

9.2 LOCAL PLANNING STRATEGY AND SCHEME REPORT OF REVIEW AND AMENDMENT NO. 10 TO THE LOCAL PLANNING SCHEME

- Attachments:**
1. **City of Vincent Local Planning Strategy and Local Planning Scheme No. 2 Draft Report of Review**
 2. **Amendment No. 10 to Local Planning Scheme No. 2 - Summary of changes**
 3. **Amendment No. 10 to Local Planning Scheme No. 2 - Form 2A**

RECOMMENDATION:**That Council:**

1. **ENDORSES** the City of Vincent Local Planning Strategy and Local Planning Scheme No. 2 Draft Report of Review contained in Attachment 1;
2. **RECOMMENDS** that the Western Australian Planning Commission agrees to the recommendation in the City of Vincent Local Planning Strategy and Local Planning Scheme No. 2 Draft Report of Review contained in Attachment 1;
3. **PREPARES** Amendment No. 10 to Local Planning Scheme No. 2 as at Attachment 3, pursuant to Section 75 of the *Planning and Development Act 2005* for the purpose of public advertising, subject to approval of the Environmental Protection Authority; and
4. **CONSIDERS** Amendment No. 10 to Local Planning Scheme No. 2 as a standard amendment under Regulation 35 (2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* as the amendment;
 - 4.1 **Has minimal impact on land in the scheme area that is not the subject of the amendment, due to the predominately minor text changes proposed;**
 - 4.2 **The amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area; and**
 - 4.3 **The amendment is not a complex or basic amendment.**

PURPOSE OF REPORT:

For Council to consider endorsing the Local Planning Strategy and Local Planning Scheme No. 2 Draft Report of Review and preparing Amendment No. 10 to Local Planning Scheme No. 2.

BACKGROUND:

The Western Australian Planning Commission (WAPC) endorsed the City's Local Planning Strategy and Scheme (Strategy and Scheme) in 2016 and 2018, respectively. Under the *Planning and Development (Local Planning Schemes) Regulations 2015* (Regulations), a Local Planning Strategy and Scheme must be reviewed every five years.

The City must prepare a 'report of review' that provides an overview of the Strategy and Scheme, development trends, and demographic changes. The report of review should recommend whether both documents should continue in their current form, proceed in an amended form or be revoked and replaced with a new Strategy and Scheme entirely.

Once endorsed by Council, the WAPC would decide within 90 days of receiving the Report of Review whether they agree or disagree with the recommendations in the report and convey this to the City. The City would then initiate review of the Local Planning Strategy and Local Planning Scheme No. 2 and consult with the community on any proposed changes.

The Regulations categorises scheme amendments into either basic, standard or complex, each with several parameters to meet in order to be considered that type of amendment.

Basic scheme amendments are largely administrative in nature and deal with matters such as spelling or administrative errors within a local planning scheme.

Standard scheme amendments broadly include changes to a scheme which would have minimal impact on land in the scheme area and does not result in any significant environmental, social, economic or governance impacts on land in the scheme area.

Complex scheme amendments are those which are not consistent with any other part of the local planning framework or has the potential to make a significant impact on the locality.

DETAILS:

Report of review process

Administration has prepared the Draft Report of Review (as at **Attachment 1**) in line with the Department of Planning, Lands and Heritage's [manner and form](#) guidelines.

The key findings of the review are that:

- There have been relatively minor changes to the state planning framework that directly affect the City since the last review of the Strategy and Scheme in 2018;
- The City is largely on track to meet its infill development targets set by the State Government as part of the [Perth and Peel @ 3.5 Million framework](#), with residential development activity consistently increasing since 2018 despite uncertainty stemming from the COVID-19 global pandemic; and
- Commercial activity has dropped slightly in 2021, however large commercial development opportunities exist at key development sites such as the East Perth Power Station and in West Perth and Claisebrook.

The report of review recommends that both the Local Planning Strategy and Local Planning Scheme No.2 should continue in their current form, with some minor clarifying changes that can be made to assist in the operation of the Scheme. These are proposed to be dealt with as an omnibus Scheme Amendment No. 10, detailed below.

Amendment No. 10

The Report of Review does identify 10 modifications that should be made to the Scheme to provide clarity and consistency to future decision-making, these include:

- Moving provisions to more appropriate locations;
- Fixing administrative errors and terminology;
- Reinforcing and expanding zone objectives; and
- Closing gaps between the previous scheme and current scheme.

This will be achieved through an omnibus scheme amendment (Amendment No. 10). This is designed to resolve inconsistencies and improve clarity, without changing established positions of Council.

An omnibus scheme amendment is a collection of small or minor amendment proposals that are combined into one scheme amendment. This will typically occur when there is a collection of smaller matters that do not each warrant an individual scheme amendment process. These are summarised at **Attachment 2** and included in full at **Attachment 3**.

CONSULTATION/ADVERTISING:

Since it is a desktop, fact-based analysis, there is no requirement to advertise the Report of Review for public comment. The City is currently undertaking its review of the Strategic Community Plan, the findings of which would feed into a modified Local Planning Strategy and Local Planning Scheme No. 2, which would then be advertised for public comment.

In accordance with the requirements of the Regulations and the City's Community Engagement Policy, Amendment No. 10 would be advertised for 42 days.

LEGAL/POLICY:

- *Planning and Development Act 2005;*
- *Planning and Development (Local Planning Schemes) Regulations 2015;*
- City of Vincent Local Planning Scheme No. 2; and
- City of Vincent Local Planning Strategy (2016).

RISK MANAGEMENT IMPLICATIONS

Low: It is low risk for Council to endorse the Local Planning Scheme and Strategy Report of Review and Amendment No. 10 as this marks the beginning of the more comprehensive analysis of the Local Planning Strategy and Scheme.

STRATEGIC IMPLICATIONS:

This is in keeping with the City's *Strategic Community Plan 2018-2028*:

Innovative and Accountable

Our community is aware of what we are doing and how we are meeting our goals.

SUSTAINABILITY IMPLICATIONS:

This does not contribute to any environmental sustainability outcomes. This action is environmentally neutral.

PUBLIC HEALTH IMPLICATIONS:

This does not contribute to any public health outcomes in the *City's Public Health Plan 2020-2025*.

FINANCIAL/BUDGET IMPLICATIONS:

Costs associated with the consultation of Amendment No. 10 will be met through standard operating budgets.

**LOCAL PLANNING
STRATEGY
LOCAL PLANNING
SCHEME NO. 2
REPORT OF REVIEW**



CITY OF VINCENT

Scheme and Strategy Report of Review

City of Vincent

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Scheme and Strategy Report of Review

City of Vincent

1.PURPOSE OF REPORT

The purpose of this report is to review the performance and currency of the City of Vincent's Local Planning Scheme No. 2 and Local Planning Strategy, pursuant to Regulation 65 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (Regulations).

The Regulations require a report to be prepared five years after a local planning scheme has come into effect. This report is consistent with the manner and form prescribed by the Western Australian Planning Commission's (WAPC) August 2015 publication 'Review of Local Planning Schemes'.

