



WESTERN  
AUSTRALIAN  
GOVERNMENT  
**Gazette**

ISSN 1448-949X

PRINT POST APPROVED PP665002/00041



PERTH, WEDNESDAY, 14 DECEMBER 2011 No. 245 SPECIAL

PUBLISHED BY AUTHORITY JOHN A. STRIJK, GOVERNMENT PRINTER AT 3.30 PM

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**PLANNING AND DEVELOPMENT ACT 2005**  
APPROVED LOCAL PLANNING SCHEME AMENDMENT  
*City of Bayswater*

Town Planning Scheme No. 24—Amendment No. 45

Ref: TPS/0340

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the City of Bayswater local planning scheme amendment on 6 December 2011 for the purpose of—

1. Inserting a new Clause 9.3 into Town Planning Scheme No. 24 to read as follows—

**9.3 MAYLANDS ACTIVITY CENTRE ZONE**

**9.3.1 Purpose**

The purpose of the Maylands Activity Centre Zone is to facilitate and implement the recommendations of the Maylands Activity Centre Urban Design Framework.

**9.3.2 General Objectives**

The general objectives of the Maylands Activity Centre Zone are to—

- (a) Create an attractive and sustainable activity centre that is a vibrant, desirable and safe place to live, work and socialise;
- (b) Facilitate viable, enduring and high quality development in the activity centre with an appropriate mix of land uses;
- (c) Enhance the local heritage, character and streetscapes of the activity centre;
- (d) Encourage appropriate redevelopment of under-utilised sites;
- (e) Promote an appropriate mix of housing choices; and
- (f) Provide certainty to enable investment decisions to be made with reasonable confidence.

**9.3.3 Relationship to Other Development Standards**

- (a) Where there are inconsistencies between the development standards specified in Part 9.3 of the Scheme and other parts of this Scheme or the Residential Design Codes (as amended), the development standards specified in Part 9.3 and the associated Special Control Area(s) contained in Appendix 10 shall prevail.
- (b) The following design elements of the Residential Design Codes (as amended) do not apply in the Maylands Activity Centre Zone unless otherwise specified—
  - i. Housing Density Requirements;
  - ii. Streetscape Requirements;
  - iii. Site Coverage;
  - iv. Plot Ratio;
  - v. Boundary Setbacks;
  - vi. Open Space Requirements;
  - vii. Access And Parking Requirements;
  - viii. Site Works;
  - ix. Building Height Requirements; and
  - x. Design For Climate Requirements.

**9.3.4 Minimum Development Standards for the Maylands Activity Centre Zone**

Minimum development standards apply in the Maylands Activity Centre Zone as follows—

**Height and Massing**

- (a) Height, form and setbacks are specified on a precinct by precinct basis. Refer to the relevant Special Control Area provisions contained in Appendix 10 for further information.

**Facades**

- (b) Development in the Maylands Activity Centre Zone shall be of a high quality and all facades and frontages shall be designed and finished with high quality materials and finishes.
- (c) Building facades (including car park structures above ground level) shall be articulated, coloured and detailed to contribute positively to the character of local streetscapes and adjoining properties.
- (d) Building facades and frontages shall highlight a vertical emphasis through the shape and placement of windows and openings and the use of building materials, colours and textures.
- (e) Feature elements are strongly encouraged on building facades, including (but not limited to) variations to colours and building materials, coloured or textured banding, recesses, ornamental details, gables, verandahs, balconies, pillars, awnings, canopies and bay windows.
- (f) Extensive blank walls, facades and featureless glazing are not permitted.
- (g) The development of sites containing or directly adjoining a building listed on the City's Heritage List (as amended) or the State Heritage Register (as amended) shall respect and complement the heritage of the relevant site. Part 5 of the Scheme is applicable to all sites containing a building on the City's Heritage List (as amended).

**Other**

- (h) Development is to be constructed in such a manner as to ameliorate noise and vibration from adjacent land uses, roads and the railway line. The City may require an acoustic assessment report detailing the likely noise effects of the development on its surroundings and/or external noise impacts on the development.

**Note**

*There are also development standards applicable to each Precinct or Special Control Area. Refer to the relevant Special Control Area provisions contained in Appendix 10 for further details.*

**9.3.5 Land Uses**

The permissibility of land uses in the Maylands Activity Centre Zone shall be in accordance with Table 3—Maylands Activity Centre Zoning Table. The administrative provisions for Table 3 are the same as those specified in Clause 7.2 of the Scheme.

**9.3.6 Subdivision of Land**

Land in the Maylands Activity Centre Zone (with the exception of land within the Character Residential Precinct) shall only be subdivided or strata titled following the completion of development built in accordance with objectives and standards of the Maylands Activity Centre Zone. The City will only consider exceptions to the above where—

- (a) Subdivision of the subject land would not prejudice the objectives and standards of the Maylands Activity Centre Zone in the opinion of the City; or
- (b) The Commission approves subdivision of the subject land.

**9.3.7 Housing Diversity**

New residential or mixed use developments containing 10 or more dwellings shall have—

- (a) At least 20% of all dwellings in a development to be single bedroom dwellings;
- (b) No more than 30% of all dwellings in a development to be single bedroom dwellings; and
- (c) At least 70% of all dwellings in a development to have two or more bedrooms.

**Note**

*Single bedroom dwellings are defined for the purposes of this clause as having one bedroom and a maximum internal floorspace of 70m<sup>2</sup>. The specified percentages may be rounded down to the nearest whole dwelling number.*

**9.3.8 Car Parking**

On-site vehicle parking is to be provided in accordance with an approved local planning policy relating to car parking in the Maylands Activity Centre Zone or otherwise in accordance with Clauses 8.2 and 8.4 and Table 2 of the Scheme.

**9.3.9 Environmental sustainability**

Development in the Maylands Activity Centre shall have due regard to any approved local planning policy relating to environmental sustainability.

2. Deleting the following existing Special Control Areas from Appendix 10 of the Scheme and the Scheme map—

- (a) Special Control Area No. 1

Applicable to Reserve 8634 Swan Location 5554, 9751 and 9750, No. 150 Guildford Road, Maylands

- (b) Special Control Area No. 2  
Applicable to Lot 250, No. 178 Whatley Crescent, Maylands
- (c) Special Control Area No. 3  
Former Senses Foundation site, 134 Whatley Crescent, Maylands
3. Inserting the following Special Control Areas in Appendix 10 and on the Scheme map as follows—
- (a) Special Control Area No. 1  
'Main Street' Precinct of the Maylands Activity Centre Zone.
- (b) Special Control Area No. 2  
'Guildford Road' Precinct of the Maylands Activity Centre Zone.
- (c) Special Control Area No. 3  
'Town Centre Extension' Precinct of the Maylands Activity Centre Zone.
- (d) Special Control Area No. 4  
'Character Residential' Precinct of the Maylands Activity Centre Zone.
- (e) Special Control Area No. 5  
'Ross's Site Redevelopment' Precinct of the Maylands Activity Centre Zone.
- (f) Special Control Area No. 6  
'Civic' Precinct of the Maylands Activity Centre Zone.
4. Renumbering the remaining and proposed Special Control Areas in Appendix 10 and on the Scheme map as follows—
- (a) Special Control Area No. 7  
Peninsula Tavern site, Lot 12 No. 223 Railway Parade, Maylands
- (b) Special Control Area No. 8  
Lot 22, No. 454 Guildford Road (corner King William Street), Bayswater
- (c) Special Control Area No. 9  
Lot 100, No. 293 Guildford Road, Maylands
5. Clause 10.1.1 be updated to remove details of the current listed Special Control Areas and include details of all Special Control Areas as listed above.
6. Insert Table No. 3—'Maylands Activity Centre Zoning Table'—into Town Planning Scheme No. 24 following Clause 9.3 to read as follows—

