

Our Reference: 3067Ltr102  
Enquiries: Alex Watson

31 October 2018

Chief Executive Officer  
City of Armadale  
Locked Bag 2  
ARMADALE WA 6992

**Attention: Christopher Valentine**

Dear Chris

**RE: MADOX ESTATE LOCAL DEVELOPMENT PLAN NO. 3**

Please find enclosed a proposed Local Development Plan for the Madox estate in Piara Waters. This application consists of:

- Proposed Local Development Plan (CLE Ref. 3067-101B-01);
- Cheque covering the application fee (\$1877.00);
- Copy of the approved North Forrestdale (Stage 2/South-East) Structure Plan; and
- Copy of the applicable subdivision approval (WAPC Ref. 153855) and a relevant Revised Plan.

This application is lodged on behalf of our Client, Mirvac, the developer of the Madox estate. Its purpose is to apply R-Codes variations to Stage 3A of the estate.

## **BACKGROUND**

Subdivision approval for 417 residential lots at Lot 9502 Nicholson Road, Piara Waters was issued by the Western Australian Planning Commission ('WAPC') in September 2016 (WAPC Ref. 153855). Condition 33 of this approval requires Local Development Plan/s ('LDP') to be prepared for laneway lots and lots abutting public open space.

An LDP prepared pursuant to this condition for Stages 1 and 2A of the Madox estate was lodged with the City of Armadale in March 2017. This addressed the matters listed in the condition, showed applicable Bushfire Attack Levels and introduced R-Codes variations. The R-Codes variations were modelled on the WAPC's R-MD Codes but incorporate modifications negotiated with the City. This was approved by the City on 31 May 2017 and is referred to as LDP 1. It was extended in September 2018 to cover Stage 2B.

A second LDP for the Madox estate, LDP 2, was approved on 11 December 2017 and applies to the row of eleven rear-loaded lots on Parma Lane, fronting Livorno Boulevard (Stage 2C of the estate). Parma Lane abuts the boundary of LDP 1.

## **PROPOSAL**

LDP 3 proposes to introduce the same R-Codes variations as have been approved for Stages 1, 2A and 2B of the Madox estate (via LDP 1), to Stage 3A. Differences between the variation table in

proposed LDP 3 and LDP 1 are limited to the deletion of irrelevant provisions; namely, those pertaining to lots with a street frontage of 10.5m or less and those for lots with a direct interface to public open space.

Extension of the aforementioned R-Codes variations is necessary to ensure consistency of built form and streetscape across Madox. In particular, doing so ensures:

- Continuation of the urban character that is emerging in Stages 1, 2A and 2B into Stage 3A through the introduction of R-Codes variations that facilitate a slightly more intense built form than the R-Codes.
- Provision of consistent built form requirements. This will assist Mirvac's partner builders to provide standard house designs in Stage 3A as has occurred in Stages 1, 2A and 2B. This is an important component of housing affordability.

As is the case currently under LDP 1, the provisions will work in parallel with private design and streetscape controls negotiated between Mirvac and their partner builders.

Written advice from the WAPC indicating that it is supportive of the proposed LDP has been requested and will be provided to the City when available. Initial, verbal consultation with the WAPC has raised no concerns.

## **CONCLUSION**

The proposed LDP would, if approved, introduce the same R-Codes variations as have been approved for Stages 1, 2A and 2B of the Madox estate, to Stage 3A. No changes to any of the variations are proposed, except where the provisions are not relevant to Stage 3A. Approval of this LDP will ensure consistency of built form across the north-eastern part of the Madox estate.

Should you have any queries regarding this proposal, please contact the undersigned on 9382 1233 or by e-mail at [alex@cleplan.com.au](mailto:alex@cleplan.com.au).

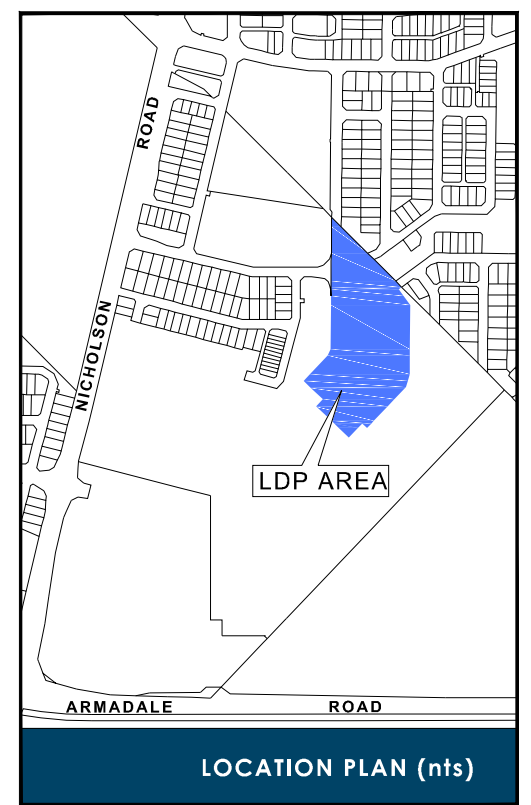
Yours faithfully



**ALEX WATSON**  
**SENIOR PLANNER**  
**CLE TOWN PLANNING + DESIGN**

Enc: Proposed LDP (CLE Ref. 3067-101B-01);  
Cheque covering the application fee (\$1877.00);  
North Forrestdale (Stage 2/South-East) Structure Plan;  
Subdivision approval (WAPC Ref. 153855) and a relevant Revised Plan.

