided balance area of the Development Contribution Area where the additional cost contribution per lot rate applies, excluding those land uses in Clause 3.3 of Development Contribution Plan No. 3 and Clause 5A4.4; E1 = the additional Contribution Cost Per Lot.</p> <p>E1 = the additional Contribution Cost Per Lot.</p> <p>(d) the additional Cost Contribution payable by each owner of land in the Development Contribution Area where an additional rate applies as specified in the Infrastructure Cost Schedule, is calculated by multiplying the number of freehold lots produced from the owner's land by the additional Contribution Cost Per Lot';</p> <p>(e) Cost Contributions shall not be payable for land that is used for government school sites, public open space and any other public purpose land uses approved by the local government for exclusion from the Cost Contributions.</p> <p><b>3.4.3</b></p> <p>Determination of Potential Lots to Which the Contribution Cost Per Lot Applies -</p> <p>In addition to the number of lots on which the Cost Contribution payable by each owner pursuant to the Cost sharing arrangement included in subclause 3.4.2 of Development Contribution Plan No.3 is assessed, a further Contribution Cost Per Lot shall be payable on the potential lots/dwellings capable of being produced, assessed in accordance with the following provisions:</p> <p>(a) where land is identified by the local government as having potential or the capability of being developed for Grouped Dwellings housing or Aged or Dependent Persons Dwellings development, the Contribution Cost Per Lot will be charged on the basis that the lot has residential subdivision potential at the time that lot is created. This shall be calculated by the local government as follows:</p> <p>(i) for lots of 5,200m<sup>2</sup> or less, by dividing the total land area of the lot by 400m<sup>2</sup> to the nearest 400m<sup>2</sup> unit and rounding down; or</p> <p>(ii) for lots greater than 5,200m<sup>2</sup>, at a rate of 13 lots per hectare of land, rounded up or down to the nearest whole number of lots;</p> <p>to derive the number of lots the land has potential for or is capable of producing.</p> <p>(b) where the local government is satisfied that an area of land is intended to be developed as a private educational establishment and the local government considers it appropriate in the circumstances, the Cost Contribution may be charged a Nominal Contribution as per Clause 3.5 of Development Contribution Plan No.3;</p> <p>(c) where land has been identified by the local government to be used for a place of worship, commercial, office, shop, child care premises, bulky goods showroom or any other non-residential use, the Contribution Cost will be calculated by multiplying the Contribution Cost Per Lot by the area of the lot and then dividing by 1000. No rounding is to apply to this calculation;</p> <p>(d) where a subdivision is proposed for land on which a dwelling exists and a smaller lot is created to contain the dwelling, the lot containing the dwelling ("the existing house lot") will be subject to a Contribution</p>

No.	Description of Land	Contribution Arrangements
		<p>Cost Per Lot based on subclauses 3.4.3(a) of Development Contribution Plan No.3. If, however, the owner of such land can demonstrate that the size of the existing house lot is required to accommodate the dwelling, landscaping and other outbuildings associated with that dwelling and that the actual development potential of that lot may not exist without substantial cost and redevelopment, then the local government may, at its discretion, reduce the Contribution Cost Per Lot payable for the existing house lot provided any future change of use, subdivision or development of the existing house lot will incur further contributions as outlined in subclause 3.4.2 and 3.4.3(a) to (c) of Schedule 9B;</p> <p>(e) where a subdivision of the kind contemplated in subclause 3.4.3(d) of Development Contribution Plan No.3 is proposed the local government may impose on the balance of the lot excluding the existing house lot (“the remaining land”) a Contribution Cost Per Lot on the development potential of that lot as prescribed in subclause 3.4.3(a) of Schedule 9B. The local government may reduce or defer such payment if:</p> <p>(i) the owner of such a lot can demonstrate that the subdivision was primarily carried out to create the existing house lot and to effect the sale of the remaining land; and</p> <p>(ii) the size of the remaining land is such that it will be developed in stages or will be further subdivided.</p> <p><b>3.5 Nominal Contributions</b></p> <p><b>3.5.1</b></p> <p>A Nominal Contribution applies to areas of land agreed by the local government as being for the exclusive use of a private educational establishment at a rate of 0.3% of the full value of the educational establishment development approval. The Nominal Contribution will be required as a condition of development and / or subdivision.</p> <p><b>3.5.2</b></p> <p>Where a change of land use occurs for land for which previous development had been subject to a Nominal Contribution, an additional Cost Contribution will be required to bring the total Cost Contributions for that land at the date the liability for the additional Cost Contribution falls due, up to the equivalent rate for the new land use on the basis of the Contribution Cost Per Lot specified in Clause 3.4 of Development Contribution Plan No.3.</p> <p><b>3.5.3</b></p> <p>Where a Cost Contribution has been paid by an Owner and the local government subsequently approves a Nominal Contribution for a specified area of the land for which the Cost Contribution has been paid, the difference between the paid Cost Contribution and the subsequent Nominal Contribution shall be deemed a Credit to that Owner.</p> <p><b>3.6 Common Infrastructure Works</b></p> <p><b>3.6.1</b></p> <p>The following are classified as Common Infrastructure Works which shall be paid for by the affected Owners located within the Development</p>

No.	Description of Land	Contribution Arrangements
		<p>Contribution Area No.3 and are presented in the form of General Works and Specified Works below:</p> <p><b>3.6.2 General Works</b></p> <p>(a) All costs incurred by the local government associated with the preparation, processing and gazettal of the Development Contribution Plan No.3 and subsequent amendments, Infrastructure Cost Schedule and provisions under the scheme or former Town Planning Scheme No.2, including but not limited to any environmental assessment as required by the Department of Environmental Protection (DEP) and Environmental Protection Authority (EPA).</p> <p>(b) The acquisition of land, including associated infrastructure and structures, for the roads, intersections, sewerage pumping station(s), arterial drainage land for multiple use corridor, community facilities and wetlands included in the Specified Works in subclause 3.6.3 of Development Contribution Plan No.3.</p> <p>(c) Any compensation paid or payable for or in respect of the provision of any of the Common Infrastructure Works or facilities referred to in Development Contribution Plan No.3, or in the administration of Part 5A and Development Contribution Plan No.3.</p> <p>(d) Any consulting fees agreed to by the local government associated with designing and undertaking of the Common Infrastructure Works, including but not limited to surveying, engineering, planning, quotes and certification of estimated costs, environmental, project management and landscaping.</p> <p>(e) The provision of any road listed in the Specified Works in subclause 3.6.3 of Development Contribution Plan No.3, including but not limited to land acquisition, earthworks, shared paths, cycleways, footpaths, traffic management devices, limited landscaping, stabilisation of verges, the formation, preparation, priming and sealing of the road and the provision of kerbing, drainage, service ducts, intersection treatments and lighting and costs associated with the relocation of existing services in connection with the road or in the road reserve.</p> <p>(f) Any environmental remediation or improvement including the removal of any contaminant and peat associated with the Specified Works referred to in Clause 3.6.3 Development Contribution Plan No.3.</p> <p>(g) All costs incurred by Council associated with the preparation, administration and management of the Development Contribution Plan and Infrastructure Cost Schedule including but not limited to bank charges, audit fees, office and sundry costs, legal expenses, valuation fees, reviews of land values and costs, caveat and conveyancing fees, Council staff salaries including a Co-ordinator/Manager of the Development Contribution Plan, any interest costs incurred by Council in respect to loan funds required to provide timely implementation of any of the listed Common Infrastructure Works or related costs, any claims for injurious affection and the costs of establishing any required system to facilitate the administration and the ongoing management of Development Contribution Plan and Infrastructure Cost Schedule along with the specific requirements of the Scheme pertaining thereto.</p>

### 3.6.3 Specified Works

- (1) Wright Road between Ranford Road and the northern boundary of Lot 50 Wright Road:
  - (a) 100% of the total cost to acquire any road widenings for the ultimate road reserve, minus contributions from Lots 82, 106 and 107 Wright Road.
  - (b) 100% of the total cost of all road works and structures between the northern boundary of Lot 50 and Ranford Road, minus contributions or land ceded free of cost from adjoining lots and / or from any other developments or subdivisions with a nexus to the road works.
- (2) Warton Road between the southern boundary of Lot 201/northern boundary of Lot 388 and Armadale Road:
  - (a) 100% of the total cost to acquire any road widenings for the ultimate road reserve for Warton Road and roundabout at the intersection of Warton Road and Mason Road, minus any contributions and grants from external sources.
  - (b) 100% of the total cost of constructing the full earthworks, one carriageway, roundabout intersection, cycle facilities and all structures, minus any contributions and grants from external sources.
  - (c) 100% of the cost of temporary intersection works/upgrading of the intersection of Armadale Road and Warton Road, including any road widenings, minus any contributions and grants from external sources.
- (3) Nicholson Road between Warton Road and Armadale Road:
  - (a) 100% of the total cost to acquire any road widenings for the ultimate road reserve and the ultimate traffic signalised intersection in the proposed North Forrestdale town centre.
  - (b) 100% of the total cost of constructing the full earthworks, two dual carriageways and all structures.
  - (c) 100% of the total cost of upgrading the intersection and installing traffic signals in the proposed North Forrestdale town centre.
  - (d) 100% of the cost of temporary intersection works/upgrading of the intersection of Armadale Road and Nicholson Road, including any road widenings, minus any contributions and grants from external sources.
  - (e) A contribution towards landscaping works.
- (4) Mason Road between Warton Road and 550 metres east of Warton Road:
  - (a) 100% of the total cost to acquire any road widenings for the ultimate road reserve.
  - (b) 100% of the total cost of constructing the full earthworks, one carriageway and all structures.
- (5) Intersections with Ranford and Armadale Roads:

No.	Description of Land	Contribution Arrangements
		<ul style="list-style-type: none"> <li>(a) 100% of the total cost to acquire any road widenings located within the local government of Armadale for the ultimate traffic signalised intersection, at Ranford Road and Wright Road except those areas ceded free of cost from adjacent lots.</li> <li>(b) A contribution to the cost of upgrading the intersection at Ranford Road and Wright Road and installing traffic signals.</li> <li>(c) 100% of the cost of temporary intersection works/upgrading of the intersection of Armadale Road and Wright Road, including any road widenings, minus any contributions and grants from external sources;</li> <li>(d) 75% of the cost of temporary intersection works/ upgrading of the intersection of Armadale Road and the distributor road to the Primary School, including any road widenings, minus any contributions and grants from external sources.</li> </ul> <p>(6) Regional Path Network:</p> <ul style="list-style-type: none"> <li>(a) A contribution towards the total cost of constructing the Regional Path Network within Development Control Area No.3 as identified in the adopted Infrastructure Cost Schedule.</li> <li>(b) A contribution towards the total cost of constructing the principal shared path on Wright Road between Nicholson Road and Ranford Road.</li> <li>(c) A contribution towards the cost of a shared path along Armadale Road from Warton Road to Anstey Road.</li> <li>(d) A contribution towards the cost of shared paths within Lot 5000 Reilly Road and Skeet Road between Keane Road and Ranford Road as identified in the adopted Infrastructure Cost Schedule.</li> </ul> <p>(7) Arterial Drainage and Water Management:</p> <ul style="list-style-type: none"> <li>(a) 100% of the cost of acquiring land for the arterial drainage multiple use corridors up to 10 year average recurrence interval event for Balannup Drain and the arterial drainage land for the open channel adjacent to Reilly Road as identified in the adopted Infrastructure Cost Schedule.</li> <li>(b) A contribution of approximately 100% of the cost of constructing an open channel in the multiple use corridor and 100% of the cost of constructing the arterial drainage channel adjacent to Reilly Road.</li> <li>(c) 100% of the cost of constructing Skeet Road pipe work, culverts and pavement reconstruction and reinstatement of Nicholson Road, Mason Road and any other portion of road pavement modified to install arterial drainage.</li> <li>(d) Maintenance works in Balannup Drain.</li> <li>(e) A contribution to the cost of providing pre and/or post development water quality data, monitoring and Water</li> </ul>

No.	Description of Land	Contribution Arrangements
		<p>Management initiatives as specified in the Infrastructure Cost Schedule.</p> <ul style="list-style-type: none"> <li>(f) 100% of the cost of acquiring land or easements for the arterial drainage multiple use corridors up to 10 year average recurrence interval event for part of James Drain north of the Armadale Road, and James Drain south of Armadale Road to Forrestdale Lake, as identified in the adopted Infrastructure Cost Schedule.</li> <li>(g) 100% of the cost of implementing administrative measures to ensure access in perpetuity along James Drain from Armadale Road to Commercial Road for the local government of Armadale and any other drainage utilities responsible for management of the drain.</li> <li>(h) Initial maintenance works in James Drain from the northern boundary of Armadale Road to Forrestdale Lake including upgrading of the drainage channel and including upgrading culverts at the road crossings including those at Armadale Road and Nicholson Road.</li> </ul> <p>(8) Community and Recreation Facilities:</p> <ul style="list-style-type: none"> <li>(a) A contribution to the cost of district sporting and community facilities, including sporting/community buildings, change rooms, toilets, playground, multiple purpose courts, associated facilities and the upgrade of an existing multiple purpose sporting oval.</li> <li>(b) 100% of the total cost of a community facility on Lot 48 Nicholson Road including change rooms, toilets and associated facilities.</li> <li>(c) 100% of the total cost to acquire the land and existing building on Lot 49 Keane Road and 72% of the cost of the refurbishment of the existing homestead dwelling, car parking, playground and landscaping for a community facility.</li> <li>(d) Contribution towards the provision of sporting facilities at Carey Baptist College – Lot 1000 Wright Road to provide public sporting facilities including 50% of the cost of car parking, change rooms and toilets.</li> <li>(e) 100% of the total cost to construct sporting and community facilities, including land acquisition, sporting / community buildings, change rooms, car parking, toilets and playgrounds on public open space identified on the Structure Plan abutting proposed primary schools where applicable in the West Piara Urban Precinct identified in MRS Amendment 1369/57, and in Harrisdale within the area generally bounded by Ranford Road, Wright Road, Reilly Road and Skeet Road.</li> <li>(f) A contribution as defined in Infrastructure Cost Schedule to the total cost to construct a senior multiple purpose sporting oval and acquire the land where applicable as follows — <ul style="list-style-type: none"> <li>(i) adjoining each of the public primary schools where applicable minus contributions from the Department of</li> </ul> </li> </ul>

No.	Description of Land	Contribution Arrangements
		<p>Education when they become available for ovals shared with public primary schools;</p> <ul style="list-style-type: none"> <li>(ii) a senior multiple purpose sporting oval in the West Piara Urban Area identified in MRS Amendment 1369/57;</li> <li>(iii) a senior multiple purpose sporting oval in Harrisdale within the area generally bounded by Ranford Road, Wright Road, Reilly Road and Skeet Road; and</li> <li>(iv) a senior multiple purpose sporting oval on Lot 48 Nicholson Road’.</li> </ul> <ul style="list-style-type: none"> <li>(g) 100% of the cost of building a combined sporting pavilion/ community meeting rooms on the proposed public open space in the area known as Structure Plan (SP) South, inclusive of change rooms, toilets, storage, community meeting space, car parking, a playground and landscaping, minus any probable or received grant funding.</li> <li>(h) 100% of the cost of building a combined sporting pavilion / community building on the proposed open space in the area known as Structure Plan (SP) East, including, but not limited to, change rooms, ovals, toilets, storage, community meeting spaces, car parking, a playground, landscaping, irrigation, earthworks and site fill minus any probable or received grant funding, and any contribution obtained from the Department of Education for a shared oval facility as specified in the Infrastructure Cost Schedule.</li> </ul> <p>(9) Regional Sewer Infrastructure and 132KV Power Lines:</p> <ul style="list-style-type: none"> <li>(a) 100% of the total cost to acquire the land for the sewer pump station buffer zone (public open space that is non-creditable) on Lot 49 Keane Road and Lot 50 Wright Road.</li> <li>(b) Reimbursement of the portion of the cost of constructing the sewer pumping station and temporary pressure mains, which are not prefunded by the Water Corporation.</li> <li>(c) Contribution towards the cost to reconfigure the 132 KV power lines to an urban standard on current alignment as specified in the Infrastructure Cost Schedule. Other relocation costs to be met by individual subdividers.</li> </ul> <p>(10) Wetlands:</p> <ul style="list-style-type: none"> <li>(a) 100% of the total cost to acquire the core area of the rehabilitated conservation category wetlands on Lot 49 Wright Road.</li> <li>(b) Contribution towards the cost of acquisition and/or betterment of rehabilitated wetlands (as amended) and identified on an approved structure plan’</li> </ul> <p>(11) Keane Road between Skeet Road and Anstey Road-</p> <ul style="list-style-type: none"> <li>(a) A 33% contribution to the total cost of constructing this section of Keane Road, including any roundabouts and/or traffic management devices.</li> </ul> <p>If environmental approval is not granted for the construction of Keane Road, then the local government is required to refund the contributions paid by subdividers towards the</p>

No.	Description of Land	Contribution Arrangements
		<p>construction of Keane Road (together with any interest earned), with the exception of the roundabout at Skeet Road and Keane Road.</p> <p>(12) Balannup Road between the southern boundary of Lot 5000 Reilly Road and Ranford Road—</p> <p>(a) 100% of the total cost to acquire any road widenings for the ultimate road reserve for Balannup Road.</p> <p>(b) 100% of the total cost of constructing the full earthworks, one carriage way and all structures, including a culvert, shared path, pedestrian crossings over Balannup Drain and a roundabout at the intersection of Reilly Road.</p> <p>(13) Reilly Road between the existing cul-de-sac of Reilly Road and Balannup Road—</p> <p>(a) 100% of the total cost of constructing the full earthworks, one carriage way and all structures including shared path, roundabout, traffic calming devices and associated road pavement tie in.</p> <p>(14) Skeet Road—</p> <p>(a) 100% of the cost of constructing Skeet Road, the full earthworks, one carriage way and all structures (including roundabouts) between Keane Road and the northern boundary of the proposed primary school in the area referred to as Structure Plan (SP) East, minus a 50% contribution from the Department of Education for the portion(s) of Skeet Road directly abutting the proposed primary school site and high school site.</p> <p>(b) 100% of the cost of constructing the Skeet Road culverts, pedestrian crossings, associated road pavement tie in, and pavement reconstruction between the southern boundary of Lot 5000 Reilly Road and the existing Skeet Road pavement adjacent to Lot 515 Skeet Road.</p> <p>(c) 100% of the cost of fencing along the Skeet Road reserve abutting Lots 171, 67 and 65 Skeet Road, Forrestdale.</p> <p>(d) 100% of the total cost of constructing a roundabout at the intersection of Skeet Road and Reilly Road including the cost to acquire any road widenings for the ultimate road reserve.</p> <p>(e) 100% of the total cost to acquire any road widenings for the ultimate road reserve for Skeet Road between Reilly Road and Ranford Road.</p> <p>(f) 100% of the total cost of constructing Skeet Road between Reilly Road and Ranford Road, including the full earthworks, drainage, one carriage way, intersection at Ranford Road and all structures.</p> <p>(15) (a) 100% of the cost of fencing / bollards, gates and signage, dieback management / mapping, revegetation / landscaping and initial weed management of Shepherd Court Reserve.</p> <p>(16) (a) 100% of the cost of fencing / bollards, gates and signage, dieback management / mapping, revegetation / landscaping</p>

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		<p>and initial weed management of Balannup Lake Reserve south of Ranford Road in consultation with the Department of Parks and Wildlife.</p> <p><b>3.7 Credits for Common Infrastructure Works</b></p> <p>Where a credit is recorded in respect to any Owner it may be used as payment of future Cost Contribution required from that Owner or the Owner may apply for reimbursement, which shall be paid out without any interest payment, when the local government deems sufficient funds have accumulated to cover any such claims and the outstanding and anticipated Common Infrastructure Works costs are estimated to be fully recoverable from the anticipated future subdivision and development. Where several subdividers have accumulated such credit, the local government may satisfy refunds in staged payments in proportion to the credit amounts held by each subdivider.</p> <p><b>3.8 Provision of Land for Common Infrastructure Works</b></p> <p>Where the Infrastructure Cost Schedule includes a land component for a Common Infrastructure work on the relevant lot for which a Cost Contribution or Nominal Contribution is due, an Owner shall cede to the Crown or transfer to the local government the required Common Infrastructure work land at the first stage of subdivision and/or development for that particular landholding or by prior agreement at an alternative date agreed by the local government. If the value of the land determined in accordance with this Schedule exceeds the total Cost Contribution for that Owner, the excess value shall be attributed as a credit to the Owner.</p> <p><b>3.9 Overdue Cost Contributions</b></p> <p>Any overdue Cost Contribution to Common Infrastructure Works shall be a liquidated debt due to the local government of Armadale by the Owner of such land (including the subdivider of the land) and may be recovered by the local government in a court of competent civil jurisdiction.</p> <p><b>3.10 Prefunding of Common Infrastructure Works</b></p> <p><b>3.10.1</b></p> <p>An owner of land within the Development Contribution Area may, with the prior written approval of the local government, undertake implementation of any of the Common Infrastructure Works referred to in Clause 3.6 of Development Contribution Plan No.3. Where an owner wishes to undertake implementation of Common Infrastructure Works, with the exception of land required for a Common Infrastructure work, the owner shall, before commencing to carry out such works, first lodge a prefunding application for the cost of the Common Infrastructure Works with the local government, which reserves the right to review and accept or reject the prefunding application, and to permit or prevent the owner from carrying out the works until such time as the owner's prefunding application has been agreed. The local government will endeavour to respond to an owner's prefunding application within sixty (60) days.</p> <p><b>3.10.2</b></p> <p>If the local government agrees that an owner can pre-fund the Common Infrastructure Works, the owner shall at all times maintain proper and itemised records of all relevant expenditure, including receipts and invoices and provide copies of the same to the local government on request. Where</p>

No.	Description of Land	Contribution Arrangements
		<p>the cost of carrying out such works exceeds the amount of the prefunding application originally agreed to by the local government, the local government may accept or reject the additional cost or any part thereof.</p> <p>Any dispute regarding the entitlement of the owner to additional reimbursement from the Development Contribution Area Account, except for any land required for a Common Infrastructure work, shall in the first instance be discussed at a meeting attended by the Owner and local government representatives who shall endeavour to reach agreement.</p> <p>Any dispute not settled at the meeting regarding the entitlement of the owner to additional reimbursement from the Development Contribution Area Account, except for any land required for a Common Infrastructure work, shall be then referred to the arbitration of a single arbitrator in the manner provided by the <i>Commercial Arbitration Act 1985</i> and if the parties are unable to agree upon the arbitrator he may be nominated by the President for the time being of the Law Society of Western Australia (or its successor) on the application of any party. The arbitrator shall be bound by the provisions of Part 5A of the scheme, Development Contribution Plan No.3 the Development Contribution Plan and the Infrastructure Cost Schedule.</p> <p><b>3.10.3</b></p> <p>An owner who undertakes pre-funded works or provides land in accordance with Clause 3.8 should lodge a first and final claim for credit or reimbursement that includes relevant records within one year of completing the agreed works, unless agreed otherwise by the local government. If a claim for credit or reimbursement is not lodged within one year, the local government may determine that the time period for claiming credit or reimbursement has expired and it is no longer liable for payment of the prefunded works or land.</p> <p><b>3.10.4</b></p> <p>Where the local government accepts a claim for a credit or an entitlement to re-imburement for the carrying out the implementation of Common Infrastructure Works, the local government shall record the extent of the claim and if necessary adjust the Infrastructure Cost Schedule accordingly or defer the adjustment to the next review undertaken as per Clause 3.13 of Development Contribution Plan No.3.</p> <p><b>3.10.5</b></p> <p>Where an owner seeks a credit for a contribution to Common Infrastructure Works (whether by the provision of land or the construction of any works) against his Cost Contribution liability and the local government has previously agreed to the carrying out of such works by that owner on that basis, then the credit to be given to the owner will be calculated on the basis of the cost agreed by the local government under subclauses 3.10.1 and 3.10.2 of Development Contribution Plan No.3 provided the credit is sought before the period identified in subclause 3.10.3.</p> <p><b>3.10.6</b></p> <p>Notwithstanding subclause 3.10.4 above, where an owner has pre-funded Common Infrastructure Works and the credit allowed by the local government exceeds the obligation for payment towards Contribution Costs by the owner under this Development Contribution Plan and Infrastructure Cost Schedule, the owner should be refunded the excess after</p>

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		<p>the local government has received sufficient contributions from other owners in that Development Contribution Area towards meeting the anticipated Common Infrastructure Works and having regard to the priority of Common Infrastructure Works.</p> <p><b>3.11 Ability to Raise Loans to Undertake Common Infrastructure Works</b></p> <p>The local government may raise loans for the purpose of providing the finance necessary for the implementation of Common Infrastructure Works at a timing and order of prioritisation determined by the local government with any interest or charges incurred in raising loans or carrying out such work deemed to be a Common Infrastructure Work cost.</p> <p><b>3.12 Acquisition of Land for Common Infrastructure Works, Payment, Valuation, Compulsory Acquisition, and Assessed Value</b></p> <p><b>3.12.1</b></p> <p>The provisions of Clauses 5A.9.2 to 5A.9.6 of the scheme do not apply to Development Contribution Plan No.3. The following variations apply to the acquisition of land for Common Infrastructure Works, calculation of Costs and valuation of land within Development Contribution Area No.3.</p> <p><b>3.12.2</b></p> <p>Where land has been compulsorily acquired and a lawful claim for compensation has been served on the Council, the Council may claim compensation for betterment under Section 184 of the <i>Planning and Development Act 2005</i> and the value attributed to the betterment of the land the subject of the claim shall be set off against any compensation otherwise payable to the claimant under the <i>Land Administration Act 1997</i> or any re-enactment of its provisions related to compulsory acquisition and compensation.</p> <p><b>3.12.3</b></p> <p>(a) The Council may at any time ascertain the value of any land in the Development Contribution Plan for the purpose of estimating Common Infrastructure Work costs, payments and Cost Contributions.</p> <p>(b) If it is necessary, for any purpose to ascertain the value of any land, such value should be determined by two licensed valuers appointed from time to time by the local government herein referred to as “the Valuation Panel”. The members of the Valuation Panel may confer as to value, and if they are unable to arrive at a consensus value, they shall confer with the Chief Executive Officer of the local government (“CEO”) or the officer to whom the CEO delegates that function from time to time. If the valuers with the officer cannot arrive at a consensus value then the officer shall select a value which represents the median value between the two values nominated by the valuers on the Valuation Panel and will be advertised under the next following paragraph (c) (“the Proposed Value”).</p> <p>The Valuation Panel may determine more than one Assessed Value in the Development Contribution Plan area, where the local government or the Panel identifies that there are significant differences in land values within areas of the Development Contribution Plan.</p> <p>(c) As soon as possible after the Proposed Value or Proposed Values have been ascertained it should be advertised for a period of not less than 28 days to allow for submissions to be made in regard to the Proposed Value or Proposed Values. Proposed Values may be advertised</p>

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		<p>concurrently as part of an Infrastructure Cost Schedule review carried out in accordance with Clause 3.13.</p> <p>An owner who lodges an objection under this clause shall submit with the objection supporting evidence from a suitably qualified person in the specific field being objected to.</p> <p>(d) The local government shall as soon as possible consider all submissions made on the Proposed Value or Proposed Values and may refer any submission to the Valuation Panel for comment, but where a submission is accompanied by expert valuation advice based on the valuation principles contained in Development Contribution Plan No.3, it should be referred by the local government to the Valuation Panel for comment.</p> <p>Having considered the submissions and any comment from the Valuation Panel, the local government shall fix upon the value or values to be applied under the Infrastructure Cost Schedule and Development Contribution Plan No.3 in Schedule 9B (“the Assessed Value or Assessed Values”) until the next Assessed Value or Assessed Values has been determined.</p> <p>(e) It is intended that any Assessed Value or Assessed Values should apply for no more than 13 months but while an Assessed Value or Assessed Values remains current it shall stand as the value of land within the Development Contribution Plan and Infrastructure Cost Schedule for all purposes under Development Contribution Plan No.3 and Part 5A of the scheme and the Infrastructure Cost Schedule.</p> <p>(f) Where land is ceded or acquired for a Common Infrastructure Work, otherwise than by compulsory taking, for the purpose of determining the amount to be paid to the owner from whom the land is acquired, the value of the land shall be calculated according to the same Assessed Value as was applied to the Cost Contribution paid or payable by that owner on the clearance by the local government of the subdivision of land in the same deposited plan as contains the land acquired.</p> <p><b>3.12.4</b></p> <p>In ascertaining the Assessed Value or Assessed Values under subclause 3.12.3 of Development Contribution Plan No.3, all land shall be valued in its broad acre form as depicted on 1 January 2004, ignoring any services or infrastructure provided in-accordance with the provisions of the relevant Local Structure Plan and applying the following principles:</p> <p>(a) regard is to be had to the land classifications and zonings existing at the date of valuation;</p> <p>(b) the date of valuation is to be the date on which the local government nominates;</p> <p>(c) ignoring any improvements or works on the land;</p> <p>(d) the land should be valued without regard to the Common Infrastructure work and the purpose for which the land is acquired shall not be taken into consideration;</p> <p>(e) in selecting relevant sales evidence, regard should be had first to values derived from land in the same area, and if there is not adequate</p>

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		<p>evidence, from nearby or similar land in the area, in priority to any other sales evidence;</p> <p>(f) the conservation category wetland land identified in Development Contribution Plan No.3 is to be valued at 62.5% of the Assessed Value of nearby Urban zoned land;</p> <p>(g) the method of valuation shall otherwise be in accordance with normal fair market valuation principles.</p> <p><b>3.12.5</b></p> <p>Where land is acquired in the circumstances contemplated in subclause 3.12.3(f) of Development Contribution Plan No.3, the Council shall pay to the owner an additional amount not more than 10% of the amount calculated under that Clause.</p> <p><b>3.12.6</b></p> <p>Where land required for Common Infrastructure Works is ceded to the Crown or acquired by the local government prior to the Minister for Planning and Infrastructure granting final approval and publication of Amendment No.12 in the Government Gazette, the appointment of the Valuation Panel by the local government under of Development Contribution Plan No.3, or adoption of the Infrastructure Cost Schedule by the Council, the land shall be valued in-accordance with the subclauses 3.12.1 to 3.12.5 of Development Contribution Plan No.3 by the Valuation Panel and the date of valuation shall be the date the land for the Common Infrastructure Work is acquired by the local government or the local government issues its clearance to the deposited plan that contains the Common Infrastructure work land, whichever is the earlier</p> <p><b>3.13 Revision of Infrastructure Cost Schedule, Contribution Costs, Estimated Lot Yields and Areas Capable of Being Developed</b></p> <p><b>3.13.1</b></p> <p>The local government shall from time to time review Contribution Costs and the Infrastructure Cost Schedule provided such reviews are conducted at least on an annual basis.</p> <p><b>3.13.2</b></p> <p>The local government shall, at the time it reviews Contribution Costs and the Infrastructure Cost Schedule review:</p> <p>(a) the Estimated Lot Yield;</p> <p>(b) the Contribution Cost per Lot;</p> <p>(c) the remaining area of the Development Contribution Plan which is capable of being developed;</p> <p>(d) Assessed Values;</p> <p>having regard for the actual lots produced in the Development Contribution Plan since the last review, the remaining Common Infrastructure Works, any amendments to the Local Structure Plan and any other factors the local government considers relevant.</p> <p><b>3.13.3</b></p> <p>When calculating or reviewing Contribution Costs and the Infrastructure Cost Schedule, the local government will have regard to the value of the land required for Common Infrastructure Works and include an amount of</p>

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		<p>10% over and above the Assessed Value of such land, to ensure that the local government has or will receive sufficient funds in the Development Contribution Plan Account to acquire land for Common Infrastructure Works to meet its obligations for appropriate payment to such owners, and ensure the Common Infrastructure Works can be completed in a manner that minimises the need for external borrowing. The local government may also apply a further amount above the Assessed Value to recognize any compulsory taking of land and/or acquisition of structures.</p> <p><b>3.13.4</b></p> <p>The local government, in reviewing the various elements pursuant to subclauses 3.13.1 and 3.13.2 above, may revise or amend any of those elements and any Contribution Costs payable by an owner of land in the Development Contribution Plan Infrastructure Cost Schedule.</p> <p><b>3.13.5</b></p> <p>Following revision or amendment of the elements mentioned in subclauses 3.13.1 to 3.13.3 inclusive, the local government shall notify by way of public advertising the outcome of the review advising of the availability of details concerning the review and revisions and inviting comment.</p> <p><b>3.13.6</b></p> <p>Following the issue of the invitation pursuant to subclause 3.13.5, a period of 28 days shall be allowed from the date such advertising commenced for an owner affected by the review to object to the revision of Contribution Costs and any other finding of the review. Objections to Proposed Values advertised as part of the Infrastructure Cost Schedule Review” shall be dealt with under Clause 3.12 of Schedule 9B.</p> <p>An owner who lodges an objection under this clause shall submit with the objection supporting evidence from a suitably qualified person in the specific field of the cost revision being objected to and can only object to those elements that have been altered as part of the review.</p> <p><b>3.13.7</b></p> <p>Any objection received by the local government in accordance with subclause 3.13.6 shall be:</p> <ul style="list-style-type: none"> <li>(i) discussed at a meeting between suitably qualified representatives of the Owner and the local government who shall endeavour to reach agreement; then</li> <li>(ii) assessed and determined by the local government; and</li> <li>(iii) if the objecting Owner objects to the local government’s determination it—should be referred by the local government or Owner to the arbitration of a single arbitrator in the manner provided by the Commercial Arbitration Act, 1985. The arbitrator shall be bound by the provisions of Part 5A and Development Contribution Plan No.3 and Infrastructure Cost Schedule.</li> </ul> <p><b>3.13.8</b></p> <p>If the parties are unable to agree upon the arbitrator, the arbitrator may be nominated by the President for the time being of the Law Society of Western Australia (or its successor) on the application of any party. The costs of each party involved in the arbitration process will be borne by that party, however, in the case where the arbitrator believes an objection to be frivolous or where a party has unnecessarily frustrated the process of</p>

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		<p>arbitration, the Arbitrator may at his discretion, award costs against the erring party.</p> <p><b>3.13.9</b></p> <p>If objections are received under subclause 3.13.7 (iii) the local government may adopt a revised Infrastructure Cost Schedule and Cost Contribution per lot using a value being the average of that identified by the local government and by the Owner until such time as the arbitration is determined.</p> <p><b>3.13.10</b></p> <p>When a dispute has been determined by arbitration under subclause 13.3.7 (iii), the Infrastructure Cost Schedule shall be amended in accordance with the decision of the arbitrator and the Cost Contribution per lot recalculated.</p> <p><b>3.14 Expiration of Development Contribution Plan</b></p> <p>This Development Contribution Plan should expire twenty (20) years from the date of gazettal of Amendment No.12, however, may also be extended for further periods, with or without modification, by subsequent Scheme Amendments.</p> <p><b>3.15 Preliminary Contribution Payments</b></p> <p><b>3.15.1</b></p> <p>Where an owner or former owner of land in Development Contribution Area No.3 has made a Preliminary Contribution Payment towards their Cost Contribution, prior to the gazettal of Amendment No.12 to Town Planning Scheme No.4 and adoption of the Infrastructure Cost Schedule by the local government under Part 5A and Development Contribution Plan No.3, then the Preliminary Contribution Payment will be credited towards the Cost Contribution required under Clauses 5A.5 and 5A.6 of the scheme and Schedule 9B.</p> <p><b>3.15.2</b></p> <p>Should an owner's or former owner's Preliminary Contribution Payment be less than the required Cost Contribution, which is to be determined after the gazettal of Amendment No.12 to Town Planning Scheme No.4 and at the time the Council adopts the Infrastructure Cost Schedule, the local government may seek a further payment from those owners who have made such Preliminary Contribution Payments, which represents the difference between such Preliminary Contribution Payments and the amount of the owner's Cost Contribution calculated as if the payment was made at the time the Infrastructure Cost Schedule is adopted by the local government. Owners shall make the further payment stipulated by the local government within thirty (30) working days of receiving a written request from the local government, unless otherwise agreed by the local government.</p> <p><b>3.15.3</b></p> <p>Should an owner's or former owner's Preliminary Contribution Payment be more than the Cost Contribution required after the gazettal of Amendment No.12 to Town Planning Scheme No.4 and at the time the local government adopts the Infrastructure Cost Schedule, then the Owner is entitled to a credit or refund, which represents the difference between such Preliminary Contribution Payments and the amount of the owner's Cost Contribution calculated as if the payment was made at the time the Infrastructure Cost Schedule is adopted by the Council. If the owner seeks</p>

No.	Description of Land	Contribution Arrangements
		<p>a refund for the difference, the local government shall endeavour to make such a payment within thirty (30) working days or as soon as the necessary funds are available in the relevant account.</p>
4.	<p>Development Contribution Area (DCA) 4—Anstey Keane Precinct (Forrestdale) Urban Development Area as identified on Scheme Special Control Area Map 3</p>	<p><b>4.1 Relationship to other plans and other parts of the Scheme</b></p> <p>The development contribution plan generally conforms to the Southern River Forrestdale Brookdale Wungong District Structure Plan, Approved Structure Plans for Development Contribution Area 4 and the City of Armadale Community Infrastructure Plan, Local Planning Strategy, Corporate Business Plan and Strategic Community Plan.</p> <p>Where the provisions of Development Contribution Plan 4 are inconsistent with the provisions of Part 5A of the Scheme, then the provisions of Development Contribution Plan 4 in Schedule 9B prevail to the extent of any inconsistency.</p> <p><b>4.2 Definitions</b></p> <p><b>Assessed Value</b> means a land value obtained in accordance with the procedures described in clauses 4.4.5 to 4.4.6 of Development Contribution Plan 4.</p> <p><b>Developable Area</b> is defined as a total area of land minus land area deductions as detailed in the Development Contribution Plan 4 Infrastructure Cost Schedule. The Existing House Land deduction as noted in the DCP can be adjusted at the discretion of the City at the time when a Cost Contribution becomes due for a lot affected by such an Existing House Land deduction. Such an adjustment may be determined as necessary where an Existing House Land lot is subdivided or developed beyond the potential assumed in the Land Area Deductions summary. Such an adjustment will then be incorporated into the next review of the Development Contribution Plan 4 Infrastructure Cost Schedule.</p> <p><b>Development Contribution Plan Report</b> means a report appurtenant to the Scheme and Development Contribution Plan 4, and containing information and instructions on the operation of Development Contribution Plan 4, as periodically reviewed in accordance with Development Contribution Plan 4.</p> <p><b>Infrastructure Cost Schedule</b> means a schedule appurtenant to the Scheme and Development Contribution Plan 4, and containing the estimated cost of Infrastructure and Administration of Development Contribution Plan 4, contribution cost, land area deductions and land area summary, as periodically reviewed in accordance with Development Contribution Plan 4.</p> <p><b>4.3 Infrastructure and Administrative Items to be funded</b></p> <p>4.3.1 Infrastructure Item 1a—Public Open Space and Sporting and Community Facilities—Senior Size Playing Field—Public Open Space Land Acquisition— Full costs to acquire land for a minimum of 4.9ha of Public Open Space at a location approved by the City within Development Contribution Area 4.</p> <p>4.3.2 Infrastructure Item 1b—Public Open Space and Sporting and Community Facilities—Senior Size Playing Field— Construction— Full costs to construct a minimum of 4.9ha of public open space, including a senior sized multi use playing field area, to the specifications and dimensions approved by the City and at a location approved by the City within Development</p>

No.	Description of Land	Contribution Arrangements
		<p>Contribution Area 4 minus contributions from other sources if and when they become available.</p> <p>4.3.3 Infrastructure Item 1c—Public Open Space and Sporting and Community Facilities—Sporting and Community Buildings and Structures—Construction— Full costs to construct sporting and community buildings and structures at the public open space included under Infrastructure Items 1a and 1b minus contributions from other sources if and when they become available.</p> <p>4.3.4 Infrastructure Item 2a—Movement Network—Anstey Road Widening and Construction— Full cost to upgrade Anstey Road, including road widening land, from Armadale Road to the Primary School as detailed in the Development Contribution Plan Report and Infrastructure Cost Schedule.</p> <p>4.3.5 Infrastructure Item 2b—Movement Network—Keane Road Construction— Contribution towards upgrading Keane Road as detailed in the Development Contribution Plan Report and Infrastructure Cost Schedule, with the contribution calculated being equivalent to the standard of a Residential Access Street C in accordance with Liveable Neighbourhoods (as amended), excluding costs associated with realigning the road or upgrading of the Armadale Road intersection.</p> <p>4.3.6 Infrastructure Item 2c—Movement Network—Shared Path Network— Fixed maximum contribution towards a shared path network within the Anstey Keane Urban Precinct as detailed in the Development Contribution Plan Report and Infrastructure Cost Schedule.</p> <p>4.3.7 Infrastructure Item 3a—Baileys Branch Drain Surrounds— Betterment of the Baileys Branch Drain Immediate Surrounds— Partial contribution only towards improvements to the Baileys Branch Drain immediate surrounds that deliver a multiple use corridor as detailed in the Development Contribution Plan Report and Infrastructure Cost Schedule.</p> <p>4.3.8 Infrastructure Item 4a—Utilities—Pump Station Land— Contribution towards the acquisition of land for a sewer pump station as detailed on the approved structure plan.</p> <p>4.3.9 Infrastructure Item 4b—Utilities—ATCO High Pressure Gas Pipeline— Contribution towards the upgrade of the ATCO High Pressure Gas Pipeline in Anstey Road as it pertains to the Anstey Keane Precinct (Forrestdale).</p> <p>4.3.10 Administration Costs— Full costs associated with preparing and administering Development Contribution Plan 4.</p> <p><b>4.4 Method for Calculating Contributions and Assessed Values</b></p> <p>4.4.1 Approach— Contributions for infrastructure items will be calculated on a Developable Area basis.</p> <p>4.4.2 Cost Contribution Calculation— The contribution to be made by each Owner to the implementation of the Infrastructure and Administration Costs shall be a Cost Contribution, based on a per hectare basis calculated by the Local Government as follows—</p> <p>4.4.2.1 Infrastructure Items per hectare calculation—</p> <p>(a) Calculation for entire Development Contribution Area Base Rate Infrastructure Items per hectare Base</p>

