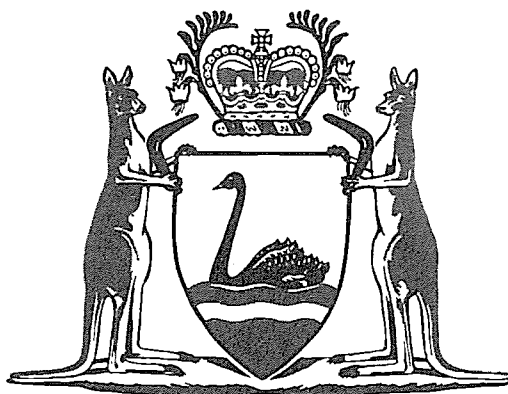


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TOWN PLANNING AND DEVELOPMENT ACT 1928 (AS AMENDED)

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME

CITY OF PERTH

CITY PLANNING SCHEME

SPC 853/2/10/9

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Minister for Planning approved the City of Perth, City Planning Scheme on November 28, 1985 - the Scheme Text of which is published as a Schedule annexed hereto.

M MICHAEL
Mayor

R F. DAWSON
Town Clerk

- 1 9 8 5 -

CITY OF PERTH

CITY PLANNING SCHEME

NORTHMORE HALE DAVY & LEAKE

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SCHEDULES

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Second Schedule - Form of Newspaper
Notice - Notice of Application to
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Third Schedule - Form of Site
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to Use or Develop Land

Fourth Schedule - Approval/Refusal
of Approval to Commence Development

Fifth Schedule - List of Buildings,
Objects and Places

PART I - PRELIMINARY

CITATION

1. This Town Planning Scheme may be cited as the City of Perth City Planning Scheme (herein called "the Scheme").
2. The Scheme shall come into operation on the publication in the Government Gazette of notice of the Minister's final approval thereof.
3. The following maps form part of the Scheme:
 - (a) The Land Use Map
 - (b) The Scheme Map

SCHEME AREA

4. The Scheme shall apply to the whole of the municipal district of the City of Perth except for the areas comprising the scheme areas of the following town planning schemes:
 - (a) Lake Monger Town Planning Scheme No. 12;
 - (b) The Smith's Lake Town Planning Scheme No. 1;
 - (c) The West Perth Town Planning Scheme No. 10;

The area to which the Scheme applies is herein called "the Scheme Area".

OBJECTS

5. The general objects of the Scheme are:

- (a) To classify and zone land within the Scheme Area for use for the purposes described herein;
- (b) To set aside land for use for recreational, public and other similar purposes;
- (c) To promote and safeguard the health, safety, convenience and general welfare of the inhabitants of the Scheme Area;
- (d) To preserve, enhance and extend the amenities of the Scheme Area and to enable the use and enjoyment thereof to be intensified;
- (e) To improve the means of access to the Central Area (as herein defined) and to foster and encourage the development of its particular character and its potential for growth;
- (f) To foster and control development of land within the Scheme Area;
- (g) Other matters authorised by the enabling Act.

REGION SCHEME AND BY-LAWS

6. The Scheme is complementary to and is not a substitute for the Metropolitan Region Scheme made pursuant to the Metropolitan Region Town Planning Scheme Act 1959 and the provisions of the Metropolitan Region Scheme as amended or re-enacted from time to time continue to have effect.

7. The provisions of the Scheme have effect notwithstanding any by-law for the time being in force in the Scheme Area and where the provisions of the Scheme are inconsistent with the provisions of any such by-law the provisions of the Scheme prevail.

RESPONSIBLE AUTHORITY

8. The responsible authority for enforcing the observance of the Scheme is the Council of the City of Perth (herein referred to as "the Council") save where land is shown on the Scheme Map as a "Metropolitan Region Scheme Reserve" in which case the responsible authority is the Metropolitan Region Planning Authority constituted pursuant to the Metropolitan Region Town Planning Scheme Act 1959 as amended and the provisions of the Metropolitan Region Scheme made pursuant to that Act apply to those reservations.

9. The Scheme Text is divided into the following Parts:

| | |
|-----------|---------------------------------------|
| Part I | Preliminary |
| Part II | Reserved Land |
| Part III | Zones |
| Part IV | Non-conforming Use of Land |
| Part V | Town Planning Approval |
| Part VI | Suburban Area |
| Part VII | Central Area |
| Part VIII | Car Parking |
| Part IX | General and Administrative Provisions |

INTERPRETATION

10. (1) In the Scheme unless the context otherwise requires:

"Act" means the Town Planning and Development Act, 1928 as amended or re-enacted;

"advertisement" means any word, letter, model, sign, placard, board, notice, device or representation, whether illuminated or not, in the nature of, and employed wholly or partly for the purpose of an advertisement, announcement or direction, and includes any hoarding or similar structure used, or adapted for use, for the display of advertisements;

"application for town planning approval" means an application for approval to commence development made pursuant to Part V of the Scheme;

"approved plan" means any plan forming part of an application for town planning approval which has been approved by the Council and which plan has been endorsed with the approval of the Council;

"Board" means the Town Planning Board constituted under the Act;

"car park" means land or a building used primarily for parking private cars or 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 building used for the display of cars for sale;

"caretaker's residence" means any building or part of a building used or provided for use as a residence by a person having the care of any building, plant or grounds on the same site as that building;

"civic building" means a building used by any:

- (a) Government department;
- (b) Statutory body representing the Crown;
or
- (c) the Council

for office or for administrative or other like purposes;

"club" means premises used for the purpose of club premises by an incorporated club or incorporated association or other body of persons united by a common interest (whether those premises be licensed under the provisions of the Liquor Act 1970 as amended or re-enacted or not) and which premises are not otherwise classified under the provisions of the Scheme;

"commercial hall" means premises used primarily for the purpose of:

- (a) hiring the same for use by others; or
- (b) in respect of the use of which an admission charge is made

and which premises are not otherwise classified under the provisions of the Scheme;

"development" has the same meaning as is given to it in and for the purposes of the Act;

"drive-in theatre" means an open air theatre that makes provision for the audience or spectators to view the entertainment while seated in motor vehicles;

"eating house" means any building or premises used primarily for the purpose of serving meals to the

public for gain or reward but does not include a fast food outlet;

"educational establishment" means a school, college, university, technical institute, kindergarten, academy or other educational centre, but does not include an institutional building;

"factory unit building" means an industrial building comprised of two or more production or storage areas used or designed for use in separate occupation;

"fast food outlet" means premises where food is prepared and sold:

(a) for consumption on the premises and to be taken away; or

(b) to be taken away

and the operation of which is likely to attract considerable vehicular traffic to those premises for short periods;

"fish shop" means a shop where the goods offered for sale are primarily wet fish, shell fish or fish fried on the premises for consumption elsewhere;

"frontage" means the boundary line or lines between land and the street or streets upon which that land abuts;

"fuel depot" means a depot for the storage or sale in bulk of solid or liquid gaseous fuel, but does not include a service station;

"funeral parlour" means any land or building occupied by an undertaker where bodies are stored and prepared for burial or cremation;

"gazettal date" means the date on which notice of the approval of the Minister to the Scheme was published in the Government Gazette;

"general industry" means any industry other than a light, hazardous or noxious industry;

"gross floor area" means the gross area of all the floors of a building measured so as to include the floor area taken up by the enclosing walls (if any) and by those portions of any party wall that belongs to that building;

"hazardous industry" means an industry which by reason of the processes involved, the method of manufacture or the nature of the materials used or produced requires isolation from other buildings;

"Health Act" means the Health Act 1911 as amended or re-enacted;

"height of a building" means the distance measured from the mean natural level of that part of the land on which the building is erected to the highest point of any part of the building;

"hospital" means any building or part thereof, whether permanent or otherwise, in which persons are received and lodged for medical or surgical treatment or care, and includes a maternity hospital or nursing home as defined in the Hospitals Act 1927 as amended or re-enacted but "hospital" does not include an institutional building;

"hotel" means premises in respect of which there is granted an hotel licence under the Liquor Act 1970 as amended or re-enacted;

"industry" means the carrying out of any process for or incidental to:

- (a) the making, altering, repairing or ornamentation, painting, finishing, cleaning, packing or canning or adapting for sale or the breaking up or demolition of any article or part of an article;
- (b) the winning, processing or treatment of minerals;
- (c) the generation of electricity or the production of gas;
- (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 paragraph (d), the preparation of food for sale on the premises of a shop;

"institutional building" means a building used wholly or principally for the purpose of:

- (a) (i) a hospital; or
 - (ii) a sanatorium for the treatment of infectious or contagious diseases;
- (b) a home or other institution for the care of State wards, orphans, or persons who are physically or mentally handicapped;
- (c) a penal or reformatory institution;
- (d) a hospital for the treatment or care of the mentally ill;
- (e) a residential building for the care and maintenance of children, the aged or the infirm;
- (f) a benevolent institution;

"land" includes land, tenements and hereditaments and any interest therein and also houses, buildings and other works and structures;

"landscaped area" means any area developed by the planting of lawns, garden beds, shrubs or trees and includes any area developed with rockeries, ornamental ponds, swimming pools, barbecue areas or children's playgrounds and includes any other area approved of by the Council as landscaped area.

"light industry" means an industry:

- (a) in which the processes carried on, the machinery used, and the carriage of goods and commodities 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; and

- (b) the establishment of which will not or the conduct of which does not impose an undue load on any existing or projected service for the supply or provision of water, gas, electricity, sewerage facilities, or any other like service;

"local shop" means a shop in which the only goods offered for sale are foodstuffs, toileteries, stationery or goods of a similar domestic nature intended for day to day consumption or use by persons living or working in the locality of the shop;

"lodging house" has the same meaning as is given to it in and for the purposes of the Health Act;

"lot" has the same meaning as is given to it in and for the purposes of the Act;

"Metropolitan Region Scheme" means the Metropolitan Region Scheme made (and as amended or re-enacted) pursuant to the Metropolitan Region Town Planning Scheme Act 1959 as amended or re-enacted;

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

"noxious industry" means an industry in which any of the processes involved constitutes an offensive trade within the meaning of the Health Act, but does not include fish shops or dry cleaning premises;

"office" means premises used for:

- (a) the conduct of the administration requirements or the secretarial or accounting services of a business or industry;
- (b) the practice of a profession; or
- (c) the provision of business services;

"open air display" means the use of land for the display or sale of goods or equipment in the open air;

"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 of 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;

"plot ratio" has the same meaning as is given to that term in the Uniform Building By-laws except that where any floor area in such a building is used or intended to be used for a public fee paying car park that part of the floor area set aside specifically for such car parking bays shall be included in the calculation of plot ratio;

"predominant use" is the use of land to which all other uses carried on on that land are subordinate, incidental or ancillary;

"private hotel" means a building used for the purpose of providing accommodation and board not being an hotel or lodging house;

"public assembly - place of" means any building or land set aside, used or intended for use by the public for the purpose of amusement, entertainment or recreation not being a building or land which is otherwise classified under the provisions of the Scheme;

"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 fee paying carpark" means any land or building or part of a building open to the public generally for the parking of vehicles on payment of a fee or charge;

"public utility" means any works or undertaking constructed or maintained by a public authority or municipality to provide water, sewerage, electricity, gas, drainage, communications or other similar services;

"public worship - place of" means any land or building 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;

"recreational facilities" means any land or building or part of a building used for:

- (a) public tennis courts;
- (b) public or private swimming pools;
- (c) squash courts or centres;
- (d) basketball centres;
- (e) gymnasias;
- (f) ice and roller skating rinks;
- (g) any other similar purpose; and
- (h) physical health studios

in respect of which a charge is made for the use thereof;

"research and development" means scientific and industrial research and the development, production and assembly of products associated with such research;

"serviced apartments" means buildings which include self-contained units used for transient accommodation;

"service station" means any land or building used for:

- (a) the supply of petroleum products and automotive accessories; or
- (b) those purposes and the provision of lubrication and greasing services, tyre repairs and minor mechanical repairs;

"shop" means any building wherein goods are offered for sale by retail, a receiving depot, a bank, a hairdresser's premises and an estate agency, but the word does not include a local shop, pet meat shop, pet shop, eating house, fast food outlet, fuel depot, a market, service station, milk depot, marine store, timber yard, vehicle sales premises, or any land or buildings used for any purpose coming within the definition of industry;

"showrooms" means a building or part of a building in which goods are displayed but in which the predominant use is not the sale of goods;

"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;

"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 boundary between that land and that new street alignment;

"tavern" means premises in respect of which there is granted a tavern licence under the Liquor Act 1970 as amended or re-enacted;

"Town Clerk" means the Town Clerk or Deputy Town Clerk of the Council;

"transport depot" means any land or building used:

(a) for the garaging of vehicles used or intended for use for the carriage of goods for hire or reward or

(b) for the transfer of goods from one such vehicle to another such vehicle

whether or not the land or building is also used for the maintenance and repair of the vehicles;

"Uniform Building By-laws" means the Uniform Building By-laws, 1974 published in the Government Gazette on the 25th August 1977, as amended from time to time or as re-enacted;

"vehicle sales premises" means any land or building used for the keeping or display for sale or hiring of new or second hand vehicles, other than bicycles, but does not include a workshop;

"veterinary clinic or surgery" means any premises used in the practice of his profession by a registered

veterinary surgeon other than for the purpose of the hospitalisation or boarding of animals;

"veterinary hospital" means any premises used in the practice of his profession by a registered veterinary surgeon which premises include provision for the hospitalisation or boarding of animals whilst receiving treatment;

"warehouse" means any building or enclosed land, or part of a building or enclosed land, used for the storage of goods whether or not commercial transactions involving the sale of such goods by wholesale are carried out in or on that building or land.

- (2) Where a word or term is defined in the Residential Planning Codes then notwithstanding anything else in the Scheme that word or term when used in respect of residential development has the meaning given to it in the Residential Planning Codes.

PART II - RESERVED LANDCITY OF PERTH RESERVES

11. Certain land within the Scheme Area is set aside as City of Perth Scheme Reserves and those Reserves are divided into:

- (a) Parks and Recreation Reserves;
- (b) Public Purpose Reserves.

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

REGION SCHEME RESERVES

12. The land shown on the Scheme Map and entitled "Metropolitan Region Scheme Reserves" is land reserved pursuant to the provisions of the Metropolitan Region Scheme and those Reserves are shown on the Scheme Map in order to comply with the provisions of the Metropolitan Region Town Planning Scheme Act 1959 as amended.

USE OF RESERVED LAND

13. Subject to Part IV of the Scheme, land within the Parks and Recreation Reserves may be used and buildings and works constructed or used for:

- (a) the purpose for which the land is reserved under the Scheme and, where such land is vested in a public authority or the Council, for any purpose for which the same may be lawfully used;

(b) any purpose approved of by the Council

but that land shall not be used for any other purpose.

14. Where public access to a Parks and Recreation Reserve is restricted the letter "R" is superimposed on the Reserve on the Scheme Map.

15. The purpose for which Public Purpose Reserves may be used are specified in a legend on the Scheme Map. The particular purpose for which a particular Public Purpose Reserve may be used is shown by superimposing the appropriate descriptive letters contained in the legend on the Reserve on the Scheme Map.

16. Land within a Public Purpose Reserve may be used and works and buildings constructed and used for the purpose or purposes shown on the Scheme Map in relation to that Reserve and not otherwise.

17. Subject to Part IV of the Scheme and except as otherwise herein provided, on land reserved under this Part a person shall not:

- (a) commence or carry out any development other than the erection of a boundary fence;
- (b) demolish, damage or alter any building or works or remove or damage any tree;
- (c) excavate, spoil or waste the land so as to destroy, damage or adversely affect its usefulness for the purpose for which it is reserved

without first applying for and obtaining the written approval of the Council.

DEVELOPMENT OF RESERVED LAND

18. Where an application for town planning approval is made with respect to land within a City of Perth Scheme Reserve, the Council shall have regard to the purpose for which it is ultimately proposed that the land be used and the Council shall, in the case of land reserved for the purposes of a public authority, confer with that authority before giving its approval.

19. Where an application for town planning approval is made with respect to land within a City of Perth Scheme Reserve, the Council may refuse approval or grant approval subject to such conditions as it deems fit.

20. (1) Where the Council refuses approval for the development of land reserved under the Scheme on the ground that the land is reserved for public purposes, or grants approval subject to conditions that are unacceptable to the applicant the owner of the land may, if the land is injuriously affected thereby, claim compensation for that injurious affection in accordance with the Act.

(2) Claims for compensation under this Clause shall be lodged at the offices of the Council not later than six months after the date of the decision of the Council refusing approval or granting approval subject to conditions that are unacceptable to the applicant.

(3) In lieu of paying compensation the Council may purchase the land affected by the decision of the Council at a price not exceeding the value of the land at the time of refusal of approval or of the granting of approval subject to conditions that are unacceptable to the applicant.

PART III - ZONESAPPLICATION TO THE SCHEME AREA

21. The Scheme Area is divided into the Central Area and the Suburban Area. The Central Area is comprised of that area of land contained within the line of heavy black dots on the Scheme Map and the Suburban Area is comprised of the remainder of the Scheme Area.

