

**10.1 LATE NOTICE OF MOTION - MAYOR EMMA COLE - REQUEST TO INVESTIGATE OPTIONS TO REINSTATE THE REQUIREMENT TO OBTAIN DEVELOPMENT APPROVAL FOR DEMOLITION**

**TRIM Ref:** D18/102954

**Attachments:** Nil

**That Council REQUESTS Administration to:**

- 1. Investigate the options available to the City of Vincent to reinstate the requirement to obtain development approval for the demolition of single houses and the removal of significant vegetation, prior to demolition activity and/or tree removal;**
- 2. Ensure the options for investigation include the incorporation of a provision(s) in the City of Vincent Local Planning Scheme No. 2, Local Planning Policy, and/or any other mechanism available to the City or the State Government; and**
- 3. Report back to Council on the results of this investigation by November 2018.**

**REASON**

In 2015, the State Government introduced new Planning and Development (Local Planning Schemes) Regulations that introduced an exemption for the demolition of dwellings to require development approval.

Prior to the change in State regulation, the City of Vincent required that any proposed demolition of a dwelling not be permitted without development approval. This allowed for a development assessment process including community advertising and consultation on the development application, the ability to refer development applications to the Design Review Panel for advice, and the opportunity for discussion with applicants on character and tree retention and any incentives that flow from this (for example, a concession in Deep Soil Zone requirement from 15 percent to 12 percent where an established, mature tree is retained).

However, the State Government's regulations removed the City of Vincent's (and all local governments') ability to require a development approval prior to demolition, and this can no longer be achieved without introducing a Heritage Area (as the City has done recently on Harley Street, Highgate and Janet Street, West Perth) or through individual dwellings being heritage listed. It also impacts on the effectiveness of Character Retention Areas, where sites can still be cleared prior to development approval being achieved.

It is concerning to see that this change in regulation is impacting the City of Vincent's ability to influence better retention of local character, heritage and established trees where sites are being cleared prior to consideration of future development.

The City of Vincent has advocated for the State Government to reintroduce the 'no demolition without development approval' provision into the Planning and Development regulations, and will continue to do so. At the same time, it is important for the City of Vincent to examine whether there are other options available to regulate and reinstate the requirement to obtain development approval prior to demolition activity and/or tree removal within Local Planning Scheme No. 2 and/or any other mechanism available to the City.

**ADMINISTRATION COMMENTS**

Administration supports the intent of the above recommendation to investigate the best way to retain existing local character. The investigation will form part of the initial investigation for Item 5.5 in the City's Corporate Business Plan 2018/19 – 2022/23 relating to character retention and precinct planning.