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EXECUTIVE SUMMARY

The City of Stirling has undertaken a review of its Local Planning Scheme No. 3 (LPS 3, gazetted 2010) in accordance with the requirement of Part 6 of the Planning and Development (Local Planning Schemes).

The purpose of the review was to establish if the LPS 3 is performing as intended, namely:

- is consistent with the 2015 Planning Regulations in terms of form and content;
- is aligned with the intent of the Local Planning Strategy;
- is aligned with the State Planning Framework;
- supports transparent and efficient decision making; and
- outcomes are being delivered ‘on the ground’ that support the objectives of the Scheme as they relate to the development and growth of the City.

To form this assessment, the Scheme Review involved the three phases of research:

Phase 1: Background Research
Analysis of planning and development activity under LPS 3 including development approvals, subdivisions, amendments and instrument adopted under the Scheme.

Phase 2: Performance Criteria Assessment
Performance Criteria Assessments to evaluate the Scheme’s performance against 13 agreed criteria that relate to the strategic direction outlined in the City’s Local Planning Strategy and the Aims and Objectives of LPS 3.

Phase 3: Stakeholder Engagement
Meetings with stakeholders who interact with or who to some degree are impacted by the operation of the City’s Scheme.

The research found that in the time the Scheme has been operating there have been significant changes to State Government policy and legislation that impact on the currency of the Scheme. Furthermore, analysis of the performance of the Scheme demonstrated that it is not delivering on its objectives across most of the assessed criteria.

Other notable findings included:

1. The current Scheme is not calibrated to deliver the City’s strategic goals as outlined in the Draft Local Planning Strategy
2. The current Scheme has delivered dispersed growth not focussed in centres & corridors
3. Framework for Activity Centre development needs to promote renewal/diversification
4. Identifications of suitable funding models are urgently needed to support the delivery of transport and other infrastructure
5. Scheme + related instruments are not consistently delivering quality urban form outcomes
6. Layers of regulation creates complexity for decisionmakers / proponents and impacts on housing affordability
7. Instruments adopted under LPS3 to deliver infill need to be normalised in Scheme to provide clarity and consistency in provision
8. Balance is needed between performance based & prescriptive standards to provide the opportunity for innovative solutions and promote quality outcomes
9. Zones & reservations require a systematic review to deliver sustainable growth & infrastructure over next 10+ years
10. Land use and development controls need to be reviewed to reduce red tape & promote greater mixed use
11. Development standards require ‘filtering’ to locate in most suitable planning instrument and to provide the balance between the certainty of prescriptive standards and flexibility of performance based standards
12. Reform introduced through Planning Regulations need to be incorporated into Scheme
Based on these findings the report recommends that the City should proceed with a new Planning Scheme that addresses the above matters and supports the strategic goals and objectives outlined in the City’s Local Planning Strategy (Draft).

To progress the Scheme Review, the report makes the following additional recommendations:

1. The Council resolve to adopt the Scheme Review Report and recommendation to prepare a new Scheme.

2. The CoS forward Council’s resolution and the Scheme Review Report to the WAPC for its consideration.

3. The WAPC determine and advise if it agrees or disagrees with the recommendations of the report, and notifies the CoS of its decision.

4. After receiving notification of the Commission’s decision, the CoS make the Scheme Review Report and the Commission’s decision available to the public.

5. Subject to the granting of permission by the WAPC, the CoS advertise the resolution to prepare a new Scheme, including providing a copy of the notice to all relevant public authorities and adjoining local governments for any recommendations to inform the preparation of the new Scheme.

6. Following public advertising of the intention to prepare a new Scheme, the CoS shall undertake the preparation of the new Local Planning Scheme documents.
1.0 INTRODUCTION

The City of Stirling (CoS) is Perth’s largest local government by population, occupying inner and middle suburbs across more than 100km². The City is therefore strategically positioned to experience growth-led transformation in the coming decades that changes the City from being largely suburban in character to a much more urban city within Greater Perth.

This creates the opportunity to bring about positive change, provided growth is directed to areas that have the required existing or planned transport infrastructure to lay the foundations for a liveable and sustainable city. It also means a rethink in the way the City plans for housing, services and job creation for a growing population that will inevitably be more diverse and older.

The City’s Draft Local Planning Strategy provides a pathway forward in this broader context that gives strategic direction to the City and its communities for the future of Stirling, including guidance on the areas that will be protected and those areas that will undergo the most change. The draft Local Planning Strategy is focussed around four planning themes including:

- prioritising growth and investment in Activity Centres and Corridors;
- job creation and growth;
- integrating and coordinating transport and land use; and
- improving the quality and liveability of the City.

The City’s Local Planning Scheme and supporting instruments have a vital role in implementing the strategic direction outlined in this Strategy.

This review of the City’s Local Planning Scheme No. 3 (LPS 3) has therefore been undertaken in this context, considering at its core whether the current Scheme is able to effectively deliver the City’s strategic vision for growth and change over the next decade and beyond.

1.1 PURPOSE OF REPORT

Part 6 of the Planning and Development (Local Planning Schemes) Regulations 2015 (2015 Regulations) requires that Local Governments review local planning schemes within six months of the five-year anniversary from the date the Scheme is approved. Schemes older than five years at the time of gazettal of the 2015 Regulations are given an additional three year’s grace before a review is required.

The CoS’s LPS 3 has been operational for seven years, and therefore, in late 2016, the City initiated the process of a Scheme Review.

The matters considered as part of the Scheme Review address the requirements of the Planning and Development Act, 2005 (the Act) and accompanying 2015 Regulations, as well as the guidance provided in the WAPC’s Review of Local Planning Schemes (WAPC 2015) document.

This entailed an assessment of the effectiveness of LPS 3 in delivering its aims and objectives; examination of the operation of the Scheme and its capacity to support good decision-making; and a review of the amendments, subdivisions and development activity that have occurred under the Scheme. As part of the Scheme Review process, inconsistencies between LPS 3 and the Deemed and Model Provisions of the 2015 Regulations were also identified.

This Report documents the main findings and conclusions from the Review which were used to form a recommendation on whether LPS No. 3 is satisfactory in its existing form; requires amending; or should be repealed and replaced with a new Scheme.

Based on the findings, the Report recommends the last of these three options; for LPS 3 to be repealed and replaced with a new Scheme.
1.2 SCHEME REVIEW PROCESS

It was recognised from the outset that the process adopted for the Scheme Review would be just as important as the outcomes. The Review process was therefore progressed in close collaboration with the Department of Planning, Lands and Heritage (DPLH) and key stakeholder groups. The process consisted of three distinct phases of research, analysis and engagement.

**PHASE 1: BACKGROUND RESEARCH**

Analysis of planning and development activity under LPS 3 including, amendments, Local Planning Policies (LPPs), Structure Plans (SPs), Local Development Plans (LDPs), and approved developments and subdivisions.

**PHASE 2: PERFORMANCE CRITERIA ASSESSMENTS**

Evaluation of the performance of LPS 3 against 13 criteria that relate to the strategic direction outlined in the City’s Local Planning Strategy and to the Aims and Objectives of LPS 3.

**PHASE 3: STAKEHOLDER ENGAGEMENT**

Meetings with developers / builders, community representatives, planning consultants, Joint Development Assessment Panel (JDAP) members, DPLH officers; and CoS staff to identify strengths and weaknesses of LPS 3 and opportunities to improve its performance.

Whilst Phases 1 and 3 are typically undertaken as part of most Scheme Reviews, Phase 2 went beyond the usual scope in that it assessed LPS 3’s performance against agreed criteria. Thirteen criteria were assessed addressing a wide-range of issues, including the following:

- distribution / diversity of infill housing,
- sustainable transport,
- employment self-sufficiency,
- public open space distribution,
- urban design and heritage,
- activity centre viability and activation, and
- sustainable infrastructure.

The value of this approach was that it allowed the City to measure the capacity of the existing Scheme to produce outcomes and effect change that is consistent with its strategic goals, and to identify areas of focus for future scheme objectives.

Throughout the analysis and performance criteria assessments the City shared presentations on the key findings with the DPLH and other stakeholder groups. These presentations are appended to this report (refer Appendix 1: LPS 3 Scheme Review – Background Analysis & Appendix 2: LPS 3 Scheme Review – Performance Criteria Analysis).

To conclude the review process, a separate report, Scheme Review Options Development and Scoping Paper (RobertsDay, 2017), was prepared that considered the Review findings and made recommendations on the available Scheme Review options. This report recommends the City proceed with the making of a new Scheme and identifies the matters that need to be addressed through this process.

