



---

## Minister for Transport; Planning

Our Ref: 72-17487  
Your Ref: Petition No. 096

Hon Matthew Swinbourn MLC  
Chair  
Standing Committee on Environment and Public Affairs

Dear Mr Swinbourn

### **PETITION NO. 96 – CITY OF SUBIACO – DRAFT LOCAL PLANNING SCHEME NO. 5**

Thank you for your letter of 14 February 2019 regarding Petition No. 96 – City of Subiaco - Draft Local Planning Scheme No. 5, which has been referred to the Standing Committee on Environment and Public Affairs.

The process for the preparation and advertising of new Local Planning Strategies and Local Planning Schemes is set out in the *Planning and Development (Local Planning Schemes) Regulations 2015* (LPS Regulations). Prior to the public advertising of a new scheme, the LPS Regulations require that it is submitted to the Western Australian Planning Commission (WAPC) for consent to advertise.

As part of this process the WAPC may advise the local government that modifications to the scheme are required before it is advertised. The LPS Regulations do not provide for me to be involved in this process in my capacity as Minister for Planning.

On 6 December 2017, the WAPC advised the City of Subiaco that its draft Local Planning Scheme No. 5 (LPS 5) required modification prior to advertising. As you are aware the modifications included a requirement for residential densities in proximity to the Shenton Park and Daglish train stations to be increased.

In requiring this modification, the WAPC took into account a range of relevant considerations including, but not limited to:

- The population targets provided by the *Perth and Peel@3.5million Central Sub-regional Planning Framework* (the Framework) are minimum targets.
- The Framework also identifies ten principles to guide decisions on land use and increases in residential density which generally aim to maximise the use of existing infrastructure and amenity and provide good access to transport, employment and services. These include the efficient use of existing infrastructure, focussing development in and around station precincts (where appropriate) and the retention and protection of character and heritage.
- The ultimate intent is for a local government to have a local planning scheme which applies the principles identified in the Frameworks in a balanced way to achieve urban consolidation in a manner which is responsive to the unique characteristics of its local government area.

- Both the City's draft Local Planning Strategy (which underpins LPS 5) and the Framework identify land in proximity to the Daglish and Shenton Park train stations as suitable areas for increased residential density.
- Land within 800 metres of train stations is recognised as suitable for high density development in the WAPC's *Development Control Policy 1.6 - Planning to Support Transit Use and Transit Orientated Development*.
- The modification of LPS 5 at the consent to advertise stage provided the opportunity for consideration of proposals for increased density by the City, community and other stakeholders.

The City's draft Strategy, which underpins LPS 5, takes into consideration the various redevelopment areas, sites and potential opportunities within the City raised by the petitioners. In this regard, I understand that the City is working closely with the Metropolitan Redevelopment Authority (MRA) and LandCorp to ensure that the vision for the Subiaco East area is acknowledged in its final recommendations on the draft Strategy and LPS 5.

Should there be further changes in the planning circumstances of the City these will be able to be addressed through the finalisation of the draft Strategy and LPS 5, or amendments to LPS 5 should it be approved.

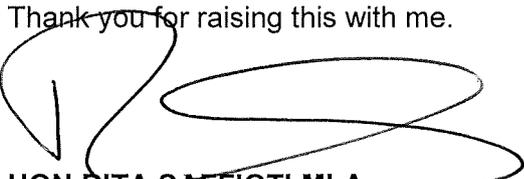
Further to this, the City has recommended that LPS 5 be modified to address community submissions, and that advertising of its modified LPS 5 will take place until 16 April 2019. I understand that the modifications undertaken by the City include measures intended to protect heritage and character areas. The further advertising of LPS 5 currently being undertaken by the City provides an additional opportunity for community input and consideration.

The State government and WAPC are actively working towards a better planning system, with the recent release of the first stage of the Design WA review of the Residential Design Codes, which will ensure that future high density development is well designed and has a high level of amenity.

An independent review of the planning system was also undertaken which resulted in the release of a Green Paper for public comment. The Department of Planning, Lands and Heritage is currently preparing a government response to the issues raised by and submissions on the Green Paper. Notwithstanding this, the City's draft Strategy and LPS 5 were initiated under the current planning system and should proceed in accordance with the requirements of the LPS Regulations.

I acknowledge the community's concerns regarding LPS 5 as expressed through the submissions received during advertising. I also recognise that concern stems from a desire for a Local Planning Strategy and Local Planning Scheme which balance the need for increased density in the City with the preservation of its character and amenity. In considering LPS 5 for final determination I will take into account the submissions of the community, as well as the recommendations of the City and WAPC.

Thank you for raising this with me.



**HON RITA SAFFIOTI MLA**  
**MINISTER FOR PLANNING**

12 MAR 2019