

11.2 Preparation of Amendment No. 52 to City Planning Scheme No. 2 - Special Control Area over 935-939 Wellington Street, West Perth

Responsible Officer	Dale Page – General Manager Planning and Economic Development
Voting Requirements	Simple Majority
Attachments	Attachment 11.2A – Location Plan Attachment 11.2B – Scheme Amendment Report Attachment 11.2C – West Perth Precinct Plan Map

Purpose

For Council to consider the preparation of Amendment No. 52 to City Planning Scheme No. 2 (CPS2) to introduce a Special Control Area (SCA) over 935 (Lot 3), 937 (Lot 2) and 939 (Lot 1) Wellington Street, West Perth.

Recommendation

That Council:

1. RESOLVES to prepare Amendment No. 52 to City Planning Scheme No. 2 as detailed in **Attachment B**, pursuant to Section 75(b) of the *Planning and Development Act 2005*.
2. RESOLVES that Amendment No. 52 to City Planning Scheme No. 2 is a standard amendment for the following reasons, pursuant to Regulation 34 and 35(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*:
 - a. The scheme amendment relates to a zone that is consistent with the objectives identified in the scheme for that zone.
 - b. The scheme amendment, and the development the amendment facilitates, is consistent with the City's Local Planning Strategy which has been endorsed by the Western Australian Planning Commission.
 - c. The scheme amendment will have minimal impact on land within the scheme area that is not the subject of the scheme amendment.
 - d. The scheme amendment will not result in any significant environmental, social, economic or governance impacts on land within the scheme area.
3. RESOLVES to advertise the amended West Perth Precinct Plan 10 Map as detailed in **Attachment C**, in accordance with Schedule 2 - Deemed Provisions Clause 4 and 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Background

1. The City has received a request from Urbis on behalf of Nicholas De Canha to prepare a scheme amendment to introduce a SCA over 935 (Lot 3), 937 (Lot 2) and 939 (Lot 1) Wellington Street, West Perth (subject site). A location plan is at **Attachment A**.
2. The SCA will increase the base plot ratio for the subject site from 2:1 to 4:1 for Residential and Special Residential use groups. The base plot ratio of 1.33:1 for all other use groups will remain unchanged.
3. The applicant is requesting the scheme amendment to facilitate a mixed-use development consisting of commercial tenancies on the lower levels and apartments on the upper levels.
4. The subject site currently consists of three two-storey terrace buildings. The buildings are currently being used as offices.
5. The subject site fronts Wellington Street to the north, a right-of-way to the south, and single-storey commercial buildings to the east and west. Harold Boas Gardens is located to north of the subject site on the opposite side of Wellington Street.
6. The subject site is identified on the City's Local Heritage Survey, although the site is not heritage listed and has no statutory heritage protection.

Discussion

7. The subject site is in the 'Office/Residential' scheme use area under CPS2 and the 'Office/Residential' area under the West Perth Precinct Plan. The 'Office/Residential' scheme use area is intended to be developed as a mixed-use precinct, predominantly consisting of permanent residential accommodation and office/business activities.
8. The subject site has a maximum base plot ratio of 2:1 under CPS2. Clause 27(1) of CPS2 does not allow increases to base plot ratio to be approved unless specified in CPS2.
9. The Local Planning Strategy (Strategy) identifies the subject site in an 'Intensification Investigation Area' with an indicative built form of 'Medium-High Scale Mixed Use (<16 Storeys)'. The Neighbourhood Priority for West Perth includes increasing the residential population and delivering affordable and diverse housing.
10. The draft Local Planning Scheme No. 3 (LPS3) proposes a base plot ratio of 5:1 for the subject site. Noting the LPS3 shift in what is included in the calculation of floor area for plot ratio, and use of the R-Codes definition, it is considered the requested 4:1 for this site is sufficiently aligned with LPS3. As such no adjustment to what is being requested is necessary.
11. Council Policy 3.5 (CP 3.5) provides a framework to assess the appropriateness of initiating a scheme amendment ahead of the new LPS3. Amendment No. 52 satisfies the provisions of CP 3.5 for the following key reasons:
 - a. The scheme amendment will facilitate new residential development, which aligns with the Strategy's Neighbourhood Priority for West Perth and will contribute to reaching West Perth's residential dwelling target of 5,326 by 2036.
 - b. The applicant has advised the site could provide 44 dwellings, consisting of one-bedroom, two-bedroom, three-bedroom dwellings and two penthouses. This is consistent with the Strategy, which seeks to create more diverse housing and three-bedroom dwellings to suit families.

- c. The scheme amendment relates to a small area of land, which is identified as an Intensification Investigation Area under the Strategy. Increasing plot ratio in an Investigation Intensification area does not present any unintended consequences or risk.
 - d. The proposed base plot ratio of 4:1 is within the limits of growth envisioned in the draft LPS3, which includes a base plot ratio of 5:1 and up to 7:1 with plot ratio bonuses.
 - e. The scheme amendment will facilitate a mixed-use development that will deliver additional commercial and residential development, which is consistent with the vision for the area under the West Perth Precinct plan.
 - f. The buildings located on the subject site are at the end of their lifespan and not suitable for redevelopment. The applicant has submitted a dilapidation report confirming the state of the buildings.
12. The strong strategic alignment with the Strategy provides the basis for the scheme amendment satisfying CP 3.5 and being progressed ahead of the LPS3.
13. A minor amendment to the West Perth Precinct Plan 10 map is required to show the boundaries of the SCA, as detailed in **Attachment C**.