Given the extent of analysis and reporting undertaken as part of this preceding work, it was agreed between the City and DPLH for this Scheme Review Report to be presented as a concise summary paper, with the more detailed analysis referred above submitted as supplementary appendices.
**Figure 1:** Planning Framework Applicable to CoS Local Planning Scheme

<table>
<thead>
<tr>
<th>PLANNING &amp; DEVELOPMENT ACT (2005)</th>
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<td>PLANNING &amp; DEVELOPMENT (Local Planning Schemes) Regulations 2015</td>
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<th>RELATED LEGISLATION &amp; POLICY</th>
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<td>Environmental Protection Act 1986</td>
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<td>Heritage of Western Australia Act 1990</td>
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<td>Bush Fires Act 1954</td>
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<td>Land Administration Act 1997</td>
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<td>Contaminated Sites Act 2003</td>
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<th>STATE PLANNING FRAMEWORK</th>
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<td>Local Planning Strategy</td>
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<td>Local Planning Policies</td>
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<td>Structure Plans</td>
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<td>Local Development Plans</td>
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<th>COS STRATEGIC COMMUNITY PLAN</th>
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<th>LOCAL LAWS</th>
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2.0 PLANNING CONTEXT

At its most fundamental level, the City’s Scheme must regulate how land is to be used and developed. However, it also needs to deliver on the City’s strategic vision and respond appropriately to the changes and challenges of our time.

This not only entails responding to the objectives and requirements of strategic plans, such as Perth & Peel @ 3.5 Million and the City’s Local Planning Strategy (Draft), but also providing a well-considered and strategic response to the significant challenges confronting the community, including challenges to the environment and climate change; employment and economic growth; transport (particularly congestion); social equity; community health/wellbeing; and demographic change.

This section considers the performance of LPS 3 in its wider strategic context.

2.1 PLANNING & DEVELOPMENT REGULATIONS (2015)

The 2015 Regulations were introduced as part of the State Government’s planning reform agenda aimed at achieving greater uniformity between local government planning schemes. The Regulations include the following two Schedules:

Schedule 1 - Model Provisions: Sets out standardised structure and content for all local planning schemes. Modifications or departures to the Model Provisions such as non-standard zones can occur, however, require justification and Ministerial Approval;

Schedule 2 – Deemed Provisions: Sets out uniform processes and procedures for all planning schemes across WA, including for SPs, LDPs and development approvals. The Deemed Provisions automatically supersede and replace equivalent provisions in local planning schemes.

The Review identified inconsistencies between LPS 3 and both the Model and Deemed Provision. Inconsistencies with the Deemed Provisions has created a usability issue for LPS 3, with many scheme provisions redundant as a result of the standardised Deemed Provisions. Alignment is needed between the Scheme and Deemed Provisions by extracting from the Scheme the Parts covered under the Deemed Provisions. They include:

- Part 2 – LPP Framework,
- Part 6A – Development (SP) Areas,
- Part 7 – Heritage Protection,
- Part 8 – Development of Land,
- Part 9- Applications for Planning Approval,
- Part 10 – Procedures for Dealing with Applications.

The assessment also identified several areas where Scheme clauses, zones and reservations can be brought more closely into alignment with the Model Provisions, whilst still achieving the City’s objectives. The City however has also found deficiencies in certain Model Provision as they apply to the City, which will require further engagement with DHLA and possibly justification for a departure. They include limitations with the Model Provisions ‘Centre’ Zone and with certain zone objectives.
2.2 METROPOLITAN PLANNING STRATEGIES

A function of local planning schemes is to provide a statutory implementation mechanism that delivers outcomes consistent with the broader strategic planning framework. LPS 3 was therefore assessed for consistency against Directions 2031 which was introduced in 2010, the same year LSP 3 was gazetted. The Scheme was also assessed in the context of current state and local planning strategies. The main findings are reported in the CoS LPS 3 Scheme Review – Background Analysis (Appendix 1) and are summarised below.

2.2.1 Directions 2031 (WAPC 2010)

Directions 2031 established a level spatial framework for Perth and Peel that superseded Network City and replaced Metroplan (1990).

It shared similar strategic goals to those adopted under the current plan, Perth & Peel @ 3.5 million; focused around liveability, economic prosperity and sustainability.

Directions 2031 had projected the population of Greater Perth would reach 1.73 million by 2016 and 2.20 million by 2031, necessitating an additional 328,000 new dwellings. The reality however has been stronger growth, with the last 2016 ABS Census recording a population of 1.94 million for Greater Perth, although more recently the rate of growth has noticeably slowed due to the decline in the economy.

Directions 2031 recognised the benefits of a consolidated city, however adopted a more conservative infill target of 47%, compared to Network City which proposed 60%.

This equated to 154,000 of the required 328,000 dwellings to be developed as infill under the ‘Connected City Scenario’. Directions 2031 estimated the population of the Central Metropolitan Sub-region would grow by 29 per cent to 910,000 (205,000 additional people, 121,000 additional dwellings, 147,000 new jobs).

Centres, corridors and transition hubs were identified as key growth areas, however unlike Perth & Peel @ 3.5 Million, there was no target set under Directions 2031 to guide the proportion of total infill that was to locate in these areas.
2.2.2 Perth & Peel @ 3.5 Million (WAPC, 2015 – draft)

Perth & Peel @ 3.5 Million, the current strategic metropolitan blueprint, describes a vision for a more compact and connected city that is sustainable, globally competitive, and technologically advanced - a city that provides genuine housing and lifestyle choice.

The CoS falls within the Central Sub-Region, which under the Draft Central Sub-regional Planning Framework (WAPC, 2015) is forecast to contribute approximately 32% of the metropolitan region’s population growth by 2050. To accommodate this growth, the CoS is targeted to contribute 28% of the Sub-Region’s new housing; equivalent to an additional 60,400 dwellings.

Unlike Directions 2031 which did not set targets for where infill is to occur, Perth & Peel @ 3.5 Million aims for 75% of all infill to be consolidated in strategic planning areas (activity centres and corridors). For Stirling, this equates 45,300 new dwellings within activity centres and along corridors, with the remaining 15,100 dwellings to locate in existing suburbs. This requirement for focused infill and these targets are reflected in the City’s Draft Local Planning Strategy.

2.2.3 Observations

To inform the Scheme Review and to establish if development is occurring in the City’s strategic planning areas as proposed under Perth & Peel @ 3.5 Million, the locations of infill housing built between 2014-16 were mapped across the City (refer Figures 3 & 4).

The results demonstrate that current R-Code allocations under LPS 3 are not driving focused infill in activity centres and corridors in accordance with the 75% target of Perth & Peel @ 3.5 Million, with 55% of infill over this two-year period being outside strategic planning areas and 35% occurring within these areas.

Figures 3 and 4 break the infill down into grouped and multiple dwellings respectively. Figure 3 illustrates a clear scattering of grouped housing infill, mostly across the City’s R40 coded areas. The multiple housing infill shown in Figure 4 is also scattered, however a significant number of the developments have clearly consolidated near the City’s activity corridors. With greater focus on corridor planning under Perth & Peel @ 3.5 Million (which was absent under Directions 2031 at the time LPS 3 was gazetted) and more deliberate planning efforts and infrastructure investment to incentivise development in these areas, there is clearly significant potential for the City’s activity corridors to take on a much greater role in accommodating the City’s future growth.

The scattered pattern of infill that is occurring may in part be symptomatic of the fact that LPS 3 emerged in the context of Network City and Directions 2031 which did not establish targets for focused growth and corridors. However it also highlights there is the need to recalibrate the residential zones and density settings under LPS 3 to better align with the current Perth & Peel @ 3.5 Million strategic framework for focused residential growth.

Achieving infill consistent with Perth & Peel @ 3.5 Million targets is inherently complex and requires significant coordinated planning that responds to the variable and multifunctional character of each area. For Centres and Corridors this includes creating high amenity areas for people to live and grow communities.

Under LPS 3, the CoS has already taken significant steps to create planning frameworks to deliver certainty and amenity including extensive structure planning for the City’s major centres, activity corridors and transit hubs. Many of these proposals however have stalled at State assessment, which has delayed their implementation.

Infrastructure servicing is the other key issue that remains to be addressed. Achieving the State Government’s infill targets is reliant on the timely provision of, and upgrades to infrastructure, including transport, utility, and community facilities. Without investment in infrastructure, many infill sites are constrained and unable to be developed to their full potential. Transport planning disruption through recent changes in government and a lack of committed investment in central sub-regional transport infrastructure has also constrained the City’s ability to attract genuine density in its strategic planning locations.
Figure 2: Sub-Regional Framework Targets

### PERTH + PEEL @ 3.5M

#### CENTRAL REGION BY 2050

- **250K jobs**
- **417K people**
- **215K houses**

#### GROWTH OBJECTIVES:

1. **CONNECTED CITY**
   - Activity Centres + Corridors

2. **PROTECTED INDUSTRIAL**
   - Employment + Economic Growth

- **Housing Growth within City of Stirling**
  - (+60,400 houses)

- **Infill to be in Planned Consolidation Areas**
- **Infill to be Incremental Growth**

### CENTRAL SUB-REGIONAL PLANNING FRAMEWORK

**SUB-REGIONAL FRAMEWORK TARGET**

- **60,400** by 2050
  - (+1,725 dwellings/year)

**ACTUAL CITY OF STIRLING RATE (2006 - 16)**

- **1,299 dwellings/year**

ABS, 2016
Figure 3: Grouped Dwelling Developments 2014-2016

42% GROUPED HOUSING WITHIN CENTRES + CORRIDORS

Figure 4: Multiple Dwelling Developments 2014 -16

63% MULTIPLE HOUSING WITHIN CENTRES + CORRIDORS
2.2.4 Metronet (2017)

To achieve the infill targets set out in the draft Central Sub-regional Planning Framework, there needs to be commensurate planning and investment in transport infrastructure to link people to employment centres and other major destinations.

