

Advice Note

Responsible Officer:	Director Urban Planning (18/11/19)
Date of Meeting:	19 November 2019
Meeting of the:	Ordinary Meeting of Council
Item:	13.4 Petition - Position of Boundary R-AC0 zone and R20 zone Canning Bridge Precinct Plan

DETAIL

Background:

A petition was received on 11 November 2019, signed by 101 residents, as follows:

“We, the undersigned, all being electors of the City of Melville, respectfully request that the Council:

1. To make inquiries as to the reason why the boundary between the R-ACO Zone (within the Canning Bridge Precinct Plan) and the R20 Zone (outside the Canning Bridge Precinct Plan) is positioned within View Road, Mount Pleasant.
2. To make inquiries as to whether this boundary may be repositioned so it commences at the beginning of a road or street and accordingly has a road or street as a buffer between zones.

Reasons to support the action requested are:

1. No clear explanation has ever been given as to why the boundary between the R-ACO and R20 zones has been positioned within View Road Mount Pleasant and in a ‘dog-leg- configuration.
2. The positioning of the boundary between zones in the middle of View Road causes practical difficulty and legal uncertainty for owners of properties either side of the boundary because there are different rights and obligations applicable to each zone.
3. There are many in the Melville community who consider that it is completely inappropriate to place a significant zoning boundary in the middle of a road or street.”

Advice:

The following additional information is provided in response to the requests contained in the petition:

Continued Over Page

ADVICE NOTE Continued.:

Reasons for Location of Boundary:

Establishing the boundary to Activity Centres is based on the principle of walkability from a central point or node such as a train station, bus interchange or transit route. In the context of the Canning Bridge Activity Centre Plan the boundary was developed to:

- include land generally in proximity to Canning Highway and the Canning Bridge rail station;
- contain the existing commercial area, with provision for a transition area;
- follow street alignments, where practical; and
- use mid-block boundaries only where the length or shape of the street-block would mean that the boundary would be extended beyond an acceptable distance.

It is noted that the mid-block Activity Centre boundary in the vicinity of View Road was depicted in the earlier Canning Bridge Precinct Vision document from February 2010 and ultimately incorporated into the Canning Bridge Activity Centre Plan (CBACP). The mid-block boundary was ultimately favoured, as the option of extending the Activity Centre to include all of the View Road street-block to Rookwood Street was not in keeping with the principles of walkability. Similarly, establishing the boundary at Helm Street was not considered to provide sufficient transition from the more intensive mixed use areas of the precinct to the north. In considering the mid-block location of the boundary, regard was also had to the transition resulting from development potential in the R20 zone (up to three storeys in height) and that of the H4 zone (up to 4 storeys in height). Recent amendment to the H4 zone has also further improved the transition between sites within the CBACP and those immediately adjoining, through the requirement for third and fourth levels of any H4 development to be setback 8 metres from the boundary with land outside the precinct.

Opportunity to Re-position the Boundary:

The current review of the CBACP presents an opportunity to investigate the View Road and other mid-block boundaries.

Any modifications to the CBACP would include community engagement and would ultimately require a decision by the Western Australian Planning Commission. Depending upon the outcome, a modification to the precinct boundary may also require an amendment to Local Planning Scheme 6 (if new zones or R-Codes are required for land being removed from the CBACP).

Recommendation:

Officers will be reporting to Council on the commencement of further stages of the review of the CBACP. Investigation of the suitability of the current boundaries of the CBACP is intended to be included in the scope of the review.

Accordingly it is recommended that the petition be acknowledged and a report be prepared.