

[GO TO CONTENTS PAGE](#)

CITY OF NEDLANDS

TOWN PLANNING SCHEME NO. 2

Updated to include AMD 201 GG 02/04/15

DISCLAIMER

This is a copy of the Town Planning Scheme produced from an electronic version of the Scheme held and maintained by the Department of Planning. Whilst all care has been taken to accurately portray the current Scheme provisions, no responsibility shall be taken for any omissions or errors in this documentation.

Consultation with the respective Local Government Authority should be made to view a legal version of the Scheme.

Please advise Department of Planning of any errors or omissions in this document.

Prepared by the Department of Planning

Town Planning Scheme Gazettal Date: 18 April 1985

CITY OF NEDLANDS TPS 2 - TEXT AMENDMENTS

NO	GAZETAL DATE	UPDATED		DETAILS
		WHEN	BY	
73	18-11-94	03-03-95	RA	Schedule 1 - Add Lot 130 Hynes Road (A70)
74	25-11-94	03-03-95	RA	Schedule 1 - Add Lot 134 Stirling Highway
75	24-02-95	03-03-95	RA	Schedule 1 - Change (29) Shop to Shop/Café
80	01/09/95	07/08/96	EB	Schedule 1 - Adding 147 Bulimba Rd (A71)
82	19/09/95	07/08/96	EB	Schedule 1 - Adding 34 Doonan Rd (A72)
94	15/03/96	07/08/96	EB	Schedule 1 - Adding - 64 Loch St (A94)
79	09/06/95	07/08/96	EB	Schedule 1 - Adding 75 Stanley St cnr Princess Rd (A79)
85	25/06/96	07/08/96	EB	Schedule 1 - Adding 314 Dalkeith Rd (A75)
76	21/04/95	07/08/96	EB	Schedule 1 - Adding 27 Mountjoy Rd cnr Jenkins Ave (A76)
92	25/08/95	07/08/96	EB	Schedule 1 - Adding 27 & 29 Strickland (A81)
111	1/11/96	9/12/96	DH	Schedule 1 - Adding Lot 3 Broadway, Nedlands (A77)
97	22/11/96	9/12/96	DH	Clause 3.1 - Adding "Special Use" under the word "Development" Table 1 - Adding "Special Use" zone Part 3 - Adding new Clause 3.10 Adding new Schedule 5 - Special Use Zone.
78	27/12/96	13/1/97	DH	Schedule 1 - adding Lot 798 Esplanade cnr Bessell Ave. (A78)
87	27/12/96	13/1/97	DH	Schedule 1 - adding Lot 276 Mountjoy Road
91	27/12/96	13/1/97	DH	Schedule 1 - adding Lot 86 Thomas Street
95	27/12/96	13/1/97	DH	Schedule 1 - adding Lot 28 Stanley Street
96	27/12/96	13/1/97	DH	Schedule 1 - adding Lot 259 Sherwood Road cnr Melvista Ave (A80)
98	27/12/96	13/1/97	DH	Schedule 1 - adding Lot 657 Edna Road
101	27/12/96	13/1/97	DH	Schedule 1 - adding Lot 3836 Goldsmith Road (A93)
100	16/5/97	27/5/97	DH	Schedule 1 - adding Lot 193 Louise Street, Nedlands (A100)
99	5/9/97	9/9/97	DH	Schedule 5 - adding No. 20 (Reserve 43193) St Johns Wood Boulevard, Mt Claremont & permitted uses. Table 1 - deleting "Special Purposes Site 1" and "NOTE: Special Purpose Site 1 - refers to the Mt Claremont Historic Precinct on Heritage Lane".
117	7/10/97	15/10/97	DH	Schedule 5 - adding No. 169 (Lot 100) Broadway, Nedlands
116	17/10/97	23/10/97	DH	Part 5 - adding clause 5.13 Tree Management. Part 6 - adding after paragraph 6.3.2(e). Part 6 - rename paragraph 6.4.2(i) as paragraph 6.4.2(j) and inserting new paragraph 4.2.(i) "The desirability or preserving (or replacing) existing trees and other vegetation contributing to the amenity or significant of the locality".
86	24/10/97	28/10/97	DH	Schedule 1 - adding Lot 36 (No. 1) Robinson Street, Nedlands with Additional use - Two Senior Persons Dwellings (A86)
84	11/11/97	19/11/97	DH	Schedule 1 - adding Lot 683 Gallop Road with additional use "Two senior persons dwellings".

NO	GAZETAL DATE	UPDATED		DETAILS
		WHEN	BY	
108	29/5/98	9/6/98	DH	Schedule 1 - adding Lot 372 Florence Road cnr Princes Road, Nedlands (A88)
121	23/10/98	2/11/98	DH	Part 5 - adding A5.14 Development Standards for Land contained in Amendment No. 121, being Lot 2 of Swan Locations 2105 and 9149".
124	9/11/99	8/11/99	DH	Schedule 5 (No.169 (Lot 100) Broadway, Nedlands) - amending paragraph (i) by including Use Class "Office - Service" as a "P" use and (ii) by deleting "Dwelling single" and replacing with " Grouped Dwelling "; amending paragraph (x) by deleting words "All residential dwelling to be restricted to upper floor development" and replacing with words " All residential development to be restricted to the upper floor of building unless otherwise approved by the Council; "; adding new paragraph (ix) and new paragraph (xi).
126	11/2/00	10/2/00	DH	Clause 5.13 - Tree Management - delete clause.
123	31/3/00	30/3/00	DH	Part 5 - amending Clause 5.3.4. Part 5 - amending Clause 5.3.5 by deleting and all reference to 'Dual Accommodation' and substituting with the words "Ancillary Accommodation". Part 6 - amending Clause 6.3.1. Part 5 - including a new sub-clause (d) to Clause 5.3.1 and including a new sub-clause (d) to Clause 5.6.2.
134	4/7/00	3/7/00	DH	Delete existing clause 5.14 and add an additional subclause 5.3.8 to Clause 5.3
122	4/7/00	3/7/00	DH	Schedule 1 - adding Lot 5 (No. 63) North Street/Kirkwood road, Swanbourne" with an additional use of "Office – General". (A89)
105	7/7/00	18/7/00	DH	Schedule 1 - adding Lot 7 (No. 81) Melvista Avenue (corner Vincent Street) Nedlands with an additional use of "Twp (2) Senior Persons Dwellings, incorporating a design catering for the special needs of the elderly. (A90)
127	10/11/00	10/11/00	DH	Schedule 1 - adding additional use for Lot 26 (No. 110) Smyth Road, Lot 500 (No. 71) and Lot 29 (No. 67) Stirling Highway, Nedlands with an additional use Office - subject to development applications being in accordance with the provisions of Office Use Class in Table 1 - Use Class Table.
130	8/12/00	18/12/00	DH	Part 1 - deleting from clause 1.8 ' Interpretations' the definition of Home Occupation and adding interpretation "home business" and "home occupation". Table 1 - amending table by deleting No. 31 Home occupation and adding use class "31. Home Business" and "32. Home Occupation. Part 6 - modifying wording under clause 6.1.1..
137	9/1/01	9/1/01	DH	Table 2 - amending Note (1). Table 3 - replacing the term "Additional Purposes" with the term "Additional uses" in the heading. Table 3 - replacing reference to Table 3 in the Table of Contents to read "Table III - Land Permitted for Additional Uses". Table 3 - replacing the term "Additional Purpose" in NOTE (3) with the term "Additional Use".
138	5/1/01	9/1/01	DH	Table 2 - deleting '7.0m' in NOTE (4) to read "On Stirling Highway the minimum front boundary setback shall be nil exclusive of any road widening". Table 3 - deleting '7.0 metres' in NOTE (2) to read "On Stirling Highway the minimum front boundary setback shall be nil exclusive of any road widening".

NO	GAZETTAL DATE	UPDATED		DETAILS
		WHEN	BY	
135	2/2/01	5/2/01	DH	Part 5 - modifying Clause 5.11.
139	11/11/03	11/11/03	DH	Schedule 5 – adding Special Use Zone area “Swan Location 2237 (Nos. 118-120) Monash Avenue, Nedlands” together with permitted uses and provisions.
140	7/5/04	6/5/04	DH	Schedule 1 – deleting the wording “No. 11, 397 Waratah Avenue, Residential and Hall and replace with the wording deleted.
146	7/5/04	6/5/04	DH	Schedule 1 – inserting Additional Use Area “ Lot 508 Alexander Rd Corner Beatrice Street”.
144	15/10/04	19/10/04	DH	Part 5 – inserting new clause 5.3.9. Inserting new part “Part VIII – Local Planning Policy Framework”
				Correction Notice 30/8/05 relating to above amendment. Note: This correction regarded bracketing.
154	24/12/04	11/1/04	DH	Schedule 1 – adding additional use area A101 “Lot 380, Carrington Street”.
148	15/2/05	24/2/05	DH	Part 5 – inserting subclause 5.3.10 under clause 5.3. Inserting into scheme text “Appendix V – Residential Design Guidelines and Detail Area Plan Alexander Road Locality”.
149	15/2/05	24/2/05	DH	Inserting into scheme text “Appendix V – Residential Design Guidelines and Detail Area Plan Rochdale Road Locality.
150	15/2/05	24/2/05	DH	Inserting Residential Design Guidelines and Detail Area Plan James Road Locality. <i>Note: There appears to be no James Road Locality Guidelines and Detail. Gazetted Knutsford Street/North Locality Guidelines and Details instead.</i>
151	15/2/05	24/2/05	DH	Inserting Residential Design Guidelines and Detail Area Plan Knutsford Street/North Locality.
159	1/7/05	4/7/05	DH	Schedule 1 – adding Additional Use Area “A102 Lot 478 (42) Alexander Road, Dalkeith” the an additional permitted use “Church Purposes”.
152	12/8/05	15/8/05	DH	Schedule 5 – amending by adding Special use Site “No. 171 (Lot 24) Broadway and No. 36 (Lot 10) The Avenue, Nedlands” together with permitted uses and provisions.
158	8/11/05	14/11/05	DH	Schedule 5 – deleting reference to Special Use Site 1 “Swan Location 12040 Heritage Lane, Mt Claremont (Old Swanbourne Hospital Site)” from the schedule. <i>Note: No reference to this special use site area found in schedule 5.</i> Table 1 – modifying use class table to include ‘Note (4): Refer Clause 5.15 relating to the Development Zone for permissible uses applicable to the ‘Old Swanbourne Hospital Precinct’. Part 5 – adding Clause 5.15: Old Swanbourne Hospital Precinct.
161	6/1/06	11/1/06	DH	Schedule 1 – adding additional use area “Lot 280 Stirling Highway” zoned “Office/Showroom” and with an additional use permitted “Residential R60 Grouped and Multiple dwellings”.
165	7/3/06	29/3/06	DH	Schedule 1 – adding new additional use area 106 “Lot 564 Bruce Street”.
169	23/5/06	29/5/06	DH	Schedule 1 – adding new additional use area 108 “Lot 204, 205 Stirling Highway”.

NO	GAZETTAL DATE	UPDATED		DETAILS
		WHEN	BY	
160	9/6/06	5/10/06	DH	Schedule 5 - Inserting the Residential Design Guidelines and Detailed Area Plan for James Rd Locality. <i>Note: These already exist. Spoke to the Shire and they will rectify by amendment.</i>
167	18/7/06	24/7/06	DH	Schedule 1 – deleting additional use area “33. Lot 726, 742, Hillway/The Avenue-Residential-Police Station”
172	29/8/06	31/8/06	DH	Part 5 - deleting existing Clause 5.3.9 and inserting new Clause 5.3.9.
170	10/10/06	31/10/06	DH	Schedule 1 - inserting additional entry "A 110" for "Lot 50 Langham Street".
177	24/10/06	7/11/06	DH	Appendix 5 - inserting the Residential Design Guidelines and Detailed Area Plan for the Dalkeith Road Locality.
175	14/11/06	22/11/06	DH	Part 5 - amending Clause 5.3.10. Appendix 5 - inserting the Residential Design Guidelines and Detail Area Plans for the Aberdare Road Locality.
173	24/11/06	28/11/06	DH	Appendix 5 - inserting the Residential Design Guidelines and Detailed Area Plans for Alfred Road Locality.
174	8/12/06	15/12/06	DH	Appendix 5 - adding Residential Design Guidelines and Detailed Area Plan for the Karella Street Locality.
171	22/12/06	8/1/07	DH	Schedule 1 - adding additional use area 111 "Kit 382 (No. 31A and 31) Cooper Street, Nedlands".
162	27/7/07	8/8/07	DH	Appendix 1 (Controlled Development Area) - amending Sheet 1 by removing the stippled area from the western boundary of Lot 100 Bishop Road, Dalkeith and including the stippled area along the southern boundary of Lot 100 Bishop road, Dalkeith.
180	4/12/07	10/12/07	DH	Schedule 1 - inserting additional use area No. 109 "Lot 409 (No. 27 and 27A) Clark Street, Nedlands" together with relevant uses and conditions.
189	1/2/08	11/2/08	DH	Part 5 - adding new provision as Clause 5.3.11.
188	2/5/08	13/5/08	DH	Schedule 1 - adding additional use 112 being Lot 160 Alderbury Street" together with relevant additional permitted use.
193	14/02/12	13/03/12	NM	Inserted Clause 5.5.6.
192	05/04/12	14/05/12	NM	Inserted new clause 5.16. Inserted 'Dalkeith Special Control Area Provisions' into Appendix VI.
195	8/3/13	26/3/13	NM	Inserted (d) after (c) within clause 5.3.11.
198	07/02/14	25/02/14	ML	Schedule V - Inserted new clause (iii) to additional use for Part Location 1715 and Part Location 8697 Monash Avenue Nedlands (Hollywood Private Hospital)
201	02/04/15	20/05/15	MLD	Apply an "Additional Use" to Lot 346 (11) Bedford Street, Nedlands in Schedule 1 - Additional Uses.

