

City of South Perth Local Planning Scheme No. 7 – Scheme Text & Map Modifications

No.	Scheme Text Modification	Reason								
1.	Clause 9 - Aims of the Scheme Modify Clause 9 to include the following: (e) To protect and enhance the natural environment by maintaining biodiversity, protecting and increasing tree canopy, and reducing urban heat island effects.	In response to submissions. The aims of draft LPS 7 do not currently make reference to the natural environment.								
2.	Table 1 – Reserve Objectives Modify Table 1 to insert the following: <table><tr><td>Government Services</td><td><ul style="list-style-type: none">Public Purposes which specifically provide for a range of government services.</td></tr></table>	Government Services	<ul style="list-style-type: none">Public Purposes which specifically provide for a range of government services.	The Government Services Local Reserve is currently missing from Table 1.						
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3.	Table 4 - Zoning Table Modify land use permissibility in Table 4 – Zoning Table as follows: <ul style="list-style-type: none">- Civic use from ‘X’ use to ‘D’ under the Private Community Purpose Zone.- Club premises from ‘X’ to ‘A’ under the Local Centre Zone.- Convenience store from ‘A’ to ‘P’ under the Local Centre Zone.- Industry from ‘A’ to ‘X’ under the Mixed Use Zone.- Industry – light from ‘A’ to ‘X’ under the Mixed Use Zone.- Industry – service from ‘A’ use to ‘X’ under the Neighbourhood Centre Zone.- Industry – service from ‘P’ to ‘A’ under the Mixed Use Zone.- Medical centre from ‘X’ to ‘A’ under the Private Community Purpose Zone.- Place of worship from ‘X’ to ‘A’ under the Mixed Use Zone.- Reception centre from ‘X’ to ‘A’ under the Mixed Use Zone.- Recreation private from ‘X’ to ‘A’ under the Local Centre Zone.- Service station from ‘X’ to ‘A’ under the Neighbourhood Centre Zone.- Tavern from 'A' to 'D' under the Neighbourhood Centre Zone.	To align land use permissibility with the objectives of each zone. Proposed Medical centre, Service station and Tavern land use permissibility modifications in response to submissions.								
4.	Table 5 – Specified additional uses for zoned land in Scheme area Modify Table 5 to insert the following: <table><tr><th>No.</th><th>Description of land</th><th>Additional use</th><th>Conditions</th></tr><tr><td>4</td><td>Lot 60 (No. 26) Fortune Street, South Perth</td><td>Consulting rooms</td><td>Consulting rooms is a ‘D’ use</td></tr></table>	No.	Description of land	Additional use	Conditions	4	Lot 60 (No. 26) Fortune Street, South Perth	Consulting rooms	Consulting rooms is a ‘D’ use	In response to submission. The Consulting rooms land use is appropriate and consistent with the existing Hospital facility at the subject site.
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4	Lot 60 (No. 26) Fortune Street, South Perth	Consulting rooms	Consulting rooms is a ‘D’ use							
5.	Clause 32 – Additional site and development requirements Table 7 – Additional requirements that apply to land in Scheme area 1. Modify Table 7 to replace 6. ‘Minimum Parking’ with the following:	To provide contemporary parking requirements to service the community and local businesses, while encouraging greater use of active transport modes.								