2. CITY OF VINCENT

OVERVIEW AND HISTORY

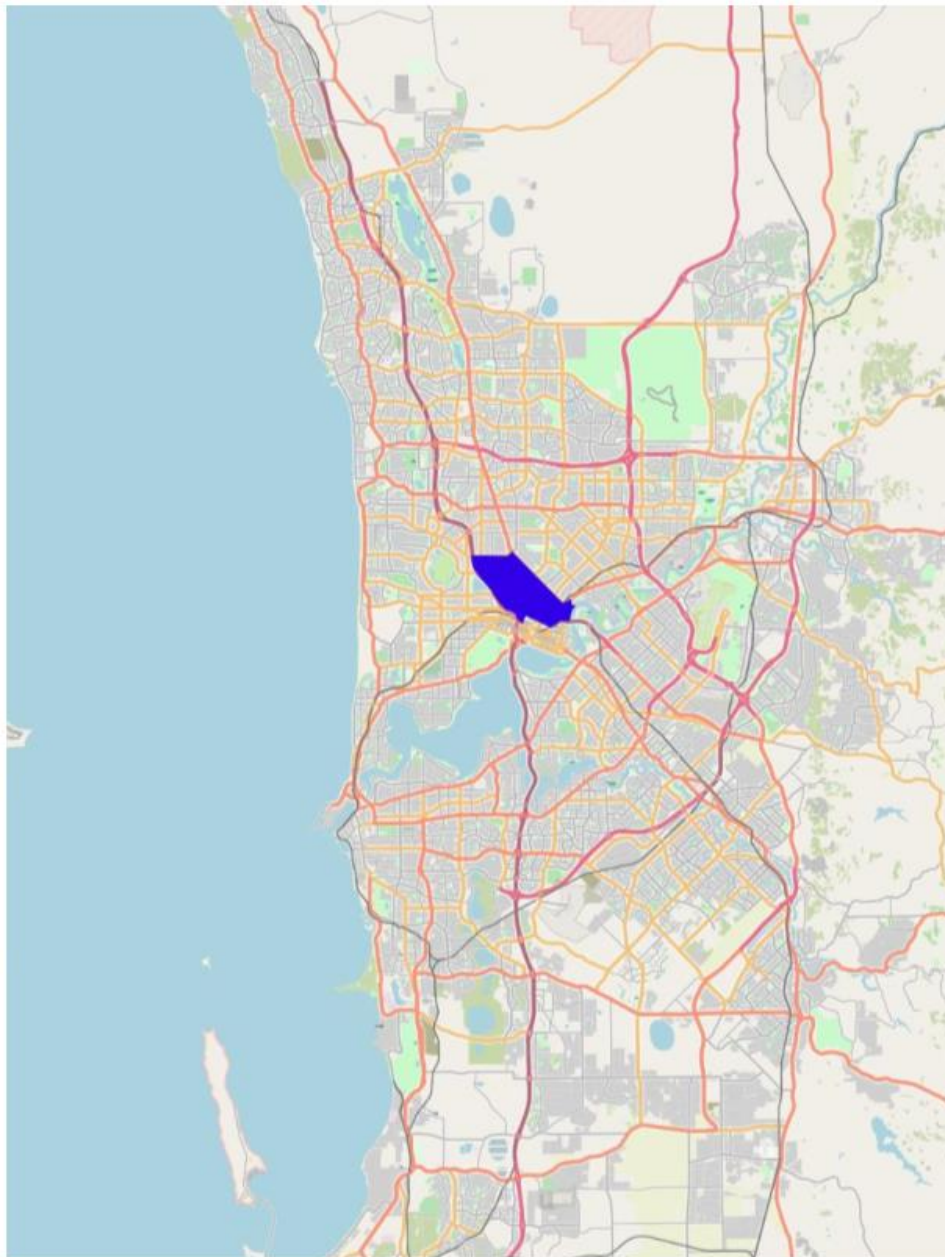
The City of Vincent (the City) encompasses an area of 11.3 square kilometres and sits immediately north of the Perth CBD. The City forms part of the central sub-region of the Perth Metropolitan area and includes the suburbs of North Perth, Leederville, Highgate, Mount Lawley, Mount Hawthorn, and parts of Perth, West Perth, East Perth, Coolbinia & Osborne Park.

The City sits West of Derbal Yerrigan (Swan River), East of Galup (Lake Monger) and is on land that forms part of an area known as Mooro, frequented by Yellagonga and his band. The City is located on land which incorporates nine sites of Aboriginal significance for the Whadjuk Noongar people. The City of Vincent acknowledges the Whadjuk people as the traditional custodians of the greater Mooro/Vincent area, having inhabited the land for tens of thousands of years prior to European settlement.

The years following European settlement in 1829 saw the widespread dispossession of land and displacement of traditional landowners, in favour of the Swan River Colony expansion. By the mid-1850s to 1883, the principal lakes in the area were drained and, following the establishment of Perth as a municipality under the 1871 Municipalities Act, Leederville, Highgate and North Perth were put under the control of the Perth Road Board District.

Infrastructure improvements in the 1880s, including the Fremantle to Guildford railway line, saw residential development progress in Highgate and North Perth, with development moving north steadily over time and seeing Mount Hawthorn experiencing subdivision and development between the late 1890s and early 1900s. The population towards the end of the 1800s was more than one thousand.

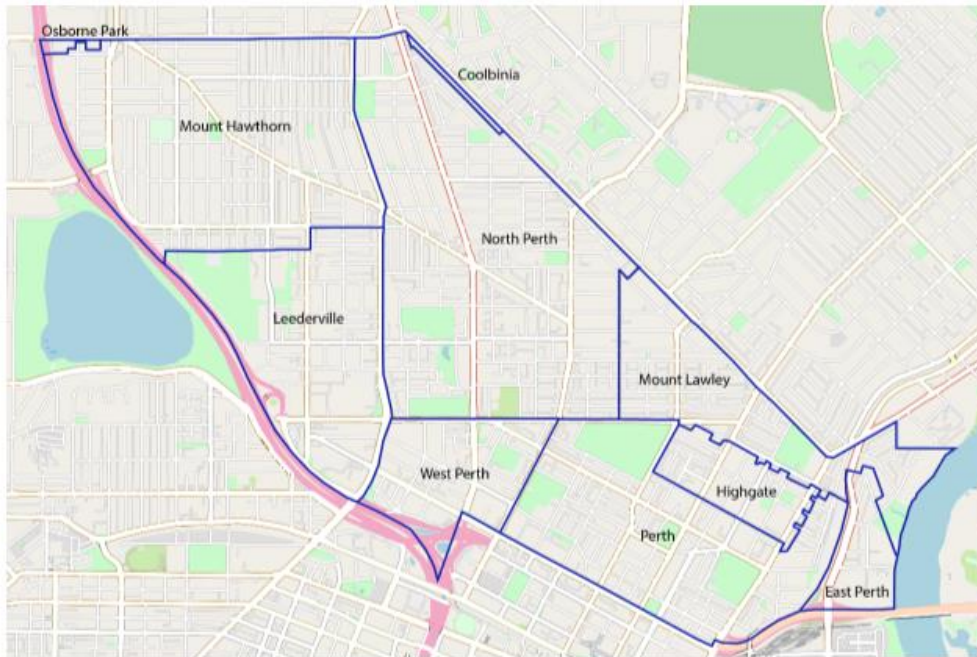
A migration peak after the First World War, then led into a decline in activity around the 1930s due to the depression. While the end of the Second World War saw relative population stagnation, the City still saw a steady increase in population into the millennium. The Town of Vincent formally came into effect in July 1994 as part of a City of Perth restructure and later in 2011 became the City of Vincent.



City of Vincent Location

Scheme and Strategy Report of Review

City of Vincent



City of Vincent Suburb Boundaries



Town Centres City of Vincent

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City of Vincent

2.1 Predominant Land Uses

The majority of land uses within the City, by area, is residential. Density is low to medium in traditional residential areas of Mount Hawthorn, North Perth and Mount Lawley, and medium to high within the City's five activity centres and along major traffic and transport routes such as Scarborough Beach Road, Fitzgerald Street, Beaufort Street and Oxford Street.

Guided by the community, urban growth within the City has encouraged limited redevelopment of the suburban areas in favour of greater redevelopment along transit corridors and in activity centres. This achieves the outcomes of retaining heritage characteristics in favour of high density development to support the businesses in each of the City's town centres. Within these centres, development activity is mixed commercial and residential uses typically with ground floor commercial and hospitality and upper floor offices and residential.

There are limited industrial land uses within the City. There are some significant sites, such as the Hanson and Holcim concrete batching plants in Perth which have a time limited approval to encourage mixed use development to occur once the site becomes vacant. The West Perth area known as the 'Pickle District' contains historic warehouses that have ceased industrial uses and are now mainly being used for lighter commercial activities and artistic spaces.

