

11.2 Modified Amendment No. 48 to City Planning Scheme No. 2 - Outcomes of Consultation

5.27pm Lord Mayor Basil Zempilas returned to the meeting and resumed the Chair prior to Item 11.2.

Responsible Officer	Dale Page – General Manager Planning and Economic Development
Voting Requirements	Simple Majority
Attachments	Attachment 11.2A – Modified Scheme Amendment Report Attachment 11.2B – Minister for Planning Notice of Decision Attachment 11.2C – Schedule of Submissions

Purpose

To present the outcomes of advertising of the Minister for Planning’s modifications to Amendment No. 48 to City Planning Scheme No. 2 (CPS2) and resolve whether to support modified Amendment No. 48.

Recommendation

That Council:

1. SUPPORTS the modification to Amendment No. 48 to City Planning Scheme No. 2, without further modification, as per **Attachment A**, pursuant to Regulations 50(3) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
2. NOTES the late submissions received during the formal consultation period for the modifications to Amendment No. 48 to City Planning Scheme No. 2.

Background

1. Amendment No. 48 modifies the existing plot ratio provisions for Special Control Area 27 (SCA27) to extend the maximum plot ratio of 3:1 that currently applies to 'Residential' and 'Special Residential' land uses to apply to all land uses that can be considered over No. 32 (Lot 52) Troode Street and No. 196 (Lot 200) Colin Place, West Perth.
2. At its Ordinary Council Meeting held on 28 February 2023, Council resolved to support Amendment No. 48 for final adoption. The amendment was subsequently forwarded to the Western Australian Planning Commission (WAPC) for a final decision by the Minister for Planning.
3. The Minister has directed the City to modify Amendment No. 48 to increase the maximum plot ratio to 5:1 for 'Residential' and 'Special Residential' land uses and 3:1 for all other land uses that can be considered under CPS2. A copy of the Minister's decision is provided as **Attachment B**.
4. The amendment was re-advertised in accordance with Part 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (LPS Regulations) to comply with the Minister's requirements.
5. The amendment is required to be considered by Council before re-submission to the WAPC for a final decision by the Minister.

Discussion

6. The Local Planning Strategy identifies the subject site in an 'Intensification Investigation Area' with an indicative built form of 'High Scale Mixed Use (16 Storeys and above)'. The Neighbourhood Priority for West Perth includes increasing the residential population and delivering affordable and diverse housing.
7. The draft Local Planning Scheme No. 3 (LPS3) proposes a base plot ratio of 5.5:1.0 for the subject site. Noting the draft 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 proposed maximum plot ratio of 5:1 for this site is sufficiently aligned with draft LPS3.
8. Council Policy 3.5 (CP 3.5) provides a framework to assess the appropriateness of progressing a scheme amendment ahead of the new LPS3. The modification to Amendment No. 48 satisfies the provisions of CP 3.5 for the following key reasons:
 - a. The amendment will incentivise new high scale 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 amendment relates to a small area of land, which is identified as an Intensification Investigation Area under the Strategy. Increasing base plot ratio in an Investigation Intensification area does not present any unintended consequences or risk.
 - c. The proposed increase to maximum base plot ratio to 5:1 for Residential and Special Residential development is within the limits of growth envisioned in the draft LPS3, which includes a base plot ratio of 5.5:1.0 and up to 8:1 with plot ratio bonuses.
 - d. The 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 Hamilton Precinct Plan.
9. The strong strategic alignment with the Strategy and draft LPS3 provides the basis for the amendment being progressed ahead of the LPS3.

Consultation

10. The Minister's modification to Amendment No. 48 was advertised for 21 days (excluding the Easter holiday period) in accordance with Regulation 51 (4) to (7) of the Local Planning Scheme Regulations. The method of advertising included:
- Letters being sent to adjoining landowners and relevant public authorities
 - A notice being placed in the local newspaper
 - A notice being placed in the Council House foyer window
 - An Engage Perth webpage containing the scheme amendment information.
11. Two late submissions were received from Department of Transport and Main Roads WA with no objection to the proposal (refer **Attachment C**).

Decision Implications

12. Council has the option to support the Minister's modification to Amendment No. 48 without further modifications, or not support the modification. Council's decision will be forwarded to the WAPC for a final decision by the Minister.

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 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 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 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.

Legislation, Delegation of Authority and Policy	
Legislation:	<i>Planning and Development Act 2005</i> Clauses 75, 84 and 87 outline the process for amending a local planning scheme. <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> Regulation 51 outlines the process for the local government advertising a proposed modification to a standard amendment to a local planning scheme.

	• Regulation 47 outlines the process for advertising a standard amendment to a local planning scheme. • Regulation 49 and 50 outline the process for the consideration of submissions on a standard amendment to a local planning scheme. • Regulation 53 outlines the information required to be provided to the WAPC for the Minister's consideration of a standard amendment to a local planning scheme. • Regulation 56 outlines the process for advertising modifications to a standard scheme amendment. City of Perth Act 2016 • 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. City Planning Scheme No. 2 Clause 39 refers to Special Control Areas.
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. 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 of Perth City Planning Scheme No. 2 Precinct Plan 11 (P11) Hamilton Precinct. Provides a statement of intent for development of the area.

