

Policy			
Title:	Bentley and Wilson Precincts	Code:	LP.15
Purpose or Objective:	<ol style="list-style-type: none"> 1. To provide a choice of accommodation within the Precinct areas that meets the needs of existing and future generations of residents. 2. To facilitate urban renewal and consolidation of higher density residential development in the Education and Technology Accommodation Sub-Precinct in support of Curtin University and Canning College located adjacent to the Sub-Precinct. 		
Reference Documents:	<ul style="list-style-type: none"> • City of Canning Local Planning Scheme No.42. • State Planning Policy 7.3 – Residential Design Codes of WA (R-Codes). 		

Policy Statement
<p>The City recognises the difference and sensitivity between the development and land use requirements of the Education and Technology Accommodation Sub-Precinct, and the character of the balance of the Bentley and Wilson Precincts. This policy seeks to facilitate a consistent approach to decisions on applications for development within the following precincts and sub-precincts:</p> <ol style="list-style-type: none"> (a) Education and Technology Accommodation Sub-Precinct (portion of Bentley Precinct); (b) Bentley Regeneration Sub-Precinct); and (c) Balance of the Bentley Precinct and Wilson Precinct.

1 Scope

This policy applies to applications for planning approval, other planning decisions, parking and other land use related matters within the Bentley and Wilson Precincts.

2 Definitions

Unless otherwise defined below, words and expressions in this policy are as defined in Part 6 of the City of Canning Local Planning Scheme No. 42 (the Scheme), the *Planning and Development Act 2005*, the Planning and Development (Local Planning Schemes) Regulations 2015 or State Planning Policy 7.3 – Residential Design Codes of WA (R-Codes).

Balance of Bentley Precinct means the area coloured green on the map.

bedroom means a habitable room:

- (a) designed or used as a bedroom; or
- (b) containing 1 or more beds or built in robes; or
- (c) having direct access to an ensuite, bathroom and not furnished and used as a kitchen, dining room, lounge room or games room.

bedspace

means that area in a bedroom, not including walk in robes, considered appropriate to accommodate 1 bed, in accordance with the following table:

Bedroom <11m ²	Bedroom > 11m ²	Bedroom > 16m ²	Bedroom > 21m ²
1 bedspace	2 bedspaces	3 bedspaces	4 bedspaces

Bentley Regeneration Sub-Precinct

means the area coloured purple on the map.

Council

means the elected members of the City meeting at an ordinary or special council meeting, or a committee meeting.

Education and Technology Accommodation Sub-Precinct

means the area coloured blue on the map.

permanently

in the definition of Residential Building, for the purpose of this policy, means lasting for a period of more than 6 months.