SUBURBAN AREA ZONES

22. (1) The Suburban Area is classified and divided into the following Zones:

| <u>Zone</u> | <u>Denoted on Scheme Map</u> |
|-----------------------------|------------------------------|
| (a) <u>Residential Zone</u> | |
| R Code Density R12.5 | R12.5 |
| R Code Density R20 | R20 |
| R Code Density R30 | R30 |
| R Code Density R40 | R40 |
| R Code Density R60 | R60 |
| R Code Density R80 | R80 |
| R Code Density R160 | R160 |

(b) Shopping Zones

Shopping S1 S1

Shopping S2 S2

(c) General Commercial Zones

General Commercial C1 C1

General Commercial C2 C2

General Commercial C3 C3

(d) Industrial Zones

Industrial Zone 1 I1

Industrial Zone 2 I2

(e) Special Use Zone

- (2) The Zones referred to in sub-clause (1) respectively comprise the areas which are delineated, distinctly coloured or identified by the above letters and numbers as such by the legend on the Scheme Map.

CENTRAL AREA ZONES

23. (1) The Central Area is classified and divided into the following Zones:

| <u>Zone</u> | <u>Denoted on Scheme Map</u> |
|---|------------------------------|
| (a) Residential Zone - R Code Density R160 | R160 |

| | |
|-----------------------------|----|
| (b) Shopping Zone | CS |
| (c) Office Zone | CO |
| (d) General Commercial Zone | CC |
| (e) Industrial Zone | CI |
| (f) Special Use Zone | |

- (2) The Zones referred to in sub-clause (1) respectively comprise the areas which are delineated, distinctly coloured or identified by the above letters and numbers as such by the legend on the Scheme Map.

ZONING TABLES

24. Subject to Part IV, Clauses 160 and 161 and any other provision of the Scheme relating to the use or other development of land, the various purposes for which land may be used in the Suburban Area are set out in the column of Table No. 1 entitled "Use Classes" and the various purposes for which land may be used in the Central Area are set out in the column of Table No. 2 entitled "Use Classes". Table No. 1 and Table No. 2 appear at the end of this Part. The various Zones created by the Scheme within the Suburban and Central Areas respectively are indicated at the head of each Table. Whether land in a particular Zone may be used or approved for use for a particular purpose shall be determined by reference to the symbol indicated alongside that "Use Class" in the column relating to the Zone in which that land is situated.

25. The symbols referred to in Clause 24 and used in Table No. 1 and Table No. 2 have the following meanings:

- (a) "P" means that the land may be used for the purpose indicated;

- (b) "X" means that the land shall not be used for the purpose indicated;
 - (c) "IP" means that the land shall not be used for the purpose indicated unless the Council decides that that use is incidental to the predominant use which is made or is to be made of that land;
 - (d) "AA" means that the land shall not be used for the purpose indicated unless the Council has first approved of that use;
 - (e) "SA" means that the land shall not be used for the purpose indicated unless the requirements of Clause 37 of the Scheme have been complied with and the Council has first approved of that use.
26. (1) If a use of land for a particular purpose is not mentioned in Table No. 1 or Table No. 2, land within the Scheme Area shall not be used for that purpose unless it is permitted by another provision of the Scheme or unless the requirements of Clause 37 of the Scheme have been first complied with and the Council has approved of that use.
- (2) Notwithstanding that the use of land within the Central Area is indicated by the symbol "X" in Table No. 2, the Council may, with the prior written authority of the Minister and subject to the requirements of Clause 37 of the Scheme having been first complied with, approve of the use of the land for that purpose if the Council is satisfied by an absolute majority that:
- (a) the proposed development will be consistent with the orderly and proper planning of the locality and the preservation of the amenities of the locality; and

- (b) the use of the land for that purpose will not have any adverse effect upon the occupiers or users of the development or upon property in or the inhabitants of the locality or the likely future development of the locality.

SPECIAL USE ZONE

27. Subject to Part IV, Clauses 160 and 161 and any other provision of the Scheme relating to the use or other development of the land, land within the Special Use Zone may be used :

- (a) where a purpose or purposes are specified on the Scheme Map in relation to that land, for that purpose or any one or more of those purposes and for purposes incidental thereto but for no other purpose;
- (b) where the land comprises a Special Precinct within that Zone and no purpose is specified on the Scheme Map in relation to that Precinct, for the purposes prescribed in Division 2 of Part VI or Division 2 of Part VII of the Scheme as the case may be with respect to that Precinct but for no other purpose.

TABLE NO. 1

SUBURBAN AREA USE CLASSES

| USE CLASSES | ZONES | | | | | | | | |
|--|---------------------------------------|----------------------------------|--|--|--------------------|--------------------------------------|-------------|-------------|-------------|
| | RESIDENTIAL PLANNING CODE R12.5 | RESIDENTIAL PLANNING CODE R20 | RESIDENTIAL PLANNING CODES R30 AND R40 | RESIDENTIAL PLANNING CODES R60, R80 AND R160 | SHOPPING S1 AND S2 | GENERAL COMMERCIAL C1, C2, AND C3 | INDUSTRY I1 | INDUSTRY I2 | SPECIAL USE |
| Single house, caretaker's residence | P | P | P | P | IP | AA | IP | IP | |
| Aged or dependent persons dwellings | X | AA | P | P | X | AA | X | X | |
| Attached house, grouped dwelling | X | P (i) | P | P | X | AA | X | X | |
| Multiple dwelling | X | X | X | P/X (iii) | X | AA | X | X | |
| Lodging house, hotel, motel, club, tavern, private hotel, serviced apartment | X | X | X | SA | SA | SA | SA | SA | |
| Hospital, institutional building | SA | SA | SA | SA | X | AA | AA | AA | |
| Local shop | SA | SA | SA | SA | P | AA | AA | AA | |
| Shop | X | X | X | X | P | AA | AA | AA | |
| Fish shop, pet meat shop, pet shop | X | X | X | X | AA | AA | AA | AA | |
| Eating house | X | X | X | SA | P | P | AA | AA | |
| Day nursery | SA | SA | SA | SA | IP | AA | AA | AA | |
| Recreational facilities | AA | AA | AA | AA | AA | AA | AA | AA | |

REFER TO CLAUSE 27

Footnotes:

- (i) Refer to Clause 52 (b) (Residential Zone - R-Code Density R20)
(ii) Refer to Clause 65 (Salvado Road Residential/Office Precinct)
(iii) Refer to Clause 62 (Brisbane-Lake Street Precinct - No Multiple Units)
(iv) Refer to Clause 77 (Upper floors)

TABLE NO. 1 (Continued)

SUBURBAN AREA USE CLASSES

| USE CLASSES | ZONES | | | | | | | | |
|--|---------------------------------------|----------------------------------|--|--|--------------------|--------------------------------------|-------------|-------------|--------------------|
| | RESIDENTIAL PLANNING CODE R12.5 | RESIDENTIAL PLANNING CODE R20 | RESIDENTIAL PLANNING CODES R30 AND R40 | RESIDENTIAL PLANNING CODES R60, R80 AND R160 | SHOPPING S1 AND S2 | GENERAL COMMERCIAL C1, C2, AND C3 | INDUSTRY I1 | INDUSTRY I2 | SPECIAL USE |
| Educational establishment | AA | AA | AA | AA | X | AA | AA | AA | REFER TO CLAUSE 27 |
| Public worship - place of | AA | AA | AA | AA | AA | AA | AA | AA | |
| Civic building | AA | AA | AA | AA | AA | P | AA | AA | |
| Theatre, cinema, commercial hall | X | X | X | X | AA | P | AA | AA | |
| Office building | X | X | X/P (ii) | X | IP (iv) | P | IP | IP | |
| Light industry | X | X | X | X | X | AA | P | P | |
| General industry | X | X | X | X | X | X | AA | P | |
| Hazardous or noxious industry | X | X | X | X | X | X | X | X | |
| Warehouse, showrooms | X | X | X | X | AA | P | P | P | |
| Public utilities | AA | AA | AA | AA | AA | AA | AA | AA | |
| Amusement centre, camping ground, car park, caravan park, cemetery, crematorium, drive-in theatre, drive-in fast food outlet, funeral parlour, fuel depot, open air display, open air storage yard, service station, transport depot, vehicle sales premises, veterinary clinic, veterinary hospital | X | X | X | X | AA | AA | AA | AA | |

Footnotes:

- (i) Refer to Clause 52 (b) (Residential Zone - R-Code Density R20)
(ii) Refer to Clause 65 (Salvado Road Residential/Office Precinct)
(iii) Refer to Clause 62 (Brisbane-Lake Street Precinct -
No Multiple Units)
(iv) Refer to Clause 77 (Upper floors)

TABLE NO. 2

CENTRAL AREA USE CLASSES

| USE CLASSES | ZONES | | | | | |
|--|-----------------------------------|-------------|-------------|-----------------------|-------------|--------------------|
| | RESIDENTIAL PLANNING CODE R160 | SHOPPING CS | OFFICES CO | GENERAL COMMERCIAL CC | INDUSTRY CI | SPECIAL USE |
| Single house, caretaker's residence | P | IP | AA/P (i) | AA | IP | REFER TO CLAUSE 27 |
| Aged or dependent persons dwellings | P | X | AA | AA | X | |
| Attached house, grouped dwelling | P | X | AA/P (i) | AA | X | |
| Multiple dwelling | P | AA | AA/P (i) | AA | AA | |
| Lodging house, hotel, motel, club, tavern, private hotel, serviced apartment | AA | AA | AA | AA | AA | |
| Hospital, institutional building | AA | X | AA | AA | AA | |
| Local shop | AA | P | AA | AA | AA | |
| Shop | X | P | AA | AA | AA | |
| Fish shop, pet meat shop, pet shop | X | AA | X | AA | AA | |
| Eating house | AA | P | IP | P | AA | |
| Day nursery | AA | AA | P | P | AA | |
| Recreational facilities | AA | AA | AA | AA | AA | |

(i) Refer to Clause 107

(Bronte Street Residential/Office Precinct)

TABLE NO. 2 (Continued)

CENTRAL AREA USE CLASSES

| USE CLASSES | ZONES | | | | | |
|--|--------------------------------------|-------------|------------|--------------------------|-------------|--------------------|
| | RESIDENTIAL PLANNING CODE R160 | SHOPPING CS | OFFICES CO | GENERAL COMMERCIAL CC | INDUSTRY CI | SPECIAL USE |
| Educational establishment | AA | AA | AA | AA | AA | REFER TO CLAUSE 27 |
| Public worship - place of | AA | AA | AA | AA | AA | |
| Civic building | AA | AA | AA | P | AA | |
| Theatre, cinema, commercial hall | AA | AA | AA | P | AA | |
| Office building | X/P (i) | AA | P | P | IP | |
| Light industry | X | AA | X | AA | P | |
| General industry | X | X | X | X | AA | |
| Hazardous or noxious industry | X | X | X | X | X | |
| Warehouse, showrooms | X | AA | AA | P | P | |
| Public utilities | AA | AA | AA | AA | AA | |
| Amusement centre, camping ground, car park, caravan park, cemetery, crematorium, drive-in theatre, drive-in fast food outlet, funeral parlour, fuel depot, open air display, open air storage yard, service station, transport depot, vehicle sales premises, veterinary clinic, veterinary hospital | X | AA | AA | AA | AA | |

(i) Refer to Clause 107 (Bronte Street Residential/Office Precinct)

PART IV - NON-CONFORMING USE OF LANDDEFINITION

28. If at the gazettal date any land or building is being lawfully used for a purpose which is not in conformity with any provision of the Scheme which deals with a matter specified in Clause 10 of the First Schedule to the Act it shall be lawful, subject to this Part and to any statute or by-law, to continue to use that land or building for that purpose and that use is herein called "a non-conforming use".

CURRENT PERMITS

29. No provision of the Scheme shall prevent the carrying out of any development on land in respect of which development at the gazettal date all necessary permits or licences required under the Act or any other law, authorising the development have been duly obtained and are current.

RESTRICTIONS

30. (1) A non-conforming use shall not be extended beyond the boundaries of the lot or lots on which the non-conforming use was in fact being carried on at the gazettal date.
- (2) If, at the gazettal date, a non-conforming use was being carried on in a building or buildings, the building or buildings shall not be extended in connection with or in furtherance of that use beyond the boundaries of the lot or the lots on which the building or buildings stand.

- (3) In any Zone other than the Residential Zone, a person shall not erect, alter or extend a building in connection with or in furtherance of a non-conforming use otherwise than in conformity with the prescribed set back, plot ratio and other standards and requirements prescribed by the Scheme with respect to that Zone.
- (4) In the Residential Zone a person shall not erect, alter or extend a building in connection with or in furtherance of a non-conforming use:
 - (a) if the plot ratio of that building would exceed the maximum plot ratio prescribed for any residential building in that Zone; and
 - (b) unless the building is set back such distance from the boundaries of the lot on which it stands or is to be erected as the Council requires as a condition of approval of the application for town planning approval relating to the building, but that distance shall not be less than the minimum set back distance prescribed for any residential building in that Zone.
- (5) Where a building is erected, altered or extended in connection with or in furtherance of a non-conforming use, car parking spaces shall be provided, designed, constructed and maintained in accordance with the provisions of Part VIII of the Scheme and the approved plan relating thereto.

CHANGE OF USE

31. The Council may at its discretion permit land in respect of which a non-conforming use exists or is authorised under Clause 28 or Clause 29 to be used for some other

purpose which is not permitted under the Scheme if the proposed use for that purpose is, in the opinion of the Council:

- (a) less detrimental to the amenities of the neighbourhood than the non-conforming use; or
- (b) closer to the type of use which is permitted or which may be approved of by the Council in the Zone in which the land is located.

CESSATION

32. Notwithstanding the foregoing provisions of this Part, when a non-conforming use or a use approved of by the Council under Clause 31 has ceased for a period of twelve consecutive months the land and any building thereon shall not thereafter be used otherwise than in conformity with the Scheme.

DISCONTINUANCE

33. The Council may effect the discontinuance of a non-conforming use by acquiring the land and any building on or in which such use is carried on and may make agreements with the owner and occupier thereof with respect to the payment of compensation or other moneys for such acquisition.

PART V - TOWN PLANNING APPROVALTOWN PLANNING APPLICATION

34. (1) Subject to sub-clause (2) of this Clause, a person shall not commence development of any land in the Scheme Area (other than land reserved pursuant to the Metropolitan Region Scheme) without first having applied for and obtained the town planning approval of the Council under the Scheme.
- (2) Subject to Clause 46, town planning approval of the Council shall not be required for the following development of land:
- (a) a single house;
 - (b) not more than two attached houses or two grouped dwellings;
 - (c) works for the maintenance, improvement or other alteration of any building or structure where those works affect only the interior of the building or structure or where those works do not materially affect the external appearance of the building or structure;
 - (d) works carried out by the Council or the Commissioner for Main Roads in connection with the maintenance or improvement of a road where those works take place within the boundaries of the road;
 - (e) works carried out by the Council or a public authority in connection with the inspection,

repair or renewal of any sewer, main, pipe, cable or other apparatus including works involving the breaking open of any road or other land for that purpose.

(3) Every application for town planning approval shall be made in the form prescribed by the Metropolitan Region Scheme for applications for approval to commence development of land zoned under Part III of that Scheme accompanied by such plans and other information as is required by the Scheme.

(4) Where, under the provisions of the Metropolitan Region Scheme:

(a) approval of the responsible authority is required for the development of land zoned under Part III of that Scheme; and

(b) the Council does not have power, under the Metropolitan Region Town Planning Scheme Act 1959 as amended or re-enacted, to determine under that Scheme an application for approval to commence and carry out development

the Council shall retain a copy of the applicant's form of application to enable the Council to determine the application for town planning approval under the Scheme.

(5) Every application for town planning approval shall be accompanied by:

(a) the form prescribed in the First Schedule to the Scheme duly completed by the applicant;

(b) a location plan to a scale of at least 1:5000 upon which the land the subject of the

- application is clearly identified;
- (c) a plan or plans to a scale of at least 1:500 showing:
- (i) the location and proposed use of any existing buildings to be retained and the location and use of buildings proposed to be erected on the land;
 - (ii) the existing and the proposed means of access for pedestrians and vehicles to and from the land;
 - (iii) the location, number, dimensions and layout of all car parking spaces intended to be provided;
 - (iv) the location and dimensions of any area proposed to be provided for the loading and unloading of vehicles carrying goods or commodities to and from the land and the means of access to and from those areas;
 - (v) the location, dimensions and design of any landscaped area and particulars of the manner in which it is proposed to develop the same;
- (d) plans, elevations and sections of any building proposed to be erected or altered and of any building it is intended to retain;
- (e) any other plan or information required to be provided pursuant to the Scheme or that the Council may require to enable the application to be determined.

35. An application for town planning approval shall be signed by the owner of the land or an agent authorised in writing for that purpose by the owner of the land the subject of the application.

