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CITY OF SOUTH PERTH

TOWN PLANNING SCHEME No. 2

SCHEME TEXT

TOWN PLANNING AND DEVELOPMENT ACT, 1928 (AS AMENDED).

Advertisement of Approved Town Planning Scheme.

City of South Perth.

Town Planning Scheme No. 2.

T.P.B. 853/2/11/2.

IT is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon. Minister for Town Planning approved the City of South Perth Town Planning Scheme No. 2 on the 28th January, 1972, the Scheme Text of which is published on the following pages.

CITY OF SOUTH PERTH.
Town Planning Scheme No. 2.
Scheme Text.
Table of Contents.

	Page.
PART 1—PRELIMINARY	7
PART 2—RESERVED LAND.	
2.1 Reserves	14
2.2 Park and Recreation Area	14
2.3 Private land which may be acquired by Council	14
2.4 Public Use Reserve	15
2.5 Communication Reserves	15
2.6 Civic and Cultural Areas	15
2.7 Approval to commence development	15
PART 3—ZONES.	
3.1 Residential and other Zones	16
3.2 Use Restriction	16
3.3 Permitted Uses	16
3.4 "C" Class Hospitals	20
3.5 Group Housing	20
3.6 Dwelling Groups—QR5 and QR6	20
3.7 Future District Cultural Commercial Centre Zone	21
3.8 Special Zone A	21
3.9 Civic Uses Zone	21
3.10 Special Civic Commercial Zone	21
3.11 Planned Residential Redevelopment Zone	21
PART 4—NON-CONFORMING USE OF LAND.	
4.1-4.5 General Provisions	21-2
PART 5—GENERAL PROVISIONS AS TO CERTAIN ZONES AND USES.	
Division I—Development Standards for Residential Zones.	
5.1 Development to conform with standards prescribed, Plot Ratio Bonus, Site Coverage, Site Landscaping Requirements, Access to Residential Buildings, Distances between buildings on the same lot, Determination of multiple street boundaries, Setback variations for group houses, Frontage and area tolerances	22
5.2 Professional Offices	29
5.3 Places of Public Worship	29
5.4 Aged Persons' Flats	30
5.5 "C" Class Hospitals	30
5.6 Private Hotels, Clubs and Lodging Houses	30
5.7 Minimum Accommodation for certain Residential Buildings	30
5.8 Outbuildings	30
Division II—Development Standards in Zones and Reserves other than Residential Zones.	
5.9 Plot Ratios and Site Coverages	31
5.10 Side and Rear Boundary Setbacks	32
5.11 Development in Commercial C to G Zones	33
5.12 Car Sales Premises	33
5.13 Development in Service Station Zones	33
5.14 Height Restrictions	33

Division III—Car Parking.		Page
5.15	Car Parking Spaces	34
5.16	Combined Uses	36
5.17	Construction of Car Parking spaces	36
5.18	Size of Car Parking spaces and access ways	36
5.19	Location of Car Parking spaces and access ways	36
5.20	Open Air Car Parks	37
5.21	Communal Car Parking Areas or Buildings	37
5.22	Car Parking—GR6—B Zone	37
5.23	Car Parking—GR5—B Zone	37
5.24	Restricted Access—Canning Highway	37
5.25	Visitors' Car Parks	37
5.26	Alteration of Car Parks	37
Division IV—Special Provisions for Design and Development Control.		
5.27	Design	38
5.28	Location and Dispersal of Buildings	38
5.29	Advisory Committee	38
5.30	Landscaping Requirements	38
5.31	Building Lines	39
5.32	Signs	40
5.33	Unightly Objects	40
5.34	Sewerage and Drainage	40
5.35	Minimum Floor and Ground Levels	41
5.36	Fence Heights	41
PART 6—DEVELOPMENT.		
6.1	Development Approval	41
6.2	Appeals	42
PART 7—FINANCE AND ADMINISTRATION.		
7.1	Disposal of Land	42
7.2	Compensation	42
7.3	Betterment	42
7.4	Entry to Premises	42
7.5	Relationship of Scheme Text to other Documents	42
7.6	Notices	42
7.7	Offences	42

LIST OF TABLES.

Table No.		
1-A	Residential Zones Uses	17
1-B	Commercial and Institutions Zones Uses	18
1-C	Special Zones—Uses	19
2	Single Residential SR3 Zone Standards	23
3	General Residential GR4 Zone Standards	23
4	General Residential: GR5-A Zone Standards	24
	GR5-B Zone Standards	24
5	Quadruplex Residential QR5 Zone Standards	24
6	General Residential: GR6-A Zone Standards	25
	GR6-B Zone Standards	25
	GR6-C Zone Standards	25
7	General Residential GR6-D Zone Standards	26
8	Quadruplex Residential QR6 Zone Standards	27
9	Maximum Permitted Site Coverage	28
10	Plot Ratios and Site Coverages in Zones and Reserves other than Residential	31-2
11	Car Parking Space Requirements	34-5
12	Building Lines	39-40

THE CITY OF SOUTH PERTH.
TOWN PLANNING SCHEME No. 2.

THE South Perth City Council, under and by virtue of the powers conferred upon it in that behalf by the Town Planning and Development Act, 1928 (as amended) and the Metropolitan Region Town Planning Scheme Act, 1959 (as amended) hereby makes the following Town Planning Scheme for the purpose of:—

- (a) setting aside land for future public use as reserves;
- (b) controlling land development by zoning;
- (c) other matters authorised by the enabling Act.

PART 1.—PRELIMINARY.

1.1 This Town Planning Scheme may be cited as the City of South Perth Town Planning Scheme No. 2 hereinafter called "the Scheme" and shall come into operation on the publication of notice of the Minister's final approval thereof in the *Government Gazette*.

1.2 The Scheme shall apply to the whole of the Municipal District of the City of South Perth.

1.3 The Scheme is complementary to, and is not a substitute for, the Metropolitan Region Scheme, and the provisions of the Metropolitan Region Scheme, as amended from time to time, shall continue to have effect.

1.4 The City of South Perth Town Planning Scheme No. 1 which was published in the *Government Gazette* on the 6th day of July, 1962, and subsequently from time to time amended, the South Perth Road Board By-law No. 1—Classification of Districts—which was published in the *Government Gazette* on the 31st day of July, 1936, and subsequently from time to time amended, the South Perth Road Board By-law No. 3—Areas and Open Spaces—which was published in the *Government Gazette* on the 9th day of November, 1951, and subsequently from time to time amended and the City of South Perth By-law No. 29—Plot Ratios and Site Coverages of Residential Flat Buildings and Duplex Homes—which was published in the *Government Gazette* on the 19th day of August, 1965, are hereby revoked.

1.5 The responsible authority for carrying out the Scheme is the Council of the City of South Perth (hereinafter referred to as "the Council") except that where land is shown in the Scheme Map as "Regional Reservation" the responsible authority is the Metropolitan Region Planning Authority and the provisions of the Metropolitan Region Scheme shall apply to such reservations.

1.6 Relationship of Scheme to By-laws:—The provisions of this Scheme shall have effect, notwithstanding any by-law for the time being in force in the District, and where the provisions of the Scheme are inconsistent with the provisions of any by-law the provisions of this Scheme shall prevail.

1.7 All buildings hereafter erected in the Scheme Area shall conform to the standards contained in the Scheme and with the requirements of the Uniform Building By-laws to the extent to which those By-laws make provision for matters not dealt with by this Scheme.

1.8 Arrangement of Scheme:—The Scheme Text is divided into the following Parts:—

- Part 1. Preliminary.
- Part 2. Reserved Land.
- Part 3. Zones.
- Part 4. Non-conforming use of land.
- Part 5. General Provisions as to certain Zones and Uses.
- Part 6. Development.
- Part 7. Finance and Administration.

The Remaining documents of the Scheme are:

- (1) the Land Use Map,
- (2) the Scheme Map, and
- (3) the Standard Service Station Layout Plan.

all of which form part of his Scheme.

1.9 Interpretation: In this clause the definitions contained in the Town Planning Regulations will be set out with the following alterations and additions:

- "aged or dependent person's flat" means a flat attached to a dwelling house provided for and used by either a person who is of the age necessary to qualify for an old age pension, whether or not in receipt of such pension, a person who is a parent of the owner or any occupier of such dwelling house or a person who is by reason of age, illness, incapacity or infirmity unable to work or is dependent on others for assistance of a domestic nature;
- "aged persons' flat building" means a residential flat building provided by a religious or charitable organisation or institution or other body or institution approved by the Council for the accommodation of aged persons and designed and used solely for that purpose;
- "Board" means the Town Planning Board constituted under the Act;
- "building" shall have the same meaning as is given to it in and for the purposes of the Uniform Building By-laws;
- "building line" means the line between which and any public place or public reserve a building may not be erected except by or under the authority of an Act;
- "car park" means a site or building used primarily for parking private cars of taxis whether as a public or private car park, but does not include any part of a public road used for parking or for a taxi rank or any land or buildings on or in which cars are displayed for sale;
- "car sales premises" means land and buildings used for the display and sale of cars, whether new or secondhand, but does not include a workshop;
- "caravan park" means an area set aside for the parking of caravans in conformity with the Caravan and Camp Regulations, 1961, made pursuant to the provisions of the Health Act, 1911 (as amended), and the Local Government Model By-Law (Caravan Parks) No. 2 made pursuant to the powers conferred by the Local Government Act, 1960 (as amended) and any amendments to those Regulations or to the Model By-law;
- "civic building" means a building designed, used or intended to be used by Government Departments, statutory bodies representing the Crown, or councils as offices or for administrative or other like purposes;
- "consulting rooms" means a building or part of a building (other than a hospital) used in the practice of his profession by a legally qualified medical practitioner or dentist, or by a physiotherapist, a masseur or a person ordinarily associated with a medical practitioner in the investigation or treatment of physical or mental injuries or ailments;
- "defined site" in relation to patio, row or town houses means that area of the land on which a group of such houses is to be erected which is allotted or set aside on the plans of the proposed development for each of such houses;
- "drive-in theatre" means an open air cinema that makes provision for the audience or spectators to view the entertainment while seated in motor vehicles;
- "dry cleaning premises" means land and buildings used for the cleaning of garments and other fabrics by chemical processes;
- "duplex house" means a building comprising two dwellings, each being complete and self-contained for use by separate family units;
- "dwelling group" means two or more separate residential buildings erected on one lot;
- "dwelling house" means a building used primarily for living purposes as one separate family unit and includes rooms separate from such building but ancillary thereto. The term also includes such outbuildings and recreational uses and gardens as are ordinarily used therewith, but does not include a "residential building" or part of such a building;

- “dwelling unit” means a separate self-contained dwelling within a building containing two or more such dwellings each for occupation by one separate family unit;
- “educational establishment” means a school, college, university, technical centre or institute, lecture hall, kindergarten and playing fields and such other uses ancillary thereto as the Council shall permit, but does not include a reformatory institution or institutional home;
- “extractive industry” includes the extraction of sand, gravel, clay, turf, soil, rock, stone minerals or similar substance from the land, and also the manufacture of products from those materials when the manufacture is carried out on the land from which any of those materials is extracted or on land adjacent thereto;
- “fish shop” means a shop where the goods kept exposed or offered for sale include wet fish or fish fried on the premises for consumption off the premises;
- “flat” means a separate, self-contained dwelling within a building containing two or more such dwellings each for occupation by a separate family unit, but the term does not include any part of a duplex, triplex or quadruplex house and does not include a patio, row or town house;
- “frontage” shall have the same meaning as is given to it in and for the purposes of the Uniform Building By-laws;
- “funeral parlour” means land and buildings occupied by undertakers where bodies are stored and prepared for burial or cremation and includes chapels erected on the same land;
- “general industry” means any industry other than a hazardous, light, noxious, rural, extractive or service industry;
- “general residential building” means and includes a residential flat building, lodging house, private hotel or motel;
- “hazardous industry” means an industry which by reason of the processes involved or the method of manufacture, or the nature of the materials used or produced requires isolation from other buildings;
- “health centre” means a maternal or x-ray centre, a district clinic, a masseur’s establishment, or a medical clinic;
- “hospital” means any building or part of a building, whether permanent or otherwise, in which persons are received and lodged for medical treatment or care;
- “hostel” means a lodging house which is not open to the public generally but is reserved for use solely by students and staff of educational establishments, members of societies, institutes or associations;
- “home occupation” means a business carried on with the permission of the responsible authority within a dwelling house or the curtilage of a dwelling house and which business
- (a) does not cause injury to or prejudicially affect the amenity of the neighbourhood including (but without limiting the generality of the foregoing) injury or prejudicial affection due to the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, grit, oil, waste water, or waste products;
 - (b) does not entail the employment of a person who is not a member of the occupier’s family, except in the case of a person engaged in any of the occupations specified in the definition of “professional offices”;
 - (c) does not occupy an area greater than two hundred (200) square feet;
 - (d) does not require the provision of any essential service main of a greater capacity than normally required in the Zone in which it is located;
 - (e) is not advertised by a sign exceeding two (2) square feet in area;
 - (f) does not give rise to any pedestrian or vehicular traffic substantially beyond that which is normal to the neighbourhood in which the business is located;
 - (g) is so conducted that, with the exception of a sign complying with paragraph (e) hereof, no indication is given that the house is used for other than residential purposes;