No.	Description of Land	Contribution Arrangements
		<p>Rate (E) calculated as follows at each review of the Infrastructure Cost Schedule and to remain approval of the next—</p> <p>Cost of infrastructure items where the costs are to be shared across the entire Development Contribution Area 4 as detailed in the Infrastructure Cost Schedule (A) + (plus) Administrative Costs (B) minus Base Rate contributions collected (C) / (divide) total Developable Area remaining (ha) for Development Contribution Area 4 (D). <math>A + B - C / D = E</math></p> <p>(b) Calculation for Additional Rate for applicable areas within Development Contribution Area 4</p> <p>Infrastructure Items per hectare Additional Rate (I) calculated as follows at each review of the Infrastructure Cost Schedule and to remain applicable from the approval of one review to approval of the next—</p> <p>Cost of infrastructure items where the costs are to be shared across part of Development Contribution Area 4 as detailed in the Infrastructure Cost Schedule (F) minus Additional Rate contributions collected (G) / (divide) total Developable Area remaining (ha) for the part of Development Contribution Area 4 over which the costs are to be shared (H). <math>F - G / H = I</math></p> <p>4.4.2.2 Cost Contribution Due</p> <p>(a) The Cost Contribution due by owners shall be based on the Developable Area of an owners land parcel and calculated as follows—</p> <p>i. Cost Contribution due by owners that is applicable to all Developable Area within Development Contribution Area 4— Developable Area (ha) of an owners land parcel x (multiply) Infrastructure items per hectare Base Rate.</p> <p>ii. Additional Cost Contribution due by owners that is applicable to Developable Area within Development Contribution Area 4 where an Additional Rate also applies as specified in the Infrastructure Cost Schedule calculated as follows— Developable Area (ha) of an owners land parcel where an additional Cost Contribution applies x (multiply) Infrastructure items per hectare Additional Rate.</p> <p>4.4.3 Valuations</p> <p>The provisions of Clauses 5A.9.2 to 5A.9.6 of the scheme do not apply to Development Contribution Plan 4. The following variations apply to the acquisition of land for Infrastructure Works, calculation of costs and valuation of land within Development Contribution Area 4.</p> <p>4.4.4 Compulsory Acquisition Where land has been compulsorily acquired and a lawful claim for compensation has been served on the Council, the Council may claim compensation for betterment</p>

No.	Description of Land	Contribution Arrangements
		<p>under Section 184 of the <i>Planning and Development Act 2005</i> and the value attributed to the betterment of the land the subject of the claim shall be set off against any compensation otherwise payable to the claimant under the <i>Land Administration Act 1997</i> or any re-enactment of its provisions related to compulsory acquisition and compensation.</p> <p>4.4.5 Assessed Value—</p> <p>(a) The Council may at any time ascertain the value of any land in Development Contribution Plan 4 for the purpose of estimating Infrastructure costs, payments and cost contributions.</p> <p>(b) If it is necessary, for any purpose to ascertain the value of any land, such value should be determined by two licensed valuers appointed from time to time by the local government herein referred to as “the Valuation Panel”. The members of the Valuation Panel may confer as to value, and if they are unable to arrive at a consensus value, they shall confer with the Chief Executive Officer of the local government (“CEO”) or the officer to whom the CEO delegates that function from time to time. If the valuers with the officer cannot arrive at a consensus value then the officer shall select a value which represents the median value between the two values nominated by the valuers on the Valuation Panel and will be advertised under the next following paragraph (c) (“the Assessed Value”). The Valuation Panel may determine more than one Assessed Value in the Development Contribution Plan area, where the local government or the Panel identifies that there are significant differences in land values within Development Contribution Area 4.</p> <p>(c) As soon as possible after the Assessed Value or Assessed Values have been ascertained it should be advertised for a period of not less than 28 days to allow for submissions to be made in regard to the proposed Assessed Value or Assessed Values. Assessed Values may be advertised concurrently as part of a Development Contribution Plan 4 review carried out in accordance with Clause 4.8.1 of Development Contribution Plan 4. An owner who lodges an objection under this clause shall submit with the objection supporting evidence from a suitably qualified person in the specific field being objected to.</p> <p>(d) The local government shall as soon as possible consider all submissions made on an Assessed Value and may refer any submission to the Valuation Panel for comment, but where a submission is accompanied by expert valuation advice based on the valuation principles contained in Development Contribution Plan 4, it should be referred by the local government to the Valuation Panel for comment. Having considered the submissions and any comment from the Valuation Panel, the local government shall fix upon the Assessed Value or Assessed Values to be applied under Development Contribution Plan 4 and Infrastructure Cost Schedule until the next Assessed Value or Assessed Values has been determined.</p> <p>(e) It is intended that any Assessed Value or Assessed Values should apply for no more than 13 months but while an Assessed</p>

No.	Description of Land	Contribution Arrangements
		<p>Value remains current it shall stand as the value of land within Development Contribution Plan 4 and Infrastructure Cost Schedule for all purposes under Development Contribution Plan 4 and Part 5A of the scheme and the Infrastructure Cost Schedule.</p> <p>(f) Where land is ceded or acquired for a Infrastructure Work, otherwise than by compulsory taking, for the purpose of determining the amount to be paid to the owner from whom the land is acquired, the value of the land shall be calculated according to the same Assessed Value as was applied to the Cost Contribution paid or payable by that owner on the clearance by the local government of the subdivision of land in the same deposited plan as contains the land acquired.</p> <p>4.4.6 Valuation Principles</p> <p>In ascertaining the Assessed Value or Assessed Values under Development Contribution Plan 4, all land shall be valued in its broad acre form as depicted on 1 January 2019, ignoring any services or infrastructure provided in-accordance with the provisions of the relevant Local Structure Plan and applying the following principles—</p> <ol style="list-style-type: none"> <li>i. regard is to be had to the land classifications and zonings existing at the date of valuation;</li> <li>ii. the date of valuation is to be the date on which the local government nominates;</li> <li>iii. ignoring any improvements or works on the land;</li> <li>iv. the land should be valued without regard to the Infrastructure work and the purpose for which the land is acquired shall not be taken into consideration;</li> <li>v. in selecting relevant sales evidence, regard should be had first to values derived from land in the same area, and if there is not adequate evidence, from nearby or similar land in the area, in priority to any other sales evidence; and</li> <li>vi. the method of valuation shall otherwise be in accordance with normal fair market valuation principles.</li> </ol> <p>4.4.7 Variance and Solatium—</p> <p>(a) When calculating or reviewing Contribution Costs and the Infrastructure Cost Schedule, the local government will have regard to the value of the land required for Infrastructure and include an amount of 10% over and above the Assessed Value of such land, to ensure that the local government has or will receive sufficient funds in Development Contribution Plan 4 account to acquire land for Infrastructure to meet its obligations for appropriate payment to such owners, and ensure the Infrastructure can be completed in a manner that minimises the need for external borrowing. The local government may also apply a further amount above the Assessed Value to recognize any compulsory taking of land, compensations and/or acquisition of structures.</p> <p>(b) Where land is acquired in the circumstances contemplated in subclause 4.4.5 (f) of Development Contribution Plan 4, the Council shall pay to the owner an additional amount not more than 10% of the amount calculated under that Clause.</p>

No.	Description of Land	Contribution Arrangements
		<p>4.4.8 Acquisition Prior to Gazettal Where land required for Infrastructure is ceded to the Crown or acquired by the local government prior to the Minister granting final approval and publication of the Development Contribution Plan 4 Amendment in the <i>Government Gazette</i>, the appointment of the Valuation Panel by the local government under of Development Contribution Plan 4 or adoption of the Infrastructure Cost Schedule by the Council, the land shall be valued in-accordance with the clauses 4.4.3 to 4.4.7 of Development Contribution Plan 4 by the Valuation Panel and the date of valuation shall be the date the land for the Infrastructure Work is acquired by the local government or the local government issues its clearance to the deposited plan that contains the Infrastructure land, whichever is the earlier.</p> <p>4.4.9 Provision of Land for Infrastructure Works Where the Infrastructure Cost Schedule includes a land component for a Infrastructure on the relevant lot for which a Cost Contribution is due, an Owner shall cede to the Crown or transfer to the local government the required Infrastructure land at the first stage of subdivision and/or development for that particular landholding or by prior agreement at an alternative date agreed by the local government. The value of the land will be determined in accordance with Development Contribution Plan 4 and Owners will be paid once the land is ceded to the Crown or transferred to the local government and is already included in Development Contribution Plan 4 and sufficient funds have been collected in the Development Contribution Plan 4 account and / or having regard to the timing and priority of infrastructure works.</p> <p><b>4.5 Period of Operation</b> Development Contribution Plan 4 is proposed to operate for a period of 12 years from the date of gazettal of the town planning scheme amendment that introduces Development Contribution Plan 4 into the Scheme, by which time development within Development Contribution Area is expected to be largely complete. The proposed timeframe aims to account for uncertainty regarding the staging and completion of development across the entire area. The City may in the future consider extending the period of operation, through an amendment to the Scheme, in the event that growth does not occur as rapidly as expected, or if new growth areas occur. The City may also terminate the Development Contribution Plan 4 earlier, through an amendment to the Scheme, if growth occurs quicker than expected and all contributions have been settled. All land within the Development Contribution Area is subject to the requirements of the Development Contribution Plan 4 until the plan expires or revoked.</p> <p><b>4.6 Excess in Contributions</b> Clause 5A.8.2 of the scheme does not apply to Development Contribution Plan 4. If there is an excess in the total of Cost Contributions when all Cost Contributions have been made or accounted for in the Development Contribution Area, the local government is to refund the excess funds to the contributing owners and or use all or some of the excess funds for improvements to infrastructure included in Development Contribution Plan 4 and subject to agreement from the majority of the contributing Owners. If, however, it is not reasonably practicable to identify Owners and their entitled amount of refund and consult with Owners, any excess in funds shall be applied to the provision of additional improvements to</p>

No.	Description of Land	Contribution Arrangements
		<p>Infrastructure included in Development Contribution Plan 4. The local government should make information publically available regarding any spend of excess funds.</p> <p><b>4.7 Timing and priority</b></p> <p>The Local Government will use its best endeavours to provide Infrastructure, including the acquisition of land for infrastructure, as soon as possible taking into considering the Local Government’s Corporate Business Plan, the rate of development in Development Contribution Area 4 and funds collected in Development Contribution Plan 4.</p> <p><b>4.8 Review Process</b></p> <p>Development Contribution Plan 4 will be reviewed at least every 5 years from the date of gazettal or when considered appropriate having regard to the rate of development in the area since the last review and the degree of development potential still existing.</p> <p>The estimated Infrastructure Costs, Assessed Values and Infrastructure Cost Schedule will be reviewed and updated at least annually. The Review will reflect changes in material prices, design costs, design requirements, specifications, labour requirements, Assessed Values and other expenditure associated with Development Contribution Plan 4 and actual and forecast future development patterns in the area. In some instances the costs will be indexed based on the Local Government Cost Index (LGCI) or another appropriate index and they may be reviewed and certified by a suitably qualified person. The local government’s priority and timing for infrastructure will also be reviewed at least annually.</p> <p>Reviews of Development Contribution Plan 4 or Infrastructure Cost Schedule, including Assessed Values shall be undertaken in accordance with the provisions contained within the Development Contribution Plan 4 Report and applicable Local Government Local Planning Policy. In the absence of an applicable Local Government Local Planning Policy the provisions contained in the Development Contribution Plan 4 Report shall solely apply.</p>

**ADOPTION** [Regulation 13(1)]

ADOPTED BY RESOLUTION OF THE COUNCIL OF THE CITY OF ARMADALE AT THE GENERAL MEETING OF THE COUNCIL HELD ON THE 17<sup>th</sup> DAY OF MARCH 2003.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
DATE

\_\_\_\_\_  
CHIEF EXECUTIVE OFFICER

\_\_\_\_\_  
DATE

**FINAL APPROVAL**

1. ADOPTED BY RESOLUTION OF THE COUNCIL OF THE CITY OF ARMADALE AT THE GENERAL MEETING OF THE COUNCIL HELD ON THE 23<sup>rd</sup> DAY OF MAY 2005 AND THE SEAL OF THE MUNICIPALITY WAS PURSUANT TO THAT RESOLUTION HEREUNTO AFFIXED IN THE PRESENCE OF:

SEAL

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
DATE

\_\_\_\_\_  
CHIEF EXECUTIVE OFFICER

\_\_\_\_\_  
DATE

2. RECOMMENDED / SUBMITTED FOR FINAL APPROVAL BY THE WESTERN AUSTRALIAN PLANNING COMMISSION.

\_\_\_\_\_  
DELEGATED UNDER S.20 OF WAPC ACT 1985

\_\_\_\_\_  
DATE

3. FINAL APPROVAL GRANTED BY MINISTER FOR PLANNING & INFRASTRUCTURE

\_\_\_\_\_  
MINISTER FOR PLANNING & INFRASTRUCTURE

\_\_\_\_\_  
DATE

## AMENDMENTS INCORPORATED IN SCHEME TEXT

(Listed in Amendment number order)

AMENDMENT NO.	DESCRIPTION	SECTION
<b>Amendment No.1 GG 16/2/07</b>	<ul style="list-style-type: none"> <li>◆ Rezoning Lots 80 &amp; 82 Ranford Road, Forrestdale from “Residential R15/40” and “Mixed Business/Residential” to “Urban Development Zone”.</li> <li>◆ Amending Additional Provision 8.1 of Schedule 12 – Development (Structure Planning Areas).</li> <li>◆ Inserting the words “Prior to” in front of Additional Provision 8.4 in Schedule 12 – Development (Structure Planning) Areas.</li> </ul>	Scheme Map Amendment & Schedule 12 (Scheme Text)
<b>Amendment No.2 GG 9/10/07</b>	<ul style="list-style-type: none"> <li>◆ Rezoning Lot 681 Canns Road, Bedforddale from “Rural Living 4” to “Special Residential”.</li> <li>◆ Amending the Scheme Maps accordingly.</li> <li>◆ Amending the Scheme Text by inserting in appropriate numerical order a new entry into Schedule 3 – Restricted Uses Table.</li> <li>◆ Amending the Scheme Text by inserting in appropriate numerical order a new entry into Schedule 12 – Development (Structure Planning) Area table.</li> <li>◆ Amending Special Control Area Map 3 to include the land in “Development Area (Structure Plan)” and Special Control Area Map 1 to include the land in “Development Envelope Areas” and “Bushfire Protection Areas”.</li> </ul>	Scheme Map Amendment & Schedule 3 & Schedule 12 (Scheme Text)
<b>Amendment No.3 GG 16/2/07</b>	<ul style="list-style-type: none"> <li>◆ Amending the Scheme Maps by Rezoning –               <ul style="list-style-type: none"> <li>- Lot 2 Nicholson Road, Forrestdale from “Rural X” and “Local Centre” to “Local Centre”.</li> <li>- Lot 4 Nicholson Road, Forrestdale from “Rural X” to “Local Centre”</li> </ul> </li> <li>◆ Amending the Scheme Text by inserting a new entry in provision No.4 - Schedule 3 - Restricted Uses Table.</li> </ul>	Scheme Map Amendment & Schedule 3 (Scheme Text)
<b>Amendment No.4 GG 20/2/07</b>	<ul style="list-style-type: none"> <li>◆ Amending the Scheme Text by inserting in appropriate numerical order, a new entry into Schedule 2.</li> </ul>	Schedule 2 (Scheme Text)
<b>Amendment No.5 GG 25/9/09</b>	<ul style="list-style-type: none"> <li>◆ Amending the Scheme Map to show Lot 62 Croyden Road, Roleystone as “Restricted Use – Holiday Accommodation Resort”.</li> <li>◆ Modifying the amending documents to exclude Lot 2, 185 Croyden Road from the area subject to the Restricted Use provisions.</li> <li>◆ Amending the Scheme Text by inserting a new entry in appropriate numerical order into the Schedule 3 – Restricted Use Table.</li> </ul>	Scheme Map Amendment Schedule 2 (Scheme Text)
<b>Amendment No.6 GG 11/7/06</b>	<ul style="list-style-type: none"> <li>◆ Amending the Scheme Maps by Rezoning Lots 699 and 700 Coolabah Drive, Mt Nasura from “Residential R5” to “Residential R15/25”.</li> </ul>	Scheme Map Amendment
<b>Amendment No.7 GG 24/11/06</b>	<ul style="list-style-type: none"> <li>◆ Amending the Scheme Maps by Rezoning Part Lot 4 Irymple Road, Karragullen from “General Rural” to “Rural Living 2”;</li> <li>◆ Amending Special Control Area Map 1 to remove the “Prime Agricultural Land Protection Area” from Part Lot 4 Irymple Road, Karragullen;</li> <li>◆ Amending Special Control Area Map 3 to include Part Lot 4 Irymple</li> </ul>	Scheme Map Amendment & Schedule 12 (Scheme Text)

AMENDMENT NO.	DESCRIPTION	SECTION
	Road, Karragullen into Development (Structure Planning) Area No.17; <ul style="list-style-type: none"> <li>◆ Amending Schedule 12 to include Part Lot 4 Irymple Road, Karragullen in Development (Structure Planning) Area No.17.</li> </ul>	
<b>Amendment No.8</b> <b>GG 24/11/06</b>	<ul style="list-style-type: none"> <li>◆ Amending the Scheme Maps by Recoding the western portion of Lot 186 Onyx Road, Mt Richon from “Residential R5” to “Residential R15”.</li> </ul>	Scheme Map Amendment
<b>Amendment No.9</b> <b>GG 24/11/06</b>	<ul style="list-style-type: none"> <li>◆ Amending the Scheme Maps by Rezoning Lot 101 and portion of Lot 102 Waterwheel Road, Bedforddale from “Rural Living 4” to “Special Residential”.</li> </ul>	Scheme Map Amendment
<b>Amendment No.10</b> <b>GG 19/6/07</b>	<ul style="list-style-type: none"> <li>◆ Omnibus Amendment</li> </ul>	Scheme Map & Scheme Text Amendment
<b>Amendment No.11</b> <b>GG 18/7/06</b>	<ul style="list-style-type: none"> <li>◆ Amending Additional Use No.13 in Schedule 2 – Additional Uses by inserting a new Additional Use “Pub TAB” on Lot 70 Brookton Highway, Karragullen.</li> <li>◆ Inserting an additional condition under the column Conditions and Requirements for Additional Use No.13 in Schedule 2 (13.3)</li> </ul>	Schedule 2 (Scheme Text)
<b>Amendment No.12</b> <b>GG 23/1/07</b>	<ul style="list-style-type: none"> <li>◆ Add a new primary table heading to Schedule 13 prior to column headings for Development Contribution Plan No.1.</li> <li>◆ Add a new secondary table heading to Schedule 13 following Development Contribution Plan No.2 and prior to column headings for Development Contribution Plan No.3.</li> <li>◆ Add new entry in Schedule 13B Development Contribution Plans, modified as follows, with text in strikethrough being deleted from the amendment and text underlined being included in the amendment.</li> </ul>	Schedule 13A & 13B (Scheme Text)
<b>Amendment No.13</b> <b>GG 20/3/07</b>	Amending the Scheme Maps by rezoning - <ul style="list-style-type: none"> <li>◆ Reserve 31693 on Lefroy St, Mt Nasura from ‘Parks &amp; Recreation (Local)’ to ‘Residential R10/25’;</li> <li>◆ Reserve 29937 on Wandoo St, Mt Nasura from ‘Parks &amp; Recreation (Local)’ to ‘Residential R10/25’;</li> <li>◆ Rezoning Reserve 28364 on Millen St, Mt Nasura from ‘Parks &amp; Recreation (Local)’ to ‘Residential R10/25’;</li> <li>◆ A portion of Reserve 30253 that consists of Lots 245 and 213 Hicks Road, Mt Nasura from ‘Parks &amp; Recreation (Local)’ to ‘Residential R10/25’, with the exception of a 10 metre wide strip to be ‘unzoned’ for a public access way to allow access between Hicks Road to Brookton Highway; and</li> <li>◆ Reserve 32225 on Bromfield Drive, Kelmscott from ‘Parks &amp; Recreation (Local)’ to ‘Residential R5’.</li> </ul>	Scheme Map Amendment
<b>Amendment No.14</b> <b>GG 4/12/07</b>	<ul style="list-style-type: none"> <li>◆ Rezoning Lots 7, 50, 3 and 16 Carradine Road, Bedforddale from “Rural Living 4” to “Rural Living 2” and a portion of Lot 6 Carradine Road, Bedforddale from “Rural Living 10” to “Rural Living2”.</li> <li>◆ Including Lots 7, 50, 3 and 16 Carradine Road, Bedforddale and a portion of Lot 6 Carradine Road, Bedforddale within the Bushfire Protection Area on Special Control Area Map No.1.</li> <li>◆ Including Lots 7, 50, 3 and 16 Carradine Road, Bedforddale and a portion of Lot 6 Carradine Road, Bedforddale within Development Area (Structure Planning) and number in appropriate numerical order on Special Control Area Map No.3.</li> </ul>	Scheme Map Amendment & Schedule 12

AMENDMENT NO.	DESCRIPTION	SECTION
	<ul style="list-style-type: none"> <li>◆ Amending the Scheme Maps accordingly.</li> <li>◆ Inserting a new entry into Schedule 12 – Development (Structure Planning) Areas (in appropriate numerical order).</li> </ul>	
<p><b>Amendment No.15</b> <b>GG 24/11/06</b></p>	<ul style="list-style-type: none"> <li>◆ Amending the Scheme Maps by Rezoning portions of Lot 301 (a portion of former Reg Williams Reserve) Cronin Place, Armadale from “Parks and Recreation (Local)” and “Unzoned” to “Residential R15/25”.</li> </ul>	<p>Scheme Map Amendment</p>
<p><b>Amendment No.16</b> <b>GG 16/11/07</b></p>	<ul style="list-style-type: none"> <li>◆ Rezoning from “Public Purpose” to “Special Residential” – <ul style="list-style-type: none"> <li>- Part Reserve 14763 (Lot 63 (No.40) Sanders Way, Karragullen; and</li> <li>- Reserve 18710 (No.40) Rokewood Way, Karragullen.</li> </ul> </li> <li>◆ Rezoning from “Parks and Recreation (Local)” to “Residential R12/25” – <ul style="list-style-type: none"> <li>- Reserve 37275 (No.7) Banken Court, Forrestdale;</li> <li>- Reserve 37274 (south of and adjoining No.7 Banken Court), Forrestdale; and</li> <li>- Reserve 32124, Parak Court (opposite 5, 7 and 9 Dumsday Drive), Forrestdale.</li> </ul> </li> <li>◆ Rezoning from “Rural Living RL4” to “Parks and Recreation (Local)”- <ul style="list-style-type: none"> <li>- Reserve 48763 (formerly Lot 0 surrounding Lot 62 Rokewood Way (DLI PIN 11520561), Karragullen).</li> </ul> </li> <li>◆ Rezoning from “Public Purpose” to “Rural Living RL1” – <ul style="list-style-type: none"> <li>- Reserve 29076 (between 5 Admiral Road and 481 Albany Highway, Bedfordale).</li> </ul> </li> </ul>	<p>Scheme Map Amendment</p>
<p><b>Amendment No.17</b> <b>GG 23/1/07</b></p>	<ul style="list-style-type: none"> <li>◆ Amending the Scheme Maps by Rezoning Lot 82 Ottaway Street, Kelmscott from “Residential R15/40” to “District Centre, Restricted Use No.1” and amending the Scheme Maps accordingly.</li> <li>◆ Inserting the following in Schedule 3 – Restricted Uses in the column “Description of Land”, “Lot 82 Ottaway Street” before the words “and 27 (No.15) Fancote Street”.</li> </ul>	<p>Scheme Map Amendment &amp; Schedule 3 (Scheme Text)</p>
<p><b>Amendment No.18</b> <b>GG 16/2/07</b></p>	<ul style="list-style-type: none"> <li>◆ Delete the words “Incidental Dispensary” and insert “Pharmacy” in the Additional Use column of Schedule 2.</li> <li>◆ Delete Conditions and Requirements 29.2, 29.3 and 29.4 from Schedule 2.</li> </ul>	<p>Schedule 2 (Scheme Text)</p>
<p><b>Amendment No.20</b> <b>GG 14/9/07</b></p>	<ul style="list-style-type: none"> <li>◆ Rezoning portions of Lots 143 and 144 Armadale Road from “Parks and Recreation” reserve to “Residential R40”.</li> <li>◆ Rezoning a portion of the currently unzoned Abbey Road reserve to “Residential R40”.</li> <li>◆ Amending the Scheme Maps accordingly.</li> </ul>	<p>Scheme Map Amendment</p>
<p><b>Amendment No.23</b> <b>GG 23/1/07</b></p>	<ul style="list-style-type: none"> <li>◆ Amending the Scheme Maps by Rezoning the portion of Reserve 38061 abutting Lot 51 Eugene Place, Karragullen from “Parks &amp; Recreation (Local)” to “Rural Living 2”, and amending the Scheme maps accordingly.</li> </ul>	<p>Scheme Map Amendment</p>
<p><b>Amendment No.24</b> <b>GG 15/5/07</b></p>	<ul style="list-style-type: none"> <li>◆ Rezoning Lots 21, 22 and portion of Lot 2 Nicholson Road and Lot 334 Armadale Road, Forrestdale from “General Rural” and “Rural Living X” to “Urban Development” and amending the Scheme Maps accordingly.</li> <li>◆ Defining the area comprising the subject lots, in appropriate numerical order, as a “Development (Structure Plan) Area” on the Special Control Areas Map.</li> </ul>	<p>Scheme Map Amendment &amp; Schedule 12 (Scheme Text)</p>

AMENDMENT NO.	DESCRIPTION	SECTION
	<ul style="list-style-type: none"> <li>♦ Modifying the boundaries of Development Contribution Area No.3 to include the subject lots within the boundaries of “Development Contribution Area No.3” on the Special Control Areas Map.</li> <li>♦ Amending Schedule 12 – “Development (Structure Planning) Areas” – to include new entry No.31.</li> </ul>	
<p><b>Amendment No.25</b> <b>GG 21/8/07</b></p>	<ul style="list-style-type: none"> <li>♦ Rezoning Pt Lot 8 (No.2953) Albany Highway, Kelmscott from “Residential” to “Residential / Additional Use” site for “Office” and “Consulting Rooms”.</li> <li>♦ Amending Schedule 2 – “Additional Use” – to include new entry No.38.</li> </ul>	<p>Scheme Map Amendment &amp; Schedule 2 (Scheme Text)</p>
<p><b>Amendment No.27</b> <b>GG 8/5/09</b></p>	<ul style="list-style-type: none"> <li>♦ Amending the Scheme Text by inserting in appropriate numerical order, a new entry to Schedule 2.</li> <li>♦ Amending the Scheme Maps accordingly.</li> <li>♦ Amend the land description for Additional Use No.3 in Schedule 2 from “Lot 34 (No.6)” to “Lot 500 (No.8)”.</li> </ul>	<p>Schedule 2 (Scheme Text) &amp; Scheme Map Amendment</p>
<p><b>Amendment No.29</b> <b>GG 19/6/07</b></p>	<ul style="list-style-type: none"> <li>♦ Rezoning and recoding Lot 4 Girraween Street, Armadale from “Local Centre” zone and “R15/R25” to “Residential” zone and “R40” code.</li> <li>♦ Amending the Scheme Maps accordingly.</li> </ul>	<p>Scheme Map Amendment</p>
<p><b>Amendment No.30</b> <b>GG 21/12/07</b></p>	<ul style="list-style-type: none"> <li>♦ Rezoning Lot 123 Canns Road from “Rural Living 10” to “Special Residential” zone with Special Control Area designations of “Development Area”, “Development Envelope Area” and “Bushfire Protection Area” and amend the Scheme Maps accordingly.</li> <li>♦ Amending Schedule 12 – “Development Areas” – to include new entry No.34.</li> <li>♦ Modifying Clause 6.7 for Prime bushfire hazard protection areas as follows – <ul style="list-style-type: none"> <li>a) In clause 6.7.1 adding the words “A Fire Management Plan shall be prepared for all” to precede the words “Prime Bushfire hazard protection areas” and deleting the word “are” prior to the word “defined”; and</li> <li>b) Adding a new provision No.6.7.5 to Clause 6.7 for Prime bushfire hazard protection areas.</li> </ul> </li> </ul>	<p>Scheme Map Amendment &amp; Schedule 12 (Scheme Text) &amp; Modification to Clause 6.7</p>
<p><b>Amendment No.33</b> <b>GG 5/8/08</b></p>	<ul style="list-style-type: none"> <li>♦ Rezoning Lot 51 O’Meagher Road, Karragullen from “Parks and Recreation (Local)” to “General Rural” zone.</li> <li>♦ Including the land in the Special Control Area for Prime Agricultural – Protection Area.</li> </ul>	<p>Scheme Map Amendment</p>
<p><b>Amendment No.34</b> <b>GG 19/6/09</b></p>	<p>Amend Schedule 2 “Additional Use No.19” as follows –</p> <ol style="list-style-type: none"> <li>1. In the Additional Use column – <ol style="list-style-type: none"> <li>i) Delete the words “Tourist complex” and insert “Mixed Uses”;</li> <li>ii) Insert the words “key elements of, after the word “incorporating”;</li> <li>iii) Insert the following uses – <ul style="list-style-type: none"> <li>- Exhibition Centre;</li> <li>- Holiday Accommodation;</li> <li>- Cottage Industry;</li> <li>- Market;</li> <li>- Medical Centre;</li> <li>- Motel; and</li> <li>- Showroom;</li> </ul> </li> <li>iv) Delete the words “Incidental tourism related uses”.</li> </ol> </li> <li>2. Delete Conditions 19.1 to 19.7 and insert the following new Conditions in the Conditions and Requirements column: <ul style="list-style-type: none"> <li>“19.1 In determining any planning application for development approval, the City shall have regard to the compatibility of the proposed uses with the existing adjacent land uses and where necessary special design consideration shall be required for the screening, separation or noise attenuation of adjacent properties.</li> <li>19.2 The overall development may comprise either, a single building or multiple buildings with a common theme, and shall incorporate key elements of the Old</li> </ul> </li> </ol>	<p>Schedule 2 (Scheme Text)</p>

AMENDMENT NO.	DESCRIPTION	SECTION
	<p>Armadale Tearooms (Muckcross Hall) building as follows to the satisfaction of the City:-</p> <ul style="list-style-type: none"> <li>a) the use of the building, at least in part, is to recognise the building's original function as a meeting place;</li> <li>b) recognition of the large open truss construction of the internal parts of the building;</li> <li>c) respect for the existing roofline and the original cladding style of the roof;</li> <li>d) materials for the existing walls may be replaced provided the appearance respects the original character; and</li> <li>e) the building could be extended out the back and side, provided the outline of the façade and roofline, as visible from the Albany Highway approach into Armadale, retains its character.</li> </ul> <p>19.3 For non-residential uses, a plot ratio of 1.0 may be approved. In addition to this, where residential use is incorporated into the development, multiple dwellings of up to R40 will be considered by Council to ensure the retention of the character of the original built form on the site.</p> <p>19.4 A Traffic Management Plan addressing site access and car parking both on and off site will need to be prepared and implemented to the satisfaction of Council as part of any development application for the redevelopment of the land.</p> <p>19.5 Vehicular access to Crystal Court shall be limited to residential uses only and may require a traffic study prior to Council granting approval.</p> <p>19.6 Car parking is to be provided in accordance with the scheme standards and may include reciprocal Parking, on-site parking, use and upgrading of the existing parking within the highway reserve and/or cash-in-lieu.</p> <p>19.7 In preparing and/or assessing any planning application for development approval, the applicant and the City should consider the possible provision of access for vehicular and pedestrian movement and parking, together with drainage, where applicable over the adjacent Lot 100 (Pioneer Village Narrogin Inne premises) Albany Highway, in a manner satisfactory to the City to ensure safe, convenient and integrated traffic circulation. Such an arrangement may require agreement with the landowners of Lot 100 Albany Highway.</p> <p>19.8 All permitted use classes listed for the base Residential zone shall be D (discretionary).</p> <p>19.9 Notification in the form of a section 70A notification, pursuant to the <i>Transfer of Land Act 1893</i> (as amended) is to be placed on the Certificate of Title on Lot 17 South Western Highway, Armadale advising prospective purchasers that the lot may be affected by noise from the Water Corporation pump station on the adjoining Lot 18 South Western Highway.</p>	
<p><b>Amendment No.35</b> <b>GG 28/11/08</b></p>	<p><u>Proposal 1</u></p> <ul style="list-style-type: none"> <li>i) Delete the word “Existing” from the section heading “Existing Building/Land Use” of Schedule 6 – Form of Application for so it reads “Building/Land Use”;</li> <li>ii) Insert additional text on Schedule 6 under the title “Application for ” as follows: “Applicants are required to complete and submit all relevant checklists and pay the required fees as set out in the City’s Schedule of Fees and Charges. Incomplete applications will be returned to the applicant.”; and</li> <li>iii) Insert a sentence at the bottom of Schedule 6 as follows: “The applicant acknowledges and accepts when lodging this application form, that the City may advertise, copy and/or reproduce any supporting plans and documentation submitted as part of this application.”</li> </ul> <p><u>Proposal 2</u></p> <p>Include new provisions for Development Area No.11 in Schedule 12 – Development (Structure Planning) Areas as follows:</p> <ul style="list-style-type: none"> <li>i) “11.3 No lot with a common boundary on the dedicated road reserve to Churchman Brook Road shall be permitted where it would have an area of less than 5000m<sup>2</sup>.”</li> <li>ii) “11.4 All Structure Plans shall include land capability and servicing assessments for proposed lots undertaken at the landowner’s cost and to the standard determined by the City.”</li> </ul> <p><u>Proposal 3</u></p> <p>Insert the following property details under the “Description of Land” column of Schedule 3 (Restricted Uses) for Restricted Use No.1 as follows:</p> <ul style="list-style-type: none"> <li>“Lot 59 (No.2913) Albany Highway, Kelmscott;</li> <li>Lot 12 (No.2917) Albany Highway, Kelmscott;</li> <li>Lot 116 (No.2921) Albany Highway, Kelmscott;</li> <li>Lot 115 (No.2925) Albany Highway, Kelmscott; and</li> </ul>	<p>Schedule 6 Schedule 12 Schedule 3 (Scheme Text)</p> <p>Scheme Map Amendment</p>

AMENDMENT NO.	DESCRIPTION	SECTION
<p style="text-align: center;"><b>Amendment No.35 GG 28/11/08</b></p>	<p>Lot 82 (No.1) Ottaway Street, Kelmscott.”</p> <p><u>Proposal 4</u> Amend the Scheme Maps as follows:</p> <ul style="list-style-type: none"> <li>i) Recode Lot 946 Milano Loop, Seville Grove from “R15/25” to “R40”;</li> <li>ii) Recode Lots 327 to 330 Ticklie Road, Seville Grove from “R15/25” to “R30”;</li> <li>iii) Recode Lots 345 to 349 Ticklie Road, Seville Grove from “R15/25” to “R30”;</li> <li>iv) Recode Lots 353 to 356 and Lots 367 to 370 Ticklie Road, Lots 350 to 352 Vallota Pass, Seville Grove and Lots 371 and 372 Jonquil Loop, Seville Grove from “R15/25” to “R30”;</li> <li>v) Recode Lots 305 to 309 Ticklie Road, Seville Grove from “R15/25” to “R30”;</li> <li>vi) Recode Lots 772 and 773 Edinburgh Road, Seville Grove, Lots 774 and 775 Westfield Road and Lots 769-771 Glasgow Way, Seville Grove from “R15/25” to “R30”;</li> <li>vii) Recode Lot 239 Cabra Avenue and Lot 333 Salamanca Boulevard, Seville Grove from “R17.5/25” to “R40”;</li> <li>viii) Recode Lots 564 and 565 Seville Drive and Lots 511 and Lot 563 Fulmar Way, Seville Grove from “R17.5/25” to “R30”;</li> <li>ix) Recode Lots 238 and 239 Waterway Cove, Seville Grove from “R15/25” to “R30”;</li> <li>x) Recode Lot 10 (Strata Lots 1-22) Braemore Street, Seville Grove from “R15/25” to “R30”;</li> <li>xi) Recode Lot 31 Braemore Street, Seville Grove from “R15/25” to “R40”;</li> <li>xii) Rezoning and recoding Lots 539 and 540 Fulmar Way from “Residential R17.5/25” and “Unzoned R15/25” to “Residential R30” and recoding Lots 357 and 358 Waterway Cove, Seville Grove from “R15/25” to “R30”; and</li> <li>xiii) Rezoning and recoding Lots 535 to 538 Fulmar Way and Lot 534 Kerrison Parade, Seville Grove from “Residential R17.5/25” and “Unzoned R15/25” to “Residential R17.5/25”.</li> </ul> <p><u>Proposal 5</u> Rezone the Pedestrian Access Way from “Unzoned” and adjoining sections of Public Open Space Reserve 34049 from “Parks and Recreation (Local)” reserve located between Lowanna Way and Reserve 32576 to “Residential” zone and the Scheme Maps be amended accordingly.</p> <p><u>Proposal 6</u> Amend the Scheme Maps as follows:</p> <ul style="list-style-type: none"> <li>i) Recode Lot 29 (No.24) Ashworth Way, Brookdale from “R20” to “R40”; and</li> <li>ii) Recode Lot 62 (No.2) Ashworth Way, Brookdale from “R20” to “R40”.</li> </ul> <p><u>Proposal 7</u> Amend the Scheme Maps as follows:</p> <ul style="list-style-type: none"> <li>i) Rezone the unzoned portion of Lot 11 (No.35) Wungong Road, Armadale to “Residential” zone;</li> <li>ii) Rezone the unzoned portion of Lot 10 (No.33) Wungong Road, Armadale to “Residential” zone;</li> <li>iii) Rezone the unzoned portion of Lot 9 (No.31) Wungong Road, Armadale to “Residential” zone;</li> <li>iv) Rezone the unzoned portion of Lot 8 (No.4) Seventh Road, Armadale to “Residential” zone; and</li> <li>v) Rezone the unzoned portion of Lot 7 (No.6) Seventh Road, Armadale to “Residential” zone.</li> </ul> <p><u>Proposal 8</u> Rezone a portion of Lot 40 (No.73) Brookton Highway, Mt Nasura from “Public Purpose” reserve to “Residential” zone and the Scheme Maps be amended accordingly.</p> <p><u>Proposal 9</u> Rezone Reserve 30173 Weston Terrace, Kelmscott from “Parks and Recreation (Local)” reserve to “Residential” zone and the Scheme Maps be amended accordingly.</p> <p><u>Proposal 10</u> Rezone a portion of Lot 100 (No.19) Wgonda Road, Roleystone that has been developed with ten aged person dwellings from “Parks and Recreation (Local)” reserve to “Residential” zone and the Scheme Maps be amended accordingly.</p> <p><u>Proposal 11</u></p>	<p style="text-align: center;">Schedule 6 Schedule 12 Schedule 3 (Scheme Text)</p> <p style="text-align: center;">Scheme Map Amendment</p>