TABLE No. 3—MAYLANDS ACTIVITY CENTRE ZONING TABLE

PRECINCT	Special Control Area 1 <i>Main Street</i>	Special Control Area 2 <i>Guildford Road</i>	Special Control Area 3 <i>Town Centre Extension</i>	Special Control Area 4 <i>Character Residential</i>	Special Control Area 5 <i>Ross's Site</i>	Special Control Area 6 <i>Civic</i>
<b>USE CLASSES</b>						
Amusement Parlour	P	D	D	X	X	X
Automotive Panel Beating/Spray Painting	X	X	X	X	X	X
Automotive Repairs	X	X	X	X	X	X
Automotive Wrecking	X	X	X	X	X	X
Automotive & Marine Sales	X	X	X	X	X	X
Bed and breakfast	X	X	X	A	A	X
Betting Agency	D	P	D	X	X	X
Builders Yard	X	X	X	X	X	X
Car Park	D	D	D	X	D	P
Car Wash	X	D	X	X	X	X
Caretaker's Dwelling	D	D	D	D	D	D
Child Day Care Centre	P	P	D	X	D	P
Cinema/Theatre	P	D	D	X	X	P
Civic Buildings	P	P	P	P	P	P
Club Premises	D	D	D	X	X	P
Consulting Rooms	P	P	P	A	D	D

PRECINCT	Special Control Area 1 <i>Main Street</i>	Special Control Area 2 <i>Guildford Road</i>	Special Control Area 3 <i>Town Centre Extension</i>	Special Control Area 4 <i>Character Residential</i>	Special Control Area 5 <i>Ross's Site</i>	Special Control Area 6 <i>Civic</i>
<b>USE CLASSES</b>						
Convenience Store	P	P	P	D	D	D
Cottage Industry	D	D	D	D	D	D
Display Home Centre	D	D	D	D	D	X
Dry Cleaning Premises	D	D	X	X	X	X
Dwellings:						
Single House	P	P	P	P	P	X
Grouped Dwelling	D	D	D	D	D	X
Aged or Dependent Persons	D	D	D	D	D	D
Multiple Dwelling	P	P	P	P	P	D
Ancillary Accommodation	P	P	P	P	P	X
Educational Establishment	D	P	P	X	X	D
Exhibition Centre	P	P	P	X	X	P
Extractive Industry	X	X	X	X	X	X
Factory	X	X	X	X	X	X
Factory Tenement Building	X	X	X	X	X	X
Fast Food Outlet	P	P	D	X	X	X
Fuel Depot	X	X	X	X	X	X
Funeral Parlour	X	D	X	X	X	X
Garden Centre	X	A	X	X	X	X
General Industry	X	X	X	X	X	X
Health Studio	D	P	D	X	D	P
Hire Service (Industrial)	X	X	X	X	X	X
Hire Service (Non-Industrial)	D	D	D	X	D	D
Home Occupation	D	D	D	D	D	D
Home Business	A	A	A	A	A	A
Home Office	P	P	P	P	P	P
Home Store	P	P	P	D	D	D
Hospital	X	A	X	X	X	X
Hostel	A	A	A	A	A	A
Hotel	D	D	A	X	A	X
Industry	X	X	X	X	X	X
Infant Health Clinic	P	P	P	P	P	P
Kiosk	P	P	P	X	P	P
Light Industry	X	X	X	X	X	X
Lodging House	A	A	A	A	A	A
Lunch Bar	P	P	P	X	D	D
Market	P	P	P	X	D	P
Medical Centre	D	P	D	X	X	D
Motel	X	X	X	X	X	X
Noxious Industry	X	X	X	X	X	X
Occasional Uses	D	D	D	D	D	D
Office	P	P	P	A	D	D
Open Air Display	X	X	X	X	X	X
Public Amusement	D	D	D	X	X	D

PRECINCT	Special Control Area 1 <i>Main Street</i>	Special Control Area 2 <i>Guildford Road</i>	Special Control Area 3 <i>Town Centre Extension</i>	Special Control Area 4 <i>Character Residential</i>	Special Control Area 5 <i>Ross's Site</i>	Special Control Area 6 <i>Civic</i>
<b>USE CLASSES</b>						
Public Assembly	X	X	X	X	A	P
Public Utility	P	P	P	P	P	P
Public Worship	D	D	D	A	X	P
Reception Lodge	D	D	D	X	X	P
Recreation Facility Private	D	D	D	X	A	P
Recreation Facility Public	D	D	D	A	A	P
Residential Building	A	A	A	A	A	A
Restaurant	P	P	D	X	D	D
Restricted Premises	X	X	X	X	X	X
Retirement Village	X	X	X	X	X	X
Service Industry	X	D	X	X	X	X
Service Station	X	X	X	X	X	X
Shop	P	P	P	X	P	D
Serviced Apartments	P	P	P	X	D	X
Showroom	X	D	X	X	X	X
Showroom/Warehouse	X	X	X	X	X	X
Small bar	P	P	D	X	D	D
Storage Yard	X	X	X	X	X	X
Tavern	D	D	A	X	X	X
Telecommunications Infrastructure	P	P	P	X	P	P
Trade Display	X	X	X	X	X	X
Transport Depot	X	X	X	X	X	X
Veterinary Consulting Rooms	X	D	X	X	X	X
Veterinary Hospital	X	X	X	X	X	X
Warehouse	X	X	X	X	X	X
Zoological Gardens	X	X	X	X	X	X

7. Amending the Scheme map to rezone the lots denoted on the map in the amending documents.

8. Inserting into Appendix 10 'Special Control Area No. 1' provisions as follows—

### Special Control Area 1—Main Street Precinct

#### Character statement

The Main Street Precinct is a pedestrian-scaled, vibrant, mixed use area. The precinct provides a variety of 'fine grained' commercial and retail uses on the ground floor to service the local community and visitors. Residential and office land uses are provided on upper levels of buildings. The scale of buildings in the Main Street Precinct will ensure that building bulk does not dominate the streetscape. The Precinct provides the opportunity to live, work and socialise in an exciting, inner-city style place.

#### Objectives

- Facilitate high quality development that complements the character and heritage of the precinct.
- Provide for active street frontages.
- Encourage residential land uses as a vital component of the Main Street Precinct, whilst protecting ground floor active uses from being displaced by residential land uses.
- Encourage pedestrians and public transport use.
- The demolition of heritage-listed and character buildings should be avoided wherever possible.