- (h) does not involve the use of commercial vehicles exceeding one (1) ton in weight for the delivery and collection of materials to or from the premises provided that any such vehicle owned by the proprietor of such business shall be garaged in an entirely enclosed garage; and
- (i) does not require the outdoor storage of materials or supplies;

“hotel” means land and buildings the subject of a Publican’s General License, or a Wayside-house License granted under the provisions of the Licensing Act, 1911 (as amended), or of any Act in substitution for that Act, but does not include a motel;

“industry” means the carrying out of any process for and incidental to—

- (a) the making, altering, repairing or ornamentation, painting, finishing, cleaning, packing or canning or adapting for sale, or breaking up or demolition of any article or part of any article;
- (b) the winning, processing or treatment of minerals;
- (c) the generation of electricity or the production of gas; and
- (d) the manufacture of edible goods for human or animal consumption.

being a process carried on in the course of trade or business for gain, but the term does not include operations connected with:—

- (i) the carrying out of agriculture;
- (ii) site work on buildings, works or land, and
- (iii) in the case of the manufacture of goods referred to in subparagraph (d) above, the preparation on the premises of a shop of food for sale;

but includes, when carried out on land upon which the process is carried out and in connection with that process, the storage of goods, any work of administration or accounting, the sale of goods resulting from the process and the use of land for the amenity of persons engaged in the process;

“industry—service” means a light industry carried on on land and in buildings having a retail shop front and in which goods may be manufactured only for sale on the premises or in which articles of domestic use are repaired or land and buildings having a retail shop front and used as a depot for receiving goods to be serviced;

“land” includes air stratum titles, messuages, tenements and hereditaments and any estate in the land, and houses, buildings, works and structures, in or upon the land;

“landscaped area” means any area developed with or by the planting of lawns, garden beds, shrubs and trees and includes any portion of the site developed with rockeries, ornamental ponds, swimming pools, barbecue areas or children’s playgrounds;

“light industry” means an industry in which the processes carried on, the machinery used, and the goods and commodities carried to and from the premises will not cause any injury to or prejudicially affect the amenity of the locality by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil or otherwise;

“local road” has the same meaning as the word “street” in the Local Government Act 1960 as amended but does not include a controlled access highway major highway or important regional road constituted as such under the Metropolitan Region Scheme;

“lodging house” shall have the same meaning as is given to it in the Health Act 1911-1968 as amended or re-enacted;

“lot” has the meaning given to it in and for the purpose of the Act, and “allotment” has the same meaning;

“marine filling station” means land and buildings used for the storage and supply of liquid fuels and lubricants for marine craft, but in which no industry is carried on. The term does not include a service station;

"Metropolitan Region Scheme" means the Metropolitan Region Scheme made pursuant to the Metropolitan Region Town Planning Scheme Act, 1959 published in the *Government Gazette* on the 9th August, 1963 and as amended from time to time thereafter;

"milk depot" means a depot to which milk is delivered for distribution to consumers but in which milk is not processed or pasteurised;

"motel" means a building, group of buildings or place used or intended to be used to accommodate patrons in a manner similar to an hotel or boarding house but in which special provision is made for the accommodation of patrons with motor vehicles;

"motor repair station" means land and buildings used for or in connection with mechanical repairs and overhauls, including tyre recapping, retreading, panel beating, spray painting, chassis reshaping and motor vehicle trimming;

"non-conforming use" means the use of land which, though lawful immediately prior to the coming into operation of this Scheme is not in conformity with the Scheme;

"noxious industry" means an industry in which the processes involved constitute an offensive trade within the meaning of the Health Act, 1911 (as amended) but does not include fish shops or dry cleaning establishments;

"office building" means premises in which business or professional services are rendered or carried on, including the premises of banks, insurance offices and similar institutions.

"owner" in relation to any land includes the Crown and every person who, jointly or severally, whether at law or in equity—

- (a) is entitled to the land for any estate in fee simple in possession; or
- (b) is a person to whom the Crown has lawfully contracted to grant the fee simple of the land; or
- (c) is a lessee or licensee from the Crown; or
- (d) is entitled to receive or is in receipt of, or, if the lands were let to a tenant, would be entitled to receive, the rents and profits thereof, whether as a beneficial owner, trustee, mortgagee in possession or otherwise;

"park and recreation area (Regional)" means land reserved under Part II Division I of the Metropolitan Region Scheme for "parks and recreation area";

"park and recreation area (Regional Restricted)" means land reserved under Part II Division I of the Metropolitan Region Scheme for "parks and recreation area—restricted public access";

"patio house" means a building which is one of a group of self-contained dwelling units each of which:

- (a) does not exceed one and one half ($1\frac{1}{2}$) storeys in height;
- (b) is erected on a separate lot or a defined site;
- (c) has a walled courtyard not less than five hundred (500) square feet in area.

"plot ratio" means the ratio which the gross total of floor areas of all buildings on a site bears to the area of the land within the site boundaries, where the floor areas are measured from the outer faces of external walls or from the outer face of any portion of the building other than the roof structure that projects beyond those walls and such floor areas

- (a) in the case of buildings of dwelling and duplex houses include the areas of all passages and amenities but do not include the areas of lift shafts, stairs, open patios, open terraces, open verandahs not wider than eight (8) feet or areas used exclusively for the parking of wheeled vehicles;

- (b) in the case of all other buildings erected in any Residential Zones, Commercial Zones C, D, E and F, or the Private Clubs and Institutions Zone and in the case of residential flat buildings or any portion of a building used as a residential flat building in Business Development Zone B include the areas of all passages, lobbies, amenities and access ways but do not include the areas of lift shafts, stairs, machinery rooms, air conditioning or equipment rooms, non-habitable floor space in basements, areas used exclusively for the parking of wheeled vehicles or open balconies of not more than eight (8) feet in depth and of which the longest open side is not enclosed other than by a balustrade of three (3) feet six (6) inches in height to which balcony there is no access other than by way of the tenancy of which it forms an exclusive part; and
- (c) in the case of all buildings other than those referred to in paragraphs (a) and (b) of this definition do not include the areas of all lift shafts, toilets and amenities, stairs, external wall thickness, plant rooms and the area of any floor space used for the parking of wheeled vehicles including access to and from that space within the building;

“private hotel” means land and buildings used for residential purposes in respect of which may be granted a limited hotel license under the provisions of the Licensing Act, 1911 (as amended), or any Act in substitution for that Act;

“professional offices” means any office building containing only offices used for the purposes of his profession by an accountant, architect, artist, author, barrister, chiropodist, consular official, dentist, doctor, engineer, masseur, nurse, physiotherapist, quantity surveyor, solicitor, surveyor, tutor (other than a dancing teacher or a music teacher), town planner, geologist or consulting industrial chemist;

“public amusement” means a theatre, a cinema, a dance hall, a skating rink, swimming pool or gymnasium, or games area;

“public assembly—place of” means any special place of assembly, including grounds for athletics, all sports grounds with spectator provision, racecourses, trotting tracks, stadia, or show-grounds;

“public authority” means a Minister of the Crown acting in his official capacity, a State Government Department, State trading concern, State instrumentality, State public utility and any other person or body, whether corporate or not, who or which, under the authority of any Act, administers or carries on for the benefit of the State, a social service or public utility;

“public recreation” means any public park, public gardens, foreshore reserve, playground or grounds for recreation which are normally open to the public without charge;

“public utility” means any works or undertaking constructed or maintained by a public authority or municipality as may be required to provide water, sewerage, electricity, gas, drainage, communications or other similar services;

“public worship—place of” includes buildings used primarily for the religious activities of a church, but does not include an institution for primary, secondary, or higher education, or a residential training institution;

“quadruplex house” means a building comprising four dwellings, each being complete and self-contained for use by separate family units;

“redevelopment” means revision or replacement of an existing land use according to a controlled plan;

“reformatory institution” includes a penal institution;

“registered club” means a club registered under the provisions of the Licensing Act 1911 (as amended) or re-enacted;

“residential building” means a building other than a dwelling house designed for use for human habitation together with such outbuildings as are ordinarily used therewith and the expression includes a hostel and hotel designed primarily for residential purposes and a residential club;

- “residential flat building” means a building used or designed or adapted for use as two or more tenements not being a duplex, quadruplex or triplex house or a group of patio, row or town houses;
- “roof deck” means a flat roof of a car park building;
- “row house” means a building which is one of a group of self-contained dwelling units each of which:
- (a) does not exceed two (2) storeys in height;
 - (b) is erected on a separate lot or a defined site;
 - (c) has a walled courtyard at the rear;
 - (d) is attached to at least one other row house in the group by a party wall or party walls erected on the common boundary;
- “service station” means land and buildings used for the supply of petroleum products and automotive accessories and includes greasing, tyre repairs and minor mechanical repairs;
- “shop” means any building wherein goods are kept exposed or offered for sale by retail, and includes a cafe and a restaurant and a receiving depot for drycleaning of clothes, but does not include a bank, fuel depot, a market, service station, milk depot, marine store, timber yard, or land and buildings used for the sale of motor and other vehicles, or for any purpose falling within the definition of industry;
- “showrooms” means rooms in connection with warehousing or offices, and intended for display of goods;
- “sports ground” means any land used for any sport; but does not include land within the curtilage of a dwelling, if not used commercially;
- “storey” means that portion of a building which is situated between the top of any floor and the top of the floor next above it; and if there is no floor above it, that portion between the top of the floor and the ceiling above it;
- “storey, half” means a storey under a gable or hip roof, the top wall plates of which on at least two (2) opposite exterior walls are not more than two (2) feet above the floor level of such storey;
- “street alignment” means the boundary between the land comprising a street and the land that abuts thereon, but where a new street alignment is prescribed, means the new street alignment so prescribed;
- “the Act” means the Town Planning and Development Act 1928 as amended from time to time.
- “town house” means a building which is one of a group of self-contained dwelling units each of which:
- (a) does not exceed two and one half (2½) storeys in height;
 - (b) is erected on a separate lot or a defined site;
 - (c) has a walled courtyard at the rear;
 - (d) is attached to at least one other town house in the group by a party wall or party walls erected on the common boundary;
- “transport depot” means land used for the garaging of road motor vehicles used or intended to be used for carrying goods for hire or reward or for any consideration, or for the transfer of goods from one such motor vehicle to another of such motor vehicles, and includes maintenance and repair of vehicles;
- “triplex house” means a building comprising three dwellings, each being complete and self-contained for use by separate family units;
- “Uniform Building By-laws” means the Uniform General Building By-laws, 1965, published in the *Government Gazette* on the 15th October, 1965, and amended from time to time thereafter by notices published in the *Government Gazette*.
- “warehouse” means any building or enclosed land, or part of a building or enclosed land, used for storage of goods and the carrying out of commercial transactions involving the sale of such goods by wholesale;
- “zone” means a portion of the Scheme area shown on the map by distinctive colouring, hatching, or edging for the purpose of indicating the restrictions imposed by the Planning Scheme on the erection and use of buildings or the use of land, but does not include land reserved.

PART 2.—RESERVED LAND.

2.1 Reserves:—Certain land within the Scheme Area is set aside and divided into the following Reserves for the purposes indicated on the Scheme Map and/or specified in this Part.

- (a) Open Space Reserves:
 - (i) Park and recreation area.
 - (ii) Park and recreation area (Regional).
 - (iii) Park and recreation area (Regional Restricted).
 - (iv) Private land which may be acquired by the Council.
- (b) Public Use Reserve.
- (c) Communication Reserves:
 - (i) Controlled access highway.
 - (ii) Major highway.
 - (iii) Important regional road.
 - (iv) Local road.
 - (v) Roads to be closed.
 - (vi) Private land which may be acquired by the Council.
- (d) Special Reserves:
 - (i) Civic and Cultural Areas.

Such Reserves respectively comprise the areas which are delineated, distinctly coloured and identified as such on the Scheme Map. Reservations of land pursuant to the Metropolitan Region Scheme are shown on the Scheme Map in order to comply with the provisions of the Metropolitan Region Town Planning Scheme Act.