TOWN PLANNING AND DEVELOPMENT ACT, 1928

CITY OF NEDLANDS

TOWN PLANNING SCHEME NO. 2

The City of Nedlands, under and by virtue of the powers conferred in that behalf by the Town Planning and Development Act, 1928 (as amended) and the Metropolitan Region Town Planning Scheme Act, 1959 (as amended) hereby makes the following Town Planning Scheme.

TABLE OF CONTENTS

PART I - PRELIMINARY	9
1.1 Citation	9
1.2 Scheme Area	9
1.3 Intent of Scheme	9
1.4 Metropolitan Region Scheme	9
1.5 Revocation	9
1.6 Responsible Authority	9
1.7 Arrangement Of Scheme	9
1.8 Interpretation	10
1.9 The Schedules and Appendices	17
1.10 A Reference to an Act of Parliament	17
1.11 Headings	17
PART II - RESERVED LAND	18
PART III - ZONES	19
3.1 Zones Specified in the Scheme	19
3.2 Permitted Uses	19
3.3 Symbols	19
3.4 General Terms and Particular Cases	19
3.5 Uses Marked "AA"	19
3.6 Uses Not Listed	19
Table I - Use Class Table	20
3.7 Additional Uses	23
3.8 Development Zone	23
3.9 Cash In Lieu of Providing Car Parking	24
3.10 Special Use Zone	24
PART IV - NON-CONFORMING USE	25
4.1 Continuance of Non-Conforming Use	25
4.2 Change of Non-Conforming Use	25
4.3 Discontinuance of Non-Conforming Use	25
4.4 Destruction of Buildings	25
PART V - GENERAL PROVISIONS	26
5.1 Development Standards	26
5.2 Residential Development: Residential Planning Codes	26
5.3 Residential Planning Codes: Variations and Exclusions	26
5.4 Standards for Development in Other than Residential Zones	29
Table II - Commercial & Industrial Zones - Other Than Residential Zones	30
Table III - Land Permitted for Additional Uses	31
5.5 Preservation of Amenity	32
5.6 Outbuildings, Garages, Carports & Fences	33
5.7 Development in Retail Shopping Zones	33
5.8 Shops In Zones Other than Retail Shopping	34
5.9 Conservation and Preservation of Places of Natural Beauty and Historic Buildings and Objects of Historic or Scientific Interest - Refer Appendix I	34
5.10 Controlled Development Area	35
5.11 Maximum Building Height	36
5.12 Parking of Commercial Vehicles	36
5.15 Old Swanbourne Hospital Precinct	37
5.16 Dalkeith Special Control ARea Provisions	38
PART VI - PLANNING APPROVAL PROCEDURES	39

6.1	Planning Approval	39
6.2	Approval of Existing Developments	39
6.3	Special Procedures	39
6.4	Consideration of Applications	40
6.5	Determination by Council	41
6.6	Contravention and Non-Compliance	41
6.7	Delegation	41

PART VII - ADMINISTRATION..... 42

7.1	Acquisition of Land	42
7.2	Disposal of Land	42
7.3	Entry to Premises	42
7.4	Penalties	42
7.5	Buildings and Work - Notice	42
7.6	Agreements	42
7.7	Compensation	42
7.8	Appeals	42
7.9	General Obligations and Prohibition	42

PART VIII – LOCAL PLANNING POLICY FRAMEWORK..... 43

8.1	Local Planning Policies	43
8.2	Relationship of Local Planning Policies to Scheme	43
8.3	Procedure for Making or Amending a Local Planning Policy	43
8.4	Revocation of Local Planning Policy	44

SCHEDULES

SCHEDULE I -	ADDITIONAL USES	45
SCHEDULE II -	CARPARKING LAYOUTS	52
SCHEDULE III -	CARPARKING REQUIREMENT BY USE CLASS	53
SCHEDULE IV -	APPLICATION FOR PLANNING APPROVAL FORM 1	54
SCHEDULE IV -	APPLICATION FOR PLANNING APPROVAL FORM 2	55
SCHEDULE V -	SPECIAL USE ZONE	56

APPENDICES

APPENDIX I -	CONTROLLED DEVELOPMENT AREA	63
APPENDIX II -	CONSERVATION AND PRESERVATION OF PLACES OF NATURAL BEAUTY AND HISTORIC BUILDINGS AND OBJECTS OF HISTORIC OR SCIENTIFIC INTEREST	70
APPENDIX III -	DESIGN GUIDELINES.....	71
APPENDIX V	RESIDENTIAL DESIGN GUIDELINES AND DETAILED AREA PLAN ALEXANDER ROAD LOCALITY	74
APPENDIX V	RESIDENTIAL DESIGN GUIDELINES AND DETAILED AREA PLAN ROCHDALE ROAD LOCALITY	76
APPENDIX V	RESIDENTIAL DESIGN GUIDELINES AND DETAILED AREA PLAN JAMES ROAD LOCALITY	78
APPENDIX V	RESIDENTIAL DESIGN GUIDELINES AND DETAILED AREA PLAN KNUTSFORD STREET/NORTH STREET LOCALITY.....	82
APPENDIX V	RESIDENTIAL DESIGN GUIDELINES AND DETAILED AREA PLAN FOR THE DALKEITH ROAD LOCALITY	84
APPENDIX V	RESIDENTIAL DESIGN GUIDELINES AND DETAIL AREA PLANS FOR THE ABERDARE ROAD LOCALITY	86
APPENDIX V	RESIDENTIAL DESIGN GUIDELINES AND DETAIL AREA PLANS FOR ALFRED ROAD LOCALITY	88
APPENDIX V	RESIDENTIAL DESIGN GUIDELINES AND DETAILED AREA PLAN FOR THE KARELLA STREET LOCALITY	90
APPENDIX VI	DALKEITH REDEVELOPMENT	92

PART I - PRELIMINARY

1.1 CITATION

This Town Planning Scheme may be cited as City of Nedlands Town Planning Scheme No. 2, (hereinafter called "the Scheme") and shall come into operation on publication in the Government Gazette of the Minister's final approval thereof.

1.2 SCHEME AREA

The Scheme applies to the land set out in the maps forming part of the Scheme and bounded by a broken black line and comprises the whole of the district of the City of Nedlands.

1.3 INTENT OF SCHEME

The general intent of the Scheme is to create zones for the purposes of land use control and to provide for the setting aside of land for public use, the control of land development and other matters authorised by the enabling Acts.

It is proposed to maintain the existing character and density of residential land with only such non-residential uses as are necessary to service the needs of the district's residential population, except for those uses which may be located along major transport routes within the Scheme area.

1.4 METROPOLITAN REGION SCHEME

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

1.5 REVOCATION

The Town Planning Scheme adopted by the Council of the City of Nedlands and which was published in the Government Gazette dated the 5th day of May, 1967, and subsequently amended, is hereby revoked.

1.6 RESPONSIBLE AUTHORITY

The responsible authority for carrying out the Scheme is the Council of the City of Nedlands, hereinafter referred to as "the Council", except that where land is shown on the Scheme maps as "Regional Reservation" the responsible authority shall be deemed to be The Metropolitan Region Planning Authority and the provisions of Metropolitan Region Scheme shall apply to such reserves.

1.7 ARRANGEMENT OF SCHEME

The Scheme Text is divided into the following parts:

- Part 1 - Preliminary
- Part 2 - Reserved Land
- Part 3 - Zones
- Part 4 - Non-conforming Use
- Part 5 - General Provisions
- Part 6 - Development Approval - Procedures

Part 7	-	Administration
Schedule 1	-	Additional Uses
Schedule 2	-	Carparking Layouts
Schedule 3	-	Carparking Requirement by Use Class
Schedule 4	-	Form of Application: Form of Approval
Appendix 1	-	Controlled Development Area
Appendix 2	-	Conservation and Preservation of Places of Natural Beauty and Historic Buildings and Objects of Historic or Scientific
Appendix 3	-	Design Guidelines

The remaining documents of the Scheme are as follows:

- (i) Land Use Maps
- (ii) Scheme Maps

1.8 INTERPRETATION

AMD 25 GG 14/9/90

Amusement Parlour - means any land or building used or provided for use by the public where the predominant use is for indoor games and includes the use of amusement machines and other like equipment where there are more than two amusement machines operating within the premises;

Auction Mart - means any land or building on or in which goods are exposed or offered for sale by auction, but does not include a place used for the sale by auction of fresh food, fruit, vegetables or livestock;

Betting Shop - means a building operated in accordance with the Totalisator Board Act 1970;

Boarding House - means any building or structure, permanent or otherwise, and any part thereof, in which provision is made for lodging or boarding more than four persons, exclusive of the family of the keeper, for hire or reward, but the term does not include:

- (a) a premises the subject of a Hotel, Limited Hotel or Tavern Licence granted under the provisions of the Liquor Licensing Act 1988;
- (b) premises used as a boarding school approved under the Education Act 1928 as amended;
- (c) a building comprising a number of independently occupied residential units in which there is no unit or units operated together in which provision is made for lodging or boarding more than four persons;

Boat Sales Yard - means land or a building used for the sale or display for the purposes of sale of new or secondhand boats, boat trailers, marine engines or boating accessories but does not include a boat motor repair workshop or a boat hull repair workshop;

Cabin or Chalet - means an attached, semi-detached or detached residential type building that is used or provided for holiday purposes and is available to the public at large or to a part of the public defined by trade, employment, religion or association;

Camping Area - means land set aside for the erection of tents and other similar structures for temporary accommodation, and "camping" has a compatible meaning;

Caravan or Trailer Yard - means any land or building used for:

- (a) the hire and/or sale of caravans, car trailers, non motorised horse floats and mobile homes; and
- (b) the hire and/or sale of tents, camping gear and other items of a similar nature, where such use is incidental to the use falling within (a) above;

Caravan Park - means an area set aside for the parking of caravans under the By-laws of the Council or the Health Act (Caravan Parks and Camping Grounds) Regulations 1974, made pursuant to the provisions of the Health Act 1911 or any regulation or by-laws from time to time standing in place of them;

Caretakers Dwelling - means a building or part thereof, used as a residence by the proprietor or manager of an industry, business, office building or recreation area carried on or existing on the same site, or by a person having the care of the building plant, equipment or grounds thereof;

Car Park - means any land or building used primarily for the parking of private vehicles or taxis whether open to the public or not but does not include any part of a public road which is used for the through movement of traffic or any land or building on or in which vehicles are displayed for sale;

Car Sales Yard - means any land or building used for the display and sale or display for the purpose of sale of motor vehicles whether new or secondhand;

Car Wash Station - means any land or building used for mechanical vehicle washing. Such uses may or may not be associated with a service station and may include such other uses considered by Council to be ancillary to the predominant use of the land;

Child Day Care Centre - means any land or building used for the daily or occasional care of children in accordance with the Child Care Regulations 1968 (as amended);

Cinema/Theatre - means any land or building where the public may view a motion picture or theatrical production;

Civic Building - means a building designed, used, or intended to be used by Government Departments, statutory bodies representing the Crown, or the Council alone or in combination with other bodies, as offices or for administrative or other like purposes;

Club Premises - means any land or building used by a club or association or other body as a meeting place for formal and/or informal activity, including entertainment and includes any land appurtenant thereto used for recreation and includes a residential club;

Commercial Vehicle - has the same meaning as the combination of the terms "motor wagon" and "omnibus" in the First Schedule of the Road Traffic Act, 1974;

Construction Yard - means any land or buildings used for the storage of building material, pipes or other similar items related to any trade, and may include manufacture, assembly or dismantling processes where incidental to such use;