<b>Development Standards—Main Street Precinct</b>	
<p><b>Massing</b></p> <p><i>Minimum height</i></p> <p><i>Maximum height</i></p> <p><i>Street Facades</i></p>  <p><i>Street setbacks</i></p> <p><i>Laneway setbacks</i></p> <p><i>3rd and 4th storey setbacks</i></p> <p><i>5th and 6th storey setbacks</i></p> <p><i>Side setbacks</i></p> <p><i>Rear setbacks</i></p>	<p><b>Height</b></p> <ul style="list-style-type: none"> <li>• A minimum height of 2 storeys is required.</li> <li>• A maximum height of 6 storeys is permitted to an overall height of 25 metres above natural ground level.</li> <li>• Height in storeys is determined from the ground floor at the primary street frontage.</li> <li>• A mezzanine floor is not considered to be a separate storey.</li> <li>• Any basement level car park is not included in overall building height provided that the car park is wholly below ground level at the street frontage(s).</li> <li>• The street facades of buildings are to have a maximum height of 2 storeys, with additional storeys further setback from the street (see setbacks below).</li> <li>• Buildings situated on the corner of 2 gazetted streets may exceed the maximum street façade height by an additional storey by providing an architectural design element designed to reinforce the street corner to a maximum height of 15 metres above natural ground level. The architectural design element is to only extend 5 metres from the corner of the building.</li> <li>• Ground floor levels for retail and commercial tenancies fronting a primary or secondary street shall be no more than 500mm above the existing footpath level and are not to be below the existing footpath level.</li> </ul> <p><b>Setbacks</b></p> <ul style="list-style-type: none"> <li>• Building facades are required to have a nil street setback for the first 2 storeys addressing Seventh Avenue, Eighth Avenue, Ninth Avenue, Whatley Crescent and/ or Guildford Road. Minor recesses of up to 1.5 metres from the front boundary to a maximum 3 metres in length are permitted to achieve architectural articulation at the street edge.</li> <li>• A minimum 1 metre setback is required to a laneway to a maximum of 2 storeys. A reduced setback may be permitted where the laneway width is a minimum of 6 metres.</li> <li>• Street and/or laneway setbacks may be varied if high quality public spaces are provided between the street and building façade on the subject site.</li> <li>• Any level above 2 storeys is required to be set back a minimum of 5 metres from a street boundary to the building line and 3 metres from a laneway boundary to the building line.</li> <li>• Any level above 4 storeys shall be set back a minimum of 1.5 metres from the building line of the 4th storey.</li> <li>• A nil setback is permitted to the side boundary of any abutting developable property for a maximum of 4 storeys. Any level above 4 storeys is required to be set back a minimum of 5 metres from the side boundary of any abutting developable property to the building line of the upper storey.</li> <li>• A nil setback is permitted to the rear boundary of any abutting developable property for a maximum of 2 storeys. Any level above 2 storeys is required to be set back a minimum of 5 metres from the building line of the 2nd storey as measured to the building line of the upper storey.</li> </ul>
<b>Land Use</b>	<ul style="list-style-type: none"> <li>• Land use permissibility shall be in accordance with Table 3.</li> <li>• Residential land uses are not permitted on the ground floor fronting the primary or secondary street, but may be permitted to address a laneway frontage where they are designed to be adapted to accommodate commercial uses in the future in the opinion of the City.</li> <li>• Land uses are required to be configured to promote land use compatibility and reduce the potential for land use related conflict.</li> </ul>
<b>Character</b>	<ul style="list-style-type: none"> <li>• Building facades facing a street are required to be built predominantly in the traditional parapet style for the first 2 storeys to reflect the general character of the Main Street Precinct.</li> <li>• Any 2nd storey wall or balcony fronting a street is to complement and be sympathetic to existing shop parapets along the street frontage.</li> <li>• Building frontages and façades greater than 10 metres in length as they present to streets or laneways are to be articulated, coloured</li> </ul>

	<p>and detailed to present as individual facades to the satisfaction of the City. The individual facade length may be increased where it can be demonstrated that the increased façade length is—</p> <ul style="list-style-type: none"> <li>(a) Built on a single existing lot with a frontage of 20 metres or less; or</li> <li>(b) Sufficiently articulated, coloured or detailed in the opinion of the City; or</li> <li>(c) Sufficient justification has been provided to the satisfaction of the City.</li> </ul> <ul style="list-style-type: none"> <li>• Where face brick is proposed as the material of wall construction, bricks are not to be of a limestone colour unless used for minor architectural detailing.</li> <li>• Footpaths along adjacent primary or secondary streets are to be sheltered by awnings. The awnings are to— <ul style="list-style-type: none"> <li>(a) Be continuous structures over footpaths.</li> <li>(b) Project to within 0.6 metres of the road kerb and have a consistent width (subject to the below conditions).</li> <li>(c) Not be built over existing or possible street parking bays and are to accommodate the unimpeded growth of any street tree.</li> <li>(d) Be cantilevered or suspended. Post or column supports are not permitted.</li> <li>(e) Have a clearance of at least 2.75 metres above footpath level.</li> <li>(f) Provide continuous cover at abutting buildings. Where one awning abuts another, the connection is to be treated so as to prevent the penetration of rain.</li> <li>(g) Preferably be lightly framed with fine design lines. The maximum height of any fascia to an awning shall be 300mm, with signage prohibited on top of the fascia.</li> </ul> </li> </ul> <p>The City may vary these requirements as necessary to accommodate specific site circumstances.</p> <ul style="list-style-type: none"> <li>• A minimum of 60% of the wall area facing a street at the ground floor level is to be devoted to permeable glazing and/or bi-fold doors.</li> <li>• The use of reflective or obscure glazing is not permitted on ground floor street frontages.</li> <li>• Exterior shading devices are to be used where it is necessary to protect windows from direct sunlight. These devices are to be consistent.</li> <li>• An architectural design element is required to reinforce any adjacent street corner.</li> <li>• Existing heritage conservation plans shall be considered in any new development.</li> </ul>
<b>Car Parking and Access</b>	<ul style="list-style-type: none"> <li>• Where the property abuts a laneway, vehicle access to the property is to be from the laneway and not the street frontage (where practical).</li> <li>• Where the property abuts a secondary street but not a laneway, vehicle access to the property is to be from the secondary street and not the primary street frontage (where practical).</li> </ul>
<b>Private Space</b>	<ul style="list-style-type: none"> <li>• A terrace, balcony or courtyard is to be provided at a minimum of 12m<sup>2</sup> for each residential dwelling and be connected to an internal living space.</li> <li>• 10% of the net lettable area (NLA) of commercial tenancies located on upper levels (excluding the ground level) is to be provided as private open space. The private open space is to be connected to the commercial tenancy.</li> <li>• The minimum dimension (width and length) for a terrace, balcony or courtyard is 2.5 metres.</li> <li>• Adequate private or communal external clothes drying areas concealed from public view are to be provided to meet the needs of the residents of the development.</li> <li>• An enclosed, lockable storage area accessible from outside the dwelling shall be provided for each residential dwelling with a minimum dimension of 1.5 metres and an internal area of at least 4m<sup>2</sup>.</li> <li>• Rooftop gardens are strongly encouraged where the privacy of adjoining lots is adequately protected.</li> </ul>

<b>Solar Access</b>	<ul style="list-style-type: none"> <li>• The design and development of new buildings within the Maylands Activity Centre Zone should—             <ul style="list-style-type: none"> <li>(a) Minimise overshadowing in the middle of the day on public open space, major pedestrian streets, and adjacent properties especially in the cooler months.</li> <li>(b) Minimise potential overshadowing of residential dwellings (both within the development itself and to neighbouring buildings).</li> </ul> </li> <li>• Developments within the Maylands Activity Centre Zone that potentially overshadow any development outside the Maylands Activity Centre Zone are to be assessed in accordance with the solar access requirements at the R40 zoning as contained in the Residential Design Codes.</li> </ul>
<b>Privacy</b>	<ul style="list-style-type: none"> <li>• Whilst acknowledging that total protection from overlooking is unlikely in an inner city context, developments should be designed to optimise visual privacy for all dwellings and private spaces within the Maylands Activity Centre Zone.</li> <li>• Developments within the Maylands Activity Centre Zone that potentially overlook any development outside the Maylands Activity Centre Zone are to be assessed in accordance with the visual privacy provisions of the Residential Design Codes.</li> </ul> <p><i>* Note—for the purposes of assessing privacy provisions for commercial space(s) in accordance with the Residential Design Codes, non-habitable spaces shall be defined in accordance with the relevant definition in the Residential Design Codes, whilst all other areas (such as offices) shall be considered as 'habitable' spaces and assessed accordingly.</i></p>
<b>Other</b>	<ul style="list-style-type: none"> <li>• Where mixed-use development is proposed, the pedestrian street entrance to the residential component of the building is to be visually distinct from ground floor business uses.</li> <li>• Letterboxes are to be designed to minimise the visual impact on streetscape.</li> </ul>

9. Amending the Scheme map to include the lots shown in the amending documents as part of 'Special Control Area 1':

10. Inserting into Appendix 10 'Special Control Area No. 2' provisions as follows—

### Special Control Area 2—Guildford Road Precinct

#### Character statement

The Guildford Road Precinct provides for large format retail uses along with local services, offices and residential in a mixed-use format. The Guildford Road Precinct will be characterised by larger scaled buildings built on landmark development sites. Large format land uses such as supermarkets will be sleeved with 'fine-grained' commercial land uses to provide for active ground level facades.

