

TOWN PLANNING SCHEME NO. 2

We are pleased to announce the City's Draft Local Planning Strategy and Town Planning Scheme No. 2 was adopted by Council at a Special Meeting on 18 November 2014.

The minutes of this meeting can be found [here](#).

This marks the end of a comprehensive 10 year review process beginning with the Vincent Vision 2024 program in 2004.

2014 saw a four month consultation period with nearly 30 community events including information nights, open days and focus groups. This allowed us to compile all the submissions received and report them back to Council.

Administration recommended Council approve a number of changes to the advertised version of the Town Planning Scheme in response to those submissions. These were presented at a Council Member Forum held on 14 October 2014 and debated at the Council meeting on 18 November 2014 where each individual recommended change was determined.

Some of the key elements of the new Town Planning Scheme include the following:

- ✓ Increase of density / heights along major corridors;
- ✓ Protection of the character of residential areas;
- ✓ Strengthening zoning within town centres to encourage increased population base and activity;
- ✓ Establishing mixed use corridors between our town centres; and
- ✓ Aligning the City's planning framework with State Government directives.

All relevant documents have now been provided to the Western Australian Planning Commission where they are awaiting final approval from the Minister for Planning. We expect this process to take anywhere up to 6 months. We will report any updates as they come to hand in these monthly updates.

For more information on this matter please email Tim.Elliott@vincent.wa.gov.au.

MAJOR PLANNING POLICY REVIEW

As an inner-city local government, the City of Vincent is seeing much development occur within our boundaries. The introduction of Town Planning Scheme No. 2 is likely to further encourage a rise in developments, especially along our major roads and within Town Centres, reflecting increased density in these corridors.

For this reason, it is important our planning policies are up to date, and effective to deal with all types of development scenarios that reflect the Council's vision for the future of the area and protect the City's existing residents, living amongst this rapid growth.

In order to achieve this, Administration has now completed a preliminary review of the key planning policies contained in our Planning and Building Policy Manual including:

- a) Residential Design Elements – Policy 7.2.1
- b) Development Guidelines for Multiple Dwellings – Policy 7.4.8
- c) Development Guidelines for Commercial and Mixed Use Developments – Policy 7.5.12; and
- d) Exercise of Discretion for Development Variations – Policy 7.5.11.

A major focus of this policy review has been to improve, simplify and streamline all of these existing policy requirements and consolidate them into a single policy.

At this stage we're intending to present the Draft Policy to the Council Briefing on 3 March 2015 and the Council Meeting on 10 March 2015, to seek Council's agreement to advertise the draft policy for public comment. If Council agrees to do so, then the draft policy will be available for public comment for at least 28 days before any decision is made to adopt the policy.

For more information on this matter please email joshua.okeefe@vincent.wa.gov.au.

MULTIPLE DWELLINGS IN MOUNT HAWTHORN – Scheme Amendments 39 & 40

In 2010, changes to the State Government's development policy – the Residential Design Codes (R Codes) deliberately increased the development potential for many lots in areas zoned R35 and below. The changes meant landowners could use 'plot ratio' to determine how many dwellings could be developed instead of requiring a 'minimum site area' for each dwelling. This has resulted in more homes being permitted in what is primarily a low density, single residential area.

Several development applications have been lodged with the City taking advantage of the relaxation of the development standards causing some concern within the local community about the appropriateness of such development in the heart of low density residential areas.

In order to address this issue, Council has initiated several amendments to its Town Planning Scheme, known as Scheme Amendment 39 and Scheme Amendment 40.

Scheme Amendment 39

Amendment No. 39 to Town Planning Scheme No. 1 (TPS 1) was advertised for public comment and was subsequently adopted by Council at its meeting on the 4th November 2014. Amendment No. 39 would make it compulsory to advertise all multiple dwelling (apartments) proposals on Mount Hawthorn properties zoned R30 or below. Under this Amendment multiple dwellings would not be permitted unless Council has specifically exercised its discretion to allow the use after the proposal has been advertised.

The consultation for this amendment has now been finalised and adopted by Council. The relevant documents have been forwarded to the WAPC, who will make its recommendation to the Minister for Planning. The Minister will then have the final say on whether or not the Amendment will be permitted.