Without this investment, there will be further decline in congestion and a lack of stimulus for investment in the development of City's Activity Centres and Corridors, leading to greater propensity for uncoordinated 'backyard infill' and further deterioration and fragmentation of the City's suburbs.

Metronet is the State Government's long-term blueprint for transport infrastructure planning and investment.

First stage infrastructure investments under Metronet include rail extensions, new stations and level crossing removals that are all located outside the CoS. However, as part of Stage 1 the Government is also committed to progressing planning for an inner-suburb rail system, creating the opportunity for improved transport infrastructure within the CoS.

The CoS has also prepared its own Integrated Transport Strategy (2009) that establishes a city-wide plan for transport infrastructure, including light and heavy rail, active transport and road/freight. A priority for the City is a light rail corridor along Scarborough Beach Road, connecting Glendalough Station with the Scarborough beachfront. The City has built a business case for this investment and undertaken extensive planning in the form of the Scarborough Beach Road Activity Corridor which creates opportunities for land use and development intensification for optimum utilisation of this future service.

Similarly, the City is proposing a light rail connection along Beaufort Street and has progressed Activity Corridor planning to achieve optimum land use and development mix along this corridor.

Scarborough Beach Road and Beaufort Street however are only two of the 34 Activity Corridors identified in the City. Scheme zonings and densities will require systematic review to coordinate with transport planning and infrastructure investment priorities, as well as to incorporate recommendations from place-based plans including, Activity Corridor Plans and the City's Better Suburbs Project.

2.3 Local Planning Strategy (Draft)

The City's Draft Local Planning Strategy sets out strategic planning direction for the City over the next 10+ years, based on the following vision and four themes.

**CITY OF STIRLING LOCAL PLANNING STRATEGY**

**Vision**

"Focus investment, jobs and growth on corridors and centres around transit; improve the quality of suburbs & centres; and the overall liveability of the City."

**THEME 1**

**Prioritise Growth & Investment in Activity Centres & Corridors**

**THEME 2**

**Keep the Jobs We Have Now & Grow Them**

**THEME 3**

**Transport & Land Use Will Be Coordinated and Integrated**

**THEME 4**

**Improving the Quality & Liveability of the City**

The Local Planning Strategy is scheduled to be considered by the WAPC during the second half of 2017 before being advertised for public comment.

An important aspect of the Scheme Review was to assess whether LSP 3 can deliver outcomes aligned with the intent of the Strategy. Table 1 summarises the main results from this assessment. Where there are identified deficiencies with the current LPS 3, the Scheme Review has provided direction and recommendations (refer Appendix 3).
### Table 1: Relationship between CoS Local Planning Strategy & Local Planning Scheme

<table>
<thead>
<tr>
<th>Theme 1</th>
<th>Prioritise Growth &amp; Investment in Activity Centres &amp; Corridors</th>
<th>CURRENT COS ISSUES</th>
<th>LOCAL PLANNING STRATEGY RESPONSE</th>
<th>CONSIDERATIONS FOR LOCAL PLANNING SCHEME</th>
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<td></td>
<td>Focused residential infill is needed to support the economic viability of Activity Centres &amp; Corridors &amp; to sustain infrastructure investment in these locations</td>
<td>75% residential infill &amp; retail/commercial growth to consolidate in the City’s Activity Centres &amp; Corridors.</td>
<td>Centre zones require recalibration to promote diversification &amp; intensification of uses beyond retail</td>
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<td>Activity Centres &amp; Corridors within the CoS fail to provide a ‘sense of place’</td>
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<td>Floorspace ranges &amp; incentives are needed to support City’s strategy for re-localised retail</td>
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<td>The pattern &amp; character of land use &amp; development across the City is predominantly suburban, promoting cars above other modes</td>
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<td>Systematic review of residential zones &amp; densities is required to ensure that infill housing is aligned with strategic objectives for focused growth</td>
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<td></td>
<td>▪ 75% residential infill &amp; retail/commercial growth to consolidate in the City’s Activity Centres &amp; Corridors.</td>
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<td>Development standards &amp; controls require review to deliver place-based outcomes</td>
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<td></td>
<td>▪ Centre zones require recalibration to promote diversification &amp; intensification of uses beyond retail</td>
<td></td>
<td>City’s R40 areas require more effective planning control to limit ad-hoc infill &amp; poor design outcomes</td>
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<td></td>
<td>▪ Floorspace ranges &amp; incentives are needed to support City’s strategy for re-localised retail</td>
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<td>Scheme to provide for stable hierarchy of activity centres, curtailing the need for further spot rezonings that have been counterintuitive to focused investment &amp; job creation</td>
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<td>▪ Systematic review of residential zones &amp; densities is required to ensure that infill housing is aligned with strategic objectives for focused growth</td>
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<td>Scheme to address attrition of industrial land to large format retail &amp; other uses more suited to Activity Centre locations</td>
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<td>▪ Development standards &amp; controls require review to deliver place-based outcomes</td>
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<td>Scheme provisions to incentivise renewal of local centres with mixed use &amp; main street elements</td>
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<td></td>
<td>▪ City’s R40 areas require more effective planning controls to limit ad-hoc infill &amp; poor design outcomes</td>
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<td>Zoning of tourist areas require review to ensure land use permissibilities &amp; development standards support strengthening of the local tourism economy</td>
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<tr>
<th>Theme 2</th>
<th>Keep the jobs we have now and Grow Them</th>
<th>LOCAL PLANNING STRATEGY RESPONSE</th>
<th>CONSIDERATIONS FOR LOCAL PLANNING SCHEME</th>
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<tr>
<td></td>
<td>Centres, corridors &amp; other employment nodes must provide amenity, connectivity &amp; infrastructure for job creation &amp; employment self-sufficiency</td>
<td>Activity Centres, Corridors, Tourism Nodes &amp; Specialised Centres shall provide the City’s principal growth areas for job creation</td>
<td>Zoning &amp; land use regulation to support job creation in centres / corridors &amp; other employment nodes</td>
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<td></td>
<td>▪ Stirling City Centre / Herdsman-Glendalough to become Perth’s second CBD</td>
<td>▪ Stirling City Centre / Herdsman-Glendalough to become Perth’s second CBD</td>
<td>▪ Scheme to provide for a stable hierarchy of activity centres, curtailing the need for further spot rezonings that have been counterintuitive to focused investment &amp; job creation</td>
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<td>Theme 3</td>
<td>Transport &amp; Land Use will be Coordinated &amp; Integrated</td>
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<td><strong>CONSIDERATIONS FOR LOCAL PLANNING SCHEME</strong></td>
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<td>▪ Dispersed residential infill has perpetuated reliance on cars</td>
<td>▪ Transport infrastructure investment and growth to focus in Activity Centre &amp; Corridors</td>
<td>▪ Development standards (in Scheme &amp; supporting instruments) to promote streetscapes in the City’s Centres, Corridors &amp; suburbs that encourage walking/cycling/PT (reflect Better Suburbs recommendations)</td>
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<td>▪ City’s grid structure provides ‘bones’ for walkable neighbourhoods, however poor quality built form &amp; tree loss has caused streetscape decline, discouraging walking/cycling</td>
<td>▪ Improved quality of streetscapes throughout the suburbs to promote walking/cycling/PT use</td>
<td>▪ Transport corridor reservations require review to ensure capacity for planned high-frequency public transport services</td>
<td></td>
</tr>
<tr>
<td>▪ Timely investment in transport infrastructure is required to underpin sustainable infill</td>
<td></td>
<td>▪ Parking standards to achieve adequate supply &amp; efficient utility of parking, balanced with the City’s broader objective of reduced car reliance</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Theme 4</th>
<th>Improving the Quality &amp; Liveability of the City</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>CURRENT COS ISSUES</strong></td>
<td><strong>LOCAL PLANNING STRATEGY RESPONSE</strong></td>
</tr>
<tr>
<td>▪ Dispersed pattern of residential infill is compromising liveability, streetscape quality &amp; is resulting in significant urban tree loss</td>
<td>▪ Residential growth to consolidate in Activity Centres &amp; Corridors</td>
</tr>
<tr>
<td>▪ Lack of Diversity of housing choices, particularly for medium density (‘missing middle’), is not keeping pace with demographic changes</td>
<td>▪ Preserve character of the City’s suburbs for families</td>
</tr>
<tr>
<td>▪ Population growth is increasing pressure on POS &amp; recreation facilities</td>
<td>▪ Diversify choice of housing across the City</td>
</tr>
<tr>
<td>▪ Ensure quality, quantity &amp; distribution of POS &amp; other community facilities meets community need</td>
<td>▪ Encourage expansion, diversification and activation of local/neighbourhood centres to create local hubs for communities</td>
</tr>
</tbody>
</table>
2.3.1 State Planning Policies

State Planning Policies (SPP) prepared under Part 3 of the Planning and Development Act 2005 provide the highest level of planning policy control and guidance in Western Australia. Local Planning Schemes are therefore to be consistent with SPPs, unless SPP provisions are explicitly varied in the Scheme.