#### Objectives

- Encourage medium to large scale development characterised by a mix of high quality commercial and residential uses.
- Promote the retention of existing large format retail uses such as supermarkets in a compatible mixed use format.
- Encourage active land uses at the street level.
- Provide convenient and visible vehicle access, whilst reducing the visual dominance of car parking on the streetscape.
- Establish a sense of arrival to the Maylands Activity Centre through the development of landmark buildings on strategic development sites.

### Development Standards—Guildford Road Precinct

<b>Massing</b> <i>Minimum height</i> <i>Maximum height</i>	<b>Height</b> <ul style="list-style-type: none"> <li>• A minimum height of 2 storeys is required.</li> <li>• A maximum height of 8 storeys is permitted to an overall height of 32 metres above natural ground level.</li> <li>• Height in storeys is determined from the ground floor at the primary street frontage.</li> <li>• A mezzanine floor is not considered to be a separate storey.</li> <li>• Any basement level car park is not included in overall building height provided that the car park is wholly below ground level at the street frontage(s).</li> </ul>
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<i>Street Facade</i>	<ul style="list-style-type: none"> <li>Buildings situated on the corner of 2 gazetted streets may exceed the maximum street façade height by an additional storey by providing an architectural design element designed to reinforce the street corner to a maximum height of 22.5 metres above natural ground level. The architectural design element is to only extend 5 metres from the corner of the building.</li> </ul>
<i>Guildford Road setback</i>	<p><b>Setbacks</b></p> <ul style="list-style-type: none"> <li>Building facades are required have a nil street setback for the first 2 storeys to a minimum of 50% of the Guildford Road frontage. The remainder of the ground level façade may be set back further to accommodate parking at ground level, a pedestrian plaza or forecourt. Any 3rd or 4th storey may also have a nil setback to Guildford Road if desired.</li> </ul>
<i>Secondary street setbacks</i>	<ul style="list-style-type: none"> <li>A 3 metre build to line (minimum and maximum setback) is required on street frontages other than Guildford Road to a maximum height of 2 storeys. A nil setback to the secondary street may be considered for the portion of a development addressing a street corner.</li> </ul>
<i>Variations to street setbacks</i>	<ul style="list-style-type: none"> <li>Any level above 4 storeys at the primary or secondary street shall be set back at least 5 metres from the street façade.</li> <li>Where a nil setback is required, minor recesses of up to 1.5m from the street boundary to a maximum 3 metres in length are permitted to achieve architectural articulation at the street edge. Where active uses such as alfresco dining are proposed, increased setbacks may be considered to create recesses in the building façade in order to accommodate active uses.</li> </ul>
<i>Side setbacks</i>	<ul style="list-style-type: none"> <li>A nil setback is permitted to a side boundary for a maximum of 2 storeys.</li> <li>The side setback of any level above 2 storeys facing an adjoining developable lot shall be a minimum of 5 metres setback from the second storey building line as measured to the building line of the upper storey.</li> <li>The boundary setback of any level above 4 storeys shall be setback at least 5 metres from the building line of the 4th storey.</li> </ul>
<i>Rear setbacks</i>	<ul style="list-style-type: none"> <li>The rear setback of any level up to 2 storeys is to be a minimum of 5 metres from the rear boundary line.</li> <li>The rear setback of any level above 2 storeys is to be a minimum of 10 metres from the rear boundary line.</li> </ul>
<b>Land Use</b>	<ul style="list-style-type: none"> <li>Land use permissibility shall be in accordance with Table 3.</li> <li>Where commercial or business related land uses are proposed, such land uses shall be provided on the ground level at the street frontage. Should additional commercial or business related land uses be required in addition to the maximum that can be accommodated on the ground floor, additional commercial uses may be provided on upper levels.</li> <li>Land uses are required to be configured to promote land use compatibility and reduce the potential for land use related conflict.</li> </ul>
<b>Character</b>	<ul style="list-style-type: none"> <li>A variety of roof forms is encouraged within the Guildford Road Precinct, where pitched, parapet and skillion roof forms may be utilised.</li> <li>Building frontages and facades greater than 40 metres in length as they present to streets or laneways shall be articulated, coloured and detailed to present as individual facades to the satisfaction of the City.</li> <li>Footpaths along Guildford Road are to be sheltered by awnings. The awnings shall— <ul style="list-style-type: none"> <li>(a) Be continuous structures over footpaths.</li> <li>(b) Project to within 0.6 metres of the road kerb and shall have a consistent width (subject to liaison with Main Roads WA and the below conditions).</li> <li>(c) Not be built over existing or possible street parking bays and allowances are to be made to accommodate the unimpeded growth of any street tree.</li> <li>(d) Be cantilevered or suspended. Post or column supports are not permitted.</li> <li>(e) Have a clearance of at least 2.75 metres above footpath level.</li> </ul> </li> </ul>

	<p>(f) Provide continuous cover at abutting buildings. Where one awning abuts another, the connection is to be treated so as to prevent the penetration of rain.</p> <p>(g) Preferably be lightly framed with fine design lines. The maximum height of any fascia to an awning shall be 300mm, with signage prohibited on top of the fascia.</p> <p>The City may vary these requirements as necessary to accommodate specific site circumstances.</p> <ul style="list-style-type: none"> <li>• The use of reflective or obscure glazing is not permitted along ground floor street frontages.</li> <li>• An architectural design element is required to reinforce any adjacent street corner.</li> <li>• Existing heritage conservation plans shall be considered in any new development.</li> </ul>
<b>Car Parking and Access</b>	<ul style="list-style-type: none"> <li>• Where available, access to car parking shall be provided from the secondary street frontage.</li> <li>• Access via Guildford Road may only be considered where appropriate justification can be provided to the satisfaction of the City and Main Roads of Western Australia.</li> </ul>
<b>Private Space</b>	<ul style="list-style-type: none"> <li>• A terrace, balcony or courtyard is to be provided at a minimum of 12m<sup>2</sup> for each residential dwelling and be connected to an internal living space such as a lounge room or dining room.</li> <li>• 10% of the net lettable area (NLA) of commercial tenancies located on upper levels (excluding the ground level) is to be provided as private open space. The private open space is to be connected to the commercial tenancy.</li> <li>• The minimum dimension (width and length) for a balcony, private open space or courtyard is 2.5 metres.</li> <li>• Adequate private or communal external clothes drying areas concealed from public view shall be provided to meet the needs of the residents of the development.</li> <li>• An enclosed, lockable storage area accessible from outside the dwelling shall be provided for each residential dwelling with a minimum dimension of 1.5 metres and an internal area of at least 4m<sup>2</sup>.</li> <li>• Rooftop gardens are strongly encouraged where the privacy of adjoining lots is adequately protected.</li> </ul>
<b>Solar Access</b>	<ul style="list-style-type: none"> <li>• The design and development of new buildings should— <ul style="list-style-type: none"> <li>(a) Minimise overshadowing in the middle of the day on public open space, major pedestrian streets, and adjacent properties especially in the cooler months.</li> <li>(b) Minimise potential overshadowing of residential dwellings (both within the development itself and to neighbouring buildings).</li> </ul> </li> <li>• Developments within the Maylands Activity Centre Zone that potentially overshadow any development outside the Maylands Activity Centre Zone are to be assessed in accordance with the solar access requirements at the R40 zoning as contained in the Residential Design Codes.</li> </ul>
<b>Privacy</b>	<ul style="list-style-type: none"> <li>• Whilst acknowledging that total protection from overlooking is unlikely in an inner city context, developments should be designed to optimise visual privacy for all dwellings and private spaces within the Maylands Activity Centre Zone.</li> <li>• Developments within the Maylands Activity Centre Zone that potentially overlook any development outside the Maylands Activity Centre Zone are to be assessed in accordance with the visual privacy provisions of the Residential Design Codes.</li> </ul> <p><i>* Note—for the purposes of assessing privacy provisions for commercial space(s) in accordance with the Residential Design Codes, non-habitable spaces shall be defined in accordance with the relevant definition in the Residential Design Codes, whilst all other areas (such as offices) shall be considered as 'habitable' spaces and assessed accordingly.</i></p>
<b>Other</b>	<ul style="list-style-type: none"> <li>• Where mixed-use development is proposed, the pedestrian street entrance to the residential component of the building is to be visually distinct from ground floor business uses.</li> <li>• Letterboxes are to be designed to minimise the visual impact on streetscape.</li> </ul>