2.2 Park and Recreation Area:—Within the Park and recreation area Reserve land may be used and buildings or works constructed or used for the following purposes and no other:

- (a) Public recreation, sports pavilion, dressing sheds and public conveniences.
- (b) Roads.
- (c) Access ways.
- (d) Car parks.
- (e) Golf courses.
- (f) Playing fields.
- (g) Auditoriums.
- (h) Botanic gardens.
- (i) Waterways or ornamental lakes.
- (j) The activities of sporting clubs and associations.
- (k) Sea Scouts, Boy Scouts and Girl Guide activities.
- (l) Public picnic-barbecue areas.
- (m) Public halls.
- (n) Youth clubs.
- (o) Swimming centres.

2.3 Private land which may be acquired by the Council:—Land within the Reserve coloured light green with dark green border and broad diagonal stripes shall, if given to the Council by the owner thereof, be developed and used by the Council for the purposes of public parks and gardens and for those purposes only. Such development shall be carried out and thereafter maintained by the Council in accordance with details to be shown on a landscaping plan, the design of which shall be agreed upon by the owner and the Council. Until such time as the land within the Reserve is given to the Council it shall not be used for any purpose other than a place of public worship or any purpose directly connected therewith.

2.4 Public Use Reserve:—Within the Public Use Reserve land may be used and works and buildings constructed and used for the public purposes denoted and superimposed on the Scheme Map in accordance with the following legend:

H.	Hospital.
P.S.	Primary School.
H.S.	High School.
S.E.C.	State Electricity.
W.S.D.	Water Supply, Sewerage and Drainage.
P.M.G.	Post Office.
G.U.	Government Uses.
C.G.	Other Commonwealth (Beacon).
C.N.	Council Nursery.
C.P.	Parking Areas.
F.D.	Forestry Department.
P.	Police Station.
I.	Government Institution.
A.C.	Ambulance Sub Centre.
T.T.C.	Teachers Training College.
F.S.	Fire Station.
M.R.D.	Main Roads Department.
C.D.	Municipal Works Depot.
K.	Kindergarten.
D.S.	Drainage Sumps.

2.5 Communication Reserves:—

(a) Roads to be closed.

In the event of the roads constituting the Reserve for proposed closure of roads being closed pursuant to the Local Government Act and the land being disposed of by the Governor to a person other than the Crown or a Crown Instrumentality then such land may be used for the purposes permitted in the Zone which is indicated by the markings overlaid on the Reserve on the Scheme Map.

(b) Private land which may be acquired by the Council.

(i) Land within the Reserve coloured light yellow and white stripes may be acquired by the Council for the purposes of car parks and roads and for no other purpose.

(ii) The land or any part of it may be acquired for such purpose by agreement with the owner or owners thereof and in default of agreement by compulsory acquisition under the provisions of the Town Planning and Development Act, 1928.

2.6 Civic and Cultural Areas:—Within the Civic and Cultural Areas Reserve land may be used and works and buildings constructed and used for the civic purposes denoted and superimposed on the Scheme Map according to the following legend:

T.H.	Town Hall.
C.C.	Civic Centre.
L.	Library.
Cl.	Clinic.
S.C.	Swimming Centre.
H.	Hall.

and for such other purposes as the Council may permit. Provided that such permission shall only be granted for a use permitted in the Reserve which is indicated by the marking overlaid on the Reserve on the Scheme Map.

2.7 Subject to Part 4 of the Scheme a person:—

- (a) shall not carry out any development on land reserved under this Part without first applying for and obtaining the written approval of the responsible authority;
- (b) shall not use any such land other than for the purpose for which it is reserved under this Part.

PART 3.—ZONES.

3.1 Residential and other Zones:—The Scheme Area is divided into thirty-five (35) Zones as follows:

- (a) Residential Zones—
 - Single Residential—SR3.
 - General Residential—GR4.
 - General Residential—GR5-A.
 - General Residential—GR5-B.
 - Quadruplex Residential—QR5.
 - General Residential—GR6-A.
 - General Residential—GR6-B.
 - General Residential—GR6-C.
 - General Residential—GR6-D.
 - Quadruplex Residential—QR6.
 - Planned Residential Redevelopment.
- (b) Commercial and Institutions Zones—
 - Special Civic Commercial.
 - Private Clubs and Institutions.
 - Public Assembly.
 - Business Development A.
 - Business Development B.
 - Special Business.
 - Commercial A.
 - Commercial B.
 - Commercial C.
 - Commercial D.
 - Commercial E.
 - Commercial F.
 - Commercial G.
- (c) Special Zones—
 - Special Motor Vehicle Trimmer.
 - Special Hotel.
 - Special Motel.
 - Special Service Station.
 - Special Motor Repair and Service Station.
 - Special Zone A.
 - Special Aged Persons Flat.
 - Special College—Schools Extension.
 - Civic Uses.
 - Future District Cultural Commercial Centre.
 - Special Car Park.

which respectively comprise the areas which are delineated, distinctly coloured and identified as such by the legend on the Scheme Map.

3.2 Use Restriction: Subject to Part 4 of the Scheme no buildings shall be erected and no land or buildings shall be used or adapted for use for any purpose other than a purpose permitted in the Zone in which such land or building is situated.

3.3 Permitted Uses:—The various purposes for which land may be used are set out in the first column of Tables 1-A, 1-B and 1-C. The various Zones created by the Scheme are indicated at the head of the said Tables. Whether land in a particular Zone may be used for a particular purpose shall be determined by reference to the symbol indicated alongside that use class under the appropriate Zone heading. The symbol:

- (a) "P" means that the land may be used for such purpose;
- (b) "AA" means that the land shall not be used for the purpose indicated unless the establishment of the use and the activities to be carried on will not in the opinion of the Council have any adverse or detrimental effect on the residents or amenities of or the properties in the neighbourhood;
- (c) "AP" means that the land shall not be used for the purpose indicated without the prior approval of the Council which approval shall not be granted unless at least fourteen (14) days' notice of the applicant's intention to seek such approval has been published in a daily newspaper circulating within the Scheme Area;
- (d) "IP" means that the land shall not be used for the purpose indicated unless the Council decides that such use is incidental to the predominant use permitted and made of land in that Zone;
- (e) ". . . ." means that the land shall not be used for the purpose indicated.

TABLE 1-A
Residential Zones—Uses.

Use Classes	Zones										
	Single Residential SR3	General Residential GR4	General Residential GR5-A	General Residential GR5-B	Quadruplex Residential QR5	General Residential GR6-A	General Residential GR6-B	General Residential GR6-C	General Residential GR6-D	Quadruplex Residential QR6	Planned Residential Redevelopment
Aged Persons Flat Building	....	....	....	....	....	AA	....	AA	AA	....	....
Cafe, Dining Room and Restaurant	....	....	....	....	....	AA	....	P	AA	....	....
Car Parks	IP	IP	IP	IP	IP	IP	IP	IP	IP	IP	IP
Child Minding Centres	AP	AP	AP	AP	AP	AP	AP	AP	AP	AP	AP
Clubs, Registered Clubs	....	....	AA	....	....	AA	....	P	....	....	....
Consulting Rooms	AA	AA	AA	AA	AA	AA	AA	P	AA	AA	AA
Educational Establishments	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	....
Health Centre	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	....
Home Occupation	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA
Hospitals	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	....
Hostels	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	....
Lodging House	....	AA	P	....	AA	P	....	P	P	AA	....
Office of a Professional Person where it is part of House on same Lot	P	P	P	P	P	P	P	P	P	P	....
Outbuildings	P	P	P	P	P	P	P	P	P	P	P
Private Hotel	....	....	AA	....	....	P	....	P	AA	....	....
Private Streets—Rights of Way	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA
Professional Offices	....	....	....	....	....	....	....	P	....	....	....
Public Assembly—Place of	....	....	AA	....	....	P	....	P	....	....	....
Public Utility	P	P	P	P	P	P	P	P	P	P	P
Public Worship—Place of Residential—	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	....
(a) Dwelling House	P	P	P	P	P	P	P	P	P	P	P
(b) Duplex House	P	P	P	P	AA	P	P	P	P	P	P
(c) Triplex House	....	P	P	P	AA	P	P	P	P	P	....
(d) Quadruplex House	....	P	P	P	AA	P	P	P	P	P	....
(e) Residential Flat Building	....	P	P	P	....	P	P	P	P	....	....
(f) Patio Houses	....	AA	AA	AA	AA	AA	AA	AA	AA	AA	....
(g) Row Houses	....	AA	AA	AA	AA	AA	AA	AA	AA	AA	....
(h) Town Houses	....	AA	AA	AA	AA	AA	AA	AA	AA	AA	....
(i) Aged or Dependent Persons Flat attached to a Dwelling House	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA
Swimming Pool—Private	P	P	P	P	P	P	P	P	P	P	P
Tennis Courts—Private (Unilluminated)	P	P	P	P	P	P	P	P	P	P	P
Waterways, Ornamental Lakes, Small Craft Mooring and Servicing	....	....	....	....	P	....	....	....	....	....	....

TABLE 1-B
COMMERCIAL AND INSTITUTIONS ZONES—USES

Use Classes	Zones												
	Special Civic Commercial	Private Clubs and Institutions	Public Assembly	Business Development—A	Business Development—B	Special Business	Commercial A	Commercial B	Commercial C	Commercial D	Commercial E	Commercial F	Commercial G
Cafe, Dining Room and Restaurant	P	P	...	P	P	P	P	P	...	...	...	...	...
Caretaker's House/Flat	IP	IP	AA	IP	IP	...	IP	IP	IP	IP	IP	...	IP
Car Parks	IP	IP	P	P	P	IP	P	P	IP	IP	IP	...	IP
Car Sales Premises	...	...	...	...	...	...	AA	AA	...	...	...	...	...
Child Minding Centres	AA	AA	AA	P	P	AA	...	...	...	...	...	...	...
Civic Buildings	P	...	...	...	...	...	...	...	...	...	...	...	...
Clubs, Registered Clubs	...	P	AA	P	P	...	...	...	...	...	...	...	...
Consulting Rooms	AA	...	...	P	P	...	P	P	AA	AA	AA	...	P
Educational Establishments	...	P	...	...	...	...	...	...	...	...	...	...	...
Fish Shop	...	...	...	AA	AA	...	AA	AA	...	...	...	...	...
Funeral Parlour	...	...	...	...	...	...	P	P	...	...	...	...	...
Home Occupation	AA	AA	AA	AA	AA	AA	...	...	AA	AA	AA	AA	...
Hospital	...	AA	...	...	...	...	...	...	...	...	...	...	...
Hotel	...	...	...	P	P	...	...	...	...	...	...	...	...
Industry—Service	P	...	...	P	P	...	P	P	...	...	...	...	...
Offices	P	...	...	P	P	...	P	P	...	...	...	...	P
Office of a Professional Person where it is part of House on same Lot	...	...	...	...	...	...	...	...	AA	AA	AA	AA	P
Outbuildings	P	P	P	P	P	P	P	P	AA	AA	AA	...	P
Private Hotel	...	...	...	P	...	...	...	...	...	...	...	...	...
Professional Offices	P	...	...	P	P	...	P	P	P	...	...	...	P
Private Recreation	P	P	...	P	P	...	P	P	...	...	...	...	...
Private Streets—Rights of Way	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	...	AA
Public Amusement	P	...	P	AA	AA	...	P	P	...	...	...	...	...
Public Assembly—Place of	P	...	...	P	P	...	P	P	...	...	...	...	...
Public Utility	P	P	P	P	P	P	P	P	P	P	P	...	P
Public Worship—Place of	...	...	P	...	...	...	...	...	...	...	...	...	...
Radio/T.V. Installation (Commercial Use)	P	...	...	AA	AA	...	P	P	...	...	...	...	...
Residential—													
Dwelling House	P	P	...	...	...	P	...	...	...	...	P	P	P
Residential Flat Building	...	...	...	...	P	P	P	P	P	P	P	P	...
Service Station	AA	...	...	P	P	...	...	...	...	...	...	...	...
Shops	P	...	...	P	P	...	P	P	AA	AA	AA	AA	...
Shop within a Residential Flat Building	...	...	...	...	...	...	...	...	P	P	...	...	...
Showrooms	...	...	...	...	...	...	P	P	...	...	...	...	...
Swimming Pool (Private)	P	P	P	P	P	P	...	...	P	P	P	...	...
Tennis Courts—Private (Unilluminated)	P	P	P	P	P	P	...	...	P	P	P	...	...
Warehouse	...	...	...	...	...	...	AA	AA	...	...	...	...	...