Cc: Vince Petracca / Ronan Colleran      Mirvac



**LEGEND**

- Local Development Plan Area
- RCODE**
- R25
- R40
- POS (Public Open Space)

**LOCAL DEVELOPMENT PLAN PROVISIONS**

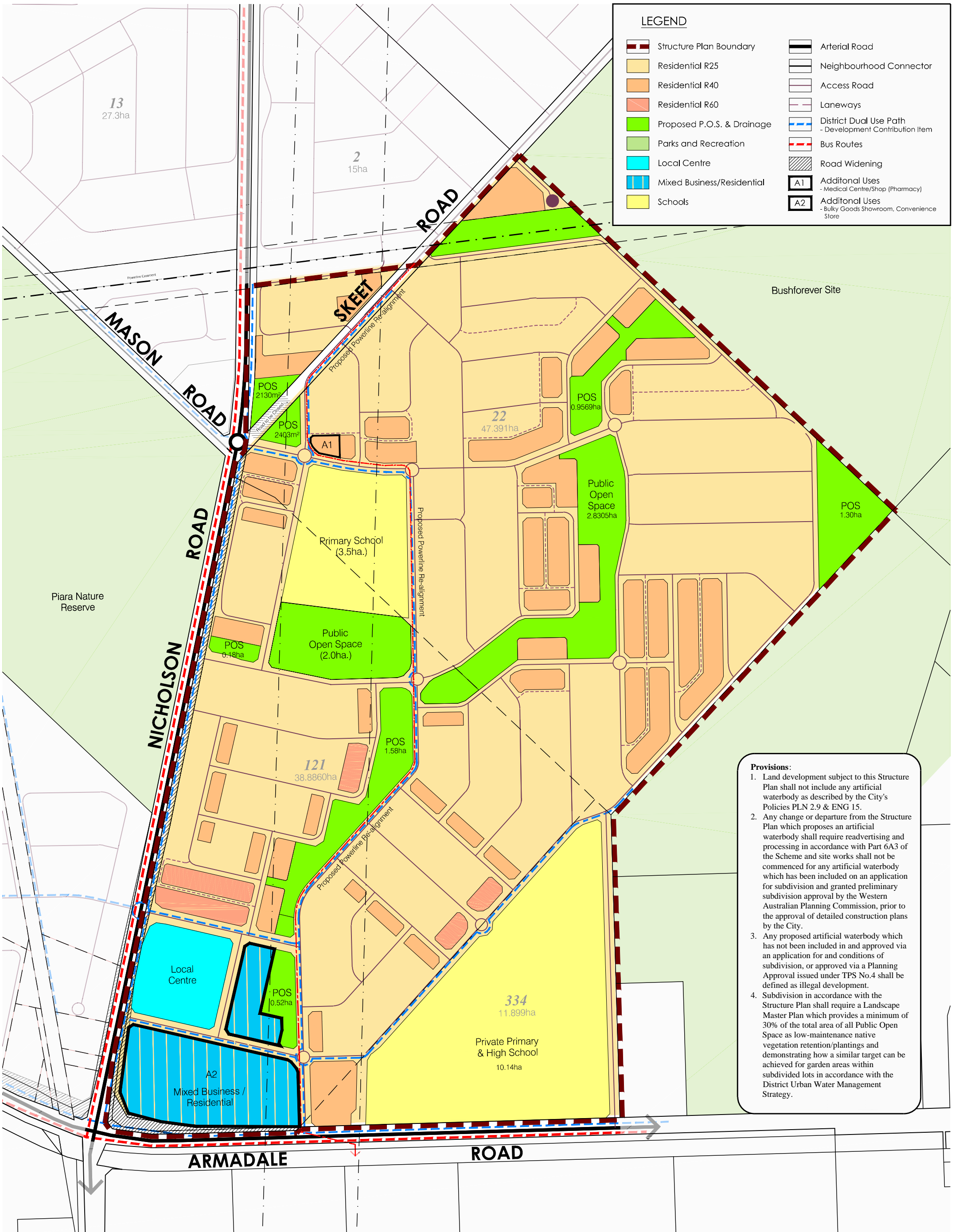
- a) The following standards are deemed to meet the relevant Design Principles of the R-Codes and do not require consultation with the adjoining landowners.
- b) Unless provided for below, the provisions of the City of Armdale Town Planning Scheme No. 4 (TPS 4) and the R-Codes apply.