Variations to SPPs under LPS 3 are addressed under Clause 5.3 – Special Application of the Residential Design Codes. Amendment 32 brought Clause 5.3.4 into LPS 3 to restrict multiple dwellings in certain R40 areas with the aim of focussing infill in Centres and Corridors. The assessment that was undertaken for the Scheme Review to establish where recent infill is locating, found this clause to be operating well in curtailing scattered infill (multiple dwellings) across the City’s R40 suburbs. The review of LPS 3 in the context of other SPPs found opportunities to achieve greater alignment and improved outcomes for the City. These findings are reported under Section 3.3 of the Options Development (Appendix 3). The review also found the following two SPPs to be deficient and in need of urgent review:

- **SPP 3.1 Residential Design Codes**
  Review found that infill housing delivered under the R-Codes has failed to deliver housing choice and quality design.

  The rezoning of whole suburbs in the 1990s to R40 has in particular led to land fragmentation and significant backyard infill, mostly in the form grouped dwelling development. In some areas, including near activity centres (eg Innaloo), this has impacted on available redevelopment options. Successive amendments to the R-Codes have also incrementally raised the density of development in the R40 areas well above the densities that were originally intended and resulted in excessive site coverage and overdevelopment of many infill sites.

  WAPC acknowledges these shortcomings which it intends to address through Design WA. The City’s Better Suburbs project is also reviewing application of the R-Codes and will include recommendations for the Scheme & related instruments to improve infill housing design and choice.

- **SPP 3.6 Development Contributions for Infrastructure**

  The review found SPP 3.6 to be unworkable in established urban areas where there are multiple landowners; development is incremental and ongoing; and alternative types of infrastructure require funding that are not accommodated under the policy. A review of the SPP 3.6 or a new SPP is therefore urgently needed to create a Development Contribution framework that is suited to established urban areas.
3.0 ACTIVITY REPORT LPS 3

This section provides an activity report summary on the population changes, amendments, planning decisions and planning instruments adopted under LPS 3 since its gazettal on 6 August 2010. Further details are provided in Appendix 1.

3.1 POPULATION CHANGES

Between 2006 and 2016 the population of the City grew by an additional 33,336 residents, from 176,872 residents in 2006 to 210,208 in 2016 (Source: ABS, 2016).

The male to female split remained stable at 49% and 51% respectively.

Some notable changes between 2006 and 2016 were as follows.

**Households (2006–16)**

- The average household size was up 0.1%, from 2.3 persons per household to 2.4 persons.
- The proportion of ‘family’ household types was up 4% from 62% to 66%.
- Single (lone) person housing declined 1.9% from 30.9% to 29%.

These findings indicate there is a need to plan “family-friendly” suburbs and maintain a suitable supply of housing for the growing family household type.

**Dwelling Types (2006-16)**

- The number of dwellings grew from 71,956 in 2006 to 81,417 in 2016.
- The number of detached dwellings remained stable (44,482 dwellings in 2006; 44,784 dwellings in 2016), but reduced as a proportion of total dwellings from 62% in 2006 to 55% in 2016.
- There was a notable increase in the number of semi-detached, row and terrace house types, increasing from 18,285 in 2006 (25% of dwellings) to 29,183 dwellings in 2016 (36% of dwellings).
- There was a decline in the number of apartments/flats from 8,957 in 2006 to 7,205 in 2016.

These findings confirm that infill has been mostly in the form of grouped dwellings, which can be attributed to the extensive residential areas that were rezoned to R40 during the mid-1990s. The Scheme and supporting instruments need to redress this by introducing standards that will deliver housing choice in locations close to jobs and infrastructure.

**Age Structure (2006-16)**

- The proportion of young children aged 0-4 increased from 5.7% to 6.2%.
- The proportion of the population aged 25 – 54 increased from 43.5% to 45.7%.
- The proportion of the residents aged over 55 years remained stable at 26%.

The increase in young children further confirms that a growing number of young families are attracted to the City. The City’s strategy for focused infill and retention of suburbs for families is compatible with this finding.
Income

- The median household weekly income grew from $999 k to $1,563, however at 2016 was less than the Perth median of $1,643.

With CoS household incomes less than the Perth median, creating neighbourhoods for affordable living is highly relevant. The City’s strategy for focussed infill to improve housing choice close to transport and jobs is consistent with this finding.

Other population trends were tracked as part of the Performance Criteria Assessments reported under Section 4.0 and Appendix 2. Detailed demographic analysis also forms part of the background analysis to the City’s Local Planning Strategy.

3.2 SCHEME AMENDMENTS

Between 2010 and 2016 there were 47 amendments to LPS 3. Most were initiated by external proponents and involved zoning changes, with the majority of these (60%) being for residential density uplift. These density increases were generally in centre and corridor locations where strategic planning objectives supported the change.

The City also initiated several of its own amendments to address deficiencies in the Scheme. They included:

- Amendment 32 – Initiated to focus multiple dwellings in centre/corridor locations. This amendment has helped curtail the ad-hoc development of multiple dwellings facilitated through the 2010 R-Code amendment which removed the site area per dwelling requirement for multiple dwellings in favour of plot ratio control. As a result of this change to the R-Codes, the City experienced large volumes of poorly designed multiple dwelling developments across its suburbs that took on the form of grouped dwellings but were developed at much higher effective densities, often to the detriment of streetscape and neighbourhood quality.

- Amendments 4 & 27 – Initiated to tighten heritage controls. These amendments have achieved their intended outcomes with the City’s heritage provisions operating effectively.

- Amendments 84 & 85 – Initiated to reassign standards from Activity Centre Plans into LSP 3. These amendments were a consequence of the 2015 Regulations which downgraded Part 1 Structure Plan provisions from having the “force and effect” of the Scheme to being instruments of “due regard”.

During this same period, the City refused to initiate 12 amendments. The main reasons given by the City for these refusals were:

- Amendment would result in an ad-hoc or spot zoning change and is therefore inconsistent with the City’s strategic vision;
- Amendment was deemed to be unnecessary;
- Amendment was deemed to be inconsistent with a SPP (eg Residential Design Codes).

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- Amendment was deemed to be unnecessary;
- Amendment was deemed to be inconsistent with a SPP (eg Residential Design Codes).
3.3 INSTRUMENTS (ADOPTED UNDER THE SCHEME)

3.3.1 Structure Plans (SP)

SPs adopted under LPS 3 are listed under Table 2. Some of these structure plan areas are complete or near completion and can be normalised in the City’s Scheme. Others however are ongoing and will need to retain a ‘Development’ zoning, or equivalent, until finalised.

The SPs prepared for Stirling City Centre, Mirrabooka Town Centre and Herdsman-Glendalough include zones inconsistent with LPS 3 zones. The Scheme therefore needs to accommodate these existing planning frameworks by either retaining these areas within Development zones, with related Special Control Area provisions, or, by introducing corresponding zones.

The Scheme also needs to address the duplication that currently exists between Development Zones, Development Areas, Special Control Areas and Development Contribution Areas. These classifications generally apply to the same geographical areas, however are addressed separately in the Scheme Text and demarcated with different boundaries on the Scheme Map. Simplification is needed to enable all development standards to be located together in the Scheme.

There is also the need to address the replication that exists between certain SPs and Scheme controls and to reassess the implications for enforcement arising from application of the ‘due regard’ principle to structure plans under the 2015 Regulations.

Table 2: Structure Plans adopted under LPS 3

<table>
<thead>
<tr>
<th>APPROVED SPs</th>
<th>UNDETERMINED SPs</th>
<th>UNDETERMINED SPs</th>
</tr>
</thead>
<tbody>
<tr>
<td>NORMALISE IN SCHEME</td>
<td>NORMALISE ONCE APPROVED / IMPLEMENTED</td>
<td>NOT CONDUCIVE TO NORMALISATION</td>
</tr>
<tr>
<td>Roselea, Stirling</td>
<td>Channel 9 Site, Dianella</td>
<td>Stirling City Centre</td>
</tr>
<tr>
<td>Princeton, Stirling</td>
<td>Lot 2 North Beach Road, Gwelup</td>
<td>Mirrabooka Town Centre</td>
</tr>
<tr>
<td>ECU, Churchlands</td>
<td>Atlas Site, Mirrabooka</td>
<td>Herdsman-Glendalough</td>
</tr>
<tr>
<td>Carine TAFE, Carine</td>
<td>Channel Ten &amp; DoH Land, Dianella</td>
<td></td>
</tr>
<tr>
<td>David Butfield, Gwelup</td>
<td>Harkins Street &amp; Arkana Road, Westminster</td>
<td></td>
</tr>
<tr>
<td>Eyrlean Way, Gwelup</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Daviot Park, Gwelup</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Thomas Mews Estate, Gwelup</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
3.3.2 Local Development Plans (LDP)

LDPs adopted under LPS 3 prescribe design standards for development areas ranging from individual lot plans to precinct-based codes. More recently, the City has expanded the role of LDPs from just controlling built form, to include public realm standards in recognition of the need for design coordination between the public and private realms.

It is anticipated that in the future LDPs will take on a greater role in the City’s planning framework because of the growing need for design control and coordination of urban renewal areas. It is therefore recommended that standardised templates be prepared for all LDPs to improve efficiencies in preparation and administration.