11. Amending the Scheme map to include the lots as shown in the amending documents as part of 'Special Control Area 2':
12. Inserting into Appendix 10 'Special Control Area No. 3' provisions as follows—

### Special Control Area 3—Town Centre Extension Precinct

#### Character statement

The Town Centre Extension Precinct is intended to provide for the incremental growth of the activity centre over time. The Precinct is anticipated to change over time from a predominately residential area to a mixed use, 'main street style' place. The urban design provisions reinforce the urban character of the adjacent Main Street Precinct and will facilitate a mix of appropriate land uses including residential, retail, service and office uses.

#### Objectives

- Accommodate residential uses whilst providing the opportunity for the incremental extension of the Main Street Precinct over time.
- Facilitate high quality development that complements the character and heritage of the precinct.
- Facilitate development similar to the Main Street Precinct.
- Encourage pedestrians and public transport use.
- Encourage the establishment of home-based businesses and consultancy services adjacent to the Main Street Precinct.

The demolition of heritage-listed and character buildings should be avoided wherever possible.

#### Development Standards—Town Centre Extension Precinct

Massing	Height
<i>Minimum height</i>	<ul style="list-style-type: none"> <li>• A minimum height of 2 storeys is required.</li> <li>• A maximum height of 5 storeys is permitted to an overall height of 20 metres above natural ground level.</li> <li>• Height in storeys is determined from the ground floor at the primary street frontage.</li> <li>• A mezzanine floor is not considered to be a separate storey.</li> <li>• Any basement level car park is not included in overall building height provided that the car park is wholly below ground level at the street frontage(s).</li> </ul>
<i>Maximum height</i>	
<i>Street Facade</i>	<ul style="list-style-type: none"> <li>• The street facades of buildings shall have a maximum height of three storeys, with additional storeys further setback from the street (see setbacks below)</li> <li>• Buildings situated on the corner of 2 gazetted streets may exceed the maximum street façade height by an additional storey by providing an architectural design element designed to reinforce the street corner to a maximum height of 15 metres above natural ground level. The architectural design element shall only extend 5 metres from the corner of the building.</li> <li>• Ground floor levels for commercial tenancies fronting a primary or secondary street shall be no more than 500mm above the footpath level and are not to be below the abutting footpath level.</li> </ul>
<i>Street setbacks</i>	<b>Setbacks</b> <ul style="list-style-type: none"> <li>• Buildings facing Railway Parade or Whatley Crescent shall have a nil setback for the first 2 storeys.</li> <li>• Buildings facing other streets are required to have a maximum setback of 3 metres for the first 2 storeys.</li> <li>• Any level above 3 storeys at the primary or secondary street shall be set back at least 5 metres from the street façade.</li> </ul>
<i>Laneway setbacks</i>	<ul style="list-style-type: none"> <li>• A 1 metre minimum setback is required to a laneway. A reduced setback may be permitted where the laneway width is a minimum of 6 metres.</li> <li>• Any level above 2 storeys is required to be setback a minimum of 3 metres from a laneway to the building line.</li> <li>• A nil setback is permitted to a side boundary for a maximum of 2 storeys.</li> </ul>
<i>Side setbacks</i>	<ul style="list-style-type: none"> <li>• The side setback of any level above 2 storeys facing an adjoining developable lot shall be a minimum of 5 metres setback from the second storey building line as measured to the building line of the 3rd storey.</li> </ul>
<i>5th storey setback</i>	<ul style="list-style-type: none"> <li>• Any 5th storey shall be set back a minimum of 1.5 metres from the minimum setback of the floors immediately below to accommodate a terrace or balcony.</li> </ul>

<i>Rear setback</i>	<ul style="list-style-type: none"> <li>• The rear setback of any level up to 2 storeys is to be a minimum of 5 metres from the rear boundary line.</li> <li>• The rear setback of any level above 2 storeys is to be a minimum of 10 metres from the rear boundary line (not including a laneway boundary).</li> </ul>
<b>Land Use</b>	<ul style="list-style-type: none"> <li>• Land use permissibility shall be in accordance with Table 3.</li> <li>• Residential land uses should generally be provided above ground level.</li> <li>• Where residential uses are provided on ground level, the design of the ground floor shall not preclude the development of future office, commercial and/or retail uses.</li> <li>• Land uses are required to be configured to promote land use compatibility and reduce the potential for land use related conflict.</li> </ul>
<b>Character</b>	<ul style="list-style-type: none"> <li>• A variety of roof forms is encouraged within the Town Centre Precinct, where pitched, parapet and skillion roof forms may be utilised.</li> <li>• Building frontages and façades greater than 20 metres in length as they present to streets or laneways shall be articulated, coloured and detailed to present as individual facades to the satisfaction of the City. The individual facade length may be increased where it can be demonstrated that the increased façade length is— <ul style="list-style-type: none"> <li>(a) sufficiently articulated, coloured or detailed in the opinion of the City; or</li> <li>(b) sufficient justification has been provided to the satisfaction of the City.</li> </ul> </li> <li>• Where face brick is proposed as the material of wall construction, bricks shall not be of a limestone colour unless used for minor architectural detailing.</li> <li>• Footpaths along Railway Parade are to be sheltered by awnings. The awnings shall— <ul style="list-style-type: none"> <li>(a) Be continuous structures over footpaths.</li> <li>(b) Project to within 0.5 metres of the road kerb and shall have a consistent width (subject to the below conditions).</li> <li>(c) Not be built over existing or possible street parking bays and allowances are to be made to accommodate the unimpeded growth of any street tree.</li> <li>(d) Be cantilevered or suspended. Post or column supports are not permitted.</li> <li>(e) Have a clearance of at least 2.75 metres above footpath level.</li> <li>(f) Provide continuous cover at abutting buildings. Where one awning abuts another, the connection is to be treated so as to prevent the penetration of rain.</li> <li>(g) Preferably be lightly framed with fine design lines. The maximum height of any fascia to an awning shall be 300mm, with signage prohibited on top of the fascia.</li> </ul> <p>The City may vary these requirements as necessary to accommodate specific site circumstances.</p> </li> <li>• The use of reflective or obscure glazing is not permitted along ground floor street frontages.</li> <li>• Exterior shading devices are to be used where it is necessary to protect windows from direct sunlight. These devices are to be consistent.</li> <li>• An architectural design element is required to reinforce any adjacent street corner.</li> <li>• Existing heritage conservation plans shall be considered in any new development.</li> </ul>
<b>Car Parking and Access</b>	<ul style="list-style-type: none"> <li>• Where the property abuts a laneway, vehicle access to the property and access to car parking is to be from the laneway and not the street frontage (where practical).</li> <li>• Where the property abuts a secondary street but not a laneway, vehicle access to the property and access to car parking is to be from the secondary street and not the primary street frontage (where practical).</li> </ul>

