



# Local Planning Policy

## VARIATION OF DEVELOPMENT STANDARDS AND/OR REQUIREMENTS OF THE TOWN PLANNING SCHEME

### LPP 01

*This policy is adopted as a Local Planning Policy under the provisions of Town Planning Scheme No. 1 1997 (as amended). This policy was adopted on 28 June 2004.*

#### **OBJECTIVE**

To outline the circumstances in which Council will consider exercising the provisions of Clause 4.19 "Variations to Site and Development Standards" of the City of Kalgoorlie-Boulder Town Planning Scheme.

#### **1.0 BACKGROUND**

Under the provisions of Clause 4.19 of the City of Kalgoorlie-Boulder Town Planning Scheme No. 1, 1997, Council has the discretion to vary the development standards set out in the Scheme.

The purpose of this policy is to outline the circumstances in which Council will consider exercising the provisions of this Clause.

#### **2.0 CAR PARKING (REFER TO CLAUSES 4.5-4.8, 4.10, 4.12 OF THE SCHEME)**

##### **2.1 CHANGE OF USE WITHIN EXISTING BUILDINGS CALCULATION OF CAR PARKING REQUIREMENTS THROUGH A 'CREDIT' SYSTEM**

A number of the existing buildings within the City have limited or no on-site parking. This is due to the fact that at the time they were developed, there was no requirement for parking to be provided. It is recognised that these buildings do generate demand for parking and that this should be considered when assessing an application for a change of use within a building.

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Calculation is determined as follows:

- a. The number of spaces that the existing use would require is referred to as 'credits'. This is calculated by applying the car parking requirements for that particular use class of the current Planning Scheme.
- b. Any on-site parking that exists is deducted from the total number of spaces required. The remaining number is the number of spaces which the building has credit for.
- c. The number of credits is then deducted from the number of parking spaces that are required for the proposed use. The difference is the number of spaces that are required to be provided for the new use.
- d. These spaces are required to be provided on site.

## **2.2 RECIPROCAL PARKING**

There are a number of uses that, due to their hours of operation, have complementary parking demands to those of the surrounding uses. In these circumstances it may be appropriate for one use to use the parking area of the other use. Any proposal to request approval for reciprocal parking will need to satisfy the following guidelines:

- a. The demand for parking by the two uses will not coincide.
- b. That there is a permanent arrangement in place (eg. legal agreement, amalgamation of lots or other requirements as determined by the City) to ensure the parking is always available to the two uses.
- c. Where there is a proposed change of use in an existing reciprocal parking agreement, Council will give consideration to the appropriateness of the agreement to the proposed change of use or will require the new use to satisfy the parking requirements of the Planning Scheme.

## **2.3 UTILISING EXISTING ON STREET AND EMBAYED VERGE PARKING**

In circumstances where it is proposed to utilise on street parking, the applicant may be required to demonstrate, through the provision of a parking study, that there is sufficient on street spaces available during the hours of operation of the proposed use. Any proposal to request approval to utilise existing on street and/or embayed verge parking will be considered in the context of the City's Car Parking Strategy and need to satisfy the following guidelines:

- a. All possible carparking areas within the lot boundaries are to have been developed to the satisfaction of the City.
- b. Pedestrian access to the site and building is to be available from the on street or embayed verge parking.
- c. If embayed parking is to be constructed as a condition of approval it shall be at the applicant's expense to the City's satisfaction.

## **2.4 TANDEM PARKING**

In some circumstances, the provision of tandem parking (ie. one space behind another space) may be considered acceptable. Tandem parking spaces are most suited to uses such as offices.

When considering an application for tandem parking, the City will consider who will use the spaces and how frequently the occupation of the spaces will change.

Tandem parking spaces will generally only be accepted when they are for the use of staff who are generally on the premises for long periods of time. These spaces will be required to be marked as staff bays, and will not be for the general use of customers or visitors to the building.

## **2.5 CENTRAL AND DISTRICT BUSINESS ZONES**

In order to support the ongoing service and tourism functions that these areas provide, this policy has been formulated to recognise the unique circumstances of parking within the Central and District Business Zones, and in particular, Hannan and Burt Streets.

### **2.5.1 HANNAN STREET AND BURT STREET CARPARKING PRECINCTS**

No additional car parking spaces are required for: a change of use, the creation of additional floor space or the creation/extension of mixed use development involving residential, or 'shop top' housing areas identified in the Precincts on Map 1 and 2 unless the development proposes a significant increase (ie. greater than 50%) in floor space.

