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TOWN PLANNING AND DEVELOPMENT ACT 1928 (AS AMENDED)
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME
CITY OF SOUTH PERTH
TOWN PLANNING SCHEME No. 5

SPC 853-2-11-7, Vol. 4.

IT is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 (as amended) that the Hon. Minister for Planning approved the City of South Perth Town Planning Scheme No. 5 on 27 August 1986, the Scheme Text of which is published as a Schedule annexed hereto.

A. ARIS,
Deputy Mayor.

P. A. BENNETTS,
Shire Clerk.

CITY OF SOUTH PERTH
TOWN PLANNING SCHEME NO. 5
SCHEME TEXT

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CITY OF SOUTH PERTH
TOWN PLANNING SCHEME NO. 5

The Council of the City of South Perth, under and by virtue of the powers conferred upon it in that behalf by the Town Planning and Development Act 1928 hereby makes the following Town Planning Scheme for the purposes of :

- (a) setting aside land for public use as reserves;
- (b) controlling land development by zoning;
- (c) preserving, enhancing and extending the amenities of the Scheme Area;
- (d) promoting and safeguarding the health, safety, convenience and general welfare of all persons using land within the Scheme Area; and
- (e) other matters authorised by the Act.

PART 1

PRELIMINARY

1. NAME OF SCHEME AND SCHEME DOCUMENTS

- (1) This Town Planning Scheme may be cited as the City of South Perth Town Planning Scheme No. 5 (herein called "the Scheme" or "this Scheme") and shall come into operation on the publication of notice of the Minister's final approval thereof in the Government Gazette.
- (2) The Scheme comprises this Scheme Text and the Scheme Map.

2. SCHEME AREA

The Scheme shall apply to the whole of the Municipal District of the City of South Perth (herein called "the Scheme Area").

3. METROPOLITAN REGION SCHEME

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

4. REVOCATION OF PREVIOUS SCHEME

The City of South Perth Town Planning Scheme No. 2 which was published in the Government Gazette on the 11th February 1972, and subsequently from time to time amended, is hereby revoked.

5. RESPONSIBLE AUTHORITY

The responsible authority for carrying out the Scheme is the Council of the City of South Perth (herein referred to as "the Council") except that where land is shown on the Scheme Map as "Regional Reserve" the responsible authority is the State Planning Commission and the provisions of the Metropolitan Region Scheme shall apply to those reservations.

6. BY-LAWS

The provisions of this Scheme shall 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 by-law the provisions of the Scheme shall prevail.

7. RESIDENTIAL PLANNING CODES

- (1) For the purpose of this Scheme, "Residential Planning Codes" or "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 this 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 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 Zones shall be determined by reference to the R Code Density numbers superimposed on the areas within those Zones shown on the Scheme Map as being contained within the outer edges of the brown 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.

8. RESIDENTIAL PLANNING CODES - VARIATIONS

- (1) The following provisions of this Scheme constitute variations from the provisions of the Residential Planning Codes with respect to the residential purposes dealt with by those Codes:

- (a) Clause 28(3) - Attached Houses;
 - (b) Clause 29(3) - Grouped Dwellings;
 - (c) Clause 39 - Single Houses - Site Areas;
 - (d) Clause 40 - Storage Facilities for Certain Residential Buildings;
 - (e) Clause 43 - Building Setback Variations - Balconies, Porticos, Porte-Cochères and in Karawara;
 - (f) Clause 52 - Outbuildings - Karawara;
 - (g) Clause 53 - Change in Use of Existing Buildings;
 - (h) Clause 62 - Setbacks from Specified Street Alignments - Table No. 4;
 - (i) Clause 64 - Multiple Uses;
 - (j) Clause 67(3) - Car Parking Spaces forward of Minimum Setback from Street Alignment.
- (2) Where the provisions of the Codes are inconsistent with the provisions of the Scheme specified in sub-clause (1) of this Clause, those provisions of the Scheme shall prevail to the extent of any such inconsistency.

9. ARRANGEMENT OF SCHEME TEXT

- (1) The Scheme Text is arranged into the following parts :

Part 1. Preliminary

Part 2. Reserved Land

Part 3. Zones

Part 4. Non-Conforming Use of Land

Part 5. General Provisions as to certain Zones and Uses

Part 6. Development

Part 7. Finance and Administration

10. INTERPRETATION

- (1) Where a word or term which is defined in the Codes is used in this Scheme, that word or term shall, unless otherwise defined in this Scheme or unless the context requires otherwise, bear the meaning given to it in the Codes.
- (2) A reference in this Scheme to a written law shall be deemed to include a reference to such written law as it may from time to time be amended or re-enacted.

11. DEFINITIONS

In this Scheme, unless the context requires otherwise:

"Aged Persons' Amenities" means any land or building provided and designed in conjunction with and appurtenant to Aged or Dependent Persons' Dwellings and used for the purpose of providing meals or social or cultural amenities exclusively for the occupants of the Aged or Dependent Persons' Dwellings;

"balcony" means a platform outside and protruding from the main structure of a building with access from an upper floor;

"Building Height Zone" means a portion of the Scheme Area shown on the maps contained in Schedule B to the Scheme by distinctive markings for the purpose of indicating the maximum height imposed by the Scheme for buildings in that portion of the Scheme Area;

"Car Park" means any land or building or part of any land or building used primarily for parking motor vehicles whether as a public or private car park but does not include any part of a public road used for those purposes, a taxi rank or that part of any land or building on or in which motor vehicles are displayed for sale;

"Car Sales Premises" means any land or building used for the display and sale of cars, whether new or second-hand, but does not include a workshop;

"Childhood Services" means the use of land for the purposes of child minding, child care, child health, or pre-school education and includes any services ancillary thereto and any other services or uses of a similar kind;

"City Planner" means the City Planner or Acting City Planner, for the time being of the City of South Perth;

"Civic Building" means a building designed, used or intended to be used by :

- (a) Government Departments;
- (b) statutory bodies representing the Crown; or
- (c) the Council,

as offices or for administrative or other like purposes;

"Club" means premises used for the purposes of club premises by a body of persons, whether incorporated or not, which is not formed for the purpose of securing pecuniary profit to its members from the transactions thereof and having for its object social, sporting, religious, educational, literary, musical, scientific, agricultural, horticultural or other like activities or the welfare and recreation of its members;

"Commission" means the State Planning Commission established by the State Planning Commission Act 1985;

"Consulting Rooms" means a building or part of a building used in the practice of his profession by :

- (a) a legally qualified medical practitioner;
- (b) a dentist;
- (c) a physiotherapist;
- (d) a chiropodist;
- (e) a chiropractor;
- (f) a masseur; or
- (g) a person ordinarily associated with a medical practitioner in the investigation or treatment of physical or mental injuries or ailments,

but does not include a hospital;

"Controlled Use Offices" means a building or that part of a building used for the purpose of an office or offices in connection with a business the nature and operation of which :

- (a) does not create a need to use any street, reserve or public car park for car parking purposes by persons working in that building;

- (b) is not likely to give rise to movement of vehicles or the parking of vehicles in streets by visitors to that building which is substantially beyond that which is normal in a residential area.

The term "Controlled Use Offices" does not include a building or that part of a building used for the purposes of the office of a building society, insurance company, stock broker, business training establishment, or an office used primarily for receiving money from persons visiting the building or any premises of a totalisator agency established by the Totalisator Agency Board;

"Convenience Store" means any land or building used for the sale by retail of both petrol and goods commonly sold in delicatessens and newsagencies;

"Dry Cleaning Premises" means any land or building or part thereof used for the cleaning of garments and other fabrics by chemical processes;

"Eating House" means any land or building or part thereof used for the purpose of serving food or drink for gain or reward to the public for consumption thereon or therein but does not include a Take-away Food Shop;

"Educational Establishment" means a school, college, university, technical centre or institute, lecture hall or kindergarten and includes playing fields and such other ancillary uses as the Council may permit, but does not include a reformatory institution or institutional home;

"Family Care Centre" has the same meaning as is given to it in and for the purpose of the Child Welfare (Care Centres) Regulations 1968;

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

"Funeral Parlour" means any land or building or part thereof occupied by an undertaker where bodies are stored or prepared for burial or cremation and includes chapels erected on that land;

"General Offices" means a building in which business services are rendered or carried on, including the premises of any bank, insurance office, totalisator agency established by the Totalisator Agency Board and any similar institution but the term does not include Controlled Use Offices or Professional Offices;

"gross floor area" means the area of all floors of a building measured from the outer faces of external walls;

"gross leasable area" :

- (a) means the area of all floors, capable of being occupied by a tenant for his exclusive use, measured from the centre lines of joint partitions or walls, and from the outside faces of external walls, the building alignment and shop fronts; and
- (b) includes the area of basements, mezzanine floors and store rooms;

"Health Centre" means a maternal care centre, an X-ray centre, a district clinic, a masseur's establishment, or a medical clinic;

"Hire Premises" means any premises used primarily for the purpose of the hire of goods;

"Home Occupation" means any commercial business conducted in a Single House or within the boundaries of the lot upon which a Single House is constructed;

"Hospital" means any building or part of a building, whether permanent or otherwise, in which persons are received and lodged for medical care;

"Hostel" means a Lodging House which is not open to the public generally but is reserved for use solely by students and staff of Educational Establishments, members of societies, institutes or associations;

"Hotel" means any land or building the subject of a Hotel Licence granted under the provisions of the Liquor Act 1970 but does not include a Motel;

"Indoor Sporting Activities" means badminton, basketball, gymnastics, indoor cricket, squash, swimming, table tennis or other similar sporting or recreational activities generally carried on indoors;

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

"Industry - Service" means a Light Industry carried on on land or in a building having a retail shop front and on which land or in which building goods are manufactured only for sale on the premises and includes :

- (a) a building in which articles of domestic use are laundered, drycleaned or repaired which building has a retail shop front; and
- (b) a building which is used as a depot for receiving goods to be serviced;

"Karawara" means that portion of the Scheme Area bounded by Jackson Road, Kent Street, Manning Road, Goss Avenue and Murray Street;

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

"Metropolitan Region Scheme" means the Metropolitan Region Scheme made pursuant to the Metropolitan Region Town Planning Scheme Act 1959 and published in the Government Gazette on the 9th August 1963;

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

"mixed development" means the use or development of land for both residential and non-residential purposes;

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

"Motor Repair Station" means any land or building or part thereof used for or in connection with the mechanical repair and overhaul of motor vehicles including tyre recapping, retreading, panel beating, spray painting, chassis reshaping and motor vehicle trimming;

"non-conforming use" means a use of land which, though lawful immediately prior to the coming into operation of this Scheme is not in conformity with any provision of this Scheme which deals with a matter specified in Clause 10 of the First Schedule to the Act;

"Nursing Home" means a building or part of a building, whether permanent or otherwise, in which persons who do not require constant medical attention are received as patients and lodged for medical and nursing care;

"office floor area" means the total of the floor areas of a building used for the purpose of Offices where the floor areas are measured from the inner faces of external walls but does not include the areas of any lift shaft, stair, toilet, plant room, kitchen, lunch room, store area, storage room, passage, and any area within the building used for parking of vehicles or for vehicular access;

"Offices" means Controlled Use Offices, General Offices or Professional Offices or any combination thereof;

"outbuilding" means a store shed, detached laundry, private workshop, carport or garage appurtenant to and used in conjunction with any building used for a purpose specified under the column Use Classes in Table No. 1 and appropriate to the Zones specified in that Table;

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

- (a) is entitled to the land for any estate in fee simple in possession;
- (b) is a person to whom the Crown has lawfully contracted to grant the fee simple of the land;
- (c) is a lessee or licensee from the Crown; or
- (d) is entitled to receive or is in receipt of, or if the land 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;

"pergola" means a structure comprising only columns and an open roof;

"Petrol Filling Station" means land and buildings used for the supply of petroleum products, compressed air, water and automotive accessories;

"plot ratio" where used with respect to any non-residential or mixed development in any Zone other than the Residential Zones or the Private Institutions Zone means the ratio of the gross total of the floor areas of a building to the area of land within the lot boundaries, where the floor areas are

measured from the inner faces of external walls, but does not include the areas of any lift shaft, toilet, stair, plant room, kitchen, lunch room, store area, storage room, passage and any area within the building used for parking of vehicles or for vehicular access;

"plumbing fittings" means all pipes, meters and other apparatus used for or in connection with the supply of gas and water and all pipes, cisterns, traps, syphons, vent pipes and all other apparatus connected with the working of any sewerage drain;

"Private Hotel" means any building used for residential purposes in respect of which a limited hotel licence may be granted under the provisions of the Liquor Act 1970;

"Professional Offices" means a building or that part of a building used for the purpose of an office or offices of an accountant, architect, artist, author, barrister, consular official, consulting industrial chemist, engineer, geologist, quantity surveyor, solicitor, surveyor, tutor (other than a dancing teacher or a music teacher), town planner or valuer;

"Public Amusement" means a theatre, cinema, dance hall, skating rink, swimming pool, gymnasium or games area which is open to the public;

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

"Public Recreation" means the use of land for a public park, public gardens, foreshore reserve, playground or grounds for recreation which are normally open to the public without charge;

"Public Utility" means any works or undertakings 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" does not include an Educational Establishment;

"reformatory institution" includes a penal institution;

"Religious Community Services" means services or activities provided or conducted by a religious body or institution in connection with the State Emergency Services, children's crafts, the promotion of health, geriatric supportive care, youth training and welfare and similar community services;

"Religious Institution" means land and buildings provided, supervised and controlled by a religious body in connection with its religious, educational, pastoral, welfare or community activities and includes any Hospital or Aged or Dependent Persons' Dwellings provided, supervised and controlled by a religious body;

"Service Station" means any land or building used for the supply of petroleum products and automotive accessories and any land or building used for those purposes and greasing, tyre repairs and minor mechanical repairs;

"Shop" means any land or building where goods are kept, exposed or offered for sale by retail, and includes a receiving depot for drycleaning of clothes, but the word does not include :

- (a) any building or part thereof used primarily for the preparation of food for sale by retail elsewhere than within the building;
- (b) any land or building used for any purpose within the definition of Light Industry;
- (c) any land or building used for the sale of motor or other vehicles;
- (d) a bank;
- (e) a Convenience Store;
- (f) an Eating House;
- (g) a fuel depot;
- (h) a marine store;
- (i) a market;
- (j) a Milk Depot;
- (k) premises of a totalisator agency established by the Totalisator Agency Board;
- (l) a Service Station;
- (m) a Take-away Food Shop; or
- (n) a timber yard;

"Showroom" means a building or part of a building used in conjunction with a Warehouse or Offices, and intended for the display of goods of a bulky character;

"site coverage" means the proportion (expressed as a percentage) of any land occupied and to be occupied by buildings and, for the purpose of calculating site coverage with respect to any land the subject of an application for planning consent:

- a) buildings shall be measured from the outer surface of their walls and to that area shall be added the area of any projection beyond the walls, including those parts of eaves which project more than 0.9 metres from a wall; and
- b) the area of the land covered by buildings or portions of buildings and outbuildings used solely for the purpose of car parking shall be excluded;

"Student Housing" means a building or buildings provided and maintained by an Educational Establishment, religious or charitable body for and used exclusively as a place of residence by the students or by the students and staff of an Educational Establishment and their immediate families;

"Take-away Food Shop" means any land or building or part thereof used principally for the purpose of serving food or drink for gain or reward to the public for consumption otherwise than on the premises and the term includes premises where soft drinks, confectionery or cigarettes are sold to the public in addition and ancillary to the sale of food or drink of that kind;

"Tavern" means any land or building the subject of a tavern licence granted under the Liquor Act 1970;

"the Act" means the Town Planning and Development Act 1928;

"Uniform Building By-Laws" means the Uniform Building By-Laws 1974, published in the Government Gazette on the 19th December 1974;

"Veterinary Clinic" means any land or building or part thereof used for the purposes of his profession by a veterinary surgeon for veterinary consultations, treatment, advice or surgical procedures, but the term does not include any land or building on or in any part of which animals are hospitalised or detained;

"veterinary surgeon" means a person registered under the Veterinary Surgeons Act 1960 to practice in Western Australia;

"wall" where used in the definition of the expression "setback" includes a support column of a roof or balcony;

"Warehouse" means any building or enclosed land, or part of a building or enclosed land, used for storage of goods and the carrying out of commercial transactions involving the sale of such goods by wholesale;

"Welfare Housing" means a Single House provided, supervised and controlled by a religious, charitable or health care association, body or company for the purpose of residential accommodation;

"Zone" means a portion of the Scheme Area shown on the Scheme Map by distinctive colouring, hatching, lettering or edging for the purpose of indicating the restrictions imposed by the Scheme on the erection and use of buildings or the use of land, but does not include land reserved under the Metropolitan Region Scheme.

PART 2

RESERVED LAND

12. RESERVES

- (1) Certain land within the Scheme Area is set aside and divided into the following Reserves for the purposes indicated on the Scheme Map and specified in this Part:

- (a) Park and Recreation Area Reserves;
- (b) Public Use Reserves;
- (c) Communication Reserves :
 - (i) Local roads; and
 - (ii) Roads to be closed; and
- (d) Civic and Cultural Area Reserves.

Those Reserves respectively comprise the areas delineated, distinctively coloured and identified as such by the legend on the Scheme Map.

- (2) Reservations of land pursuant to the Metropolitan Region Scheme are shown on the Scheme Map in order to comply with the provisions of the Metropolitan Region Town Planning Scheme Act 1959. Those Reserves are :

- (a) Park and Recreation Area (Regional);
- (b) Park and Recreation Area (Regional Restricted);
- (c) Controlled Access Highway;
- (d) Other Major Highway;
- (e) Important Regional Roads; and
- (f) Public Purposes Reserves - High School
 - Hospital
 - Special Uses.

13. PARK AND RECREATION AREA RESERVES

Within the Park and Recreation Area Reserves land may only be used and buildings and works may only be constructed and used for the following purposes and such other recreational purposes for which the Council may grant planning consent:

- (a) Auditoriums;
- (b) Botanic gardens;
- (c) Golf courses;
- (d) Playing fields;
- (e) Public halls;
- (f) Public picnic-barbecue areas;
- (g) Public recreation;
- (h) Roads;
- (i) Sea Scouts, Boy Scouts and Girl Guides activities;
- (j) Sports clubs;
- (k) Sports pavilions;
- (l) Such dressing sheds, public conveniences, accessways or car parks as are necessary or ancillary to the primary purpose for which the land or building is used;
- (m) Swimming centres;
- (n) The activities of sporting clubs and associations;
- (o) Waterways or ornamental lakes; and
- (p) Youth Clubs.

14. PUBLIC USE RESERVES

Within the Public Use Reserves land may only be used and works and buildings may only be constructed and used for the public purposes denoted and superimposed on the Scheme Map in accordance with the legend thereon and such other public purposes for which the Council may grant planning consent.

15. COMMUNICATION RESERVE (ROADS TO BE CLOSED)

If a road within the Communication Reserve (Roads to be Closed) is closed pursuant to the Local Government Act 1960 and that land is disposed of by the Governor to a person other than the Crown or a Crown instrumentality then that land may be used for the purposes permitted in the Zone or the Reserve which is indicated by the markings overlaid on the Communication Reserve on the Scheme Map.

16. CIVIC AND CULTURAL AREA RESERVES

Within the Civic and Cultural Area Reserves land may only be used and works and buildings may only be constructed and used for the civic or cultural purposes denoted and superimposed on the Scheme Map according to the legend thereon and such other civic or cultural purposes for which the Council may grant planning consent.

PART 3

ZONES

17. DIVISION OF SCHEME AREA INTO ZONES

- (1) The Scheme Area is divided into 19 Zones described as follows:

(a) Residential Zones:

- (i) Residential - R
- (ii) Residential - R.O.
- (iii) Aged or Dependent Persons' Dwellings

(b) Shopping Zones:

- (i) Shopping S1
- (ii) Shopping S2
- (iii) Shopping S3

(c) Commercial Zones:

- (i) Commercial C1
- (ii) Commercial C2
- (iii) Commercial C3

(d) Other Zones:

- (i) Hotel
- (ii) Motel
- (iii) Service Station
- (iv) Motor Repair and Service Station
- (v) College - School Extension
- (vi) Civic Uses
- (vii) Private Institutions
- (viii) Public Assembly
- (ix) Special Zone A
- (x) Restricted Use

- (2) The Zones respectively comprise the areas which are delineated, distinctively coloured, hatched or lettered and identified as such by the legend on the Scheme Map.

18. ZONING - LAND USE - TABLE NO. 1

- (1) Subject to the provisions of this Scheme, the various purposes for which land may be used are set out in the first column of Table No. 1. Those purposes are herein referred to as "Use Classes". The various Zones created by the Scheme are indicated at the head of that Table. Whether land in a particular Zone may be used for a particular purpose shall be determined by reference to the symbol indicated alongside that Use Class under the appropriate Zone heading.
- (2) The symbol :
 - (a) **"P"** means that the land may be used for the purpose indicated;
 - (b) **"CP"** means that the land may be used for the purpose indicated only if the land or the proposed development or both, as the case may be, satisfies the conditions specified in this Part in relation to the Use Class with respect to which the symbol is used;
 - (c) **"AA"** means that the land shall not be used for the purpose indicated unless the Council has granted planning consent to use of the land for that purpose which consent shall not be granted unless:
 - (i) the Council is satisfied that the use of the land for that purpose, the activities to be carried on which are connected with or incidental to that purpose and any building to be erected for that purpose will not have any adverse or detrimental effect on the residents or amenities of or the properties in the neighbourhood; and
 - (ii) notice of the application for the planning consent has been served by the applicant by registered post on all owners and occupiers of land (other than land reserved under the Scheme) adjoining the land the subject of the application;
 - (iii) the notice is in the form prescribed in Schedule H; and
 - (iv) the applicant satisfies the Council that the requirements of this paragraph have been complied with;

- (d) **"IP"** means that the land shall not be used for the purpose indicated unless the Council decides that such use is ancillary to the predominant use permitted and made of land in that Zone;
- (e) **"SA"** means that the land shall not be used for the purpose indicated unless the Council has granted planning consent to use of land for that purpose, which consent shall not be granted unless :
 - (i) the Council is satisfied that the use of the land for that purpose, the activities to be carried on which are connected with or incidental to that purpose and any buildings to be erected for that purpose will not have any adverse or detrimental effect on the residents or amenities of or the properties in the neighbourhood;
 - (ii) notice of the application for the Council's planning consent has been published in the morning issue of a daily newspaper circulating in the Scheme Area once a week for 3 consecutive weeks after the date upon which such application was lodged with the Council;
 - (iii) a notice or notices specifying particulars of the proposed development and the purpose for which the land is to be used has been placed in a prominent position or positions on the land so that the same are visible and readable from every street to which the land has a frontage;
 - (iv) the notice or notices referred to in sub-paragraph (iii) of this paragraph have been exhibited on the land in accordance with the provisions of that sub-paragraph for a period of not less than 7 days during the period during which notice of the application is being advertised in a newspaper as required by sub-paragraph (ii) of this paragraph;
 - (v) the newspaper notice is in the form prescribed in Schedule I;

- (vi) the site notice is in the form prescribed in Schedule J and its content, type and size of print have been first submitted to and approved by the City Planner;
 - (vii) copies of the advertisement referred to in sub-paragraph (ii) of this paragraph have been served by the applicant by registered post on such owners and occupiers of land in the vicinity of the land the subject of the application as the Council considers appropriate; and
 - (viii) the applicant satisfies the Council that the requirements of this paragraph have been complied with;
- (f) "X" means that the land shall not be used for the purpose indicated.
- (3) Where a particular Use Class is accorded more than one symbol in a Zone the symbol which applies to particular land within that Zone shall be determined by the provision of this Part referred to in the appropriate footnote to Table No. 1.
 - (4) Where in Table No. 1 a particular Use Class is mentioned that class is deemed to be excluded from any other Use Class which by its more general terms would otherwise include such particular use.
 - (5) If a particular use is not mentioned in the list of Use Classes or is not included in the general terms of any of the Use Classes that use unless it is permitted by any subsequent provision of the Scheme shall be deemed to be prohibited.