AMENDMENT NO.	DESCRIPTION	SECTION
	Rezone a portion of Reserve 29003 Foster Road, Kelmscott from “Residential” zone to “Parks and Residential (Local)” reserve and the Scheme Maps be amended accordingly.	
<p><b>Amendment No.36</b> <b>GG 14/11/08</b></p>	<ul style="list-style-type: none"> <li>♦ Amending the Scheme Text by inserting in appropriate numerical order, a new entry to Schedule 2 (Lot 65 Rokewood Way, Karragullen) - <u>Permitted (P) Use:</u> <ul style="list-style-type: none"> <li>- Warehouse (Cool Storage/Packing Facility).</li> <li>- Incidental car park, office and Exhibition Centre.</li> </ul> </li> </ul> <p><u>Conditions and requirements</u></p> <ol style="list-style-type: none"> <li>1. Development of the site shall be generally in accordance with the adopted Concept Development Plan and shall address the following: <ul style="list-style-type: none"> <li>• Minimisation of the visual impact of the development on adjacent residential properties by measures including the provision of high quality painted masonry walls and non-reflective roofing material.</li> <li>• All loading and unloading activities to be carried out from inside the building.</li> <li>• Additional landscaping to the satisfaction of the City to be provided between any new building /parking areas and the relevant street frontage of the site.</li> <li>• A 15m minimum vegetation buffer/setback to be applied from all property boundaries to any new buildings and car parking areas.</li> <li>• No storage outside the building or in car parking areas is permitted.</li> </ul> </li> <li>2. The eastern portion of Lot 65 Rokewood Way (east of the driveway accessing Canning Road) shall not be developed or be used for the expansion of the facility. Native vegetation on the eastern portion of Lot 65 shall be retained and maintained to the satisfaction of the City.</li> <li>3. All ‘P’ use classes listed for the base zone shall be ‘D’ (discretionary) uses notwithstanding they are ‘P’ in the zoning table.</li> <li>4. A traffic study to be prepared to detail the number and direction of truck routes, driveway construction, acceptable site lines on Canning Road and condition of road pavements to further assess the proposed traffic arrangements prior to approval of a development application for the site.</li> </ol>	<p>Schedule 2 (Scheme Text)</p>
<p><b>Amendment No.37</b> <b>GG 13/3/09</b></p>	<ul style="list-style-type: none"> <li>♦ Rezoning a portion of Reserve 37213 Gillam Drive, Kelmscott from “Parks and Recreation (Local)” to “Industrial Business”.</li> <li>♦ Amending the Scheme Maps accordingly.</li> </ul>	<p>Scheme Map Amendment</p>
<p><b>Amendment No.41</b> <b>GG 19/6/09</b></p>	<ul style="list-style-type: none"> <li>♦ Rezoning Lot 102 Waterwheel Road, Bedforddale from “Rural Living 4” to “Special Residential”.</li> <li>♦ Including Lot 102 Waterwheel Road, Bedforddale within the “Bushfire Protection Area” and “Development Envelope Areas” on Special Control Area Map No.1”.</li> <li>♦ Amending the Scheme Maps accordingly.</li> </ul>	<p>Scheme Map Amendment</p>
<p><b>Amendment No.42 GG</b> <b>14/7/09</b></p>	<ul style="list-style-type: none"> <li>♦ Rezoning Lot 20 Robinson Road, Roleystone from “General Rural” to “Rural Living-2” and amending the Scheme Maps accordingly.</li> <li>♦ Including Lot 20 Robinson Road, Roleystone within the “Bushfire Protection Area” and “Development Envelope Areas” on Special Control Area Map No.1.</li> <li>♦ Including Lot 20 Robinson Road, Roleystone within Schedule 12 “Development Area (Structure Plan)” and number in appropriate numerical order on Special Control Area Map No.3.</li> <li>♦ Amending Schedule 12 “Development Areas” to include new entry in appropriate numerical order.</li> </ul>	<p>Schedule 12 (Scheme Text) Scheme Map Amendment</p>
<p><b>Amendment No.43</b> <b>GG 20/2/09</b></p>	<ul style="list-style-type: none"> <li>♦ Rezoning portions of Lots 4 to 7, 25, 30 and Part 46 Wright Road, Lots 10, 11 (A and B), 12, 30 to 31, 45 and 58 Armadale Road, Lots 2 to 6 and portion of Lot 40 Nicholson Road and Lot 12 Mason Road Piara Waters from ‘General Rural’, ‘Rural Living X’ and Reservation for Public Purpose to ‘Urban Development’ and amend the Scheme Maps accordingly;</li> <li>♦ Defining the area comprising the subject lots, in appropriate numerical order, as a ‘Development (Structure Plan) Area’ on the Special Control Areas map;</li> </ul>	<p>Schedule 12 &amp; Schedule 13B (Scheme Text) Scheme Map Amendment Development Contribution Plan No.13</p>

AMENDMENT NO.	DESCRIPTION	SECTION
	<ul style="list-style-type: none"> <li>♦ Modifying the boundaries of Development Contribution Area No.3 to include the subject lots (excluding Lots 2 and 3 corner of Armadale and Nicholson Roads) within the boundaries of ‘Development Contribution Area No.3’ on the Special Control Areas map;</li> <li>♦ Amending Schedule 12 – Development (Structure Planning) Areas.</li> <li>♦ Modify Development Contribution Plan No.3 by: <ul style="list-style-type: none"> <li>a) In Clause 6B.4.4 (c) remove the word “and” at the end of the sentence.</li> <li>b) In Schedule 13B Development Contribution Plans No.3 amend the clauses as follows: <ul style="list-style-type: none"> <li>(i) Clause 3.6.3 (1) (b) replace the words “from Lots 82, 106 and 107 Wright Road” with “or land ceded free of cost from adjoining lots”.</li> <li>(ii) Clause 3.6.3 (5) replace the words “Ranford Road and Wright Road Intersections” with the words “Intersections with Ranford and Armadale Roads”.</li> <li>(iii) Clause 3.6.3 (5) (a) add the words “at Ranford Road and Wright Road” between the words “signalised intersection” and “, except those”, and replace the words “Lots 106 and 107 Wright Road” with “adjacent lots”.</li> <li>(iv) Clause 3.6.3 (5) (b) add the words “at Ranford Road and Wright Road” between the words “intersection” and “installing traffic signals”.</li> <li>(v) After Clause 3.6.3 (5) (b) add the following Clauses; <ul style="list-style-type: none"> <li>“(c) 100% of the cost of temporary intersection works/upgrading of the intersection of Armadale Road and Wright Road, including any road widenings, minus any contributions and grants from external sources;</li> <li>(d) 75% of the cost of temporary intersection works/upgrading of the intersection of Armadale Road and the distributor road to the Primary School, including any road widenings, minus any contributions and grants from external sources.”.</li> </ul> </li> <li>(vi) Clause 3.6.3 (6) replace the words “100% of” with “A contribution towards”.</li> <li>(vii) Clause 3.6.3 (6) (c) add the words “from Warton Road to Anstey Road” at the end of the sentence.</li> <li>(viii) Clause 3.6.3 (7) (a) add the words “for Balannup Drain” after “interval event”, and add the words “as identified in the adopted Infrastructure Cost Schedule” at the end of the sentence.</li> <li>(ix) After Clause 3.6.3 (7) (e) add the following: <ul style="list-style-type: none"> <li>“(f) 100% of the cost of acquiring land or easements for the arterial drainage multiple use corridors up to 10 year average recurrence interval event for part of James Drain north of Armadale Road, and James Drain south of Armadale Road to Forrestdale Lake, as identified in the adopted Infrastructure Cost Schedule.</li> <li>(g) 100% of the cost of implementing administrative measures to ensure access in perpetuity along James Drain from Armadale Road to Commercial Road for the City of Armadale and any other drainage utilities responsible for management of the drain.</li> <li>(h) Initial maintenance works in James Drain from the northern boundary of Armadale Road to Forrestdale Lake including upgrading of the drainage channel and including upgrading culverts at road crossings including those at Armadale Road and Nicholson Road.”.</li> </ul> </li> </ul> </li> </ul> </li> </ul>	<p>(Text Amendment)</p>
<p><b>Amendment No.43 GG 20/2/09</b></p>	<ul style="list-style-type: none"> <li>(x) After Clause 3.7.3 (8) (f) add the following: <ul style="list-style-type: none"> <li>“(g) 100% of the cost of building a combined sporting pavilion/ community meeting rooms on the proposed public open space in the area known as Structure Plan (SP) South, inclusive of change rooms, toilets, storage, community meeting space, car parking, a playground and landscaping, minus any probable or received grant funding.”.</li> </ul> </li> <li>(xi) Clause 3.4.3 (a) (i) add the words “and rounding down” at the end of the sentence.</li> </ul>	<p>Schedule 12 &amp; Schedule 13B (Scheme Text) Scheme Map Amendment Development Contribution</p>

AMENDMENT NO.	DESCRIPTION	SECTION
	<p>(xii) Clause 3.4.3 (c) add the sentence “No rounding is to apply to this calculation” at the end of the Clause;</p> <p>(xiii) Clause 3.6.3 (7) (b) replace the words “100% of the” at the beginning of the sentence with “A contribution of approximately 100% of the”, after the word “constructing” remove the word “the” and replace with “an”, and between the words “and adjacent” insert the words “100% of the cost of constructing the arterial drainage channel”.</p> <p>(xiv) Insert a new Clause 3.10.3 after Clause 3.10.2 that reads “An owner who undertakes pre-funded works or provides land in accordance with Clause 3.8 should lodge a first and final claim for credit that includes relevant records within one year of completing the agreed works, unless agreed otherwise by the City. If a claim for credit is not lodged within one year, the City may determine that the time period for claiming credit has expired and it is no longer liable for payment of the prefunded works or land”.</p> <p>(xv) Renumber the former Clause 3.10.3 to Clause 3.10.4 and add the words “or defer the adjustment to the next review undertaken as per Clause 3.13 of Development Contribution Plan No.3” to the end of the sentence.</p> <p>(xvi) Renumber the former Clause 3.10.4 to 3.10.5 and add the words “provided the credit is sought before the period identified in Clause 3.10.3” after the words “Schedule 13B”.</p> <p>(xvii) Renumber the former Clause 3.10.5 to 3.10.6.</p> <p>(xviii) Clause 3.12.3 (c) replace “21” with “28”, and insert after the first sentence the following sentence “Proposed Values may be advertised concurrently as part of an Infrastructure Cost Schedule review carried out in accordance with Clause 3.13.”.</p> <p>(xix) After Clause 3.13.2 (c) add the following: “(d) Assessed Values;”</p> <p>(xx) Clause 3.13.6 put a full stop after the words “any other finding of the review” and replace the words “other than the Assessed Value which” with a new sentence that begins “Objections to Proposed Values advertised as part of the Infrastructure Cost Schedule Review” in front of the words “shall be dealt with”.</p> <p>(xxi) Clause 3.13.6 in between the sentence that ends “those elements that have been altered as part of the review” and that begins “Any objection received by the City in-accordance” insert the Clause number 3.13.7.</p> <p>(xxii) Delete the existing Clause 3.13.8.</p> <p>(xxiii) Re-number existing Clause 3.13.7 as 3.13.8, and existing Clause 3.13.9 as 3.13.10.</p> <p>(xxiv) Insert a new Clause 3.13.9 that reads as follows “If objections are received under Clause 3.13.7 (iii) the City may adopt a revised Infrastructure Cost Schedule and Cost Contribution per lot using a value being the average of that identified by the City and by the Owner until such time as the arbitration is determined”.</p> <p>(xxv) Amend the new Clause 3.13.10 by replacing “Where” with “When” at the beginning of the sentence and replacing the words “Clauses 13.3 or 13.3.8” with “Clause 13.3.7 (iii)”.</p> <p><i>Cont’d...</i></p>	<p>Plan No.13 (Text Amendment)</p>
<p><b>Amendment No.43 GG 20/2/09</b></p>	<p>(xxvi) Clause 3.1.1 replace the words “North Forrestdale First Stages Development Contribution Area” with “Development Contribution Area No.3”.</p> <p>(xxvii) Clause 3.6.2 (a) delete the words “the North Forrestdale” and after the words Development Contribution Plan insert the words “No.3 and subsequent amendments”.</p> <p>(xxviii) Clause 3.6.2 (b) replace the word “Specific” with “Specified”.</p> <p>(xxix) Clause 3.12.1 delete the words “the North Forrestdale” and add the words “No.3” after the words “Development Contribution Plan”.</p> <p>(xxx) Clause 3.13.3 in the first sentence after the words “Infrastructure Cost Schedule” delete the words “in the Development Contribution Plan”.</p>	<p>Schedule 12 &amp; Schedule 13B (Scheme Text) Scheme Map Amendment Development Contribution Plan No.13 (Text Amendment)</p>

AMENDMENT NO.	DESCRIPTION	SECTION
<b>Amendment No.44</b> <b>GG 3/4/09</b>	<ul style="list-style-type: none"> <li>◆ Recoding Lot 110, No.62 Henrietta Avenue, Mt Nasura from “R5” to “R15”.</li> <li>◆ Amending the Scheme Maps accordingly.</li> </ul>	Scheme Map Amendment
<b>Amendment No.45</b> <b>GG 10/9/10</b>	<ul style="list-style-type: none"> <li>◆ Rezone a portion of Lot 201 Coventry Road, Roleystone from “Rural Living 2” to “Rural Living 1”;</li> <li>◆ Include Lots 201 &amp; 202 Coventry Road, Roleystone within the “Bushfire Protection Area” on Special Control Area Map No.1;</li> <li>◆ include Lots 201 &amp; 202 Coventry Road, Bedforddale within Schedule 12 – “Development Area (Structure Plan)” and number in appropriate numerical order on Special Control Area Map No.3;</li> <li>◆ amend the Scheme maps accordingly; and</li> <li>◆ Amend Schedule 12 – “Development Areas: - to include the following new entry in appropriate numerical order.</li> </ul>	Schedule 12 (Text Amendment)
<b>Amendment No.46</b> <b>GG 15/5/12</b>	<ol style="list-style-type: none"> <li>1. Rezoning Lot 805 Weelarra Heights, Bedforddale from "Rural Living 10" to "Rural Living 2".</li> <li>2. Including Lot 805 Weelarra Heights, Bedforddale within Special Control Area Map 3 with the designation "Development Area (Structure Plan) (Schedule 12)" with a new entry in appropriate numerical order.</li> <li>3. Including Lot 805 Weelarra Heights, Bedforddale within Special Control Area Map 1 with the designations of "Bushfire Protection Area" and "Development Envelope Area".</li> <li>4. Rezoning Lot 5 Carradine Road, Bedforddale from "Rural Living 10" to "Rural Living 4".</li> <li>5. Rezoning the north eastern part of Lot 804 Weelarra Heights, Bedforddale currently zoned "Rural Living 10" to "Rural Living 2" and including the same area in Special Control Area Map 1 with the designations of "Bushfire Protection Area" and "Development Envelope Area" and in Special Control Area Map 3 as part of existing "Development Area No.40".</li> <li>6. Amending the Scheme Maps accordingly.</li> <li>7. Amending Schedule 12 - "Development Areas" - to include new entry in appropriate numerical order.</li> </ol>	Schedule 12 (Text Amendment)
<b>Amendment No.47</b> <b>GG 14/7/09</b>	General Development Requirements - Restrictive Covenants - Delete Clauses 5.4.1 and 5.4.2 and inserting the following new Clause 5.4 – <ul style="list-style-type: none"> <li>◆ A restrictive covenant affecting any land in the local planning scheme area by which, or the effect of which is that, the number of residential dwellings which may be constructed on the land is limited or restricted to less than that permitted by the Scheme (including any covenant purporting to –               <ol style="list-style-type: none"> <li>i) limit or restrict subdivision, or</li> <li>ii) limit or restrict the maximum area occupied by a dwelling),</li> </ol>               is hereby extinguished or varied to the extent that it is inconsistent with the provisions of the Residential Design Codes which apply under the Scheme.             </li> </ul>	Clause 5.4 (Scheme Text)
<b>Amendment No.50</b> <b>GG 6/5/11</b>	<ul style="list-style-type: none"> <li>◆ Rezoning Lot 12 (456) Canns Road, Bedforddale from “Rural Living 4” to “Special Residential”.</li> <li>◆ Amending Special Control Area Map 1 to include Lot 12 (456) Canns Road, Bedforddale within the “Bushfire Protection Areas” and “Development Envelope Areas”.</li> <li>◆ Amending the Scheme Maps accordingly.</li> <li>◆ Amending the description for Development Area.11 within Schedule 12 of the Town Planning Scheme No.4.</li> </ul>	Scheme Map Amendment & Schedule 12 (Text Amendment)
<b>Amendment No.51</b> <b>GG 15/5/12</b>	<ol style="list-style-type: none"> <li>1. Rezoning Lot 2890 Pine Tree Close, Armadale from "Parks and Recreation (Local)" to "Residential".</li> <li>2. Amending the Scheme Map accordingly.</li> </ol>	Scheme Map Amendment
<b>Amendment No.52</b> <b>GG 16/3/10</b>	<ul style="list-style-type: none"> <li>◆ Including Lot 1967 Owtram Road, Lot 46 Rogers Lane and Lots 45 and 11 Albany Highway, Armadale within a Special Use zone.</li> <li>◆ Inserting a new entry into Schedule 4 of Town Planning Scheme No.4 – Special Use Zones, including a new Condition 2.10.</li> </ul>	Scheme Map Amendment &

AMENDMENT NO.	DESCRIPTION	SECTION
		Schedule 4 (Text Amendment)
<b>Amendment No.53 GG 24/12/10</b>	<ul style="list-style-type: none"> <li>♦ Include 'shop' as a permitted use within Additional Use No.24 of Schedule 2 of City's Town Planning Scheme No.4, relative to Lot 501 (No.273) Railway Avenue, Armadale;</li> <li>♦ Amend Schedule 2 – 'Additional Uses' within Town Planning Scheme No.4 to update entry No.24 in appropriate numerical order.</li> </ul>	Scheme Map Amendment & Schedule 2 (Text Amendment)
<b>Amendment No.54 GG 7/2/12</b>	<ol style="list-style-type: none"> <li>1. Clause 1.6, Aims of the Scheme. Including a new part (l) which reads "To facilitate and encourage high quality design, built form and streetscapes throughout the district".</li> <li>2. Clauses 4.2.1 and 4.2.7, objectives of the "Residential" and "Mixed Business / Residential" zones. Inserting new parts (c) in Clauses 4.2.1 and 4.2.7 which read "To facilitate and encourage high quality design, built form and streetscapes throughout residential areas".</li> <li>3. Zoning Table. Modifying the permissibility of a 'Residential Building' in the 'Rural Living' zone from 'A' (discretionary) to 'X' (not permitted).</li> <li>4. Clause 5.2.4. Replacing the first sentence of the Clause with "Notwithstanding 5.2.3 above, an increase above the lower residential density code may apply in the following circumstances subject to an <i>Application for</i> being granted by the City in accordance with <i>Local Planning Policy 3.1 Residential Density Development:</i>" and including reference to Aged or Dependant Persons Dwellings and Single Bedroom Dwellings in a), b), c) and d), and a new sentence after part e) as follows—             <ol style="list-style-type: none"> <li>(i) insert ", aged or dependant persons dwellings and single bedroom dwellings" after the words "group dwellings" in Clauses 5.2.4a), 5.2.4b), 5.2.4c) and 5.2.4d);</li> <li>(ii) insert the following text after Clause 5.2.4e) "Where applications are to be made for aged or dependant persons dwellings or single bedroom dwellings, this clause shall be read in the context of Clause 5.2.6."</li> </ol> </li> <li>5. Modifying Clause 5.2.5 by inserting the words ", aged or dependant persons dwellings and single bedroom dwellings" after the words "grouped dwellings".</li> <li>6. Clause 5.2.6. Renumbering the existing Clause 5.2.6 as Clause 5.2.7 and inserting a new Clause 5.2.6 as follows—              "The potential maximum one third reduction to the minimum and average site areas permitted under the Residential Design Codes of Western Australia in respect of Aged or Dependant Persons Dwellings or Single Bedroom Dwellings—              (a) does not apply where land is identified on the Scheme Map as R10/25, R12.5/25, R15/25 or R17.5/25, and is replaced by the ability to make application for the higher R-Code in the context of Clauses 5.2.4 a), 5.2.4 c) or 5.2.4 d);              (b) may be considered by the City in addition to the higher R-Code (R40 with a one-third reduction to the minimum and average site areas) where land is identified on the Scheme Map as R15/40 or R25/40 subject to the application of Clauses 5.2.4 b) or 5.2.5."</li> <li>7. Deleting Clause 5.3.1(a) and renumbering the remaining clauses 5.3.1(b) and 5.3.1(c) to 5.3.1(a) and 5.3.1(b).</li> <li>8. Modifying Clause 5.3.1(c)(ii) by replacing the word "that" with "than", after the word "more".</li> <li>9. Clause 5B.8.2. Replacing the words "Where a lot in the General Rural zone has an area in excess of 8ha" with "In the General Rural zone only, where a lot has an area in excess of 8ha".</li> <li>10. Modifying Clause 6.1.1(e) by replacing the reference to 'Special Control Area Map 3' with 'Special Control Area Map 1'.</li> <li>11. Modifying Clause 6A.2.3(b) to include the words "dieback (including mapping, management and treatment)," after the word "soils,".</li> <li>12. Modifying Clause 6A.3.4(a) by inserting the words "within 28 days of the determination" after the words "the Proponent may".</li> <li>13. Clause 6A.3.9. Inserting the words "unless otherwise agreed with the proponent" after the words "clause 6A.3.7" in Clause 6A.3.9.</li> <li>14. Clause 6A.6.1. Replacing the word "buildings" with the word "development", inserting ", or are otherwise depicted on an approved development envelope plan," after the words "Subdivision Guide Plan", and deleting the second sentence in Clause 6A.6.1.</li> <li>15. Clause 6A.6.4. Including "minor earthworks, septic tanks and non-inverted leach drains," after the word "envelopes:".</li> <li>16. Relocating Clause 6A.6 Development Envelopes within Clause 5.7, renumbering Clause 6A.6.1 as 5.7.1, 6A.6.2 as 5.7.2, 6A.6.3 as 5.7.3, 6A.6.4 as 5.7.4, the existing Clause 5.7.1 as 5.7.5 and 6A.6.5 as 5.7.6, renaming Clause 5.7 "Development Envelopes" and renumbering the remaining clauses in Part 6A accordingly 6A.7 to 6A.6, 6A.8 to 6A.7 and 6A.9 to 6A.8.</li> </ol>	Scheme Map Amendments & Various Scheme Text Amendments & Schedule 1, 2 & 13B Text Amendments

AMENDMENT NO.	DESCRIPTION	SECTION
	17. Clause 6B.5(a). Modifying Clause 6B.5(a) by inserting the words "or strata" after the word "subdivision" and inserting ", strata title" after the word "subdivide".	
<p style="text-align: center;"><b>Amendment No.54 GG 7/2/12</b></p>	<p>18. Clause 7.5(b). Inserting a line break after the words "designated under clause 7.2.1," and start a new paragraph.</p> <p>19. Clause 8.2(b). Modifying Clause 8.2(b) by inserting the words "patio, carport, water tank," after the word "extension,".</p> <p>20. Clause 8.2(b)(i). Modifying Clause 8.2(b)(i) by inserting ", any Local Planning Policy adopted by the City under Clause 2.4, or any applicable Clause of the Scheme Text;" after the word "Codes".</p> <p>21. Clause 11.1.2. Modifying Clause 11.1.2 by inserting "or Chief Executive Officer of the City" after the words "authorized by the City" and correct the spelling of the word "authorized" to "authorised".</p> <p>22. Schedule 1, General Definitions, definition of "Public Access Way". Inserting a new definition as follows: "'public / pedestrian access way" has the same meaning as in section 152 of the <i>Planning and Development Act 2005</i>;".</p> <p>23. Schedule 1, Land Use Definitions, definition of "Dam Construction". Inserting "construction of an on-stream or off-stream basin and/or" after the word "involving", so the Clause reads as follows: "means any works involving construction of an on-stream or off-stream basin and/or constriction of flow associated with a water course, but excludes any drainage work undertaken as part of an approved subdivision of land, or public works undertaken by the authority responsible for the management or maintenance of the particular water course;".</p> <p>24. Schedule 1, Land Use Definitions, definition of "Garden Centre—Retail". Amending the definition to read as follows: "means land or buildings used for the purposes of propagating and/or growing and/or selling by retail plants and may incidentally include selling by retail domestic garden products and utilities and/or motorised garden implements and/or prefabricated garden buildings and/or bulk garden products".</p> <p>25. Schedule 1, Land Use Definitions, definitions of "Industry". Amending the definition to read as follows: "means, in the context of the industry sub-categories defined by the Scheme, premises used for any of the following but not limited to the manufacture, dismantling, processing, assembly, treating, testing, servicing, maintenance or repairing of goods, products, articles, materials or substances and may include but is not limited to, premises on the same land used for—</p> <ul style="list-style-type: none"> <li>(a) the storage of goods;</li> <li>(b) the work of administration or accounting;</li> <li>(c) the selling of goods by wholesale or retail; or</li> <li>(d) the provision of amenities for employees, incidental to any of those industrial operations;". <p>26. Schedule 1, Land Use Definitions, definition of "Rural Pursuit". Inserting "(d) a riding school; or" after part (c), and relabelling the existing part (d) as part (e).</p> <p>27. Schedule 1, Land Use Definitions, definition of "Vehicle Wrecking". Inserting "may" immediately before the word "includes" and removing the "s" from "includes".</p> <p>28. Schedule 2, Additional Use No.12. Replacing "Lots 53 and 54 Mount Street, Kelmscott" with "Lot 2 Mount Street, Kelmscott".</p> <p>29. Schedule 2, Additional Use No.17. Lot 60 Carawatha Avenue, Mt. Nasura.</p> <ul style="list-style-type: none"> <li>29.1 Delete reference to Public Utility;</li> <li>29.2 Increase number of Consulting Rooms from 2 to 3;</li> <li>29.3 Delete Clause 17.2a)—requirement for generous landscaping to road frontages;</li> <li>29.4 Delete Clause 17.4)—requirement for a traffic management study;</li> <li>29.5 Delete Clause 17.7b)—screening of car parking spaces;</li> <li>29.6 Amend Clause 17.7d)—Replace the word "Development" with the word "Zoning";</li> <li>29.7 Delete Clause 17.7e)—regard for compatibility of land uses; and,</li> <li>29.8 Renumber remaining Clauses as appropriate.'</li> </ul> <p>30. Schedule 13B, Development Contribution Plan No.3, Clause 3.14. Replacing the words "ten (10)" with "fifteen (15)".</p> <p>31. Updating the Table of Contents in respect of the above proposals with new clause numbering, clause titles and page numbering.</p> </li></ul>	<p style="text-align: center;">Scheme Map Amendments &amp; Various Scheme Text Amendments &amp; Schedule 1, 2 &amp; 13B Text Amendments</p>
<p style="text-align: center;"><b>Amendment No.54 GG 7/2/12</b></p>	<p>32. Rezoning the unzoned portions of the following lots to "Residential" zone—</p> <ul style="list-style-type: none"> <li>32.1 Lot 735 (52) Tollington Park Rd, Kelmscott;</li> <li>32.2 Lot 99 (170) Streich Av, Kelmscott;</li> <li>32.3 Lot 4 (18) Merrifield Ave, Kelmscott;</li> <li>32.4 Lot 3 (20) Merrifield Ave, Kelmscott;</li> <li>32.5 Lot 200 (30) Merrifield Ave, Kelmscott;</li> <li>32.6 Lot 305 (36) Merrifield Ave, Kelmscott;</li> <li>32.7 Lot 303 (43) Railway Ave, Kelmscott;</li> <li>32.8 Lot 304 (23) Third Ave, Kelmscott;</li> <li>32.9 Lot 9 (9/17-21) Third Ave, Kelmscott (and associated common property);</li> <li>32.10 Lot 300 Ash Crt, Armadale;</li> <li>32.11 Lot 87 (14) Bluegum Cl, Armadale;</li> <li>32.12 Lot 5 (27A) Clarence Rd, Armadale;</li> </ul>	<p style="text-align: center;">Scheme Map Amendments &amp; Various Scheme Text Amendments &amp;</p>

AMENDMENT NO.	DESCRIPTION	SECTION
	<p>32.13 Lot 234 (11) Eneabba Pl, Armadale;  32.14 Lot 36 (14) Windarra Wy, Armadale;  32.15 Lot 250 (25) Townley St, Armadale;  32.16 Lot 1 (24) Edgeroi Wy, Armadale;  32.17 Lot 383 (23) Henrietta Ave, Mt. Nasura;  32.18 Lot 101 (95) Derry Ave, Mt. Nasura and adjacent unallocated Crown land;  32.19 Lot 61 (9) Ellendale Ct, Seville Grove;  32.20 Lot 74 (10) Tangelo Ct, Seville Grove;  32.21 Lot 694 (29) Grovelands Drv, Camillo;  32.22 Lot 217 (16) Elm Cl, Camillo;  32.23 Lot 234 (28) Sapling Wy, Camillo;  32.24 Lot 400 (34) Logpine Cr, Camillo;  32.25 Lot 4 (10) Redtingle Rd, Camillo;  32.26 Lot 82 (15) O'Sullivan Drv, Camillo;  32.27 Lot 17 (34) Lindy Wy, Camillo; and,  32.28 Lot 106 (47) Excalibur Cr, Camillo.</p> <p>33. Making the following adjustments to the R-Code boundaries—  33.1 Include the unreserved section of Lot 1 South Western Hwy, Mt. Richon within the "R5" code;  33.2 Include the entirety of Lots 27 (103), 100 (97), and 101 (95) Derry Ave, Mt. Nasura within the "R15/25" code.</p> <p>34. Rezoning Lot 155, an unzoned PAW between Lots 57 Bundalla Court &amp; 2647 Pindari Court, Kelmscott to "Residential R15/25".</p> <p>35. Rezoning Lot 175 (15) Honeyeater Retreat, Brookdale to the "Residential" zone.</p> <p>36. Rezoning Lot 89 (573) Lake Road, Seville Grove from "Rural Living 2" to "Residential R15/25".</p> <p>37. Rezoning the former ROW which now forms part of Lot 800 (2907) Albany Hwy, Kelmscott to the "Residential" zone.</p> <p>38. Including the unzoned portions of the following lots in the "Urban Development" zone—  38.1 Lot 200 (48) Bluestone Lp, Piara Waters;  38.2 Lot 346 Nicholson Rd, Piara Waters (Reserve 49170);  38.3 Lot 325 (42) Birmingham Pde, Piara Waters;  38.4 Lot 326 (44) Birmingham Pde, Piara Waters;  38.5 Lot 334 (7) Lowell Tce, Piara Waters;  38.6 Lot 335 (5) Lowell Tce, Piara Waters;  38.7 Lot 336 (3) Lowell Tce, Piara Waters;  38.8 Lot 340 (70) Columbia Pkwy, Piara Waters;  38.9 Lot 341 (72) Columbia Pkwy, Piara Waters;  38.10 Lot 342 (74) Columbia Pkwy, Piara Waters; and,  38.11 Lot 343 (76) Columbia Pkwy, Piara Waters.</p> <p>39. Moving the boundary of the "Industrial Business" zone to the common rear boundary of Lots 254 and 255 (11 and 13) Keates Rd, and Lot 256 (285) South Western Hwy, Armadale (including the battleaxe leg of Lot 256).</p> <p>40. In appropriate numerical order, including an 'Additional Use No.' zoning over Lot 409 (27) Waterwheel Rd Nth, Bedfordale on the Scheme Map; deleting Note 2 and making Convenience Store an 'X' land use within the Special Residential zone of the Zoning Table; and including a new entry in Schedule 2.</p>	<p>Schedule 1, 2 &amp; 13B Text Amendments</p>
<p><b>Amendment No.54 GG 7/2/12</b></p>	<p>41. Reserving the following properties for "Parks and Recreation (Local)"—  41.1 Lots 901 and 8001 Morolo St, and Lots 3841 and 4250 Morgan Rd, Seville Grove (Reserve 42863);  41.2 Lot 4496 Seville Drv, Seville Grove (Reserve 46207);  41.3 Lot 972 Milano Lp, Seville Grove (Reserve 44182);  41.4 Lot 115 Hesketh Ave and Lot 833 Lake Road, Seville Grove (Reserve 46675);  41.5 Lot 3804 Beazley Rs, Mt. Richon (Reserve 42572);  41.6 Lot 3859 Malbec Pl, Mt. Nasura (Reserve 25699);  41.7 Lot 555 Numulgi St, Armadale (portion of Reserve 32505—Reg Williams);  41.8 Lots 639 and 660 Chiltern Ave, Brookdale (Reserve 49372) and Lots 654-656 Chiltern Ave, Brookdale (Reserve 49373);  41.9 Lot 2786 Springfield Rd, Bedfordale (Reserve 33975);  41.10 Lot 105 River Rd, Kelmscott (Reserve 26755);  41.11 Lot 254 Hicks Rd, Kelmscott (Reserve 30253); and,  41.12 Lot 9006 Braemore St, Seville Grove.</p> <p>42. Reserving Lot 2 Chevin Road, Roleystone (currently zoned "Rural Living 4") for "Parks and Recreation (Local)".</p> <p>43. Reserving Lot 3722 Gaze Court, Armadale (Reserve 33373, currently zoned "Residential R15/25") for "Parks and Recreation (Local)".</p> <p>44. Reserving the unzoned portion of Lot 11 Stocker Rd, Roleystone (adjacent to Lot 301 (8) Vincent Lk, Bedfordale) as "Parks and Recreation (Regional)".</p>	<p>Scheme Map Amendments &amp; Various Scheme Text Amendments &amp; Schedule 1, 2 &amp; 13B Text Amendments</p>

AMENDMENT NO.	DESCRIPTION	SECTION
	<p>45. Rezoning the unzoned portion of Lot 4 (180) Buckingham Rd, Kelmscott to "Rural Living 2" zone.</p> <p>46. Rezoning the battle axe leg of Lot 35 (61) Wallangarra Drive, Bedforddale from "Rural Living 1" to "Rural Living 2" zone.</p> <p>47. Rezoning the battle axe leg of Lot 40 (16) Chipper Close, Bedforddale from "Rural Living 1" to "Rural Living 2" zone.</p> <p>48. Rezoning the battle axe legs of Lots 154 (28) and 155 (31) Barnes Road, Roleystone to "Rural Living 4" zone.</p> <p>49. Rezoning the battle axe legs of Lots 115 (61) and 105 (59) Heritage Drive, Roleystone to "Rural Living 4—Additional Use No.30" zone.</p> <p>50. Rezoning the southern battle axe leg of Lot 69 Peet Road, Roleystone to "Rural Living 2" zone.</p> <p>51. Reserving the following properties for "Public Purpose (Local)"—</p> <p>51.1 Lot 3980 Stevens Rd, Bedforddale (Reserve 44605); and,</p> <p>51.2 Lot 255 Hicks Rd, Kelmscott (Reserve 30048).</p> <p>52. Reserving the following properties for "Public Purpose WSD"—</p> <p>52.1 Lots 4040 and 201 Poad St, Champion Lakes (Reserve 43957);</p> <p>52.2 Lot 3660 Albany Hwy, Kelmscott (Reserve 40982);</p> <p>52.3 Lot 6 Eighth Rd, Armadale;</p> <p>52.4 Lots 500 &amp; 502 Abbey Rd, Armadale;</p> <p>52.5 Lot 66 Camillo Rd, Kelmscott (Reserve 37815);</p> <p>52.6 Lots 67 and 68 Merrifield Ave, Kelmscott (Reserve 37815);</p> <p>52.7 Lot 3323 Third Ave, Kelmscott (Reserve 37815).</p> <p>53. Reserving the unzoned portion of the railway reserve adjacent to the Lake Road and Railway Avenue intersection for "Railways".</p> <p>54. Special Control Area Map 1. Adding Lot 431 Oxley Road, Forrestdale to the Special Control Area Map 1 with the designations "Bushfire Protection Area" and "Development Envelope Area".</p> <p>55. Special Control Area Map 1. Removing the kennel buffer shown centred near Furley Road, Southern River (City of Gosnells) and completing the buffer around Hatch and Shepherd Courts, Harrisdale.</p> <p>56. Special Control Area Map 1. Removing the Bush Forever hatching around Salter Road, Mount Nasura.</p> <p>57. Special Control Area Map 3. Deleting the depiction of Development (Structure Planning) Area No.19.</p> <p>58. Schedule 2, Additional Use No.33 for Medical Centre and associated hatching on Scheme Map. Deleting Lots 17 (3027) and 21 (3031) Albany Highway, Kelmscott from Additional Use No.33 in Schedule 2 of the Scheme Text, and removing the Additional Use hatching over former Lots 17 (3027), 21 (3031) Albany Highway, Kelmscott from the Scheme Map. Amending Condition 33.1 in the Scheme Text to state "A coordinated Development Plan shall be required for both lots within the Description of land for this Additional Use".</p> <p>59. Special Control Area Map 1. Removing the buffers shown centred on Lot 21 (387) Nicholson Road, Piara Waters and Lot 9 (420) Nicholson Road, Forrestdale.</p>	
<p><b>Amendment No.55</b> <b>GG 8/3/11</b></p>	<ul style="list-style-type: none"> <li>◆ Amending the Scheme Text by inserting in appropriate numerical order a new entry to Schedule No.2.</li> </ul>	<p>Schedule 2 (Text Amendment)</p>
<p><b>Amendment No.56</b> <b>GG 6/12/11</b></p>	<ul style="list-style-type: none"> <li>◆ Amending the Scheme by— <ul style="list-style-type: none"> <li>(a) Rezoning a portion of Lot 54 and Lot 800 Skeet Road and Lot 5000 Reilly Road, Harrisdale from 'General Rural' to 'Urban Development' and amending the Scheme Maps accordingly.</li> <li>(b) Defining the area comprising Lot 54 and Lot 800 Skeet Road and Lot 5000 Reilly Road, Harrisdale, in appropriate numerical order, as a 'Development (Structure Plan) Area' on the Special Control Area Map No.3.</li> <li>(c) Modifying the boundaries of Development Contribution Area No.3 to include Lot 54 and Lot 800 Skeet Road and Lot 5000 Reilly Road, Harrisdale within the boundaries of 'Development Contribution Area No.3 on the Special Control Area Map No.3.</li> <li>(d) Amending Schedule 12 - Development (Structure Planning) Areas - to include new entry.</li> </ul> </li> </ul>	<p>Scheme Map Amendment &amp; Schedule 12 (Text Amendment)</p>
<p><b>Amendment No.57</b> <b>GG 5/7/11</b></p>	<ul style="list-style-type: none"> <li>◆ Rezoning Lot 500 (5) Forrest Road, Armadale from "Mixed Business / Residential" to "Local Centre".</li> <li>◆ Rezoning the remaining lots bordered by Forrest Road, Sixth Road, Fifth Road and Green Avenue, Armadale, with the exception of Lot 11 (479), Lot 12 (481), Lot 13 (483), Lot 33 (489) and Lot 34 Strata Lots 1 and 2 (493 and 495) Green Avenue, Lot 31 (4) and Lot 32 (2) Selkirk Road, Armadale, from "Mixed Business / Residential" to "Residential".</li> <li>◆ Amending the Scheme Map accordingly.</li> </ul>	<p>Scheme Map Amendment</p>

AMENDMENT NO.	DESCRIPTION	SECTION
<b>Amendment No.58</b> <b>GG 8/2/11</b>	<ul style="list-style-type: none"> <li>◆ Recoding Lot 9000 Hesketh Avenue, Seville Grove from 'R17.5/25' to 'R20' and 'R25'.</li> <li>◆ Amending the Scheme Maps accordingly.</li> </ul>	Scheme Map Amendment
<b>GG 1/11/11 &amp; 2/12/11</b> Armadale Redevelopment (Subtracted Area) Regulations 2011; and Armadale Redevelopment (Return of Redeveloped Land) Order 2011 (Armadale Redevelopment Act 2001).	<ul style="list-style-type: none"> <li>◆ Amending the Scheme Maps by including the area subtracted from the Armadale Redevelopment Scheme in the area to which TPS No.4 applies.</li> <li>◆ Amending the Scheme Maps by zoning and/or reservation of the area subtracted from the Armadale Redevelopment Scheme according to the zoning and/or reservation set out in Schedule 2 of the Armadale Redevelopment (Return of Redeveloped Land) Order 2011.</li> <li>◆ Amending the Scheme Text by: <ul style="list-style-type: none"> <li>(a) deleting Schedule 12 item 19 and replacing it with a new item 19; and</li> <li>(b) inserting a new Schedule 12 item 41 after Schedule 12 item 40.</li> </ul> </li> <li>◆ Amending the Scheme SCA Maps accordingly.</li> </ul>	Scheme Map Amendment  &  Schedule 12 (Text Amendment)
<b>GG 16/12/11 &amp; 20/12/11</b> Armadale Redevelopment (Subtracted Area) Regulations (No.2) 2011; and Armadale Redevelopment (Return of Redeveloped Land) Order (No.2) 2011 (Armadale Redevelopment Act 2001).	<ul style="list-style-type: none"> <li>◆ Amending the Scheme Maps by including the area subtracted from the Armadale Redevelopment Scheme in the area to which TPS No.4 applies.</li> <li>◆ Amending the Scheme Maps by zoning and/or reservation of the area subtracted from the Armadale Redevelopment Scheme according to the zoning and/or reservation set out in Schedule 2 of the Armadale Redevelopment (Return of Redeveloped Land) Order (No.2) 2011.</li> <li>◆ Amending the Scheme Text by: <ul style="list-style-type: none"> <li>- modifying the Zoning Table in Part 4 and inserting details for a new "Strategic Regional Centre" zone.</li> <li>- inserting at the end of clause 4.2 a new subclause 4.2.11.</li> <li>- deleting clause 4.6 and replace it with a new clause as.</li> <li>- deleting the heading to Part 5C and replace it with a new heading.</li> <li>- inserting at the end of the Table in Schedule 3 new Table items 7 and 8.</li> </ul> </li> </ul>	Scheme Map Amendment  &  Schedule 12 (Text Amendment)
<b>Amendment No.61</b> <b>GG 12/2/13</b>	<ol style="list-style-type: none"> <li>1. Rezoning Reserve 24458 (Lots 1352 and 3268) Robin Road, Roleystone from "Public Purpose - Primary School" to "Residential - Restricted Use No.9".</li> <li>2. Including a new entry within Schedule 3 - Restricted Uses in appropriate numerical order.</li> <li>3. Amending the Scheme Maps accordingly.</li> </ol>	Schedule 3 & Scheme Map Amendment
<b>Amendment No.62</b> <b>GG 10/12/13</b>	<ol style="list-style-type: none"> <li>1. Rezoning Lots 4 and 6 Bay Court, Lots 5 and 10 Lake Road and Lot 9 McNeill Road Champion Lakes from "Rural Living 2" to "Urban Development Zone";</li> <li>2. Including Lots 4 and 6 Bay Court, Lots 5 and 10 Lake Road and Lot 9 McNeill Road Champion Lakes within Special Control Area Map 3 with the designation "Development Area (Structure Plan) (Schedule 12)" as a new entry in appropriate numerical order;</li> <li>3. Amending the Scheme Maps accordingly; and</li> <li>4. Amending Schedule 12--"Development Areas"--to include new entry in appropriate numerical order.</li> </ol>	Schedule 12 & Scheme Map Amendment
<b>Amendment No.63</b> <b>GG 15/5/12</b>	<ol style="list-style-type: none"> <li>1. Deleting Clauses 5.9, 5.9.1 and 5.9.2 relating to the use of Reflective Materials and renumbering the remaining clauses in appropriate numerical order.</li> <li>2. Inserting a new Clause 5A.3 as follows— <ul style="list-style-type: none"> <li>◆ 5A.3 Prohibited Materials</li> <li>◆ 5A.3.1 In the Special Residential zone, no building or structure shall use zincalume, galvanised or unpainted steel surfaces as an exterior finish.</li> </ul> </li> </ol>	Part 5 — General Development Requirements
<b>Amendment No.64</b> <b>GG 12/6/12</b>	<ol style="list-style-type: none"> <li>1. Delete the words "Arterial Roads" in Clause 3.6.3 Specified Works.</li> <li>2. Replace Arterial Drainage and Water Management item (7)(e) in Clause 3.6.3 with the following— <ul style="list-style-type: none"> <li>(e) A contribution to the cost of providing pre and/or post development water quality data, monitoring and Water Management initiatives as specified in the Infrastructure Cost Schedule.</li> </ul> </li> <li>3. Insert the following under item (8) Community and Recreation Facilities in Clause 3.6.3— <ul style="list-style-type: none"> <li>(h) 100% of the cost of building a combined sporting pavilion / community building on the proposed open space in the area known as Structure Plan (SP) East, including, but not limited to, change rooms, ovals, toilets, storage, community meeting spaces, car parking, a playground, landscaping, irrigation, earthworks and site fill minus any probable or received grant funding, and any contribution obtained from the</li> </ul> </li> </ol>	Schedule 13B  (Text Amendment)