This Local Development Plan has been approved by Council under clause 52(1)(a) of the deemed provisions of Town Planning Scheme No.4

.....  
 Executive Manager Development Service Date  
 City of Armdale

	STREET / POS SETBACK AND FRONT FENCES	LOT BOUNDARY SETBACK	OPEN SPACE	GARAGE SETBACK AND WIDTH AND VEHICULAR ACCESS	PARKING	OVERSHADOWING	PRIVACY
<b>R40</b>	2m minimum, no average. 1.5m minimum to porch/veranda, no maximum length. 1m minimum to secondary street. Front fences within the primary street setback area being a maximum height of 900mm above natural ground level, measured from the primary street side of the front fence.	<b>Boundary setbacks</b> 1.2m minimum for wall height 3.5m or less with major openings. 1m minimum for wall height 3.5m or less without major openings. <b>Boundary walls</b> Permitted to both side boundaries subject to: <ul style="list-style-type: none"> <li>No maximum length to one side boundary;</li> <li>2/3 maximum length to second side boundary; and</li> <li>wall height of 3.5m or less.</li> </ul>	An outdoor living area (OLA) with an area of 10% of the lot size or 20m <sup>2</sup> , whichever is greater, directly accessible from a habitable room of the dwelling and located behind the street setback area. At least 70% of the OLA must be uncovered and includes areas under eaves which adjoin uncovered areas. The OLA has a minimum 3m length or width dimension. No other R-Codes site cover standards apply.	<b>Front Load</b> 4.5m garage setback from the primary street and 1.5m from a secondary street. The garage setback from the primary street may be reduced to 4m where an existing or planned footpath or shared path is located more than 0.5m from the street boundary. For front loaded lots with street frontages between 10.5m and 12m, a double garage is permitted to a maximum width of 6m as viewed from the street subject to : <ul style="list-style-type: none"> <li>garage setback a minimum of 0.5m behind the building alignment ;</li> <li>a major opening to a habitable room directly facing the primary street ; and</li> <li>an entry feature consisting of a porch or veranda with a minimum depth of 1.2m.</li> </ul> Lots with a frontage less than 10.5m or not compliant with the above require tandem garaging / parking.	As per R-Codes.	No maximum overshadowing for wall height 3.5m or less. No maximum overshadowing for wall height greater than 3.5m where overshadowing is confined to the front half of the lot. If overshadowing intrudes into rear half of the lot, shadow cast does not exceed 35%	R-Codes clause 5.4.1 C1.1 applies, however the setback distance is: 3m minimum to bedrooms and studies. 4.5m minimum to major openings to habitable rooms other than bedrooms and studies. 6m minimum to unenclosed outdoor active habitable spaces.
<b>R25</b>	3m minimum, no average. 1.5m minimum to porch/veranda, no maximum length. 1.5m minimum to secondary street. Front fences within the primary street setback area being a maximum height of 900mm above natural ground level, measured from the primary street side of the front fence.	As per R-Codes.	Minimum of 40% subject to: <ul style="list-style-type: none"> <li>provision of an outdoor living area (OLA) of a minimum 30m<sup>2</sup> with a minimum dimension of 4m; and</li> <li>a minimum of 2/3 (or 20m<sup>2</sup>) of the minimum OLA being unroofed.</li> </ul>	As per R40 above.	As per R-Codes.	As per R40 above, however if overshadowing intrudes into rear half of the lot, shadow cast does not exceed 25%.	As per R-Codes.





PLAN A - NORTH FORRESDALE (STAGE 2/SOUTH EAST) STRUCTURE PLAN (INCLUDING AMENDMENT 9)





JOB NO: 3067

SUB JOB:

DATE: 18 OCT 2016

STATUS: APPROVED

DOC REF: 3067-27E-01

SCAN/DB:

CC'S:

Your Ref : 3067-27E  
Enquiries : Top Seangsong (Ph 6551 9285)

C L E Town Planning + Design  
P O Box 1233  
SUBIACO WA 6904

## Approval Subject To Condition(s) Freehold (Green Title) Subdivision

Application No : 153855

### Planning and Development Act 2005

Applicant	: C L E Town Planning + Design P O Box 1233 SUBIACO WA 6904
Owner	: Donato Di Florio & Gioseppina Di Florio 387 Nicholson Road PIARA WATERS WA 6112
Application Receipt	: 23 June 2016

Lot Number	: 121
Diagram / Plan	: Deposited Plan 404983
Location	: -
C/T Volume/Folio	: 2882/182
Street Address	: Nicholson Road, Piara Waters
Local Government	: City of Armadale

The Western Australian Planning Commission has considered the application referred to and is prepared to endorse a deposited plan in accordance with the plan date-stamped 23 June 2016 once the condition(s) set out have been fulfilled.

This decision is valid for four years from the date of this advice, which includes the lodgement of the deposited plan within this period.

The deposited plan for this approval and all required written advice confirming that the requirement(s) outlined in the condition(s) have been fulfilled must be submitted by 28 September 2020 or this approval no longer will remain valid.