19. SCHEDULE C LAND - ADDED USES

- (1) Notwithstanding anything contained in Table No. 1 but subject to Clause 50, the land specified in Schedule C and any building thereon may be used for the purpose indicated in respect of that land in that Schedule.
- (2) The Council may grant planning consent in respect of land specified in Schedule C to the Scheme for a use which is not permitted in the Zone in which the land is situated if :

- (a) the proposed use is, in the opinion of the Council, less detrimental to the amenity of the neighbourhood than the use indicated in respect of that land in Schedule C; and
 - (b) the conditions set out in sub-paragraphs (i) to (vii) inclusive of paragraph (e) of Clause 18(2) have been complied with.
- (3) For the purpose of sub-clause (1) and paragraph (a) of sub-clause (2) of this Clause, the use indicated in Schedule C is deemed to be the use permitted by the Council under sub-clause (2) of this Clause from time to time.

20. RESTRICTED USE ZONE – SCHEDULE D LAND

- (1) Those portions of the Scheme Area specified in Schedule D comprise the Restricted Use Zone.
- (2) Notwithstanding that land in the Restricted Use Zone is within another Zone that land and any building thereon may only be used for the purposes indicated in respect of that land in Schedule D.

21. TEMPORARY USES

- (1) Notwithstanding any other provision of the Scheme, land may be used temporarily for a purpose not otherwise permitted by the Scheme if :
 - (a) the Council is satisfied that the temporary use proposed will not have any adverse or detrimental effect on the residents or amenities of or the properties in the neighbourhood and the Council grants planning consent for that temporary use;

- (b) any proposed building to be erected or placed on the land is of a temporary or transportable nature; and
 - (c) the owner and his successors in title enter into an agreement with the Council to discontinue the temporary use and to remove any proposed building from the land upon the expiration of the period during which the temporary use is permitted by the Council.
- (2) A planning consent granted by the Council pursuant to this Clause shall be for a period determined by the Council and specified in the planning consent. That period shall not exceed 2 years but the planning consent may be renewed annually thereafter provided that the total period of the temporary use shall not exceed 5 years.
- (3) Where the Council grants planning consent for the temporary use of land under this Clause the Council may impose such conditions as it thinks necessary to ensure that there is no adverse effect on the residents or amenities of or the properties in the neighbourhood.
- (4) A person shall not use land :
- (a) for a temporary use after the expiry of the period fixed by the Council in granting a planning consent for the temporary use under this Clause;
 - (b) otherwise than in accordance with any conditions imposed by the Council under this Clause; or
 - (c) in breach of the terms of any agreement made under this Clause.

22. HOME OCCUPATIONS

- (1) In considering an application for planning consent for a Home Occupation, the Council, in addition to any other matter it is required or permitted to consider shall have regard to the following objectives:
- (a) the need to ensure that the use of land for any Home Occupation is unobtrusive and compatible with surrounding buildings and uses;

- (b) the protection of the character and amenity of the locality; and
 - (c) the need to ensure that the Home Occupation does not prejudicially affect the amenity of the locality by reason of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, grit, oil, waste water, waste products or increased numbers of vehicle movements.
- (2) When granting planning consent for a Home Occupation the Council may limit the time for which that planning consent remains valid. When that time has expired a person shall not use that land for a Home Occupation unless a further planning consent to do so is subsequently granted by the Council.
- (3) If a Home Occupation is being carried on and the Council is of the opinion that the use is causing a nuisance or annoyance to neighbours or owners or occupiers of land in the neighbourhood or is otherwise having an adverse effect on the residents or amenities of other property in the neighbourhood, the Council may rescind the planning consent granted by it for that use and thereafter a person shall not use the land for a Home Occupation unless a further planning consent to do so is subsequently granted by the Council.
- (4) No person shall use land for the purpose of a Home Occupation unless the person:
- (a) is an occupier of the land; and
 - (b) has applied for and obtained the planning consent of the Council for that Home Occupation.
- (5) No owner or occupier of land used for the purpose of a Home Occupation shall permit or suffer:
- (a) more than 2 persons; and
 - (b) more than 1 person other than an occupier of the land who has applied for and obtained the planning consent of the Council for that Home Occupation,
- to carry on, conduct or engage in the Home Occupation.

- (6) Not more than 20 square metres of any lot may be used for the purpose of a Home Occupation.
- (7) The Council shall not grant planning consent for a Home Occupation which involves the sale of goods, merchandise or anything whatsoever unless the Council is satisfied that:
 - (a) such sales will be infrequent;
 - (b) the Home Occupation will not involve the storage of any goods, merchandise or things for sale;
and
 - (c) such goods, merchandise and things will not be in view from any street.
- (8) Notwithstanding any other provision of the Scheme, land shall not be used for a Home Occupation which involves the breeding, keeping or selling of any animal or bird.
- (9) No owner or occupier of land used for the purpose of a Home Occupation shall permit or suffer any vehicle which is used in connection with a Home Occupation to be kept on the land unless the vehicle cannot be seen from any street.
- (10) No owner or occupier of land shall store or permit to be stored any goods, merchandise, materials, equipment or supplies used in connection with a Home Occupation, in any place other than within a building.
- (11) Subject to sub-clause (13) of this Clause, on land used for the purpose of a Home Occupation, no person shall place any advertisement, advertising hoarding, illuminated sign or other advertising device or erection, with respect to or in connection with the Home Occupation.
- (12) Subject to sub-clause (13) of this Clause, no owner or occupier of land used for the purpose of a Home Occupation shall permit any advertisement, advertising hoarding, illuminated sign, or other advertising device or erection, with respect to or in connection with the Home Occupation, to remain on the land.

- (13) Sub-clauses (11) and (12) of this Clause shall not apply to any advertisement, advertising hoarding, illuminated sign, or other advertising device or erection, which does not exceed 0.2 square metres in area.

23. NURSING HOMES

The Council shall not grant planning consent for the use of land for the purpose of a Nursing Home:

- (a) unless the site abuts upon a public park or a recreation reserve or provision is made within the boundaries of the site for adequate open space for the recreational needs of mobile patients;
- (b) if the site is located more than 400 metres from the nearest public transport route;
- (c) if the site abuts upon a Major Highway or an Important Regional Road reserved for those purposes under Part II of the Metropolitan Region Scheme; and
- (d) if the site is adjacent to a school, place of public amusement or any other type of development which may in the opinion of the Council by reason of noise, dust or similar factors adversely affect the use of the land for the purpose of a Nursing Home.

24. CONTROLLED USE OFFICES AND PROFESSIONAL OFFICES IN THE RESIDENTIAL-R ZONE

- (1) Land in the Residential-R Zone other than land in that part of the Residential-R Zone situated within the area bounded by Labouchere Road, Richardson Street, Melville Parade and the southern boundary of the Residential-R.O. Zone, shall not be used for the purposes of Controlled Use Offices or Professional Offices.
- (2) Within the area bounded by Labouchere Road, Richardson Street, Melville Parade and the southern boundary of the Residential-R.O Zone, no person shall:
 - (a) use any building for the purpose of Controlled Use Offices or Professional Offices other than a Single House which was constructed prior to 11 February 1972; or

(b) (i) add to or extend; or

(ii) without first having applied for and obtained the planning consent of the Council, alter or amend the facade of,

a building used wholly or partly for the purposes of Controlled Use Offices or Professional Offices.

(3) Within the area specified in sub-clause (2) of this Clause, if a Single House which was constructed prior to 11 February 1972:

(a) is used for the purposes of Controlled Use Offices or Professional Offices; and

(b) that use is changed to use for residential purposes,

then that Single House shall not be used thereafter for the purposes of Controlled Use Offices or Professional Offices.

25. CONTROLLED USE OFFICES

Where land is used for the purpose of Controlled Use Offices:

(a) a person shall not process, service, store or distribute any goods or merchandise on that land or permit any goods or merchandise to be processed, serviced, stored or distributed thereon;

(b) a person shall not sell any goods or merchandise on that land if at any time those goods or merchandise are or are to be processed, stored, serviced or distributed on that land;

(c) a person shall not install any shop front in any building on that land;

(d) a person shall not make or arrange or permit to be made or arranged any window display in any building on that land; and

(e) a person shall not display or permit to be displayed any goods or merchandise outside any building on that land.

26. CONTROLLED USE OFFICES IN SHOPPING S1 ZONES

The Council shall not grant planning consent for the use of land in the Shopping S1 Zone for Controlled Use Offices unless the Council is satisfied that that use when aggregated with the similar use of other land in that part of the Zone in which the land in question is located, will be secondary to the use of that part of the Zone for the purpose of Shops.

27. PRIVATE HOTELS, HOSTELS AND LODGING HOUSES - RESIDENTIAL-R ZONE

Land shall not be used for the purpose of a Private Hotel, Hostel or Lodging House in the Residential-R Zone unless that land has an R Code Density of R50 or more.

28. ATTACHED HOUSES

(1) Where land in the Residential-R Zone has an R Code Density of:

- (a) less than R40 and the land is to be used for not more than 2 Attached Houses;
- (b) R40 and the land is to be used for not more than 4 Attached Houses; or
- (c) more than R40 and the land is to be used for Attached Houses,

the symbol "P" in Table No. 1 applies to that Use Class.

(2) Where land in the Residential-R Zone has an R Code Density of:

- (a) less than R40 and the land is to be used for more than 2 Attached Houses; or
- (b) R40 and the land is to be used for more than 4 Attached Houses,

the symbol "SA" in Table No. 1 applies to that Use Class.

- (3) Whether the symbol "P", the symbol "CP" or the symbol "SA" applies to the Use Class Attached Houses in Table No. 1 and notwithstanding the provisions of the Codes or the Zone in which land is located that land shall not be used for Attached Houses unless at least 50 per centum of those houses contain at least 3 bedrooms.

29. GROUPED DWELLINGS

- (1) Where land in the Residential-R Zone has an R Code Density of:
 - (a) less than R40 and the land is to be used for not more than 2 Grouped Dwellings; or
 - (b) R40 or more, and the land is to be used for Grouped Dwellings,the symbol "P" in Table No. 1 applies to that Use Class.
- (2) Where land in the Residential-R Zone has an R Code Density of less than R40 and the land is to be used for more than 2 Grouped Dwellings the symbol "SA" in Table No. 1 applies to that Use Class.
- (3) Whether the symbol "P", the symbol "CP" or the symbol "SA" applies to the Use Class Grouped Dwellings in Table No. 1 and notwithstanding the provisions of the Codes or the Zone in which the land is located that land shall not be used for Grouped Dwellings unless at least 50 per centum of those dwellings contain at least 3 bedrooms.

30. MULTIPLE DWELLINGS

- (1) Where land in the Residential-R Zone has an R Code Density of less than R50 the symbol "X" in Table No. 1 applies to the Use Class Multiple Dwellings.

- (2) Where land in the Residential-R Zone has an R Code Density of R50 or more the symbol "P" in Table No. 1 applies to the Use Class Multiple Dwellings.

31. TAVERNS

Land shall not be used for the purpose of a Tavern in the Shopping S2, Shopping S3 or Commercial C3 Zones if:

- (a) the gross floor area of the building or that part of the building which is to comprise the Tavern exceeds 200 square metres; or
- (b) the Tavern does not form an integral part of a comprehensive commercial complex.

32. SPECIAL ZONE A

The Council shall not grant planning consent for the development of land within the Special Zone A unless:

- (a) such reserves as are nominated by the Council within the Perth Water foreshore area between the eastern end of the South Perth Esplanade and Ellam Street have already been developed or are developed contemporaneously with the development of any land within the Zone; and
- (b) the purpose for which the land is to be developed and used is in the opinion of the Council complementary to and in harmony with development of the adjacent open space reserves.

33. CIVIC USES ZONE

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

34. STUDENT HOUSING

No land shall be used for the purpose of Student Housing other than land in Karawara which lies between Kent Street and Walanna Drive south of Jackson Road.

35. SHOPS IN COMMERCIAL C2 ZONE

Where land within the Commercial C2 Zone may be used pursuant to Clause 19 for the purpose of a Shop, the Council shall not grant planning consent for the use of land for that purpose unless the Council is satisfied that the use will be secondary to the predominant use permitted and made of the land.

36. SHOPS IN COMMERCIAL C3 ZONE

The use of land for the purpose of Shops in the Commercial C3 Zone is subject to Clause 55(4) and, in any event, the Council shall not grant planning consent for the use of land in that Zone for that purpose if:

- (a) the gross leasable area of the Shops exceeds 500 square metres; or
- (b) in the opinion of the Council, the location of the land in relation to any land within a Shopping Zone or in relation to existing Shops in the same locality as the land in the Commercial C3 Zone, is such as to render impractical the integration of existing and proposed shopping floor space so as to achieve convenient and orderly access to shopping facilities.

PART 4

NON-CONFORMING USE OF LAND

37. NON-CONFORMING USE OF LAND

- (1) (a) Notwithstanding any provision of the Scheme, if on the date when the Scheme comes into operation any land or building or part of a building is being lawfully used for a purpose other than is permitted under this Scheme, it shall be lawful, subject to this Clause, and to any statute or by-law, to continue to use that land or building or that part of a building and any land directly ancillary thereto for that identical purpose, but no other.
 - (b) If any premises entitled to a non-conforming use under this Clause cease for a period of 12 months continuously to be used for the purpose authorised by this Clause or if that use is abandoned those premises shall not thereafter be used otherwise than in conformity with this Scheme.
 - (c) If a building which is, or of which any part is, being used for a non-conforming use under this Clause is demolished to an extent of more than 75 per centum of its value or is damaged to more than 75 per centum of its value neither that building nor any building erected in place thereof shall thereafter be used otherwise than in conformity with the Scheme unless by permission of the Council.
- (2) Nothing in the Scheme shall prevent the carrying out or continuance of any development for which, immediately prior to the coming into force of the Scheme, all necessary permits or licences required under the Act, the Metropolitan Region Town Planning Scheme Act or any other Act or law including the Metropolitan Region Scheme and the City of South Perth Town Planning Scheme No. 2 have been obtained and are current.

- (3) Where, in respect of land reserved under Part 2 or zoned under Part 3, a non-conforming use exists or is authorised as mentioned in sub-clause (1) of this Clause on that land, nothing in the Scheme shall be deemed to prohibit or to have the effect of prohibiting the erection, alteration or extension on the land of any building in connection with or in furtherance of such non-conforming use in accordance with and to the extent and limits prescribed or permitted by the City of South Perth Town Planning Scheme No. 2, the Uniform Building By-laws or any other by-laws of the Council or laws of the State in force in respect of and applicable to that building immediately prior to the coming into force of the Scheme.
- (4) The Council may grant planning consent for the use of any land to be changed from one non-conforming use to another non-conforming use, if:
 - (a) the proposed use is, in the opinion of the Council, less detrimental to the amenity of the neighbourhood than the existing use; and
 - (b) the conditions set out in sub-paragraphs (i) to (vii) inclusive of paragraph (e) of Clause 18(2) have been complied with.
- (5) The Council may effect the discontinuance of a non-conforming use by the purchase of the affected property, or by the payment of compensation to the owner or the occupier or to both the owner and the occupier of that property, and may enter into an agreement with the owner for that purpose.

PART 5

GENERAL PROVISIONS AS TO CERTAIN ZONES AND USES

DIVISION I

DEVELOPMENT REQUIREMENTS FOR RESIDENTIAL ZONES

38. APPLICATION OF THIS DIVISION

Except where otherwise stated, this Division applies to development in the Residential-R Zone, the Residential-R.O. Zone and the Aged or Dependent Persons' Dwellings Zone.

39. SINGLE HOUSES – SITE AREAS

Notwithstanding the Codes, where a site has a smaller area than that permitted by the Codes and the site was a lot within the meaning of the Act prior to the Scheme coming into operation then a Single House may be erected on such a site notwithstanding its area.

40. STORAGE FACILITIES FOR CERTAIN RESIDENTIAL BUILDINGS

Notwithstanding the Codes, every storeroom, store-shed or store-closet whether attached to or detached from an Attached House, Grouped Dwelling or Multiple Dwelling, may be erected not closer than 1 metre to any side or rear boundary but if the rear boundary of the lot on which that facility is erected does not form a side boundary to an adjoining lot the Council may in its discretion permit the facility to be erected on the rear boundary.

41. SITE COVERAGE FOR CERTAIN NON-RESIDENTIAL BUILDINGS

- (1) This Clause applies to Professional Offices, Controlled Use Offices, Private Hotels, Lodging Houses and Clubs in the Residential Zones.
- (2) Where the plot ratio of a proposed building to which this Clause applies is that specified in column 1 of the table set out in this sub-clause, the site coverage shall not exceed that set out in column 2 of that table.

SITE COVERAGE TABLE

1	2
PLOT RATIO	MAXIMUM SITE COVERAGE (%)
Between 0 and 0.7	35
0.7	35
Between 0.7 and 0.9	$35 - \left[\frac{(\text{Plot ratio} - 0.7) \times 15}{0.2} \right]$
0.9	20
Between 0.9 and 1.0	$20 - \left[\frac{(\text{Plot ratio} - 0.9) \times 3.33}{0.2} \right]$
1.0	18.35

42. DETERMINATION OF MULTIPLE STREET BOUNDARIES

For the purpose of applying the provisions of this Division where a lot has boundaries to 2 or more streets, the Council shall determine which are the street boundaries, which is the rear boundary and which are the side boundaries of that lot.

43. BUILDING SETBACK VARIATIONS - BALCONIES, PORTICOS, PORTE-COCHERES AND IN KARAWARA

Notwithstanding the Codes and notwithstanding Division IV of this Part the Council may permit:

- (a) cantilevered balconies to extend not more than 1.8 metres further forward from a Single House or residential building than the minimum setback from the street alignment prescribed with respect to the Single House or residential building;

- (b) porticos or porte-cochères not exceeding 3 metres in width to be erected to within 1.5 metres of a street alignment;
- (c) a Single House, Attached Houses and Grouped Dwellings to be erected to within 7.5 metres of the boundary of an open space reserve in Karawara,

if the Council is satisfied that such development is aesthetically desirable and will not adversely affect the amenities of the locality.

44. MULTIPLE DWELLINGS

- (1) For the purpose of Table 1 (High Density Codes) of the Codes, land which is shown on the Scheme Map as:
 - (a) R80 shall be deemed to have R Code Densities of both R80A and R80B and that land may be developed in accordance with the requirements prescribed with respect to either of those Densities; and
 - (b) R100 shall be deemed to have R Code Densities of both R100A and R100B and that land may be developed in accordance with the requirements prescribed with respect to either of those Densities.
- (2) In Multiple Dwellings on land with a frontage to the South Perth Esplanade the minimum floor area of each dwelling shall be 100 square metres.

45. CONTROLLED USE OFFICES AND PROFESSIONAL OFFICES

- (1) For the purposes of this Clause "the appropriate requirements" in relation to land means the requirements prescribed in that part of Table 1 to the Codes which is entitled "Medium Density Codes" and which is applicable to Multiple Dwellings on land having an R Code Density of R60.
- (2) In the Residential-R.O. Zone and, subject to sub-clauses (3), (4) and (5) of this Clause, development of land for the purpose of Controlled Use Offices or Professional Offices shall conform to the appropriate requirements with respect to:

- (a) maximum plot ratio;
- (b) minimum open space but not communal activity open space; and
- (c) minimum setbacks from boundaries.

(3) In the Residential-R.O. Zone:

- (a) subject to sub-paragraph (b) of this sub-clause land shall not be developed for the purpose of:

- (i) Controlled Use Offices;
- (ii) Professional Offices;
- (iii) a combination of Controlled Use Offices and Professional Offices; or
- (iv) a combination of either or both of those uses with a residential building,

unless the land has a minimum area of 1,000 square metres and a minimum width of 20 metres.

- (b) The Council may permit land which does not satisfy the minimum dimensions specified in paragraph (a) of this sub-clause to be developed for use for Controlled Use Offices or Professional Offices if:

- (i) the buildings on the land will not exceed a plot ratio of 0.35; and
- (ii) the land on both sides of the lot is used for Multiple Dwellings, Professional Offices, Controlled Use Offices, a Private Hotel, a Club or other non-residential building.

- (4) In the Residential-R and R.O. Zones and notwithstanding sub-clause (2)(b) of this Clause the Council may permit a lot to be developed for use for Controlled Use Offices or Professional Offices if not less than 30 per centum of the area of the lot is set aside as open space and that area is designed, developed and maintained as landscaped area to the satisfaction of the Council.

- (5) Where the Council has granted planning consent for the conversion of a building for use for Controlled Use Offices or Professional Offices in the Residential-R and R.O. Zones a person shall not use that building for Controlled Use Offices or Professional Offices, as the case may be, after the expiration of 10 years from the date on which that planning consent was granted but the restriction imposed by this sub-clause shall not

apply if the land and building conform with the provisions of Clause 77 of the Scheme relating to minimum floor and ground levels.

46. PLACES OF PUBLIC WORSHIP

Development of land for the purpose of a Place of Public Worship shall be in accordance with the following requirements:

- (a) the plot ratio shall not exceed 0.50;
- (b) the site coverage of the building shall not exceed 50 per centum;
- (c) at least 25 per centum of the site shall be designed, developed and maintained as landscaped area;
- (d) the minimum setback from the street alignment shall not be less than that applicable to a Single House on adjoining land within a Residential Zone; and
- (e) the minimum setback from all boundaries other than the street alignment shall be 4.5 metres but the Council may require the building to be set back not less than 15 metres from any building of any residential class whatsoever.

47. NURSING HOMES

In the Residential-R and the Aged or Dependent Persons' Dwellings Zones development of land for the purpose of a Nursing Home shall be in accordance with the following requirements:

- (a) the minimum setback from the street alignment shall be 12 metres;
- (b) the minimum setback from side boundaries shall be 3 metres per storey with a minimum setback of 4.5 metres;
- (c) the minimum setback from the rear boundary shall be 7.5 metres;
- (d) the plot ratio shall not exceed 0.40 for a single storey building and 0.80 for a 2 storey building;

- (e) the site coverage of the building shall not exceed 40 per centum;
- (f) at least 50 per centum of the site shall be designed, developed and maintained as landscaped area provided that, where the site adjoins land that is or may be developed for residential purposes, the landscaped area shall include an area at least 3 metres in width alongside and for the full length of the boundary or boundaries adjoining that land which area shall be densely planted and maintained with trees and shrubs to a height of not less than 1.8 metres; and
- (g) the site shall have a width of not less than 40 metres and an area of not less than 2,000 square metres unless staff quarters are to be provided on the site in which case the minimum site area shall be 3,000 square metres.