Financial Implications

Account Number	1079-100-10-10568-7243	Operating
Account Description	Advertising cost for modified Amendment No. 48	
Total Budget	\$12,500	
Budget – his report	\$926.86	
Remaining Budget	\$11,573.14	
Budget Impact	\$926.86	

Further Information

13. Nil.

Council Resolution (OCM-24/05-005)

Mover: Lord Mayor Basil Zempilas

Seconded: Councillor Brent Fleeton

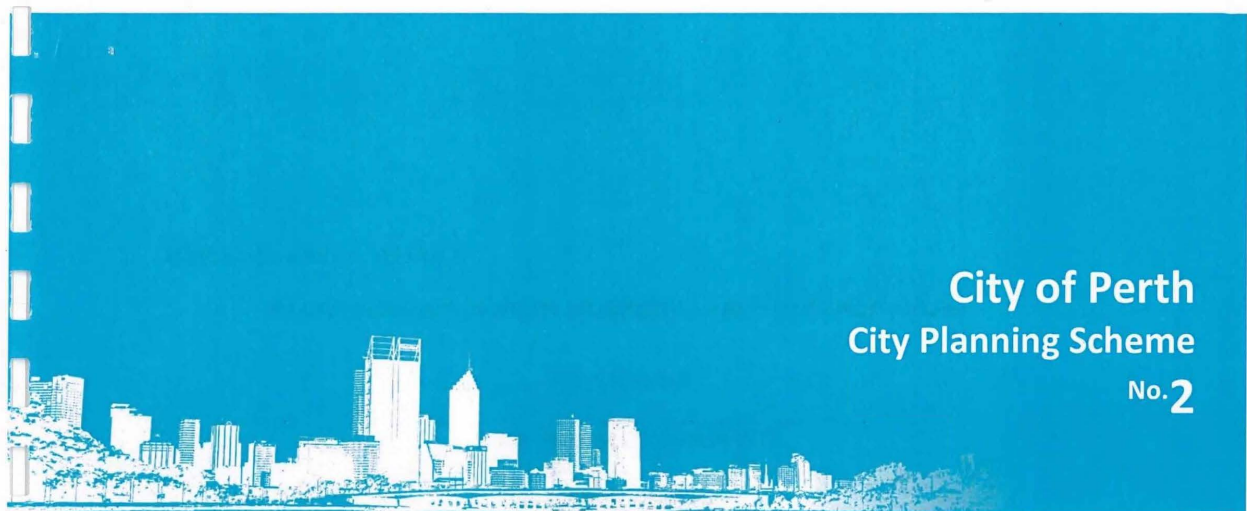
That Council:

1. SUPPORTS the modification to Amendment No. 48 to City Planning Scheme No. 2, without further modification, as per **Attachment A**, pursuant to Regulations 50(3) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
2. NOTES the late submissions received during the formal consultation period for the modifications to Amendment No. 48 to City Planning Scheme No. 2.

CARRIED EN BLOC (8/0)

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

Against : Nil



City of Perth
City Planning Scheme
No. 2

Amendment No. 48

Modifications to Special Control Area 27 over land situated at 28-32 (Lot 51-52) Troode Street and 196 (Lot 200) Colin Place, West Perth



CITY of PERTH

FORM 2A | Regulation 35(1)

RESOLUTION TO PREPARE AMENDMENT TO LOCAL PLANNING SCHEME

CITY OF PERTH

CITY PLANNING SCHEME NO. 2

AMENDMENT NO. 48

RESOLVED that the local government, pursuant to section 75 of the *Planning and Development Act 2005*, amend City Planning Scheme No. 2 by:

1. Amending Schedule 8 Special Control Area 27.0, Clause 27.3.1 as follows:

- 27.3.1 For the purpose of determining the maximum plot ratio within the Special Control Area:
- 27.3.1.1 The Special Control Area shall be treated as one site
- 27.3.1.2 The maximum 2.0:1.0 plot ratio for use groups other than Residential or Special Residential identified on the Plot Ratio Plan does not apply to the Special Control Area and the maximum plot ratio for all land uses within the Special Control Area is 3:1

2. Amending Schedule 8 Special Control Area 27.0, Clause 27.3.2.1 as follows:

- 27.3.2.1 Lot 51 – 2,970m²

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

- the amendment would have minimal impact on land in the scheme area that is not the subject of the amendment; and
- the amendment does not reflect in any significant environmental, social, economic or governance impacts on land in the scheme area

Dated this 4 day of May 2022


CHIEF EXECUTIVE OFFICER

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SCHEME AMENDMENT REPORT

1.0 INTRODUCTION

The purpose of this amendment to City Planning Scheme No. 2 (CPS2) is to modify existing plot ratio provisions for Special Control Area 27 (SCA27) over the land situated at 28-32 Troode Street (Lot 50-51) and 196 (Lot 200) Colin Place, West Perth (the subject site). The proposed scheme amendment will facilitate future development at a size and scale already contemplated by the scheme but with more flexibility for all land uses.