2.2 Town Centres

Under State Planning Policy 4.2 (Activity Centres), the City contains part of the capital City Centre (Perth), Secondary Centre (Leederville), District Centres (Highgate/Mount Lawley, Mount Hawthorn, Fitzgerald Street and Glendalough) as well as local and neighbourhood centres recognised in the local planning strategy. The Strategy focuses on high density development in planned growth areas, strategic development sites (such as these town centres) and along major roads to respond to the growing demand for high quality development in well serviced areas;

2.3 Demographics, Access and Transport

2.3.1 Population and Age

The City's population forecast for 2022 is 37,753 and is forecast to grow to 47,591 by 2041 (Population and household forecasts, 2016 to 2041, prepared by .id , February 2022).

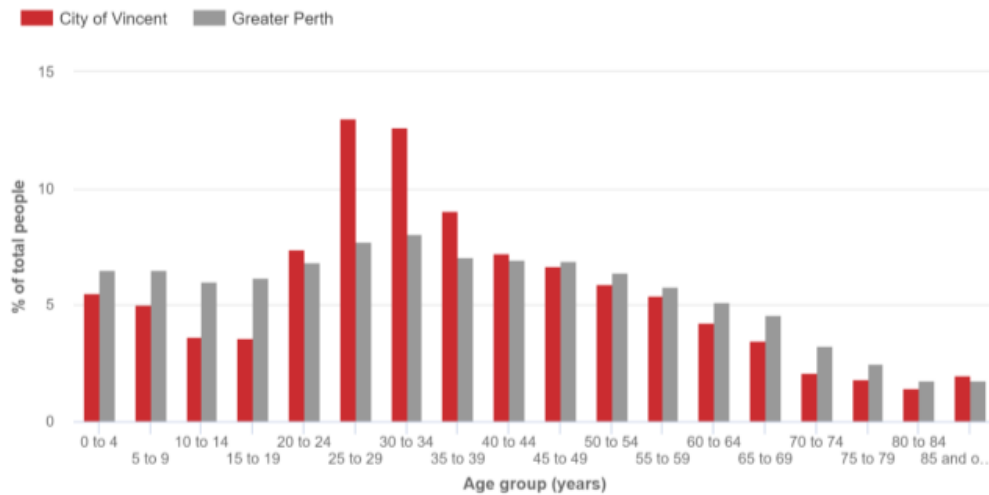
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In 2016, the dominant age groups for persons within the City was ages 25 to 29 which accounted for 13.0% of total persons and ages 30 to 34 which accounted for 12.6% of the overall population. The City forecasts that these age groups will continue to be a significant portion of the City’s resident population into 2041, containing 11.8% (25 to 29) and 11.4% (30 to 34) of resident population.

Age structure - five year age groups, 2016

Total persons



Source: Australian Bureau of Statistics, Census of Population and Housing, 2016 (Usual residence data). Compiled and presented in profile.id by .id (informed decisions).



2.3.2 Migration and Place of Birth

34.5% of people living in the City of Vincent were born overseas (ABS, 2016). This is slightly lower, than the greater Perth average of 36.1%. The top three places of birth, other than Australia, are the United Kingdom (7.5%), Italy (2.9%) and New Zealand (2.1%). Between 2011 and 2016, the number of people born overseas increased by 2,143 (from 31,548 to 33,691).

International and State border controls through 2020-2022 from the COVID-19 global pandemic have created uncertainty in migration forecasts. These figures would be clarified further on the release of the 2021 Census later this year.

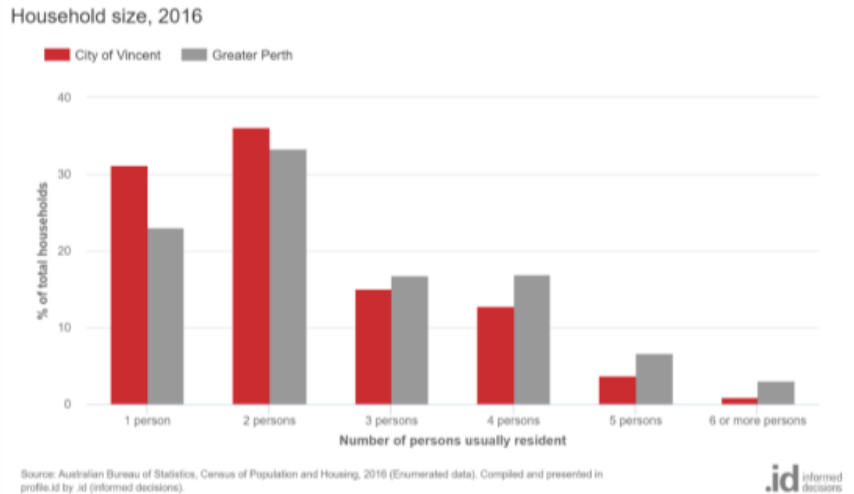
2.3.3 Household Structure and Size

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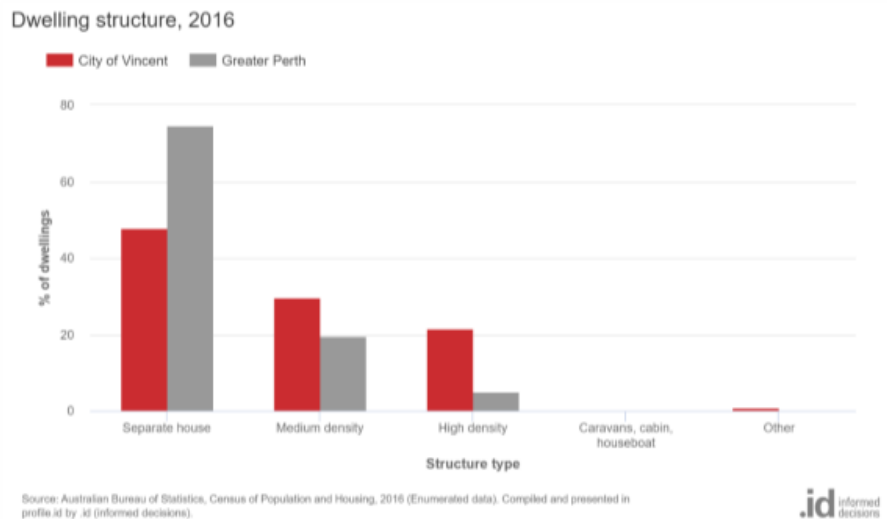
City of Vincent

There are a total of 16,953 dwellings within the City of Vincent (ABS, 2016). 31% of households in the City contained only one person, with the most dominant household size being two persons per household (36.2%).

Comparing the City to the Greater Perth region, there is a larger percentage of households with one or two people and a smaller percentage of households with between four and five people.



Household size is generally consistent with dwelling types, where 51% of dwellings are medium or high-density dwellings, compared to 25% in Greater Perth.



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2.3.4 Transport and Movement

There are several major transport links through the City providing access to the Greater Perth Metropolitan Region.

The City has the advantage of substantial public transport provision. The City's boundaries include or are within a walkable catchment to five train stations: Leederville (Butler Line), Glendalough (Butler Line), Claisebrook (Midland/Thornlie Lines), Mclver (Midland/Thornlie Lines) and East Perth (Midland Line and regional connections). There are also 29 Transperth bus routes, the majority of which have a north-south alignment operating within the City's road network, including four high-frequency services.

The City abuts Principal Shared Paths to the West (Perth to Joondalup) and South (Perth to Midland). Several other local bicycle friendly, Perth bicycle network and other shared paths and on-road bicycle lanes are present within the City.

The City's Accessible City Strategy 2020 – 2030 (ACS) identifies a number of trends relating to community movement patterns. Across Vincent the following observations have been made about how the community travel:

- 15% of residents travel to work using active modes of transport including walking and cycling;
- 18% of people catch public transport to work; and
- 67% of residents drive to work or are a passenger in a vehicle.

These statistics indicate that, while there is some uptake of alternative transport modes (walking, cycling, public transport), the majority of residents rely on private vehicles to get to work. The ACS aims to provide targeted changes to mode share, to help reduce the dependency on personal motor vehicle use, from 67% to 48% in 2030.