48. PRIVATE HOTELS, CLUBS, HOSTELS AND LODGING HOUSES

In the Residential-R and R.O. Zones development of land for the purposes of a Private Hotel, Club, Hostel or Lodging House shall conform to the maximum plot ratio, minimum open space (but not the communal activity open space) and minimum setbacks prescribed by the Codes applicable to Multiple Dwellings on land having the same R Code Density as the land proposed to be developed.

49. STUDENT HOUSING

Development of land for the purpose of Student Housing shall be in accordance with the following requirements:

- (a) the setbacks shall conform to the requirements applicable to Single Houses on land in the Residential-R Zone having an R Code Density of R30;
- (b) the plot ratio shall not exceed 0.35; and
- (c) at least 50 per centum of every lot shall be designed, developed and maintained as landscaped area.

50. SCHEDULE C LAND – ADDED USES

- (1) Subject to sub-clause (2) of this Clause, development of the land specified in Schedule C for the purpose indicated in respect of that land in Schedule C shall conform to the requirements prescribed with respect to that land in Schedule C.
- (2) In determining an application for planning consent with respect to land:
 - (a) specified in Schedule C; and
 - (b) within the Residential-R Zone,the Council shall determine:
 - (i) the minimum setbacks from lot boundaries applicable to the land;
 - (ii) the minimum number of car parking spaces to be provided on the land; and
 - (iii) the minimum landscaped area to be provided on the land.
- (3) In determining the matters referred to in sub-paragraphs (i), (ii) and (iii) of sub-clause (2) of this Clause, the Council shall have regard to:
 - (a)
 - (i) the setbacks from lot boundaries of any building existing on the land;
 - (ii) the number of car parking spaces provided on the land; and
 - (iii) the amount of landscaped area provided on the land,when the application is made to the Council;
 - (b) the requirements prescribed with respect to land in the Residential-R Zone; and
 - (c) the need to preserve the amenity of residential developments in the locality.

51. RESTRICTED USE ZONE - SCHEDULE D LAND WITHIN THE RESIDENTIAL-R ZONE

Notwithstanding any other provision in this Division, development of land in the Restricted Use Zone for the purpose indicated in respect of that land in Schedule D shall conform to the requirements prescribed with respect to that land in Schedule D.

52. OUTBUILDINGS - KARAWARA

Notwithstanding the setbacks prescribed by the Scheme or the Codes, in Karawara:

- (a) an outbuilding may be erected on a portion of a lot between the street alignment and the minimum setback from the street alignment applicable to the building to which the outbuilding is appurtenant if the design of the outbuilding is such that, in the opinion of the Council it will not clash in harmony with the exterior design of buildings in the locality; and
- (b) an outbuilding shall not be erected within 7.5 metres of the boundary of an open space reserve.

53. CHANGE IN USE OF EXISTING BUILDINGS

A building which is being used for one residential purpose may be used for another residential purpose notwithstanding that that building does not conform to the provisions of the Scheme or the Codes relating to setbacks applicable to a building used for the residential purpose for which it is proposed to use such building.

DIVISION II

DEVELOPMENT REQUIREMENTS IN ZONES OTHER THAN RESIDENTIAL ZONES

54. APPLICATION OF THIS DIVISION

This Division applies to all Zones other than the Residential Zones.

55. DEVELOPMENT GENERALLY - TABLE NO. 2

(1) Table No. 2

Unless otherwise provided in the Scheme, and subject to Clause 56, development of any kind within the Zones specified in column 1 of Table No. 2 shall conform to the provisions of this Clause, to the requirements contained in that Table and to any requirement determined by the Council under that Table.

(2) Mixed Development - Residential Density

On land in the Shopping S3 Zone and the Commercial C2 and C3 Zones used for both residential and non-residential purposes, the minimum area of lot per dwelling shall be as prescribed in the Codes.

(3) Building Setbacks

The minimum setbacks applicable to buildings permitted within the Zones specified in column 1 of Table No. 2 are those specified in columns 4, 5 and 6 of that Table unless otherwise provided in paragraphs (a) to (d) inclusive of this sub-clause.

(a) Determination - Multiple Street Boundaries

Where a lot has boundaries to 2 or more streets:

- (i) the Council shall, for the purpose of ascertaining the minimum setbacks prescribed by the Scheme, determine which are the street boundaries, which is the rear boundary and which are the side boundaries of that lot; and
 - (ii) subject to Division IV of this Part, the Council may permit the minimum setback from a street alignment to be reduced to not less than 1.5 metres for any building other than a Service Station or Motor Repair Station.
- (b) Building Setbacks from Street Alignments of Lots Adjoining Land in the Residential-R Zone

Any building erected on land which has a common boundary with land in the Residential-R Zone shall, if erected within 15 metres of that boundary, conform to the minimum setback from street alignment applicable:

- (i) pursuant to Table No. 2;
- (ii) to the land in the Residential-R Zone;
- or
- (iii) pursuant to Clause 62,

whichever is the greatest.

- (c) Building Setbacks from Street Alignments - Shopping and Commercial Zones

Notwithstanding that any proposed building on land within a Shopping or Commercial Zone is in accordance with the minimum setback from street alignment prescribed in Table No. 2, the Council shall not grant planning consent for the building unless the Council is satisfied that car parking spaces and vehicle accessways are located for convenient use and so as to minimise any traffic hazard.

(d) Building Setbacks from Rear Boundaries

(i) Shopping Zones

The Council may permit a building in a Shopping Zone to be constructed closer to the rear boundary of a lot than the minimum setback prescribed in column 6 of Table No. 2 or may permit the building to abut on that boundary if, in either case, the Council is satisfied either that:

- (A) adequate provision will be made for storage and removal of trade waste, refuse and rubbish of every kind within the building and that the provision made for loading and off-loading vehicles within the building is such that those vehicles may enter and leave the building without reversing from or to a street; or
- (B) the building has direct access to a right-of-way on the side or rear boundary of the lot on which it is to be erected, which right-of-way is sufficient in width to service the building, and which right-of-way is not used for the purpose of an accessway to a car park used by the public,

and that the amenity of residential developments in the locality will be preserved.

(ii) Commercial Zones

In a Commercial Zone where a lot has a common boundary with a right-of-way the Council may calculate the minimum setback from the right-of-way either from that boundary or the centre line of the right-of-way.

(iii) Commercial C3 Zone

The Council may permit a building in the Commercial C3 Zone to be constructed closer to the rear boundary of a lot than the minimum setback prescribed in column 6 of Table No. 2 or may permit the building to abut on that boundary if, in either case, it is satisfied, that:

(A) either the conditions described in sub-subparagraph (A) of sub-paragraph (i) of this sub-clause will be met or that the situation described in sub-subparagraph (B) of that sub-paragraph exists; and

(B) the rear boundary of the lot adjoins land which is in a Commercial Zone.

(4) Maximum Retail Shopping areas – Shopping Zones and Commercial C3 Zone

(a) Notwithstanding that a proposed building in any of the Shopping Zones or the Commercial C3 Zone does not exceed the maximum plot ratio prescribed with respect to that building, the Council shall not grant planning consent for that building if the area of the floor space in the building to be used for the purpose of Shops together with the existing floor space provided for that purpose in the locality, in the opinion of the Council, exceeds the requirements of that locality.

(b) In arriving at an opinion under paragraph (a) of this sub-clause the Council shall:

(i) have regard to any policy or guidelines relating to the provision of floor space for retail shopping purposes laid down by the Commission; and

- (ii) determine the area of floor space provided and to be provided in the locality for those purposes by reference to the floor areas (including basement and mezzanine floors and storage areas) of existing buildings and the proposed building, measured from the centre lines of joint partitions or walls and from the outside faces of external walls or shop fronts.

(5) Minimum Landscaped Area and Setbacks in Special Zone A

The Council may grant planning consent for the development of land within the Special Zone A notwithstanding that:

- (a) any building is not in accordance with the minimum setbacks prescribed in columns 5 and 6 of Table No. 2; and
- (b) the minimum landscaped area prescribed in column 7 of Table No. 2 is not provided.

56. RESIDENTIAL DEVELOPMENT

Unless otherwise provided in the Scheme, the development of land solely for residential purposes in each Zone specified in this Clause shall conform to the requirements applicable under this Scheme to land in the Residential-R Zone having the R Code Density specified opposite each such Zone:

- | | |
|------------------------------------|-----|
| (a) Shopping S3 Zone: | R50 |
| (b) Commercial C2 Zone: | R50 |
| (c) Commercial C3 Zone: | R50 |
| (d) College-School Extension Zone: | R15 |
| (e) Civic Uses Zone: | R15 |

57. SERVICE STATIONS AND MOTOR REPAIR STATIONS

Development of land for the purpose of a Service Station or a Motor Repair Station shall be in accordance with the following requirements:

- (a) the land shall have an area of not less than 600 square metres;

- (b) the land shall have a frontage of not less than:
 - (i) 30 metres in the case of land having a frontage to only one street; or
 - (ii) 20 metres in the case of land having a frontage to 2 or more streets;
- (c) notwithstanding the minimum setbacks from street alignments prescribed in column 4 of Table No.2:
 - (i) fuel pumps and support columns of canopies may be constructed to within 3.6 metres of the street alignment; and
 - (ii) canopies may be constructed to within 0.6 metres of the street alignment;
- (d) at least 2 vehicle crossings to streets shall be provided each of not more than 11 metres in width;
- (e) vehicle crossings to streets shall not be less than 6 metres in width;
- (f) vehicle crossings to streets shall be set back not less than 0.9 metres from the boundary of any adjoining land other than a street;
- (g) vehicle crossings to streets shall be spaced not less than:
 - (i) 6 metres apart in the case of land having a frontage to only 1 street; and
 - (ii) 3 metres apart in the case of land having a frontage to 2 or more streets;
- (h) filling plugs to fuel storage tanks shall be located so that:
 - (i) tankers can be parked entirely on the land when filling the tanks; and
 - (ii) vehicles can enter and leave the land without reversing from or to a street.

58. CAR SALES PREMISES

Where the Council grants planning consent for the development of land for the purpose of Car Sales Premises, in addition to any other conditions the Council may impose under the Scheme, the Council may impose conditions as to:

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

59. RESTRICTED USE ZONE – SCHEDULE D LAND WITHIN NON-RESIDENTIAL ZONES

Development of land in the Restricted Use Zone for the purpose indicated in respect of that land in Schedule D shall conform to the requirements prescribed with respect to that land in Schedule D.

DIVISION III

BUILDING HEIGHT RESTRICTIONS

60. APPLICATION OF THIS DIVISION

This Division does not apply to that part of the Scheme Area of the City of South Perth Town Planning Scheme No. 3, which is subject to building height restrictions imposed by that Scheme. The part of that Scheme Area which is subject to the continued operation of the building height restrictions imposed by that Scheme is shown on Plan No. B5 in Schedule B to this Scheme.

61. MAXIMUM BUILDING HEIGHTS - SCHEDULE B

- (1) Subject to Clause 60, a building shall not be erected or added to so as to exceed the height prescribed in the Building Height Zone in which that building is located. The location of the different Building Height Zones is shown on the plans in Schedule B to this Scheme.
- (2) The maximum heights permitted in the respective Building Height Zones are:
 - (a) Building Height Zone 1: Not more than 3 metres above the highest point of the street footpath in River Way opposite the building measured vertically to the level of the highest ceiling of the building;
 - (b) Building Height Zone 2: 2 storeys;
 - (c) Building Height Zone 3: 3 storeys;
 - (d) Building Height Zone 4: 4 storeys;

- (e) Building Height Zone 5: 5 storeys;
 - (f) Building Height Zone 7: 7 storeys;
 - (g) Building Height Zone 8: 8 storeys;
 - (h) Building Height Zone 12: 12 storeys.
- (3) In determining the height of a building by reference to the number of storeys in that building any undercroft or basement:
- (a) used primarily for car parking; or
 - (b) used primarily for another purpose (other than a habitable room or office space) ancillary to the Use Class of the building,
- shall be excluded if the ceiling of the undercroft or basement is not higher than the highest point of the original natural ground level of the site under the building as determined by the Council.
- (4) Within the area bounded by the black broken line shown on Plan No. B1 in Schedule B, the height of any storey of a building shall not exceed 3.25 metres.

DIVISION IV

SETBACKS FROM SPECIFIED STREET ALIGNMENTS

62. SETBACKS FROM SPECIFIED STREET ALIGNMENTS - TABLE NO. 4

Notwithstanding any provision of the Scheme or the Codes to the contrary but subject to Clauses 43, 55(3)(b), 57(c) and 67(3) where land:

- (a) abuts a street or portion of a street specified in columns 1 and 2 of Table No. 4; and
- (b) is within a Zone or Reserve specified in column 3 of the Table,

the minimum setback from the street alignment of the street shall be that prescribed in column 4 of the Table.

DIVISION V

CAR PARKING

63. NUMBER OF CAR PARKING SPACES - TABLE NO. 5

- (1) Where under this Scheme land may be used for the purpose set out in column 1 of Table No. 5 the land shall not be used for that purpose unless car parking spaces are provided to the number specified in column 2 of the Table and such spaces are constructed and maintained and accessways are provided in accordance with the provisions of this Division. Where under this Scheme land may be used for a purpose which is not set out in column 1 of Table No. 5, the land shall not be used for that purpose unless car parking spaces are provided to the number determined by the Council in each case and such spaces shall be constructed and maintained and accessways shall be provided in accordance with the provisions of this Division.
- (2) Where a Car Park which is open to the public at all times, adjoins land proposed to be used for the purpose of Squash Courts, a Place of Public Worship or a Public Amusement and the car parking spaces within that Car Park are sufficient in the Council's opinion to cater for the parking requirements of the use to be made of that land the provisions of Table No. 5 shall not apply to that land.
- (3) The Council may grant planning consent for the use of land for the purpose of an Eating House notwithstanding that the minimum number of car parking spaces specified in Table No. 5 are not provided if in the opinion of the Council:
 - (a) the hours of business of the Eating House do not substantially coincide with those of other business uses in the area; and
 - (b) the car parking spaces in Car Parks open to the public in the area are sufficient to cater for the parking requirements of the Eating House.

(4) Where the Council has granted planning consent pursuant to sub-clause (3) of this Clause and either:

(a) the hours of business of that Eating House change so that in the opinion of the Council those hours substantially coincide with those of other business uses in the area; or

(b) car parking spaces of the kind referred to in paragraph (b) of that sub-clause are no longer available or sufficient to cater for the requirements of the Eating House,

the Eating House shall not be used for that purpose until the provisions of Table No. 5 have been complied with.

64. MULTIPLE USES

Notwithstanding the Codes:

(a) Where a building is used for multiple purposes the number of car parking spaces to be provided pursuant to this Division shall be calculated separately for each part of the building used for a different purpose.

(b) Subject to paragraph (c) of this Clause the minimum number of car parking spaces with which the building shall be provided shall be the total of the numbers calculated for each of those parts so used.

(c) Where part of a building is used for residential purposes and that part comprises not less than 50 per centum of the total floor area of the building and where that part of the building which is used for non-residential purposes is used substantially for those purposes only between 9:00 a.m. and 5:00 p.m. the total number of spaces required to be provided under this Clause may be reduced by 15 per centum.

65. CONSTRUCTION OF CAR PARKING SPACES

Car parking spaces and accessways provided pursuant to this Division shall be constructed of hard standing, dust-free surfaces graded and drained in such a way as to prevent water flowing therefrom onto adjoining land, into garages or carports on the site and onto any street except, in the latter instance, to the extent approved by the

Council. Nothing in this Clause prevents car parking spaces and accessways being provided on areas developed with lawn but those areas shall not be taken into account in determining whether the requirements of the Scheme with respect to the provision of open space on the site have been complied with.

66. DIMENSIONS OF CAR PARKING SPACES AND ACCESSWAYS - SCHEDULE A

- (1) The car parking spaces to be provided in accordance with Clause 63 and Table No. 5 shall not be of lesser dimensions than those specified in Schedule A.
- (2) For the purpose of Schedule A the particular dimensions referred to therein shall be determined in the manner indicated in the Schedule.
- (3) For the purpose of Schedule A the widths of car parking spaces shall be:
 - (a) measured clear of the face of any column or pier; and
 - (b) increased by 0.3 metres where a wall or fence abuts a side of a car parking space.
- (4) Where :
 - (a) car parking spaces are situated under cover; and
 - (b) the Council is of the opinion that any column or pier may reduce the manoeuvrability of vehicles using the spaces,the Council may require the width of any accessway to be increased by 0.6 metres.
- (5) Where angle parking is provided, 2 car parking spaces may be laid out one behind the other if the movement and parking of vehicles is carried out by an attendant engaged for the purpose and that attendant is present throughout the whole time the spaces are in use.
- (6) Where car parking spaces are required to be provided under this Scheme, accessways serving those spaces shall be provided having widths being not less than those specified in Schedule A.

67. CAR PARKING REQUIREMENTS

The following provisions apply where car parking spaces are required to be provided pursuant to the Scheme:

(1) Location and Screening of Car Parking Spaces

When considering an application for planning consent for development in respect of which car parking spaces are required to be provided under the Scheme, the Council shall have regard to:

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

(2) Conditions Relating to Car Parking Spaces

Where the Council grants planning consent for an application referred to in sub-clause (1) of this Clause, the Council may impose conditions as to:

- (a) the location of car parking spaces and accessways;
- (b) the number of car parking spaces, if any, which shall be roofed or covered, or which shall be below ground level; and
- (c) the type of materials to be used in the construction of supporting walls or columns to any roofs or coverings.

(3) Car Parking Spaces Forward of Minimum Setback from Street Alignment

Notwithstanding the Codes and Clause 62 the Council:

- (a) may permit car parking spaces to be located forward of the prescribed minimum setback from the street alignment if the Council is satisfied that:
 - (i) sufficient landscaped area is to be provided forward of such setback to ensure that the spaces and any accessways will not have an excessively dominant visual impact;
 - (ii) the spaces will be adequately screened from:
 - (A) adjoining properties; and
 - (B) the street by means of densely planted landscaped area at least 1.5 metres in width; and
 - (iii) unobstructed pedestrian access from the street is to be provided separate from the spaces and any accessways; and
- (b) shall determine the number of car parking spaces so permitted.

(4) Car Parking Provisions Applicable to Land Developed for Particular Purposes

- (a) Land Developed for Residential Purposes

Where land in any Zone is developed for use for residential purposes the provisions of the Codes apply.

- (b) Land Developed for Purposes other than Residential

Where land in any Zone is developed for use for non-residential purposes:

- (i) the provisions of the Codes (with the exception of sub-clauses (6) and (7) of Clause 19 and Clause 20 of the Codes) apply; and

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

(5) Identification of Car Parking Spaces

Every car parking space provided pursuant to this Division (other than car parking spaces provided for a Single House or Attached Houses) shall be clearly identified by painted outline, kerbed divisions or other method approved by the Council.

68. CASH PAYMENT IN LIEU OF PROVIDING CAR PARKING SPACES

- (1) Where car parking spaces are required to be provided pursuant to this Scheme, the Council may accept a cash payment in lieu of the provision of some or all of those car parking spaces, if the payment is not less than the amount the Council estimates to be the cost to the owner of providing and constructing those spaces together with the amount the Council estimates to be the value of the land which would have been occupied by those spaces.
- (2) Any amount paid to the Council under this Clause shall be held by the Council in a separate trust account and shall be applied by the Council:
 - (a) in providing car parking spaces or car parking facilities capable of serving the needs of the development in respect of which the payment was made and in the locality of that development; and
 - (b) toward the acquisition of land and the construction of buildings for the purpose referred to in paragraph (a) of this sub-clause.

69. RESTRICTED ACCESS - CANNING HIGHWAY

Land abutting on Canning Highway shall not be developed for the purpose of Multiple Dwellings or Offices unless provision is made for vehicles using car parking spaces on the land to have access to a street or streets other than Canning Highway. Direct vehicle access from any land so developed to Canning Highway is prohibited.

70. ALTERATION OF CAR PARKING SPACES

No person shall alter the location and layout of car parking spaces and accessways provided pursuant to this Division without first having applied for and obtained the planning consent of the Council.

DIVISION VI

SPECIAL PROVISIONS FOR DESIGN AND DEVELOPMENT CONTROL

71. DESIGN

Before the Council may grant an application for planning consent with respect to any building:

- (a) the Council shall be satisfied that the appearance of the building will not destroy local amenities and will not clash in harmony with the exterior designs of adjoining buildings;
- (b) other than a Single House, and which building is of more than 2 storeys, the Council shall be satisfied that it is designed by and is to be erected under the inspection of an architect qualified or authorised to practise in Western Australia;
- (c) in considering the location and layout of a building within a Shopping Zone or Commercial Zone, the Council shall take into consideration the provision which will need to be made in the Zone for car parking, vehicular access, pedestrian ways and the general layout of development having regard to the uses proposed for the whole Zone. Within those Zones the development of single lots shall be considered as part of a general design for the whole Zone;
- (d) in considering the design of any building in Karawara, the Council shall be satisfied that:
 - (i) every Single House or Attached House, is provided with an entrance which is identifiable by appearance as a main front entrance and which is directly accessible for pedestrian approach and entry from both a street and an open space reserve; and
 - (ii) the facade of any Single House or residential building which faces any street or open space reserve does not appear to be or have any of the normal characteristics of the back of a house or residential building; and

- (e) in considering the design, location and layout, of any building in any portion of the Residential-R Zone or the Aged or Dependent Persons' Dwellings Zone in Karawara, the Council shall take into consideration the provision which will need to be made for the separation of vehicular and pedestrian traffic movements, location of parking space and vehicular access to individual lots. In such a Zone the development of single lots shall be considered as part of a general design for the whole locality.

72. INTERNAL AMENITY DESIGN

A residential building shall not be erected in any Zone within the Scheme Area unless:

- (a) the sill of any window serving a bedroom, living room or dining room and located in a wall which abuts onto an access balcony or other place to which the public has access is more than 1.5 metres above the floor level of that balcony or place;
- (b) the main entrance to every dwelling, which does not have an internal entrance hall, is so located that the entrance does not open directly onto an access balcony or other place to which the public has access;
- (c) the kitchen and any kitchen annex of every dwelling is separate from and does not form part of the main entrance to or entrance hall of the dwelling; and
- (d) main entrances and windows in dwellings on the same site are so located as to afford privacy to the occupants of each dwelling.