6	All zoned land	<p>Non-residential Parking</p> <p>(1) All non-residential development shall provide onsite car and bicycle parking in accordance with the following table:</p> <table><tr><th>Zone</th><th>Minimum number of car parking bays</th><th>Minimum bicycle parking spaces</th></tr><tr><td>Centre</td><td colspan="2">In accordance with an approved structure plan, precinct structure plan or local development plan.</td></tr><tr><td>Mixed Use</td><td>1:25sqm NLA</td><td>1:175sqm NLA</td></tr><tr><td>Neighbourhood Centre</td><td>1:25sqm NLA</td><td>1:175sqm NLA</td></tr><tr><td>Local Centre</td><td>1:30sqm NLA</td><td>1:100sqm NLA</td></tr><tr><td>Private Community Purpose</td><td colspan="2">In accordance with a parking needs assessment.</td></tr><tr><td>Residential</td><td colspan="2">As determined by the local government.</td></tr><tr><td colspan="3">Land Use</td></tr><tr><td>Office</td><td>1:50sqm NLA</td><td>1:150sqm NLA for staff, plus 1:500sqm NLA for visitors</td></tr><tr><td>Restaurant/café, Tavern</td><td>1:25sqm NLA</td><td>1:120sqm NLA for staff, plus 1:60sqm NLA for visitors</td></tr><tr><td>Shop</td><td>1:25sqm NLA</td><td>1:500sqm NLA for staff, plus 1:200sqm NLA for visitors</td></tr><tr><td>Child care premises</td><td>1 space per 4 children</td><td>1 space per 10 staff</td></tr><tr><td>Residential aged care facility</td><td colspan="2">In accordance with a Parking Needs Assessment.</td></tr></table> <p>(2) In addition to parking required under (1), parking for motorcycle/scooters shall be provided at a rate of 1 space per 20 car parking spaces.</p> <p>(3) Where the calculation of any parking requirement does not result in an even number, the requirement shall be rounded up.</p> <p>(4) Where a class of land use is set out in the table above, the requirements specific to that land use class shall apply over any parking requirement for the relevant zone.</p>	Zone	Minimum number of car parking bays	Minimum bicycle parking spaces	Centre	In accordance with an approved structure plan, precinct structure plan or local development plan.		Mixed Use	1:25sqm NLA	1:175sqm NLA	Neighbourhood Centre	1:25sqm NLA	1:175sqm NLA	Local Centre	1:30sqm NLA	1:100sqm NLA	Private Community Purpose	In accordance with a parking needs assessment.		Residential	As determined by the local government.		Land Use			Office	1:50sqm NLA	1:150sqm NLA for staff, plus 1:500sqm NLA for visitors	Restaurant/café, Tavern	1:25sqm NLA	1:120sqm NLA for staff, plus 1:60sqm NLA for visitors	Shop	1:25sqm NLA	1:500sqm NLA for staff, plus 1:200sqm NLA for visitors	Child care premises	1 space per 4 children	1 space per 10 staff	Residential aged care facility	In accordance with a Parking Needs Assessment.	
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9	All zoned land	<p>Additions and alterations to pre-Scheme developments</p> <p>(1) On a site containing a pre-Scheme development, additions and alterations may be approved with a building height in excess of the building height requirements of this Scheme, provided the building height does not exceed the highest point of the building height of the existing pre-Scheme development.</p>																																							
10.	All land zoned Mixed Use, Neighbourhood Centre and Local Centre	<p>(1) Multiple Dwelling and Grouped Dwelling uses are not permitted on the ground floor except where the use faces a right-of-way.</p>																																							
11.	All zoned land (As required by Schedule A Clause 60A)	<p>(1) In considering an application for development approval under the Scheme for the removal of any tree(s), the local government shall give due regard to the following:</p> <ul style="list-style-type: none">(a) Risk of personal injury and/or damage to buildings, structures or services;(b) Structural soundness of the tree(s);(c) Whether the pruning or removal of tree(s) including disturbance to the root zone (as defined by the dripline) is likely to occur;(d) any other matters contained within a local planning policy.																																							

To provide for additions and alterations to pre-scheme development which exceeds the applicable building height requirements under LPS 7.

To provide for active ground floor uses in centre and Mixed Use zones. Adaptable ground floors may be considered in appropriate locations.

To guide assessment and determination of development applications for removal of trees over 8m in height, as required under Clause 60A.

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To guide assessment and determination of development applications for removal of trees over 8m in height, as required under Clause 60A.