Consulting Room - means a building or part of a building (other than a hospital or medical centre) used in the practice of his profession by no more than one practitioner who is a legally qualified medical practitioner, dentist, physiotherapist, chiropractor, masseur, or a person ordinarily associated with a medical practitioner in the prevention investigation or treatment of physical or mental injuries or ailments;

Consulting Rooms - means a building or part of a building (other than a hospital) used in the practice of the profession of two or more practitioners who are legally qualified medical practitioners or dentists, physiotherapists, chiropractors, masseurs, or persons ordinarily associated with a medical practitioner in the prevention investigation or treatment of physical or mental injuries or ailments, and the practitioners may be of the one profession or any combination of professions or practices;

District - means the municipal district of the City of Nedlands;

Drive-in Theatre - means land and buildings used to make provision for an audience or group of spectators to view a motion picture while seated in motor vehicles;

Dwelling - means a building or portion of a building containing at least one living room and includes rooms, outbuildings and other structures attached to or separate from such building but ancillary thereto; such building or portion thereof being used or intended, adapted or designed to be used for the purpose of human habitation on a permanent basis by -

- * a single person,
- * a family, or
- * no more than six (6) persons who do not comprise a single family;

Dwelling House Single - has the same meaning as is given to that term in the Residential Planning Codes;

Dwelling House Multiple or Multiple Dwelling - has the same meaning as is given to that term in the Residential Planning Codes;

Educational Establishment - means a school, college, university, technical institute, academy or other educational centre, or a lecture hall, but does not include a Reformatory or an Institutional Home;

Fast Food Outlet - means land and buildings used for the preparation, sale and serving of food to customers in a form ready to be eaten without further preparation primarily off the premises;

Fuel Depot - means any land or building used for the storage of, or bulk sale of solid or liquid or gaseous fuel, but does not include a service station;

Funeral Parlour - means land and buildings occupied by an undertaker where bodies are stored and prepared for burial or cremation;

Health Studio - means any land and building designed and equipped for physical exercises, recreation and sporting activities including outdoor recreation;

Hire Service - means any land or building used for the offering for hire or rent of items including machines and mechanical equipment;

Home Business - means a business, service or profession carried out in a dwelling or on land around a dwelling by an occupier of the dwelling which *AMD 130 GG 8/12/00*

- i) does not employ more than 2 people not members of the occupier's household;
- ii) will not cause injury to or adversely affect the amenity of the neighbourhood;
- iii) does not occupy an area greater than 50 square metres;
- iv) does not involve the retail sale, display or hire of goods of any nature;
- v) in relation to vehicles and parking, does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood, and does not involve the presence, use or calling of a vehicle more than 3.5 tonnes tare weight; and
- vi) does not involve the use of an essential service of greater capacity than normally required in the zone;

home occupation - means an occupation carried out in a dwelling or on land around a dwelling by an occupier of the dwelling which *AMD 130 GG 8/12/00*

- i) does not employ any person not a member of the occupier's household;
- ii) will not cause injury to or adversely affect the amenity of the neighbourhood;
- iii) does not occupy an area greater than 20 square metres;
- iv) does not display a sign exceeding 0.2 square metres;
- v) does not involve the retail sale, display or hire of goods of any nature;
- vi) in relation to vehicles and parking, does not result in the requirement for a greater number of parking facilities than normally required for a single dwelling or an increase in traffic volume in the neighbourhood, does not involve the presence, use or calling of a vehicle more than 2 tonnes tare weight, and does not include provision for the fuelling, repair or maintenance of motor vehicles; and
- vii) does not involve the use of an essential service of greater capacity than normally required in the zone;

Horticultural Pursuit - means the use of land for any purpose set out hereunder and the use of buildings normally associated therewith:

- (a) the intensive growing of vegetables, fruit, cereals or food crops for commercial purposes;
- (b) the growing of trees, shrubs, plants or flowers for replanting;
- (c) the sale of produce grown solely on the lot or on any adjoining or nearby lot forming part of the same landholding used for horticultural pursuits;

Hospital - means any building, whether permanent or otherwise, in which persons are received and lodged for medical treatment or care and (without limiting the generality of the foregoing) includes "C" class hospitals and convalescent homes;

Hostel - means a public or private residential type development providing board and lodging on a temporary basis to students and staff of educational establishments or members of societies, institutes or associations and common or distinct community groups;

Hotel - means land and buildings providing accommodation for the public, the subject of an Hotel Licence granted under the provisions of the Liquor Licensing Act 1988 (as amended), but does not include a motel, tavern, or a boarding house the subject of a Limited Hotel Licence granted under that Act;

Industrial: Extractive - means an industry involving the extraction of sand, gravel, clay, turf, soil, rock, stone, minerals or similar substances from land, and includes the manufacture of products from any of those materials when the manufacture is carried out on the land from which any of the materials so used is extracted or on land adjacent thereto, and the storage of such materials or products;

Industrial: General - means an industry other than extractive, hazardous, noxious, rural or service for the carrying out of any process in the course of trade or business for gain, for and incidental to:

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

- (d) the manufacture of edible goods for human or animal consumption;

and includes, when carried out on land upon which the process is carried out and in connection with that process, the storage of goods, any work of administration or accounting, or the wholesaling of goods resulting from the process, and the use of land for the amenity of persons engaged in the process but does not include:

- (i) the carrying out of agriculture;
- (ii) site works on buildings, work or land;
- (iii) in the case of edible goods the preparation of food for retail sale from the premises;

Industrial: Hazardous - means an industry which by reason of any process or method of manufacture it involves, or the nature of any materials used or produced in or by it, requires isolation from other buildings;

Industrial: Light - means an industry:

- (a) 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 light, noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, or other waste products whether solid, liquid or gaseous; and
- (b) the establishment of which will not, or the conduct of which does not, impose an undue burden on any existing or projected service for the supply or provision of water, gas, electricity, sewerage facilities or any other like service;

but does not include vehicle wrecking, panel beating or spray painting;

Industrial: Noxious - means an industry in which the processes involved constitute an offensive trade within the meaning of the Health Act 1911 (as amended) but does not include wet fish shops or piggeries or a waste disposal process operation carried out by or under the direct management and supervision of the Council;

Industrial: Service - means a light industry carried out on land or in buildings which may have a retail shop front and in which goods are manufactured only for sale on the premises, or land and buildings having a retail shop front and used as a depot for receiving goods to be serviced;

Kennels - means any land or building used for the boarding, housing and/or breeding of domestic animals for remuneration, or offered for sale or purchase;

Lunch Bar - means premises used for the preparation and/or sale of take-away sandwiches and similar foodstuffs within industrial and commercial areas in a form ready to be consumed without further preparation off the premises;

Market - means land and/or buildings used for a fair or a farmer's or producer's market or a swap-meet in which the business or selling carried on or the entertainment provided is by independent operators or stallholders carrying on their business or activities independently of the market operator save for the payment where appropriate of a fee or rental;

Mean Natural Ground Level - means those levels as depicted by contour lines at 1 metre intervals on the Land and Surveys Department public plans Series B.G. 2000 34 as applicable to the Scheme Area measured at the geometric horizontal centre of the lot;

Medical Centre - means a building (other than a hospital or a private hospital) that contains or is designed or intended to contain facilities for use not only by the practitioners as specified under the definition of consulting rooms but also for ancillary services such as chemists, pathologists, radiologists and allied health professions;

Milk Depot - means land and buildings to which milk is delivered for distribution to consumers but in which milk is not processed or pasteurised;

Motel - means land and buildings used or intended to be used to accommodate patrons in a manner similar to a hotel or boarding house but in which special provision is made for the accommodation of patrons with motor vehicles;

Motor Repair Station - means any land or building used for or in connection with mechanical repairs and overhauls, including where incidental to such repairs and overhauls, tyre re-capping, retreading, panel beating, spray painting and chassis reshaping;

Motor Vehicle Assembly - means the use of any land or building for the assembly of motor vehicle portions and parts into or toward one unit;

Museum - means any land or building used for the storing and exhibiting of objects illustrative of antiquities, natural history, art, nature and curiosities;

Natural Ground Level - means those levels as depicted by contour lines at 1 metre intervals on the Lands and Surveys Department public plans Series B.G. 2000 34;

Night Club - means any land or buildings used for entertainment and/or eating facilities combined and includes a cabaret;

Nursery - means land and buildings used for the propagation, rearing and sale of plants and the storage and sale of products associated with horticultural and garden decor;

Office: General - means a building wherein is carried on the business of administration, the carrying on of agencies, typist and secretarial services, and services of similar nature or, where not conducted on the site thereof, the administration of, or the accounting in connection with any industry or other business, the administration of commercial transactions generally, civic and public authority offices, and offices generally, but shall exclude Service Offices and Professional Offices;

Office: Professional - means a building used for the purpose of conducting the professional work of an accountant, architect, artist, author, barrister, consular official, engineer, land surveyor, quantity surveyor, solicitor, teacher (other than a dancing teacher or a music teacher), or town planner of a person having in the opinion of the Council, an occupation of a similar nature, and professional person has a corresponding interpretation;

Office: Service - means a building wherein is carried on a predominantly administrative type of business but which is dependent on direct access to the public and without limiting the generality of the foregoing includes an estate agency, insurance agency, insurance office, travel agency, bank, building society, post office and any other public orientated Government agency and a public transport office;

Plot Ratio - has the same meaning and definition and that of the Uniform Building By-laws;

Prison - has the same meaning as is given to that term in the Prisons Act, 1903 (as amended);

Produce Store - means any land or building wherein fodders, fertilisers and grain are displayed and offered for sale;

Public Assembly - means any special place of assembly and without limiting the generality of the definition includes grounds for athletics, all sports grounds with spectator provision, race courses, trotting track, stadiums or showgrounds, but does not include club premises;

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

Public Worship - includes buildings used primarily for the religious activities of a church but does not include an institution for primary, secondary or higher education or a residential

training institution;

Reception Lodge - means a building available for the use of parties on formal or ceremonial occasions, but not for unhosted use on general occasions for entertainment purposes;

Recreation: Private - means the use of land for parks, gardens, playgrounds, sports arenas or other grounds for recreation which are not normally open to the public without charge;

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

Reformatory - means land and buildings used for the confinement or detention in custody of juvenile offenders against the law with a view to their reformation but shall not include a prison;

Residential Building - means a building or portion of a building, together with rooms and outbuildings separate from such building but ancillary thereto; such building being used or intended, adapted or designed to be used for the purpose of human habitation -

- * temporarily by two or more persons, or
- * permanently by seven or more persons,

who do not comprise a single family; but does not include a hospital or sanatorium, a prison, a hotel, a motel, or a residential school;

Restaurant - means a building wherein food is prepared solely for sale and consumption within the building or portion thereof and (without limiting the generality of the foregoing) the expression includes a licensed restaurant, or cafe. The expression also includes a restaurant at which food for consumption outside the building, or portion thereof, is sold where the Council is of the opinion that the sale of food for consumption outside the building is not the principal part of the business. The expression shall also include an outdoor establishment and in that case for the purpose of this definition, the outdoor eating area shall be treated as being within the building of the restaurant;

Salvage Yard - means land used for the storage or sale of materials salvaged from the erection, demolition, dismantling or renovating, of, or fire or flood damage to structures including (but without limiting the generality of the foregoing) buildings, machinery, vehicles, and boats;

Service Station - means land and buildings used for the supply of petroleum products and automotive accessories and for carrying out greasing, tyre repairs, and minor mechanical repairs to motor vehicles but does not include panel beating, spray painting, major repairs or wrecking, and may include a roadhouse in a predominantly rural area;

Shop - means any building wherein goods or services are exposed or offered for sale by retail and without limiting the generality of the foregoing shall include:

shops for the sale of foodstuffs generally, clothing, drapery, furniture and furnishings, footwear, hardware, electrical goods, sporting goods, toys and secondhand goods; jewellers, chemists, stationers, newsagents, variety stores, photographic studios and supplies, florists, dry-cleaning agencies, barbers and hairdressers; and liquor stores;

but shall not include a service office, a general office, a professional office or a market;

Shopping Centre - means a building or part of a building wherein goods are displayed and offered for sale by wholesale or by retail, including the sale of foodstuffs, liquor or beverages; items of clothing or apparel, fabrics, footwear, magazines, newspapers, books and paper products; medicinal or pharmaceutical products; china, glassware or domestic hardware; items of personal adornment, small electrical goods of a domestic nature; toys and generally items of a cash and carry nature related to daily household and recreational needs and consumption;

Storage Yard - means any land used for the storage of goods;

Tavern - means land and buildings the subject of a Tavern Licence, granted under the provisions of the Liquor Licensing Act 1988 (as amended);

Trade Display - means the use of any land or building for the moderate and controlled display of grade goods and equipment for advertisement as approved by the Council;

Transport Depot - means any land or building used for the garaging of road motor vehicles used or intended to be used for carrying goods or persons for hire or reward or for any consideration, or for the transfer of goods of persons from one such motor vehicle to another of such motor vehicles, and including the maintenance and repair of such vehicles, but not other vehicles;

Vehicle Wrecking - means the use of any land or building for dismantling of motor vehicles or the sale of spare parts derived from such dismantling;

Veterinary Consulting Rooms - means a building in which a veterinary surgeon or veterinarian treats the minor ailments of domestic animals and household pets as patients but in which no patient remains on the premises overnight;

Veterinary Hospital - means any land or building used for, or in connection with the treatment of sick animals and pets and includes the accommodation of such animals and pets. A crematorium for the disposal of animal carcasses or remains may be included with the written consent of the Council;

Warehouse - means a building used for the storage and/or wholesale sale of goods and can include a bulk store or depot;

Woodyard - means any land on which wood is stored, sawn, or cut for use as domestic firewood and on which no wood or timber is stored, sawn or cut for any other purpose;

1.9 THE SCHEDULES AND APPENDICES

The Schedules and Appendices form part of the Scheme.