Consultation

14. If Council decides to prepare Amendment No. 52, the City will refer the scheme amendment to:
- a. The Environmental Protection Authority (EPA) to determine whether formal environmental assessment is required; and
 - b. The Western Australian Planning Commission (WAPC) for confirmation the scheme amendment is suitable for progressing.
15. If approval is granted from the EPA and WAPC, the scheme amendment will be advertised for 42 days. The scheme amendment will be advertised via the Engage Perth webpage, letters to the adjoining landowners, and a notice placed in the local newspaper and Council House foyer.

Decision Implications

16. The decision to prepare Amendment No. 52 rests with Council. The final decision on whether the scheme amendment is approved rests with the Minister of Planning.
17. Should Council choose not to prepare Amendment No. 52, the applicant has no review pathway through the State Administrative Tribunal. However, the applicant may request the Minister for Planning to order the local government to prepare and submit the scheme amendment to the Minister for approval, in accordance with Part 5, Division 2 Section 76 of the *Planning and Development Act 2005*.

Strategic, Legislative and Policy Implications

Strategic Community Plan	
Strategic Pillar (Objective)	Liveable
Related Documents (Issue Specific Strategies and Plans):	Strategic Community Plan 2022-2032

	The scheme amendment will facilitate a new mixed-use development (predominantly residential), which aligns with the 'Liveable' pillar of the Strategic Community Plan 2022-2032. Local Planning Strategy 2023 The Neighbourhood Priority for West Perth is to increase the residential population to create more vibrancy and activity outside of office hours, while maintaining the neighbourhood's function as a Secondary Office Area. The scheme amendment will facilitate a new mixed-use development (predominantly residential), which will deliver additional residential dwellings with diverse housing types. This aligns with the Neighbourhood Priority for West Perth.
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Legislation, Delegation of Authority and Policy	
Legislation:	<i>Planning and Development Act 2005</i> • Section 75 provides legislative power to the Council to prepare changes to its local planning scheme. • Section 81 requires referral of scheme amendments to the Environmental Protection Authority prior to advertising. • Section 83A requires referral to the Minister for approval to advertise. • Section 84 requires a scheme amendment to be advertised and for submissions to be considered by the local government. <i>City of Perth Act 2016</i> • 8(1)(a) to provide for the good government of persons in the City of Perth, including residents, ratepayers and visitors. • 8(1)(b) to represent the community and encourage community participation in decision-making. • 8(1)(f) to initiate and promote the continued growth and environmentally sustainable development of the City of Perth and ensure its continued role as a thriving centre of business with vibrant cultural and entertainment precincts, while enhancing and protecting its natural environment and having due regard to the flow-on impact on the Perth metropolitan area. <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> • Regulations 34 and 35(2) require an amendment to be classified as basic, standard or complex. • Regulation 47 specifies requirements for advertising a Standard Amendment. • Regulation 76A specifies requirements for making documents available to public. • Clause 5(1) specifies the requirements for advertising local planning policy amendments.

	City Planning Scheme No. 2 • Clause 39 refers to Special Control Areas. • Clauses 3A of Schedule A - Supplemental Provisions refers to amending Precinct Plans.
Authority of Council/CEO:	The <i>Planning and Development Act 2005</i> and <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> gives local governments powers in relation to Local Planning Schemes and Local Planning Policies. The above provisions of the <i>Planning and Development Act 2005</i> require a decision to amend a Local Planning Scheme by Council resolution.
Policy:	City Planning Scheme No. 2 Precinct Plan 10 – West Perth The intent for the West Perth Precinct Office/Residential Area is to provide for a wide range of office and residential activities together with restaurants (including cafes) and other uses which serve the immediate needs of the work force and residents and add to the area's vitality and attraction. The development of independent residential uses will be strongly encouraged. The scheme amendment will facilitate a new residential development, which aligns with the intent for the area under the Precinct Plan. Council Policy 3.5 – Initiation of Local Planning Scheme Amendments CP 3.5 provides a framework to guide the preparation of scheme amendments ahead of the new Local Planning Scheme No. 3. The scheme amendment meets the requirements of CP 3.5.

Financial Implications

In accordance with the *Planning and Development Regulations 2009* and *Planning and Development (Local Planning Schemes) Regulations 2015* the costs associated with the assessment, advertising and gazettal of the scheme amendment are met by the applicant.

Further Information

18. Questions and Responses forming part of the Agenda Briefing Session held on 23 April 2024 are as follows:

	Question	Response
1.	11 b. mentions diverse housing. Is it known at this stage how many 3+ apartments are within the 44 dwellings stated?	This is yet to be determined as a Development Application is yet to be submitted. City Planning Scheme No. 2 - Planning Policy 4.9 Residential Design Policy states that developments should provide a range of dwelling sizes and types to increase the number of people that can afford to live in the city and to add diversity to the population.

Question	Response
	Once Local Planning Scheme No.3 is gazetted the Residential Design Codes Volume 2 will apply. This continues the requirement for developments to deliver a mix of dwellings. A diverse dwelling mix may include dwellings designed to suit singles, couples, unrelated adult sharers, families, multi-generation households, seniors ageing in place and people with disabilities.