6.	Part 5 – Special control areas 1. Delete the following Clause 3(b) of Table 8 – ‘Special Control areas in the Scheme area’: <i>(b) ‘The length of the street block frontage to Canning Highway within which the development is proposed is greater than 150 metres’</i> 2. Modify Table 7 to insert the following Special control area requirements for Manning Road:				In response to submissions. The SCA seeks to rationalise the number of crossovers to Manning Road (an Other Regional Road) to reduce vehicle and pedestrian conflict points.				
	<table><tr><th>Name of area</th><th>Purpose</th><th>Objectives</th><th>Additional provisions</th></tr><tr><td>SCA 2 – Manning Road</td><td>To ensure a Local Development Plan is prepared to coordinate and rationalise vehicle access to land in the Special Control Area.</td><td><ul style="list-style-type: none">To allow for direct, rationalised access to Manning Road in circumstances where alternative access cannot be achieved.</td><td>(1) Subject to clause 56 of the deemed provisions, the Local Government shall not grant approval to development or recommend support of the subdivision of land within the area designated as ‘SCA2’ on the Scheme Map unless a Local Development Plan has been adopted for the Special Control Area. (2) The Local Development Plan shall contain provisions relating to the coordination of vehicle access within the Special Control Area. (3) Notwithstanding clause (1), the local government may approve an application for development approval prior to the adoption of a Local Development Plan coordinating vehicle access if: (a) The development is only for alterations or additions to an existing building, a change of use, a Single House, or works associated with a non-conforming use.</td></tr></table>	Name of area	Purpose	Objectives		Additional provisions	SCA 2 – Manning Road	To ensure a Local Development Plan is prepared to coordinate and rationalise vehicle access to land in the Special Control Area.	<ul style="list-style-type: none">To allow for direct, rationalised access to Manning Road in circumstances where alternative access cannot be achieved.
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7.	Clause 38 - Land use terms used Modify Educational Establishment to read as follows: <ul style="list-style-type: none"><i>‘means premises used for the purposes of providing education including premises used for a school, higher education institution, business college, academy or other educational institution, and this may include boarding facilities for students who attend that school.’</i>				To capture student boarding facilities which form part of an Educational Establishment use, given the deletion of the ‘Student Accommodation Facility’ use from LPS 7 prior to advertising.				
8.	Schedule A – Supplemental provisions to the deemed provisions Modify table under Schedule A to replace Clause 60(A)(1) with the following:				In response to submissions. To retain and enhance the City’s urban tree canopy on private land. To prevent clearing of trees prior to submission of a development application, or where no development is occurring. To provide reasonable exemptions from the requirement for development approval.				
	Clause 60 Requirement for development approval	60A (1) No person shall remove a tree (which includes: ring-barking, cutting down, topping, lopping, removing, pruning, transplanting, filling or excavating around, injuring, or wilful destruction) that meets the following criteria unless development approval has been granted in accordance with Part 8 of the Deemed Provisions: (a) The tree achieves a minimum height of eight (8) meters from natural ground level; or (b) The tree is included on the Significant Tree Register.							
	61. Development for which Development Approval Not Required	<table><tr><th>Column 1 Works</th><th>Column 2 Conditions</th></tr><tr><td>Removal of Trees (which includes: ring-barking, cutting down, topping, lopping, removing, pruning, transplanting, filling or excavating around, injuring, or wilful destruction)</td><td>(a) The tree is identified in a local planning policy as an unwanted species; (b) Tree pruning which does not remove more than 10% of a trees canopy which does not damage or affect the health or structural stability of the tree; or (c) As specified in a local planning policy.</td></tr></table>	Column 1 Works	Column 2 Conditions		Removal of Trees (which includes: ring-barking, cutting down, topping, lopping, removing, pruning, transplanting, filling or excavating around, injuring, or wilful destruction)	(a) The tree is identified in a local planning policy as an unwanted species; (b) Tree pruning which does not remove more than 10% of a trees canopy which does not damage or affect the health or structural stability of the tree; or (c) As specified in a local planning policy.		
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9.	ASR3 – Lot 50 (No. 32) Jubilee Street, South Perth Modify ASR 3 requirements to: 1. Replace Clause (2) with: (2) ‘No boundary walls are permitted on the southwestern boundary of the site abutting No. 28 (Lot 12) Jubilee Crescent’. 2. Replace Clause (3) with (3) ‘Buildings, inclusive of balconies shall be no closer than 6m to the boundary with Sir James Mitchell Park’. 3. Delete Clause (4).				In response to submission from landowner. To provide reasonable side setback requirements. To simplify setback requirements from Sir James Mitchell Park boundary. To allow R-Codes to guide open space requirements on the subject site.				