DEEMED REFUSAL

36. (1) Subject to sub-clause (2) of this Clause an application for town planning approval in respect of any development shall be deemed to have been refused where an approval is not conveyed to the applicant by the Council within 60 days of the receipt of the application or within such further time as may be agreed in writing between the applicant and the Council within that period of 60 days.

(2) An application for town planning approval in respect of any building, object and place contained in the Fifth Schedule to the Scheme or in respect of any building, object or place which is the subject of a resolution under Clause 46(1) shall be deemed to have been refused where an approval is not conveyed to the applicant by the Council within 120 days of the receipt of the application or within such further time as may be agreed in writing between the applicant and the Council within that period of 120 days.

SPECIAL APPLICATION PLANNING PROCEDURE

37. Where an application for town planning approval involves the use of land for a purpose in a Zone in which use for that purpose is designated "SA" in Table No. 1 or in Table No. 2 the Council shall not approve of the application unless:

(a) the applicant has given notice of the development proposed to be carried out by:

- (i) advertising particulars thereof in a newspaper circulating, at least weekly, in the area in which the land is located at least once a week for three consecutive weeks after the application has been lodged with the Council;
 - (ii) placing a notice or such number of notices as the Town Clerk determines specifying particulars of the proposed development and the purpose for which the land is to be used in a prominent position or positions on the land so that the notice or notices are visible and readable from every street to which the land has a frontage;
- (b) the advertisement referred to in sub-paragraph (a) (i) of this Clause is in the form prescribed in the Second Schedule to the Scheme;
 - (c) the notice referred to in sub-paragraph (a) (ii) of this Clause is in the form prescribed in the Third Schedule to the Scheme and its content, type and size of print have been first submitted to and approved by the Town Clerk;
 - (d) the notice or notices referred to in sub-paragraph (a) (ii) of this Clause have been exhibited on the land in accordance with the provisions of that subparagraph for a period of not less than seven days during the period that particulars of the application are being advertised in the newspaper pursuant to sub-paragraph (a) (i) of this Clause;
 - (e) copies of the advertisement referred to in sub-paragraph (a) (i) of this Clause have been served by registered post on such owners and occupiers of land in the vicinity of the land the subject of the application as the Town Clerk nominates;

- (f) the applicant satisfies the Council that the requirements of this Clause have been complied with.

FORM OF APPROVAL/REFUSAL OF APPLICATION

38. (1) The Council shall issue its decision in respect of an application for town planning approval in the form prescribed in the Fourth Schedule to the Scheme.
- (2) Where the Council refuses to approve an application for town planning approval or approves an application subject to conditions, the Council shall advise the applicant in writing of the Council's decision giving the reasons for the refusal or the imposition of the conditions, as the case may be.

DETERMINATION OF APPLICATION GENERALLY

39. In determining an application for town planning approval the Council may consult with any authority which, in the circumstances, the Council thinks appropriate.
40. (1) The Council, having regard to any matter which it is required by the Scheme to consider, to the purpose for which the land is zoned or approved for use under the Scheme, to the purpose for which land in the locality is used, zoned or may be approved for use under the Scheme, to the orderly and proper planning of the locality and the preservation of the amenities of the locality, may refuse to approve any application for town planning approval or may grant its approval unconditionally or subject to such conditions as it may deem fit.

- (2) Where the Council approves an application for town planning approval that approval:
- (a) is valid for twenty four months after the date upon which the application is approved and
 - (b) lapses if the development has not been substantially commenced before the expiration of that period.
- (3) Nothing in the Scheme which:
- (a) requires or enables the Council to take any particular step;
 - (b) requires or enables the Council to consider or take into account any particular matter or thing with respect to an application for town planning approval;
 - (c) empowers the Council to refuse an application for town planning approval on particular grounds or to approve the same subject to the imposition of conditions relating to any particular matter or thing

shall in any way affect, prejudice or restrict the generality of the provisions of sub-clause (1) of this Clause.

PARTICULAR MATTERS

41. (1) Where an application is made for town planning approval and the Council considers that the continued use of any land or building for the purpose proposed would be contrary to the orderly and proper planning of the locality or would be

likely to adversely affect the amenities of that locality, the Council may approve of the application but shall limit the period during which the land or building may be used for the purpose.

- (2) Where the Council in accordance with this Clause limits the time during which any land or building may be used for a purpose, a person shall not use that land or building for that purpose after the expiration of that time.

42. If the Council considers that inadequate provision has been made in an application for town planning approval for areas for the loading or unloading of vehicles carrying goods or commodities to or from premises the subject of the application or for access to or from those areas, the Council may refuse the application or approve it subject to such conditions with respect to the provision of such areas or such access as the Council deems fit.

43. Where, by reason of the failure to provide for any or any adequate landscaped area, the Council considers that a development the subject of an application for town planning approval could adversely affect the amenities or environment of the locality or the proposed development, the Council may refuse the application or approve it subject to such conditions with respect to the provision of landscaped areas as the Council deems fit.

44. The Council may refuse an application for town planning approval if it considers that the visual amenity of the locality will be adversely affected by the development the subject of the application or may approve the application subject to such provision being made to screen the development or part thereof from view as the Council deems fit.

45. Where, in the opinion of the Council, a development the subject of an application for town planning approval:

- (a) does not make adequate provision for pedestrian movement or
- (b) could result in the congestion of vehicles in any street, right-of-way or within the development itself or
- (c) could adversely affect or fails to take sufficient advantage of the existing or any proposed public transport system

the Council may refuse the application or approve the same subject to such conditions as the Council deems fit.

PRESERVATION OF BUILDINGS, OBJECTS OR PLACES

46. (1) If the Council resolves that, in its opinion, a building, object or place is of historical or architectural interest or of outstanding natural beauty then, within fourteen days after the passing of that resolution, the Council shall give written notice thereof to the owner of the building, object or place. The notice shall set out the terms of this Clause, and require the owner to give written notice to the Council of any material alteration or modification proposed to be made to the building, object or place.
- (2) No alteration or modification to any building, object or place which is the subject of a resolution under sub-clause (1) of this Clause or to a building, object or place listed in the Fifth Schedule to the Scheme shall be commenced or carried out, by any person, without having obtained town planning approval.
- (3) Where a development the subject of an application for town planning approval involves a material

alteration to, a material modification of, or the destruction (total or partial) of any building, object or place the subject of a resolution under sub-clause (1) of this Clause or to or of a building, object or place listed in the Fifth Schedule to the Scheme, the Council, having regard to the desirability of retaining that building, object or place, may refuse the application or approve of it subject to such conditions as the Council deems necessary to protect or preserve the building, object or place.

- (4) A list of buildings, objects or places which, at the gazettal date, the Council considers to be of historical or architectural interest is contained in the Fifth Schedule to the Scheme. The buildings, objects and places so listed are not necessarily the only buildings, objects and places of historical or architectural interest and the inclusion of this list in the Scheme neither imposes any obligation on the Council to protect or preserve those buildings, objects and places nor restricts the Council from protecting or preserving other buildings, objects and places pursuant to this Clause. As soon as practicable after the gazettal date the Council shall give written notice to the owner of every building, object and place listed and that notice shall comply with the requirements laid down for a notice under sub-clause (1) of this Clause.
- (5) Where the Council refuses approval for the development of land on any ground set out in sub-clause (3) of this Clause or grants approval subject to conditions that are unacceptable to the applicant the owner of the land may, if the land is injuriously affected thereby, claim compensation for that injurious affection in accordance with the Act.

- (6) Claims for compensation under this Clause shall be lodged at the offices of the Council not later than six months after the date of the decision of the Council refusing approval or granting approval subject to conditions that are unacceptable to the applicant.
- (7) In lieu of paying compensation the Council may purchase the land affected by the decision of the Council at a price not exceeding the value of the land at the time of refusal of approval or of the granting of approval subject to conditions that are unacceptable to the applicant.

CONDITIONAL APPROVALS

47. If the Council approves of an application for town planning approval subject to conditions the development the subject of that application shall not be commenced or carried out and the land shall not be used for any purpose otherwise than in accordance with those conditions.

APPLICATION OF SCHEME PROVISIONS

48. (1) If a development the subject of a town planning application or the subject of an application for a building licence under the Local Government Act 1960 as amended or re-enacted does not comply with a standard or requirement prescribed by the Scheme with respect to that development, subject to sub-clause (4) of this Clause the Council may, notwithstanding that non-compliance, approve the application unconditionally or subject to such conditions as the Council deems fit, if the Council is satisfied by an absolute majority, that:

- (a) if approval were granted the development would be consistent with the orderly and proper planning of the locality and the preservation of the amenities of the locality; and
 - (b) the non-compliance will not have any adverse effect upon the occupiers or users of the development or the property in or on the inhabitants of the locality or the likely future development of the locality.
- (2) Before exercising the power conferred by sub-clause (1) of this Clause the Council may consult the owners of the land in the vicinity of the land which is the subject of the application.
- (3) Nothing in the Scheme which :
- (a) requires or enables the Council to consider or take into account any particular matter or thing in relation to any non-compliance with a standard or requirement prescribed by the Scheme;
 - (b) empowers the Council to grant an application for town planning approval notwithstanding any such non-compliance
- shall in any way affect, prejudice or restrict the generality of the provisions of sub-clause (1) of this Clause or relieve the Council from compliance with that sub-clause.
- (4) Nothing in this Clause empowers the Council to grant town planning approval or a building licence for:

- (a) any residential development the density of which would exceed a rate of 160 dwellings per hectare;
- (b) any building in the Joel Terrace Precinct which would exceed the maximum height prescribed by Clause 63(2)(a).

PART VI - SUBURBAN AREA
DIVISION I - RESIDENTIAL ZONE (SUBURBAN AREA)

APPLICATION

49. This Division applies to the Residential Zone in the Suburban Area.

AIMS AND OBJECTIVES

50. (1) The pattern of allocation of the R Code Densities throughout the Suburban Area is designed to provide for the development of the Suburban Area in such a way as will:
- (a) provide sufficient land in appropriate locations for residential development to meet the needs of the Suburban Area's anticipated population without unduly restricting the choice of sites;
 - (b) promote and safeguard health, safety, convenience, the general welfare and the amenities of residential areas and their inhabitants.
- (2) In considering an application for town planning approval for development in the Zones to which this Part applies the Council, in addition to any other matter it is required or permitted to consider, shall have regard to the following objectives:
- (a) the provision of a wide range of different types of residential accommodation to meet the diverse needs of the community;

- (b) the protection of residential areas from any inter-action between different intensities of uses or incompatible uses, which could be objectionable or detrimental to the amenities of any neighbourhood;
- (c) the protection of the privacy of indoor and outdoor living spaces of dwellings;
- (d) the protection of residential areas from disproportionate or excessive development by regulating the density of dwellings;
- (e) allowance for the possible location within residential areas of those civic, cultural, community, educational, religious, recreational and health facilities which serve and which are compatible with residential development;
- (f) allowance for the possible provision of local shopping facilities within residential areas;
- (g) the encouragement of new concepts of residential design, including the development of new types of housing and comprehensive development projects;
- (h) the promotion and maintenance of the most desirable use of land;
- (i) the prohibition on residential land of activities which would prejudice the objectives of the Scheme;
- (j) to facilitate the redevelopment of small lots;
- (k) the provision of off-street parking.

RESIDENTIAL DEVELOPMENT - RESIDENTIAL PLANNING CODES

51. (1) For the purposes of the Scheme "Residential Planning Codes" means the residential planning codes set out in Appendix 2 to the Statement of Planning Policy No. 1 prepared under Section 5AA of the Act and published in the Government Gazette dated the 30th day of January 1985 as from time to time duly amended or any subsequent statement by which it is revoked as mentioned in Section 5AA (6) of the Act. The Residential Planning Codes shall be read as part of the Scheme.
- (2) A copy of the Residential Planning Codes shall be kept and made available for public inspection at the offices of the Council.
- (3) Unless otherwise provided for in the Scheme the development of land for any of the residential purposes dealt with by the Residential Planning Codes shall conform to the provisions of those Codes.
- (4) The R Code Density applicable to land within the Residential Zone shall be determined by reference to the R Code Density numbers superimposed on the areas within that Zone shown on the Scheme Map as being contained within the outer edges of the black borders or, where such an area abuts on another area having an R Code Density, as being contained within the centre lines of those borders.

RESIDENTIAL PLANNING CODES - VARIATIONS

52. The following provisions of this Scheme constitute variations to the provisions of the Residential Planning Codes with respect to the residential purposes dealt with by those Codes:

Residential Zone - R Code Density R12.5

- (a) The use of land in the Residential Zone having an R Code Density of R12.5 for the purpose of an attached house or a grouped dwelling is designated "X" in Table No. 1.

Residential Zone - R Code Density R20

- (b) Notwithstanding any provision of the Residential Planning Codes and Table No. 1 to the contrary, land within the Residential Zone having an R Code Density of R20 shall not be used for the purpose of more than two attached houses or two grouped dwellings.

Crawley Precinct

- (c) Sub-clause (2) of Clause 61.

Brisbane - Lake Street Precinct

- (d) Sub-clause (2) of Clause 62.

Joel Terrace Precinct

- (e) Sub-clause (2) of Clause 63.

Carlisle Precinct

- (f) Sub-clause (2) of Clause 64.

Mount Street - Mount's Bay Road Precinct

- (g) Sub-clauses (2), (3) and (4) of Clause 66.

NON-RESIDENTIAL DEVELOPMENT

53. (1) Where land is developed for a non-residential purpose, 25% of the area of that land shall be

developed and maintained as landscaped area in accordance with the Scheme and the approved plan.

- (2) A landscaped area provided pursuant to this Clause shall include the areas of land between any street alignment and any building on the land but this sub-clause does not require more than 25% of the area of the land to be landscaped.
- (3) Where car parking areas or access driveways are landscaped in accordance with the Residential Planning Codes that landscaping (to a maximum of 10% of the area required to be provided as landscaped area) shall be included in the calculation of the landscaped area to be provided.
- (4) Where land is developed for non-residential purposes but a building on the land incorporates more than one dwelling, the area of the land to be developed and maintained as landscaped area is 50% but otherwise the provisions of this Clause apply.
- (5) A non-residential building on land within the Residential Zone:
 - (a) shall not have a plot ratio exceeding the maximum plot ratio prescribed with respect to a residential building on that land; and
 - (b) shall be set back such distance from the boundaries of the lot on which it is to be erected as the Council requires as a condition of approval of the application for town planning approval relating to the building, but that distance shall not be less than the minimum set back distance prescribed for any residential building on that land.

SERVICED APARTMENTS

54. (1) Where land within the Suburban Area having an R Code Density of R60, R80 or R160 is developed for the purpose of serviced apartments that development shall conform with the standards and requirements applicable to multiple dwellings on that land.
- (2) Notwithstanding any provision of the Scheme to the contrary, the Council may approve the development of land within the Suburban Area for the purpose of serviced apartments where not less than 25% of the area of that land is to be developed and maintained as landscaped area if the Council is satisfied that the proposed development will not have a detrimental effect on the amenities of adjoining owners and the surrounding locality.

LOCAL SHOP

55. An advertisement shall not be erected, placed or maintained on land on which a local shop is erected other than:

- (a) on a street awning or verandah attached to that shop or on the facade of the building below the level of such an awning or verandah; or
- (b) on the facade of the building (where the shop does not have a street awning or verandah) but not more than 3 metres above the ground immediately below the advertisement.
56. (1) One dwelling may be incorporated in or attached to a local shop if the building as a whole is so designed that if the premises cease to be used for the purpose of a local shop the whole of the premises could be used for residential purposes in

accordance with the standards and requirements prescribed by the Scheme for that purpose on the land in which the premises are located.

- (2) The gross floor area of any local shop including the floor area of all storage space shall not exceed 140 square metres.

57. A local shop shall have such number of car parking spaces as the Council considers necessary to prevent the obstruction of traffic on adjoining streets or roads and to provide adequate parking for customers but in no case shall less than three car parking spaces be provided and maintained.

NEW CONCEPTS

58. (1) Notwithstanding any provision of the Scheme to the contrary, where an application is made for town planning approval of a residential development within the Suburban Area, the type or nature of which is not otherwise provided for by the Scheme, whether by reason of the combination of different types of housing or otherwise, the Council may approve of that application if :
 - (a) the provisions of the Residential Planning Codes which apply to the Zone in which the land is located and which relate to the maximum number of dwellings per hectare and the maximum plot ratio would not be exceeded;
 - (b) the Council is satisfied that having regard to the nature of the proposed development and development in the locality, open space sufficient to preserve the amenities of the development itself and the locality will be

provided and the environment of the locality will be preserved or improved; and

- (c) sufficient car parking spaces and areas for loading and unloading vehicles carrying goods or commodities to or from the proposed development, together with adequate access to and from the development will be provided.
- (2) Before exercising the power conferred by sub-clause (1), Council may confer with the owners of property in the vicinity of the land which is the subject of the application for town planning approval.