A link to the Council report can be found [here](#).

Scheme Amendment 40

Scheme Amendment No. 40 proposes to completely ban all multiple dwellings (apartments) for blocks zoned R30 or below in Mount Hawthorn, although multiple dwellings would still be allowed in higher density areas, such as along Scarborough Beach Road and Oxford Street.

Public consultation on Amendment No.40 closes on 5 March 2015. The results from the consultation period will be presented to Council who will then decide whether or not to proceed with the amendment.

A link to the Council report can be found [here](#) and a full copy of the Scheme Amendment documents and plans can be found [here](#).

Both these amendments apply to land zoned Residential R30 and below in the Mount Hawthorn Precinct only but excludes land with higher density on the major roads such as Scarborough Beach Road and Oxford Street.

Council is pursuing both Amendment No. 39 and Amendment No. 40 to increase the level of control we have over multiple dwellings in Mount Hawthorn. Each Amendment needs to go through the approval process independently, with Amendment No. 39 much further along that process than Amendment No. 40.

The final decision on any Scheme Amendment rests with the Minister for Planning, so by putting two Amendments forward regarding multiple dwellings, we'll increase the chances of one amendment succeeding even if the other doesn't. But if both Amendments are approved by the Minister, with Amendment No. 39 being first, then at least we'll have greater control over multiple dwellings in the meantime while Amendment No. 40 runs its course.

For more information on this matter please email Tim.Elliott@vincent.wa.gov.au.

HYDE PARK & CLEAVER PRECINCT DOWNZONING – Scheme Amendment 37

On Tuesday 27 January 2015, the zoning of all properties where multiple dwellings are not permitted within the Hyde Park and Cleaver Precincts changed from R80 to R50.

The Minister for Planning approved Scheme Amendment 37 on 12 January 2015 which proposes this zoning change. The new coding will come into effect when a notice appears in the Government Gazette (scheduled for next week), although with the Ministers approval it is now considered a 'seriously entertained' planning proposal so any application still awaiting determination now must comply with the requirements of the new coding.

The purpose of the Amendment is to re-instate a minimum lot size for grouped dwellings of 160m². Changes to the Residential Design Codes in 2013 saw the reduction of the minimum lot sizes for properties zoned R80 to 100m². An 'unintended consequence' of this change was that the development potential of land was increased within these areas where original character homes were demolished, threatening the unique character of the area.

A link to the report and decision of Council on 24 June 2014 to change the zone can be found [here](#).

For more information on this matter please email joshua.okeefe@vincent.wa.gov.au.

ETON LOCALITY SUNSET CLAUSE - Scheme Amendment 38

The 'Eton Locality' is located in North Perth between Charles Street and Edinboro Street (see map insert). The area comprises primarily low density single residential dwellings. Following community led action in 2005, Council initiated a scheme amendment to reduce the coding of the area to R20 in order to help prevent further subdivision and protect the character of the area. This action was not supported by the Minister for Planning at the time and a compromise was agreed on whereby a 'sunset clause' set the coding to the lower density of R20 for a limited period of time.



FIGURE 1: Eton Locality

Since that time, six scheme amendments have been adopted to extend the dates that the R20 code expires. The current expiry date found in Town Planning Scheme No. 1 is 29 March 2015. Because of the impending date, Scheme Amendment 38 was initiated.

Following advertising, the Scheme Amendment 38 was adopted by Council on 21 October 2014 with substantial community support (81%). It is anticipated this will be the final Scheme Amendment in this regard as TPS2 recommends to permanently retain the density coding at R20.

The Council report and minutes can be found [here](#).

The matter is scheduled to be considered by the Western Australian Planning Commission on 10 March 2015 who will make a recommendation to the Minister.

For more information on this matter please email Tim.Elliott@vincent.wa.gov.au.

CHARACTER RETENTION AREAS – Draft Policy

Over the past several months, the City has been investigating the establishment of ‘Character Retention Areas’. These are identified areas that have a very distinct and unique character which, as a collective, is worth protecting. ‘Character Retention Areas’ are areas which might not have specific ‘heritage’ value but still contribute to a high quality streetscape and amenity.