3.3.3 Local Planning Policies (LPP)

There are approximately 45 operational LPPs under the City’s Scheme.

Some policies are redundant or can be consolidated to create a simpler framework. A review of all operational LPPs is therefore recommended to address the following:

- Remove obsolete LPPs (e.g. residential estate policies no longer required);
- Identify LPPs that require updating to address current best practice;
- Consolidate LPPs that address common issues;
- Identify LPPs that are not specific to planning and that can be adopted as general Council policies or Local Laws under the Local Government Act;
- Identify LPP controls that are inconsistent with Scheme provisions or that should be reassigned to the Scheme.

A more consistent approach is also needed to address the overlap between how LDPs and LPPs are being used for similar lot and precinct-based design control functions.

In this regard, it is recommended LDPs be used for this purpose – this being consistent with the 2015 Regulations and industry expectations.
3.4 DEVELOPMENT

On average, the City determined approximately 2,600 planning applications annually between the years 2012 – 2016.

This included approvals for wide ranging development types including residential infill, commercial, mixed-use, ancillary accommodation, and change of use.

Of the 2,171 applications determined between August 2016 and August 2017, 95%, or 1,916 applications, were approved and 5%, or 101 applications, were refused.

The review considered the quality of developments resulting from the City’s approvals, finding that design quality has been variable, with some good examples, but also many developments relating poorly to streetscapes and neighbourhoods character. Table 3 summarises some of the design issues observed.

CITY OF STIRLING LPS 3
TOTAL DEVELOPMENT APPROVALS

<table>
<thead>
<tr>
<th>Year</th>
<th>Approvals</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012</td>
<td>2,402</td>
</tr>
<tr>
<td>2013</td>
<td>2,383</td>
</tr>
<tr>
<td>2014</td>
<td>3,411</td>
</tr>
<tr>
<td>2015</td>
<td>2,709</td>
</tr>
<tr>
<td>2016</td>
<td>2,080</td>
</tr>
<tr>
<td>2017</td>
<td>2,171</td>
</tr>
</tbody>
</table>
### Table 3: Development Audit – Key Design Issues

<table>
<thead>
<tr>
<th>Residential</th>
<th>Commercial / Mixed Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>▪ Limited choice of housing types built – mostly grouped housing, front loaded side-by-side, battle-axe &amp; multiple dwellings mimicking grouped dwelling site layout/design</td>
<td>▪ Compliant developments often not achieving good architectural outcomes indicating that greater balance is needed between prescriptive &amp; performance based controls to encourage more innovative design.</td>
</tr>
<tr>
<td>▪ Overdevelopment of sites has been a major issue, resulting in:</td>
<td>▪ Podiums that were introduced to lessen the impact of building height have often yielded poor design, particular in terms of architectural proportion.</td>
</tr>
<tr>
<td>▪ excessive building coverage &amp; tree loss,</td>
<td>▪ Coordination often lacking between built form &amp; surrounding public spaces – requires greater attention to mediate between different users and to ensure developments contribute to streetscapes.</td>
</tr>
<tr>
<td>▪ limited useable outdoor space/ landscaping,</td>
<td>▪ Limited take-up of mixed-use buildings despite the many potential advantages. Additional time is needed to see if City provisions mandating residential in mixed use environments are working effectively and if greater developer incentives are warranted.</td>
</tr>
<tr>
<td>▪ adverse impacts on ‘next door’ – bulk, privacy &amp; overshadowing,</td>
<td>▪ Lack of basement setback controls, leading to insufficient deep planting zones.</td>
</tr>
<tr>
<td>▪ poor engagement with street – blank walls, garages, bin storage &amp; service areas.</td>
<td></td>
</tr>
<tr>
<td>▪ Retention of dwellings often compromises the project design outcome.</td>
<td></td>
</tr>
<tr>
<td>▪ Apartments not providing positive streetscape interface – often retaining/walling to street due to poor design response to site levels.</td>
<td></td>
</tr>
</tbody>
</table>

These observations suggest the need for more effective design controls to deliver developments that make a positive contribution to neighbourhoods and provide a high standard of building for occupants.

Some of these issues can be attributed to the Residential Design Codes, which have led to site overdevelopment and failed to deliver housing diversity. The WAPC’s Design WA policies are expected to address some of these deficiencies through a greater focus on building typologies and standards to deliver greater diversity and improved design quality. The City is also actively taking steps to improve design, including through its Better Suburbs project which will introduce a wider range of housing types and related design standards. The Scheme will need to provide an operative implementation framework for both initiatives.

The City has also introduced built form codes and standards through precinct-based LDPs and has prepared LPPs to address immediate design issue including urban tree loss. In addition, the City is exploring the establishment of a Design Advisory Panel to assess and provide independent expert advice on major development applications and planning proposals. The design expertise that comes with a Panel would enable greater reliance on performance-based design controls that can foster more innovative site responsive built-form outcomes for the City’s strategic development sites. The City’s Scheme will need to consider best practice for integrating Panel procedures into a streamlined assessment and approvals framework.
3.5 SUBDIVISION ACTIVITY

On average 250 lots were created each year within the City between 2012-16.

The main issues the City has experienced in relation to subdivision activity, include:

- The large volume of ‘backyard infill’ subdivisions has led to only marginal increase in actual density, but has had significant adverse impact on neighbourhoods, streetscape and tree canopy cover;
- WAPC approval of irregular lots (often to allow retention of an existing dwelling) is delivering compromised built form outcomes and impacting neighbourhood amenity;
- Subdivision approvals issued for land within Heritage Protection Areas have resulted in compromised conservation outcomes.

These issues point to the need for built form outcomes to be given greater consideration in the subdivision process and for a review of the existing controls pertaining to the City’s medium density suburbs to curtail further poor subdivision and resultant development design.
3.6 CHANGE OF USE & OPERATION OF ZONES

The City receives on average around seven change-of-use applications each month. Of the 69 change-of-use applications received between 2015-16, 22% were for Private Recreation within the City's Industrial/ Mixed Business areas. Other common change-of-use application were for Family Day Care and Personal Care Services.

The Review considered the operation of the City’s zones and land use permissibility settings. Table 4 captures key recommendations to improve the regulation of land use under the City’s Scheme. Recommendations relating to these findings are also provided under Part 4 of the Options Development Paper (Appendix 3).

Table 4: Land Use Audit – Key Issues

<table>
<thead>
<tr>
<th>Review Land Use Classes</th>
<th>Recalibrate Land Use Permissibility Settings</th>
<th>More Flexible Zones</th>
</tr>
</thead>
<tbody>
<tr>
<td>▪ Identify opportunities to integrate use classes into broader functional categories and remove classes rarely used (eg certain classes of industrial use).</td>
<td>▪ Reduce red-tape by identifying opportunities to exempt approval requirements for certain compliant uses (eg Home Business).</td>
<td>▪ Review all single use zones to identify opportunities to replace with more flexible zone categories that allow for wider range of land uses (eg Hotel Zone to Tourist Zone).</td>
</tr>
<tr>
<td>▪ Introduce additional use classes that are lacking in the Scheme or that may be required in response to current &amp; future trends (eg. larger format retail, Airbnb as a variant on B&amp;B).</td>
<td>▪ Address irregularities between current use class permissibility settings (eg Convenience Store – ‘X’ use in ‘Business’ zone and ‘D’ use (max. 150m2 retail) in ‘Mixed Business’ zone).</td>
<td>▪ Review all Special Use Zones and Additional Uses to identify opportunities to integrate use permissibilities into general Scheme Zones.</td>
</tr>
<tr>
<td>▪ Investigate potential of including in Scheme a tiered system of retail use categories to facilitate shop types compatible with Centre Types (eg ‘local retail’, ‘district retail’, ‘regional retail’).</td>
<td>▪ Expand use permissibilities in Activity Centre zones.</td>
<td>▪ Address land use permissibility settings that require tighter regulation. Examples include Private Recreation uses creeping into industrial areas rather than locating within Activity Centres.</td>
</tr>
</tbody>
</table>
3.7 JDAP DETERMINATIONS

JDAP determined 94 applications between 2012 – 2016; approximately 20 applications each year. Most of the JDAP considered proposals concerned sites within the City’s Activity Centres and Corridors.

For the City, the main issue has been when JDAP decisions have deviated from officer recommendations, which have mostly occurred in project areas where the planning framework is pending final WAPC approval.

The City’s other concern has been where JDAP has taken liberty beyond what the City had intended with respect to discretional standards. An example is height controls along activity corridors where discretion is available to vary standards and JDAP has allowed a higher building than the mid-rise anticipated by the City. This highlights the need to review discretional development standards (including those available through LPS 3’s Clause 5.5 – Variations to Site and Development Standards and Requirements).

The presiding members of JDAP were also consulted about the operation of LPS 3 and supporting instruments. A summary of their comments is provided under Section 5.0.

3.8 STATE ADMINISTRATIVE TRIBUNAL DETERMINATIONS

Between 2013 – 2016, SAT reviewed 76 determinations from the CoS. Of these approximately 80% were either determined through S.31 reconsidertions, mediated or withdrawn. The most commonly contested matters were:

- Heritage Protection (13)
- R-Code Standards (13)
- Residential Car Parking (10)
- Building Height Limits (9)
- Parking Standards/shortfalls (5)
- Discretional Uses (5).