Council Resolution (OCM-24/04-005)

Mover: Lord Mayor Basil Zempilas

Seconded: Councillor Brent Fleeton

That Council:

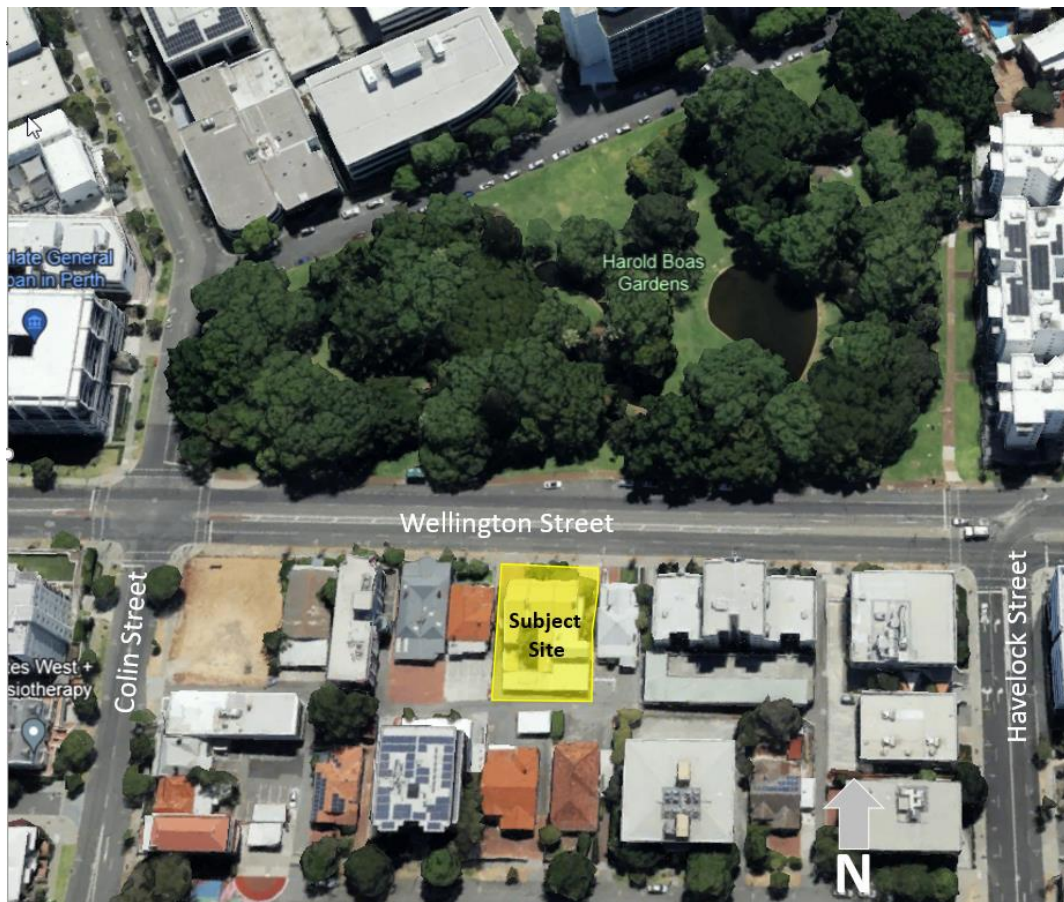
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- RESOLVES that Amendment No. 52 to City Planning Scheme No. 2 is a standard amendment for the following reasons, pursuant to Regulation 34 and 35(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*:
 - The scheme amendment relates to a zone that is consistent with the objectives identified in the scheme for that zone.
 - The scheme amendment, and the development the amendment facilitates, is consistent with the City's Local Planning Strategy which has been endorsed by the Western Australian Planning Commission.
 - The scheme amendment will have minimal impact on land within the scheme area that is not the subject of the scheme amendment.
 - The scheme amendment will not result in any significant environmental, social, economic or governance impacts on land within the scheme area.
- RESOLVES to advertise the amended West Perth Precinct Plan 10 Map as detailed in **Attachment C**, in accordance with Schedule 2 - Deemed Provisions Clause 4 and 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

CARRIED EN BLOC (8/0)

For : Lord Mayor Basil Zempilas; Deputy Lord Mayor Clyde Bevan; Councillors Raj Doshi, Brent Fleeton, Liam Gobbert, David Goncalves, Catherine Lezer and Bruce Reynolds

Against : Nil

Location Plan for proposed Special Control Area at 935-939 Wellington Street, West Perth





City of Perth
City Planning Scheme No. 2
Amendment No. 52

Summary of Amendment Details

To insert Special Control Area 35 over No. 935-939 Wellington Street, Perth

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FORM 2A

Planning and Development Act 2005

**RESOLUTION TO PREPARE AMENDMENT
TO LOCAL PLANNING SCHEME**

City of Perth

City of Perth City Planning Scheme No.2

Amendment No.52

Resolved that the Local Government pursuant to section 75 of the *Planning and Development Act 2005*, amend the above Local Planning Scheme by:

1. Inserting a new Special Control Area under clause 39 (1) as follows:
 - ii) 935, 937 and 939 Wellington Street Special Control Area
2. Inserting the following as Special Control Area 35 in Schedule 8:

35.0 935, 937 and 939 Wellington Street Special Control Area

35.1 Special Control Area

The following provisions apply to the land marked as Figure 35, being 935, 937 and 939 Wellington Street Special Control Area.

35.2 Objectives

To facilitate the development of the Special Control Area and increase the base plot ratio for residential development, whilst retaining the lower plot ratio for non-residential groups.

35.3 Plot Ratio

- a) For the purposes of determining plot ratio within the Special Control Area, the Special Control Area shall be treated as one site.
- b) The maximum plot ratio identified on the Plot Ratio Plan does not apply to the Special Control Area for Residential and Special Residential use groups.
- c) A maximum plot ratio of 4:1 applies within the Special Control Area for Residential and Special Residential use groups.