TABLE 1-C
SPECIAL ZONES—USES

Use Classes	Zones										
	Special Motor Vehicle Trimmer	Special Hotel	Special Motel	Special Service Station	Special Motor Repair and Service Station	Special Zone "A"	Special Aged Persons Flat	Special College—Schools Extension	Civic Uses	Future District Cultural Commercial Centre	Special Car Park
Aged Persons Flat Building	P	...	...	...	...
Botel	P	...	...	...	...	...
Cafe, Dining Room and Restaurant	...	P	P	AA	...	P	...	...	...	...	...
Caretaker's House/Flat	IP	...	...	IP	IP	IP	...	...	...
Car Parks	P	P	IP	P	P	P	IP	IP	IP	...	P
Car Wash	AA	AA	...	...	...	...	...	...
Child Minding Centres	P	...	AA	...	...	...
Civic Buildings	P	...	...
Consulting Rooms	P	...	...	...	...	...
Educational Establishments	P	...	P	...	...	...
Health Centre	AA	...	...	P	...	...
Home Occupation	AA	AA	AA	AA	...
Hotel	...	P	...	...	...	P	...	...	...	...	...
Industry—Service	AA	...	...	...	...	...
Marine Filling Station	P	...	...	...	...	...
Motel	P	...	...	...	...	...	...	...	...
Motor Repair Station	P	...	...	...	...	...	...
Motor Vehicle Trimming	P	...	...	...	...	...	...	...	...	...	...
Outbuildings	...	P	P	P	P	P	P	P	P	...	...
Private Hotel	P	...	...	...	...	...
Private Recreation	P	...	...	...	...	...
Private Streets—Rights of Way	...	AA	AA	AA	...	AA	AA	AA	AA	...	...
Professional Offices	P	...	...	...	...	...
Public Amusement	P	...	...	...	...	...
Public Assembly—Place of	P	...	P	...	...	...
Public Utility	...	P	P	P	...	P	P	P	P	...	...
Public Worship—Place of	P	P	P	P	...	...
Radio/T.V. Installation (Commercial Use)	AA	...	...	...	...	...
Residential—Dwelling House	P	P	P	...
Residential Flat Building	P	...	...	...	...	...
Patio Houses	AA	...	...	...	...	...
Row Houses	AA	...	...	...	...	...
Town Houses	AA	...	...	...	...	...
Service Station	P	P	P	...	...	...	...	...
Shops	P	...	...	...	...	...
Sportsground and/or Stadia	P	...	...	...	...	...
Swimming Pool—Private	...	P	P	...	...	P	P	P	P	P	...
Tennis Courts—Private (Unilluminated)	...	P	P	...	...	P	...	P	P	P	...
Waterways, Ornamental Lakes, Small Craft Mooring and Servicing	P	...	...	...	...	...

3.4 "C" Class Hospitals:—The Council shall not approve of the erection or use of a building for the purposes of a "C" Class Hospital:

- (a) unless the site fronts a public park or recreation reserve or provision is made within the boundaries of the site for adequate open space for the recreational needs of mobile patients;
- (b) if the site is located more than one quarter ($\frac{1}{4}$) of a mile from the nearest public transport route;
- (c) if the site abuts upon a major highway or an important regional road reserved for those purposes under Part II of the Metropolitan Region Town Planning Scheme;
- (d) if the site is adjacent to a school, place of public amusement or any other type of development which may in the opinion of the Council by reason of noise, dust or similar factors adversely affect the use of the land for the purposes of such hospital;
- (e) unless the building or buildings erected or to be erected on the site conform with the requirements laid down for such buildings in Part 5 of the Scheme.

3.5 Group Housing:—The Council shall not approve of any development of land involving the construction of patio, row or town houses unless:

- (a) the group has a minimum of four (4) houses;
- (b) the houses are designed and their construction supervised by an architect or engineer qualified or authorised to practise in Western Australia;
- (c) provision to the satisfaction of the Council is made for the efficient removal of rubbish from each house by the Council or its agent;
- (d) vehicle crossovers to the street from houses in the group are not less than twenty (20) feet apart and no crossover is located closer than twenty (20) feet to the point of intersection of two street alignments;
- (e) the Council is satisfied that the group will not adversely affect the amenities of the locality and will not clash in harmony with the exterior designs of other buildings in the locality;
- (f) any house which is to be erected on a lot with a frontage to two intersecting streets is located on the lot so that it does not project across a line drawn directly between two (2) points each located at a distance of thirty (30) feet measured horizontally along each street alignment from the point of intersection of those streets;
- (g) the houses to be erected conform with the requirements laid down for such houses in Part 5 of the Scheme;
- (h) the Town Planning Board of Western Australia has approved of the proposed development.

3.6 Dwelling Groups—QR5 and QR6:—The Council shall not approve of the development of land in the Quadruplex Residential QR5 and QR6 Zones if a dwelling group would be created thereby unless:

- (a) each residential building on the lot has a frontage either to
 - (i) a road;
 - (ii) a public park or recreation area which has been developed;
 - (iii) private land owned by one or more persons developed and landscaped as a recreation area and available for use by the occupiers of buildings in the dwelling group or dwelling groups as the case may be;
- (b) the Council is satisfied that the dwelling group will not adversely affect the amenities of the locality and will not clash in harmony with the exterior designs of other buildings in the locality;
- (c) each residential building in the group has direct access to a street or access thereto by way of a public or private way which is not less than sixteen (16) feet in width, over which vehicular traffic has no right to pass and which is developed and landscaped to a design approved by the Council;
- (d) each residential building which has a frontage to a public or private way is set back at least ten (10) feet from the boundary of such way provided that if at least half of such frontage is set back at least fifteen (15) feet the remainder may be not closer than five (5) feet to the boundary of such way.

3.7 Future District Cultural Commercial Centre Zone:—It is contemplated that the land within this Zone may be developed as a Cultural Commercial Centre. Such development will depend upon the approval of the Council being given to comprehensive proposals for the planning, design, uses and development of the Zone as a whole. An area is envisaged which will provide a city centre incorporating an integrated layout, complementary building design, visual harmony in relationship to the surroundings of the neighbourhood, separation of pedestrian and vehicle circulation systems, adequate site access and convenience, orderly traffic circulation and adequate landscaping.

3.8 Special Zone A:—Land within the Special Zone A shall not be developed or used without the special permission of the Council and such permission shall not be granted unless the development of such reserves within the Perth Water foreshore area between the eastern end of the South Perth Esplanade and Ellam Street as are nominated by the Council have already been developed or are developed contemporaneously with the development of any land within the Zone.

3.9 Civic Uses Zone:—Land within the Civic Uses Zone may be acquired by the Council either by agreement with the owner thereof or by compulsory taking pursuant to the Act for the purposes of civic buildings and other civic uses and for no other purpose or purposes.

3.10 Special Civic Commercial Zone:—Land within the Special Civic Commercial Zone is owned by the Council and may be:

- (a) used by the Council,
- (b) leased by the Council, subject to the provisions of the Local Government Act, 1960, to any person or persons approved of by the Council for such periods and on such conditions as the Council may determine to be used by such person or persons,

for any of the purposes for which land in such Zone may be used and for no other purpose or purposes whatsoever.

3.11 Planned Residential Redevelopment Zone:—The Council proposes in due course to amend the Scheme to provide for the redevelopment of the Planned Residential Redevelopment Zone to enable it to be used for one or more of the following purposes:

- (a) residential flat buildings,
- (b) patio, row and town houses,
- (c) dwelling houses,
- (d) shopping centres,
- (e) parks and recreation areas,
- (f) schools,
- (g) local roads.

PART 4.—NON-CONFORMING USE OF LAND.

4.1 (a) Notwithstanding any provision of the Scheme if on the date when the Scheme comes into operation any land or building or part of a building is being lawfully used for a purpose other than is permitted under this Scheme, it shall be lawful, subject to this clause, and to any statute or by-law, to continue to use such land or building or part of a building and any land directly ancillary thereto for that identical purpose, but no other.

(b) If premises cease for a period of twelve (12) months continuously to be used for a purpose authorised by this Clause or if such use is abandoned they shall not thereafter be used otherwise than in conformity with this Scheme.

(c) If a building which is, or of which any part is, being used for a non-conforming use under sub-clause (a) of this clause is demolished to an extent of more than three-quarters of its value or is damaged to more than three-quarters of its value neither that building nor any building erected in place thereof shall thereafter be used otherwise than in conformity with this Scheme unless by permission of the Council.

4.2 Nothing in the Scheme shall prevent the carrying out or continuance of any development for which, immediately prior to the coming into force of the Scheme, a permit or permits required under the Act, the Metropolitan Region Town Planning Scheme Act or any other Act or law have been obtained and are current.

4.3 Where in respect of land reserved under Part 2 or zoned under Part 3 of the Scheme a non-conforming use exists or is authorised as mentioned in Clause 4.1 of this Part on that land, nothing in the Scheme shall be deemed to prohibit or to have the effect of prohibiting the erection, alteration or extension on that land of any building in connection with or in furtherance of such non-conforming use in accordance with and to the extent and limits prescribed or permitted by the Uniform Building By-laws or any other by-laws in force in respect of that class of building immediately prior to the coming into force of the Scheme.

4.4 The Council may permit the use of any land to be changed from one non-conforming use to another non-conforming use, provided the proposed use is, in the opinion of the Council, less detrimental to the amenity of the neighbourhood than the existing use, or is in the opinion of the Council closer to the uses permitted in that Zone under the provisions of this Scheme.

4.5 The Council may effect the discontinuance of a non-conforming use by the purchase of the affected property, or by the payment of compensation to the owner or the occupier or to both the owner and the occupier of that property, and may enter into an agreement with the owner for that purpose.

PART 5.—GENERAL PROVISIONS AS TO CERTAIN ZONES AND USES.

Division I.

Development Standards For Residential Zones.

5.1 (a) Unless otherwise provided in the Scheme development of any kind within each of the Residential Zones shall conform to the provisions of this clause and to the requirements contained in the Table to this clause applicable to the particular Zone provided that nothing in this Part shall prevent the erection of a dwelling house on a site which has a smaller frontage and/or area than that permitted by this Scheme if such site is a lot within the meaning of the Act prior to the Scheme coming into operation.

(b) For the purposes of the Scheme the "effective frontage" of a lot shall be calculated by:

- (i) fixing the points of the building or proposed building which are closest to and furthest from the street alignment of the lot. Where that part of the building which is closest to or furthest from the street alignment is a wall which is parallel to that street alignment the point so fixed shall be at the centre of that wall;
- (ii) measuring the length of lines drawn through each of the points so fixed at right angles from each of the side boundaries to the other side boundary or a prolongation of such boundary;
- (iii) averaging the length of such lines.

The average length of the lines drawn and calculated as provided in this subclause shall be the effective frontage of the lot. Where there are two or more street alignments to a lot the Council shall determine from which street alignment points referred to in paragraph (i) of this subclause are to be fixed.

(c) If separate lots for each house in a group of patio, row or town houses have not been or are not intended to be created, the column in the Tables to this clause entitled "Minimum Lot Area" shall be read as "Minimum Defined Site Area".

TABLE No. 2
SINGLE RESIDENTIAL SR. 3 ZONE

SR. 3

Minimum Lot Area	Sq. Feet	Minimum Effective Frontage		Maximum No. of Dwelling Units (D.U.)	Maximum Plot Ratio (P.R.)	Minimum No. of Car Spaces	Minimum Setbacks from Boundaries		
		Links	Feet				Front	Side (s)	Rear
Perches		Links	Feet				Feet		Feet
27	7,350.75	90	59.4	1 (Dwelling house)	0.33 Single storey 0.40 Two or more storeys	2 per D.U.	25	13 feet combined : 8 feet minimum one side	25
36	9,801	100	66	2 (Duplex)	0.33 Single storey 0.40 Two or more storeys	2 per D.U.	25	10 feet per storey	25

TABLE No. 3
GENERAL RESIDENTIAL GR 4 ZONE

GR. 4

Minimum Lot Area	Sq. Feet	Minimum Effective Frontage		Maximum No. of Dwelling Units (D.U.)	Maximum Plot Ratio (P.R.)	Minimum No. of Car Spaces	Minimum Setbacks from Boundaries		
		Links	Feet				Front	Side (s)	Rear
Perches		Links	Feet				Feet		Feet
12	3,267	60	39.6	1 (Patio House)	0.35	2 per D.U.	25	Nil between Patio houses : 10 feet at ends of each group	20
27	7,350.75	90	59.4	1 (Dwelling house)	0.33 single storey 0.40 two storeys or more	2 per D.U.	25	13 feet combined : 8 feet min. one side	25
40	10,890	100	66.0	2 (Duplex)	0.33 Single storey 0.40 two storeys or more	2 per D.U.	25	10 feet per storey each side	25
50	13,612.5	115	75.9	3 (Triplex)	0.30	2 per D.U.	30	" " " "	25
60	16,335	125	82.5	4 (Quadruplex)	0.30	2 per D.U.	"	" " " "	25
80	21,780	150	99.0	Multiple (Flats)	0.30	"	"	" " " "	30
(1/4 acre)	27,225	175	115.5	" "	P.R. increases 0.000625 for each Perch increase in Lot Area between 80 Perches and 400 Perches	5 D.U. or less— 8 spaces.	"	" " " "	"
120	32,670	200	132.0	" "		6-20 D.U.—1.5 spaces for each D.U. Over 20 D.U.—30 Spaces plus 1.25 spaces for each D.U. in excess of 20	"	" " " "	"
(1/2 acre)	43,560	250	165.0	" "			"	" " " "	"
160	43,560	250	165.0	" "			"	" " " "	"
(1 acre)	400	300	198.0	" "	0.50		"	" " " "	"
(2 1/4 acres)	108,900	300	198.0	" "			"	" " " "	"