73. LANDSCAPING REQUIREMENTS

- (1) Where planning consent has been granted under the Scheme and a minimum landscaped area is required to be provided under the Scheme or under that consent a person shall not occupy or use the land or any building the subject of that consent for the purpose for which that consent was given unless and until:

- (a) the Council has approved a plan showing:
 - (i) the location of every building on the site;
 - (ii) the layout and location of pedestrian spaces, pavements, grassed areas, areas covered with ground cover planting, organic or inorganic materials, shrubs and garden beds and the location of existing and proposed trees;
 - (iii) the quantity of shrubs to be planted in each landscaped area and the types of existing and proposed trees; and
 - (iv) details of any alterations or proposed alterations to the natural contours of the landscaped areas; and
 - (b) the landscaped areas have been developed and completed in accordance with the plan approved by the Council.
- (2) Every landscaped area shall be maintained in good order and condition and in accordance with the plans approved by the Council.

74. SIGNS

- (1) Subject to sub-clauses (2) and (3) of this Clause, an advertisement, hoarding or sign shall not be erected, displayed or maintained in any Residential Zone if it:
 - (a) relates to a use other than that carried out on the lot on which the advertisement, hoarding or sign is erected or displayed;
 - (b) is larger in area than 0.6 square metres;
 - (c) uses letters or figures of a greater width and height than 75 millimetres;
 - (d) is within 150 metres of a street intersection and is lit in such a way that it may be confused with traffic lights.

- (2) Notwithstanding sub-clause (1) of this Clause, the Council may in writing approve the name and number of a building being fixed to the facade thereof in letters or numbers up to 300 millimetres in width and height.
- (3) Notwithstanding sub-clause (1) of this Clause a sign:
 - (a) not exceeding 2.5 square metres in area giving the name or names of the architects, engineer and contractor for a building project and the name of the project; and
 - (b) not exceeding 0.3 square metres in area which is incidental to the construction of a building or which is required by law,may be erected on a site during the period of construction of the building.
- (4) A sign shall not be erected, displayed or maintained in any Zone if, in the opinion of the Council, that sign has a detrimental effect on the architectural qualities of the development on the site or on the general harmony and beauty of the neighbouring area.

75. UNSIGHTLY OBJECTS

A person shall not place or cause, allow or permit to be placed on any building any article, object or thing which is visible from any other land or building and which is, in the opinion of the Council, offensive, unsightly or otherwise calculated to mar or spoil the locality. Without in any way limiting the generality of the foregoing the terms "article", "object" or "thing" shall include any sign, article or wearing apparel, an article of domestic use or any washing.

76. SEWERAGE AND DRAINAGE

- (1) A building other than a Single House shall not be erected within any Zone unless that building is connected to the main sewer of the Water Authority of Western Australia for the disposal of sewage.
- (2) A building shall not be erected in any Zone unless adequate provision is made for the disposal of all storm water for the building and its site into soak wells or sumps located on the site or, by agreement with the Council, into the street drainage system.

77. MINIMUM FLOOR AND GROUND LEVELS

- (1) Subject to sub-clause (3) of this Clause, the following minimum levels for floors in buildings or additions to buildings erected in the Scheme Area are prescribed:
 - (a) the floors of habitable rooms shall be not less than 2.3 metres above Australian Height Datum;
 - (b) the floors of non-habitable rooms shall be not less than 1.75 metres above Australian Height Datum;
 - (c) the floors of any part of a building used for car parking shall be not less than 1.75 metres above Australian Height Datum but the Council may permit a lower level if provision is made in the design and construction of the floor and walls of the building for adequate protection against subsoil water seepage.
- (2) Land shall not be developed in any Zone unless the ground level of the land (other than that part of the land below a floor level permitted under paragraph (c) of sub-clause (1) of this Clause to be lower than 1.75 metres above Australian Height Datum) is at least 1.7 metres above Australian Height Datum and any filling used to raise the level of land to comply with this sub-clause shall be composed of clean sand or other material approved by the Council.
- (3) Where the floor levels of an existing building are lower than those prescribed by this Clause and an application is made to the Council for planning consent for additions to that building the Council may grant planning consent for those additions if:

- (a) the ground floor area of the additions does not exceed 50 per centum of the area of the floors of the building (excluding any area of the building used for car parking); and
- (b) the lowest floor level of the additions is not lower than the lowest existing floor level of the building.

78. RETAINING WALLS

- (1) No person shall construct a retaining wall or permit a retaining wall to be constructed, which exceeds 1 metre in height above natural ground level, within 3 metres of a lot boundary unless with the permission of the Council given under sub-clause (2) of this Clause.
- (2) The Council may permit a retaining wall which exceeds 1 metre in height above natural ground level to be constructed within 3 metres of a lot boundary if the Council is satisfied that the amenity of adjoining land and of the locality will not be adversely affected.

79. FENCE HEIGHTS

- (1) A fence, free standing wall or hedge shall not be erected, grown to or maintained or permitted to remain at a height exceeding 1.8 metres above ground level without the approval of the Council and the Council shall not give its approval unless it is satisfied that the fence, wall or hedge will not adversely affect the amenities of other properties in the locality and will not clash in harmony with the exterior designs of buildings in the locality.
- (2) Except in Karawara and subject to the provisions of sub-clause (4) of this Clause, in any Zone where a vehicle driveway meets a street alignment any portion of a building, fence, wall or hedge on either side of that driveway in the area enclosed by:
 - (a) a line drawn at an angle of 45 degrees to the street alignment from a point on such alignment 3 metres from the driveway;
 - (b) the edge of the driveway first intersected by that line; and

- (c) the street alignment from that edge to the point referred to in paragraph (a),

shall not be erected, grown or maintained or permitted to remain above a height of 0.9 metres.

- (3) Except in Karawara, a vehicle driveway shall not be constructed or permitted to remain in any Zone at a distance from any part of an existing building, fence, wall or hedge which is greater in height than 0.9 metres which would bring that building, fence, wall or hedge within the area described in sub-clause (2) of this Clause.
- (4) Notwithstanding sub-clauses (2) and (3) of this Clause the Council may approve of the erection of any building, fence, wall or hedge or the construction of a driveway, as the case may be, which does not comply with those sub-clauses if the Council is satisfied that the alteration of a street alignment, the configuration of the ground or any other special feature renders it impossible or impractical to comply with those sub-clauses, or, in the case of a fence, if the fence is of an open grille type.
- (5) An appliance for the drying of clothes or any article of domestic use in the open air shall not be installed or permitted to remain on land unless that appliance is so screened by fences, a court yard, walls or hedges that the appliance cannot be seen from a street, open space reserve, public place or private street adjoining the land.

80. FENCE DESIGN - KARAWARA

In Karawara:

- (a) a fence or free standing wall shall not be erected unless the Council has first approved the design, height and materials to be used in the construction of that fence or wall and unless any conditions imposed by the Council in giving approval are complied with;
- (b) the Council shall not approve the erection of a fence or free standing wall unless it is satisfied that the same will not adversely affect the amenities of the locality;
- (c) in giving approval under this Clause the Council may impose conditions governing the erection of such a fence or free standing wall which conditions:

- (i) specify the maximum height thereof;
 - (ii) stipulate the type of materials to be used in the construction thereof;
 - (iii) require gateways to be provided therein for vehicular access from streets;
 - (iv) specify those portions of a lot which shall not be enclosed thereby, and places where a fence or free standing wall shall not be erected; and
 - (v) require timber used in the construction of a fence or free standing wall fronting a street or open space reserves to be sealed or painted;
- (d) the Council may require a person to submit such plans and details of a proposed fence or free standing wall as will enable the Council to properly consider the application having regard to the provisions of this Clause;
- (e) a person shall not alter or add to any fence or free standing wall without obtaining the prior approval of the Council to do so; and
- (f) a person shall not permit to remain any fence or free standing wall erected, altered or added to without the prior approval of the Council under this Clause.

81. PLUMBING FITTINGS, SOLAR HEATING DEVICES AND AIR-CONDITIONING UNITS

- (1) A building other than a single storey Single House shall not be erected, altered or added to unless all plumbing fittings (other than those portions of vent pipes which project through roofs) are concealed from external view provided that the Council may permit plumbing fittings to be fixed on the face of external walls if it is satisfied that those fittings are located in such inconspicuous position on the building as not to mar its appearance.

- (2) On any land developed for any of the residential purposes dealt with by the Codes, the owner or occupier of the land shall not place or permit to be placed any solar heating device or air-conditioning unit on the roof of a building without having first applied for and obtained the planning consent of the Council to the placement of that device or unit.
- (3) The Council shall not grant a planning consent referred to in sub-clause (2) of this Clause unless the Council is satisfied that the solar heating device or air-conditioning unit, as the case may be, will be:
 - (a) sympathetically integrated with the shape or form of the roof; and
 - (b) of a colour which complements the colour of the roof.
- (4) On any land developed for any of the residential purposes dealt with by the Codes, the owner and the occupier of the land shall not permit any solar heating device or air-conditioning unit to remain on the roof of a building unless:
 - (a) the device or unit was placed on the roof in accordance with the planning consent of the Council; and
 - (b) the conditions imposed upon the grant of the planning consent have been and continue to be complied with.

PART 6

DEVELOPMENT

82. APPLICATION FOR PLANNING CONSENT – SCHEDULE E

- (1) 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 planning consent of the Council under this Scheme except that such consent is not required for the following development of land:
 - (a) an outbuilding appurtenant to a Single House;
 - (b) 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;
 - (c) 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; or
 - (d) 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.
- (2) For the purpose of this Scheme, the commencement, carrying out or change of a use of land shall be a development notwithstanding that it does not involve the carrying out of any building or other works.
- (3) If an application for planning consent is made for any building or other work on land, the grant of the planning consent by the Council shall, unless the Council stipulates otherwise in the planning consent, be a planning consent also of any use of the land which is:

- (a) stated in the application; and
 - (b) normally associated with or follows as a normal consequence of the carrying out or completion of the building or other work.
- (4) Every application for planning consent under this Scheme shall be made in the form prescribed in Schedule E to this Scheme and shall be accompanied by such plans and other information as is required by this Scheme.
- (5) 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 has power, delegated to it under the Metropolitan Region Town Planning Scheme Act 1959 to determine an application for approval to commence and carry out development,
- an application for that approval shall be made in the form prescribed in Schedule E to this Scheme.
- (6) Every application for planning consent shall be accompanied by:
- (a) 3 copies of a site plan or plans to a scale of 1:200 or larger scale showing:
 - (i) the location of any existing buildings, the location of proposed buildings on the land and the type and height of existing and proposed fencing on the land;
 - (ii) the existing contours and proposed finished ground levels of the land relative to the levels of adjoining land, streets, footpaths and street and other vehicle carriageways;
 - (iii) the floor levels of proposed buildings;
 - (iv) details of any retaining walls or embankments required to support any proposed cutting or filling of the existing ground surface;

- (v) the existing and the proposed means of access for pedestrians and vehicles to and from the land;
 - (vi) the location, number, dimensions and layout of all car parking spaces intended to be provided;
 - (vii) 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 premises and the means of access to and from such areas;
 - (viii) accurately the position, type and height of all existing trees on the land and indicating which (if any) of those trees will be removed;
 - (ix) the location and dimensions of open space areas; and
 - (x) the following details of existing development on adjoining land:
 - (A) the location of any buildings and the location of all windows facing the proposed development;
 - (B) the location of any vehicle accessway, driveway or crossover located within 3 metres of the side boundary adjoining the development site; and
 - (C) the ground levels of the adjoining land adjacent to the side boundary and the floor levels of buildings located on the adjoining land;
- (b) 3 copies of drawings showing floor plans, elevations and sections of any building proposed to be erected or altered and of any building intended to be retained, including details of:
- (i) proposed use of all portions of the buildings;

- (ii) all openings in external walls;
- (iii) any solar heating devices or air-conditioning units proposed to be placed on the roof; and
- (iv) the relationship between proposed floor and ground levels and existing ground levels,

and all such drawings shall be drawn preferably to a scale of 1:100, but in any case not smaller than 1:200, with dimensions clearly marked thereon;

- (c) 3 copies of a specification outlining the type and colour of materials to be used in the construction of buildings, driveways, fences and retaining walls; and
 - (d) 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;
- (7) Where the Council considers that a model is necessary to enable it to determine an application for planning consent, the Council may require that application to be accompanied by a model to a scale of 1:500 or larger scale of the proposed development clearly showing:
- (a) the design features of the proposed building or buildings including the colour tones of external walls;
 - (b) the location of the proposed building or buildings on the site;
 - (c) the location of car parks and accessways; and
 - (d) any landscaped area required to be provided.

The baseboard of the model shall be cut accurately to scale and shall conform with the dimensions and shape of the site and shall indicate the configuration of the finished ground surface.

83. INSPECTION OF APPLICATIONS

- (1) The Council shall make an application for planning consent for a use designated "AA" in Table No. 1 together with all documents accompanying the application available for inspection at the office of the Council during office hours by any owner or occupier of land (other than land reserved under the Scheme) adjoining the land the subject of the application.
- (2) An officer of the Council may require evidence from a person wishing to inspect an application under sub-clause (1) of this Clause as to that person's identity.
- (3) The Council shall make an application for planning consent of a use designated "SA" in Table No. 1 together with all documents accompanying the application for inspection by any person at the office of the Council during office hours.

84. DETERMINATION OF APPLICATIONS

- (1) In determining an application for planning consent the Council may consult with any authority which, in the circumstances, it thinks appropriate.
- (2) In determining an application for planning consent for a use designated "AA" in Table No. 1, the Council shall consider all objections, comments and submissions:
 - (a) from the owners and occupiers of land (other than land reserved under the Scheme) adjoining the land the subject of the application; and
 - (b) which are received by the Council not later than the date referred to in the notice served under Clause 18(2)(c).
- (3) In determining an application for planning consent for a use designated "SA" in Table No. 1, the Council shall consider all objections, comments and submissions received by the Council not later than the date referred to in the notice served under Clause 18(2)(e).

(4) The Council, having regard to any matter which it is required by the Scheme to consider, the purpose for which the land is zoned or approved for use under the Scheme, the purpose for which the land is zoned under the Metropolitan Region Scheme, the purpose for which land in the locality is used, the orderly and proper planning of the locality and the preservation of the amenities of the locality, may refuse to approve any application for planning consent or may grant its approval unconditionally or subject to such conditions as it may see fit.

(5) 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 development or with respect to an application for planning consent; or

(c) empowers the Council to refuse planning consent on particular grounds or to grant planning consent 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 (4) of this Clause.

(6) The Council may grant planning consent under the Scheme subject to a condition limiting the time during which:

(a) the development the subject of the planning consent shall be commenced; and

(b) the planning consent remains valid.

**85. FORM OF GRANT/REFUSAL OF PLANNING CONSENT -
SCHEDULE F**

(1) Where an application for planning consent is made under this Scheme the Council shall issue its determination of the application in the form prescribed in Schedule F to this Scheme.

- (2) An application for planning consent shall be deemed to have been refused if the Council has not issued its determination of that application to the applicant within 60 days after 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.

86. CONDITIONS

If the Council grants planning consent for a development subject to conditions the development shall not be carried out and the land shall not be used for any purpose otherwise than in accordance with those conditions.

87. APPLICATION OF SCHEME PROVISIONS

- (1) Subject to sub-clause (2) of this Clause, if a development the subject of an application for planning consent does not comply with a requirement prescribed by the Scheme with respect to that development the Council may, notwithstanding that non-compliance, grant planning consent unconditionally or on such conditions as the Council thinks fit. The power conferred by this sub-clause may only be exercised if the Council is satisfied that:
 - (a) in the circumstances the refusal of the application on that ground is unreasonable or undesirable;
 - (b) the non-compliance will not have any adverse effect upon the occupiers or users of the development or the property in or the inhabitants of the locality or upon the likely future development of the locality; and
 - (c) the development will not adversely affect the amenities of the locality.
- (2) The power conferred by sub-clause (1) of this Clause shall not be exercised by the Council with respect to:
 - (a) the requirements prescribed by Division III of Part 5; and
 - (b) the requirements prescribed under the Codes.

**88. PRESERVATION OF OBJECTS, BUILDINGS AND PLACES –
SCHEDULE G**

- (1) No person shall demolish or permit the demolition in whole or in part of any building listed in Schedule G to the Scheme without first having applied for and obtained the planning consent of the Council given under this Clause.
- (2) Where an application is made for planning consent in respect of the proposed demolition, in whole or in part, of any building listed in Schedule G to the Scheme, the Council, having regard to the desirability of retaining the building, may refuse the application or grant planning consent subject to such conditions as the Council sees fit with a view to protecting or preserving the building or part thereof.
- (3) Where a development involves a material alteration to, or the destruction, total or partial, of an object, building or place of historical or architectural interest or of natural beauty, the Council, having regard to the desirability of retaining the object, building or place, may refuse the application or grant planning consent subject to such conditions as the Council sees fit with a view to protecting or preserving the object, building or place.
- (4) A list of buildings, objects and places which, at the date the Scheme comes into operation, the Council considers to be of historical or architectural interest or of natural beauty, is contained in Schedule G to the Scheme. The buildings, objects or places so listed are not necessarily the only buildings, objects or places of historical or architectural interest or of natural beauty and the inclusion of the list in the Scheme neither imposes any obligation on the Council to protect or preserve those buildings, objects or places nor restricts the Council from protecting or preserving other buildings, objects or places pursuant to this Clause.

- (5) The Council may give notice to the owner of any building, object or place of the type referred to in this Clause requiring him to give written notice to the Council of any material alteration or modification proposed to be made to the same and no such alteration or modification shall be commenced or carried out otherwise than in accordance with a planning consent granted by the Council.
- (6) A person whose land or property is injuriously affected by a decision of the Council refusing an application for its planning consent or granting its planning consent subject to conditions not acceptable to the applicant may, if the refusal or conditions relate to the preservation of the building, object or place, and if the claim is made within 6 months of the decision of the Council, claim compensation from the Council.

PART 7

FINANCE AND ADMINISTRATION

89. DISPOSAL OF LAND

The Council may deal with or dispose of any land which it owns or which it has acquired pursuant to the provisions of the Scheme in accordance with law and for such purpose may make such agreements with other owners as it deems fit.

90. COMPENSATION

Subject to Clause 88(6) claims for compensation by reason of the Scheme shall be made not later than 6 months from the date on which notice of approval of the Scheme is published in the Government Gazette except in the case of land reserved under the Metropolitan Region Scheme in which cases that Scheme shall apply.

91. BETTERMENT

Any claim made by the Council pursuant to Section 11(2) of the Act shall be made within 18 months of the completion of the work or the section of the work by reason of which the land in respect of which the claim is made is increased in value.

92. ENTRY TO PREMISES

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

93. NOTICES

- (1) Any notice given by the Council under Section 10(1) of the Act shall be a 30 days' notice under the hand of the Town Clerk sent by registered post to the owner and occupier (if any) of the land affected by the notice.
- (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.

94. OFFENCES

Subject to Part 4 of the Scheme a person shall not:

- (a) 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 a purpose:
 - (i) other than a purpose permitted or approved by the Council in the zone in which that land or building is situated;
 - (ii) unless all approvals, consents or licences required by the Scheme or any other law have been granted or issued;
 - (iii) 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;
 - (iv) 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; and
 - (v) otherwise than in accordance with the plans approved by the Council; and
- (b) do or omit to do any act in contravention of the Scheme.

95. CONTINUING CONDITIONS

Where the Council has granted planning consent for the development of land on a condition which involves the maintenance or continuance of the state or condition of any place, area, matter or thing a person shall not use 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.

96. APPEALS

An applicant aggrieved by a decision of the Council in respect of the exercise of a discretionary power under this Scheme has a right of appeal under Part V of the Act.

TABLES AND SCHEDULES

TABLE NO. 1.
ZONING - LAND USE
(SHEET 1)
REFER TO CLAUSE 18

USE CLASSES	ZONES																
	RESIDENTIAL-R	RESIDENTIAL-R.O.	AGED OR DEPENDENT PERSONS' DWELLINGS	SHOPPING S1	SHOPPING S2	SHOPPING S3	COMMERCIAL C1	COMMERCIAL C2	COMMERCIAL C3	HOTEL	MOTEL	SERVICE STATION	MOTOR REPAIR AND SERVICE STATION	COLLEGE-SCHOOL EXTENSION	CIVIC USES	PRIVATE INSTITUTIONS	PUBLIC ASSEMBLY

TABLE NO. 1: ZONING - LAND USE (CONTINUED)
(SHEET 2)

REFER TO CLAUSE 18

USE CLASSES	ZONES														
	PUBLIC ASSEMBLY	PRIVATE INSTITUTIONS	CIVIC USES	COLLEGE-SCHOOL EXTENSION	MOTOR REPAIR AND SERVICE STATION	SERVICE STATION	MOTEL	HOTEL	COMMERCIAL C3	COMMERCIAL C2	COMMERCIAL C1	SHOPPING S3	SHOPPING S2	SHOPPING S1	AGED OR DEPENDENT PERSONS' DWELLINGS
EDUCATIONAL ESTABLISHMENT	AA	P	X	P	X	X	X	X	X	X	X	X	X	X	SA
FAMILY CARE CENTRE	X	X	AA	AA	X	X	X	X	X	X	X	AA	AA	AA	AA
FISH SHOP	X	X	X	X	X	X	X	X	AA	X	X	AA	AA	AA	X
FUNERAL PARLOUR	X	X	X	X	X	X	X	X	X	X	X	AA	AA	X	X
HEALTH CENTRE	X	X	X	X	X	X	X	X	P	AA	AA	P	P	X	SA
HIRE PREMISES	X	X	X	X	AA	AA	X	X	X	X	X	AA	AA	AA	X
HOME OCCUPATION ⁽¹⁾	X	X	AA	AA	X	X	X	X	X	X	X	X	X	X	AA
HOSPITAL	X	P	X	X	X	X	X	X	X	X	X	X	X	X	X
HOSTEL	X	AA	X	AA	X	X	X	X	X	X	X	X	X	X	SA CP(2)
HOTEL	X	X	X	X	X	X	X	P	SA	X	X	X	X	X	X
INDOOR SPORTING ACTIVITIES	X	X	X	IP	X	X	IP	IP	AA	SA	X	AA	X	X	X

TABLE NO. 1: ZONING - LAND USE (CONTINUED)
(SHEET 3)

REFER TO CLAUSE 18

[illegible]

TABLE NO. 1: ZONING - LAND USE (CONTINUED)
(SHEET 4)

REFER TO CLAUSE 18

USE CLASSES	ZONES																	
	PUBLIC ASSEMBLY	PRIVATE INSTITUTIONS	CIVIC USES	COLLEGE-SCHOOL EXTENSION	MOTOR REPAIR AND SERVICE STATION	SERVICE STATION	MOTEL	HOTEL	COMMERCIAL C3	COMMERCIAL C2	COMMERCIAL C1	SHOPPING S3	SHOPPING S2	SHOPPING S1	AGED OR DEPENDENT PERSONS' DWELLINGS	RESIDENTIAL-R.O.	RESIDENTIAL-R	
	PRIVATE HOTEL																	
	PRIVATE STREET - RIGHT-OF-WAY																	
PUBLIC AMUSEMENT																		
PUBLIC UTILITY																		
PUBLIC WORSHIP - PLACE OF																		
RELIGIOUS COMMUNITY SERVICES																		
RELIGIOUS INSTITUTION																		
RESIDENTIAL: SINGLE HOUSE																		
ATTACHED HOUSE																		