### **Reconsideration - 28 days**

Under section 151(1) of the *Planning and Development Act 2005*, the applicant/owner may, within 28 days from the date of this decision, make a written request to the WAPC to reconsider any condition(s) imposed in its decision. One of the matters to which the WAPC will have regard in reconsideration of its decision is whether there is compelling evidence by way of additional information or justification from the applicant/owner to warrant a reconsideration of the decision. A request for reconsideration is to be submitted to the WAPC on a Form 3A with appropriate fees. An application for reconsideration may be submitted to the WAPC prior to submission of an application for review. Form 3A and a schedule of fees are available on the WAPC website: <http://www.planning.wa.gov.au>

### **Right to apply for a review - 28 days**

Should the applicant/owner be aggrieved by this decision, there is a right to apply for a review under Part 14 section 251 of the *Planning and Development Act 2005*. The application for review must be submitted in accordance with part 2 of the *State Administrative Tribunal Rules 2004* and should be lodged within 28 days of the date of this decision to: the State Administrative Tribunal, Level 6, State Administrative Tribunal Building, 565 Hay Street, PERTH, WA 6000. It is recommended that you contact the tribunal for further details: telephone 9219 3111 or go to its website: <http://www.sat.justice.wa.gov.au>

### **Deposited plan**

The deposited plan is to be submitted to the Western Australian Land Information Authority (Landgate) for certification. Once certified, Landgate will forward it to the WAPC. In addition, the applicant/owner is responsible for submission of a Form 1C with appropriate fees to the WAPC requesting endorsement of the deposited plan. A copy of the deposited plan with confirmation of submission to Landgate is to be submitted with all required written advice confirming compliance with any condition(s) from the nominated agency/authority or local government. Form 1C and a schedule of fees are available on the WAPC website: <http://www.planning.wa.gov.au>

### **Condition(s)**

The WAPC is prepared to endorse a deposited plan in accordance with the plan submitted once the condition(s) set out have been fulfilled.

The condition(s) of this approval are to be fulfilled to the satisfaction of the WAPC.

The condition(s) must be fulfilled before submission of a copy of the deposited plan for endorsement.

The agency/authority or local government noted in brackets at the end of the condition(s) identify the body responsible for providing written advice confirming that the WAPC's requirement(s) outlined in the condition(s) have been fulfilled. The written advice of the agency/authority or local government is to be obtained by the applicant/owner. When the written advice of each identified agency/authority or local government has been obtained, it should be submitted to the WAPC with a Form 1C and appropriate fees and a copy of the deposited plan.

If there is no agency/authority or local government noted in brackets at the end of the condition(s), a written request for confirmation that the requirement(s) outlined in the condition(s) have been fulfilled should be submitted to the WAPC, prior to lodgement of the deposited plan for endorsement.

Prior to the commencement of any subdivision works or the implementation of any condition(s) in any other way, the applicant/owner is to liaise with the nominated agency/authority or local government on the requirement(s) it considers necessary to fulfil the condition(s).

The applicant/owner is to make reasonable enquiry to the nominated agency/authority or local government to obtain confirmation that the requirement(s) of the condition(s) have been fulfilled. This may include the provision of supplementary information. In the event that the nominated agency/authority or local government will not provide its written confirmation following reasonable enquiry, the applicant/owner then may approach the WAPC for confirmation that the condition(s) have been fulfilled.

In approaching the WAPC, the applicant/owner is to provide all necessary information, including proof of reasonable enquiry to the nominated agency/authority or local government.

The condition(s) of this approval, with accompanying advice, are:

## CONDITIONS

### Plan Modifications

1. The plan of subdivision is to be modified so that:
  - (a) an appropriate vehicular crossover for the lot on the corner of Novelli Parade and Monticello Parkway is located at a suitable distance away from the proposed roundabout;
  - (b) a 6 metre wide laneway break shall be provided at the mid-way point of the proposed 140 metre long laneway adjacent to Nicholson Road to facilitate access by refuse vehicles and improve road permeability; and
  - (c) the proposed 9 metre wide laneway accessed via Barcelona Road being widened to 11 metres to ensure adequate space for servicing, on-street parking and the provision of street trees.

(Local Government)

## **Contributions**

2. The applicant/owner shall make a contribution per lot to the satisfaction of the Western Australian Planning Commission towards the cost of Common Infrastructure Works to service the North Forrestdale Urban area in accordance with Part 6B and Schedule 13B (Development Contribution Plan No. 3) of Town Planning Scheme No. 4. (Local Government)
3. Arrangements being made, to the satisfaction of the Western Australian Planning Commission, for the transfer of land free of cost to the Department of Education for the provision of a primary school site(s) to serve the area, as identified within the approved plan of subdivision. (Department of Education)

## **Road and Movement Network**

4. Engineering drawings and specifications are to be submitted, approved, and subdivisional works undertaken in accordance with the approved plan of subdivision, engineering drawings and specifications, to ensure that those lots not fronting an existing road are provided with frontage to a constructed road(s) connected by a constructed road(s) to the local road system and such road(s) are constructed and drained at the landowner/applicant's cost.