TABLE No. 4
GENERAL RESIDENTIAL GR. 5-A ZONE
GR. 5-B ZONE

GR. 5

Minimum Lot Area	Sq. Feet	Minimum Effective Frontage		Maximum No. of Dwelling Units (D.U.)	Maximum Plot Ratio (P.R.)	Minimum No. of Car Spaces	Minimum Setbacks from Boundaries		
							Front	Side (s)	Rear
Perches		Links	Feet				Feet		Feet
9	2,450.25	50	33.0	1 (Row House)	0.50	2 per D.U.	20	Nil between row houses : 5 feet at ends of each group	20
18	4,900.5	80	52.8	1 (Dwelling House)	0.35 Single storey	2 per D.U.	25	5 feet per storey each side	25
36	9,801	100	66.0	2 (Duplex)	0.40 Two or more storeys 0.35 Single storey	2 per D.U.	25	" " " "	25
48	13,068	115	75.9	3 (Triplex)	0.40 Two or more storeys 0.35	2 per D.U.	30	" " " "	"
60	16,335	125	82.5	4 (Quadruplex)	0.35	2 per D.U.	"	" " " "	30
80	21,780	150	99.0	Multiple (Flats)	0.35	"	"	" " " "	"
($\frac{1}{4}$ acre)	27,225	175	115.5	" "	P.R. increases 0.00375 for each Perch increase in Lot Area between 80 Perches and 360 Perches	5 D.U. or less— 8 spaces	"	" " " "	"
100	32,670	200	132.0	" "		5-20 D.U.—1.5 spaces for each D.U.	"	" " " "	"
($\frac{1}{2}$ acre)	43,560	"	"	" "		Over 20 D.U.— 30 spaces plus 1.25 spaces for each D.U. in excess of 20	"	" " " "	"
160	65,340	"	"	" "			"	" " " "	"
(1 acre)	87,120	"	"	" "			"	" " " "	"
240	114,480	"	"	" "			"	" " " "	"
(1 $\frac{1}{2}$ acres)	138,180	"	"	" "			"	" " " "	"
320	170,880	"	"	" "			"	" " " "	"
(2 acres)	227,520	"	"	" "			"	" " " "	"
360	291,600	"	"	" "	1.4		"	" " " "	"
(2 $\frac{1}{4}$ acres)	354,240	"	"	" "			"	" " " "	"

24

TABLE No. 5
QUADRUPLEX RESIDENTIAL QR. 5 ZONE

QR. 5

Minimum Lot Area	Sq. Feet	Minimum Effective Frontage		Maximum No. of Dwelling Units (D.U.)	Maximum Plot Ratio (P.R.)	Minimum No. of Car Spaces	Minimum Setbacks from Boundaries		
							Front	Side (s)	Rear
Perches		Links	Feet				Feet		Feet
9	2,450.25	50	33.0	1 (Row House)	0.50	per D.U.	25	Nil between row houses : 5 feet at ends of each group	20
18	4,900.5	80	52.8	1 (Dwelling House)	0.35 Single storey	2 per D.U.	25	13 feet combined : 8 feet minimum one side	25
36	9,801	100	66.0	2 (Duplex)	0.40 Two storeys or more 0.35 Single storey	2 per D.U.	25	5 feet per storey each side	25
48	13,068	115	75.9	3 (Triplex)	0.40 Two storeys or more 0.35	2 per D.U.	25	" " " "	"
60	16,335	125	82.5	4 (Quadruplex)	0.35	2 per D.U.	30	" " " "	"

TABLE No. 6
 GR. 6—A ZONE
 GENERAL RESIDENTIAL GR. 6—B ZONE
 GR. 6—C ZONE

GR. 6

Minimum Lot Area	Sq. Feet	Minimum Effective Frontage		Maximum No. of Dwelling Units (D.U.)	Maximum Plot Ratio (P.R.)	Minimum No. of Car Spaces	Minimum Setbacks from Boundaries		
		Links	Feet				Front	Side (s)	Rear
Perches		Links	Feet				Feet		Feet
6	1,633.5	30	19.8	1 (Town House)	0.70	2 per D.U.	20	Nil between town houses : 5 feet per storey at ends of each group	20
18	4,900.5	80	52.8	1 (Dwelling House)	0.35 Single storey	2 per D.U.	20	5 feet per storey each side	20
28	7,623	90	59.4	2 (Duplex)	0.40 Two or more storeys	3 per D.U.	20	" " " " " " " "	"
32	8,712	92.5	61.0	3 (Triplex)	0.35 Single storey	2 per D.U.	25	" " " " " " " "	"
36	9,801	95	62.7	4 (Quadruplex)	0.40 Two or more storeys	2 per D.U.	25	" " " " " " " "	"
40 ($\frac{1}{4}$ acre)	10,890	100	66.0	Multiple (Flats)	0.35	In GR. 6-B Zone: 2 per D.U.	30	5 feet per storey each side, up to a maximum of 30 feet	25
60 80 ($\frac{1}{2}$ acre)	16,335 21,780	125 150	82.5 99.0	" "	P.R. increases 0.00625 for each Perch increase in Lot Area between 40 Perches and 320 Perches	5 D.U. or less—8 spaces.	"	" " " " " " " "	"
100 120 ($\frac{3}{4}$ acre)	27,225 32,670	175 200	115.5 132.0	" "		5-20 D.U.—1.5 spaces for each D.U. :	"	" " " " " " " "	"
250 (1 $\frac{1}{4}$ acres)	76,230	"	"	" "		20-50 D.U.—30 spaces plus 1.25 spaces for each D.U. in excess of 20	"	" " " " " " " "	"
320 (2 acres)	87,120	"	"	" "	2.1	Over 50 D.U.—68 spaces plus 1 space for each D.U. in excess of 50	"	" " " " " " " "	"

TABLE No. 7
GENERAL RESIDENTIAL GR. 6—D. ZONE

GR. 6

Minimum Lot Area	Sq. Feet	Minimum Effective Frontage		Maximum No. of Dwelling Units (D.U.)	Maximum Plot Ratio (P.R.)	Minimum No. of Car Spaces	Minimum Setbacks from Boundaries		
		Links	Feet				Front	Side (s)	Rear
Perches		Links	Feet				Feet		Feet
6	1,633.5	30	19.8	1 (Town House)	0.70	2 per D.U.	20	Nil between Town Houses : 5 feet per storey at ends of each group	20
18	4,900.5	80	52.8	1 (Dwelling House)	0.35 Single storey	2 per D.U.	20	5 feet per storey each side	20
28	7,623	90	59.4	2 (Duplex)	0.40 Two or more storeys	2 per D.U.	20	" " " " " " " "	20
32	8,712	92.5	61.0	3 (Triplex)	0.35 Single storey	2 per D.U.	25	" " " " " " " "	20
36	9,801	95	62.7	4 (Quadruplex)	0.40 Two or more storeys	2 per D.U.	25	" " " " " " " "	20
40	10,890	100	66.0	Multiple (Flats)	0.35 ....	....	30	5 feet per storey each side, up to a maximum of 30 feet	25
($\frac{1}{4}$ acre)									
60	16,335	125	82.5	" "	P.R. increases 0.00025 for each Perch increase in Lot Area between 40 Perches and 160 Perches	5 D.U. or less—8 spaces.	"	" " " " " " " "	"
80	21,780	150	99.0	" "		5-20 D.U.—1.5 spaces for each D.U.	"	" " " " " " " "	"
($\frac{1}{2}$ acre)									
100	27,225	175	115.5	" "		20-50 D.U.—30 spaces plus 1.25 spaces for each D.U. in excess of 20	"	" " " " " " " "	"
120	32,670	200	132.0	" "		Over 50 D.U.—68 spaces plus 1 space for each D.U. in excess of 50	"	" " " " " " " "	"
($\frac{3}{4}$ acre)									
160	43,560	200	132.0	" "	1.10		"	" " " " " " " "	"
(1 acre)									

TABLE No. 8
 QUADRUPLEX RESIDENTIAL QR. 6 ZONE

QR. 6

Minimum Lot Area	Sq. Feet	Minimum Effective Frontage		Maximum No. of Dwelling Units (D.U.)	Maximum Plot Ratio (P.R.)	Minimum No. of Car Spaces	Minimum Setbacks from Boundaries		
		Links	Feet				Front	Side (s)	Rear
Perches		Links	Feet				Feet		Feet
6	1,633.5	30	19.8	1 (Single-family town house)	0.70	2 per D.U.	20	Nil between town houses : 5 feet per storey at ends of each group	20
18	4,900.5	80	52.8	1 (Dwelling house)	0.35 Single storey 0.40 Two or more storeys	2 per D.U.	25	5 feet per storey each side	20
28	7,623	90	59.4	2 (Duplex)	0.35 Single storey 0.40 Two or more storeys	2 per D.U.	25	5 feet per storey each side	20
32	8,712	92.5	61.0	3 (Triplex)	0.35	2 per D.U.	25	5 feet per storey each side	20
36	9,801	95	62.7	4 (Quadruplex)	0.35	2 per D.U.	25	5 feet per storey each side	20

(d) Plot Ratio Bonus:—In the General Residential GR4, GR5-A, GR5-B, GR6-A, GR6-C and GR6-D Zones where:

- (i) car parking spaces are provided in or beneath a building or below ground level, and
- (ii) the level at which those spaces are provided is below the highest point of the finished grade of the site of the building such spaces serve

the maximum plot ratio specified in Tables 3, 4, 6 and 7 as the case may be shall be increased by the product of 0.20 and the proportion which the number of car parking spaces provided in the manner described in this clause bears to the total number of car parking spaces provided.

(e) Site Coverage:—

- (i) This subclause applies to residential flat buildings, professional office buildings, private hotels and clubs in every Residential Zone.
- (ii) Where the maximum plot ratio allowable on a particular site is that shown in the first column of Table 9 the area of that site that may be built upon shall not exceed the percentage shown in the second column to the said Table. In calculating the area of a site which will be covered by a building or buildings:
 - (A) the building shall be measured from the outer surface of their walls and to that area shall be added the area of any projections beyond such walls, including eaves which project more than three (3) feet from a wall;
 - (B) the area of the site covered by buildings or portions of out-buildings used solely for the purpose of car parking shall be excluded.

TABLE No. 9.

Maximum Plot Ratio.	Maximum permitted Site Coverage.
	%
0.7	35
0.9	20
1.1	16 $\frac{2}{3}$
over 1.1	15

(f) Site Landscaping Requirements:—At least fifty per centum (50%) of the area of every lot shall be designed, developed and maintained as landscaped area. The area of all access driveways between the street alignment and the building line may be included in calculating the landscaped area required to be provided by this clause.

(g) Distances between buildings on the same lot:—Where more than one building is erected on a lot, all standards shall be observed, as though the development were a single structure. In addition, the minimum distance between any two buildings shall be thirty (30) feet or the minimum distance required under the formula set out below, whichever is the greater provided that this provision shall not apply to a car parking building which does not extend in height at any point above a line drawn horizontally from the first floor level of any other building on the site. If at any point a car parking building extends beyond that height that part of the building shall comply with the minimum distance requirements of this clause.

The formula regulating the minimum distance between any two buildings (referred to as "Building A" and "Building B") is as follows:

$$D = \frac{L^A + L^B + 2 (H^A + H^B)}{6}$$

where

D is the required minimum horizontal distance between any wall of Building A and any wall of Building B or the vertical prolongation of either.

L^A is the total length of Building A. the total length of Building A is the length of that portion or portions of a wall or walls of Building A from which, when viewed from directly above, lines drawn perpendicular to Building A will intersect any wall of Building B.

L^B is the total length of Building B. The total length of Building B is the length of that portion or portions of a wall or walls of Building B from which, when viewed from directly above, lines drawn perpendicular to Building B will intersect any wall of Building A.

H^A is the height of Building A. The height of Building A is the height above natural ground level of any portion or portions of a wall or walls along the length of Building A. Natural ground level is the mean level of the ground immediately adjoining the portion or portions of the wall or walls along the total length of the building.