AMENDMENT NO.	DESCRIPTION	SECTION
	<p>Department of Education for a shared oval facility as specified in the Infrastructure Cost Schedule.</p> <p>4. Insert the following under item (11) in Clause 3.6.3— Keane Road between Skeet Road and Anstey Road—</p> <p>(a) A 33% contribution to the total cost of constructing this section of Keane Road, including any roundabouts and/or traffic management devices.</p> <p>If environmental approval is not granted for the construction of Keane Road, then the City is required to refund the contributions paid by subdividers towards the construction of Keane Road (together with any interest earned), with the exception of the roundabout at Skeet Road and Keane Road.</p> <p>5. Insert the following under item (12) in Clause 3.6.3— Balannup Road between the southern boundary of Lot 5000 Reilly Road and Ranford Road—</p> <p>(a) 100% of the total cost to acquire any road widenings for the ultimate road reserve for Balannup Road.</p> <p>(b) 100% of the total cost of constructing the full earthworks, one carriage way and all structures, including a culvert, shared path, pedestrian crossings over Balannup Drain and a roundabout at the intersection of Reilly Road.</p> <p>6. Insert the following under item (6) in Clause 3.6.3—</p> <p>(d) A contribution towards the cost of shared paths within Lot 5000 Reilly Road and Skeet Road between Keane Road and Ranford Road as identified in the adopted Infrastructure Cost Schedule.</p> <p>7. Insert the following under item (13) in Clause 3.6.3— Reilly Road between the existing cul-de-sac of Reilly Road and Balannup Road—</p> <p>(a) 100% of the total cost of constructing the full earthworks, one carriage way and all structures including shared path, roundabout, traffic calming devices and associated road pavement tie in.</p> <p>8. Insert the following under item (14) in Clause 3.6.3— Skeet Road—</p> <p>(a) 100% of the cost of constructing Skeet Road, the full earthworks, one carriage way and all structures (including roundabouts) between Keane Road and the northern boundary of the proposed primary school in the area referred to as Structure Plan (SP) East, minus a 50% contribution from the Department of Education for the portion(s) of Skeet Road directly abutting the proposed primary school site and high school site.</p> <p>(b) 100% of the cost of constructing the Skeet Road culverts, pedestrian crossings, associated road pavement tie in, and pavement reconstruction between the southern boundary of Lot 5000 Reilly Road and the existing Skeet Road pavement adjacent to Lot 515 Skeet Road.</p> <p>(c) 100% of the cost of fencing along the Skeet Road reserve abutting Lots 171, 67 and 65 Skeet Road, Forrestdale.</p> <p>(d) 100% of the total cost of constructing a roundabout at the intersection of Skeet Road and Reilly Road including the cost to acquire any road widenings for the ultimate road reserve.</p>	
<p><b>Amendment No.65</b> <b>GG 10/8/12</b></p>	<p>1. Deleting the use 'Advertisement' and Notation 1 from the Use Class Zoning Table.</p> <p>2. Amending Schedule 5 'Exempted Advertisements' relating to 'Property Transactions' and 'Display Homes'.</p>	<p>Amendment to the Use Class Zoning Table &amp; Schedule 5 (Text Amendment)</p>
<p><b>Amendment No.66</b> <b>GG 11/3/14</b></p>	<p>1. Reclassifying Lot 300 Admiral Road, Bedforddale from "Public Purpose" to "Rural Living 1".</p> <p>2. Including Lot 300 Admiral Road, Bedforddale within Special Control Area Map 1 with the designation of "Bushfire Protection Area".</p> <p>3. Amending the Scheme Maps accordingly.</p>	
<p><b>Amendment No.67</b> <b>GG 5/2/13</b></p>	<p>Modify Part 6B and Schedule 13B - Development Contribution Plans - Development Contribution Plan No.3 as follows—</p> <p>1. Modifying Clause 3.4.1 of Schedule 13B by deleting the number "10" and inserting the number "10.6".</p> <p>2. Modifying Clause 3.4.2 (a) (i) of Schedule 13B for the calculation of payments to date (B) after the words "Area equivalent of the land holding of an owner" by inserting the following "prior to the gazettal of Amendment No.67 and the lots produced at the rate of 10.6 lots per hectare after the gazettal of Amendment No.67.</p>	<p>Part 6B &amp; Schedule 13B</p>

AMENDMENT NO.	DESCRIPTION	SECTION
	<p>3. Modifying Clause 3.4.2 (a) (i) of Schedule 13B for the calculation of Common Infrastructure Works cost by deleting the number “10” and inserting the number “10.6”. 4. Modifying Clause 3.4.2 (a) (ii) of Schedule 13B for the calculation of the Estimate Lot Yield (D) by deleting the number “10” and inserting the number “10.6”.</p> <p>5. Modifying Clause 6B.5 (f) by deleting the reference to a “Building Licence” and replacing it with “Building Permit or Building approval Certificate”.</p> <p>6. Inserting a new Clause under 6B.7.3 as follows— “6B.7.3 (a) Within any Development Contribution Area the City may satisfy the provisions of Clause 6B.7.1 by establishing separate reserve accounts for Cost Contributions by individual owners or groups of owners.</p> <p>(b) Such separate reserve accounts can be kept for accounting or administration purposes including, but without limiting the generality of the foregoing, for the purpose of accounting to each owner for interest accrued on the owner’s Cost Contributions relevant to a particular Development Contribution Area.</p> <p>(c) Notwithstanding 6B.7.3(b), any reserve account for an individual owner is to contain only funds relevant to Cost Contributions for a particular Development Cost Contribution Area, and all individual accounts for a particular Development Contribution Area are to be identified as belonging to that Development Contribution Area”.</p>	
<p><b>Amendment No.68</b> <b>GG 21/1/14</b></p>	<p>Amending Schedule 3 - Restricted Use No.4 by replacing the word 'Forrestdale' with 'Piara Waters' within the 'Description of Land' column, deleting Condition 4.3 and renumbering existing Conditions 4.4, 4.5, 4.6 and 4.7 as 4.3, 4.4, 4.5 and 4.6 respectively.</p>	<p>Schedule 3</p>
<p><b>Amendment No.69</b> <b>GG 23/12/14</b></p>	<p>Pursuant to Part 5 of the Planning and Development Act 2005 adopt, with modification, Amendment No.69 to Town Planning Scheme No.4 to implement various (omnibus) amendments as follows--</p> <p><b>Proposal 1 - Zoning Table</b> - Modify permissibility of 'Animal Husbandry--Intensive' in the 'Rural Living' zone from 'A' (discretionary) to 'X' (not permitted).</p> <p><b>Proposal 2 - Zoning Table</b> - Include 'Small-Bar' in the Zoning Table,</p> <p><b>Proposal 2A - Schedule 11A</b> - Add “Small Bar” to Schedule 11A in appropriate alphabetical order</p> <p><b>Proposal 2B - Schedule 2 - Additional Uses.</b> Add “Small Bar” as a 'P' (permitted) use under Additional Use No.13 and an 'A' (discretionary) use under Additional Use No.35.</p> <p><b>Proposal 2C - Schedule 3 - Restricted Uses.</b> Add “Small Bar” as an 'X' (not permitted) use under Restricted Uses No.1, No.2, No.7 and No.8.</p> <p><b>Proposal 3 - Zoning Table</b> - Modify the permissibility of 'Industry-Rural' in the 'Rural Living' zone from 'A' (discretionary) to 'X' (not permitted).</p> <p><b>Proposal 4 - Zoning Table</b> - Add 'Liquor Store--Small' and 'Liquor Store--Large' in the Zoning Table</p> <p><b>Proposal 4A - Schedule 11A</b> - Add “Liquor Store--Small” and “Liquor Store--Large” to Schedule 11A in appropriate alphabetical order</p> <p><b>Proposal 4B - Schedule 2 - Additional Uses.</b> Delete “Retail Liquor Outlet” as a 'D' (discretionary) use and replace with “Liquor Store--Small” as a 'D' (discretionary) use under Additional Use No.35.</p> <p><b>Proposal 4C - Schedule 3 - Restricted Uses.</b> Include “Liquor Store--Small” and “Liquor Store--Large” as an 'X' (not permitted) use under Restricted Uses No.1, No.2, No.7 and No.8 and include “Liquor Store--Small” as a “P” (permitted) use under Restricted Use No.4.</p> <p><b>Proposal 5 - Zoning Table</b> - Modify the permissibility of 'Place of Worship' in the Special Residential zone from 'A' (discretionary) to 'X' (not permitted) and in the Strategic Regional Centre Zone from 'X' to 'D' (discretionary).</p> <p><b>Proposal 6 - Zoning Table</b> - Include 'Land Sales Office' in the Zoning Table,</p> <p><b>Proposal 7 - Zoning Table</b> - Modify the permissibility of 'Storage' in the 'Rural Living' zone and 'General Rural zone' from 'D' (discretionary) to 'X' (not permitted).</p> <p><b>Proposal 8A</b> - Deleted from this Amendment.</p> <p><b>Proposal 8B</b> - Deleted from this Amendment.</p> <p><b>Proposal 9 - Clause 5C.3.1(d)</b> - Add Clause 5C.3.1(d) as follows: “(d) Strategic Regional Centre: To be determined by an adopted structure plan”.</p> <p><b>Proposal 10 - Clause 6.1.1(f)</b> - Change the reference from 'Special Control Area Map 3' to 'Special Control Area Map 1'.</p> <p><b>Proposal 11 - Clause 6.1.1(g)</b> - Change the reference from 'Special Control Area Map 3' to 'Special Control Area Map 1'.</p> <p><b>Proposal 12 - Clause 6A.2.3(k)</b> - Add new Clause 6A.2.3 (k) as follows: “the identification of areas proposed to be revegetated including verges” and renumber existing Clause 6A.2.3 (k) to Clause 6A.2.3 (l).</p> <p><b>Proposal 13 - Clause 6A.5.1</b> - Modify Clause 6A.5.1 (b)(ii) by replacing “2.3.3” with “2.3”.</p>	<p>Amendment to the Use Class Zoning Table &amp; Schedule 1 Schedule 2 Schedule 3 Schedule 5 Schedule 11A &amp; Scheme Map Amendment</p>

AMENDMENT NO.	DESCRIPTION	SECTION
	<p><b>Proposal 14 - Clause 6A.5.2</b> - Add the following: “All land use and development for lots subject of a Local Development Plan shall accord with the adopted Local Development Plan” to Clause 6A.5.2 before the word “Unless”. In addition, all references to 'Local Development Plan' within Town Planning Scheme No.4 shall be amended to 'Local Development Plan'.</p> <p><b>Proposal 15 - Schedule 1</b> - Land Use Definitions, definition of 'small-bar'. Insert a new definition to read: “ “small-bar” means premises licenced as a small bar under the Liquor Control Act 1988 and used to sell liquor for consumption on the premises, but not including the sale of packaged liquor; and with the number of persons who may be on the licensed premises limited to a maximum of 120;”</p>	
<p><b>Amendment No.69 GG 23/12/14</b></p>	<p><b>Proposal 16 - Schedule 1</b> - Land Use Definitions, definition of 'child care premises'. Amend the definition to read as follows: “means premises used for the daily or occasional care of children in accordance with the regulations for child care under the Child Care Services Act 2007, but does not include a Family Day Care;”</p> <p><b>Proposal 17 - Schedule 1</b> - Land Use Definitions, definition of 'family day care'. Amend the definition to read as follows: “means premises used to provide a child care service in a private dwelling in a family or domestic environment”, within the meaning of the Child Care Services Act 2007;”</p> <p><b>Proposal 18 - Schedule 1</b> - Land Use Definitions, definition of 'electoral sign'. Insert a new definition to read: “ “Electoral Sign” means a sign erected to encourage persons to vote for a candidate political party or issue relating to an election of the Parliament of the Commonwealth or State or Local Government or a referendum;”</p> <p><b>Proposal 19 - Schedule 1</b> - Land Use Definitions. Amend definition of 'shop' to include the words “, liquor store--small or liquor store--large;” after the words “fast food outlet” and insert new definition of 'liquor store--small' a- d 'liquor store--large' as follows -</p> <ul style="list-style-type: none"> <li>- “liquor store - small” means any land or buildings the subject of a liquor store licence granted under the provisions of the Liquor Control Act 1988 (as amended) where the net leasable area does not exceed 300m<sup>2</sup>;</li> <li>- “liquor store - large” means any land or buildings the subject of a liquor store licence granted under the provisions of the Liquor Control Act 1988 (as amended) where the net leasable area exceeds 300m<sup>2</sup>;</li> </ul> <p><b>Proposal 20 - Schedule 1</b> - Land Use Definitions, definition of “land sales office”. Insert a new definition as follows: “land sales office” means a temporary office used for the sale of the land for a new subdivision estate”.</p> <p><b>Proposal 21 - Schedule 5</b> - Exempted Advertisements. Delete the table in Schedule 5 and replace with new table.</p> <p><b>Proposal 22</b> - Apply a “Residential” zoning to the unzoned portion of Lot 10 Knuckey Drive, Roleystone.</p> <p><b>Proposal 23</b> - Rezone Lot 433 Wirin Road from “Public Purpose” to “Residential”.</p> <p><b>Proposal 24</b> - Rezone portion of Lot 70 (220) Peet Road, Roleystone from “Rural Living 2” to “Residential R5”.</p> <p><b>Proposal 25</b> - Amend coding of residential lots within Development Structure Plan Area No.2 - A16 to be consistent with the adopted Structure Plan.</p> <p><b>Proposal 26</b> - Rezone portion of Lot 335 (181) Seventh Road, Armadale from “Parks and Reservation” to “Residential” and remove the “Parks and Recreation” reservation from Reserve 42754 Cohuna Drive, Armadale and Lot 377 on Certificate of Title 2585/85.</p> <p><b>Proposal 27</b> - Realign the eastern boundary of Lot 100 (44) Jarrah Road, Roleystone to include Jarrah Road as unzoned.</p> <p><b>Proposal 28</b> - Apply a “Residential” zoning to the unzoned portions of Lot 51 (431) Railway Ave and Lot 700 (3) Abbey Road, Armadale.</p> <p><b>Proposal 29</b> - Apply a “Residential” zoning to the unzoned portions of the following lots -</p> <ul style="list-style-type: none"> <li>29.1 Lot 250 (11) Dryandra Way, Armadale</li> <li>29.2 Lot 200 (7) May Close, Armadale</li> <li>29.3 Lot 202 (12) McKeown Court, Armadale</li> <li>29.4 Lot 1 (14a) McKeown Court, Armadale</li> <li>29.5 Lot 200 (9) McKeown Court, Armadale</li> <li>29.6 Lot 201 (15) McKeown Court, Armadale</li> </ul> <p><b>Proposal 30</b> - Apply a “Residential” zoning to the unzoned portion of Lot 147 (86) Amethyst Crescent, Mt Richon.</p>	
<p><b>Amendment No.69 GG 23/12/14</b></p>	<p><b>Proposal 31</b> - Apply a “Residential” zoning to the unzoned portion of Lot 26 (20) Sunset Terrace, Kelmscott.</p> <p><b>Proposal 32</b> - Rezone Lot 1639 Westborne Road from” Residential” to “Parks and Recreation”.</p> <p><b>Proposal 33</b> - Rezone Lot 4497 Poad St from “Residential” to “Parks and Recreation”.</p> <p><b>Proposal 34</b> - Rezone Lot 3473 Sefton Road, Roleystone from “Residential” to “Parks and Recreation”.</p>	

AMENDMENT NO.	DESCRIPTION	SECTION
	<p><b>Proposal 35</b> - Rezone Lot 913 Ninth Road, Brookdale from “Residential” to “Parks and Recreation”.</p> <p><b>Proposal 36</b> - Reserve the entirety of Lot 3217 Albany Highway, Mt Richon (Reserve 35613) as “Parks and Recreation (Local)” and remove the “Residential” zoning.</p> <p><b>Proposal 37</b> - Rezone a portion of Lot 802 Albany Highway, Bedforddale to “Rural Living 2”.</p> <p><b>Proposal 38</b> - Rezone a portion of Lot 1 Illawarra Road, Karragullen to “General Rural”.</p> <p><b>Proposal 39</b> - Rezone Lot 401 Zenobia Terrace, Champion Lakes from “Public Purpose” to “Special Residential”.</p> <p><b>Proposal 40</b> - Rezone a portion of Lot 151 Sawmill Place from “General Rural” to Rural Living 2”.</p> <p><b>Proposal 41</b> - Apply a “Rural Living 10” zoning to Lot 9001 Allen Road, Champion Lakes.</p> <p><b>Proposal 42</b> - Adjust the residential code boundary to exclude the battle axe legs of Lots 514 (8) and 515 (10) Labyrinth Close, Kelmscott and include the legs within the “Rural Living 1” zone.</p> <p><b>Proposal 43</b> - Apply a “Rural Living 2” zoning to the unzoned portion of Lot 1 Stocker Road, Kelmscott.</p> <p><b>Proposal 44</b> - Make the following adjustments to the R-Code boundary to include the following lots within the “Rural Living 2” zone—</p> <ul style="list-style-type: none"> <li>44.1 Lot 707 Civa Heights, Karragullen</li> <li>44.2 Lot 706 Civa Heights, Karragullen</li> <li>44.3 Lot 705 Civa Heights, Karragullen</li> <li>44.4 Lot 704 Civa Heights, Karragullen</li> <li>44.5 Lot 703 Civa Heights, Karragullen</li> <li>44.6 Lot 702 Civa Heights, Karragullen</li> <li>44.7 Lot 701 Civa Heights, Karragullen</li> </ul> <p><b>Proposal 45</b> - Apply a residential coding of R-AC3 for the “Strategic Regional Centre” zone and R80 for Restricted Use No.7 and No.8 within the “Strategic Regional Centre” zone on the Scheme Map.</p> <p><b>Proposal 46 - Special Control Area Map 1</b> - Remove the Building Envelope hatching from the following properties—</p> <ul style="list-style-type: none"> <li>46.1 Lot 801(22) Contour Road, Roleystone</li> <li>46.2 Lot 806 (24) Contour Road, Roleystone</li> <li>46.3 Lot 807 (24b) Contour Road, Roleystone</li> <li>46.4 Lot 805 (24a) Contour Road, Roleystone</li> <li>46.5 Lot 64 (447) Brookton Highway, Roleystone</li> <li>46.6 Lot 301 (481) Brookton Highway, Roleystone</li> <li>46.7 Lot 111(483) Brookton Highway, Roleystone</li> </ul> <p><b>Proposal 47 - Special Control Area Map 1</b> - Include Lot 449 Taylor Road and Lots 6-8 Wolfe Road, Forrestdale within the designations of “Bushfire Protection Area” and “Development Envelope Area” on SCA Map 1.</p> <p><b>Proposal 48 - Special Control Map Area 3</b> - Realign the boundary between Development (Structure Planning) Area No.25 and Development (Structure Planning) Area No.35 to include Lot 45 entirely within Development (Structure Planning) Area No.35.</p> <p><b>Proposal 49</b> - Reserve Lot 74 Scott Road, Kelmscott and Lot 75 (14) Nookawarra Place, Kelmscott for “Public Purpose WSD”.</p> <p><b>Proposal 50</b> - Remove Development (Structure Planning) Area No.20 for Lot 68 Anstey Road, Forrestdale from Special Control Map 3 and from Schedule 12 of the Scheme text.</p>	
<p><b>Amendment No.70</b> <b>GG 14/2/14</b></p>	<ol style="list-style-type: none"> <li>1. Rezoning the Urban MRS portion of Lots 11 and 12 Brookside Avenue, Lots 11, 12, 1, 14, 15, 16, 17 and 20 to 26 Clifton Street from “Rural Living 2” to “Urban Development zone”.</li> <li>2. Including the land within Special Control Area Map 3 with the designation of “Development (Structure Plan) Area” in appropriate numerical order.</li> <li>3. Amending Schedule 12 - Development (Structure Planning) Areas - to include the new entry in appropriate numerical order.</li> <li>4. Rezoning the Urban portion of Lot 39 River Road to Residential zone R15/40 - Restricted Use in appropriate numerical order with land use and conditions in Schedule 3.</li> <li>5. Rezoning Lot 65 and the MRS Urban portion of Lot 66 Turner Place, Lot 101 Mountain View and Lots 1 to 4 Pries Place to the Residential zone R15/40.</li> <li>6. Amending the Scheme Maps accordingly.</li> </ol>	<p>Schedule 12 Schedule 3</p> <p>Scheme Map Amendment</p>
<p><b>Amendment No.71</b></p>	<ol style="list-style-type: none"> <li>1. Recoding Lot 1612 (381) Railway Avenue and Lots 71 and 70 (1 and 3) Little John Road, Armadale from R15/40 to R15/60.</li> </ol>	<p>Scheme Map Amendment</p>

AMENDMENT NO.	DESCRIPTION	SECTION
GG 19/9/14	2. Removing the “Residential” zone and R15/40 code from the portion of Lot 1612 (381) Railway Avenue and Lots 71 and 70 (1 and 3) Little John Road, Armadale being ceded for the Abbey Road/Railway Avenue/Armadale Road intersection. 3. Amending the Scheme Maps accordingly	
Amendment No.72 GG 19/9/14	1. Amending the Zoning Table to change “Multiple Dwellings” from a D/X use in the Residential zone, to a D use in the Zoning Table, deleting reference to Note 3 in the 'Use Classes' column, and deleting associated Note 3. 2. Amending Clauses 5.2.3 to 5.2.6 to read as follows-- 5.2.3 The Residential Design Codes density applicable to land within the Scheme area is to be determined by reference to the Residential Design Codes density number superimposed on the particular areas contained within the borders shown on the Scheme Map or where such an area abuts another area having a Residential Design Code density, as being contained within the area defined by the centre-line of those borders. Where a dual code is depicted, the lower code is applicable to subdivision and development, unless a density bonus has been granted in accordance with Clause 5.2.4. 5.2.4 Notwithstanding 5.2.3 above, the City may permit development above the lower density code in the following circumstances subject to an Application for being granted by the City in accordance with Local Planning Policy 3.1 Residential Density Development-- (a) Where land is identified on the Scheme Map as R10/25, R12.5/25, R15/25 or R17.5/25-- (i) up to R25 in the case of all properties; (ii) up to R30 in the case of properties fronting more than one street or abutting a public open space reserve, where the design will result in development providing surveillance of the streets or public open space reserve respectively; and (iii) up to R40 in the case of properties abutting public access ways (PAWs), where the design will result in development providing surveillance of the PAW. (b) Where land is identified on the Scheme Map as R15/40, R25/40 or R15/60 up to the higher density code-- (i) where the property is provided with reticulated sewerage, adequate drainage and a footpath/cycleway system; and (ii) where the proposal is located in close proximity to the following facilities-- (a) a public transport stop or station; (b) a convenience shopping site; (c) a recreational open space or other recreational facility; and (d) a community facility. 5.2.5 The potential maximum one-third reduction to the minimum and average site areas permitted under the Residential Design Codes in respect of Aged or Dependant Persons Dwellings or Single Bedroom Dwellings-- (a) does not apply where land is identified on the Scheme Map as R10/25, R12.5/25, R15/25 or R17.5/25, and is replaced by the ability to make application for the higher R-Code in the context of Clause 5.2.4 (a); (b) may be considered by the City in addition to the applicable higher R-Code (R40 or R60 with a one-third reduction to the minimum and average site areas) where land is identified on the Scheme Map as R15/40, R25/40 and R15/60 subject to the application of Clause 5.2.4 (b). 3. Renumbering Clause 5.2.7 to 5.2.6.	Amendment to Use Class Zoning Table  Amendment to Part 5 General Development Requirements – Clauses 5.2.3, 5.2.4 & 5.2.5
Amendment No.73 GG 16/12/16	A. Create a new "Industrial Development" zone by; a) Inserting the following text in Clause 4.2 "Objectives of the Zones": “Industrial Development Zone (a) To designate land for future industrial development; and. (b) To provide a basis for future detailed planning in accordance with the structure planning provisions of this Scheme.” b) Adding the “Industrial Development” zone to the Scheme Map legend; c) Modifying Note 6 of the Zoning Table to read as follows: “Note 6: In the case of the Urban Development Zone and Industrial Development Zone the general permissibility of land uses shall be determined by reference to the specific zone identified on the Structure Plan in accordance with Part 5E and Part 6A”. d) Modifying Part 5E as follows: i) adding “AND INDUSTRIAL DEVELOPMENT ZONE REQUIREMENTS” to the title;	Scheme Map Amendment Amendment to Park 5 Amendment to Zoning Table Amendment to Schedule 12

AMENDMENT NO.	DESCRIPTION	SECTION
	<p>ii) in the first paragraph after "...Urban Development Zone" adding "and the Industrial Development Zone,";</p> <p>iii) in the second paragraph after "...Urban Development Zone" adding "and the Industrial Development Zone,"; and</p> <p>iv) in 5E.1.1 after "...Urban Development Zone" adding "and the Industrial Development Zone,".</p> <p>e) Modifying the Table of Contents accordingly.</p> <p>B. Rezoning portions of Lots 6, 8 &amp; 200 Rowley Road, Forrestdale from 'Rural Living' to 'Industrial Development', and amending the Scheme Map accordingly.</p> <p>C. Removing the Conservation Category Wetland designation over Lot 8 Rowley Road from Special Control Area Map 2.</p> <p>D. Including Development Area 46 on Special Control Area Map 3.</p> <p>E. Including DA 46, 'South Forrestdale Industrial Centre, Lots 6, 8 and 200 Rowley Road, Forrestdale' on Schedule 12 together with the following provisions:</p> <ol style="list-style-type: none"> <li>1. Subdivision and development should be generally consistent with a Structure Plan for Development Area 46 – Rowley Road Industrial Area to be prepared pursuant to the provisions outlined in Part 6A.</li> <li>2. A transport assessment shall be prepared in accordance with applicable Western Australian Planning Commission Guidelines.</li> <li>3. The Structure Plan shall make adequate provision for the rehabilitation and protection of adjoining Conservation Category Wetlands, Bush Forever land and Regional Parks and the Resource Enhancement Wetland on Lot 8 Rowley Road to the satisfaction of the Environmental Protection Authority and the City.</li> <li>4. The Structure Plan for Development Area No.46 - Rowley Road Industrial Area shall: <ol style="list-style-type: none"> <li>a. include a servicing report detailing load demand and indicative network augmentation / reinforcement requirements for review and ratification by Western Power;</li> <li>b. delineate the Western Power registered easement and <ol style="list-style-type: none"> <li>i transmission infrastructure;</li> <li>ii include detailed designs and information for review, assessment and written consent of Western Power to any proposals below, if applicable, within the registered easement, in accordance with standard easement conditions: <ul style="list-style-type: none"> <li>• Landscaping plans (including mature heights and location of species);</li> <li>• Ground level changes;</li> <li>• Permanent structures;</li> <li>• Drainage plans;</li> <li>• Conservation controls.</li> </ul> </li> </ol> </li> </ol> </li> </ol>	
<p><b>Amendment No.77</b> <b>GG 11/11/16</b></p>	<ol style="list-style-type: none"> <li>1. Pursuant to Part 5 of the Planning and Development Act 2005, initiate Amendment No.77 to Town Planning Scheme No.4 to modify Schedule 13B--Development Contribution Plans--Development Contribution Plan No.3 as follows-- <ol style="list-style-type: none"> <li>(a) Modify Clause 3.4.1 of Schedule 13B by deleting the number "10.6" and inserting the number "14.6".</li> <li>(b) Modify Clause 3.4.2 (a) (i) of Schedule 13B for the calculation of payments to date (B) by replacing the wording under Part (1) with the following-- <ul style="list-style-type: none"> <li>-- the lots produced at the rate of 10 lots per hectare for the Area equivalent of the land holding of an owner prior to the gazettal of Amendment No.67;</li> <li>-- the lots produced at the rate of 10.6 lots per hectare for the Area equivalent of the land holding of an owner after gazettal of Amendment No.67 and prior to 28 October 2014; and</li> <li>-- the lots produced at the rate of 14.6 lots per hectare from 28 October 2014 onwards;</li> </ul> </li> <li>(c) Modify Clause 3.4.2 (a) (i) of Schedule 13B for the calculation of and Common Infrastructure Works cost (C) by deleting the number "10.6" and inserting the number "14.6".</li> <li>(d) Modify Clause 3.4.2 (a) (ii) of Schedule 13B for the calculation of the Estimate Lot Yield (D) by deleting the number "10.6" and inserting the number "14.6".</li> </ol> </li> </ol>	<p>Scheme Map Amendment Schedule 13B</p>
<p><b>Amendment No.78</b> <b>GG 11/11/16</b></p>	<ol style="list-style-type: none"> <li>(a) Modify the boundary of Development Contribution Area No.3 within Special Control Area Map No.3 to include the area bound by Skeet Road, Ranford Road, Wright Road, Reilly Road, Balannup Lake Reserve (south of Ranford Road), Lot 9005 Wright Road and Lot 9006 Reilly Road.</li> <li>(b) Modify Schedule 13B--Development Contribution Plans--Development Contribution Area No.3 as follows-- <ol style="list-style-type: none"> <li>i. Insert the following as Items 14(e) and 14(f) under Item (14) in Clause 3.6.3-- <ol style="list-style-type: none"> <li>(e) 100% of the total cost to acquire any road widenings for the ultimate road reserve for Skeet Road between Reilly Road and Ranford Road.</li> <li>(f) 100% of the total cost of constructing Skeet Road between Reilly Road and Ranford Road, including the full earthworks, drainage, one carriage way, intersection at Ranford Road and all structures.</li> </ol> </li> </ol> </li> </ol>	<p>Scheme Map Amendment Schedule 13B</p>

AMENDMENT NO.	DESCRIPTION	SECTION
	ii. Insert the following as Item (15)(a) in Clause 3.6.3-- (a) 100% of the cost of fencing / bollards, gates and signage, dieback management / mapping, revegetation / landscaping and initial weed management of Shepherd Court Reserve. iii. Insert the following as Item (16)(a) in Clause 3.6.3-- (a) 100% of the cost of fencing / bollards, gates and signage, dieback management / mapping, revegetation / landscaping and initial weed management of Balannup Lake Reserve south of Ranford Road in consultation with the Department of Parks and Wildlife.	
<b>Amendment No.79 GG 1/3/16</b>	(a) Rezone Lot 144 (401) Railway Avenue, Lot 143 (39) Abbey Road, Lot 164 (37) Abbey Road and Lot 1-2 (35 and 35A) Abbey Road, Armadale from 'Residential R40' and 'Parks and Recreation-Local' to 'Residential R80/Additional Use' including 'Holiday Accommodation'; (b) Amend Schedule 2 - Additional Use Table by inserting a new entry in appropriate numerical order as follows - 43. Lot 144 (401) Railway Avenue, Lot 164 (37), Abbey Road, Lot 143 (39) Abbey Road and Lot 1-2 (35 and 35A) Abbey Road, Armadale Discretionary (D) Use – - Holiday Accommodation 43.1 Development shall be in accordance with an approved Local Development Plan(s). 43.2 No vehicular access permitted from Armadale Road.	Scheme Map Amendment Schedule 2 (Scheme Text)
<b>Amendment No.80 GG 2/12/16</b>	1. Pursuant to Part 5 of the Planning and Development Act 2005 to adopt, with modification, Amendment No.80 to Town Planning Scheme No.4 to: a) Insert a new entry in Schedule 3 – Restricted Uses as follows: 11. Lot 200 (4) Church Street, Kelmscott The following uses potentially permissible in the retail commercial core of the District Centre zone shall be uses that are Not Permitted (X) in the Restricted Use Area: <ul style="list-style-type: none"> <li>• Amusement Parlour</li> <li>• Auction Mart</li> <li>• Car Park</li> <li>• Cinema / Theatre</li> <li>• Commercial Vehicle Parking</li> <li>• Liquor Store Large</li> <li>• Market</li> <li>• Motor Vehicle Repair</li> <li>• Night Club</li> <li>• Restricted Premises</li> <li>• Small Bar</li> <li>• Tavern</li> </ul> 11.1 In determining any planning application for development approval the City shall have regard to the compatibility of proposed uses with the existing and potential uses of the site. 11.2 Where proposed development interfaces with existing or proposed residential development, special design consideration shall be required for the screening, separation or noise attenuation of adjacent premises. 11.3 The City may impose conditions and require proposed developments to specifically address the following issues: <ul style="list-style-type: none"> <li>• a high quality unified architectural design and overall development of the site that reflects a level of integration and consistency with the surrounding built environment;</li> <li>• vehicular access to the site from Albany Highway shall be restricted to left in access only (no right in or left out) to the satisfaction of Main Roads Western Australia;</li> <li>• vehicular access from and egress to Church Street shall be to the satisfaction of the City and may, in consultation with Main Roads Western Australia and at the expense of the developer, include upgrades or widening to the Albany Highway/Church Street intersection and to Church Street where it abuts the subject land;</li> <li>• prior to approval of a development application for the site, the landowner/applicant is to prepare and have approved by Main Roads Western Australia and the City, a traffic management plan to address, but not limited to, the installation of appropriate signage and traffic calming devices to:</li> </ul>	Schedule 3 Scheme Map Amendment

AMENDMENT NO.	DESCRIPTION	SECTION
	<ul style="list-style-type: none"> <li>• Prevent vehicles greater than 12.5m in length accessing the subject land excluding tanker refuelling trucks for the Convenience store/Service Station; and</li> <li>• Ensure service delivery vehicles exit the site by a right turn only movement to Church Street.</li> <li>• the approved traffic management plan is to be implemented.</li> <li>• the amalgamation of lots or provision of reciprocal rights of access where appropriate;</li> <li>• the screening and/or landscaping of car parking areas from adjacent residential uses;</li> <li>• the precluding of overnight accommodation of animals in respect to Veterinary Centres;</li> </ul> <p>11.4 The development of 'shop' floor space shall not exceed 200m<sup>2</sup> and be limited to use by a Pharmacy only in conjunction with the development of a Medical Centre on the site.</p> <p>11.5 Liquor Store- Small shall only be permissible where it can be demonstrated to the satisfaction of the City that it involves a relocation of an existing liquor store from another site within the City.</p> <p>(b) Delete former Lot 61 (4) and Lot 23 (6) (Lot 200 Church Street) from the Schedule 3 Restricted Use No.1 and Description of lands, and</p> <p>(c) Amend the Scheme maps accordingly.</p>	
<p style="text-align: center;"><b>Amendment No.81 GG 5/12/17</b></p>	<p>a. Rezone Lot 13 (No. 91) Poad Street and Lots 14-18 (Nos. 538, 550, 556, 562 and 580) Lake Road, Champion Lakes from 'Rural Living 2' zone to 'Urban Development' zone;</p> <p>b. Include Lot 13 (No. 91) Poad Street and Lots 14-18 (Nos. 538, 550, 556, 562 and 580) Lake Road, Champion Lakes within Special Control Area Map 3 with the designation "Development Area (Structure Plan) (Schedule 8)" as a new entry in appropriate numerical order;</p> <p>c. Amend the Scheme Maps accordingly; and</p> <p>d. Amend Schedule 8 - "Development Areas" - to include the following new entry in appropriate numerical order -</p> <p>48. Lot 13 Poad Street and Lots 14-18 Lake Road (Precinct A1)</p> <p>48.1 Comprehensive planning for the area shall be undertaken by preparation of a Structure Plan to guide subdivision and development.</p> <p>48.2 A Local Water Management Strategy shall be prepared by a suitably qualified person at the expense of the subdivider or developer and approved by the City prior to Structure Plan approval.</p> <p>48.3 As part of subdivision or development of the land existing trees and vegetation considered worthy of retention by the City shall be retained and protected at the expense of the subdivider or developer to the City's satisfaction.</p> <p>48.4 As part of subdivision or development of the land, a Landscaping and Streetscape Plan for Public Open Space, drainage features and Road Reserves shall be prepared and implemented by a suitably qualified person at the expense of the subdivider or developer to the requirements and satisfaction of the City. The Landscaping and Streetscape Plan shall address the following matters to the City's satisfaction--</p> <ul style="list-style-type: none"> <li>a. An existing vegetation and tree condition assessment and tree survey shall be provided;</li> <li>b. The design and construction of Public Open Space and Road Reserves shall make provision for the retention of existing trees and vegetation considered worthy of retention by the City;</li> <li>c. The design and construction of drainage features within Public Open Space and Road Reserves shall be integrated with the overall landscaping design;</li> <li>d. Public Open Space shall be revegetated with local native species as required and approved by the City;</li> <li>e. Public Open Space shall include grassed areas as required and approved by the City;</li> <li>f. The provision of street trees using local native species as required and approved by the City;</li> <li>g. Reticulation of the Public Open Space and Street Trees shall be provided as required by the City and approved by the City;</li> <li>h. On street car parking bays adjacent to Public Open Space shall be provided; and</li> <li>i. A connected pedestrian footpath network shall be provided and constructed as follows-- <ul style="list-style-type: none"> <li>i. On at least one side of every street;</li> <li>ii. Adjacent to Poad Street Road Reserve from Lake Road to the River;</li> <li>iii. Adjacent to Lake Road Reserve;</li> <li>iv. Adjacent to the Wungong River Foreshore; and</li> <li>v. The paths required under the points i to iii above shall be connected.</li> </ul> </li> </ul> <p>48.5 As part of subdivision or development of the land, the following plans shall be prepared, approved by the City and implemented by a suitably qualified person at</p>	<p style="text-align: center;">Scheme Map Amendment Special Control Area Map 3 Schedule 8</p>