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City of Vincent Bus Routes



City of Vincent Cycle and Pedestrian Links

3. LOCAL STRATEGIC CONTEXT

3.1 The City's Strategic Focus

The City's current Strategic Community Plan 2018-2028, sets out the community's vision for Vincent as:

'In 2028, the City of Vincent is a leafy and vibrant 24 hour city, which is synonymous with quality design and sustainability. Its diverse population is supported in their innovative endeavours by a council that says YES!'

The SCP is underpinned by six key priorities outlined below.



3.2 Local Strategic Planning Framework

3.2.1 Local Planning Strategy

The City's Local Planning Strategy was endorsed by the WAPC on 8 November 2016. The Local Planning Strategy supports and informs the establishment of the current Local Planning Scheme No. 2 (gazetted May 2018).

The purpose of the Local Planning Strategy is to:

- Set out the framework of state and regional policies and interpreting these for Vincent;

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City of Vincent

- Provide the planning context for the zones, reserves and statutory provisions contained in the City's Planning Scheme; and
- Provide the strategic direction of future population and employment, the broad strategies for housing, employment, shopping and business activities and proposals for transport, parks regional open space and other public uses.

While the Local Planning Strategy has not been formally updated since its adoption, its principles remain sound and relevant. Many of the Strategy's actions have been completed. For those that haven't, the City will reassess, update and consolidate them to align with community expectations. The Strategy's approach to place-based development and involvement from the community is consistent with established practices at the City. Additional and supplementary policies and strategies have also been developed to help deliver the Strategy's objectives.

3.2.2 Local Planning Scheme No. 2

The City's Local Planning Scheme No. 2 was published in the Government Gazette on 16 May 2018.

There have been a total of five amendments made to the Scheme. These amendments include:

Amendment description	Gazettal date
Various provisions to bring in line with Local Planning Scheme Regulations (2015).	3 August 2018
Replacing clauses as they apply to a specific development area within the scheme (Cl. 26.6)	21 December 2018
Reclassifying a portion of land from Public Purpose - Primary school to open space and Public open space to Public Purpose - Primary school. In effect a land swap between the City and a private institution.	28 February 2020
Normalisation into the Scheme of areas previously under the care and control of the MRA.	16 October 2020
Bed and Breakfast, Holiday Accommodation and Holiday House defined in the Scheme and zoning table	20 August 2021

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3.2.3 Structure Plans & Local Development Plans

The City has one draft Precinct Structure Plan, being for the Leederville Activity Centre Precinct. The Leederville Precinct Structure Plan (LPSP) reflects the boundaries of the Leederville Town Centre Place Plan and includes provision for significant development opportunities of up to 23 storeys, while still maintaining lower heritage building heights in the centre of Leederville. The LPSP is consistent with the State Planning Framework by achieving greater density within this recognised activity centre. The LPSP has been approved by Council, and is currently being assessed by the DPLH.

Future structure plans, local development plans, or area-specific policies will be developed for the Pickle District, for the area around the Claisebrook train station, and for the North Perth town centre. The issues and opportunities for each of these areas is currently being investigated before a decision will be made on which planning mechanism is most appropriate.

3.2.4 Local Planning Policies

The City has 42 planning policies covering topics of design guidance, land use controls and general procedural policies. A summary of these policies is provided in Appendix 2, including their date of last and upcoming review.

Acknowledging the upcoming review of *State Planning Policy 7.3 Residential Design Codes (Volume 1 – Low and Medium Density) Draft Medium Density Codes* in 2022, the City will be reviewing each of its affected local planning policies against these guidelines.

3.2.5 Other Local Strategic Documents

Supplementary strategic documents that are used to inform and direct the City's ongoing strategic operations include:

- Accessible City Strategy (2021)
- Affordable Housing Strategy (2008)
- Asset Management and Sustainability Strategy (2021)
- Car Parking Strategy (2010)
- Community and Stakeholder Engagement Strategy (2021)
- COVID-19 Relief & Recovery Strategy (2020)
- Greening Plan (2018-2023)
- Public Health Plan (2020-2025)
- Public Open Space Strategy (2018)

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Strategic Community Plan (2018-2028)

Sustainable Environment Strategy (2019-2024)

Town Centre Place Plans (Various)

Vincent Rebound Plan (2021)

Waste Strategy (2018-2023)

Water Conservation Plan (2008)

An overview of each of the strategic documents is provided within the City's [Community Profile Report 2021](#).

4.STATE PLANNING FRAMEWORK

4.1 Legislative Changes

Upon gazettal in 2018, the City's Scheme was aligned to the *Planning and Development (Local Planning Schemes) Regulations 2015* (Regulations). There have been some amendments to the Regulations since then, specifically to the deemed provisions, which may conflict with existing Scheme provisions. The State Government's response to the COVID-19 pandemic has also resulted in a number of agile and temporary changes to the State Planning Framework such as planning exemptions.

While the City understands the DPLH are progressing Phase 2 of planning reform, the City generally supports outcomes of planning reform which will still allow equitable community involvement with decision making. The City will continue to review the Scheme in relation to this overarching goal.

4.2 State Government Strategies and Plans

In March 2018, the WAPC released the finalised *Perth and Peel @ 3.5 Million* and sub-regional frameworks, of which the Central Sub-Regional Planning Framework is applicable to the City. The final documents strive for a compact and connected City, reducing urban sprawl and the associated impacts this has on building for healthy communities.

Perth and Peel @ 3.5 Million replaced and reassessed the *Direction 2031* dwelling targets and estimates 800,000 new homes are required to accommodate the projected population growth of 3.5 million by 2050. Approximately 213,130 of new infill dwellings are expected to be delivered in Perth's Central Sub-Region, with the City of Vincent allocated 11,490.

Based on the last three years of dwelling growth, the market would deliver 6,032 new dwellings by 2050. However, the City's planning framework accommodates and supports greater than the targets set out under *Perth and Peel @ 3.5 Million*. More significant growth is likely to occur on large scale forecasted development areas in East Perth, Claisebrook and Leederville. A number of developments in these areas

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are in the early stages of the planning process. While the City is on track to largely meet its infill density target, by directing new development within its major transport corridors and close to sustainable transport links, the opportunity to undertake a detailed review of the Scheme and Strategy will ensure that this density is being appropriately managed with community expectation. Of particular focus will be a review into the development corridors, to understand whether there could be an opportunity to expand these areas to accommodate any future growth, as well as reviewing density provisions as they relate to specific character areas within the City.

4.3 State Planning Policies

4.3.1 Design of the Built Environment, Apartment Design & Review of Volume 1 & 2 (R-Codes)

The R-Codes have been the main source of design control for residential development throughout Western Australia since 1985. While the City maintains specific development control within its Built Form Policy, there have been several significant changes to the structure and provisions within the R-Codes since 2018.

The most notable change to the R-Codes has been a split into two separate documents; Volume 1 (dealing with all single house and grouped dwelling development, and apartments in areas zoned R35 and below) and Volume 2 (dealing with R40 and above multiple dwelling development).

The R-Codes have evolved since 2018 by providing criteria to meet better design outcomes, and moving away from meeting minimum 'deemed to comply' requirements. While the City's Built Form Policy contains specific 'deemed to comply' provisions, the intent is to achieve better design outcomes to complement State Government initiatives.

4.3.2 Activity Centres for Perth and Peel (SPP 4.2)

SPP 4.2 aims to identify key centres for economic development and future growth as well as set out the framework of assessment of these community hubs providing guidance for the activity centre hierarchy, land uses, employment, urban form, movement and access. SPP 4.2 provides the framework for activity centre function and land use guidance, such as retail needs and sustainability assessment, relevant for individual development proposals or larger scale structure planning of areas and precincts, to ensure appropriate land uses are located near established activity centres.

The City has several recognised activity centres within its boundaries including:

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- Leederville (Secondary Centre);
- Highgate/Mount Lawley, Mount Hawthorn, Fitzgerald Street and Glendalough (District); and
- Local and Neighbourhood Centres recognised in the current Strategy.

