

City of South Perth
Town Planning Scheme No. 6

Amendment No. 52

Building height limits of lots 501 and 502 River Way, Salter Point



Civic Centre

Cnr Sandgate Street and South Terrace
SOUTH PERTH WA 6151

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FOOTNOTE: This draft Scheme Amendment is currently only a proposal. The Council welcomes your written comments and will consider these before recommending to the Minister for Planning whether to proceed with, modify or abandon the proposal. The Minister will also consider your views before making a final decision. It should not be construed that final approval will be granted.



Proposal to Amend a Town Planning Scheme

- | | |
|---|--|
| 1. Local Authority: | City of South Perth |
| 2. Description of Town Planning Scheme: | Town Planning Scheme No. 6 |
| 3. Type of Scheme: | District Zoning Scheme |
| 4. Type of Amendment: | Standard Amendment |
| 5. Serial No. of Amendment: | Amendment No. 52 |
| 6. Proposal: | To amend the Scheme for the purpose of aligning the Building Height Limits map with the cadastral lot boundaries at lots 501 and 502 River Way, Salter Point |

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RESOLUTION DECIDING TO AMEND CITY OF SOUTH PERTH TOWN PLANNING SCHEME NO. 6

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PLANNING AND DEVELOPMENT ACT 2005



**Resolution Deciding to Amend
City of South Perth
Town Planning Scheme No. 6**

Amendment No. 52

RESOLVED ...

That the Council of the City of South Perth, in pursuance of Section 75 of the *Planning and Development Act 2005*, amend the City of South Perth Town Planning Scheme No. 6 via a Standard Amendment, for the purpose of aligning the Building Height Limits map with the cadastral lot boundaries at lots 501 and 502 River Way, Salter Point.

GEOFF GLASS
CHIEF EXECUTIVE OFFICER

Minutes of Council Meeting dated: 24 May 2016

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STANDARD AMENDMENT REPORT

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Report on Amendment No. 52 to Town Planning Scheme No. 6

INTRODUCTION

The City of South Perth Town Planning Scheme No. 6 (TPS6) became operative on 29 April 2003. At a meeting held on 24 May 2016, the Council resolved to amend the Scheme via a standard amendment in the manner described in this report, and at the same meeting, the Council endorsed the draft Amendment for advertising purposes. A copy of the Council resolution to amend the Scheme and the text of the draft Amendment are included as part of these Amendment documents. The proposal is to amend the Scheme for the purpose of aligning the Building Height Limits map with the cadastral lot boundaries at lots 501 and 502 River Way, Salter Point.

BACKGROUND TO AMENDMENT NO. 52

TPS6 contains maps depicting building height limits for all precincts. The subject site falls within Precinct 13 – Salter Point, with a mixture of 3.5m and 7.0m height limits permitted, as shown on Figure 1.