2.0 BACKGROUND

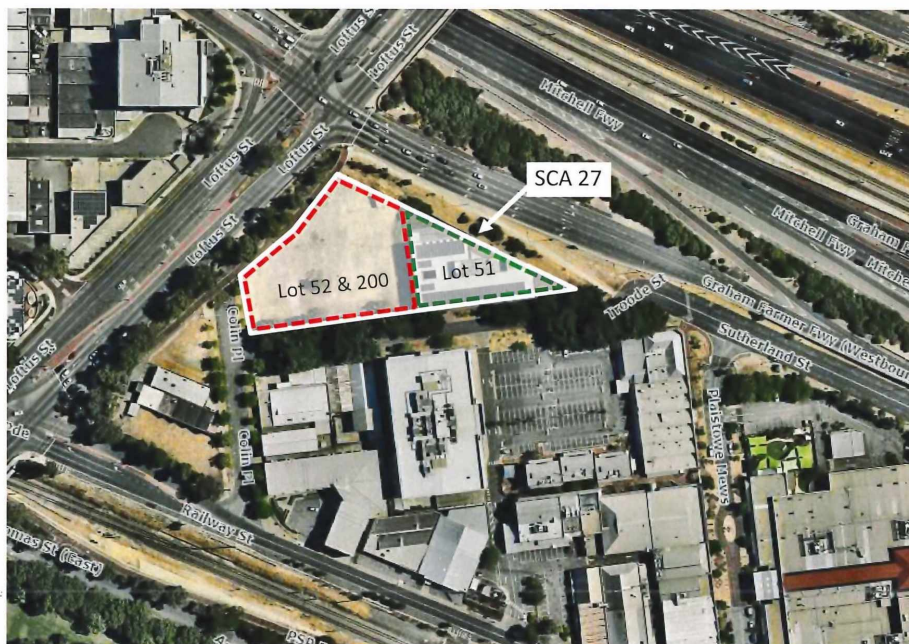
2.1 Location

The subject site (SCA27) is bound by the Mitchell Freeway off ramp to the north-east, Loftus Street to the north-west, Colin Place to the west and Troode Street to the south.

Table 1: SCA Lot Characteristics

Lot	Address	Volume/Folio	Deposit Plan	Area (m ²)	Landowner
Lot 51	28 Troode Street	2884/17	403858	2098	Capricorn Pty Ltd
Lot 52	32 Troode Street	2884/18	403858	2770	Georgiou Property 4 Pty Ltd
Lot 200	196 Colin Place	2760/721	68422	1275	Georgiou Property 4 Pty Ltd

Figure 1: SCA Location Plan



2.2 Site context

Special Control Area No 27 was gazetted on 21 August 2018. Its purpose is to enable the coordinated development of 28 (Lot 51) and 32 (Lot 52) Troode Street and 196 (Lot 200) Colin Place, West Perth.

An existing three level office building was built at 28 Troode Street circa 2011-12 and is owned by Capricorn 1974 Pty Ltd. The two remaining sites are both owned by Georgiou Property 4 Pty Ltd (32 Troode Street and 196 Colin Place) and are vacant. Sparse vegetation is found mainly along the edges, with a sharp slope downwards to the northern rear boundary and north-east side boundary.

The area in proximity to the site can be generally characterised as medium-scale commercial buildings with some mixed-use buildings on the western side of Loftus Street. There is an existing pedestrian underpass under Loftus Street adjacent to the subject land.

3.0 PLANNING FRAMEWORK

3.1 State and Regional Planning Context

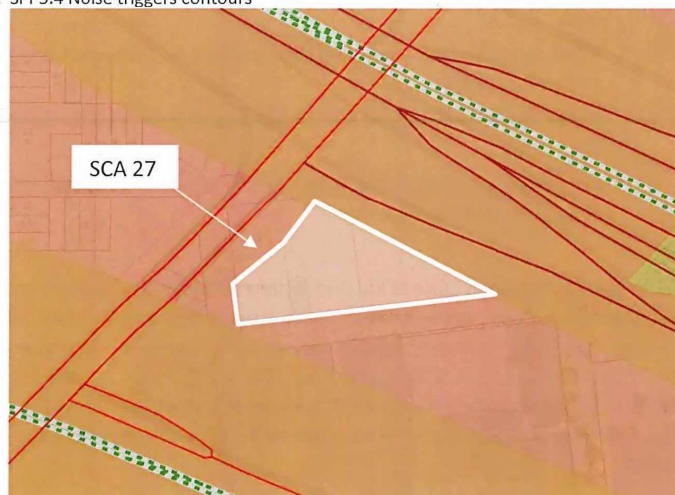
3.1.1 Metropolitan Region Scheme

The subject site is zoned 'Urban' under the Metropolitan Region Scheme (MRS). Loftus Street is located to the north-west of the subject site and is reserved as Other Regional Road under the MRS. The Mitchell Freeway is located to the north-east of the subject site and is reserved as a Primary Regional Road under the MRS.

3.1.2 State Planning Policy 5.4 – Road and Rail Noise

State Planning Policy 5.4 Road and Rail Noise became operational on 6 September 2019. The site is located adjacent to the Mitchell Freeway (and freeway off ramp) and Loftus Street which are both identified as Strategic freight route and other significant freight routes respectively under SPP5.4. The policy applies to noise-sensitive land uses proposed within the policy's trigger distances of specified transport routes. It is noted the site falls wholly within the trigger distances of SPP 5.4.