AMENDMENT NO.	DESCRIPTION	SECTION
	<p>the expense of the subdivider or developer to the requirements and satisfaction of the City--</p> <ol style="list-style-type: none"> <li>Foreshore Management and Improvement Plan;</li> <li>Midge and Mosquito Management Plan;</li> <li>Bushfire Management Plan;</li> <li>Urban Water Management Plan;</li> <li>Geotechnical Report.</li> </ol> <p>48.6 Masonry uniform fencing shall be constructed in the locations shown on any approved Structure Plan and be visually permeable where required by the City.</p> <p>48.7 Public open space shall be developed by the subdivider or developer in accordance with the Landscaping and Streetscape Plan prior to subdivision.</p> <p>48.8 A minimum primary street dwelling setback of 4m, and a minimum garage setback of 4.5m, shall apply to all lots with an R25 density code within the Precinct A1 Structure Plan area.</p>	
<p><b>Amendment No.82</b> <b>GG 4/11/16</b></p>	<ol style="list-style-type: none"> <li>rezone Lot 2054 (65) River Road, Kelmscott from “Park and Recreation (local)” to ‘Residential’; and</li> <li>amend the Scheme Maps accordingly.</li> </ol>	<p>Scheme Map Amendment</p>
<p><b>Amendment No.84</b> <b>GG 2/6/17</b></p>	<p>Proposal 1 - Modify Section 5.3.1 'Special Residential Zone' in TPS No.4 to refer to Part (b) instead of Part (c).</p> <p>Proposal 2 - Modify Table 1 (Zoning Table) for the Industrial Business zone from 'X' to an 'A' classification for the land use - 'Convenience Store'.</p> <p>Proposal 3 - Modify the definitions in Schedule 1 of 'Restricted Premises' and 'Shop' to accord with the Planning and Development (Local Planning Schemes) Regulations 2015 as follows</p> <p>Restricted Premises - means premises used for the sale by retail or wholesale, or the offer for hire, loan or exchange, or the exhibition, display or delivery of -</p> <ol style="list-style-type: none"> <li>Publications that are classified as restricted under the Classification (Publications, Films and Computer Games) Act 1995 (Commonwealth); or</li> <li>Materials, compounds, preparations or articles which are used or intended to be used primarily in or in connection with any form of sexual behaviour or activity; or</li> <li>Smoking-related implements.</li> </ol> <p>Shop - means premises other than bulky goods showroom, a liquor store--large or a liquor store - small, used to sell goods by retail, to hire goods, or to provide services of a personal nature, including hairdresser or beauty therapist services.</p> <p>Proposal 4 - Modify Table 1 (Zoning Table) to remove 'A' classification from 'Local Centre', 'District Centre', 'General Industrial' and 'Strategic Regional Centre' zones, for 'Restricted Premises' and replace with an 'X' classification.</p> <p>Proposal 5 - Removal of the designation of 'Development Envelopes Areas' from the Special Control Area Map No.1 for the following properties -</p> <ul style="list-style-type: none"> <li>- Lot 800 (57A) Mackie Road, Roleystone;</li> <li>- Lot 106 (41A) Brookside Avenue, Kelmscott;</li> <li>- Lot 107 (41B) Brookside Avenue, Kelmscott.</li> </ul> <p>Proposal 6 - Modify the Scheme Map as follows for the following properties -</p> <ul style="list-style-type: none"> <li>- Lots 200 and 201 (No.2 and 4) Columbia Parkway, Piara Waters from “R15/40” to “R40”;</li> <li>- Reserve 50713 (Genomics Park), Piara Waters from “Residential R15/40” to “Parks and Recreation (Local)”;</li> <li>- Reserve 49693 (Erad Park), Piara Waters from “Residential R15/40” and “Urban Development zone” to “Parks and Recreation (Local)”;</li> <li>- Lots 129-131 Highland Rise, Piara Waters from “Urban Development zone” and “Residential R15/40” to “Residential R25”.</li> </ul> <p>Proposal 7 - Rezone Lot 804 (20) Wright Road, Harrisdale from “Mixed Business and Residential” and “Local Centre” to “Local Centre”.</p> <p>Proposal 8 - Rezone Lot 6 Easthope Link, Lots 3547, 3003 and 3004 Yellowwood Avenue and part Lot 9075 Lafayette Avenue, Harrisdale as identified in the Harrisdale Town Centre on the Newhaven District Shopping Centre Structure Plan from “Urban Development” zone to “District Centre” zone.</p> <p>Proposal 9 - Remove Additional Use No.37 from Schedule 2 (Additional Use) and remove reference to Additional Use from the Scheme Map for now Lot 151 (879) Warton Road, Piara Waters (formerly Lot 51--879 Warton Road, Piara Waters).</p> <p>Proposal 10 - Include Lots 1-2, 22, 25-26, 84, 86-87, 98-99, 102-103 Albany Highway, 1-5, 91-93 Turner Place, 201-202, 211, 9000 Mackinnon Street and 203-210 and 212 Asplin Loop, Kelmscott (Centre Road Canning River (West) Urban Structure</p>	<p>Amendment to Special Residential Zone</p> <p>Amendment to Zoning Table</p> <p>Amendment to Schedule 1</p> <p>Amendment to Special Control Area Map 1</p> <p>Scheme Map Amendment</p>

AMENDMENT NO.	DESCRIPTION	SECTION
	<p>Plan) within Special Control Map No.3 as 'Development Area (Structure Plan) 47' and Schedule 12 of the Scheme as defined below-</p> <p><b>No.46 - Description of Land -</b></p> <p>Lots 1-2, 22, 25-26, 84, 86-87, 98-99, 102-103 Albany Highway, 1-5, 91-93 Turner Place, 201-202, 211, 9000 Mackinnon Street, and 203-210 and 212 Asplin Loop, Kelmscott - Centre Road Canning River (West) Urban Structure Plan.</p> <p><b>46.1 - Additional provisions applicable to subdivision and development -</b></p> <p>Comprehensive planning for the area shall be undertaken by preparation of a Structure Plan to guide subdivision and development.</p> <p><i>CORRECTION</i> - Town Planning Scheme No.4--Amendment No.84</p> <p>It is hereby notified for public information that the notice under the above amendment No.84 published at page 2762 of the <i>Government Gazette</i> No.105 dated 2nd June 2017, contained an error which is now corrected as follows.</p> <p><b>For the words--</b>Proposal 7--Rezone Lot 805</p> <p><b>Should Read--</b>Proposal 7--Rezone Lot 804</p> <p><b>For the words--</b>In Proposal 10--'Development Area (Structure Plan) 46'</p> <p><b>Should Read--</b>'Development Area (Structure Plan) 47'</p> <p>In the diagram change No.46 and 46.1 to No.47 and 47.1</p>	
<p><b>Amendment No.85 GG 4/8/17</b></p>	<p>1.1 Amend Development Contributions Plan No.3 in Schedule 13B by:</p> <ol style="list-style-type: none"> <li>a) Amend the Description of Land in the second column by inserting 'North Forrestdale (Piara Waters and Harrisdale) Urban Development Area' after No.3'.</li> <li>b) Change the heading of the third column from 'Infrastructure to which cost sharing arrangements relate' to 'Contribution Arrangements'.</li> <li>c) Amend Clause 3.1.1 by deleting the words 'Schedule 13B, this'.</li> <li>d) Amend Clause 3.1.3 by replacing the word 'this' with 'the' and replacing the word 'prevails' with 'prevail'.</li> <li>e) Amend Clause 3.2 by and replacing the words 'this schedule' with 'Development Contribution Plan No.3'.</li> <li>f) Amend Clause 3.1.3, 3.2, 3.4.1, 3.4.2, (a)(i), 3.4.2 (a) (ii), 3.4.3 (first paragraph), 3.4.3 (b), 3.4.3 (d), 3.4.3 (e), 3.5.2, 3.6.2 (b), 3.6.2 (e), 3.6.2 (f), 3.10.1, 3.10.2, 3.10.5, 3.12.3 (d) (first paragraph), 3.12.3 (e), 3.12.4, 3.12.5, 3.12.6, 3.13.6 and 3.15.1 by replacing the words 'Schedule 13B' with 'Development Contribution Plan No.3'.</li> <li>g) Amend Clauses 3.2 (excluding in the definition for Potential Lots), 3.4.3 (first paragraph), 3.4.3 (d), 3.4.3 (e), 3.6.2 (b), 3.6.2 (e), 3.6.2 (f), 3.10.5, 3.10.6, 3.12.4, 3.12.5, 3.13.9 and 3.13.10 by replacing the word 'Clause' with 'subclause'.</li> <li>h) Amend Clauses 3.2, 3.4.3 (d), 3.10.5 and 3.12.6 by replacing the word 'Clauses' with 'subclause'.</li> <li>i) Amend Clause 3.6.2 (a) by replacing the word 'this' with 'the'.</li> <li>j) Amend 3.6.2 (c) by replacing the words 'this Schedule' and 'Schedule 13B of the Scheme for this Development Contribution Plan' with 'Development Contribution Plan No.3'.</li> <li>k) Modify Clause 3.6.3 (8)(a) to read as follows: A contribution to the cost of district sporting and community facilities, including sporting/community buildings, change rooms, toilets, playground, multiple purpose courts, associated facilities and the upgrade of an existing multiple purpose sporting oval.</li> <li>l) Amend Clause 3.6.3 (8)(e) by: <ol style="list-style-type: none"> <li>i) adding 'sporting and community facilities,' after the word 'construct'.</li> <li>ii) adding 'including sporting/community buildings,' before the word 'change'.</li> <li>iii) deleting the words 'and toilet block associated with active recreational uses on two sites of'.</li> <li>iv) adding 'toilets and playgrounds on' after the word 'parking'.</li> </ol> </li> <li>m) Modify Clause 3.6.3 (8)(f) to read as follows: A contribution as defined in Infrastructure Cost Schedule to the total cost to construct a senior multiple purpose sporting oval adjoining each of the public primary schools minus contributions from the Department of Education when they become available for ovals shared with public primary schools and a senior multiple purpose sporting oval on Lot 48 Nicholson Road.</li> <li>n) Amend Clause 3.10.1 by deleting the word 'formal' and replacing the word 'claim' with 'prefunding application'.</li> <li>o) Amend Clause 3.10.2 by replacing the word 'claim' with 'prefunding application' and adding the words 'of the scheme' after '6B'.</li> <li>p) Amend Clause 3.10.3 adding the words 'or reimbursement' after the word 'credit' where it occurs.</li> <li>q) Amend Clause 3.12.1 by adding the words ' of the scheme' after '6B.9.6'.</li> <li>r) Amend Clause 3.12.3 (e) by adding the words 'of the scheme' after '6B'.</li> </ol>	<p>Amendment to Schedule 13B</p>

AMENDMENT NO.	DESCRIPTION	SECTION
	<p>s) Amend Clause 3.13.7 by deleting the word 'this' and replacing the words 'during this period' with '3.13.6' and replacing the words 'Schedule 13B of the Scheme, Development Contribution Plan' with 'Development Contribution Plan No.3'.</p> <p>t) Amend Clause 3.15.1 by adding the words 'of the scheme' after '6B.6'.</p> <p>1.2 Amend Part 6B by:</p> <p>a) Amend Clause 6B.3.1 and 6B.3.2 by replacing the word 'and' that is between '13A' and 'Schedule' with 'or'.</p> <p>b) Amend Clause 6B.1, 6B.4.2 (a) and 6B.4.3 by replacing the number '13' with '13A or 13B'.</p> <p>c) Amend Clause 6B.9.1 (a) by adding the words 'the provisions of Development Contributions Plan No.3 contained within' between the words 'with' and 'Schedule 13B'.</p>	
<p><b>Amendment No.86 GG 20/6/17</b></p>	<p>1. Delete the following Clauses and Schedules (including associated sub clauses where applicable) from the Scheme Text.</p> <p>Part 2 (Local Planning Policy) in its entirety--  Clauses 3.2.2, 6.1(f), 6.7 and 6B.3.4;  Part 6A (Development (Structure Plan) Areas) in its entirety;  Part 7 (Heritage Protection) in its entirety;  Part 8 (Requirement for Development Approval) in its entirety;  Part 9 (Applications for Development Approval) in its entirety;  Part 10 (Procedure for Dealing with Applications for Development Approval) in its entirety;  Part 11 (Enforcement and Administration) in its entirety;  Schedule 6 (Form of applications for ) in its entirety;  Schedule 7 (Additional information for advertisements) in its entirety;  Schedule 8 (Notice of public advertisement of planning proposal) in its entirety; and  Schedule 9 (Notice of determination on application for ) in its entirety.</p> <p>2. Amending Clause 1.4 (Contents of Scheme) by inserting a new part (d) as follows--  (d) the deemed provisions (set out in the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> Schedule 2).</p> <p>3. Amending Part 5 (General Development Requirements) by inserting a new Clause 5.13 as follows--  5.13 Additional site and development requirements for areas covered by structure plan, activity centre plan or local development plan.  5.13.1 Schedule 12 sets out requirements relating to development that are included in structure plans, activity centre plans and local development plans that apply in the Scheme area.</p> <p>4. Modifying Clauses 6B.3.3 and 6B.3.5 to remove the words 'or approve development' and 'or development approval'.</p> <p>5. Inserting the following provisions into a new Schedule A--Supplemental provisions to the deemed provisions--  Clause 61(1)(k) the erection or extension of a single house on a lot in the General Rural zone unless this requires the exercise of discretion by the City under the Scheme to vary any Local Planning Policy adopted by the City, or any applicable clause of the Scheme Test, or the development is located in a place that is--  (i) entered in the Register of Heritage Places under the <i>Heritage of Western Australia Act 1990</i>; or  (ii) the subject of an order under the <i>Heritage of Western Australia Act 1990</i> Part 6; or  (iii) included on a heritage list prepared in accordance with this Scheme; or  (iv) within an area designated under the Scheme as a heritage area; or  (v) the subject of a heritage agreement entered into under the <i>Heritage of Western Australia Act 1990</i> section 29.  Clause 61(1)(l) the erection or extension of an ancillary dwelling, outbuilding, external fixture, boundary wall or fence, patio, pergola, veranda, garage, carport or swimming pool on the same lot as a single house located in the General Rural zone unless this requires the exercise of discretion by the City under the Scheme to vary any Local Planning Policy adopted by the City, or any applicable clause of the Scheme Text, or the development is located in a place that is--  (i) entered in the Register of Heritage Places under the <i>Heritage of Western Australia Act 1990</i>; or  (ii) the subject of an order under the <i>Heritage of Western Australia Act 1990</i> Part 6; or  (iii) included on a heritage list prepared in accordance with this Scheme; or  (iv) within an area designated under the Scheme as a heritage area; or</p>	

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	<p>(v) the subject of a heritage agreement entered into under the <i>Heritage of Western Australia Act 1990</i> section 29.</p> <p>Clause 61(1)(m) the demolition of any other building or structure not specified in Clause 61(1)(e) except where the building or structure is--</p> <p>(i) entered in the Register of Heritage Places under the <i>Heritage of Western Australia Act 1990</i>; or</p> <p>(ii) the subject of an order under the <i>Heritage of Western Australia Act 1990</i> Part 6; or</p> <p>(iii) included on a heritage list prepared in accordance with this Scheme; or</p> <p>(iv) within an area designated under the Scheme as a heritage area; or</p> <p>(v) the subject of a heritage agreement entered into under the <i>Heritage of Western Australia Act 1990</i> section 29; or</p> <p>(vi) entered in a Municipal Inventory adopted by the local government.</p> <p>Clause 61(1)(n) any of the exempted classes of advertisements listed in Schedule 5 except in respect of a place--</p> <p>(i) entered in the Register of Heritage Places under the <i>Heritage of Western Australia Act 1990</i>; or</p> <p>(ii) the subject of an order under the <i>Heritage of Western Australia Act 1990</i> Part 6; or</p> <p>(iii) included on a heritage list prepared in accordance with this Scheme; or</p> <p>(iv) within an area designated under the Scheme as a heritage area; or</p> <p>(v) the subject of a heritage agreement entered into under the <i>Heritage of Western Australia Act 1990</i> section 29; or</p> <p>(vi) entered in a Municipal Inventory adopted by the local government.</p>	
<p><b>Amendment No.86 GG 20/6/17</b></p>	<p>Clause 61(1)(o) any domestic recreation or social activity ancillary to the residential use of a site, including incidental development relating to such activity unless the development involves the exercise of discretion under the Scheme of R-Codes, but excluding the construction of a tennis court involving the use of lighting for night games.</p> <p>Clause 61(1)(p) the erection, construction, maintenance, improvement or alteration of a boundary fence or wall, except where the proposal requires the exercise of a discretion by the City under the Scheme or the R-Codes.</p> <p>Clause 61(1)(q) minor filling, excavation or re-contouring of land, provided there is no more than 0.5 metre change to the natural ground level, which change is to include any sand pad or site works associated with building development.</p> <p>Clause 61(1)(r) removal of vegetation except where approval of such development is otherwise required by the provisions of the scheme.</p> <p>Clause 61(2)(g) agriculture where permitted in the particular zone, including the keeping of stock in accordance with the Agriculture WA 'Stocking Rate Guidelines for Rural Small Holdings' for the applicable pasture type.</p> <p>Clause 80A The City may by notice served upon individual landowners or upon a subdivider of land, require the preservation of a tree or group of trees. Thereafter no landowner shall cut, remove or otherwise destroy any tree unless the City grants approval or rescinds the notice or order.</p> <p>6. Delete the following definitions from Schedule 1--General Definitions--  “advertisement”; “City”; “heritage area”; “Heritage List”; “local government”; “Local Planning Strategy”; “owner”; “place”; “proponent”; “proposed structure plan”; “Region Scheme- Metropolitan”; “Residential Design Codes”; “Reserve”; “structure plan”; “substantially commenced”; “Town Planning Act”; “zone”.</p> <p>7. Amending the scheme text as required by replacing the cross references to clauses deleted by the amendment with references to the deemed provisions set out in the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> Schedule 2.</p> <p>8. Deleting reference to the following terms and replace them with the corresponding term throughout the scheme (including General Definitions where applicable) as follows--  'City' with 'local government'; 'planning approval' with 'development approval'; 'Residential Design Codes' with 'R-Codes' 'Town Planning Act' with 'Act'; “Region Scheme-- Metropolitan” with 'region planning scheme'.</p> <p>9. Amending the definition of Municipal Inventory to read as follows--  “means the municipal inventory prepared by the City under section 45 of the <i>Heritage of Western Australia Act 1990</i>”.</p> <p>10. Delete 'Electoral Signage' from Schedule 5--Exempted Advertisements.</p> <p>11. Updating any provisions (including model provisions), schedules and notes to reflect that structure plans are guidance documents to be given 'due regard' rather than the 'full force and effect of the Scheme'.</p> <p>12. Delete 'Prime Bushfire Hazard Protection Areas' from Special Control Area Map No.1; and</p>	

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	13. Renumbering the remaining scheme provisions, schedules and contents sequentially and update any remaining cross referencing to the new clause numbers as required.	
<p style="text-align: center;"><b>Amendment No.87 GG 9/2/18</b></p>	<p>A. Amending Schedule 3 Restricted Use under R1 by--</p> <ul style="list-style-type: none"> <li>• deleting the land uses Motor Vehicle Repair, Motor Vehicle Wash and Commercial Vehicle Parking from the list of land uses that are Not Permitted (X) in the Restricted Use Area;</li> <li>• replacing 'Showrooms are a discretionary use in the Kelmscott-South, Mixed Business Area.' with 'The following uses that are not permitted in the District Centre zone shall be discretionary ('D') uses in the Restricted Use area;</li> <li>• Bulky Goods Showroom; and</li> <li>• Trade Supplies.</li> </ul> <p>B. Deleting the 'Showroom' definition from Schedule 1-2. Land Use Definitions and inserting the definition for 'Bulky Goods Showroom' from Schedule 1 Part 6 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> in alphabetical order in Schedule 1-2. Land Use Definitions as follows--</p> <p>'bulky goods showroom' means premises--</p> <p>(a) used to sell by retail any of the goods and accessories of the following types that are principally used for domestic purposes--</p> <ul style="list-style-type: none"> <li>(i) automotive parts and accessories;</li> <li>(ii) camping, outdoor and recreation goods;</li> <li>(iii) electric light fittings;</li> <li>(iv) animal supplies including equestrian and pet goods;</li> <li>(v) floor and window coverings;</li> <li>(vi) furniture, bedding, furnishings, fabrics, manchester and homewares;</li> <li>(vii) household appliances, electrical goods and home entertainment goods;</li> <li>(viii) party supplies;</li> <li>(ix) office equipment and supplies;</li> <li>(x) babies' and children's goods, including play equipment and accessories;</li> <li>(xi) sporting cycling, leisure, fitness goods and accessories;</li> <li>(xii) swimming pools;</li> </ul> <p>or</p> <p>(b) used to sell goods and accessories by retail if--</p> <ul style="list-style-type: none"> <li>(i) a large area is required for the handling, display or storage of the goods;</li> <li>or</li> <li>(ii) vehicular access is required to the premises for the purpose of collection of purchased goods;</li> </ul> <p>C. Replacing all references to 'Showroom' with 'Bulky Goods Showroom'.</p> <p>D. Inserting the definition for 'Trade Supplies' from Schedule 1 Part 6 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> in alphabetical order in Schedule 1-2. Land Use Definitions as follows--</p> <p>'trade supplies' means premises used to sell by wholesale or retail, or to hire, assemble or manufacture any materials, tools, equipment, machinery or other goods used for any of the following purposes including goods which may be assembled or manufactured off the premises--</p> <ul style="list-style-type: none"> <li>(a) automotive repairs and servicing;</li> <li>(b) building including repair and maintenance;</li> <li>(c) industry;</li> <li>(d) landscape gardening;</li> <li>(e) provision of medical services;</li> <li>(f) primary productions;</li> <li>(g) use by government departments or agencies, including local government'.</li> </ul> <p>E. Amending the 'Zoning Table' to--</p> <ul style="list-style-type: none"> <li>(a) delete the 'Showroom' use class; and</li> <li>(b) insert the use classes 'Bulky Goods Showroom' and 'Trade Supplies' in alphabetical order and applying the permissibility of these land uses in each zone (Zoning Table).</li> </ul>	<p style="text-align: center;">Amendment to Schedule 1-2 Schedule 3 Zoning Table</p>
<p style="text-align: center;"><b>Amendment No.88 GG 19/3/19</b></p>	<p>(a) Rezone Lots 1-3 Bay Court, Lot 101 Lake Road, and Lots 102-105 Arabian Court, Champion Lakes from 'Rural Living 2' to 'Urban Development';</p> <p>(b) Include Lots 1-3 Bay Court, Lot 101 Lake Road, and Lots 102-105 Arabian Court, Champion Lakes within Special Control Area Map 3 with the designation</p>	<p style="text-align: center;">Scheme Map Schedule No.8</p>

AMENDMENT NO.	DESCRIPTION	SECTION
	<p>‘Development Area (Structure Plan) (Schedule 8)’ as a new entry in appropriate numerical order;</p> <p>(c) Amend the Scheme Maps accordingly; and</p> <p>(d) Amend Schedule No.8 - Development Areas, to include the following entry in appropriate numerical order—</p> <ol style="list-style-type: none"> <li>1. Comprehensive planning for the area shall be undertaken by preparation of a Structure Plan to guide subdivision and development.</li> <li>2. Prior to Structure Plan approval, the following plans shall be prepared and approved by the City. The plans shall be implemented by a suitably qualified person at the expense of the subdivider or developer, and to the satisfaction of the City, prior to subdivision— <ol style="list-style-type: none"> <li>a. Local Water Management Strategy;</li> <li>b. Bushfire Management Plan;</li> <li>c. Foreshore Management Plan; and</li> <li>d. Wetland Management Plan.</li> </ol> </li> <li>3. As part of subdivision or development of the land, a Landscaping Plan for Public Open Space, drainage features and Road Reserves shall be prepared and implemented by a suitably qualified person at the expense of the subdivider or developer to the requirements and satisfaction of the City. The Landscaping Plan shall include the following— <ol style="list-style-type: none"> <li>a. The design and construction of Public Open Space and Road Reserves shall make provision for the retention of existing trees and vegetation considered worthy of retention by the City;</li> <li>b. A connected pedestrian footpath network shall be provided and constructed as follows— <ol style="list-style-type: none"> <li>i. On at least one side of every street;</li> <li>ii. Adjacent to Lake Road Reserve;</li> <li>iii. Adjacent to the Wungong River Foreshore;</li> <li>iv. Connection to Champion Drive; and</li> <li>v. The paths required under the points i to iii above shall be connected.</li> </ol> </li> </ol> </li> <li>4. The closure and/or rededication of existing road and parks and recreation reserves shown on any approved Structure Plan and required at subdivision stage shall be undertaken at the subdivider’s cost. Any rededication of Parks and Recreation Reserve area shall be offset by the ceding and construction of an identical area of Public Open Space free of cost to the City.</li> <li>5. As part of any subdivision of Lots 1 and 3 Bay Court, the developer shall make arrangements with the City to the City’s satisfaction for the ceding and construction of POS on Lot 2 Bay Court.</li> </ol>	
<p><b>Amendment No.89 GG 13/5/22</b></p>	<p>It is hereby notified for public information, in accordance with section 87 of the Planning and Development Act 2005 that the Minister for Planning approved the City of Armadale Town Planning Scheme amendment on 4 May 2022 for the purpose of—</p> <ol style="list-style-type: none"> <li>(a) Amending the R-Code for the land depicted on the Scheme Amendment Map from R15/40 to R15/60 and from R25/40 to R25/60 and amending the Scheme Map accordingly;</li> <li>(b) Deleting Special Use zone No.SU2 from Schedule 4—Special Use Zones of the Scheme Text;</li> <li>(c) Rezoning Lot 300 (113) Owtram Rd, Armadale from Special Use zone (SU2) to the Residential zone with an R-Code of R15/60 and amending the Scheme Map accordingly;</li> <li>(d) Reclassifying Lot 3568 Pearson Street, Kelmscott (Reserve 28741) from the Parks and Recreation (local) reserve to the Public Purpose (local) reserve and amending the Scheme Map accordingly;</li> <li>(e) Reclassifying the following land parcels as depicted on the Scheme Amendment Map— <ol style="list-style-type: none"> <li>i. Pedestrian Access Ways—Reclassify Lot 55 Lilian Avenue, Armadale and Lot 4787 (Reserve 46729) Serls Street, Armadale from the Residential zone to no zone;</li> </ol> </li> </ol>	<p>Scheme Map Schedule 2 Schedule 4</p>

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	<ul style="list-style-type: none"> <li>ii. Right of Ways—Reclassify Lot 805 Flinn Avenue, Kelmscott, and Lots 5085 and 69 (Reserve 49581) Owtram Road, Armadale from the Residential zone to no zone; and</li> <li>iii. Road widening—Reclassify the road widening for Rogers Lane, Armadale from the Special Use zone to no zone; and amending the Scheme Map accordingly;</li> <li>(f) Rezoning Lot 10 (No.3249) Albany Highway, Armadale from the Residential zone to the Local Centre zone and amending the Scheme Map accordingly;</li> <li>(g) Deleting Additional Use No.A27 from Lot 10 (No.3249) Albany Highway, Armadale and amending the Scheme Map accordingly.</li> <li>(h) Deleting Additional Use No.A27 from Schedule 2—Additional Uses of the Scheme Text. <ul style="list-style-type: none"> <li>(i) Amending Clause 4.2.4 c) by— <ul style="list-style-type: none"> <li>i. Renumbering Clause 4.2.4 c) (i) and (ii) to 4.2.4 c) (ii) and (iii) respectively;</li> <li>ii. Inserting— <ul style="list-style-type: none"> <li>(i) up to R40 where— <ul style="list-style-type: none"> <li>(a) the provisions of clause 4.2.4 b) are satisfied and street trees are retained.</li> </ul> </li> </ul> </li> <li>iii. Replacing “under Clause 4.2.4 c)(i) and (ii)” with “under Clause 4.2.4 c) (ii) and (iii)” in the paragraph after Clause 4.2.4 c) (iii)”.</li> </ul> </li> </ul> </li> </ul>	
<p style="text-align: center;"><b>Amendment No.92</b> <b>GG 15/6/18</b> <b>GG 13/7/18</b></p>	<ul style="list-style-type: none"> <li>1. Rezone Lot 144 (401) Railway Avenue &amp; Lots 143 (39), 164 (37) and 1-2 (35 &amp; 35A) Abbey Road, Armadale from 'Residential R80/Additional Use No.43' to 'Strategic Regional Centre R80/Restricted Use No.12'.</li> <li>2. Delete Additional Use No.43 from Schedule 2-Additional Uses.</li> <li>3. Amend Schedule 3 - Restricted Uses by inserting a new entry in appropriate numerical order as follows - <ul style="list-style-type: none"> <li>- Lot 144 (401) Railway Avenue, Lots 164 (37), 143 (39) and 1-2 (35 &amp; 35A) Abbey Road, Armadale.</li> <li>Restricted Use -</li> <li>All land uses permissible in the Strategic Regional Centre zone shall be 'X' Uses, with the exception of the following -</li> <li>Discretionary (D) use - <ul style="list-style-type: none"> <li>• Holiday Accommodation</li> <li>• Hotel</li> <li>• Multiple Dwellings</li> <li>• Reception Centre</li> <li>• Restaurant</li> <li>• Small Bar</li> <li>• Tavern</li> <li>• Motel</li> <li>• Exhibition Centre</li> </ul> </li> <li>Conditions and Requirements – <ul style="list-style-type: none"> <li>- Development shall generally be in accordance with an approval Local Development Plan(s).</li> <li>- No vehicular access permitted from Armadale Road.</li> <li>- Reception Centre, Restaurant, Tavern, Exhibition Centre and Small Bar shall only be permitted where the uses form part of an integrated Hotel/Motel/Holiday Accommodation development.</li> </ul> </li> </ul> </li> <li>4. Amend the Scheme Maps accordingly.</li> </ul>	<p style="text-align: center;">Schedules 2 &amp; 3 Scheme Map</p>
<p style="text-align: center;"><b>Amendment No.94</b> <b>GG 23/11/18</b></p>	<ul style="list-style-type: none"> <li>A. Modify the permissibility symbols of land uses in the Special Residential zone Column of Table 1 (Zoning Table) as follows - <ul style="list-style-type: none"> <li>(i) civic use and display home centre from 'D' (discretionary) to 'X' (not permitted); and</li> <li>(ii) child care premises, club premises, consulting rooms, community purpose, education establishment, exhibition centre, holiday accommodation, and recreation-private from 'A' (discretionary) to 'X' (not permitted).</li> </ul> </li> <li>B. Modify Schedule 2 - Additional Uses, No.30 area (Araluen Golf Course Land) by - <ul style="list-style-type: none"> <li>- adding to the Additional Use column the following -</li> </ul> </li> </ul>	<p style="text-align: center;">Zoning Table Schedules 2 &amp; 3 Scheme Map</p>

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	<p>(i) Discretionary (D) Uses -</p> <ul style="list-style-type: none"> <li>• holiday accommodation; and</li> <li>• recreation-private,</li> </ul> <p>and;</p> <p>(ii) adding to the Conditions and Requirements column under 30.1 the following -</p> <ul style="list-style-type: none"> <li>• recreation-private.</li> </ul> <p>C. Delete Restricted Uses No.5 from Schedule 3 - Restricted Uses of Scheme Text and Map.</p> <p>D. Amend the TPS No.4 Map by reclassifying from Special Residential zone to Parks and Recreation (Local) reservation the following -</p> <ul style="list-style-type: none"> <li>Lots 4000, 4001 and 4002 Darling Range Drive, Bedfordale;</li> <li>Lots 188, 3000, 4005 and 4009 Waterwheel Road, Bedfordale;</li> <li>Lots 4000, 4001, 4002, 4003 and 4004 Grieve Way, Bedfordale;</li> <li>Lot 4010 Devonleigh Street, Bedfordale;</li> <li>Lot 4007 Aulini Drive, Bedfordale;</li> <li>Lot 4003 and 4004 Fyfield Way, Bedfordale;</li> <li>Lot 500 Vellender Road, Bedfordale;</li> <li>Lot 3000 Aviemore Drive, Bedfordale; and</li> <li>Lot 4006 and 4008 Blissett Drive, Bedfordale.</li> </ul>	
<p><b>Amendment No.95</b> <b>GG 14/12/18</b></p>	<p>A. Modify the permissibility symbols of land uses in the General Rural zone column of the Table 1 (Zoning Table) as follows—</p> <p>(i) Civic Use from ‘P’ (permitted) to ‘X’ (not permitted);</p> <p>(ii) Display Home Centre, Education Establishment, Fuel Depot, and Plantation from ‘D’ (discretionary) to ‘X’ (not permitted);</p> <p>(iii) Child Care Premises, Club Premises, Consulting Rooms, Community Purpose, Place of Worship, Residential Building and Hospital from ‘A’ (discretionary) to ‘X’ (not permitted); and</p> <p>(iv) Agroforestry from ‘D’ (discretionary) to ‘A’ (discretionary).</p> <p>B. Remove from Schedule 1 (Dictionary of Defined Words and Expressions, 2. Land Use Definitions) the ‘industry-noxious’ definition.</p> <p>C. Remove from Table 1 (Zoning Table) the ‘industry-noxious’ Use Class row and all its associate permissibility symbols to the Scheme zones.</p> <p>D. Modify Schedule 1 (Dictionary of Defined Words and Expressions, 2. Land Use Definitions) the definition of ‘industry-general’ to remove the word ‘noxious’.</p>	<p>Zoning Table Schedules 1</p>
<p><b>Amendment No.96</b> <b>GG 10/1/20</b></p>	<p>a) Rezone Lots 2, 23 and 24, 48-50, 52 to 55, 84, 86 to 87, 91, 101, 200, 301, 336, 552 and 650 to 652 Anstey Road; Lots 10, 47, 60, 80 and 81 Keane Road; Lots 5 to 8, 41 and 42, 38, 39 and 57 Allen Road and Lots 1, 3, 5, 3 to 7, 9, 11 to 17, 19 to 29, 36 and 37, 52 to 54, 61, 61, 88 to 93, 94, 529 and 653 Armadale Road in Forrestdale from the Rural Living and General Rural zone and the Public Purpose Reservation to the Urban Development zone.</p> <p>b) Reclassify the Public Purpose Reservation in the locality bounded by Armadale Road and Keane Road to the Urban Development zone.</p> <p>c) Insert the following text in Schedule 8 Development (Structure Plan) Areas for the land bounded by Armadale Road, Keane Road and Bush Forever Site No.342 in appropriate numerical order:</p> <p>51.1 The subdivision and development of land in the precinct is to generally be in accordance with a structure plan prepared and approved pursuant to Part 4 of the deemed provisions.</p> <p>51.2 The Structure Plan shall provide a 50-metre setback to the:</p> <ul style="list-style-type: none"> <li>a. Bush Forever Site No.342 adjacent to the Threatened Ecological Community SCP10A ‘shrublands and dry clay flats’; and</li> <li>b. Wetlands identified as UFI 14170, 14876, 15427 and 15428 in Geomorphic Wetlands Swan Coastal Plain dataset.</li> </ul> <p>51.3 The Structure Plan shall incorporate assessments and recommend design and management responses for:</p> <ul style="list-style-type: none"> <li>a. sources of noise impacts on development; and</li> </ul>	<p>Scheme Maps Schedule 8</p>

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	<p>b. interface with the high-pressure gas pipeline.</p> <p>51.4 The following plans are to be prepared by the applicant and approved by the local government and used to inform the Structure Plan:</p> <p>a. 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.</p> <p>b. A Bushfire Management Plan.</p> <p>c. An Environmental Management Plan, in consultation with the Department of Biodiversity, Conservation and Attractions and the Environmental Protection Authority. The Environmental Management Plan shall address as a minimum, actions to prevent and manage impacts of urban development on sites subject of, and/or adjacent to, a Threatened Ecological Community.</p> <p>51.5 Subdivision and/or development applications shall be accompanied by a Detailed Wetland and Buffer Management Plan, prepared in consultation with the Department of Biodiversity, Conservation and Attractions and the Environmental Protection Authority. The Detailed Wetland and Buffer Management Plan shall address as a minimum, buffers for sites subject of, and/or adjacent to, a Wetland and/or a Threatened Ecological Community.</p>													
<p><b>Amendment No.97 GG 6/3/20</b></p>	<p>A. Insert clause ‘3.2.13 Special Rural’ as follows—</p> <p>(a) To provide for a bushland and/or semi-rural lifestyle based on defined lot sizes, land form and natural environmental characteristics with potential to undertake development incidental to the residence as well as a range of small scale agricultural land uses compatible with the site and locality’s amenity and natural values.</p> <p>(b) To ensure development is sited, designed and managed in harmony with the natural environment and so as to protect the vegetation, rural landscape and amenity of the site and locality.</p> <p>B. Insert into the Zoning Table the ‘Special Rural’ column and insert the land use permissibility symbols ‘P’, ‘D’, ‘A’ and ‘X’ against the Uses Classes as follows-</p> <p>(i) ‘P’ uses - home office, recreation-domestic, single house;</p> <p>(ii) ‘D’ uses - ancillary accommodation, bed and breakfast, dam construction, family day care centre, home occupation, industry-cottage, rural pursuit;</p> <p>(iii) ‘A’ uses - agriculture-intensive, commercial vehicle parking, home business, occasional uses, telecommunications infrastructure;</p> <p>(iv) ‘X’ uses - all remaining Use Classes in the Special Rural Column of the Zoning Table not designated with permissibility symbols ‘P’, ‘D’ and ‘A’, as above.</p> <p>C. Insert the words ‘Special Rural’, and the word ‘zone’ as required in the following locations of the Scheme Text -</p> <p>(i) Part 4B heading, explanatory notes and Clause 4B;</p> <p>(ii) Clause 4B.7.1;</p> <p>(iii) Clause 4B.8.1, and include the following rows in the Table under the headings shown -</p> <table border="1" data-bbox="488 1639 1098 1812"> <thead> <tr> <th>Zone</th> <th>Code</th> <th>Minimum Lot Size</th> </tr> </thead> <tbody> <tr> <td>Special Rural</td> <td>SR1</td> <td>1 Hectare</td> </tr> <tr> <td>Special Rural</td> <td>SR2</td> <td>2 Hectare</td> </tr> <tr> <td>Special Rural</td> <td>SR3</td> <td>3 Hectare</td> </tr> </tbody> </table> <p>(iv) Schedule 1 - Item ‘1. Land Use Definitions’, “rural zone” definition.</p> <p>D. Insert into the ‘Zones’ legend of the TPS No.4 Map the ‘Special Rural’- SR 1, 2 and 4 zone and colour sample, as depicted on the Scheme Amendment Maps.</p> <p>E. Rezone on the TPS No.4 Map the following localities from ‘Rural Living’ to ‘Special Rural’ zone and replace the localities associated ‘RL’ density code acronym with the ‘SR’ density code acronym and modify the density code number where indicated on the Amendment’s Zoning Plans as follows -</p>	Zone	Code	Minimum Lot Size	Special Rural	SR1	1 Hectare	Special Rural	SR2	2 Hectare	Special Rural	SR3	3 Hectare	<p>Parts 3 &amp; 4B Zoning Table Schedules 1 &amp; 2 Scheme Maps</p>
Zone	Code	Minimum Lot Size												
Special Rural	SR1	1 Hectare												
Special Rural	SR2	2 Hectare												
Special Rural	SR3	3 Hectare												

AMENDMENT NO.	DESCRIPTION	SECTION
	<p>(i) the locality with the RL 1 and 2 density code east of South Western Highway in Wungong and Mount Richon that includes lots fronting to Richon Heights, Cooliabbera Drive, Leys Rise, Hefron Glade, Rails Crescent, Corrigan Rise and Wungong Close;</p> <p>(ii) the locality with the RL 2 density code in Forrestdale that includes lots fronting Oxley Road, Honey Myrtle Loop, Taylor Road and Wolfe Road, and the following lots with the RL X density code including the following changes to the lots density codes -</p> <p>(a) Lot 22 (No.80) Oxley Road, Forrestdale from RL X to SR 1; and,</p> <p>(b) Lot 21 (No.74) Oxley Road, Forrestdale from RL X to SR 4;</p> <p>(iii) the locality with the RL 1, 2 and 4 density codes general south of Albany Highway in Bedforddale that includes lots fronting Albany Highway, Nelson Street, Admiral Road, Howe Street, Blake Street, St Vincent Street, Cross Road, Godwit Retreat (but excluding Lots 12, 13, and 14), Old Admiral Lane, Dowell Close, Wallangarra Drive, Otway Place, Chipper Close, Springfield Road, Stevens Road and North Road;</p> <p>(iv) the locality with the RL 1 and 2 density codes in Kelmscott that includes lots fronting Patterson Road, Labyrinth Close, Rowley Street, Long Street, Scott Road and Agostino Road, and the localities with the RL 1, 2 and 4 density codes in Roleystone that includes lots fronting Butcher Road, Soldiers Road and Wymond Road;</p> <p>(v) the locality with the RL 2 density code to the east and south of Brookton Highway in Roleystone that includes lots fronting Hawkstone Road, Brookton Highway, Simons Drive, Rodgers Court, Thorp Place, Irymple Road, Omeo Place, Leworthy Loop, Civa Heights, Eugene Place and Ferguson Road;</p> <p>(vi) the locality with the RL 1 and 2 density codes generally west of the Roleystone Residential zone in Roleystone that includes lots fronting Holden Road, Peet Road (south of Raeburn Road but excluding Lot 194), Lot 101 Raeburn Road, Coventry Road, Buchanan Road, Urch Road (west of the rear boundary of lots fronting Coventry Road), Ronan Road, Tower Road, Canning Mills Road, Kylie Road and View Street;</p> <p>(vii) the locality with the RL 2 density code generally bounded by the Tonkin Highway, Ranford Road, the Wungong River reservation and Champion Drive in Champion Lakes that includes lots that front to Ranford Road, McNeill Road, Mustang Road, Clydesdale Street, Palomino Place and Allen Road (unconstructed); and,</p> <p>(viii) the locality with the RL 2 density code north of Albany Highway in Bedforddale that includes lots fronting Narbethong Road, Dmietrieff Road, Equestrian Avenue and Strapper Road.</p> <p>F. Modify the permissibility symbols of land uses in the Rural Living column of the Zoning Table as follows—</p> <p>(i) ‘civic use’ and ‘recreation-public’ from ‘P’ (permitted) to ‘X’ (not permitted);</p> <p>(ii) ‘display home centre’ from ‘D’ (discretionary) to ‘X’ (not permitted);</p> <p>(iii) ‘consulting rooms’, ‘fuel depot’, and ‘hospital’ from ‘A’ (discretionary) to ‘X’ (not permitted); and</p> <p>(iv) ‘agriculture-extensive’ and ‘veterinary centre’ from ‘D’ (discretionary) to ‘A’ (discretionary).</p> <p>G. Reclassify Lot 108 (Reserve No.52231) Springfield Road in Bedforddale from Rural Living zone to Parks and Recreation (Local) reservation on the Scheme Map.</p> <p>H. Rezone Lot 50 (No.681) Albany Highway in Bedforddale from Rural Living zone to Local Centre zone and remove from the Scheme Text Schedule 2 - Additional Uses and the Scheme Map Additional Use No.4 area.</p> <p>I. Add to Schedule 1 - 2. Land use definitions, the following -</p> <p>‘rural home business’ means a dwelling or land around a dwelling used by an occupier of the dwelling to carry out a business, service or occupation if the carrying out of the business, service or occupation -</p> <p>(a) does not involve employing more than 2 people who are not members of the occupier’s household;</p>	