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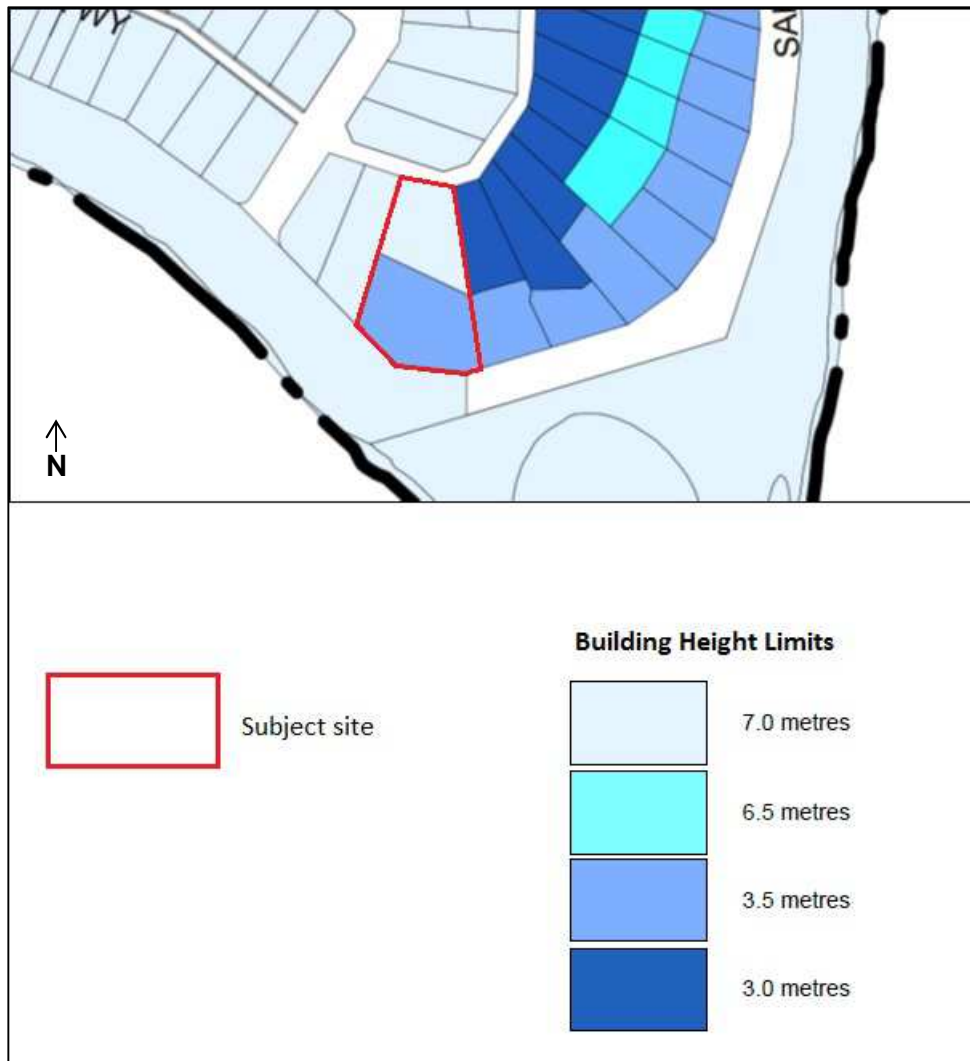


Figure 1: Extract of TPS6 Building Height Limits map

The building height limits on the subject site were designated based on cadastral lot boundaries at the time. Since the TPS6 building height limit maps were gazetted the subdivision of the original lots has occurred, resulting in the creation of Lots 501 to 505. There is no provision within the Scheme to alter the height limits as a result of cadastral changes. As a result, a standard amendment to the Scheme is required to modify the height limits to reflect the modified lot boundaries.

The creation of the subject lots means that the building height limit maps no longer reflect cadastral boundaries. This makes it difficult to design dwellings on the site that address the current height limits imposed by the Scheme while maximising the occupants' use and enjoyment of the lots.

The height limits as currently applied across the newly created lots are as follows:

- Lot 501: Mainly 7m, with southern portion limited to 3.5m
- Lot 502: Mainly 7m, with south-western portion limited to 3.5m
- Lot 503: 3.5m
- Lot 504: 3.5m

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- Lot 505: 3.5m

The extent of the existing height limits across the site is shown on Figure 2.