single family

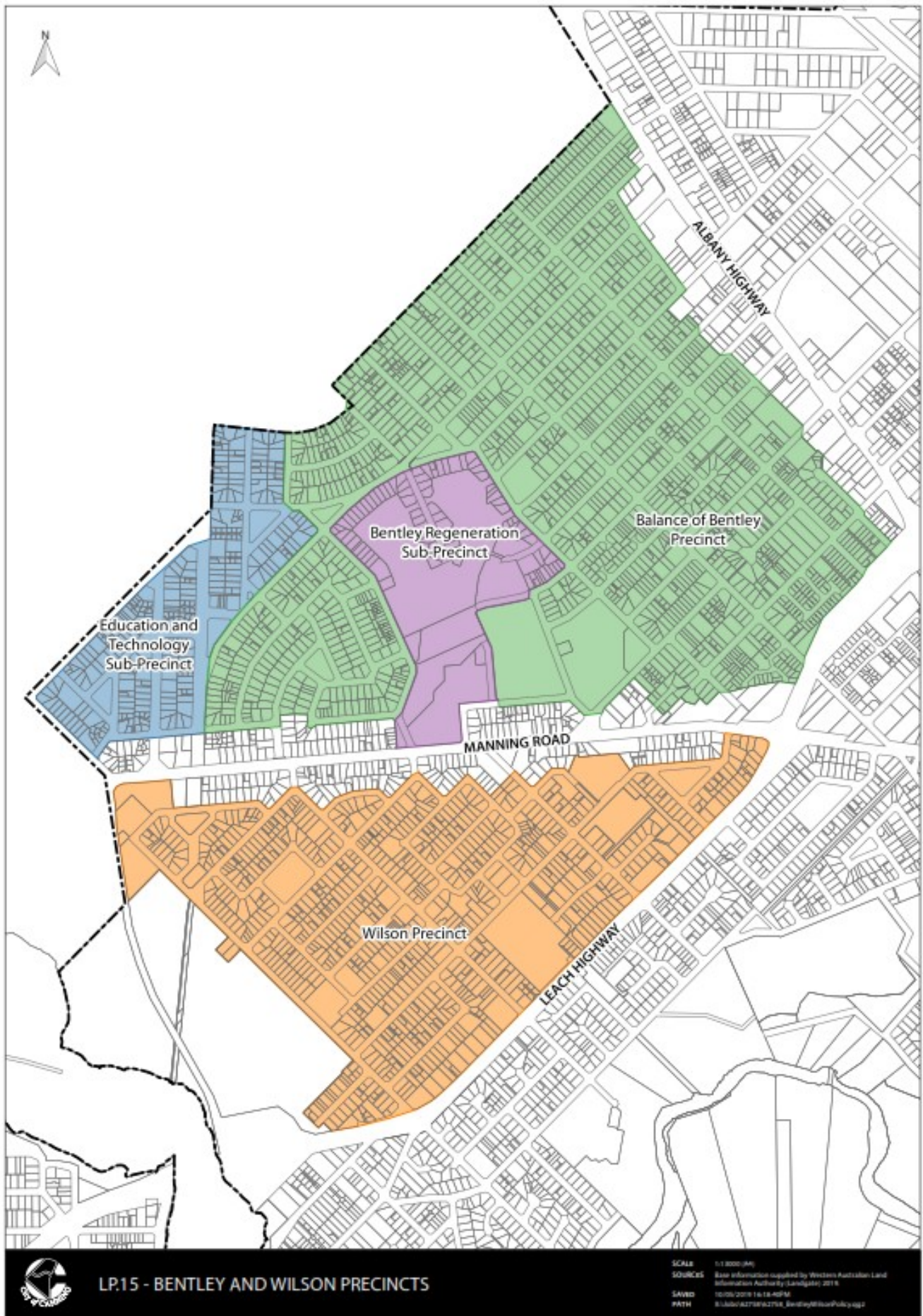
for the purpose of this policy, in the definition of Dwelling and Residential Building (in the R-Codes) refers to a group of persons which includes 1 or more persons identifiable as the householder or householders and persons closely related to them.

temporarily

in the definition of Residential Building, for the purpose of this policy, means continuing for a period of less than 6 months.

Wilson Precinct

means the coloured orange on the map.



LP.15 - BENTLEY AND WILSON PRECINCTS

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3 Provisions for Balance of Bentley and Wilson Precincts

- a) In the balance of the Bentley Precinct and in the Wilson Precinct, a Residential Building use is not considered an appropriate land use. In assisting the local government in determining whether a proposal can be classified as a single, grouped or multiple dwelling, rather than a Residential Building use the plans shall contain:
 - i. No more than 4 proposed/potential bedrooms in total, or if more than 4 proposed/potential bedrooms are proposed the number of bedspaces shall not exceed 6 using the calculations identified in this policy;
 - ii. No more than 2 bathrooms and a third toilet;
 - iii. A greater floor area for non-bedroom living spaces than the total of the floor area of the bedrooms;
 - iv. Outdoor living areas that are positioned so as not to create opportunities for conversion to car parking spaces; and
 - v. Provision for soft landscaping in comparison to hard/paved surfaces to determine whether a proposed building will have landscaped surrounds and a level of maintenance usually associated with a dwelling for permanent occupation.
- b) Where the local government is satisfied that the application is a grouped or multiple dwelling using the criteria within the preceding clause a condition will be placed on the Development Approval restricting occupancy to no more than 6 unrelated persons who do not comprise a single family. Where the local government is of the view that there is a risk that a proposed building may be used or occupied as a Residential Building rather than as a dwelling (ie. Grouped Dwelling, Multiple Dwelling etc) as stated by an applicant or owner of the property, the Council may impose a condition requiring a notification under Section 70A of the *Transfer of Land Act 1893* limiting the occupation of the dwelling.
- c) The additional bedspace/s contained within an ancillary dwelling shall not be added to the total number of bedspaces associated with the single dwelling, however additional parking should be provided for the unit in accordance with the R-Codes.
- d) Rooms such as a study, activity or home theatre or the like that contain walk in robes and/or are directly accessible to an ensuite or paired with another bedroom that shares ensuite facilities is deemed to be a bedroom.
- e) Where it is proposed that up to 2 boarders will be accommodated within a dwelling in addition to a single family, and the occupancy of the dwelling exceeds 6 persons additional waste storage and car parking at a rate of 0.5 parking bays for each person not a member of the single family boarded or otherwise accommodated on site is to be provided on site.