TABLE NO. 1: ZONING - LAND USE (CONTINUED)
(SHEET 5)

REFER TO CLAUSE 18

	ZONES															
	PUBLIC ASSEMBLY	X	X	X	X	P	X	X	X	X	X	X	X	X	X	X
	PRIVATE INSTITUTIONS	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
	CIVIC USES	X	X	AA	X	X	X	X	X	X	X	X	X	X	X	X
	COLLEGE-SCHOOL EXTENSION	X	X	AA	X	X	X	X	X	X	X	X	X	X	X	X
	MOTOR REPAIR AND SERVICE STATION	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
	SERVICE STATION	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
	MOTEL	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
	HOTEL	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
	COMMERCIAL C3	X	P	X	X	X	X	X	SA	(17) AA	AA	AA	AA	AA	X	X
	COMMERCIAL C2	(13) CP	P	X	X	X	X	X	X	X	AA	AA	AA	AA	X	X
	COMMERCIAL C1	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
	SHOPPING S3	X	P	X	X	X	X	X	SA	(16) P	P	P	P	P	X	X
	SHOPPING S2	X	X	X	X	X	X	X	X	(16) P	AA	AA	AA	AA	X	X
	SHOPPING S1	X	X	X	X	X	X	X	X	(16) P	X	X	X	X	X	X
	AGED OR DEPENDENT PERSONS' DWELLINGS	P	P	X	X	X	X	X	X	X	X	X	X	X	X	X
	RESIDENTIAL-R.O.	(13) CP	P	AA	X	X	X	X	X	X	X	X	X	X	X	X
	RESIDENTIAL-R	P(11) SA(12) CP(13)	X(14) P(15)	AA	SA	X	X	X	X	X	X	X	X	X	(18) CP	X
USE CLASSES		RESIDENTIAL: GROUPED DWELLING	MULTIPLE DWELLING	ADDITIONAL ACCOMMODATION	AGED OR DEPENDENT PERSONS' DWELLING	SENIOR CITIZENS' CENTRE	SERVICE STATION	SHOP	SHOWROOM	STUDENT HOUSING						

TABLE NO. 1: ZONING - LAND USE (CONTINUED)
(SHEET 6)

REFER TO CLAUSE 18

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USE CLASSES	ZONES														
	RESIDENTIAL-R	RESIDENTIAL-R.O.	AGED OR DEPENDENT PERSONS' DWELLINGS	SHOPPING S1	SHOPPING S2	SHOPPING S3	COMMERCIAL C1	COMMERCIAL C2	COMMERCIAL C3	HOTEL	MOTEL	SERVICE STATION	MOTOR REPAIR AND SERVICE STATION	COLLEGE-SCHOOL EXTENSION	CIVIC USES
PUBLIC ASSEMBLY															
PRIVATE INSTITUTIONS															
CIVIC USES															
COLLEGE-SCHOOL EXTENSION															
MOTOR REPAIR AND SERVICE STATION															
SERVICE STATION															
MOTEL															
HOTEL															
COMMERCIAL C3															
COMMERCIAL C2															
COMMERCIAL C1															
SHOPPING S3															
SHOPPING S2															
SHOPPING S1															
AGED OR DEPENDENT PERSONS' DWELLINGS															
RESIDENTIAL-R.O.															
RESIDENTIAL-R															
SWIMMING POOL - PRIVATE															
TAKE-AWAY FOOD SHOP															
TAVERN															
TENNIS COURT - PRIVATE ILLUMINATED															
TENNIS COURT - PRIVATE UNILLUMINATED															
WAREHOUSE															
WELFARE HOUSING															

FOOTNOTES TO TABLE NO. 1:

- | | | | |
|--------------------------------|----------------------------|----------------------------|------------------------------------|
| (1) Refer to Clause 22 | (6) Refer to Clause 26 | (11) Refer to Clause 29(1) | (16) Refer to Clause 55(4) |
| (2) Refer to Clause 27 | (7) Refer to Clause 24 | (12) Refer to Clause 29(2) | (17) Refer to Clauses 36 and 55(4) |
| (3) Refer to Clause 23 | (8) Refer to Clause 28(1) | (13) Refer to Clause 29(3) | (18) Refer to Clause 34 |
| (4) Refer to Clauses 24 and 25 | (9) Refer to Clause 28(2) | (14) Refer to Clause 30(1) | (19) Refer to Clause 31 |
| (5) Refer to Clause 25 | (10) Refer to Clause 28(3) | (15) Refer to Clause 30(2) | |

TABLE NO. 2

DEVELOPMENT REQUIREMENTS GENERALLY - ZONES OTHER THAN RESIDENTIAL

(SHEET 1)

REFER TO CLAUSE 55

1	2	3	4	5	6	7
ZONE	MAXIMUM PLOT RATIO	MAXIMUM SITE COVERAGE (% OF SITE)	MINIMUM SETBACKS FROM LOT BOUNDARIES			MINIMUM LANDSCAPED AREA (% OF SITE)
			STREET ALIGNMENT (1) (m)	SIDE(S) OTHER THAN STREET (m)	REAR (m)	
SHOPPING S1	0.50 ⁽²⁾	NOT APPLICABLE	1.5 ⁽³⁾	FROM ANY COMMON BOUNDARY WITH LAND IN THE RESIDENTIAL-R ZONE: AS PRESCRIBED IN TABLE NO. 3 FROM ANY OTHER BOUNDARY: NIL	4.5 ⁽⁴⁾	10
SHOPPING S2	0.75 ⁽²⁾	NOT APPLICABLE	1.5 ⁽³⁾	FROM ANY COMMON BOUNDARY WITH LAND IN THE RESIDENTIAL-R ZONE: AS PRESCRIBED IN TABLE NO. 3 FROM ANY OTHER BOUNDARY: NIL	4.5 ⁽⁴⁾	10
SHOPPING S3 ⁽⁵⁾	NON-RESIDENTIAL: 1.00 ⁽²⁾	NOT APPLICABLE	1.5 ⁽³⁾	FROM ANY COMMON BOUNDARY WITH LAND IN THE RESIDENTIAL-R ZONE: AS PRESCRIBED IN TABLE NO. 3 FROM ANY OTHER BOUNDARY: NIL	4.5 ⁽⁴⁾	10
	MIXED DEVELOPMENT-RESIDENTIAL: 0.5 NON-RESIDENTIAL: 1.00 PROVIDED THAT THE TOTAL SHALL NOT EXCEED 1.33					

NOTE: FOR REQUIREMENTS RELATING TO MINIMUM NUMBER OF CAR PARKING SPACES, REFER TO TABLE NO. 5.

TABLE NO. 2: DEVELOPMENT REQUIREMENTS GENERALLY -
ZONES OTHER THAN RESIDENTIAL (CONTINUED)

(SHEET 2)

REFER TO CLAUSE 55

1	2	3	4	5	6	7
ZONE	MAXIMUM PLOT RATIO	MAXIMUM SITE COVERAGE (% OF SITE)	MINIMUM SETBACKS FROM LOT BOUNDARIES			MINIMUM LANDSCAPED AREA (% OF SITE)
			STREET ALIGNMENT (1) (m)	SIDE(S) OTHER THAN STREET (m)	REAR (m)	
COMMERCIAL C1	0.67	35	1.5 ⁽³⁾	FROM ANY COMMON BOUNDARY WITH LAND IN THE RESIDENTIAL-R ZONE: AS PRESCRIBED IN TABLE NO. 3 FROM ANY OTHER BOUNDARY: NIL	7.5 ⁽⁶⁾	30
COMMERCIAL C2 (5)	NON-RESIDENTIAL: 0.67	35	1.5 ⁽³⁾	FROM ANY COMMON BOUNDARY WITH LAND IN THE RESIDENTIAL-R ZONE: AS PRESCRIBED IN TABLE NO. 3 FROM ANY OTHER BOUNDARY: NIL	7.5 ⁽⁶⁾	30
	MIXED DEVELOPMENT: 0.67 PROVIDED THAT THE RESIDENTIAL PORTION SHALL NOT EXCEED 0.5					
COMMERCIAL C3 (5)	NON-RESIDENTIAL: 1.5 ⁽⁷⁾	50	1.5 ⁽³⁾	FROM ANY COMMON BOUNDARY WITH LAND IN THE RESIDENTIAL-R ZONE: AS PRESCRIBED IN TABLE NO. 3 FROM ANY OTHER BOUNDARY: NIL	7.5 ⁽⁸⁾	10
	MIXED DEVELOPMENT: 1.5 ⁽⁷⁾ PROVIDED THAT THE RESIDENTIAL PORTION SHALL NOT EXCEED 0.5					
HOTEL	1.00	50	6.0	FROM ANY COMMON BOUNDARY WITH LAND IN THE RESIDENTIAL-R ZONE: 15.0 FROM ANY OTHER BOUNDARY: NIL	FROM ANY COMMON BOUNDARY WITH LAND IN THE RESIDENTIAL-R ZONE: 15.0 FROM ANY OTHER BOUNDARY: 3.0	10
MOTEL	0.66	33	7.5	3.0	3.0	10

NOTE: FOR REQUIREMENTS RELATING TO MINIMUM NUMBER OF CAR PARKING SPACES, REFER TO TABLE NO. 5.

TABLE NO. 2: DEVELOPMENT REQUIREMENTS GENERALLY -
ZONES OTHER THAN RESIDENTIAL (CONTINUED)

(SHEET 3)

REFER TO CLAUSE 55

1	2	3	4	5	6	7
ZONE	MAXIMUM PLOT RATIO	MAXIMUM SITE COVERAGE (% OF SITE)	STREET ALIGNMENT (1) (m)	MINIMUM SETBACKS FROM LOT BOUNDARIES		MINIMUM LANDSCAPED AREA (% OF SITE)
				SIDE(S) OTHER THAN STREET (m)	REAR (m)	
SERVICE STATION ⁽⁹⁾	0.33	33	7.5	FROM ANY COMMON BOUNDARY WITH LAND IN THE RESIDENTIAL-R ZONE: 4.5	4.5	10
MOTOR REPAIR AND SERVICE STATION ⁽⁹⁾	0.33	33	7.5	FROM ANY OTHER BOUNDARY: 3.0	4.5	10
COLLEGE-SCHOOL EXTENSION ⁽⁵⁾	0.60	50	7.5	FROM ANY COMMON BOUNDARY WITH LAND IN THE RESIDENTIAL-R ZONE: 4.5 FROM ANY OTHER BOUNDARY: NIL		25
CIVIC USES ⁽⁵⁾	0.60	50	7.5	FROM ANY COMMON BOUNDARY WITH LAND USED FOR RESIDENTIAL PURPOSES: AS PRESCRIBED IN TABLE NO. 3 FROM ANY OTHER BOUNDARY: NIL	7.5	25
PRIVATE INSTITUTIONS	0.60	50	7.5	FROM ANY COMMON BOUNDARY WITH LAND IN THE RESIDENTIAL-R ZONE: 4.5 FROM ANY OTHER BOUNDARY: NIL		25
PUBLIC ASSEMBLY	0.60	50	7.5	FROM ANY COMMON BOUNDARY WITH LAND IN THE RESIDENTIAL-R ZONE: 4.5, AND FROM ANY EXISTING BUILDING USED FOR RESIDENTIAL PURPOSES: 15.0 FROM ANY OTHER BOUNDARY: NIL	7.5	25

NOTE: FOR REQUIREMENTS RELATING TO MINIMUM NUMBER OF CAR PARKING SPACES, REFER TO TABLE NO. 5.

TABLE NO. 2: DEVELOPMENT REQUIREMENTS GENERALLY -
ZONES OTHER THAN RESIDENTIAL (CONTINUED)

(SHEET 4)

REFER TO CLAUSE 55

1	2	3	4	5	6	7
ZONE	MAXIMUM PLOT RATIO	MAXIMUM SITE COVERAGE (% OF SITE)	MINIMUM SETBACKS FROM LOT BOUNDARIES			MINIMUM LANDSCAPED AREA (% OF SITE)
			STREET ALIGNMENT (1) (m)	SIDE(S) OTHER THAN STREET (m)	REAR (m)	
SPECIAL ZONE A	1.00	33	9.0	FROM ANY COMMON BOUNDARY WITH LAND IN THE RESIDENTIAL-R ZONE: 30.0 ⁽¹⁰⁾ FROM ANY OTHER BOUNDARY: 5.0 ⁽¹⁰⁾	30 ⁽¹⁰⁾	50 ⁽¹⁰⁾

NOTE: FOR REQUIREMENTS RELATING TO MINIMUM NUMBER OF CAR PARKING SPACES, REFER TO TABLE NO. 5

FOOTNOTES TO TABLE NO. 2:

- (1) Refer to Clauses 55(3)(a), 55(3)(b) and 62
(2) Refer to Clause 55(4)
(3) Refer to Clause 55(3)(c)

- (4) Refer to Clause 55(3)(d)(i)
(5) Requirements for solely Residential
development - Refer to Clause 56
(6) Refer to Clause 55(3)(d)(ii)

- (7) Refer to Clauses 36 and 55(4)
(8) Refer to Clauses 55(3)(d)(ii) and
55(3)(d)(iii)
(9) Refer to Clause 57
(10) Refer to Clause 55(5)

TABLE NO. 3

NON-RESIDENTIAL OR MIXED DEVELOPMENT -

MINIMUM SETBACKS FROM ANY COMMON SIDE BOUNDARY WITH
LAND IN THE RESIDENTIAL-R ZONE

NOTE:

TO BE READ IN CONJUNCTION
WITH TABLE NO. 2
WHERE APPLICABLE

1	2	3	4
HEIGHT OF WALL (m)	TYPE "A" WALL ⁽¹⁾		TYPE "B" WALL ⁽²⁾ (m)
	LESS THAN OR EQUAL TO 9.0m IN LENGTH (m)	GREATER THAN 9.0m IN LENGTH (m)	
LESS THAN 3.0	1.0	1.5	1.5
3.0 - 6.0	1.5	3.0	5.0
MORE THAN 6.0	AS DETERMINED BY COUNCIL, BUT IN ANY CASE, NOT LESS THAN THE SETBACKS PRESCRIBED FOR WALLS 3.0 - 6.0m IN HEIGHT		

FOOTNOTES TO TABLE NO. 3:

- (1) TYPE "A" WALL - MEANS A WALL WITHOUT OPENINGS OR A WALL WITH OPENINGS ONLY TO BATHROOMS, LAUNDRIES, WATER CLOSETS AND THE LIKE, OR OTHER OPENINGS WHICH WILL NOT, IN THE OPINION OF THE COUNCIL, CAUSE A REDUCTION IN THE AMENITIES OF THE ADJOINING RESIDENTIAL PROPERTIES DUE TO OVERLOOKING.
- (2) TYPE "B" WALL - MEANS A WALL WITH ANY OPENINGS OTHER THAN OPENINGS OF THE KIND PERMITTED IN A TYPE "A" WALL.

TABLE NO. 4

MINIMUM SETBACKS FROM SPECIFIED STREET ALIGNMENTS

(SHEET 1)

REFER TO CLAUSE 62

1	2	3	4
STREET	AFFECTED PORTION OF STREET	ZONE OR RESERVE	MINIMUM SETBACK FROM STREET ALIGNMENT (m)
CANNING HIGHWAY	WEST SIDE	RESIDENTIAL-R ZONE AND ANY RESERVE	10.0
		ANY OTHER ZONE	RESIDENTIAL : 10.0
			NON-RESIDENTIAL OR MIXED DEVELOPMENT : 4.0
	EAST SIDE - BETWEEN LOCKHART STREET AND ROBERT STREET	RESIDENTIAL-R ZONE	7.5
	EAST SIDE - EXCEPT BETWEEN LOCKHART STREET AND ROBERT STREET	RESIDENTIAL-R ZONE AND ANY RESERVE	25.0
		ANY OTHER ZONE	RESIDENTIAL : 25.0
			NON-RESIDENTIAL OR MIXED DEVELOPMENT : 19.0
DOUGLAS AVENUE	NORTH-EAST SIDE - BETWEEN MILL POINT ROAD AND SHAFTSBURY STREET	RESIDENTIAL-R ZONE	12.5
HARPER TERRACE	EAST SIDE	SHOPPING S3 AND COMMERCIAL C2 ZONES	6.4
LABOUCHERE ROAD	BOTH SIDES	RESIDENTIAL ZONES AND PRIVATE INSTITUTIONS ZONE	9.0
		ANY OTHER ZONE	AS PRESCRIBED IN TABLE NO.2
		ANY RESERVE	3.0

TABLE NO. 4: MINIMUM SETBACKS FROM SPECIFIED STREET ALIGNMENTS (CONTINUED)

(SHEET 2)

REFER TO CLAUSE 62

1	2	3	4
STREET	AFFECTED PORTION OF STREET	ZONE OR RESERVE	MINIMUM SETBACK FROM STREET ALIGNMENT (m)
MANNING ROAD	BOTH SIDES - BETWEEN KWINANA FREEWAY AND LEY STREET	RESIDENTIAL-R ZONE	10.5
	SOUTH SIDE - BETWEEN KWINANA FREEWAY AND LEY STREET	HOTEL AND SHOPPING S2 ZONES	4.5
MELVILLE PARADE	EAST SIDE	ANY ZONE	9.0
MILL POINT ROAD	NORTH SIDE - BETWEEN LOT 104 OF P.S.L. 49 AND LOT 61 OF P.S.L. 4 AND 5 INCLUSIVE, AND SOUTH SIDE - BETWEEN ONSLOW STREET AND KING EDWARD STREET	RESIDENTIAL-R ZONE	AS SHOWN ON THE SCHEME MAP
	SOUTH SIDE - PORTION OF SWAN LOCATION 37 BEING LOT 1 ON DIAGRAM 7345	SERVICE STATION ZONE	3.0
	BOTH SIDES - EXCEPT AS OTHERWISE SPECIFIED IN THIS TABLE	ANY ZONE OR RESERVE	9.0
SOUTH PERTH ESPLANADE	SOUTH-WEST SIDE	ANY ZONE	12.0

TABLE NO. 5

MINIMUM NUMBER OF CAR PARKING SPACES⁽¹⁾

(SHEET 1)

REFER TO CLAUSE 63

1		2
ITEM NO	USE CLASS	MINIMUM NUMBER OF CAR PARKING SPACES
1	CAR SALES PREMISES	1 FOR EVERY 100m ² OF OPEN SPACE, 1 ADDITIONAL SPACE FOR EVERY 100m ² OF GROSS FLOOR AREA AND 1 ADDITIONAL SPACE FOR EVERY PERSON EMPLOYED
2	CLUB	1 FOR EVERY 45m ² OF GROSS FLOOR AREA
3	CONSULTING ROOMS	1 FOR EVERY 19m ² OF GROSS FLOOR AREA WITH A MINIMUM OF 6
4	EATING HOUSE	SUBJECT TO SUB-CLAUSES (3) AND (4) OF CLAUSE 63, 1 FOR EVERY 4 PERSONS THE BUILDING IS DESIGNED TO ACCOMMODATE
5	EDUCATIONAL ESTABLISHMENT:	
	PRIMARY SCHOOL - STATE	1.5 FOR EVERY CLASSROOM AND 1 ADDITIONAL SPACE
	PRIMARY SCHOOL - OTHER	1 FOR EVERY CLASSROOM
	SECONDARY SCHOOL	1 FOR EVERY CLASSROOM AND 1 ADDITIONAL SPACE FOR EVERY 25 STUDENTS THE SCHOOL IS DESIGNED TO ACCOMMODATE FOR THE FINAL 2 YEARS OF SECONDARY SCHOOL
6	FUNERAL PARLOUR	6
7	HEALTH CENTRE	1 FOR EVERY 19m ² OF GROSS FLOOR AREA WITH A MINIMUM OF 6
8	HOSPITAL	1 FOR EVERY PATIENT'S BED PROVIDED

TABLE NO. 5 : MINIMUM NUMBER OF CAR PARKING SPACES⁽¹⁾ (CONTINUED)

(SHEET 2)

REFER TO CLAUSE 63

1		2
ITEM NO.	USE CLASS	MINIMUM NUMBER OF CAR PARKING SPACES
9	HOTEL, TAVERN	1 FOR EVERY BEDROOM, 1 ADDITIONAL SPACE FOR EVERY 2m ² OF AREA OPEN TO THE PUBLIC FOR CONSUMPTION OF LIQUOR, PROVIDED THAT IN THE CASE OF AREAS USED AS LOUNGES AND BEER GARDENS AND USED SOLELY FOR SEATED CUSTOMERS, THE RATIO MAY BE REDUCED TO 1 ADDITIONAL SPACE FOR EVERY 4.5m ² OF SUCH AREA AND IF PROVISION IS MADE FOR HOLDING CONVENTIONS, 1 ADDITIONAL SPACE FOR EVERY 4 PERSONS THAT THE CONVENTION ROOM IS DESIGNED TO ACCOMMODATE
10	LODGING HOUSE	1 FOR EVERY BEDROOM
11	MOTEL	1 FOR EVERY RESIDENTIAL UNIT OR SUITE
12	NURSING HOME	12, OR 1 FOR EVERY 3 PATIENTS' BEDS PROVIDED, WHICHEVER IS THE GREATER
13	OFFICES: CONTROLLED USE GENERAL AND PROFESSIONAL	1 FOR EVERY PERSON EMPLOYED AND 1 ADDITIONAL SPACE (RESERVED FOR THE USE OF VISITORS TO THE BUILDING) EVERY 140m ² OF OFFICE FLOOR AREA OR PART THEREOF. 1 FOR EVERY 18m ² OF OFFICE FLOOR AREA OR PART THEREOF AND 1 ADDITIONAL SPACE (RESERVED FOR THE USE OF VISITORS TO THE BUILDING) FOR EVERY 140m ² OF OFFICE FLOOR AREA OR PART THEREOF
14	PRIVATE HOTEL	0.75 FOR EVERY RESIDENTIAL UNIT OR SUITE AND WHERE PROVISION IS MADE FOR HOLDING CONVENTIONS, 1 ADDITIONAL SPACE FOR EVERY 4 PERSONS THAT THE CONVENTION ROOM IS DESIGNED TO ACCOMMODATE AND, IF PROVISION IS MADE FOR AN EATING HOUSE, 1 ADDITIONAL SPACE FOR EVERY 4 PERSONS SUCH EATING HOUSE IS DESIGNED TO ACCOMMODATE
15	PUBLIC AMUSEMENT	SUBJECT TO SUB-CLAUSE (2) OF CLAUSE 63, 1 FOR EVERY 4 PERSONS THE BUILDING IS DESIGNED TO ACCOMMODATE
16	PLACE OF PUBLIC WORSHIP	SUBJECT TO SUB-CLAUSE (2) OF CLAUSE 63, 1 FOR EVERY 4 PERSONS THE BUILDING IS DESIGNED TO ACCOMMODATE

TABLE NO. 5 : MINIMUM NUMBER OF CAR PARKING SPACES ⁽¹⁾ (CONTINUED)

(SHEET 3)

