

9.2 OUTCOMES OF ADVERTISING - AMENDMENT NO. 7 TO LOCAL PLANNING SCHEME NO. 2 - LEEDERVILLE PRECINCT STRUCTURE PLAN

- Attachments:**
1. **Amendment No. 7 to Local Planning Scheme No. 2 - Form 2A**
 2. **Summary of Submissions**

RECOMMENDATION:**That Council:**

1. **ENDORSES** the Administration response to submissions, included at Attachment 2, received during advertising of Amendment No. 7 to Local Planning Scheme No. 2;
2. **SUPPORTS** Standard Amendment No. 7 to Local Planning Scheme No. 2 without modification, pursuant to Regulation 50(3) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, included at Attachment 1, for submission to the Western Australian Planning Commission.

PURPOSE OF REPORT:

To consider the outcomes of public consultation on Amendment No. 7 to Local Planning Scheme No. 2 and determine whether to proceed with the amendment.

BACKGROUND:

Amendment No. 7 to Local Planning Scheme No. 2 has been prepared to change the zoning of the land subject to the Leederville Precinct Structure Plan (LPSP) so that the provisions of the LPSP can be implemented.

The City commenced the preparation of the draft Leederville Precinct Structure Plan (LPSP) in 2019. The preparation of the LPSP was undertaken in 5 steps:

1. **Where are we now?** Understand the Leederville Precinct from a technical perspective through desktop research and site visits, culminating in a detailed SWOT Analysis;
2. **Where do we want to be?** Inform the community and key stakeholders of the findings to determine if these matched with community personal experiences and knowledge. Including preliminary consultation undertaken in 2019 titled Design Leederville;
3. **How do we get there?** Development of the Leederville Precinct Structure Plan including testing of the development scenarios and provisions. The draft Precinct Structure Plan was presented to Council for consideration before formal advertising;
4. **Did we get it right?** The LPSP was formally advertised in 2021. All submissions on the draft plan were presented to Council, with recommended changes in response to the community feedback.
5. **Submission of the Precinct Structure Plan to the WA Planning Commission.** At its Ordinary Meeting held 14 September 2021, Council endorsed the LPSP to be forwarded to the WAPC for determination.

The project resulted in a planning framework that was endorsed by Council.

DETAILS:

The City has prepared Amendment 7 to Local Planning Scheme No. 2, as at **Attachment 1**, to rezone the LPSP area to 'Centre' zone so that the LPSP can apply to this area rather than the current zoning.

This is a standard amendment as it allows for the implementation of the LPSP. The zoning listed in the LPSP will apply, with land use permissibility being set by the Scheme.

Pursuant to Regulation 55 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, if Council resolve to support the amendment, the City is to provide the amendment to the WAPC and a recommendation is to be provided from the WAPC to the Minister. In accordance with Part 5, Division 4, section 87 of the *Planning and Development Act 2005* the Minister for Planning may:

- Approve the amendment; or
- Require modification of the amendment before it is resubmitted for approval; or
- Refuse to approve the amendment.

CONSULTATION/ADVERTISING:

Letters were sent to owners and occupiers in the Scheme Amendment area and to the relevant Government Agencies on 3 November 2021 inviting comment until 15 December 2021.

Six comments were received with no objections to the amendment. A summary of submissions and Administration's response to each is included as **Attachment 2**.

LEGAL/POLICY:

- *Planning and Development Act 2005*;
- *Planning and Development (Local Planning Schemes) Regulations 2015*;
- State Planning Policy 4.2 Activity Centres for Perth and Peel;
- State Planning Policy 7.2 Precinct Design;
- Perth and Peel@3.5million Sub Regional Framework;
- State Planning Policy 3.1 – Residential Design Codes (R Codes);
- City of Vincent Local Planning Scheme No. 2; and
- Community and Stakeholder Engagement Policy.

RISK MANAGEMENT IMPLICATIONS

Low: It is low risk for Council to endorse the amendment to the Local Planning Scheme to be determined by the Minister for Planning.