Figure 2: SPP5.4 Noise triggers contours



3.2 City of Perth Strategic Planning Framework

3.2.1 Draft Local Planning Strategy

The City has prepared its draft Local Planning Strategy (LPS) to guide the future development of the City of Perth. The draft strategy is currently undergoing formal community consultation until 25 March 2022, after receiving certification from the WAPC.

The LPS is one of the key guiding documents for the growth of Perth city over the next 10-15 years. It will provide the strategic basis for the preparation of the City of Perth's new Local Planning Scheme No.3 and planning policies.

The draft LPS identifies the site within the West Perth Neighbourhood. West Perth is identified as a Secondary Office Area which is reflected in the employment floorspace demand behind only the CBD.

Under the 'Business and Employment Growth' planning directions and actions the LPS identifies that a review of plot ratios in intensification investigation areas be undertaken to ensure that there is sufficient capacity to accommodate business and employment growth.

The City West precinct is identified as an 'Intensification Investigation Area'. The West Perth Neighbourhood plan identifies that to the north of the railway line (City West), detailed planning is required in this area to support opportunities for transit-oriented development, and intensification of residential land uses as well as retail and offices. It is expected a future Precinct Plan will be prepared for this sub-precinct within the West Perth neighbourhood.

The draft LPS states the following 'planning directions and actions' for the City West Precinct:

- a. *Undertake a detail planning study for the area north of the City West train station that addresses the following planning directions:*
 - i. *Residential Community – create a thriving residential community.*
 - ii. *City West Precinct – Better capitalise on opportunities surrounding the City-West train station.*
 - iii. *Growth Opportunities – optimise development opportunities on underutilised land.*
 - iv. *Transport Interface – Improve the interface with Thomas Road, Mitchell Freeway and the train line.*
 - v. *Public Realm – Enhance the public realm and provide additional public open space; and*
 - vi. *Accessibility – Create a connected place that is walkable and easily accessible from surrounding areas.*

Under the Strategy, the subject site is located within an identified growth area within the West Perth neighbourhood. These growth areas are intended to accommodate a higher intensity of mixed-use developments with an emphasis on residential growth. A review of base plot ratios and targeted use of incentives within these growth areas to encourage increased residential development is being undertaken as part of the development of a new City Planning Scheme. Appropriate location of residential land uses will be further considered in the context of the City West precinct.

3.2.2 Hamilton Precinct - Urban Design Study

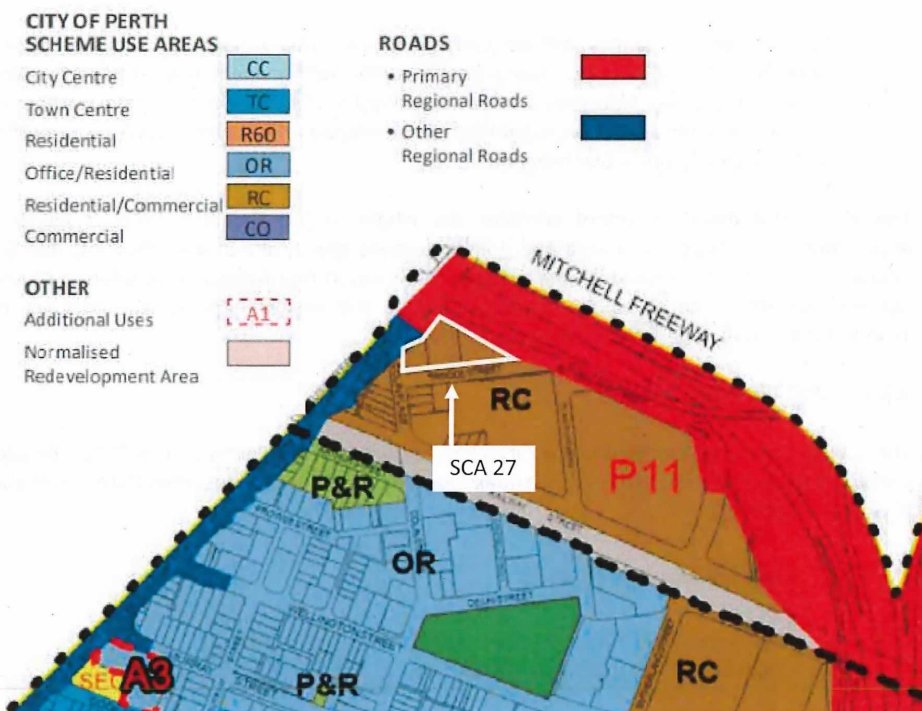
In 2010, the City engaged Mackey Urban Design to prepare a detailed Urban Design Study of the Hamilton Precinct. The Hamilton Precinct - Urban Design Study has guided the Hamilton Precinct Plan. It is noted that the lots falling within SCA27 is identified as a tower opportunity site.

3.3 Local Planning Scheme and Policies

3.3.1 City Planning Scheme No. 2

Special Control Area 27 is located within the Residential/Commercial Use Area under CPS2 as shown in Figure 3.