REFER TO CLAUSE 63

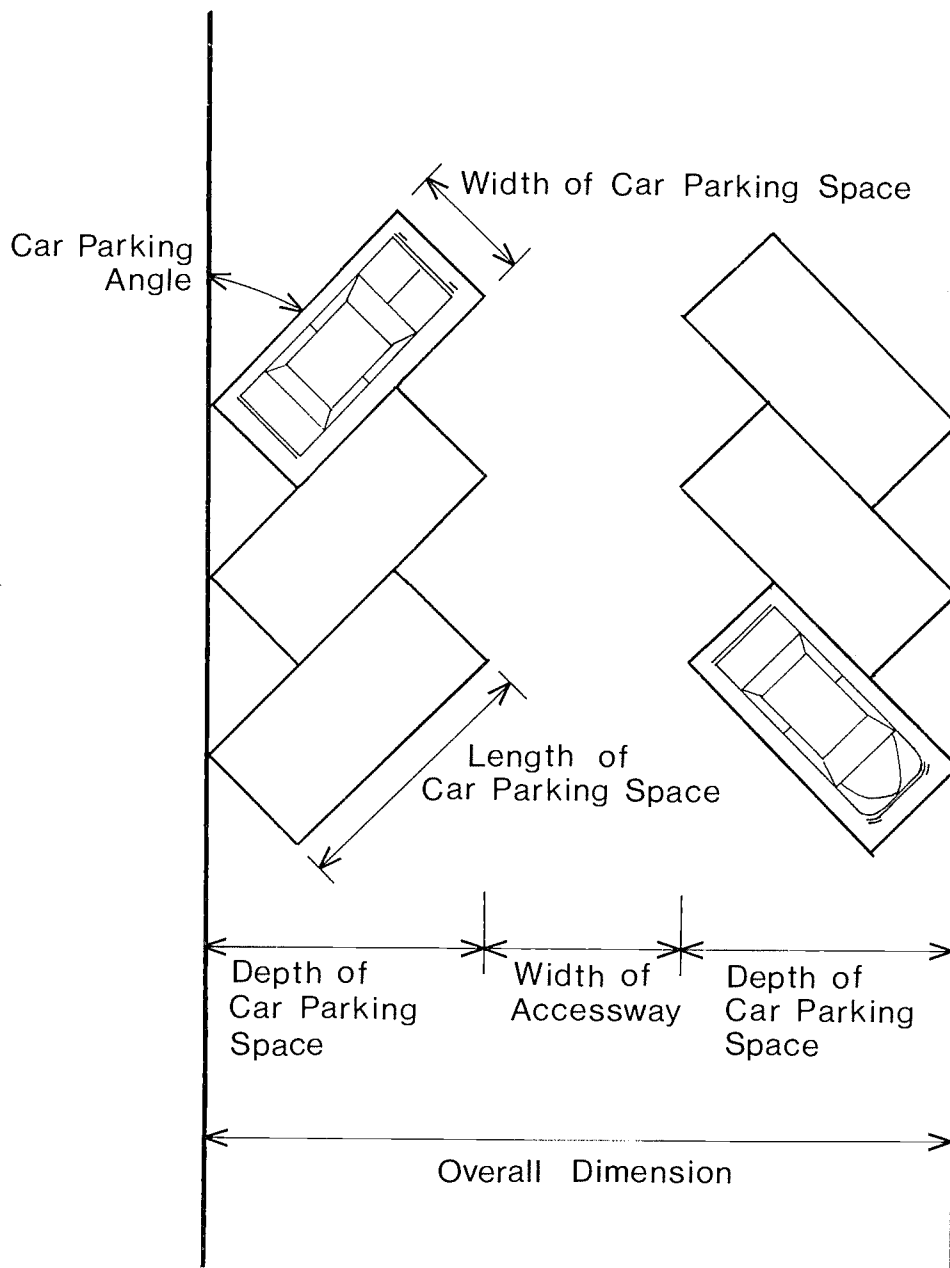
1		2
ITEM NO.	USE CLASS	MINIMUM NUMBER OF CAR PARKING SPACES
17	RESIDENTIAL:	
	SINGLE HOUSE, ATTACHED HOUSE, GROUPED DWELLING, MULTIPLE DWELLING AND ADDITIONAL ACCOMMODATION	AS PRESCRIBED BY THE CODES
	AGED OR DEPENDENT PERSONS' DWELLING	AS PRESCRIBED BY THE CODES, WITH A MINIMUM OF 4
18	SHOP	IN SHOPPING S1 AND COMMERCIAL C3 ZONES: 5 FOR EVERY 100m ² OF GROSS LEASABLE AREA
		IN SHOPPING S2 ZONE: 5.5 FOR EVERY 100m ² OF GROSS LEASABLE AREA
		IN SHOPPING S3 ZONE: 6 FOR EVERY 100m ² OF GROSS LEASABLE AREA
19	SHOWROOM	1 FOR EVERY 100m ² OF OPEN SPACE, 1 ADDITIONAL SPACE FOR EVERY 100m ² OF GROSS FLOOR AREA AND 1 ADDITIONAL SPACE FOR EVERY PERSON EMPLOYED
20	SQUASH COURTS	SUBJECT TO SUB-CLAUSE (2) OF CLAUSE 63, 2 FOR EVERY COURT AND 1 ADDITIONAL SPACE FOR EVERY 4m ² OF FLOOR AREA FROM WHICH GAMES CAN BE WATCHED BY SPECTATORS
21	VETERINARY CLINIC	1 FOR EVERY 19m ² OF GROSS FLOOR AREA WITH A MINIMUM OF 6

FOOTNOTE TO TABLE NO. 5:

(1) MINIMUM NUMBER OF CAR PARKING SPACES FOR USES NOT LISTED IN THIS TABLE:
REFER TO CLAUSE 63(1)

SCHEDULE A

MINIMUM DIMENSIONS OF CAR PARKING SPACES AND ACCESSWAYS



(SHEET 2)

REFER TO CLAUSE 66

SCHEDULE A

MINIMUM DIMENSIONS OF CAR PARKING SPACES AND ACCESSWAYS

1	2	3	4	5	6
CAR PARKING ANGLE (DEGREES)	WIDTH OF CAR PARKING SPACE (m)	LENGTH OF CAR PARKING SPACE (m)	DEPTH OF CAR PARKING SPACE (m)	WIDTH OF ACCESSWAY (m)	OVERALL DIMENSION (m)
0 (PARALLEL PARKING)	3.00	6.00	3.00	3.00	9.00
30	2.50	5.50	5.70	3.30	14.70
	2.60	5.50	5.80	3.20	14.80
	2.75	5.50	5.90	3.10	15.00
	2.90	5.50	6.10	3.00	15.20
45	2.50	5.50	5.70	4.00	15.30
	2.60	5.50	5.70	3.70	15.20
	2.75	5.50	5.80	3.50	15.20
	2.90	5.50	5.90	3.30	15.20
60	2.50	5.50	6.00	5.00	17.00
	2.60	5.50	6.10	4.90	17.00
	2.75	5.50	6.10	4.70	17.00
	2.90	5.50	6.20	4.50	17.00
75	2.50	5.50	5.90	5.30	17.20
	2.60	5.50	6.00	5.20	17.10
	2.75	5.50	6.00	5.10	17.10
	2.90	5.50	6.00	5.00	17.10
90	2.50	5.50	5.50	6.00	17.00
	2.60	5.50	5.50	5.75	16.70
	2.75	5.50	5.50	5.50	16.50
	2.90	5.50	5.50	5.20	16.20

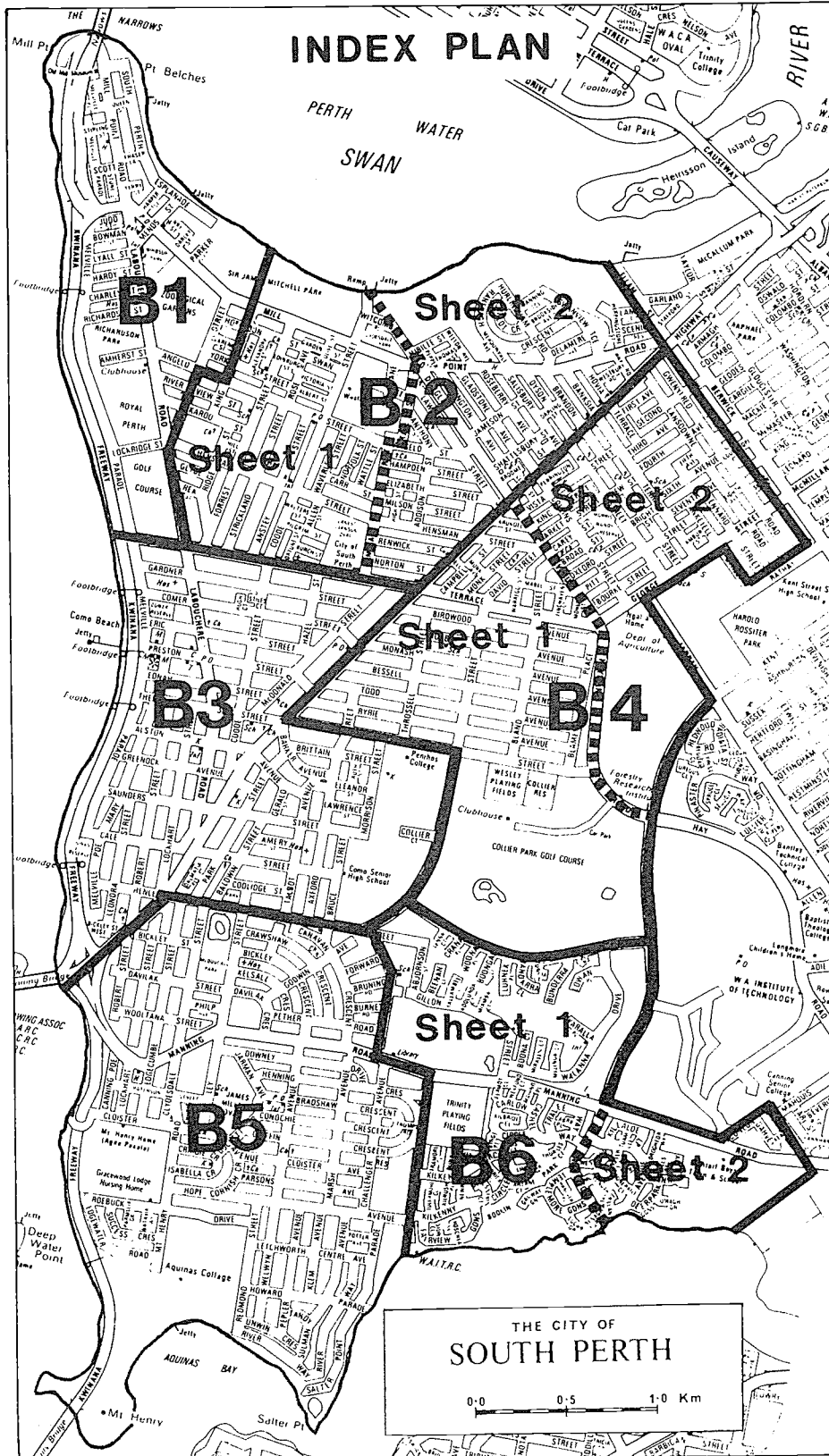
SCHEDULE B

REFER TO CLAUSE 61

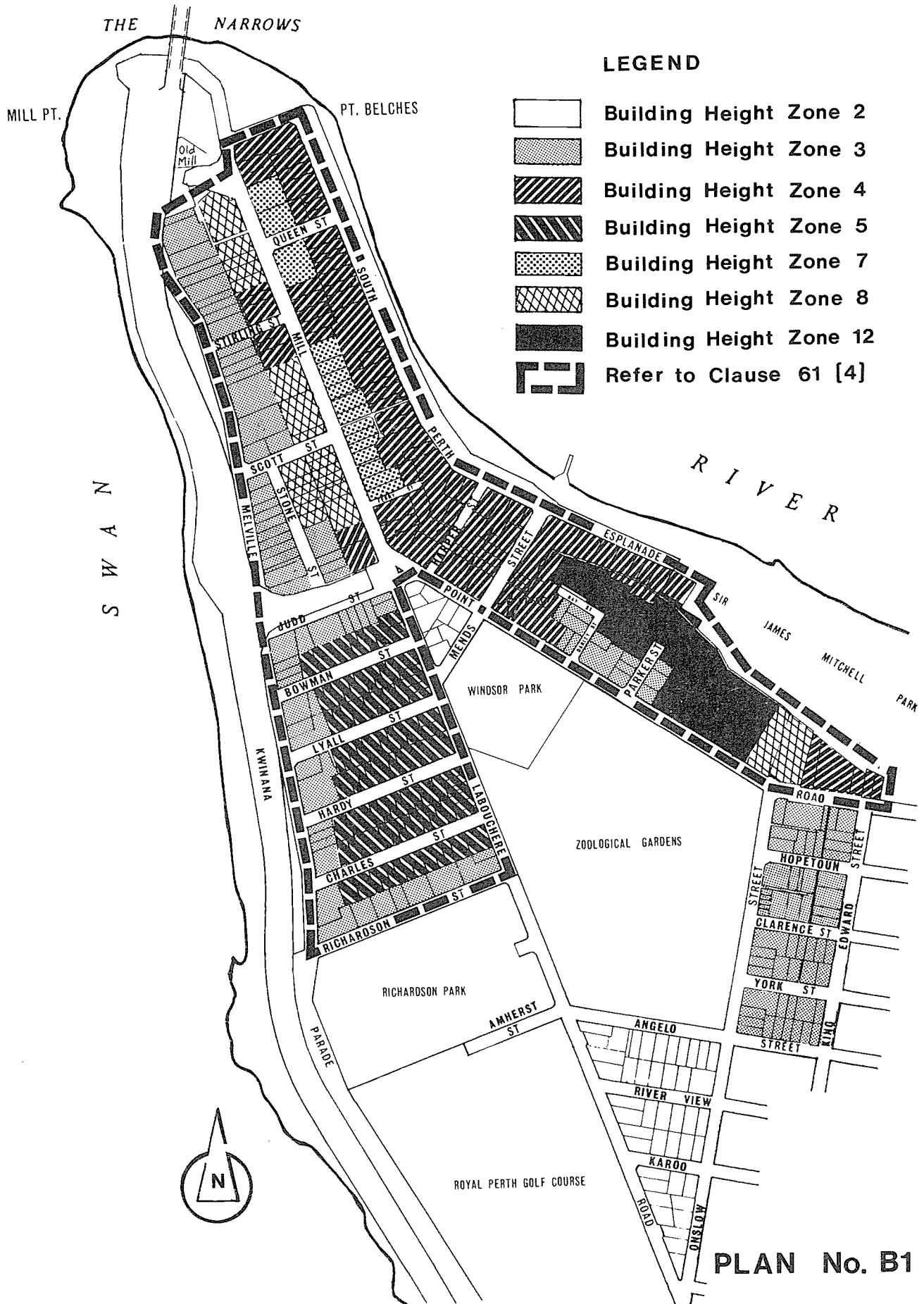
BUILDING HEIGHT ZONES

NOTES:

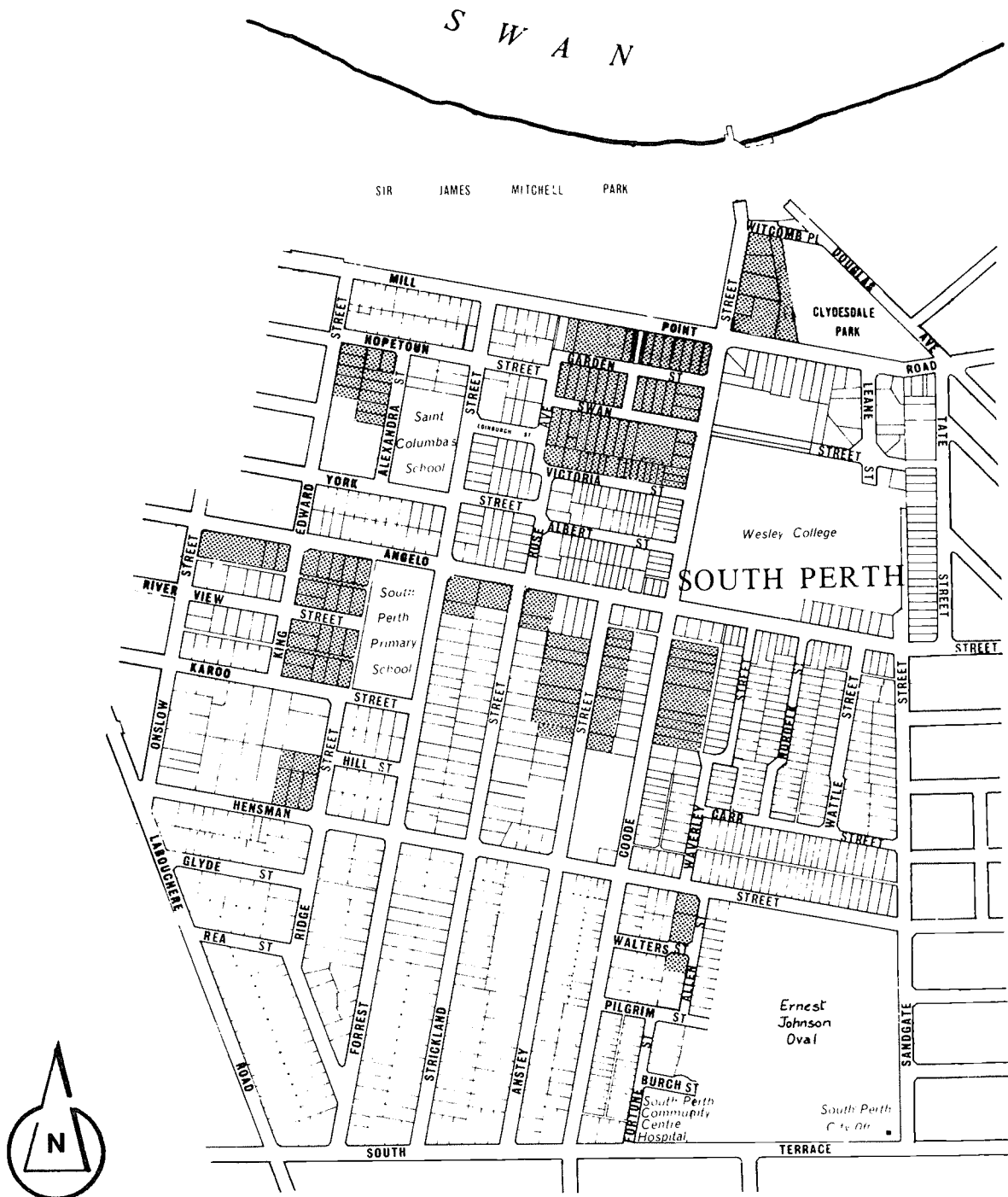
1. This is the Schedule referred to in Clause 60 of the Scheme Text.
2. The maps which follow comprise Schedule B and are numbered PLAN No. B1 to B6.



MILL POINT LOCALITY



SOUTH PERTH - HURLINGHAM

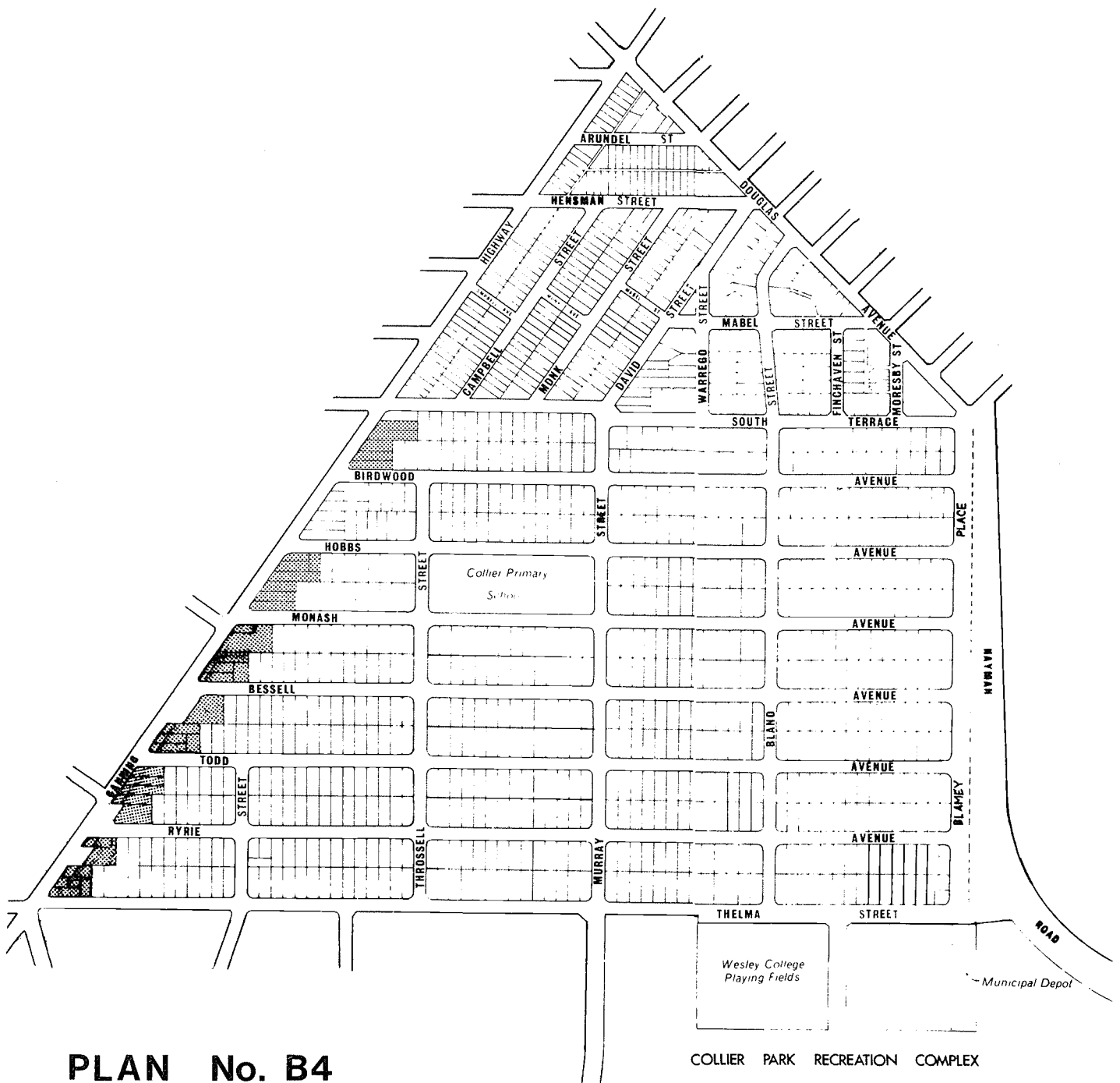
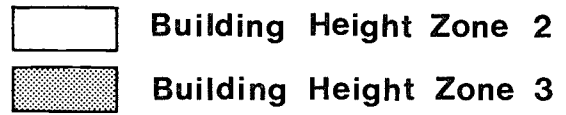


PLAN No. B2

(Sheet 1)