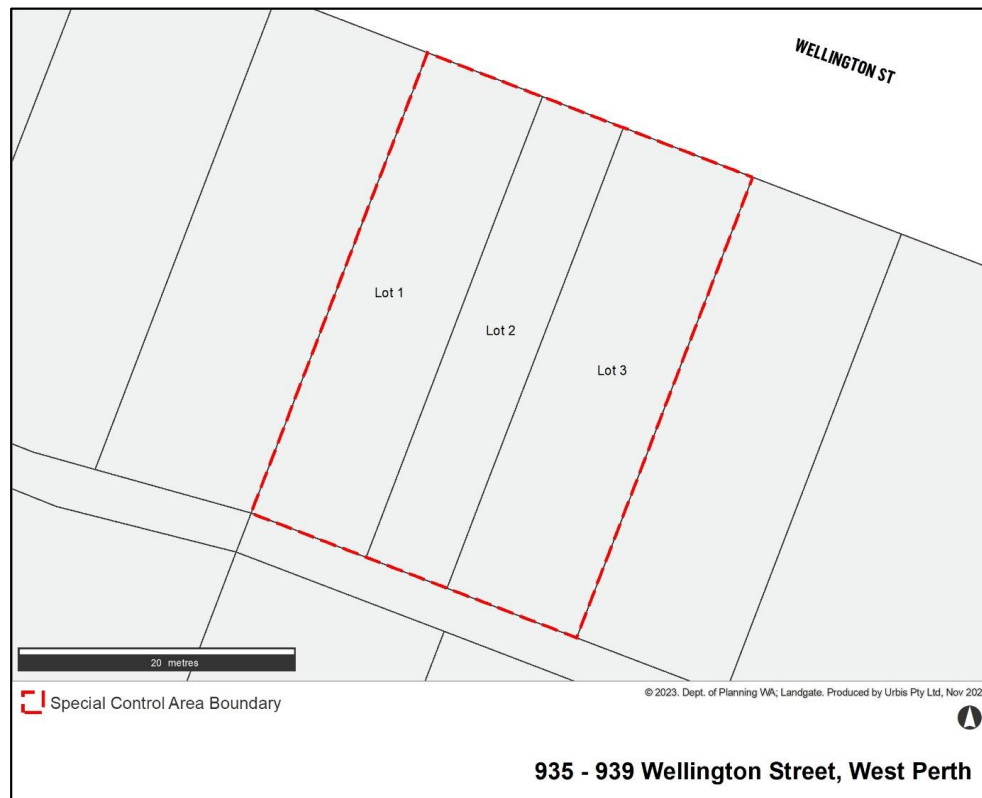


Figure 35 – 935, 937 and 939 Special Control Area Map

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

1. The amendment relates to a zone that is consistent with the objectives identified in the scheme for that zone.
2. The scheme amendment, and the development the amendment facilitates, is consistent with the City's Local Planning Strategy which has been endorsed by the Western Australian Planning Commission.
3. The amendment will have minimal impact on land within the scheme area that is not subject of the scheme amendment.
4. The amendment will not result in any significant environmental, social, economic or governance impacts on land within the scheme area.

Dated this _____ day of _____ 20____

CHIEF EXECUTIVE OFFICER

1.0 Introduction/Purpose

The proposed scheme amendment relates to the following lots in West Perth (subject site):

- Lot 3 (935) Wellington Street;
- Lot 2 (937) Wellington Street; and
- Lot 1 (939) Wellington Street.

Subject to the provisions of City Planning Scheme No. 2 (CPS2), the site currently has a maximum plot ratio of 2:1 for Residential and Special Residential use groups. To facilitate the development of a new apartment building on the subject site, this scheme amendment seeks to create a new special control area (SCA) to apply site specific increases in plot ratio from 2:1 to 4:1 for Residential and Special Residential use groups.

The existing buildings on the site are significantly dilapidated and non-compliant with current construction code and not suitable for be modified or extended. The landowner is in a position to demolish the existing building and construct new apartments consistent with modern standards. For the development to be financially viable in today's market, the prospective yield must be increased. Increasing the yield would also align with the City's requirement under their Local Planning Strategy to achieve increased dwelling targets across the municipality.

2.0 Subject site

2.1 Site Details

The area subject to this amendment is outlined in **Table 1** below.

Table 1 – Lot Details

Lot	Diagram	Street Address	Vol / Folio	Area	Proprietor
1	5764	939	1960/284	321m ²	935 Wellington Street Investments Pty Ltd
2	5764	937	1521/204	225m ²	
3	5764	935	1521/203	359m ²	

Figure 1 below for the cadastral map of the subject site.



Figure 1 – Cadastral map of subject site

2.2 Context

The subject site is within a mixed commercial and residential area in West Perth. The site is bound by Wellington Street to the north and commercial properties to the west, east and a right-of-way and commercial properties to the south.

Refer to **Figure 2** for an Aerial Photograph of the subject site.



Figure 2- Aerial photo of subject site

3. Planning Framework

3.1 State Planning Framework

The site is zoned 'Urban' under the Metropolitan Region Scheme (MRS) which allows for a broad range of urban land uses— refer to **Figure 3** below. The proposed scheme amendment is consistent with the provisions of the Urban zone.



3.2 City of Perth Local Planning Strategy

Subject to the provisions of the City's Local Planning Strategy (Strategy), the site is located within the West Perth Neighbourhood in an 'Intensification Investigation' area. These areas are identified as being considered for plot ratio increases as part of the preparation of the new local planning scheme.

Under the West Perth Neighbourhood Map, the site is located within the 'Medium-High Scale Mixed Use area (16 storeys and under)' and is within the walkable catchment for the West Perth Neighbourhood Activity Centre and Transit Precinct.