### **2.5.2 BALANCE OF CENTRAL BUSINESS AND DISTRICT BUSINESS ZONE**

- a. Car parking requirement for Shops – 5 spaces per 100 m<sup>2</sup> Net Lettable Area (NLA).
- b. This may be reduced to 3 spaces per 100m<sup>2</sup> NLA, if the City is satisfied that the difference between the two parking ratios (ie. 2 spaces per 100m<sup>2</sup> NLA) can be absorbed by public car parking (both on and off street) that the City plans to construct within its five year strategic parking plan.
- c. A cash in lieu contribution to car parking may be required as a condition of approval. With respect to the shortfall of bays between spaces required and spaces proposed to be provided, the amount of the contribution will be determined by Council and will be based on the cost of providing these bays at an alternative location.

### **3.0 HEIGHT LIMIT (REFER TO CLAUSE 5.11 OF THE SCHEME)**

Council may vary the height limits on developments subject to the following guidelines:

- a. Development fronting Hannan Street between Lane Street and the Eastern Bypass Road and on Burt Street between Lionel and Hamilton Streets shall generally be in accordance with cl 5.10(1) of the Scheme.
- b. The development will not significantly restrict sunlight or natural ventilation enjoyed by surrounding properties;
- c. The development will not significantly intrude upon the privacy enjoyed by surrounding properties by overlooking;
- d. The development will not significantly diminish views or outlook available from surrounding properties;
- e. The development is sympathetic with the scale and character of the immediate locality in the opinion of Council;
- f. The development is consistent with the amenity of the locality
- g. The development is not detrimental to the heritage value of the building or the streetscape and the approval of the Heritage Council of WA (in the case of State registered buildings) is obtained; and
- h. The development is not hazardous to the operation of the Kalgoorlie Boulder Airport and the approval of the Airport Manager is obtained.

### **4.0 LANDSCAPING (REFER TO CLAUSES 4.13 AND 5.4 OF THE SCHEME)**

Council will consider the reduction of minimum landscaping requirements for industrial and commercial lots in accordance with the following:

- a. Development with Nil setbacks in Central & District Business Zones:  
Where front or side setbacks are permitted to be nil or are reduced to nil under this policy, no landscaping is required.
- b. Development with 100 % site coverage in Central & District Business Zones:  
No landscaping is required on site. Appropriate landscaping may be required on the verge area.
- c. Greenfields Site:  
Lot Area: less than 5000 sqm:  
4% of the Lot area (including any landscaping strips required by the Scheme).  
  
Lot Area 5000 sqm or greater:  
3% of the Lot area (including any landscaping strips required by the Scheme).
- d. Alterations to existing development  
Minimum 2 metre landscaped strip along all street frontages

- e. All landscaping is to be bordered, mulched and consist of species native to the Goldfields region. Reticulation is to be installed until such time as the plants are established.

## **5.0 SETBACKS**

Refer to the Residential Design Codes and related policies for provisions applying to residential development.

### **5.1 STREET SETBACKS**

In some cases it is desirable to reduce the primary or secondary street setback of a development to be consistent with the streetscape. The City will give consideration to the predominant setback along the street, the impact the reduced setback will have on the general streetscape and the impact the reduced setback will have on the amenity of adjoining properties. The following guidelines apply when considering reduced setbacks:

- a. Reductions in the required primary street setback may be reduced to the same setback as the established building line of the adjoining properties.
- b. Applications for the reduction of primary street setbacks to less than the established building line are not to have a detrimental impact on the adjoining properties through the loss of views (vistas) and/or overshadowing.
- c. Customer carparking, if required, is to be accessible, visible and preferably located in the primary street setback. Alternative locations for customer parking will be considered where there is no conflict between driveways for machinery and trucks and the customer parking sign posted appropriately.
- d. Applications for the reduction of secondary street setbacks will be determined by Council based on the merit of the application. Where vehicular access is required to the secondary street for residential development, secondary street setbacks of less than 1.5m will not be supported.

*Note: For secondary street setbacks for non-residential development refer to Clause 4.17 of the Scheme.*

### **5.2 SIDE SETBACKS**

Side setback variations for non-residential development will be considered pursuant to cl 4.19 and cl 6.5 of the Scheme. Side setback variations for residential development will be considered in accordance with the Residential Design Codes and relevant R-Code policies.