1.10 A REFERENCE TO AN ACT OF PARLIAMENT

A reference to an Act of Parliament or to a section of an Act of Parliament includes a reference to any amendment thereto or re-enactment thereof for the time being in force and to all by-laws and regulations made thereunder for the time being in force.

1.11 HEADINGS

Headings (other than headings of Parts, Schedules and the Appendix) are for reference purposes only and do not affect the construction of this Scheme Text.

PART II - RESERVED LAND

- 2.1 a) Land set aside under this Scheme for the purposes of a reservation is deemed to be reserved for the purposes indicated on the Scheme Map, and the reservations of the Metropolitan Region Scheme are shown in the Scheme in order to comply with the provisions of the Metropolitan Region Town Planning Scheme Act 1959. Land reserved under the Metropolitan Region Scheme is not land reserved under this Scheme.
- b) Except as otherwise provided in this Part a person shall not carry out any development on land reserved under this Scheme, other than the erection of a boundary fence, without first applying for and obtaining the written approval of the Council.
- c) In giving its approval the Council shall have regard to the ultimate purpose intended for the reserve and shall in the case of land reserved for the purposes of a public authority confer with that authority before giving its approval.
- d) No provision of this part prevents the continued use of land for the use for which it was being lawfully used immediately prior to the Scheme having the force of law, or the repair and maintenance, for which the prior consent in writing of the Council has been obtained, of buildings or works lawfully existing on the land.
- 2.2 a) Where the Council refuses approval for the development of land reserved under the Scheme on the ground that the land is reserved for public purposes, or grants approval subject to conditions that are unacceptable to the applicant the owner of the land may, if the land is injuriously affected by the making of the Scheme claim compensation for such injurious affection.
- b) Claims for such compensation shall be lodged at the office of the Council not later than six months after the date of the decision of the Council refusing approval or granting it subject to conditions that are unacceptable to the applicant.
- c) In lieu of paying compensation the Council may purchase the land affected by such decision of the Council at a price not exceeding the value of the land at the time of refusal of approval or of the grant of approval subject to conditions that are unacceptable to the applicant.

PART III - ZONES

3.1 ZONES SPECIFIED IN THE SCHEME

Land other than land reserved under Part 2 of the Scheme is divided into the following zones, as indicated on Table 1 appended to Clause 3.3:

- * Residential
- * Retail Shopping
- * Office/Showroom
- * Light Industry
- * Hotel
- * Service Station
- * Development
- * Special Use *AMD 97 GG 22/11/96*

3.1.1 Zones on Scheme Maps

The zones are delineated and indicated on the Scheme maps according to the legend thereon.

3.2 PERMITTED USES

Table 1 appended to Clause 3.3 indicates the uses permitted by the Scheme in the several zones, such uses being determined by cross reference between the list of "Use Classes" and the list of "Zones" in that Table.

3.3 SYMBOLS

Table 1 is appended to this clause and contains symbols which carry the following meanings:

- "P" - a use that is permitted under this Scheme;
- "AA" - a use that is not permitted unless approval is granted by the Council;
- "IP" - a use that is not permitted unless such use is incidental to the predominant use as decided and approved by Council;
- "X" - a use that is not permitted.

3.4 GENERAL TERMS AND PARTICULAR CASES

Where in Table 1 a particular use is mentioned it is deemed to be excluded from any use class which by its more general terms would otherwise include that more particular use.

3.5 USES MARKED "AA"

Where application is made for approval by the Council of a use marked "AA" in Table 1, Council may if it considers it desirable to do so, require the procedures laid down in Clause 6.3 to be followed.

3.6 USES NOT LISTED

Uses not mentioned in Table 1 or not included in the general terms of any use class are deemed to be not permitted, unless special approval is granted by the Council in accordance with the procedures set out in Part 6 of the Scheme.

TABLE I - USE CLASS TABLE

KEY TO COLUMNS:

ZONES	1 OFFICE	5	LIGHT INDUSTRIAL
	2 RESIDENTIAL	6	HOTEL
	3 RETAIL SHOPPING	7	SERVICE STATION
	4 OFFICE/SHOWROOM	8	DEVELOPMENT
		9	SPECIAL PURPOSE - SITE 1
	10	SPECIAL USE AMD 97 GG 22/11/96	

	Use Classes										
	1	2	3	4	5	6	7	8	9	10	
1. Amusement Parlour	X	X	X	X	X	X	X	X	X	X	REFER TO SCHEDULE 5
2. Auction Mart	X	X	X	X	AA	X	X	AA	X		
3. Betting Shop	AA	X	AA	X	X	AA	X	AA	X		
4. Boarding House	X	X	X	X	X	X	X	AA	X		
5. Boat Sales Yard	X	X	X	X	AA	X	X	X	X		
6. Cabin or Chalet	X	X	X	X	X	X	X	X	X		
7. Camping Area	X	X	X	X	X	X	X	AA	X		
8. Caravan or Trailer Yard	X	X	X	X	AA	X	X	X	X		
9. Caravan Park	X	X	X	X	X	X	X	X	X		
10. Caretaker's Dwelling	AA	P	IP	AA	IP	AA	X	AA	P		
11. Car Park	AA	AA	P	P	P	P	P	AA	P		
12. Car Sales Yard	X	X	X	X	AA	X	X	X	X		
13. Car Wash Station	X	X	X	X	AA	X	P	AA	X		
14. Child Day Care Centre	AA	AA	AA	AA	X	X	X	AA	P		
15. Cinema/Theatre	X	X	AA	AA	X	X	X	AA	AA		
16. Civic Building	P	X	X	X	X	X	X	AA	P		
17. Club Premises	AA	X	AA	AA	X	AA	X	AA	AA		
18. Construction Yard	X	X	X	X	P	X	X	X	X		
19. Consulting Room	P	X	P	P	X	X	X	AA	AA		
20. Consulting Rooms	P	X	P	P	X	X	X	AA	AA		
21. Drive-in Theatre	X	X	X	X	X	X	X	X	X		
22. Dwelling House - Single	AA	P	X	X	X	X	X	AA	X		
23. Dwelling House - Grouped/Attached	AA	AA	X	X	X	X	X	AA	X		
24. Dwelling House - Multiple	X	X	X	X	X	X	X	X	X		
25. Educational Establishment	AA	X	X	X	X	X	X	AA	P		
26. Fast Food Outlet	X	X	X	X	X	X	X	AA	X		
27. Fuel Depot	X	X	X	X	AA	X	X	X	X		
28. Funeral Parlour	AA	X	AA	AA	AA	X	X	AA	AA		
29. Health Studio	AA	X	AA	AA	X	IP	X	AA	AA		
30. Hire Service	X	X	AA	X	AA	X	X	AA	X		
31. Home Business <i>AMD 130 GG 8/12/00</i>	AA	AA	X	X	X	X	X	X	X		
32. Home Occupation <i>AMD 130 GG 8/12/00</i>	IP	P	X	X	X	X	X	AA	X		

TABLE I - USE CLASS TABLE (CONTINUED)

KEY TO COLUMNS:

ZONES	1 OFFICE	5 LIGHT INDUSTRIAL
	2 RESIDENTIAL	6 HOTEL
	3 RETAIL SHOPPING	7 SERVICE STATION
	4 OFFICE/SHOWROOM	8 DEVELOPMENT
		9 SPECIAL PURPOSE - SITE 1
		10 SPECIAL USE

	Use Classes									
	1	2	3	4	5	6	7	8	9	10
33. Horticultural Pursuit	X	X	X	X	X	X	X	AA	X	
34. Hospital	X	X	X	X	X	X	X	AA	AA	
35. Hostel	X	X	X	X	X	X	X	AA	AA	
36. Hotel	X	X	X	X	X	P	X	AA	AA	
37. Industrial - extractive	X	X	X	X	X	X	X	X	X	
38. Industrial - general	X	X	X	X	AA	X	X	X	X	
39. Industrial - hazardous	X	X	X	X	X	X	X	X	X	
40. Industrial - light	X	X	X	X	P	X	X	X	X	
41. Industrial - noxious	X	X	X	X	X	X	X	X	X	
42. Industrial - service	X	X	X	X	AA	X	X	X	X	
43. Kennels	X	X	X	X	X	X	X	X	X	
44. Lunch Bar	AA	X	P	AA	AA	X	X	AA	AA	
45. Market	X	X	P	X	X	X	X	AA	X	
46. Medical Centre	AA	X	P	P	X	X	X	AA	AA	
47. Milk Depot	X	X	X	X	P	X	X	AA	X	
48. Motel	X	X	X	X	X	AA	X	AA	X	
49. Motor Vehicle Assembly	X	X	X	X	AA	X	X	X	X	
50. Museum	AA	X	X	AA	X	X	X	AA	P	
51. Night Club	X	X	X	X	X	IP	X	AA	AA	
52. Nursery	X	X	AA	X	AA	X	X	AA	X	
53. Office - General	P	X	IP	P	AA	IP	IP	AA	P	
54. Office - Professional	P	X	P	P	AA	X	X	AA	P	
55. Office - Service	P	X	P	P	X	X	X	AA	P	
56. Prison	X	X	X	X	X	X	X	X	X	
57. Produce Store	X	X	AA	X	X	X	X	X	X	
58. Public Assembly	X	X	X	X	X	X	X	AA	P	
59. Public Utility	AA	AA	AA	AA	AA	AA	AA	AA	AA	
60. Public Worship	X	X	AA	AA	X	X	X	AA	AA	
61. Reception Lodge	X	X	AA	X	X	IP	X	AA	P	
62. Recreation - Private	AA	X	AA	AA	AA	AA	X	AA	P	
63. Recreation - Public	AA	AA	AA	AA	AA	AA	X	AA	P	

REFER TO SCHEDULE 5

TABLE 1 - USE CLASS TABLE (CONTINUED)

ZONES	KEY TO COLUMNS:										
	1 OFFICE	2 RESIDENTIAL	3 RETAIL SHOPPING	4 OFFICE/SHOWROOM	5 LIGHT INDUSTRIAL	6 HOTEL	7 SERVICE STATION	8 DEVELOPMENT	9 SPECIAL PURPOSE - SITE 1	10 SPECIAL USE	
	Use Classes										
	1	2	3	4	5	6	7	8	9	10	
64. Reformatory	X	X	X	X	X	X	X	X	X	X	REFER TO SCHEDULE 5
65. Residential Building	X	AA	X	X	X	X	X	AA	AA		
66. Restaurant	AA	X	AA	AA	X	IP	X	AA	P		
67. Salvage Yard	X	X	X	X	AA	X	X	X	X		
68. Service Station	X	X	X	X	X	X	P	AA	X		
69. Shop	X	X	P	IP	AA	IP	IP	AA	AA		
70. Shopping Centre	X	X	P	X	X	X	X	AA	X		
71. Showroom	X	X	AA	P	IP	X	X	AA	X		
72. Storage Yard	X	X	X	X	AA	X	X	X	X		
73. Tavern	X	X	X	X	X	AA	X	AA	AA		
74. Trade Display	X	X	X	X	AA	X	X	AA	AA		
75. Transport Depot	X	X	X	X	AA	X	X	X	X		
76. Vehicle Wrecking	X	X	X	X	X	X	X	X	X		
77. Veterinary Consulting Rooms	AA	X	P	AA	X	X	X	AA	AA		
78. Veterinary Hospital	X	X	X	X	AA	X	X	AA	X		
79. Warehouse	X	X	IP	IP	P	X	X	X	X		
80. Woodyard	X	X	X	X	P	X	X	X	X		
81. Any other use not included above (see clause 3.6)	AA	AA	AA	AA	AA	AA	AA	AA	AA		

NOTE:

- (1) Group and Attached Dwellings are not permitted in the Residential R10 and R12.5 as per clause 5.3.1.
- (2) *DELETED BY AMD 99 GG 5/9/97*
- (3) The provision of Table 1 relating to Multiple Dwellings in the Residential zone do not apply to development on No 84 (Lot 195) and Lot 343 Clement Street, Swanbourne. *AMD 62 GG 22/4/94*
- (4) Refer Clause 5.15 relating to the Development Zone for permissible uses applicable to the 'Old Swanbourne Hospital Precinct'. *AMD 158 GG 8/11/05*

3.7 ADDITIONAL USES

Notwithstanding the requirements of the Use Class Table, land and/or buildings located as described in Schedule 1 appended to this Scheme may be used for the additional purpose set against such land in Schedule 1 but for no other purposes, unless approved by the Council, in accordance with the procedures set out in Part 6 of the Scheme.