<b>Private Space</b>	<ul style="list-style-type: none"> <li>• A terrace, balcony or courtyard is to be provided at a minimum of 12m<sup>2</sup> for each residential dwelling and be connected to an internal living space such as a lounge room or dining room.</li> <li>• 10% of the net lettable area (NLA) of commercial tenancies located on upper levels (excluding the ground level) is to be provided as private open space. The private open space is to be connected to the commercial tenancy.</li> <li>• The minimum dimension (width and length) for a balcony, private open space or courtyard is 2.5 metres.</li> <li>• Adequate private or communal external clothes drying areas concealed from public view shall be provided to meet the needs of the residents of the development.</li> <li>• An enclosed, lockable storage area accessible from outside the dwelling shall be provided for each residential dwelling with a minimum dimension of 1.5 metres and an internal area of at least 4m<sup>2</sup>.</li> </ul>
<b>Solar Access</b>	<ul style="list-style-type: none"> <li>• The design and development of new buildings should— <ul style="list-style-type: none"> <li>(a) Minimise overshadowing in the middle of the day on public open space, major pedestrian streets, and adjacent properties especially in the cooler months.</li> <li>(b) Minimise potential overshadowing of residential dwellings (both within the development itself and to neighbouring buildings).</li> </ul> </li> <li>• Developments within the Maylands Activity Centre Zone that potentially overshadow any development outside the Maylands Activity Centre Zone are to be assessed in accordance with the solar access requirements at the R40 zoning as contained in the Residential Design Codes.</li> </ul>
<b>Privacy</b>	<ul style="list-style-type: none"> <li>• Whilst acknowledging that total protection from overlooking is unlikely in an inner city context, developments should be designed to optimise visual privacy for all dwellings and private spaces within the Maylands Activity Centre Zone.</li> <li>• Developments within the Maylands Activity Centre Zone that potentially overlook any development outside the Maylands Activity Centre Zone are to be assessed in accordance with the visual privacy provisions of the Residential Design Codes.  <i>* Note—for the purposes of assessing privacy provisions for commercial space(s) in accordance with the Residential Design Codes, non-habitable spaces shall be defined in accordance with the relevant definition in the Residential Design Codes, whilst all other areas (such as offices) shall be considered as 'habitable' spaces and assessed accordingly.</i></li> </ul>
<b>Other</b>	<ul style="list-style-type: none"> <li>• Where mixed-use development is proposed, the pedestrian street entrance to the residential component of the building is to be visually distinct from ground floor business uses.</li> <li>• Letterboxes are to be designed to minimise the visual impact on streetscape.</li> </ul>

13. Amending the Scheme map to include the lots shown in the amending documents as part of 'Special Control Area 3':

14. Inserting into Appendix 10 'Special Control Area No. 4' provisions as follows—

#### **Special Control Area 4—Character Residential Precinct**

##### **Character statement**

Development within the Character Residential Precinct will principally be residential in nature. The precinct has an eclectic mix of building styles including Federation, Queen Anne, California bungalows and workers cottages. The traditional building forms are typified by pitched roof forms, dominant front verandahs and vertical emphasis to windows and openings. New developments should enhance the identity and character of the Precinct. The precinct provisions will provide opportunities to live in close proximity to the Main Street Precinct in a low-rise residential form. Whilst influenced by traditional styles and local character, the Precinct is bordered by more intensive urban precincts and so the amenity of the area will be different to that found in suburban residential areas.

##### **Objectives**

- Retain and enhance the identity and character of the Precinct.
- Ensure that new development complements the character of the Precinct.
- Provide opportunities to live in close proximity to the Main Street Precinct in a low-rise residential form.
- Provide for appropriate residential development opportunities.

Demolition of heritage-listed and character buildings should be avoided wherever possible.  
**Development Standards—Character Residential Precinct**

<b>Housing Density</b>	<ul style="list-style-type: none"> <li>Housing density in accordance with the provisions of the R-60 zoning contained in the Residential Design Codes.</li> </ul>
<b>Massing</b> <i>Height</i>           <i>Street setbacks</i>   <i>Side and rear setbacks</i>   <i>Garage setbacks</i>   <i>Carport setbacks</i>	<b>Height</b> <ul style="list-style-type: none"> <li>Development is permitted to be a total height of 3 storeys as follows— <ul style="list-style-type: none"> <li>Top of external wall (roof above)—9 metres;</li> <li>Top of external wall (concealed roof)—10 metres; and</li> <li>Top of pitched roof—12 metres.</li> </ul> </li> <li>Buildings situated on the corner of 2 gazetted streets may exceed the maximum street façade height by an additional storey by providing an architectural design element designed to reinforce the street corner to a maximum height of 15 metres above natural ground level. The architectural design element shall only extend 5 metres from the corner of the building.</li> <li>Where a roof pitch of greater than 25 degrees results in the need to exceed the total allowable height of 12 metres to the top of the pitched roof, additional height may be permitted where the additional height does not unduly impact on the streetscape or adjoining properties, but the total allowable wall height may not be exceeded.</li> <li>A mezzanine level and/or loft is not classed as a separate storey if it is contained within the structure, is connected to the dwelling on the floor below and does not cause the total height limit to be exceeded.</li> <li>Height in storeys is determined from the ground floor at the primary street frontage.</li> </ul> <b>Setbacks</b> <ul style="list-style-type: none"> <li>Development shall be setback a minimum of 2 metres and an average of 4 metres from a primary street.</li> <li>Setbacks to a secondary street, communal street or right of way shall be in accordance with the Residential Design Codes and/or Council policy.</li> <li>Side and rear lot boundary setbacks shall be in accordance with the Residential Design Codes.</li> <li>Notwithstanding the above, development above 2 storeys (including lofts) shall be set back at least 10 metres from front and rear lot boundaries to reduce the impact of building height upon streetscapes and backyards/courtyards.</li> <li>Garages shall be setback behind the main building frontage to ensure that the garage is not the dominant architectural form. The width of a garage door fronting a primary or secondary street shall not exceed 30% of the street frontage.</li> <li>Carports are permitted in the front setback area where they do not detract from the character and amenity of the development or streetscape.</li> </ul>
<b>Land Use</b>	<ul style="list-style-type: none"> <li>Land use permissibility is to be in accordance with Table No. 3.</li> </ul>
<b>Character</b>	<b>Character</b> <ul style="list-style-type: none"> <li>Building facades shall be articulated, coloured and detailed to contribute positively to the character of the local streetscape.</li> <li>Development should be orientated towards the street with the front door, verandah and some window openings visible from the street.</li> <li>Pitched roof forms are required in the precinct.</li> <li>A verandah with a minimum depth of 2.5 metres shall be provided to a minimum of 60% of the main building's primary and secondary street frontages to reflect a traditional dwelling style.</li> <li>Vertical emphasis shall be provided for all windows that face a street or laneway.</li> <li>Window awnings shall be provided above all windows on the front façade of the development.</li> <li>Modern materials are permitted providing their proportions, textures, details and colours are sympathetic with the local streetscape.</li> <li>Traditional features such as eaves, chimneys and gabled or hipped roofs are strongly encouraged.</li> </ul>

	<ul style="list-style-type: none"> <li>• Coloured banding shall be provided in a traditional style to articulate multi-storey development.</li> <li>• Where face brick is proposed as a material for wall construction, bricks shall be of a red shade unless used for minor architectural detailing.</li> <li>• Non-residential developments (such as Places of Public Worship) are to respect and complement the character and amenity of the area.</li> </ul>
<b>Design</b>	<p><b>Site Cover</b></p> <ul style="list-style-type: none"> <li>• The maximum site cover/minimum open space provision of the R-Codes may be varied or waived, where appropriate justification is provided to the satisfaction of City.</li> </ul> <p><b>Design for Climate</b></p> <ul style="list-style-type: none"> <li>• The Design for Climate provisions of the Residential Design Codes are applicable at the R40 zoning standards.</li> </ul> <p><b>Privacy</b></p> <ul style="list-style-type: none"> <li>• The privacy provisions of the Residential Design Codes are applicable.</li> </ul>
<b>Private Space</b>	<ul style="list-style-type: none"> <li>• A terrace, balcony or courtyard is to be provided at a minimum of 20m<sup>2</sup> or 10 % of the net lettable area of the development, whichever is the greater, that is connected to an internal living space such as a lounge room or dining room.</li> <li>• The minimum dimension (width and length) for a terrace, balcony or courtyard is 4 metres.</li> <li>• Adequate private or communal external clothes drying areas concealed from public view shall be provided to meet the needs of the residents of the development.</li> <li>• An enclosed, lockable storage area accessible from outside the dwelling shall be provided for each residential dwelling with a minimum dimension of 1.5 metres and an internal area of at least 4m<sup>2</sup>.</li> </ul>
<b>Car Parking and Access</b>	<ul style="list-style-type: none"> <li>• A minimum of 1 car bay is to be provided per dwelling.</li> <li>• Where available, access to car parking is to be from a laneway or secondary street rather than the primary street.</li> </ul>
<b>Other</b>	<ul style="list-style-type: none"> <li>• Letterboxes for grouped and multiple dwellings are to be designed to minimise the visual impact on streetscape.</li> </ul>

15. Amending the Scheme map to include the lots shown in the amending documents as part of 'Special Control Area 4' with a density coding of 'R60'.