Figure 3: CPS 2 Scheme Map



Under CPS2, the following provisions apply to SCA27 under Schedule 8.27 in regard to plot ratio:

- Lot 51 (Capricorn) - 1,980m² plot ratio floor area for use groups other than Residential and/or Special Residential or 2,970m² plot ratio floor area for the Residential and/or Special Residential use groups,
- Lot 52 and 200 (Georgiou) - The balance of the maximum plot ratio,
- For the purposes of determining any bonus plot ratio under Clause 28 and transferable plot ratio under Clause 30, the Special Control Area shall be treated as one site.
- Any bonus plot ratio or transferable plot ratio granted shall be allocated fully to Lots 52 and 200.

3.3.2 Hamilton Precinct Plan

The subject site located within the Hamilton (P11) Precinct. The statement of Intent for the Hamilton Precinct, includes:

"...The Hamilton Precinct will be redeveloped to provide for a vibrant and sustainable, residential rich, mixed use precinct that complements the city centre..."

A wide range of commercial uses will be provided which primarily serve the needs of the city centre, West Perth and nearby health, educational, business and retail uses.... The precinct's status as an out-of-centre node offering easy access to and from the city centre with pricing to reflect this position, as well as attracting differing commercial markets to those within the city centre, will be its primary points of difference..."

The Residential/Commercial Area identifies that:

"... Considerable control will be maintained over the design and location of new commercial buildings, to minimise potential conflict with residential development.....New commercial/service industries may be considered at the western end of the precinct on Troode and Colin Streets provided they are developed in a manner which is compatible with any nearby office and residential uses..."

The above statements of intent consider the whole of the Hamilton Precinct which is approximately 7.4 hectares in area and does not relate specifically to individual lots and the characteristics of those individual lots. However, it is noted that further consideration of new commercial/service industries are contemplated at the western end of the precinct on Troode/Colin Street, where the subject site is located.

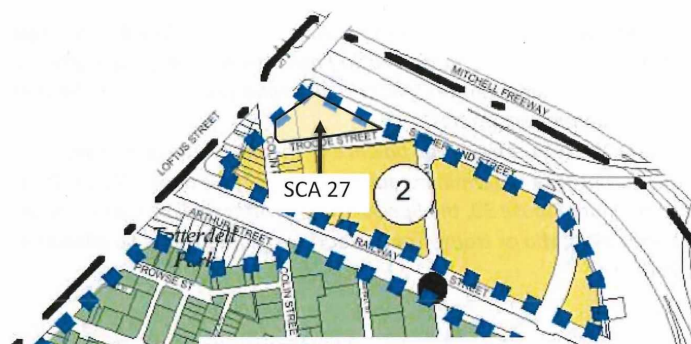
3.3.2 CPS2 Plot Ratio Plan

The subject site is captured within the City's Plot Ratio Plan which forms part of CPS2. The sites maximum permitted plot ratio is 3.0:1.0 (maximum 2.0:1.0 for use groups other than Residential or Special Residential).

MAXIMUM PLOT RATIO

3.0 : 1.0

(Maximum 2.0 : 1.0 for use groups other than Residential or Special Residential)



4.0 PROPOSAL

4.1 Overview of Scheme Amendment

The proposed scheme amendment proposes a text amendment to Schedule 8 – Special Control Area 27.0, Clauses 27.3.1 and 27.3.2.1 from:

27.3.1 For the purpose of determining the maximum plot ratio within the Special Control Area, the Special Control Area shall be treated as one site.

27.3.2 The maximum plot ratio shall be allocated in the Special Control Area as follows:

27.3.2.1 Lot 51 – 1,980m² plot ratio floor area for use groups other than Residential and/or Special Residential or 2,970m² plot ratio floor area for the Residential and/or Special Residential use groups;

27.3.2.2 Lots 52 and 200 – the balance of the maximum plot ratio.

To the following:

27.3.1 For the purpose of determining the maximum plot ratio within the Special Control Area:

27.3.1.1 The Special Control Area shall be treated as one site; and

27.3.1.2 The maximum 2.0:1.0 plot ratio for use groups other than Residential or Special Residential identified on the Plot Ratio Plan does not apply to the Special Control Area and the maximum plot ratio for all land uses within the Special Control Area is 3:1.

27.3.2 27.3.2.1 Lot 51 – 2,970m².

All other clauses relating to Special Control Area 27.0 are retained without amendment.

4.2 Scheme Amendment Consideration while transitioning to new Local Planning Scheme

The scheme amendment request has been submitted during the City's transition from CPS2 to a future Local Planning Scheme No.3 (LPS No.3). The City is currently undertaking formal advertising of its draft Local Planning Strategy which will inform LPS No.3.

As the proposed amendment does not seek a departure from existing maximum plot ratio provisions but simplifying the existing provision to allow for greater flexibility, it is not considered to pre-empt the outcomes of the strategy or the future scheme.

4.3 Scheme Amendment Classification

The *Planning and Development (Local Planning Schemes) Regulations 2015* include three categories for amending Local Planning Schemes - basic, standard and complex. The proposed amendment will have minimal impact on the locality outside of the proposed SCA and will not

result in any significant environmental, social, economic or governance impacts. Given this, the amendment is considered to be a standard amendment.