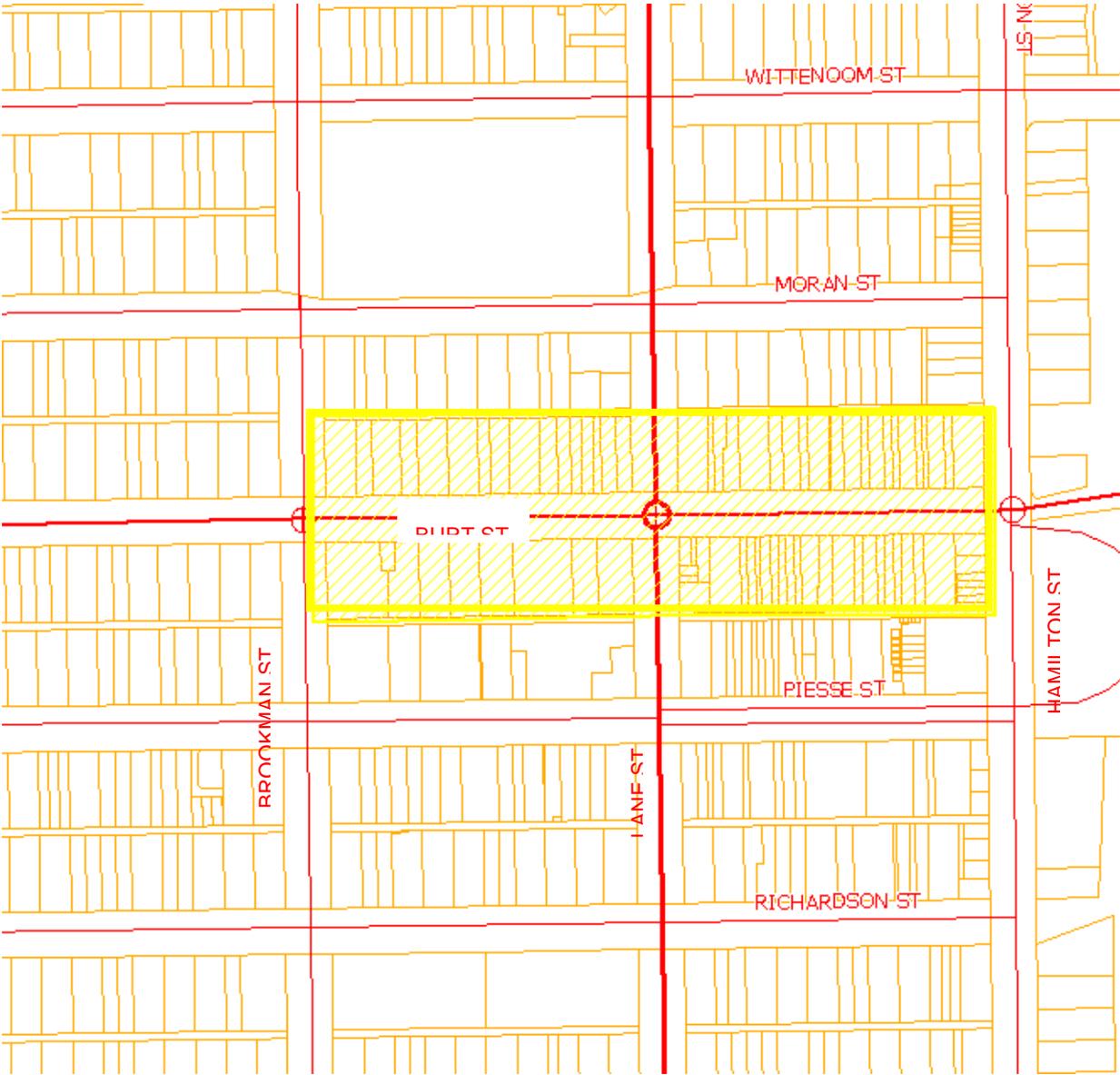
### **5.3 REAR SETBACKS**

Rear setback variations for non-residential development may only be considered where the property adjoins a Right-of-Way. If an application is made for a reduced rear setback it will be assessed on its merits, such as the impact on adjoining properties and the neighbourhood in general, and against the requirements of the Building Code of Australia (BCA). Rear setback variations for residential development will be considered in accordance with the Residential Design Codes and relevant R Code policies.