The vision and neighbourhood priority for the West Perth Neighbourhood is outlined as follows:

Vision: “Leafy streetscapes and its close relationship with Kings Park have enabled West Perth to feel like an urban village. Its streets are lined with beautifully restored heritage buildings, and its vibrant café culture, caters to its worker and residential community alike”.

Neighbourhood Priority: “Increase the residential population to create more vibrancy and activity outside of office hours, while maintaining the neighbourhood’s function as a Secondary Office Area. To enable this, it will be vital to facilitate diverse, affordable housing options suited to future residents housing needs.”

The indication of up to 16 storeys for the subject site under the Strategy is greater than the maximum height under CPS2 (29m or approximately 9 storeys), reflecting the strategic direction for larger scale development for the area than contemplated by CPS2.

The proposed scheme amendment will increase base plot ratio for Residential and Special Residential use groups and facilitate new residential development consisting of one-, two- and three-bedroom dwellings. This is consistent with neighbourhood priority for West Perth, which seeks to increase the residential population and deliver more diverse housing options.

Refer to **Figure 4** below for the West Perth Neighbourhood Strategy map.



Figure 4 – West Perth Neighbourhood Strategy Map

3.2 Local Planning Framework

3.2.1 City Planning Scheme No. 2

The site is zoned 'Office/Residential' under CPS2 and is within Precinct 10 - West Perth. Precinct 10 aims to accommodate two primary functions, being both residential and commercial development. It is envisaged that Precinct 10 will continue to develop as a living and working environment set in spacious landscaped surrounds, reflecting the original concept for this area as a garden office/residential district.

Key development standards include:

- *Landscaping: A minimum of twenty-five per cent of a site developed for either residential and/or non-residential purposes must be landscaped area.*
- *The landscaped area of any site must include the predominant portion of the primary street and secondary street setback areas.*
- *Any lot with a primary frontage of less than 16 metres in width, and where vehicular access can only be achieved from a primary street, a minimum of 20% of high quality in ground landscaping for the site is required.*
- *Additionally, more than 50% of the front setback area of these narrow lots should comprise of high quality in ground landscaping.*
- *Mixed Development: Conflict between non-residential and residential uses will be minimised.*
- *Buildings shall be setback a minimum of 4.5 metres from the primary street alignment and a minimum of 3 metres from the secondary street alignment.*
- *Fencing: Fencing and walls of a solid construction, higher than 600mm above foot path level should not be located within the front setback area.*
- *Basements: Any basements constructed between any street boundary and the setback should be below the mean natural level of the relevant boundary.*

The proposed scheme amendment does not seek to amend any of the above development requirements, which will still apply to the future development application lodged over the site. Refer to **Figure 5** below for the CPS2 map.

Under the maximum height plan in CPS2, the subject site has a height limit of 29 metres. A maximum base plot ratio of 2:1 is also applicable for Residential and Special Residential use groups under the existing requirements of CPS2.

The proposed scheme amendment is consistent with the intent of Precinct 10, as it seeks to facilitate a residential development outcome and increase the number of dwellings capable of approval on the site.



Figure 5 - CPS2 Map

4. Proposal

4.1 Proposed Scheme Amendment

This amendment proposes to insert the following in Schedule 8 Special Control Areas, including an appropriate reference in clause 39 (1) (ii) of CPS2.

Table 2 - Schedule 8 Additions

Provision	Explanation
35.1 Special Control Area “The following provisions apply to the land marked as Figure 35, being 935-939 Wellington Street, West Perth Special Control Area.”	Refer Figure 6 of this report for a copy of the proposed SCA 35 Map. The new clause seeks to identify the land included within SCA 35.
35.2 Objectives “To facilitate the development of the Special Control Area and increase the base plot ratio for residential development, whilst retaining the lower plot ratio for non-residential groups.”	The objective outlines what the SCA is trying to achieve, which is to facilitate a predominately residential development outcome. Details of the development remain high level at this stage.
35.3 Plot Ratio “For the purposes of determining plot ratio within the Special Control Area, the Special Control Area shall be treated as one site. The maximum plot ratio identified on the Plot Ratio Plan does not apply to the Special Control Area for Residential and Special Residential use groups. A maximum plot ratio of 4:1 applies within the Special Control Area for Residential and Special Residential use groups.”	For the purpose of determining plot ratio, the Special Control Area shall be treated as one site (3 lots into 1). The provisions seek to define the increased base plot ratio provisions for Residential and Special Residential use groups, whilst restricting other uses to the existing plot ratio defined in the plot ratio map (maximum of 1.33:1 for use groups other than Residential or Special Residential).



Figure 6 – Proposed SCA 35 Map

The proposed amendment will also result in an amendment to the CPS2 Precinct 10 Map – West Perth Precinct, to include the new SCA 35 boundary.

4.2 Proposed Development

The proposed scheme amendment seeks to introduce SCA 35 into CPS2 to facilitate the development of a mixed-use development on the site, containing two commercial units on the lower levels, with apartments above.

4.2.1 Proposed Plot Ratio

Whilst detailed development plans have not yet been finalised, development concepts have been prepared by the landowner to help guide the scheme amendment request to increase the base plot ratio of the subject site. Refer to **Table 3** below for an overview of the proposed plot ratio compared to what is permitted on site.

Table 3 – Permitted and proposed plot ratio comparison

Lot	Permitted	Proposed
Lot 1, 2 & 3 Wellington Street	2:1 (site area of 905m ²) = 1,810m ² floor space	4:1 (site area of 905m ²) = 3,620m ² floor space

Refer to **Table 4** below for a breakdown of the floor-by-floor plot ratio.