STRATEGIC IMPLICATIONS:

The Scheme Amendment seeks to facilitate the LPSP. As outlined in the report to the Ordinary Meeting of Council held 14 September 2021, the LPSP seeks to meet the following priorities of the City's *Strategic Community Plan 2018-2028*:

Enhanced Environment

*We have improved resource efficiency and waste management.
Our parks and reserves are maintained, enhanced and well utilised.
Our urban forest/canopy is maintained and increased.
We have minimised our impact on the environment.*

Accessible City

*Our pedestrian and cyclist networks are well designed, connected, accessible and encourage increased use.
We have better integrated all modes of transport and increased services through the City.
We have embraced emerging transport technologies.*

Connected Community

*Our community facilities and spaces are well known and well used.
We have enhanced opportunities for our community to build relationships and connections with each other and the City.
We recognise, engage and partner with the Whadjuk Noongar people and culture.
We are an inclusive, accessible and equitable City for all.*

Thriving Places

*We are recognised as a City that supports local and small business.
Our town centres and gathering spaces are safe, easy to use and attractive places where pedestrians have priority.
We encourage innovation in business, social enterprise and imaginative uses of space, both public and private.*

Our physical assets are efficiently and effectively managed and maintained.

Sensitive Design

Our built form is attractive and diverse, in line with our growing and changing community.

Our built form character and heritage is protected and enhanced.

Our planning framework supports quality design, sustainable urban built form and is responsive to our community and local context.

Innovative and Accountable

Our resources and assets are planned and managed in an efficient and sustainable manner.

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

We are open and accountable to an engaged community.

SUSTAINABILITY IMPLICATIONS:

As outlined in the report to the Ordinary Meeting of Council held 14 September 2021, the LPSP seeks to meet the following key sustainability outcomes of the *City's Sustainable Environment Strategy 2019-2024*.

Sustainable Energy Use/Greenhouse Gas Emission Reduction

Sustainable Transport

Water Use Reduction/Water Quality Improvement

Waste Reduction

Urban Greening and Biodiversity

PUBLIC HEALTH IMPLICATIONS:

As outlined in the report to the Ordinary Meeting of Council held 14 September 2021, the LPSP seeks to meet the following priority health outcomes of the *City's Public Health Plan 2020-2025*:

Increased mental health and wellbeing

Increased physical activity

Reduced injuries and a safer community

FINANCIAL/BUDGET IMPLICATIONS:

The cost of progressing the amendment will be met through the City's existing operational budget.

COMMENTS:

The Leederville precinct is a vibrant hub of activity that is highly valued by both the local and wider community. Leederville has a unique character and is known for its atmosphere and café culture, which services its residential catchment as well as the broader Perth metropolitan area. The Leederville precinct provides an important hub of local community infrastructure, with the City of Vincent administration and civic centre, library and community centre accommodated in the precinct.

Amendment No. 7 to Local Planning Scheme No. 2 will ensure the planning framework for Leederville, set out in the LPSP, can be implemented, is up-to-date and agile to enable the sustained success of the area.



LOCAL PLANNING SCHEME NO. 2

Amendment No. 7

Standard amendment to amend the 'Table – Zone objectives' to include 'Centre' zone and to reclassify the land subject to the Leederville Activity Centre from 'Regional Centre', 'Public Purpose', 'Parks and Recreation' and 'Residential' to 'Centre'.



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. 7

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. Amend 'Table – Zone objectives' in Part 3 to include 'Centre' zone with the following objectives:

Zone name	Objectives
Centre	<ul style="list-style-type: none"> • To designate land for future development as a town centre or activity centre. • To provide a basis for future detailed planning in accordance with the structure planning provisions of this Scheme or the Activity Centres State Planning Policy.