As an alternative, and subject to the agreement of the Local Government the Western Australian Planning Commission (WAPC) is prepared to accept the landowner/applicant paying to the local government the cost of such road works as estimated by the local government and the local government providing formal assurance to the WAPC confirming that the works will be completed within a reasonable period as agreed by the WAPC.

(Local Government)

5. Engineering drawings and specifications are to be submitted and approved, and subdivisional works undertaken in accordance with the approved plan of subdivision, engineering drawings and specifications to ensure that:
  - (a) street lighting is installed on all new subdivisional roads to the standards of the relevant licensed service provider;
  - (b) roads that have been designed to connect with existing or proposed roads abutting the subject land are coordinated so the road reserve location and width connect seamlessly;
  - (c) temporary turning areas are provided to those subdivisional roads that are subject to future extension;



- (d) an 'eyebrow' verge is provided for two lots served by the stub lane adjacent to Nicholson Road to allow for placement of domestic bins and collection by service vehicles,

to the satisfaction of the Western Australian Planning Commission.

(Local Government)

6. The proposed traffic roundabout at the intersection of Novelli Parade and Monticello Parkway being constructed to the satisfaction of the Western Australian Planning Commission. (Local Government)
7. A minimum of one (1) visitor car parking bay being provided for every two (2) lots serviced by rear laneway, the requisite visitor bays being located along the primary road frontage to the satisfaction of the Western Australian Planning Commission. (Local Government)
8. All local streets within the subdivision being truncated in accordance with the Western Australian Planning Commission's *Liveable Neighbourhoods* policy. (Local Government)
9. Engineering drawings and specifications are to be submitted, approved, and subdivisional works undertaken in accordance with the approved plan of subdivision, engineering drawings and specifications, for the provision of District Dual Use Paths through and connecting to the application area in accordance with the approved Development Area No. 31 - North Forrestdale Stage 2 (South-East) Local Structure Plan. The approved shared paths are to be constructed by the landowner/applicant. (Local Government)
10. Additional road widening being provided where the proposed local access roads intersect Nicholson Road, including the ceding of any additional land required to facilitate the provision of traffic control devices, including median islands, turning lanes and deceleration lanes. (Local Government)

#### Drainage

11. Prior to the commencement of subdivisional works, an urban water management plan is to be prepared and approved, in consultation with the Department of Water, consistent with any approved Drainage and Water Management Plan. (Local Government)
12. Engineering drawings and specifications are to be submitted and approved, and works undertaken in accordance with the approved engineering drawings and specifications and approved plan of subdivision, for the filling and/or draining of the land, including ensuring that stormwater is contained on-site, or appropriately treated and connected to the local drainage system. Engineering drawings and specifications are to be in accordance with an approved Urban Water Management Plan (UWMP) for the site, or where no UWMP exists, to the satisfaction of the Western Australian Planning Commission. (Local Government)

13. Suitable arrangements being made for connection of the land to the comprehensive district drainage system at the landowner/applicant's cost. (Local Government)
14. Drainage easements and reserves as may be required by the local government for drainage infrastructure being shown on the diagram or plan of survey (deposited plan) as such, granted free of cost, and vested in that local government under Sections 152 and 167 of the *Planning and Development Act 2005*. (Local Government)
15. Suitable arrangements being made with the Water Corporation for the drainage of the land either directly or indirectly into a drain under the control of that body. (Water Corporation)

### **Subdivision Works**

16. Other than buildings, outbuildings and/or structures shown on the approved plan for retention, all buildings, outbuildings and/or structures present on lot(s) at the time of subdivision approval being demolished and materials removed from the lot(s). (Local Government)
17. Prior to the commencement of subdivisional works, the landowner/applicant is to provide a pre-works geotechnical report certifying that the land is physically capable of development or advising how the land is to be remediated and compacted to ensure it is capable of development.

In the event that remediation works are required, the landowner/applicant is to provide a post geotechnical report certifying that all subdivisional works have been carried out in accordance with the pre-works geotechnical report.

(Local Government)

18. An acid sulphate soils self-assessment form and, if required as a result of the self-assessment, an acid sulphate soils report and an acid sulphate soils management plan shall be submitted to and approved by the Department of Environment Regulation before any subdivision works or development are commenced. Where an acid sulphate soils management plan is required to be submitted, all subdivision works shall be carried out in accordance with the approved management plan. (Department of Environment Regulation)

### **Servicing**

19. Arrangements being made with the Water Corporation so that provision of a suitable water supply service will be available to the lots shown on the approved plan of subdivision. (Water Corporation)
20. Arrangements being made with the Water Corporation so that provision of a sewerage service will be available to the lots shown on the approved plan of subdivision. (Water Corporation)