H^B is the height of Building B. The height of Building B is the height above natural ground level of any portion or portions of a wall or walls along the length of Building B. Natural ground level is the mean level of the ground immediately adjoining the portion or portions of the wall or walls along the total length of the building.

The minimum required distance between two buildings as derived from the formula set out above may be reduced by fifteen per centum (15%), if—

- (i) any one of the two buildings has a height of two storeys or less and the other has a height of six storeys or more; and
- (ii) the difference in the height of the two buildings is sixty (60) feet or more.

(h) Determination of multiple street boundaries:—Where a lot has boundaries to two or more streets the Council shall determine which boundary is the front, which the rear and which the side boundary or boundaries of that site. The distance at which any building shall be set back from those boundaries shall be that laid down by the Scheme provided that the Council may permit any such setback distance to be reduced to not less than fifteen (15) feet.

(i) Set back variations for group houses:—Notwithstanding the provisions of Tables Nos. 3, 4, 5, 6, 7 and 8 the Council may permit a patio, row or town house to be erected within five (5) feet of the street alignment if it is satisfied that such development is aesthetically desirable and will not adversely affect the amenities of the locality.

(j) Frontage and Area Tolerances:—(i) Where the area of a lot or the length of its frontage is not more than two and one half per centum ($2\frac{1}{2}\%$) below the minimum area or effective frontage required by the Scheme for the development proposed to be carried out the Council may approve the commencement of that development if the effective frontage, where the lot area is insufficient, or the area, where the effective frontage length is insufficient, exceeds the minimum requirement by not less than the percentage of such deficiency.

(ii) The Council may permit a residential flat building with a plot ratio of not more than .35 to be erected on a lot in the General Residential GR6 Zone notwithstanding that such lot has an effective frontage of less than ninety-five (95) links and/or an area of less than thirty-six (36) perches provided the land on both sides of such lot is developed and used for the purposes of a general residential building, professional offices, private hotel or club.

5.2. Professional Offices:—(a) Notwithstanding the provisions of clause 5.1 (f) the Council may permit Professional Offices to be constructed with less than the prescribed minimum landscaped area provided that not less than thirty per centum (30%) of the lot is designed, developed and maintained for those purposes.

(b) The Council may permit the conversion of an existing building into Professional Offices notwithstanding that that the minimum lot area and effective frontage requirements prescribed by Table 6 cannot be complied with.

5.3 Places of Public Worship:—(a) The provisions of Tables 2 to 8 inclusive except those relating to set back distances from site boundaries do not apply to the development of land for Places of Public Worship.

(b) The Council may require any building of that class (Public Worship) to be set back not less than fifty (50) feet from any building of any residential class whatsoever.

(c) Development of land for the purpose of a place of public worship shall be in accordance with the following standards:

- (i) the plot ratio shall not exceed 1.00;
- (ii) the site coverage of the building shall not exceed fifty per centum (50%);
- (iii) at least twenty five per centum (25%) of the site shall be designed developed and maintained as landscaped area.

5.4 Aged Persons Flats:—Notwithstanding the provisions of clause 5.1 development of land for the purpose of an Aged Persons Flat Building shall be in accordance with the following standards:

- (a) Subject to clause 5.31 the minimum set back from the front boundary shall be thirty (30) feet;
- (b) The minimum set back from side boundaries shall be five (5) feet for each storey of the building but in no case shall the building be less than ten (10) feet from a side boundary;
- (c) The minimum set back from the rear boundary shall be twenty-five (25) feet;
- (d) Plot ratio shall not exceed 1.00;
- (e) The site coverage of the building shall not exceed forty-five per centum (45%);
- (f) At least forty per centum (40%) of the lot area shall be designed, developed and maintained as landscaped area;
- (g) The site shall have an effective frontage of not less than ninety-nine (99) feet and an area of not less than eighty (80) perches.

5.5 "C" Class Hospitals:—Notwithstanding the provisions of clause 5.1 development of land for the purpose of a building of an Hospital "C" Class shall be in accordance with the following standards:

- (a) The minimum set back from the front boundary shall be forty (40) feet;
- (b) The minimum set back from side boundaries shall be ten (10) feet per storey with a minimum set back of fifteen (15) feet;
- (c) The minimum set back from the rear boundary shall be twenty-five (25) feet;
- (d) The plot ratio shall not exceed .40 for single storey development and .80 for two storey development;
- (e) The site coverage of the building shall not exceed forty per centum (40%);
- (f) At least fifty per centum (50%) of the site shall be designed, developed and maintained as landscaped area provided that where the site is adjoined by land that is or may be developed for residential purposes such area shall include a nature strip at least ten (10) feet in width alongside and for the full length of the boundary or boundaries adjoining such land which strip shall be densely planted and maintained with trees and shrubs to a height of not less than six (6) feet;
- (g) The site shall have an effective frontage of not less than one hundred and thirty-two (132) feet and an area of not less than eighty (80) perches provided that where staff quarters are to be provided on the site the minimum site area shall be one hundred and twenty (120) perches.

5.6 Private Hotels, Clubs and Lodging Houses:—Development of land for the purpose of a Private Hotel, Club or Lodging House shall conform to the standards prescribed for Residential Flat Buildings in the Zone in which such Private Hotel, Club or Lodging House is to be erected.

5.7 Minimum Accommodation for certain Residential Buildings:—Every flat in a residential flat building shall comply with the requirements of the Uniform Building By-laws provided that in the General Residential GR5-B Zone and in residential flat buildings erected on land with a frontage to the South Perth Esplanade the minimum floor area of each flat shall be one thousand (1,000) square feet and in the General Residential GR6-B Zone the minimum floor area shall be one thousand two hundred (1,200) square feet.

5.8 Outbuildings:—(a) Notwithstanding the provisions of Tables 2 to 8 inclusive:

- (i) In every Residential Zone other than the Single Residential SR3 Zone parapet walls of outbuildings erected within ten (10) feet of a side or rear boundary shall not exceed ten (10) feet in height and twenty (20) feet in length;

(ii) The Council may permit:

- (A) the erection of a car port in front of the building line where the configuration of the ground or any other feature of the site or locality make it impossible or impracticable to erect it in any other position;
- (B) garages or outbuildings on adjoining sites to be erected so that the same abut upon one another for the whole of their lengths;
- (C) a car port which is open on all sides to be erected within two (2) feet six (6) inches of a side boundary or the rear boundary of the site;
- (D) in the Quadruplex Residential QR5 and QR6 Zones a car port to be erected within four (4) feet of the street if the design thereof is such that in the opinion of the Council it will not clash in harmony with the exterior design of buildings in the locality.

(b) The Council may permit a car park building to be erected closer to the rear and side boundaries of a site than the distance prescribed by Tables 3 to 8 inclusive if the roof or roof deck of such building does not at any point rise more than three (3) feet six (6) inches above the ground level of such boundary. If the roof deck of such car park building is capable of being used for the parking of vehicles the wall of the building which is parallel to such boundary shall be carried up to a height of two (2) feet six (6) inches above the roof deck.

Division II.

Development Standards in Zones and Reserves
other than Residential Zones.

5.9 Plot Ratios and Site Coverages:—(a) In the Zones specified in the first column of Table 10 no building shall be erected which has a plot ratio or which covers a greater percentage of the site than that set out in the second and third columns of such Table.

TABLE No. 10

Zone	Plot Ratio	Site Coverage
(i) Special Civic Commercial	3.00	75% subject to paragraph (b) of this clause.
(ii) Special College—Schools Extension		
Dwelling houses—1 storey	0.33	40%
Dwelling houses—2 storeys	0.40	40%
(iii) Private Clubs and Institutions	1.00	50% subject to paragraph (b) of this clause.
(iv) Public Assembly	1.00	50%
(v) Business Development A	3.00	50% subject to paragraph (b) of this clause.
(vi) Business Development B	3.00	50% subject to paragraph (b) of this clause.
(vii) Special Business—		
Residential uses	As prescribed by Table 6	As prescribed by Table 9.
Non-residential uses	0.10	As prescribed by Table 9.
(viii) Commercial A		
Residential uses	1.33	As prescribed by Table 9.
Non-residential uses	3.00	75% subject to paragraph (b) of this clause.
(ix) Commercial B		
Residential uses	1.33	As prescribed by Table 9.
Non-residential uses	3.00	75% subject to paragraph (b) of this clause.
(x) Commercial C	As prescribed by Table 6	As prescribed by Table 9.
(xi) Commercial D	As prescribed by Table 6	As prescribed by Table 9.
(xii) Commercial E	As prescribed by Table 4	As prescribed by Table 9.
(xiii) Commercial F		
Residential uses	As prescribed by Table 2	40%
Non-residential uses	0.10	40%

TABLE No. 10—*continued*

Zone	Plot Ratio	Site Coverage
(xiv) Commercial G		
Residential uses 	0.33	33%
Non-residential uses 	0.67	33%
(xv) Special Hotel 	3.00	50% subject to paragraph (b) of this clause.
(xvi) Special Motel 	0.66	33%
(xvii) Special Service Station 	0.33	33%
(xviii) Special Motor Repair and Service Station	0.33	33%
(xix) Special Zone A		
Residential uses 	2.13	23% subject to paragraph (d) of this clause.
Non-residential uses 	4.57	23% subject to paragraph (d) of this clause.
(xx) Civic Uses		
Residential uses 	As prescribed by Table 2	40%
(xxi) Planned Residential Redevelopment	As prescribed by Table 2	40%
(xxii) Future District Cultural Commercial	As prescribed by Table 2	40%

(b) Where site coverage limits in Table 10 are expressed to be subject to this paragraph, the limit may be extended up to the whole of the site if the Council is satisfied that:

- (i) adequate provision will be made for the storage and removal of trade waste, refuse and rubbish of every kind within the building to be erected;
- (ii) the provision made for loading and off loading vehicles within the building is such that those vehicles may enter and leave the building without reversing from or to a street.

(c) In any Zone except the Special Business and Commercial F and Commercial G Zones in which a building combining residential and non-residential uses is permitted the maximum permissible plot ratio shall be calculated by dividing the plot ratio permitted by subclause (a) of this clause for each of such uses by the proportion which the floor space devoted to each such use bears to the total floor space of the building or buildings on the site and adding the results so obtained.

(d) (1) Where site coverage limits in Table 10 are expressed to be subject to this paragraph in calculating the area of the site which will be covered by a building or buildings

- (A) the buildings shall be measured from the outer surface of their walls and to that area shall be added the area of any projections beyond such walls, including eaves which project more than three (3) feet from a wall;
- (B) the area of the site covered by buildings or portions of outbuildings used solely for the purpose of car parking shall be excluded.

(ii) At least 25 per centum (25%) of the area of the site shall be designed developed and maintained as landscaped area.

5.10 Side and Rear Boundary Set Backs:—The distances at which the buildings in the Zones specified in this subclause shall be set back from the side and rear boundaries on the site shall be as follows:

- (a) Residential Flat Buildings in Commercial Zones A and B—as prescribed by Table 6.
- (b) Private Hotels, Hotels, Clubs and Registered Clubs in Business Development Zone A shall be set back at least ten (10) feet from any boundary adjoining land which is within a Special Motel Zone.
- (c) Hotels, Clubs, Registered Clubs and Residential Flat Buildings in Business Development Zone B shall be set back at least five (5) feet for each storey to a maximum of thirty (30) feet from any boundary adjoining land which is within any Residential Zone and to a maximum of ten (10) feet in any other case.

- (d) All buildings in Special Zone A shall be set back from the boundaries of the Zone at least five (5) feet for each storey to a maximum of thirty (30) feet provided that
- (i) the set back from the Douglas Avenue boundary of the Zone shall in any case be not less than thirty (30) feet;
 - (ii) the provisions of this sub clause do not apply to the Northern and Eastern boundaries of the Zone.
- (e) In the Public Assembly and the Private Clubs and Institutions Zones any building erected on a site any boundary of which adjoins land in any Residential Zone shall be set back at least fifteen (15) feet from such boundary.

5.11 Development in Commercial C, D, E, F and G Zones:—(a) Development of land within Commercial C Zone shall be in accordance with the provisions contained in Clause 5.1 (e) to (j) inclusive and Table 6.

(b) Development in Commercial D, E and G Zones shall be in accordance with the provisions of clause 5.1 (e) to (j) inclusive and Table 4.

(c) Development in Commercial F Zone shall be in accordance with the provisions of clause 5.1 (e) to (j) inclusive and Table 2.