3.8 DEVELOPMENT ZONE

3.8.1 It is the intention of the Council to ensure that development of land within the Development Zone takes place only after comprehensive planning ensures the maximum possible benefits of urban design and servicing.

3.8.2 Any person who wishes to develop land within the Development Zone shall make application to the Council for approval in accordance with Part 6 and shall submit with the application, overall concept plan for all the land in the Development Zone or such part thereof as the Council shall require. The Outline Development Plan shall show:-

- (a) the topography of the area;
- (b) the existing major road systems;
- (c) the location and width of proposed roads;
- (d) the approximate location and quantity of shopping, civic and public facilities proposed;
- (e) the approximate location of the recreation and open space area proposed;
- (f) the population and residential densities proposed including the spatial location of appropriate Residential Planning Code densities;
- (g) the basic layout of a sewerage system;
- (h) the layout of comprehensive drainage, both land and stormwater;
- (i) land holdings adjacent to or in the vicinity of the area the subject of the application;
- (j) the development proposed, the method of carrying out the development and the projected times of completion of each stage of development;
- (k) such other information as shall be required by the Council.

3.8.3 If the Council shall approve the Outline Development Plan in principle it shall submit it to the Town Planning Board.

3.8.4 If the Board shall have approved the Outline Development Plan in principle Council on behalf of the applicant and at the applicant's expense shall advertise that the Outline Development Plan has been prepared and will be available for public inspection at the offices of the Council inviting submissions in relation to the Outline Development Plan which shall be made to the Town Clerk of the Council. A minimum period of 21 days from the date of the last advertising shall be made available for submissions.

3.8.5 The advertisement of the preparation of the Outline Development Plan shall be by notice at weekly intervals for each of three consecutive weeks in a newspaper circulating in the district. The notice shall be of such size as determined by Council.

3.8.6 The Council shall consider the submissions, if any, to the Outline Development Plan and may after consultation with the applicant amend the Outline Development Plan after consideration of such submissions.

- 3.8.7 The Council may decide not to proceed with the proposal or may submit the Outline Development Plan so prepared to the Town Planning Board together with the objections and request the Board to adopt the plan submitted as the basis for approval of subdivision and development applications within the area covered by the plan.

3.9 CASH IN LIEU OF PROVIDING CAR PARKING

AMD 25 GG 14/9/90

The Council may agree with an applicant for approval to commence development to accept a cash payment in lieu of the provision of paved car parking spaces, but subject to the requirements of this subclause:

- (a) a cash in lieu of payment shall be not less than the estimated cost to the owner of providing and constructing the parking spaces required by this Scheme, plus the value of that area of land which would have been occupied by the parking spaces and manoeuvring area;
- (b) before the Council agrees to accept a cash payment in lieu of the provision of parking spaces, the Council must either have provided a public parking station nearby, or must have firm proposals for providing a public station nearby within a period of not more than twenty four months from the time of agreeing to accept the cash payment;
- (c) payments under this Clause shall be paid into a special fund to be used to provide public parking stations anywhere in the District.

3.10 SPECIAL USE ZONE

AMD 97 GG 22/11/96

No person shall use land or any building or structure thereon in a Special Use Zone, except for the purpose set against that land in Schedule 5 and subject to compliance with any conditions specified in the Schedule with respect to the land.

PART IV - NON-CONFORMING USE

4.1 CONTINUANCE OF NON-CONFORMING USE

No provision of the Scheme prevents:

- (i) The continued use of any land or building for the purpose for which it was being lawfully used at the time of the coming into force of the Scheme; or
- (ii) The carrying out of development thereon for which, immediately prior to that time, any approval under any law then in force authorising the development to be carried out had been duly obtained and was current.

4.1.1 Where in respect of land reserved under Part 2 of the Scheme a non-conforming use exists or was authorised as mentioned in Clause 4.1 on that land all or any erections, alterations or extensions of the buildings thereon or use thereof shall not be carried out unless the approval of the Council has been obtained in writing.

4.1.2 Where in respect of land zoned under Part 3 of the Scheme a non-conforming use exists or was authorised as mentioned in Clause 4.1 of this Part on that land, and provided the prior consent in writing of the Council has been obtained, buildings may be extended to the limits prescribed by the Uniform Building By-Laws made under the Local Government Act 1960 (as amended), or by any other by-laws made under that Act for the purpose of limiting the size, location and distance from boundaries and any other matter required by law for that class of use within the boundary of the lot or lots on which the use was carried on immediately prior to the coming into force of the Scheme.

4.2 CHANGE OF NON-CONFORMING USE

The Council may permit the use of any land to be changed from one non-conforming use to another non-conforming use if the proposed use is in the opinion of the Council less detrimental to the amenity of the neighbourhood than the existing use or is in the opinion of the Council closer to the intended uses of the zone.

4.3 DISCONTINUANCE OF NON-CONFORMING USE

4.3.1 Notwithstanding the preceding provisions of this Part, except where a change of non-conforming use has been permitted by the Council under Clause 4.2, when a non-conforming use of any land or building has been discontinued for a period of six months or more, that land or building shall not thereafter be used other than in conformity with the provisions of the Scheme.

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

4.4 DESTRUCTION OF BUILDINGS

If any building is, at the gazettal date, being used for a non-conforming use, and is subsequently destroyed or damaged to an extent of 75% or more of its value the land on which the building is built shall not thereafter be used otherwise than in conformity with the Scheme, and the buildings shall not be repaired or rebuilt, altered or added to for the purpose of being used for a non-conforming use or in a manner or position not permitted by the Scheme.

PART V - GENERAL PROVISIONS

5.1 DEVELOPMENT STANDARDS

AMD 25 GG 14/9/90

Applicable Standards

Subject to the provisions of the Scheme, a person shall not commence or carry out the development of any land -

- (a) within a residential zone, except in accordance with the provisions of the Residential Planning Codes;
- (b) within a zone other than a residential zone except in accordance with the development standards set out in Table 2;
- (c) being land which may be used for an additional purpose pursuant to an approval under Clause 3.7 except in accordance with the development standards set out in Table 3.

5.2 RESIDENTIAL DEVELOPMENT: RESIDENTIAL PLANNING CODES

5.2.1 For the purpose of this Scheme "Residential Planning Codes" means the Residential Planning Codes set out in Appendix 2 to the Statement of Planning Policy No. 1, together with any amendments thereto.

5.2.2 A copy of the Residential Planning Codes, as amended, shall be kept and made available for public inspection at the offices of the Council.

5.2.3 Unless otherwise provided for in the Scheme the development of land for any of the residential purposes dealt with by the Residential Planning Codes shall conform to the provisions of those codes.

5.3 RESIDENTIAL PLANNING CODES: VARIATIONS AND EXCLUSIONS

5.3.1 Notwithstanding the provisions of the Residential Planning Codes and notwithstanding that the Use Class 'Dwelling House Grouped' is designated "AA" in the Residential Zone, the coding designations shown on the Scheme Map shall have the following meanings and effects: *AMD 25 GG 14/9/90*

- (a) where an area is designated with an R. Code R.10 or R12.5, no development other than a single dwelling house or a ancillary accommodation unit is permitted; *AMD 123 GG 31/3/2000*
- (b) where an area is designated with an R. Code R.12.5/R.20 or R.10/R.20 no development other than a single dwelling house complying with R.12.5 or R.10 requirements (as the case may be) is permitted except that the Council may approve a grouped dwelling development containing a maximum of two dwellings subject to R.20 requirements if the following conditions are satisfied:
 - (i) grouped dwellings do not occur at a frequency greater than one lot in five of all lots within an area bounded by four streets or other natural boundary; *AMD 46 GG 6/10/92*
 - (ii) grouped dwellings are separated from any other grouped dwelling by not less than two single dwellings in the same street frontage; and
 - (iii) the setback requirements of the first mentioned R. Code designation are observed.

- (c) Where an area is designated with an R code R12.5/R40 development to the density and standards of the R40 code shall be permitted subject to compliance with the design guidelines outlined in Appendix 3 of the Scheme.
AMD 57 GG 5/7/94
 - (d) Recognising that the Western Australian Planning Commission determines subdivision applications, in order to protect the amenity of the dual-coded areas (R10/R20, R12.5/R20 & R12.5/R40) Council will only support Survey Strata or Green Title subdivision of land in accordance with the lower coding.
AMD 123 GG 31/3/00
- 5.3.2 Nothing in the Residential Planning Codes as they are applied in the Scheme operates to preclude the erection of a dwelling house on a lot which was in existence at the date of coming into operation of the Scheme and which is situated within the Residential zone and is smaller in area or in any dimension than the minimum area of dimension set out in the code for that lot.
- 5.3.3 Notwithstanding the provisions of the Residential Planning Codes a person shall not commence or carry out the development of any land within a Residential zone:
- (a) by the erection of a building used for residential purposes at a distance of less than 9m from a street alignment unless otherwise provided in the Scheme. Council may vary this requirement for development within new large scale comprehensively designed subdivisions. *AMD 25 GG 14/9/90*
 - (b) on lots on one side of a section of a street which runs between two cross streets where more than half of the lots have dwellings thereon which are set back less than 9m, the Council may permit the erection or extension of a dwelling to be closer than 9m to the street boundary;
 - (c) maximum building heights for residential development shall be determined in accordance with the provisions of Clause 5.11 of this Scheme.
- 5.3.4 Notwithstanding the provisions of the Residential Planning Codes, with regard to Ancillary Accommodation as set out in Clause 2.3.1 of the Codes, the Council subject to the procedures set out in Part 6 of the Scheme, may approve an Ancillary Accommodation unit in the Residential zone if the following requirements are satisfied:
AMD 123 GG 31/3/00
- (a) the lot on which it is proposed is not less than 730m² in area;
 - (b) the total floor space of the Ancillary Accommodation does not exceed 60m² in area;
 - (c) the Ancillary Accommodation contains no more than two habitable rooms; and
 - (d) the Ancillary Accommodation will be occupied by a person related to the persons occupying the remainder of the dwelling.
- 5.3.5 The owner of any premises for which approval has been granted for use as a Ancillary Accommodation shall notify the Council forthwith when the occupant for whom the approval was granted no longer permanently resides therein and the premises shall not then be re-occupied as Ancillary Accommodation without prior approval of the Council.
AMD 123 GG 31/3/00
- 5.3.8 Notwithstanding the provisions of the Residential Planning Codes, the following development standards shall apply for land contained within Amendment No. 121, being Lot 2 of Swan Locations 2105 and 9149: *AMD 134 GG 4/7/00*
- (i) the Council may approve the development of a single house on a lot less than 350m² where the provision of open space on the site is not less than 40%;
 - (ii) building height shall be limited to 2 storey, generally in accordance with the

conceptual plans submitted in support of the rezoning application; and

- (iii) the density bonus provisions for Aged and Dependent Dwellings under the R Codes shall not apply to the R40 and R60 sites.

5.3.9 Notwithstanding the provisions of the Residential Design Codes or any other provision specified elsewhere in the Scheme, the following development standards shall apply for land contained within the site bounded by Aberdare Road, Smyth Road, Verdun Street and the rear of the western lots on Kitchener Street:

AMD 144 GG 15/10/04; Correction Notice GG 30/8/05; AMD 72 GG 29/8/06

- (a) In respect of the area coded R30, the minimum total open space requirement for lots will equate to 40% of the area of the lot.
- (b) In respect of the area coded R50, the minimum total open space requirement for lots will equate to 30% of the area of the lot.
- (c) In respect of the area coded R60, the following design and development elements shall apply:
 - i. no less than 30% of dwellings proposed in any Application for Approval to Commence Development shall have a maximum plot ratio area of 60m²;
 - ii. no less than 30% of dwellings proposed in any Application for Approval to Commence Development shall have a maximum plot ratio area of 90m²;
 - iii. no development shall occur unless it is on a green title lot which is greater than 4,000m²;
 - iv. buildings shall not exceed a 3 storey height limit or the equivalent building height applicable to Category C area building in Table 3 of the Residential Design Codes;
 - v. single dwellings shall be permitted;
 - vi. multiple dwellings shall be permitted; and
 - vii. grouped dwellings shall only be permitted as complementary to multiple dwellings.