DIVISION 2 - SPECIAL PRECINCTS (SUBURBAN AREA)SPECIAL PRECINCTS - GENERAL

59. The areas on the Scheme Map delineated by a black dashed line and named respectively Crawley Precinct, Brisbane - Lake Street Precinct, Joel Terrace Precinct, Carlisle Precinct, Salvado Road Residential/Office Precinct, Mount Street - Mount's Bay Road Precinct, Technology Park Precinct and Old Brewery Site Redevelopment Precinct are Special Precincts within their respective Zones.

DEVELOPMENT STANDARDS AND REQUIREMENTS

60. (1) The provisions of the Scheme applicable to development in the Zone in which a Special Precinct is located apply to development in that Precinct, except to the extent that any of those provisions is varied in this Division.
- (2) Notwithstanding the provisions of the Residential Planning Codes, the provisions of this Division shall apply to residential development within the Special Precincts.

CRAWLEY PRECINCT

61. (1) In considering an application for town planning approval in the Crawley Precinct the Council, in addition to any other aim or objective of the Scheme and to any other matter it is required or permitted to consider, shall have regard to the following objectives:

- (a) the retention of reasonable levels of vehicular traffic movement and of street car parking in the Precinct;
 - (b) the encouragement of development of spacious, high quality dwellings while maintaining a low population density appropriate to the area.
- (2) In this Precinct:
- (a) a building shall not have a plot ratio exceeding 1.0;
 - (b) each dwelling shall be provided with two covered car parking spaces and an additional car parking space for visitor parking;
 - (c) the car parking space for visitor parking may be included in the calculation of the landscaped area if that area is developed and maintained in accordance with the approved plan;
 - (d) a building shall not exceed a height of 39 metres;
 - (e) the set back distance from all boundaries other than street boundaries at each storey of a building shall be that prescribed with respect to the top storey of the building.

BRISBANE - LAKE STREET PRECINCT

62. (1) In considering an application for town planning approval in the Brisbane - Lake Street Precinct the Council, in addition to any other aim or objective of the Scheme and to any other matter it

is required or permitted to consider, shall have regard to the following objectives:

- (a) maintaining the pleasant residential character of and the low scale of development in the Precinct;
 - (b) the retention in the Precinct of reasonable levels of:
 - (i) vehicular traffic movement; and
 - (ii) street car parking.
- (2) Subject to Part IV of the Scheme, in this Precinct land shall not be used for the purpose of multiple dwellings.

JOEL TERRACE PRECINCT

63. (1) In considering an application for town planning approval in the Joel Terrace Precinct the Council, in addition to any other aim or objective of the Scheme and to any other matter it is required or permitted to consider, shall have regard to the following objectives:
- (a) the encouragement of development which takes advantage of the geographical position of the Precinct;
 - (b) the preservation of the amenity and existing character of the Precinct by ensuring that new development is low in scale;
 - (c) the retention of reasonable levels of vehicular traffic movement and of street car parking in the Precinct.

- (2) In this Precinct :
- (a) a building shall not exceed a height of 6.1 metres above the highest point of Joel Terrace adjacent to the site of the building;
 - (b) at least two car parking spaces including one covered space shall be provided for each dwelling.

CARLISLE PRECINCT

64. (1) In considering an application for town planning approval in the Carlisle Precinct the Council, in addition to any other aim or objective of the Scheme and to any other matter it is required or permitted to consider, shall have regard to the need to facilitate the implementation of the provisions of the City of Perth (Carlisle) Town Planning Scheme No. 3.
- (2) In this Precinct, the minimum land area for each attached house or grouped dwelling is 371 square metres.

SALVADO ROAD RESIDENTIAL/OFFICE PRECINCT

65. (1) In considering an application for town planning approval in the Salvado Road Residential/Office Precinct the Council, in addition to any other aim or objective of the Scheme and to any other matter it is required or permitted to consider, shall have regard to the following objectives:
- (a) the encouragement of an area of mixed residential and office development as a transition between adjoining industrial and residential development;

- (b) the protection of the amenity of existing and future residential development in and around the Precinct.
- (2) In this Precinct land may be used for both residential and office purposes as a combined development if:
- (a) the plot ratio of any building or part thereof used for office purposes does not exceed 33% of the maximum allowable plot ratio of 0.5;
 - (b) the front setback distance from Salvado Road is not less than 4.5 metres;
 - (c) that part of the proposed development which is to be used for office purposes is oriented to Salvado Road;
 - (d) car parking spaces for office development are provided in accordance with Part VIII of the Scheme;
 - (e) the Council is satisfied that the landscaped area to be provided is substantially related to the residential use to be made of the land;
 - (f) the Council is satisfied that the residential use of the land will not be unduly affected by the use to be made of the land for office purposes.

MOUNT STREET - MOUNT'S BAY ROAD PRECINCT

66. (1) In considering an application for town planning approval in the Mount Street - Mount's Bay Road

Precinct the Council, in addition to any other aim or objective or any other matter it is required or permitted to consider, shall have regard to the need to maintain the high standard of landscaping in the Precinct.

- (2) In this Precinct 50% of the site on which a building is constructed shall be designed, developed and maintained as landscaped area in accordance with the approved plan.
- (3) In those parts of the Precinct enclosed by the outer edges of the hatched black lines on the Scheme Map, a building shall not exceed a height of 20.6 metres above Australian Height Datum at any point.
- (4) (a) In this sub-clause, "rear building line" means a line joining the following points:
 - (i) a point on the southern boundary of Lot 1 Bellevue Terrace abutting the Metropolitan Region Scheme Reserve (Parks and Recreation) 53 metres east of the street alignment;
 - (ii) a point on the southern boundary of Lot 8 Cliff Street 29.12 metres east of the eastern boundary of Lot 3 Bellevue Terrace; and
 - (iii) a point on the street alignment of Lot 8 Cliff Street 21.7 metres south of the southern boundary of Lot 6 Cliff Street.
- (b) In that part of the Precinct being all land abutting Bellevue Terrace and Lot 8 Cliff Street:

- (i) land between the rear building line and the western and northern boundaries of the Metropolitan Region Scheme Reserve (Parks and Recreation) shall not be used or developed otherwise than as landscaped area or for the erection of limestone retaining walls;
- (ii) there shall be no minimum setback distance from the street alignment of Bellevue Terrace;
- (iii) a building shall not exceed a height of 67 metres above Australian Height Datum at any point.

TECHNOLOGY PARK PRECINCT

67. In considering an application for town planning approval in the Technology Park Precinct the Council, in addition to any other aim or objective of the Scheme and to any other matter it is required or permitted to consider, shall have regard to the following objectives:

- (a) the promotion of the purposes and functions of the Technology Development Act 1983 as amended or re-enacted;
- (b) the encouragement of research and development;
- (c) the encouragement of pleasant and efficient facilities;
- (d) the consolidation and improvement of appropriately located development within the Technology Park Precinct;

- (e) the safe movement of vehicular and pedestrian traffic;
 - (f) the protection of the amenities of areas adjacent to the Technology Park Precinct.
68. (1) In this Clause, "landscape margin" means all land in the Precinct within 20 metres of Kent Street, Hayman Road or Jarrah Road.
- (2) In this Precinct:
- (a) subject to paragraph (b) of this sub-clause, land may only be used for the purpose of research and development;
 - (b) land may be used for any of the following purposes if the Council decides that the use is incidental to the predominant use which is made or is to be made of that land:
 - (i) caretaker's residence;
 - (ii) recreational facilities;
 - (iii) offices;
 - (iv) warehouse, showrooms;
 - (c) the plot ratio of any building shall not exceed 0.5;
 - (d) buildings shall be set back not less than 7.5 metres from any street boundary except where the street is Kent Street, Hayman Road or Jarrah Road in which case it shall be 20 metres;

- (e) buildings shall be set back not less than 4.5 metres from any boundary other than a street boundary;
- (f) a building shall not exceed a height of two storeys or 7.5 metres above the average natural ground level whichever is the lower;
- (g) car parking spaces shall be provided, designed, constructed and maintained in accordance with the provisions of Part VIII of the Scheme and the approved plan relating thereto. The number of car parking spaces required is that prescribed with respect to an office;
- (h) where areas for the loading and unloading of vehicles carrying goods or commodities to or from premises are to be provided those areas shall be provided and maintained in accordance with the approved plan relating thereto;
- (i) land within the landscape margin shall be designed, developed and maintained as landscaped area in accordance with the approved plan relating thereto;
- (j) at least 25% of the area of the land the subject of a town planning application which is not within the landscape margin shall be designed, developed and maintained as landscaped area in accordance with the approved plan relating thereto.

OLD BREWERY SITE REDEVELOPMENT PRECINCT

69. (1) In considering an application for town planning approval in the Old Brewery Site Redevelopment

Precinct the Council, in addition to any other aim or objective or any other matter it is required or permitted to consider, shall have regard to the following objectives:

- (a) the provision of convenient public access along the river foreshore and between the foreshore and Kings Park;
- (b) the need to ensure that the provision of vehicular access to and egress from car parking areas has a minimal impact on the safety of traffic using Mount's Bay Road;
- (c) the encouragement of development which is in harmony with the inherent character, heritage and environmental quality and functions of Kings Park and the adjoining river foreshore;
- (d) the encouragement of the preservation and re-use of existing buildings and quayside facilities;
- (e) the preservation of the amenities and existing character of the Precinct by ensuring that new development is low in scale on the river foreshore with tallest buildings closest to Kings Park;
- (f) the need to ensure that new development is of attractive external appearance when viewed from Kings Park and other vantage points;
- (g) the need to ensure that pedestrian and bicycle traffic is kept separate from vehicular traffic using Mount's Bay Road;

- (h) the encouragement of the provision of landscaped areas which will integrate new development with surrounding parklands and public areas.

(2) In this Precinct:

- (a) land shall not be used or developed otherwise than in accordance with a town planning approval for development of the whole of the Precinct;
- (b) the Council shall not approve of an application for town planning approval unless the requirements of Clause 37 have been first complied with;
- (c) subject to paragraph (d) of this sub-clause, land may only be used for the purpose of:
 - (i) recreational facilities;
 - (ii) hotels;
 - (iii) eating houses;
 - (iv) residential development;
- (d) land may be used for any of the following purposes if the Council decides that that use is incidental to the predominant use which is made or is to be made of that land:
 - (i) entertainment facilities;
 - (ii) exhibition facilities;
 - (iii) offices;

- (iv) shops;
- (e) the plot ratio of any building shall not exceed 1.33 unless the Council is satisfied that the proposed development includes a community or other facility or amenity and that facility or amenity and the design, standard and nature of the proposed development as a whole constitutes a significant improvement to the amenities or environment of Kings Park, the river foreshore and the City;
- (f) a building shall not exceed the height of the buildings existing in the Precinct at the gazettal date unless the Council is satisfied that the proposed development will not:
 - (i) intrude upon the skyline to Kings Park;
 - (ii) have a detrimental effect on views from and to Kings Park;
 - (iii) detract from the integrity of the escarpment of Kings Park;
- (g) car parking spaces shall be provided, designed, constructed and maintained in accordance with the provisions of Part VIII of the Scheme and the approved plan relating thereto;
- (h) where areas for the loading and unloading of vehicles carrying goods or commodities to or from premises are to be provided those areas shall be provided and maintained in accordance with the approved plan relating thereto.

- (3) Where the Council is required to forward an application for approval to commence development in this Precinct to The Metropolitan Region Planning Authority pursuant to Clause 29 (3) of the Metropolitan Region Scheme, the Council shall forward all objections and comments received by the Council in response to notice given as required by Clause 37 together with such application.

DIVISION 3 - SHOPPING ZONES (SUBURBAN AREA)APPLICATION

70. This Division applies to all Shopping Zones in the Suburban Area.

AIMS AND OBJECTIVES

71. In considering an application for town planning approval in any Shopping Zone the Council, in addition to any other matter it is required or permitted to consider, shall have regard to the following objectives:

- (a) the encouragement of development of pleasant and convenient shopping facilities;
- (b) the encouragement of consolidation and improvement of appropriately located shopping centres;
- (c) the expansion of shopping centres where the need for that expansion can be sustained;
- (d) the safe movement of vehicular and pedestrian traffic;
- (e) the need to avoid the extension of shopping development along roads carrying heavy traffic in favour of development in depth away from those roads and other important streets.

PLOT RATIO

72. (1) In Shopping Zone S1, a building shall not have a plot ratio exceeding 0.5.

- (2) In Shopping Zone S2, a building shall not have a plot ratio exceeding 1.0.

SET BACK

73. Subject to Clause 74, every building shall be set back such distance from the boundaries of the lot on which it is to be erected as may be required by the Council as a condition of approval of the application for town planning approval relating to the building.

74. (1) Any non-residential building erected on a lot which has a common boundary with land in the Residential Zone shall be set back such distance:

(a) from the street alignment of that lot, if that lot and that land have a frontage to the same street; and

(b) from any common boundary with that land

as is prescribed by the Residential Planning Codes with respect to a residential building on that land.

- (2) In considering an application for town planning approval for non-residential development on a lot which has a common boundary with land in the Residential Zone, the Council will have particular regard to measures taken to minimise conflict between the non-residential and the residential or the future residential uses.

MIXED DEVELOPMENT

75. (1) In addition to a caretaker's residence, one dwelling may be incorporated in a building for non-residential purposes for every complete 450 square

metres of area of the lot on which the building is erected. The floor area of all residential accommodation shall be included in calculating the plot ratio of the building.

- (2) In considering an application for town planning approval of development for both non-residential and residential purposes the Council will have particular regard to measures taken to minimise conflict between the non-residential and residential uses.

RESIDENTIAL DEVELOPMENT

76. Where town planning approval is given for the use of land solely for residential purposes, development for those purposes shall conform with the standards and requirements prescribed for land in the Residential Zone adjacent or closest to the land the subject of the application. Where that land is adjacent to land in the Residential Zone having more than one R Code Density the development shall conform to the standards and requirements prescribed for the land which has the higher density provision for dwellings.

UPPER FLOORS

77. Where the ground floor of a multi-storey building is used for the purpose of shops, the upper floors of such building may be used for such purpose or purposes as are permitted or may be approved of in the Zone in which the building is located or for the purpose of offices, notwithstanding that such offices may not be a use which is incidental to the use of the building in question for the purpose of shops.

CAR PARKING

78. Car parking spaces shall be provided, designed, constructed and maintained in accordance with the provisions of Part VIII of the Scheme and the approved plan relating thereto.

LOADING AND UNLOADING

79. Areas for the loading and unloading of vehicles carrying goods or commodities to or from premises within the Shopping Zones shall be provided and maintained in accordance with the approved plan relating thereto.

LANDSCAPED AREAS

80. Landscaped areas and screening shall be provided and maintained where required by the Council and in accordance with the approved plan relating thereto.

DIVISION 4 - GENERAL COMMERCIAL ZONES (SUBURBAN AREA)APPLICATION

81. This Division applies to all General Commercial Zones within the Suburban Area.

AIMS AND OBJECTIVES

82. In considering an application for town planning approval in any General Commercial Zone the Council, in addition to any other matter it is required or permitted to consider, shall have regard to the following objectives:

- (a) the encouragement of pleasant and efficient commercial facilities;
- (b) the consolidation and improvement of appropriately located commercial areas;
- (c) the expansion of commercial areas where the need for that expansion can be sustained;
- (d) the need to secure the safe movement of vehicular and pedestrian traffic;
- (e) the protection of the amenities of areas adjacent to General Commercial Zones.

PLOT RATIO

83. (a) In General Commercial Zone C1, a building shall not have a plot ratio exceeding 0.5.
- (b) In General Commercial Zone C2, a building shall not have a plot ratio exceeding 1.0.

- (c) In General Commercial Zone C3, a building shall not have a plot ratio exceeding 2.0.

SET BACK

84. (1) Subject to sub-clause (2) of this Clause, every building shall be set back a minimum of 4.5 metres from the street alignment.
- (2) Where a lot has boundaries to more than one street every building shall be set back from the street alignment of :
- (a) the primary street, the distance prescribed in sub-clause (1) of this Clause;
- (b) the secondary street or streets one half of the distance prescribed in sub-clause (1) of this Clause except that the Council may in any case require that the walls of a building to be set back 4.5 metres from the boundary to a secondary street.
- (3) Every building shall be set back 11.4 metres from any right-of-way adjoining the lot on which the building is to be erected or such lesser distance as may be approved by the Council. The set back distance may include the width of the right-of-way up to a maximum of 6 metres.
85. (1) Any non-residential building erected on a lot which has a common boundary with land in the Residential Zone shall be set back such distance:
- (a) from the street alignment of that lot, if that lot and that land have a frontage to the same street; and

(b) from any common boundary with that land

as is prescribed by the Residential Planning Codes with respect to a residential building on that land.

- (2) In considering an application for town planning approval of non-residential development on a lot which has a common boundary with land in the Residential Zone, the Council will have particular regard to measures taken to minimise conflict between the non-residential and the residential or the future residential uses.