Owing to the City's established approach to place making and in recognition of these activity centres, the City's current Strategy and Scheme generally aligns with the intent of SPP 4.2.

4.3.3 Road and Rail Noise (SPP5.4)

SPP 5.4 provides for the assessment and guidance on development alongside state strategic freight and major traffic routes as well as other significant freight and traffic routes. Specific development guidelines exist under SPP 5.4 to ensure indoor and outdoor noise levels remain within appropriate levels according to sensitivity of use.

The City is affected by a number of significant and major transport routes including the Mitchell Freeway, Butler train line, Vincent Street, Fitzgerald Street, Beaufort Street, Lord Street, Charles Street, Loftus Street and Scarborough Beach Road. The City currently applies SPP 5.4 to all applicable development.

4.3.4 Planning for Water (Draft SPP 2.9)

Draft SPP 2.9 deals with assessment and guidance of development along sensitive water resources such as the Swan and Canning River catchment area. While the area of the City that abuts the Swan River is comparatively small, development proposals will be considered against this SPP 2.9 once it is considered seriously entertained.

4.3.5 Planning in Bushfire Prone Areas (SPP 3.7)

SPP 3.7 directs how developments should manage bushfire risk. The City is affected by a comparatively small area of remnant bushfire prone vegetation abutting the Swan River. Any development proposal located within this area is assessed in accordance with SPP 3.7.

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5. DEVELOPMENT ACTIVITY

5.1 Development within the City

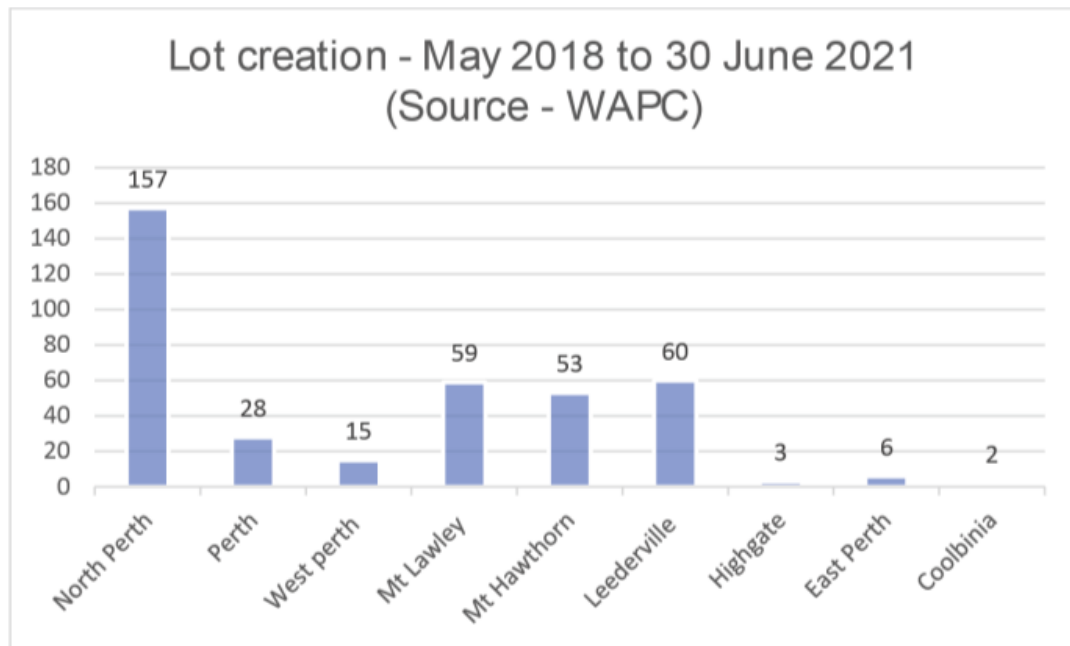
Rateable Properties by Suburb by Year				
Suburb	2018	2019	2020	2021
Perth	4,184	4,186	4,182	4,254
Highgate	1,292	1,304	1,317	1,331
East Perth	135	135	132	134
West Perth	1,423	1,435	1,453	1,451
North Perth	4,427	4,474	4,521	4,569
Leederville	1,894	1,930	1,927	2,058
Mount Hawthorn	3,419	3,437	3,466	3,505
Mount Lawley	1,912	1,942	1,995	2,009
Total	18,686	18,843	18,993	19,311
Difference	-	+157	+150	+318

**Rateable properties include all single houses, grouped and multiple dwellings, commercial and industrial lots (vacant and occupied)*

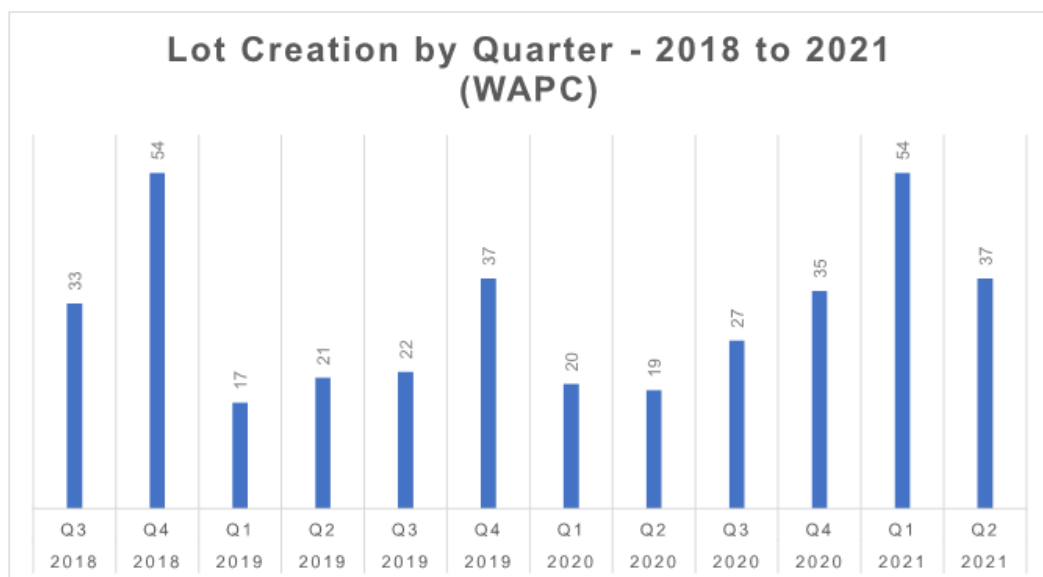
The above shows a consistent increase in rateable properties within the City, through the COVID-19 global pandemic.

5.2 Lot Creation

Since May 2018, 383 new lots have been created within the City, with significant portion of new lots being in the suburb of North Perth (40.99% of total lot creation since May 2018).



A breakdown of the quarterly changes to lot creation within the City is provided below.



While the COVID-19 global pandemic and State of Emergency was formally declared in Q1 of 2020, there has been little impact on new lot creation within the City. The number of new lots over the last three years has stayed relatively consistent, with an

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increase in new lot creation occurring in the second half of 2020 exceeding the same period of the year before. This could be due to Government new building grants as well as the State being relatively resistant to the economic impacts of COVID-19.

Overall, the City has maintained consistent levels of new lot creation since Scheme gazettal with approximately 100 new lots being created each year.

5.3 Building approvals and value of development

Since Scheme gazettal, the City has seen a total of over \$205 million in new residential development (single houses, grouped and multiple dwellings) and a total of over \$267 million in commercial development approved for construction.

Year (Calendar)	Estimated value of residential development (\$)
(May-Dec) 2018	\$34,556,500
2019	\$43,775,845
2020	\$63,405,469
2021	\$63,635,638

Year (Calendar)	Estimated value of commercial development (\$)
(May-Dec) 2018	\$7,209,545
2019	\$128,409,416
2020	\$95,331,458
2021	\$37,043,402

While there has been a year-on-year growth, in terms of estimated value of residential development from 2018 to 2020, there is a slight increase having occurred in 2021. It is expected that recent the recent approval of the Leederville Precinct Structure Plan as well as the progression of other large residential developments will increase this number into 2022 and beyond.