5.3.10 Notwithstanding the requirements under 5.3.1 and 5.3.3 the land identified under Appendix V of the Scheme shall be developed in accordance with the Residential Design Codes and or variations as indicated in Residential design Guidelines and Detail Area Plan for Rochdale Road, James Road, Knutsford Street/North Street and Alexander Road localities as well as Aberdare Road, Alfred Road, Karella Street and Dalkeith Road localities. *AMD 148 GG 15/2/05; AMD 175 GG 14/11/06*

- recognising that the Western Australian Planning Commission determines subdivision applications, in order to protect the amenity of the area the City will only support 'Townhouse' and 'corner lot' subdivision forms, unless otherwise provided for in the Residential Design Guidelines for a specified locality under Appendix V.

5.3.11 Notwithstanding the provisions of the Residential Design Codes or any other provision specified elsewhere in the scheme, the following development standards shall apply to the specified lots within the subdivision formerly known as Swanbourne High School: *AMD 189 GG 1/2/08*

- (a) In respect of proposed Lots 52 - 59 a height restriction of 12m shall apply;
- (b) In respect of proposed Lot 60 a height restriction of 21m shall apply;
- (c) In respect of proposed Lots 60 and 61 multiple dwellings shall be permitted.
- (d) In respect to Lots 49, 50 and 51 Nidjalla Loop, Swanbourne, a height restriction of 10 metres applies to buildings except a mezzanine level which may be developed up to 12 metres in addition to two storeys only in accordance with the

5.4 STANDARDS FOR DEVELOPMENT IN OTHER THAN RESIDENTIAL ZONES
AMD 25 GG 14/9/90

5.4.1 Application of Standards

- 5.4.1.1 Subject to paragraph 5.4.1.3 the standards set out in Table 2 shall apply to all developments in the district in zones other than the Residential Zone.
- 5.4.1.2 Subject to paragraph 5.4.1.3 the standards set out in Table 3 shall apply to the development of land for use for an additional purpose approved by the Council pursuant to Clause 3.7 of this Scheme.
- 5.4.1.3 The Council may on application by a person seeking planning approval agree to vary a standard in Table 2 or Table 3.
- 5.4.1.4 Without limiting the generality of paragraph 5.4.1.3 in the case of development for any purpose other than residential the Council may on application by a person seeking planning approval vary the parking requirements in Schedule 3 hereto, or impose conditions on the location and design of car parking spaces, taking into account:
- (i) the number to be roofed or covered and the manner of roofing or covering;
 - (ii) the number to be below natural ground level;
 - (iii) the means of access to each space and the adequacy of vehicular manoeuvring areas;
 - (iv) the effect on the amenity of adjoining premises, including potential effects if spaces should later be roofed or covered and the suitability or adequacy of proposed screening or natural planting;
 - (v) the provision of suitable pick up and setting down bays.

5.4.2 Landscaping Requirements

In the case of development for a purpose other than residential -

- (a) the portion of the lot between the street boundary and the setback line; and
- (b) the portion of the lot between any adjoining residential lot and the setback line from the respective lot boundary

shall be designed and developed to the satisfaction of the Council as landscaping or natural planting BUT the Council may approve the paving and draining of portion of the area of the lot between the street boundary and the setback line in order to provide vehicular access.

TABLE II - COMMERCIAL & INDUSTRIAL ZONES - OTHER THAN RESIDENTIAL ZONES

Minimum setback from Boundaries (see note 1 below)	<p>Front: 4.5 metres (see Notes 4)</p> <p>Side: 5.0 m where the lot adjoins any Residential zone.</p> <p style="padding-left: 40px;">2.5 m where the side boundary of the lot adjoins any other street.</p> <p>Rear: 5.0 m where the lot adjoins any Residential zone.</p>
Maximum Plot Ratio 0.75	

NOTE (1) In the Light Industry and Retail Shopping Zones, where development on adjoining lots is set back less than 4.5 m, Council may vary front setback requirements to not less than that of the buildings on the side having the least setback, subject to Note 4. *AMD 137 GG 9/1/01*

NOTE (2) In the case of lots in Hampden Road adjacent to a right-of-way, the rear setback shall be not less than 1.5 m.

NOTE (3) Residential Development in other than Residential zones shall conform with the standards and requirements of the R35 Code. However, Council may vary the requirements of this Code if in the opinion of Council the proposed development is in keeping with the amenity of the area.

NOTE (4) On Stirling Highway the minimum front boundary setback shall be nil exclusive of any road widening. *AMD 138 GG 5/1/01*

TABLE III -LAND PERMITTED FOR ADDITIONAL USES

AMD 137 GG 9/1/01

Minimum setbacks from Boundaries	Front: 6 metres (see Note 2)
	Side: 5 metres where the lot adjoins any residential zone. Otherwise in accordance with the R Codes.
	Rear: average of 8m minimum of 5m
Maximum Plot Ratio 0.5	

NOTE (1) No car parking is permitted in the front setback unless special approval is granted by Council. Rear and side setbacks are to be predominantly landscape buffers.

NOTE (2) On Stirling Highway the minimum front boundary setback shall be nil exclusive of any road widening. AMD 138 GG 5/1/01

NOTE (3) Where possible existing structures are to be retained and the residential use converted to the particular permitted 'Additional Use'. AMD 137 GG 9/1/01

5.5 PRESERVATION OF AMENITY

5.5.1 Without limiting the generality of Clause 6.5 the Council may refuse to approve any development if in its opinion the development would adversely affect the amenity of the surrounding area having regard to the likely effect on the locality in terms of the external appearance of the development, traffic congestion and hazard, noise or any factor inconsistent with the use for which the lot is zoned.

5.5.2 Unless otherwise approved by the Council, no person shall erect or add to any building unless the external walls are constructed of brick, stone or concrete, other than in the case of:

- (a) outbuildings complying with the Uniform Building By-laws, and not exceeding 37m² in floor area;
- (b) the upper floor of a dwelling of which the external walls of the ground floor are to be, or have been, constructed of brick, stone or concrete;
- (c) an historic building;

except that -

up to 25% of the external elevation of any wall of a building in any residential zone may be of materials other than brick, stone or concrete.

5.5.3 In the case of development within the Retail Shopping Zone, provision shall be made for landscaping and natural planting to enhance the appearance of the development and to secure a harmonious relationship between the development and existing or potential development on adjoining land.

5.5.4 Unless otherwise approved by the Council, no person shall erect or construct a retaining wall other than in accordance with the Council's By-laws and in no case without Council approval if the wall is greater than 0.5m in height at any point. In determining an application to erect or construct a retaining wall, Council shall have regard to:

- (a) its likely impact on the amenity or appearance of the land immediately surrounding the proposed retaining wall;
- (b) the materials, shape, height or proximity of the retaining wall to, and their likely effect on the outlook from, surrounding land;
- (c) the effect on the usability of the land on which the retaining wall is proposed.

5.5.5 Within the Residential zone no person shall without the written approval of the Council construct, alter, repair or carry out any other work on any boat or any recreational vehicle or object unless the boat, recreational vehicle or object is completely housed within a building. *AMD 25 GG 14/9/90*

5.5.6 Within the residential zone the following parking requirements apply – *AMD 193 GG 14/02/12*

- (i) Covered parking behind the front setback line for a minimum of two cars must be provided and maintained for each new dwelling;
- (ii) No alterations to convert an existing garage or carport to a use other than for parking purposes shall be permitted unless covered parking for a minimum number of bays as determined under clause 5.5.6(i) is provided and maintained behind the front setback line;
- (iii) Excluding any parking provided within a fully enclosed building, a maximum of 6 cars shall be permitted to be parked on any residential lot that accommodates a single residential dwelling/house.

5.6 OUTBUILDINGS, GARAGES, CARPORTS & FENCES

- 5.6.1 Without limiting the generality of Clause 6.5 where in the opinion of the Council an outbuilding, by reason of its height, bulk or proposed use may adversely affect the amenity of the surrounding area, the Council may impose conditions on its approval.
- 5.6.2 Without limiting the generality of Clause 6.5 where in the opinion of the Council a carport to be constructed on the portion of the lot between the street boundary and the setback line, by reason of its height, bulk or proposed use may adversely affect the amenity of the surrounding area the Council may impose conditions on its approval and without limiting the generality of the foregoing the following shall apply:-
- (a) the roof plan area of the carport shall not be greater in area than 36m²;
 - (b) no fence or wall erected or used in conjunction with the carport shall be more than 1.8m above natural ground level measured at the centre of the carport; and
 - (c) no gate erected in front of the carport shall be more than 1.8m above natural ground level, or shall open in such a manner as to obstruct vision through an area enclosed by a 1.5m x 2.5m truncation to each side of the driveway at the street boundary.
 - (d) the carport shall be open on all sides unless constructed adjoining a boundary fence or wall of a building, in accordance with Council policy.
AMD 123 GG 31/3/00
- 5.6.3 The Council may approve a garage to be erected on the side boundary of any lot, if:
- (a) there is an existing garage on the adjoining lot within 1 m of that boundary and adjacent to the proposed garage; or
 - (b) any house on the adjoining lot is of substantial construction and located not more than 2.5 m from that boundary, but constructed in such a manner that light and ventilation to the rooms overlooking that boundary are not adversely affected; and
 - (c) no danger of spread of fire exists due to the proximity of overhanging eaves;

5.6.4 Dividing Boundaries - Fence or Screen Wall Heights

No fence or screen wall shall be erected within 0.9m of a dividing boundary to a height greater than 1.8m above natural ground level without the approval of the Council. The Council may refuse to grant approval of a screen wall or fence higher than 1.8m above natural ground level if in the opinion of the Council such additional height would adversely affect the amenity of the occupants of the adjoining lot.

5.7 DEVELOPMENT IN RETAIL SHOPPING ZONES

- 5.7.1 Without limiting the generality of Clause 6.5, in considering a proposal to undertake development or redevelopment on land in a retail shopping zone the Council shall have regard to the following matters and may impose conditions to ensure that:
- (a) any building on a lot is constructed so as to have regard to the development or likely development of adjoining lots;
 - (b) where agreements between adjacent owners are made with the intent of achieving a co-ordinated development, such development is completed within 1 year of approval;
 - (c) any group of buildings has an integrated layout in terms of vehicular and pedestrian circulation, appearance, colour and texture of external materials and landscaping;

- (d) the design of the development or redevelopment makes provision for general uniformity of advertising signs;
- (e) vehicular servicing to shops is provided to the rear of such shops and is screened from public view in a manner satisfactory to the Council;
- (f) off-street carparking is laid out to provide for both the convenience and safety of shoppers;
- (g) vehicular access from public roads is so sited as to minimise hazards to passing traffic.

5.8 SHOPS IN ZONES OTHER THAN RETAIL SHOPPING

5.8.1 A shop may be incorporated within a building in an Office/Showroom or Light Industry Zone, if:

- (a) not more than one shop is provided on any lot;
- (b) the shop is no greater than 20m² in floor area (including storage space);
- (c) the shop is used only for the sale at retail of:-
lunches, confectionery, non-alcoholic beverages, newspapers, magazines, cigarettes and similar goods;
- (d) in an Office/Showroom zone the shop has no direct frontage to the street; and
- (e) such shop is not used as a retail outlet for any showroom located in the building.