AMENDMENT NO.	DESCRIPTION	SECTION								
	<p>(b) will not cause injury to or adversely affect the amenity of the neighbourhood;</p> <p>(c) does not occupy an area greater than 200m<sup>2</sup>;</p> <p>(d) does not involve the retail sale, display or hire of any goods unless the sale, display or hire is done only by means of the Internet;</p> <p>(e) does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood;</p> <p>(f) does not involve the presence, use or calling of more than 3 vehicles at any one time or of a vehicle of more than 30 tonnes gross weight.</p> <p>J. Insert into the Zoning Table the use class/row ‘rural home business’ and add the land use permissibility symbol ‘A’ in the Rural Living, Special Rural and General Rural columns and the land use permissibility symbol ‘X’ against all remaining zones in the Zoning Table.</p> <p>K. Add to Schedule 7A - Car Parking Standards, in the Land Use Column of Home Business the word ‘Rural Home Business’.</p> <p>L. Add to Schedule 2 - Additional Uses under the headings the following new entry -</p> <table border="1" data-bbox="389 678 1289 1099"> <thead> <tr> <th data-bbox="389 678 472 748">No.</th> <th data-bbox="472 678 644 748">Description of Land</th> <th data-bbox="644 678 815 748">Additional Use</th> <th data-bbox="815 678 1289 748">Conditions and Requirements (See Note 1)</th> </tr> </thead> <tbody> <tr> <td data-bbox="389 748 472 1099">44</td> <td data-bbox="472 748 644 1099">Lot 1 (75) Cross Road, Bedforddale</td> <td data-bbox="644 748 815 1099">Discretionary (A) Uses - Child Care Premise</td> <td data-bbox="815 748 1289 1099"> <p>44.1 In determining any development application the local government shall have regard to the compatibility of proposed uses with the existing use of the site.</p> <p>44.2 Development is to be designed and located to ensure that the natural landscape elements of the site and locality are protected including retention of existing vegetation and topography for non-developed areas of the property.</p> </td> </tr> </tbody> </table> <p>M. Add to the Scheme Map the Additional Use and relevant number to Lot 1 (75) Cross Road, Bedforddale, as above.</p> <p>N. Inserting into the Scheme Text the following clause -</p> <p>‘4B.10 “A” uses in the Rural Living zone</p> <p>4B.10.1 In determining an application for the following “A” uses—child care premises, club premises, community purpose, educational establishment, exhibition centre, garden centre - retail, holiday accommodation, place of worship, reception centre, recreation - private, restaurant, winery and veterinary centre, the City shall have regards for the following -</p> <p>(a) accessibility by public transport, cycling and walking;</p> <p>(b) potential to meet outdoor noise criteria as specified in noise regulations that operate under the <i>Environmental Protection Act 1986</i> (may include the requirement for an Acoustic Assessment);</p> <p>(c) potential for the form, layout, appearance, colours and textures of any building and landscaping to mitigate against any potential visual impact (may include the requirements for a Visual Impact Assessment);</p> <p>(d) potential for setbacks and separation distances from adjacent sensitive land uses to mitigate against rural amenity impacts and land use conflicts;</p> <p>(e) adequacy of the road capacity in the locality to accommodate traffic generated by the development, and access capable of safely accommodating vehicle movements generated by the development (may include the requirement for a Traffic Impact Assessment); and</p> <p>(f) potential impact of any uses incidental or ancillary to the predominant use.</p>	No.	Description of Land	Additional Use	Conditions and Requirements (See Note 1)	44	Lot 1 (75) Cross Road, Bedforddale	Discretionary (A) Uses - Child Care Premise	<p>44.1 In determining any development application the local government shall have regard to the compatibility of proposed uses with the existing use of the site.</p> <p>44.2 Development is to be designed and located to ensure that the natural landscape elements of the site and locality are protected including retention of existing vegetation and topography for non-developed areas of the property.</p>	
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<p><b>Amendment No.98 GG 12/3/19</b></p>	<p>A. Amend Additional Use No.34 in Schedule 2—</p> <p>i. To modify the Description of Land column to state ‘A Portion of Lot 65 (No.3057) corner Lilian Avenue and Albany Highway and Lot 1 (No.3061) Albany Highway, Armadale’;</p> <p>ii. To include ‘Shop (Pharmacy)’ in the Additional Use column as a ‘D’ use;</p>	<p>Schedule 2 Scheme Maps</p>								

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	<p>iii. To modify condition 34.3 under the Conditions and Requirements column to state ‘The overall development of the site should be of a high quality architectural design, with glass facades that address both street frontages and to be setback in accordance with the existing streetscapes’;</p> <p>iv. To modify condition 34.5 under the Conditions and Requirements column to state ‘retention of existing trees where appropriate’;</p> <p>v. To remove condition 34.6 under the Conditions and Requirements column; and</p> <p>xi. To provide a new condition 34.6 under the Conditions and Requirements column to state ‘The development of ‘shop’ floor space shall not exceed 250m<sup>2</sup> NLA and be limited to use by a Pharmacy only in conjunction with the operation of a Medical Centre on the site’.</p> <p>B. Amend the Schemes maps to remove part of the Additional Use over Lot 65 as shown on the Amendment No.98 map.</p>									
<p><b>Amendment No.99 GG 18//9/20</b></p>	<p>1. Rezoning areas from “Urban Development” zone to “Residential” zone and include R-Codes on the Scheme Maps as per the adopted Structure Plans;</p> <p>2. Removing the Special Control Area No.3 boundaries as shown on the attached plans;</p> <p>3. Add the following Additional Use in Schedule 2;</p> <table border="1" data-bbox="389 837 1270 1140"> <thead> <tr> <th data-bbox="389 837 472 913">No.</th> <th data-bbox="472 837 662 913">Description of Land</th> <th data-bbox="662 837 911 913">Additional Use</th> <th data-bbox="911 837 1270 913">Conditions and Requirements</th> </tr> </thead> <tbody> <tr> <td data-bbox="389 913 472 1140">47.</td> <td data-bbox="472 913 662 1140">Lot 88 (No.20) Riva Entrance, Piara Waters</td> <td data-bbox="662 913 911 1140">Uses permissible only with the Local Government’s discretion (D Uses): - Medical Centre - Shop (Pharmacy)</td> <td data-bbox="911 913 1270 1140">47.1 All other uses in accordance with Residential R40 zone as defined under Town Planning Scheme No.4</td> </tr> </tbody> </table> <p>4. Amend Clause 1.6 (j) to insert the words “and biodiversity” after the first “environment”;</p> <p>5. Modify clauses in Schedule A - Supplemental Provisions to the Deemed Provisions as follows:</p> <p>a. Replace the words “Heritage of Western Australia Act 1990” with “Heritage Act 2018” and replace the words “Part 6” with “Part 4” and “section 29” with “section 90” in Clauses 61(1)(k), 61(1)(l), 61(1)(m) and 61(1)(n);</p> <p>b. Replace “Municipal Inventory” with “Local Heritage Survey” in clause 61(1)(m) and 61(1)(n);</p> <p>6. Amend Schedule 1 – Dictionary of Defined Words and Expressions as follows:</p> <p>a. Modify the definition of Convenience Store to read as follows: “convenience store” means premises – (a) used for the retail sale of convenience goods commonly sold in supermarkets, delicatessens or newsagents; and (b) operated during hours which include, but may extend beyond, normal trading hours; and (c) the floor area of which does not exceed 300m<sup>2</sup> net lettable area;</p> <p>b. Modify the definition of Plot Ratio to read as follows: “Plot ratio” means the ratio of the floor area of a building to an area of land within the boundaries of the lot or lots on which the building is located;</p> <p>c. Modify the definition of Caravan Park to read as follows: “caravan park” has the same meaning as in the Caravan Parks and Camping Grounds Act 1995 and includes land or premises licensed as such under that Act;</p> <p>d. Modify the definition of Park Home Park to read as follows:</p>	No.	Description of Land	Additional Use	Conditions and Requirements	47.	Lot 88 (No.20) Riva Entrance, Piara Waters	Uses permissible only with the Local Government’s discretion (D Uses): - Medical Centre - Shop (Pharmacy)	47.1 All other uses in accordance with Residential R40 zone as defined under Town Planning Scheme No.4	<p>Scheme Maps Schedule 1 Schedule 2 Schedule A Zoning Table</p>
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47.	Lot 88 (No.20) Riva Entrance, Piara Waters	Uses permissible only with the Local Government’s discretion (D Uses): - Medical Centre - Shop (Pharmacy)	47.1 All other uses in accordance with Residential R40 zone as defined under Town Planning Scheme No.4							

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	<p>“park home park” has the same meaning as in the Caravan Parks and Camping Grounds Regulations 1997 and includes land or premises licensed as such under that Act;</p> <p>e. Remove “Aged or Dependent Persons Dwellings”, “cultural heritage significance”, “municipal inventory” and “conservation” definitions;</p> <p>f. Add the following definition:  “Local Heritage Survey” means a local heritage survey prepared under Part 8 of the Heritage Act 2018;</p> <p>7. Modify the Zoning Table as follows:</p> <p>a. Remove the combined “Caravan Park/Home Park” use class;</p> <p>b. Remove “Aged and Dependent Persons Dwellings” use class;</p> <p>c. Add “Caravan Park” and “Park Home Park” use classes as follows;</p> <table border="1" data-bbox="389 629 1289 1140"> <thead> <tr> <th rowspan="2">USE CLASSES</th> <th colspan="11">ZONES</th> </tr> <tr> <th>Residential</th> <th>Special Residential</th> <th>Rural Living</th> <th>General Rural</th> <th>Local Centre</th> <th>District Centre</th> <th>General Industry</th> <th>Industrial Business</th> <th>Mixed Business/Residential</th> <th>Strategic Regional Centre</th> <th>Special Rural Zone</th> </tr> </thead> <tbody> <tr> <td>Caravan Park</td> <td>X</td> <td>X</td> <td>X</td> <td>A</td> <td>X</td> <td>X</td> <td>X</td> <td>X</td> <td>X</td> <td>X</td> <td>X</td> </tr> <tr> <td>Park Home Park</td> <td>X</td> <td>X</td> <td>X</td> <td>A</td> <td>X</td> <td>X</td> <td>X</td> <td>X</td> <td>X</td> <td>X</td> <td>X</td> </tr> </tbody> </table> <p>8. Modify the Description of Land for Additional Use No.19 under Schedule 2 to state “Part Lots 123, 157 and 17, South Western Highway and Lot 49 Crystal Court, Armadale.”;</p> <p>9. Modify Clause 13.2 under Development Area No.13 under Schedule 8 to state “a range” instead of “arrange”; and,</p> <p>10. Modify the Description of Land for Development Area No.21 of Schedule 8 by replacing “No.1” with “No.21” and deleting the words “Rural Living”.</p>	USE CLASSES	ZONES											Residential	Special Residential	Rural Living	General Rural	Local Centre	District Centre	General Industry	Industrial Business	Mixed Business/Residential	Strategic Regional Centre	Special Rural Zone	Caravan Park	X	X	X	A	X	X	X	X	X	X	X	Park Home Park	X	X	X	A	X	X	X	X	X	X	X	
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<p><b>Amendment No.100</b>  <b>GG 3/6/20</b></p>	<p>Modifying the TPS No.4 Text, Part 4 - General Development Requirements, as follows:</p> <p>(i) In clause 4.2.4(b), replacing ‘, R25/40 or R15/60’ with ‘or R25/40’;</p> <p>(ii) In clause 4.2.4(b)(i), inserting ‘adequate waste collection’ following the word ‘drainage’;</p> <p>(iii) Adding clause 4.2.4(c) as follows:  ‘(c) Where land is identified on the Scheme Map as R15/60 or R25/60</p> <p>(i) up to R60 where:</p> <p>(a) the provisions of Clause 4.2.4(b)(i) and (ii) are satisfied and street trees retained;</p> <p>(b) the lot/development site has a minimum area of 1,400m<sup>2</sup> and a minimum frontage of 25 metres;</p> <p>(c) where the development is for Grouped Dwellings, a minimum of 75% of dwellings comprise at least two storeys with at least one habitable room on the second floor; and</p> <p>(d) existing trees with a trunk circumference of 0.6m or greater at a height of 1m from the natural level of the ground are retained, where possible.</p> <p>(ii) up to R80 for multiple dwellings only where:</p> <p>(d) the provisions of Clause 4.2.4(b)(i) and (ii) are satisfied and street trees retained;</p>	<p>Scheme Maps</p> <p>Part 4 — General Development Requirements</p>																																															

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	<p>(e) the lot/development site has a minimum area of 2,000m<sup>2</sup> and a minimum frontage of 25 metres; and</p> <p>(f) existing trees with a trunk circumference of 0.6m or greater at a height of 1m from the natural level of the ground are retained, where possible.</p> <p>Where the development under Clause 4.2.4(c)(i) and (ii) is for Multiple Dwellings, for each Multiple Dwelling positioned above another, a minimum of 50% of the plot ratio area must be vertically above the lower dwelling.’</p> <p>(iv) In clause 4.2.5(a), replacing ‘or R17.5/25’ with ‘, R17.5/25 or R80’; and</p> <p>(v) In clause 4.2.5(b), replacing ‘, R25/40 and R15/60 subject to the application of Clause 4.2.4(b).’ with ‘or R25/40 subject to the application of Clause 4.2.4(b), or for land identified on the Scheme Map as R15/60 or R25/60 subject to Clause 4.2.4(c)(i).’</p>	
<p><b>Amendment No.102 GG 22/2/21</b></p>	<p>A. Amending Special Control Map 3 as shown on the attached Proposed Zoning—Special Control Area Map 3 Plan and include the area as Development Contribution Area 4 and insert Development Contribution Plan No.4 into Schedule 9B of Town Planning Scheme No.4 as follows -</p> <p><b>4.1 Relationship to other plans and other parts of the Scheme</b></p> <p>The development contribution plan generally conforms to the Southern River Forrestdale Brookdale Wungong District Structure Plan, Approved Structure Plans for Development Contribution Area 4 and the City of Armadale Community Infrastructure Plan, Local Planning Strategy, Corporate Business Plan and Strategic Community Plan.</p> <p>Where the provisions of Development Contribution Plan 4 are inconsistent with the provisions of Part 5A of the Scheme, then the provisions of Development Contribution Plan 4 in Schedule 9B prevail to the extent of any inconsistency.</p> <p><b>4.2 Definitions</b></p> <p><b>Assessed Value</b> means a land value obtained in accordance with the procedures described in clauses 4.4.5 to 4.4.6 of Development Contribution Plan 4.</p> <p><b>Developable Area</b> is defined as a total area of land minus land area deductions as detailed in the Development Contribution Plan 4 Infrastructure Cost Schedule. The Existing House Land deduction as noted in the DCP can be adjusted at the discretion of the City at the time when a Cost Contribution becomes due for a lot affected by such an Existing House Land deduction. Such an adjustment may be determined as necessary where an Existing House Land lot is subdivided or developed beyond the potential assumed in the Land Area Deductions summary. Such an adjustment will then be incorporated into the next review of the Development Contribution Plan 4 Infrastructure Cost Schedule.</p> <p><b>Development Contribution Plan Report</b> means a report appurtenant to the Scheme and Development Contribution Plan 4, and containing information and instructions on the operation of Development Contribution Plan 4, as periodically reviewed in accordance with Development Contribution Plan 4.</p> <p><b>Infrastructure Cost Schedule</b> means a schedule appurtenant to the Scheme and Development Contribution Plan 4, and containing the estimated cost of Infrastructure and Administration of Development Contribution Plan 4, contribution cost, land area deductions and land area summary, as periodically reviewed in accordance with Development Contribution Plan 4.</p> <p><b>4.3 Infrastructure and Administrative Items to be funded</b></p> <p>4.3.1 Infrastructure Item 1a—Public Open Space and Sporting and Community Facilities—Senior Size Playing Field—Public Open Space Land Acquisition— Full costs to acquire land for a minimum of 4.9ha of Public Open Space at a location approved by the City within Development Contribution Area 4.</p> <p>4.3.2 Infrastructure Item 1b—Public Open Space and Sporting and Community Facilities—Senior Size Playing Field—Construction— Full costs to construct a minimum of 4.9ha of public open space, including a senior sized multi use playing field area, to the specifications and dimensions approved by the City and at a location approved by the City within Development Contribution Area 4 minus contributions from other sources if and when they become available.</p> <p>4.3.3 Infrastructure Item 1c—Public Open Space and Sporting and Community Facilities—Sporting and Community Buildings and Structures—Construction— Full costs to construct sporting and community buildings and structures at the public open space included under Infrastructure Items 1a and 1b minus contributions from other sources if and when they become available.</p>	<p><b>Clause 5A.9.1(a)</b></p> <p><b>Special Control Map 3</b></p> <p><b>Schedule 9B</b></p>

AMENDMENT NO.	DESCRIPTION	SECTION
	<p>4.3.4 Infrastructure Item 2a—Movement Network—Anstey Road Widening and Construction— Full cost to upgrade Anstey Road, including road widening land, from Armadale Road to the Primary School as detailed in the Development Contribution Plan Report and Infrastructure Cost Schedule.</p> <p>4.3.5 Infrastructure Item 2b—Movement Network—Keane Road Construction— Contribution towards upgrading Keane Road as detailed in the Development Contribution Plan Report and Infrastructure Cost Schedule, with the contribution calculated being equivalent to the standard of a Residential Access Street C in accordance with Liveable Neighbourhoods (as amended), excluding costs associated with realigning the road or upgrading of the Armadale Road intersection.</p> <p>4.3.6 Infrastructure Item 2c—Movement Network—Shared Path Network— Fixed maximum contribution towards a shared path network within the Anstey Keane Urban Precinct as detailed in the Development Contribution Plan Report and Infrastructure Cost Schedule.</p> <p>4.3.7 Infrastructure Item 3a—Baileys Branch Drain Surrounds— Betterment of the Baileys Branch Drain Immediate Surrounds— Partial contribution only towards improvements to the Baileys Branch Drain immediate surrounds that deliver a multiple use corridor as detailed in the Development Contribution Plan Report and Infrastructure Cost Schedule.</p> <p>4.3.8 Infrastructure Item 4a—Utilities—Pump Station Land— Contribution towards the acquisition of land for a sewer pump station as detailed on the approved structure plan.</p> <p>4.3.9 Infrastructure Item 4b—Utilities—ATCO High Pressure Gas Pipeline— Contribution towards the upgrade of the ATCO High Pressure Gas Pipeline in Anstey Road as it pertains to the Anstey Keane Precinct (Forrestdale).</p> <p>4.3.10 Administration Costs— Full costs associated with preparing and administering Development Contribution Plan 4.</p>	
	<p><b>4.4 Method for Calculating Contributions and Assessed Values</b></p> <p>4.4.1 Approach— Contributions for infrastructure items will be calculated on a Developable Area basis.</p> <p>4.4.2 Cost Contribution Calculation— The contribution to be made by each Owner to the implementation of the Infrastructure and Administration Costs shall be a Cost Contribution, based on a per hectare basis calculated by the Local Government as follows—</p> <p>4.4.2.1 Infrastructure Items per hectare calculation—</p> <p>(a) Calculation for entire Development Contribution Area Base Rate Infrastructure Items per hectare Base Rate (E) calculated as follows at each review of the Infrastructure Cost Schedule and to remain approval of the next—</p> <p>Cost of infrastructure items where the costs are to be shared across the entire Development Contribution Area 4 as detailed in the Infrastructure Cost Schedule (A) + (plus) Administrative Costs (B) minus Base Rate contributions collected (C) / (divide) total Developable Area remaining (ha) for Development Contribution Area 4 (D). <math>A + B - C / D = E</math></p> <p>(b) Calculation for Additional Rate for applicable areas within Development Contribution Area 4 Infrastructure Items per hectare Additional Rate (I) calculated as follows at each review of the Infrastructure Cost Schedule and to remain applicable from the approval of one review to approval of the next—</p> <p>Cost of infrastructure items where the costs are to be shared across part of Development Contribution Area 4 as detailed in the Infrastructure Cost Schedule (F) minus Additional Rate contributions collected (G) / (divide) total Developable Area remaining (ha) for the part of Development Contribution Area 4 over which the costs are to be shared (H). <math>F - G / H = I</math></p> <p>4.4.2.2 Cost Contribution Due</p> <p>(a) The Cost Contribution due by owners shall be based on the Developable Area of an owners land parcel and calculated as follows—</p> <p>i. Cost Contribution due by owners that is applicable to all Developable Area within Development Contribution Area 4— Developable Area (ha) of an owners land parcel x (multiply) Infrastructure items per hectare Base Rate.</p>	

AMENDMENT NO.	DESCRIPTION	SECTION
	<p data-bbox="639 181 1321 371">ii. Additional Cost Contribution due by owners that is applicable to Developable Area within Development Contribution Area 4 where an Additional Rate also applies as specified in the Infrastructure Cost Schedule calculated as follows— Developable Area (ha) of an owners land parcel where an additional Cost Contribution applies x (multiply) Infrastructure items per hectare Additional Rate.</p> <p data-bbox="432 383 619 405">4.4.3 Valuations</p> <p data-bbox="512 416 1321 524">The provisions of Clauses 5A.9.2 to 5A.9.6 of the scheme do not apply to Development Contribution Plan 4. The following variations apply to the acquisition of land for Infrastructure Works, calculation of costs and valuation of land within Development Contribution Area 4.</p> <p data-bbox="512 535 1321 752">4.4.4 Compulsory Acquisition Where land has been compulsorily acquired and a lawful claim for compensation has been served on the Council, the Council may claim compensation for betterment under Section 184 of the <i>Planning and Development Act 2005</i> and the value attributed to the betterment of the land the subject of the claim shall be set off against any compensation otherwise payable to the claimant under the <i>Land Administration Act 1997</i> or any re-enactment of its provisions related to compulsory acquisition and compensation.</p> <p data-bbox="432 763 687 786">4.4.5 Assessed Value—</p> <p data-bbox="512 797 1321 882">(a) The Council may at any time ascertain the value of any land in Development Contribution Plan 4 for the purpose of estimating Infrastructure costs, payments and cost contributions.</p> <p data-bbox="512 893 1321 1272">(b) If it is necessary, for any purpose to ascertain the value of any land, such value should be determined by two licensed valuers appointed from time to time by the local government herein referred to as “the Valuation Panel”. The members of the Valuation Panel may confer as to value, and if they are unable to arrive at a consensus value, they shall confer with the Chief Executive Officer of the local government (“CEO”) or the officer to whom the CEO delegates that function from time to time. If the valuers with the officer cannot arrive at a consensus value then the officer shall select a value which represents the median value between the two values nominated by the valuers on the Valuation Panel and will be advertised under the next following paragraph (c) (“the Assessed Value”). The Valuation Panel may determine more than one Assessed Value in the Development Contribution Plan area, where the local government or the Panel identifies that there are significant differences in land values within Development Contribution Area 4.</p> <p data-bbox="512 1283 1321 1500">(c) As soon as possible after the Assessed Value or Assessed Values have been ascertained it should be advertised for a period of not less than 28 days to allow for submissions to be made in regard to the proposed Assessed Value or Assessed Values. Assessed Values may be advertised concurrently as part of a Development Contribution Plan 4 review carried out in accordance with Clause 4.8.1 of Development Contribution Plan 4. An owner who lodges an objection under this clause shall submit with the objection supporting evidence from a suitably qualified person in the specific field being objected to.</p> <p data-bbox="512 1512 1321 1787">(d) The local government shall as soon as possible consider all submissions made on an Assessed Value and may refer any submission to the Valuation Panel for comment, but where a submission is accompanied by expert valuation advice based on the valuation principles contained in Development Contribution Plan 4, it should be referred by the local government to the Valuation Panel for comment. Having considered the submissions and any comment from the Valuation Panel, the local government shall fix upon the Assessed Value or Assessed Values to be applied under Development Contribution Plan 4 and Infrastructure Cost Schedule until the next Assessed Value or Assessed Values has been determined.</p> <p data-bbox="512 1798 1321 1928">(e) It is intended that any Assessed Value or Assessed Values should apply for no more than 13 months but while an Assessed Value remains current it shall stand as the value of land within Development Contribution Plan 4 and Infrastructure Cost Schedule for all purposes under Development Contribution Plan 4 and Part 5A of the scheme and the Infrastructure Cost Schedule.</p> <p data-bbox="512 1939 1321 2047">(f) Where land is ceded or acquired for an Infrastructure Work, otherwise than by compulsory taking, for the purpose of determining the amount to be paid to the owner from whom the land is acquired, the value of the land shall be calculated according to the same Assessed Value as was applied to the Cost Contribution</p>	

AMENDMENT NO.	DESCRIPTION	SECTION
	<p>paid or payable by that owner on the clearance by the local government of the subdivision of land in the same deposited plan as contains the land acquired.</p> <p>4.4.6 Valuation Principles</p> <p>In ascertaining the Assessed Value or Assessed Values under Development Contribution Plan 4, all land shall be valued in its broad acre form as depicted on 1 January 2019, ignoring any services or infrastructure provided in accordance with the provisions of the relevant Local Structure Plan and applying the following principles—</p> <ol style="list-style-type: none"> <li>i. regard is to be had to the land classifications and zonings existing at the date of valuation;</li> <li>ii. the date of valuation is to be the date on which the local government nominates;</li> <li>iii. ignoring any improvements or works on the land;</li> <li>iv. the land should be valued without regard to the Infrastructure work and the purpose for which the land is acquired shall not be taken into consideration;</li> <li>v. in selecting relevant sales evidence, regard should be had first to values derived from land in the same area, and if there is not adequate evidence, from nearby or similar land in the area, in priority to any other sales evidence; and</li> <li>vi. the method of valuation shall otherwise be in accordance with normal fair market valuation principles.</li> </ol> <p>4.4.7 Variance and Solatium—</p> <ol style="list-style-type: none"> <li>(a) When calculating or reviewing Contribution Costs and the Infrastructure Cost Schedule, the local government will have regard to the value of the land required for Infrastructure and include an amount of 10% over and above the Assessed Value of such land, to ensure that the local government has or will receive sufficient funds in Development Contribution Plan 4 account to acquire land for Infrastructure to meet its obligations for appropriate payment to such owners, and ensure the Infrastructure can be completed in a manner that minimises the need for external borrowing. The local government may also apply a further amount above the Assessed Value to recognize any compulsory taking of land, compensations and/or acquisition of structures.</li> <li>(b) Where land is acquired in the circumstances contemplated in subclause 4.4.5 (f) of Development Contribution Plan 4, the Council shall pay to the owner an additional amount not more than 10% of the amount calculated under that Clause.</li> </ol> <p>4.4.8 Acquisition Prior to Gazettal</p> <p>Where land required for Infrastructure is ceded to the Crown or acquired by the local government prior to the Minister granting final approval and publication of the Development Contribution Plan 4 Amendment in the <i>Government Gazette</i>, the appointment of the Valuation Panel by the local government under of Development Contribution Plan 4 or adoption of the Infrastructure Cost Schedule by the Council, the land shall be valued in accordance with the clauses 4.4.3 to 4.4.7 of Development Contribution Plan 4 by the Valuation Panel and the date of valuation shall be the date the land for the Infrastructure Work is acquired by the local government or the local government issues its clearance to the deposited plan that contains the Infrastructure land, whichever is the earlier.</p> <p>4.4.9 Provision of Land for Infrastructure Works Where the Infrastructure Cost Schedule includes a land component for a Infrastructure on the relevant lot for which a Cost Contribution is due, an Owner shall cede to the Crown or transfer to the local government the required Infrastructure land at the first stage of subdivision and/or development for that particular landholding or by prior agreement at an alternative date agreed by the local government. The value of the land will be determined in accordance with Development Contribution Plan 4 and Owners will be paid once the land is ceded to the Crown or transferred to the local government and is already included in Development Contribution Plan 4 and sufficient funds have been collected in the Development Contribution Plan 4 account and / or having regard to the timing and priority of infrastructure works.</p> <p><b>4.5 Period of Operation</b></p> <p>Development Contribution Plan 4 is proposed to operate for a period of 12 years from the date of gazettal of the town planning scheme amendment that introduces Development Contribution Plan 4 into the Scheme, by which time development within Development Contribution Area is expected to be largely complete. The proposed timeframe aims to account for uncertainty regarding the staging and completion of development across the entire area. The City may in the future consider extending the period of operation, through an amendment to the Scheme, in the event that growth does not occur as rapidly as expected, or if new growth areas occur. The City may also terminate the Development Contribution Plan 4 earlier, through an amendment to the Scheme, if growth occurs quicker than expected</p>	

AMENDMENT NO.	DESCRIPTION	SECTION
	<p>and all contributions have been settled. All land within the Development Contribution Area is subject to the requirements of the Development Contribution Plan 4 until the plan expires or revoked.</p> <p><b>4.6 Excess in Contributions</b></p> <p>Clause 5A.8.2 of the scheme does not apply to Development Contribution Plan 4. If there is an excess in the total of Cost Contributions when all Cost Contributions have been made or accounted for in the Development Contribution Area, the local government is to refund the excess funds to the contributing owners and or use all or some of the excess funds for improvements to infrastructure included in Development Contribution Plan 4 and subject to agreement from the majority of the contributing Owners. If, however, it is not reasonably practicable to identify Owners and their entitled amount of refund and consult with Owners, any excess in funds shall be applied to the provision of additional improvements to Infrastructure included in Development Contribution Plan 4. The local government should make information publically available regarding any spend of excess funds.</p> <p><b>4.7 Timing and priority</b></p> <p>The Local Government will use its best endeavours to provide Infrastructure, including the acquisition of land for infrastructure, as soon as possible taking into considering the Local Government’s Corporate Business Plan, the rate of development in Development Contribution Area 4 and funds collected in Development Contribution Plan 4.</p> <p><b>4.8 Review Process</b></p> <p>Development Contribution Plan 4 will be reviewed at least every 5 years from the date of gazettal or when considered appropriate having regard to the rate of development in the area since the last review and the degree of development potential still existing.</p> <p>The estimated Infrastructure Costs, Assessed Values and Infrastructure Cost Schedule will be reviewed and updated at least annually. The Review will reflect changes in material prices, design costs, design requirements, specifications, labour requirements, Assessed Values and other expenditure associated with Development Contribution Plan 4 and actual and forecast future development patterns in the area. In some instances the costs will be indexed based on the Local Government Cost Index (LGCI) or another appropriate index and they may be reviewed and certified by a suitably qualified person. The local government’s priority and timing for infrastructure will also be reviewed at least annually. Reviews of Development Contribution Plan 4 or Infrastructure Cost Schedule, including Assessed Values shall be undertaken in accordance with the provisions contained within the Development Contribution Plan 4 Report and applicable Local Government Local Planning Policy. In the absence of an applicable Local Government Local Planning Policy the provisions contained in the Development Contribution Plan 4 Report shall solely apply.</p> <p>B. Amend Clause 5A.9.1 (a) of by changing the word ‘Plan’ to ‘Plans’ and adding ‘and No. 4’ after ‘No. 3’ where they occur.</p>	
<p><b>Amendment No.103 GG 16/12/22</b></p>	<p>It is hereby notified for public information, in accordance with section 87 of the <i>Planning and Development Act 2005</i> that the Minister for Planning approved the City of Armadale Town Planning Scheme amendment on 9 December 2022 for the purpose of—</p> <p>Proposal 1 – Modify the Scheme Map by rezoning from ‘Residential R40’ to ‘Strategic Regional Centre R-AC0’, Lot 35 (9), Lot 36 (11) and Lots 1 to 4 (15A to 15D) Sixth Road, Armadale.</p> <p>Proposal 2 – Modify the Scheme Map by rezoning from ‘Mixed Business / Residential R40’ to ‘Strategic Regional Centre R-AC0’, Lots 11 (479) to 13 (483), Lot 33 (489) and Lots 1 and 2 (493 and 495) Green Avenue, Armadale and Lot 31 (4) and Lot 32 (2) Selkirk Road, Armadale.</p> <p>Proposal 3 – Modify the Scheme Map by recoding the area bounded by Armadale Road – except Lots 22 (91), 25 (89), 1 (69), 77 and 78 Jull Street, Armadale (north); South Western Highway, Church Avenue and the south-eastern boundaries of Lot 120 and Lot 31 (90) Jull Street, and Lot 894 and Lot 58 (4) Church Avenue, Armadale (east); Thomas Street, Church Avenue - except Lot 109 (23) Thomas Street and Lot 125 (16) Third Road, and John Street (south); and Commerce Avenue and Neerigen Street (west) from ‘R-AC3’ and ‘R80’ to ‘R-AC0’.</p> <p>Proposal 4 – Modify the Scheme Map by recoding the area bounded by Forrest Road (south), Aragon Court (east), the southern boundary of Lot 301 Abbey Road, Armadale (north) and Abbey Road (west) from ‘R40’ to ‘R-AC0’.</p>	<p><b>Scheme Map Zoning Table Schedule 2 Schedule 3 Schedule 7A Schedule 7B</b></p>

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	<p>Proposal 5 – Modify the Scheme Map by recoding from ‘R80’ to ‘R-AC0’, Lot 1, Lot 330 and Lots 301 to 302 Abbey Road, Armadale.</p> <p>Proposal 6 – Modify the Scheme Map by rezoning the area bounded by John Street (south); South Western Highway (east); Thomas Street (north) and the south-eastern boundaries of Lot 42 (43) John Street, Lot 55 (30) William Street, Lot 59 (33) William Street, Lot 82 (30) Fourth Road, Lot 5 (29) Fourth Road and Lot 107 (22) Thomas Street, Armadale (west); from ‘Mixed Business / Residential R40’ and ‘Strategic Regional Centre R80’ to ‘Residential R-AC0’.</p> <p>Proposal 7 – Modify the Scheme Map by rezoning from ‘Strategic Regional Centre R80’ to ‘Mixed Business / Residential R-AC0’, Lot 42 (43) John Street, Lot 56 (32) William Street, Lots 1 and 2 (52 and 54) Church Avenue, Lot 59 (33) William Street, Lot 50 (35) William Street, Lot 82 (30) Fourth Road, Lot 83 (32) Fourth Road, Lot 5 (29) Fourth Road, Lot 201 (31) Fourth Road, Lot 107 (22) Thomas Street, Lot 108 (24) Thomas Street, Lot 109 (23) Thomas Street and Lot 125 (16) Third Road, Armadale.</p> <p>Proposal 8 – Modify the Scheme Map by recoding Lot 55 (30) William Street, Armadale from ‘R40’ to ‘R-AC0’.</p> <p>Proposal 9 – Modify the Scheme Map by rezoning the area bounded by Church Avenue (south), South Western Highway (east), Jull Street (north) and the south-eastern boundaries of Lot 120 and Lot 31 (90) Jull Street, and Lot 894 and Lot 58 (4) Church Avenue, Armadale (west) from ‘Strategic Regional Centre R-AC3’ and ‘Strategic Regional Centre R80’ to ‘Mixed Business / Residential R-AC0’.</p> <p>Proposal 10 – Modify the Scheme Map by rezoning Lot 22 (91), Lot 25 (89) and Lot 1 (69) Jull Street, Armadale from ‘Strategic Regional Centre R-80’ to ‘Mixed Business / Residential R-AC0’.</p> <p>Proposal 11 – Modify the Scheme Map by rezoning from ‘Residential R15/25 – Additional Use No.19’ to ‘Mixed Business / Residential R-AC0 – Additional Use No.19’, Lot 17 (16) South Western Highway, Armadale, Lot 123 (16) South Western Highway, Armadale, Lot 157 (10) South Western Highway, Armadale and Lot 49 (4) Crystal Court, Mount Richon.</p> <p>Proposal 12 – Modify the Scheme Map by recoding from ‘R-AC3’ to ‘R-AC0’, Lots 162 Commerce Avenue, Armadale and Lot 163 Church Avenue, Armadale.</p> <p>Proposal 13 – Modify the Scheme Map by recoding from ‘R15/60’ to ‘R-AC0’, Lot 100 (1) Little John Road, Armadale.</p> <p>Proposal 14 – Modify the Scheme Map by rezoning from ‘Strategic Regional Centre R80’ to ‘Parks and Recreation (Local)’, Lots 77 and 78 Jull Street, Armadale.</p> <p>Proposal 15 – Modify the Zoning Table in Part 3 of the Scheme Text as follows:</p> <table border="1" data-bbox="389 1261 1303 1572"> <thead> <tr> <th rowspan="2">Use Class</th> <th colspan="4">Zones</th> </tr> <tr> <th>Mixed Business / Residential (current)</th> <th>Mixed Business / Residential (Proposed)</th> <th>Strategic Regional Centre (Current)</th> <th>Strategic Regional Centre (Proposed)</th> </tr> </thead> <tbody> <tr> <td>Ancillary Accommodation</td> <td>X</td> <td>X</td> <td>D</td> <td>X</td> </tr> <tr> <td>Convenience Store</td> <td>X</td> <td>D</td> <td>P</td> <td>P</td> </tr> <tr> <td>Display Home Centre</td> <td>D</td> <td>D</td> <td>A</td> <td>X</td> </tr> <tr> <td>Grouped Dwelling</td> <td>D</td> <td>A</td> <td>D</td> <td>A</td> </tr> <tr> <td>*Hospital</td> <td>D</td> <td>D</td> <td>X</td> <td>D</td> </tr> <tr> <td>Multiple Dwelling</td> <td>D</td> <td>D</td> <td>A</td> <td>D</td> </tr> </tbody> </table> <p>Proposal 16 – make the following modifications to Part 4A and 4C of the Scheme Text:</p> <p>(a) Include a new Clause 4A.4 with the following:          “In the case of Residential R-AC0 in the Armadale Strategic Metropolitan City Centre, setbacks are to be in accordance with an approved Activity Centre Plan or Precinct Plan prepared in accordance with the requirements of the Commission’s State Planning Policy 4.2 – Activity Centres for Perth and Peel and/or State Planning Policy 7.2 – Precinct Design.”</p> <p>(b) Include a new Clause 4A.5 with the following:          “In the case of Residential R-AC0 in the Armadale Strategic Metropolitan City Centre, building heights are to be in accordance with an approved Activity Centre Plan or Precinct Plan prepared in accordance with the requirements of the Commission’s State Planning Policy 4.2 – Activity Centres for Perth and Peel and/or State Planning Policy 7.2 – Precinct Design.”</p> <p>(c) Include a new Clause 4A.6 with the following:          “For Residential R-AC0 in the Armadale Strategic Metropolitan City Centre, plot ratio is to be determined in accordance with an approved Activity Centre Plan or Precinct Plan prepared in accordance with the requirements of the Western Australian Planning Commission’s State Planning Policy 4.2 – Activity Centres for Perth and Peel and/or State Planning Policy 7.2 – Precinct Design.”</p>	Use Class	Zones				Mixed Business / Residential (current)	Mixed Business / Residential (Proposed)	Strategic Regional Centre (Current)	Strategic Regional Centre (Proposed)	Ancillary Accommodation	X	X	D	X	Convenience Store	X	D	P	P	Display Home Centre	D	D	A	X	Grouped Dwelling	D	A	D	A	*Hospital	D	D	X	D	Multiple Dwelling	D	D	A	D	
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	<p>(d) Modify Clause 4C as follows:            “This Part applies to the Strategic Regional Centre Zone, the Mixed Business / Residential Zone, the District Centre Zone and the Local Centre Zone, unless expressly stated to the contrary in a clause of this Part.”</p> <p>(e) Delete Clause 4C.1.1 and replace with the following:            “4C.1.1 – Buildings are to be setback from boundaries in accordance with an adopted Activity Centre Plan and/or Precinct Plan prepared in accordance with the requirements of the Commission’s State Planning Policy 4.2 – Activity Centres for Perth and Peel and/or State Planning Policy 7.2 – Precinct Design.”</p> <p>(f) Include a new Clause 4C.1.2 as follows:            “In the case of District Centres, Local Centres and Mixed Business / Residential Zones outside of the Armadale Strategic Metropolitan City Centre, buildings are to be setback having regard to any Structure Plan and/or Precinct Plan and the following criteria:</p> <ul style="list-style-type: none"> <li>vi. The setbacks of any adjoining or adjacent development with which the proposed building is likely to relate, and in the case of a site which adjoins land in another zone, the setback requirements for that zone;</li> <li>vii. The use or usability of the setback area, taking into consideration the nature of the adjoining street and the desirability or otherwise of direct vehicular access to that street, and from any adjoining property;</li> <li>viii. The desirability of continuous building frontages where pedestrian access is to be provided adjacent to the frontage of the building or where such access and associated pedestrian shelter would be desirable to facilitate movement between adjoining sites;</li> <li>ix. The space requirements for pedestrian access, and the need and/or desirability of segregating pedestrian access from vehicular access and parking;</li> <li>x. The desirability or otherwise of landscaping within the setback area in order to reduce any adverse visual impact associated with the proposed building façade and/or associated use of setback areas; and</li> <li>xi. The safety and convenience of pedestrian and vehicular access to the site from the adjoining street and from adjacent sites.”</li> </ul> <p>(g) Delete Clause 4C.2.1 and replace with the following:            “4C.2.1 – Buildings heights are to be in accordance with the adopted Activity Centre Plan and/or Precinct Plan prepared in accordance with the requirements of the Commission’s State Planning Policy 4.2 – Activity Centres for Perth and Peel and/or State Planning Policy 7.2 – Precinct Design.”</p> <p>(h) Include a new Clause 4C.2.2 as follows:            “In the case of District Centres, Local Centres and Mixed Business / Residential Zones outside of the Armadale Strategic Metropolitan City Centre, building heights are to have regard to any Structure Plan and/or Precinct Plan and the following criteria:</p> <ul style="list-style-type: none"> <li>vii. The height of any adjoining or adjacent development, and the desirability or otherwise of maintaining consistency in relation to the height and scale of buildings within the particular centre or precinct;</li> <li>viii. In the case of a site which adjoins land in another zone, the height and setback requirements of that zone;</li> <li>ix. The effect of shading associated with the proposed development and in particular whether there will be any significant overshadowing of existing or proposed pedestrian spaces;</li> <li>x. The need for safe and convenient pedestrian shelter, and the desirability of maintaining continuity and/or compatibility in relation to adjoining pedestrian facilities;</li> <li>xi. The design of the external facades of the building, including the height of any awnings or parapets and their relationship with those of adjacent buildings; and</li> <li>xii. The finished ground level proposed for the development site in relation to that of the adjoining sites.”</li> </ul> <p>(j) Modify Clause 4C.3.1 to read as follows:            “Unless otherwise approved by the local government in accordance with the provisions of clause 4.5, the maximum plot ratio within the respective zones and precincts is to accord with the following standards:</p> <ul style="list-style-type: none"> <li>(a) Mixed Business / Residential: 1.5</li> <li>(b) District Centre Zone: 1.0</li> <li>(c) Local Centre Zone: 1.0</li> <li>(d) Strategic Regional Centre: To be determined by an approved Structure Plan or Precinct Plan.</li> </ul> <p>For Mixed Business/Residential R-AC0 in the Armadale Strategic Metropolitan City Centre, plot ratio is to be determined by an approved Structure Plan or Precinct Plan.”</p> <p>Proposal 17 – Modify the Table of Contents in the Scheme Text to include:</p> <ul style="list-style-type: none"> <li>(a) “4A.4 Setbacks in the Armadale Strategic Metropolitan City Centre”.</li> <li>(b) “4A.5 Building height in the Armadale Strategic Metropolitan City Centre”.</li> <li>(c) “4A.6 Building bulk in the Armadale Strategic Metropolitan City Centre”.</li> </ul> <p>Proposal 18 – In Schedule 2 – Additional Uses, modify Additional Use No.19 to read as following:</p>	