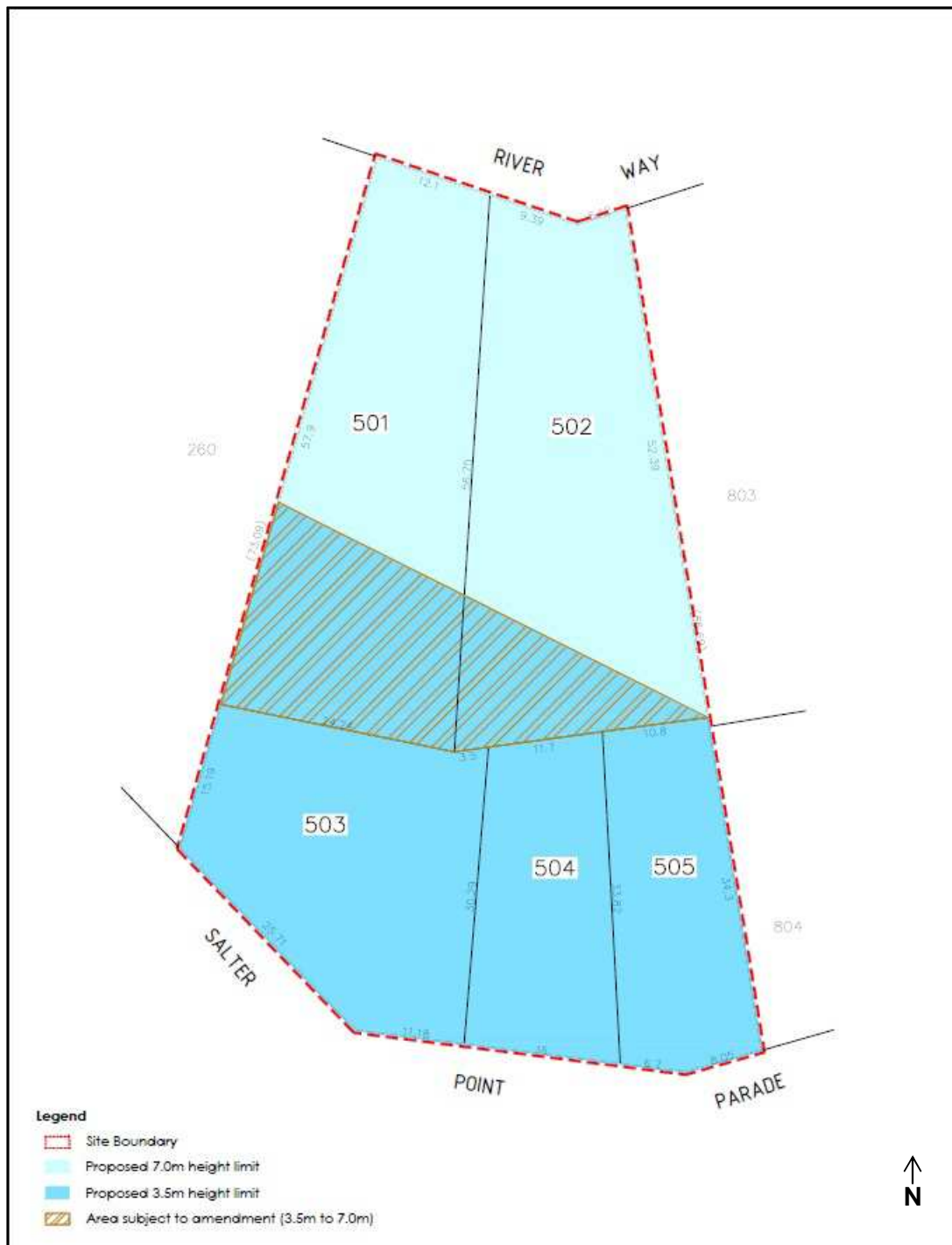


Figure 2: Existing Building Height Limits map

Subject site

The subject site comprises 5 lots that have been created as part of a previously approved subdivision and includes Lots 501 (72) and 502 (74) River Way and Lots 503

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(1A), 504 (1B) and 505 (1C) Salter Point Parade, Salter Point as shown on Figure 3. The properties are currently vacant, as shown on Figure 4.