Table 4 – Proposed development use and plot ratio

Levels	Proposed Floor Areas
Basement 1, 2 and 3	0m ²
Level 1	223.8m ²
Level 2	316.1m ²
Residential Common	0m ²
Residential Type 1	1,170.9 m ²
Residential Type 2	1,642.1 m ²
Penthouse Level	236.9 m ²
Total	3,589.8 m² (just under 4:1 plot ratio).

The increase in base plot ratio for the site results in a 19-dwelling increase for the site, according to feasibility analysis prepared by the project architect.

6.0 Planning

6.1 Planning Rationale

The proposed scheme amendment is consistent with orderly and proper planning and is in the public interest. Refer to **Table 5** for the planning justification.

Table 5 – Planning Justification

Issue	Response
Providing additional dwellings and dwelling diversity during the housing crisis	The increased base residential plot ratio will increase the number of dwellings that can be accommodated on site. This will play a small role in alleviating pressure on the housing market to provide additional housing options. This is important, particularly for this site, as there is a developer that has a project 'shovel ready' once the scheme amendment is gazetted and development approvals / building permit granted. Considering the current construction market, it is difficult for developers to make projects feasible due to high construction costs, which is demonstrated through the number of existing approvals that have not yet been acted upon. The scheme amendment will assist to facilitate what can be considered a shovel ready proposal, which in turn will also assist the City to achieve their residential targets under the Local Planning Strategy.
Consistency with current and emerging planning framework	The proposed scheme amendment will assist the City in achieving its residential infill targets under the Local Planning Strategy. The State Governments Central Sub-Regional Framework has set a target for the City's population to grow to 53,320 by 2050, which equates to a population of 42,500 people by 2036. In saying this, as outlined in the City's Local Planning Strategy, the City is seeking to achieve a more ambitious target of 55,000 residents by 2036 and 90,000 residents by 2050, in line with the City's Strategic Community Plan. The proposed scheme amendment to increase the base residential plot ratio of the site will intensify the site's dwelling yield by approximately 19-20 dwellings, contributing towards supporting the City's ambitious residential infill targets. The proposed scheme amendment will also support a specific development scheme that can be executed soon after the relevant approvals are in place.
Potential impacts on other land users and future scale	The proposed scheme amendment will result in an increased plot ratio for the site, increasing the dwelling yield capable of approval. Future development of the site will still be restricted by other aspects of the planning framework, including setbacks, building height, etc. Increasing the plot ratio will naturally result in a minor increase to the building height that can be accommodated on site.

Issue	Response
	Whilst there is an increase in overshadowing of adjacent properties, particularly on Thelma Street, it's noted that these are commercial properties where access to sunlight isn't a prioritised amenity. We also note that from our desktop review, it appears both No. 8 and 10 Thelma Street are currently unoccupied.
Common Planning Practice	The scheme provides for Special Control Areas to override other parts of CPS2 and there are over 30 current or proposed SCAs. Most of these instruments provide for the pooling of plot ratio across various lots, often in different ownership, and are in place for many of the City's most prominent precincts. This scheme amendment represents a standard and orderly approach for allowing for coordinated development where there is a common ownership or common aspirations for a development site. As 935 Wellington Street Investments Pty Ltd is the proprietor of all land in the proposed SCA, this scheme amendment will allow for an integrated and singularly managed development outcome.
Inability to repurpose existing building	The existing building is not capable of being retained or extended due to the status of dilapidation. The building was built in 1970 and has since deteriorated significantly in structural integrity. The building is also not consistent with modern building standards and is not compliant with current standards from a fire safety perspective. This, coupled with a market feasibility that doesn't stack up under the existing planning framework is the driving reason for the proposed scheme amendment.

6.2 Scheme Amendment Classification

The proposed scheme amendment is considered to be a standard scheme amendment under the *Planning and Development (Local Planning Scheme) Regulations 2015* for the following reasons:

1. The amendment relates to a zone that is consistent with the objectives identified in the scheme for that zone.
2. The scheme amendment, and the development the amendment facilitates, is consistent with the City's Local Planning Strategy which has been endorsed by the Western Australian Planning Commission.
3. The amendment will have minimal impact on land within the scheme area that is not subject of the scheme amendment.
4. The amendment will not result in any significant environmental, social, economic or governance impacts on land within the scheme area.

7. Conclusion

This standard amendment proposes a new SCA to increase the maximum base plot ratio of the subject site to 4:1 from 2:1 for Residential and Special Residential use groups. The proposed scheme amendment will facilitate a proposed mixed-use development on the subject site that is consistent with the vision of the Local Planning Strategy for a more intense development product, whilst also complying with the intent of the West Perth precinct under CPS2.

Planning and Development Act 2005

RESOLUTION TO AMEND LOCAL PLANNING SCHEME

City of Perth

City Planning Scheme No. 2

Amendment No. 52

Resolved that the Local Government pursuant to section 75 of the *Planning and Development Act 2005*, amend the above Local Planning Scheme by:

1. Inserting a new Special Control Area under clause 39 (1) as follows:
 - ii) 935, 937 and 939 Wellington Street Special Control Area
2. Inserting the following as Special Control Area 35 in Schedule 8:

35.0 935, 937 and 939 Wellington Street Special Control Area

35.1 Special Control Area

The following provisions apply to the land marked as Figure 35, being 935, 937 and 939 Wellington Street Special Control Area.