16. Inserting into Appendix 10 'Special Control Area No. 5' provisions as follows—

### Special Control Area 5—Ross's Site Redevelopment Precinct

#### Character statement

The Ross's Site Redevelopment Precinct offers a landmark redevelopment opportunity that will be predominately residential in nature with some retail, commercial and office uses. Any commercial or retail land uses should be located on the ground floor of street corners and along Railway Parade. The design and positioning of the building bulk and scale should ensure that local streets and adjoining residential developments are not unduly affected.

#### Objectives

- Enable the redevelopment of large contiguous land parcels for a landmark, high quality residential development.
- Facilitate appropriate commercial uses on street corners and along Railway Parade.
- Ensure that building height and bulk is setback from local streets and adjoining residential lots.
- Increase the residential population of the Maylands Activity Centre.

#### Development Standards—Ross's Site Redevelopment Precinct

<b>Massing</b> <i>Minimum height</i> <i>Maximum height</i>	<b>Height</b> <ul style="list-style-type: none"> <li>• A minimum height of 2 storeys is required.</li> <li>• A maximum height of 8 storeys is permitted to an overall height of 32 metres above natural ground level.</li> <li>• Height in storeys is determined from the ground floor at the primary street frontage.</li> <li>• A mezzanine floor is not considered to be a separate storey.</li> <li>• Any basement level car park is not included in overall building height provided that the car park is wholly below ground level at the street frontage(s).</li> </ul>
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<p><i>Street Facades</i></p> <p><i>Railway Parade setback for non-residential development</i></p> <p><i>Variations to Railway Parade setback</i></p> <p><i>Railway Parade setback for residential development</i></p> <p><i>Secondary street setbacks</i></p> <p><i>Street setbacks above 3 storeys</i></p> <p><i>Side setbacks</i></p> <p><i>Rear setbacks</i></p>	<ul style="list-style-type: none"> <li>• The street facades of buildings shall have a maximum height of 3 storeys, with additional storeys further setback from the street (see setbacks below)</li> <li>• Buildings situated on the corner of 2 gazetted streets may exceed the maximum street façade height by an additional storey by providing an architectural design element designed to reinforce the street corner to a maximum height of 22.5 metres above natural ground level. The architectural design element shall only extend 5 metres from the corner of the building.</li> </ul> <p><b>Setbacks</b></p> <ul style="list-style-type: none"> <li>• Non-residential building facades are required to have a nil setback for a minimum of 2 storeys and a maximum of 3 storeys to a minimum of 50% of the Railway Parade frontage. The remainder of the façade may be set back further to accommodate open space, a pedestrian plaza or forecourt.</li> <li>• Where a nil setback is required, minor recesses of up to 1.5m from the street boundary to a maximum 3 metres in length are permitted to achieve architectural articulation at the street edge. Where active uses such as alfresco dining proposed, increased setbacks may be considered to create recesses in the building façade in order to accommodate active uses.</li> <li>• Residential dwellings are to be setback an appropriate distance from Railway Parade to provide sufficient amenity for residents whilst ensuring they contribute to a high quality urban streetscape and provide adequate passive surveillance over the street.</li> <li>• A 2 metre minimum and 4 metre average setback is required on street frontages other than Railway Parade. A nil setback to the secondary street may be considered for the portion of a development addressing a street corner.</li> <li>• Any level above 3 storeys facing the primary or secondary street shall be set back at least 5 metres from the street façade.</li> <li>• A nil setback is permitted to a side boundary for a maximum of 2 storeys.</li> <li>• The side setback of any level above 2 storeys facing an adjoining developable lot shall be a minimum of 5 metres setback from the second storey building line as measured to the building line of the upper storey.</li> <li>• The rear setback of any level up to 2 storeys is to be a minimum of 5.0 metres from the rear boundary line.</li> <li>• The rear setback of any level above 2 storeys is to be a minimum of 10 metres from the rear boundary line.</li> </ul>
<p><b>Land Use</b></p>	<ul style="list-style-type: none"> <li>• Land use permissibility shall be in accordance with Table 3.</li> <li>• Where commercial or business related land uses are proposed, such land uses shall be provided on the ground level of the Railway Street frontage. Additional commercial or business related land uses should be located on the ground floor of secondary streets where possible.</li> <li>• Land uses are required to be configured to promote land use compatibility and reduce the potential for land use related conflict.</li> </ul>
<p><b>Character</b></p>	<ul style="list-style-type: none"> <li>• A variety of roof forms is encouraged within the Precinct, where pitched, parapet and skillion roof forms may be utilised.</li> <li>• Building frontages and facades greater than 40 metres in length as they present to streets shall be articulated, coloured and detailed to present as individual facades to the satisfaction of the City.</li> <li>• Footpaths adjacent to non-residential building facades setback less than 1 metre from the street boundary are to be sheltered by awnings. The awnings shall— <ul style="list-style-type: none"> <li>(a) Be continuous structures over footpaths.</li> <li>(b) Project to within 0.5 metres of the road kerb and shall have a consistent width (subject to the below conditions).</li> <li>(c) Not be built over existing or possible street parking bays and allowances are to be made to accommodate the unimpeded growth of any street tree.</li> <li>(d) Be cantilevered or suspended. Post or column supports are not permitted.</li> </ul> </li> </ul>