AMENDMENT NO.	DESCRIPTION				SECTION								
	<table border="1"> <thead> <tr> <th data-bbox="373 174 469 226">No.</th> <th data-bbox="469 174 620 226">Description of Land</th> <th data-bbox="620 174 868 226">Additional Use</th> <th data-bbox="868 174 1299 226">Conditions and Requirements (See Note 1)</th> </tr> </thead> <tbody> <tr> <td data-bbox="373 226 469 1744">19.</td> <td data-bbox="469 226 620 1744">Lots 123, 157 and 17 South Western Highway and Lot 49 Crystal Court, Mount Richon.</td> <td data-bbox="620 226 868 1744">           Permitted (P) use: Mixed Uses incorporating key elements of the old Armadale Tea Rooms consisting of:           <ul style="list-style-type: none"> <li>• Shop</li> <li>• Office(s)</li> <li>• Restaurant</li> <li>• Holiday Accommodation</li> <li>• Cottage Industry</li> <li>• Market</li> <li>• Motel; and</li> <li>• Showroom</li> </ul> </td> <td data-bbox="868 226 1299 1744">           19.1 In determining any planning application for subdivision and development approval, the local government shall have regard to the approved Activity Centre Structure Plan or Precinct Plan.            19.2 The overall development may comprise either, a single building or multiple buildings with a common theme, and shall incorporate key elements of the Old Armadale Tearooms (Muckcross Hall) building as follows to the satisfaction of the local government:           <ol style="list-style-type: none"> <li>a) the use of the building, at least in part, is to recognise the building's original function as a meeting place;</li> <li>b) recognition of the large open truss construction of the internal parts of the building;</li> <li>c) respect for the existing roofline and the original cladding style of the roof;</li> <li>d) materials for the existing walls may be replaced provided the appearance respects the original character; and</li> <li>e) the building could be extended out the back and side, provided the outline of the façade and roofline, as visible from the Albany Highway approach into Armadale, retains its character and shape.</li> </ol>           19.3 A Traffic Management Plan addressing site access and car parking both on and off site will need to be prepared and implemented, to the satisfaction of Council, as part of any development application for redevelopment of the land.            19.4 Vehicular access to Crystal Court shall be limited to residential uses only and may require a traffic study prior to Council granting approval.            19.5 In preparing and/or assessing any planning application for development approval, the applicant and the local government should consider the possible provision of access for vehicular and pedestrian movement and parking, together with drainage, where applicable over the adjacent Lot 100 (Pioneer Village Narrogin Inne premises) Albany Highway, in a manner satisfactory to the Local Government to ensure safe, convenient and integrated traffic circulation. Such an arrangement may require agreement with the landowners of Lot 100 Albany Highway.            19.6 Notification in the form of a Section 70A notification, pursuant to the <i>Transfer of Land Act 1893</i> (as amended) is to be placed on the Certificate of Title on Lot 17 South Western Highway, Armadale advising prospective purchasers that the lot may be affected by noise from the Water Corporation pump station on the adjoining Lot 18 South Western Highway.         </td> </tr> </tbody> </table>	No.	Description of Land	Additional Use	Conditions and Requirements (See Note 1)	19.	Lots 123, 157 and 17 South Western Highway and Lot 49 Crystal Court, Mount Richon.	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Such an arrangement may require agreement with the landowners of Lot 100 Albany Highway. 19.6 Notification in the form of a Section 70A notification, pursuant to the <i>Transfer of Land Act 1893</i> (as amended) is to be placed on the Certificate of Title on Lot 17 South Western Highway, Armadale advising prospective purchasers that the lot may be affected by noise from the Water Corporation pump station on the adjoining Lot 18 South Western Highway.				
No.	Description of Land	Additional Use	Conditions and Requirements (See Note 1)										
19.	Lots 123, 157 and 17 South Western Highway and Lot 49 Crystal Court, Mount Richon.	Permitted (P) use: Mixed Uses incorporating key elements of the old Armadale Tea Rooms consisting of: <ul style="list-style-type: none"> <li>• Shop</li> <li>• Office(s)</li> <li>• Restaurant</li> <li>• Holiday Accommodation</li> <li>• Cottage Industry</li> <li>• Market</li> <li>• Motel; and</li> <li>• Showroom</li> </ul>	19.1 In determining any planning application for subdivision and development approval, the local government shall have regard to the approved Activity Centre Structure Plan or Precinct Plan. 19.2 The overall development may comprise either, a single building or multiple buildings with a common theme, and shall incorporate key elements of the Old Armadale Tearooms (Muckcross Hall) building as follows to the satisfaction of the local government: <ol style="list-style-type: none"> <li>a) the use of the building, at least in part, is to recognise the building's original function as a meeting place;</li> <li>b) recognition of the large open truss construction of the internal parts of the building;</li> <li>c) respect for the existing roofline and the original cladding style of the roof;</li> <li>d) materials for the existing walls may be replaced provided the appearance respects the original character; and</li> <li>e) the building could be extended out the back and side, provided the outline of the façade and roofline, as visible from the Albany Highway approach into Armadale, retains its character and shape.</li> </ol> 19.3 A Traffic Management Plan addressing site access and car parking both on and off site will need to be prepared and implemented, to the satisfaction of Council, as part of any development application for redevelopment of the land. 19.4 Vehicular access to Crystal Court shall be limited to residential uses only and may require a traffic study prior to Council granting approval. 19.5 In preparing and/or assessing any planning application for development approval, the applicant and the local government should consider the possible provision of access for vehicular and pedestrian movement and parking, together with drainage, where applicable over the adjacent Lot 100 (Pioneer Village Narrogin Inne premises) Albany Highway, in a manner satisfactory to the Local Government to ensure safe, convenient and integrated traffic circulation. Such an arrangement may require agreement with the landowners of Lot 100 Albany Highway. 19.6 Notification in the form of a Section 70A notification, pursuant to the <i>Transfer of Land Act 1893</i> (as amended) is to be placed on the Certificate of Title on Lot 17 South Western Highway, Armadale advising prospective purchasers that the lot may be affected by noise from the Water Corporation pump station on the adjoining Lot 18 South Western Highway.										
<p>Proposal 19 - Delete Restricted Use No.7 and Restricted Use No.8 from the Scheme Map and Schedule 3 of the Scheme Text.</p>													
<p>Proposal 20 - In Schedule 3 – Restricted Uses, delete Restricted Use No.12 and replace with the following:</p>													
	<table border="1"> <thead> <tr> <th data-bbox="373 1899 469 1951">No.</th> <th data-bbox="469 1899 620 1951">Description of Land</th> <th data-bbox="620 1899 868 1951">Restricted Use</th> <th data-bbox="868 1899 1299 1951">Conditions and Requirements (See Note 1)</th> </tr> </thead> <tbody> <tr> <td data-bbox="373 1951 469 2074">12.</td> <td data-bbox="469 1951 620 2074">Lot 1, Lot 330 and Lots 301 to 302 Abbey Road, Armadale.</td> <td data-bbox="620 1951 868 2074">All land uses permissible in the Strategic Regional Centre zone shall be 'X' Uses, with the exception</td> <td data-bbox="868 1951 1299 2074">           12.1 Development shall be in accordance with an approved Activity Centre Plan or Precinct Plan.            12.2 No vehicular access permitted from Armadale Road.         </td> </tr> </tbody> </table>	No.	Description of Land	Restricted Use	Conditions and Requirements (See Note 1)	12.	Lot 1, Lot 330 and Lots 301 to 302 Abbey Road, Armadale.	All land uses permissible in the Strategic Regional Centre zone shall be 'X' Uses, with the exception	12.1 Development shall be in accordance with an approved Activity Centre Plan or Precinct Plan. 12.2 No vehicular access permitted from Armadale Road.				
No.	Description of Land	Restricted Use	Conditions and Requirements (See Note 1)										
12.	Lot 1, Lot 330 and Lots 301 to 302 Abbey Road, Armadale.	All land uses permissible in the Strategic Regional Centre zone shall be 'X' Uses, with the exception	12.1 Development shall be in accordance with an approved Activity Centre Plan or Precinct Plan. 12.2 No vehicular access permitted from Armadale Road.										

AMENDMENT NO.	DESCRIPTION		SECTION
		of the following Discretionary (D) uses: <ul style="list-style-type: none"> <li>• Holiday Accommodation</li> <li>• Hotel</li> <li>• Multiple Dwellings</li> <li>• Reception Centre</li> <li>• Restaurant</li> <li>• Small Bar</li> <li>• Tavern</li> <li>• Motel</li> <li>• Exhibition Centre</li> </ul> The following land use is to be an (A) use: <ul style="list-style-type: none"> <li>• Grouped Dwellings</li> </ul>	12.3 Reception Centre, Restaurant, Tavern, Exhibition Centre and Small Bar shall only be permitted where the uses form part of an integrated Hotel / Motel / Holiday Accommodation development.
<p>Proposal 21 – Modify the Scheme Map and the table in Schedule 3 – Restricted Uses of the Scheme Text to include a new Restricted Use No.13 as follows:</p>			
No.	Description of Land	Restricted Use	Conditions
13.	<p>Lots 158 (19) to 162 (33), 500 (17) to 502, 153 (5 - 7) to 156 (11), 700 (3) Abbey Road, Armadale and Lots 51 (6), 800 (8), 150 (10), 146 (18) to 150 (10) 6 (20), 33, 12 (24) and 4 (26) Aragon Court, Armadale.</p> <p>Area bounded by and including Lot 43 (41) John Street, Lot 54 (28) William Street, Lot 60 (31) William Street, Lot 81 (28) Fourth Road, Lot 4 (27) Fourth Road and Lot 106 (20) Thomas Street, Armadale to the west; Thomas Street to the north; John Street to the south; and the South Western Highway to the east.</p>	<p>The following land uses are to be an (A) use in areas prescribed as semi-active edge only in an approved Structure Plan or Precinct Plan:</p> <ul style="list-style-type: none"> <li>• Restaurant</li> <li>• Convenience Store</li> <li>• Office</li> </ul> <p>The following land use is to be a (D) use:</p> <ul style="list-style-type: none"> <li>• Single House</li> </ul> <p>The following land use is to be a (A) use:</p> <ul style="list-style-type: none"> <li>• Grouped Dwelling</li> </ul>	13.1 Development shall be in accordance with an approved Activity Centre Plan or Precinct Plan.
<p>Proposal 22 – Modify Schedule 7A – Car Parking Standards of the Scheme Text to:</p>			
<p>(a) Insert the following paragraph between the heading “Schedule 7A – Car Parking Standards” and the Table:</p>			
<p>“The car parking standards for the City apply as per Table 1, with the exception of the Armadale Strategic Metropolitan City Activity Centre Structure Plan area where car parking standards apply as per Table 2.”</p>			
<p>(b) Insert a new heading “Table 1” above the Table.</p>			
<p>(c) Insert a new Table at the end of the Schedule as follows:</p>			
<p>Table 2 – Armadale Strategic Metropolitan City Centre”</p>			
Land Use	Minimum Parking Standard		
Residential	<p>In accordance with Clause 6.3.3 Criteria A (Properties within 800m of a high frequency rail line and/or within 250m of a high frequency bus route) for all residential development.</p> <p>A minimum of one in four bays shall be designated for visitor use, which may on agreement with the City of Armadale be publicly available.</p>		
Non-Residential Uses (Office and Shop)	<p>A capped rate of 1 space per 45m<sup>2</sup>.</p> <p>Reduction in car parking supply will be supported based on shared / reciprocal parking for retail and office use due to different peak periods.</p> <p>A minimum 10% of commercial / office and 50% of retail parking shall be designated publicly available.</p>		
Education Uses (Tertiary)	15 bays per 100 FTE’s (staff and students)		
Civic and Community Purpose	1 space per 50m <sup>2</sup> for community purpose and civic uses.		

AMENDMENT NO.	DESCRIPTION		SECTION												
	Other	Car parking for all other land uses is to be in accordance with Table 1.													
<p><b>Amendment No.105</b> <b>GG 28/7/20</b></p>	<p>Proposal 23 - Modify Schedule 7B – End of Trip Facilities for Bicycle Users by introducing the following notation:</p> <p>“All non-residential developments that are required to provide 6 or more employee bicycle parking bays in accordance with Schedule 7B, must also provide end of trip facilities meeting the following criteria:</p> <p>iv. A minimum of one female and one male shower, located in separate change rooms or a minimum of two separate unisex showers and change rooms.</p> <p>v. Additional shower facilities to be provided at a rate of one shower for every 10 additional bicycle parking bays.</p> <p>vi. End of trip facilities are to be located as close as possible to the bicycle parking facilities.”</p> <p>Proposal 24 – Modify the Table in Schedule 8 – Development (Structure Plan) Areas of the Scheme Text, and include corresponding changes on the Scheme Map, identifying a new Development Area No.66 as follows:</p> <table border="1" data-bbox="389 645 1299 1200"> <thead> <tr> <th data-bbox="389 645 525 689">No.</th> <th data-bbox="525 645 962 689">Description of Land</th> <th data-bbox="962 645 1299 689">Additional Provisions Applicable to Subdivision and Development</th> </tr> </thead> <tbody> <tr> <td data-bbox="389 689 525 1200">DA 66</td> <td data-bbox="525 689 962 1200"> <p>Armadale Strategic Metropolitan City Centre being the area:</p> <ul style="list-style-type: none"> <li>▪ bounded by Armadale Road (north), South Western Highway (east), John Street (south), Commerce Avenue and Neerigen Street (west);</li> <li>▪ bounded by Armadale Road (north), Abbey Road (west), Forrest Road (south) and Aragon Court (east); and</li> <li>▪ including Lot 100 (1) Little John Road; Lots 11 (479) to 13 (483), Lot 33 (489) and Lots 1 and 2 (493 and 495) Green Avenue, Armadale, Lots 31 (4) and 32 (2) Selkirk Road, Armadale; Lot 163 Church Avenue and Lot 162 Commerce Avenue; and Lots 17 (16), 123 (16) and Lot 157 (10) South Western Highway, Armadale, and Lot 49 (4) Crystal Court, Mount Richon.</li> </ul> </td> <td data-bbox="962 689 1299 1200">66.1 Generally in accordance with an approved Activity Centre Structure Plan or Precinct Plan</td> </tr> </tbody> </table> <p>Proposal 25 - Modify the objectives of the ‘Strategic Regional Centre’ under Section 3.2.11 of the Scheme Text to read as follows:</p> <p>“Strategic Regional Centre</p> <p>(a) To designate land for future development in the Armadale Strategic Metropolitan City Centre.</p> <p>(b) To provide a basis for future detailed planning in accordance with the structure planning provisions of this Scheme or the Activity Centres State Planning Policy.”</p> <p>A. Include the Champion Drive Precinct as designated on the Scheme Amendment Map into the Scheme boundary;</p> <p>B. Rezone the Champion Drive Precinct as depicted on the Scheme Amendment Map from unzoned to -</p> <ol style="list-style-type: none"> <li>1. Urban Development Zone;</li> <li>2. Residential;</li> <li>3. Parks and Recreation local reserve; and</li> <li>4. Code subdivided Residential land R17.5, R20, R25, R35 and R40 .</li> </ol> <p>C. Include the following additional Clause under Part 4.5 of the Scheme Local Development Plans approved under a repealed redevelopment scheme are to operate as if they were approved under the Scheme, with any provisions which refer to repealed redevelopment area requirements being applied at the local government s discretion.</p> <p>D. Amend Special Control Area Maps 1-3 to remove the Armadale Redevelopment Area Boundary and text stating See Armadale Redevelopment Scheme from the Champion Drive Precinct.</p> <p>E. Designate Development Area No.50 over the southern portion of the Champion Drive Precinct as depicted on the Special Control Area Map 3;</p> <p>F. Amend Schedule 8 Development (Structure Planning) Areas to include the following additional provisions relating to Development Area 50 -</p> <table border="1" data-bbox="389 2022 1299 2074"> <thead> <tr> <th data-bbox="389 2022 501 2074">No.</th> <th data-bbox="501 2022 738 2074">Description of Land</th> <th data-bbox="738 2022 1299 2074">Additional provision applicable to subdivision and development</th> </tr> </thead> <tbody> <tr> <td data-bbox="389 2074 501 2074"></td> <td data-bbox="501 2074 738 2074"></td> <td data-bbox="738 2074 1299 2074"></td> </tr> </tbody> </table>		No.	Description of Land	Additional Provisions Applicable to Subdivision and Development	DA 66	<p>Armadale Strategic Metropolitan City Centre being the area:</p> <ul style="list-style-type: none"> <li>▪ bounded by Armadale Road (north), South Western Highway (east), John Street (south), Commerce Avenue and Neerigen Street (west);</li> <li>▪ bounded by Armadale Road (north), Abbey Road (west), Forrest Road (south) and Aragon Court (east); and</li> <li>▪ including Lot 100 (1) Little John Road; Lots 11 (479) to 13 (483), Lot 33 (489) and Lots 1 and 2 (493 and 495) Green Avenue, Armadale, Lots 31 (4) and 32 (2) Selkirk Road, Armadale; Lot 163 Church Avenue and Lot 162 Commerce Avenue; and Lots 17 (16), 123 (16) and Lot 157 (10) South Western Highway, Armadale, and Lot 49 (4) Crystal Court, Mount Richon.</li> </ul>	66.1 Generally in accordance with an approved Activity Centre Structure Plan or Precinct Plan	No.	Description of Land	Additional provision applicable to subdivision and development				<p>Scheme Maps</p> <p>Schedule 8</p> <p>Clause 4.5</p>
No.	Description of Land	Additional Provisions Applicable to Subdivision and Development													
DA 66	<p>Armadale Strategic Metropolitan City Centre being the area:</p> <ul style="list-style-type: none"> <li>▪ bounded by Armadale Road (north), South Western Highway (east), John Street (south), Commerce Avenue and Neerigen Street (west);</li> <li>▪ bounded by Armadale Road (north), Abbey Road (west), Forrest Road (south) and Aragon Court (east); and</li> <li>▪ including Lot 100 (1) Little John Road; Lots 11 (479) to 13 (483), Lot 33 (489) and Lots 1 and 2 (493 and 495) Green Avenue, Armadale, Lots 31 (4) and 32 (2) Selkirk Road, Armadale; Lot 163 Church Avenue and Lot 162 Commerce Avenue; and Lots 17 (16), 123 (16) and Lot 157 (10) South Western Highway, Armadale, and Lot 49 (4) Crystal Court, Mount Richon.</li> </ul>	66.1 Generally in accordance with an approved Activity Centre Structure Plan or Precinct Plan													
No.	Description of Land	Additional provision applicable to subdivision and development													

AMENDMENT NO.	DESCRIPTION		SECTION	
	50.	<p>Champion Drive Precinct Residential development area bounded by Westfield Road, Kalanchoe Approach, Blaxland Elbow, Seville Drive, Heathcote Road, Sullivan Road and Champion Drive. Also includes Lot 30 Champion Drive, Lot 801 Gilliam Drive, and Lot 9502 and 9503 on Deposited Plan 401884.</p>	<p>50.1 Comprehensive planning for the area shall be undertaken by preparation of a Structure Plan to guide subdivision and development.</p> <p>50.2 (a) Public Open Space areas are to be designated in the Structure Plan to protect the vegetation mapped as Eucalypt Woodland and Open Eucalypt Grassland on Figure 3.3 of the Champion Drive Black Cockatoo Habitat Assessment and Level 1 Fauna Assessment prepared by Biologic Environmental Survey and dated October 2019 (Revision No.3) –</p> <ul style="list-style-type: none"> <li>i. At Lot 13 Seville Drive identified on Diagram D017641;</li> <li>ii. In the north-western corner of Lot 7 Seville Drive identified on Diagram D016112; and,</li> <li>iii. In the south-eastern half of Lot 9002 Westfield Road identified on Plan P401883.</li> </ul> <p>The Public Open Space areas shall be ceded free of cost to the Crown for conservation and recreation purposes –</p> <ul style="list-style-type: none"> <li>(b) Prior to any earthworks Black Cockatoo habitat trees outside of the areas identified in a) above, will be identified for retention to be retained and protected in accordance with AS 4970-2009. It is recommended native vegetation (particularly Black Cockatoo foraging species), potential breeding trees and all trees containing hollows are retained wherever possible.</li> <li>(c) If clearing is proposed to be undertaken during the Black Cockatoo breeding season a survey will be undertaken immediately prior to clearing to inspect the hollows of all trees identified as having potential nesting hollows to confirm the nesting status of each. If any trees are identified as being used by Black Cockatoos for breeding at the time, the tree will not be removed until the Black Cockatoos have relocated.</li> </ul> <p>50.3 Should an application for subdivision be received for balance Lots 9502 or 9503 on Deposited Plan 401884, or Lot 30 Champion Drive that is generally consistent with the previous Champion Drive Structure Plan dated 27/5/2008, a new Structure Plan is not required to guide subdivision of these three lots.</p> <p>50.4 Radley Street is to be extended at least to the north-eastern boundary of Lot 9503 on Deposited Plan 401884.</p> <p>50.5 The Structure Plan should identify the location for a primary school site to the satisfaction of the City, in consultation with the Department of Education.</p>	
G. Amend the Scheme Map accordingly.				

AMENDMENT NO.	DESCRIPTION	SECTION												
<p><b>Amendment No.107</b> <b>GG 28/07/20</b></p>	<p>It is hereby notified for public information, in accordance with section 87 of the Planning and Development Act 2005 that the Minister for Planning approved the City of Armadale Town Planning Scheme amendment on 22 June 2020 for the purpose of</p> <p>(a) Include the Forrestdale Business Park East Project Area as designated on the Scheme Amendment Map into the Schemes boundary, excluding Lot 9500 Armadale Road;</p> <p>(b) Rezone the Forrestdale Business Park East Project Area as depicted on the Scheme Amendment Map from unzoned to -</p> <p>(i) General Industry zone;</p> <p>(ii) Industrial Business zone;</p> <p>(iii) Parks and Reservation (local) reserves; and</p> <p>(iv) Public Purposes Water Authority of WA local reserve.</p> <p>(c) Amend Special Control Area Maps 1-3 to remove the Metropolitan Redevelopment Area Boundary and text stating See Metropolitan Redevelopment Scheme from the Forrestdale Business Park East Project Area;</p> <p>(d) Amend the Zoning Table to designate Trade Supplies Use Class as a D use within the General Industry zone;</p> <p>(e) Amend Schedule 2 Additional Uses to include the following new Additional Use-</p> <table border="1" data-bbox="389 786 1299 1462"> <thead> <tr> <th>No.</th> <th>Description of Land</th> <th>Additional Use</th> <th>Conditions and Requirements (see Note 1)</th> </tr> </thead> <tbody> <tr> <td>45.</td> <td>Lot 276 (No.17), 277 (No.19), 278 (No.21) and 294 (No.37) Edison Circuit, Forrestdale, and Lot 280 (No.28) Da Vinci Way, Forrestdale.</td> <td>Permitted (P) Uses - • Bulky Goods Showroom</td> <td>45.1 In determining any planning applications for development approval the local government shall have regard to the compatibility of proposed uses with the existing use of the site and any Additional Use, which are permissible under the Additional Use provisions.</td> </tr> <tr> <td>48.</td> <td>Lot 4 (No. 15) Alex Wood Drive, Forrestdale.</td> <td>Permitted (P) Uses Office</td> <td>48.1 In determining any planning application for development approval the local government shall have regard to the compatibility of proposed uses with the existing use of the site and any Additional Uses, which are permissible under the Additional Use provisions.</td> </tr> </tbody> </table> <p>f) Amend the Scheme Map accordingly.</p>	No.	Description of Land	Additional Use	Conditions and Requirements (see Note 1)	45.	Lot 276 (No.17), 277 (No.19), 278 (No.21) and 294 (No.37) Edison Circuit, Forrestdale, and Lot 280 (No.28) Da Vinci Way, Forrestdale.	Permitted (P) Uses - • Bulky Goods Showroom	45.1 In determining any planning applications for development approval the local government shall have regard to the compatibility of proposed uses with the existing use of the site and any Additional Use, which are permissible under the Additional Use provisions.	48.	Lot 4 (No. 15) Alex Wood Drive, Forrestdale.	Permitted (P) Uses Office	48.1 In determining any planning application for development approval the local government shall have regard to the compatibility of proposed uses with the existing use of the site and any Additional Uses, which are permissible under the Additional Use provisions.	<p>Scheme Map Zoning Table Special Control Area Map 3 Schedule 2</p>
No.	Description of Land	Additional Use	Conditions and Requirements (see Note 1)											
45.	Lot 276 (No.17), 277 (No.19), 278 (No.21) and 294 (No.37) Edison Circuit, Forrestdale, and Lot 280 (No.28) Da Vinci Way, Forrestdale.	Permitted (P) Uses - • Bulky Goods Showroom	45.1 In determining any planning applications for development approval the local government shall have regard to the compatibility of proposed uses with the existing use of the site and any Additional Use, which are permissible under the Additional Use provisions.											
48.	Lot 4 (No. 15) Alex Wood Drive, Forrestdale.	Permitted (P) Uses Office	48.1 In determining any planning application for development approval the local government shall have regard to the compatibility of proposed uses with the existing use of the site and any Additional Uses, which are permissible under the Additional Use provisions.											
<p><b>Amendment No.108</b> <b>GG 28/07/20</b></p>	<p>It is hereby notified for public information, in accordance with section 87 of the Planning and Development Act 2005 that the Minister for Planning approved the City of Armadale Town Planning Scheme amendment on 22 June 2020 for the purpose of</p> <p>a. Include the West of Rail and Railway Precincts as designated on the Scheme Amendment Map into the Scheme boundary;</p> <p>b. Rezone the West of Rail and Railway Precincts as depicted on the Scheme Amendment Map from unzoned to</p> <p>(i) Mixed Business/Residential ;</p> <p>(ii) Strategic Regional Centre ;</p> <p>(iii) Railways Reservation; and</p> <p>(iv) Code Mixed Business/Residential and Strategic Regional Centre zoned land R-AC0 .</p> <p>c. Amend Schedule 2 Additional Uses to include the following new Additional Use-</p> <table border="1" data-bbox="389 1928 1299 2078"> <thead> <tr> <th>No.</th> <th>Description of Land</th> <th>Additional Use</th> <th>Conditions and Requirements (see Note 1)</th> </tr> </thead> <tbody> <tr> <td>46.</td> <td>Strata Lots 1-5 (No.20)</td> <td>Permitted (P) Uses - • Bulky Goods Showroom</td> <td>46.1 In determining any planning application for development approval the local</td> </tr> </tbody> </table>	No.	Description of Land	Additional Use	Conditions and Requirements (see Note 1)	46.	Strata Lots 1-5 (No.20)	Permitted (P) Uses - • Bulky Goods Showroom	46.1 In determining any planning application for development approval the local	<p>Scheme Map Schedule 2 Schedule 8</p>				
No.	Description of Land	Additional Use	Conditions and Requirements (see Note 1)											
46.	Strata Lots 1-5 (No.20)	Permitted (P) Uses - • Bulky Goods Showroom	46.1 In determining any planning application for development approval the local											

AMENDMENT NO.	DESCRIPTION			SECTION
	Forrest Road, Armadale		government shall have regard to the compatibility of proposed uses with the existing use of the site and any Additional Uses, which are permissible under the Additional Use provisions.	
	d. Amend Schedule 8 Development (Structure Planning) Areas to include the following new provision relating to Development Area 65 -			
		No.	Additional provision applicable to subdivision and development	
	65.	Description of Land	65.1 Comprehensive planning for the area shall be undertaken by preparation of a Structure Plan to guide subdivision and development.	
<p style="text-align: center;"><b>Amendment No.109 GG 26/11/21</b></p>	<p>It is hereby notified for public information, in accordance with section 87 of the Planning and Development Act 2005 that the Minister for Planning approved the City of Armadale Town Planning Scheme amendment on 16 November 2021 for the purpose of—</p> <p>1. Amending the Scheme Map as follows—</p> <p>a. Rezoning the following lots from “<i>Residential</i>” zone to “<i>Parks and Recreation</i>” reserve—</p> <p>Lot 2368 Dale Road Armadale  Lot 4120 Woodcroft Place, Mount Richon  Lot 2468 Ironcap Place  Lot 2904 Tomah Road Armadale  Lot 4157 Albens Vale, Roleystone  Lot 4159 Rubida Rise, Roleystone  Lot 5028 Indica Court, Roleystone  Lot 830 Zavatteri Rise, Roleystone  Lot 8000 Moseri Road, Roleystone  Lot 802 Heath Road, Roleystone  Lot 2247 Adair Avenue, Mount Nasura  Lot 4999 Brookton Highway, Kelmscott  Lot 3860 Henrietta Avenue, Mount Nasura  Lot 3964 Kincaig Close, Camillo  Lot 616 Edinburgh Road, Seville Grove  Lot 457 Lomond Way, Seville Grove  Lot 101 Ticklie Road, Seville Grove  Lot 3918 Lisbon Way, Seville Grove  Lots 8002, 8005, 8006, 8007 Ralphs Street, Seville Grove  Lot 4927 Braemore Street, Seville Grove  Lot 11 Skua Grove, Seville Grove  Lot 122 Semple Road, Camillo  Lot 3442 Bishop Close, Seville Grove  Lot 212 Asplin Loop, Kelmscott  Lot 167 Amethyst Crescent, Mount Richon  Lot 66 Wilcania Way, Armadale  Lot 300 Ninth Road, Brookdale</p> <p>b. rezoning of Lot 4163 Richon Heights, Mount Richon, Lot 3877 Cooliabbera Drive, Mount Richon and Lot 3876 Leys Rise, Mount Richon from “<i>Rural Living 1</i>” to “<i>Parks and Recreation</i>” reserve;</p> <p>c. rezoning of Lot 503 Thompson Road, Roleystone from “<i>Rural Living 2</i>” to “<i>Parks and Recreation</i>” reserve;</p>			<p style="text-align: center;">Scheme Map Zoning Table Schedule A Schedule 2 Schedule 7A</p>

AMENDMENT NO.	DESCRIPTION	SECTION						
	<p>d. rezoning of Lot 352 and 451 Weld Street and Robinson Street Forrestdale from “<i>Public Purpose</i>” to “<i>Parks and Recreation</i>” reserve;</p> <p>e. rezoning of Lots 500 and 501 Ranford Road Harrisdale from “<i>Urban Development</i>” zone to “<i>Parks and Recreation</i>” reserve;</p> <p>f. rezoning of a portion of Lot 308 Calliandra Place, Roleystone from “<i>Residential</i>” zone to “<i>Parks and Recreation</i>” reserve;</p> <p>g. rezoning of a portion of Reserve 32120 from “<i>Parks and Recreation</i>” reserve to “<i>Residential</i>” zone;</p> <p>h. rezoning of Lot 11 Godwit Retreat, Bedforddale from “<i>Unzoned</i>” reserve (regional) to “<i>Rural Living 10</i>” zone; and</p> <p>i. rezoning of portion of Lot 820 Old Coach Place, Roleystone from “<i>Unzoned</i>” reserve (regional) to “<i>Residential</i>” zone.</p> <p>2. Insert new subclause under Clause 1.6 as follows—  “(m) To prioritise the protection of life and property from bushfire attack where areas with an elevated bushfire risk are being planned for new development having regard to the objectives of retaining native vegetation and biodiversity.”</p> <p>3. Amending the Land Use Permissibility for “Consulting Room” and “Medical Centre” Use Classes to a “D” in “Mixed Business/Residential” and “P” under “Strategic Regional Centre” under the Zoning Table.</p> <p>4. Insert a new Clause into Schedule A—Supplemental Provisions to the Deemed Provisions—  “Clause 60(a) The Local Government may appoint a Design Review Panel for the purposes of considering and advising the Local Government with respect to applications and/or planning documents.  Clause 60(b) The Local Government shall prepare and adopt a local planning policy that details the operation of the Design Review Panel and specifies the matters on which the Design Review Panel will be consulted.  Clause 60(c) When considering applications and/or planning documents on which a recommendation has been made by the Design Review Panel, the decision-maker shall have due regard for that recommendation.  Clause 67(zc) Include any advice of a Design Review Panel.”</p> <p>5. Modify subclause (b) under Section 4C.5.3 as follows—  “(b) provision of shade trees at a rate of one (1) tree per four (4) parking bays planted at intervals of no greater than 10 metres along any line of car parking bays. Where those bays are immediately adjacent to a building, the City may permit the required trees in another location of site.”</p> <p>6. Modify Section 4D.4.3 as follows—  “(a) a minimum 2-metre-wide landscaping strip across all street boundaries;  (b) a minimum 3-metre-wide landscape strip along all street boundaries within the ‘General Industry’ and ‘Industrial Business’ zone areas bound by Armadale Road, Ranford Road and Tonkin Highway.  (c) provision of shade trees at a rate of one (1) tree per four (4) parking bays planted at intervals of no greater than 10 metres along any line of car parking bays. Where those bays are immediately adjacent to a building, the City may permit the required trees in another location on site.”</p> <p>7. Delete Additional Use 28 under Schedule 2 and amend the Scheme map accordingly.</p> <p>8. Insert a new Additional Use 49 into Schedule 2 as follows—</p> <table border="1" data-bbox="443 1765 1299 1951"> <thead> <tr> <th>No.</th> <th>Description of Land</th> <th>Additional Use</th> </tr> </thead> <tbody> <tr> <td>49</td> <td>Lot 1 (1256) Armadale Road, Armadale (Haynes Shopping Centre)</td> <td>The local government may at its discretion, permit the following uses (D uses) <ul style="list-style-type: none"> <li>Bulky Goods Showroom</li> </ul> </td> </tr> </tbody> </table> <p>9. Modify the “<i>Residential Buildings</i>” Car Parking Requirements under Schedule 7A to read as follows—  “1 space per bed and 1 space per staff member present at any one time.”</p>	No.	Description of Land	Additional Use	49	Lot 1 (1256) Armadale Road, Armadale (Haynes Shopping Centre)	The local government may at its discretion, permit the following uses (D uses) <ul style="list-style-type: none"> <li>Bulky Goods Showroom</li> </ul>	
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AMENDMENT NO.	DESCRIPTION	SECTION						
<p><b>Amendment No.110</b> <b>GG 28/5/21</b></p>	<p>It is hereby notified for public information, in accordance with section 87 of the Planning and Development Act 2005 that the Minister for Planning approved the City of Armadale Town Planning Scheme amendment on 20 May 2021 for the purpose of—</p> <ol style="list-style-type: none"> <li>1. Pursuant to Section 75 of the Planning and Development Act 2005, initiate Amendment No.110 to Town Planning Scheme No.4 as follows— <ol style="list-style-type: none"> <li>B. Amend Clause 3.14 in Schedule 9B—Development Contribution Plan No. 3 by changing the words ‘fifteen (15) years’ to ‘twenty (20) years’.</li> </ol> </li> </ol>	<p>Schedule 9B</p>						
<p><b>Amendment No.113</b> <b>GG 1/4/21</b></p>	<p>It is hereby notified for public information, in accordance with section 87 of the Planning and Development Act 2005 that the Minister for Planning approved the City of Armadale Local Planning Scheme amendment on 24 March 2021 for the purpose of—</p> <ol style="list-style-type: none"> <li>(a) Amend the Scheme maps to rezone Lot 3 (799) Armadale road and Lot 301 (12) Anstey Road, Forrestdale from “Urban Development” to “Local Centre”; and</li> <li>(b) Amending Special Control Area Map No.3 by amending the boundary of Development Area 51 to exclude Lot 3 Armadale Road and Lot 301 Anstey Road, Forrestdale.</li> </ol>	<p>Scheme Maps Special Control Area Map No.3</p>						
<p><b>Amendment No.114</b> <b>GG 1/6/21</b></p>	<p>It is hereby notified for public information, in accordance with section 87 of the Planning and Development Act 2005 that the Minister for Planning approved the City of Armadale Town Planning Scheme amendment on 20 May 2021 for the purpose of—</p> <ol style="list-style-type: none"> <li>a. Include Lot 9500 Armadale Road, Forrestdale as designated on the Scheme Amendment Map into the Scheme boundary;</li> <li>b. Rezone Lot 9500 Armadale Road, Forrestdale as depicted on the Scheme Amendment Map from unzoned to ‘Industrial Development’ zone;</li> <li>c. Amend Special Control Area Map 3 to designate Development Area No.69 over Lot 9500 Armadale Road, Forrestdale as depicted on the Special Control Area Map 3;</li> <li>d. Amend Schedule 8—Development (Structure Planning) Areas to include the following new Development Area—</li> </ol> <table border="1" data-bbox="387 1111 1299 2029"> <thead> <tr> <th data-bbox="387 1111 469 1189">No.</th> <th data-bbox="469 1111 738 1189">Description of Land</th> <th data-bbox="738 1111 1299 1189">Additional provision applicable to subdivision and development</th> </tr> </thead> <tbody> <tr> <td data-bbox="387 1189 469 2029">69.</td> <td data-bbox="469 1189 738 2029">Lot 9500 Armadale Road, Forrestdale</td> <td data-bbox="738 1189 1299 2029"> <p>69.1 Prior to any subdivision or development, comprehensive planning shall be undertaken by the preparation of a Structure Plan to guide subdivision and development.</p> <p>69.2 Any Structure Plan shall be accompanied by detailed plans and environmental studies of the Conservation Category Wetland and its buffers on the subject site including, but not limited to—</p> <ol style="list-style-type: none"> <li>1. flora assessment;</li> <li>2. fauna assessment;</li> <li>3. wetland management plan;</li> <li>4. local water management strategy; and</li> <li>5. bushfire management plan</li> </ol> <p>The recommendations of the above plans and environmental studies shall be implemented and any environmental assets protected in the Structure Plan and at the subdivision and/or development stages to the satisfaction of the determining authority on advice from the Department of Water and Environmental Regulation and the Department of Biodiversity, Conservation and Attractions.</p> <p>Any necessary fire management requirements should be provided for within</p> </td> </tr> </tbody> </table>	No.	Description of Land	Additional provision applicable to subdivision and development	69.	Lot 9500 Armadale Road, Forrestdale	<p>69.1 Prior to any subdivision or development, comprehensive planning shall be undertaken by the preparation of a Structure Plan to guide subdivision and development.</p> <p>69.2 Any Structure Plan shall be accompanied by detailed plans and environmental studies of the Conservation Category Wetland and its buffers on the subject site including, but not limited to—</p> <ol style="list-style-type: none"> <li>1. flora assessment;</li> <li>2. fauna assessment;</li> <li>3. wetland management plan;</li> <li>4. local water management strategy; and</li> <li>5. bushfire management plan</li> </ol> <p>The recommendations of the above plans and environmental studies shall be implemented and any environmental assets protected in the Structure Plan and at the subdivision and/or development stages to the satisfaction of the determining authority on advice from the Department of Water and Environmental Regulation and the Department of Biodiversity, Conservation and Attractions.</p> <p>Any necessary fire management requirements should be provided for within</p>	<p>Schedule 8 Scheme Maps</p>
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AMENDMENT NO.	DESCRIPTION		SECTION
		the industrial portion of the lot and should not impact the wetland or its buffers.	
	e. Amend the Scheme Map accordingly.		
<p style="text-align: center;"><b>Amendment No.115 GG 2/12/22</b></p>	<p>It is hereby notified for public information, in accordance with section 87 of the <i>Planning and Development Act 2005</i> that the Minister for Planning approved the City of Armadale Town Planning Scheme amendment on 14 November 2022 for the purpose of—</p> <p><b>Proposal 1</b></p> <p>A. Amending Special Control Map 3 to include the Piara Waters West (Warton Road) Urban Precinct;</p> <p><b>Proposals 2,3 and 5</b></p> <p>B. Amend Clause 3.6.3 (8) (e) of Schedule 9B by inserting the words ‘land acquisition’ following the words ‘100% of the total cost to construct sporting and community facilities, including’, and inserting the words ‘where applicable in the West Piara Urban Precinct identified in MRS Amendment 1369/57, and in Harrisdale within the area generally bounded by Ranford Road, Wright Road, Reilly Road and Skeet Road.’ Following the words ‘abutting proposed primary schools’;</p> <p>C. Amend Clause 3.6.3 (8) (f) of Schedule 9B by deleting all of the words that follow ‘A contribution as defined in Infrastructure Cost Schedule to the total cost to construct a senior multiple purpose sporting oval’ and replacing these words with the following ‘and acquire land where applicable as follows—</p> <p>(i) adjoining each of the public primary schools where applicable minus contributions from the Department of Education when they become available for ovals shared with public primary schools;</p> <p>(ii) a senior multiple purpose sporting oval in the West Piara Urban Area identified in MRS Amendment 1369/57;</p> <p>(iii) a senior multiple purpose sporting oval in Harrisdale within the area generally bounded by Ranford Road, Wright Road, Reilly Road and Skeet Road; and</p> <p>(iv) a senior multiple purpose sporting oval on Lot 48 Nicholson Road’.</p> <p><b>Proposal 4</b></p> <p>D. Amend Clause 3.6.3 (10) by deleting the words ‘Conservation Category’ from the heading of the clause;</p> <p>E. Amend Clause 3.6.3 (10) by adding the following: ‘(b) Contribution towards the cost of acquisition and/or betterment of rehabilitated wetlands (as amended) and identified on an approved structure plan’;</p> <p><b>Proposal 6</b></p> <p>F. Amend Clause 3.4.2 of Schedule 9B by adding the word ‘base’ following the words ‘based on a’ and adding the words ‘and where applicable, an additional Cost Contributions Per Lot’ following the words ‘Cost Contribution Per Lot’;</p> <p>G. Amend Clause 3.4.2 (a) of Schedule 9B by inserting the word ‘base’ between the words ‘The’ and the words ‘Cost Contribution Per Lot’, and inserting the words ‘of Infrastructure which is subject to the base Cost Contribution as specified in the Infrastructure Cost Schedule’ following the words ‘Net Common Infrastructure Costs’.</p> <p>H. Amend Clause 3.4.2 (a) (i) of Schedule 9B by inserting the word ‘base’ following the words ‘A = gross cost of’ and inserting the words ‘as prescribed in the Infrastructure Cost Schedule’ following the words ‘estimated future costs’;</p> <p>I. Amend Clause 3.4.2 (a) (i) of Schedule 9B by adding the words ‘where the base cost contribution per lot applies’ following the words ‘B = payments made to date by owners of land who subdivide or develop land within the Development Contribution Area’;</p> <p>J. Amend Clause 3.4.2 (a) (i) (1) of Schedule 9B at the second dot point by deleting all of the words that follow ‘of 14.6 lots per hectare’ and replacing these words with the following words ‘for the Area equivalent of the land holding of an owner after 28 October 2014 onwards and prior to the gazettal of Amendment No. 115; and</p> <p>K. Amend Clause 3.4.2 (a) (i) (I) of Schedule 9B by adding a third dot point to follow the second dot point which reads as follows ‘- the lots produced at the density rate prescribed in the Infrastructure Cost Schedule from gazettal of Amendment No. 115; or</p> <p>L. Amend Clause 3.4.2 (b) of Schedule 9B by inserting the word ‘base’ following the word ‘The’, inserting the words ‘where the base cost contribution per lot rate applies as specified in the Infrastructure Cost Schedule’ following the words ‘Cost Contribution payable by each owner of land in the Development Contribution Area’, and inserting the word ‘base’ following the words ‘ is calculated by multiplying the number of freehold lots produced from the owner’s land by’;</p> <p>M. Amend Clause 3.4.2 by adding the following provisions to follow (b)—</p>		<p style="text-align: center;">Special Control Map 3</p> <p style="text-align: center;">Schedule 9B</p>

AMENDMENT NO.	DESCRIPTION	SECTION
	<p>‘(c) The additional Cost Contribution Per Lot is determined by first deriving the Net Common Infrastructure Costs of Infrastructure which is subject to the additional Cost Contribution as specified in the Infrastructure Cost Schedule—</p> <p>(i) <math>A1 - B1 = C1</math> Where—</p> <p>A1 = gross cost of Common Infrastructure Works being the total of fixed actual and estimated future costs as prescribed in the Infrastructure Cost Schedule, which will be based on costs estimated no more than 12 months in advance. Such estimates may be based on an average for each Common Infrastructure work cost and shall recognise all factors affecting the development of the relevant Development Contribution Area and associated constraints the local government will encounter in the provision of the Common Infrastructure Works. This shall include (but not be limited to) variable market conditions and the nexus between the time frame of development and provision of Common Infrastructure Works.</p> <p>B1 = payments made to date by owners of land who subdivide or develop land within the Development Contribution Area where the additional cost contribution per lot applies calculated on the basis of whichever is the lesser of—</p> <p>(1) the lots produced at the density rate prescribed in the Infrastructure Cost Schedule from gazettal of Amendment 115; or</p> <p>(2) the actual number of lots produced by the land holding of an owner where the additional cost contribution rate applies;</p> <p>C1 = Common Infrastructure work costs;</p> <p>and then dividing the Common Infrastructure work costs by the subdivision potential of the balance of the Area of the Development Contribution Area remaining unsubdivided where the additional cost contribution per lot rate applies, excluding those land uses in Clause 3.3 of Development Contribution Plan No. 3 and Clause 5A4.4, and multiplying that area by the density rate prescribed in the Infrastructure Cost Schedule.</p> <p>(ii) <math>C1 \div D1 = E1</math> Where—</p> <p>D1 = the number of lots to be produced to achieve the density rate prescribed in the Infrastructure Cost Schedule for the area equivalent of the unsubdivided balance area of the Development Contribution Area where the additional cost contribution per lot rate applies, excluding those land uses in Clause 3.3 of Development Contribution Plan No. 3 and Clause 5A4.4; E1 = the additional Contribution Cost Per Lot.</p> <p>E1 = the additional Contribution Cost Per Lot.</p> <p>(d) the additional Cost Contribution payable by each owner of land in the Development Contribution Area where an additional rate applies as specified in the Infrastructure Cost Schedule, is calculated by multiplying the number of freehold lots produced from the owner’s land by the additional Contribution Cost Per Lot’;</p> <p>N. Renumber Clause 3.4.2 Clause (c) to Clause (e) accordingly.</p> <p><b>Proposal 7</b></p> <p>O. Amend Clause 3.4.2 (a) (i) (2) of Schedule 9B by inserting the word ‘where the base cost contribution per lot rate applies’ following the words ‘C = Common Infrastructure work costs; and then dividing the Common Infrastructure work costs by the subdivision potential of the balance of the Area of the Development Contribution Area remaining unsubdivided’, and deleting the word ‘14.6’ following the words ‘excluding those land uses in Clause 3.3 of Development Contribution Plan No. 3 and Clause 5A4.4, and multiplying that area by’, and inserting the following words ‘the density rate prescribed in the Infrastructure Cost Schedule.’</p> <p>P. Amend Clause 3.4.2 (a) (ii) (2) of Schedule 9B by deleting the words ‘14.6 lots per hectare’ following the words ‘D = the number of lots to be produced to achieve’ and replacing this with the following words ‘the density rate prescribed in the Infrastructure Cost Schedule.’ and inserting the words ‘where the base cost contribution per lot rate applies,’ to follow the words ‘for the area equivalent of the unsubdivided balance area of the Development Contribution Area’.</p> <p><b>Proposal 8</b></p> <p>Q. Amend Clause 5A.3.3 of TPS No. 4 by adding the words ‘and/or development’ after the word ‘subdivision’ where this word occurs; and</p> <p>R. Amend Clause 5A.3.4 of TPS No. 4 by adding the words ‘and/or development’ after the word ‘subdivision’ where this word occurs.</p> <p><b>Proposal 9</b></p> <p>S. Amend Clause 3.6.2 (b) of Schedule 9B by replacing words ‘Conservation Category Wetlands’ following words ‘community facilities and’ with the word ‘wetlands’.</p>	

AMENDMENT NO.	DESCRIPTION	SECTION						
<p style="text-align: center;"><b>Amendment No.116 GG 8/8/23</b></p>	<p>It is hereby notified for public information, in accordance with section 87 of the <i>Planning and Development Act 2005</i> that the Minister for Planning approved the City of Armadale Town Planning Scheme amendment on 2 August 2023 for the purpose of -</p> <ol style="list-style-type: none"> <li>a. Rezoning Lot 10 and portion of Lot 12 (863) Rowley Road, Lots 5 (596), 7 and 9 Oxley Road and Lot 5066 Kargotich Road Forrestdale from “Rural Living 20” zone to “Industrial Development” zone as shown on the Scheme Amendment map and amend the Scheme Maps accordingly;</li> <li>b. Amend Special Control Area Map 3 to extend the boundaries of Development Area 46 to include Lot 10 and portion of Lot 12 (863) Rowley Road, Lots 5 (596), 7 and 9 Oxley Road and Lot 5066 Kargotich Road, Forrestdale; and</li> <li>c. Amend Schedule 8 Development (Structure Plan) Areas in the Scheme Text by - <ol style="list-style-type: none"> <li>i. Amending the “Description of Land” for Development Area 46 to include the land the subject of Amendment No.116 as follows - “South Forrestdale Industrial Area” - Lot 6, 8 and 200 Rowley Rd, Forrestdale (Stage 1) and Lot 10 and portion of Lot 12 (863) Rowley Rd, Lots 5 (596), 7 and 9 Oxley Rd and Lot 5066 Kargotich Road, Forrestdale (Stage 2)”.</li> <li>ii. Amending provision 46.3 to the following - <p>46.3 The Structure Plan shall make adequate provision for the protection of adjoining Conservation Category Wetlands, Bush Forever land and Regional Parks and the Resource Enhancement Wetland on Lot 8 Rowley Road to the satisfaction of the Environmental Protection Authority and the local government through -</p> <ol style="list-style-type: none"> <li>(a) The provision of appropriate buffers between future industrial development and the Bush Forever site and Conservation Category Wetland on Lot 12 and environmentally sensitive areas abutting the northern boundaries of Lots 5, 7 and 9 Oxley Road. The buffer areas are to be detailed on the Structure Plan. The extent/width of the buffers is to be to the satisfaction of the EPA and the DBCA.</li> <li>(b) A Buffer Management Plan for the buffer areas determined by the EPA and DBCA. The Buffer Management Plan is to address the retention of any native vegetation within the buffer, revegetation of cleared areas, bushfire management, access and drainage. The Buffer Management Plan is to be prepared in consultation with the Department of Biodiversity, Conservation and Attractions to the satisfaction of the local authority.</li> <li>(c) At the Subdivision stage, the land identified for buffer areas is to be ceded free of cost as reserves for Public Open Space and Drainage.</li> </ol> </li> <li>iii. Adding a part c, to provision 46.4 as follows - <ol style="list-style-type: none"> <li>c. A Local Water Management Strategy which, in addition to standard matters, addresses the location and design of any proposed stormwater drainage features within the buffer. The Local Water Management Strategy is to be prepared in consultation with the Department of Water and Environmental Regulation to the satisfaction of the local authority.</li> </ol> </li> </ol> </li> </ol>	<p style="text-align: center;"><b>Scheme Amendment Map</b></p> <p style="text-align: center;"><b>Special Control Area Map 3</b></p> <p style="text-align: center;"><b>Schedule 8</b></p>						
<p style="text-align: center;"><b>Amendment No.117 GG 4/3/22</b></p>	<p>It is hereby notified for public information, in accordance with section 87 of the <i>Planning and Development Act 2005</i> that the Minister for Planning approved the City of Armadale Local Planning Scheme amendment on 22 February 2022 for the purpose of—</p> <ol style="list-style-type: none"> <li>(a) Amending Special Control Map 3 as shown on the attached Proposed Zoning—Special Control Area Map 3 Plan and include the area as Development Contribution Area No. 8 and insert Development Contribution Plan No. 8 into Schedule 9B of Town Planning Scheme No. 4 as follows—</li> </ol> <table border="1" data-bbox="389 1541 1299 2051"> <thead> <tr> <th data-bbox="389 1541 469 1615">No.</th> <th data-bbox="469 1541 683 1615">Description of Land</th> <th data-bbox="683 1541 1299 1615">Contribution Arrangements</th> </tr> </thead> <tbody> <tr> <td data-bbox="389 1615 469 2051">8.</td> <td data-bbox="469 1615 683 2051">Development Contribution Area (DCA) 8— West of Rail Redevelopment Area as identified on Scheme Special Control Area Map 3.</td> <td data-bbox="683 1615 1299 2051"> <p>4.1 Relationship to other plans and other parts of the Scheme The development contribution plan generally conforms to the Approved Structure Plans for Development Contribution Area 8 and the Local Planning Strategy, Armadale Activity Centre Structure Plan, Corporate Business Plan and Strategic Community Plan. Where the provisions of Development Contribution Plan 8 are inconsistent with the provisions of Part 5A of the Scheme, then the provisions of Development Contribution Plan 8 in S the extent of any inconsistency.</p> <p>4.2 Definitions Assessed Value means a land value obtained in accordance with the procedures described in clauses 4.4.5 to 4.4.6 of Development Contribution Plan 8.</p> </td> </tr> </tbody> </table>	No.	Description of Land	Contribution Arrangements	8.	Development Contribution Area (DCA) 8— West of Rail Redevelopment Area as identified on Scheme Special Control Area Map 3.	<p>4.1 Relationship to other plans and other parts of the Scheme The development contribution plan generally conforms to the Approved Structure Plans for Development Contribution Area 8 and the Local Planning Strategy, Armadale Activity Centre Structure Plan, Corporate Business Plan and Strategic Community Plan. Where the provisions of Development Contribution Plan 8 are inconsistent with the provisions of Part 5A of the Scheme, then the provisions of Development Contribution Plan 8 in S the extent of any inconsistency.</p> <p>4.2 Definitions Assessed Value means a land value obtained in accordance with the procedures described in clauses 4.4.5 to 4.4.6 of Development Contribution Plan 8.</p>	<p style="text-align: center;"><b>Special Control Map 3</b></p> <p style="text-align: center;"><b>Schedule 9B</b></p>
No.	Description of Land	Contribution Arrangements						
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AMENDMENT NO.	DESCRIPTION		SECTION
		<p>Developable Area is defined as a total area of land minus land area deductions as detailed in the Development Contribution Plan 8 Infrastructure Cost Schedule.</p> <p>Development Contribution Plan Report means a report appurtenant to the Scheme and Development Contribution Plan 8, and containing information and instructions on the operation of Development Contribution Plan 8, as periodically reviewed in accordance with Development Contribution Plan 8.</p> <p>Infrastructure Cost Schedule means a schedule appurtenant to the Scheme and Development Contribution Plan 8, and containing the estimated cost of Infrastructure and Administration of Development Contribution Plan 8, contribution cost, land area deductions and land area summary, as periodically reviewed in accordance with Development Contribution Plan 8.</p> <p>4.3 Infrastructure and Administrative Items to be funded</p> <p>4.3.1 Infrastructure Item 1a - Movement Network and Urban Plaza Full cost to construct Cornish Street, including laneway connection to Fifth Avenue, urban plaza and land acquisition as detailed in the Development Contribution Plan Report and Infrastructure Cost Schedule.</p> <p>4.3.2 Infrastructure Item 2a - Public Utilities Contribution towards the Sewer Upgrade from Cornish Street to Fifth Avenue as detailed in the Development Contribution Plan Report and Infrastructure Cost Schedule.</p> <p>4.3.3 Administration Costs— Full costs associated with preparing and administering Development Contribution Plan 8</p> <p>4.4 Method for Calculating Contributions and Assessed Values</p> <p>4.4.1 Approach Contributions for infrastructure items will be calculated on a Developable Area basis.</p> <p>4.4.2 Cost Contribution Calculation The contribution to be made by each Owner to the implementation of the Infrastructure and Administration Costs shall be a Cost Contribution, based on a per square metre basis calculated by the Local Government as follows—</p> <p>4.4.2.1 Infrastructure Items per Square Metre Rate calculation (a) Calculation for entire Development Contribution Area Infrastructure Items per Square Metre Rate (E) calculated as follows at each review of the Infrastructure Cost Schedule and to remain applicable from the approval of one review to approval of the next— Cost of infrastructure items where the costs are to be shared across the entire Development Contribution Area 8 as detailed in the Infrastructure Cost Schedule (A) + (plus) Administrative Costs (B) minus contributions collected (C) / (divide) total Developable Area remaining (m2) for</p>	

AMENDMENT NO.	DESCRIPTION		SECTION
		<p style="text-align: right;">Development Contribution Area 8 (D).  <math>A + B - C / D = E</math></p> <p>4.4.2.2 Cost Contribution Due  The Cost Contribution due by owners shall be based on the Developable Area of an owners land parcel and calculated as follows—</p> <ol style="list-style-type: none"> <li>i. Cost Contribution due by owners that is applicable to all Developable Area within Development Contribution Area 8—</li> <li>ii. Developable Area (m2) of an owners land parcel x (multiply) Infrastructure items per Square Metre Rate.</li> </ol> <p>4.4.3 Valuations  The provisions of Clauses 5A.9.2 to 5A.9.6 of the scheme do not apply to Development Contribution Plan 8. The following variations apply to the acquisition of land for Infrastructure Works, calculation of costs and valuation of land within Development Contribution Area 8.</p> <p>4.4.4 Compulsory Acquisition  Where land has been compulsorily acquired and a lawful claim for compensation has been served on the Council, the Council may claim compensation for betterment under Section 184 of the Planning and Development Act 2005 and the value attributed to the betterment of the land the subject of the claim shall be set off against any compensation otherwise payable to the claimant under the Land Administration Act 1997 or any re-enactment of its provisions related to compulsory acquisition and compensation.</p> <p>4.4.5 Assessed Value</p> <ol style="list-style-type: none"> <li>(a) The Council may at any time ascertain the value of any land in Development Contribution Plan 8 for the purpose of estimating Infrastructure costs, payments and cost contributions.</li> <li>(b) If it is necessary, for any purpose to ascertain the value of any land, such value should be determined by two licensed valuers appointed from time to time by the local government herein referred to as “the Valuation Panel”. The members of the Valuation Panel may confer as to value, and if they are unable to arrive at a consensus value, they shall confer with the Chief Executive Officer of the local government (“CEO”) or the officer to whom the CEO delegates that function from time to time. If the valuers with the officer cannot arrive at a consensus value then the officer shall select a value which represents the median value between the two values nominated by the valuers on the Valuation Panel and will be advertised under the next following paragraph (c) (“the Assessed Value”).  The Valuation Panel may determine more than one Assessed Value in the Development Contribution Plan area, where the local government or the Panel</li> </ol>	

AMENDMENT NO.	DESCRIPTION		SECTION
		<p>identifies that there are significant differences in land values within Development Contribution Area 8.</p> <p>(c) As soon as possible after the Assessed Value or Assessed Values have been ascertained it should be advertised for a period of not less than 28 days to allow for submissions to be made in regard to the proposed Assessed Value or Assessed Values. Assessed Values may be advertised concurrently as part of a Development Contribution Plan 8 review carried out in accordance with Clause 4.8.1 of Development Contribution Plan 8.</p> <p>An owner who lodges an objection under this clause shall submit with the objection supporting evidence from a suitably qualified person in the specific field being objected to.</p> <p>(d) The local government shall as soon as possible consider all submissions made on an Assessed Value and may refer any submission to the Valuation Panel for comment, but where a submission is accompanied by expert valuation advice based on the valuation principles contained in Development Contribution Plan 8. It should be referred by the local government to the Valuation Panel for comment.</p> <p>Having considered the submissions and any comment from the Valuation Panel, the local government shall fix upon the Assessed Value or Assessed Values to be applied under Development Contribution Plan 8 and Infrastructure Cost Schedule until the next Assessed Value or Assessed Values has been determined.</p> <p>(e) It is intended that any Assessed Value or Assessed Values should apply for no more than 13 months but while an Assessed Value remains current it shall stand as the value of land within Development Contribution Plan 8 and Infrastructure Cost Schedule for all purposes under Development Contribution Plan 8 and Part 5A of the scheme and the Infrastructure Cost Schedule.</p> <p>(f) Where land is ceded or acquired for a Infrastructure Work, otherwise than by compulsory taking, for the purpose of determining the amount to be paid to the owner from whom the land is acquired, the value of the land shall be calculated according to the same Assessed Value as was applied to the Cost Contribution paid or payable by that owner on the clearance by the local government of the subdivision of land in the same deposited plan as contains the land acquired.</p> <p>4.4.6 Valuation Principles In ascertaining the Assessed Value or Assessed Values under Development Contribution Plan 8, all land shall be valued in its broad acre form as depicted on 1 January 2020 or other date selected by the Local Government, ignoring any services or infrastructure provided in-</p>	

AMENDMENT NO.	DESCRIPTION		SECTION
		<p>accordance with the provisions of the relevant Local Structure Plan and applying the following principles—</p> <ol style="list-style-type: none"> <li>i. regard is to be had to the land classifications and zonings existing at the date of valuation;</li> <li>ii. the date of valuation is to be the date on which the local government nominates;</li> <li>iii. ignoring any improvements or works on the land;</li> <li>iv. the land should be valued without regard to the Infrastructure work and the purpose for which the land is acquired shall not be taken into consideration;</li> <li>v. in selecting relevant sales evidence, regard should be had first to values derived from land in the same area, and if there is not adequate evidence, from nearby or similar land in the area, in priority to any other sales evidence; and</li> <li>vi. the method of valuation shall otherwise be in accordance with normal fair market valuation principles.</li> </ol> <p>4.4.7 Variance and Solatium</p> <ol style="list-style-type: none"> <li>(a) When calculating or reviewing Contribution Costs and the Infrastructure Cost Schedule, the local government will have regard to the value of the land required for Infrastructure and include an amount of 10% over and above the Assessed Value of such land, to ensure that the local government has or will receive sufficient funds in Development Contribution Plan 8 account to acquire land for Infrastructure to meet its obligations for appropriate payment to such owners, and ensure the Infrastructure can be completed in a manner that minimises the need for external borrowing. The local government may also apply a further amount above the Assessed Value to recognize any compulsory taking of land, compensations and/or acquisition of structures.</li> <li>(b) Where land is acquired in the circumstances contemplated in subclause 4.4.5 (f) of Development Contribution Plan 8, the Council shall pay to the owner an additional amount not more than 10% of the amount calculated under that Clause.</li> </ol> <p>4.4.8 Acquisition Prior to Gazettal</p> <p>Where land required for Infrastructure is ceded to the Crown or acquired by the local government prior to the Minister granting final approval and publication of the Development Contribution Plan 8. Amendment in the Government Gazette, the appointment of the Valuation Panel by the local government under of Development Contribution Plan 8 or adoption of the Infrastructure Cost Schedule by the Council. the land shall be value in accordance with the clauses 4.4.3 to 4.4.7 of Development Contribution Plan 8 by the Valuation Panel and the date of valuation shall be the date land for the Infrastructure Work is acquired by the local government or the local government issues its clearance to the</p>	

AMENDMENT NO.	DESCRIPTION		SECTION
		<p>deposited plan that contains the Infrastructure land, whichever is the earlier.</p> <p>4.4.9 Provision of Land for Infrastructure Works Where the Infrastructure Cost Schedule includes a land component for a Infrastructure on the relevant lot for which a Cost Contribution is due, an Owner shall cede to the Crown or transfer to the local government the required Infrastructure land at the first stage of subdivision and/or development for that particular landholding or by prior agreement at an alternative date agreed by the local government. The value of the land will be determined in accordance with Development Contribution Plan 8 and Owners will be paid once the land is ceded to the Crown or transferred to the local government and is already included in Development Contribution Plan 8 and sufficient funds have been collected in the Development Contribution Plan 8 account and / or having regard to the timing and priority of infrastructure works.</p> <p>4.5 Period of Operation 4.5.1 Development Contribution Plan 8 is proposed to operate for a period of 12 years from the date of gazettal of the town planning scheme amendment that introduces Development Contribution Plan 8 into the Scheme, by which time development within Development Contribution Area is expected to be largely complete. The proposed timeframe aims to account for uncertainty regarding the staging and completion of development across the entire area. The City may in the future consider extending the period of operation , through an amendment to the Scheme, in the event that growth does not occur as rapidly as expected, or if new growth areas occur. The City may also terminate the Development Contribution Plan 8 earlier, through an amendment to the Scheme, if growth occurs quicker than expected and all contributions have been settled. All land within the Development Contribution Area is subject to the requirements of the Development Contribution Plan 8 until the plan expires or revoked.</p> <p>4.6 Excess in Contributions 4.6.1 Clause 5A.8.2 of the scheme does not apply to Development Contribution Plan 8. If there is an excess in the total of Cost Contributions when all Cost Contributions have been made or accounted for in the Development Contribution Area, the local government is to refund the excess funds to the contributing owners or use all or some of the excess funds for improvements to infrastructure included in Development Contribution Plan 8 and subject to agreement from the majority of the contributing Owners. If, however, it is not reasonably practicable to identify Owners and their entitled amount of refund and consult with Owners, any excess in funds shall be applied to the provision of additional improvements to Infrastructure included in Development Contribution Plan 8. The local government should make information publically available regarding any spend of excess funds.</p>	

AMENDMENT NO.	DESCRIPTION			SECTION					
			<p>4.7 Timing and priority</p> <p>4.7.1 The Local Government will use its best endeavours to provide Infrastructure, including the acquisition of land for infrastructure, as soon as possible taking into considering the Local Government's Corporate Business Plan, the rate of development in Development Contribution Area 8 and funds collected in Development Contribution Plan 8.</p> <p>4.8 Review</p> <p>4.8.1 Review</p> <p>Development Contribution Plan 8 will be reviewed at least every 5 years from the date of gazettal or when considered appropriate having regard to the rate of development in the area since the last review and the degree of development potential still existing.</p> <p>The estimated Infrastructure Costs, Assessed Values and Infrastructure Cost Schedule will be reviewed and updated at least annually. The Review will reflect changes in material prices, design costs, design requirements, specifications, labour requirements, Assessed Values and other expenditure associated with Development Contribution Plan 8 and actual and forecast future development patterns in the area. In some instances the costs will be indexed based on the Local Government Cost Index (LGCI) or another appropriate index and they may be reviewed and certified by a suitably qualified person. The local government's priority and timing for infrastructure will also be reviewed at least annually.</p> <p>Reviews of Development Contribution Plan 8 or Infrastructure Cost Schedule, including Assessed Values shall be undertaken in accordance with the provisions contained within the Development Contribution Plan 8 Report and applicable Local Government Local Planning Policy. In the absence of an applicable Local Government Local Planning Policy the provisions contained in the Development Contributions Plan 8 Report shall solely apply.</p>						
<p><b>Amendment No.118 GG 2/12/22</b></p>	<p>It is hereby notified for public information, in accordance with section 87 of the <i>Planning and Development Act 2005</i> that the Minister for Planning approved the City of Armadale Town Planning Scheme amendment on 14 November 2022 for the purpose of—</p> <p>(a) Rezone Lots 9501, 9600, 9005, 9001 and 9800 Interdominion View, Lots 603, 15, 14, 13 and 150 Armadale Road, Lots 151, 100, 99 and 88 Warton Road, and Lot 9009 Lockeville Boulevard, Piara Waters from the 'Rural Living' and 'General Rural' zones to the 'Urban Development' zone;</p> <p>(b) Remove the 'General Rural' zones from the Warton Road and Mason Road reserves;</p> <p>(c) Insert the following text in Schedule 8 Development (Structure Planning) Areas for the land generally bound by Warton Road, the MRS Public Purpose (High School) Reservation, Lockeville Boulevard, Interdominion View and Armadale Road—</p>			<p><b>Schedule 8</b></p> <p><b>Special Control Map 1</b></p> <p><b>Special Control Map 2</b></p> <p><b>Special Control Map3</b></p> <p><b>Scheme Maps</b></p>					
	<table border="1"> <thead> <tr> <th data-bbox="469 1845 549 1921">No.</th> <th data-bbox="549 1845 679 1921">Description of Land</th> <th data-bbox="679 1845 1299 1921">Contribution Arrangements</th> </tr> </thead> <tbody> <tr> <td data-bbox="469 1921 549 2047">70.</td> <td data-bbox="549 1921 679 2047">West Piara Urban Precinct South</td> <td data-bbox="679 1921 1299 2047">70.1 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</i></td> </tr> </tbody> </table>	No.	Description of Land	Contribution Arrangements	70.	West Piara Urban Precinct South	70.1 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</i>		
No.	Description of Land	Contribution Arrangements							
70.	West Piara Urban Precinct South	70.1 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</i>							

AMENDMENT NO.	DESCRIPTION		SECTION
		<p><i>Development (Local Planning Schemes) Regulations 2015</i> (as amended).</p> <p>70.2 Prior to the preparation and lodgement of a Structure Plan, the applicant shall prepare an Environmental Assessment Report in consultation with the Department of Biodiversity, Conservation and Attractions and the Department of Water and Environmental Regulation (EPA Services Branch), to the satisfaction of the City of Armadale. The Environmental Assessment Report shall address as a minimum—</p> <ul style="list-style-type: none"> <li>(a) botanical survey confirming vegetation type and condition, and assessing potential presence of conservation significant flora;</li> <li>(b) assessment of wetland values;</li> <li>(c) assessment of the potential presence of threatened fauna, including habitat and feeding trees/sources; and</li> <li>(d) the identification and protection of Wetland UFI's 7176 and 13342 (as amended from DBCA wetland reclassification assessment Ref No. 2021/001070-01 and proposed in Concept Plan CLE Ref 3278-43A-3/DWER Ref DWERDT509144) including buffers and other areas of high quality vegetation.</li> </ul> <p>70.3 The following plans are to be prepared by the applicant and approved by the local government and used to inform 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 addressing the potential impacts of stormwater flows on wetland UFIs 7176, 13342 and 15532 (as amended);</li> <li>(b) Bushfire Management Plan;</li> <li>(c) Traffic Impact Assessment, including (but not limited to) analysis of the Warton Road/Mason Road intersection;</li> <li>(d) Acoustic Assessment to address traffic and shooting range noise;</li> <li>(e) Environmental Management Plan, addressing actions to prevent and manage impacts of urban development on threatened flora, vegetation identified for retention, for implementation at subdivision and development stage;</li> <li>(f) Wetland and Buffer Management Plan, addressing mitigation, management and rehabilitation measures to ensure the long-term viability of the wetland and buffer area, prepared in consultation with the Department of Biodiversity, Conservation and Attractions.</li> </ul> <p>70.4 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) design of road intersections to Warton Road;</li> <li>(b) widening and upgrading of Mason Road including its intersection with Warton Road;</li> <li>(c) design of the intersection of Mason Road, Southampton Drive and Lockeville Boulevard;</li> </ul>	

AMENDMENT NO.	DESCRIPTION			SECTION				
			(d) high pressure gas mains; (e) visual impact of noise attenuation measures; (f) mosquito management; (g) location of a Department of Education operated primary school; (h) location of a senior multiple purpose sporting oval; and protection of significant flora, vegetation and environmental features.					
<b>Amendment No.119 GG 2/12/22</b>	(d) Include the land generally bound by Warton Road, the MRS Public Purpose (High School) Reservation, Lockeville Boulevard, Interdominion View and Armadale Road within Special Control Area Map 3 with the appropriate 'Development Area (Structure Plan) Schedule 8' and 'No. 70' designations. (e) Modify Special Control Area Map 2 to transfer the land generally bound by Warton Road, the MRS Public Purpose (High School) Reservation, Lockeville Boulevard, Interdominion View and Armadale Road from the Public Drinking Water Resource Protection Areas—Priority 2 Source Protection Area to the Public Drinking Water Resource Protection Areas—Priority 3 and 3* Source Protection Area; (f) Modify Special Control Area Map 1 to remove the Poultry Farm Buffer from Lot 709 Armadale Road, Banjup and modify intersecting Poultry Farm Buffers accordingly; and (g) Amend the Scheme Maps accordingly.			<b>Schedule 8 Special Control Map 1  Special Control Map 2  Special Control Map 3  Scheme Maps</b>				
	It is hereby notified for public information, in accordance with section 87 of the <i>Planning and Development Act 2005</i> that the Minister for Planning approved the City of Armadale Town Planning Scheme amendment on 14 November 2022 for the purpose of—	a. Rezone Lot 9101 on DP 65831 Warton Road, Part Lot 9012 on DP 422253, Part Lot 1102 on DP 422253 Warton Road, Part Lot 9107 on DP 422140, Part Lots on DP 408100, 75425, 63674, 66788, 71428 and Lots on DP 66319, 65130 and 58901 from General Rural to Urban Development; b. Rezone Part Lot 9107 on DP 422140 from General Rural to Residential and apply a density code of R25; c. Rezone portion of Lot 1000 on DP 417970 (No. 7) Jayes Road from General Rural to Residential and apply a density code R15/40 and include within the extent of Additional Use No. 35; d. Insert the following text in Schedule 8 Development (Structure Planning) Areas for the land generally bound by Warton Road, the MRS Public Purpose (High School) Reservations, Southampton Drive and Jayes Road—	<table border="1"> <thead> <tr> <th data-bbox="679 1361 775 1435">No.</th> <th data-bbox="775 1361 935 1435">Description of Land</th> <th data-bbox="935 1361 1299 1435">Contribution Arrangements</th> </tr> </thead> <tbody> <tr> <td data-bbox="679 1435 775 2065">71.</td> <td data-bbox="775 1435 935 2065">West Piara Urban Precinct North</td> <td data-bbox="935 1435 1299 2065">               71.1 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.                71.2 The following plans are to be prepared by the applicant and approved by the local government and used to inform the Structure Plan—                a. 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;                b. A Bushfire Management Plan;                c. An acoustic assessment, to address traffic and kennel noise;                d. An Environmental Management Plan in consultation with the Department of Biodiversity, Conservation and Attractions. The Environmental Management Plan shall address as a minimum, actions to prevent and manage impacts of urban development on vegetation identified for retention, and be             </td> </tr> </tbody> </table>		No.	Description of Land	Contribution Arrangements	71.
No.	Description of Land	Contribution Arrangements						
71.	West Piara Urban Precinct North	71.1 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. 71.2 The following plans are to be prepared by the applicant and approved by the local government and used to inform the Structure Plan— a. 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; b. A Bushfire Management Plan; c. An acoustic assessment, to address traffic and kennel noise; d. An Environmental Management Plan in consultation with the Department of Biodiversity, Conservation and Attractions. The Environmental Management Plan shall address as a minimum, actions to prevent and manage impacts of urban development on vegetation identified for retention, and be						

AMENDMENT NO.	DESCRIPTION		SECTION
		<p>informed by a botanical survey to assess the potential presence of conservation significant flora.</p> <p>71.3 The Structure Plan shall provide design and management responses for implementation through subdivision and development, addressing—</p> <ol style="list-style-type: none"> <li>a. Road intersections to Warton Road and Southampton Drive/Pipeline Boulevard for safe and efficient traffic distribution and congestion management, on the advice of the local government;</li> <li>b. High pressure gas mains;</li> <li>c. Visual impact of noise attenuation measures; and</li> <li>d. Mosquito management.</li> </ol> <p>e. Include Lot 9101 on DP 65831 Warton Road, Lot 9012 on DP 422253, Part Lot 9107 on DP 422140, Part Lot 1102 on DP 422253 Warton Road, Part Lots on DP 408100, 75425, 63674, 66788, 71428 and Lots on DP 66319, 65130 and 58901 within Special Control Area Map 3 with the appropriate 'Development Area (Structure Plan) Schedule 8' and 'No 71' designations;</p> <p>f. Insert a new designation 'Public Drinking Water Resource Protection Areas—Priority 3 and 3* Source Protection Area' on Special Control Area Map 2 and transfer land generally bound by Warton Road, Mason Road, Southampton Drive and Jayes Road from the Public Drinking Water Resource Protection Areas—Priority 2 Source Protection Area to the Public Drinking Water Resource Protection Areas—Priority 3 and 3* Source Protection Area;</p> <p>g. Modify Clause 5.3.2 to state—            'All development (including use of land, the removal of vegetation and earthworks) within a Public Drinking Water Resource Protection Area shall be subject to a requirement for development approval and shall be subject to the discretion of the local government, notwithstanding that the use may be designated a 'P' use under the Scheme. Where land is identified within a Priority 3* Drinking Water Source Protection Area, the following residential land uses (including any incidental or ancillary development) are excluded from the requirements of this clause—</p> <ol style="list-style-type: none"> <li>a. Ancillary Accommodation;</li> <li>b. Grouped Dwelling;</li> <li>c. Home Business (by definition are carried out in a dwelling or on land around a dwelling, to be no greater than 50sqm, and not to affect amenity of the neighbourhood);</li> <li>d. Home Occupation (by definition are carried out in a dwelling or on land around a dwelling, to be no greater than 20sqm, and not to affect amenity of the neighbourhood);</li> <li>e. Home Office;</li> <li>f. Home Store (shop with net lettable area less than 100sqm and attached to a dwelling);</li> <li>g. Multiple Dwelling;</li> <li>h. Residential Building;</li> <li>i. Single House;</li> <li>j. Single Bedroom Dwelling; and</li> <li>k. Bed and Breakfast.'</li> </ol> <p>h. Modify Clause 5.3.3(a) to state 'or superseding guidance' after 'Areas'; and</p> <p>i. Amend the Scheme Maps accordingly</p>	
<p><b>Amendment No.120 GG 2/12/22</b></p>	<p>It is hereby notified for public information, in accordance with section 87 of the <i>Planning and Development Act 2005</i> that the Minister for Planning approved the City of Armadale Town Planning Scheme amendment on 26 April 2023 for the purpose of—</p> <p>(a) Amending Special Control Area Map 3 by including Lots 4 and 502 Green Avenue, Armadale within Development Contribution Area 8.</p>		<p><b>Special Control Area Map 3</b></p>

AMENDMENT NO.	DESCRIPTION			SECTION
<p style="text-align: center;"><b>Amendment No.121 GG 6/10/23</b></p>	<p>It is hereby notified for public information, in accordance with section 87 of the <i>Planning and Development Act 2005</i> that the Minister for Planning approved the City of Armadale Local Planning Scheme amendment on 26 September 2023 for the purpose of—</p> <ol style="list-style-type: none"> <li>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;</li> <li>b. Rezone portions of Skeet Road and Reilly Road reserves to 'Urban Development' zone;</li> <li>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:</li> </ol>			<p style="text-align: center;"><b>Scheme Maps Schedule 8 Special Control Area Map 3 Special Control Area Map 1</b></p>
	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> <ol 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> </ol> <p>72.3 The Structure Plan shall provide design and management responses for implementation through subdivision and development, addressing:</p> <ol style="list-style-type: none"> <li>a. Acid Sulphate soils;</li> <li>b. Site contamination;</li> <li>c. Identification and protection of significant landscape trees and features as per Local Planning Policy PLN2.4 Landscape Feature and Tree Preservation, where possible—</li> <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> </ol> <p>72.4 At the subdivision stage, applications are to be prepared with, but not limited to the following plans—</p> <ol 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</li> </ol>	

AMENDMENT NO.	DESCRIPTION		SECTION
		<p>Authority to the satisfaction of the City of Armadale. The Detailed Wetland and Buffer Management Plan shall address as a minimum—</p> <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> <p>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.</p> <p>c. All new titles impacted by the Mosquitos are to include a notification on title.</p> <p>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—</p> <ul style="list-style-type: none"> <li>i. be in accordance with National Environmental Protection (Assessment of Site Contamination) Measure guidelines;</li> <li>ii. reviewed by an independent Contaminated Sites Auditor in accordance with <i>Contaminated Sites Regulations 2006</i> reg 31(1).</li> <li>iii. take into consideration— <ul style="list-style-type: none"> <li>• Buried waste.</li> <li>• Asbestos containing material.</li> <li>• Groundwater contamination.</li> </ul> </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> <ul style="list-style-type: none"> <li>i. traffic calming and/or signage measures where fauna may conflict with vehicle movements</li> </ul>	
		<ul style="list-style-type: none"> <li>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;</li> <li>e. Modify Special Control Area Map 1 to remove the entire Poultry Farm Buffer over all properties; and</li> </ul>	

AMENDMENT NO.	DESCRIPTION	SECTION
	f. Amend the Scheme Maps accordingly.	
<p style="text-align: center;"><b>Amendment No.123 GG 23/6/23</b></p>	<p>It is hereby notified for public information, in accordance with section 87 of the <i>Planning and Development Act 2005</i> that the Minister for Planning approved the City of Armadale Local Planning Scheme amendment on 26 April 2023 for the purpose of modifying Additional Use Schedule 32 to include the following—</p> <ul style="list-style-type: none"> <li>• To modify the Description of Land column to state 'Lot 100 (No. 9) and Lot 101 (No.3) Foster Rd, Kelmscott.'</li> <li>• To modify Condition 32.1 under the Conditions and Requirements column to state “A maximum of 10 consulting rooms shall be permitted.”</li> <li>• To modify Condition 32.3 under the Conditions and Requirements column to state “Car parking areas adjacent to residential properties and drainage reserve shall be screened with masonry fencing along the common boundaries to the satisfaction of the local government.”</li> <li>• To insert a new Condition 32.6 under the Conditions and Requirements column to state “Any planning application for development approval is to be accompanied by a tree survey undertaken that identifies existing significant trees to be retained.”</li> </ul>	<p style="text-align: center;"><b>Schedule 2 Additional Use Schedule 32</b></p>

Revised (October 2023)