4.3 Planning Justification

The proposed amendment to 27.3.1 reflects the removal of the limitation of 2:1 for a commercial development and provides a maximum plot ratio of 3:1 for all permissible land uses which is consistent with the maximum plot ratio on the site currently permitted.

The applicant states the owner has contemplated a residential/commercial outcome on the site. However, on further consideration of state planning policy obligations and the site's surrounding context, a residential development is not a likely outcome. This is heavily influenced by the proximity to two significant freight roads to the north-east (Mitchell Freeway) and north-west (Loftus Street).

The applicant states the owner has expressed more interest in a commercial development; however, the plot ratio limitation means that the site cannot generally cater for the floor area of the prospective tenants.

The City's draft LPS identifies that underutilised land needs to be optimised and that the built form interface to Loftus Street and the Mitchell freeway needs to be improved. The Statement of Intent for the Hamilton Precinct contemplates commercial/service industry to the west of the precinct, specifically along Troode Street and Colin Place which the subject site directly interfaces with.

4.3.1 Land Use

The proposed scheme amendment does not change the preferred and contemplated land uses on the site. Both office and residential uses are preferred uses in the Hamilton Precinct under CPS2. The removal of the commercial plot ratio limit of 2:1 reflects the site's location.

4.3.2 Location

The subject site is located at the corner of two major roads to the north, being Loftus Street and the Mitchell Freeway. SPP5.4 identifies the impacts that these roads will have on sensitive development and the implications of noise mitigation both on amenity and construction cost. Additionally, State Planning Policy 7.3 Volume 2 - Apartment Guidelines would generally require residential development to face both roads to enable access to northern light which further reduces residential amenity.

A commercial development based on the plot ratio provided through this amendment would act as a potential buffer to the land to the south resulting in land better suited for residential use. Additionally, a commercial development at a scale of 3:1 would result in a greater likelihood of additional supporting retail which would improve amenities which will ultimately assist in making residential more viable in the precinct, further towards the core.

The framework identifies that underutilised land should be developed. The strategic framework also identifies that an appropriate interface to Loftus Street and the Mitchell Freeway should be encouraged. The applicant justifies that future residential development would be cost-prohibitive due to the additional burden of noise mitigating measures required under SPP5.4 and is fundamentally not appropriate. It does not discount the option of a residential component, but given the site's surrounding context, it is unlikely to be considered.

4.3.3 Built Form

The amendment does not specifically result in a different built form outcome for the site. There is no change to the built form provisions. A commercial development potentially enables a more appropriate use of the site that recognises its strategic importance on a prominent corner site.

4.3.4 Office Floor Area

The applicant states the following in regards to total office floor area:

"...The removal of the commercial plot ratio limit would enable the development of the SCA at the maximum commercial plot ratio (excluding bonus plot ratio) of 18,429m². Excluding the development of Lot 51 would reduce this to approximately 16,000m². The current commercial plot ratio (excluding Lot 51) that could be is approximately 10,000m². Therefore, the amendment would enable an additional 6,000m² of commercial floor space. This additional amount of commercial floor space does not undermine the central business district as the amount is small in comparison the floor area requirements in the CBD..."

It is agreed that the proposal would not impinge on the City's CBD. If the site is developed at a plot ratio of 3:1 it would provide a unique point of difference for office space within the City West Precinct.

5.0 CONCLUSION

The nature of the scheme amendment request is minor with no fundamental changes to overall permitted plot ratio of the site, remaining at a maximum 3:1. The request also demonstrates sufficient merit due to existing site context constraints and state statutory obligations.

The amendment would enable the land use to better respond to its location at the corner of Loftus Street and the Mitchell Freeway. The justification regarding poor residential amenity for this site specifically is supported. Any future residential development would have to contend with existing amenity impacts due to its location while providing positive outcomes for the development of a vacant site at this prominent corner.

It is considered that the proposed amendment to SCA27 is consistent with the relevant planning framework and does not substantially depart from the existing planning framework. The amendment permits greater flexibility for a variety of land uses and the envisioned built outcome would contribute positively to the precinct and the objectives of the City's strategic planning framework.

PLANNING AND DEVELOPMENT ACT 2005

RESOLUTION TO AMEND LOCAL PLANNING SCHEME

CITY OF PERTH

CITY PLANNING SCHEME NO. 2

AMENDMENT NO. 48

RESOLVED that the local government, pursuant to section 75 of the *Planning and Development Act 2005*, amend City Planning Scheme No. 2 by:

1. Amending Schedule 8 Special Control Area 27.0, Clause 27.3.1 as follows:
 - 27.3.1 For the purpose of determining the maximum plot ratio within the Special Control Area:
 - 27.3.1.1 The Special Control Area shall be treated as one site
 - 27.3.1.2 The maximum 2.0:1.0 plot ratio for use groups other than Residential or Special Residential identified on the Plot Ratio Plan does not apply to the Special Control Area and the maximum plot ratio for all land uses within the Special Control Area is 3:1
2. Amending Schedule 8 Special Control Area 27.0, Clause 27.3.2.1 as follows:
 - 27.3.2.1 Lot 51 – 2,970m²

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

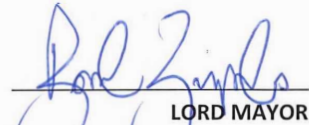
- the amendment would have minimal impact on land in the scheme area that is not the subject of the amendment; and
- the amendment does not reflect in any significant environmental, social, economic or governance impacts on land in the scheme area

All other clauses relating to Special Control Area 27.0 are retained without amendment.

