

PLANNING AND DEVELOPMENT ACT 2005

APPROVED TOWN PLANNING SCHEME AMENDMENT City of South Perth

TOWN PLANNING SCHEME No. 6 - AMENDMENT No. 57

Ref: TPS/2304

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the City of South Perth Town Planning Scheme amendment on 20 May 2021 for the purpose of:

1. Amending clause 3.2 by adding a new clause (p) as follows “(p) Precinct 16: Canning Highway (East)”.
2. Amending clause 1.6(1), 3.2 and the definition of the term ‘precinct’ contained in Schedule 1 by deleting reference to the number of Precincts.
3. Amending clause 4.3(1)(n) by adding “and Schedule 14” after each occurrence of “Schedule 9B”.
4. Amending clause 4.7 by adding a new subclause (4) as follows “(4) For any dwellings within comprehensive new development in Precinct 16 Canning Highway (East) precinct, the applicable setbacks are contained within Schedule 14 and the provisions of clause 4.7 and Table 2 do not apply”.
5. Amending clause 5.1 by adding a new subclause (7) as follows “For all comprehensive new development within Precinct 16 Canning Highway (East) Precinct, development requirements are contained within Schedule 14 and the provisions of clause 5.1 and Table 3 do not apply”.
6. Amending clause 5.2 by adding a new subclause (4) as follows “For all comprehensive new development in Precinct 16 Canning Highway (East) Precinct, development requirements are contained within Schedule 14 and the provisions of clause 5.2 and Table 4 do not apply”.
7. Amending clause 5.3 by adding a new subclause (4) as follows “For all comprehensive new development in Precinct 16 Canning Highway (East) Precinct, the applicable setbacks are contained within Schedule 14 and the provisions of clause 5.3 and Table 5 do not apply”.
8. Inserting a new Schedule 14 as follows:

Schedule 14 – Precinct 16 Canning Highway (East)

Operation of Schedule

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| Area |
| Precinct 16: Canning Highway (East) as delineated on the Scheme Map, being the land along either side and close to Canning Highway generally between the boundary with the Town of Victoria Park and Elizabeth Street and Arundel Street. |

- (1) The provisions of this Schedule shall not apply to minor alterations or additions, or to the development of a Single House.
- (2) Where variation to Table A: Primary Controls relating to matters other than height is sought, the Local Government shall have regard to clause 7.8 of the Scheme.
- (3) Any setbacks to lot boundaries affected by a primary regional road reservation are to be measured from the extent of the reservation boundary.
- (4) **storey** means the portion of a building which is situated between the top of any floor and the top of the floor next above it and if there is no floor above it, that portion between the top floor and ceiling above it but does not include:
 - a basement;
 - a space that contains only a lift shaft, stairway or meter room;
 - a mezzanine;
 - a loft.

Table A: Primary Controls

| Streetscape Type | Low-rise | Medium-rise | High Density Residential | Medium-rise urban centre |
|---------------------------------------|--|-------------|--------------------------|--------------------------|
| (1) Site R-Coding | R50 | R50 R80 | R-100 | R-AC3 |
| (2) Maximum plot ratio | As per R-codes | | 1.5 | 2.0 |
| (3) Maximum building height | As per the Building Height Limit Scheme Map (Precinct 16) and the number of storeys set out in provision (3A). | | | |
| (3A) Maximum number of storeys | As per R-codes | | 5 | 6 |
| (4) Land use | Notwithstanding Table 1 of this Scheme, Grouped Dwellings are not permitted on sites with frontage to Canning Highway coded R80, R100 or R-AC3 within Precinct 16 where this Schedule applies, except for Lots 231, 232, 233, 234, 235, 236, 237, 238, 240, 241, 242 on Plan 576 Canning Highway, South Perth and Strata Lots 1 & 2 on Strata Plan 72059 (No. 33-35) Canning Highway, South Perth. | | | |

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| <p>(5) Vehicle access</p> | <p>In this Schedule ‘street block’ means all lots fronting Canning Highway, bound by two public street(s) or existing public right-of-way(s). For the land not subject to Special Control Area No. 3 –</p> <ol style="list-style-type: none"> 1. The Local Government shall not grant approval to a comprehensive new development or recommend support of an application for subdivision of a lot within Precinct 16, unless: <ol style="list-style-type: none"> (a) The subject lot(s) or site is provided with legal access to a public road or right-of-way other than Canning Highway, that is capable of providing trafficable vehicle access to a development, and, (b) The subdivision and/or development does not entirely prejudice the ability for any other lot or site within the same street block from obtaining access from a public street or right-of-way other than Canning Highway. 2. If the subject lot(s) or site adjoins an existing right-of-way, the Local Government shall not grant approval to a comprehensive new development unless trafficable vehicle access along the right-of-way adjoining the subject lot(s) or subject site is at least, or could be made as a result of the development and/or subdivision, 6.0 metres in width. |
| <p>(6) Additional plot ratio</p> | <p>On any of Lot 1 (No. 3), 3 (No. 2), 2 (No. 10) or 16 (No. 11) Canning Highway, South Perth, additional plot ratio up to a maximum of 3.0 may be granted where development satisfactorily addresses the following criteria:</p> <ol style="list-style-type: none"> (a) The architectural design of any proposed comprehensive new development shall meet the relevant requirements of any policy and guidelines of the Western Australian Planning Commission relating to good design outcomes, and objectives. (b) Development provides facilities of public benefit as determined by the Local Government, such as publicly accessible communal open space (pocket parks), public plazas, or through-site links connecting two publicly accessible spaces that improve pedestrian connectivity or access to public open space. |

9. Amend clause 10.1 Operation of Special Control Areas by inserting the following:

‘(c) Special Control Area 3 – Canning Highway (East) as included in Schedule 9C.’

10. Inserting a new Schedule 9C as follows:

Special Control Area 3 (SCA3) – Precinct 16 Canning Highway (East)

| Name of area | Purpose | Objectives | Additional provisions |
|-------------------------------|--|--|--|
| SCA3 – Canning Highway (East) | To ensure a Local Development Plan is prepared to coordinate and rationalise vehicle access to land in the Special Control Area. | <p>(a) To provide vehicle access to land in the Special Control Area from roads other than Canning Highway.</p> <p>(b) To allow for direct, rationalised access to Canning Highway in circumstances where alternative access cannot be achieved.</p> | <p>1. The Local Government shall not grant approval to a comprehensive new development or recommend support of the subdivision of land within the area designated as 'SCA3' on the Scheme Map unless a Local Development Plan has been adopted relating to the Special Control Area. The Local Development Plan may relate to only part of the Special Control Area and may also relate to land adjoining the Special Control Area where deemed appropriate.</p> <p>2. The Local Development Plan shall contain provisions relating to the coordination of vehicle access within the Special Control Area.</p> |

11. Amend the Scheme Map to show codings, zonings, and the boundary of Precinct 16 – Canning Highway (East) and the boundary of Special Control Area 3 (SCA3).

S DOHERTY
MAYOR

G GLASS
CHIEF EXECUTIVE OFFICER