21. Arrangements being made to the satisfaction of the Western Australian Planning Commission and to the specification of Western Power for the provision of an underground electricity supply to the lot(s) shown on the approved plan of subdivision. (Western Power)
22. Arrangements being made to the satisfaction of the Western Australian Planning Commission and to the specifications of Western Power for the provision of necessary electricity easement(s) to the lot(s) shown on the approved plan of subdivision. (Western Power)
23. Arrangements being made to the satisfaction of the Western Australian Planning Commission and to the specification of Western Power for the removal, relocation and/or replacement of electricity supply infrastructure, including plant and/or equipment located on or near the lots shown on the approved plan of subdivision. (Western Power)
24. The transfer of land as a Crown reserve free of cost to Western Power for the provision of electricity supply infrastructure. (Western Power)

#### **Public Open Space**

25. The proposed reserve(s) shown on the approved plan of subdivision being shown on the diagram or plan of survey (deposited plan) as reserve(s) for Recreation and Drainage and vested in the Crown under Section 152 of the *Planning and Development Act 2005*, such land to be ceded free of cost and without any payment of compensation by the Crown. (Local Government)
26. Arrangements being made to the satisfaction of the Western Australian Planning Commission to ensure that not less than 10% of the land's gross subdivisible area, inclusive of the public open space the subject of Condition 25 (incorporating POS credits for water bodies/drainage as appropriate) being ceded for the purposes of reserve for recreation and drainage and vested in the Crown under Section 152 of the *Planning and Development Act 2005*, such land to be ceded free of cost and without any payment of compensation by the Crown. (Local Government)
27. Arrangements being made for the proposed public open space to be developed by the landowner/applicant to a minimum standard and maintained for two summers through the implementation of an approved landscape plan providing for the development and maintenance of the proposed public open space in accordance with the requirements of Liveable Neighbourhoods and to the specifications of the local government. (Local Government)
28. A landscaping master plan and management strategy is to be prepared and implemented to the satisfaction of the Western Australian Planning Commission. Landscaping to include revegetation of watercourses, public open space areas (including street verges and median) and achieve a minimum 30% coverage with local native species in accordance with the North Forrestdale Urban Water Management Strategy. (Local Government)

## Planning for Bushfire Protection

29. A Bushfire Hazard Assessment and/or Bushfire Management Plan being completed in accordance with the methodology and classifications set out in State Planning Policy 3.7 - *Planning in Bushfire Prone Areas* and the associated Guidelines to the satisfaction of the Western Australian Planning Commission. (Local Government)
30. A Notification, pursuant to Section 165 of the *Planning and Development Act 2005* is to be placed on the certificate(s) of title of the proposed lot(s) with a Bushfire Attack Level (BAL) rating of 12.5 or above, advising of the existence of a hazard or other factor.

Notice of this notification is to be included on the diagram or plan of survey (deposited plan).

The notification is to state as follows:

*'This land is within a bushfire prone area as designated by an Order made by the Fire and Emergency Services Commissioner and may be subject to a Bushfire Management Plan. Additional planning and building requirements may apply to development on this land'.*

(Western Australian Planning Commission)

## Miscellaneous

31. Vehicle access restrictions being imposed on the Certificates of Title of lots abutting Nicholson Road and Armadale Road in accordance with Section 150 of the *Planning and Development Act 2005* preventing vehicular access onto Nicholson Road and Armadale Road. (Local Government)
32. Uniform fencing being constructed along the boundaries of all of the proposed lots abutting Nicholson Road and where the proposed lots adjoins a public open space reserve. (Local Government)
33. Local Development Plan(s) being prepared and approved for proposed laneway lots and lots abutting a public open space reserve as shown on the attachment plan (**Attachment A**) that address the following:
  - (a) vehicular access;
  - (b) parking;
  - (c) interface with public open space areas; and
  - (d) access for waste collection,

to the satisfaction of the Western Australian Planning Commission.

(Local Government)

34. The landowner/applicant shall make arrangements to ensure that prospective purchasers of lots subject of a Local Development Plan are advised in writing that Local Development Plan provisions apply. (Local Government)
35. A notification, pursuant to Section 165 of the *Planning and Development Act 2005* is to be placed on the certificates of title of the proposed lot(s) abutting Nicolson Road advising of the existence of a hazard or other factor. Notice of this notification is to be included on the diagram or plan of survey (deposited plan). The notification is to state as follows:

*"This lot is situated in the vicinity of a Western Power high voltage transmission line."*

Local Government)

#### ADVICE TO APPLICANT

1. With regard to Condition 5(b), the Commission is unlikely to issue clearance of the Certificate of Titles of those lots abutting Monticello Parkway extension until the full length of the road reservation is dedicated and constructed for its full width.
2. Condition 14 has been imposed in accordance with *Better Urban Water Management Guidelines (WAPC 2008)*. Further guidance on the contents of urban water management plans is provided in *'Urban Water Management Plans: Guidelines for preparing and complying with subdivision conditions'* (Department of Water 2008).
3. With regard to Conditions 19 and 20, the landowner/applicant shall make arrangements with the Water Corporation for the provision of the necessary services. On receipt of a request from the landowner/applicant, a Land Development Agreement under Section 83 of the *Water Services Act 2012* will be prepared by the Water Corporation to document the specific requirements for the proposed subdivision.