5.9 CONSERVATION AND PRESERVATION OF PLACES OF NATURAL BEAUTY AND HISTORIC BUILDINGS AND OBJECTS OF HISTORIC OR SCIENTIFIC INTEREST - REFER APPENDIX I

AMD 25 GG 14/9/90

- 5.9.1 Council considers that the places of natural beauty and historic buildings and objects of historical or scientific interest contained in Appendix II should be conserved and preserved.
- 5.9.2 If the Council resolves that any place of natural beauty or any historic building or object of historical or scientific interest should be protected by the conservation and preservation provisions of this Clause the Council may initiate an amendment to the Scheme to add the place, building or object to Appendix II.
- 5.9.3 If the Council at any time considers that any Place, Building or Object should no longer be protected by the conservation and preservation provisions of this Part the Council may initiate an amendment to the Scheme for the deletion of the place, building or object from Appendix II.
- 5.9.4 No person shall without the consent in writing of the Council commence or carry out or permit or suffer the commencement or carrying out of any development on or in relation to any Appendix II Place, Building or Object and without in any way limiting the generality of the foregoing shall not:
 - (a) clear, excavate or fill any land;
 - (b) fell, remove, kill or irreparably damage any tree;
 - (c) erect any fence;
 - (d) commence or carry out any renovation, modification, refitting, decoration or demolition of any building;

- (e) alter or remove any building or object or any part thereof.
- 5.9.5 The provisions of this sub-clause shall not affect any obligation imposed by other provisions of this Text or by the Metropolitan Region Scheme to apply for and obtain the approval of the Council or of the State Planning Commission prior to the commencement or carrying out of any development, and the written consent of the Council under this sub-clause is required in addition to any such approval to commence or carry out development.
- 5.9.6 If the Council decides to give its written consent to the commencement or carrying out of any development or other work, the Council may give that written consent notwithstanding that the development or work involved does not comply with the Building Regulations 1989 or the Residential Planning Codes or with any requirement or standard specified in or arising out of this Text.
- 5.9.7 The Council when considering an application for its consent in writing pursuant to the provisions of Clause 5.9.4 may:
- (a) give its consent in writing with or without conditions and limit the time for which the consent remains valid prior to completion or substantial commencement of the development or other work; or
 - (b) refuse to give its consent in writing.
- 5.9.8 The Council may purchase or subject to the Act, resume the parcel of land on or in which any Appendix II Place, Building or Object is situated, or so much or such interest in that parcel of land as in the opinion of the Council is necessary for the preservation of the Appendix II Place, Building or Object.
- 5.9.9 The Council may:
- (a) enter into agreements with the owners or occupiers of land on or in which any Appendix II Place, Building or Object is situated, for the purpose of ensuring the preservation or conservation of such place, building or object;
 - (b) enter into agreements with the National Trust of Australia (WA), the Royal Western Australian Historical Society (Inc) or any Government Department, Authority or other body in Western Australia responsible for tourism or with any other Authority, body or person, for the preservation or conservation of any Appendix II Place, Building or Object; and
 - (c) enter into agreements relating to the payment of monies and financial arrangements for the purpose of conserving Places, Buildings or Objects listed in Appendix II.

5.10 CONTROLLED DEVELOPMENT AREA

- 5.10.1 Any development within the areas bounded by:
- (a) Reserve 17391, The Esplanade, Broadway, lots on the north side of Elizabeth Street and Bruce Street;
 - (b) Victoria Avenue, the City boundary, the Metropolitan Region Recreation reserve abutting the Swan River and Reserve 16668;
 - (c) Jutland Parade, Iris Avenue, the Metropolitan Region Recreation reserve abutting the Swan River and Point Resolution Reserve;
- shall require the Council's special approval.
- 5.10.2 Without limiting the generality of Clause 6.5 in determining an application for approval of development in a Controlled Development Area:

- (a) the Council shall consider the effect of the development on the amenity of the surrounding area, the visual effect of the development as perceived from the Swan River and the effect on the amenity of the parks and recreation reserves in that area in accordance with Council policy from time to time determined for each Controlled Development Area;
- (b) if the Council so requires, the applicant shall furnish such further information, as deemed necessary by Council to determine the application (including perspectives and elevations, or any other data);
- (c) the Council may refuse development approval or impose conditions on a development approval where it considers that the amenity of the area may be detrimentally affected by the proposal.

5.10.3 Within a Controlled Development Area the following provisions shall apply:-

- (a) the Council shall not permit the ground level of any portion of any lot to be raised by an amount greater than 0.5m above natural ground level whether by means of a retaining wall or not, unless it is satisfied that such changes in level will not unduly affect the amenity of the area including amenity of neighbouring properties. *AMD 25 GG 14/9/90*
- (b) for the purpose of this clause the rear boundaries of certain lots shall be as delineated in Appendix I and the rear setback applicable to boundaries of lots so delineated shall be 7.5m. Where the 7.5m setback is a front boundary the provisions of clause 5.3.3 (a) shall apply and the setback shall be 9.0m unless varied by Council. *AMD 25 GG 14/9/90*

5.11 MAXIMUM BUILDING HEIGHT

AMD 135 GG 2/2/01

No site shall be developed or building constructed:

- i) to contain more than two storeys directly above each other in the case of residential use or three storeys in the case of other uses, excluding areas for plant and equipment, storage, toilets and the parking of wheeled vehicles;
- ii) with the height of any part of an exterior wall greater than 8.5m from mean natural ground level at the base of the walls; and
- iii) to exceed 8.5 metres in overall height facing the primary street frontage, measured from the mean level of the lot boundary at the primary street frontage; and
- iv) so that any point of the building exceeds a height of 10m, measured from the mean natural ground level around the base of the building or from such other level determined by Council.

5.12 PARKING OF COMMERCIAL VEHICLES

AMD 25 GG 14/9/90; AMD 130 GG 8/12/00

- 5.12.1 A person shall not park or stand on a road reserve or park or stand or suffer or permit the parking or standing on private property in either case within a residential zone of a commercial vehicle with a tare weight in excess of 3.5 tonnes for a continuous period in excess of four (4) hours.
- 5.12.2 A person shall not park or stand or suffer or permit a commercial vehicle of more than 3.5 tonnes to be parked or allowed to stand on land within the residential zone unless it is garaged or otherwise screened from view from any street.
- 5.12.3 A person shall not park or stand or suffer or permit the parking or standing on any lot within the residential zone more than one commercial vehicle and shall not park or stand more than one commercial vehicle on a road reserve or any other reserve within the residential zone without the approval in writing of the Council.

- 5.13 TREE MANAGEMENT** *AMD 116 GG 17/10/97; DELETED BY AMD 126 GG 11/2/00*
- 5.14 DEVELOPMENT STANDARDS FOR LAND CONTAINED IN AMENDMENT NO. 121, BEING LOT 2 OF SWAN LOCATIONS 2105 AND 9149** *AMD 121 GG 23/10/98; DELETED BY AMD 134 GG 4/7/00*
- 5.15 OLD SWANBOURNE HOSPITAL PRECINCT**
AMD 158 GG 8/11/05
- 5.15.1 Prior to Council considering any application for subdivision and/or development on the site, a suitable and sustainable low-key adaptive re-use for Montgomery Hall shall be identified;
- 5.15.2 Council shall require subdivision and development to be generally in accordance with the Development Plan No. 03/16/12A, dated July 2005, annexed to Local Planning Policy: Old Swanbourne Hospital Precinct;
- 5.15.3 Council shall require subdivision and development to have regard to, and be generally consistent with Local Planning Policy: Old Swanbourne Hospital Precinct;
- 5.15.4 Notwithstanding the provisions of Table 1: use Class Table, and in accordance with the Development Plan referred to in 5.15(a), the following uses are 'AA':
- i. Caretakers Dwelling
 - ii. Carpark
 - iii. Civic Building
 - iv. Club Premises
 - v. Consulting Room(s)
 - vi. Dwelling House – Single
 - vii. Dwelling House – Grouped
 - viii. Dwelling House – Multiple
 - ix. Educational Establishment
 - x. Home Business
 - xi. Home Occupation
 - xii. Medical Centre
 - xiii. Office – General
 - xiv. Office – Professional
 - xv. Recreation – Private
 - xvi. Recreation – Public
 - xvii. Residential Building
 - xviii. Restaurant.
- All other uses are 'X' – not permitted.
- 5.15.5 Prior to Council considering any application for subdivision and/or development on the site, in accordance with clause 3.8 of the Scheme, the applicant shall submit an Outline Development Plan for the approval of the Council, in consultation with the Heritage Council of Western Australia;
- 5.15.6 Prior to Council considering any application for subdivision and/or development on the site, a revised Conservation Plan for the site shall be completed to the satisfaction of the Heritage Council of Western Australia in accordance with the Government Heritage Property Disposal Process;
- 5.15.7 Prior to Council considering any application and/or development on the site, a Heritage Agreement shall be completed to the satisfaction of the Heritage Council of Western Australia in accordance with the Government Heritage Property Disposal Process;
- 5.15.8 Any application for subdivision and/or development shall have due regard for the revised Conservation Plan for the site and shall demonstrate the conservation of the existing heritage buildings to the satisfaction of the Heritage Council of Western Australia.

5.16 DALKEITH SPECIAL CONTROL AREA PROVISIONS

AMD 192 GG 05/04/12

- 5.16.1 Notwithstanding any provision specified elsewhere in the scheme, the development standards as shown in Appendix VI and known as Dalkeith Special Control Area Provisions shall apply to the specified lots within the provisions.
- 5.16.2 Where there is an inconsistency between the scheme and or the Residential Design Codes and the Dalkeith Special Control Area Provisions (Appendix VI), the provisions of Appendix VI shall prevail to the extent of the inconsistency.

PART VI - PLANNING APPROVAL PROCEDURES

6.1 PLANNING APPROVAL

AMD 25 GG 14/9/90; AMD 130 GG 8/12/00

- 6.1.1 a) No person shall commence or carry out any development on land zoned or reserved under the Scheme and without limiting the generality of the foregoing including the commencement or changing of the use of any land without first applying for and obtaining the Council's planning approval; and
- b) notwithstanding the above clause 6.1.1 (a), the Council's planning approval is not required for a Home Occupation use as described in the City's TPS No. 2, clause 1.8 'Interpretation';
- 6.1.2 Application to the Council for planning approval shall be made in a form similar to Form 1 described in Schedule 4 of the Scheme.

6.2 APPROVAL OF EXISTING DEVELOPMENTS

AMD 25 GG 14/9/90

- 6.2.1 The Council may give planning approval of a development already commenced or carried out regardless of when it was commenced or carried out. Such approval shall have the same effect for all purposes as if it had been given prior to the commencement or carrying out of the development, but provided that the development complies or is capable through the application of appropriate conditions of the Scheme as to all matters other than the provisions requiring Council's approval prior to the commencement or development.
- 6.2.2 The application to the Council for approval under subclause 6.2.1 shall be made on or in a form similar to Form 1 described in schedule 4 of the Scheme or on such other form as the Council provides from time to time.
- 6.2.3 A development which was not permissible under this Scheme at the time it was commenced or carried out may be approved if at the time of approval under this clause it is permissible.
- 6.2.4 The approval by the Council of an existing development shall not affect the power of the Council to take appropriate action for a breach of the Scheme or the Act in respect of the commencement or carrying out of the development without approval, and the conviction of a person for such breach shall not prevent the Council from giving an approval under this clause in respect of the same development.

6.3 SPECIAL PROCEDURES

AMD 123 GG 31/3/00

- 6.3.1 Special procedures are required by Council before determining an application for planning approval in any of the following cases:
- * change or extension of non-conforming use;
 - * uses designated "AA" in Table 1 of Part 3;
 - * uses not listed in the zoning table;
 - * listing, change of use or alteration of historic buildings, objects or places;
 - * development in controlled development area;
 - * development of a Ancillary Accommodation;
 - * change of use of an additional use.
- 6.3.2 Such application shall include the following information if required by Council:
- (a) a certified copy of the Certificate of Title;

- (b) the names and addresses of the owners of the land and of any party proposing to purchase or develop the land;
- (c) a full description of the purposes for which the building or land is proposed to be used;
- (d) complete descriptive plans of the buildings or other improvements proposed on the land.
- (e) Plans showing the location of existing buildings, improvements, trees and crossovers. *AMD 116 GG 17/10/97*

6.3.3 Before determination of any application made under Clause 6.3 the Council may cause any or all of the following to be done:

- (a) notification in writing of any adjoining property owner or occupier;
- (b) publication of a Notice of the application in a newspaper circulating in the district;
- (c) erection of a Notice Board not less than 1m² in area, conspicuously placed on the lot the subject of the application for a period not less than 21 days.

6.3.4 Any such notification, Notice or Notice Board shall be in sufficient detail to ensure an understanding of the application and shall state that submissions relating to the application may be lodged in writing at the office of the Council by a certain date, being not less than 21 days from receipt of the notification, publication of the Notice and/or erection of the Notice Board, as the case may be.

6.4 CONSIDERATION OF APPLICATIONS

6.4.1 In considering any application for planning approval the Council may have regard to the appropriateness of the proposed use and its effect on the Scheme area, and in particular the provisions of this Scheme or any By-laws in force in the district and the relationship of these to the proposed development or use.

6.4.2 In respect of an application for planning approval made under Clause 6.3 the applicant shall satisfy the Council that the following conditions and standards have been met.

- (a) the nature and intensity of the proposed use or development will not detrimentally affect the locality in terms of its environmental impact by way of its hours of operation, illumination, emission of any kind and the effect on any use or development within the locality;
- (b) the plot ratio, site coverage, setbacks, height, landscaping and parking provisions are in keeping with the general character of the locality;
- (c) the form, layout, appearance and material of any building is in keeping with the existing character of the locality;
- (d) the vehicular and pedestrian access, including on-site circulation and provision for deliveries will not create any danger;
- (e) the vehicle flows to and from the subject land will not be disruptive to existing traffic movements or circulation patterns;
- (f) that any traffic generated must be capable of being accommodated within existing streets;
- (g) that the development or use will not place excessive loads on existing or projected essential services;

- (h) the proposed development or use is necessary to service the needs of the district's residential population and is otherwise generally in keeping with the Council's Town Planning intentions for the locality;
- (i) The desirability or preserving (or replacing) existing trees and other vegetation contributing to the amenity or significant of the locality. *AMD 116 GG 17/10/97*
- (j) any other matter considered relevant by Council.