35.2 Objectives

To facilitate the development of the Special Control Area and increase the base plot ratio for residential development, whilst retaining the lower plot ratio for non-residential groups.

35.3 Plot Ratio

- a) For the purposes of determining plot ratio within the Special Control Area, the Special Control Area shall be treated as one site.
- b) The maximum plot ratio identified on the Plot Ratio Plan does not apply to the Special Control Area for Residential and Special Residential use groups.
- c) A maximum plot ratio of 4:1 applies within the Special Control Area for Residential and Special Residential use groups.

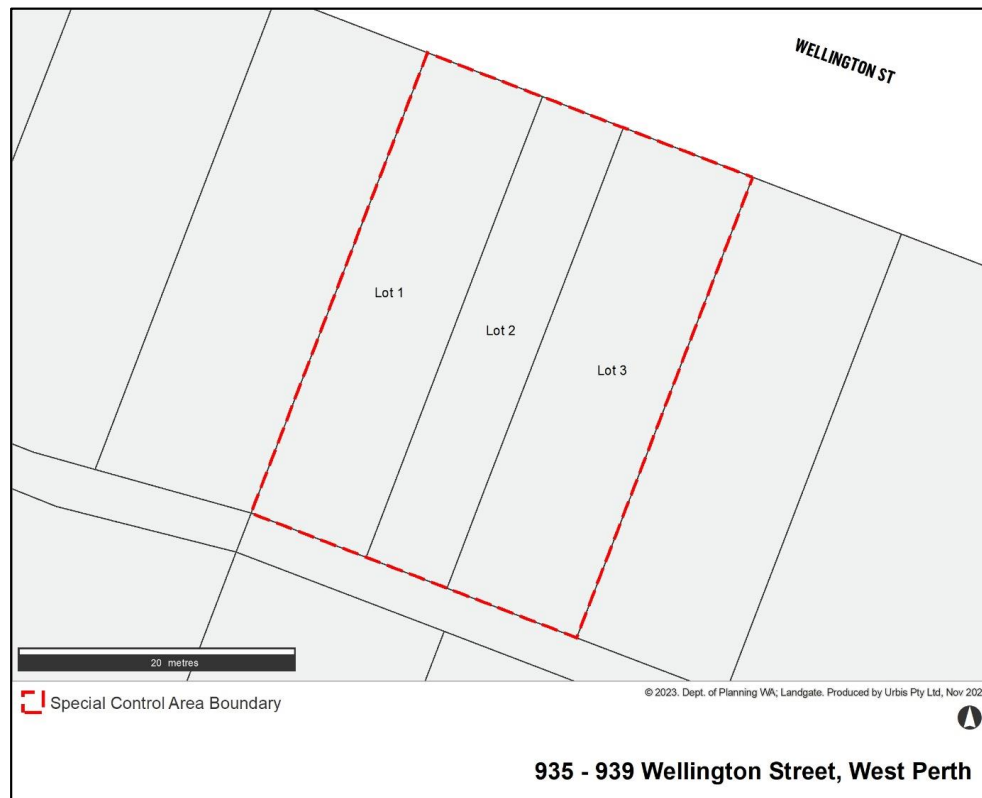


Figure 35 – 935, 937 and 939 Special Control Area Map

FORM 6A

COUNCIL ADOPTION

This Standard Amendment was adopted by resolution of the Council of the City of Perth at the Ordinary Meeting of the Council held on the ____ day of ____ 20__.

.....

LORD MAYOR

.....

CHIEF EXECUTIVE OFFICER

COUNCIL RESOLUTION TO ADVERTISE

by resolution of the Council of the City of Perth at the Ordinary Meeting of the Council held on the ____ day of ____ 20__, proceed to advertise this Amendment.

.....

LORD MAYOR

.....

CHIEF EXECUTIVE OFFICER

COUNCIL RECOMMENDATION

This Amendment is recommended _____ by resolution of the City of Perth at the _____ Meeting of the Council held on the ____ day of _____, 20__ and the Common Seal of the City of Perth was hereunto affixed by the authority of a resolution of the Council in the presence of:

.....

LORD MAYOR

.....

CHIEF EXECUTIVE OFFICER

WAPC ENDORSEMENT (r.63)

.....
**DELEGATED UNDER S.16 OF
THE P&D ACT 2005**

DATE.....

APPROVAL GRANTED

.....
MINISTER FOR PLANNING

DATE.....



City Planning Scheme No.2
WEST PERTH - Precinct 10

WEST PERTH:
Will continue to develop as an attractive living and working environment set in spacious landscaped surrounds.

MOUNT STREET DESIGN POLICY AREA:
The Design Policy aims to protect and enhance both the built elements and open space to reflect the high visual prominence of the area.

OFFICE DEVELOPMENT:
The Precinct will accommodate office uses to provide an office area adjacent to the city centre. The area will establish as an office district set in spacious landscape surrounds.

TOWN CENTRE:
This area will be expanded along Hay Street to Havelock Street to cater for the day to day shopping and business needs of the residents and work force. The core shopping area between Outram and Mayfair Streets will be enhanced to provide improved pedestrian and shopping facilities thereby creating a community focus for the Precinct.