MIXED DEVELOPMENT

86. (1) In addition to a caretaker's residence, one dwelling may be incorporated in a building used for non-residential purposes for every complete 450 square metres of area of the lot on which the building is erected. The floor area of all residential accommodation shall be included in calculating the plot ratio of the building.

- (2) In considering an application for town planning approval of development for both non-residential and residential purposes the Council will have particular regard to measures taken to minimise conflict between the non-residential and residential uses.

RESIDENTIAL DEVELOPMENT

87. Where town planning approval is given for the use of land solely for residential purposes, development for those purposes shall conform with the standards and requirements prescribed for land in the Residential Zone adjacent or closest to the land the subject of the application. Where

that land is adjacent to land in the Residential Zone having more than one R Code Density the development shall conform to the standards and requirements prescribed for the land which has the higher density provision for dwellings.

CAR PARKING

88. Car parking spaces shall be provided, designed, constructed and maintained in accordance with the provisions of Part VIII of the Scheme and the approved plan relating thereto.

LOADING AND UNLOADING

89. Areas for the loading and unloading of vehicles carrying goods or commodities to or from premises within the General Commercial Zones shall be provided and maintained in accordance with the approved plan relating thereto.

LANDSCAPED AREA

90. An area of at least

- (a) 3 metres multiplied by the total length of the street or primary street frontage (calculated in metres) of the land the subject of an application for town planning approval, plus
- (b) 1.5 metres multiplied by the total length of any secondary street frontage (calculated in metres),

shall be designed, developed and maintained as a landscaped area in accordance with the approved plan relating thereto.

DIVISION 5 - INDUSTRIAL ZONES (SUBURBAN AREA)APPLICATION

91. This Division applies to all Industrial Zones within the Suburban Area.

AIMS AND OBJECTIVES

92. In considering an application for town planning approval in any Industrial Zone the Council, in addition to any other matter it is required or permitted to consider, shall have regard to the following objectives:

- (a) the encouragement of pleasant and efficient industrial facilities;
- (b) the consolidation and improvement of appropriately located light industrial areas;
- (c) the expansion of light industrial areas where the need for that expansion can be sustained;
- (d) the need to secure the safe movement of vehicular and pedestrian traffic;
- (e) the protection of the amenities of areas adjacent to the Industrial Zones.

PLOT RATIO

93. In Industrial Zones I1 and I2, a building shall not have a plot ratio exceeding 1.0.

SET BACK

94. (1) Subject to sub-clause (2) of this Clause, in Industrial Zone I1 every building shall be set

back a minimum of 4.5 metres from the street alignment.

(2) Where a lot has boundaries to more than one street every building shall be set back from the street alignment of :

(a) the primary street, the distance prescribed in sub-clause (1) of this Clause;

(b) the secondary street or streets one half of the distance prescribed in sub-clause (1) of this Clause except that the Council may in any case require a building be set back 4.5 metres from any boundary to a secondary street.

(3) Every building shall be set back 11.4 metres from any right-of-way adjoining the lot on which the building is to be erected or such lesser distance as may be approved by the Council. The set back distance may include the width of the right-of-way up to a maximum of 6 metres.

95. (1) Subject to sub-clause (2) of this Clause, in Industrial Zone I2 every building shall be set back a minimum of 9 metres from the street alignment.

(2) Where a lot has boundaries to more than one street every building shall be set back from the street alignment of :

(a) the primary street, the distance prescribed in sub-clause (1) of this Clause;

(b) the secondary street or streets one half of the distance prescribed in sub-clause (1) of

this Clause except that the Council may in any case require that a building be set back 9 metres from the boundary to any secondary street.

96. (1) Any non-residential building erected on a lot which has a common boundary with land in the Residential Zone shall be set back such distance:

(a) from the street alignment of that lot, if that lot and that land have a frontage to the same street; and

(b) from any common boundary with that land

as is prescribed by the Residential Planning Codes with respect to a residential building on that land.

(2) In considering an application for town planning approval of non-residential development on a lot which has a common boundary with land in the Residential Zone, the Council will have particular regard to measures taken to minimise conflict between the non-residential and the residential or future residential uses.

CAR PARKING

97. Car parking spaces shall be provided, designed, constructed and maintained in accordance with the provisions of Part VIII of the Scheme and the approved plan relating thereto.

LOADING AND UNLOADING

98. Areas for the loading and unloading of vehicles carrying goods or commodities to or from premises within the

Industrial Zones shall be provided and maintained in accordance with the approved plan relating thereto.

LANDSCAPED AREA

99. An area of at least:

(a) 3 metres multiplied by the total length of the street or primary street frontage (calculated in metres) of land the subject of an application for town planning approval, plus

(b) 1.5 metres multiplied by the total length of any secondary street frontage (calculated in metres)

shall be designed, developed and maintained as landscaped area in accordance with the approved plan relating thereto.

PART VII - CENTRAL AREADIVISION 1 - RESIDENTIAL ZONE (CENTRAL AREA)APPLICATION

100. This Division applies to the Residential Zone in the Central Area.

AIMS AND OBJECTIVES

101. In considering an application for town planning approval in the Residential Zone the Council, in addition to any other matter it is required or permitted to consider, shall have regard to the following objectives:

- (a) that development be appropriate to the Central Area;
- (b) the provision of high environmental standards;
- (c) that new concepts of housing are to be encouraged and that satisfactory relationships within the overall concepts for the Central Area are to be maintained by comprehensive design;
- (d) the encouragement of development of residential accommodation catering for those sections of the community who wish to live in the Central Area;
- (e) the need to minimise conflict between non-residential and residential or future residential uses.

RESIDENTIAL DEVELOPMENT

102. Subject to the Scheme, all residential development shall conform with the standards and requirements applicable to land in the Residential Zone having an R Code Density of R160.

NON-RESIDENTIAL DEVELOPMENT

103. Where land is developed for a non-residential purpose, that development shall conform with the standards and requirements applicable to multiple dwellings on land in the Residential Zone having an R Code Density of R160 with respect to minimum landscaped area, maximum plot ratio and minimum set backs.

SERVICED APARTMENTS

104. (1) Where land within the Central Area having an R Code Density of R160 is developed for the purpose of serviced apartments that development shall conform with the standards and requirements applicable to multiple dwellings on that land.

(2) Notwithstanding any provision of the Scheme to the contrary, the Council may approve the development of land in the Central Area for the purpose of serviced apartments where not less than 25% of the area of that land is to be developed and maintained as landscaped area if the Council is satisfied that the proposed development will not have a detrimental effect on the amenity of adjoining owners and the surrounding locality.

CAR PARKING

105. Car parking spaces shall be provided, designed, constructed and maintained in accordance with the provisions of

the Residential Planning Codes and the approved plan relating thereto.

NEW CONCEPTS

106. (1) Notwithstanding any provision of the Scheme to the contrary, where an application is made for town planning approval of a residential development within the Central Area, the type or nature of which is not otherwise provided for by the Scheme, whether by reason of the combination of different types of housing or otherwise, the Council may approve of that application if:

(a) the provisions of the Residential Planning Codes which apply to the Zone in which the land is located and which relate to the maximum number of dwellings per hectare and the maximum plot ratio would not be exceeded;

(b) the Council is satisfied that having regard to the nature of the proposed development and development in the locality, open space sufficient to preserve the amenities of the development itself and the locality will be provided and the environment of the locality will be preserved or improved; and

(c) sufficient car parking spaces and areas for loading and unloading vehicles carrying goods or commodities to or from the proposed development, together with adequate access to and from the development will be provided.

(2) Before exercising the power conferred by sub-clause (1), Council may confer with the owners of property in the vicinity of the land which is the subject of the application for town planning approval.

DIVISION 2 - SPECIAL PRECINCT (CENTRAL AREA)BRONTE STREET RESIDENTIAL/OFFICE PRECINCT

107. (1) The area of the Scheme Map delineated by a black dashed line and named Bronte Street Residential/Office Precinct is a Special Precinct within the Zones in which the Precinct is located.
- (2) The provisions of the Scheme applicable to development in the Zones in which the Bronte Street Residential/Office Precinct is located apply to development in that Precinct, except to the extent that any of those provisions is varied in this Division.
- (3) In considering an application for town planning approval in the Bronte Street Residential/Office Precinct the Council, in addition to any other aim or objective of the Scheme and to any other matter it is required or permitted to consider, shall have regard to the following objectives:
- (a) the encouragement of an area of residential and mixed residential and office development;
 - (b) the protection of the amenities of existing and future development within the Precinct.
- (4) In this Precinct land may be used for both residential and office purposes as either a separate or combined development.
- (5) In the case of land bounded by Wellington Street, Bennett Street, Bronte Street and Plain Street:

- (a) the plot ratio of any building used for office purposes shall not exceed 1.5;
 - (b) the plot ratio of any building used for both residential and office purposes as a combined development shall not exceed 2.0 provided that the plot ratio of neither the part of the building used for office purposes nor the part of the building used for residential purposes shall exceed 1.5;
 - (c) all residential development shall conform with the standards and requirements applicable to land in the Residential Zone having an R Code Density of R160.
- (6) In the case of land bounded by Bronte Street, Bennett Street, Wickham Street and Plain Street, all residential development shall conform with the standards and requirements applicable to land in the Residential Zone having an R Code Density of R160:
- (a) the plot ratio of any building used for office purposes shall not exceed 0.5;
 - (b) the plot ratio of any building used for both residential and office purposes as a combined development shall not exceed 2.0 provided that the plot ratio of the part of the building used for office purposes shall not exceed 0.5 and the part of the building used for residential purposes shall not exceed 1.5;
 - (c) all buildings used for office purposes shall conform with the standards and the requirements applicable to multiple dwellings in the

Residential Zone having an R Code Density of R160 with respect to minimum landscaped area and minimum setbacks.

DIVISION 3 - SHOPPING ZONE (CENTRAL AREA)APPLICATION

108. This Division applies to the Shopping Zones in the Central Area.

AIMS AND OBJECTIVES

109. In considering an application for town planning approval in the Shopping Zone the Council, in addition to any other matter it is required or permitted to consider, shall have regard to the following objectives:

- (a) the promotion and establishment of pleasant and convenient shopping facilities appropriate to the nature and character of the Central Area;
- (b) to relate shopping facilities to the social, business and entertainment functions of the Central Area;
- (c) to enable the retail traders of the Central Area to meet the competition and challenge presented by suburban shopping centres;
- (d) the encouragement of the development of residential accommodation that will cater for those sections of the community who wish to live in the Central Area.

PLOT RATIO

110. The plot ratio of every building shall be determined in accordance with the provisions of this Division and Division 7 of this Part.

RESIDENTIAL ACCOMMODATION

111. (1) Dwellings may be incorporated in every development if :
- (a) the plot ratio of the residential component of the building does not exceed the maximum plot ratio prescribed for land having an R Code Density of R160;
 - (b) the number of dwellings in the development does not exceed 160 per hectare.
- (2) Where a development includes residential accommodation the floor area of that accommodation shall be included in the calculation of the plot ratio of the building.
- (3) In considering proposals for development of land for both non-residential and residential purposes the Council will have particular regard to the measures taken to minimise conflict between the non-residential and residential uses.

DEVELOPMENT ADJACENT TO RESIDENTIAL LAND

112. Where an application is made for town planning approval of non-residential development on land which abuts on land which is or may be used for residential purposes, the Council, in addition to any other matter it is required or permitted to consider, shall have regard to the measures taken to minimise conflict between the non-residential and the residential or future residential uses.

CAR PARKING

113. Where car parking spaces are to be provided those spaces shall be provided, designed, constructed and

maintained in accordance with the provisions of Part VIII of the Scheme and the approved plan relating thereto.

LOADING AND UNLOADING

114. Where areas for the loading and unloading of vehicles carrying goods or commodities to or from premises are to be provided those areas shall be provided and maintained in accordance with the approved plan relating thereto.

UPPER FLOORS

115. Where the ground floor of a multi-storey building is used for the purpose of shops the upper floors of that building may be used for such purpose or purposes as may be permitted or approved of in the Shopping Zone or for office purposes.

DIVISION 4 - OFFICE ZONE (CENTRAL AREA)APPLICATION

116. This Division applies to the Office Zone in the Central Area.

AIMS AND OBJECTIVES

117. In considering an application for town planning approval in the Office Zone the Council, in addition to any other matter it is required or permitted to consider, shall have regard to the following objectives:

- (a) the encouragement of high quality, pleasant and efficient office facilities;
- (b) the encouragement of office development which will enhance the general environmental standards of the Central Area;
- (c) to relate office development to the social, business and entertainment functions of the Central Area;
- (d) the encouragement of the development of prestige buildings of special character commensurate with their location within the core of the Central Area;
- (e) the protection of the amenities of areas adjacent to or in the vicinity of the Office Zone;
- (f) the encouragement of the development of residential accommodation that will cater for those

sections of the community who wish to live in the Central Area.

PLOT RATIO

118. The plot ratio of buildings shall be determined in accordance with the provisions of this Division and Division 7 of this Part.

RESIDENTIAL ACCOMMODATION

119. (1) Dwellings may be incorporated in every development if:

(a) the plot ratio of the residential component of the building does not exceed the maximum plot ratio prescribed for land having an R Code Density of R160;

(b) the number of dwellings in the development does not exceed 160 per hectare.

(2) Where a development includes residential accommodation the floor area of that accommodation shall be included in the calculation of the plot ratio of the building.

(3) In considering proposals for development of land for both non-residential and residential purposes the Council will have particular regard to the measures taken to minimise conflict between the non-residential and residential uses.

DEVELOPMENT ADJACENT TO RESIDENTIAL LAND

120. Where an application is made for town planning approval of non-residential development on land which abuts on land which is or may be used for residential purposes, the

Council, in addition to any other matter it is required or permitted to consider, shall have regard to the measures taken to minimise conflict between the non-residential and the residential or future residential uses.

CAR PARKING

121. Where car parking spaces are to be provided those spaces shall be provided, designed, constructed and maintained in accordance with the provisions of Part VIII of the Scheme and the approved plan relating thereto.

LOADING AND UNLOADING

122. Where areas for the loading and unloading of vehicles carrying goods or commodities to or from premises are to be provided those areas shall be provided and maintained in accordance with the approved plan relating thereto.

DIVISION 5 - GENERAL COMMERCIAL ZONE (CENTRAL AREA)APPLICATION

123. This Division applies to the General Commercial Zone in the Central Area.

AIMS AND OBJECTIVES

124. In considering an application for town planning approval in the General Commercial Zone the Council, in addition to any other matter it is required or permitted to consider, shall have regard to the following objectives:

- (a) the encouragement of pleasant and efficient commercial facilities;
- (b) the consolidation and improvement of commercial areas which are appropriately located to serve the needs of the Central Area;
- (c) to relate commercial facilities to other social, business and entertainment functions of the Central Area;
- (d) the protection of the amenities of areas adjacent to or in the vicinity of the General Commercial Zone;
- (e) the encouragement of the development of residential accommodation that will cater for those sections of the community who wish to live in the Central Area.

PLOT RATIO

125. The plot ratio of buildings shall be determined in accordance with the provisions of this Division and Division 7 of this Part.

RESIDENTIAL ACCOMMODATION

126. (1) Dwellings may be incorporated in every development if:

(a) the plot ratio of the residential component of the building does not exceed the maximum plot ratio prescribed for land having an R Code Density of R160;

(b) the number of dwellings in the development does not exceed 160 per hectare.

(2) Where a development includes residential accommodation the floor area of that accommodation shall be included in the calculation of the plot ratio of the building.

(3) In considering proposals for development of land for both non-residential and residential uses the Council will have particular regard to the measures taken to minimise conflict between the non-residential and residential uses.

DEVELOPMENT ADJACENT TO RESIDENTIAL LAND

127. Where an application is made for town planning approval of non-residential development on land which abuts on land which is or may be used for residential purposes, the Council, in addition to any other matter it is required or permitted to consider, shall have regard to the measures

taken to minimise conflict between the non-residential and the residential or future residential uses.

CAR PARKING

128. Where car parking spaces are to be provided those spaces shall be provided, designed, constructed and maintained in accordance with the provisions of Part VIII of the Scheme and the approved plan relating thereto.

LOADING AND UNLOADING

129. Where areas for the loading and unloading of vehicles carrying goods or commodities to or from premises are to be provided those areas shall be provided and maintained in accordance with the approved plan relating thereto.

DIVISION 6 - INDUSTRIAL ZONE (CENTRAL AREA)APPLICATION

130. This Division applies to the Industrial Zone in the Central Area.

AIMS AND OBJECTIVES

131. In considering an application for town planning approval in the Industrial Zone the Council, in addition to any other matter it is required or permitted to consider, shall have regard to the following objectives:

- (a) the encouragement of pleasant convenient and safe light industrial facilities;
- (b) to relate light industrial facilities to the special functions of the Central Area;
- (c) the provision for light industrial activities which by virtue of their particular nature are appropriate within the Central Area;
- (d) the protection of the amenities of areas adjacent to or in the vicinity of the Industrial Zone;
- (e) the encouragement of the development of residential accommodation that will cater for those sections of the community who wish to live in the Central Area.