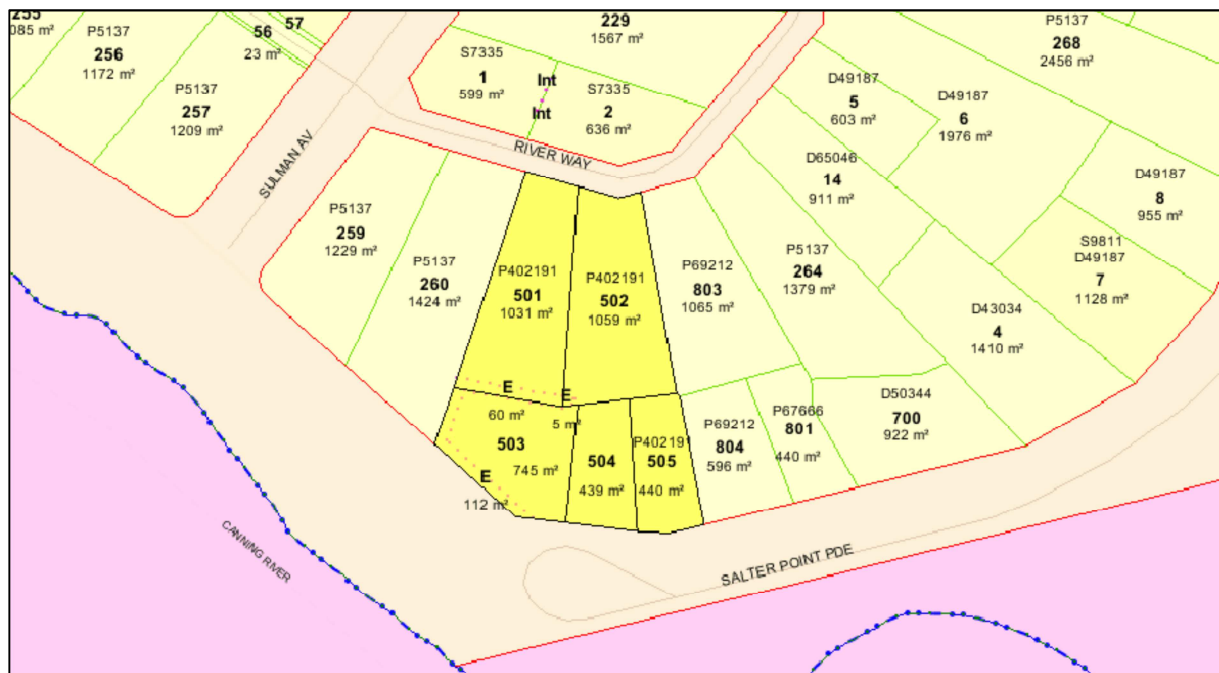


Figure 3: Landgate cadastral map of the subdivided lots

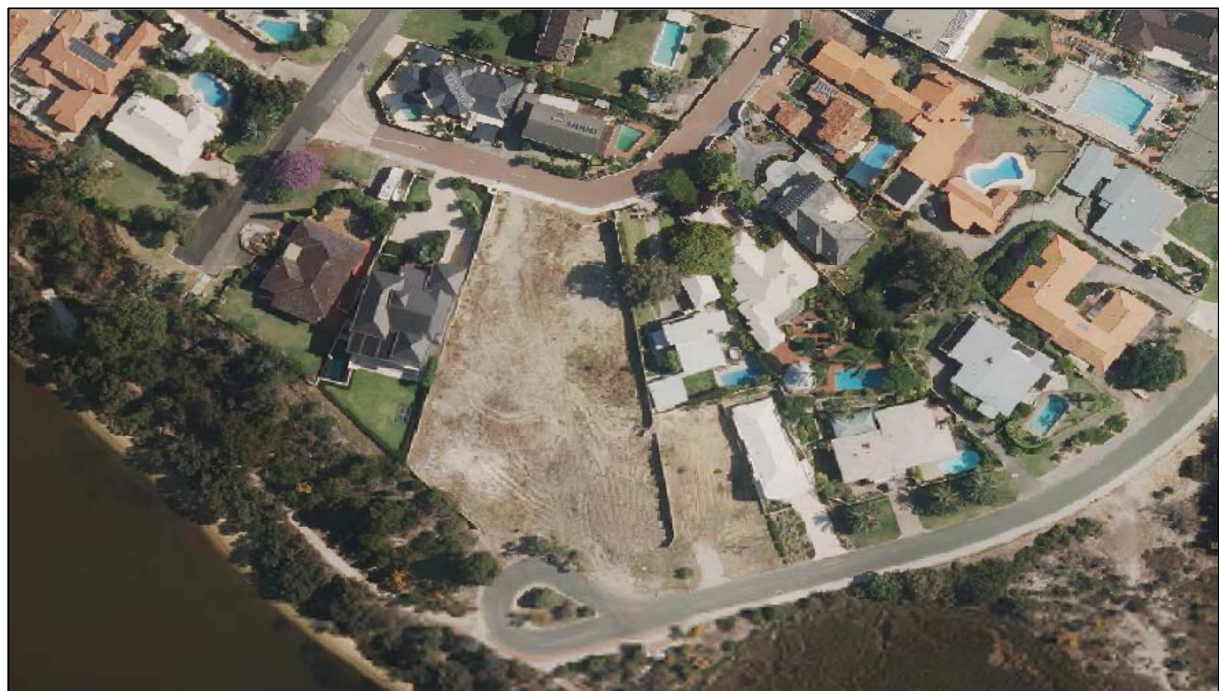


Figure 4: Landgate aerial photo of the subdivided lots

AMENDMENT NO. 52 PROPOSALS

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This draft standard amendment to TPS6 is to realign the building heights limits within Precinct 13 with the current lot boundaries. Specifically, it is proposed that the height limit map for Precinct 13 be modified as follows:

- Lot 501: Extend the 7m height limit to cover the entire lot and remove reference to 3.5m
- Lot 502: Extend the 7m height limit to cover the entire lot and remove reference to 3.5m
- Lot 503: no change
- Lot 504: no change
- Lot 505: no change.

The proposed modification is outlined on Figure 5.

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In total an area of approximately 618m² will be incorporated into the 7.0m height limit area across Lots 501 and 502. The lots facing Salter Point Parade will maintain the existing 3.5 metre height limit.

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fronting Salter Point Parade. This amendment seeks to ensure this intent is continued and reflects the original intent of the Scheme.

Furthermore, it is likely that any future dwellings would be constructed towards the southern end of Lots 501 and 502, where the lots are substantially wider and views across the river can be captured. With the current height limits dissecting the lots it would be difficult to design a dwelling that effectively maximises the development potential of the site and the views afforded these lots.