Similarly, large commercial development is likely to occur from some significant developments within the City in the coming years including works at the East Perth Power Station site. The City is pursuing precinct planning for significant strategic sites within West Perth and Claisebrook.

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5.4 Apartments and Mixed Use

Development description	Number of developments	Total dwellings
Multiple Dwellings	8	211
Mixed Use	12	295
Total	20	506

From 2017 to 2021, 20 mixed use and multiple dwelling developments were approved and constructed in the City. Leederville (169 new dwellings) and Perth (166 new dwellings) contained the highest development activity.

The City anticipates a greater increase in apartment and mixed use construction within Leederville over the next two to five years, noting the LPSP as well as a recently endorsed Local Development Plan (LDP) for No. 40 Frame Court. The LDP seeks to provide approximately 250 dwellings on this site, in line with the LPSP.

5.5 Commercial Floor Space

Development description	Number of developments	Total floor space
Mixed Use	12	4,180sqm
Commercial	2	12,800sqm
Total	12	16,980sqm

From 2017 to 2021, 12 large scale commercial developments were approved and constructed in the City. Two large commercial buildings in Highgate and Leederville comprise most of the new floor space.

In addition to those commercial sites already completed, there is approximately 20,404sqm of additional floor space currently under construction or anticipated to be under construction within the next two to three years at the East Perth Power Station.

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6. CONSULTATION

The City's Strategic Community Plan 2018 – 2028 (SCP), informing strategies and action plans, Local Planning Strategy and Scheme, Local Structure Plan and Local Planning Policies have all involved strong community engagement.

Prioritised by the Strategic Community Plan (SCP) is the need for the community to be diverse, welcoming, and engaged.

To achieve this, the City's recently adopted Community and Stakeholder Engagement Strategy and associated Policy builds on the principles created by the International Association for Public Participation (IAP2) and reinforces the City's established approach to engagement with residents and stakeholders.

The current review of the SCP provides an opportunity for the City to align consultation of the Strategy and Scheme to the SCP. Community comments on the SCP will help guide and focus the broader strategic objectives of both the Strategy and Scheme. This will ensure that any draft documents presented for consultation are in step with community vision and expectation.

Scheme and Strategy Report of Review

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7.COMMENTS

The minor amendments made to the Scheme since gazettal indicate that the City has been maintaining and updating the Scheme on an ongoing basis. While the majority of the State Planning Framework changes have occurred as part of the review into the R-Codes, the core principles of *Perth and Peel @ 3.5 Million* and associated sub-regional framework are largely reflected within the existing local planning framework in its efforts to contain urban sprawl and encourage sensitive building design.

To ensure the key strategic documents are relevant and contemporary, the City chose to conduct this review of both the Local Planning Strategy and Scheme in advance of the five year deadline mandated by the Regulations.

In considering the currency and relevance of the Strategy, the City will consider the following items when preparing amendments:

Items of relevance	Outcome of this review
The Local Planning Strategy was gazetted on 8 November 2016, two years before the current Local Planning Scheme.	The Strategy will be reviewed in association with the Local Planning Scheme review, to ensure consistency.
The Local Planning Strategy was based on the City's previous Strategic Community Plan, <i>Vincent Vision 2024</i> . This included comprehensive engagement with the community that helped underpin the six pillars of the current SCP.	The key themes and issues identified within <i>Vincent Vision 2024</i> set a foundation for the review of the existing strategy. The current review of the SCP and consultation of any draft local planning strategy will ensure a renewed and refreshed vision for the Strategy.
The Strategy was broadly consistent with the aim and intention of the State Planning Framework in 2016. However, there are some minor inconsistencies within the local planning framework which should be addressed.	A review against the state planning framework is not likely the priority of the strategy, with little having changed between 2016 and present which would affect the strategy.

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Items of relevance	Outcome of this review
Significant guiding strategies have been endorsed since adoption of the Strategy, which play a key role in shaping future development within the City.	The Strategy will be aligned to the City's more recently endorsed strategic guidance.
New and emerging issues relating to public health, residential character design, third party signage and creative land uses were not considered as part of the 2016 Strategy and should be reviewed against the current State framework and extensive community engagement.	The amended Strategy should clarify and establish a position on emerging trends facing the community.
The Strategy contains a significant number of actions, some of which are inconsistent with updated strategies or have already been completed.	Actions will be updated and consolidated where necessary.

In considering the currency and relevance of Local Planning Scheme No. 2, the following items will be included in the review:

Items of relevance	Outcome of this review
The Local Planning Scheme was gazetted on 16 May 2018.	The Scheme is largely consistent with the Regulations and the current Strategy.
There are some inconsistencies in the Scheme as it relates to density, zoning and land use definitions.	The Scheme would be more closely aligned to the local planning framework.
Definitions are not included for 'Restricted Premises' and those that could deal with third party advertising signage.	Further guidance for land use proposals that are either unlisted or undefined in the Scheme.
There is a need to review existing built form outcomes along transit corridors and significant development sites to ensure that they are adequately meeting the needs of the community as well as the state planning framework.	The Scheme should provide more specific guidance to developments along transit corridors and on significant development sites.

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In addition to the above, the City will progress several minor changes to the Scheme as an omnibus amendment. These changes include:

Provision	Change	Outcomes
Heritage Listings	Include new supplemental provision stating that any Heritage List adopted under TPS No. 1 has the force and effect as if it were adopted under the Scheme.	Reinforce the existing approach to heritage listing under the Scheme.
Schedule 1 – Supplemental provisions. Clause 67 (zc)	Remove the term ‘Advisory Committee’ and replace this with ‘Review Panel’.	Consistency with local planning framework.
Land use table	Amend caretaker dwellings to make them an X use within a residential zone as they should be linked to an industrial development only.	Consistency and clarity within the local planning framework.
Reserve 15 Haynes Street for Public Open Space	Existing deed of trust requires the land to be used for recreation.	Alignment with expectation of the local planning framework.
Make non-compliance with a Heritage Conservation Notice an offence under the Scheme.	Provisions that support the following of a Heritage Conservation Notice.	Greater protection to Heritage Areas, in line with existing council and community expectation.
Clause 61 – Modification	Modification for the wording of the clause to ensure that trees approved to be retained as part of a development approval are consistent.	Consistency within the local planning framework.
Part 2, Clause 14	Additional objective/s to reflect development on reserves, such as signage, is not to detract from the amenity of users of the reserve.	Consistency within the local planning framework.

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Provision	Change	Outcomes
Part 3, Clause 16	Additional objective/s to guide the types of residential uses within a commercial zone.	Consistency within the local planning framework.
Part 4, Clause 26 (3) and (4)	Modification to wording from 'R60-100' to 'R60/100'.	Clarity of provisions.

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8.RECOMMENDATION

Recognising the observations and proposed amendments under Part 7 of this Report of Review, Council recommends that, pursuant to Regulation 66 of the *Planning and Development (Local Planning Schemes) Regulations 2015*:

1. The City of Vincent Local Planning Scheme No. 2 is **satisfactory** in its existing form; and
2. The City of Vincent Local Planning Strategy is **satisfactory** in its existing form.