Only seven appeals were upheld by SAT. They included an appeal against a Council decision to refuse demolition of heritage building; an appeal against a Council condition to restrict building height; an appeal against Council refusal of a child-care centre; and approval of a change-of-use that included a restrictive condition due to limited by available parking.

A review of these matters did not identify any systematic deficiency in the Scheme or related planning instruments.
4.0 PERFORMANCE CRITERIA ASSESSMENT

4.1 VALUE OF ASSESSMENT

When LPS 3 was gazetted in 2010, it had represented a significant policy change from the segregated zoning and car-based approach to development that was facilitated through the former District Planning Scheme No. 2 (gazetted 1985). This shift has since further been assisted through the SPs and LDPs adopted under LSP 3 which are focused on delivering mixed-use, transit-ready centres and neighbourhoods.

To establish if LPS 3 is actually incentivising and delivering development consistent with the City’s Scheme objectives and strategic goals, the Review assessed LPS 3’s performance against a range of criteria measuring indices ranging from transport mode, job creation and public open space distribution through to infill housing distribution and Activity Centre design. A total of 13 criteria were identified, listed in Table 5.

The following filters were applied to arrive at the chosen criteria:

<table>
<thead>
<tr>
<th>Value Of Criteria</th>
<th>Power To Influence</th>
<th>Application Area</th>
<th>Measurable</th>
<th>Comparable</th>
</tr>
</thead>
<tbody>
<tr>
<td>Criteria relates to the CoS’s Strategic Vision &amp; Scheme Aims &amp; are valuable considerations in Council decision-making.</td>
<td>CoS has ability to improve performance of the criteria through its planning instruments</td>
<td>Criteria can be confined to CoS</td>
<td>Criteria is based on reliable &amp; relevant data</td>
<td>Criteria can be tracked &amp; compared over time, including at subsequent Scheme Reviews.</td>
</tr>
</tbody>
</table>

4.2 ASSESSMENT RESULTS

The results from the Performance Criteria Assessment are summarised in Table 5 and presented in Appendix 2: CoS LPS 3 Scheme Review – Performance Criteria Analysis.

Of the 13 criteria assessed, 10 failed to meet City objectives. In considering these results, it should be acknowledged that LPS 3 has been operational for only seven years and was gazetted well in advance of the Draft Local Planning Strategy, whereas the changes being sought by this Strategy will take much longer to incubate in practice.

Notwithstanding this, the results indicate that development under LPS 3 is not delivering the types of outcomes sought by the City and that changes to current Scheme and policy settings are warranted to achieve outcomes that are more closely aligned to the City’s strategic goals. The City has taken up this challenge through several bold initiatives, including most recently the Better Suburbs project.

The results from the Performance Criteria Assessments are instructive and have been used to inform the Scheme Review recommendations that are outlined in the Options Development paper submitted under Appendix 3.
### Table 5: LPS 3 Performance Criteria Assessments – Summary of Results

<table>
<thead>
<tr>
<th>PERFORMANCE CRITERIA</th>
<th>MEASURE</th>
<th>TARGET (IF APPLICABLE)</th>
<th>RESULT</th>
<th>LOCAL PLANNING STRATEGY - STRATEGIC PLANNING THEME</th>
<th>LPS3 – SCHEME AIM</th>
<th>SUGGESTED RESPONSE</th>
</tr>
</thead>
</table>
| 1. URBAN TREE CANOPY | Density (%) of Tree Canopy cover by CoS                                  | 18% (min)              |✗      | Improve the Quality & Liveability of the City                                                                          | To protect and enhance the environmental values & natural resources & promote sustainable land use and development. | • Focus infill within centres/activity corridors & preserve low-density suburbs  
• Address tree canopy retention objectives consistent with recommendation of City’s Urban Forest Strategy  
• Require DAs address existing & proposed landscaping, including deep planting zones |
|                      |                                                                                     |                        |        |                                                                                                                       |                                                                                  |                                                                                        |
| 2. FOCUSED GROWTH    | % of Infill Housing within Activity Centres + Corridors                  | Min. 75% of Infill Housing to be within Activity Centres + Corridors |✗      | Prioritise Growth & Investment in Activity Centres & Corridors                                                       | To provide for a range of housing choice in neighbourhoods with a strong community identity & high levels of amenity. | • Facilitate infill housing within Activity Centres & Corridors  
• Implement recommendations of Better Suburbs  
• Recognise & retain existing planning frameworks that apply to City’s major centres  
• Review land use permissibility to support diversification of uses in Centre Zones  
• Provide opportunities for expansion of smaller centres |
| ACTIVITY CENTRES +   |                                                                                     |                        |        |                                                                                                                       |                                                                                  |                                                                                        |
| CORRIDORS            |                                                                                     |                        |        |                                                                                                                       |                                                                                  |                                                                                        |
| 3. FAMILY LOT SIZES  | Total no. freehold residential lots >400m² (results correlated with % of households with children <15 years) | No Target              | ?      | Improving the Quality and Liveability of the City                                                                      | To provide for a range of housing choice in neighbourhoods with a strong community identity & high levels of amenity. | • Preserve low density suburbs for family appropriate housing                     |
|                      |                                                                                     |                        |        |                                                                                                                       |                                                                                  |                                                                                        |
| 4. JOB GROWTH        | Number of additional jobs created within the City (2006-11)                  | No Target              |✗      | Keep the jobs we have & grow them                                                                                     | To assist employment & economic growth by facilitating the timely provision of suitable land for retail, commercial, industrial, entertainment & tourist developments, as well as providing opportunities for home based employment. | • Recognise & retain existing planning frameworks that apply to City’s major centres  
• Review land use permissibility to support diversification of uses in Centre Zones  
• Provide opportunities for expansion of smaller centres |
<p>| | | | | | | |
|                      |                                                                                     |                        |        |                                                                                                                       |                                                                                  |                                                                                        |
| 5. EMPLOYMENT        | % of total jobs within CoS as proportion of total local workforce (2006-11) | No Specific Target for CoS (Target for Central Sub-Region – 121%) Objective: Improvement in ESS performance across CoS |✗      | Keep the jobs we have &amp; grow them                                                                                     | To assist employment &amp; economic growth by facilitating the timely provision of suitable land for retail, commercial, industrial, entertainment &amp; tourist developments, as well as providing opportunities for home based employment. | As per Item 4                                                                      |
| SELF-SUFFICIENCY     |                                                                                     |                        |        |                                                                                                                       |                                                                                  |                                                                                        |
| (ESS)                |                                                                                     |                        |        |                                                                                                                       |                                                                                  |                                                                                        |</p>
<table>
<thead>
<tr>
<th>PERFORMANCE CRITERIA</th>
<th>MEASURE</th>
<th>TARGET (IF APPLICABLE)</th>
<th>RESULT</th>
<th>LOCAL PLANNING STRATEGY - STRATEGIC PLANNING THEME</th>
<th>SUGGESTED RESPONSE</th>
</tr>
</thead>
<tbody>
<tr>
<td>6. ACTIVITY CENTRE VACANCY &amp; ALFRESCO</td>
<td>No. of Vacant Tenancies in 15 Activity Centres Alfresco Licensees issued to CoS businesses</td>
<td>Activity Centre Vacancies: &lt;10% (Max) Alfresco: No Target Objective: Growth in no, of Alfresco licenses</td>
<td>✗ 4 of 15 surveyed Activity Centres have vacancies &gt;10% Only 25 alfresco licenses issued across CoS</td>
<td>Prioritise Growth &amp; Investment in Activity Centres and Corridors</td>
<td>To provide for convenient attractive &amp; viable commercial centres, which service the needs of the community &amp; are accessible to pedestrians, cyclists &amp; public transport users as well as motorists. - Review land use permissibilities to support diversification of uses in Centre Zones - Provide opportunities for expansion of smaller centres - Implement recommendations from Better Suburbs - Reduce red-tape for alfresco</td>
</tr>
<tr>
<td>7. ACTIVITY CENTRE ACTIVE FRONTAGE</td>
<td>Proportion of Active Frontage by Activity Centre (15 Centres Surveyed)</td>
<td>Min. 75% ‘Good’ Active Street Frontage</td>
<td>✗ Of 9,185m of street frontage surveyed: - 5.5% Assessed as Good - 4.6% Assessed as Moderate - 90% Assessed as having Poor / No Activation</td>
<td>Improving the Quality &amp; Liveability of the City”</td>
<td>To provide for convenient, attractive &amp; viable commercial centres, which serve the needs of the community &amp; are accessible to pedestrians, cyclists &amp; public transport users as well as motorists. - Require that Activity Centre Plans &amp; LDPs include built form standards to facilitate active frontages in designated Activity Centre locations</td>
</tr>
<tr>
<td>8. TOURISM ECONOMY</td>
<td>Jobs in Tourism Related Industries Tourism Expenditure Tourist Accom Developments</td>
<td>No Target Objective: Growth in Tourism Jobs, Expenditure &amp; Tourist Accommodation</td>
<td>✗ Between 2014-16: - tourism jobs declined, - expenditure plateaued, &amp; - there was small growth in tourist accommodation</td>
<td>Keep the jobs we have &amp; grow them</td>
<td>To assist employment &amp; economic growth by facilitating the timely provision of suitable land for retail, commercial, industrial, entertainment &amp; tourist developments, as well as providing opportunities for home based employment. - Review zonings over City’s tourist areas &amp; centre zones to create opportunities for new development &amp; uses</td>
</tr>
<tr>
<td>9. PUBLIC OPEN SPACE PER RESIDENT</td>
<td>POS (m²) per resident by CoS &amp; suburb</td>
<td>40m² / resident</td>
<td>✗ 21 of 30 suburbs have less than 40m2 POS / resident</td>
<td>Improving the Quality and Liveability of the City</td>
<td>To provide for a range of housing choice in neighbourhoods with a strong community identity and high levels of amenity. - Address recommendations for the City’s POS Plan to achieve more equitable distribution of POS - Reflect recommendations from Better Suburbs &amp; SP/LDPs in creation &amp; rationalisation of open space areas</td>
</tr>
<tr>
<td>10. HERITAGE DEMOLITIONS</td>
<td>Heritage dwellings approved for demolition through SAT</td>
<td>No Target Objective: Reduction in demolitions of heritage buildings</td>
<td>✓ Only one review upheld by SAT between 2012-16 for heritage demolition (dwelling of minimal heritage value)</td>
<td>Improving the Quality &amp; Liveability of the City</td>
<td>To encourage the conservation &amp; continued use of identified places &amp; objects of cultural heritage significance. - Maintain existing heritage controls &amp; continue to monitor</td>
</tr>
<tr>
<td>PERFORMANCE CRITERIA</td>
<td>MEASURE</td>
<td>TARGET (IF APPLICABLE)</td>
<td>RESULT</td>
<td>LOCAL PLANNING STRATEGY - STRATEGIC PLANNING THEME</td>
<td>LPS3 – SCHEME AIM</td>
</tr>
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<tr>
<td>11. JOURNEY TO WORK MODE SHARE</td>
<td>Mode split share for Journey to Work (2001-11)</td>
<td>2031 Targets:  - Car Driver – 48%  - Car Passenger – 17%  - Public Transport – 15%  - Walking – 14%  - Cycling – 6%</td>
<td>✔ 2011 Mode Share:  - Car Driver – 75%  - Car Passenger – 7%  - Public Transport – 14%  - Walking – 3%  - Cycling – 2%  Journey to work mode of transport trending in right direction with increased PT, walking &amp; cycling, and reduced car reliance (2001-11)</td>
<td>Transport &amp; Land Use will be Coordinated &amp; Integrated</td>
<td>To provide for convenient, attractive &amp; viable commercial centres, which serve the needs of the community &amp; are accessible to pedestrians, cyclists &amp; public transport users as well as motorists.</td>
</tr>
<tr>
<td>12. CAR OWNERSHIP</td>
<td>Car ownership rates per household (2001-2011)</td>
<td>No Target  Objective: Reduction in car ownership</td>
<td>✗ Between 2001 – 11 Car Ownership rates per household increased in 28 of the City’s 30 suburbs</td>
<td>Transport &amp; Land Use will be Coordinated &amp; Integrated</td>
<td>To provide for convenient, attractive &amp; viable commercial centres, which serve the needs of the community &amp; are accessible to pedestrians, cyclists &amp; public transport users as well as motorists.</td>
</tr>
<tr>
<td>13. UNSEWERED LOTS</td>
<td>Number of unsewered lots across CoS</td>
<td>Zero Unsewered Lots</td>
<td>✗ 6,950 unsewered lots across CoS (2016)</td>
<td>Improving the Quality &amp; Liveability of the City</td>
<td>To assist employment &amp; economic growth by facilitating the timely provision of suitable land for retail, commercial, industrial, entertainment &amp; tourist developments, as well as providing opportunities for home based employment.</td>
</tr>
</tbody>
</table>
5.0 STAKEHOLDER ENGAGEMENT