FORM 6A

COUNCIL ADOPTION

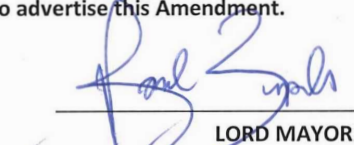
This Standard Amendment was adopted by resolution of the Council of City of Perth at the Ordinary Meeting of the Council held on the 26 day of April, 2022.


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 26 day of April 2022, proceed to advertise this Amendment.

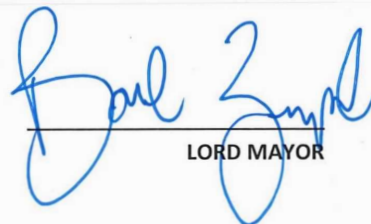

LORD MAYOR


CHIEF EXECUTIVE OFFICER

COUNCIL RECOMMENDATION

This Amendment is recommended [for support / not to be supported] by resolution of the Council of the City of Perth at the Ordinary Meeting of the Council held on the 28 day of February 2023, 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

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**Amendment modified as directed by the
Minister for Planning**

Letter dated 27 February 2024



Our ref: TPS/2989
Enquiries: Local Planning Schemes

Chief Executive Officer
City of Perth
GPO Box C120
PERTH WA 6839

Transmission via electronic mail to: planning@cityofperth.wa.gov.au

Dear Sir/Madam

CITY PLANNING SCHEME NO. 2 - AMENDMENT NO. 48

The Western Australian Planning Commission (Commission) has considered the amendment and submitted its recommendation to the Minister in accordance with section 87(1) of the *Planning and Development Act 2005* (the Act).

The Minister requires the City of Perth to:

- a. modify the amendment documents in accordance with the Schedule of Modifications (Attachment 7), prior to readvertising.
- b. advertise the modifications as provided by regulation 56 of the Planning and Development (Local Planning Schemes) Regulations 2015, in accordance with the procedures outlined in regulations 51(4) to (7).
- c. submit the readvertised amendment to the Western Australian Planning Commission for final approval, in accordance with the procedures outlined in regulation 53 of the Planning and Development (Local Planning Schemes) Regulations 2015.

Please direct any queries about this matter to localplanningschemes@dplh.wa.gov.au.

Yours sincerely

A handwritten signature in cursive script that reads "Sam Boucher".

Ms Sam Boucher
Secretary
Western Australian Planning Commission

27/02/2024

140 William Street, Perth, Western Australia 6000, Locked Bag 2506 Perth, 6001
Tel: (08) 6551 8002; Fax: (08) 6551 9001; Infoline: 1800 626 477
e-mail: info@dplh.wa.gov.au; web address <http://www.dplh.wa.gov.au>
ABN 35 482 341 493

A7: SCHEDULE OF MODIFICATIONS

Schedule of Modifications – Amendment No. 48 - City of Perth City Planning Scheme No. 2

Amend Schedule 8 Special Control Area 27.0, Clause 27.3 Plot Ratio as follows:

27.3.1 For the purpose of determining the maximum plot ratio within the Special Control Area.

27.3.1.1 The Special Control Area shall be treated as one site

27.3.1.2 The maximum plot ratio identified on the Plot Ratio Plan does not apply to the Special Control Area. A maximum plot ratio of 5:1 (maximum of 3:1 for use groups other than Residential or Special Residential) applies within the Special Control Area.

27.3.2 For the purposes of determining any bonus plot ratio under Clause 28 and transferable plot ratio under Clause 30, the Special Control Area shall be treated as one site.

27.3.3 Any bonus plot ratio or transferable plot ratio granted shall be allocated fully to Lots 52 and 200.

PLANNING AND DEVELOPMENT ACT 2005

RESOLUTION TO AMEND LOCAL PLANNING SCHEME

CITY OF PERTH

CITY PLANNING SCHEME NO. 2

AMENDMENT NO. 48

RESOLVED that the local government, pursuant to section 75 of the *Planning and Development Act 2005*, amend City Planning Scheme No. 2 by:

- 27.3.1** For the purpose of determining the maximum plot ratio within the Special Control Area.
- 27.3.1.1** The Special Control Area shall be treated as one site
- 27.3.1.2** The maximum plot ratio identified on the Plot Ratio Plan does not apply to the Special Control Area. A maximum plot ratio of 5:1 (maximum of 3:1 for use groups other than Residential or Special Residential) applies within the Special Control Area.
- 27.3.2** For the purposes of determining any bonus plot ratio under Clause 28 and transferable plot ratio under Clause 30, the Special Control Area shall be treated as one site.
- 27.3.3** Any bonus plot ratio or transferable plot ratio granted shall be allocated fully to Lots 52 and 200.