5.12 Car Sales Premises:—Land shall not be used or developed for the purpose of car sales premises unless the Council approves of such use in writing. When considering any application for approval under this clause the Council shall have regard to the nature and amenities of the area in which it is proposed to establish such use. In granting approval for such use or development the Council may, if necessary to preserve the amenities of the area, impose conditions as to:

- (a) the place or places on the land where vehicles may be displayed;
- (b) the number of vehicles which may be displayed at any time and the manner in which the same shall be screened from view from adjacent Residential areas;
- (c) the orderly storage of vehicles;
- (d) the provision of landscaping and natural planting;
- (e) the provision of customer and employee car parking;
- (f) the size and appearance of advertising signs;
- (g) the minimum distance from any street at which vehicles may be displayed provided that where the land adjoins any Residential Zone such distance shall not be less than the building line prescribed for that Zone.

5.13 Development in Service Station Zones:—The development of land in the Special Service Station and Special Motor Repair and Service Station Zones for the purpose of a service station or motor repair and service station shall be carried out in accordance with the plan of the Standard Service Station Layout. The said plan forms part of this Scheme, is signed by the Mayor of the City of South Perth, dated 23rd day of December, 1969 and copies may be inspected at the Council Offices at Civic Centre, Sandgate Street, South Perth and the offices of the Town Planning Department at 22 St. George's Terrace, Perth.

5.14 Height Restrictions:—(a) Within the Special Business, Civic Commercial, Commercial Zone A, Commercial Zone B, Special Service Station, Special Motor Repair and Service Station and Public Assembly Zones no building shall at any point be more than fifty (50) feet above the mean ground level of the site on which it is erected.

(b) Within the Special College—Schools Extension Zone no dwelling house shall have more than two storeys.

(c) Within the Civic Uses Zone no building shall have more than two storeys.

Division III.

Car Parking.

5.15 Car Parking Spaces:—(a) Where under this Scheme land may be used for the purpose set out in the first column of Table 11 in the Zone indicated in the second column of the Table no building shall be erected for or converted to use or used for that purpose unless car parking spaces are provided to the number specified in the third column of the Table and such spaces are constructed and maintained in accordance with the provisions of this Division.

TABLE No. 11

Use	Zone	Number of Parking Spaces
(i) Dwelling houses, Patio, Row and Town houses, Duplexes, Triplexes, Quadruplexes and Residential Flat Buildings	All Zones where the use is permitted	As prescribed by Tables 2 to 8 inclusive.
(ii) Aged Persons' Flat Buildings	All Zones where the use is permitted	1 for every 5 flats
(iii) Motels	All Zones where the use is permitted	1 for every residential unit or suite
(iv) Hotels (Private)	All Zones where the use is permitted	.75 for every residential unit or suite and where provision is made for holding conventions an additional space for every 4 persons that the convention room is designed to accommodate and, if provision is made for a restaurant or dining room open for use by the public an additional space for every 4 persons such dining room or restaurant is designed to accommodate
(v) Lodging Houses	All Zones where the use is permitted	1 for every bedroom
(vi) Professional Offices and Office Buildings	All Zones where the use is permitted	1 for every 500 square feet of office floor space or part thereof and an additional space (reserved for the use of visitors to the building) for every 1,500 square feet of office floor space or part thereof
(vii) Shops	All Zones where the use is permitted other than Commercial Zone B	2 square feet of car parking space for every square foot of commercial floor space provided
(viii) Places of Public Worship, Public Assembly and Public Amusement	All Zones where the use is permitted	Subject to paragraph (b) of this clause, 1 for every 4 persons the building is designed to accommodate
(ix) Cafes, Dining Rooms and Restaurants	All Zones where the use is permitted	Subject to paragraph (c) of this clause, 1 for every 4 persons the building is designed to accommodate
(x) Clubs	All Zones where the use is permitted	1 for every 500 square feet of the total floor area.

TABLE No. 11—*continued*

Uses	Zone	Number of Parking Spaces
(xi) Hotels and Registered Clubs	All Zones where the use is permitted	1 for every bedroom, an additional space for every 20 square feet of floor or ground area open to the public for consumption of liquor, provided that in the case of areas used as Lounges and Beer Gardens and used solely for seated customers, the ratio may be reduced to an additional space for every 45 square feet of floor or ground area and if provision is made for holding Conventions, Council may require an additional space for every four persons that the Convention Room is designed to accommodate
(xii) Squash Courts	All Zones where the use is permitted	Subject to paragraph (b) of this clause, 2 for every court and an additional space for every 40 square feet of floor space from which games can be watched by spectators.
(xiii) Hospitals—"C" Class	All Zones where the use is permitted	12 or 1 for every 3 patients' beds provided whichever is the greater
Hospitals—Other	All Zones where the use is permitted	1 for every patient's bed provided
(xiv) Funeral Parlours	All Zones where the use is permitted	6
(xv) Educational Establishments—		
(a) Primary Schools—State	All Zones where the use is permitted	1.5 for every class room and an additional space
Primary Schools—Other	All Zones where the use is permitted	1 for every class room
(b) Secondary Schools	All Zones where the use is permitted	1 for every class room and an additional space for every 25 students the school is designed to accommodate for the final 2 years of secondary education
(xvi) Showrooms and Car Sales Premises	All Zones where the use is permitted	1 for every 1,000 square feet of open space, an additional space for every 1,000 square feet of the floor area of every building on the site and an additional space for every 2 persons employed
(xvii) Consulting Rooms	All Zones where the use is permitted	1 for every 200 square feet of floor area with a minimum of 4

(b) Where a public parking area adjoins land used for the purposes of Squash Courts, a Place of Public Worship, Public Assembly or Public Amusement and the parking spaces within such area are sufficient in the Council's opinion to cater for the parking requirements of the use to be made of that land the provisions of Table 11 shall not apply to such use.

(c) If the hours of business of a Cafe, Dining Room or Restaurant at no time coincide with those of other business uses in the area and the parking spaces within public parking areas in the area are sufficient in the Council's opinion to cater for the parking requirements of the Cafe, Dining Room or Restaurant the provisions of Table 11 shall not apply to that Cafe, Dining Room or Restaurant.

5.16 Continued Uses:—Where a building is used partly for residential and partly for non-residential purposes the number of car parking spaces to be provided pursuant to this Division for:

- (a) that part of the building which is residential,
- (b) that part of the building which is non-residential,

shall be calculated separately. The number of car parking spaces with which the building shall be provided shall be the total of those two numbers provided that where that part of the building which is non-residential is used substantially for those purposes only between the hours of 9.00 a.m. and 5.00 p.m. the number of spaces may be reduced by fifteen per centum (15%).

5.17 Construction of Car Parking Spaces:—Parking spaces and access ways provided pursuant to this Division shall be constructed of hard standing dust free surfaces graded and drained in such a way as to prevent water flowing therefrom onto adjoining land, into garages or car ports on the site and onto any street except in the latter instance to the extent approved by the Council provided that car parking spaces and access ways may be provided on areas developed with lawn but no such areas shall be included in the landscaped area required to be provided on the site.

5.18 Size of Car Parking Spaces and Access Ways: (a) If car parking spaces are provided alongside one another and at an angle to the access way serving them (hereafter called "angle parking") they shall not be less than eighteen (18) feet in length and eight (8) feet in width provided that:

- (i) where a space is bordered by kerbing in such a way that a vehicle using that space can project beyond the kerbing without interfering with any other space the length of such space may be reduced to sixteen (16) feet,
- (ii) not more than ten per centum (10%) of the car parking spaces to be provided may have a length of not less than fourteen (14) feet.

(b) Subject to subclause (e) an access way serving car parking spaces shall be:

- (i) not less than eleven (11) feet in width where the spaces are laid out parallel to the access way or at an angle of not more than 45° to such access way;
- (ii) not less than eighteen (18) feet in width where the spaces are at an angle of more than 45° but not more than 60° to such access way;
- (iii) not less than twenty (20) feet in width where the spaces are at an angle of more than 60° to such access way.

(c) Where angle parking is provided two car parking spaces may be laid out one behind the other if the movement and parking of vehicles is carried out by an attendant engaged for the purpose and present throughout the whole time the spaces are in use.

(d) If car parking spaces are provided one behind the other and parallel to the access way serving them they shall be not less than twenty (20) feet in length and seven (7) feet in width.

(e) Where an access way serves car parking spaces which are more than eight (8) feet in width the Council may permit the width of such access way to be reduced below that required by subclause (b) provided that sufficient space is always available to enable vehicles to enter and leave such spaces without difficulty.

(f) Every area containing car parking spaces shall be so designed or located that vehicles using that area can do so without reversing from or to a street.

(g) Every car parking space provided pursuant to this clause shall be clearly identified by painted outline or kerbing divisions.

(h) Nothing in subclauses (f) and (g) of this clause shall apply to car parking spaces required to be provided for a dwelling, duplex, patio, row or town house.

5.19 Location of Car Parking Spaces and Access Ways:—Where car parking spaces are required to be provided pursuant to this Scheme development of the site shall not be carried out until the Council has approved of the location of the spaces and access ways. In arriving at its decision the Council shall have regard to:

- (a) the preservation of the amenities of the neighbourhood and for this purpose shall determine the number of car parking spaces (if any) which shall be roofed or covered and the number (if any) which shall be below ground level;

- (b) the location of any proposed public or private footpath or way and any vehicle crossings;
- (c) the effect the location of the spaces and access way is likely to have on pedestrian and vehicle traffic in the area;
- (d) the suitability and adequacy of proposed screening or natural planting.

5.20 Open Air Car Parks:—Any area containing car parking spaces open to the air shall be screened on all sides by a strip at least three (3) feet in width planted with shrubs or trees at least four (4) feet in height at the time of planting and which may be expected to form a permanent dense screen of at least six (6) feet in height within three (3) years of planting.

5.21 Communal Car Parking Areas or Buildings:—Notwithstanding the provisions of clause 5.15 requiring car parking spaces to be provided on the site they are to serve, the Council may permit such spaces to be provided elsewhere in the following circumstances and subject to the following conditions:

- (a) if, in the opinion of the Council, the amenity of the locality would be better served by the provision of such spaces in one parking area or building available for use by the occupiers of several buildings on adjoining but separate sites;
- (b) if the parking area or building to be provided for such purpose is located at a reasonable distance from the buildings which the parking area or building is to serve and is in a location which will ensure reasonable access thereto by the persons using such buildings;
- (c) if all the provisions of this Division including those relating to the number of car parking spaces required to be provided in respect of each building to be served by the one parking area or building are complied with;
- (d) if the persons who occupy or use a building on a site other than that on which the parking area or building is located and who are to use such parking area or building pursuant to this clause have—
 - (i) a legal right to do so at all times;
 - (ii) any incidental right of way which may be necessary to enable them to have access to the parking area or building at any time.

5.22 Car Parking—GR6-B Zone:—Where land in the General Residential GR6-B Zone is developed for the purposes of a residential flat building, the car parking spaces required pursuant to this Division shall:

- (a) be located below the natural ground level of the site;
- (b) not be visible from any street or any building on the site or from any land adjoining the site;

and if such spaces are contained in a separate building the roof of such building:

- (c) shall not at any point be more than three (3) feet six (6) inches above the mean ground level of the land adjoining the site on the side closest to such building;
- (d) shall be screened by natural planting or otherwise to the satisfaction of the Council.

5.23 Car Parking—GR5-B Zone:—Where land in the General Residential GR5-B Zone is developed for the purpose of a residential flat building, the car parking spaces required pursuant to this Division shall not be visible from any street.

5.24 Restricted Access—Canning Highway:—Land abutting on Canning Highway shall not be developed for the purpose of a residential flat building unless provision is made for vehicles using car parking spaces on the site to have access to a street or streets other than Canning Highway. Direct vehicle access from any site so developed to Canning Highway is hereby prohibited.

5.25 Visitors' Car Parks:—At least ten per centum (10%) of the car parking spaces provided pursuant to this Division shall be set apart solely for use by visitors to the building served by such spaces. The spaces so set apart for visitors shall be clearly marked as such.

5.26 Alteration of Car Parks:—The owner or occupier of land on which car parking spaces are provided pursuant to this Division shall not alter or permit the alteration of the location and layout of such spaces without the prior written approval of the Council.

Division IV.

Special Provisions for Design and Development Control.

5.27 Design:—(a) No building shall be erected or built in any Zone within the Scheme Area unless and until the Council has approved the design and site plan thereof provided that in any Zone other than a Business Development Zone or Commercial Zone A such approval shall not be required if the proposed building:

- (i) is not more than one (1) storey in height, or
- (ii) is a dwelling house.

(b) Before granting any such approval the Council shall have regard to the following matters and ensure that the following conditions have been complied with:

- (i) the Council shall be satisfied that such building will not destroy local amenities and will not clash in harmony with the exterior designs of adjoining buildings
- (ii) if the proposed building is of more than two (2) storeys the Council shall be satisfied that it is designed by and to be erected under the supervision of an architect or an engineer qualified or authorised to practise in Western Australia
- (iii) in considering the design of any building within a Business Development Zone or Commercial Zone A the Council shall take into consideration the provisions which will need to be made in the Zone for parking space, vehicular access, pedestrian ways and the general layout of development having regard to the development uses proposed for the whole Zone. Within such a Zone the development of single lots shall be considered as part of a general design for the whole Zone.