### **6.0 PLOT RATIO AND SITE COVERAGE**

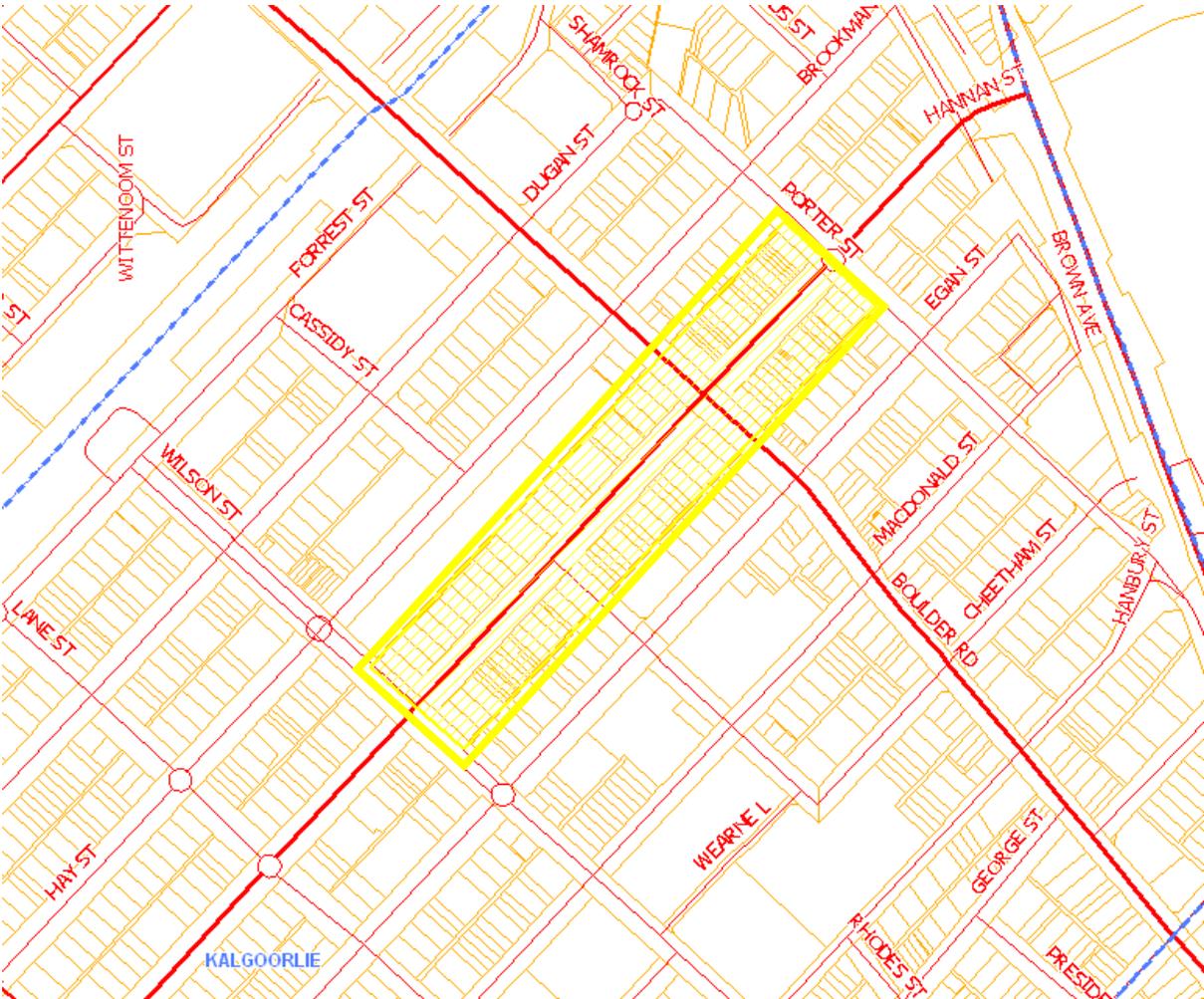
Applications to vary site coverage and plot ratio will not be supported.

**Map 1 – Burt Street Heritage Precinct**



 Burt St Heritage Precinct

**Map 2 – Hannan Street Heritage Precinct**



Hannan St Heritage Precinct