The Commission also expects that, due to land use fragmentation and various servicing constraints in the area, collaboration amongst landowners occurs to facilitate sewer connections and service requirements across lot boundaries.

4. With regard to Condition 21, Western Power provides only one underground point of electricity supply per freehold lot.
5. With regard to Condition 23 the plan of subdivision shall ensure that future development will not interfere with any existing and/or proposed Western Power assets and is consistent with any relevant agreement between Western Power and the proponent. The applicant/owner is advised to contact Western Power for further information and advice regarding the final alignment of the transmission lines and associated easement requirements. All costs associated with the registration of easements are to be borne by the applicant.

6. With regard to Condition 26, the landowner/applicant is advised to submit an up to date POS Schedule to the City of Armadale for further evaluation to determine the final POS credits. Provisions of section 153 of the *Planning and Development Act 2005* provide that arrangements can be made, subject to further approval of the Western Australian Planning Commission, for a cash-in-lieu contribution by the landowner/applicant to the local government.

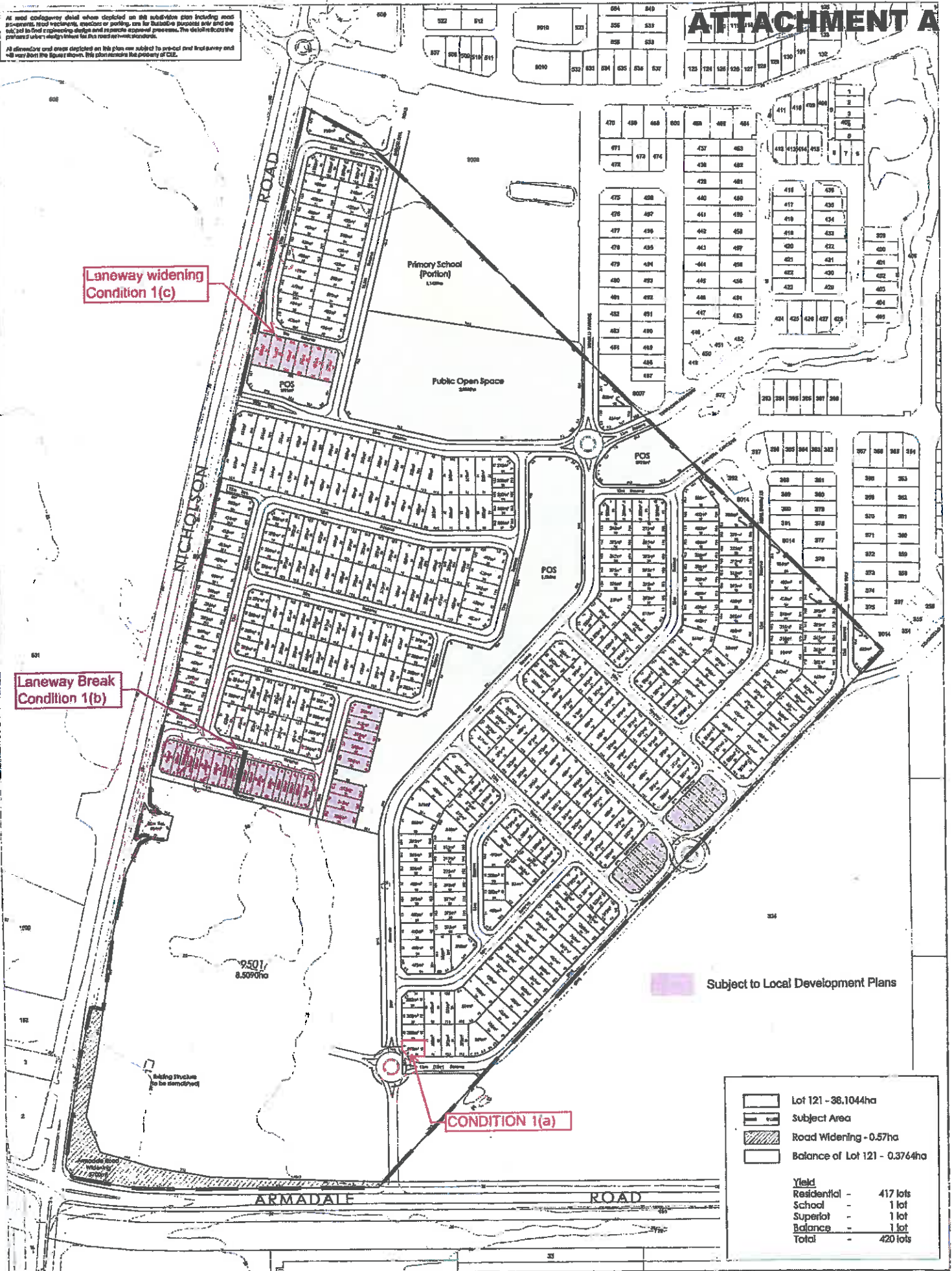


Kerrine Blenkinsop  
Secretary  
Western Australian Planning Commission

28 September 2016

All road configuration details shown depicted on this subdivision plan including road placement, road treatments, locations or parking, are for illustrative purposes only and are subject to final engineering design and municipal approval processes. The delineation of the portions of urban design shown on this road network standard.