PLOT RATIO

132. The plot ratio of buildings shall be determined in accordance with the provisions of this Division and Division 7 of this Part.

RESIDENTIAL ACCOMMODATION

133. (1) Dwellings may be incorporated in every development if:
- (a) the plot ratio of the residential component of the building does not exceed the maximum plot ratio prescribed for land having an R Code Density of R160;
 - (b) the number of dwellings in the development does not exceed 160 per hectare.
- (2) Where a development includes residential accommodation the floor area of that accommodation shall be included in the calculation of the plot ratio of the building.
- (3) In considering proposals for development of land for both non-residential and residential uses the Council shall have particular regard to the measures taken to minimise conflict between the non-residential and residential uses.

DEVELOPMENT ADJACENT TO RESIDENTIAL LAND

134. Where an application is made for town planning approval of non-residential development on land which abuts on land which is or may be used for residential purposes, the Council, in addition to any other matter it is required or permitted to consider, shall have regard to the measures taken to minimise conflict between the non-residential and the residential or future residential uses.

CAR PARKING

135. Where car parking spaces are to be provided those spaces shall be provided, designed, constructed and main-

tained in accordance with the provisions of Part VIII of the Scheme and the approved plan relating thereto.

LOADING AND UNLOADING

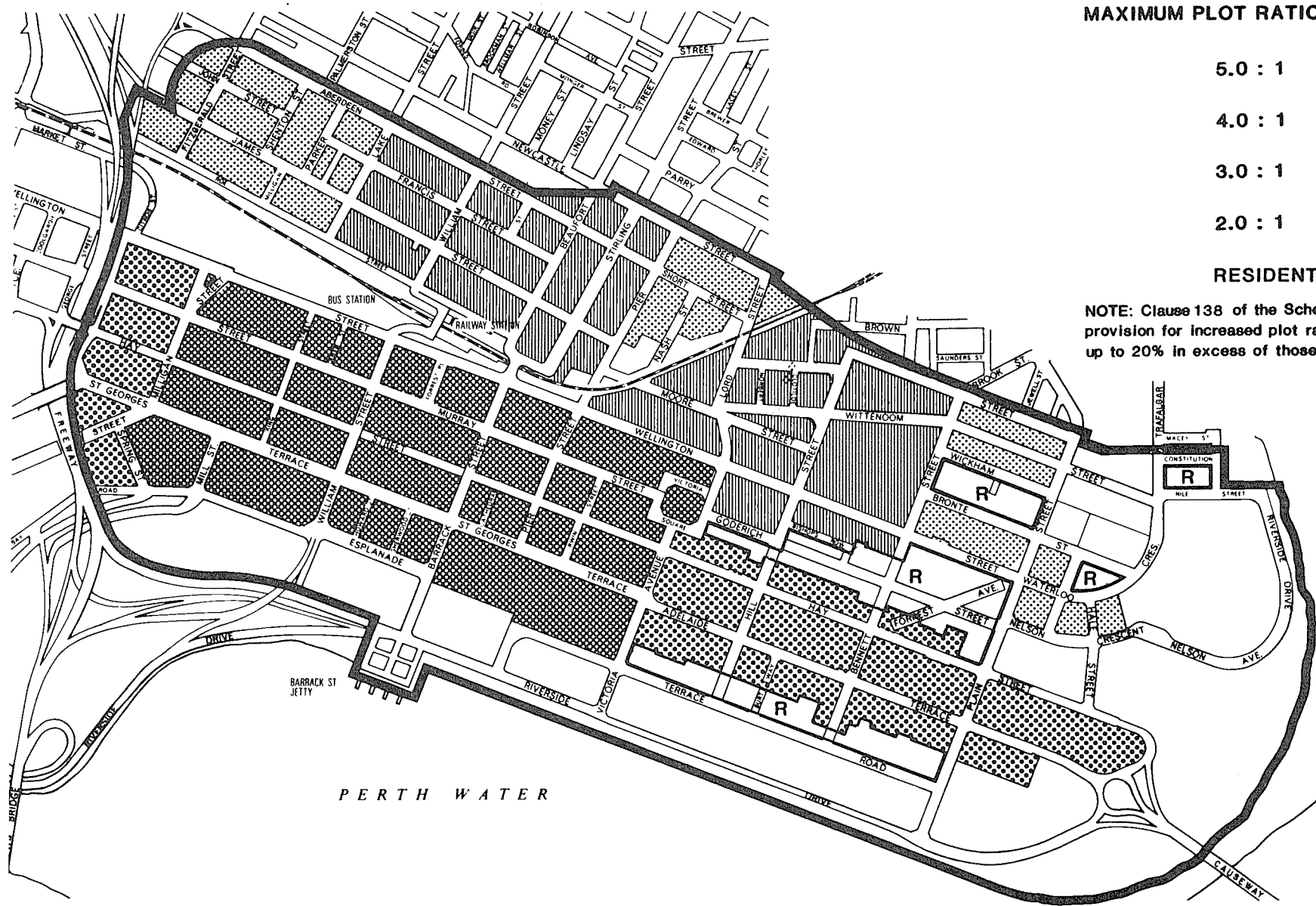
136. Where areas for the loading and unloading of vehicles carrying goods or commodities to or from premises are to be provided those areas shall be provided and maintained in accordance with the approved plan relating thereto.

DIVISION 7 - PLOT RATIO (CENTRAL AREA)PLOT RATIO

137. Subject to Clause 138, in any part of the Central Area stippled or hatched on Figure No. 1 a building shall not have a plot ratio exceeding the plot ratio accorded to that part on the legend on that Figure.

INCREASED PLOT RATIO

138. (1) The Council may permit a building to have a plot ratio up to 20% in excess of that prescribed by Clause 137 if, in the opinion of the Council, the proposed development includes a community or other facility or amenity and that facility or amenity and the design, standard and nature of the proposed development as a whole constitute a significant improvement to the amenities or environment of the Central Area.
- (2) The Council shall appoint an advisory committee for the purpose of considering and advising the Council with respect to proposed buildings which have a plot ratio in excess of that prescribed by this Division.



MAXIMUM PLOT RATIO PERMITTED

| | |
|-------------|----------|
| 5.0 : 1 | |
| 4.0 : 1 | |
| 3.0 : 1 | |
| 2.0 : 1 | |
| RESIDENTIAL | R |

NOTE: Clause 138 of the Scheme Text makes provision for increased plot ratio (bonuses) of up to 20% in excess of those shown on this plan

CENTRAL AREA PLOT RATIOS

Figure No. 1

PART VIII

PART VIII - CAR PARKINGGENERAL

139. (1) In any Zone in the Suburban Area and in the Residential Zone in the Central Area, a person shall not develop or use land for the purposes indicated in the first column of Table No. 3 unless car parking spaces of the number specified in the second column to the Table are provided and such spaces are designed, constructed and maintained in accordance with the provisions of the Scheme. For the purposes of this Clause "gross floor area" does not include the area of any part of a building used exclusively for the parking of wheeled vehicles.
- (2) Where an application is made for town planning approval and the purpose for which the land or building is to be used is not specified in Table No. 3 and no other provision is made in the Scheme with respect to car parking requirements for that purpose, the Council shall determine the number of car parking spaces to be provided on the land having regard to the nature of the proposed development, the prevention of the obstruction of roads and streets, and the orderly and proper planning of the locality and the preservation of its amenities.

TABLE NO. 3CAR PARKING REQUIREMENTS

| <u>Use</u> | <u>Number of Car Parking Spaces</u> |
|---------------------------|--|
| Single houses, attached | As prescribed by the Residential Planning Codes. |
| houses, grouped dwellings | |

multiple dwellings and
aged or dependent persons
dwellings

Shop

1 for every 15 square metres
of gross floor area.

Office

1 for every 50 square metres
of gross floor area.

Warehouse, showrooms,
industry, with the
exception of a factory
unit building

3 for up to the first 200
square metres of gross floor
area and thereafter 1 for
every additional 100 square
metres of gross floor area or
part thereof.

Factory unit building

As prescribed for a warehouse
or 2 for every factory unit
whichever produces the greater
number of car parking spaces.

Hotel, motel, tavern, club,
private hotel, lodging
house, eating house, night-
club, place of public
assembly, serviced
apartments

Where applicable to the parti-
cular use:

1 for every 2 square metres of
drinking area other than pub-
lic lounge drinking areas;

1 for every 4 seats which an
eating area is designed to
provide or 1 for every 4
square metres of eating area
or part thereof whichever
produces the greater number of
car parking spaces;

1 for every bedroom;

1 for every 6 seats provided
or capable of being provided
in assembly areas or 1 for

| | |
|------------------|---|
| | every 4.5 square metres of assembly area whichever produces the greater number of car parking spaces; |
| | 1 for every 3 square metres of public lounge drinking areas; |
| | 1 for every 4.5 square metres of beer garden or outdoor drinking areas |
| Hospital | 1 for every 3 bed spaces provided. |
| Open air display | 1 for every 100 square metres of display and sales area. |
| Squash centre | 3 for every court. |
| Fast Food Outlet | 1 for every 8 square metres of gross floor area. |

CONDITIONS OF APPROVAL

140. (1) When considering an application for town planning approval the Council shall have regard to and may impose conditions with respect to the car parking spaces required to be provided.
- (2) In particular, but without limiting the generality of sub-clause (1), the Council shall take into account and may impose conditions concerning:
- (a) the proportion of car parking spaces to be screened, roofed or covered;
 - (b) the proportion of car parking spaces to be below natural ground level;

- (c) the means of access to each car parking space and the adequacy of any vehicular manoeuvring area;
- (d) the location of the car parking spaces on the site and their effect on the amenities of adjoining development, including the potential effect if those spaces should later be roofed or covered;
- (e) the extent to which car parking spaces are located within required building set back areas;
- (f) the location of proposed public footpaths, vehicular crossings, private footpaths within the lot, and their effect on both pedestrian and vehicular traffic movement and safety;
- (g) the provision and maintenance of landscaped areas and screening within any area to be developed as car parking spaces.

ACCESS

141. Where, in the case of non-residential development, the Council is of the opinion that the nature of the development, its relation to adjoining streets or the nature of those streets make it necessary to do so and an access point from car parking spaces to the street serves more than two spaces, adequate provision shall be made to enable all vehicles to enter and leave the land in a forward direction.

CENTRAL AREA

142. (1) This Clause applies only to the Central Area.

- (2) In any Zone in the Central Area, other than the Residential Zone, there is no obligation to provide car parking spaces. Car parking spaces shall not be provided if:
- (a) the use thereof is, in the opinion of the Council, likely to obstruct or otherwise adversely affect the flow of traffic in streets adjacent to the land; or
 - (b) the area to be taken up by the spaces exceeds 10% of the total area of the land unless the whole of the area which is so taken up is completely screened from view from streets and other properties in the vicinity of the land.
- (3) If car parking spaces are provided:
- (a) the number of spaces shall not exceed the rate to the hectare specified in Figure No. 2 with respect to the area in which the land is located;
 - (b) those spaces shall be provided, designed, constructed and maintained in accordance with the provisions of the Scheme.



**CENTRAL AREA
MAXIMUM CAR PARKING SPACES PER HECTARE**

Figure No.2

USE OF PUBLIC CAR PARKS

143. Notwithstanding any other provision of the Scheme, where public off-street parking facilities are or are to be located in the near vicinity of land or a building the subject of an application for town planning approval the Council may:

- (a) if satisfied that those facilities are sufficient to cater for the parking requirements of the land or building;
- (b) if the applicant for town planning approval enters into an Agreement with the Council to pay to the Council part or all of the cost (as the Council determines) of providing in those facilities the number of car parking spaces which would otherwise have to be provided within the land or building and which will not be so provided

approve the application notwithstanding that the required number of car parking spaces will not be provided within the land or building.

SHARED OR COMBINED PARKING

144. Where the number of car parking spaces proposed to be provided on land or in a building the subject of an application for town planning approval is less than the number required to be provided pursuant to the Scheme, the Council may approve the application if the applicant demonstrates that off street parking facilities in the near vicinity are available to cater for the parking requirements of the land and that arrangements to the satisfaction of the Council have been made to enable those facilities to be used for that purpose.

TEMPORARY CAR PARK

145. (1) Notwithstanding that land in any Zone is not classified for use for the purpose of a car park, where:

(a) an application for town planning approval for the development of that land has been approved of by the Council; and

(b) the Council is satisfied that the development the subject of the application for town planning approval (with the exception of the removal of existing buildings from the land) cannot reasonably be commenced forthwith

that land, with the approval of the Council, may be used for the purpose of a car park for a continuous period not exceeding two years from the date of the approval of the application referred to in paragraph (a) of this Clause, if the use of the land for that purpose has been approved by the Minister for the time being charged with the administration of the City of Perth Parking Facilities Act 1956 as amended or re-enacted;

(2) The period for which land may be used for the purpose of a car park pursuant to this Clause may be extended for a further period not exceeding one year if the Council is satisfied that the commencement of the development the subject of the application for town planning approval is not being unreasonably delayed and if the Council and that Minister approves of the continued use of the land for the purposes of a car park under the City of Perth Parking Facilities Act 1956 as amended or re-enacted.

DIMENSIONS AND LAY-OUT

146. The dimensions of car parking spaces and manoeuvring depths specified in Table No. 4 shall be used by the Council as a guide to the matters referred to in that Table. For the purpose of that Table, the particular measurements referred to therein shall be determined in the manner indicated in Figure No. 3.

147. For the purpose of Table No. 4:

- (a) "One way access" means that access to the car parking spaces can only be obtained from one direction along the access driveway;
- (b) "Two way access" means that access can be obtained from either direction along such driveway;
- (c) "Parking angle" means the angle formed by the line delineating the particular car parking space or an extension thereof and the centre line of the access driveway to that space.

CONSTRUCTION AND MAINTENANCE

148. The owner and occupier of premises on which car parking spaces are provided shall ensure that every car parking space:

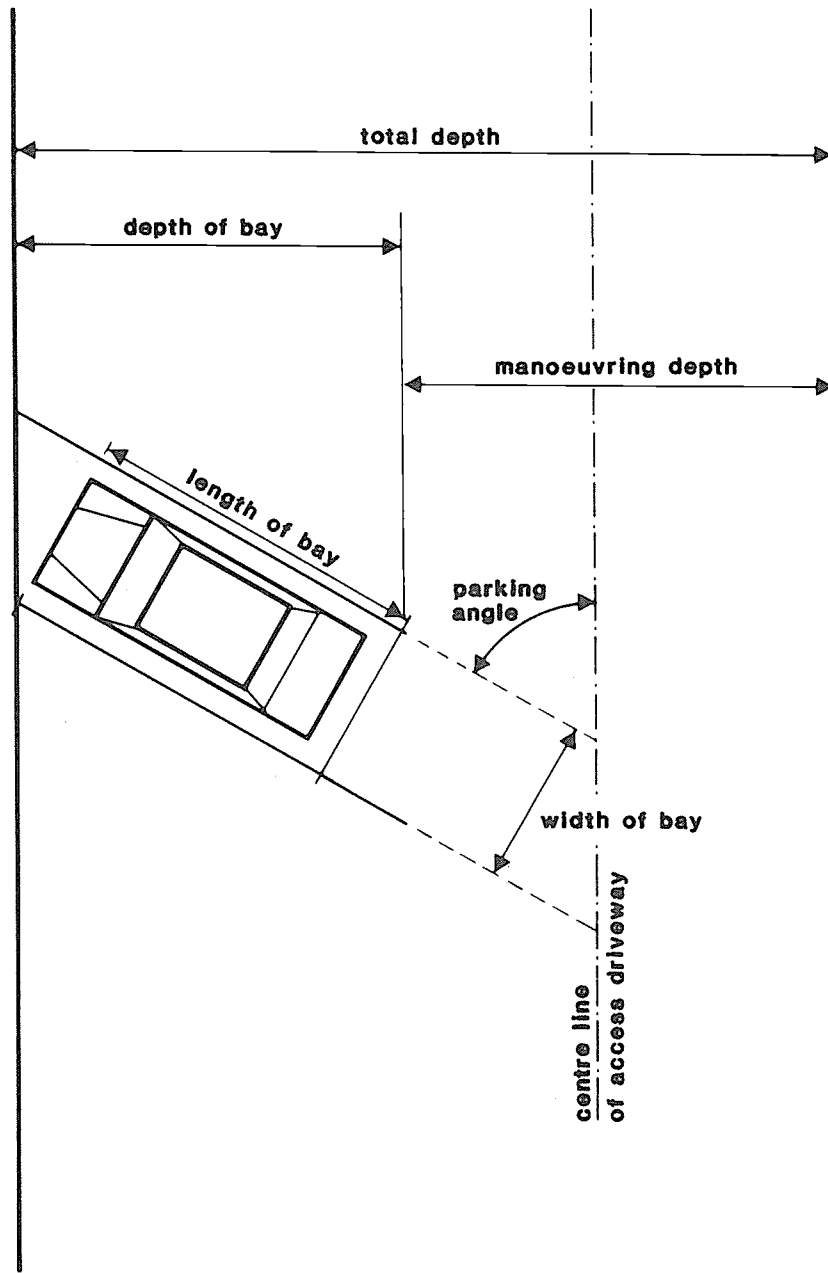
- (a) is laid out, constructed and maintained in accordance with the approved plan relating thereto; and
- (b) is clearly marked out at all times to the satisfaction of the Council.