6.5 DETERMINATION BY COUNCIL

- 6.5.1 The Council may determine an application by granting approval, refusing approval or granting approval subject to such conditions as it thinks fit, having regard to the orderly and proper planning of the area.
- 6.5.2 If the Council has granted the planning approval subject to conditions and any of the conditions are not fulfilled or complied with within the time limit specified by the Council, the Council may in addition to other remedies available to it, revoke its approval.
- 6.5.3 The Council may in respect of any such application limit the time for which approval granted on the application remains valid.
- 6.5.4 If the Council has not within 60 days of the receipt by it of an application to commence development conveyed its decision to the applicant the application shall be deemed to have been refused.

6.6 CONTRAVENTION AND NON-COMPLIANCE

AMD 25 GG 14/9/90

Subject to the Act a person shall not:

- (a) use for a purpose a building which does not conform with a standard or requirement of the Scheme relating to buildings used for that purpose, subject only to any non-conforming use rights;
- (b) erect, alter or add to any building or carry out any other development or use any land contrary to the provisions of the Scheme or contrary to the terms of any approval by the Council or the approved plans, or contrary to any condition attached to such approval;
- (c) do or omit to do any act and in so doing contravene the Scheme; or
- (d) permit or cause any such erection, alteration, addition, development, use, act or omission to be made or done.

6.7 DELEGATION

AMD 25 GG 14/9/90

- 6.7.1 The Council may either generally, or in a particular case by resolution delegated to a Committee of the Council or an officer of the Council the authority to deal with an application for planning approval made under this Scheme.
- 6.7.2 The delegation of authority made by the Council pursuant to subclause 6.7.1 shall have effect for such period as the Council in its resolution stipulates and in the absence of any stipulation shall have effect for the period of twelve months following the resolution.
- 6.7.3 The Council shall not in any event make a delegation of power in accordance with subclause 6.7.1 to have effect for any period longer than twelve months.
- 6.7.4 The delegation of power conferred by this clause has effect and may be exercised according to its tenor, but is revocable at the will of the Council and does not preclude the Council from exercising the power. The performance of a function by a delegate under subclause 6.7.1 shall be deemed to be the performance of the function by the Council in all circumstances where the Council is able to delegate its powers.

PART VII - ADMINISTRATION

7.1 ACQUISITION OF LAND

The Council may at any time exercise the powers conferred by Section 13 of the Act.

7.2 DISPOSAL OF LAND

The Council may deal with or dispose of any land which it owns or which it has acquired in accordance with the Act and in conformity with the provisions of the Scheme, upon such terms and conditions as it shall deem fit, and for such purpose may make such agreements with other owners and parties as it deems fit.

7.3 ENTRY TO PREMISES

The Council in the conduct and management of the Scheme has in addition to all other powers vested in it the power by its officers and employees to enter and inspect any land or building within the Scheme Area provided that no officer or employee of the Council shall enter a residential building without the consent of the owner or occupier unless he is reasonably satisfied that a breach of this Scheme may have occurred.

7.4 PENALTIES

Any person who fails to comply with any of the provisions of the Scheme or of the Act is guilty of an offence and without prejudice to any other remedy given herein is liable to the penalties as prescribed in the Act.

7.5 BUILDINGS AND WORK - NOTICE

Twenty eight (28) days' written notice, is hereby prescribed as the notice to be given pursuant to Section 10 of the Act.

7.6 AGREEMENTS

The Council may enter into agreements with the owners of land within the Scheme area, or with any person in respect of, any matter pertaining to this Scheme.

7.7 COMPENSATION

Unless otherwise provided for in the Scheme, claims for compensation by reason of the Scheme shall be made not later than six months from the date on which Notice of Approval of the Scheme is published in the Government Gazette.

7.8 APPEALS

An applicant for the Council's planning approval or other approval required by the Scheme who is aggrieved by a decision of the Council in respect of the exercise of a discretionary power by the Council under the Scheme may appeal under and in accordance with Part V of the Act.

7.9 GENERAL OBLIGATIONS AND PROHIBITION

Subject to the provisions of the Act and all Regulation made thereunder and to Parts 4 and 5 of this Scheme, no person shall permit or suffer any departure from the requirements and provisions of the Scheme nor shall any person use or permit the use of land or buildings or undertake or permit any development if the use, or development does not conform with the provisions of the Scheme.

PART VIII – LOCAL PLANNING POLICY FRAMEWORK

AMD 144 GG 15/10/04; CORRECTION NOTICE GG 30/8/05

8.1 LOCAL PLANNING POLICIES

The Council may prepare a Local Planning Policy in respect of any matter related to the planning and development of the Scheme areas so as to apply -

- a) to an aspect or aspects of development control or any other matter relevant to this Scheme; and
- b) to all or part of the Scheme area,

and may amend or add to or rescind the Policy.

8.2 RELATIONSHIP OF LOCAL PLANNING POLICIES TO SCHEME

8.2.1 If the provision of a Local Planning Policy is inconsistent with the Scheme, the Scheme prevails.

8.2.2 A Local Planning Policy is not part of the Scheme and does not bind the Council in respect of any application for planning approval but the Council is to have regard to provisions of the Policy and the objectives which the Policy is designed to achieve before making its decision.

8.3 PROCEDURE FOR MAKING OR AMENDING A LOCAL PLANNING POLICY

8.3.1 The Council in preparing a draft Local Planning Policy, shall have due regard to –

- a) the purpose for which the land is set aside under the Scheme;
- b) the orderly and proper planning of the area;
- c) the conservation of the amenities of the locality; and
- d) any strategies, study findings adopted by the Council; and any other matter it considers relevant.

8.3.2 If the Council resolves to prepare a Local Planning Policy, the Council -

- a) is to publish a notice of the proposed draft Policy once a week for 3 consecutive weeks, in a newspaper circulating in the Scheme Area, giving details of -
 - i) where the draft Policy may be inspected;
 - ii) the subject and nature of the draft Policy; and
 - iii) in what form and during what period (being not less than 21 days from the date the notice is published) submissions may be made.
- b) may publish a notice of the proposed policy in such other manner and carry out such other consultation as the Council considers appropriate.

8.3.3 All submissions shall be made to the Chief Executive Officer of the Council by written notice.

8.3.4 After the expiry of the period within which submissions may be made, the Council is to -

- a) Review the draft Local Planning Policy having regard to any submissions made; and

- b) Determine, by resolution, to adopt the draft Local Planning Policy, with or without amendment or not to proceed with the Policy.

8.3.5 If the Council resolves to adopt the Policy, the Council is to -

- a) publish notice of the Policy once in a newspaper circulating in the Scheme area;
- b) where practicable in the opinion of the Council, notice is to be given to those persons directly affected by the Local Planning Policy; and
- c) if, in the opinion of the Council, the Policy affects the interests of the Commission, forward a copy of the Policy to the Commission;

8.3.6 A policy has effect on publication of a notice under clause 8.4.5;

8.3.7 A copy of each Local Planning Policy, as amended is to be kept and made available for public inspection during business hours at the offices of the Council and any other premises nominated by the Council;

8.3.8 A Local Planning Policy adopted by the Council may be altered only by following the procedure set out in this clause making and adopting a Local Planning Policy;

8.4 REVOCATION OF LOCAL PLANNING POLICY

A Local Planning Policy may be revoked by -

- a) the adoption by Council of a new Policy under clause 8.4 that is expressed to supersede the existing Policy; or
- b) publication of a notice of revocation by the Council once a week for 3 consecutive weeks, in a newspaper circulating in the Scheme Area.

SCHEDULE I - ADDITIONAL USES

	LOT NO.	STREET	ZONE	ADDITIONAL USE PERMITTED
A 1	477,476	Cnr Viking Road and Alexander Avenue	Residential	Church
A 2	342	Waratah Avenue	Residential	Church
A 3	Pt. 134	Adelma Road, Hotchin Street, Sutcliffe Street and Gallop Road	Residential	Convent and Church
A 4	614,613	Princess Road, Bruce Street and Viewway	Residential	Church
A 5	1,2	Dalkeith Road and Edward Street	Residential	Church
A 6	498,499 500,501	Tyrell Street and Elizabeth Street	Residential	Church
A 7	570,569	Kingsway	Residential	Church
A 8	80	Stirling Highway and Napier Street	Office/Showroom	Church
A 9	321,322	Leura Street and Hardy Street	Residential	Church
A 10	115,116,117	Watt Street and Walpole Street	Residential	Church
A 11		<i>DELETED BY AMD 140 GG 7/5/04</i>		
A 12	556,557	Princess Road and Broadway	Residential	Hospital
A 13	414-420 431-441	Stanley Street, Elizabeth Street and Webster Street	Residential	Private College
A 14	1	Thomas Street, Elizabeth Street and Tyrell Street	Residential	Private College
A 15	509,510	Meriwa Street	Residential	Hall
A 16	554	Broadway	Residential	Professional Office
A 17	551	Broadway	Residential	Office
A 18	2	Broadway	Residential	Professional Office
A 19	544	Broadway	Residential	Professional Office
A 20	1	Broadway	Residential	Office
A 21	541	Broadway	Residential	Professional Office
A 22	320	Leura Street and Hardy Street	Residential	Office
A 23	316	Leura Street	Residential	Office
A 24	314	Leura Street	Residential	Office
A 25	311	Leura Street	Residential	Office
A 26	308	Leura Street and Karella Street	Residential	Office
A 27	571	Hampden Rd & Park Rd	<i>DELETED BY AMD 9 GG 1/9/89</i>	
A 28	570	Hampden Rd	<i>DELETED BY AMD 9 GG 1/9/89</i>	
A 29	57 <i>AMD 75 GG 24/2/95</i>	Loch Street and Bedford Street	Residential	Shop/Cafe
A 30	71	Aberdare Road and Croydon Street	Residential	Shop
A 31	349	Walpole Street and North Street	Residential	Shop
A 32	10	Asquith Street	Residential	Shop
A 33	726,742	Hillway/The Avenue <i>DELETED BY AMD 167 GG 18/7/06</i>	Residential	Police Station
A 34	531	Broadway	Residential	Office

SCHEDULE I - ADDITIONAL USES (CONTINUED)

	LOT NO.	STREET	ZONE	ADDITIONAL USE PERMITTED
A 35	529	Broadway	Residential	Professional Office
A 36	429	Broadway	Residential	Professional Office
A 37	428	Broadway	Residential	Professional Office
A 38	Pt. 64	Stirling Highway - balance of lot from a line measured 45m parallel to Stirling Highway	Residential	Car Parking
A 39	62	Robinson Street	Residential	Car Parking
A 40	569	Hampden Road	<i>DELETED BY AMD 9 GG 1/9/89</i>	
A 41	Pt. 306	Philip Road	Residential	Second Dwelling Permitted
A 42	1	Leura Street	Residential	Office
A 43	569	Hampden Road	<i>DELETED BY AMD 9 GG 1/9/89</i>	
A 44	1,2,3 & 272	Hampden Road	<i>DELETED BY AMD 9 GG 1/9/89</i>	
A 45	119	Aberdare Road	Residential	Additional Dwelling
A 46	315 <i>AMD 1 GG 17/1/86</i>	Leura	Residential	Office
A 47	73 <i>AMD 2 GG 7/2/86</i>	Aberdare Road	Residential	Additional Dwelling
A 48	319 <i>AMD 19 GG 1/9/89</i>	Leura Street	Residential	Professional Office
A 49	369,370 <i>AMD 22 GG 9/2/90</i>	Philip Road, Dalkeith	Residential	(Six) 6 Aged Persons Units in accordance with plans submitted and approved by the Council on 6/7/89.
A 50	318 <i>AMD 35 GG 4/1/91</i>	Leura Street, Nedlands	Residential	Office (to be developed in accordance with the development plans forming part of this amendment).
A 51	225 <i>AMD 26 GG 19/1/90</i>	Waratah Avenue	Residential	Three 3 Aged Persons Units in accordance with plans submitted and approved by Council on August 3, 1989.
A 52	218 & 219 <i>AMD 27 GG 15/12/89</i>	Tyrell Street, corner Edward Street, Nedlands	Residential	Community Centre
A 54	317 <i>AMD 33 GG 4/1/91</i> <i>AMD 51 GG 21/5/93</i>	Leura Street, Nedlands	Residential	Consulting Room
A 55	92	Corner Asquith Street & