



Armadale Redevelopment Scheme 2

24 December 2020

Metropolitan Redevelopment Authority

**DevelopmentWA acknowledges the traditional owners
of the land within its Redevelopment Area.**



User Guide

This User Guide is provided to assist in the use and understanding of the Redevelopment Scheme, it does not form part of the statutory scheme text.

The User Guide and the Notes Column on each page are not part of the legislative Scheme document.





THE AUTHORITY'S PLANNING FRAMEWORK

LEGISLATIVE Metropolitan Redevelopment Authority Act

Metropolitan
Redevelopment
Authority
Regulations

Redevelopment
Scheme

STATUTORY
Design Guidelines
Development Policies
Planning Policies
Development Contribution Plans
Heritage Inventories

STRATEGIC
Master Plans
Structure Plans
Local Development Plans
Public Art Strategies
Heritage Strategies
Other strategies / studies

PLANNING FRAMEWORK

The Authority has a planning framework in place to guide the sustainable redevelopment of land in its redevelopment area. This planning framework is made up of three components – Legislative Tools, Statutory Tools and Strategic Tools. Each type of tool allows for different types of plans and documents to be prepared with different purposes and different levels of legal obligations.

LEGISLATIVE TOOLS

Legislative tools are tools that are prepared under legislative processes and are formal documents that must be consistently applied and adhered to.

The **Metropolitan Redevelopment Authority Act 2011** is the legislation that enabled the establishment of the Metropolitan Redevelopment Authority. The Act guides the Authority's operation and enables the preparation of key planning tools including the Redevelopment Regulations and the Redevelopment Scheme.

The **Metropolitan Redevelopment Authority Regulations 2011** are subsidiary legislation, enabled under the provisions of the Redevelopment Act. The Regulations set out matters 'prescribed' by the Act, including the fees and required information for Development Applications and certain activities that do not require approval.



The **Redevelopment Scheme** is a legislative document which the Redevelopment Act requires the Authority to prepare. The Scheme sets out the provisions for the development and use of land within the Scheme Area and enables the preparation of statutory planning tools. The Scheme is the Authority's most important document for managing the development of land.

STATUTORY TOOLS

Statutory tools are documents that are adopted under powers set out in the Redevelopment Scheme. They are a set of separate documents and are not part of the Scheme. The documents provide detailed requirements for land development, as well as guidance on other planning matters.

The statutory documents are to be applied consistently, yet more flexibly than the legislative planning tools.

Some specific requirements of the documents may be varied (with the consent of the Authority), however as the documents are statutory (legally enforceable) all development must be shown to generally comply with each document.

Development Policies are a set of guiding documents that address key development issues (such as sound attenuation or heritage conservation) by providing the Authority's position on that issue and detailing how that issue should be dealt with in the development or use of land. All development must comply with the policies that are relevant to the type of development being proposed.

Planning Policies are a set of guiding documents that provide strategic direction on specific planning and operational matters (such as water management) and detailing how these matters should be dealt with in the development or use of land.

Design Guidelines set out the requirements for building design and other development standards for land within a specific area of the redevelopment area, such as for a project area or a precinct. Design Guidelines provide the detailed guidance for designing and assessing development proposals and include standards such as building design and materials, building height and setbacks, and car parking.

A **Heritage Inventory** is a comprehensive record of buildings, sites or precincts that are recognised by the Authority as having cultural heritage significance. The Inventory provides a historic record and identifies the heritage significance or heritage fabric (building qualities) of each place. Entry of a place onto the Inventory has implications for the future development of the site, with conservation usually being a high priority.

Development Contribution Plans are plans that set out the major physical and social infrastructure needs of a defined area and formulate the contributions required from land owners towards the costs of this infrastructure. The plans will list major infrastructure such as road works, public transport facilities, environmental works and community facilities that the Authority proposes for an area and requires payments from those who will

benefit from this infrastructure when redeveloping their land.

STRATEGIC TOOLS

Strategic tools are those planning tools that are not adopted under the powers of the Scheme or other legislation. Strategic documents are generally based on research of issues, trends and opportunities relating to a place or topic, and are used to guide the Authority's future planning and other activities. Strategic documents are also used to help prepare legislative and statutory planning tools, yet they are not core considerations in development assessment.

Master Plans are graphical plans and supporting information setting out the high level direction of a large area. The Authority usually prepares a Master Plan for each of its redevelopment areas, prior to further planning and redevelopment of that area taking place. The plan sets out the vision for the future of the area and provides guidance on the layout, design and building form of the area. Preparation of a Master Plan includes a high level of expert input, wide public consultation, approval by the Authority and endorsement by the Minister for Planning. Master Plans influence the content of the Scheme and Design Guidelines.

Structure Plans provides the defined zonings (including residential density) to support appropriate land uses and to guide subdivision, in accordance with the applicable master plan and objectives of the Scheme. It provides for



major structural elements; including major roads, open space, commercial and industrial areas and environmentally sensitive areas.

Local Development Plans is a mechanism to coordinate the design of development on lots constrained by their size, or where it is deemed that the proximity of lots to local amenity and infrastructure (such as public open space, roads and commercial centres) warrants additional design requirements to improve the streetscape and livability of an area.

Strategies are documents that are prepared to explore the issues and opportunities relating to a certain topic or specific place, and to set out the intended response to these issues and opportunities. Strategies generally include a future vision, objectives and proposed actions or desired outcomes, which are then incorporated into other planning documents, such as development policies, and/or are also used to guide other work undertaken by the Authority.

Research Papers are documents prepared by the Authority or other experts to explore particular issues in depth. Research Papers include Discussion, Issue or Background papers and any other planning research documents. Research Papers are used to guide the preparation of other planning tools, such as development policies.

USING THE REDEVELOPMENT SCHEME

Who & Where Does the Scheme Apply To?

The Scheme applies to anyone proposing or undertaking any kind of development in the Authority's Scheme Area.

Development includes construction of new buildings and structures, alterations and additions to existing buildings, and changes in the way land is used.

The Scheme Area is the geographical area that the Scheme covers and is shown on the Scheme Map. You can view the Scheme Map in Appendix 1 to check if your property falls within the Scheme Area. Land that falls within the Scheme Area is subject to the requirements of the Scheme document.

If the site you wish to develop is not within the Authority's redevelopment area, the relevant Local Government Authority (City of Armadale) will need to be consulted for all planning matters.

What is the Role of the Scheme?

The Scheme is a legal document that provides guidance and requirements for the development and use of land within the Scheme Area.

A key element of the Scheme is the requirement for approval to be obtained before undertaking any development. The Scheme sets out the procedure for a person to apply for Development Approval and how the Authority will process that application, including what matters the Authority must consider.

The Scheme also details other applications relating to land, such as In-Principle Applications and Structure Plan Applications.

Another important role of the Scheme is to set out the Authority's expectations for development, including the Authority's vision for the Scheme Area, the principles that guide development and decision making, and requirements for the use of land, heritage conservation and financial contributions from land developers.

The Scheme also establishes powers and procedures to guide the Authority's planning functions, such as provisions for preparing Policies, Design Guidelines and Heritage Inventories, and other administrative functions.



DEVELOPMENT APPLICATIONS

A Development Approval (also known as a Planning Approval) is a legal document that gives permission for a specified building, land use or other development to occur on a particular piece of land. The Development Approval includes a signed approval form, which may include conditions of how that development is to take place, and approved plans and documents of the development.

Do I Need Development Approval?

Development Approval must be obtained from the Authority prior to any development taking place on any land in the redevelopment area.

However some minor works and activities (such as non-heritage related building repairs) are not defined as 'development' and therefore do not require Development Approval to undertake.

The Authority also has a number of Development Policies that provide details of other specific activities that are considered to not require Development Approval - however, is not required only when those activities fall within all of the relevant criteria listed in the policy.

Refer to the following policies for further information:

- Additional Structures
- Signage
- Home Based Business
- Public Events

It is your responsibility to check if other State or Local Government permits are required for your proposal, for example a building permit, signage permit or health approval.

Lodging a Development Application

Once it has been confirmed that Development Approval is required from the Authority, a Development Application is required to be lodged showing detailed, professional plans of the proposed development and any relevant supporting information, along with the application form and application fee. Information is available on the Authority's website listing all information, forms and fees required with applications, see:

www.developmentwa.com.au

Prior to lodging your Development Application, a thorough review of all of the Authority's planning documents should be undertaken to ensure your proposal complies with all of the Authority's requirements. The most important documents to consider are the Authority's Redevelopment Scheme, Development Policies, Planning Policies and Design Guidelines (these can be accessed on the Authority's website).

You may find professional assistance from a town planner or architect beneficial in designing your plans and preparing the documentation to support your application, to ensure it meets the Authority's expected level of high quality development.

DEVELOPMENT APPLICATION PROCESS

-
- Step 1** Arrange a meeting with the Authority if you want to discuss your proposal.
-
- Step 2** Lodge your Development Application.
-
- Step 3** The Authority checks the information, then a receipt note is posted to you.
-
- Step 4** The application is referred to the Local Government and any relevant State Government agency for comments.
-
- Step 5** The Authority may publicly advertise the application or obtain expert advice.
-
- Step 6** The Authority assesses your application against the Scheme, Development Policies, and Design Guidelines.
-
- Step 7** The Authority may request changes to your plans.
-
- Step 8** The Authority makes its decision on the Application.
-
- Step 9** An approval or refusal notice is sent to you.
-

The Authority has 90 days to complete a standard application or 120 days for a major application.



What Happens After the Application is Lodged?

After the application is lodged, the Authority will assess the proposal against the requirements of the Scheme, relevant Development Policies, Design Guidelines, and any other applicable statutory or strategic planning tools.

The Authority will also seek comment on the proposal from the relevant Local Government or affected State Government agencies, and may also seek technical advice from architects, engineers, heritage professionals or other experts. Applications that present potential negative impacts to the streetscape or neighbouring properties may also be required to be publicly advertised.

The Authority has 90 days to assess standard applications, and 120 days for major applications, including the time taken to gain comment from others.

If your application does not comply with all of the Authority's planning requirements you may be asked to submit revised plans or to fully justify the proposed variation, prior to the Authority making its decision on the application.

If the Authority is satisfied that the application meets all of the Authority's planning requirements the Authority will grant Development Approval. The Authority may attach conditions to the approval controlling how the development is to take place. If the Authority is not satisfied with the proposal, it

has the power to refuse the application.

There is a right of review to the State Administrative Tribunal if an applicant is not satisfied with the decision of the Authority, such as a condition of approval or a refusal.

Working Drawings and Building Permits

A building permit from the relevant Local Government (City of Armadale) will be required for most developments. After obtaining Development Approval, detailed working drawings for a building licence are to be submitted to the Authority and to the Local Government.

The Authority will check that the working drawings comply with the Development Approval plans and all Development Approval conditions prior to the Local Government issuing a building permit.

MORE INFORMATION

If you require any further information or explanation of the Authority planning framework, Development Applications or the Scheme, the following options are available:

Website: review planning documents on the Authority's website: www.developmentwa.com.au

Email: email your query to the Authority at: planning@developmentwa.com.au

Phone: phone the Authority to talk with a planner on (08) 9482 7499

Meeting: book a meeting to discuss your proposal with a planner by phoning (08) 9482 7499

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1.0

Administration

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1.0 Administration

1.1 INTRODUCTION

The Administration Chapter establishes particular powers to assist the Authority in managing the development of land and to ensure the orderly and proper planning of the Scheme Area. This chapter also sets out certain procedures the Authority is required to follow in administering its powers under the Scheme.

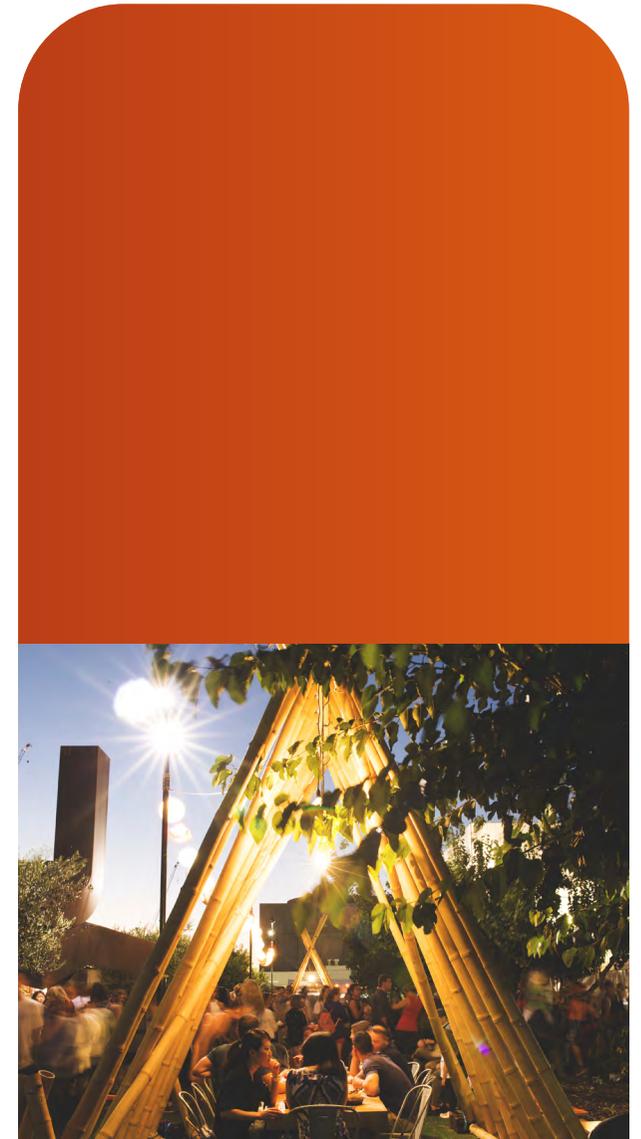
PART A – ADMINISTRATION REGARDING THE SCHEME

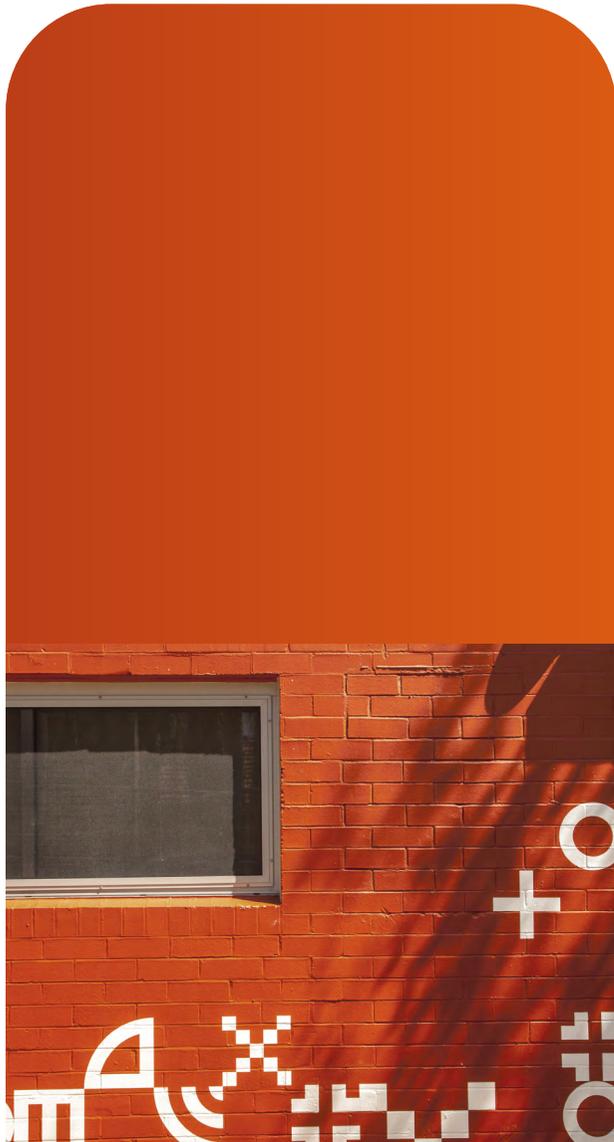
1.2 OPERATION OF THE SCHEME

- (1) The Scheme is made pursuant to Part 5 of the Metropolitan Redevelopment Authority Act 2011 (referred to in this text as “the MRA Act”).
- (2) The Scheme may be cited as the Armadale Redevelopment Scheme 2 (referred to in this text as “the Scheme”).
- (3) The responsible authority for the preparation and implementation of the Scheme is the Metropolitan Redevelopment Authority (referred to in this text as “the Authority”).
- (4) The Scheme shall come into operation on the day after a notice that the Scheme has been approved by the Minister is published in the Government Gazette. The Armadale Redevelopment Scheme 2004 and the Wungong Urban Water Redevelopment Scheme 2007 published in the Government Gazette on 25 May 2004 and 29 February 2008 respectively are hereby repealed.

1.3 APPLICATION OF THE SCHEME

- (1) The Scheme shall apply to that part of the Redevelopment Area as defined in the MRA Act and associated Metropolitan Redevelopment Authority Regulations 2011 (referred to in this text as “Regulations”) and delineated as “Scheme Area” on the Scheme Map in Appendix 1.
- (2) In accordance with section 51 of the MRA Act, the Metropolitan Region Scheme, the City of Armadale Local Planning Scheme and any other Scheme made under the Planning and Development Act 2005 do not apply to the Scheme Area after the Scheme comes into operation in respect of the Scheme Area or any portion of the Scheme Area.
- (3) The Scheme comprises the following documents
 - (a) the Scheme Text;
 - (b) the Scheme Map; and
 - (c) the Structure Plan Area Map





1.4 INTERPRETATION OF WORDS & EXPRESSIONS

- (1) In the Scheme unless the context otherwise requires, or unless it is otherwise provided for in Appendix 2 – Glossary of Terms or Appendix 3 – Defined Land Uses, words and expressions have the respective meanings given to them in the MRA Act and the Planning and Development Act 2005.
- (2) In the case of conflict between the meanings of words and expressions in those instruments, priority shall be given according to the order in which the instruments are referred to in clause 1.4 (1).

1.5 FORMS AND NOTICES REGARDING THE SCHEME

- (1) The Authority may prepare and thereafter amend application forms, information forms or notices required to be used for any matter related to the Scheme.

PART B – ADMINISTRATION REGARDING DEVELOPMENT

1.6 DELEGATION OF POWER TO DETERMINE APPLICATIONS

- (1) The delegation by the Authority of its powers and duties is dealt with by section 14 of the MRA Act.

1.7 COMPLY WITH THE SCHEME AND DEVELOPMENT APPROVAL

- (1) Subject to the provisions of the MRA Act and the Regulations, no person shall depart from the requirements and provisions of the Scheme, nor shall any person use or permit the use of any land or building or undertake any development within the Scheme Area which does not comply with the Scheme, without the written consent of the Authority.
- (2) No person shall use or permit the use of any land or building or undertake any development which does not comply with the terms of any Development Approval or any condition attached to that approval.



1.8 CESSATION OF UNAUTHORISED DEVELOPMENT

- (1) The Authority may by notice in writing:
 - (a) serve on a person who is undertaking any development in, or partly in, the Scheme Area without the Development Approval of the Authority or in contravention of the approval, direct the person to forthwith stop doing so;
 - (b) serve on a person who has undertaken any development in, or partly in, the Scheme Area without the Development Approval of the Authority or in contravention of the approval, direct the person within such period as is specified in the notice, to remove, pull down, alter, or make good any development undertaken without approval or in contravention of an approval.

1.9 PENALTY FOR UNLAWFUL DEVELOPMENT

- (1) A person must not undertake any development or cause any development to be undertaken on land that is in, or partly in, the Scheme Area without the Development Approval of the Authority, or in contravention of a Development Approval including contravention of a condition of approval.
- (2) The approval by the Authority of an existing development shall not affect the power of the Authority to take appropriate action for a breach of the Scheme or the MRA Act in respect of the undertaking of the development without prior Development Approval.

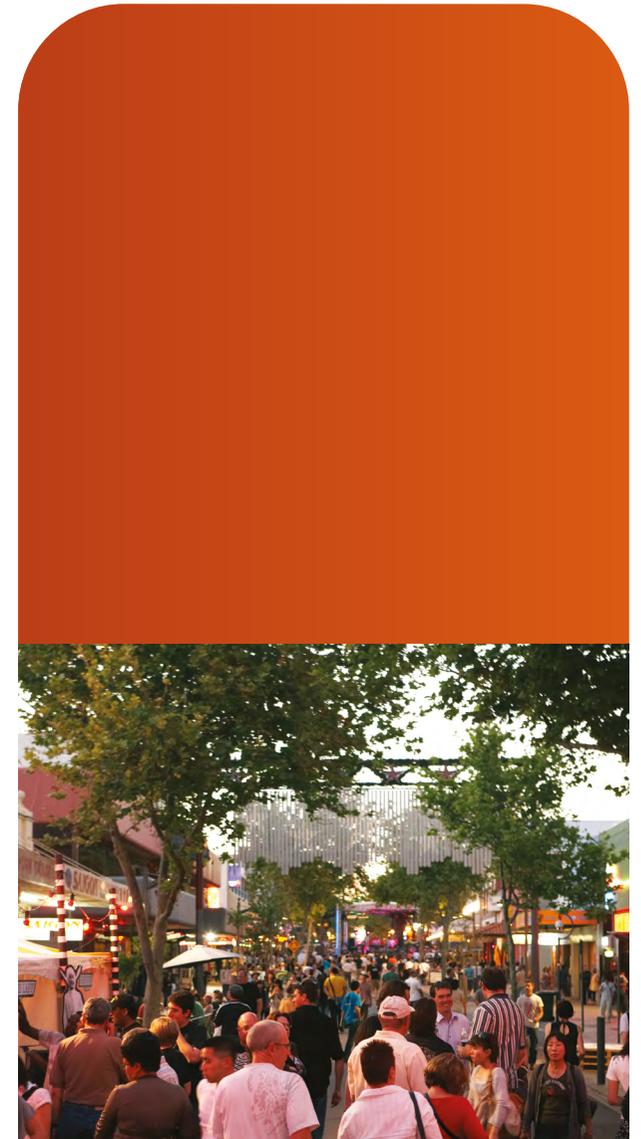
1.10 VALIDITY OF AUTHORITY 'S DECISION ON APPLICATIONS

- (1) Provided the Authority has acted within the scope of its powers and authority, no procedural informality shall affect the validity of the Authority's decision on an application under the Scheme if the decision is acted upon by the applicant or the owner of the subject land or any person having an interest in the development through the applicant or the owner.

PART C – RIGHT OF REVIEW

1.11 RIGHT OF REVIEW OF DECISION

- (1) An applicant who is aggrieved by decisions of the Authority or the Minister may have a right of review of the decision to the State Administrative Tribunal, pursuant to section 69 of the MRA Act.





Reserves for public purpose may include public open space, community facilities, road or rail reserves, river reserves, public parking areas and public buildings.

PART D – ADMINISTRATION REGARDING LAND

1.12 LEGAL AGREEMENTS

- (1) The Authority may enter into any agreement with any owner, occupier or other person having an interest in land affected by the provisions of the Scheme for the purpose of implementing the Vision or Objectives of the Scheme.
- (2) In any such agreement the applicant or the owner or occupier may covenant for themselves, their transferees, assignees and successors, to carry out and observe all conditions imposed by the Authority, and any land may be charged with the obligation to observe such covenants. The agreement may also deal with any other matter relevant to the orderly and proper planning and sustainable development of the Scheme Area.
- (3) The Authority may enter into any other agreement which the Authority is authorised or empowered to enter into under the provisions of the MRA Act.

1.13 RESERVES FOR PUBLIC PURPOSE

- (1) Certain land within the Scheme Area is set aside as reserves for public purposes. Those reserves and their respective public purposes are delineated, identified and described as such on the Scheme Map.
- (2) Where compensation for injurious affection is claimed as a result of the operation of the provisions of Part 11 Divisions 1 and 2 and sections 184 (3) and (4), 187 and 188 of the Planning and Development Act 2005 the Authority may at its option elect to acquire the land so affected instead of paying compensation.
- (3) A claim for compensation is to be made in the form prescribed by the Planning and Development Act 2005 and addressed to the Authority.
- (4) In dealing with a development application relating to land reserved under the Scheme, the Authority is to have due regard to the ultimate purpose intended for the reserve.



1.14 ACQUISITION OF LAND

- (1) In accordance with Part 2 of the MRA Act the Authority may acquire any land within the Scheme Area for the purpose of ensuring the delivery of the Vision or the Intent for the subject project area, as set out in Chapters 2 and 3.
- (2) The Authority may compulsorily acquire land in accordance with section 22 of the MRA Act, pursuant to the provisions of the Land Administration Act 1997 and the Public Works Act 1902.

1.15 DEALING WITH ACQUIRED LAND

- (1) The Authority may deal with or dispose of any land that it owns or which it acquires pursuant to the Scheme or under the MRA Act, in accordance with the powers conferred upon it by the MRA Act, and for that purpose may make such agreements with any other owner or person or body whatsoever as it sees fit, in accordance with the MRA Act.
- (2) The Authority may enter into any lease or licence or agreement for use of any land it acquires under the Scheme for such period and on such terms as the Authority thinks fit, but provided that any such lease, licence or agreement will not delay or in any way interfere with the carrying out of any necessary infrastructure or site works within the Scheme Area.

1.16 AUTHORISED ENTRY

- (1) An officer of the Authority, authorised by the Authority for the purpose, may at reasonable times and with such assistance as may be required, enter any building or land for the purpose of ascertaining whether the provisions of the Scheme or any approval under the Scheme are being observed.

The Authority acquires land for strategic purposes to facilitate successful redevelopment of areas under its planning control.



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2.0

The Vision and Scheme Objectives

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2.0 The Vision and Scheme Objectives

The Vision set out below is the overall aim that underpins the preparation, content and application of the Scheme.

The Authority is to have due regard for the achievement of this Vision in determining applications made under the Scheme and when making all other discretionary decisions regarding the Scheme.

2.1 THE VISION

The Authority's Vision for the Armadale Redevelopment Area is -

To give a new life to the area, create new communities and facilities, introduce more housing options, forge stronger connections with the surrounding areas and to strengthen Armadale's role as a strategic centre with a strong focus on sustainability. New business and industrial opportunities combined with new housing will give people the chance to live, work and play within the Scheme Area.

2.2 DELIVERING THE VISION

The Scheme is the principal planning tool that will bring the Authority's Vision to life. The Scheme reinforces the strategic planning and visioning undertaken by the Authority and connects to the bigger picture by integrating with the wider vision for the future of Armadale. The Scheme has the flexibility of an outcomes based approach to development. It is supported by the Authority's Development Policies, Planning Policies, Design Guidelines and other planning tools to achieve the sustainable development of the Scheme Area.

The Scheme is designed to provide opportunities for renewal, growth and innovation that can respond to changing environmental, economic and social trends and challenges. Inherent in the Scheme is a quadruple bottom line approach to sustainability, providing opportunities for social enrichment, economic innovation and environmental enhancement through appropriate and transparent governance.

The Scheme incorporates the requirements, provisions and opportunities to ensure sustainable growth and development, and includes important sustainability outcomes such as compact growth, mixed land use, good design, primacy of public spaces, heritage conservation and reduced car use. The Scheme places importance on equity, opportunity, diversity and good governance, all intrinsic elements of sustainability.

The Objectives and provisions of the Scheme are intended to be applied in context of the most current technologies and best practices of the time. Creativity and innovation are encouraged, to achieve outstanding development outcomes.

Placemaking

The Authority's desire to create great places is based on the understanding that activity, physical setting and meaning come together to create a 'sense of place'. A space that is has a good sense of place is more likely to become a great place that people want to part of.

Key attributes to develop in 'place making' include:

Comfort and Image:

A place needs to be safe, clean and comfortable to be in, while also being attractive and appealing, with its own character and sense of history. Great places exhibit an attention to detail.

Access and Connections:

A place needs to be easy to access from surrounding transport and nearby attractions and also connected to the wider area.

The design should be legible and permeable, with a pedestrian focus.

continued



Uses and Activities:

A place should have a range of uses and activities occurring from day to night, from season to season. It needs to be convenient for local daily activities through to unique events.

Sociability:

A place should promote co-operation and neighbourliness, it should be welcoming and non-exclusionary. A great place connects people with other people.

2.3 SCHEME OBJECTIVES

The Scheme Objectives listed and described in this chapter must be taken into account in the preparation and approval of the planning framework for the Scheme Area and the assessment and determination of all applications for approval made under the Scheme. These Scheme Objectives are:

- Sense of Place;
- Economic Wellbeing;
- Urban Efficiency;
- Connectivity;
- Social Inclusion; and
- Environmental Integrity

Development in accordance with the Scheme Objectives will ensure the Scheme Area develops in a sustainable manner which will enrich Armadale's role as a premier destination for people to live, work, visit and recreate within a vibrant, mixed use setting.

All development proposals will be required to be consistent with the Scheme Objectives set out in this Chapter (clauses 2.3.1-2.3.6). The Authority is to have due regard to these Objectives in discretionary decision making regarding the Scheme, including the assessment of:

- Development Applications;
- In-Principle Applications;
- Structure Plan or Activity Centre Plan Applications;
- Local Development Plan Applications; and
- Subdivision Proposals



2.3.1 Sense of Place

To build a sense of place by supporting high quality urban design, heritage protection, public art and cultural activities that respond to Perth's environment, climate and lifestyle; including:

- **Architectural** – Create visually attractive development, with appropriately scaled streetscapes and other elements, providing a diverse but unified urban townscape characterised by high quality urban design;
- **Local Assets** – Development and enhancement of key destinations within the Armadale Redevelopment Area providing for community events, outdoor activities and social engagement; create development which respects and builds upon the existing fabric of Armadale and its community; protecting, maintaining and enhancing areas of natural amenity including river and foreshore areas;
- **Quality Public Realm** – Planning, development and management of places and spaces contributes to the vitality, amenity, comfort and safety of the public realm which is attractive to all people;
- **Liveability** – A high quality of life is facilitated by accommodating a diversity of land uses, services and social infrastructure in a compatible and complimentary manner, with high levels of amenity;
- **Heritage** – Encourage the conservation and protection of places of recognised European and Aboriginal significance and the interpretation of the themes surrounding places, people and stories no longer in physical presence;
- **Intergenerational Equity** – Providing a quality urban environment and protecting community assets, heritage places and natural resources for future generations; and
- **Health and Wellbeing** – Development facilitates physical and social health and wellbeing and contributes to a safe and comfortable environment for all people through providing a high level of walkability and diverse opportunities for social interaction.

Great Places

Urban renewal is all about creating great places. Somewhere you want to live, work or visit. The Authority places a focus on PEOPLE in developing great places. People want the urban environment to be attractive and activated, with a 'sense of place' – having qualities and characteristics that make people feel connected to a location.



Economic Wellbeing

Economic wellbeing is a person's or family's standard of living based primarily on how well they are doing financially. Economic wellbeing is measured to determine how people are faring, as it is integral in a person's overall wellbeing.

Intergenerational Equity

The Australian Research Institute in Education for Sustainability defines intergenerational equity as 'the principle that future generations have fair and equal right to the same standard of quality of life and environment as the present generation. This is a core principle of sustainable development.'

The Authority embraces all aspects of diversity in its redevelopment area. As our areas are redeveloped we will seek diversity in the types of housing to accommodate a diverse population, and facilitate diversity in businesses and entertainment and community facilities, to support the diverse needs and interests of the wider metropolitan Perth region.

2.3.2 Economic Wellbeing

To promote economic wellbeing by supporting, where appropriate, development that facilitates investment and provides opportunity for local businesses and emerging industries to satisfy market demand, including;

- **Business and Employment Growth** – Increased business activity establishes a critical mass of employment, services and economic activity, enhancing Armadale's liveability and competitiveness; creates diversity of land use and development which contributes to a range of enhanced employment and business opportunities in Armadale;
- **Industrial Development** – Aid in the revitalisation of Armadale as an effective strategic metropolitan centre through the attraction of local, national and international investment associated with Armadale's industrial hub; provide for a diverse range of industrial activity in areas highly accessible by the freight network and in proximity to workforce and service catchments;
- **Connectivity and Diversity** – Encourage development close to transit corridors that provides a high quality public realm and a mix of land uses to promote the exchange of ideas between people and businesses;
- **Live and Work** – Ensure compatibility of land uses and high quality design to protect residential amenity; and
- **Communication Networks** – Encourage the progressive upgrade of data connectivity to ensure effective virtual connections locally and internationally.



2.3.3 Urban Efficiency

To promote urban efficiency through infrastructure and buildings, the mix of land use and facilitating a critical mass of population and employment; including:

- Promoting and encouraging mixed use and transit oriented development in the Scheme Area ensures residents, workers and visitors have access to essential goods and services and employment opportunities close to rail and bus stations/stops. The highest and best land use is researched during strategic planning and the development of design guidelines to inform discretionary planning decisions with regard to community, environment and economy;
- **Integration** – Ensure efficient integration of development with adjoining areas;
- **Infrastructure Efficiency** – Provide improved efficiency in infrastructure, community facilities and services;
- **Resource Efficiency** – Minimise the ecological footprint of buildings and lifestyles through density, diversity and efficiency in the urban environment;
- **Diversity** – Diversity of land use and development contributes to enhanced employment and residential opportunities and promotes the revitalisation of Armadale as an effective strategic metropolitan centre; and
- **Development Efficiency** – Higher density, efficient urban form and self-contained neighbourhoods that reduce the need for travel.

2.3.4 Connectivity

To enhance connectivity and reduce the need to travel by car, supporting development aimed at well-designed places that support walking, cycling and public transit including:

- Develop a range of transport networks for commuters that facilitate access to and from Armadale and promote the use of sustainable transport modes such as cycling, walking and public transit options;
- **Land Use and Transport Integration** – Development and transport systems support each other to create an efficient and successful urban environment;
- **Walking and Cycling** – Accessible by active transport modes (walkable and bikeable) through high levels of amenity, safety and permeability throughout the Scheme Area;
- **Alternatives to Car Use** – Development will facilitate non-car based forms of travel, such as rail, bus, cycling and walking;
- **Equity of Access** – Provide travel networks that are accessible by all; and
- **Transit Integrated Development** – Contemporary transport planning and design principles are used to develop appropriate land uses and population densities around well designed multi-modal transport nodes.

Transit Integrated Development

Transit integrated development, also known as transit oriented development (TOD) is an important element of sustainable urban renewal.

The aim is to create more compact, diverse and accessible urban development, within walkable precincts that are served by good public transport, to reduce car dependency and provide a wide choice of housing within easy reach of workplaces, education, shops and other community facilities.

The Authority, and those developing within our redevelopment area, are well placed to achieve these outcomes by developing to make the most of the existing public transport network, amenities and services, and designing places that encourage pedestrians and cyclists.



Universal Access

The concept of universal access is to provide the ability for all people, regardless of their background, social status or abilities, to have equal opportunity to access places, services and facilities.

When places and buildings are designed to allow people with special needs to access them, these places become successful, enjoyable places for all people. Designing and developing for changing demographics and life stages enhances the longevity and adaptability of places.



2.3.5 Social Inclusion

To promote social inclusion by encouraging, where appropriate, a diverse range of housing and by supporting community infrastructure and activities and opportunities for visitors and residents to socialise including;

- **Choice and Accessibility** – Development facilitates choice and access in housing, employment, commerce, health, education, culture, leisure and transport, for a wide range of people’s needs and interests;
- **Inclusive Design** – Development is designed to help children, youth, seniors, Aboriginal people, minority groups and people with disabilities feel included and connected to the Scheme Area;
- **Activation** – Promotion of key locations within the Scheme Area as destinations for community events, recreation, socialising and leisure spaces, ongoing place activation; and
- **Healthy Design** – Develop green spaces in strategic locations throughout the Scheme Area to provide opportunities for active and passive recreation, and community activities.

Environmental Integrity

The sustenance of important biophysical processes which support plant and animal life and which must be allowed to continue without significant change. The objective is to assure the continued health of essential life support systems of nature, including air, water, and soil, by protecting the resilience, diversity, and purity of natural communities (ecosystems) within the environment.

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3.0

Project Areas

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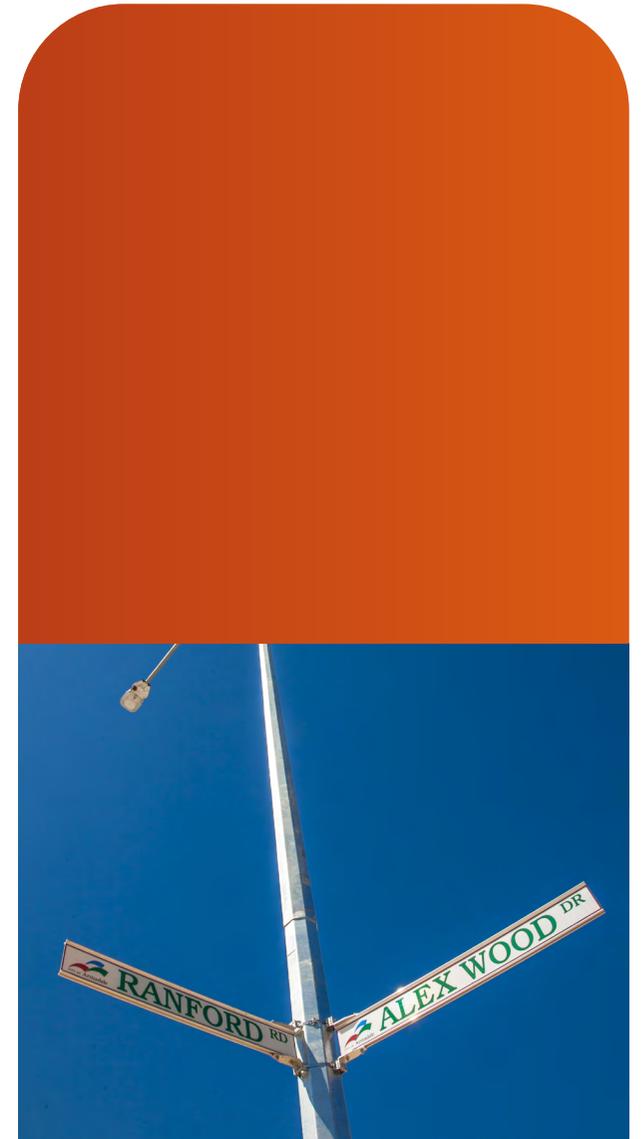


3.0 Project Areas

INTRODUCTION

The Armadale Redevelopment Area is made up of several individual project areas. The project areas are dispersed across the Armadale Redevelopment Area but together make up the Scheme Area. New project areas may be added and completed ones removed from the Scheme Area from time to time. This chapter identifies the project areas and precincts that currently make up the Scheme Area and sets the Authority's intent for the future development of each project area and precinct.

A Project Area Map is provided for each project area and identifies the boundaries of the project area and each precinct within that project area. The corresponding text for each project area sets out the Authority's vision for the development of that project area and the intent for each precinct. All development within the Scheme Area is required to be generally consistent with the Scheme Vision and Scheme Objectives in Chapter 2 and the vision and intent set out in this chapter for the relevant project area and precinct.



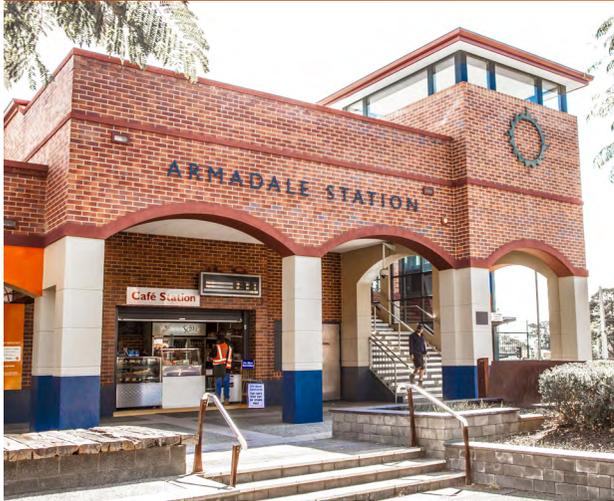


PART A – CITY CENTRE PROJECT AREA

3.1 CITY CENTRE VISION

The vision for the City Centre Project Area is to achieve a transit-orientated development through the efficient use of land within close proximity to transit nodes. Serviced directly by the Armadale Train Station and benefitting from an integrated pedestrian and cycle network, the City Centre Project Area will provide for high density residential development, with sustainable travel choices available to residents and visitors including walking, cycling and the use of public transport.

New development will assist with reducing the perceived barrier of the Armadale rail line, incorporating commercial, entertainment and retail activities, and lively civic spaces and quality streetscapes. This will result in the City Centre Project Area functioning as a primary attractor for the south-eastern corridor and provide opportunities for growth across residential and commercial sectors to enhance and support the existing civic and retail core.





- City Centre Project Area
- Adjoining Project Areas
- Precinct boundary

Precincts

- 1 Railway Station
- 2 West of Railway

Reserves for Public Purpose

- Primary Regional Road
- Other Regional Road
- Rail Reserve





3.1.1 City Centre - Precinct Statements of Intent

Precinct 1 - Railway Station

Public transport will continue to be a dominant function within this precinct, focused around the railway station, with associated bus-rail interchange and park-and-ride facilities, and other uses that will help to reinforce the function of the City Centre Project Area. Development will provide a significant active street frontage on the western side of Commerce Avenue and facilitate pedestrian movement across the rail corridor. All new development will present as a minimum of two (2) storeys to the Commerce Avenue frontage. Mixed-use, residential and community uses, including continued use by the Public Transport Authority, and also cafés and other active uses will be encouraged to promote activity beyond normal business hours, improving surveillance and security around the station.

Precinct 2 - West of Railway

A primary use of this precinct will continue to be residential; however the area's proximity to the train station also creates opportunities for development that benefits from being within easy walking distance of public transport facilities.

Sites closest to the train station and Armadale town centre, surrounding the urban plaza, and fronting Green Avenue, Forrest Road and the extended Cornish Street 'main street', will accommodate mixed use development incorporating compatible non-residential uses at ground level.

The movement network will significantly improve permeability and accessibility within the precinct, and create better links for all modes of movement between the surrounding residential areas, train station/bus interchange and the Armadale town centre.

Provision is made for an urban plaza/open space at the intersection of Green Avenue and the extended Cornish Street and Devonshire Terrace, extending north to provide a visual link to the train station. This public space will serve as a community and business focal point for the precinct.

Restaurants/cafes are preferred uses at ground level abutting the urban plaza to provide an active frontage to the plaza and promote natural surveillance of the space.



PART B – CHAMPION LAKES PROJECT AREA

3.2 CHAMPION LAKES VISION

The vision for the Champion Lakes Project Area is for a unique residential lifestyle that embraces the essence of the Armadale region and mixes it with the vibrancy of living beside a world class sporting and recreational facility. The project area will deliver a high quality development through the creation of a vibrant public realm, high quality built form, connecting people and places, and ensuring a successful mixture of land uses and activities.

Development will include high quality, contemporary waterside residential development that will set new standards of living in the Armadale region and incorporate best practice in environmentally sensitive design. Development shall be responsive to local climatic conditions and demonstrate sustainable living solutions ensuring that energy and water consumption is minimised.

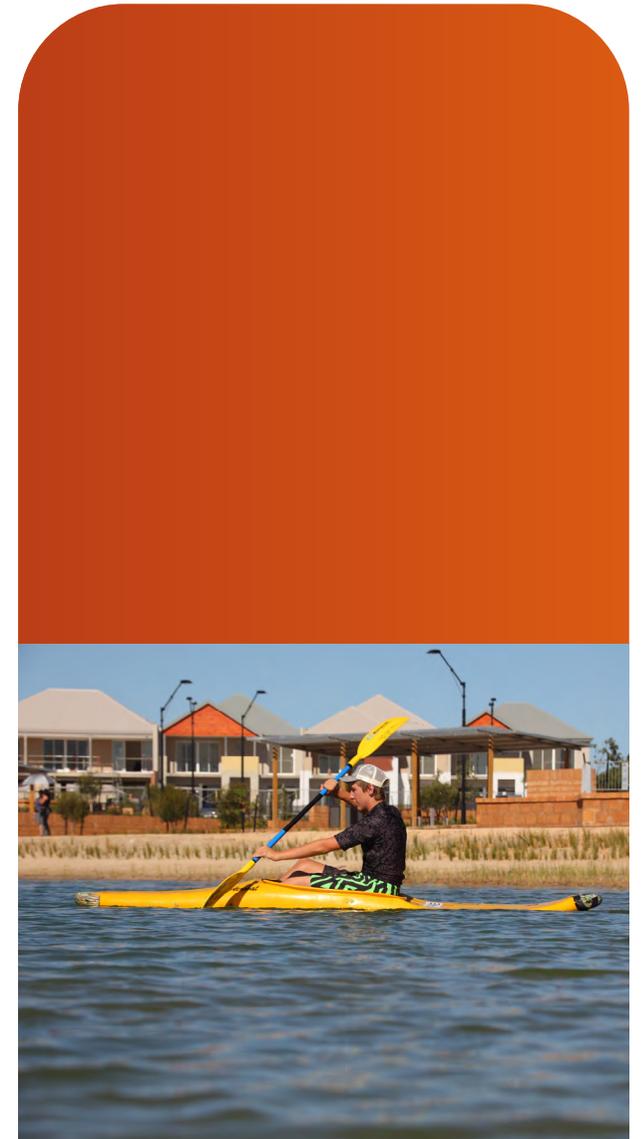
The project area will also be a vibrant hub of activity with restaurants, cafés, shops and recreational facilities on offer to become a premier tourist destination which will have a positive effect on the local economy. An exciting cultural scene, recreational opportunities and attractive surroundings, will make Champion Lakes an attractive place to live, work and visit.

3.2.1 Champion Lakes – Precinct Statements of Intent

Precinct 3 – Champion Lakes Gateway

The precinct will create an attractive, liveable, neighbourhood centre which incorporates apartment style residential development. Minor retail and commercial activities and key recreation and tourist ‘attractors’ that complement and enhance the existing sporting facility will be encouraged. The development will be compatible with existing residential development in the Champion Lakes Residential Precinct and neighbouring Lake Road with an effective transition from medium to high density development closer to the Champion Lake. Tree lined pedestrian corridors will also provide visual linkages between the existing residential areas. View corridors from main entry points to water bodies will be maintained and highlighted with tree lined road corridors.

The area will maintain high amenity value using landscaping, view corridors and the incorporation of sound urban design principles to address streetscapes and solar design.





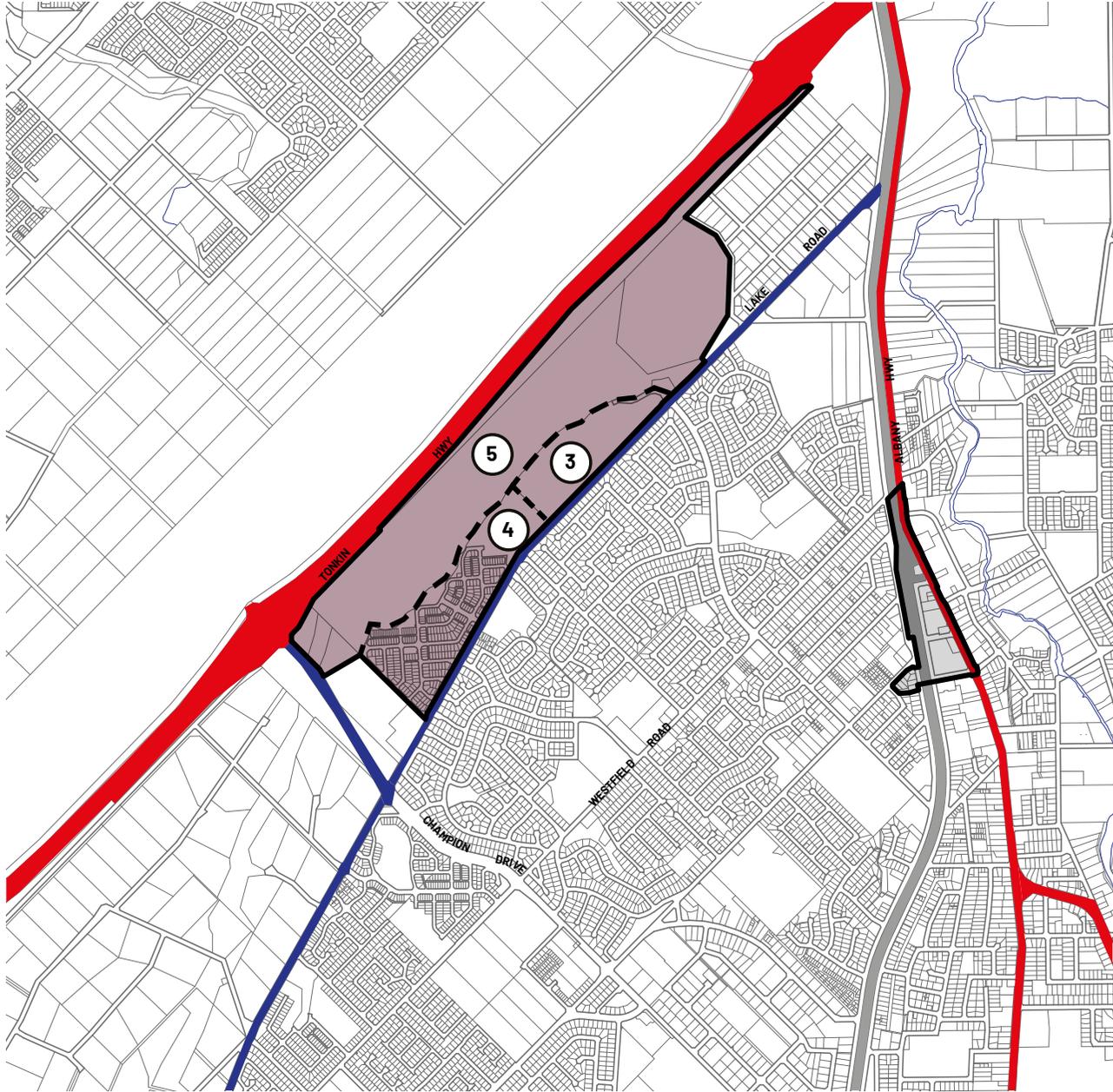
- Champion Lakes Project Area
- Adjoining Project Areas
- Precinct boundary

Precincts

- Champion Lakes Gateway
- Champion Lakes Residential
- Champion Lakes Recreational

Reserves for Public Purpose

- Primary Regional Road
- Other Regional Road
- Rail Reserve





Precinct 4 - Champion Lakes Residential

The Champion Lakes Residential Precinct will provide opportunity for a significant area of residential development that will derive value and amenity from the adjacent water-based recreational areas while creating more diverse housing types for Armadale, complementing the existing residential areas to the east of Lake Road. A range of housing types will be accommodated, including single dwellings, small lot dwellings, and potentially some grouped housing and apartment style developments close to the water bodies and other locations of high amenity. There is the potential for minor mixed use development within the precinct.

Precinct 5 - Champion Lakes Recreation

The focus of this precinct is the international standard rowing course, which is a major recreational and sporting attraction, not only for formal sporting events, but also for general water-based recreational use, both for the local community and a wider regional and metropolitan catchment. Potential supporting development includes residential and recreational uses. While active recreational uses will be the focus of the precinct, opportunities for more casual recreational use will be provided, and the area's pre-existing natural values will be reflected and enhanced.

Precinct 6

Former Precinct 6 – Champion Drive was normalised on 24 December 2020, at which point planning authority for the precinct was returned to the City of Armadale





PART C – FORRESTDALÉ PROJECT AREA

3.3 FORRESTDALÉ VISION

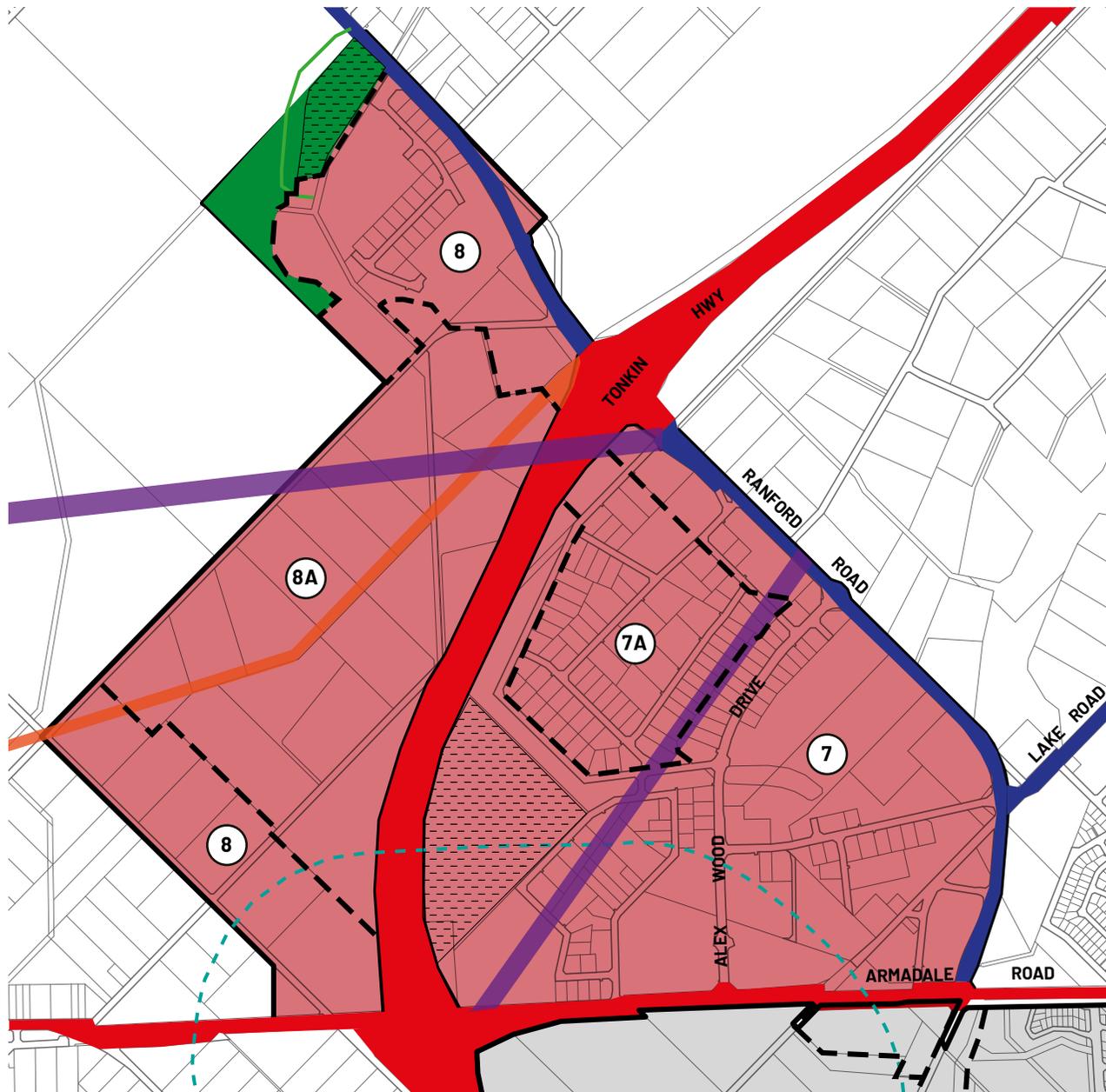
Forrestdale is identified as an industrial centre in the Western Australian Planning Commission’s Economic and Employment Lands Strategy: non-heavy industrial, Perth metropolitan and Peel regions (EELS). Forrestdale will be developed progressively to cater for a range of manufacturing, processing, warehousing and bulky goods handling activities. The Forrestdale Project Area will develop as a dynamic industrial hub and create an important employment zone to support Armadale’s population growth. As a major business and industrial hub, the project area will include coordinated, consistent, and high-quality design, landscaping and standards of presentation. The Forrestdale Project Area will generate local jobs and provide a highly credible business address for new industries and a diversity of enterprises, performing both on a functional and an aesthetic level with a defined identity and sense of place, and in harmony with its local environmental context.

3.3.1 Forrestdale – Precinct Statements of Intent

Precincts 7 and 7A – Forrestdale Business Park East

The precincts have high exposure and access to the existing and proposed regional road network and will be a focus of new economic activity and employment for the region. The precincts will support a range of different scales of business activity, from smaller start-up businesses to larger scale uses that will meet the day to day needs of local employees without competing with strategic retail centres within the Armadale or Kelmscott town centres.

The siting of industrial uses shall have regard to existing and future neighbouring residential development and environmental sensitive areas. More intrusive industrial land uses shall be located on the north-western portion of the precinct to minimise any adverse impacts on other land uses and operate without impacting on the drainage basin and Conservation Category Wetland located immediately to the south. Less intense industrial land uses shall be located along the major boundary roads of Armadale Road and Ranford Road and the major internal spine road, to maximise exposure to passing trade.



- Forrestdale Project Area
- Adjoining Project Areas
- Precinct boundary

Precincts

- 7 Forrestdale Business Park East Light Industry
- 8 Forrestdale Business Park West Light Industry
- 7A Forrestdale Business Park East Industry
- 8A Forrestdale Business Park West Industry

Reserves for Public Purpose

- Primary Regional Road
- Other Regional Road
- Rail Reserve

Easements

- Dampier Bunbury Natural Gas Pipeline Corridor
- Powerline Easement

Environmental Features

- Conservation Category Wetland
- Bush Forever Site
- Treatment Plant Buffer





Precincts 8 and 8A - Forrestdale Business Park West

The precincts will facilitate the development of a high quality well designed, unified and sustainable business park and encourage the accommodation of a range of industrial uses and synergy with the existing and future development of the Forrestdale Business Park East to the east of Tonkin Highway.

The precincts will be developed for a range of Industrial uses of different levels of intensity with warehouse uses accommodated along the district road frontages and key entry points into the business park. Larger scale and more intensive industrial operations, which can be more intrusive (be it through noise, emissions, or by virtue of scale), will be located away from existing and future sensitive areas to the north and south.

Larger scale industrial land uses that require heavy haulage vehicle access shall have easy access to the primary internal roads enroute to the regional road network. Showroom and less intensive industrial land uses shall be developed along the Keane Road, Armadale Road and Ranford Road frontages and primary entry points and approaches to these roads enabling greater exposure to passing trade, as well as providing an appropriate buffer between the more intensive industrial land uses internal to the business park and sensitive land uses nearby.



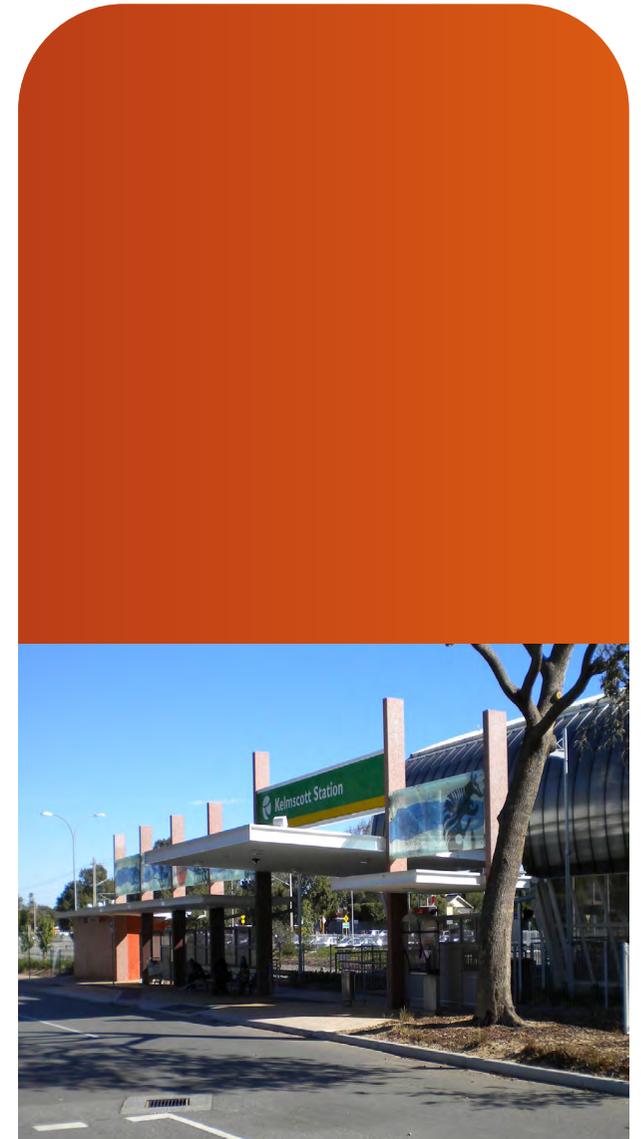


PART D – KELMSCOTT PROJECT AREA

3.4 KELMSCOTT VISION

The vision for the Kelmscott Project Area is to draw on Kelmscott’s highway orientation to create a vibrant town centre for a growing residential community along with increasing numbers of workers and visitors. As a district centre serviced by an integrated public transport system and within close proximity to the Canning River, Kelmscott has the potential to deliver an attractive and sustainable city-living environment and promote transit-oriented development which will enhance its role as a meeting place for people to enjoy and become a part of the community.

Connectivity will be central – connection to major public transport, pedestrian connection through the area and connecting people together through civic places. Redevelopment of the project area will also place a strong focus on connection with the Canning River and promote enjoyment and use of the river by both residents and visitors, as well as an enhanced natural environment where required. The project area will develop as a bustling, vibrant place comprising of a wide range of residential and commercial development that takes advantage of the project area’s prominent location and its attractive natural setting.





- Kelmscott Project Area
- Adjoining Project Areas
- Precinct boundary

Precincts

- Kelmscott Town Centre

Reserves for Public Purpose

- Primary Regional Road
- Other Regional Road
- Rail Reserve





3.4.1 Kelmscott - Precinct Statement of Intent

Precinct 9 - Kelmscott Town Centre

This precinct comprises the western part of the Kelmscott Town Centre and Kelmscott Train Station. Additional retail and commercial development on Albany Highway is encouraged. Development is to be of a quality built form with active frontages addressing Albany Highway, Denny and Gilwell Avenues with the majority of the parking located to the rear. There will be a focus on encouraging development that integrates the Kelmscott Town Centre to the east and west of Albany Highway. The scale of retail and commercial expansion is to improve the function and character of Kelmscott as a district activity centre, in a manner that is complementary to, rather than competitive with, Armadale's role as the strategic metropolitan activity centre.

The Kelmscott Town Centre is to be designed to improve train station access, visibility and security; create an active public focus for Kelmscott; and enhance public transport usage. On-street car parking and active street frontages are to be maximised. There are also opportunities for upper level residential and office and consulting based activities to improve the levels of activity and security in the centre. To achieve a vibrant urban centre, a sense of enclosure is desirable and often best created by two to three storey development. The precinct will provide better pedestrian access to and integration with, the eastern side of the Kelmscott Town Centre and allow for long term connections to the Canning River from the station. Land west of Railway Avenue, fronting Third Avenue, presents medium density residential and mixed use development opportunities.





PART E – WUNGONG URBAN WATER PROJECT AREA

3.5 WUNGONG VISION

The vision for the Wungong Urban Water (Wungong) Project Area is to establish a vibrant and sustainable urban community within a landscape that respects and promotes the ecological and cultural features of the site. The project area will implement innovative environmental and urban water management principles while addressing significant housing demand identified under broader strategic planning for the Perth Metropolitan Area.

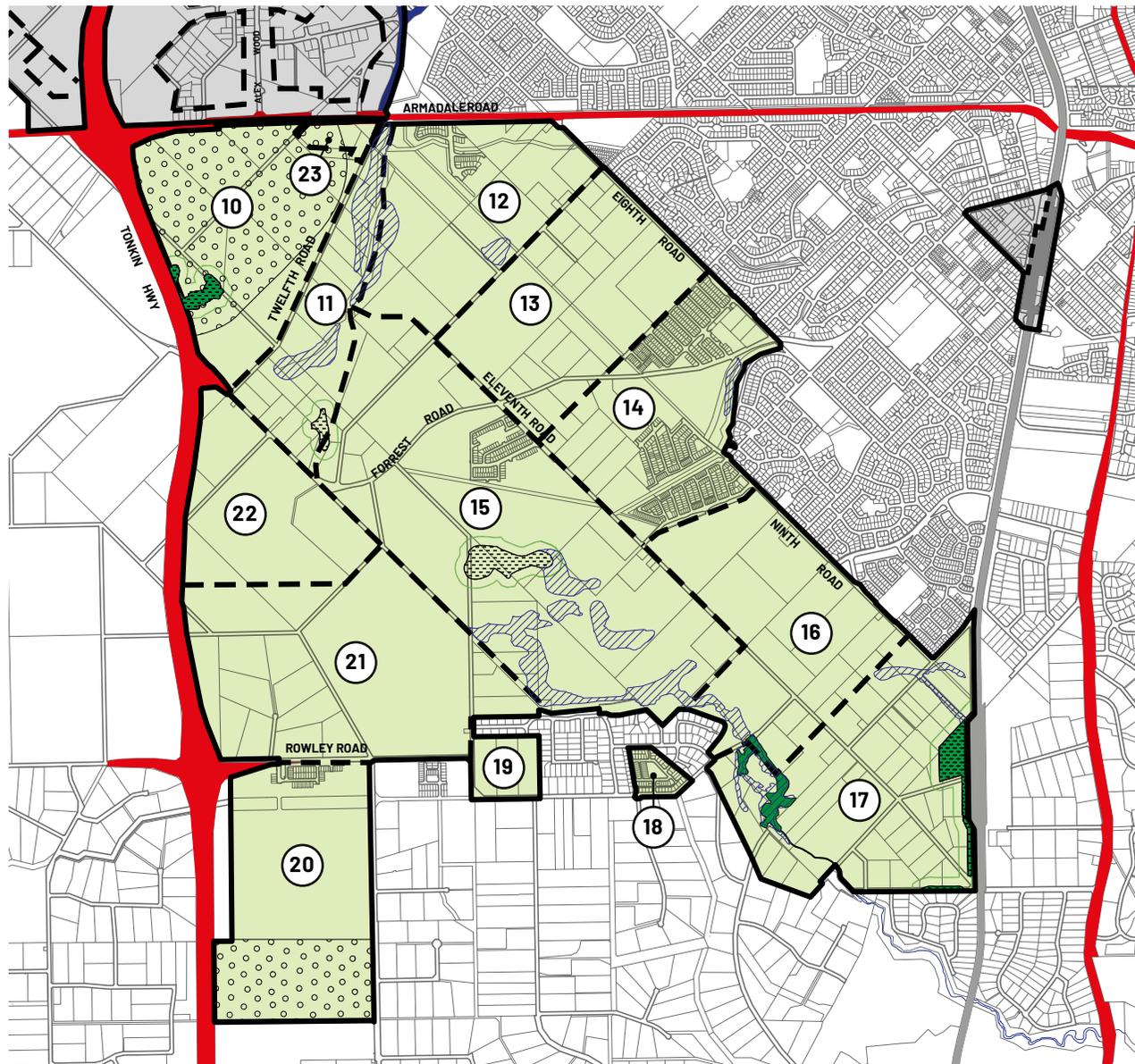
Development in the project area will exemplify the Scheme's Objectives, incorporating best practice water sensitive urban design measures, integrating with the site's natural drainage systems, and facilitating efficient use of resources and infrastructure. The project area contains areas of high environmental and heritage significance that are to be protected and preserved within the public open space network, through the provision of environmental buffers and the designation of compatible land uses.

A key feature of the project area will be a system of 'Park Avenues' and 'Living Streams' as multi-functional corridors which combine water management, movement and public open space functions. These corridors, along with community parks, will provide opportunities for community interaction and enhanced physical wellbeing of the residents.

Development will also include a district-level activity centre and a network of neighbourhood activity centres which comprise diversified retail, commercial and employment opportunities. Viability of these centres will be maximised through the designation of greater densities in the vicinity of centres and the provision of quality public transport. The activity centres will contribute to the formation of self-contained, well connected, walkable and cycle-friendly neighbourhoods that reduce private vehicle use of the residents.

3.5.1 Wungong – Precinct Statements of Intent

Development within the Wungong Project Area shall be in accordance with the District Water Management Strategy and will achieve best practice in sustainable urban development and urban water management, including wetland conservation. Development is to result in improved water quality, either through reducing mobilisation of existing contaminants or by reducing contamination outputs from activities within the development. Post development surface water quality is to be improved when compared with pre-development surface water quality. Any potential unavoidable adverse environmental impacts from development should be counterbalanced by offsets, with an overall goal of achieving a net environmental benefit.



-  Wungong Urban Water Project Area
-  Adjoining Project Areas
-  Precinct boundary

Precincts

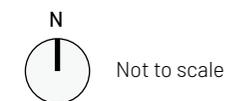
- | | | |
|--|--|--|
|  10 Recreation |  15 Town Centre |  20 Tonkin South |
|  11 River |  16 Ninth Road |  21 Rowley Road |
|  12 Armadale Road |  17 Eleventh Road |  22 Tonkin North |
|  13 Eighth Road |  18 Brookwood A |  23 Wungong North |
|  14 Forrest Road |  19 Brookwood B | |

Reserves for Public Purpose

-  Primary Regional Road
-  Other Regional Road
-  Rail Reserve

Environmental Features

-  Conservation Category Wetland
-  Bush Forever Site
-  Resource Enhancement Wetland
-  Odour Buffer





Precinct 10 - Recreation

The Recreation Precinct will provide a regional active reserve expected to draw users not only from the local vicinity but also from a larger catchment area due to the quality and scale of the sporting facilities. The facility will be home to a range of user groups including football, soccer, cricket, baseball and other outdoor pursuits and has the potential to attract a higher level sporting competitions than other local reserves.

The precinct will be well connected through a series of trails, pathways and elevated walkways to provide access to the sporting facility from adjoining wetland areas and other passive recreational areas such as playgrounds, barbeque and picnic areas. A dual use pathway is proposed to encircle the majority of the precinct, forming a destination point and link to existing and proposed pedestrian and cycling networks. In addition, the precinct requires a feature entrance statement, lighting and wayfinding signage directing users to the individual sport or recreational areas.

Any development in the precinct should occur in sympathy with the identified Bush Forever Site and Aboriginal Sites. Development should also occur cognisant of the existing Water Corporation wastewater treatment station, and note the potential for occasional offsite amenity impacts. The need to retain this strategically located site is acknowledged, with land use and development associated with the continued efficient use of the treatment facility supported into the foreseeable future.

Strategies for water utilisation will need to be developed at the detailed planning stage to offer opportunity to investigate and implement best practise strategies.

Precinct 11 - River

The River Precinct will be largely undeveloped due to the extensive flood plain and to protect the Wungong River that flows through the precinct. It will consist of large low density residential lots situated between Twelfth Road and the Wungong River. Active and passive open space areas will be located within the flood plains and to protect identified Aboriginal Sites.



Precinct 12 - Armadale Road

The Armadale Road Precinct is located south of Armadale Road and is highly connected to major transport routes. The Neerigen Brook (North) runs to the north of the precinct connecting into the Wungong River. The precinct contains two sites which have been identified as having archaeological significance and are to be protected within active open space.

Opportunity exists for neighbourhood centres, with medium to high density residential development located nearby to take advantage of the conveniences and added amenity that centres provide. A primary school site will be co-located with public open space and community facilities, reducing the need for multiple car trips.

Most of the residential development will be low to medium density with an increase in density closer to amenities such as public open space and community assets.

Precinct 13 - Eighth Road

The Eighth Road Precinct will consist of mostly low to medium density residential development. Higher density will be supported adjacent to the neighbourhood centre on Eleventh Road. The precinct will provide for one of the two high schools in the project area, it will be co-located next to a primary school.

A park avenue and living stream will run through the precinct connecting the residential developments to the district town centre.

Precinct 14 - Forrest Road

Forrest Road runs through this precinct which is predominantly residential with an opportunity for a small neighbourhood centre. A private school site is located at the intersection of Forrest Road and the Neerigen Brook (South). The public open space network will consist of active open space areas, parking avenues and the foreshore buffer. The neighbourhood centre creates opportunity for medium density residential development which can take advantage of the additional amenities on offer.





Precinct 15 - Town Centre

The Wungong Town Centre Precinct is centrally located extending north and south of Forrest Road. Its location shall necessitate that development establishes a strong relationship with the Neerigen Brook, wetlands and the Wungong River. Towards the northern portion of the precinct a large town activity centre will provide a mixture of land uses including shops, business services and restaurants with supporting higher density residential uses.

The southern end of the precinct will capitalise on the connection with the Wungong River and the Hilbert Road Wetland, Conservation Category Wetland by providing tourist or entertainment based activities such as restaurants/cafes and/or boardwalks, with accompanying higher density residential development.

Precinct 16 - Ninth Road

The Ninth Road Precinct is located between Ninth Road to the north and Eleventh Road and the Wungong River to the south. This precinct has the opportunity to deliver two neighbourhood centres with associated increased residential density. Within the middle of the precinct a primary school will be located alongside the community centre on Ninth Road.

Environmental assets such as living streams, Neerigen Brook and the Wungong River will be protected within public open space.

Precinct 17 - Eleventh Road

The Eleventh Road Precinct is situated in the south east corner of the project area and contains a Lambert Lane Bush Forever Site protected in passive open space. The Wungong River travels through the lower portion through a second Bush Forever Site (Wungong Brook, Byford) and associated flood plain.

The Eleventh Road Precinct will provide an additional primary school site which will share open space with an adjoining active open space area. There is opportunity for neighbourhood centres within the middle of the precinct to cater for the everyday needs of the local community. These centres can provide for an increase in residential densities to allow more people to take advantage of the additional amenities.



Precinct 18 - Brookwood A and Precinct 19 - Brookwood B

The Brookwood Precinct provides medium residential development surrounding public open space areas with direct access to major transport networks via Rowley Road.

Precinct 20 - Tonkin South

The Tonkin South Precinct is located at the southern end of the project area. Its close proximity to Rowley Road provides direct access to Tonkin Highway and major transport networks, however this presents a noise impact for sensitive land uses. Residential development will be primarily low to medium density apart from development located close to the neighbourhood centre on Rowley Road which will be afforded a higher density.

A primary school will be located within the middle of the precinct sharing open space with a local playing field. A living stream corridor is located in the northern portion of the precinct, while park avenues shall run north-south to provide improved environmental and community linkages. Public open space areas shall provide opportunities for the protection and integration of cultural heritage sites located in the precinct.

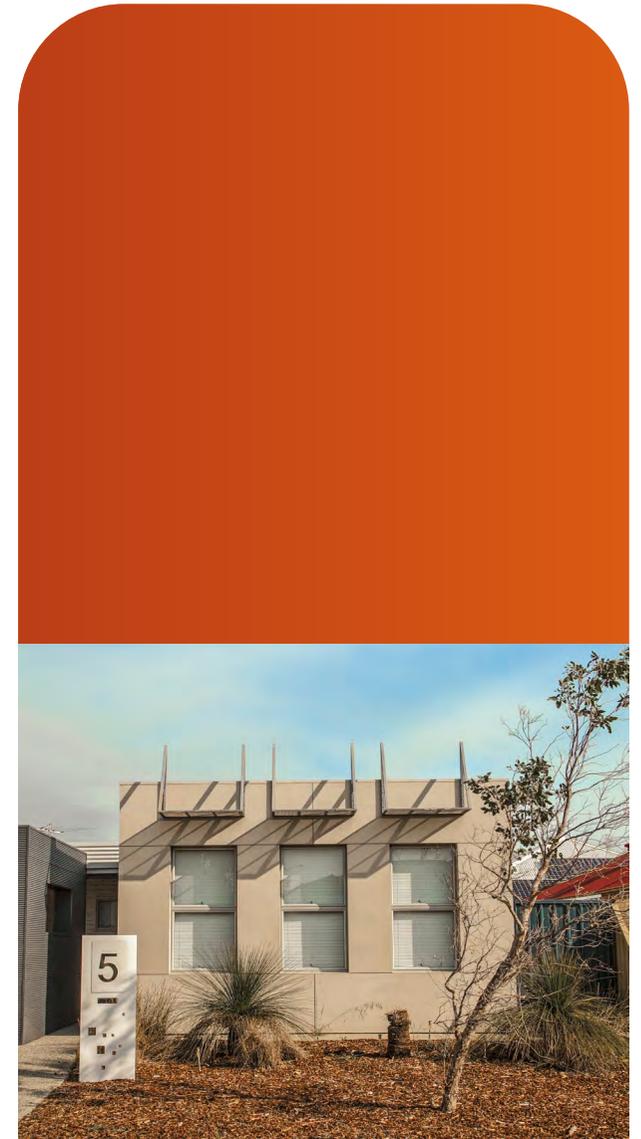
Precinct 21 - Rowley Road

The Rowley Road Precinct benefits from its linkages to major transport networks, with Rowley Road located immediately to the south of the precinct and Tonkin Highway immediately to the west. The location of the precinct makes it extremely accessible and over time will support a range of uses reliant on the movement economy afforded by Rowley Road and its access to the Kwinana Freeway and Tonkin Highway. The precinct will include a neighbourhood centre on Rowley Road which provides amenity to the local and passing traffic and a smaller local centre towards the north-west of the precinct.

There is potential for the Wungong River, which forms the north-eastern boundary of the precinct, to be treated as a significant recreational and environmental asset. This asset should be enjoyed while also protected and rehabilitated.

Two primary schools and a high school will be located amongst the low to medium density residential development. School buildings shall be located close to the street frontage to reinforce the street edge and maximise surveillance of the buildings by the surrounding residential development. The open space associated with the schools' recreation areas will provide amenity and satisfy the active open space needs for residents.

Residential densities will increase closer to the neighbourhood centres allowing for an increased level of housing diversity within close walking distance to retail and service amenities.





Precinct 22 - Tonkin North

The Tonkin North Precinct is bound by the Tonkin Highway to the west and the Wungong River to the east. A living stream will provide a green north-south linkage connecting the southern precincts to the precincts in the north of the project area. Whilst there are no school sites intended, a neighbourhood centre will be located in the northern portion of the precinct and will be supported by increased residential density within its immediate catchment.

The Wungong River, which forms the north-eastern boundary, is an environmental asset that should be enjoyed but protected and rehabilitated.

Precinct 23 - Wungong North

The Wungong North Precinct will promote the development of land uses complimentary to those within the Forrestdale Project Area located immediately to the north. Tenancies within the precinct are encouraged to cater for local conveniences and create a synergy of land use with the adjacent regional recreational sports facilities in Precinct 10 Recreation. The precinct will capture and present to a high volume of passing traffic along Armadale Road. For this reason the development of landmark buildings adjacent to the prominent Twelfth and Armadale Road intersection will be delivered.

The precinct is affected by an environmental odour buffer from a pumping station site restricting sensitive land uses.



4.0

Policies and Design Guidelines

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4.0 Policies and Design Guidelines

4.1 PREPARATION OF POLICIES

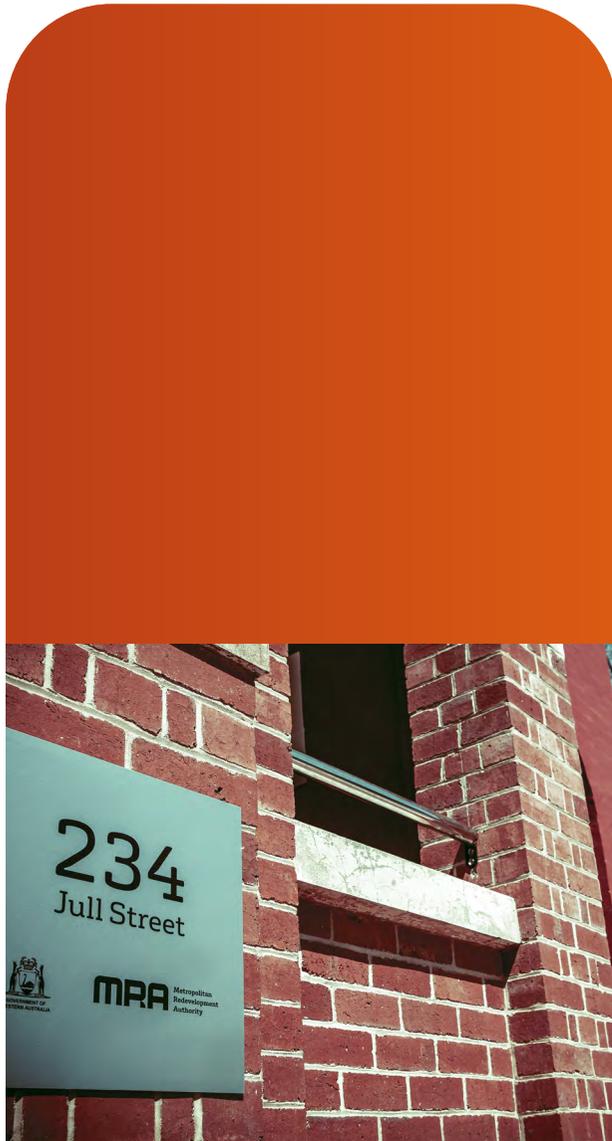
- (1) The Authority may prepare and adopt Development Policies or Planning Policies which may:
 - (a) make provisions for any matter related to the planning or development of the Scheme Area; and
 - (b) apply generally to the Scheme Area, or to a particular matter, or to a particular area of the Scheme Area.
- (2) The content of a Development Policy is to be based on one or more of the Scheme Objectives and each Policy is to be written to establish or protect appropriate levels of amenity and to guide the sustainable development of the Scheme Area.
- (3) A Planning Policy shall cover strategic and operational requirements for the delivery of infrastructure and environmental needs for the Wungong Project Area.
- (4) Development Policies and Planning Policies are to be prepared and adopted in accordance with clauses 4.3 and 4.4

4.2 PREPARATION OF DESIGN GUIDELINES

- (1) The Authority may prepare and adopt Design Guidelines which:
 - (a) make a provision for any matter related to urban, environmental, building, architectural or landscape design within the Scheme Area; and/or
 - (b) apply generally to the Scheme Area, or to a particular type of development, or in a particular area of the Scheme Area.
- (2) The content of Design Guidelines is to be based generally on the Scheme Vision and Objectives and each Design Guideline is to be written to ensure a high standard of design and amenity in new buildings and other development, and to facilitate a high quality public realm.
- (3) Design Guidelines are to be prepared and adopted in accordance with clauses 4.3 and 4.4.

Development Policies and Planning Policies are a set of guiding documents that address key issues (such as sound attenuation or heritage conservation) by providing the Authority's position on that issue and detailing how that issue should be dealt with in the planning, development, or use of land. All development must comply with the policies that are relevant to the type of development being proposed.

Design Guidelines set out the requirements for building design and other development standards for land within a specific area of the redevelopment area, such as for a precinct. Design Guidelines provide the detailed guidance for designing and assessing development proposals and include standards such as building design and materials, building height and setbacks, and car parking.



4.3 CONSULTATION OF DRAFT POLICIES AND DESIGN GUIDELINES

- (1) After preparation of a draft Policy or draft Design Guidelines in accordance with clause 4.1 or 4.2, and prior to final adoption, the document/s must be endorsed by the Authority for the purpose of public consultation.
- (2) The Authority will undertake a 42 day consultation period during which the draft document is to be made available for stakeholders and the general public to provide comment on.
- (3) The consultation period is to commence with the following actions:
 - (a) referral of the draft document/s to relevant local governments and Public Authorities;
 - (b) referral of the draft document/s to other organisations, service providers, land owners or other stakeholders who in the opinion of the Authority may be reasonably affected by the adopting of the document;
 - (c) notification in a newspaper circulating within the Scheme Area inviting comment on the draft document/s and advising where and when the document/s can be viewed; and
 - (d) notification, including publishing the draft document/s, on the Authority's website inviting comment on the draft document/s.

4.4 FINAL ADOPTION OF POLICIES AND DESIGN GUIDELINES

- (1) Following the undertaking of consultation on a draft Policy or draft Design Guidelines as set out in clause 4.3, the Authority will undertake the following actions:
 - (a) review all written submissions made during the consultation period and consider whether modification to the document is necessary; and
 - (b) resolve either to adopt the document with or without modification, or not to proceed with the draft document.
- (2) As soon as practicable after the Authority makes a determination under clause 4.4(1)(b) details of that resolution are to be:
 - (a) provided to the relevant local government;
 - (b) provided to all those that made a submission during the consultation period; and
 - (c) published in a notification in a newspaper circulating within the Scheme Area and on the Authority's website.
- (3) The Authority is to make copies of any adopted Policy and Design Guideline available to view at the Authority's offices, and make electronic or printed copies available subject to payment of any necessary fee.



4.5 AMENDING AND RESCINDING POLICIES AND DESIGN GUIDELINES

- (1) The Authority may resolve to amend or rescind an adopted Policy or Design Guideline at any time. The Authority is to publicly advertise any such resolution, and in the case of a substantial amendment, this shall be carried out in accordance with the procedures set out in clauses 4.3 and 4.4.

4.6 POLICIES AND DESIGN GUIDELINES PREVIOUSLY PREPARED

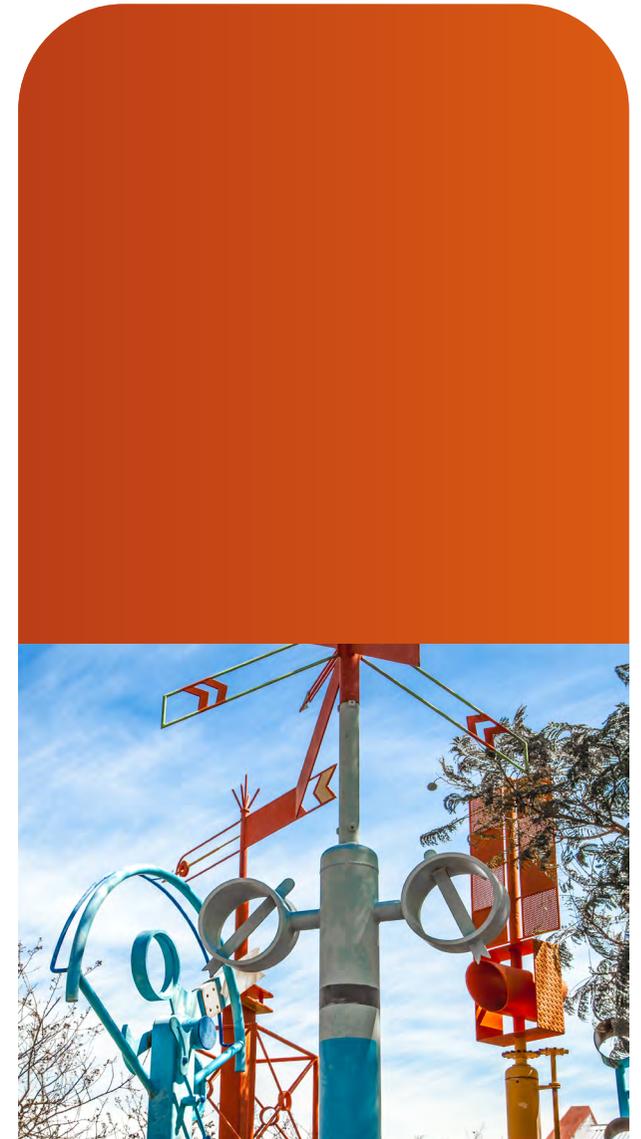
- (1) Policies and Design Guidelines prepared by the Authority under the provisions of the Armadale Redevelopment Scheme or Wungong Urban Water Redevelopment Scheme which were:
 - (a) still in operation at the Gazettal date of the Scheme, are deemed to have been made in accordance with this Scheme and shall come into operation on the coming into operation of this Scheme; and
 - (b) prepared and advertised prior to the commencement of the Scheme, may be adopted under the Scheme, provided that anything done prior to the commencement of the Scheme would otherwise comply with the requirements of the Scheme.

4.7 DEVELOPMENT TO COMPLY WITH POLICIES AND DESIGN GUIDELINES

- (1) All development within the Scheme Area is to generally comply with the Policies and Design Guidelines that are relevant to the nature and location of the proposed development. The provisions of relevant Policies and Design Guidelines will form the basis of the assessment of development proposals, in addition to the provisions of the Scheme.

4.8 DUE REGARD FOR POLICIES AND DESIGN GUIDELINES IN DECISION MAKING

- (1) Subject to the provisions of Chapter 5, a Policy or Design Guideline shall not bind the Authority in respect of any Application for Approval to Undertake Development or Application for Subdivision, however the Authority shall have due regard to the provisions of relevant Policies and Design Guidelines and the objectives or outcomes which the Policy or Design Guideline was designed to achieve.



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Development Management

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5.0 Development Management

PART A – OVERVIEW

5.1 VISION AND OBJECTIVES OF SUSTAINABLE DEVELOPMENT

Chapter 2 of the Scheme sets out the Authority's Vision and Objectives for the sustainable development of the Armadale Redevelopment Area. Ensuring a high quality built and natural environment which provides social, environmental and economic benefits is central to implementing the Vision and Objectives.

In the assessment and determination of all applications made under this chapter the Authority shall have due regard to the Vision and Objectives set out in Chapter 2.

5.2 HIGH QUALITY BUILDINGS

The achievement of sustainable development and the implementation of the Scheme Vision and Objectives place a strong emphasis on the quality of built form which is integral to creating sustainable places.

For the purposes of promoting the Scheme Vision and Objectives, in assessment and determination of all applications made under this chapter the Authority shall require high quality in all built form that embraces all aspects of the Scheme Vision and Objectives. The Authority may require the improvement or redesign of any proposal to achieve a built form outcome that is of a quality acceptable to the Authority.

5.3 IMPORTANCE OF THE PUBLIC REALM

Creating sustainable places and spaces and the implementation of the Scheme Vision and Objectives requires a strong emphasis to be placed on the quality of the public realm.

For the purposes of promoting the Scheme Vision and Objectives, in the assessment and determination of all applications the Authority shall require well designed, activated, safe and comfortable public realm and may require the amendment or redesign of any proposal to meet a public realm outcome that is of a quality acceptable to the Authority.

Human Scale

Development at a 'human scale' produces places that are inclusive and inviting. This includes development that is oriented to the streetscape, sets tall elements of buildings away from the street, feels safe and attractive, and where people can easily find their way.

Public Realm

The public realm is the area that people can see and access and interact with each other and their surroundings. It is more than just public land, it is the places, the streets, the building frontages, the whole environment.

A great public realm is crucial to the success of a city, its how people experience the city centre. It also allows social interaction, formal meeting, private contemplation, or community activation.



5.4 ENVIRONMENTAL INTEGRITY

The achievement of sustainable development and the implementation of the Scheme Vision and Objectives place a strong emphasis on incorporating innovative environmental and urban water management principles and facilitating efficient use of resources and infrastructure.

For the purposes of promoting the Scheme Vision and Objectives, in the assessment and determination of all applications, the Authority shall require the conservation and enhancement of significant environmental features and ensure that post development surface water quality is improved compared with pre-development surface water quality. The Authority may require the improvement or redesign of any proposal to achieve a sustainable outcome that is of a quality acceptable to the Authority.

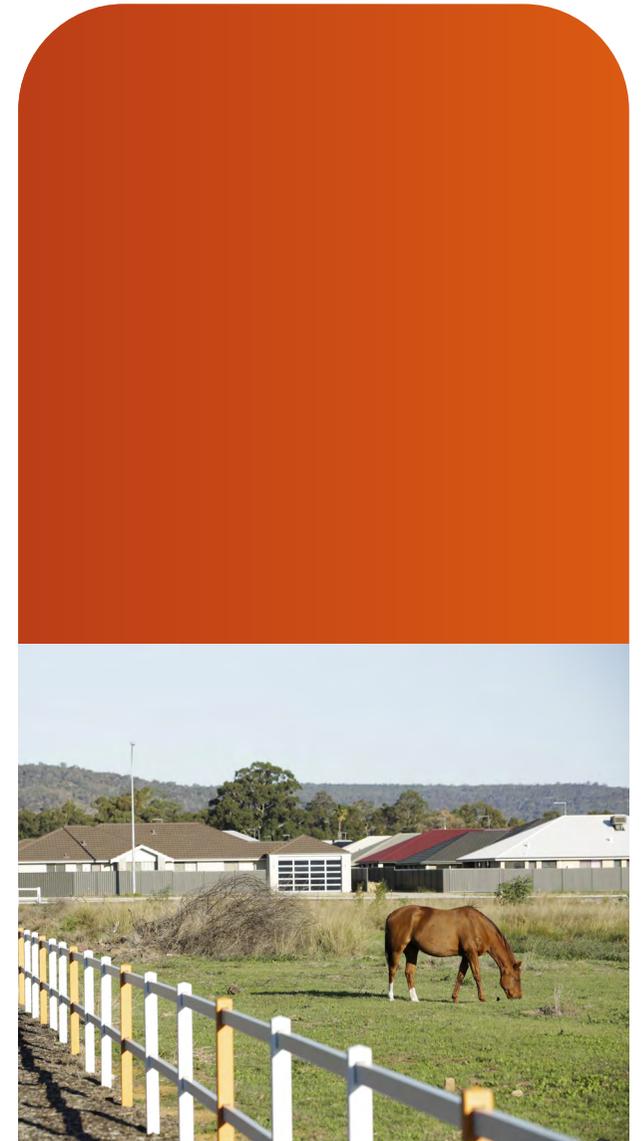




PART B – SUBDIVISION

5.5 SUBDIVISION

- (1) In exercising its functions in respect to subdivision and amalgamation, under section 18 of the MRA Act or in providing advice on proposed subdivisions in the Scheme Area, the Authority shall have regard to:
 - (a) clause 9.2, and all other relevant provisions of the Scheme;
 - (b) any relevant planning document adopted under the Scheme, including but not limited to a Design Guideline, Development Policy, Planning Policy, Heritage Inventory, or Development Contribution Plan;
 - (c) any strategic master plan approved by the Authority for the relevant project or locality;
 - (d) any Structure Plan or Local Development Plan approved by the Authority that includes the subject site;
 - (e) any submission received as a result of a referral to local government or Public Authorities or public consultation, in accordance with clauses 5.14 and 5.15;
 - (f) any specialised advice obtained under clause 5.16;
 - (g) the requirements of orderly and proper planning;
 - (h) the current and intended amenity of the locality; and
 - (i) environmental and water management plans for the relevant project area, and prepared in accordance with Appendix 5 of the Scheme (Specifications for Environmental Management Plans and Strategies in the Wungong Urban Water Project Area), including but not limited to the following:
 - (i) Urban Water Management Plan;
 - (ii) Wetland Management Plan;
 - (iii) Foreshore Management Plan;
 - (iv) Landscape and Irrigation Management Strategy;
 - (v) Fauna Relocation and Management Plan;
 - (vi) Construction Management Plan;
 - (vii) Acid Sulfate Soils Management Plan; and
 - (viii) Mosquito and Midge Management Plan.





Do you need approval?

If you are unsure if you need Development Approval or what level of assessment your proposal will require, contact the Authority on (08) 9482 7499 to discuss your proposal with a planner.

Exclusions from development approval

Please note that not requiring Development Approval does not provide an exemption from any other law or requirements. Local Government approvals such as building licence and health permits may be required.

Activities that may not require approval:

In some instances Development Approval may not be required for minor works and activities if they are in keeping with the limitations set out in the Authority's Development Policies.

Please refer to these policies for more information:

- Home Based Business
- Signage
- Additional Structures
- Public Events



PART C – WHAT REQUIRES DEVELOPMENT APPROVAL

5.6 REQUIREMENT FOR DEVELOPMENT APPROVAL

- (1) Development approval is required from the Authority to undertake any development on or partly on any land within the Scheme Area. An Application for Approval to Undertake Development is required to be lodged in accordance with Part D of this chapter and approved prior to development or change of use taking place.

5.7 LEVEL OF ASSESSMENT

- (1) The Authority takes an “impact level” based approach to the requirement for Development Approval and to the level of detailed assessment undertaken of Development Applications.
- (2) The four levels of assessment are:
 - (a) Excluded Activities – certain activities and works are identified in the Regulations as being excluded from the definition of development, and therefore do not require Development Approval.
 - (b) Self Evaluation – in certain situations particular low impact activities and minor structures are not considered by the Authority to constitute development, and therefore do not require Development Approval. Individuals can self-evaluate a proposal against a relevant Development Policy to assess whether Development Approval is required.
 - (c) Standard Application – proposals for a standard development (as defined in the Regulations) within the Scheme Area that require assessment and approval by the Authority.
 - (d) Major Application – proposals for a major development (as defined in the Regulations) within the Scheme Area that require assessment and approval by the Authority.

Material change in use

Some of the most common examples of a material change in use include:

- Changing the activity a premises is used for, such as changing from an office to a shop.
- Changing a liquor licensed premises to another type of licensed premises, such as changing a restaurant to a small bar.
- Extending into an area of land not previously part of the approved plans, such as adding an alfresco dining area.
- Significant changes to how a premises operates, such as changing opening hours to open late at night or playing amplified music.

These types of changes usually require Development Approval from the Authority.



Do you need assistance?

Application forms, fee schedules and other information to assist you in preparing a Development Application are available on the Authority's website at www.developmentwa.com.au or contact the Authority on (08) 9482 7499 for further information.

If you need assistance or advice in preparing your Development Application you may make an appointment with the Authority's planning staff. They can discuss your application with you, provide some preliminary advice, and tell you what information and forms you need to submit with your application.

5.8 MATERIAL CHANGE IN USE

- (1) In accordance with the provisions of the MRA Act, Development Approval is required for a material change in the use of land. A material change in use includes:
 - (a) change from one land use to another use, whether or not the use is a defined use under Chapter 6 and Appendix 3 of the Scheme;
 - (b) an intensification of use resulting in a significant increase in floor space, operating hours, or customer or vehicular patronage;
 - (c) any change in the nature of a land use that presents a significant change in the function of a development, as determined by the Authority; or
 - (d) any change in the nature of a land use that presents a significant impact on the public realm, as determined by the Authority.
- (2) The Authority may adopt a Development Policy or Policies in accordance with Chapter 4 to provide guidance in relation to when activities are considered by the Authority to constitute or to not constitute a material change in use.

5.9 SELF EVALUATION OF OTHER ACTIVITIES NOT CONSTITUTING DEVELOPMENT

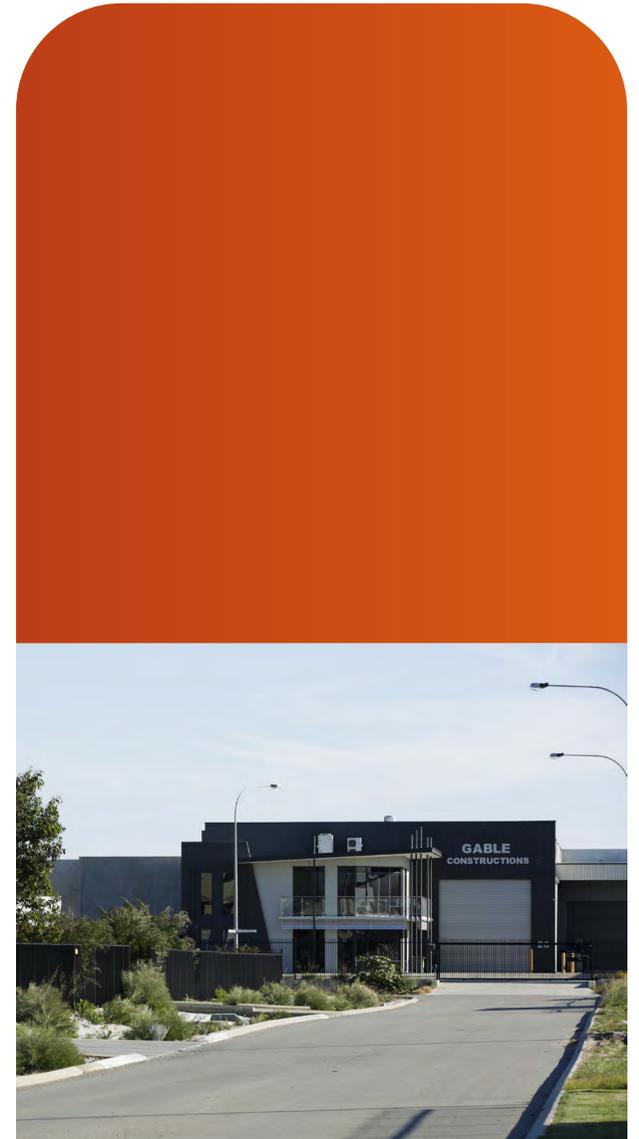
- (1) The Authority may consider other low impact activities and minor structures not listed in the Regulations to not constitute development in certain situations, and therefore not require Development Approval.
- (2) The Authority may adopt a Development Policy or Policies in accordance with Chapter 4, to provide guidance in relation to when such activities or structures are considered by the Authority to constitute or to not constitute development.



PART D – DEVELOPMENT APPLICATION PROCESS

5.10 APPLICATION FOR DEVELOPMENT APPROVAL

- (1) An application for approval to undertake development or change of use, referred to in the Scheme as a “Development Application”, must include the following:
 - (a) a completed application form, as prescribed by the Regulations;
 - (b) the application fee, as prescribed by the Regulations;
 - (c) detailed development plans, as prescribed by the Regulations;
 - (d) a written statement describing the nature and impact of the proposal, as prescribed by the Regulations; and
 - (e) any additional information or supporting material the Authority requires to assist in the assessment and determination of the application.





In this Scheme a Complete Application is defined as: a Development Application that is submitted to the Authority's satisfaction, including a completed application form, payment of application fee, complete sets of development plans, and all required supporting information, as required by the Regulations and Clauses 5.10 and 5.11 of the Scheme.

5.11 SUPPORTING TECHNICAL DOCUMENTS

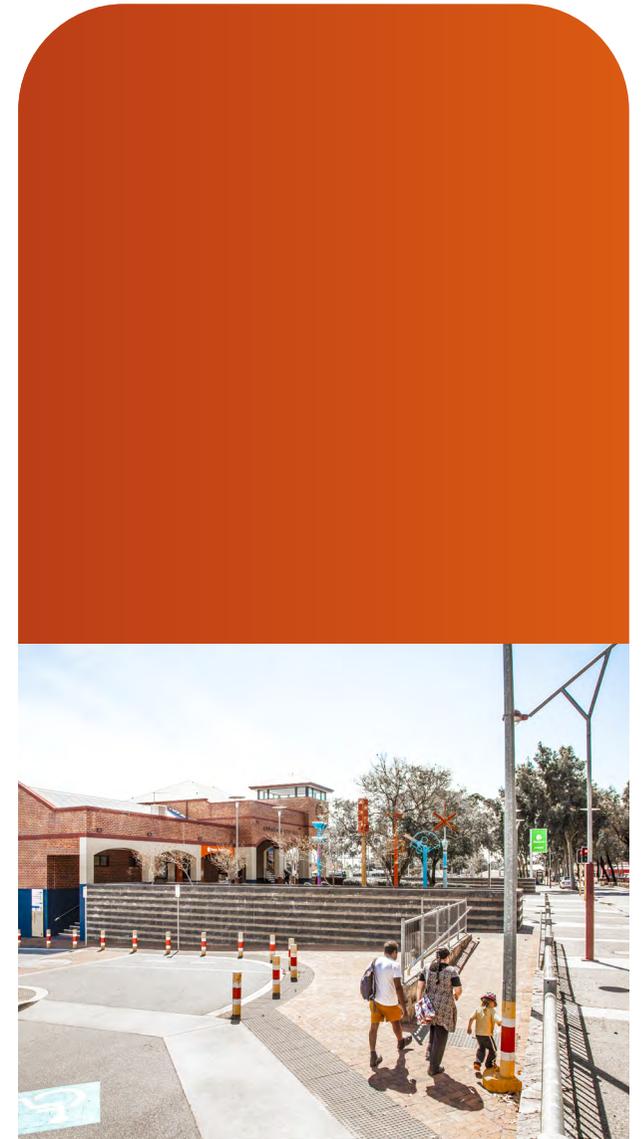
- (1) In receiving, assessing or determining a Development Application the Authority may require the submission of technical reports or documents, which are to be prepared by a suitably qualified person, at the applicant's cost and expense. The report/s are to assess or detail the proposed development's compliance or compatibility with aspects of the Statutory Planning Framework, including but not limited to the following aspects:
 - (a) environmentally sustainable design;
 - (b) acoustic attenuation;
 - (c) heritage conservation;
 - (d) traffic and transport matters, in accordance with the Western Australian Planning Commission's Transport Assessment Guidelines and Main Roads WA requirements where the Main Roads WA network is involved;
 - (e) engineering considerations;
 - (f) universal design and accessibility;
 - (g) public realm design, amenity and safety;
 - (h) public art proposal;
 - (i) venue or event management plan;
 - (j) environmental or water management;
 - (k) retail needs assessment; and/or
 - (l) where development occurs without an approved subdivision in Wungong Project Area, the following documents, prepared in accordance with Appendix 5, are required to be provided:
 - (i) Urban Water Management Plan;
 - (ii) Wetland Management Plan;
 - (iii) Foreshore Management Plan;
 - (iv) Landscape and Irrigation Management Strategy;
 - (v) Fauna Relocation and Management Plan;
 - (vi) Construction Management Plan;
 - (vii) Acid Sulfate Soils Management Plan; and
 - (viii) Mosquito and Midge Management Plan.



5.12 RECEIPT OF A COMPLETE APPLICATION

- (1) A Development Application may be lodged with the Authority, but will not be formally received until all required information is supplied in accordance with clauses 5.10 and 5.11 and the application is considered by the Authority as a "Complete Application".
- (2) Following receipt of a Complete Application the Authority will issue a Notice of Acknowledgement of a Complete Application to the applicant detailing:
 - (a) the date of formal receipt;
 - (b) the level of assessment and the Determination Period;
 - (c) details of any referral to a local government or Public Authority; and
 - (d) whether public advertising will be required.
- (3) The Authority may resolve to defer determination of a "Complete Application" if there is an insufficient planning framework in place to guide determination of a Development Application. Insufficient planning framework is defined as the following:
 - (a) in relation to an area of land which requires a Structure Plan, the absence of both:
 - (i) a Structure Plan; and
 - (ii) a Design Guideline adopted by the Authority that includes the subject site; and
 - (b) in relation to an area of land which does not require a Structure Plan, the absence of any of the following:
 - (i) a strategic master plan approved by the Authority for the relevant project or locality;
 - (ii) a Design Guideline adopted by the Authority that includes the subject site; and
 - (iii) a Local Development Plan approved by the Authority that includes the subject site, where required.

In deferring a 'Complete Application' under this clause 5.12(3) the Authority is to endeavour to reach an agreement with the applicant as to the timeframe for the preparation of the necessary planning framework and when the 'Complete Application' may be determined.





5.13 DETERMINATION PERIOD AND DEEMED REFUSAL

- (1) The Authority is required to determine a Development Application, by way of making a decision on the application, within 90 days of formal receipt of a Complete Application for a Standard Application and within 120 days of formal receipt of a Complete Application for a Major Application. These timeframes are referred to as the “Determination Period”.
- (2) The time period for the Authority to refer applications to local governments, Public Authorities and/or to undertake public consultation on applications is included in the Determination Period.
- (3) The length of the Determination Period may be extended by agreement in writing between the applicant and the Authority.
- (4) A Development Application shall be deemed to have been refused if the Authority has not made a decision in respect of that application by the end of the Determination Period, unless otherwise agreed by the Authority.

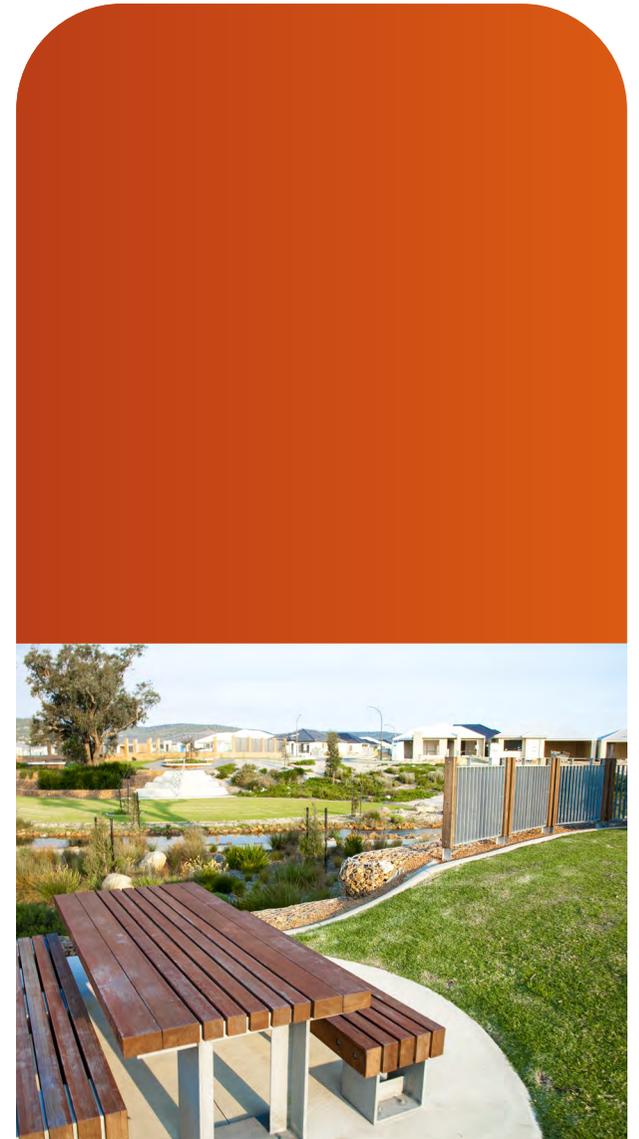
5.14 REFERRAL OF APPLICATIONS TO GOVERNMENT BODIES

- (1) Within 7 days of receipt of a Complete Application the Authority shall refer a copy of the application and all supporting information to the applicable local government and Public Authorities for consideration and comment, in accordance with the MRA Act.
- (2) In accordance with the provisions of the MRA Act, no decision shall be made on a Development Application or other application until comment from all referred local governments and Public Authorities has been received, or until after the expiration of 42 days whichever occurs first.
- (3) Should a Development Application or other application be subsequently significantly amended, the Authority may again refer the application to the referred local governments and Public Authorities for consideration and comment.
- (4) The Authority is to have due regard for the matters raised in any submission made by any government body when determining an application.



5.15 PUBLIC CONSULTATION ON CERTAIN APPLICATIONS

- (1) In determining a Development Application or other applications made under this Scheme, the Authority may undertake public consultation on the application seeking comment from nearby property owners and occupiers, other potentially affected stakeholders, or the general public.
- (2) The Authority will undertake consultation for an application that in the opinion of the Authority: -
 - (a) includes proposed land uses that necessitate public advertising in accordance with Chapter 6;
 - (b) proposes a substantial variation to an adopted Design Guideline or Policy;
 - (c) proposes a substantial variation to an approved Structure Plan or similar;
 - (d) has the potential to impact negatively on amenity due to the bulk and scale or design of a development, or the operation of a development; or
 - (e) necessitates consultation for any other reason, as determined by the Authority.
- (3) Public consultation is to involve a minimum 21 day period, where information regarding the application is made available to the public and comment on the application is invited. The consultation period is to commence with one or more of the following actions:
 - (a) written notification of the proposed development served on neighbouring property owners and occupiers and all other potentially affected stakeholders;
 - (b) notice of the proposed development published on the Authority's website;
 - (c) notice of the proposed development published in a local newspaper circulating in the Scheme Area; and
 - (d) a sign or signs displaying notice of the proposed development to be erected in a conspicuous position on the land.
- (4) In determining an application which has been the subject of public consultation the Authority will have due regard for any of the following matters raised regarding the application in any submission received within the consultation period:
 - (a) any proposed variation to Scheme, Design Guideline or Policy requirements;
 - (b) the potential impact on the amenity of an affected landowner or the locality of the development generally;
 - (c) the design quality of the development;
 - (d) environmental, heritage, cultural or social impacts of the development; and
 - (e) any other comments relevant to orderly and proper planning and sustainable development.





5.16 SPECIALISED ADVICE

- (1) The Authority may obtain specialist advice, from individuals or bodies with suitable expertise to provide advice on specific technical elements of a proposal to assist in the determination of any application, made under this Scheme.
- (2) Specialised advice may be sought on matters including, but not limited to:
 - (a) environmentally sustainable building design;
 - (b) water sensitive urban design;
 - (c) architectural design;
 - (d) acoustic attenuation;
 - (e) modelling of energy use, wind impacts, or overshadowing;
 - (f) transport services and traffic impacts in accordance with the Western Australian Planning Commission's Transport Assessment Guidelines and Main Roads WA requirements where the Main Roads WA network is involved;
 - (g) heritage conservation;
 - (h) engineering considerations;
 - (i) public realm design, amenity or safety;
 - (j) public art provision;
 - (k) aboriginal heritage and interpretation; or
 - (l) compliance with a Design Guideline or Policy.
- (3) The Authority is to have due regard to any specialised advice obtained under this clause in determining an application.

5.17 WITHDRAWAL OF APPLICATION

- (1) A Development Application may be withdrawn by written request of the applicant at any time prior to the Authority determining the application.
- (2) The Authority, at its discretion, may refund part or all of the application fee when an application is withdrawn if assessment of the proposal has not been substantially commenced.



5.18 KEY MATTERS FOR CONSIDERATION IN DETERMINATION

- (1) In the determination of any application made under the Scheme the Authority shall have due regard for:
 - (a) the Scheme Vision and Objectives and the achievement of sustainable development;
 - (b) clause 9.2, and all other relevant provisions of the Scheme;
 - (c) any currently valid decision on an In-Principle Development Application, Structure Plan Application or a Local Development Plan Application;
 - (d) any relevant planning document adopted under the Scheme, including but not limited to a Design Guideline, Policy, Heritage Inventory, or Development Contribution Plan;
 - (e) a strategic master plan approved by the Authority for the relevant project or locality;
 - (f) an environmental or water management plan for the relevant project or locality;
 - (g) any submission received as a result of a referral to government bodies or public consultation, in accordance with clauses 5.14 and 5.15;
 - (h) any specialised advice obtained under clause 5.16;
 - (i) the requirements of orderly and proper planning; and
 - (j) the current and intended amenity of the locality.

5.19 DETERMINATION WHEN NON-COMPLIANT

- (1) If a Development Application does not comply with a provision of the Scheme or a provision of any other planning document adopted or approved under the Scheme, the Authority may approve the application if it is satisfied that the development:
 - (a) is consistent with the Scheme Vision and Objectives;
 - (b) is consistent with sustainable development and orderly and proper planning;
 - (c) would not have a significant adverse impact on the current or intended amenity of the locality or the amenity of an affected land owner; and
 - (d) would not compromise the development intent of the relevant project area and/or precinct.

Amending planning conditions

Land Owners who are not satisfied with a condition of their approval may apply for a reconsideration, if they have sufficient justification. Refer to clause 5.30 for the process for an Amended Development Approval.

Right of review

Land owners and applicants also have a 'Right of Review' by the State Administrative Tribunal if they wish to have a condition of a Development Approval or a refusal reviewed by the Tribunal.

Other discretionary decisions by the Authority may also be reviewed by the Tribunal.

Refer to Chapter 1 Part C for further information, or see the Tribunal's website: www.sat.justice.wa.gov.au

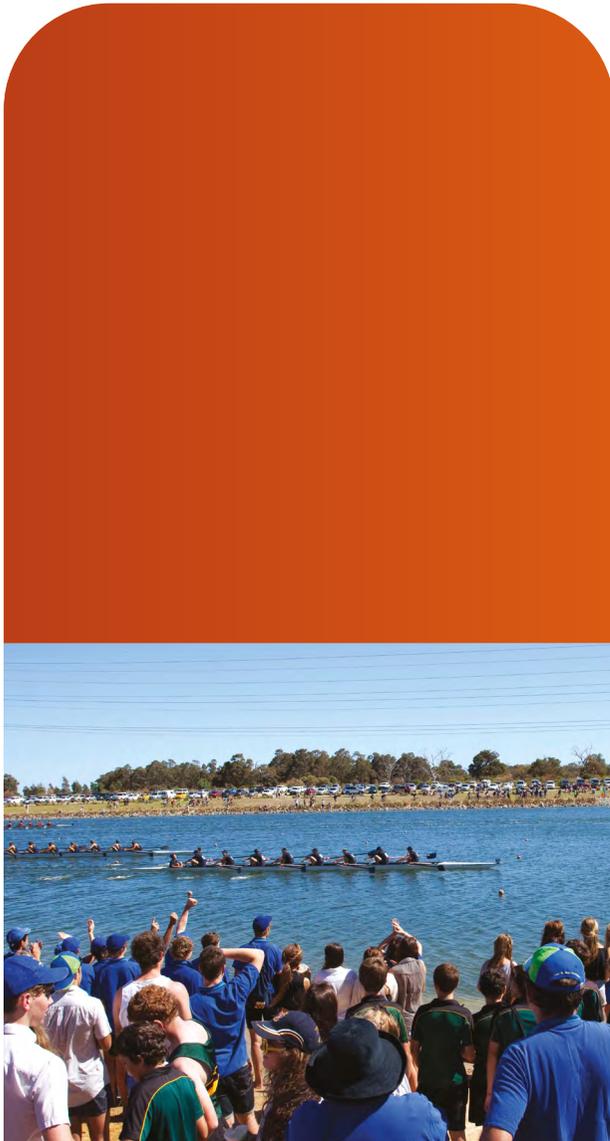


5.20 DETERMINATION DECISION

- (1) In determination of a Development Application the Authority may:
 - (a) approve the application without condition;
 - (b) approve the application subject to condition/s; or
 - (c) refuse the application; with reasons for refusal.

5.21 NOTIFICATION OF THE AUTHORITY'S DETERMINATION

- (1) A determination made by the Authority in regard to a Development Application takes effect from the date on which the approval or refusal form is signed by a delegated officer of the Authority.
- (2) The Authority shall give notice in writing of its decision in respect of an application to the applicant within 7 days of the approval or refusal form being signed. The Authority shall also give notice in writing of its decision to the relevant local government and each Public Authority to which a referral notice was given and to each person who made a written submission during any consultation period.



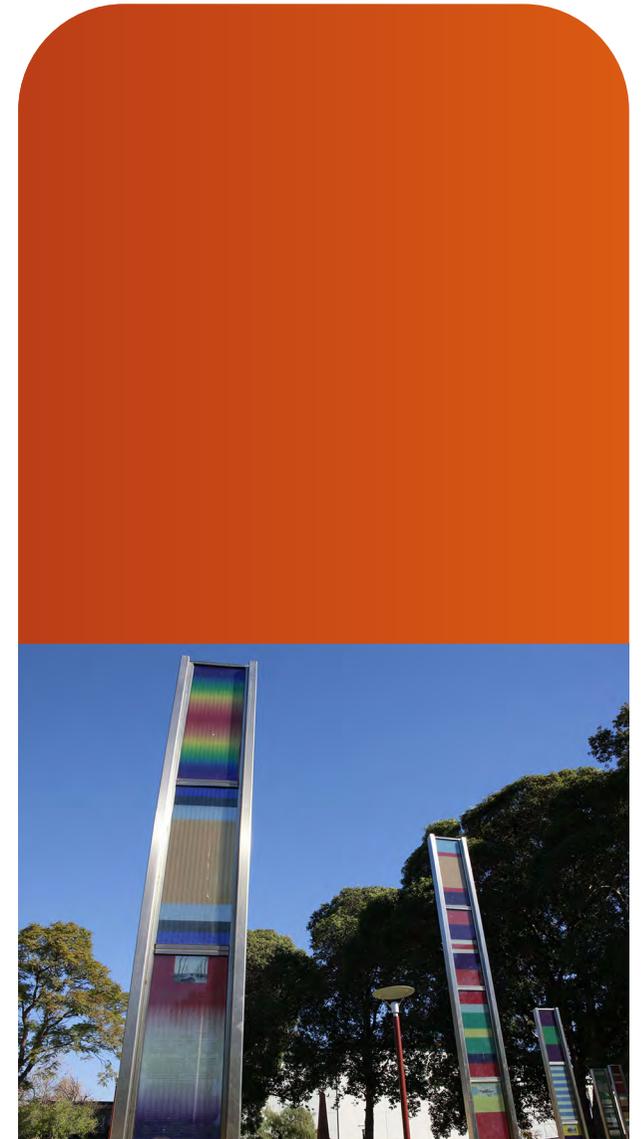


5.22 CONDITIONS OF APPROVAL

- (1) In approving a Development Application the Authority may apply conditions to that approval that must be adhered to, relating to any of the following matters:
 - (a) building quality, such as form, layout, appearance, materials, colours and finishes;
 - (b) environmentally sustainable design and construction, such as energy and water efficiency targets, building design and materials;
 - (c) development impacts, such as impacts on the public realm, relationship of buildings to the street, impacts on privacy, and access to light and ventilation;
 - (d) amenity impacts such as noise, light, dust, odour, and other emissions;
 - (e) business or premises management, such as customer numbers, hours of operation, security, and management plans;
 - (f) transport and access matters, such as traffic management, parking provision, cyclist facilities, pedestrian amenity and accessibility;
 - (g) environment quality and impacts, such as remediation, site management, site topography and levels, water sensitive design, water quality, provision of landscaping, and preservation of vegetation or trees;
 - (h) compliance with any provision of the Scheme, Design Guideline or Policy, including but not limited to the Scheme Objectives, housing affordability and diversity, heritage conservation, sound attenuation, green building design and public art; and/or
 - (i) any other matter as considered appropriate by the Authority, having regard for orderly and proper planning, sustainable development and the protection of the current or intended amenity of the locality or the amenity of an affected land owner.

5.23 REASONS FOR REFUSAL

- (1) If the Authority refuses a Development Application the Authority shall give the applicant written reasons for the refusal. The reasons for which the Authority may refuse a Development Application may include, but are not limited to:
 - (a) non compliance with one or more provisions of the Scheme;
 - (b) non compliance with an applicable Design Guideline or Policy;
 - (c) the application is not consistent with sustainable development practices;
 - (d) the application is not consistent with orderly and proper planning; and/or
 - (e) the application presents a likely detrimental impact on the current or intended amenity of the locality.







5.24 MULTIPLE DEVELOPMENT APPROVALS

- (1) The Authority may determine or approve more than one Development Application for any site at any one time.
- (2) Where a Development Approval has been substantially commenced and that approval is inconsistent with any other Development Approval for the same land, then, to the extent of the inconsistency, the commenced approval is taken to prevail and any other previous or concurrent approval that is inconsistent with the commenced approval is taken to have been superseded and revoked.

5.25 VALIDITY PERIOD FOR COMMENCEMENT OF DEVELOPMENT

- (1) If the Authority approves a Development Application that approval shall lapse and be no longer valid if the development has not been substantially commenced within two years of the date of the approval form, or within any other time frame stipulated by the Authority on the approval form.

5.26 VALIDITY PERIOD FOR DEVELOPMENT OF LIMITED DURATION

- (1) The Authority may limit the period during which development may occur where the Authority considers that the undertaking of a proposed development for an extended or indefinite period of time would be:
 - (a) contrary to the Project Area Vision or Precinct Statement of Intent; or
 - (b) likely to detrimentally affect the amenity of the locality.
- (2) When the Authority limits the time that a development may occur, no person shall undertake that development or use that land or building for that purpose after the expiration of the time limit without gaining a new development approval.





5.27 POWER TO REVOKE APPROVAL

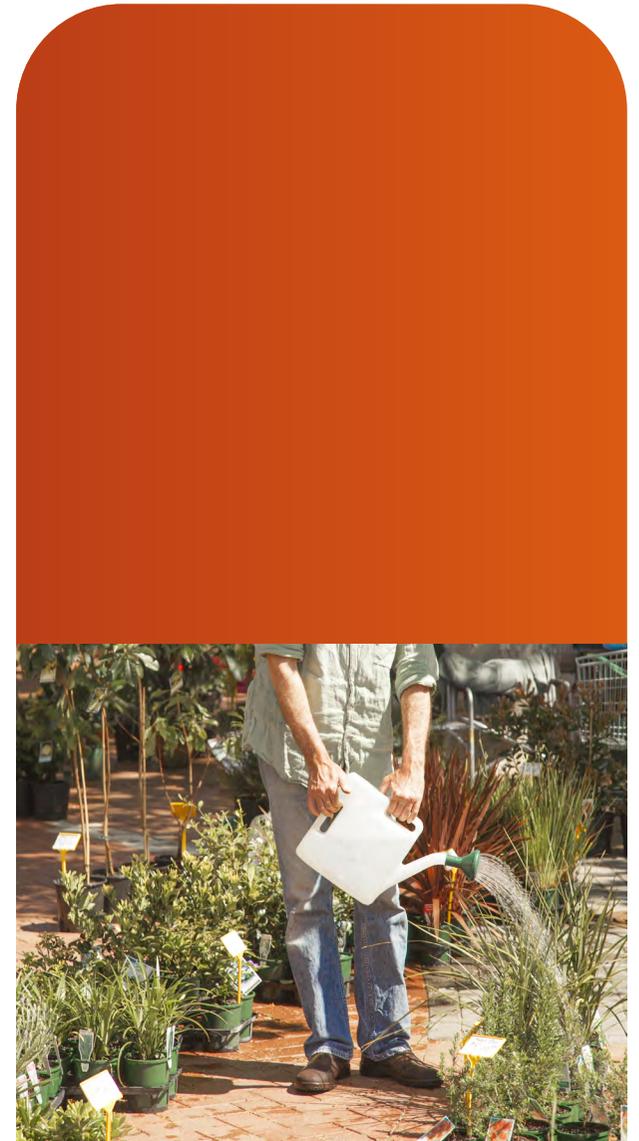
- (1) The Authority may revoke a Development Approval granted under the Scheme or the previous Armadale Redevelopment Scheme or Wungong Urban Water Redevelopment Scheme in any of the following circumstances:
 - (a) the development is not being or has not been constructed in accordance with the approved plans and documents of the Development Approval; or
 - (b) the development is not being or has not been carried out in accordance with one or more conditions of the Development Approval; or
 - (c) at any time at the written request of the current landowner/s of the subject land.
- (2) Prior to revocation of a Development Approval the Authority is to provide 21 days written notice to the land owner of its intention to revoke the approval and is to offer the owner options to remedy the situation to avert the approval being revoked.
- (3) Final revocation of a Development Approval is to be provided in writing to the land owner and signed by a delegated officer of the Authority.





5.28 NON-CONFORMING USES

- (1) By virtue of section 62 of the MRA Act, no provision of the Scheme is to be taken to prevent the continuation of a non-conforming use.
- (2) 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 the land from a non-conforming use to another non-conforming use, without having first applied for and obtained development approval under the Scheme.An application for development approval under this clause is to be dealt with in accordance with clause 6.7.
- (3) Where a non-conforming use of any land has been discontinued for a period of 6 months or more the land must not be used after that period otherwise than in conformity with the provisions of the Scheme.
- (4) The Authority 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.
- (5) 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 Authority.





PART E – SPECIAL DEVELOPMENT APPLICATIONS

5.29 IN-PRINCIPLE DEVELOPMENT APPLICATION

- (1) Where an applicant considers it beneficial to obtain the Authority's preliminary position on a proposal prior to lodging a Development Application, an application for In-Principle Development Approval may be made to the Authority.
- (2) An In-Principle Development Application may deal with one or more of the following matters:
 - (a) the proposed built form of the proposal;
 - (b) the response to the site and streetscape context;
 - (c) the response to relevant environmental, transport, heritage and public realm considerations;
 - (d) compliance with or proposed variations to Scheme, Design Guideline or Policy provisions; and
 - (e) any other important considerations or aspects of the development, as determined by the Authority, or as requested by the applicant.
- (3) An In-Principle Development Application must include professional plans and sufficient detail to allow the Authority to undertake assessment of the proposal.
- (4) An In-Principle Development Application is to be processed and determined by the Authority generally in accordance with Part D of this chapter, as determined necessary by the Authority, as if the application were an application for Development Approval, including but not limited to the clauses addressing:
 - (a) for major applications, referral to local government and Public Authorities;
 - (b) design advice or specialist advice; and
 - (c) decision of the Authority to approve, approve subject to condition/s or refuse the application.
- (5) A decision on an In-Principle Development Application conveys the Authority's preliminary position on the proposal but does not in any way constitute an approval or refusal to undertake development.
- (6) An In-Principle Development Approval is current for two years from the date of the In-Principle Approval Form being signed, or until such time as stipulated on the form.
- (7) The Authority is to have due regard for the decision on any current In-Principle Development Application when determining any subsequent Development Application for the land. However the in-principle decision is in no way binding on the Authority.





5.30 APPLICATION TO AMEND A DEVELOPMENT APPROVAL

- (1) Where a valid Development Approval exists, the owner of the subject land may apply to the Authority for a reconsideration or amendment of aspects of the approval through an Application to Amend a Development Approval. The application may seek approval to:
 - (a) amend or delete one or more conditions of the Development Approval;
 - (b) extend the period within which any development approval must be substantially commenced;
 - (c) make a minor amendment/s to the approved plans of the Development Approval; and/or
 - (d) make minor amendments to other details or aspects of the Development Approval.
- (2) An Application to Amend a Development Approval is to include:
 - (a) a completed Amended Development Approval application form;
 - (b) the application fee, as prescribed by the Regulations;
 - (c) copies of amended plans, where required;
 - (d) detailed written justification of the grounds to amend the approval; and
 - (e) any other information or supporting material as required by the Authority.
- (3) An Application to Amend a Development Approval is to be processed and determined by the Authority generally in accordance with Part D of this Chapter, as determined appropriate by the Authority and as if the application were an application for Development Approval.
- (4) Any approval notice by the Authority to amend a development approval does not affect or extend the validity period of the original development approval in accordance with clause 5.25 other than where requested and approved in accordance with sub-clause (1)b).
- (5) This clause will apply to any Development Approval granted by the Authority whether before or after the commencement of the Scheme.

Demolition

Contact the Authority to find out if you need Development Approval for any structure you wish to demolish or remove. You may also require building or health approvals from your Local Government.



In this Scheme Working Drawings is defined as: plans and supporting details, reports and documentation that form part of a building permit application to a permit authority, copies of which are provided to the Authority under clause 5.33 of the Scheme prior to submitting a building permit application.

5.31 RETROSPECTIVE DEVELOPMENT APPLICATION

- (1) Where development has been or is being carried out and does not have a Development Approval, a person may apply to the Authority for Retrospective Development Approval for that development in accordance with the provisions of this chapter.
- (2) A Retrospective Development Application is to be processed and determined by the Authority in accordance with Part D of this chapter.
- (3) If the Authority grants Retrospective Development Approval it does not render lawful any unauthorised development before the date on which the approval was granted, nor does it prevent action being taken by the Authority in respect of the unauthorised development before the date of approval.



5.32 DEVELOPMENT APPLICATION INVOLVING DEMOLITION

- (1) In accordance with the provisions of the MRA Act, demolition is included in the definition of development and may require Development Approval from the Authority, unless excluded from the definition of development by provisions of the Regulations or a Policy made in accordance with clause 5.9 of the Scheme.
- (2) Apart from the additional matters outlined in this clause, a Development Application involving demolition is to be processed and determined by the Authority in accordance with Part D of this chapter, as a Standard Application as if the application were an application for Development Approval.
- (3) The Authority may resolve to defer determination of a development application that involves substantial or complete demolition of all structures on a site until after it has received and approved a Development Application for replacement or new development for the site.
- (4) In determining a Development Application involving demolition the Authority may require –
 - (a) A written submission from the applicant justifying the grounds on which demolition is sought;
 - (b) A written justification and/or impact statement from a suitably qualified person, where the proposed demolition relates to a heritage place; and
 - (c) Details regarding the method or process of demolition activities.
- (5) Should the Authority approve a Development Application involving demolition, conditions may be applied to that approval relating to, but not limited to, the following matters –
 - (a) The retention, maintenance, reinstatement, or relocation of any part of a building or structure, particularly those listed on a Heritage Inventory;
 - (b) The method or process of demolition works;
 - (c) The date by which demolition is to be completed; and
 - (d) The fencing and maintenance of the subject land during and after demolition.

Caveat Withdrawal – development audit process

Where land has been sold by the Authority for development, a caveat is usually placed on the land title to ensure development is undertaken in accordance with the Authority's contract of sale requirements.

A Development Audit will be required to be undertaken to ensure all planning requirements have been met before the caveat can be withdrawn.

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6.0 Land Use

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6.0 Land Use

6.1 INTRODUCTION

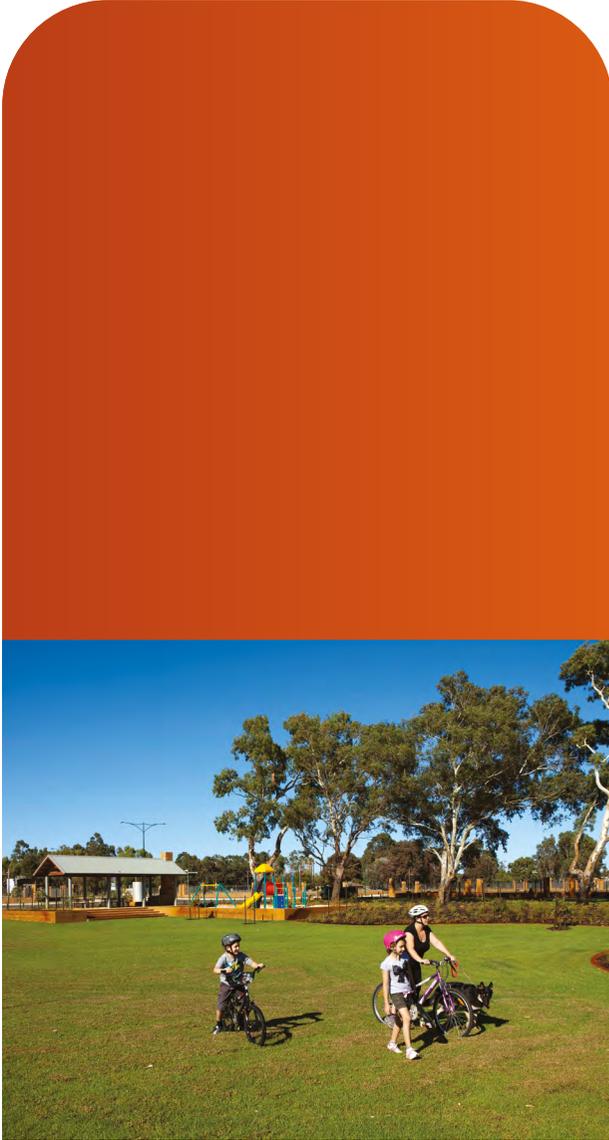
The Land Use Chapter sets out the provisions guiding the use of land within the Scheme Area. Use of land or changing the use of land is generally considered to be “development” and may require development approval from the Authority, in accordance with Chapter 5 of the Scheme.

This chapter establishes a land use system based on identifying the preferred activities for which a site should be used for, while generally allowing for a flexible approach to encourage mixed land use, diversity and economic prosperity. The chapter also includes specific considerations for certain land uses, to enable a compatible land use mix in the Scheme Area.

6.2 DIVERSE LAND USE ENVIRONMENTS

- (1) The Authority’s land use system is predominantly based on the Scheme Objectives, including the provision of mixed land use urban environments. Successful mixed land use environments enable a diversity of complimentary and compatible land uses to provide local convenience, connectivity, reduced travel, and day to evening vitality.
- (2) For the purpose of promoting the Scheme Objectives, and subject to any provisions of this chapter to the contrary, the Authority in dealing with any application under the Scheme shall encourage a mixture of compatible land uses throughout the Scheme Area and may require a specified mixture of uses within any precinct, site or building.
- (3) The Wungong Project Area consists of Place Codes as identified in the Wungong Urban Water Master Plan as follows:
 - Town Activity Centre
 - Neighbourhood Activity Centre
 - Commercial
 - Urban
 - Suburban
 - Rural Residential
 - Active Open Space
 - Passive Open Space; and
 - Infrastructure.

Development requirements for Place Codes are specified in the Wungong Urban Water Design Guidelines.





Preferred land uses

The Authority continues to propose an innovative approach to guiding land use and development within its redevelopment areas. In traditional Local Planning Schemes land uses are prescribed in detail and their permissibility is tightly controlled by a system of acceptable to not permitted uses. The use of 'preferred uses' and 'contemplated uses' enables the Authority to consider a variety of land uses, resulting in a more sophisticated assessment of land use activities. The system encourages diverse yet complementary and harmonious land uses.

6.3 ACTIVE STREET LEVEL LAND USES

- (1) The Authority seeks to develop a strong sense of place in the Armadale Redevelopment Area, which includes ensuring an activated and interesting public realm. An active public realm provides a diversity of activity and opportunities for social interaction, whilst also enhancing the personal experience and safety of an area.
- (2) For the purpose of promoting the Scheme Objectives, the Authority in dealing with any application under the Scheme may require specific land uses at street or pedestrian level of a building or place in order to help achieve activation and passive surveillance of the public realm.

6.4 LAND USE SYSTEM

- (1) The Authority has adopted a precinct based Preferred and Contemplated land use system. The Scheme does not use land use zones.
- (2) Table 6.1 – Land Use Categories group together similar types of land uses into seven specific categories. Table 6.2 – Land Use Table then identifies which of these categories are Preferred Uses or Contemplated Uses for each precinct within the Scheme Area. Definitions of each land use within each category are provided in Appendix 3 of the Scheme.
- (3) Design Guidelines, prepared and adopted in accordance with the Scheme may also specify or limit the Preferred or Contemplated Use or Uses for a precinct, site or building. In the event of any inconsistency with regard to land use between a Design Guideline and the broader provisions found in Table 6.2 – Land Use Table, the Design Guidelines shall prevail.

6.5 PREFERRED USES

Preferred Uses are land uses which are considered to contribute to the vision and intent for a location, as set out in Chapter 2 – Vision and Chapter 3 – Project Areas. Preferred Uses are those uses within the land use category or categories which are shown as a Preferred category for a particular precinct in Table 6.2 – Land Use Table.

- (1) If Table 6.2 stipulates a land use category as Preferred for a particular precinct the Authority shall not refuse a Development Application for a use within that category on the basis that the proposed use is



not suitable for that location, unless the Preferred Uses for that site are limited by provisions of a Design Guideline.

- (2) In dealing with a Development Application, the Authority may, having due regard to the provisions of Chapters 5 and 6, relax or vary any requirement of the Scheme or any relevant Design Guideline or Policy if the Authority considers it desirable to encourage the incorporation of a Preferred Use into the development.

6.6 CONTEMPLATED USES

Contemplated Uses are land uses which the Authority may consider suitable for a precinct if it can be shown that such a use would not detract from the precinct intent and the amenity of the locality. Contemplated Uses are those uses within the Land Use Category or Categories which are shown as a Contemplated category for a particular precinct in Table 6.2 – Land Use Table.

- (1) If Table 6.2 stipulates a Land Use Category as Contemplated for a particular precinct, in dealing with a Development Application involving a use within that category the Authority may:
 - (a) require written justification from the applicant detailing the suitability of the use in that location, including consistency with the Scheme Area Vision and Precinct Intent and its compatibility with surrounding land uses;
 - (b) seek specialised advice on the application or require the applicant to obtain specialised advice (at the applicant's cost) on aspects of the proposal;
 - (c) advertise the application for public comment; and/or
 - (d) require the incorporation of a Preferred Use into the development instead of, or as well as, the Contemplated use.
- (2) The Authority may approve or refuse an application involving a Contemplated Use, or approve the application subject to conditions. Conditions of approval may include, but are not limited to, any condition the Authority considers appropriate to manage the suitability or compatibility of that use in its location.

Contemplated land uses

The 'contemplated uses' within the Scheme provide guidance for developers and the community on the types of land uses that may also be considered for an area. The developer must justify the proposed use and identify to the Authority how the use will not adversely affect the amenity of the area. This approach supports flexibility, adaptability and diversity.



6.7 USES NOT PREFERRED OR CONTEMPLATED

Where a use is a defined use in Table 6.1 but is not included in a category that is shown in Table 6.2 as a Preferred or Contemplated use for a relevant precinct, the use or uses are generally considered to be inconsistent with the precinct intent and may be inappropriate for that precinct. However those uses may be considered for approval.

- (1) In dealing with a Development Application for a defined use that is not Preferred or Contemplated the Authority will:
 - (a) require written justification from the applicant detailing the suitability of the use in that location, including its consistency with the Scheme Area Vision and Precinct Intent and its compatibility with surrounding land uses;
 - (b) seek specialised advice on the application, or require the applicant to obtain specialised advice (at the applicant's expense) on aspects of the proposal;
 - (c) advertise the application for public comment; and/or
 - (d) require the incorporation of a Preferred Use or Contemplated Use into the development instead of or as well as the proposed use.
- (2) The Authority may approve or refuse an application involving a use that is not Contemplated or Preferred, or approve the application subject to conditions. Conditions of approval may include, but are not limited to, any condition the Authority considers appropriate to manage the suitability or compatibility of that use in its location.





6.8 DEFINITION OF LAND USES

The land uses in Table 6.1 and the corresponding land use definitions set out in Appendix 3 will enable the Authority to classify most proposed activities into a defined land use.

- (1) Where an application is received which is characterised by the applicant as a defined land use but, in the opinion of the Authority, would be more appropriately classified as another defined use, the Authority may classify the proposed use under a definition it considers appropriate and may then proceed to determine the application in accordance with the provisions of the Scheme.
- (2) Where an application is received for a proposed use that does not match the terminology of land uses in Table 6.1 the Authority may, with the assistance of the land use definitions, determine the proposed use fits reasonably within a defined use and may then proceed to determine the application in accordance with the provisions of the Scheme.
- (3) The Authority may require any additional information from an applicant to assist in defining the use of any proposed Development Application.
- (4) The Authority will provide the applicant a written copy of any decision made in regard to this clause.





6.9 USES NOT DEFINED IN THE SCHEME

- (1) Where a Development Application is received which includes a use that in the opinion of the Authority does not reasonably fit within the definition of any defined land use in Appendix 3, in dealing with that application the Authority will consider the proposed use against the Category Descriptions in Table 6.1 for the purpose of determining if the proposed use should generally fit within a category
- (2) If in the opinion of the Authority the proposed use generally fits into a land use category in Table 6.1, the Authority may then use Table 6.2 to determine if the use falls within a Preferred or Contemplated category for the particular precinct and may then proceed to determine the application in accordance with the Scheme.
- (3) In dealing with a Development Application involving a land use not defined in the Scheme the Authority may:
 - (a) require additional information from the applicant to assist in determining an appropriate land use definition or land use category for the proposed use;
 - (b) require written justification from the applicant detailing the suitability of the use in that location, including consistency with the Scheme Area Vision and Precinct Intent and its compatibility with surrounding land uses;
 - (c) seek specialised advice on the application, or require the applicant to obtain specialised advice (at the applicant's expense) on aspects of the proposal;
 - (d) advertise the application for public comment; and/or
 - (e) require the incorporation of a Preferred Use or Contemplated Use into the development instead of or as well as the proposed use.
- (4) The Authority may refuse an application involving a land use not defined in the Scheme, or approve the application subject to conditions. Conditions of approval may include, but are not limited to, any condition the Authority considers appropriate to manage the suitability or compatibility of that use in its location.





6.10 CULTURE AND CREATIVE INDUSTRY USES

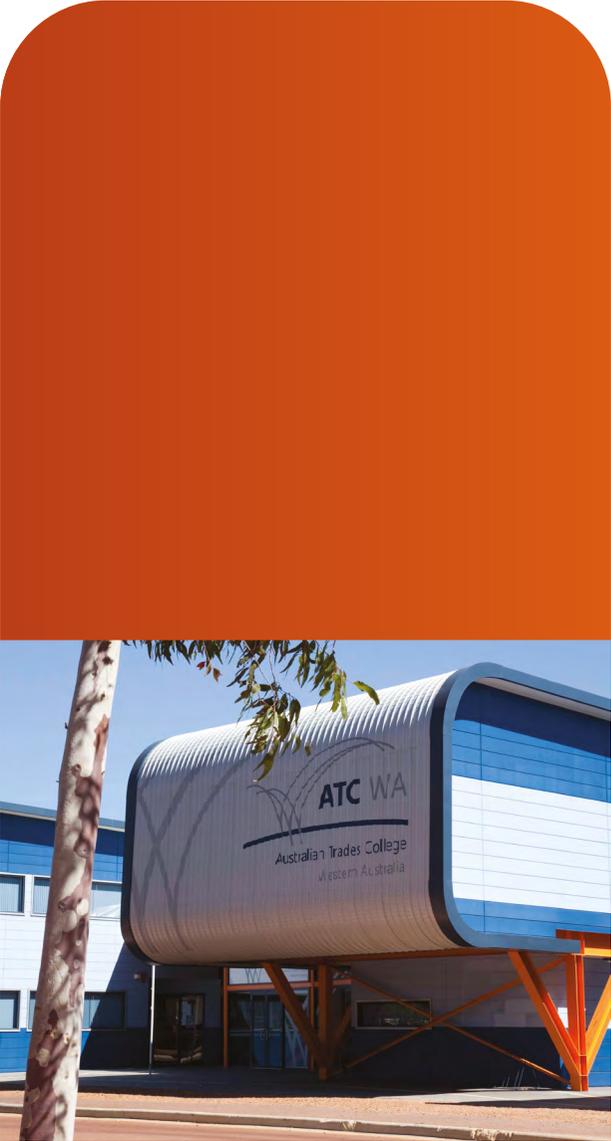
Support for and growth of cultural activities and creative industries is an important part of the vision and intent for a number of precincts in the Scheme Area. These land uses can provide both character and economic advantage to an area, and engender diversity and great sense of place.

- (1) In determining a Development Application for a land use within the Culture and Creative Industry land use category, in addition to other provisions of the Scheme, the Authority shall have regard to the following objectives:
 - (a) infusing creativity, originality and innovation into the built environment;
 - (b) the encouragement of creative industries;
 - (c) providing opportunities for business incubation;
 - (d) the provisions of flexible and adaptive spaces to live, work and display; and
 - (e) ensuring the compatible operation of culture and creative land uses with other land uses in the vicinity of the proposed development.

6.11 COMMERCIAL LAND USES

Commercial activities are a fundamental aspect of the function of the Scheme Area. The Authority seeks to encourage a considerable portion of commercial development throughout the Scheme Area to facilitate economic growth and job creation, the achievement of urban efficiency, and connection of residents to workplaces and services.

- (1) In determining a Development Application for a land use within the Commercial land use category, in addition to other provisions of the Scheme, the Authority shall have regard to the following objectives:
 - (a) facilitating prosperity and diversity in economic activity and commercial buildings and premises;
 - (b) ensuring an active ground floor interface with the public realm;
 - (c) facilitating healthy, functional and environmentally sustainable workplaces; and
 - (d) ensuring accessibility to work places by sustainable modes of transport.





6.12 INDUSTRY LAND USES

Industrial businesses and large scale infrastructure have a place within certain precincts in the Scheme Area. The Authority acknowledges that some industrial land uses will continue to be part of the function of several precincts, however where not appropriate the Authority will continue to support the redevelopment of underutilised or low amenity sites, to develop efficient urban environments.

- (1) In determining a Development Application for a land use within the Industry land use category, in addition to other provisions of the Scheme, the Authority shall have regard to the following objectives:
 - (a) ensuring the operation of the land use does not negatively affect the amenity of the locality, including operating hours, traffic, noise, emissions and other operations are compatible with surrounding land uses;
 - (b) the appropriate interface of development with the surrounding environment, including amenity and quality streetscape;
 - (c) ensuring the proposed development will not significantly detract from the vision for the Scheme Area and the intent for the precinct; and
 - (d) the need to separate industry development from sensitive land uses or other land uses by providing a land use buffer, where appropriate.

6.13 RETAIL LAND USES

Retail development is an important activity throughout the Scheme Area, both in supporting the role of the activity centres as a prime retail destination, and in providing convenient goods and services to local residents.

- (1) In determining a Development Application for a land use within the Retail land use category, in addition to the other provisions of the Scheme, the Authority shall have regard to the following objectives:
 - (a) encouraging a diversity of retail services and premises in appropriate locations;
 - (b) ensuring an active ground floor interface with the public realm; and
 - (c) focusing retail development in the activity centres.



6.14 RESIDENTIAL LAND USES

Increasing the residential population in the Scheme Area is a key element of the Scheme Vision and Objectives to create dynamic, authentic and sustainable places. An increased population will facilitate critical mass and provide increased vibrancy and improved efficiencies. The Authority also recognises that all types of individuals and households should have the opportunity to live in the redevelopment area.

- (1) In determining a Development Application for a land use within the Residential land use category, in addition to other provisions of the Scheme, the Authority shall have regard to the following objectives:
 - (a) encouragement of a socially diverse population;
 - (b) the provision of a diversity of housing and accommodation types, size and tenure;
 - (c) the provision of social and affordable housing;
 - (d) the provision of universally accessible and adaptable housing;
 - (e) the compatibility of new residential development with existing land uses; and
 - (f) the need to separate permanent residential development from transient accommodation or other land uses, where appropriate.
- (2) Where the provisions of this chapter or a Design Guideline indicate that residential development is a Preferred Use within a specific precinct or site, the Authority when dealing with a Development Application within that precinct may require the inclusion of a residential component within the proposed development, and may require a minimum level intensity or proportion for the residential component as against any non-residential component.





6.15 COMMUNITY LAND USES

The need for social interaction, physical activity, leisure, health services and social support are fundamental aspects of any successfully functioning community. The Authority seeks to promote social inclusion and a sense of place and will encourage and support community land uses that enhance the quality of life for residents, and support local workers and visitors.

- (1) In determining a Development Application for a land use within the Community land use category, in addition to other provisions of the Scheme, the Authority shall have regard to the following objectives:
 - (a) encouraging facilities that provide essential services or enhanced lifestyles to segments of the community or to the general public;
 - (b) facilitating social interaction and community building;
 - (c) supporting physical activity and healthy lifestyles; and
 - (d) ensuring the appropriate interface of development with the surrounding environment, including patron and traffic management and a high quality public realm.

6.16 DINING AND ENTERTAINMENT LAND USES

Dining and Entertainment land uses in the Scheme Area are important in supporting the role of the key destinations in the redevelopment area, and in enhancing the lifestyle for residents. However, entertainment land uses generally need to be carefully planned and managed to ensure compatibility with residential or other sensitive land uses.

- (1) In determining a Development Application for a land use within the Dining and Entertainment land use category, in addition to other provisions of the Scheme, the Authority shall have regard to the following objectives:
 - (a) enhancing lifestyle, character and vibrancy in the Scheme Area;
 - (b) achieving effective venue management, including venue operation, patron management, and customer and public safety; and
 - (c) ensuring the operation of the land use does not negatively affect the amenity of the locality, including operating hours, traffic, noise or other emissions, are compatible with surrounding land uses.



TABLE 6.1 – LAND USE CATEGORIES

Land Use Category	Land Use Type	
<p>CATEGORY 1 – CULTURE & CREATIVE INDUSTRY</p> <p>Category Description: Businesses and activities which have their origin in individual creativity, skill and talent and which contribute to the cultural richness and economic advantage of an area. Provides opportunities for business incubation and job creation through exploitation of intellectual property and/or unique skills</p>	<p>Media Production Artist Studio Theatre/Performance Venue Exhibition Centre Event Space</p>	
<p>CATEGORY 2 – COMMERCIAL</p> <p>Category Description: Business activities, professional services and other principally profit-based land uses of a non-retail, low impact nature. The category does not include businesses of an industrial, entertainment or other moderate to high impact nature.</p>	<p>Office Business Services Medical Centre Consulting Rooms Commercial Car Park Research & Development</p> <p>Veterinarian Clinic Funeral Parlour Laundromat Dry Cleaning Premises Land Sales Office</p>	
<p>CATEGORY 3 – INDUSTRY</p> <p>Category Description: Low to Moderate impact businesses predominately based on skilled trades, manufacturing, goods handling, the automotive industry and other land uses of an industrial nature. The category also includes large format, bulky goods, showroom uses. The land uses require large purpose built premises and may not be appropriate for mixed-use buildings, Activity Centres or residential areas.</p>	<p>3A GENERAL INDUSTRY Caretaker’s Dwelling Commercial Distribution Centre Industry Public Transport Depot Telecommunications Infrastructure Transport Depot</p> <p>3B LIGHT INDUSTRY Garden Centre Outdoor Display Centre Trade Display Lunch Bar Showroom Motor Vehicle Maintenance Service Station Motor Vehicle, Boat and Caravan Sales Warehouse Self-Storage Unit</p>	



CATEGORY 4 – RETAIL

Category Description:

A place of business offering goods displayed on the premises for sales or hire to the public, and also includes premises for the provision of services of a personal nature. May include the preparation of goods for sale on site but not manufactured.

Shop
Shopping Complex
Personal Services
Market
Liquor Store

CATEGORY 5 – RESIDENTIAL

Category Description:

A building or portion of a building that is designed or adapted for habitation either as Permanent Residential – being private dwellings, or as Transient Residential – being accommodation provided for temporary periods, generally for commercial gain.

5A PERMANENT RESIDENTIAL:

Grouped Dwelling
Dwelling
Multiple Dwelling
Aged Persons Accommodation
Home Based Business
Specific Purpose Accommodation
Display Home Village

5B TRANSIENT RESIDENTIAL:

Bed and Breakfast
Hostel
Hotel
Motel
Serviced Apartments
Short Stay Accommodation

CATEGORY 6 – COMMUNITY

Category Description:

Premises or land uses which provide essential services or leisure facilities to local residential and workers or the wider community, also referred to as ‘social infrastructure’. May include activities for commercial gain which provide social benefit.

Education Establishment
Child Care Premises
Hospital
Place of Worship
Public Open Space

Club Premises
Commercial Hall
Recreation and Sporting Facilities
Community Facility

CATEGORY 7 – DINING & ENTERTAINMENT

Category Description:

Premises designed and used to provide public entertainment or social interaction, principally dining and drinking. Usually involves extended/evening trading and may involve service of alcohol and amplified music. Includes land uses which may present moderate impacts on residential amenity, due to noise, patronage and hours of operation.

Entertainment Complex
Restaurant/Café
Cinema
Night Club
Tavern

Exhibition Centre
Function Centre
Small Bar
Amusement and Gaming Centre
Betting Agency
Fast Food Outlet



TABLE 6.2 – LAND USE TABLE

Precinct	CATEGORY 1 Culture & Creative Industry	CATEGORY 2 Commercial	CATEGORY 3 Industry	CATEGORY 4 Retail	CATEGORY 5 Residential	CATEGORY 6 Community	CATEGORY 7 Dining & Entertainment
City Centre Project Area							
Precinct 1 Railway Station	Contemplated	Contemplated		Preferred	5A – Preferred 5B – Contemplated	Contemplated	Contemplated
Precinct 2 West of Railway	Contemplated	Contemplated		Contemplated	5A – Preferred 5B – Contemplated	Contemplated	Contemplated
Champion Lakes Project Area							
Precinct 3 Champion Lakes Gateway	Contemplated	Contemplated		Preferred	5A – Contemplated 5B – Preferred	Contemplated	Contemplated
Precinct 4 Champion Lakes Residential					5A – Preferred 5B – Contemplated		
Precinct 5 Champion Lakes Recreation	Contemplated					Preferred	Contemplated
Forrestdale Project Area							
Precinct 7 Forrestdale Business Park East Light Industry		Contemplated	3B – Preferred			Contemplated	
Precinct 7A Forrestdale Business Park East Industry			3A – Preferred 3B – Contemplated				



Precinct	CATEGORY 1 Culture & Creative Industry	CATEGORY 2 Commercial	CATEGORY 3 Industry	CATEGORY 4 Retail	CATEGORY 5 Residential	CATEGORY 6 Community	CATEGORY 7 Dining & Entertainment
Precinct 8 Forrestdale Business Park West Light Industry		Contemplated	3B - Preferred			Contemplated	
Precinct 8A Forrestdale Business Park West Industry			3A - Preferred 3B - Contemplated				
Kelmscott Project Area							
Precinct 9 Kelmscott Town Centre	Contemplated	Contemplated		Preferred	Preferred	Contemplated	Contemplated
Wungong Project Area							
Precinct 10 Recreation (A)				Contemplated	5A - Contemplated	Preferred	
Precinct 11 River (B)					5A - Preferred	Contemplated	
Precinct 12 Armadale Road (C)		Contemplated		Contemplated	5A - Preferred	Preferred	Contemplated
Precinct 13 Eighth Road (D)		Contemplated		Contemplated	5A - Preferred	Preferred	Contemplated
Precinct 14 Forrest Road (E)		Contemplated		Contemplated	5A - Preferred	Preferred	Contemplated
Precinct 15 Town Centre (F)	Contemplated	Contemplated		Contemplated	5A - Preferred	Preferred	Contemplated



Precinct	CATEGORY 1 Culture & Creative Industry	CATEGORY 2 Commercial	CATEGORY 3 Industry	CATEGORY 4 Retail	CATEGORY 5 Residential	CATEGORY 6 Community	CATEGORY 7 Dining & Entertainment
Precinct 16 Ninth Road (G)		Contemplated		Contemplated	5A - Preferred	Preferred	Contemplated
Precinct 17 Eleventh Road (H)		Contemplated		Contemplated	5A - Preferred	Preferred	Contemplated
Precinct 18 Brookwood A (Ia)					5A - Preferred		
Precinct 19 Brookwood B (Ib)					5A - Preferred		
Precinct 20 Tonkin South (J)		Contemplated		Contemplated	5A - Preferred	Preferred	Contemplated
Precinct 21 Rowley Road (K)		Contemplated		Contemplated	5A - Preferred	Preferred	Contemplated
Precinct 22 Tonkin North (L)		Contemplated		Contemplated	5A - Preferred	Preferred	Contemplated
Precinct 23 Wungong North (m)	Contemplated	Preferred	3B - Contemplated	Contemplated		Contemplated	Contemplated



Reducing car use

There are many benefits for the individual, the community and the environment of reducing private car usage, including:

- Increased walking and cycling, resulting in healthier communities.
- Less cars and more pedestrians makes places feel safer and more inviting.
- Reduced consumption of fossil fuels for car use.
- Reduced air pollution and carbon emissions from car use.
- Less land wasted on roads and car parking.
- More demand for public transport, making increased services viable.
- Reduced traffic congestion.
- Reduced traffic accidents (and associated costs).
- Reduced personal costs of car ownership.

CAR PARKING

- (2) In accordance with the Scheme Objectives, particularly Connectivity and Environmental Integrity, the Authority takes a restrictive approach to car parking provision, where the provision of car parking bays is provided as a minimum rate based on Activity Centre needs and a maximum rate respectful of the regional location.
- (3) Car parking bay provision for all land uses and development within the Scheme Area shall be in accordance with the Design Guideline applicable to that location. Where no Design Guideline provides parking rates for a project area or a precinct, the car parking requirements are set out below:
- (4) The design standards for the design and layout of parking, including Australian Standards and disability access, applied by the relevant local government shall apply within the Scheme Area unless the Authority adopts a Development Policy or Design Guidelines dealing with parking design standards.

TABLE 6.3 – CAR PARKING REQUIREMENTS

Development	Minimum Car Parking Spaces	Maximum Car Parking Spaces
Permanent Residential	0.75 bays per dwelling.	An average of one bay per dwelling in any one development
Visitor	0.25 bays per permanent residential (rounded down)	n/a
Transient Residential	One bay per two bedrooms	One bay per bedroom
Office	1 bay per 100sqm of NLA	1 bay per 50sqm of NLA
Industry (3A and 3B)	1 bay per 100sqm of NLA	1 bay per 50sqm of NLA
Other	1 bay per 50sqm of NLA	1 bay per 25sqm of NLA

- (5) Bicycle parking and end of trip facilities shall be provided in accordance with the Design Guideline applicable to that area or relevant Development Policy.
- (6) Where a building is used for multiple purposes, the number of car parking spaces to be provided is to be determined by the Authority and calculated separately for each part of the building that is used for a different purpose.



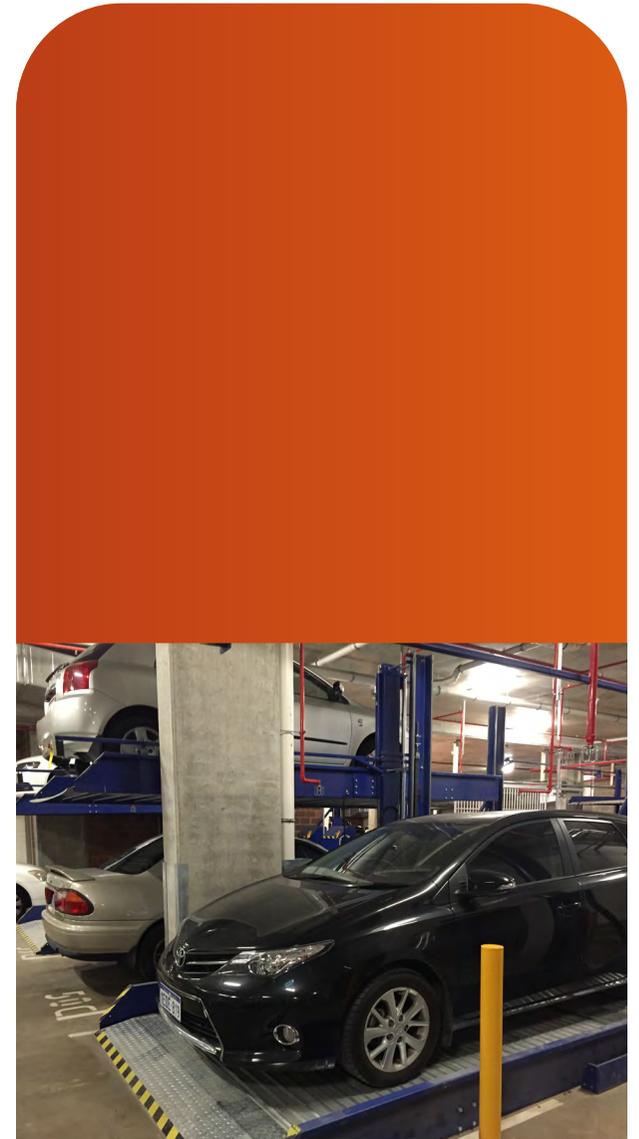
6.17 CASH IN LIEU OF CAR PARKING

- (1) Where a development proposes a variation to the minimum required car parking bays in accordance with clause 6.17(2), the Authority may consider the acceptance of a payment of money in lieu of provision of the bays in accordance with sub-clause (2) (referred to as cash in lieu).
- (2) The Authority shall calculate the cost of providing a parking bay within the Scheme Area, including but not limited to:
 - (a) the market value of the land required for a parking bay and the necessary access and manoeuvring space;
 - (b) any structures required; and
 - (c) other improvements including forming, paving, kerbing, drainage, landscaping, crossovers and lighting.
- (3) The cost of providing a parking bay may be calculated in respect of the Scheme Area as a whole, or in respect of any project area or precinct, reflecting the differences in the market value of land in the different areas.
- (4) The Authority may from time to time vary or adjust the parking bay cost calculation under sub-clause (2) to reflect changes in land values and costs or works.

6.18 RELAXATION OF CAR PARKING STANDARDS

Without derogating from clause 5.19, the Authority may relax the parking requirements in clause 6.17 in regard to any development application where the Authority is of the opinion that:

- (a) sufficient area is set aside in the form of additional landscaping to permit the subsequent construction of parking areas;
- (b) different uses on the land will generate parking demand at different times, allowing parking spaces to be shared;
- (c) the number of parking spaces required under Table 6.3 can only be provided in a manner which results in a built form in conflict with the existing or planned development in the locality;
- (d) contractual arrangements have been made for the parking or shared use of parking areas which are in the opinion of the Authority satisfactory; or
- (e) a contribution has been made for the purposes referred to in clause 6.17, and is to be applied by the Authority in accordance with that provision.





RECIPROCAL PARKING

- (1) The Authority may consider and approve reciprocal arrangements for parking in the circumstances contemplated in sub-clause (2), or in other circumstances, and may require the parties to the reciprocal arrangement to enter into an appropriate agreement to which the Authority is the controlling party.
- (2) The Authority may require a proportion of on-site parking required for a proposed development to be dedicated as visitor or customer parking having regard for the nature of the proposed use and the expected parking demand generated.
- (3) Nothing in this clause derogates from the power conferred on the Authority under clause 5.19 to approve a proposed development having parking spaces in excess of the maximum requirements set out in Table 6.3.





7.0

Development Contributions

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7.0 Development Contributions

7.1 INTRODUCTION

Effective redevelopment of the Authority's project areas requires the cost efficient provision of infrastructure and facilities such as utilities, roads, public transport, open space and community facilities. This physical and social infrastructure greatly influences the standard of living, mobility, and lifestyle choices of a community.

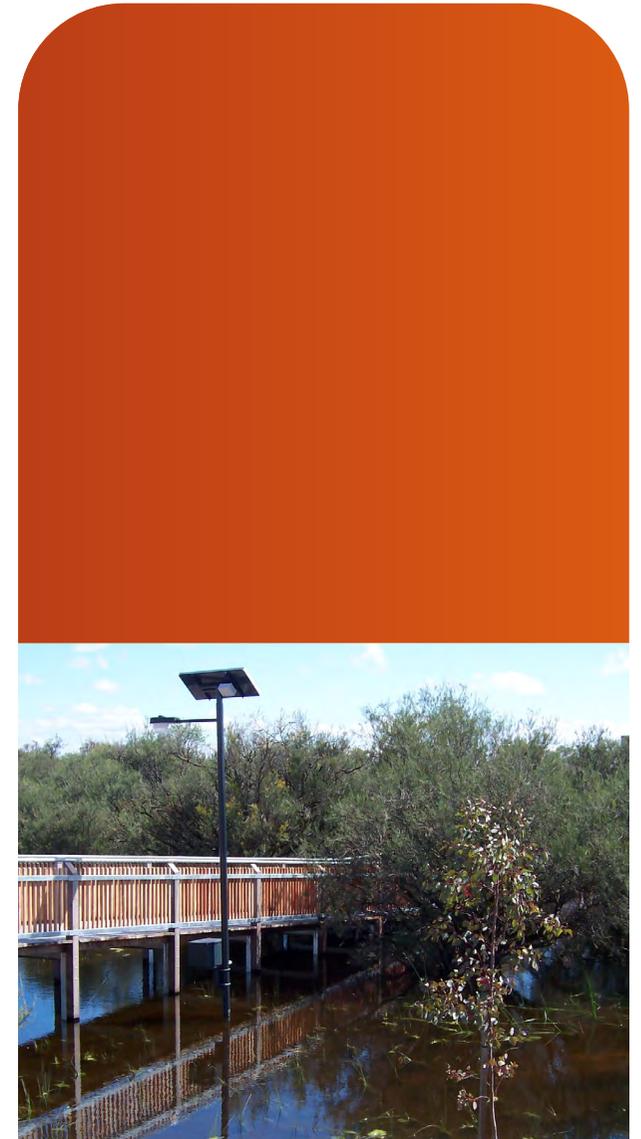
In most instances the Authority will provide, or make plans to provide, the majority of new infrastructure within each project area prior to private land owners undertaking redevelopment of their land. Accordingly the Authority will seek to recoup costs associated with infrastructure provision from land owners who benefit from this work, by requiring Development Contributions.

Chapter 7 sets out the provisions for the preparation and application of Development Contribution Plans, which set out the works and contribution system for an area. These plans are prepared to assist in the timely, equitable funding and provision of physical and social infrastructure in the Authority's Scheme Area.

Land owner Development Contributions are usually made by way of making payments, or, where appropriately guided by the applicable development contribution plan, offset by undertaking works on behalf of the Authority or ceding land to the value of the contribution. The requirement to provide a contribution is usually triggered by developing or subdividing land.

7.2 ESTABLISHMENT OF DEVELOPMENT CONTRIBUTION AREAS

- (1) For the purpose of this chapter, any area of the Scheme Area as shown on the Scheme Map in Appendix 1 may be considered as a separate Development Contribution Area.
- (2) The purpose of establishing Development Contribution Areas is to enable the preparation and adoption of a Development Contribution Plan to provide for the infrastructure needs of the area in a holistic and timely manner and to obtain equitable contributions from land owners who benefit from government investment in infrastructure and services.
- (3) A Development Contribution Plan may identify different Development Costs and different Development Contributions for specific precincts and/or lots within the Development Contribution Area.
- (4) The provisions of a Development Contribution Plan apply to the Development Contribution Area in addition to any other applicable provisions of the Scheme.





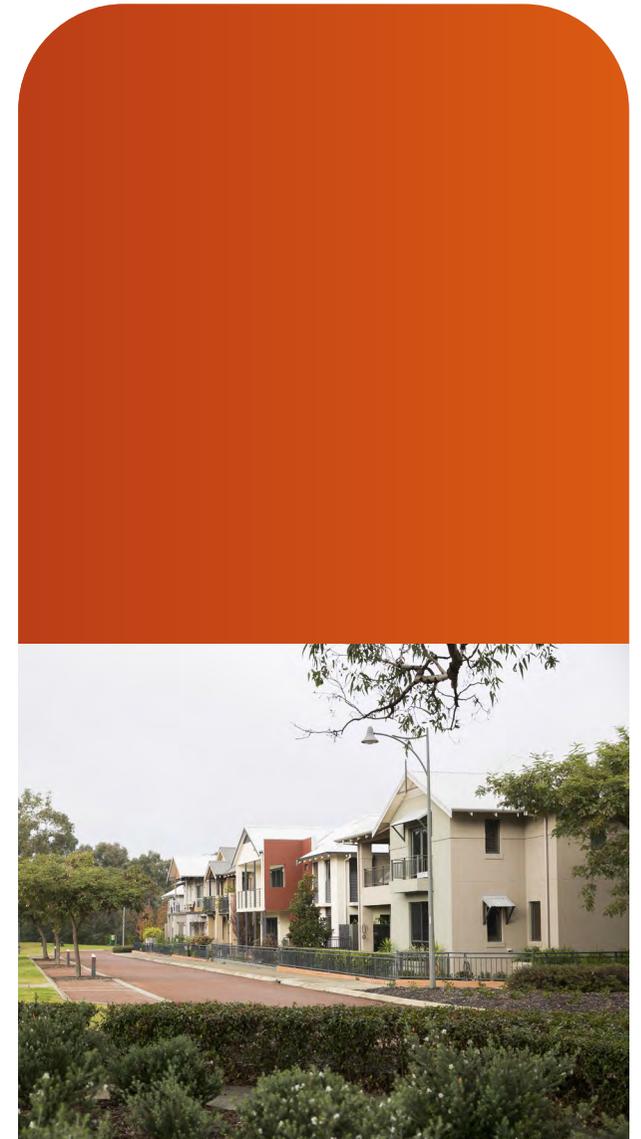
7.3 DEVELOPMENT CONTRIBUTION PLANS

- (1) The Authority may prepare a Development Contribution Plan or Plans to plan for the provision and funding of Development Costs for any Development Contribution Area (referred to in this chapter as 'the Area').
- (2) The Authority may seek expert advice and/or stakeholder input in identifying appropriate Development Costs for the Area as considered appropriate by the Authority.
- (3) The Development Contribution Plans are to be prepared and reviewed in accordance with the following principles:
 - (a) Need and nexus
 - (b) Efficiency and certainty
 - (c) Equity and consistency
 - (d) Transparency and accountability
 - (e) Right of consultation and comment
- (4) The Development Contribution Plan may specify:
 - (a) the Development Contribution Area to which the plan applies;
 - (b) the validity period of the Development Contribution Plan;
 - (c) the Development Costs from the list in clause 7.4 (the works and dollar value) that are required in the Contribution Area and that will be partly or fully funded by the Contribution Plan;
 - (d) the priority and approximate timing for the provision infrastructure;
 - (e) any land within the Development Contribution Area to which Development Contributions will be excluded;
 - (f) any exemptions from paying the calculated Development Contribution;
 - (g) any Development Costs or other associated costs and expenses that will not be charged to owners, including any costs that have received Federal Government funding;
 - (h) the method of allocating and calculating the Development Contribution applicable to each land holding and land owner in the Contribution Area, including whether any one of the Development Costs are to be allocated differentially between precincts or landholdings within the Development Contribution Area on the basis of the need and nexus of a Development Cost to land within the Area;
 - (i) any other information the Authority considers necessary to assist in the understanding or implementation of the plan.
- (5) A Development Contribution Plan is to be prepared and adopted in accordance with the public consultation procedure of clause 7.6 and final adoption procedure of clause 7.7.



7.4 DEVELOPMENT COSTS

- (1) Development Costs that may be included in a Development Contribution Plan may include all costs associated with providing or improving any one or more of the following for the relevant Development Contribution Area:
 - (a) any preparation or review of any strategic or statutory planning document undertaken by the Authority;
 - (b) essential services, including water, sewerage, drainage, telecommunications, gas, electricity and other power supplies, that are not supplied and charged for by other service providers;
 - (c) any road, cycle way, footpath or other carriageway;
 - (d) infrastructure or facilities relating to public transport;
 - (e) areas or facilities for public car parking;
 - (f) public open space, recreation reserves or waterway inlets, including the provision of land and physical improvements to enable public enjoyment of that land;
 - (g) landscaping and enhancement of public areas, including (but not limited to) lighting, paving, street and park furniture, planting and reticulation;
 - (h) the provision of any public community or recreation facility including (but not limited to) community centres, child care facilities, libraries, public toilets or playgrounds;
 - (i) environmental remediation or enhancement of natural environments, including (but not limited to) works to contaminated sites, waterways or vegetation areas.
 - (j) acquisition of any land for the provision of infrastructure works;
 - (k) administration and/or legal costs incurred in the preparation, review and implementation of Development Contribution Plans;
 - (l) interest accumulated on any loan taken out by the Authority to provide infrastructure in the Development Contribution Area; and/or
 - (m) any other infrastructure or works the Authority considers necessary or appropriate for the amenity and sustainable development of the Area.





7.5 ESTIMATED COSTS

- (1) The value of Development Costs shown in a Development Contribution Plan are to be based on amounts expended, but when expenditure has not yet occurred, they are to be based on the best and latest estimated costs available to the Authority.
- (2) The Authority is to have such estimated costs independently verified by an appropriately qualified person and must include this verification in the Development Contribution Plan.
- (3) Where any cost contribution has been calculated on the basis of an estimated cost, the Authority—
 - (a) is to adjust the cost contribution of any owner in accordance with the revised estimated costs; and
 - (b) may accept a cost contribution, based upon estimated costs, as a final cost contribution and enter into an agreement with the owner accordingly.
- (4) Where an owner's cost contribution is adjusted under subclause 3, the Authority, 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.

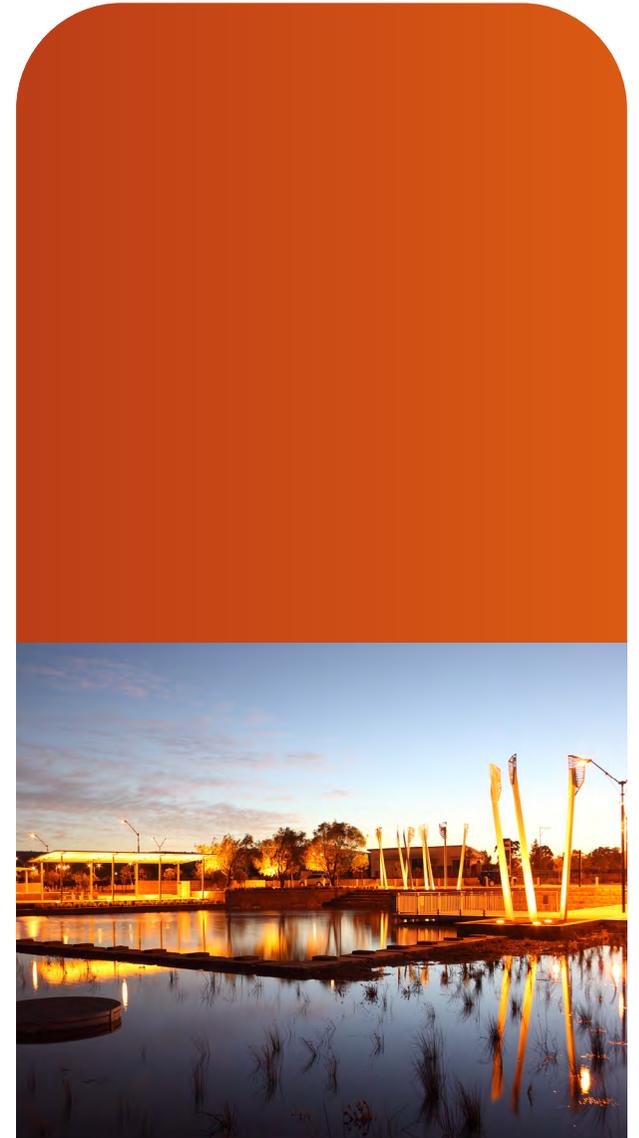
7.6 CONSULTATION ON A DRAFT DEVELOPMENT CONTRIBUTION PLAN

- (1) After preparation of a Development Contribution Plan in accordance with clauses 7.3, 7.4 and 7.5, and prior to final adoption of the Plan, the Authority may resolve to approve the Plan as a draft Development Contribution Plan for the purpose of public consultation.
- (2) The Authority is to then undertake a minimum 42 day consultation period during which the draft Development Contribution Plan is made available to relevant stakeholders and written comment is invited.
- (3) The consultation period is to commence with the following actions:
 - (a) referral of the draft Plan to all affected land owners;
 - (b) referral of the draft Plan to the relevant local government, Public Authorities and service providers;
 - (c) publication of a notice in a newspaper circulating within the Contribution Area; and
 - (d) publication of the draft Plan on the Authority's website.



7.7 FINAL ADOPTION OF A DEVELOPMENT CONTRIBUTION PLAN

- (1) Following the undertaking of consultation of a draft Development Contribution Plan in accordance with clause 7.6, the Authority will undertake the following actions:
 - (a) review all written submissions made during the consultation period and consider whether modification to the Plan is necessary;
 - (b) resolve either to finally adopt the Plan with or without modification, to undertake further review of the Plan, or to not proceed with the Plan;
 - (c) provide written notification of the Authority's resolution to all land owners affected by the plan;
 - (d) advise the relevant local government of the Authority's resolution;
 - (e) advise all those that made a submission during the advertising period, of the Authority's resolution;
 - (f) publish a notification of the Authority's resolution in a newspaper circulating within the Contribution Area and on the Authority's website; and
 - (g) make available the Development Contribution Plan to landowners.





7.8 AMENDMENT AND RESCINDING OF A DEVELOPMENT CONTRIBUTION PLAN

- (1) The Authority may resolve at any time to amend or rescind a Development Contribution Plan adopted under the Scheme, for the following reasons:
 - (a) adjustment of estimated costs in line with revised and current estimates or actual amounts spent;
 - (b) adjustment of costs for present value calculations or for indexing in line with the Consumer Market Price Index;
 - (c) addition of one or more Development Costs that are needed or have been provided for the Development Contribution Area;
 - (d) removal of one or more Development Costs that are no longer planned for the Development Contribution Area; or
 - (e) to generally review and update text or other details of the Plan, as considered necessary by the Authority; or
 - (f) in the case of costs which have been entirely recovered or transferred to the Local Authority rescind a Development Contribution Plan.
- (2) Amendment of a Development Contribution Plan is to be undertaken in accordance with the procedures set out in clauses 7.6 and 7.7, except that the minimum consultation period shall be 28 days.
- (3) Any revised costs or other amendments to a Development Contribution Plan will only apply to those owners yet to make full payment of their Development Contribution, and may not be applied retrospectively to an owner or land area where full payment under clauses 7.9, 7.10 and 7.11 has been received.



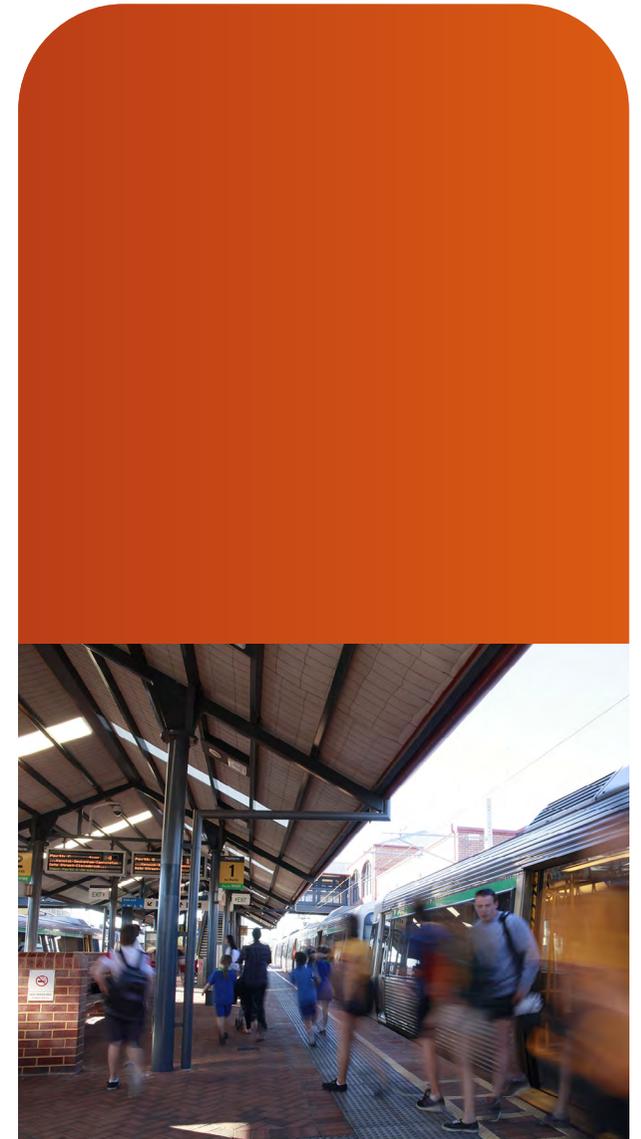


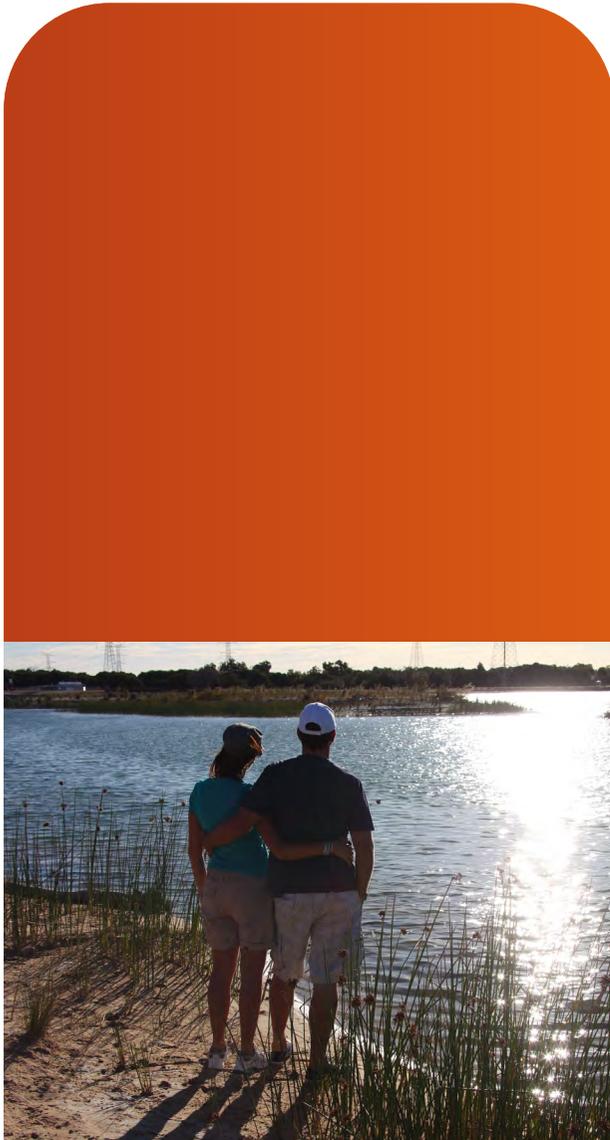
7.9 DEVELOPMENT CONTRIBUTION PLANS PREVIOUSLY ADOPTED

- (1) Any Development Contribution Plan adopted under the provisions of the Armadale Redevelopment Scheme 2004 or the Wungong Urban Water Redevelopment Scheme 2007 which was still in operation at the Gazettal date of the Scheme is deemed to have been made in accordance with clauses 7.3 and 7.7 and shall come into operation upon the coming into operation of this Scheme unless it is revoked by the Authority.
- (2) Any landholding for which a Development Contribution has been made in full in accordance with a Development Contribution Plan previously adopted under the Armadale Redevelopment Scheme 2004 or the Wungong Urban Water Redevelopment Scheme 2007 will not become liable for any Development Contribution under a further Development Contribution Plan.

7.10 LIABILITY FOR DEVELOPMENT CONTRIBUTION

- (1) An owner of land in a Development Contribution Area is required to make a Development Contribution in accordance with the applicable Development Contribution Plan. An owner's liability to pay the owner's Development Contribution to the Authority arises on the earlier of:
 - (a) the approval of any development on the owner's land within the Development Contribution Area, unless the development constitutes 'minor' development under clause 7.15;
 - (b) the approval of any subdivision of the owner's land within the Development Contribution Area;
 - (c) the last day before the expiry (if stipulated) of the Development Contribution Plan; or
 - (d) the last day before the time the land is subtracted from the Redevelopment Area under section 31(1)(b) of the MRA Act, unless the Plan is transferred to the Local Government, or otherwise agreed by the Authority.
- (2) No person shall commence or carry out any subdivision or development the subject of a subdivision approval or a development approval until the owner's cost contribution in respect of the land has been paid in full, or other arrangements for payment have been made to the satisfaction of the Authority.
- (3) Where, prior to the operative date, the Authority has given to an owner of land notice in writing that it accepts a payment made by the owner in full and final satisfaction under this chapter in respect of that land, then the notice is to be taken to be a discharge of that owner's liability under clause 7.10(1).





7.11 REVIEW OF COST CONTRIBUTION

- (1) If an owner objects to the amount of a cost contribution, the owner may give notice to the Authority requesting a review of the amount of the cost contribution by an appropriate qualified person ('independent expert') agreed by the Authority and the owner at the owner's expense, within 28 days after being informed of the cost contribution.
- (2) If, following a review, the valuer's determination of the value of the cost contribution is still not a figure acceptable to the owner, the value is to be determined—
 - (a) by any method agreed between the Authority and the owner; or
 - (b) if the Authority and the owner cannot agree, the owner may apply to the State Administrative Tribunal for a review of the matter under part 14 of the Planning and Development Act 2005.

7.12 METHOD OF PAYMENT

- (1) The owner, subject to the agreement of the Authority, is to pay the owner's Development Contribution by:
 - (a) cheque, cash or electronic transfer of funds;
 - (b) providing infrastructure to the value of the Development Contribution;
 - (c) providing land to the value of the Development Contribution;
 - (d) providing a community facility or other community benefit, which is preferable to the Authority than other means of payment, and which is of equal or greater value to the Development Contribution;
 - (e) any combination of these methods, where acceptable to the Authority; or
 - (f) some other method acceptable to the Authority.
- (2) The owner, subject to the agreement of the Authority, may pay the owner's Development Contribution in a lump sum, by instalments, or in such other manner acceptable to the Authority.
- (3) Payment by an owner of the full Development Contribution consistent with the Development Contribution Plan at the time of payment, including a contribution based on estimated costs, constitutes full and final discharge of the owner's liability under the Development Contribution Plan and the Authority shall provide certification in writing to the owner of such discharge.



7.13 INTEREST IS PAYABLE

- (1) Interest shall be payable on any owner's Development Contribution, which is due at the rate payable from time to time on judgement debts as determined pursuant to Order 61 Rule 23(2) of the Supreme Court Rules 1971 (WA) as amended.
- (2) Interest payable pursuant to this clause shall accrue from the date the owner's Development Contribution became due in accordance with clause 7.10 to the date of receipt of payment, unless the Authority for good reason shown by the owner agrees to suspend or waive interest.

7.14 CAVEAT MAY BE LODGED AGAINST THE LAND TITLE

- (1) The amount of any cost contribution for which an owner is liable under clause 7.10, but has not paid, is a charge on the owner's land to which the Development Contribution relates, and the Authority may lodge a caveat, at the owner's expense against the owner's title to that land.
- (2) The Authority, at the owner's expense and subject to such other conditions as the Authority thinks fit, can withdraw a caveat lodged under this section to permit a dealing and may then re-lodge the caveat to prevent further dealings.
- (3) If the cost contribution is paid in full, and if requested to do so by the owner, the Authority, at the expense of the owner, is to withdraw any caveat lodged under this section.





In this Scheme Charitable Institution means: an establishment, organisation or association that is instituted and operated to advance or promote a charitable purpose, and does not engage in activities that do not further, or are not in aid of, its charitable purpose; such as institutions providing not for profit services to the homeless, sick, disabled, aged, or under privileged persons, and is not an individual, a partnership, a political party, a superannuation fund or a government body.

7.15 EXEMPTIONS FOR MINOR DEVELOPMENT

- (1) The Authority may, on request by the landowner, elect to exempt certain minor development proposals from being liable under clause 7.10 to pay the Development Contribution. In this instance minor development may include the first single house or outbuilding associated with that first single house, small scale alterations and additions to properties. The Authority will consider the exemption provided it is minor or incidental development that does not have a connection (nexus) between the development and the demand for the infrastructure included in the Development Contribution Plan.
- (2) Should such an exemption be granted, this does not preclude the ability of the Authority to require a Development Contribution as a result of any subsequent development or subdivision.

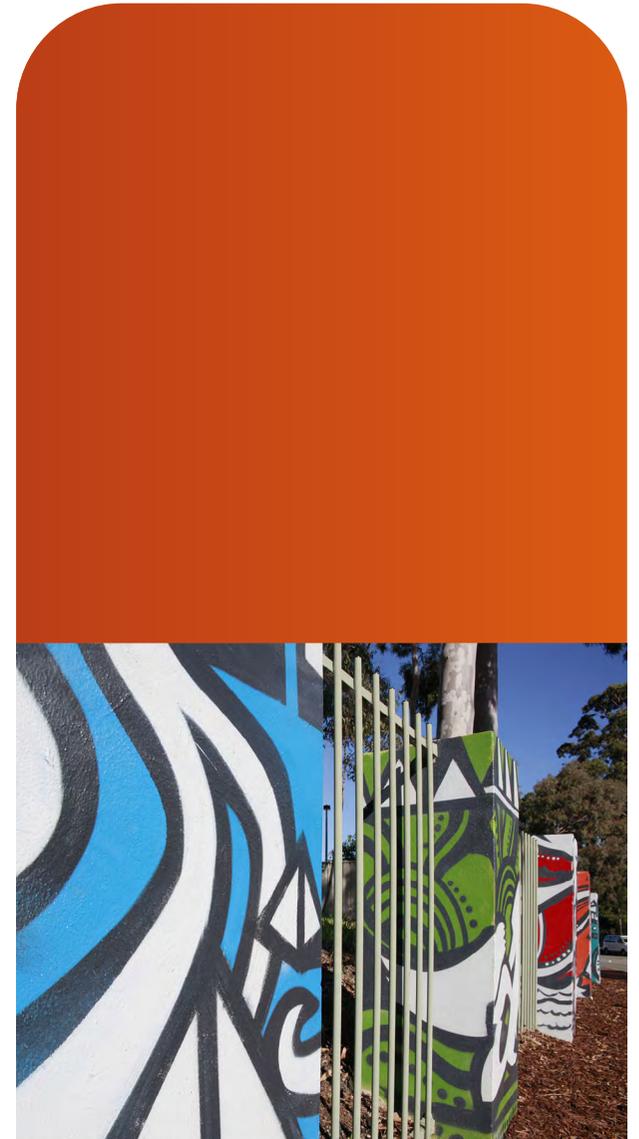
7.16 EXEMPTION FOR CHARITABLE INSTITUTIONS

- (1) The Authority may recognise the social contribution and limited financial capacity of Charitable Institutions within the Scheme Area and exclude certain charitable land holdings from being liable for Development Contributions.
- (2) In preparation of a Development Contribution Plan the Authority may recognise any Charitable Institution which owns land within a Contribution Area and uses the land exclusively for charitable purposes, and exempt it from liability to pay the Development Contribution that is applicable to that land.
- (3) During the consultation period of a draft Development Contribution Plan and prior to its final adoption, any Charitable Institution which has not been exempted under the draft Plan may apply to the Authority for an exemption. Any application must demonstrate to the Authority's satisfaction that the land is used for charitable purposes. An exemption may otherwise be provided, at the Authority's discretion, for part of a land holding if only part of the land is used for charitable purposes.
- (4) An exemption granted by the Authority ceases to have effect if the land is no longer owned by the Charitable Institution or is no longer used for charitable purpose, in which case the Authority may consider a recovery of development costs through the Development Contribution Plan review process.



7.17 SPECIAL FUND FOR ACCUMULATING CONTRIBUTIONS

- (1) The Authority shall establish in an interest bearing account a special fund for each Development Contribution Area that is subject to a Development Contribution Plan, for the purpose of accumulating moneys raised under this chapter. Money accumulated in each Development Contribution Area special fund, including any interest raised, is to be used only for:
 - (a) funding the Authority or those nominated by the Authority for the undertaking of any Development Costs in accordance with the Development Contribution Plan for that Development Contribution Area;
 - (b) the reimbursement by the Authority of moneys spent on any Development Costs in accordance with the Development Contribution Plan for that Development Contribution Area;
 - (c) repayment of loans taken out by the Authority for the purposes of funding Development Costs in accordance with the Development Contribution Plan for that Development Contribution Area; or
 - (d) where surplus funds have been collected from landowners into the special fund over and above the amount that is required to fund Development Costs in accordance with the Development Contribution Plan, then those surplus funds may, at the Authority's discretion, be reimbursed equitably to owners who have made a contribution.
 - (e) To the extent, if any that it is not reasonably practicable to identify owners and/or their entitled amount of refund, any excess in funds shall be applied, to the provision of additional facilities or improvements in that development contribution area.



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8.0

Heritage Protection

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8.0 Heritage Protection

8.1 INTRODUCTION

Chapter 8 makes provisions for the identification of Heritage Places and Heritage Precincts within the Scheme Area. The Heritage Inventory recognises and records sites, buildings, objects and other assets that are of importance to past, present or future communities, and therefore may require conservation and/or continued public enjoyment.

The chapter also sets out special provisions regarding development of Heritage Places and Heritage Precincts. These special provisions apply in addition to the provisions relating to development in Chapter 5 – Development Management and Chapter 6 – Land Use and elsewhere in the Scheme.

8.2 HERITAGE PRECINCTS AND HERITAGE PLACES

- (1) The Authority recognises that there are buildings, sites, objects and areas within the Scheme Area that are of cultural heritage significance. The Authority defines these as either Heritage Places or Heritage Precincts.
- (2) The Authority considers it necessary to protect, conserve, restore and re-use, as appropriate to the site, Heritage Places and Heritage Precincts for the benefit and enjoyment of present and future generations.
- (3) The Authority may take such action as it deems appropriate for the conservation of Heritage Places and Heritage Precincts within the Scheme Area.

8.3 PREPARATION OF HERITAGE INVENTORY

- (1) The Authority shall prepare and maintain a Heritage Inventory or Inventories, which makes provision for the recognition and recording of places and precincts within the Scheme Area which, in the opinion of the Authority, are of cultural heritage significance and are therefore considered to be a Heritage Place and/or a Heritage Precinct.
- (2) The Authority may seek specialised advice and/or community input in identifying sites of cultural heritage significance and in preparing a Heritage Inventory, as considered appropriate by the Authority.
- (3) The Heritage Inventory is to be adopted in accordance with the public consultation procedure of clause 8.4 and final adoption procedure of clause 8.5.

The following terms are defined terms in this Scheme:

Cultural Heritage Significance

means, in relation to a place, the relative value which that place has in terms of its aesthetic, historic, scientific, or social significance, for the present community and future generations.

Heritage Place

means land, building/s or structure/s within a defined area that is of recognised cultural heritage significance and is listed in the Authority's Heritage Inventory or the State Register of Heritage Places.

Heritage Precinct

means a group of sites that together form a precinct which is of cultural heritage significance, notwithstanding that each site within the Precinct may not itself be a Heritage Place, and is listed in the Authority's Heritage Inventory or the State Register of Heritage Places.



The Burra Charter

The Burra Charter is Australia's principal guiding document that sets out principles and procedures to be followed in the conservation of heritage places, based on internationally accepted principles. Some of the principles of the charter include:

- Places of cultural significance should be conserved.
- Places of cultural significance should be safeguarded and not put at risk or left in a vulnerable state.
- Maintenance is fundamental to conservation.
- Demolition of significant fabric of a place is generally not acceptable.
- New work such as additions to the place may be acceptable where it does not distort or obscure the cultural significance of the place, or detract from its interpretation and appreciation.
- New work should be readily identifiable as such.
- Changes which reduce cultural significance should be reversible.
- The cultural significance of many places is not readily apparent, and should be explained by interpretation.

8.4 CONSULTATION ON DRAFT HERITAGE INVENTORY

- (1) After preparation of a Heritage Inventory in accordance with clause 8.3, and prior to final adoption of the Inventory, the Authority may resolve to approve the Inventory as a draft Heritage Inventory for the purpose of public consultation. The Authority will then undertake a minimum 42 day consultation period during which the draft Heritage Inventory is made available to relevant stakeholders and the general public and written comment is invited.
- (2) The consultation period is to commence with the following actions:
 - (a) notification of all land owners of any place or precinct that is to be added to or removed from the inventory;
 - (b) referral of the Heritage Inventory to the relevant local government/s;
 - (c) referral of the Heritage Inventory to the Heritage Council of Western Australia;
 - (d) referral of the Heritage Inventory to any other stakeholders, as identified by the Authority;
 - (e) publication of a notification in a newspaper circulating within the locality of the proposed Heritage Inventory;
 - (f) publication of a notification on the Authority's website; and
 - (g) a sign on subject sites if considered necessary by the Authority.



8.5 FINAL ADOPTION OF A HERITAGE INVENTORY

- (1) Following the undertaking of consultation of a draft Heritage Inventory in accordance with clause 8.4, the Authority will undertake the following actions:
 - (a) review all written submissions made during the consultation period and consider whether modification to the Heritage Inventory is necessary;
 - (b) resolve either to finally adopt the Heritage Inventory with or without modification, or to undertake further review and consultation on the draft document;
 - (c) provide written notification of the Authority's resolution to land owners of any place or precinct entered into the Heritage Inventory;
 - (d) advise the relevant local governments and the Heritage Council of Western Australia of the Authority's resolution;
 - (e) advise all those that made an original submission during the consultation period, of the Authority's resolution;
 - (f) publish a notification of the Authority's resolution in a newspaper circulating within the locality of the Heritage Inventory and on the Authority's website; and
 - (g) make copies of any adopted Heritage Inventory available to view at the Authority's offices, and make electronic or printed copies available subject to payment of any necessary fee.

8.6 AMENDMENT OF A HERITAGE INVENTORY

- (1) The Authority may resolve at any time to make amendment to or to rescind a Heritage Inventory adopted under the Scheme, including the addition or removal of a Heritage Place or Heritage Precinct or any other change considered necessary by the Authority.
- (2) Amendment of a Heritage Inventory is to be undertaken in accordance with the procedures set out in clauses 8.4 and 8.5.

8.7 ADOPTION OF PREVIOUS REDEVELOPMENT AREA HERITAGE INVENTORY

- (1) A Heritage Inventory may be adopted under clause 8.5 even if the Heritage Inventory was prepared prior to the commencement of the Scheme, provided that anything done prior to the commencement of the Scheme would otherwise comply with the requirements of Chapter 8.

The Burra Charter

More information on the Burra Charter is available from the Australian International Council on Monuments and Sites (ICOMOS) at: <http://australia.icomos.org/publications/charters>



State Heritage Places

The Heritage Council of Western Australia (HCWA) maintains a “Register of Heritage Places”, which recognises places and precincts that are of high cultural heritage importance to Western Australia. These places are generally known as State heritage listed places. Those in the Authority’s area are also included in the Authority’s heritage inventories.

Development Approval is required for all development to State heritage listed places. A Development Application must be lodged with the Authority, and the Authority will obtain advice from HCWA on the application. – Refer to the Authority’s Heritage Policy before undertaking any works to State heritage listed places.

HCWA’s website provides useful information on State listed places, grants programmes, case studies and conservation at: www.dplh.wa.gov.au

8.8 LOCAL GOVERNMENT HERITAGE INVENTORY

- (1) When the Scheme Area is extended, such as by addition to the Scheme Map of a new project area or precinct, the Heritage List for that area of the relevant local government shall apply to that area as if adopted under the Scheme, until such time as the Authority prepares or amends its own Heritage Inventory for that area, in accordance with clauses 8.3 - 8.6.

8.9 INCLUSION OF STATE HERITAGE PLACES

- (1) Any place or precinct within the Scheme Area that is entered on the current State Register of Heritage Places shall be deemed to be automatically entered into the Authority’s Heritage Inventory for the relevant locality, regardless of whether or not the site is physically recorded in the Authority’s Heritage Inventory. The site will be categorised as having the highest level of significance and conservation afforded by the relevant Inventory.
- (2) The procedures set out in clauses 8.4 and 8.5 are not necessary to achieve automatic inclusion into the Authority’s Heritage Inventory. The Authority is to give written notice to affected land owners and physically modify its Heritage Inventory as soon as practical after a site becomes automatically included.

8.10 EFFECT OF INCLUSION IN THE HERITAGE INVENTORY

- (1) Inclusion of a place or precinct in the Heritage Inventory shall have the effect of recognising its cultural heritage significance. The Authority is to have regard to the recognised cultural heritage significance and any statements regarding its significance and any level of management as recorded in the Heritage Inventory when determining applications made under the Scheme.
- (2) Inclusion of a place in the Heritage Inventory shall also enable the Authority to consider and approve variations to Scheme, Policy or Design Guideline requirements to enable conservation of the place.

8.11 DEVELOPMENT INVOLVING A HERITAGE PLACE OR PRECINCT

- (1) In accordance with the provisions of Part 6 of the MRA Act and Chapter 5 of the Scheme, development approval is required prior to undertaking any development of any Heritage Place or Heritage Precinct in the Scheme Area, unless otherwise stated in the Regulations.



8.12 EXPERT ADVICE ON DEVELOPMENT APPLICATIONS

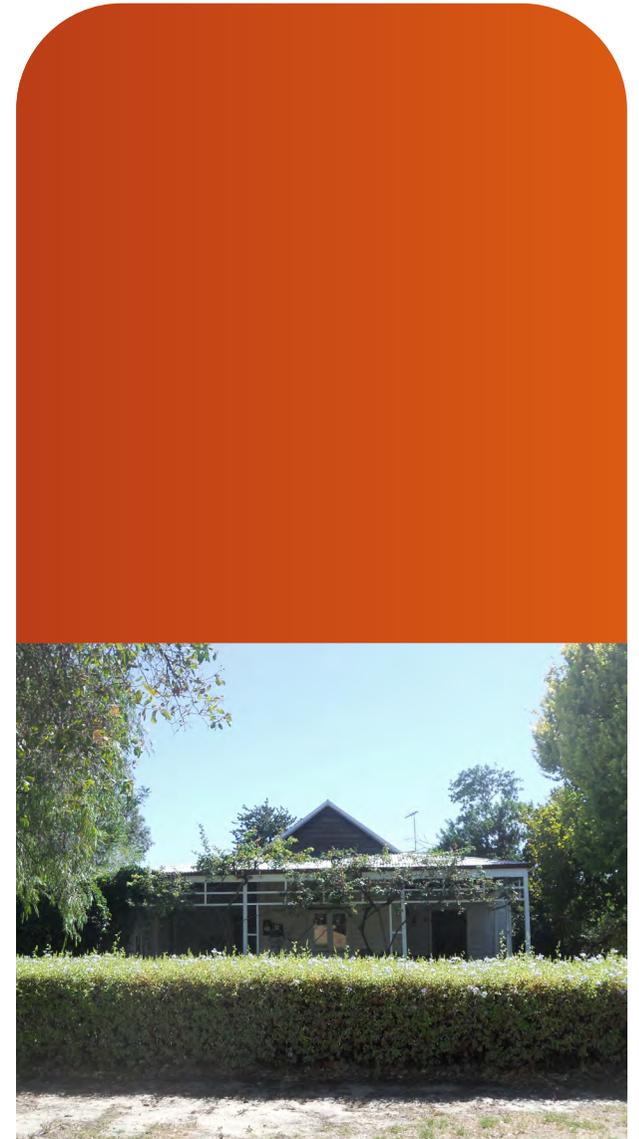
- (1) Prior to making any decision on a Development Application relating to a Heritage Place or Heritage Precinct, the Authority may consult with the Heritage Council of Western Australia, an independent heritage architect or other such bodies or persons as the Authority considers appropriate to assist in the improvement or determination of the application.

8.13 VARIATION OF DEVELOPMENT REQUIREMENTS

- (1) Where any development is proposed which would conserve, by reason of incorporation in the development or otherwise, the whole or a substantial part of an existing Heritage Place which the Authority considers worthy of conservation, the Authority may permit a variation to requirements of the Scheme, Development Policy or Design Guideline.

8.14 DETERMINATION OF HERITAGE DEVELOPMENT APPLICATIONS

- (1) In determining a Development Application relating to a Heritage Place or Heritage Precinct, in addition to the matters for consideration set out in Chapter 5 and Chapter 6 and elsewhere in the Scheme, the Authority will have particular regard for the following matters:
 - (a) the recognised cultural heritage significance of the place or precinct and any statements regarding its significance and any level of management, as recorded in the Heritage Inventory;
 - (b) the provisions and requirements of its adopted Heritage Inventory, both in general and in regard to the provisions contained in the Heritage Inventory for any particular place or precinct;
 - (c) any Policy adopted under the Scheme relating to heritage conservation or heritage places;
 - (d) any conservation plan or heritage impact assessment prepared for that site by a recognised heritage professional;
 - (e) the policies, plans, agreements or views of the State Heritage Office in relation to any site on the State Heritage Register; and
 - (f) Any views or comments the Authority may have solicited from any expert person or body, or other stakeholder in relation to the application.



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9.0

Requirements for Structure Plans, Activity Centre Plans and Local Development Plans

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9.0 Requirements for Structure Plans, Activity Centre Plans and Local Development Plans

9.1 PURPOSE OF STRUCTURE PLAN AND ACTIVITY CENTRE PLAN AREAS

- (1) To ensure the orderly and proper planning of the Scheme Area, the Authority may require the preparation of a Structure Plan for large, significant, or fragmented land holdings in, or partly within, the Scheme Area or an Activity Centre Plan to guide the types of land uses and the overall development (including built form) that is intended to occur within the activity centre. This may be required where the Authority has yet to approve a strategic master plan or adopt Design Guidelines for the subject land.
- (2) For the purpose of this chapter, each area shown shaded on the Structure Plan Area Map at Appendix 4 shall be considered as a separate Structure Plan Area.

9.2 SUBDIVISION AND DEVELOPMENT

- (1) Where preparation of a Structure Plan or Activity Centre Plan is required, the Authority's approval of the Structure Plan or Activity Centre Plan is generally required prior to the Authority determining a Development Application or pursuant to clause 5.5, recommending approval of a subdivision application to the Western Australian Planning Commission or the Minister for Planning for land within the Structure Plan or Activity Centre Plan area.

9.3 PREPARATION OF A STRUCTURE PLAN OR ACTIVITY CENTRE PLAN

- (1) Structure Plans or Activity Centre Plans may be prepared by the Authority or by a land owner(s).
- (2) When so requested by the Authority, a land owner(s) will prepare and submit an application for Structure Plan or Activity Centre Plan approval to the Authority for determination. Alternatively a land owner(s) may submit a Structure Plan or Activity Centre Plan application for the Authority's determination without being requested to do so by the Authority.

A Structure Plan is a document that incorporates a report, structure plan map, additional technical supporting documents and plans, to provide a framework for the coordinated provision and arrangement of future land use, subdivision and development in new urban areas (greenfield sites) and in existing developed/redevelopment areas (brownfield sites) in metropolitan and regional areas. It coordinates the provision of transport networks, public open space (POS), utility and service networks, urban water management, development standards and community and other infrastructure investment and staging programs. A Structure Plan is a particularly important planning instrument for land held in fragmented or multiple ownership. It often accompanies a region scheme amendment or local planning scheme amendment proposal in order to illustrate future development and subdivision intentions.

Structure Plans coordinate the provision and planning for land use development, infrastructure and facilities on the neighbourhood scale and provide a statutory planning framework to facilitate future subdivision and development.



9.4 CONTENTS OF A STRUCTURE PLAN

- (1) Unless otherwise set out in a Policy or Design Guideline adopted in accordance with Chapter 4, a Structure Plan is to be prepared generally in accordance with the Western Australian Planning Commission's Structure Plan Framework 2015 (as amended) and contain detailed information as required but not limited to the following:
 - (a) movement network;
 - (b) consideration for and connection to the surrounding context;
 - (c) public places, public open space and/or other public realm considerations;
 - (d) any foreshores, waterways and/or other environmental features;
 - (e) water management in accordance with water sensitive urban design principles or any district water management strategy;
 - (f) the response to relevant environmental, heritage or transport considerations;
 - (g) relevant plans, supporting information and technical reports to justify the proposal;
 - (h) additional information to be provided for the Wungong Project Area, prepared in accordance with Appendix 5, including but not limited to:
 - (i) Local Water Management Strategy;
 - (ii) Wetland Management Plan;
 - (iii) Foreshore Management Plan;
 - (iv) Landscape and Irrigation Management Strategy;
 - (v) Fauna Relocation and Management Plan;
 - (vi) Strategic Acid Sulphate Soils Management Plan; and
 - (vii) Acid Sulfate Soils Management Plan; and
 - (i) any other considerations or aspects, as required by the Authority



9.5 CONTENTS OF AN ACTIVITY CENTRE PLAN

- (1) Unless otherwise set out in a Policy or Design Guideline adopted in accordance with Chapter 4, an Activity Centre Plan is to be prepared generally in accordance with the Western Australian Planning Commission's State Planning Policy 4.2 – Activity Centres for Perth and Peel (as amended) and contain detailed information as required but not limited to the following:
 - (a) the arrangement to be made for vehicles to access and alternative transport to the area covered by the plan;
 - (b) consideration for and connection to the surrounding context;
 - (c) public places, public open space and/or other public realm considerations;
 - (d) any foreshores, waterways and/or other environmental features;
 - (e) water management in accordance with water sensitive urban design principles or any district water management strategy;
 - (f) the response to relevant environmental, heritage or transport considerations;
 - (g) the standards to be applied for the buildings, other structures and works that form part of the development or subdivision to which it applies;
 - (h) arrangements for the management of services for the development or subdivision;
 - (i) relevant plans, supporting information and technical reports to justify the proposal; and
 - (j) any other considerations or aspects, as required by the Authority.





9.6 DETERMINATION OF AN APPLICATION FOR STRUCTURE PLAN OR ACTIVITY CENTRE PLAN APPROVAL

- (1) An application for approval of a Structure Plan or Activity Centre Plan is to be processed and determined by the Authority generally in accordance with the provisions of Chapter 5 for a Major Application, including but not limited to the clauses addressing:
 - (a) Referral to local government and public authorities;
 - (b) Public consultation on certain applications;
 - (c) Specialist advice; and
 - (d) The decision of the Authority to approve, approve subject to condition/s or refuse the application to the local government and public authorities and all owners in the Structure Plan Area.
- (2) In addition to the above clauses, the Authority may have regard (but not limited to) to the following:
 - (a) the planning framework for the applicable Structure Plan area or Activity Centre Plan area, and any Development Policies, Planning Policies and Design Guidelines, strategic master plan, strategies, and Scheme provisions which apply to the land;
 - (b) the Scheme Vision and Objectives and precinct intent;
 - (c) how planning for the subject area is to be integrated with the surrounding land;
 - (d) the design rationale for the proposed pattern of subdivision, land use and development;
 - (e) traffic management and safety in accordance with the Western Australian Planning Commission's Transport Assessment Guidelines;
 - (f) open space provision and management;
 - (g) wastewater management, how the proposal incorporates the principles of water sensitive design and how it addresses the objectives of total water cycle management;
 - (h) the provision of utility services;
 - (i) the proposed method of implementation, including any cost sharing arrangements; and details of any staging of subdivision and development; and

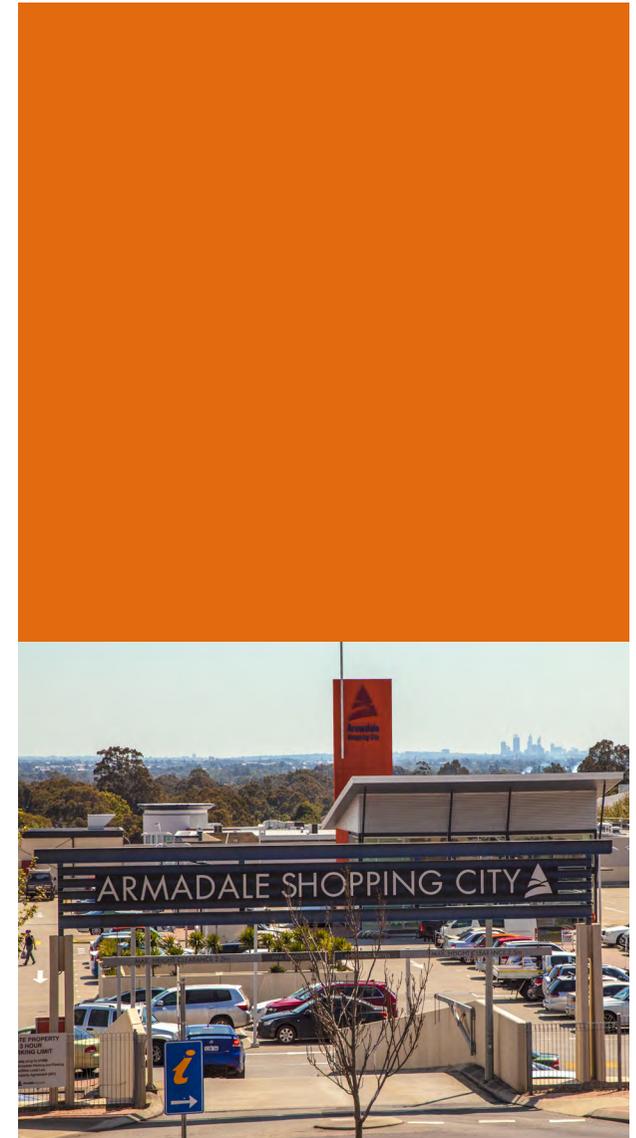




- (j) environmental and water management plan including but not limited to the following;
 - (i) District Water Management Strategy;
 - (ii) Local Water Management Strategy;
 - (iii) Wetland Management Plan;
 - (iv) Foreshore Management Plan;
 - (v) Landscape and Irrigation Management Strategy;
 - (vi) Fauna Relocation and Management Plan;
 - (vii) Strategic Acid Sulphate Soils Management Plan; and
 - (viii) Acid Sulphate Soils Management Plan.
- (3) A decision on an application for approval of a Structure Plan or Activity Centre Plan conveys the Authority's position on the proposed general layout and built form of the land holdings only and does not in any way constitute an approval or refusal to undertake development or subdivision.
- (4) A Structure Plan or Activity Centre Plan approval is current for ten years from the date of the approval form being signed, or until such time as may be stipulated on the form.
- (5) The Authority is to have due regard for any valid decision to approve a Structure Plan or Activity Centre Plan when determining a subsequent Development Application or providing comment to the Western Australian Planning Commission or Minister for Planning on a proposed subdivision for land within the area of the Structure Plan.

9.7 AMENDMENT OF AN APPROVED STRUCTURE PLAN OR ACTIVITY CENTRE PLAN

- (1) An application to amend an approved Structure Plan or Activity Centre Plan should contain all details outlined in 9.4 and 9.5 respectively which are subject to variation.
- (2) The Authority may amend a Structure Plan or Activity Centre Plan:
 - (a) if in the opinion of the Authority, the variation does not materially alter the intent of the Structure Plan or Activity Centre Plan;
 - (b) otherwise, amend the approved Structure Plan or Activity Centre Plan, in accordance with the procedures set out in clause 9.6.
- (3) After resolving to amend a Structure Plan or Activity Centre Plan under subclause (2), the Authority is to notify as soon as practicable, the local government and any other person who in the opinion of the Authority is affected by the amendment.
- (4) An amendment to a Structure Plan or Activity Centre Plan comes into effect on the day on which the Authority provides written notification of its decision.





9.8 LOCAL DEVELOPMENT PLANS

- (1) Local Development Plans may be prepared by the Authority or by an owner at the request of the Authority for the whole or part of a Structure Plan or Activity Centre Plan Area, for the purpose of enhancing, elaborating and expanding the details or provisions contained in a Structure Plan or Activity Centre Plan.
- (2) Local Development Plans prepared under subclause (1) is to be processed and determined generally in accordance with the procedure set out in Chapter 5 for a Standard Application, including but not limited to the clauses addressing:
 - (a) Referral to local government and public authorities;
 - (b) Public consultation on certain applications;
 - (c) Specialist advice; and
 - (d) The decision of the Authority to approve, approve subject to condition/s or refuse the application.
- (3) Local Development Plans may include (but not limited to) details regarding:
 - (a) building envelopes;
 - (b) distribution of land uses within a lot;
 - (c) private or public open space;
 - (d) services;
 - (e) vehicular access, parking, loading and unloading areas, storage yards and rubbish collection areas;
 - (f) the location, orientation and design of buildings and the spaces between buildings;
 - (g) advertising signs, lighting and fencing;
 - (h) landscaping, finished site levels and drainage;
 - (i) water management in accordance with water sensitive urban design principles;
 - (j) the protection of places of heritage or environmental significance;
 - (k) special development controls and guidelines; and
 - (l) such other information, guidance or controls considered relevant by the Authority.
- (4) Once approved by the Authority, Local Development Plans prepared under this clause constitute a variation to the approved Structure Plan or Activity Centre Plan.





9.9 PLACE CODE REQUIREMENTS

- (1) The following site and development requirements apply to areas covered by a Structure Plan, Activity Centre Plan or Local Development Plan in the Wungong Project Area.

Where no Design Guideline provisions apply in relation to minimum and average Lot area size within Place Codes (as identified on the Wungong Urban Water Master Plan) included in Structure Plans, Activity Centre Plans or Local Development Plans, the requirements are set out below.

Place Code	Minimum Lot Size	Average Lot Size
Town Centre To provide medium to high density mixed use development that complements rather than competes with higher order commercial activity in the Armadale CBD, provides activity at all times, reduces vehicle trips and meets the needs of a diverse population.	Residential development - 100m ² per dwelling	n/a
Neighbourhood Activity Centre To provide medium to high density mixed use development which incorporates housing diversity together with convenience retailing, local offices and community services as a focal point for the local community to provide housing diversity.	Residential development - 100m ² per dwelling	n/a
Urban To provide a range of lot areas and types, with a variety of housing to meet the needs of different household types including aged and dependent persons dwellings and residential buildings.	160m ² 380m ² for a battleaxe lot	minimum 180m ² maximum 300m ²
Suburban To provide primarily single detached housing at a range of low to medium residential densities.	220m ² 395m ² for a battleaxe lot	minimum 260m ² maximum 571m ² (Except in Brookwood A and Brookwood B where the maximum average lot area is 700m ²).
Rural Residential Development is to be characterised by single residential dwellings on large lots in a natural environment setting.	2,000m ² per dwelling	n/a

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Appendices

Appendices

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APPENDIX 1: SCHEME MAP

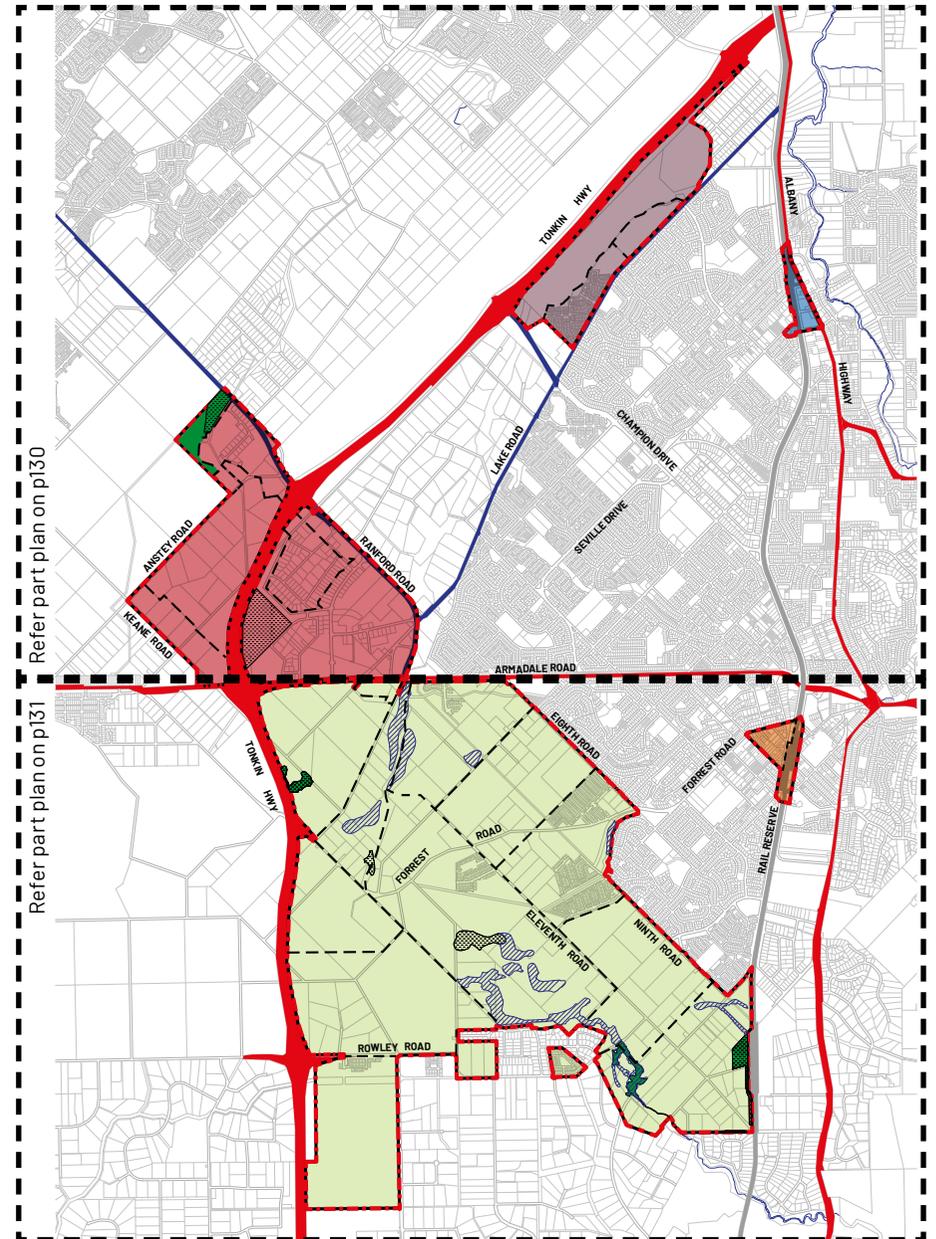
-  Redevelopment Area Boundary
-  City Centre Project Area
-  Champion Lakes Project Area
-  Forrestdale Project Area
-  Kelmscott Project Area
-  Wungong Urban Water Project Area
-  Precinct boundary

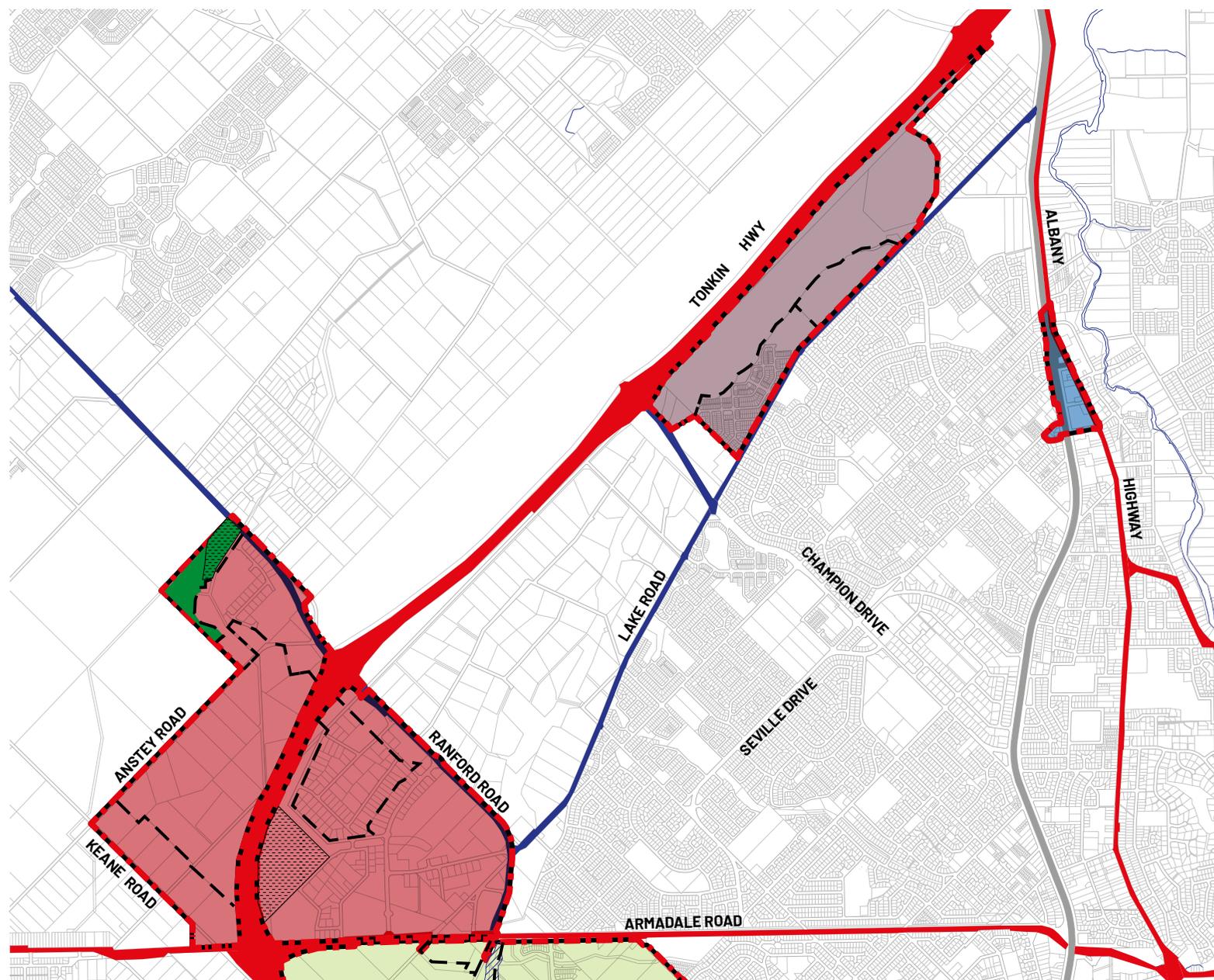
Reserves for Public Purpose

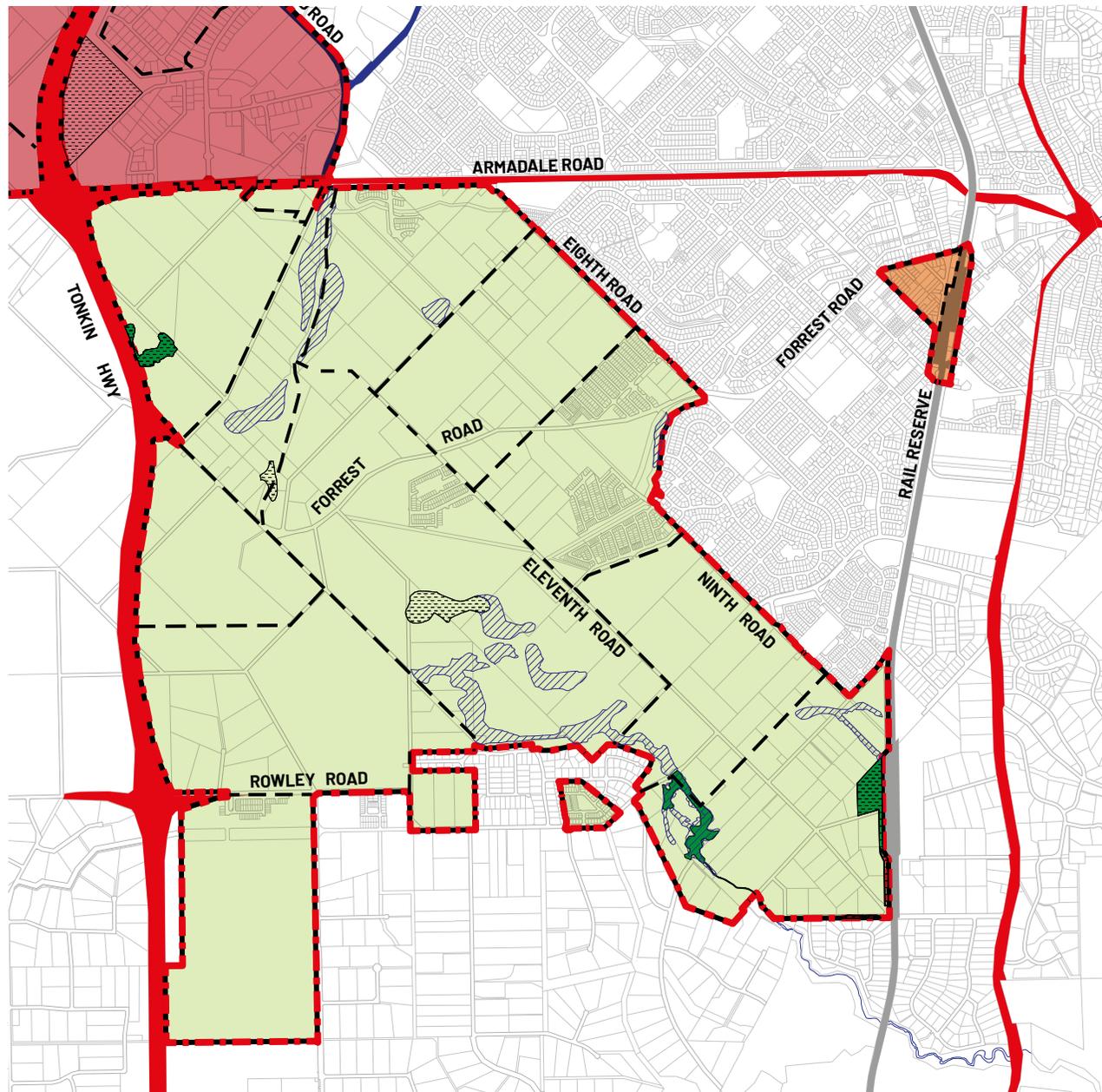
-  Primary Regional Road
-  Other Regional Road
-  Rail Reserve

Environmental Features

-  Resource Enhancement Wetland
-  Conservation Category Wetland
-  Bush Forever Site







- Red dashed line: Redevelopment Area Boundary
- Orange box: City Centre Project Area
- Purple box: Champion Lakes Project Area
- Red box: Forrestdale Project Area
- Blue box: Kelmscott Project Area
- Light green box: Wungong Urban Water Project Area
- Black dashed line: Precinct boundary

- Reserves for Public Purpose**
- Red line: Primary Regional Road
 - Blue line: Other Regional Road
 - Grey line: Rail Reserve

- Environmental Features**
- Blue hatched box: Resource Enhancement Wetland
 - Green hatched box: Conservation Category Wetland
 - Green box: Bush Forever Site





APPENDIX 2: DEFINITION OF TERMS

Active Open Space Place Code	means a publicly accessible park and recreation space which provides opportunities for informal play and organised sports.
Activity Centre Plan	means a plan for the coordination of the future subdivision, zoning and development of an activity centre.
Advertisement or Advertising Device	means any object or structure on which words, numbers, figures or drawings are displayed for the purpose of advertising, announcing or providing direction to any business, function, operation, development, event undertaking or any product.
Amplified Music Entertainment Venue	means a hotel, tavern, nightclub, small bar, function centre, entertainment complex, theatre/performance venue, or other such entertainment premises, that plays amplified music, either live or pre-recorded, on a regular or periodic basis for the entertainment of customers or the general public.
Applicant	means a person, company or body authorised by the owner to make an application for development, subdivision or other application under the Scheme, or to act on any other matter in relation to the land.
Authority	means the Metropolitan Redevelopment Authority.
Building	means any structure whether fixed or moveable, temporary or permanent, placed or erected on land.
Building Height	means the height of a building or structure, as measured at any point immediately above natural ground level.
Charitable Institution	means an establishment, organisation or association that is instituted and operated to advance or promote a charitable purpose, and does not engage in activities that do not further, or are not in aid of, its charitable purpose; such as institutions providing not for profit services to the homeless, sick, disabled, aged, or under privileged persons, and is not an individual, a partnership, a political party, a superannuation fund or a government body.
Commercial Place Code	means low to medium scale development of a predominantly office, retail, and professional service nature, complimentary to adjacent industry land uses, and which does adversely affect the amenity of the locality.
Complete Application	means a Development Application that is submitted to the Authority's satisfaction, including a completed application form, payment of application fee complete sets of development plans, and all required supporting information, as required by the Regulations and Clauses 5.10 and 5.11 of the Scheme.
Consumer Price Index	means the measure of quarterly or yearly change in the price of typical household consumers goods and services, as set by the Australian Bureau of Statistics.
Contemplated Use	means land uses falling within a Land Use Category that is listed in table 6.2 as 'Contemplated' for a specified Precinct, or a land use/s specified in a Design Guideline as Contemplated for a Precinct, site or part of a building.
Council	also local government, means the Council of the relevant local government (whether City, Town or Shire) which has statutory jurisdiction under the Local Government Act 1995 (as amended) over the district in which the subject land is located.
Cultural Heritage Significance	means, in relation to a place, the relative value which that place has in terms of its aesthetic, historic, scientific, or social significance, for the present community and future generations.



Design Guideline	provide specific development requirements for precincts or site specific areas to ensure quality development outcomes adopted under Chapter 4 of this Scheme.
Development	has the same meaning as is given to that term in section 3 of the MRA Act.
Development Application	means an Application for Approval to Undertake Development in accordance with clause 5.6 and 5.10 of the Scheme.
Development Approval	means an Approval to Undertake Development issued by the Authority, including the approval form and any conditions of approval and all plans and documents of that approval.
Development Contribution	means a financial contribution required from an owner towards the Development Costs in a Development Contribution Area, in accordance with a Development Contribution Plan. Liability for a Development Contribution is set out in clause 7.9.
Development Contribution Area	means a Development Contribution Area as identified in clause 7.2. Each Project Area identified on the Scheme Map is a separate Contribution Area.
Development Contribution Plan	means a plan which sets out the Development Costs required for a Development Contribution Area and the calculation system for Development Contributions, prepared in accordance with clauses 7.3 - 7.8.
Development Costs	means the infrastructure and administrative costs as identified in clause 7.4.
Development Policy	detailed statutory requirements to achieve issue specific outcomes at the redevelopment area level adopted under the Chapter 4 of this Scheme.
Gross Floor Area	means the gross total of the area of all floors within a building including the thickness of all walls but excluding non-habitable floor space in basements; areas used exclusively for the parking of wheeled vehicles at or below ground level; lift shafts, stairs, and stair landings, open balconies, verandas, courtyards and roof terraces; lobbies or amenities common to more than one dwelling or occupancy; machinery/air conditioning/plant rooms.
Heritage Conservation	means, in relation to any place, the management of that place in a manner that will enable the cultural heritage significance of that place to be retained and yield the greatest sustainable benefit to the present community without diminishing the cultural heritage significance of that place, and may include preservation, stabilisation, protection, restoration, reconstruction, adaptation, and maintenance of that place in accordance with relevant professional standards and as appropriate to the place.
Heritage Inventory	the inventory of heritage places and precincts that are of recognised cultural heritage significance.
Heritage Place	means land, building/s or structure/s within a defined area that is of recognised cultural heritage significance and is listed in the Authority's Heritage Inventory or the State Register of Heritage Places.
Heritage Precinct	means a group of sites that together form a precinct which is of cultural heritage significance, notwithstanding that each site within the Precinct may not itself be a Heritage Place, and is listed in the Authority's Heritage Inventory or the State Register of Heritage Places.
Infrastructure Place Code	means a strategically important development required to provide basic services to the project area and greater Armadale region.



Land Use	means the development or use of land for a specified purpose, including but not limited to the Land Uses listed within each Land Use Category in Table 6.1.
Land Use Category	means a Land Use Category listed as one of the seven categories of Table 6.1 and includes all Land Uses listed in Table 6.1 as being within that category.
Land Use Table	means Table 6.2 that indicates the Preferred and Contemplated Land Use Categories for each Precinct within the Scheme Area.
Local Development Plan	also referred to as Detailed Area Plans, approved by the Authority under the scheme to provide specific and detailed planning to guide and coordinate development, which may include variation(s) to development requirements.
Master Plan	a strategic document that articulate the project vision, objectives and targets for the redevelopment area and/or precincts, including a map of proposed land uses and destinations. The master plan is not adopted as a statutory document under the Scheme.
Mixed Land Use	means the existence of a variety of different land uses within a precinct, site or locality.
Mixed-Use	buildings that contain commercial and/or other non-residential uses in conjunction with residential dwellings in a multiple dwelling configuration.
MRA Act	means the Metropolitan Redevelopment Authority Act 2011.
Natural Ground Level	means the levels on a site which precede the proposed development, excluding any site works unless approved by the decision-maker or established as part of subdivision of the land preceding development.
Neighbourhood Activity Centre Place Code	means a small to medium scale retail centre, with opportunities for mixed use development, which services the needs of the local community within the relevant precinct.
Net Lettable Area	means the gross floor area of a building minus the area of the thickness of external walls and 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; andd) 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.
Noise-Sensitive Premises	has the same meaning as in the Environmental Protection (Noise) Regulations 1997, and includes premises occupied solely or mainly for residential or accommodation purposes; and premises used for the purpose of a hospital, sanatorium, educational establishment, public worship, aged care or child care.



Non- conforming use	means a use: <ul style="list-style-type: none">(a) being lawfully carried out; or(b) for which an approval or approvals lawfully required to authorise development for that purposes were duly obtained and are current; immediately before the Gazettal date or date Gazettal of an amendment to the Scheme, whichever is relevant, and that is not stipulated in regard to the relevant precinct as either a 'preferred use' or 'contemplated use'
Normalisation	the processes required to return functions, powers and responsibilities for the redevelopment area or part thereof to local government and other government bodies.
Owner	<ul style="list-style-type: none">(a) 'Owner' in relation to any land includes the Crown or any instrumentality of the Crown or the Council and every person who jointly or severally, whether at law or in equity is in possession as:<ul style="list-style-type: none">(i) the holder of a legal or equitable estate of freehold in possession in the land;(ii) a Crown lessee with a right to purchase or acquire the freehold;(iii) a mortgagee of the land; or(iv) a trustee, executor, administrator, attorney or agent of any of the foregoing;(b) where there is not a person in possession, means the person who is entitled to possession of the land in any of the capacities mentioned in paragraph (a) of this interpretation except that of mortgagee;(c) in with a right to purchase or acquire the freehold means the Crown in right of the State of Western Australia; regard to State Crown land not vested in any department, authority, instrumentality, Council, body or person and not the subject of a lease(d) in regard to State Crown land vested in any department, authority, instrumentality, Council, body or person for any purpose, means that department, authority, instrumentality, Council, body or person; and(e) an owner of land that is located within a Development Contribution Area.
Passive Open Space Place Code	means a publicly accessible open space designed to protect and enhance the existing environmental setting while also allowing opportunities for low intensity recreation activity.
Place Code	also referred to as Zones, means a code, which is spatially assigned on the Wungong Urban Water Master Plan, that identifies the intended development and land use types for certain land areas and which should generally be shown on the relevant Structure Plans as a corresponding zone.
Planning and Development Act	means the Planning and Development Act 2005 (as amended).
Plot Ratio	means the ratio of Gross Floor Area to the area of land within the boundaries of the lot/s on which the building/s is located.
Policy	means either a Development Policy or Planning Policy adopted under Chapter 4 of this Scheme.
Precinct	means a definable area within the Authority redevelopment area.



Preferred Use	means land uses falling within a Land Use Category that is listed in table 6.2 as “Preferred” for a specified Precinct, or a land use/s listed in a Design Guideline as a Preferred Use for a Precinct, site or part of a building.
Public Authority	has the same meaning as is given to that term in section 3 of the MRA Act.
Project Area	means an area designated as a Project Area on the Scheme Map in Appendix 1 and/or on the Project Area Maps in Chapter 3.
Public Realm	also means public domain, means the public setting of place that people can see and access, and interact with each other and their surroundings, including public land, public places, public gardens, streets, laneways, footpaths and the associated environmental setting and building frontages.
Redevelopment area	has the same meaning as is given to that term in section 3 of the MRA Act.
Regulations	means the Metropolitan Redevelopment Authority Regulations 2011 (as amended).
Rural Residential Place Codes	means residential development at a low level density which is designed and built in sympathy with the existing environmental setting.
Scheme	means the current gazetted redevelopment scheme, adopted pursuant to provisions in the Act. The scheme sets out provisions for development and use of land within the Scheme Area; enables adoption of subsidiary statutory documentation; establishes project and precinct boundaries; establishes land use definitions.
Scheme Area	means the geographical area covered by the provisions of the Scheme, as shown on the Scheme Map in Appendix 1.
Special Fund	means an account maintained by the Authority for the purpose of accumulating moneys collected for a specified purpose.
Storey	means that portion of a building which is situated between the top of any floor and the top of the floor above it and, if there is no floor above it then the portion between the top of the floor and the ceiling above it.
Structure Plan	a framework to coordinate future land use, subdivision and development, including the provision of transport networks, public open space, utility and service networks approved under Chapter 9 of this Scheme.
Suburban Place Code	means predominantly residential development at a low to medium level of density.
Town Activity Centre	means a mixed use commercial centre at a district level scale which services the retail needs of the local community within the Project Area.
Undertake	when the term is used in relation to development it means to commence, carry out or continue development.
Universal Access	means the design of products and environments to be usable by all people, to the greatest extent possible, without the need for adaptation or specialised design.
Urban Place Code	means predominantly residential development at a medium to high level of density.
Valuer	means a licensed valuer agreed by the Authority and the owner, or where the Authority and the owner are unable to reach agreement, a valuer appointed by the President of the Western Australian Division of the Australian Property Institute.



APPENDIX 3: LAND USE DEFINITIONS

Aged Persons Accommodation	means a dwelling or group of dwellings designed and used for the accommodation of aged persons or for a person living with a disability but does not include a hostel or a nursing home.
Amusement and Gaming Centre	means premises providing public amusement facilities such as amusement machines, computer gaming, karaoke, pool tables or bowling alleys. The premises may be open evenings or late night.
Artist's Studio	means a premises from which an artist or artists work to produce items of an artistic nature including paintings, ceramics, sculptures, craft, photography, jewellery, fashion and mixed-media art. It may also include the ancillary display and sale of artistic goods produced on site. An artist studio does not allow for accommodation on the premises.
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 premises used for betting and operated in accordance with the Racing and Wagering Western Australia Act 2003 (as amended).
Business Services	means premises used for the provision of commercial services which are predominantly administrative in nature but which are dependent on direct access to the public and generally have a retail shop front, includes a bank or similar financial services, real estate agency or similar property services, post office, travel agency, and other similar such businesses.
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.
Cinema	means land and buildings designed and used for the public viewing of motion pictures which include the provision of single or multiple cinemas or screens, and may also include large scale parking areas and facilities for patron dining or drinking and other ancillary public amusements.
Child Care Premises	means land and buildings used for the daily or occasional care of children in accordance with the Children and Community Services (Child Care) Regulations 2006 (as amended).
Club Premises	means land or buildings used solely by a legally constituted club or association, or other membership-based group to pursue an identified common interest.
Commercial Car Park	means land and buildings used primarily for parking cars, taxis or wheeled 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 land or buildings in which cars are displayed for sale or hire.
Commercial Distribution Centre	a large premises used to receive and distribute goods via trucks to be transported to smaller premises for further distribution.
Commercial Hall	means a structure designed and used for commercial gatherings and public meetings;
Community Facility	means a premises used for the purposes of public meeting, social interaction and other non commercially based social activities.



Consulting Rooms	means premises used by not more than two legally qualified health consultants for the investigation or treatment of human injuries or ailments and for general outpatient care.
Display Home Village	means an area designated within a land estate for the display of building designs in a built for on land which may or may not have received subdivision clearance.
Dry Cleaning Premises	means premises used for the cleaning of garments and other fabrics by chemical processes.
Dwelling	means a building or portion of a building being used, adapted, or designed or intended to be used for the purpose of human habitation on a permanent basis by a single person, a single family, or no more than six persons who do not comprise a single family.
Educational Establishment	means premises used for the purposes of education and includes a school, tertiary institution, business college, academy or other educational centre.
Entertainment Complex	means a large scale multi-purpose sports, concert and entertainment venue, which may include associated dining and drinking facilities and may be subject to a Special Facility or other such licence under the Liquor Control Act 1988.
Event Space	means land and/or premises regularly or occasionally used for temporary events such as festivals, fairs, expos, concerts, artist performances and art exhibitions or art installations.
Exhibition Centre	means premises used for the display and ancillary sale of materials of an artistic, cultural, historical or scientific nature, such as an art gallery or museum, with or without facilities for the ancillary sale of refreshments and/or souvenirs.
Fast Food Outlet	means premises where food is prepared and sold for consumption on the premises and/or to be taken away and the operation of which is likely to attract a high level of pedestrian and/or vehicular traffic, including a drive through facility.
Function Centre	means premises used, by arrangement, to accommodate for private functions, which would usually include the provision of meals and/or alcohol and may include amplified music or live entertainment. May be subject to a Special Facilities licence under the Liquor Control Act 1988.
Funeral Parlour	means premises used to prepare and store bodies for burial or cremation.
Garden Centre	means premises used for the display and sale of garden products, including ornaments, plants, seeds, domestic garden implements and motorised implements and the display but not manufacture of prefabricated garden buildings.
Grouped Dwelling	means a dwelling that is one of a group of two or more dwellings on the same lot such that no dwelling is placed wholly or partly vertically above another, except where special conditions of landscape or topography dictate otherwise, and includes a dwelling on a survey strata with common property.
Home Based Business	means any business, commercial or occupational activity operated from a private residential dwelling or within a residential lot. A private residential dwelling is one used for permanent residence and not used for temporary or commercial accommodation.



Hospital	means a premises used to provide health care services and treatment to the public or to private patients including medical, surgical, psychiatric, diagnostic and other such services, and includes provisions for the temporary accommodation of patients and may include provisions for visitors, ambulances, and service vehicles.
Hostel	means accommodation premises specifically used for temporary accommodation of tourists or members of associations or institutions, including youth hostels, backpacker establishments, educational institutions, religious retreats or similar.
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 premises used for the manufacture, dismantling, processing, assembly, treating, testing, servicing, maintenance or repairing of goods, products, articles, materials or substances and includes facilities on the premises for any of the following purposes – <ul style="list-style-type: none">(a) the storage of goods;(b) the work of administration or accounting;(c) the selling of goods by wholesale or retail;(d) the provision of amenities for employees;(e) incidental purposes.
Land Sales Office	means land and a temporary building for the use by a real estate agent for the sale of lots within a land estate, the development usually includes car parking and landscaping.
Laundromat	means premises open to the public in which washing machines, with or without provision for drying clothes, are available for use.
Liquor Store	means premises licensed under the Liquor Control Act 1988 providing for the sale of packaged liquor for consumption off the premises only, but does not include a Hotel or a Tavern.
Lunch Bar	means premises or part premises used for the sale of take-away food in a form ready to be consumed without further preparation.
Market	means land or premises used for the temporary or permanent establishment of stalls for the display and retail sale of goods or to provide services of a personal nature, by independent vendors or stall holders.
Media Production	means premises designed and used for production, post production, or broadcasting of media.
Medical Centre	means premises, other than a hospital, used by three or more legally qualified 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).
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 and Caravan Sales	means premises used to sell or hire motor vehicles, boats or caravans.
Motor Vehicle Maintenance	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 retreading of tyres, panel beating, spray painting or chassis reshaping.
Multiple Dwelling	means a dwelling in a group of more than one dwellings on a lot where any part of a dwelling is vertically above part of any other but does not include a grouped dwelling; and includes any dwellings above the ground floor in a mixed use development.
Night Club	means premises used for late night live entertainment and/or amplified music, with or without eating facilities; and that may be subject of a Nightclub, Cabaret or other licence under the Liquor Control Act 1988, but does not include takeaway (packaged) liquor sales.
Office	means premises used for administrative, clerical, technical, professional or other like business activities.
Outdoor Display Centre	means premises which include an open air land area used for the display, hire or sale of goods by wholesale or retail, usually of a bulky nature or in large quantities, such as garden and landscaping products, outdoor leisure goods, hardware goods, and usually also includes large parking and delivery areas and buildings for office or shop purposes.
Personal Services	means an establishment providing services of a personal beauty or wellbeing nature such as hairdressers, massage, manicure and beautician services.
Place of Worship	means premises used for religious activities such as a church, chapel, mosque, synagogue or temple.
Public Open Space	means lands used for a public park, public gardens, urban square or plaza, sports or playground, foreshore reserve, vegetation or habitat reserve or other grounds for outdoor recreation or nature conservation which are normally open to the public without charge. May include some ancillary structures on the land.
Public Transport Depot	means land and associated buildings for the holding or storage and ancillary servicing of public transport vehicles such as trains, trams, buses and trucks and related infrastructure, equipment, and offices.
Recreation and Sporting Facilities	means premises used for indoor or outdoor leisure, recreation or sport which are not usually open to the public, and to which a charge may or may not be made for use.
Research and Development	means premises used for scientific and industrial research and the development, production and assembly of products associated with that research.
Restaurant/Cafe	means premises including a building and any outdoor area used for the primary purpose of providing meals or snacks and/or coffee and other non-alcoholic beverages for consumption on the premises. The sale of alcohol for consumption on the premises or the sale of food for consumption off the premises may be ancillary to this. May or may not be subject to a Restaurant licence under the Liquor Control Act 1988.



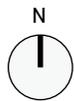
Self Storage Unit	means building/s used for the storage of goods, equipment or material.
Service Station	means any land or building used for the supply of vehicle fuels and which includes the provision of lubrication and greasing services, tyre repairs and minor mechanical repairs.
Serviced Apartments	means buildings which include self-contained units used for transient accommodation together with associated office and service facilities, but the term does not include a hostel, a hotel, a motel, short stay accommodation, student accommodation or a residential building.
Shop	means a small scale building or premises used for the display and sale of goods by retail sale, which does not require a large car parking requirement. Includes premises selling items such as clothing, footwear, jewellery, books, music, homewares, plants, flowers, sporting goods and small scale electrical goods, as well as bakeries, butchers, chemists, newsagents and like stores. May include some preparation but not manufacturing of goods for sale on site.
Shopping Complex	means a large scale premises, building, or group of buildings and associated land and car parking, used for large retail outlets displaying and selling bulky goods or a large variety of goods, such as a supermarket, variety store, department store, retail showroom, or a shopping centre containing several shops.
Short Stay Accommodation	means premises used for accommodation that may be occupied by the same person/s for a maximum period of three months within any twelve month period, and are not subject to residential tenancy agreements (residential leases).
Showroom	means premises used to display, sell by wholesale or retail, or hire goods of a bulky nature that require a large area for handling, display or storage; such as automotive parts and accessories; camping and recreational equipment; electrical light fittings; animal pet supplies; floor coverings; furniture; home entertainment goods, household appliances.
Single House	means a dwelling standing wholly on its green title own lot or survey-strata lot, together with any easement over adjoining land for support of a wall or for access or services and excludes dwellings on titles with areas held in common property.
Small Bar	means premises licensed as a Small Bar under the Liquor Control Act 1988 to sell liquor for consumption on the premises. May or may not provide live entertainment and the supply of food for consumption on the premises.
Specific Purpose Accommodation	means a dwelling or collection of dwellings designed and/or set aside for a specific or special accommodation need usually of a permanent nature.
Tavern	means premises licensed as a Tavern under the Liquor Control Act 1988 to supply 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.



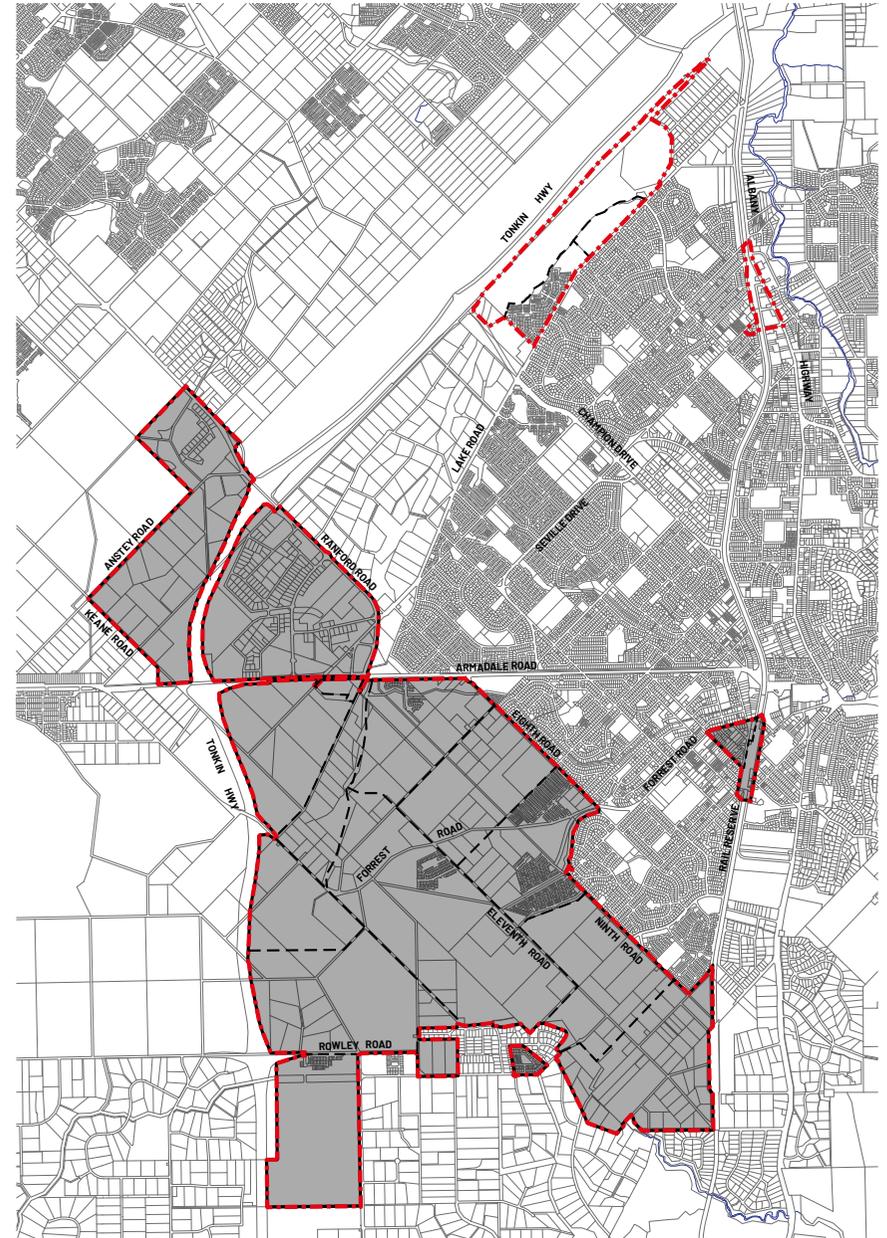
Theatre/Performance Venue	means a premises designed and used for the regular performance and public viewing of a theatrical, dance, music, or comedy performance or other such live artistic performance The premises usually includes a stage, public seating and the ancillary service of beverages or light food, but does not include a Tavern or Nightclub or other such venue operated predominately for the sale and consumption of liquor.
Trade Display	means premises used for the display of trade goods and equipment for the purposes of advertisement.
Transport Depot	means premises used for the parking or garaging of commercial vehicles, and: (a) may include the maintenance and refuelling of those vehicles and the storage of goods brought to the premises by those vehicles, provided that those activities are ancillary to the parking or garaging of the commercial vehicles; and (b) may include the transfer of goods or persons from one motor vehicle to another.
Veterinary Clinic	means any premises used in practice by a registered veterinary surgeon for the medical or surgical treatment of animals other than for the purpose of the hospitalisation or boarding of animals.
Warehouse	means premises used to store or display goods and may include sale by wholesale.

APPENDIX 4: STRUCTURE PLAN AREAS MAP

- Redevelopment Area Boundary
- █ Structure Plan Area
- - - Precinct boundary



Not to scale





APPENDIX 5: SPECIFICATION FOR ENVIRONMENTAL MANAGEMENT PLANS AND STRATEGIES IN THE WUNGONG URBAN WATER PROJECT

1. District Water Management Strategy
 - 1.1. A District Water Management Strategy (the Strategy) shall be prepared to the satisfaction of the Authority in consultation with the Department of Water and the Department of Parks and Wildlife.
 - 1.2. The Strategy shall meet the objectives set out in section 1.3 and include the items listed in sections 1.4, 1.5 and 1.6 below.
 - 1.3. The objectives of the Strategy are to:
 - 1) ensure that the quality of surface water post development is improved compared with pre-development surface water quality (the Operational Water Quality Objective);
 - 2) conserve or enhance significant environmental features;
 - 3) guide future hydrological studies for local structure plans, non-potable water source option, arterial drainage planning, floodplain mapping and storage requirements;
 - 4) offset, if necessary, any deterioration of water quality post development compared to pre-development;
 - 5) establish a comprehensive monitoring program to measure and detect changes in storm water quality to measure consistency with the Operational Water Quality Objective (1);
 - 6) Inform the preparation of structure plans.
 - 1.4. The Strategy shall demonstrate compliance with following design criteria (compared to 'traditional' urban stormwater systems):
 - a) at least 80% reduction in suspended solids;
 - b) at least 60% reduction of total phosphorus;
 - c) at least 45% reduction of total nitrogen; and
 - d) at least 70% reduction of gross pollutants.
 - 1.5. No stormwater infrastructure to be constructed within Conservation Category wetlands and their buffers, within the Wungong River foreshore area or in Passive Open Space where the purpose is to conserve or enhance a significant environmental feature unless approved in accordance with the procedures set out in the latest version of the Decision Process for Stormwater Management in WA, Department of Environment and Swan River Trust (2005).
 - 1.6. The Strategy shall include the components of a District Water Management Strategy as set out in Department of Water 2013, Guidelines for district water management strategies: Guidelines for preparing a district water management strategy to support a region scheme amendment or district structure plan, Department of Water, Perth, Western Australia, as generally addressed in the Wungong Urban Water Master Plan District Water Management Strategy, JDA Consultant Hydrologists, GHD and CSIRO (October 2006), and shall also include:
 - a) Further details on the level and type of information and studies which are required to inform local structure plans, and responsibilities for providing information, including studies to inform selection of a non-potable water source option; groundwater and hydrogeological investigations to inform arterial drainage planning studies; any outstanding floodplain mapping; storage requirements and critical hydraulic information for each structure plan area; and incorporation of information in the Strategy;
 - b) For the Wungong River and tributaries, clarification of interim environmental water requirements and provisions, and the process for establishing long term environmental water requirements and provisions including monitoring;
 - c) Clarification that any references to subsoil exclusion zones around significant wetlands and sensitive environments are indicative only and subject to further site-specific studies;
 - d) A detailed monitoring program including more detail on responsibilities for monitoring post-development and identification for funding, maintenance



(Continued) Specification for Environmental Management Plans and Strategies in the Wungong Urban Water Project

responsibilities, and monitoring requirements for Local Water Management Strategies and Urban Water Management Plans to measure and detect changes in storm water quality to measure consistency with the Operational Water Quality Objective;

- e) Proposed offsets to be applied should water quality post-development not improve compared to pre-development;
- f) Sufficient information on total water cycle management for the Scheme Area to assist the preparation of structure plans; and
- g) Mechanisms for responding in a timely way to new information (for example, from monitoring and modelling) to meet the Strategy objectives.

Note: Where the October 2006 version of the District Water Management Strategy is at variance with any requirements at a) to g) above, the Strategy required by this condition shall prevail.

- 1.7. The Authority shall, in consultation with the Department of Water and the Department of Parks and Wildlife, establish the base-line data to be used in determining compliance with the design criteria in section 1.4.
 - 1.8. Each structure plan shall be consistent with the District Water Management Strategy required by this "Statement that a Scheme may be Implemented".
 - 1.9. Any reference to offsets to be consistent with section 2 in this appendix.
2. Surface Water Quality Contingency Plan
- 2.1. Within 18 months of the gazettal of this Scheme, the Authority shall, in consultation with the Department of Water and the Department of Parks and Wildlife, establish the number of years that monitoring needs to be carried out so that compliance with the Operational Water Quality Objective of the District Water Management Strategy (section 1.3 Objective 1) can be accurately and reasonably determined.
 - 2.2. In the event that the Operational Water Quality Objective of the District Water

Management Strategy (section 1.3 Objective 1) is not met, the Authority shall develop and implement as appropriate remedial actions to the satisfaction of the Environmental Protection Authority in consultation with the Department of Water, the Department of Parks and Wildlife, the City of Armadale, the Western Australian Planning Commission and the Water Corporation.

The objective is to take action promptly to improve water quality to meet the prevailing criteria of the Government of Western Australia and the Department of Parks and Wildlife plan for healthy rivers and the outcomes sought by the Swan-Canning Cleanup Program Action Plan (Swan River Trust, 1999) and the Environmental Protection (Peel Inlet-Harvey Estuary) Policy 1992.

Actions may include off-site offsets referred to in Condition 1-6 e) within the catchments provided these comply with the prevailing Environmental Protection Authority and the Department of Parks and Wildlife's guidance.

3. Local Water Management Strategy

- 3.1. Prior to approval of a structure plan, a Local Water Management Strategy shall be prepared by the developer for the structure plan area after appropriate site investigations and modelling, and shall be advertised for public comment. The Local Water Management Strategy shall be finalised to the satisfaction of the Authority in consultation with the City of Armadale, the Department of Water, the Water Corporation, the Department of Parks and Wildlife and the Department of Health.
- 3.2. Each structure plan shall be consistent with the Local Water Management Strategy required by section 3.1.
- 3.3. The Local Water Management Strategy shall be prepared by the developer after appropriate site investigations and modelling and shall include:
 - a) The principles, objectives and requirements for total water cycle management as outlined in the latest versions of State Planning Policy 2.9: Water Resources, Special Government Gazette No. 227, 19 December 2006,



(Continued) Specification for Environmental Management Plans and Strategies in the Wungong Urban Water Project

- Government of Western Australia (2006); Liveable Neighbourhoods, Western Australian Planning Commission (2009); Department of Water 2004–07, Stormwater management manual for Western Australia, Department of Water, Perth, Western Australia; Department of Water 2016, Decision Process for Stormwater Management in WA: Draft for consultation, Department of Water, Perth, Western Australia (2009) and Department of Water 2004 - Current, Decision Process for Stormwater Management in WA, Department of Water, Perth, Western Australia;
- b) Objectives and requirements for water management as set out in the final Southern River Integrated Land and Water Management Plan and the District Water Management Strategy;
- c) Existing site characteristics such as geology, hydrogeology and groundwater characteristics in more detail than the Southern River Integrated Land and Water Management Plan or District Water Management Strategy;
- d) Site constraints and opportunities (such as environmental assets, landscape and landform) identifying the critical management issues;
- e) Conceptual urban water management system, including:
- Quantification of land required for storage and retention of stormwater for the 100-year Average Recurrence Interval, 10-year Average Recurrence Interval and 1-year Average Recurrence Interval storm events;
 - Map of existing groundwater levels and any proposed controlled groundwater level (including use of subsoil drains) with justification for this control;
 - Demonstrated understanding of the concepts and key issues associated with Best Management Practice choice - identification of types of Best Management Practices for management of surface water and groundwater quality and quantity and indicative drawings of possible treatment trains and design approaches;
 - Fit-for-purpose water use strategy, including mechanisms to conserve potable water and minimise wastewater (including those relating to development design and construction);
- Infrastructure and management requirements for proposed water, wastewater and stormwater systems, including siting and sizing, and having consideration of infrastructure already existing and identifying any necessary approvals;
 - Siting of water management infrastructure to protect the hydrology of significant wetlands and waterways;
 - Concepts for any Relocated Brook Drain, Created Brook, Park Avenue or Road Avenue having regard for multiple use under the Place Based Code; and
 - Management of issues relating to particular water management measures, for example mosquitoes.
- f) Issues to be addressed at subdivision stage in an Urban Water Management Plan;
- g) Monitoring framework, pre- and post-development, and adaptive response to monitoring to meet Strategy objectives; and
- h) Implementation of Strategy, including roles, responsibilities and funding for monitoring and maintenance.
- #### 4. Urban Water Management Plan
- 4.1. The Authority shall have due regard for an Urban Water Management Plan when considering an application for subdivision for objections or recommendations under section 142 of the Planning and Development Act 2005, or an application for development approval which in the opinion of the Authority requires an Urban Water Management Plan. The Authority will not generally support the application prior to the preparation of a satisfactory Urban Water Management Plan.
- 4.2. The Urban Water Management Plan shall be prepared by the developer after appropriate site investigations and modelling, and shall address:



(Continued) Specification for Environmental Management Plans and Strategies in the Wungong Urban Water Project

- a) Objectives, criteria and requirements in the Southern River Integrated Land and Water Management Plan, the District Water Management Strategy and the Local Water Management Strategy;
 - b) Demonstration of compliance with these objectives, criteria and requirements through appropriate assessment tools, site investigations, calculations or assessments, with the concurrence of the Department of Water;
 - c) Agreed/approved measures to achieve water conservation and efficiencies of use including sources of water for non-potable uses and detailed designs, controls, management and operation of any proposed system;
 - d) Management of groundwater levels, including maintenance of ecosystem health and any proposed dewatering;
 - e) Detailed storm water management design including the size, location and design of public open space areas, integrating major and minor flood management capability;
 - f) Specific structural and non-structural Best Management Practices and treatment trains to be implemented including their function, location, maintenance requirements, expected performance and agreed ongoing management arrangements;
 - g) Measures to achieve protection of waterways, wetlands and their buffers, remnant vegetation and ecological linkages;
 - h) Mosquito management for constructed water bodies;
 - i) Adequacy of buffers proposed in the Local Structure Plan having consideration of any controlled groundwater level proposed;
 - j) Where an artificial water body is proposed, identify its purpose, design and management;
 - k) Management of subdivisional works (to ensure no impact on regional conservation areas, maintenance of any installed Best Management Practices and management of any dewatering and soil/sediment, including dust;
 - l) Management of disease vector and nuisance insects such as mosquitoes and midges;
 - m) Monitoring program and/or contribution; and
 - n) Implementation plan including roles, responsibilities, funding and maintenance arrangements. Contingency plans shall also be indicated where necessary.
5. Wetland Management Plan
- 5.1. Prior to approval of a structure plan, a Wetland Management Plan shall be prepared by the developer for each Conservation Category and Resource Enhancement wetland and its buffer in the structure plan area and shall be advertised for public comment. The Wetland Management Plan shall be finalised to the requirements of the Authority. In the case of a Wetland Management Plan for a Conservation Category wetland, the Plan shall be prepared to the satisfaction of the Authority with the concurrence of the Department of Parks and Wildlife in consultation with the City of Armadale, the Department of Water, the Department of Health, the Water Corporation, the Department Aboriginal Affairs and the Department for Planning (Strategic Biodiversity Planning) where relevant.
- 5.2. Each structure plan shall be consistent with the relevant Wetland Management Plan required by section 5.1 above.
- 5.3. Each Wetland Management Plan shall include:
- a) Description of the site and context;
 - b) Site-specific determination of wetland buffer in keeping with the latest published version of Attachment B4-3 of Environmental Guidance for Planning and Development, Guidance Statement No. 33, Environmental Protection Authority, Perth (2008).



(Continued) Specification for Environmental Management Plans and Strategies in the Wungong Urban Water Project

- c) Site-specific environmental issues (for example: conservation, ecological linkage, recreation, stormwater management, water quality, fire management, flooding, Aboriginal and non-indigenous heritage, reserve boundaries, mosquitoes and midges, dieback, weeds, utility services and corridors, introduced fauna, feral animals, education, visual amenity, vandalism, trampling, liability and risk from community use);
 - d) Management aims and objectives;
 - e) Management responsibilities;
 - f) Management actions/measures to achieve the objectives;
 - g) Diagrammatic management plan;
 - h) Funding and resources;
 - i) Monitoring criteria and an evaluation plan to enable compliance with objectives and criteria to be checked and response, including monitoring to determine predevelopment hydrology and compliance with District Water Management Strategy wetland objectives;
 - j) Stakeholder consultation;
 - k) Timing, implementation and review schedules; and
 - l) Summary of management requirements.
- 5.4. Each Wetland Management Plan shall be implemented during subdivision and development consistent with the provisions of the Plan to the requirements of the approval agencies having regard for the advice of the relevant government agencies.
6. Foreshore Management Plan
- 6.1. Prior to approval of a structure plan for an area which includes or adjoins the Wungong River or the Neerigen Brooks:
- a) A Foreshore Management Plan for the Wungong River and Neerigen Brooks shall be prepared by the Authority and shall be advertised for public comment; and
 - b) The Foreshore Management Plan shall be finalised to the requirements of the Authority with the concurrence of the Department of Water in consultation with the Department of Parks and Wildlife, the City of Armadale, the Water Corporation, the Department of Health, the Department of Aboriginal Affairs and the Department of Planning (Strategic Biodiversity Planning).
- The objectives of the Foreshore Management Plan are to protect and enhance the environmental values of the Wungong River and Neerigen Brook foreshore areas, to mitigate clearing, to manage land use in areas adjacent to foreshores, and to enhance linkages and habitat values of foreshores.
- 6.2. Each structure plan for an area which includes or adjoins the Wungong River or Neerigen Brook shall be consistent with the approved Foreshore Management Plan.
- 6.3. The Foreshore Management Plan shall address the main components of an environmental management plan as summarised in Attachment A1-2, Environmental Guidance for Planning and Development, Guidance Statement No. 33, Environmental Protection Authority, Perth (2008), and shall include:
- a) Delineation of foreshore reserves and buffers in liaison with the Department of Water using the criteria in Operational Policy 4.3: Identifying and Establishing Waterways Foreshore Areas, Department of Water (2012), and Determining Foreshore Reserves, Water Note 23, Department of Water (2001);
 - b) Comprehensive weed management program;
 - c) Revegetating and restoring foreshores in and adjoining conservation areas with appropriate local provenance native flora species;
 - d) Increasing the area contained within public open space adjoining Bush Forever sites;
 - e) Creation of wildlife corridors;
 - f) Investigation of areas of straightened sections of Wungong River suitable for



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meander;

- g) Nutrient management;
- h) Controlling vehicle and pedestrian access;
- i) Provision of public facilities;
- j) Soil and plant source material hygiene;
- k) Fire management including provision of fire hydrants;
- l) Management of disease vector and nuisance insects;
- m) Encouraging community involvement and awareness promoting control of pets;
- n) Water conservation principles;
- o) Monitoring criteria to determine the success of the vegetation and weed eradication program;
- p) Progress and compliance reporting; and
- q) Timing and implementation schedule.

6.4. The Foreshore Management Plan shall be implemented during subdivision and development consistent with the provisions of the Foreshore Management Plan to the requirements of the approval agencies having regard for the advice of the relevant government agencies.

7. Landscape and Irrigation Management Strategy

7.1. Prior to approval of a structure plan:

- a) A Landscape and Irrigation Management Strategy for the structure plan area shall be prepared by the developer and shall be advertised for public comment; and
- b) The Landscape and Irrigation Management Strategy shall be finalised to the requirements of the Metropolitan Redevelopment Authority on advice of

the Department of Parks and Wildlife, the Department of Water, the City of Armadale and the Department of Planning (Strategic Biodiversity Planning) as appropriate.

The objective of the Strategy is to guide rehabilitation and management of remnant vegetation, fauna habitat and ecological linkages, new landscape planting and water sensitive urban design features within development and areas of open space.

7.2. Each structure plan shall be consistent with the Landscape and Irrigation Management Strategy required by section 7.1 above.

7.3. The Landscape and Irrigation Management Strategy shall include but is not limited to:

- a) As appropriate, flora and vegetation studies to complement those reported in Flora and Vegetation Assessment Brookdale Redevelopment Area, in Volume II, Appendix 2, Armadale Redevelopment Authority: Wungong Urban Water Redevelopment Scheme 2006 (An Amendment to the Brookdale Redevelopment Scheme 2005) Environmental Review (EPA Assessment No. 1647), Version 3, Report No: 2006/222, ATA Environmental, Perth (November 2006), and guidance on more detailed work at subsequent stages of planning;
- b) In the case of the Strategy for the Town Centre Precinct near Hilbert Road reserve, protection of upland vegetation belonging to type identified as BmBaLOF on Figure 7a of Volume I of the reference cited in a) above;
- c) Rehabilitation and revegetation strategy employing native local provenance;
- d) Enhancement of ecological corridors;
- e) Bush Fire Management;
- f) Mitigation strategies, including, in the case of unavoidable clearing of vegetation from key habitats, an offsets plan to the requirements of the Authority to include the planting and revegetation of Public Open Space areas;



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- g) Monitoring criteria to determine the success of rehabilitation and revegetation, and an evaluation program;
- h) Progress and compliance reporting; and
- i) Timing, implementation and review schedules.

7.4. The Landscape and Irrigation Management Strategy shall be implemented during subdivision and development consistent with the provisions of the Strategy to the requirements of the approval agencies having regard for the advice of the relevant government agencies.

8. Fauna Relocation and Management Plan

8.1. A Fauna Relocation and Management Plan shall be prepared by the developer to the satisfaction of the Authority in consultation with the Department of Parks and Wildlife and shall be implemented by the developer during subdivision and development to reduce adverse impacts on fauna if clearing of habitat is approved.

9. Construction Management Plan

9.1. Prior to subdivision and development, the developer shall prepare a Construction Management Plan to the satisfaction of the Authority in consultation with the Department of Parks and Wildlife, the City of Armadale and the Department of Planning (Strategic Biodiversity Planning) as appropriate, for any site which adjoins or includes a Bush Forever site, a wetland/wetland buffer covered by a Wetland Management Plan, or a foreshore buffer, and the Construction Management Plan shall be implemented by the developer consistent with the provisions of the Plan.

The Construction Management Plan shall include:

- a) The minimisation of clearing and vegetation disturbance;
- b) The control and monitoring of construction impacts such as dust, drainage and erosion;

- c) The prevention of weed spread and the spread of plant disease such as die back; and
- d) The inclusion of environmental protection specifications in all construction-related contracts.

10. Strategic Acid Sulfate Soils Management Plan

10.1. Prior to approval of a structure plan, a Strategic Acid Sulfate Soils Management Plan for the Wungong Project Area shall be prepared by the Authority, advertised for public comment, and finalised to the requirements of the Authority with the concurrence of the Department of Environment Regulation in consultation with the City of Armadale, the Department of Water, the Department of Health and the Water Corporation.

The objective is to provide a basis for planning and managing development which may potentially impact on Acid Sulfate Soil to avoid adverse effects on the natural and built environment and human activities and health. The Plan shall provide a basis for the development of detailed design and management guidelines applicable to the subsequent stages of planning, and provide for the testing of management strategies, and periodic review.

10.2. Each structure plan shall be consistent with the Strategic Acid Sulfate Soils Management Plan required by 10.1.

11. Acid Sulfate Soils Management Plan

11.1. Prior to approval of a structure plan, and subject to the strategies in the Strategic Acid Sulfate Soils Management Plan, an Acid Sulfate Soils Management Plan shall be prepared for the structure plan area by the developer to the requirements of the Authority in consultation with the Department of Parks and Wildlife, Department of Environment Regulation and other agencies as appropriate.

The Plan shall include the results of site investigations which determine the distribution of acid sulfate soils, avoidance strategies, and demonstrate



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the capacity of the land to sustain the proposed land uses, and shall set out subsequent investigations and issues to be addressed at subdivision stage.

The structure plan shall be consistent with the approved Acid Sulfate Soils Management Plan.

- 11.2. A detailed Acid Sulfate Soils Management Plan shall be prepared by the developer prior to subdivision and development where any dewatering or drainage works is proposed or the excavation of 100 cubic metres or more of soil. The Acid Sulfate Soils Management Plan shall be prepared to the requirements of the relevant approval agencies in consultation with the Department of Environment Regulation and other agencies as appropriate and shall be consistent with other management plans required by sections 10 and 11 of Appendix 5.

The Authority will not generally support an application for subdivision or development prior to the preparation of a satisfactory Acid Sulfate Soils Management Plan in consultation with the Department of Environment Regulation.

The Plan shall be implemented by the developer in accordance with the provisions of the Plan.

Note: The Department of Environment Regulation and the Western Australian Planning Commission publish guidelines on managing acid sulfate soils. In the first instance the latest guidelines may be accessed on the Department of Environment Regulation and the Western Australian Planning Commission websites.

12. Mosquito and Midge Management Plan

- 12.1. A Mosquito and Midge Management Plan shall be prepared by the developer prior to submission of a subdivision or development application for land containing or near a water body or wetland where in the opinion of the approval agency a Plan is required. The objective of the Plan is to protect the health, welfare and amenity of future residents from disease vector (mosquito) and nuisance insects (midges) whilst maintaining environmental values. The Plan shall be prepared

to the satisfaction of the relevant approval agency in consultation with the Department of Health and the City of Armadale.

- 12.2. The Plan shall be implemented in accordance with the provisions of the Plan.

Note: The Department of Health publishes advice on planning a mosquito management program. In the first instance the guidelines may be accessed on the Department of Health website.



APPENDIX 6: RECORD OF SCHEME AMENDMENTS

DOCUMENT CONTROL	
Gazettal Date:	11 July 2017
Amendment Date:	Nature of Amendment:





MORE INFORMATION

If you require any further information or explanation of the Authority planning framework, Development Applications or the Scheme, the following options are available:

Website:

review planning documents on the Authority's website:
www.developmentwa.com.au

Email:

email your query to the Authority at:
contact@developmentwa.com.au

Phone:

phone the Authority to speak to a planner on (08) 9482 7499

Meeting:

book a meeting to discuss your proposal with a planner by phoning (08) 9482 7499