A community workshop was held on 31 July 2014 with residents from 10 streets across the City to discuss the various elements of a new policy which would contain measures to preserve the streetscape of these areas. Following this meeting, draft ‘Character Retention Area Guidelines’ have been prepared and includes a proposed inaugural Character Retention Area which is St Albans Avenue, Perth.

The intent of the policy is to only protect those which are genuine character homes and contribute to the uniqueness of the streetscape.

The policy has also been designed to allow other areas to nominate, or be nominated for inclusion as a Character Retention Area.

Council considered the draft policy at its meeting on 20 January 2015 and agreed to advertise the draft policy for public comment for 28 days. The policy will shortly be advertised for public comment. Click [here](#) for a copy of the draft policy, or here for a link to the Council report.

For more information on this project please email Simon.Peters@vincent.wa.gov.au

MAJOR DEVELOPMENT APPLICATIONS LODGED

- to be determined by the Development Assessment Panel (DAP)

Date Lodged	Property	Type of Development	Comment Period	Scheduled Hearing Date
DECEMBER 2014				
1 Dec 2014	5 Scarborough Beach Road, North Perth	Six-Storey Mixed Use Devt (Amended Plans). - 41 apartments (apts)	N/A (minor amendments not requiring advertising)	TBC
2 Dec 2014	157 - 161 Walcott Street, Mount Lawley	Three Storey Mixed Use Devt - 3 office units. - 19 one-bedroom apts. - 11 two-bedroom apts.	27 Aug 2014 to 17 Sep 2014.	30 January 2015
2 Dec 2014	318 – 324 Charles Street, North Perth	Six Storey Mixed Use Devt - 4 commercial tenancies. - 10 one-bedroom apts. - 73 two-bedroom apts. - 10 three-bedroom apts.	19 Jan to 10 Feb 2015.	TBC
18 Dec 2014	612 Beaufort Street, Mount Lawley	Five-Storey Mixed Use Devt - 1 shop. - 12 apartments.	TBC	TBC
18 Dec 2014	60-62A Cheriton Street, Perth	Eight Storey Mixed Use Devt - 1 eating house - 28 two-bedroom apts. - 7 one-bedroom apts.	20 Jan - 10 Feb 2015.	TBC
JANUARY 2015				
12 Jan 2015	269 – 271 Vincent Street, Leederville	Six Storey Mixed Use Devt. - 4 Offices - 31 one-bedroom apts.	TBC	TBC

MAJOR DEVELOPMENT APPLICATIONS DETERMINED

- by Development Assessment Panel (DAP)

Date Lodged	Property	Type of Development	Comment Period	Scheduled Hearing Date	DAP Decision & Agenda / Minutes
DECEMBER 2014					
15 September 2014	482 Newcastle Street, Perth	Eight Storey Mixed Use Devt. - 3 offices. - 24 one-bedroom apts. - 42 two-bedroom apts.	10 Oct - 31 Oct 2014	10 December 2014	Refused. http://daps.planning.wa.gov.au/5903.asp
JANUARY 2015					
20 October 2014	570 – 574 William Street, Mount Lawley	Five-Storey Residential Devt. - 27 one-bedroom apts. - 21 two-bedroom apts.	12 Nov – 3 Dec 2014	16 January 2015	Deferred. http://daps.planning.wa.gov.au/5903.asp

DEVELOPMENT ASSESSMENT PANEL APPEALS -

Matters to be determined by the State Administrative Tribunal (SAT)

Date Lodged	Property	Type of Development	Comment Period	Scheduled Hearing Date at DAP	DAP Decision & Agenda / Minutes
JANUARY 2015					
13 May 2014	308 – 310 Oxford Street, Leederville	Five Storey Mixed Use Devt. - 2 office unit. - 1 shop Unit. - 10 one-bedroom apts. - 19 two-bedroom apts.	17 June 2014 to 8 July 2014	20 January 2015	Approved. http://daps.planning.wa.gov.au/5903.asp
26 October 2014	271 – 275 Beaufort St, Perth	Six Storey Mixed Use Devt. - 1 office unit. - 1 Eating House Unit. - 16 one-bedroom apts. - 25 two-bedroom apts.	15 September - 7 October 2014	30 January 2015	TBC