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

- the amendment would have minimal impact on land in the scheme area that is not the subject of the amendment; and
- the amendment does not reflect in any significant environmental, social, economic or governance impacts on land in the scheme area.

All other clauses relating to Special Control Area 27.0 are retained without amendment.

FORM 6A

COUNCIL ADOPTION

This Standard Amendment was adopted by resolution of the Council of City of Perth at the Ordinary Meeting of the Council held on the 26th day of April 2022.

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 26th day of April 2022, proceed to advertise this Amendment.

LORD MAYOR

CHIEF EXECUTIVE OFFICER

COUNCIL RECOMMENDATION

This Amendment is recommended [for support / not to be supported] by resolution of the Council of the City of Perth at the Ordinary Meeting of the Council held on the 25th day of June 2024, 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

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FORM 6A CONTINUED

WAPC ENDORSEMENT (r.63)

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

DATE

APPROVAL GRANTED

MINISTER FOR PLANNING

DATE



Our ref: TPS/2989
Enquiries: Local Planning Schemes

Chief Executive Officer
City of Perth
GPO Box C120
PERTH WA 6839

Transmission via electronic mail to: planning@cityofperth.wa.gov.au

Dear Sir/Madam

CITY PLANNING SCHEME NO. 2 - AMENDMENT NO. 48

The Western Australian Planning Commission (Commission) has considered the amendment and submitted its recommendation to the Minister in accordance with section 87(1) of the *Planning and Development Act 2005* (the Act).

The Minister requires the City of Perth to:

- a. modify the amendment documents in accordance with the Schedule of Modifications (Attachment 7), prior to readvertising.
- b. advertise the modifications as provided by regulation 56 of the Planning and Development (Local Planning Schemes) Regulations 2015, in accordance with the procedures outlined in regulations 51(4) to (7).
- c. submit the readadvertised amendment to the Western Australian Planning Commission for final approval, in accordance with the procedures outlined in regulation 53 of the Planning and Development (Local Planning Schemes) Regulations 2015.

Please direct any queries about this matter to localplanningschemes@dplh.wa.gov.au.

Yours sincerely

A handwritten signature in cursive script that reads "Sam Boucher".

Ms Sam Boucher
Secretary
Western Australian Planning Commission

27/02/2024

140 William Street, Perth, Western Australia 6000, Locked Bag 2506 Perth, 6001
Tel: (08) 6551 8002; Fax: (08) 6551 9001; Infoline: 1800 626 477
e-mail: info@dplh.wa.gov.au; web address <http://www.dplh.wa.gov.au>
ABN 35 482 341 493

A7: SCHEDULE OF MODIFICATIONS

Schedule of Modifications – Amendment No. 48 - City of Perth City Planning Scheme No. 2

Amend Schedule 8 Special Control Area 27.0, Clause 27.3 Plot Ratio as follows:

27.3.1 For the purpose of determining the maximum plot ratio within the Special Control Area.

27.3.1.1 The Special Control Area shall be treated as one site

27.3.1.2 The maximum plot ratio identified on the Plot Ratio Plan does not apply to the Special Control Area. A maximum plot ratio of 5:1 (maximum of 3:1 for use groups other than Residential or Special Residential) applies within the Special Control Area.

27.3.2 For the purposes of determining any bonus plot ratio under Clause 28 and transferable plot ratio under Clause 30, the Special Control Area shall be treated as one site.

27.3.3 Any bonus plot ratio or transferable plot ratio granted shall be allocated fully to Lots 52 and 200.

Schedule of Submissions

Amendment No. 48 to City Planning Scheme No. 2 (Modified)

	Submitter	Affected Property	Comment	City Response
1.	Department of Transport	General submission	No objection Thank you for your letter dated 20 March 2024 inviting the Department of Transport (DoT) to provide comment on the above proposed amendment. The Urban Mobility (UM) division of DoT has reviewed the submitted documents and advises that DoT has no objection to the proposal, and provides the following comments: 1. The proposed amendment is for a change from 3:1 to 5:1 maximum plot ratio for residential and special residential development only, excluding commercial development. DoT notes that no changes are proposed to external design outcomes with regards to parking and access by non-car modes. 2. The tenant parking allowance under the Perth Parking Policy for special residential parking will remain the same, regardless of changes to plot ratio maximums. 3. DoT is investigating a Principal Shared Path (PSP) alignment in the vicinity at Loftus Street and Graham Farmer Freeway off-ramp westbound. DoT's cycling team has confirmed that the proposal does not affect this project.	Noted.
2.	Main Roads WA	General submission	No objection In response to correspondence received on 20 March 2023, please be advised Main Roads has no objections to the proposed modifications to the scheme amendment. Main Roads provides the following comments in relation to the future development of the subject site: • Prior to submission of a Development Application, a Transport Impact Statement or Transport Impact Assessment prepared in accordance with 'Transport Impact	Noted.

			Assessment Guidelines (August 2016)' and electronic SIDRA Intersection files (.sip) in Version 9 should be conducted to determine the impact upon the road and movement network and identify any necessary works. • All vehicular access to the subject site shall be from the abutting the local roads (Troode Street and Colin Place). • Any future noise sensitive development is to comply with WAPC 'State Planning Policy 5.4 - Road and Rail Noise'.	
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