	<ul style="list-style-type: none"> <li>(e) Have a clearance of at least 2.75 metres above footpath level.</li> <li>(f) Provide continuous cover at abutting buildings. Where one awning abuts another, the connection is to be treated so as to prevent the penetration of rain.</li> <li>(g) Preferably be lightly framed with fine design lines. The maximum height of any fascia to an awning shall be 300mm, with signage prohibited on top of the fascia.</li> </ul> <p>The City may vary these requirements as necessary to accommodate specific site circumstances.</p> <ul style="list-style-type: none"> <li>• The use of reflective or obscure glazing is not permitted along the ground floor of primary or secondary street frontages.</li> <li>• An architectural design element is required to reinforce any adjacent street corner.</li> </ul>
<b>Car Parking and Access</b>	<ul style="list-style-type: none"> <li>• Vehicular access to the site via Railway Parade may only be considered where appropriate justification can be provided to the satisfaction of the City and Main Roads of Western Australia.</li> </ul>
<b>Private Space</b>	<ul style="list-style-type: none"> <li>• A terrace, balcony or courtyard is to be provided at a minimum of 12m<sup>2</sup> for each residential dwelling and be connected to an internal living space such as a lounge room or dining room.</li> <li>• 10% of the net lettable area (NLA) of commercial tenancies located on upper levels (excluding the ground level) is to be provided as private open space. The private open space is to be connected to the commercial tenancy.</li> <li>• The minimum dimension (width and length) for a balcony, private open space or courtyard is 2.5 metres.</li> <li>• Adequate private or communal external clothes drying areas concealed from public view shall be provided to meet the needs of the residents of the development.</li> <li>• An enclosed, lockable storage area accessible from outside the dwelling shall be provided for each residential dwelling with a minimum dimension of 1.5 metres and an internal area of at least 4m<sup>2</sup>.</li> </ul>
<b>Solar Access</b>	<ul style="list-style-type: none"> <li>• The design and development of new buildings should— <ul style="list-style-type: none"> <li>(a) Minimise overshadowing in the middle of the day on public open space, major pedestrian streets, and adjacent properties especially in the cooler months.</li> <li>(b) Minimise potential overshadowing of residential dwellings (both within the development itself and to neighbouring buildings).</li> </ul> </li> <li>• Developments within the Maylands Activity Centre Zone that potentially overshadow any development outside the Maylands Activity Centre Zone are to be assessed in accordance with the solar access requirements at the R40 zoning as contained in the Residential Design Codes.</li> </ul>
<b>Privacy</b>	<ul style="list-style-type: none"> <li>• Whilst acknowledging that total protection from overlooking is unlikely in an inner city context, developments should be designed to optimise visual privacy for all dwellings and private spaces within the Maylands Activity Centre Zone.</li> <li>• Developments within the Maylands Activity Centre Zone that potentially overlook any development outside the Maylands Activity Centre Zone are to be assessed in accordance with the visual privacy provisions of the Residential Design Codes.</li> </ul> <p><i>* Note—for the purposes of assessing privacy provisions for commercial space(s) in accordance with the Residential Design Codes, non-habitable spaces shall be defined in accordance with the relevant definition in the Residential Design Codes, whilst all other areas (such as offices) shall be considered as 'habitable' spaces and assessed accordingly.</i></p>
<b>Other</b>	<ul style="list-style-type: none"> <li>• Where mixed-use development is proposed, the pedestrian street entrance to the residential component of the building is to be visually distinct from ground floor business uses.</li> <li>• Letterboxes are to be designed to minimise the visual impact on streetscape.</li> </ul>

17. Amending the Scheme map to include the lots shown in the amending documents as part of 'Special Control Area 5':
18. Inserting into Appendix 10 'Special Control Area No. 6' provisions as follows—

### Special Control Area 6—Civic Precinct

#### Character statement

The Civic Precinct is intended to be the cultural and community heart of the Maylands town centre and provide a range of community, cultural and recreational facilities. Additional land uses that support the precinct's civic role such as cafés, public art and galleries are to be encouraged in the Civic Precinct. The area will contain a variety of spaces for passive recreation.

#### Objectives

- Reinforce the Civic Precinct as the cultural and community heart of the Maylands activity centre.
- Provide a variety of spaces for passive recreation.
- Encourage the development of double fronted pavilion-styled buildings that address both street networks and public open space to promote surveillance and safety within the precinct
- Improve the quality and safety of existing pedestrian linkages within the precinct.
- Encourage the introduction of land uses to activate the precinct outside of normal business hours.
- Minimise the incidence of blank walls and areas with limited or no surveillance.
- Incorporate public art and quality landscape elements.

#### Development Standards—Civic Precinct

<b>Massing</b>	<ul style="list-style-type: none"> <li>• Building height shall be considered in regard to its relationship with the immediate surrounding area, including the elements of public open space.</li> </ul>
<b>Land Use</b>	<ul style="list-style-type: none"> <li>• Land use permissibility shall be in accordance with Table 3.</li> </ul>
<b>Ground Floor Interface</b>	<ul style="list-style-type: none"> <li>• Blank walls are to be avoided in favour of buildings that address the public realm and enable exchange to occur between the interior and exterior of the buildings through the use of windows, doors, terraces, colonnades and verandahs.</li> <li>• Each façade of development shall be designed to the same standard as the primary façade.</li> </ul>
<b>Car Parking</b>	<ul style="list-style-type: none"> <li>• Trees shall be provided to offer a canopy over car parks.</li> <li>• Demarcation of car parking shall be achieved through changes to colour and surface materials.</li> </ul>
<b>Public Realm</b>	<ul style="list-style-type: none"> <li>• Buildings are required to be situated to provide a visual and physical connection between open space elements.</li> <li>• Provision of a variety of landscape treatments to provide a balance of passive and active open space uses.</li> <li>• Incorporate water sensitive landscape design principles.</li> <li>• Site level changes shall be minimised. Where such level changes are necessary, incremental level changes shall be provided to ensure that sight lines are maintained.</li> </ul>
<b>Servicing</b>	<ul style="list-style-type: none"> <li>• Servicing and loading docks shall be located to minimise visual impacts upon busy pedestrian networks and the public realm.</li> </ul>

19. Amending the Scheme map to include the lots shown in the amending documents as part of 'Special Control Area 6':
20. Appendix 1—Interpretations be amended to delete the following definition—
 

**“Corner store”**: means a shop used for the sale of daily grocery needs to persons in the immediate locality, with a gross floor area not exceeding 100m<sup>2</sup>, attached to a dwelling in residential zones and which is operated as an additional use thereto by the permanent tenants of the dwelling.
21. Appendix 1—Interpretations be amended to include the following definitions—
 

**“Bed and Breakfast”** means a dwelling, used by a resident of the dwelling, to provide accommodation for persons away from their normal place of residence on a short-term commercial basis and includes the provision of breakfast.

**“Exhibition Centre”** means premises used for the display, or display and sale, of materials of an artistic, cultural or historical nature, and includes a museum or art gallery.

**“Home Store”** means any shop with a net lettable area not exceeding 100m<sup>2</sup> attached to a dwelling and which is operated by a person resident in the dwelling.

“**Serviced Apartments**” means buildings which include self-contained units used for transient accommodation together with associated office and service facilities, but the term does not include a hostel, a hotel, a motel or a lodging house.

“**Small Bar**” means premises licensed as a small bar under the Liquor Control Act and used to sell liquor for consumption on the premises, but not including the sale of packaged liquor; and with the number of persons who may be on the licensed premises limited to a maximum of 120.

“**Telecommunications Infrastructure**” means land used to accommodate any part of the infrastructure of a telecommunications network and includes any line, equipment, apparatus, tower, antenna, tunnel, duct, hole, pit or other structure used, or for use in or in connection with, a telecommunications network.

22. The following textual amendments be made to Town Planning Scheme No. 24—

- (a) Clause 7.1.1 to be amended to reword ‘Medium Density Residential’ to ‘Medium and High Density Residential’.
- (b) Clause 7.1.1 to be amended to include under ‘Other Zones’—‘Maylands Activity Centre Zone’.
- (c) Table 1 Zoning Table to be amended to reword ‘Medium Density Residential’ to ‘Medium and High Density Residential’.
- (d) Clause 7.2 be amended to read as ‘Zoning Tables’.
- (e) The current Clause 7.2.1 be amended to read as—

*‘The Zoning Tables (Tables 1 and 3) indicate, subject to the provisions of the Scheme, the uses permitted in the Scheme area in the various zones (Table 1) or in the special control areas contained within the Maylands Activity Centre Zone (Table 3). The permissibility of any uses listed in Tables 1 and 3 is determined by cross reference between the list of use classes on the left hand side of tables and the list of zones or special control areas at the top of the Zoning Tables.’*
- (f) The existing Clause 7.2.5 be modified to state ‘or area’ following the words ‘for that particular site’.

23. Table 1—Zoning Table be amended as follows—

- (a) ‘Maylands Activity Centre Zone’ be included as a zone at the top of Table 1. The text ‘Refer to Table 3’ be included across all use classes in Table 1 under the ‘Maylands Activity Centre Zone’.
- (b) Remove “Corner Store” and replace it with ‘Home Store’. The ‘D’ and ‘X’ permissibilities are to remain the same for each zone in Table 1.

T. G. KENYON JP, Mayor.  
F. LEFANTE, Chief Executive Officer.

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