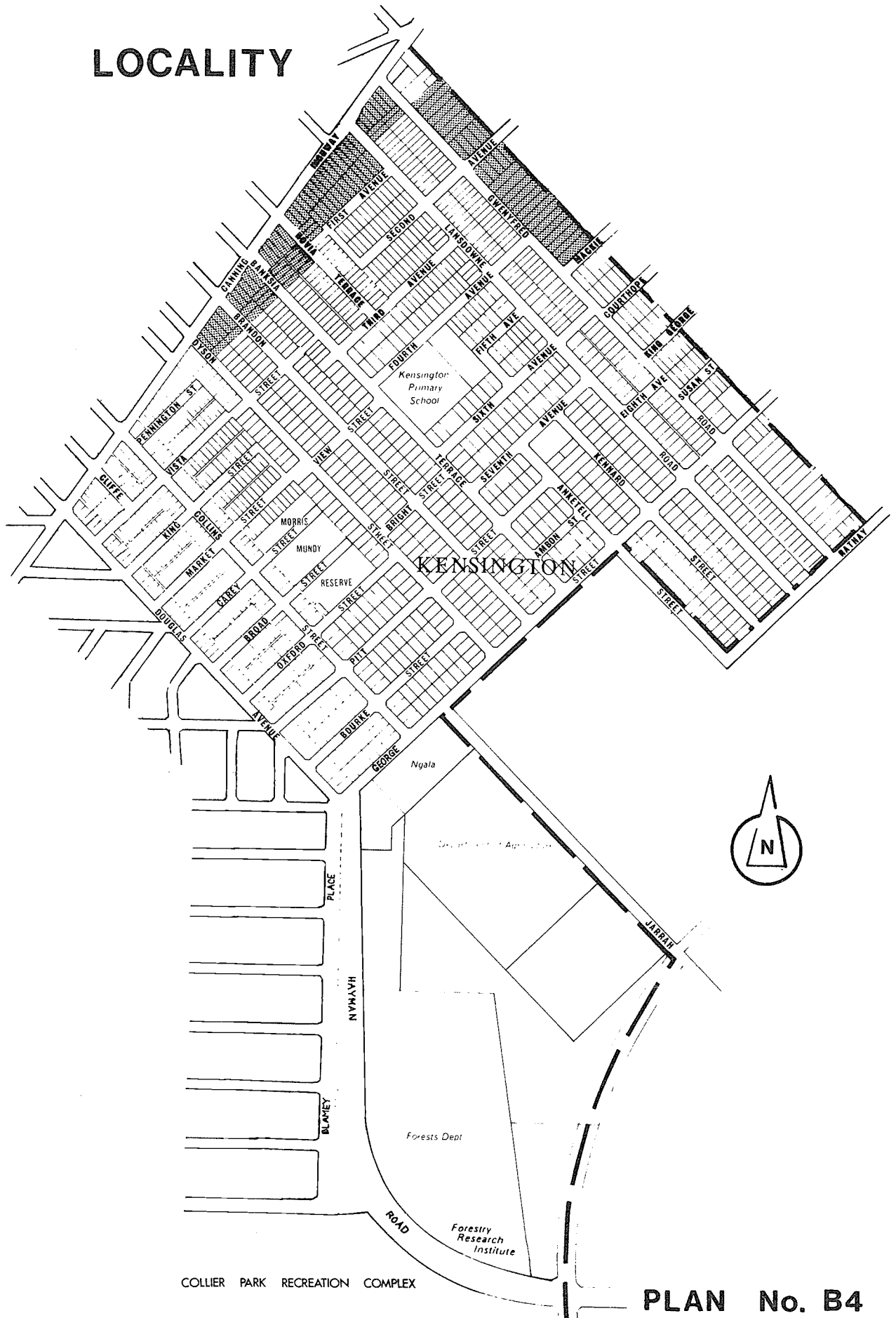






PLAN No. B4
(Sheet 1)

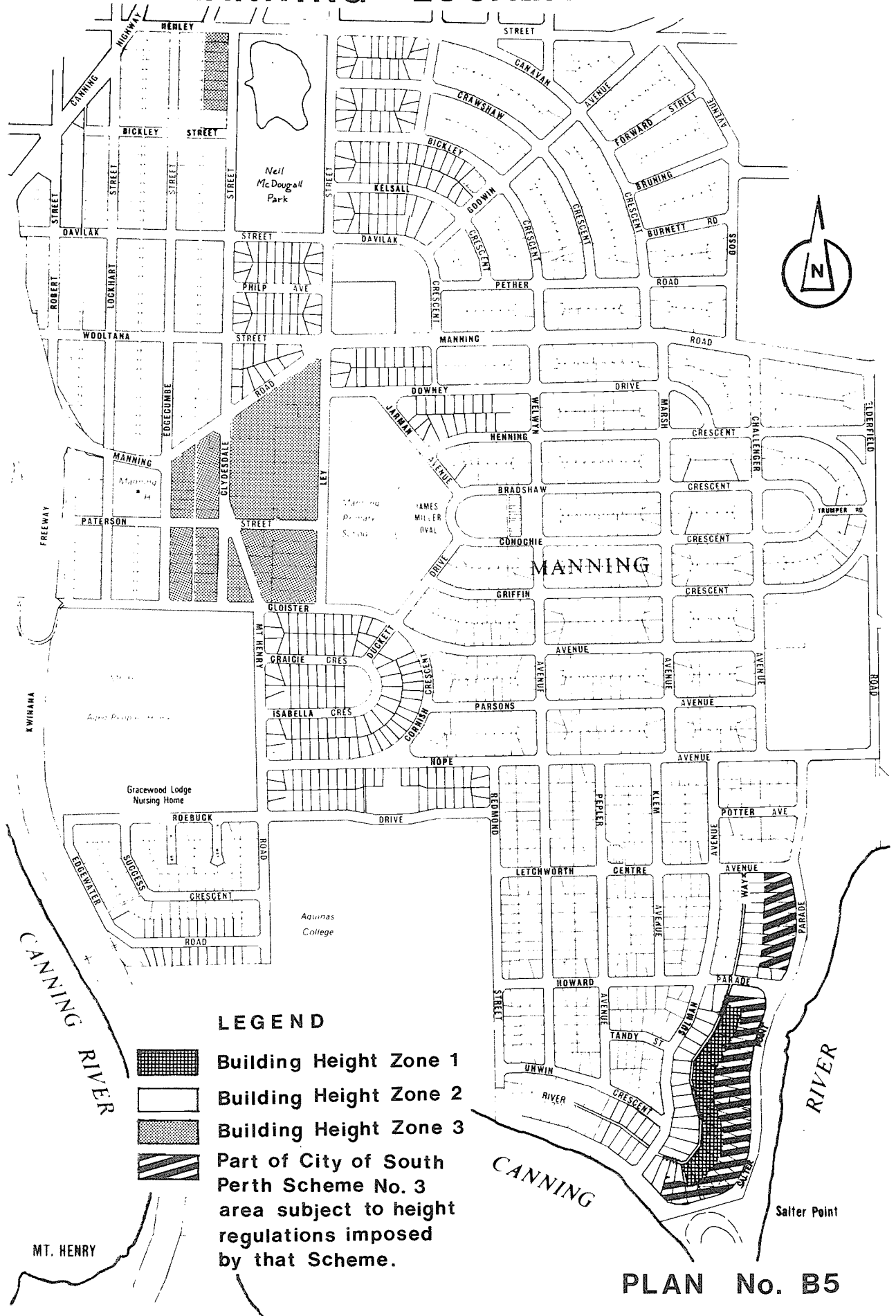
LOCALITY



COLLIER PARK RECREATION COMPLEX

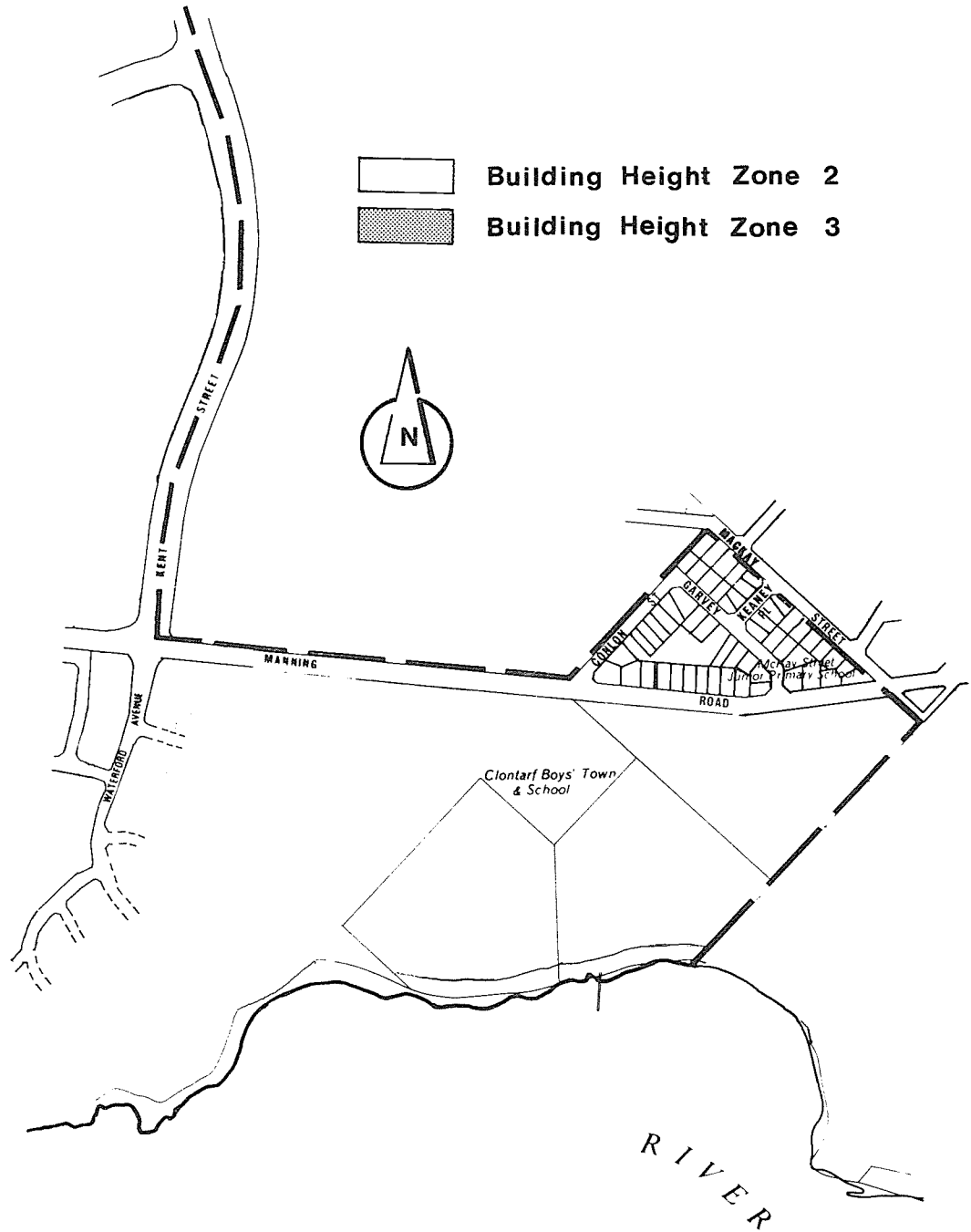
PLAN No. B4
(Sheet 2)

MANNING LOCALITY





LOCALITY



SCHEDULE C

ADDED USES

REFER TO CLAUSES 19 AND 50
REFER ALSO TO IMPORTANT FOOTNOTE

(SHEET 1)

1		2	3	4	5	6	7
ITEM NO.	PARTICULARS OF LAND				ADDED USE CLASS PERMITTED	DEVELOPMENT REQUIREMENTS	
	STREET NAME	STREET NO.	LOT NO.	LOCATION NO.		MAXIMUM PLOT RATIO	REQUIREMENTS OTHER THAN PLOT RATIO
1	ANGELO STREET	53,55	3,4	P.S.L. 353	BANK	0.21	MINIMUM NUMBER OF CAR PARKING SPACES: REFER TO TABLE NO. 5 (GENERAL OFFICES). OTHER REQUIREMENTS: AS PRESCRIBED FOR MOTOR REPAIR AND SERVICE STATION ZONE
2	ANGELO STREET	155	1	SWAN 308C	SHOP	0.06	REFER TO CLAUSE 50
3	ANSTEY STREET	4	22	P.S.L. 354	SENIOR CITIZENS' CENTRE AND ANCILLARY USES AND PUBLIC CAR PARK	NOT APPLICABLE	REFER TO CLAUSE 50
4	BANKSIA TERRACE	78	192	SWAN 38b	SHOP	0.05	REFER TO CLAUSE 50
5	BARKER AVENUE	2	235	SWAN 41	GENERAL OFFICES	0.09	REFER TO CLAUSE 50
6	BARKER AVENUE	4	236	SWAN 41	GENERAL OFFICES	0.10	REFER TO CLAUSE 50
7	BOWMAN STREET	9	35	P.S.L. 79	CONTROLLED USE OFFICES OR PROFESSIONAL OFFICES	0.46	REFER TO CLAUSE 50
8	BOWMAN STREET	18	4	P.S.L. 79 PT. 80	CONTROLLED USE OFFICES OR PROFESSIONAL OFFICES	0.42	REFER TO CLAUSE 50
9	BOWMAN STREET	19	20	P.S.L. 79	LANDSCAPED AREA AND VEHICULAR ACCESS	NOT APPLICABLE	NOT APPLICABLE
10	BRANDON STREET	53	45	SWAN 38a	SHOP	0.09	REFER TO CLAUSE 50

SCHEDULE C - ADDED USES (CONTINUED)

(SHEET 2)

REFER TO CLAUSES 19 AND 50
REFER ALSO TO IMPORTANT FOOTNOTE

1		2	3	4	5	6	7
ITEM NO.	PARTICULARS OF LAND				ADDED USE CLASS PERMITTED	DEVELOPMENT REQUIREMENTS	
	STREET NAME	STREET NO.	LOT NO.	LOCATION NO.		MAXIMUM PLOT RATIO	REQUIREMENTS OTHER THAN PLOT RATIO
11	CANNING HIGHWAY	11	16	SWAN 37	EATING HOUSE	0.15	MINIMUM SETBACK FROM CANNING HIGHWAY: 4.0m MINIMUM SETBACK FROM MILL POINT ROAD: 9.0m MINIMUM NUMBER OF CAR PARKING SPACES: REFER TO TABLE NO. 5 OTHER REQUIREMENTS: AS PRESCRIBED FOR COMMERCIAL C2 ZONE
12	CANNING HIGHWAY	55	67	SWAN 38b	SHOP	0.11	REFER TO CLAUSE 50
13	CANNING HIGHWAY	60	33	SWAN 38b	SHOP	0.06	REFER TO CLAUSE 50
14	CANNING HIGHWAY	66	45	SWAN 38b	SHOP	0.77	REFER TO CLAUSE 50
15	CANNING HIGHWAY	72	66	SWAN 38b	VETERINARY CLINIC	0.06	REFER TO CLAUSE 50
16	CANNING HIGHWAY	80	3	SWAN 38a	SHOP	0.12	REFER TO CLAUSE 50
17	CANNING HIGHWAY	82	1	SWAN 38a	SHOP	0.18	REFER TO CLAUSE 50
18	CANNING HIGHWAY	83	32	SWAN 38a	SHOP	0.04	MINIMUM SETBACK FROM CANNING HIGHWAY: 4.0m MINIMUM NUMBER OF CAR PARKING SPACES: REFER TO TABLE NO. 5 (SHOPPING S1 ZONE) OTHER REQUIREMENTS: AS PRESCRIBED FOR MOTOR REPAIR AND SERVICE STATION ZONE
19	CANNING HIGHWAY	95	1	SWAN 38a	OFFICE AND SHOWROOM	1.23	MINIMUM SETBACK FROM CANNING HIGHWAY: 4.0m MINIMUM NUMBER OF CAR PARKING SPACES: REFER TO TABLE NO. 5 OTHER REQUIREMENTS: AS PRESCRIBED FOR SHOPPING S1 ZONE

SCHEDULE C - ADDED USES (CONTINUED)

(SHEET 3)

REFER TO CLAUSES 19 AND 50
REFER ALSO TO IMPORTANT FOOTNOTE

1		2	3	4	5	6	7
ITEM NO.	PARTICULARS OF LAND				ADDED USE CLASS PERMITTED	DEVELOPMENT REQUIREMENTS	
	STREET NAME	STREET NO.	LOT NO.	LOCATION NO.		MAXIMUM PLOT RATIO	REQUIREMENTS OTHER THAN PLOT RATIO
20	CANNING HIGHWAY	146	1	SWAN 308 I	SHOP, OFFICE, SHOWROOM	0.63	REFER TO CLAUSE 50
21	CANNING HIGHWAY	151,153	175	SWAN 308 C	SHOP	0.18	REFER TO CLAUSE 50
22	CANNING HIGHWAY	155	5	SWAN 308 H	SHOP	0.09	REFER TO CLAUSE 50
23	CANNING HIGHWAY	164	10	SWAN 308 I	MILK DEPOT	0.12	REFER TO CLAUSE 50
24	CANNING HIGHWAY	191-199	1, 40	SWAN 308 J	SHOP	0.12	MINIMUM SETBACK FROM CANNING HIGHWAY: 4.0m MINIMUM NUMBER OF CAR PARKING SPACES: REFERTO TABLE NO. 5 (SHOPPING S1 ZONE) OTHER REQUIREMENTS: AS PRESCRIBED FOR COMMERCIAL C2 ZONE, BUT SUBJECT TO CLAUSE 35
25	CANNING HIGHWAY	240	500	SWAN 308 K	GENERAL OFFICES	0.15	REFER TO CLAUSE 50
26	CANNING HIGHWAY	243	252	SWAN 308 J	TOTALISATOR AGENCY BOARD OFFICE	0.004 (Maximum area of 30m ²)	THE AGENCY OFFICE IS REQUIRED TO FORM AN INTEGRAL PART OF THE EXISTING HOTEL
27	CANNING HIGHWAY	364	2	SWAN 40	SHOP	0.20	REFER TO CLAUSE 50
28	CANNING HIGHWAY	400	432	SWAN 41	COOKING SCHOOL	0.12	REFER TO CLAUSE 50
29	CANNING HIGHWAY	464	220	CANNING 37	CAR SALES AND SERVICING	1.00	MINIMUM SETBACK FROM CANNING HIGHWAY: 19.0m MINIMUM NUMBER OF CAR PARKING SPACES: REFER TO TABLE NO. 5 OTHER REQUIREMENTS: AS PRESCRIBED FOR COMMERCIAL C2 ZONE, AND IN CLAUSE 58

SCHEDULE C - ADDED USES (CONTINUED)

REFER TO CLAUSES 19 AND 50
REFER ALSO TO IMPORTANT FOOTNOTE

(SHEET 4)

1		2	3	4	5	6	7
ITEM NO.	PARTICULARS OF LAND				ADDED USE CLASS PERMITTED	DEVELOPMENT REQUIREMENTS	
	STREET NAME	STREET NO.	LOT NO.	LOCATION NO.		MAXIMUM PLOT RATIO	REQUIREMENTS OTHER THAN PLOT RATIO
30	CHARLES STREET	2	340	P.S.L. 82	CONTROLLED USE OFFICES OR PROFESSIONAL OFFICES	0.70	REFER TO CLAUSE 50
31	CHARLES STREET	2A,4	253	P.S.L. 82	CONTROLLED USE OFFICES OR PROFESSIONAL OFFICES	0.39	REFER TO CLAUSE 50
32	CHARLES STREET	5	139	P.S.L. 82 PT. 81	CONTROLLED USE OFFICES OR PROFESSIONAL OFFICES	0.35	REFER TO CLAUSE 50
33	COODE STREET	53,55	PT.101	P.S.L. 354	SENIOR CITIZENS' CENTRE AND ANCILLARY USES AND PUBLIC CAR PARK	NOT APPLICABLE	REFER TO CLAUSE 50
34	COODE STREET	91	1,2	P.S.L. 380	SHOP	0.09	REFER TO CLAUSE 50
35	DOWNEY DRIVE	-	-	RESERVE 35265	CAR PARK	NOT APPLICABLE	NOT APPLICABLE
36	DYSON STREET	39	11	SWAN 38a	CARPARK FOR USE IN CONNECTION WITH USE OF LOT 1 (NO. 95) CANNING HIGHWAY	NOT APPLICABLE	REFER TO CLAUSE 50
37	FIRST AVENUE	27	80	SWAN 37	SHOP	0.10	REFER TO CLAUSE 50
38	FOURTH AVENUE	2	91	SWAN 38b	SHOP	0.14	REFER TO CLAUSE 50
39	HARDY STREET	2	7	P.S.L. 82, PT. 81	CONTROLLED USE OFFICES OR PROFESSIONAL OFFICES	0.66	REFER TO CLAUSE 50

SCHEDULE C - ADDED USES (CONTINUED)

REFER TO CLAUSES 19 AND 50
REFER ALSO TO IMPORTANT FOOTNOTE

(SHEET 5)

1		2	3	4	5	6	7
ITEM NO.	PARTICULARS OF LAND				ADDED USE CLASS PERMITTED	DEVELOPMENT REQUIREMENTS	
	STREET NAME	STREET NO.	LOT NO.	LOCATION NO.		MAXIMUM PLOT RATIO	REQUIREMENTS OTHER THAN PLOT RATIO
40	HARDY STREET	5,7	13	P.S.L. 81 PT. 80	CONTROLLED USE OFFICES OR PROFESSIONAL OFFICES	0.35	REFER TO CLAUSE 50
41	HARDY STREET	24	300	P.S.L. 81	CONTROLLED USE OFFICES OR PROFESSIONAL OFFICES	0.30	REFER TO CLAUSE 50
42	LABOUCHERE ROAD	39	502	P.S.L. 81 PT. 80	CONTROLLED USE OFFICES OR PROFESSIONAL OFFICES	0.22	REFER TO CLAUSE 50
43	LABOUCHERE ROAD	43	301	P.S.L. 81	CONTROLLED USE OFFICES OR PROFESSIONAL OFFICES	0.27	REFER TO CLAUSE 50
44	LABOUCHERE ROAD	57,59	340	P.S.L. 82	CONTROLLED USE OFFICES OR PROFESSIONAL OFFICES	0.67	REFER TO CLAUSE 50
45	LABOUCHERE ROAD	151	PT.4	SWAN 40	SHOP	0.05	REFER TO CLAUSE 50
46	LABOUCHERE ROAD	201	11	SWAN 40	OFFICE	0.05	REFER TO CLAUSE 50
47	LAWLER STREET	59	4	SWAN 308 F	SHOP	0.04	REFER TO CLAUSE 50
48	LYALL STREET	14,16	13	P.S.L. 80	CONTROLLED USE OFFICES OR PROFESSIONAL OFFICES	0.27	REFER TO CLAUSE 50
49	LYALL STREET	15	500	P.S.L. 80	CONTROLLED USE OFFICES OR PROFESSIONAL OFFICES	0.21	REFER TO CLAUSE 50
50	LYALL STREET	19	PT 54, 55	P.S.L. 80	CONTROLLED USE OFFICES OR PROFESSIONAL OFFICES	0.27	REFER TO CLAUSE 50