The engagement for the Scheme Review responded to the fact that the Scheme serves different stakeholder groups that do not always share the same goals and objectives.

The process therefore involved separate workshops and meetings with the following:
- Elected Councillors;
- Council Staff (Planning Approvals/Compliance & Other Business Units);
- DPLH Staff;
- JDAP members;
- the community;
- business groups;
- planning consultants; and
- builders / developers.

Discussions were focussed on the perceived strengths and weakness of LPS 3 and its regulatory environment. Key observations are summarised in Table 6.

Table 6: Stakeholders Engagement

<table>
<thead>
<tr>
<th>Community</th>
<th></th>
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<tbody>
<tr>
<td></td>
<td>Density housing should be focused around centres and train stations &amp; gently transition into lower-density family zones</td>
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<tr>
<td></td>
<td>R40 coding has “ruined” suburbs</td>
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<tr>
<td></td>
<td>Growth must be accompanied by infrastructure investment – better public transport &amp; more green spaces</td>
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<tr>
<td></td>
<td>Tree loss is a major issue for the City – Tree retention &amp; new planting are essential for great neighbourhoods</td>
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<td></td>
<td>Visitor parking needs to be adequately provided for</td>
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<td></td>
<td>City’s planning instruments must respond to the community’s desire to live a more urban lifestyle</td>
</tr>
<tr>
<td>Developers &amp; Builders</td>
<td>Pre-lodgment advice from the City on applications is invaluable in both saving time &amp; delivering better outcomes</td>
</tr>
<tr>
<td></td>
<td>Tree loss is a major issue that requires attention</td>
</tr>
<tr>
<td></td>
<td>There is the need for tighter controls to prevent overdevelopment of sites. Clients will usually push to maximise the building footprint &amp; builders will generally accede to keep their business (often to a project’s detriment)</td>
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<tr>
<td></td>
<td>Blanket zonings &amp; R-Codes are not delivering, quality infill in strategically appropriate locations</td>
</tr>
<tr>
<td>Planning Consultants</td>
<td>Growth across the City’s R40 suburbs is not delivering liveability</td>
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<td></td>
<td>City’s planning controls are complex &amp; delays to approve instruments (SPs, LDPs etc) creates uncertainty for proponents</td>
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<tr>
<td></td>
<td>There’s confusion about where planning controls should sit in the ‘pecking order’ of available instruments</td>
</tr>
<tr>
<td></td>
<td>Some requirements are difficult to achieve such mandatory residential &amp; ground floor activation. Should leave this to free market or consider introducing incentives</td>
</tr>
</tbody>
</table>
- Detailed design controls should not be in the Scheme – more flexibility is needed
- Design Advisory Panels & pre-lodgment advice can assist in a smoother approval process and in delivering better outcomes

**JDAP Members**

- The City needs to strike a better balance between prescriptive & performance based standards
- Public works & verge upgrades also need to be considered as part of DAs
- Reduction in red-tape would avoid smaller Activity Centres dying
- Land Use regulation should be more flexible
- More investment is needed in transport & other infrastructure to support growth
- Audit is needed to ensure Scheme provides adequate reserves for planned transport & other infrastructure
- The City needs to review centre parking standards to encourage renewal
- Car parking standard must be responsive to the transport context
- Prescribing mandatory residential requirements for mixed-use development can be problematic – flexibility is needed to allow residential targets to be transferred between sites
- There was a degree of comfort when SP provisions had the ‘force and effect’ of the Scheme, but because of the 2015 Regulations these provisions are now finding their way back into the Scheme
- SPP 3.6 is not suited to urban infill & often subject to legal challenge
- Triggers for cash-in-lieu of parking are not sufficiently clear in LPS 3
- More attention should be given to transitional zones to achieve gentle changes in development intensity
- Sometimes it’s best to move away from R-Codes & adopt a form-based approach.

**Elected Members**

- Scheme has delivered the majority of density through infill in neighbourhood backyards rather than focussed in corridors/centres
- Incentives are needed to encourage growth in centres/corridors
- Development Contributions and other funding options need to be considered for funding infrastructure
- Scheme needs to provide guidance on ‘public benefit’ contributions
- Infill has detracted from suburb liveability
- Tree loss is a major issue for the City
- Scheme should be clearer to enhance community understanding
- City should focus on reducing red tape
- Key issue for City is that the job creation is not keeping pace with growth in the local workforce
- The City is reducing car parking standards however there is no evidence of a reduction in car use. This disconnect needs addressing

**CoS Staff**

- R-Codes have delivered very poor built outcomes, with the limited ranged of existing grouped dwelling typologies failing to deliver quality urban form
- Difficult to down code land – need to incentivise better building typologies & introduce standards to improve development outcomes
- Pre-lodgment meetings should be mandatory for developments over a certain value/size
- Transport mode shifts are not occurring due to ad-hoc distribution of infill
- WAPC's approval of irregular lots is leading to poor design outcomes
- Most POS is at capacity – Scheme needs to consider opportunities for creating additional parks for the City's growing population
- Some standards should be reassigned to the Scheme - need to decide a preferred format to avoid creating a usability issue
- Well justified, non-compliant developments can often deliver better outcomes for strategic sites than compliant applications
- Industry has resisted mandatory residential in activity centres/mixed use areas – incentives are needed
- Parking standards must respond to transport context
- Developer contributions must be equitable both within and between LGAs & be based on a simple calculation formula
- Council rarely requires cash-in-lieu of parking – provisions need strengthening
- Audit needed of compliance issues to identify commonalities & where standards can be relaxed
- LPS 3 can be simplified – Zoning Table, Special Control Areas, land use definitions
- More land uses can be exempt from requiring approval
- Reduce red tape for approval of alfresco areas

<table>
<thead>
<tr>
<th>Department of Planning</th>
<th>Strategy and Scheme objectives must be aligned</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Local Planning Strategy will need to be advertised before a new Scheme is prepared</td>
</tr>
<tr>
<td></td>
<td>Scheme should apply Model Provision zones, reservations and definitions where possible</td>
</tr>
</tbody>
</table>

These comments have been considered and used to inform the recommendations included in the Scheme Review Options Development and Scoping Paper (Appendix 3) to guide the preparation of the City’s next Local Planning Scheme.