The amendment will also ensure that there is consistency between Lots 501 and 502 in regards to height restriction.

Finally, it will be difficult to comply with TPS6 Clause 6.1A (9) Building height restrictions in Precinct 13 'Salter Point', if a portion of the dwelling is required to be within a 3.5m height limit whilst the remainder is within a 7.0m limit. Ultimately, it is believed that the proposed Scheme amendment would ensure better orderly planning and design for the site.

CONCLUSION

Having regard to all of the matters discussed above, the proposed Amendment No. 52 is consistent with the orderly and proper planning of the City. It retains the original intent of the Scheme, by updating the building height limits on the subject site to reflect cadastral boundaries.

Amendment No. 52 will have little or no impact beyond the subject site as it follows the intent of the height limits with those lots fronting River Way having the potential for 7m height and those fronting Salter Point Parade with a 3.5m height limit enabling better views of the river for all the lots.

The Council now requests that the Western Australian Planning Commission and the Minister for Planning favourably consider the proposals contained in Amendment No. 52.

Report prepared by:

Mark Carolane, Senior Strategic Projects Planner

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AMENDING DOCUMENTS

Endorsed by Council for community advertising
Council Meeting : 24 May 2016

PLANNING AND DEVELOPMENT ACT 2005



Town Planning Scheme No. 6 Amendment No. 52

The Council of the City of South Perth under the powers conferred upon it by the *Planning and Development Act 2005*, hereby amends the above local planning scheme as follows:

1. Scheme map, Precinct 13 – Salter Point Building Height Limits is amended as follows:

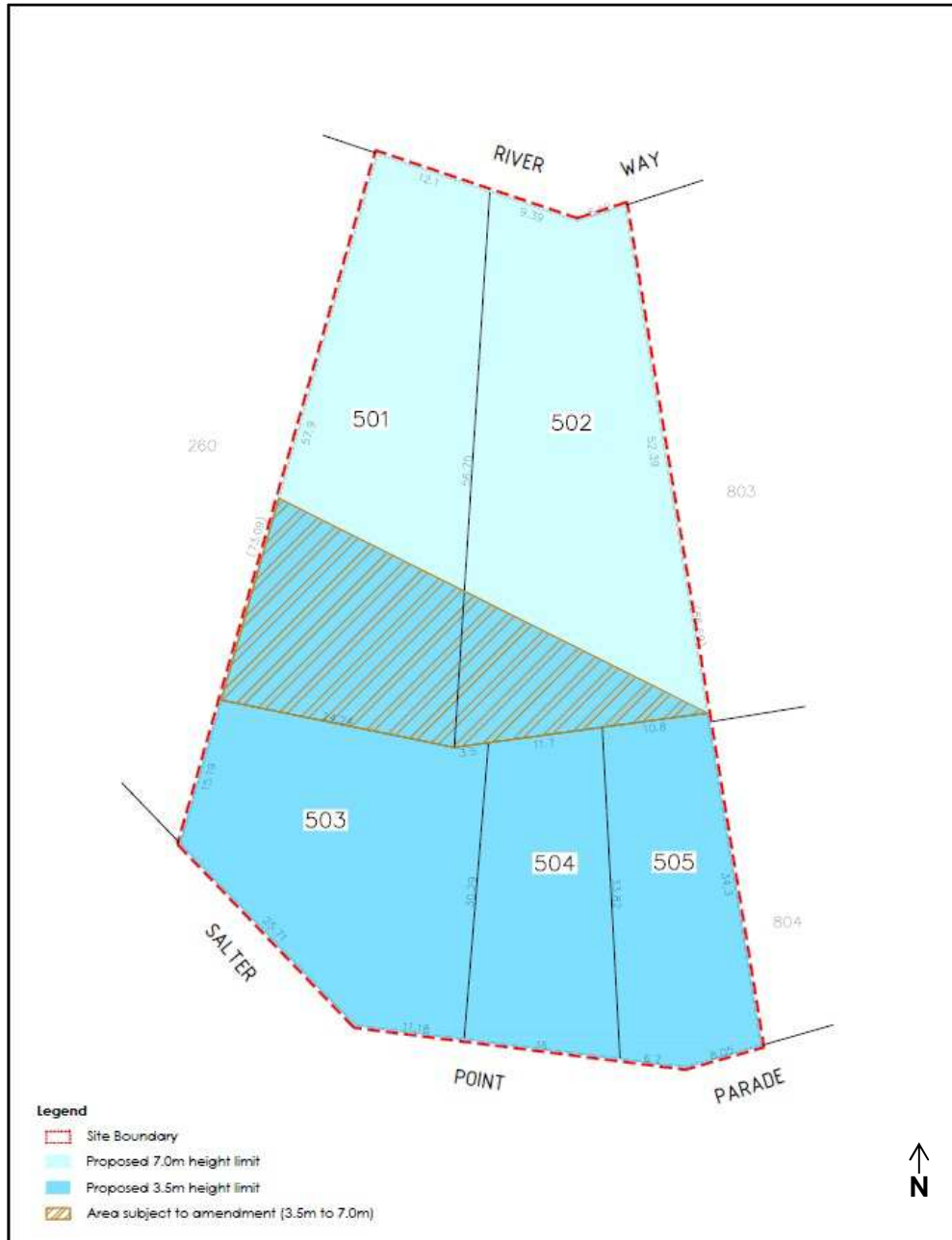
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Town Planning Scheme No. 6 Amendment No. 52