SCHEDULE C - ADDED USES (CONTINUED)

(SHEET 6)

REFER TO CLAUSES 19 AND 50
REFER ALSO TO IMPORTANT FOOTNOTE

1		2	3	4	5	6	7
ITEM NO.	PARTICULARS OF LAND				ADDED USE CLASS PERMITTED	DEVELOPMENT REQUIREMENTS	
	STREET NAME	STREET NO.	LOT NO.	LOCATION NO.		MAXIMUM PLOT RATIO	REQUIREMENTS OTHER THAN PLOT RATIO
51	MANNING ROAD	45 45A	1 OF 398	CANNING 37	SHOP	0.29	REFER TO CLAUSE 50
52	MELVILLE PARADE	56	11	P.S.L. 80	CONTROLLED USE OFFICES OR PROFESSIONAL OFFICES	0.35	REFER TO CLAUSE 50
53	MELVILLE PARADE	68,69	2	P.S.L. 82	CONTROLLED USE OFFICES OR PROFESSIONAL OFFICES	0.48	REFER TO CLAUSE 50
54	MILL POINT ROAD	58	5	P.S.L. 65 66	CONTROLLED USE OFFICES OR PROFESSIONAL OFFICES	0.18	REFER TO CLAUSE 50
55	MILL POINT ROAD	62	4	P.S.L. 65	CONTROLLED USE OFFICES OR PROFESSIONAL OFFICES	0.19	REFER TO CLAUSE 50
56	MILL POINT ROAD	66	1	P.S.L. 64	CONTROLLED USE OFFICES OR PROFESSIONAL OFFICES	0.60	REFER TO CLAUSE 50
57	MILL POINT ROAD	67	501	P.S.L. 76	CONTROLLED USE OFFICES OR PROFESSIONAL OFFICES	0.39	REFER TO CLAUSE 50
58	MILL POINT ROAD	75	105, PT.106	P.S.L. 77	CONTROLLED USE OFFICES OR PROFESSIONAL OFFICES	0.13	REFER TO CLAUSE 50
59	MILL POINT ROAD	76	PT.1	P.S.L. 64	CONTROLLED USE OFFICES OR PROFESSIONAL OFFICES	0.19	REFER TO CLAUSE 50
60	MILL POINT ROAD	77	12	P.S.L. 78 PT 77	CONTROLLED USE OFFICES OR PROFESSIONAL OFFICES	0.81	REFER TO CLAUSE 50

SCHEDULE C - ADDED USES (CONTINUED)

REFER TO CLAUSES 19 AND 50
REFER ALSO TO IMPORTANT FOOTNOTE

(SHEET 7)

1		2	3	4	5	6	7
ITEM NO.	PARTICULARS OF LAND				ADDED USE CLASS PERMITTED	DEVELOPMENT REQUIREMENTS	
	STREET NAME	STREET NO.	LOT NO.	LOCATION NO.		MAXIMUM PLOT RATIO	REQUIREMENTS OTHER THAN PLOT RATIO
61	MILL POINT ROAD	78	N.PT 1	P.S.L. 63	CONTROLLED USE OFFICES OR PROFESSIONAL OFFICES	0.97	REFER TO CLAUSE 50
62	MILL POINT ROAD	83,85	10	P.S.L. 78	CONTROLLED USE OFFICES OR PROFESSIONAL OFFICES	0.57	REFER TO CLAUSE 50
63	MILL POINT ROAD	130	5	P.S.L. 51 52	EATING HOUSE	0.22	REFER TO CLAUSE 50
64	MILL POINT ROAD	252	12	SWAN 308A	SHOP	0.24	REFER TO CLAUSE 50
65	MILL POINT ROAD	254	1	SWAN 39	SHOP	0.12	REFER TO CLAUSE 50
66	MILL POINT ROAD	256	2	SWAN 39	DRY CLEANING	0.08	REFER TO CLAUSE 50
67	MILL POINT ROAD	258	3	SWAN 39	MEETING HALL	0.19	REFER TO CLAUSE 50
68	MILL POINT ROAD	271	2	SWAN 308A	SHOP	0.14	REFER TO CLAUSE 50
69	MILL POINT ROAD	273 A, B	6	SWAN 39	SHOP	0.28	REFER TO CLAUSE 50
70	MILL POINT ROAD	275	5	SWAN 39	SHOP	0.18	REFER TO CLAUSE 50
71	MILL POINT ROAD	298	20	SWAN 39	RECEPTION LODGES	0.20	MINIMUM SETBACK FROM MILL POINT ROAD: 9.0m MINIMUM NUMBER OF CAR PARKING SPACES: REFER TO CLAUSE 63 OTHER REQUIREMENTS: AS PRESCRIBED FOR SHOPPING S2 ZONE

SCHEDULE C - ADDED USES (CONTINUED)

(SHEET 8)

REFER TO CLAUSES 19 AND 50
REFER ALSO TO IMPORTANT FOOTNOTE

1		2	3	4	5	6	7
ITEM NO.	PARTICULARS OF LAND				ADDED USE CLASS PERMITTED	DEVELOPMENT REQUIREMENTS	
	STREET NAME	STREET NO.	LOT NO.	LOCATION NO.		MAXIMUM PLOT RATIO	REQUIREMENTS OTHER THAN PLOT RATIO
72	MILL POINT ROAD	333	3	SWAN 38b	SHOP	0.21	REFER TO CLAUSE 50
73	RICHARDSON STREET	11	16	P.S.L. 82	CONTROLLED USE OFFICES OR PROFESSIONAL OFFICES	0.35	REFER TO CLAUSE 50
74	RICHARDSON STREET	23	341	P.S.L. 82	CONTROLLED USE OFFICES OR PROFESSIONAL OFFICES	0.65	REFER TO CLAUSE 50
75	ROBERT STREET	109	78	CANNING 37	GAMES AREA	NOT APPLICABLE	THE EXISTING PAVED AREA SHALL NOT EXTEND MORE THAN 20m FROM THE WESTERN LOT BOUNDARY
76	SOUTH PERTH ESPLANADE	77,79	6,5	P.S.L. 53	EATING HOUSE	0.10	MINIMUM SETBACK FROM SOUTH PERTH ESPLANADE:12m MINIMUM NUMBER OF CAR PARKING SPACES: REFER TO TABLE NO. 5 OTHER REQUIREMENTS: AS PRESCRIBED FOR COMMERCIAL C2 ZONE
77	STONE STREET	8	110	P.S.L. 78	CONTROLLED USE OFFICES OR PROFESSIONAL OFFICES	0.59	REFER TO CLAUSE 50
78	STONE STREET	14	9	P.S.L. 78	CONTROLLED USE OFFICES OR PROFESSIONAL OFFICES	0.33	REFER TO CLAUSE 50

SCHEDULE C - ADDED USES (CONTINUED)

REFER TO CLAUSES 19 AND 50
REFER ALSO TO IMPORTANT FOOTNOTE

(SHEET 9)

1		2	3	4	5	6	7
ITEM NO.	PARTICULARS OF LAND				ADDED USE CLASS PERMITTED	DEVELOPMENT REQUIREMENTS	
	STREET NAME	STREET NO.	LOT NO.	LOCATION NO.		MAXIMUM PLOT RATIO	REQUIREMENTS OTHER THAN PLOT RATIO
79	STONE STREET	18	128	P.S.L. 78	CONTROLLED USE OFFICES OR PROFESSIONAL OFFICES	0.22	REFER TO CLAUSE 50
80	STONE STREET	20	131	P.S.L. 78	CONTROLLED USE OFFICES OR PROFESSIONAL OFFICES	0.17	REFER TO CLAUSE 50

IMPORTANT FOOTNOTE:

PURSUANT TO CLAUSE 19, THE COUNCIL MAY APPROVE THE CHANGE OF AN ADDED USE TO ANOTHER USE WHICH IS NOT OTHERWISE PERMITTED. A USE THUS APPROVED FROM TIME TO TIME MAY NOT BE SPECIFIED IN SCHEDULE C. THEREFORE, ENQUIRIES TO ASCERTAIN THE LATEST APPROVED USE SHOULD BE DIRECTED TO THE COUNCIL.

SCHEDULE D

RESTRICTED USE ZONE

(SHEET 1)

REFER TO CLAUSES 20, 51 AND 59

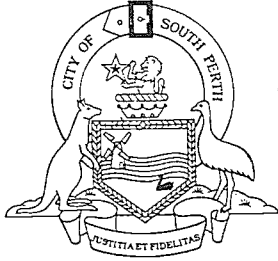
1		2	3	4	5	6	7
ITEM NO.	PARTICULARS OF LAND				RESTRICTED USE CLASS PERMITTED	DEVELOPMENT REQUIREMENTS	
	STREET NAME	STREET NO.	LOT NO.	LOCATION NO.		MAXIMUM PLOT RATIO	REQUIREMENTS OTHER THAN PLOT RATIO
1	ANGELO STREET	67-71	29	P.S.L.355	SHOP	0.75	MINIMUM NUMBER OF CAR PARKING SPACES: REFER TO TABLE NO. 5 (SHOPPING S2 ZONE) OTHER REQUIREMENTS: AS PRESCRIBED FOR SHOPPING S2 ZONE
2	ANGELO STREET	73	30	P.S.L. 355	SHOP	0.75	MINIMUM NUMBER OF CAR PARKING SPACES: REFER TO TABLE NO. 5 (SHOPPING S2 ZONE) OTHER REQUIREMENTS: AS PRESCRIBED FOR SHOPPING S2 ZONE
3	ANGELO STREET	77	31	P.S.L. 355	SHOP	0.75	MINIMUM NUMBER OF CAR PARKING SPACES: REFER TO TABLE NO. 5 (SHOPPING S2 ZONE) OTHER REQUIREMENTS: AS PRESCRIBED FOR SHOPPING S2 ZONE
4	ANGELO STREET	79,79A	32	P.S.L. 355	SHOP	0.75	MINIMUM NUMBER OF CAR PARKING SPACES: REFER TO TABLE NO. 5 (SHOPPING S2 ZONE) OTHER REQUIREMENTS: AS PRESCRIBED FOR SHOPPING S2 ZONE
5	ANGELO STREET	81	1	P.S.L. 355/356	SHOP	0.75	MINIMUM NUMBER OF CAR PARKING SPACES: REFER TO TABLE NO. 5 (SHOPPING S2 ZONE) OTHER REQUIREMENTS: AS PRESCRIBED FOR SHOPPING S2 ZONE
6	BRADSHAW CRESCENT	18	20	CANNING 37	VETERINARY CLINIC	0.50	MINIMUM LANDSCAPED AREA: 30% MINIMUM NUMBER OF CAR PARKING SPACES: REFER TO TABLE NO. 5 MINIMUM SETBACKS FROM LOT BOUNDARIES: AS PRESCRIBED FOR SERVICE STATION ZONE

SCHEDULE D - RESTRICTED USE ZONE (CONTINUED)

(SHEET 2)

REFER TO CLAUSES 20, 51 AND 59

1		2	3	4	5	6	7
ITEM NO.	PARTICULARS OF LAND				RESTRICTED USE CLASS PERMITTED	DEVELOPMENT REQUIREMENTS	
	STREET NAME	STREET NO.	LOT NO.	LOCATION NO.		MAXIMUM PLOT RATIO	REQUIREMENTS OTHER THAN PLOT RATIO
7	MANNING ROAD	73,75	389/390	CANNING 37	PETROL FILLING STATION	0.33	MINIMUM NUMBER OF CAR PARKING SPACES: REFER TO CLAUSE 63 OTHER REQUIREMENTS: AS PRESCRIBED FOR SERVICE STATION ZONE AND IN CLAUSE 57
8	MANNING ROAD	224	64	CANNING 37 LTO PLAN 11408	TAKE-AWAY FOOD SHOP	0.50	MINIMUM NUMBER OF CAR PARKING SPACES: REFER TO CLAUSE 63 OTHER REQUIREMENTS: AS PRESCRIBED FOR SHOPPING S3 ZONE
9	MANNING ROAD	226	63	CANNING 37 LTO PLAN 11408	INDOOR SPORTING ACTIVITIES	0.50	MINIMUM NUMBER OF CAR PARKING SPACES: REFER TO CLAUSE 63 OTHER REQUIREMENTS: AS PRESCRIBED FOR SHOPPING S3 ZONE
10	SIXTH AVENUE	33	220	SWAN 37	CONSULTING ROOMS, HEALTH CENTRE, OFFICES, ATTACHED HOUSES, GROUPED DWELLING, SHOWROOM, SHOP	0.40	MINIMUM NUMBER OF CAR PARKING SPACES: REFER TO TABLE NO. 5 OTHER REQUIREMENTS: AS PRESCRIBED FOR COMMERCIAL C2 ZONE



SCHEDULE E

CITY OF SOUTH PERTH TOWN PLANNING SCHEME NO. 5

APPLICATION FOR PLANNING CONSENT

Office Use Only:

Serial No.

Date Received

1. **APPLICANT:**

Surname

Other Names

Address
.....

Application submitted by

Address for correspondence
.....Postcode

Person to contact

Telephone No.

2. **DESCRIPTION
 OF LAND TO BE
 DEVELOPED:**

Street Street No.

Lot No. Plan/Diag Vol Fol

Existing use of land and/or building
.....
.....

3. **PROPOSED
 DEVELOPMENT:**

Description of development and use proposed:
.....
.....

Approximate cost (excluding land)

Estimated time of completion

4. **OWNER OF LAND:**

Name

Address
.....Postcode

Owner(s) Signature(s)
.....

Date

This form must be accompanied by 3 copies of the documents specified on the back of this form.

SCHEDULE E (Continued)

NOTE: Clause 82(6) of the Scheme states:

Every application for planning consent shall be accompanied by:

(a) 3 copies of a site plan or plans to a scale of 1:200 or larger scale showing:

- (i) the location of any existing buildings, the location of proposed buildings on the land and the type and height of existing and proposed fencing on the land;
- (ii) the existing contours and proposed finished ground levels of the land relative to the levels of adjoining land, streets, footpaths and street and other vehicle carriageways;
- (iii) the floor levels of proposed buildings;
- (iv) details of any retaining walls or embankments required to support any proposed cutting or filling of the existing ground surface;
- (v) the existing and the proposed means of access for pedestrians and vehicles to and from the land;
- (vi) the location, number, dimensions and layout of all car parking spaces intended to be provided;
- (vii) 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 premises and the means of access to and from such areas;
- (viii) accurately the position, type and height of all existing trees on the land and indicating which (if any) of those trees will be removed;
- (ix) the location and dimensions of open space areas; and
- (x) the following details of existing development on adjoining land:
 - (A) the location of any buildings and the location of all windows facing the proposed development;
 - (B) the location of any vehicle accessway, driveway or crossover located within 3 metres of the side boundary adjoining the development site; and
 - (C) the ground levels of the adjoining land adjacent to the side boundary and the floor levels of buildings located on the adjoining land;

(b) 3 copies of drawings showing floor plans, elevations and sections of any building proposed to be erected or altered and of any building intended to be retained, including details of:

- (i) proposed use of all portions of the buildings;
- (ii) all openings in external walls;
- (iii) any solar heating devices or air-conditioning units proposed to be placed on the roof; and
- (iv) the relationship between proposed floor and ground levels and existing ground levels,

and all such drawings shall be drawn preferably to a scale of 1:100, but in any case not smaller than 1:200, with dimensions clearly marked thereon;

(c) 3 copies of a specification outlining the type and colour of materials to be used in the construction of buildings, driveways, fences and retaining walls; and

(d) 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.



SCHEDULE F

Refer to Clause 85(2)

CITY OF SOUTH PERTH TOWN PLANNING SCHEME NO. 5

GRANT
REFUSAL OF PLANNING CONSENT

Serial No.

Name of Owner of Land in respect of which application refers: SURNAME
OTHER NAMES

ADDRESS FOR CORRESPONDENCE.....
.....Postcode

Planning consent for proposed

Lot No. Street No. Street.....

in accordance with the Application for Planning Consent dated
and attached plans is granted subject to the following conditions:-
refused for the following reasons:-

Signed Date.....
TOWN CLERK

PLEASE NOTE: This is not a Building Licence. A Building Licence is required to be obtained prior to commencement of construction.

SCHEDULE F

CITY OF SOUTH PERTH TOWN PLANNING SCHEME NO. 5

GRANT
REFUSAL OF PLANNING CONSENT (CONTINUED)

Application for Planning Consent Dated Serial No. 11/.....

Signed Date

TOWN CLERK

Refer to Clause 88

SCHEDULE G

**LIST OF BUILDINGS, OBJECTS AND PLACES CONSIDERED TO BE WORTHY OF
PRESERVATION**

(A) BUILDINGS

1. Aquinas College and Chapel, Mount Henry Road;
2. Chemist Shop, Mends Street;
3. Clontarf Boys Town, Manning Road;
4. Civic Centre, Sandgate Street;
5. Cygnet Theatre, Preston Street;
6. Forrest Street School, Forrest Street;
7. Hazel McDougall House, Old Stables and dairy building, 20 Clydesdale Street;
8. House, 27 South Perth Esplanade;
9. House, 69 South Perth Esplanade;
10. House, 6 Jameson Street;
11. House, 2 Parker Street;
12. Old Road Board Offices, Mill Point Road;
13. The Old Mill, Mill Point Road;
14. The Old Mill Theatre, Mends Street;
15. Penrhos College, Thelma Street;
16. Police Station and Quarters, Mends Street;
17. Post Office, Mends Street;
18. St. Columba's Church, Forrest Street;
19. St. Mary's Church and Monument, Ridge Street;
20. Senior Citizens' Centre, Coode Street;
21. Wesley College and Chapel, Coode Street;
22. Original "Late Victorian" portion of Windsor Hotel, Mill Point Road.

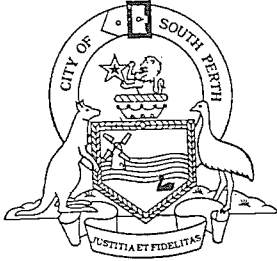
(B) OBJECTS

1. Christ Monument, St. Mary's Church, Ridge Street;
2. Stirling Monument, Sir James Mitchell Park;
3. War Memorial, Labouchere Road/Angelo Street;
4. 25 Pounder Cannon, South Perth Sub-Branch, R.S.L. Hall, Angelo Street.

(C) PLACES

1. Kwinana Freeway Foreshore Reserve comprising all that land contained within the Open Space Reserve - Park and Recreation Area (Regional) located to the west of the Controlled Access Highway Communications Reserve indicated on the Scheme Map;
2. Mount Henry Feature, Lot 5 on LTO Plan 3383;
3. Neil McDougall Park, Henley Street;
4. Royal Perth Golf Course, Labouchere Road;
5. Salter Point Lagoon and Foreshore contained in Reserve No. 23967 of Canning Location 1279;
6. Sir James Mitchell Park;
7. Waterford Wetlands contained in Reserve No. 37712 of Canning Location 3318 and Lot 389 being portion of Lots 15, 16 and 17 of Canning Location 37.

Refer to Clause 18(2)(c)(iii)



SCHEDULE H

CITY OF SOUTH PERTH TOWN PLANNING SCHEME NO. 5

NOTICE OF APPLICATION FOR APPROVAL FOR PLANNING CONSENT

NOTICE TO ADJOINING OWNERS AND OCCUPIERS

Notice is hereby given that ⁽¹⁾ _____

has applied to the City of South Perth for planning consent with
respect to land situated at ⁽²⁾ _____

for the purpose of ⁽³⁾ _____

Any owner and occupier of adjoining land who wishes to object or otherwise comment upon this application, should do so in writing to reach the Town Clerk, City of South Perth, Sandgate Street, South Perth, W.A. 6151,

not later than ⁽⁴⁾ _____

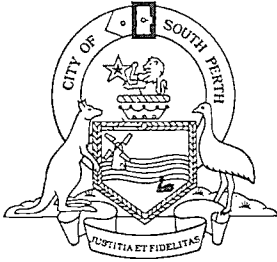
The application and accompanying documents may be inspected at the office of the Council during office hours by any such owner or occupier.

Dated this _____ day of _____ 19__

FOOTNOTES:

- (1) Insert name of applicant.
- (2) Insert the lot number and postal address of the land the subject of the application.
- (3) Insert the particulars of the proposed development.
- (4) Insert the date which shall be 2 weeks after the date when this notice is posted to owners and occupiers of adjoining land, or such later date as the Council may determine.

Refer to Clause 18(2) (e) (v)



SCHEDULE I

CITY OF SOUTH PERTH TOWN PLANNING SCHEME NO. 5

NOTICE OF APPLICATION FOR PLANNING CONSENT

NEWSPAPER NOTICE

Notice is hereby given that (1) _____

has applied to the City of South Perth for planning consent with
respect to land situated at (2) _____

for the purpose of (3) _____

Any person wishing to object or otherwise comment upon this application,
should do so in writing to reach the Town Clerk, City of South Perth,
Sandgate Street, South Perth, W.A. 6151,

not later than (4) _____

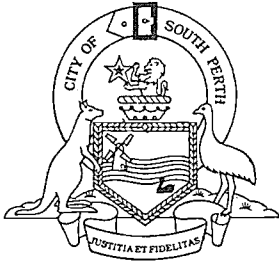
The application and accompanying documents may be inspected at the office
of the Council during office hours.

Dated this _____ day of _____ 19__

FOOTNOTES:

- (1) Insert name of applicant.
- (2) Insert the lot number and postal address of the land the subject of the application.
- (3) Insert the particulars of the proposed development.
- (4) Insert the date which shall be 3 weeks after the date when the advertisement first appears in the newspaper, or such later date as the Council may determine.

Refer to Clause 18(2) (e) (vi)



SCHEDULE J

CITY OF SOUTH PERTH TOWN PLANNING SCHEME NO. 5.

NOTICE OF APPLICATION FOR PLANNING CONSENT

SITE NOTICE

Notice is hereby given that (1) _____

has applied to the City of South Perth for planning consent with
respect to land situated at (2) _____

for the purpose of (3) _____

Any person wishing to object or otherwise comment upon this application,
should do so in writing to reach the Town Clerk, City of South Perth,
Sandgate Street, South Perth, W.A. 6151,

not later than (4) _____

The application and accompanying documents may be inspected at the office
of the Council during office hours.

Dated this _____ day of _____ 19__

FOOTNOTES:

- (1) Insert name of applicant.
- (2) Insert the lot number and postal address of the land the subject of the application.
- (3) Insert the particulars of the proposed development.
- (4) Insert the date which shall be 3 weeks after the date when the advertisement of the proposed development first appears in a newspaper circulating in the locality, or such later date as the Council may determine.

Adopted for final approval by resolution of the Council of the City of South Perth at the Special Meeting of the Council held on the 13th day of August 1986 and the seal of the Municipality was pursuant to that resolution hereunto affixed in the presence of:

A. ARIS,
Deputy Mayor.

P. A. BENNETTS,
Town Clerk.

Recommended/Submitted for
final approval

P. WILLMOTT,
For Chairman of the State Planning Commission.

Date: 26 August, 1986.

Final Approval granted

R. J. PEARCE,
Hon. Minister for Planning.

Date: 27 August, 1986.