4 Provisions for the Education and Technology Accommodation Sub-Precinct

The purpose of this Sub-Precinct is to facilitate the establishment of a medium density residential area that meets the needs for a variety of household types, with emphasis on providing student and aged person's accommodation. Development should contribute to an attractive built environment that promotes a positive local identity and unique sense of place.

In this regard, development should take into account State Planning Policy 7.0 – Design of the Built Environment (SPP 7.0). In addition to compliance with the R Codes, the following provisions shall be applied:

- a) When giving planning approval for any residential use in this Sub-Precinct, appropriate conditions will be applied by the local government to assist in the objective of avoiding the accumulation of rubbish or refuse in the front setback area or on the verge adjacent to any site, require landscaping areas forward of the dwelling to be maintained to a high standard and ensure that the parking requirements for the development are met entirely onsite without any reliance on on-street parking. The local government will require the provision of more than 1 general waste rubbish bin per dwelling/unit where more than 6 bedspaces are identified in its design.
- b) Application for development approval for residential development must include a Landscape Plan, which demonstrates incorporation of water sensitive urban design principles and a condition will be placed on any approval requiring the ongoing maintenance of landscaped areas.

5 Parking Standards Applicable to the Education and Technology Accommodation Sub-Precinct

Within the Education and Technology Accommodation Sub-Precinct, special standards for parking of vehicles will apply as provided below.

- a) Other than in the circumstances referred to in the preceding clause, the following parking standard will apply to a Residential Building use, in the Education and Technology Accommodation Sub-Precinct:
0.5 of a parking bay is to be provided on-site for each bedroom or, where a bedroom exceeds 11m², for each bedspace within the building. While tandem parking may be approved, no more than 2 parking spaces in tandem will be considered for any single house or Residential Building.
- b) Where an ancillary dwelling is proposed in association with a single dwelling the additional bed space/s contained within an ancillary dwelling shall not be added to the total number of bedspaces, however additional parking should be provided for the unit in accordance with the R-Codes.
- c) Notwithstanding any provision of the R-Codes to the contrary, the local government is to ensure that any vehicle owned or used by a resident within the Sub-Precinct is parked or left standing only within the boundaries of the lot on which the person resides. Parking shall only be permitted in an area paved and approved for vehicle parking, or otherwise with the specific approval of the local government. On-street parking is to be controlled wherever possible by appropriate signage and policing by the local government's relevant employees.
- d) If a single house, grouped dwelling or multiple dwelling is subject to a single family occupying the dwelling on a permanent basis, up to 2 boarders may be accommodated within the dwelling without complying with the special parking standards in clause 5(b). Where more than 2 boarders are accommodated in a dwelling occupied by a single family, the parking provided on-site shall be 2 parking bays plus 0.5 of a parking bay for each person not a member of the single family boarded or otherwise accommodated in the dwelling.

6 Bentley Regeneration Precinct Sub – Precinct

The purpose of Bentley Regeneration Precinct (Bentley 360) is to provide for a mix of housing diversity as part of a comprehensive urban regeneration project by the Department of Communities and the local government. Land use and residential density are determined under the Bentley Regeneration Local Structure Plan.

Governance References

Statutory Compliance	City of Canning Local Planning Scheme No. 42
Process Links	

Policy Administration

Program		Officer title	Date last approved
Canning Sustainable Development		Director Canning Sustainable Development	15 October 2019
Version	Decision Reference	Synopsis	Delegation No.
1	SD-014-19	Final adoption	