5.28 Location and Dispersal of Buildings:—Notwithstanding the provisions of this Scheme or any by-law or regulation to the contrary the Council may:

- (a) Subject to the limits contained in clause 5.1(g) relating to distances between buildings on the same lot, require the location of any building proposed to be erected on a lot to be altered so that, in relation to buildings already erected or proposed to be erected in the locality, each building may have access to the greatest amount of light and view possible and so that the amenity and proper planning of the locality as a whole can be preserved;
- (b) When in its opinion, the bulk of any building would detrimentally affect the amenity and environmental standards of the locality, require that the total permissible building bulk be absorbed by dispersing that bulk in separate buildings on the site.

5.29 Advisory Committee:—The Council may appoint an advisory committee consisting of the Mayor or his nominee and four architects or town planners being ratepayers of the Municipality of the City of South Perth elected by the Council for the purpose and approved of by the President of their respective Institutes to advise the Council on all questions of design and other matters falling within clauses 5.27 and 5.28.

5.30 Landscaping Requirements:—(a) Where pursuant to this Scheme a minimum landscaped area is required to be provided plans showing:

- (i) the layout and location of the pedestrian space and of the area to be developed with natural planting
- (ii) the types of shrubs, trees and other plants to be provided;
- (iii) details of any proposed alteration to the natural contour of the landscaped area

shall be submitted to the Council not later than seven (7) days after completion of the building or buildings erected on the site. The development of the landscaped area required to be provided shall not be commenced until the plans have been approved by the Council and such development shall be completed within three (3) months of such approval or of the completion of the building or buildings whichever is the later.

(b) All landscaped areas shall be maintained in good order and condition and in accordance with the plans approved by the Council.

(c) The site plan accompanying any application for approval to commence development shall:

- (i) indicate accurately the position and describe the type and height of all existing trees on the site;
- (ii) indicate which of such trees are intended to be removed (if any).

5.31 Building Lines:—(a) Notwithstanding any provision of this Scheme to the contrary and subject to subclause (b) of this clause, building lines of the distance indicated in Table 12 to this clause from the roads specified are prescribed in the Zones indicated in the Table.

TABLE No. 12

Road	Type of Building	Zone	Building Line
Canning Highway (west side)	All	Any Residential Zone Reserved land	33 feet
Canning Highway (west side)	Residential Flat Buildings	Any other Zone	33 feet
Canning Highway (west side)	All (except Residential Flat Buildings)	Any other Zone	13 feet
Canning Highway (east side)	Dwelling Houses	Any Residential Zone Reserved land	33 feet
Canning Highway (east side)	All other buildings	Any Residential Zone Reserved land	83 feet
Canning Highway (east side)	All	Any other Zone	63 feet
Douglas Avenue—north east side from Mill Point Road to Shaftesbury Street	All	Planned Residential Redevelopment Zone	41 feet
Harper Terrace	All	Commercial B Zone	21 feet
Labouchere Road	All	Any Residential Zone Reserved land	40 feet
Manning Road—from Canning Highway to Ley Street	All	Any Residential Zone Reserved land Special Hotel Zone	35 feet
Manning Road—south side from Ley Street to Elderfield Street and north side from Ley Street to Goss Avenue	All	Any Residential Zone Reserved land	15 feet 25 feet
Manning Road—(remainder)	All	Any Residential Zone Reserved land	As shown on the Scheme Map
Melville Parade	All	Any Zone Reserved land	40 feet
Mill Point Road—south side from Labouchere Road to Onslow Street	All	Civic Uses Zone Reserved land	91 feet
Mill Point Road (Except on the south side from Labouchere Road to King Edward Street and on the north side from Lot 104 of Perth Suburban Lot 49 to Lot 61 of Perth Suburban Lots 4 and 5 both lots inclusive)	All	All Zones Reserved land	40 feet
Mill Point Road—north side from Lot 104 of Perth Suburban Lot 49 to Lot 61 of Perth Suburban Lots 4 and 5 both lots inclusive and on the south side from Onslow Street to King Edward Street	All	Any Residential Zone	As shown on the Scheme Map

TABLE No. 12—*continued*

Road	Type of Building	Zone	Building Line
South Perth Esplanade	All	All Zones	40 feet
All other streets	All	Business Development Zones A and B Commercial Zones A and B	5 feet

(b) Any building erected in any Commercial or Business Development Zone on a site which has a common boundary with land in any Residential Zone shall, if erected within fifty (50) feet of such boundary, conform with the building line fixed for the land in such Residential Zone.

5.32 Signs: (a) Subject to subclause (b) of this clause in all Zones except Commercial Zone A, Business Development Zones A and B, Special Business, Special Service Station, Special Motor Repair and Service Station, Special Hotel and Special Motel Zones, no advertisement, hoarding or sign shall be erected, displayed or maintained if it:

- (i) relates to a use other than that carried on on the lot on which the advertisement, hoarding or sign is erected or displayed;
- (ii) is larger in area than six (6) square feet;
- (iii) uses letters or figures of a greater width and height than three (3) inches;
- (iv) is within five hundred (500) feet of a street intersection and is lit in such a way that it may be confused with traffic lights

provided that with the written approval of the Council the names and numbers of buildings may be fixed to the facades thereof in letters or numbers up to twelve (12) inches in width and height.

(b) Notwithstanding the provisions of subclause (a) of this clause a sign:

- (i) not exceeding twenty-five (25) square feet in area giving the name or names of the architect, engineer and contractor for a building project or the name of the project and signs not exceeding three (3) square feet in area which are incidental to the construction of the building or which are required by law may be placed on a site during the period of construction of the building;
- (ii) shall not be erected, displayed or maintained in any Zone if, in the opinion of the Council, the same would have a detrimental effect on the architectural qualities of the development on the site or on the general harmony and beauty of the neighbouring area.

(c) Any person who erects, displays or maintains or permits the erection, display or maintenance of an advertisement, hoarding or sign contrary to the provisions of this clause shall be guilty of an offence.

5.33 Unsightly Objects:—Any person who causes, allows or permits to be placed on any building or any part of the same any article, object or thing which shall be visible from any street, way or public place or from any other land or building or any part thereof, and which is, in the opinion of the Council, offensive, unsightly or otherwise calculated to mar or spoil the locality shall be guilty of an offence. Without in any way limiting this clause the terms "article, object or thing" shall be deemed to include any sign, article of wearing apparel, an article of domestic use or washing.

5.34 Sewerage and Drainage:—(a) A building other than a dwelling house or duplex shall not be erected within any Zone unless such building is connected to the main sewer of the Minister for Water Supply, Sewerage and Drainage for the disposal of sewage.

(b) A building shall not be erected in any Zone unless adequate provision is made for the disposal of all storm water from the building and its site into soak wells or sumps located on the site or by agreement with the Council into the street drainage system.

5.35 Minimum Floor and Ground Levels:—(a) The following minimum level for floors in buildings erected within the Scheme Area are prescribed:

- (i) floors of habitable rooms shall be not less than 10.00 feet above Low Water Mark Fremantle;
- (ii) floors of non-habitable rooms shall not be less than 8.25 feet above Low Water Mark Fremantle;
- (iii) floors of car parking buildings shall be not less than 8.25 feet above Low Water Mark Fremantle provided that the Council may permit a lower level than prescribed by this subclause for floors of car parking buildings if provision is made in the design and construction of the floor and walls of such building for adequate protection against sub-soil water seepage.

(b) Subject to subclause (a) (iii) of this clause land shall not be developed in any Zone unless the ground level thereof is at least 8.00 feet above Low Water Mark Fremantle and any filling used to raise the level of any site to comply with this subclause shall be composed of clean sand or other material approved by the Council.

5.36 Fence Heights: (a) In the General Residential GR5-A and B Zones and in the General Residential GR6-A, B and C Zones a fence, free standing wall or hedge which is more than four (4) feet in height shall not be erected, grown or maintained closer to the street alignment than the building line prescribed for that street provided that this subclause shall not apply where such fence, wall or hedge is erected, grown or maintained on land used for the purpose of a dwelling, duplex, patio, row or town house.

(b) In any Zone where a vehicle driveway meets a street alignment a fence, free standing wall or hedge which is more than three (3) feet in height shall not be erected, grown or maintained on either side of such driveway in the area enclosed by:

- (i) a line drawn at an angle of 45° to the street alignment from a point on such alignment ten (10) feet from the driveway;
- (ii) the edge of the driveway first intersected by that line, and
- (iii) the street alignment from that edge to the point referred to in paragraph (i).

PART 6—DEVELOPMENT.

6.1 Development Approval:—(a) Subject to Part 4 of the Scheme a person shall not commence or carry out development or redevelopment of any land within the Scheme area without first having applied for and obtained the Council's approval under this Scheme except that such approval shall not be required for the erection of a dwelling house or of an outbuilding appurtenant thereto.

(b) The Council may require the application to be accompanied by a model to a scale of forty (40) feet to one (1) inch of the proposed development clearly showing:

- (i) the design features of the building or buildings including the colour tones of external walls;
- (ii) the location of the building or buildings proposed to be erected on the site;
- (iii) the location of the car parks and access ways;
- (iv) the landscaped area

where it considers a model is necessary to enable it to make a decision on the application. The baseboard of the model shall be cut accurately to scale and shall conform with the dimensions and shape of the site and shall indicate the configuration of the finished ground surface.

6.2 Appeals:—An applicant for approval to develop or redevelop land within the Scheme area whose application has been refused by the Council may appeal to the Minister for Town Planning against such refusal where the Council's decision involves the exercise of a discretion. The appeal shall be instituted by lodging with the Minister a Notice of Appeal setting out the grounds thereof within thirty (30) days of the application being so refused.

PART 7.

FINANCE AND ADMINISTRATION.

7.1 Disposal of Land:—The Council may deal with or dispose of any land which it owns or which it has acquired pursuant to the provisions of the Scheme, in accordance with the Act and in conformity with the provisions of the Scheme, and for such purpose may make such agreements with other owners as it deems fit.

7.2 Compensation:—Claims for compensation by reason of the Scheme shall be made not later than six (6) months from the date on which notice of approval of the Scheme is published in the *Government Gazette* except in the case of land reserved under the Metropolitan Region Town Planning Scheme where the provisions of Division 3, Part II of that Scheme shall apply.

7.3 Betterment:—Any claim made by the Council pursuant to Section 11 (2) of the Act shall be made within six (6) months of the completion of the work or the section of the work by reason of which the land in respect of which the claim is made is increased in value.

7.4 Entry to Premises:—The Council may by an authorised officer enter at all reasonable times any building or land for the purpose of ascertaining whether the provisions of the Scheme are being observed.

7.5 Relationship of Scheme Text to other Documents:—This Scheme Text is to be read in conjunction with all other documents comprising City of South Perth Town Planning Scheme No. 2.

7.6 Notices:—(a) Any notice required to be given by the Council under Section 10 (1) of the Act shall be a thirty (30) days' notice under the hand of the Town Clerk sent by registered post to the owner and occupier and lessee (if any) of the premises affected.

(b) The Council may recover expenses under Section 10 (2) of the Act in any manner in which the Council is from time to time entitled to recover rates levied by the Council.

7.7 Offences:—Subject to the Act, any regulations made thereunder, and Part 4 of the Scheme:

(a) no building shall be erected and no land or building shall be used or adapted for use for any purpose other than a purpose permitted in the Zone in which such land or building is situated.

(b) any person who:

(i) erects, alters or adds to any building or develops or uses any land contrary to the provisions of this Scheme;

(ii) does or omits to do any act in contravention thereof;

(iii) permits or causes any such erection, alteration, addition, or development, use, act or omission to be made or done

shall be guilty of an offence and liable to such penalties as are prescribed by the Act.

Adopted by resolution of the Council of the City of South Perth at the Special Meeting of the Council held on the 24th day of January, 1972, and the seal of the Municipality was pursuant to that resolution, hereunto affixed in the presence of:

[L.S.]

J. G. BURNETT,
Mayor.

P. A. BENNETTS,
Town Clerk.

This Scheme Text is to be read in conjunction with the approved maps of the Scheme described in clause 1.3 of this Scheme and to which formal approval was given by the Hon. Minister for Town Planning on the 28th day of January, 1972.

Recommended—

Date: 28th January, 1972.

J. E. LLOYD,
Chairman of Town Planning Board.

Approved—

Date: 28th January, 1972.

H. E. GRAHAM,
Minister for Town Planning.