TABLE NO. 4

CAR PARKING BAY DIMENSIONS
FOR NON RESIDENTIAL DEVELOPMENT

| Parking Angle | Width of Bay (Metres) | | Length of Bay (Metres) | | Depth of Bay (Metres) | | Minimum Manoeuvring Depth (Metres) | | Minimum Total Depth (Metres) | |
|--------------------------|-----------------------|-----|------------------------|-----|-----------------------|-----|------------------------------------|-----|------------------------------|------|
| | (1) | (2) | (1) | (2) | (1) | (2) | (1) | (2) | (1) | (2) |
| 90° | 2.4 | 2.4 | 5.4 | 5.4 | 5.4 | 5.4 | 6.0 | 6.0 | 11.4 | 11.4 |
| | 2.6 | 2.6 | 5.4 | 5.4 | 5.4 | 5.4 | 5.9 | 6.0 | 11.3 | 11.4 |
| | 2.7 | 2.7 | 5.4 | 5.4 | 5.4 | 5.4 | 5.8 | 6.0 | 11.2 | 11.4 |
| 75° | 2.4 | 2.4 | 5.4 | 5.4 | 5.9 | 5.9 | 5.4 | 6.0 | 11.3 | 11.9 |
| | 2.6 | 2.6 | 5.4 | 5.4 | 5.9 | 5.9 | 5.3 | 6.0 | 11.2 | 11.9 |
| | 2.7 | 2.7 | 5.4 | 5.4 | 6.0 | 6.0 | 5.2 | 6.0 | 11.2 | 12.0 |
| 60° | 2.4 | 2.4 | 5.4 | 5.4 | 5.9 | 5.9 | 5.2 | 6.0 | 11.1 | 11.9 |
| | 2.6 | 2.6 | 5.4 | 5.4 | 6.0 | 6.0 | 5.0 | 6.0 | 11.0 | 12.0 |
| | 2.7 | 2.7 | 5.4 | 5.4 | 6.0 | 6.0 | 4.8 | 6.0 | 10.8 | 12.0 |
| 45° | 2.4 | 2.4 | 5.4 | 5.4 | 5.9 | 5.9 | 4.0 | 6.0 | 9.9 | 11.9 |
| | 2.6 | 2.6 | 5.4 | 5.4 | 6.0 | 6.0 | 3.6 | 6.0 | 9.6 | 12.0 |
| | 2.7 | 2.7 | 5.4 | 5.4 | 6.0 | 6.0 | 3.3 | 6.0 | 9.3 | 12.0 |
| 30° | 2.4 | 2.4 | 5.4 | 5.4 | 4.8 | 4.4 | 3.3 | 6.0 | 8.1 | 10.4 |
| | 2.6 | 2.6 | 5.4 | 5.4 | 4.8 | 4.4 | 3.3 | 6.0 | 8.1 | 10.4 |
| | 2.7 | 2.7 | 5.4 | 5.4 | 4.8 | 4.4 | 3.3 | 6.0 | 8.1 | 10.4 |
| 0° (Parallel Parking) | 3.0 | 3.0 | 6.7 | 6.7 | 3.0 | 3.0 | 3.0 | 6.0 | 6.0 | 9.0 |
| | 3.0 | 3.0 | 6.7 | 6.7 | 3.0 | 3.0 | 3.0 | 6.0 | 6.0 | 9.0 |
| | 3.0 | 3.0 | 6.7 | 6.7 | 3.0 | 3.0 | 3.0 | 6.0 | 6.0 | 9.0 |

Note (1) Denotes one-way access to the car parking space
(2) Denotes two-way access to the car parking space



OFF-STREET CAR PARKING PROVISIONS
Figure No.3

PART IX - GENERAL AND ADMINISTRATIVE PROVISIONSADVERTISEMENTS

149. A person shall not erect or place any advertisement on any land or building if the Council considers that the advertisement is likely to adversely affect the amenities of the locality in which it is intended to erect or place the advertisement.

OBSTRUCTIONS AT CORNERS

150. (1) In this Clause "street" includes "right-of-way".
- (2) This Clause applies to land located at the intersection of any street with another street unless that intersection has a truncation of not less than 8.5 metres.
- (3) The area of land referred to in sub-clause (4) of this Clause is the area enclosed by a line which commences at the point of intersection of the respective alignments of the intersecting streets or, if the intersection is truncated, at the point of intersection of the prolongation of those alignments, and which continues for 6 metres along the alignment or prolongation of one of those streets and which then continues to a point which is 6 metres along the alignment or prolongation of the other of those streets and which then continues to the point of intersection.
- (4) Subject to sub-clause (5) of this Clause, the owner and occupier of any land shall ensure that any building, wall, fence, hedge, tree, shrub, or other obstruction on the area of land described in

sub-clause (3) of this Clause does not exceed a height of more than 0.75 metres measured from the level of the street or right of way nearest to that object or plant.

- (5) Notwithstanding sub-clause (4) of this Clause, the Council may approve of a building, wall, fence, hedge, tree, shrub or other obstruction which does not comply with that sub-clause if the Council is satisfied that no obstruction will be caused to vehicular or pedestrian traffic using an intersection, street or right of way.

HEIGHT CONTROL

151. No portion of any building shall project beyond the continuation of a line drawn from the ground level at the building line on the opposite side of the street to a point at the centre of the building vertically above the building line thereof at a height equal to twice the horizontal distance between those two building lines.

ACQUISITION AND DISPOSAL OF LAND

152. The Council may acquire any land within the Scheme Area by agreement for the purpose of securing any objective of the Scheme. 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 or the Act in accordance with law and for such purpose may make such agreements with other owners as it deems fit.

AGREEMENTS

153. The Council may enter into any agreement with any owner, occupier or other person having an interest in land affected by the provisions of the Scheme for the purpose of securing any of the objectives of the Scheme.

CLAIMS

154. Subject to Clauses 20 and 46, the time limited for the making of claims for compensation pursuant to Section 11(1) of the Act is six months from the gazettal date except in the case of land reserved under the Metropolitan Region Scheme where the provisions of that Scheme shall apply.

155. The time limited for the making of a claim by the Council pursuant to Section 11(2) of the Act is six months from the date 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.

AUTHORISED ENTRY

156. An officer of the Council, authorised by the Council for the purpose, may at all reasonable times enter any building or land for the purpose of ascertaining whether the provisions of the Scheme are being observed.

SCHEME DOCUMENTS

157. The Scheme Text is to be read in conjunction with all other documents comprising the City of Perth City Planning Scheme.

NOTICES

158. (1) Any notice required to be given by the Council under Section 10(1) of the Act shall be a thirty day notice under the hand of the Town Clerk sent by registered post to the owner and to any occupier or lessee of the premises affected.

(2) 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.

APPEAL

159. Subject to the provisions of the Act, an applicant for town planning approval has a right of appeal under the Scheme in respect of the exercise by the Council of a discretionary power.

OFFENCES

160. Subject to Part IV of the Scheme, a person shall not erect, alter or add to a building or use or change the use of any land, building or part of a building, or permit or suffer any land, building or part of a building to be used or the use of any land, building or part of a building to be changed for any purpose :

- (a) other than a purpose permitted or approved of by the Council in the Zone in which that land or building is situated;
- (b) unless all approvals, consents or licences required by the Scheme or any other law have been granted or issued;
- (c) unless all conditions imposed upon the grant or issue of any approval, consent or licence required by the Scheme or any other law have been and continue to be complied with;
- (d) unless all standards laid down and all requirements prescribed by the Scheme or determined by the Council pursuant to the Scheme with respect to that building or that use of that land or building or that part have been and continue to be complied with.

161. Where the Council has granted town planning approval for the development of land on a condition which involves the maintenance of continuance of the state or condition of any place, area, matter or thing a person shall not use or permit or suffer the use of that land for any purpose while the state or condition of that place, area, matter or thing is not being maintained or continued in accordance with that condition.

SEWERAGE CONNECTION

162. (1) Notwithstanding any provision of the Scheme to the contrary but subject to sub-clause (2) of this Clause all residential development shall be connected to a comprehensive sewerage system.
- (2) Where no such system is available, no residential development other than the erection of a single house shall be approved unless;
- (a) the Department recommends to the Council that there are exceptional circumstances which warrant a variation of the requirement in sub-clause (1) of this Clause; or
- (b) immediately prior to the gazettal date the land in respect of which approval is sought is used for the purpose of two or more dwellings.
- (3) In this Clause "Department" shall have the same meaning as is given to it in the Health Act.

Adopted by resolution of the Council of the City of Perth at the ordinary meeting of the Council held on the 22nd day of April, 1985 and the seal of the Municipality was pursuant to that resolution, hereunto affixed in the presence of:

(Seal)

M. A. MICHAEL,
Lord Mayor.

R. F. DAWSON,
Town Clerk.

This Scheme Text is to be read in conjunction with the approved maps of the Scheme described in Clause 3 of the Scheme and to which formal approval was given by the Hon. Minister for Planning on the 28th day of November, 1985.

Recommended:

M. FEILMAN,
Chairman of the
Town Planning Board.

Date: 25th November, 1985.

Approved:

R. J. PEARCE,
Minister for Planning.

Date: 28th November, 1985.

CITY OF PERTH CITY PLANNING SCHEME

SUPPLEMENTARY INFORMATION FORM in respect of

Application for: TOWN PLANNING APPROVAL

This form must be submitted in duplicate and be accompanied by 3 copies of the plans specified on the back of this form.

| | | |
|-------------------|-------|-------|
| <u>Office Use</u> | | |
| App. No. | _____ | |
| Date rec'd. | _____ | |
| File No. | _____ | |
| MRPA Ref: | _____ | |
| No. Plans | _____ | |
| Loc. | Block | _____ |
| Floor | Elev. | _____ |

Date of application _____

1. Full Name of Applicant

2. Full Address of Applicant

3. Application submitted by

4. Address for correspondence

5. Land in respect of which application is made

Locality/Suburb _____

Street _____ Street No. _____

Lot No. _____

6. Existing use of land and/or building

7. Description of development and use proposed

8. Owner(s) Name Address(es) Signature(s)

| | | |
|-------|-------|-------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

FIRST SCHEDULE (Continued)

NOTE

TOWN PLANNING APPLICATION

Clauses 34 and 35 of the Scheme state:

- "34.(1) Subject to sub-clause (2) of this Clause, a person shall not commence development of any land in the Scheme Area (other than land reserved pursuant to the Metropolitan Region Scheme) without first having applied for and obtained the town planning approval of the Council under the Scheme.
- (2) Subject to Clause 46, town planning approval of the Council shall not be required for the following development of land:
- (a) a single house;
 - (b) not more than two attached houses or two grouped dwellings;
 - (c) works for the maintenance, improvement or other alteration of any building or structure where those works affect only the interior of the building or structure or where those works do not materially affect the external appearance of the building or structure;
 - (d) works carried out by the Council or the Commissioner for Main Roads in connection with the maintenance or improvement of a road where those works take place within the boundaries of the road;
 - (e) works carried out by the Council or a public authority in connection with the inspection, repair or renewal of any sewer, main, pipe, cable or other apparatus including works involving the breaking open of any road or other land for that purpose.
- (3) Every application for town planning approval shall be made in the form prescribed by the Metropolitan Region Scheme for application for approval to commence development of land zoned under Part III of that Scheme accompanied by such plans and other information as is required by the Scheme.
- (4) Where, under the provisions of the Metropolitan Region Scheme:
- (a) approval of the responsible authority is required for the development of land zoned under Part III of that Scheme: and
 - (b) the Council does not have power, under the Metropolitan Region Town Planning Scheme Act 1959 as amended or re-enacted, to determine under that Scheme an application for approval to commence and carry out development
- the Council shall retain a copy of the applicant's form of application to enable the Council to determine the application for town planning approval under the Scheme.

FIRST SCHEDULE (Continued)

- (5) Every application for town planning approval shall be accompanied by:
- (a) the form prescribed in the First Schedule to the Scheme duly completed by the applicant;
 - (b) a location plan to a scale of at least 1:5000 upon which the land the subject of the application is clearly identified;
 - (c) a plan or plans to a scale of at least 1:500 showing:
 - (i) the location and proposed use of any existing buildings to be retained and the location and use of buildings proposed to be erected on the land;
 - (ii) the existing and the proposed means of access for pedestrians and vehicles to and from the land;
 - (iii) the location, number, dimensions and layout of all car parking spaces intended to be provided;
 - (iv) the location and dimensions of any area proposed to be provided for the loading and unloading of vehicles carrying goods or commodities to and from the land and the means of access to and from those areas;
 - (v) the location, dimensions and design of any landscaped area and particulars of the manner in which it is proposed to develop the same;
 - (d) plans, elevations and sections of any building proposed to be erected or altered and of any building it is intended to retain;
 - (e) any other plan or information required to be provided pursuant to the Scheme or that the Council may require to enable the application to be determined.
35. An application for town planning approval shall be signed by the owner of the land or an agent authorised in writing for that purpose by the owner of the land the subject of the application."

SECOND SCHEDULE

Form of Newspaper Notice

CITY OF PERTH CITY PLANNING SCHEME

NOTICE OF APPLICATION TO USE OR DEVELOP LAND

Notice is hereby given that (1) _____

has applied to the City of Perth for approval to (2) _____

on land situated at (3) _____

being (4) _____

Any person wishing to object or otherwise comment upon this proposal, should do so in writing to the Town Clerk, City of Perth, Council House, 27-29 St. George's Terrace, Perth, 6000 not later than (5) _____

- (1) Insert name of applicant.
- (2) Insert the particulars of the proposed land use or development.
- (3) Insert the postal address of the land subject of the application.
- (4) Insert the title description of the land subject of the application.
- (5) Insert the date which should be not less than 3 weeks after the date when the advertisement first appears in the newspaper.

THIRD SCHEDULE

Form of Site Notice

CITY OF PERTH CITY PLANNING SCHEME

NOTICE OF APPLICATION TO USE OR DEVELOP LAND

Notice is hereby given that (1) _____

has applied to the City of Perth for approval to (2) _____

on this land, being (3) _____

and being (4) _____

Any persons wishing to object or otherwise comment upon this proposal should do so in writing to the Town Clerk, City of Perth, Council House, 27-29 St. George's Terrace, Perth, 6000 not later than (5) _____

- (1) Insert name of applicant.
- (2) Insert particulars of the proposed land use or development.
- (3) Insert the postal address of the land subject of the application.
- (4) Insert title description of the land subject of the application.
- (5) Insert the date which should be not less than 3 weeks after the date when the advertisement of the proposed development first appears in the newspaper circulating in the locality.

FOURTH SCHEDULE

CITY OF PERTH CITY PLANNING SCHEME

APPROVAL TO COMMENCE DEVELOPMENT
REFUSAL OF APPROVAL

Name of Owner of Land on which Development Proposed: Surname _____
Christian Names _____
Address in Full _____

Approval to commence development in accordance with the application for town planning approval dated _____ and the attached Plans is granted / refused subject to the following conditions:

This approval is valid for a period of _____ only.

If development is not commenced within this period a fresh approval must be obtained before commencing or continuing the development.

Signed _____
TOWN CLERK

FIFTH SCHEDULE

LIST OF BUILDINGS, OBJECTS AND PLACES COMPILED
BY THE NATIONAL TRUST OF AUSTRALIA (W.A.)

ABBREVIATIONS

| | |
|-----------|---|
| (Angl) | Anglican Church |
| b. | built before |
| c. | circa, about |
| C | Classified |
| cnr. | corner, intersection |
| (f) | facade |
| fmr, fmly | former, formerly |
| (g) | Garden |
| (G) | Group |
| nr | near |
| (NT) | National Trust property (Note. Not all properties are yet open) |
| R | Recorded |
| (RC) | Catholic Church |
| (U) | Uniting Church |

NUMERICAL CODE

Numbers refer to the principal significance of the building upon which it was Classified or Recorded.

- 20 architectural/technical accomplishment
- 21 demonstration of a way of life: custom; process* or function
- 22 historical significance: of development* or cultural phases; important figure/s
- 23 environmental importance, townscape or landscape value; high degree of unity; setting
- 24 scarcity value: a particularly fine (or unique) example

NOTE: Archaeological advice will be sought.
The terms "Classified" and "Recorded" are defined as follows:

"Classified buildings are those places being components of the natural environment of Australia or the cultural environment of Australia, that have aesthetic, historic, scientific or social significance or other special value for future generations as well as the present community."

"Recorded buildings are those which contribute to the heritage of Australia, which should be recorded and whose preservation is encouraged."