10.	ASR5 – Penrhos College, Lot 2199 (No. 101) Thelma Street, Como Modify ASR5 to replace Clauses (1) and (2) with the following: (1) The maximum wall height within 20m of the Thelma Street or Morrison Street lot boundaries is 2 storeys (up to 8m), measured from natural ground level. (2) The maximum building height beyond 20m of the Thelma Street or Morrison Street lot boundaries is 4 storeys (up to 16m), as measured from natural ground level. (3) Buildings shall be setback a minimum of 4m from the Thelma Street boundary.	To simplify the measurement of building height on the site.
11.	ASR13 – Land within the Preston Street Neighbourhood Centre Modify Clause 1(e) with: (e) Where a development site shares its boundary with an R100 lot, boundary wall development may be permitted in accordance with the requirements of the R-Codes applicable to the R100 density.	To clarify the current clause which enables boundary wall development in accordance with R-Codes.
12.	ACR2 – Land subject to the South Perth Activity Centre Plan 1. Modify ACR2, Provision 5 ‘Development Requirements for New Development’, Element 5 ‘Tower Maximum Gross Floorplate Area’ to include following provision: 5.3 Notwithstanding 5.1, all lots fronting South Perth Esplanade within the 'low' building typology in the Hillside Character area are subject to the following development requirements: a. A 50% maximum gross floorplate area where the Primary building height limit is to apply; and b. A 40% maximum gross floorplate area where the Tier 1 building height limit is to apply. 2. Modify Map 2: Building Height and Plot Ratio Limits to identify Lot 3 (No.12) Mill Point Road in the ‘Medium’ Typology.	To consistently apply the maximum tower floorplate requirements to land fronting South Perth Esplanade. To align building typology with South Perth Activity Centre Plan.
13.	Modify ACR 3 Bentley Curtin Specialised ACP text as follows: Where a site is coded RAC-0 and located within the Bentley-Curtin Specialised Activity Centre Plan area, all site and development requirements shall be in accordance with an approved precinct structure plan and/or local development plan, prepared with regard to the Bentley-Curtin Specialised Activity Centre Plan.	To provide for implementation of the Bentley-Curtin Specialised Activity Centre Plan area through further detailed precinct structure planning.
14.	General modification to amend any spelling, grammar and formatting inconsistencies.	To format scheme.

No.	Scheme Map Modification	Reason
1.	Modify No. 9 Cliffe Street and Nos. 137, 143 and 145A Canning Highway from R80 to R100.	Correct mapping error. To apply density approved by Council (which was not subject to any WAPC modifications).
2.	Modify Nos. 13, 15 & 17 Collins Street from Mixed Use R80 to Residential R80.	Correct mapping error. To apply zone approved by Council (which was not subject to any WAPC modifications).
3.	Modify lots with direct frontage to Mill Point Road bound by Way Road and Hovia Terrace from R15 to R40.	Consistency with Mill Point Road density increases. In response to submissions.
4.	Modify lots subject to ASR13 requirements ‘Preston Street Neighbourhood Centre’ from ‘R-AC3’ to ‘R-AC0’	Consistency with approved Amendment 63 to TPS 6. In response to submission.
5.	Modify lots coded R20 in the street block bound by Park Street, Saunders Street, Baldwin Street and Cale Street to R30.	Consistency with Strategy. In response to submissions.
6.	Modify No. 90 McDonald Street from Private Community Purpose Zone to Residential Zone with a density code of R50.	In response to submission. To provide greater flexibility in future redevelopment opportunities while continuing operation of existing use.
7.	Modify Nos 80, 82, 84, 86, 96, 98, 100, 102 McDonald Street from R40 to R50.	Consistency with Strategy. To create a consistent streetscape and transition from rear R100 lots.
8.	Modify Lot 18, 19, 20, 21 (No. 10) Broome Street from ‘Public Purposes’ Local Reserve to ‘Private Community Purposes’ zone.	Subject site is privately owned by Dyslexia-SPELD Foundation providing Literacy & Clinical Services. Subject site is zoned Public Assembly R50 under TSP 6. All other Public Assembly lots under TPS 6 have been zoned Private Community Purpose under LPS 7. Modification provides consistency with this approach.
9.	Modify Nos. 8 & 12 Leane Street & Nos. 98 & 100 Angelo Street from ‘Residential’ to ‘Private Community Purpose’ with no density code.	In response to submission. To align with ownership of the lots and existing use for school purposes.
10.	Modify No. 1 Waverley Street, South Perth to from ‘Residential’ R15 to ‘Neighbourhood Centre’ R50.	Consistency with Strategy. To provide an appropriate transition to neighbouring R15 density not identified by Strategy for density increase. To provide for redevelopment opportunities with adjoining lots at 83 & 85 Angelo Street in same ownership.
11.	Modify Nos. 254, 256, 258 and 260 Mill Point Rd, South Perth from R40 to R60.	To provide for future redevelopment opportunities for the site. In response to submission.

12.	Apply Additional Use 'A2' notation to Lot 60 (No. 26) Fortune Street, South Perth (South Perth Hospital).	To implement scheme text modification.
13.	Apply SCA2 notation to Residential zoned land with direct frontage to Manning Road bound by Ley Street and Challenger Avenue (on both the northern and southern sides of Manning Road).	To implement scheme text modification.