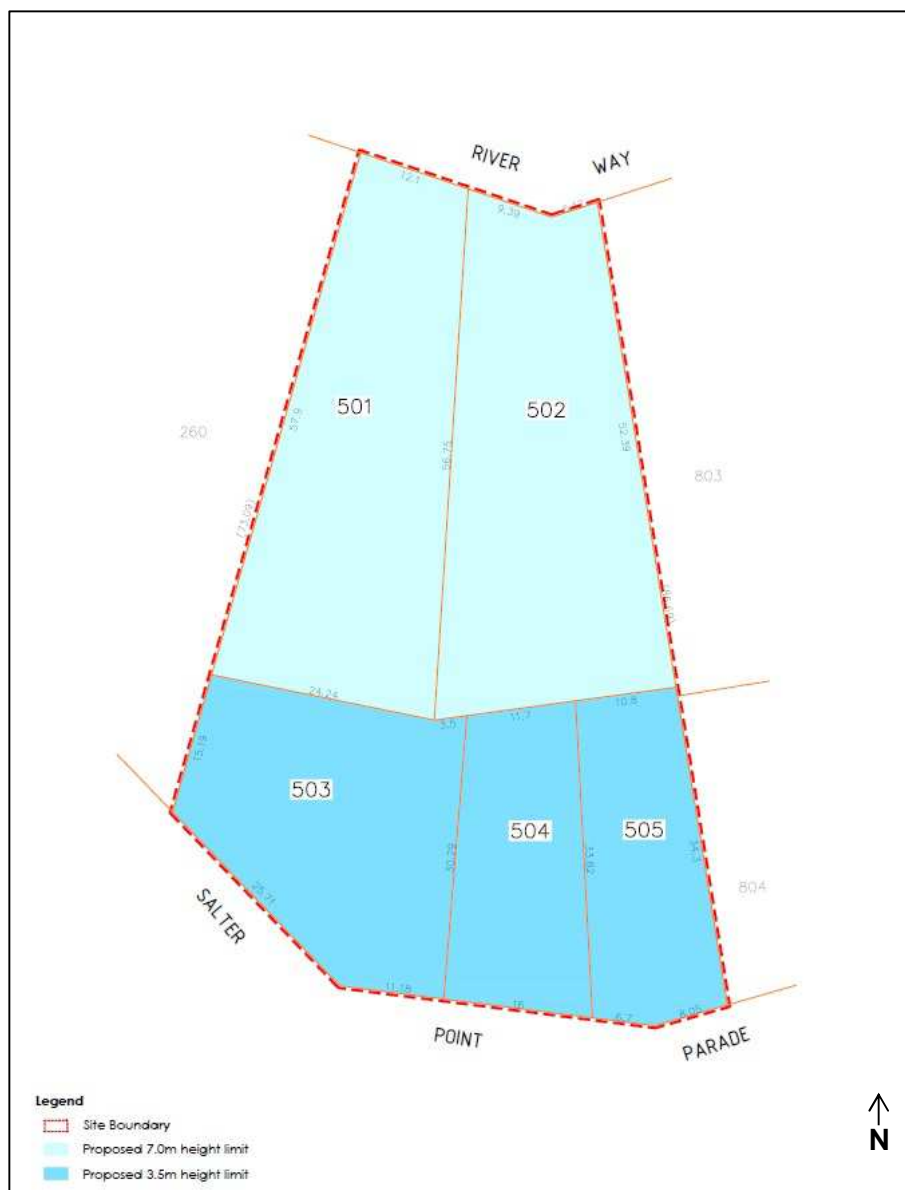
Existing building height limits map

Building Height Limits Precinct 13 – Salter Point



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Building Height Limits Precinct 13 – Salter Point



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Adoption

ADOPTED by resolution of the Council of the City of South Perth at the Ordinary Council Meeting held on 2016.

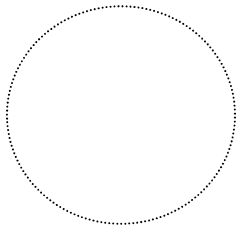
SUE DOHERTY
MAYOR

GEOFF GLASS
CHIEF EXECUTIVE OFFICER

Final Approval

ADOPTED by resolution of the Council of the City of South Perth at the Ordinary Meeting of the Council held on 2016 and the Seal of the City was hereunto affixed by the authority of a resolution of the Council in the presence of:

CITY OF SOUTH PERTH
SEAL



SUE DOHERTY
MAYOR

GEOFF GLASS
CHIEF EXECUTIVE OFFICER

RECOMMENDED / SUBMITTED FOR FINAL APPROVAL:

Delegated under S.16 of the PD Act 2005

Dated _____

FINAL APPROVAL GRANTED

DONNA FARAGHER
MINISTER FOR PLANNING

Dated _____