2. Reclassify the portion of land bounded by Bourke Street, Loftus Street and the Mitchell Freeway from 'Regional Centre', 'Public Purpose', 'Mixed Use', and 'Residential' to 'Centre';
3. Amend the Scheme Map to reflect 'Centre' zone for the land referred to as the Leederville Activity Centre;
4. Remove 'Public Purposes – Technical School' from part of Lot 511 (No. 43 Richmond Street, Leederville) and 'Public Open Space' from part of Lot 500 (No. 244-246 Vincent Street, Leederville);
5. Remove 'Regional Centre' zone from the Scheme Map legend;
6. Include 'Centre' zone in the Scheme Map legend represented by the colour R:148 G:248 B:250.

The amendment is standard under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reasons:

- The amendment relates to a zone that is consistent with the objectives of the Scheme;
- The amendment would have minimal impact on the surrounding area as the rezoning and reclassification of land would not alter the existing built form requirements on the subject sites;
- The amendment would not alter the Urban zoning under the Metropolitan Region Scheme;
- The amendment would not result in any significant environmental, social, economic or governance impacts; and
- The amendment is not considered to be a basic or complex amendment, as defined within the regulations.



CITY OF VINCENT

Modifications 2 to 4 (inclusive) – Scheme Map

Modification 5 and 6 – Map Legend

Existing:



Proposed:



- = Amendment area
- = Proposed removed reserves

Dated this day of 2021

CHIEF EXECUTIVE OFFICER

CITY OF VINCENT LOCAL PLANNING SCHEME NO. 2 SCHEME MAP 5 - MT HAWTHORN	
LEGEND	
METROPOLITAN REGION SCHEME RESERVES	
<small>Note: The Western Australian Planning Commission care of the Department of Planning should be consulted for full information on the actual land requirements for all Metropolitan Region Scheme Reserves.</small>	
	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
	CENTRE
	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
A	ADDITIONAL USE
ADDITIONAL INFORMATION & RESIDENTIAL PLANNING CODES	
	CODE AREA BOUNDARY
	SCHEME AREA BOUNDARY
R20	DENSITY CODE



CITY OF VINCENT

LOCAL PLANNING SCHEME NO. 2

Amendment No. 7

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.....

Summary of Submissions - Amendment No. 1 to Local Planning Scheme No. 2

No.	Submitter Comment	Submitter	Administration Comment	Recommended Modification
1.	The EPA has carried out some investigations and inquiries before deciding not to assess this scheme. In deciding not to formally assess schemes, the EPA has determined that no further assessment is required by the EPA. This Determination is not appealable.	Environmental Protection Authority	Noted	No modification.
2.	The Department has no further comment to make in this instance.	Department of Local Government, Sport & Cultural Industries	Noted.	No modification.
3.	Land Use Management Metropolitan and Peel have no comments to provide to the amendments.	Department of Planning, Lands & Heritage	Noted.	No modification.
4.	The Corporation reviews long-term infrastructure planning in response to amended land uses, zonings, dwelling yields and population projections. The reclassification of land to 'Centre' does not provide a level of detail of which the Corporation can undertake detailed review of infrastructure planning. This has the potential to constrain and delay development due to adhoc planning analysis. As noted in the Leederville Precinct Structure Plan Servicing Report, "Once a final plan has been developed and approved, the Water Corporation will then use the revised zoning and density codes to upgrade its infrastructure planning and advise the City of any other issues arising or system upgrades that may be required." To better service future development in the City, we request that the City provide further information regarding anticipated population densities throughout the Centre.	Water Corporation	Noted. The publically advertised Leederville Precinct Structure Plan endorsed by Council and submitted to the Western Australian Planning Commission includes the proposed density of the area including acceptable and maximum building heights.	No modification.
5.	The proposed Structure Plan and Scheme Amendment does not fall into an area designated as bushfire prone pursuant to the Fire and Emergency Services Act 1998 (as amended) as identified on the Map of Bush Fire Prone Areas.	Department of Fire & Emergency Services	Noted.	No modification.
6.	The Town's Administration has undertaken a review of the draft Precinct Structure Plan and draft amendment documents and does not raise any comments.	Town of Cambridge	Noted.	No modification.