PERTH CITY

Aberdeen Street

R 6 St. John's Lutheran Church 1936 20

Adelaide Terrace

R 108 Fisheries & Wildlife Department
fmr Anglican Orphanage 1898 20 23

Barrack Street

C "Old Court House" - in Supreme
Court Gardens - the oldest public
building in the City 1837 20 23

C 3 cnr Esplanade, Weld Club 1892 20 21 23

C 39-41 National Chambers - Statewide
Building Society Office c.1903 20 22

R 143 b.1908 20 22

Beaufort Street

C cnr Roe Street, Perth Court of
Petty Sessions, fmr Central
Police Court 1905 20

C cnr James Street, Art Gallery
and Museum Building 1897 20 22

C fmr Gaol and Court House (within
the grounds of the W.A. Museum) 1856 20 23

Bulwer Street

C Army Museum of W.A. (Dilhorn)
cnr Lord Street 1897 20 21 22 23 24

Cathedral Avenue

C cnr St. George's Terrace, St.
George's Cathedral (Angl) (1845) 1888 20 23

Forrest Place Area: includes

C The General Post Office 1914-1923 20 22 23

C Commonwealth Bank, excl.canopy 1930-1933 20 22 23

R The Padbury Buildings 1925 20 22

C Boans Limited Store - Murray &
Wellington St. Facades 1905-1911 (f) 20 21 22

PERTH CITY

Forrest Place Area: includes (cont'd)

| | | | | | |
|---------------------------|---|-----------|-------------------|----|-------|
| R | Boans Limited Store, fmr Blues Building (419-423 Wellington Street) | 1901 | 20 | 22 | |
| R | 143 Barrack Street | b.1908 | 20 | 22 | |
| R | The Imperial Hotel (411 Wellington Street) | 1929 | 20 | 22 | |
| <u>Francis Street</u> | | | | | |
| R | Fmr Drill Hall, Swan Barracks | 1897 | (f) 20 | 23 | |
| <u>Hay Street</u> | | | | | |
| C | <u>Hay Street PRECINCT:</u> The Mall | | 20 | 22 | 24 |
| R | 310 The Mint | 1898 | 20 | 23 | |
| R | 508 St. George's Hall | 1879 | 20 | 23 | |
| C | cnr Barrack Street, Town Hall | 1870 | 20 | 23 | |
| R | 804 Irene Whyte fmr A.W. Dobbie & Co. | | (G) c.1910 (f) | 20 | 22 |
| R | 822-824 | | (G) c.1905 (f) | 20 | 22 |
| C | 825 His Majesty's Theatre | 1904 | 20 | 23 | 24 |
| C | 826-834 Monash House | 1905 | (G) (f) | 20 | 22 |
| C | 838-842 Durham House | 1916 | (G) (f) | 20 | 22 |
| C | 637-645 Theatre Royal | b.1906 | (f) | 20 | 21 22 |
| C | 647 London Court | 1936 | 20 | 22 | 24 |
| R | 683-687 Vox Adeon, fmr Coles Building | 1907 | (f) | 20 | 22 |
| R | 621-623 Wilson's Bridal & Dress Fabrics | b.1896 | (f) | 20 | 22 |
| C | 611-619 McNess Royal Arcade | b.1896 | 20 | 22 | |
| R | 729 Devon House | 1937 | 20 | 22 | |
| R | 731-737 cnr William Street Gledden Building | 1937 | 20 | 22 | |
| R | 726-728 fmr Economics Stores | 1921-1922 | 20 | 22 | |
| R | 700-704 Piccadilly Theatre & Arcade (Facade & Theatre Entry) | 1937 | (f) | 20 | 22 |

PERTH CITY

| | | | | | |
|---|--|----------|----|----|----|
| C | 636-640 Savoy Hotel | 1913 (f) | 20 | 22 | |
| R | 612-616 NW Cnr Barrack Street: Part of Connor/Quinlan Estate | 1907 | 20 | 22 | |
| C | <u>Hay Street GROUP - PERTH CENTRAL AREA</u> comprising: McNess Royal Arcade Wilson's Bridal & Dress Fabrics State Wide Building Society Bevilaqua & Williams Building | (G) | 20 | 21 | 22 |

Howard Street

| | | | | | |
|---|--|-----|----|----|----|
| C | <u>GROUP - Howard West Side</u> Nos 3-5, 7, 9, 15, 17, 21 | (G) | 20 | 22 | 23 |
| R | <u>GROUP - Howard West Side</u> Nos 11, 13 & 30 The Esplanade | (G) | 20 | 22 | 23 |
| C | <u>GROUP - Howard East Side</u> Nos 16-18, 20 | (G) | 20 | 22 | 23 |

James Street

| | | | | | |
|---|--|------|----|----|----|
| C | 40 State Reference Library | 1903 | 20 | 23 | |
| C | 47 Art Gallery Administration, fmr Police Barracks | 1905 | 20 | 22 | |
| | <u>GROUP - Perth Cultural Centre</u> Fmr Gaol and Courthouse Art Gallery and Museum State Reference Library (Hackett Hall Wing) Perth Technical College Annexe (fmr Perth Boys' School) Art Gallery Administration (fmr Police Barracks) Perth Court of Petty Sessions (fmr Central Police Court) | 20 | 22 | 23 | |
| C | Perth Technical College Annexe fmr Perth Boys' School | 1896 | 20 | 22 | 23 |
| C | <u>King Street PRECINCT</u> Comprising: Irene Whyte, 804 Hay St. Harpers Buildings, 810-820 Hay St. 822-824 Hay Street Monash House, 826-834 Hay Street Durham House, 838-842 Hay Street 26-28 King Street Akroyd Buildings 30-38 King Street 33-35 King Street 37 King Street 39-41 King Street (Kelroyd House) 40-44 King Street 43 King Street 45 & 47 King Street | (f) | 20 | 22 | 23 |

PERTH CITY

King Street PRECINCT (cont'd)

46-48 King Street
61-65 King Street
64-68 King Street
67 King Street
69 King Street
70-72 King Street
73 King Street
75 King Street
76 King Street
77 King Street
331 Murray St (Murray Mews)
333-337 Murray St (SEC Sub Station)
339-347 Murray St (City Hotel)
349-355 Murray Street
352 Murray Street (Anchor House)
356 Murray Street
357-365 Murray St (Red Cross House)
360 Murray Street

King Street

| | | | |
|---|---------------------|------------|----|
| R | 26-28 | (G) (f) 20 | 22 |
| R | 30-38 | (G) (f) 20 | 22 |
| C | 33-35 | (G) (f) 20 | 22 |
| C | 37 | (G) (f) 20 | 22 |
| C | 39-41 Kelroyd House | (G) (f) 20 | 22 |
| R | 40-44 | (G) (f) 20 | 22 |
| C | 43 | (G) (f) 20 | 22 |
| C | 45 & 47 | (G) (f) 20 | 22 |
| R | 46-48 | (G) (f) 20 | 22 |
| C | 61-65 | (G) (f) 20 | 22 |
| R | 64-68 | (G) (f) 20 | 22 |
| C | 67 | (G) (f) 20 | 22 |
| C | 69 | (G) (f) 20 | 22 |
| R | 70-72 | (G) (f) 20 | 22 |
| C | 73 | (G) (f) 20 | 22 |
| C | 75 | (G) (f) 20 | 22 |
| R | 76 | (G) (f) 20 | 22 |
| C | 77 | (G) (f) 20 | 22 |

PERTH CITY

Mount Street

R 52 fmr Lee-Steere House c.1892 20 21

Murray Street

C Murray Street, East PRECINCT
Between Pier Street and the West
front of St. Mary's Cathedral,
comprising

C Royal Perth Hospital fmr Administration (f) 20 22 23
Building and associated gardens (g)
RPH Canteen Building & Original Hospital (G)

C Moreton Bay Fig Tree (g) 22

C "Kirkman House" (RPH Nurses
Quarters, 1909 (f) 20 22
associated Gardens & Fence) (g)
(G)

R 17 Perth Chest Clinic (G) (f) 20 22

C City No. 1 Fire Station, c.1900 (G) (f) 20 22
(Facade Only)

R City No. 1 Fire Station (G) 23

C 45 Young Australia League c.1923 (G) 20 22

C 57 fmr Chief Secretary's Dept. 1912 (G) (f) 20 22

R 63 Salvation Army Fortress 1929 (g) 20 22

R fmr Government Stores 1911 (f) 20 22) Also recorded
(G)) as a separate

C 76 cnr Pier St. fmr Government
Printing Office 1870 (f) 20 22) Group
1899 (G))

R 331 Murray Mews (G) 20 22

R 333-337 SEC Sub Station (G) (f) 20 22

R 339-347 City Hotel (G) (f) 20 21 22

C 349-366 (G) (f) 20 22

C 352 Anchor House (G) (f) 20 22

C 356 (G) (f) 20 22

C 357-365 Red Cross House (Munster House) (G) (f) 20 22

C 360 Andrews House (G) (f) 20 22

Riverside Drive

C Western Australian Rowing Club Bldg. 1905 20 23 24

PERTH CITY

Roe Street

C 70 House c.1863 20 23

Royal Street

C East Perth Primary School 1895 20 21 22 23

St. George's Terrace

C CENTRAL GOVERNMENT PRECINCT Comprising: 20 21 22 23 24

Town Hall

Central Government Offices Complex
 St. George's Cathedral
 Burt Memorial Hall
 The "Deanery" and assoc. landscape areas
 St. Andrews Church
 Government House, Government House Ballroom
 & Government House Gardens
 Council House
 Stirling Square
 "Old Court House", Supreme Court Botanical
 Gardens and Supreme Court Gardens
 Weld Club

C Supreme Court Building c.1906 20 22 23 24

C Government House 1863 20 21 22 23 24

C Government House Ballroom 20 24

C Government House Gardens (g) 21 22 23 24

R 36 St. Andrews Church (U) (1882) 1906 20

C 38 "The Deanery" 1859 20 21 24

R 38a Burt Memorial Hall 1917 21 22 23

C cnr Cathedral Avenue & Barrack St:
 Central Government Offices Complex 1874 20 22 23

C Port Jackson Fig Tree 1880 20 24

C FINANCIAL PRECINCT: Comprising

Trinity Church Group (Church, Halls & Bldgs)
 New Zealand Insurance Bldg
 R. & I. Bank of W.A. (Branch Only)
 Newspaper House
 Royal Insurance Bldg
 W.A. Trust Executor & Agency Bldg
 Lawson Flats
 Temple Court
 Phoenix House, fmr Atlas Bldg
 Howard Street, Group (West side & East side)

C Trinity Church GROUP
 (Church, Halls 1 & 2, Trinity Bldgs) 1893(G) 20 22 23 24

PERTH CITY

| | | | | | | |
|----------------------------|---|-----------|----|----|----|-------|
| C | 98-102 New Zealand Insurance Bldg fmr Victoria Insurance Building | 1927 (f) | 20 | 22 | 22 | 23 |
| R | 101 R. & I. Bank of W.A. (Branch Office) | c.1900 | 20 | 22 | | |
| C | 108 Palace Hotel | 1895 | 20 | 23 | 24 | |
| R | 125-135 Newspaper House Group | (G) | 20 | 23 | | |
| R | 133 Royal Insurance Building | (G) | 20 | 23 | | |
| R | 135 W.A. Trust Executor & Agency Bldg | (G) | 20 | 23 | | |
| C | 139 The Old Perth Boys' School | 1854 | 20 | 21 | 23 | |
| C | 200 "The Cloisters" | c.1858 | 20 | 21 | 23 | |
| C | cnr Malcolm Street "Barracks Arch" | c.1863 | 20 | 22 | 23 | 24 |
| <u>Sherwood Court</u> | | | | | | |
| C | 6 Lawson Flats | 1937 | 20 | 22 | 23 | |
| <u>Spring Street</u> | | | | | | |
| R | "Bishop's House" | 1860 | 20 | 23 | | |
| <u>The Esplanade</u> | | | | | | |
| C | 8-10 Phoenix House fmr Atlas Building | 1930 | 20 | 21 | 22 | 23 |
| <u>Victoria Avenue</u> | | | | | | |
| C | St. John's RC Cathedral, fmr Pro-Cathedral | 1845 | 21 | 23 | 24 | |
| <u>Victoria Square</u> | | | | | | |
| C | <u>EXTENSION OF MURRAY STREET EAST PRECINCT</u> comprising: | | 20 | 21 | 22 | 23 24 |
| R | St. Mary's Cathedral (RC) and grounds | 1863-1865 | 22 | 23 | 24 | |
| R | 21-29 Row 5 Houses, SW side Victoria Square | (G) | 20 | 22 | | |
| C | RC Presbytery, Church Offices and Grounds | 1859 | 20 | 21 | 22 | 23 |
| C | Pro-Cathedral of St. John the Evangelist Sisters of Mercy - Early Convent Buildings Mercedes Schoolhouse (Classified separately as a Group) | 1845 | 20 | 21 | 22 | 23 24 |

PERTH CITY

| | | | | | | |
|---|---|---------------|----|----|----|----|
| C | Sisters of Mercy - Early Convent Buildings | 1844-1850 (G) | 21 | 22 | 23 | 24 |
| C | Mercedes Schoolhouse | 1895 (G) | 20 | 22 | 24 | |
| C | Convent of Mercy & Chapel (Classified separately as a Group) | (G) | 20 | 22 | 23 | 24 |
| C | Convent of Mercy | | 20 | 22 | 23 | 24 |
| C | Convent of Mercy Chapel | | 20 | 22 | | |
| R | "The Old House" | | 20 | | | |

Wellington Street

| | | | | | | |
|---|---|---|-------------------|----|----|----|
| R | Railway Signal Box (adjacent to) Beaufort Street Bridge) |) | 20 | 22 | 23 | |
| C | City Railway Station (1881) (Classified as a Group) |) | 1894 | 20 | 22 | 23 |
| C | 531 Royal Hotel | | 1882 | 20 | 22 | |
| C | 569 fmr Wesfarmers Building | | 1898 | 20 | 22 | 23 |
| C | 581-583 | | 1903 (G) (f) | 20 | 22 | |
| C | 585-587 | | 1913 (G) (f) | 20 | 22 | |
| C | 605 Railways Institute | | 1903-1910 (G) (f) | 20 | 22 | 23 |

William Street

| | | | | | | |
|---|--|--------|----|----|----|----|
| R | 2 Temple Court | c.1929 | 20 | 21 | | |
| C | cnr Hay Street, Wesley Church (U) | 1870 | 20 | 23 | | |
| C | Horseshore Bridge | | 20 | 22 | 23 | |
| C | 209 Great Western Hotel | 1897 | 20 | 22 | 24 | |
| C | 353 Britannia Hotel | 1897 | 20 | 22 | | |
| R | 224 Commonwealth Trading Bank Store, fmr I O R Hall | c.1920 | 20 | | | |
| C | English Elms (group of 3) | 1890 | | | 23 | 24 |

PERTH - SUBURBAN

CRAWLEY

Stirling Highway

| | | | | | | | |
|---|---|-----------|----|----|----|----|----|
| C | St. George's College, excluding Warden's House and two new wings | 1930-1931 | 20 | 21 | 22 | 23 | 24 |
|---|---|-----------|----|----|----|----|----|

EAST PERTH

Bronte Street

| | | | | | | |
|---|--|-----------------|----|----|----|----|
| C | St. Bartholomew's Church (Angl) and East Perth Cemetery | 1871 NT 1830 | 20 | 23 | 20 | 23 |
|---|--|-----------------|----|----|----|----|

HIGHGATE

Beaufort Street

| | | | |
|---|---------------------------|------|----|
| R | St. Albans' Church (Angl) | 1889 | 20 |
|---|---------------------------|------|----|

NORTH PERTH

Angove Street

| | | | |
|---|-------------------|------|----|
| R | 81 Police Station | 1907 | 20 |
|---|-------------------|------|----|

WEST PERTH

Havelock Street

| | | | | |
|---|-------------------|------|----|----|
| R | 2 fmr Observatory | 1897 | 20 | 23 |
|---|-------------------|------|----|----|

| | | | |
|---|-------------------|------|----|
| R | 83 "Talbot House" | 1924 | 20 |
|---|-------------------|------|----|

Hay Street

| | | | |
|---|---|------|----|
| R | 1186 "Meerilinga", Western Australian Pre-School Board | 1896 | 20 |
|---|---|------|----|

VICTORIA PARK

Albany Highway

| | | | |
|---|-----------------------|----|----|
| R | 314 Broken Hill Hotel | 20 | 23 |
|---|-----------------------|----|----|

| | | | | |
|---|----------------------------|------|----|----|
| C | 999 Edward Millen Hospital | 1912 | 20 | 23 |
|---|----------------------------|------|----|----|

| | | | |
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| C | 86 "Forrest Farmhouse" Mackie Street | 1890 | 20 |
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WEMBLEY

Station Street

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|---|---|----|----|
| C | "Catherine McAuley Centre" Old Building | 20 | 23 |
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