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APPENDIX 1 - SUMMARY OF SCHEME AMENDMENTS

Amendment Number	Summary of Amendment	Date of Gazettal	Theme
1	Changes to scheme to update various provisions for consistency with the Regulations. Minor various updates throughout scheme. Quality of life updates made after gazettal.	3 August 2018	Minor text amendments
2	Replacing clauses as they apply to a specific development area within the scheme (Cl. 26.6)	21 December 2018	Development controls
4	Reclassifying a portion of land from Public Purpose - Primary school to open space and Public open space to Public Purpose - Primary school. In effect a land swap between the City and private institution.	28 February 2020	Land swap to facilitate better open space access
5	Modification to clause 26 (6) within the scheme to remove criteria for maximum subdivision of lots within North Perth.	Not Gazetted	Development requirements
Metropolitan Redevelopment	Normalisation into the Scheme of areas previously under the care and control of the MRA.	16 October 2020	MRA normalisation

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Authority (MRA) normalisation			
6	Bed and Breakfast, Holiday Accommodation and Holiday House defined in the Scheme and zoning table	20 August 2021	Development controls

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APPENDIX 2 - SUMMARY OF LOCAL PLANNING POLICIES

Policy number	Detail of Policy	Last reviewed	Upcoming review
7.1.1 - Built Form	The primary development assessment and control document for buildings within the City.	Nov 2020	Pending Medium Density Design Guidelines
7.5.1 - Minor Nature Development	Exemption criteria for certain development within the City.	June 2013	In progress
7.5.2 - Signs and Advertising	Criteria for the assessment and approval of signage and general advertising.	October 2020	In progress
7.5.3 - Education and Care Services	Assessment criteria for Child Care Service uses.	March 2018	In progress
7.5.4 - Substantial Commencement of Development	Provisions to prescribe 'Substantial Commencement' as it relates to development approval.	August 2013	2022/23

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Policy number	Detail of Policy	Last reviewed	Upcoming review
7.5.5 - Domestic Satellite Dishes, Microwave antennae and tower masts	Assessment criteria for external fixtures.	March 2010	2022/23
7.5.6 - Telecommunication Facilities	Assessment criteria and information on telecommunication facilities.	Feb 2012	2023/24
7.5.7 - Licenced Premises	Assessment criteria and general information on Licenced Premises.	March 2014	2023/24
7.5.8 - Temporary Viewing Platform	Assessment criteria for viewing platforms required for multiple storey development sales.	April 2014	2022/23
7.5.10 - Sustainable Design	Assessment criteria for sustainable development.	March 2011	2022/23
7.5.13 - Percent for Public Art	Criteria for the assessment of public art proposals, associated with development applications.	Sep 2015	In progress
7.5.15 - Character Areas and Heritage Areas	Assessment criteria and guidelines for areas of the City considered to hold specific 'Character' or Heritage value.	March 2021	In progress
7.5.19 - Amalgamation Condition on Planning approvals	Guidance on the operational requirement for lot amalgamation, required through development approval.	Dec 2011	2023/24
7.5.21 - Sound Attenuation	Assessment criteria for noise identification and mitigation measures to specific land uses.	July 2012	2024/25

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Policy number	Detail of Policy	Last reviewed	Upcoming review
7.5.22 - Consulting Rooms	Assessment criteria for consulting room land uses.	March 2013	In progress
7.5.23 - Construction Management Plans	Guidelines on the provision of construction management plans.	June 2014	2023/24
7.4.2 Aged or Dependent Persons Dwellings	Additional provisions to guide assessment of development.	Feb 2013	2022/23
7.4.5 - Temporary Accommodation	Assessment criteria and guidelines for 'Bed and Breakfast' type uses.	Feb 2013	2020/21
7.4.9 - Encroachments Over Crown Lands	Position statement and assessment criteria on encroachments.	April 2009	2022/23
7.6.1 - 7.6.9 (Inclusive) - Heritage Management Policies	Various policy provisions and criteria relating to Heritage Listed properties.	Various	Current
7.7.1 - Non-Residential Development Parking Requirements	Assessment criteria and guidance on calculating minimum car parking requirements for development.	Unknown	In progress
7.7.2 - Car Sharing	Position statement and guidance on new development car sharing services.	June 2015	2024/25
Appendix 3 - Design Guidelines for Richmond on the Park	Development guidelines for 'Richmond on the Park' (North Perth)	Unknown	2023/24

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Policy number	Detail of Policy	Last reviewed	Upcoming review
Appendix 6 - Brookman and Moir Street Design Guidelines	Development guidelines for the heritage area of Brookman and Moir Streets (Perth).	August 2012	2021/22
Appendix 8 - Highgate Design Guidelines	Development guidelines for the area bounded by Smith, Broome and Wright Street (Highgate).	Unknown	2023/24
Appendix 11 - Non-Conforming Use Register	Register of all current non-conforming uses.	June 2013	2023/24
Appendix 12 - Elven on the Park Design Guidelines	Development guidelines for 'Elven on the Park' (North Perth).	Sep 2005	2023/24
Appendix 14 - Design Guidelines No.95 Lot 7 and Part Lot 76 Chelmsford Road	Development guidelines for No. 95 (Lot 75 and Part lot 76) Chelmsford Road (Mount Lawley).	June 2005	2023/24

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APPENDIX 3 - STATE PLANNING POLICY SUMMARY

State Planning Policy	Purpose of Policy	Consistent with Scheme?
Swan-Canning River System (SPP 2.10)	To provide guiding principles for future land use and development along the Swan-Canning River system.	Yes
Historic Heritage Conservation (SPP 3.5)	To set out the principles of sound and responsible planning for the conservation and protection of Heritage.	Yes
Activity Centres for Perth and Peel (SPP 4.2)	To set the overarching framework for activity centres within the Perth Metropolitan region.	Yes
Road and Rail Noise (SPP 5.4)	To provide land use planning guidance where sensitive land uses abut major transport and traffic links.	Yes
Design of the Built Environment (SPP 7.0) Precinct Design (SPP 7.2) and Residential Design Codes of WA (SPP 7.3)	A suite of policies which provide guidance and statutory provisions relating to development.	Yes

Modification	Provision	Change proposed	Justification
1	Part 2, Clause 14 (4)	New provision: <i>(4) Development on local reserves, as shown on the Scheme Map, shall not detract from the amenity of neighbouring residents and should be consistent and not interfere with the predominant use of the reserve for passive and active recreation.</i>	To ensure that any development on reserves occurs in a manner which is consistent with the intent of local reserves, and the use of the reserve as passive and active recreation is protected.
2	Part 3, Clause 16 – Commercial zones	New objective: <i>To provide limited residential opportunities within the Commercial zone including high density housing, affordable housing, social and community housing, tourist accommodation and short term accommodation.</i>	To ensure the objectives reflect the need for high density residential development within the City's Commercial zones, to support the economic activity and growth for the area.
3	Table 1 – Land Use Table	Amend 'Caretakers' dwellings' land use permissibility within residential zones to align with the 'Industry – Light' use class.	A caretaker dwelling is defined as: <i>'...a dwelling on the same site as a building, operation or plant used for industry, and occupied by a supervisor of that building operation or plant.'</i> This use is incompatible with a residential zoned lot, and should be amended since no industrial development would occur on residential zoned land.
4	Local Planning Scheme Zoning Map	Reserve 15 Haynes Street (lots 9 and 100) for Public Open Space.	To reflect the existing conditions of a deed of trust over Lot 9 that requires the land be used for recreation, modifying the zoning of the land would align the expectation of the deed to the planning framework.

Modification	Provision	Change proposed	Justification
5,6	Part 4, Clause 26 (3) and (4)	Modification to wording from 'R60-R100' to 'R60/R100'	To provide consistency with other provisions within the Local Planning Scheme which includes a split density code. The intent of this provision is that a property is classified R60 or R100 dependent on satisfying the necessary conditions, not that the property may be classified in between R60 and R100.
7	Schedule 1 – Supplemental provisions. Clause 61 (1) (k)	Modified provision: Column 1 Works: <i>"1A Works to remove, destroy or interfere with any tree(s)."</i> Column 2 Conditions: <i>"(a) The tree is not listed on the City of Vincent Trees of Significance Inventory; and (b) The tree is not included for retention as part of an approved landscaping plan."</i>	To match format of updated Regulations and ensure that there is clarity within the local planning framework as it applies to the retention and protection of trees.
8	Schedule 1 – Supplemental provisions. Clause 67 (zc)	'(zc) any advice of the Design Advisory Committee Review Panel.'	Updated terminology to reflect the City's Design Review Panel.