Notwithstanding this, the engagement undertaken for the Scheme Review is the beginning of a much larger conversation that is to be had between the City, the community and other stakeholder groups in relation to the Local Planning Strategy and development of a new Scheme. This engagement will need to be conducted in a way that is open, inclusive, and transparent to ensure all members of the community and affected stakeholders have the opportunity to participate in the process.
6.0 SUMMARY + FINDINGS

The Scheme Review has provided the analysis necessary to conduct a ‘health check’ of LPS 3’s performance on many levels, including:

- Identifying gaps, including any new provisions that are required to address strategic issues and day-to-day challenges confronting the Council and community;
- Assessing the implications of the strategic planning framework and policies introduced since gazettal of LPS No. 3 and changes required to the Scheme to respond;
- Assessing the effectiveness of the planning instruments adopted under LPS No. 3, including LPPs, SPs and LDPs, to determine where improvements can be made, including any provisions that should be elevated into the Scheme, or, conversely removed from the Scheme and included in secondary planning instruments;
- Reviewing implementation efficacy of LPS No. 3 in supporting good planning decisions and defending planning decisions at SAT;
- Assessing the ease of use of the Scheme for all user groups, including identification of sections that could benefit from restructuring and provisions that are unclear, ‘light-on’ or unnecessary;
- Understanding the amendments that have occurred to LPS No. 3 since gazettal and whether these changes have served to strengthen or diminish the effectiveness of the Scheme;
- Identifying where zoning changes are needed, including locations where more intensive development is to be encouraged; industrial areas in transition; expanding activity centres; activity corridors; and areas suitable for mixed land uses;
- Identifying parts of LPS No. 3 that are inconsistent with the 2015 Regulations.

The main findings from the Review are summarised below.

1. The current Scheme is not calibrated to deliver the City’s strategic goals as outlined in the Draft Local Planning Strategy
2. The current Scheme has delivered dispersed growth not focussed in centres & corridors
3. Framework for Activity Centre development needs to promote renewal/-diversification
4. Identifications of suitable funding models are urgently needed to support the delivery of transport and other infrastructure
5. Scheme + related instruments are not consistently delivering quality urban form outcomes
6. Layers of regulation creates complexity for decision-makers / proponents and impacts on housing affordability
7. Instruments adopted under LPS3 to deliver infill need to be normalised in Scheme to provide clarity and consistency in provision
8. Balance is needed between performance based & prescriptive standards to provide the opportunity for innovative solutions and promote quality outcomes
9. Zones & reservations require a systematic review to deliver sustainable growth & infrastructure over next 10+ years
10. Land use and development controls need to be reviewed to reduce red tape & promote greater mixed use
11. Development standards require ‘filtering’ to locate in most suitable planning instrument and to provide the balance between the certainty of prescriptive standards and flexibility of performance based standards
12. Reform introduced through Planning Regulations need to be incorporated into Scheme
7.0 RECOMMENDATIONS

This Scheme Review report has been prepared in accordance with Regulation 65 of the 2015 Planning Regulations, for the purposes of determining if the current City of Stirling LPS3 is performing as intended, namely:

- is consistent with the 2015 Planning Regulations in terms of form and content;
- is aligned with the intent of the Local Planning Strategy;
- is aligned with the State Planning Framework;
- supports transparent and efficient decision making;
- outcomes are being delivered ‘on the ground’ that support the objectives of the Scheme as they relate to the development and growth of the City.

LPS3 has been in operation for 7 years, and in this time there has been significant changes to State Government policy and legislation that impact on the currency of the Scheme. The analysis of the performance of the Scheme has also highlighted that it is not delivering on its objectives across many criteria, and it is therefore concluded that a new Scheme is required to be prepared. Table 7 considers the merits of this recommendation for a new Scheme in the context of the other two available options; namely retain the Scheme in its current form or amend the current Scheme.
Table 7: Assessment of Scheme Review Options

<table>
<thead>
<tr>
<th>OPTIONS</th>
<th>COMMENTS</th>
<th>RECOMMENDATION</th>
</tr>
</thead>
</table>
| Option 1 – Scheme Satisfactory In Existing Form (No Change) | • Lowest upfront effort/cost  
• Does not address changes required to achieve conformity with the 2015 Planning Regulations  
• Divergence between Local Planning Strategy (Draft) and Scheme Aims and Objectives remain  
• Complexities & inconsistencies inherent in Scheme's structure / clauses remain  
• Issues with current planning outcomes unchanged:  
  • Poorly designed infill housing  
  • Dispersed pattern of growth not coordinated with infrastructure and transport  
  • Underperforming Activity Centres  
• Large number of future amendments are likely to be needed to address Scheme deficiencies | NOT RECOMMENDED  
Substantial changes to LPS 3 are needed to deliver on the City's strategic vision for focused growth, coordinated infrastructure investment, job growth & liveability |
| Option 2 – Scheme Should Be Amended | • Medium cost/effort option  
• Addresses immediate issue of 2015 Planning Regulations  
• Limitations in capacity to address more substantial changes that are needed to:  
  • restructure future growth;  
  • achieve alignment with State's & City's strategies  
  • address existing deficiencies complexities, inconsistencies & other deficiencies inherent in LPS 3  
• Large numbers of future amendments are likely to be needed to address Scheme deficiencies | NOT RECOMMENDED  
Does not address the broad scale changes needed to align Scheme with City's strategic vision & to create a simple & more effective regulatory planning framework |
| Option 3 – Scheme Repealed + Replaced With New Scheme | • Brings Scheme into line with 2015 Planning Regulations  
• Delivers a Scheme that is aligned and calibrated to deliver the City's strategic vision as conveyed in the Local Planning Strategy.  
• Stakeholders & community can be engaged on Scheme in context of the City's strategic vision  
• Creates opportunity to also review supporting Scheme instruments for a simpler & more effective planning framework  
• Performance of both Scheme & Local Planning Strategy can be measured against agreed KPIs  
• Highest cost/effort option initially, however larger costs (social, environment & economic) likely from inaction or piecemeal planning reform | RECOMMENDED  
Delivers a Scheme that is calibrated to implement the City's strategic promises as outlined in the Local Planning Strategy |
In view of these findings and conclusions and consistent with Section 72 and 88(3) of the Planning and Development Act 2005 and Part 4 and Part 6 of the Planning and Development (LPS) Regulations 2015, the following recommendations are made with respect to progressing the review of the City of Stirling LPS3.

1. The Council resolve to adopt the Scheme Review Report and recommendation to prepare a new Scheme.

2. The CoS forward Council’s resolution and the Scheme Review Report to the WAPC for its consideration.

3. The WAPC determine and advise if it agrees or disagrees with the recommendations of the report, and notifies the CoS of its decision.

4. After receiving notification of the Commission’s decision, the CoS make the Scheme Review Report and the Commission’s decision available to the public.

5. Subject to the granting of permission by the WAPC, the CoS advertise the resolution to prepare a new Scheme, including providing a copy of the notice to all relevant public authorities and adjoining local governments for any recommendations to inform the preparation of the new Scheme.

6. Following public advertising of the intention to prepare a new Scheme, the CoS shall undertake the preparation of the new Local Planning Scheme documents.
SCHEME REVIEW
OPTIONS DEVELOPMENT
A03
Perth
Level Two, 442 Murray Street
Perth WA Australia 6000
T. +61 8 9213 7300
E. hello_perth@robertsday.com.au

Sydney
Level Four, 17 Randle Street
Surry Hills NSW Australia 2010
T. +61 2 8202 8000
E. hello_sydney@robertsday.com.au

Melbourne
33 Chessell Street
South Melbourne VIC Australia 3205
T. +61 3 9645 0788
E. hello_melbourne@robertsday.com.au

Brisbane
Level Four, 99 Creek Street
Brisbane QLD 4000
T. +61 7 3221 1311
E. hello_brisbane@robertsday.com.au

Jakarta
Level Seventeen, Pondok Indah Office Tower 3
Jl. Sultan Iskandar Muda kav V-TA
Jakarta Selatan 12310 Indonesia
T. +62 21 2953 8859
E. hello_jakarta@robertsday.com.au