

P320 Assessment of Significant Obstruction of Views in Precinct 13 - Salter Point

Responsible Business Unit/s	Development Services
Responsible Officer	Director Development and Community Services
Affected Business Unit/s	Development Services

Policy Objectives

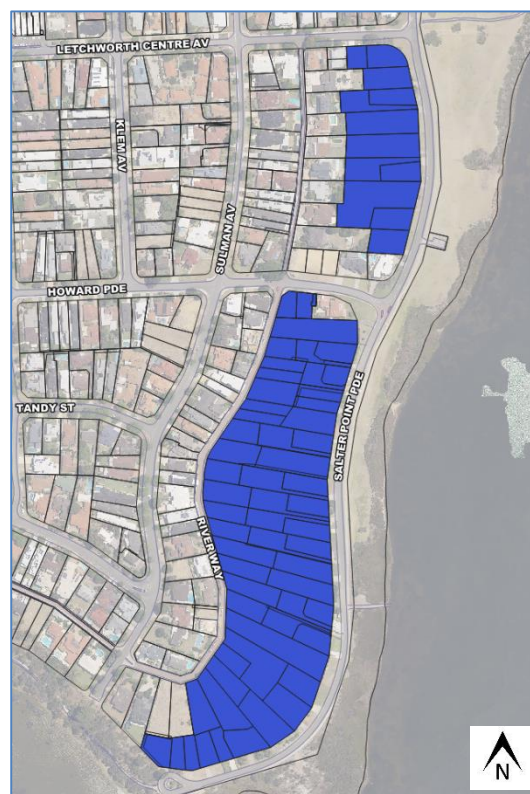
1. To provide clarity and guidance on the application of clause 6.1A(9) of the Town Planning Scheme No. 6 'Building Height Restrictions in Precinct 13 - Salter Point'; and
2. To ensure that views of the Canning River for those properties within Precinct 13 - Salter Point are not significantly obstructed by new development.

Policy Status

This policy is made pursuant to Part 2 (Division 2) of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulation 2015* (the Regulations). Under clause 3(3) of the Regulations (Part 2), the City may make a local planning policy based on sound town planning principles to address a strategic or operational consideration.

Policy Application

This Policy applies to any development within Precinct 13 – 'Salter Point' that has an assigned building height limit of 3.0 metres, 3.5 metres or 6.5 metres, as shown in blue on the diagram below.



Policy Purpose

The aim of this policy is to provide guidance on the application of clause 6.1A(9)(c) of the City of South Perth Town Planning Scheme (Scheme) and to ensure that all applications are dealt with in a transparent and consistent manner. This provision requires that a person shall not erect or make an addition to a building unless the local government is satisfied that views of the Canning River from any buildings on neighbouring land will not be significantly obstructed.

Policy Statement

1.0 Buildings considered to satisfy clause 6.1A(9)(c) of the Scheme

- (a) Buildings (including any roof or external fixtures) contained wholly within the Building Height Limit (BHL) assigned to that lot under clause 6.1A(1) of the Scheme, will generally be considered to satisfy clause 6.1A(9)(c) of the Scheme.
- (b) Where roofs or permitted projections are proposed above the BHL in accordance with clauses 6.1A(4) and 6.1A(5) of the Scheme, the development shall be subject to assessment against the provisions of clauses 2.0 of this policy.

2.0 Assessment of projections above the building height limit

- 2.1 The City shall only approve projections above the BHL, including roofs, that meet all of the following criteria:
 - (a) There are no external walls above the BHL; and,
 - (b) Any roof above the BHL has a pitch of 15 degrees or lower; and,
 - (c) All external fixtures above the BHL, such as solar collectors and air-conditioning units, are integrated into the design so as to sit flush/flat along or below the roof line; and,
 - (d) The proposed development meets the relevant deemed-to-comply criteria prescribed in the Residential Design Codes (as amended) relating to lot boundary setbacks, street setbacks and open space.
- 2.2 Where a building proposes to project above the BHL assigned to that lot and the projection(s) meet all of the criteria in 2.1, the City shall only approve the development where all of the following criteria are additionally met;
 - (a) The projection does not obstruct a view to the water surface of the Canning River within a line of sight contained at any point within a 45 degree cone of vision from an existing active habitable space, which forms part of a building. Active habitable spaces include any balcony, verandah, terrace or habitable room (such as a kitchen, bedroom, dining room etc). A line-of-sight shall be measured at a height of 1.6 metres above the floor level of the space at a point 0.5 metres from the edge/opening/extent of the space (where the view to Canning River is available) closest to Canning River shall be used to determine whether a view to the water surface of Canning River is obstructed; or,

Notes: *For the purpose of this provision, a line-of-sight will only be assessed/established for properties adjoining the subject site. Greatest weight will be given to any line-of-sight established from a property directly 'behind' a site in reference to its position to Canning River. Significantly lesser weight should be given to a line-of-sight established from a property to the 'side' of a site. 'cone-of-vision' and 'active habitable space' shall have the same meaning as contained in the Residential Design Codes.*

- (b) In the case where an existing building is proposed to be demolished and replaced, the design of the new building causes a lesser obstruction to views of the Canning River than the existing building.

Legislative / Local Law Requirements

City of South Perth Town Planning Scheme No. 6
Planning and Development (Local Planning Schemes) Regulations 2015
Planning and Development Act 2005

Other Relevant Policies / Key Documents

City of South Perth Planning Policies