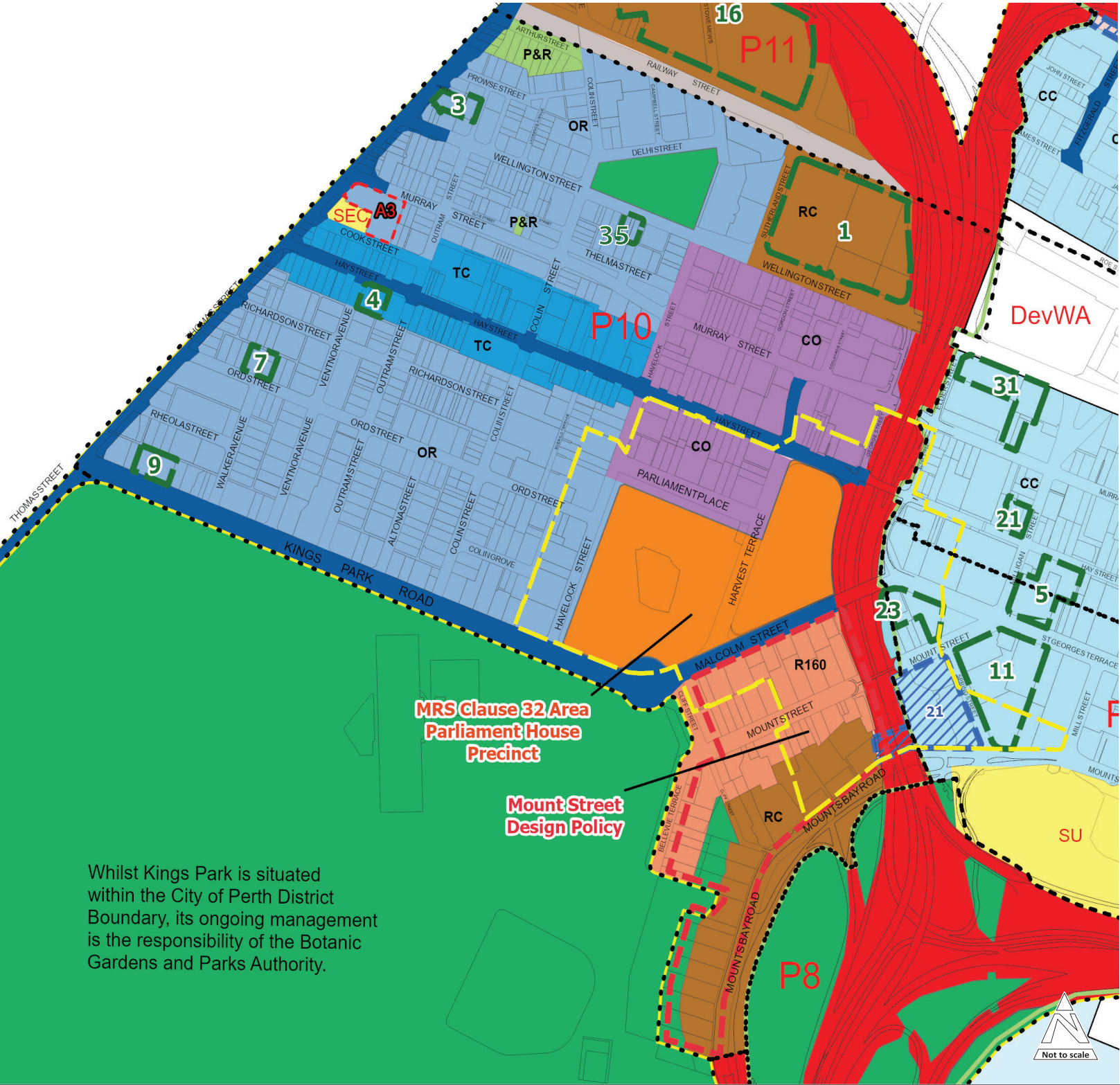
RESIDENTIAL DEVELOPMENT:
Will continue to be strongly encouraged, both developed independently and in conjunction with office and commercial uses. The Council will facilitate residential development by variations to the Residential Design Codes where a high quality of development and residential amenity can be obtained.

DEVELOPMENT HEIGHT LIMITS:
In the vicinity of Kings Park, Mt Eliza escarpment and Parliament House, height limits protect the visual impact of the escarpment and views of and from Parliament House and surrounds.

SPECIAL CONTROL AREAS
Special control areas apply for these areas:

- 1 - Metro Markets
- 3 - West Street
- 4 - 1299-1305 Hay Street
- 7 - 52-58 Ord Street
- 9 - 60-70 Kings Park Road
- 29 - 1202-1204 Hay Street and 80 Colin Street
- 30 - 707 Murray Street
- 35 - 935,937 & 939 Wellington Street

MINOR TOWN PLANNING SCHEMES
TPS 21 - Mounts Bay Road



LEGEND

Scheme Area Boundary

CITY OF PERTH SCHEME RESERVES

- Parks & Recreation
- Public Purposes - Civic Use

CITY OF PERTH SCHEME USE AREAS

- City Centre
- Town Centre
- Residential
- Office/Residential
- Residential/Commercial
- Commercial

OTHER

- Additional Uses
- Normalised Redevelopment Area
- DevelopmentWA Area
- City Centre Boundary
- MRS Clause 32 Area
- Minor Town / Local Planning Schemes and Number
- Special Control Areas and Number
- Planning Policy Areas
- Precinct Boundary
- Precinct Number

METROPOLITAN REGION SCHEME RESERVES

- Parks & Recreation
- Town Centre
- Railways
- Civic & Cultural
- Waterways
- Public Purposes

 - Hospital
 - Car Park
 - University
 - SECWA
 - Special Uses

ROADS

- Primary Regional Roads
- Other Regional Roads

NOTE 1: The Department of Planning should be consulted for full information on the actual land requirements for all Metropolitan Region Scheme Reserves

NOTE 2: This map should be read in conjunction with City Planning Scheme No. 2 Scheme Map.