All dimensions and areas depicted on this plan are subject to pre- and final survey and will vary from the figures shown. This plan remains the property of CLE.



Laneway widening  
Condition 1(c)

Laneway Break  
Condition 1(b)

CONDITION 1(a)

Subject to Local Development Plans

	Lot 121 - 38.1044ha
	Subject Area
	Road Widening - 0.57ha
	Balance of Lot 121 - 0.3764ha

Yield	
Residential	- 417 lots
School	- 1 lot
Superlot	- 1 lot
Balance	- 1 lot
<b>Total</b>	<b>- 420 lots</b>

**PROPOSED SUBDIVISION**  
 Lot 9502 Nicholson Road, Plara Waters  
 City of Armadale

DEPARTMENT OF PLANNING	
DATE	FILE
23/06/2015	153855

0 50 100 150 200m

plan no: 3067-27E-01  
 scale: 1:3000@A3  
 date: 30.05.2016

mil, survey & engineering detail. This plan remains the property of CLE © www.cleplan.com.au





Department of Planning,  
Lands and Heritage

JOB NO:	3067
SUB JOB:	
DATE:	31 JUL 2018
STATUS:	App DP
DOC REF:	1199A
SCAN/DB:	<input checked="" type="checkbox"/>
CC'S:	

*Client  
(emailed  
already)*

24 July 2018

Alex Watson  
CLE Town Planning + Design  
2 Abbotsford Street  
WEST LEEDERVILLE WA 6007

BY EMAIL: [alex@cleplan.com.au](mailto:alex@cleplan.com.au)

Dear Alex,

**RE: PROPOSED MODIFICATIONS TO APPROVED PLAN OF SUBDIVISION (WAPC REF: 153855) PRIOR TO ENDORSEMENT OF DIAGRAM OR PLAN OF SURVEY (DEPOSITED PLAN)**

I refer to your request to modify the approved plan of subdivision under WAPC Ref: 153855 in accordance with the attached plan (date stamped 12 July 2018) and advise the following:

The Western Australian Planning Commission (WAPC) is only able to accept modifications that accord with the approved plan of subdivision as part of the endorsement of a diagram or plan of survey (deposited plan) under Section 145 of the *Planning and Development Act 2005*. However, prior to an application for WAPC endorsement of a diagram or plan of survey (deposited plan), the Department of Planning can advise, on behalf of the WAPC, whether or not proposed modifications are considered to accord with the approved plan of subdivision, based on the following accepted parameters:

- The modifications are minor in nature and do not constitute a substantially different proposal;
- The modifications are consistent with WAPC policy, strategy and practice;
- No new conditions or modifications to existing conditions are required; and
- The modifications have been agreed to by all relevant clearing agencies and do not require any (re)referral.

In this instance, the proposed modifications are considered to accord with the approved plan of subdivision.

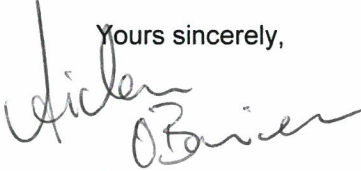
Accordingly, it is expected that the WAPC would consider accepting the proposed modifications as part a future application for endorsement of a diagram or plan of survey (deposited plan).

This advice is provided on the basis that the diagram or plan of survey (deposited plan) to be lodged with the WAPC for its future endorsement is identical to the revised plan of subdivision you have currently provided, and that all conditions of approval cleared by the applicable clearing agencies are based on the revised plan of subdivision. No right of appeal exists in relation to this advice and all terms and conditions of the subdivision approval are required to be complied with.



Any further modifications to the approved plan of subdivision, proposed as part a future application for endorsement of a diagram or plan of survey (deposited plan), will need to be supported by additional written justification. You are advised to liaise further will all relevant clearing agencies in this regard to ensure that clearances have been provided based on the proposed diagram or plan of survey (deposited plan).

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Aiden O'Brien', written in a cursive style.

Aiden O'Brien  
*A/Planning Manager*  
*Metropolitan South East*

c.c. *City of Armadale*

All road carriageway detail where depicted on this subdivision plan including road pavements, road treatments, medians or parking, are for illustrative purposes only and are subject to final engineering design and separate approval processes. The detail reflects the preferred urban design intent for the road network standards.

All dimensions and areas depicted on this plan are subject to pre-cal and final survey and will vary from the figures shown. This plan remains the property of CLE.



YIELD - 100 lots

