



CP 3.5 | Initiation of Local Planning Scheme Amendments

Objective

1. To assist landowners and applicants to prepare requests for Scheme Amendments that are well considered and appropriately justified.
2. To guide officer assessment and Council determination of requests for Scheme Amendments from landowners or applicants, to ensure decisions are consistent, transparent and merit based.

Scope

3. Scheme Amendments are a statutory process involving a change to the zoning, land use permissibility, or development controls under the applicable Local Planning Scheme. This policy applies to all Local Planning Schemes in the City of Perth.
4. This policy will apply to all requests received by the City of Perth for Scheme Amendments.
5. This policy does not apply to 'basic amendments' as defined by the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Policy statement

Council decisions on Scheme Amendments should take account of and be guided by the following:

6. **Does the proposal have strategic merit?**
 - a. Consideration should be given to how the proposed Scheme Amendment aligns with the vision and objectives of the Local Planning Strategy, and the potential implications of the proposal on the long-term planning for the city.
 - b. Where a Scheme Amendment departs from the vision and objectives of the Local Planning Strategy, consideration should be given to whether the Scheme Amendment demonstrates the following:
 - i. A change that represents a better outcome for the specific site, and for the city overall.
 - ii. Provision of direct community benefit.
 - iii. A new opportunity or development outcome that is currently not anticipated within the Local Planning Strategy but is considered to have unique attributes and would achieve the overall intent of the Strategy.
 - iv. Delivery of strategic priorities approved by the Council.
 - v. A specific infrastructure response to a key neighbourhood need identified in a strategy or plan of the City of Perth.



7. Is the proposal in the interests of orderly and proper planning?

- a. Changes to individual lots or other small areas will generally not be supported independently of a broader Local Planning Scheme review. However, consideration will be given to proposals where:
 - i. there are compelling site-specific circumstances (unique, unusual, urgent), and
 - ii. the proposal would achieve the outcomes of Part 1 above; and
 - iii. the resultant development would not adversely affect surrounding areas.
- b. Scheme Amendments required for procedural purposes or that are considered to improve or clarify the existing intent of a Local Planning Scheme will generally be supported.
- c. Consideration should be given to the extent to which a development proposal has progressed, with greater weight given to proposals with Development Approval, or concept plans and agreements between landowners and developers that will result in a tangible outcome.
- d. Scheme Amendments should not be used in lieu of other strategic planning documents (such as Precinct Structure Plans) and should not facilitate development of a scale that unduly pre-empts or fetters the strategic planning of an area.

8. Does the proposal align with existing Scheme/ Policy objectives?

- a. Where a Scheme Amendment deviates significantly from the existing Scheme/Policy (i.e. it results in a change to zoning, plot ratio, the building height limit, or a significant change to the development potential of an individual lot or other small area), the following should be taken into consideration:
 - i. Any unintended consequence and/or risk associated with initiating the amendment.
 - ii. Any undesirable precedents set because of initiating the amendment.
 - iii. The uniqueness of the proposition and site outcome.
 - iv. The level of community benefit being delivered by the proposal.
 - v. The level of direct and long-term economic benefit, above what is considered to be the natural by-product of the development, that delivers specific outcomes identified in the City of Perth Economic Development Strategy.

9. Is there community support for the proposal?

- a. Consideration needs to be given to any external feedback received on the formal advertising of the Local Planning Strategy or other planning instruments that directly relates to the Scheme Amendment. For example, if the community provided strong support for a land use during the advertising of the Local Planning Strategy, and that land use was proposed to be delivered as part of a Scheme Amendment, consideration would be given to those submissions received.



Document Control

Policy Context

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| Legislation, standards & external guidelines | <i>Local Government Act 1995</i> <i>Planning and Development Act 2005</i> <i>Planning and Development (Local Planning Schemes) Regulations 2015.</i> |
| Policies and procedures | Nil. |
| Strategies, plans and frameworks | Local Planning Strategy (draft) City Planning Scheme No.2 Local Planning Scheme No.26 City of Subiaco Town Planning Scheme No.4 City of Nedlands Town Planning Scheme No.2. |

Document custodian

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| Alliance | Planning and Economic Development | Service Unit | City Planning |
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Review management

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Document management

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