Modification	Provision	Change proposed	Justification
9	Schedule 1 – Supplemental provisions New Clause 85D – Transitional arrangements for Heritage-List	New provision: <i>(1) A Heritage List prepared in accordance with Town Planning Scheme No. 1 shall continue to have effect, and may be amended or revoked, as if it were a Heritage List properly adopted under Local Planning Scheme No. 2.</i>	Established legal advice (<i>Dain Pty Ltd v Shire of Peppermint Grove [2019]</i>) suggests that there is an existing deficiency within the City's LPS 2. An oversight to the local framework, the City suggests adding clarification to the Scheme.
10	Schedule 1 – Supplemental provisions New Clause 85E – Heritage Conservation Notices	New provision: 85E. Heritage Conservation Notices <i>(1) A person who is given a Heritage Conservation Notice under clause 13 of the deemed provisions must comply with that Notice within the time specified in the Notice.</i> <i>(2) It is a contravention of this Scheme if a person fails to comply with a Heritage Conservation Notice in accordance with subclause (1) above.</i>	<i>The Planning and Development (Local Planning Schemes) Regulations 2015</i> do not expressly state that a person must comply with a Heritage Conservation Notice given under clause 13 of Schedule 2 of the Regulations. As a result, there is ambiguity about whether a person commits an offence if they fail to comply with a Heritage Conservation Notice. The proposed clause 85E ensures that a person who is given a Heritage Conservation Notice is required to comply with that notice and commits an offence under section 218(a) of the <i>Planning and Development Act 2005</i> if they fail to do so.

Modification	Provision	Change proposed	Justification
11	Schedule 1 – Supplemental provisions Clause 85C Planning Instruments Adopted Under the Central Perth Redevelopment Scheme	Delete the words: The amendment will not come into effect until the day after normalisation of the Lindsay Street Precinct, specifically the land is subtracted from the Metropolitan Redevelopment Authority Regulations 2011.	These words were included as an administrative error, meant only for inclusion in the Gazettal notice rather than the Scheme itself.



LOCAL PLANNING SCHEME NO. 2

Amendment No. 10

Standard amendment to modify various provisions within the Local Planning Scheme to ensure consistency and clarity with the State and local framework.



FORM 2A

Planning and Development Act 2005

RESOLUTION TO PREPARE AMENDMENT TO LOCAL PLANNING SCHEME

CITY OF VINCENT LOCAL PLANNING SCHEME NO. 2
AMENDMENT NO. 10

RESOLVED that the local government pursuant to section 75 of the *Planning and Development Act 2005* (as amended), amend the above Local Planning Scheme to:

1. Insert the following provision under Part 2, Clause 14 and renumber the remaining clauses::
 - (4) Development on local reserves, as shown on the Scheme Map, shall not detract from the amenity of neighbouring residents and should be consistent and not interfere with the predominant use of the reserve for passive and active recreation.
2. Insert new point into Part 3, Clause 16 (Commercial Zones):
 - To provide limited residential opportunities within the Commercial zone including high density housing, affordable housing, social and community housing, tourist accommodation and short term accommodation.
3. Modify Table 1 – Zoning Table for ‘Caretakers’ dwellings’ land use permissibility within Residential, Mixed Use and Local Centre zones from a ‘P’ use to an ‘X’ use and within District Centre/Regional Centre and Commercial zones from a ‘P’ use to an ‘A’ use.
4. Reclassify Lot 9 and 100 (No. 15) Haynes Street, North Perth from ‘Residential’ to ‘Public Open Space’ and remove the ‘R20’ density code;
5. In clause 26 (3), replace “R60-R100” with “R60/R100”;
6. In clause 26 (4), replace “R60-R100” with “R60/R100”;
7. Delete Schedule 1 Clause 61 and replace with:

61. Development for which development approval not required

 - (1) Development approval is not required for works if –
 - (a) the works are of a class specified in Column 1 of an item in the Table; and
 - (b) if conditions are set out in Column 2 of the Table opposite that item – all of those conditions are satisfied in relation to the works.

Table

	Column 1 Works	Column 2 Conditions
1A	Works to remove, destroy or interfere with any tree(s).	(a) The tree is not listed on the City of Vincent Trees of Significance Inventory; and (b) The tree is not included for retention as part of an approved landscaping plan.

8. In Clause 67 (zc), remove the words “Advisory Committee” and replace with “Review Panel”;
9. Insert the following provision under Schedule 1 – Supplemental provisions:

85D. Transitional arrangements for Heritage List



- (1) A Heritage List prepared in accordance with Town Planning Scheme No. 1 shall continue to have effect, and may be amended or revoked, as if it were a Heritage List properly adopted under Local Planning Scheme No. 2.
10. Insert the following provision under Schedule 1 – Supplemental provisions:
- 85E. Heritage Conservation Notices**
- (1) A person who is given a Heritage Conservation Notice under clause 13 of the deemed provisions must comply with that Notice within the time specified in the Notice.
- (2) It is a contravention of this planning scheme if a person fails to comply with a Heritage Conservation Notice in accordance with subclause (1) above.
11. Delete the following words from Schedule 1 – Supplemental provisions:
- ‘The amendment will not come into effect until the day after normalisation of the Lindsay Street Precinct, specifically the land is subtracted from the *Metropolitan Redevelopment Authority Regulations 2011*’
- The amendment is standard under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reasons:
- The amendment has minimal impact on land in the scheme area that is not the subject of the amendment, due to the relatively minor text changes proposed;
 - The amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area; and
 - The amendment is not a complex or basic amendment.



Modification 4 – Scheme Map

Existing:



Proposed:



= Amendment area

Dated this **day** of **2022**

CHIEF EXECUTIVE OFFICER

**CITY OF VINCENT
LOCAL PLANNING SCHEME NO. 2
SCHEME MAP 5 - MT HAWTHORN**

LEGEND

METROPOLITAN REGION SCHEME RESERVES
Note: The Western Australian Planning Commission (now of the Department of Planning) should be consulted for all information on the actual land requirements for all Metropolitan Region Scheme Reserves.

	PARKS AND RECREATION
R	Restricted Public Access
	PRIMARY REGIONAL ROADS RESERVATION
	OTHER REGIONAL ROADS RESERVATION
	RAILWAYS
	PUBLIC PURPOSES <small>Particular use denoted as follows:</small>
H	Hospital
HS	High School
TS	Technical School
CP	Car Park
U	University
CG	Commonwealth Government
SU	Special Use
WSC	Water Authority of Western Australia
P	Prison

CITY OF VINCENT LOCAL SCHEME RESERVES

	PUBLIC OPEN SPACE
R	Restricted
	PUBLIC PURPOSES <small>Particular use denoted as follows:</small>
PS	Primary School
CP	Car Park
CU	Civic Uses
HS	High School
I	Institute for the Deaf
W	Water Supply Sewerage and Drainage
TS	Technical School

CITY OF VINCENT SCHEME ZONES

	RESIDENTIAL
	MIXED USE
	COMMERCIAL
	LOCAL CENTRE
	DISTRICT CENTRE
	REGIONAL CENTRE
	SPECIAL USE <small>Particular use denoted as follows:</small>
CP	Car Park
CU	Community Use
FC	Function Centre
HC	Hall and Non Residential Club
H	Hotel
PW	Place of Worship
S	Service Station
	ADDITIONAL USE
	RESTRICTED USE

ADDITIONAL INFORMATION & RESIDENTIAL PLANNING CODES

	CODE AREA BOUNDARY
	SCHEME AREA BOUNDARY
	DENSITY CODE



LOCAL PLANNING SCHEME NO. 2

Amendment No. 10

COUNCIL RECOMMENDED/SUBMITTED FOR APPROVAL

Supported for submission to the Minister for Planning for approval by resolution of the City of Vincent at the Ordinary Meeting of the Council held on the _____ and the Common Seal of the City of Vincent was hereunto affixed by the authority of a resolution of the Council in the presence of:

.....
MAYOR

.....
CHIEF EXECUTIVE OFFICER

WAPC RECOMMENDED/SUBMITTED FOR APPROVAL

.....
DELEGATED UNDER S.16 OF
THE *PLANNING AND DEVELOPMENT ACT 2005*

DATE.....

APPROVAL GRANTED

.....
MINISTER FOR PLANNING
S.87 OF THE *PLANNING AND DEVELOPMENT ACT 2005*

DATE.....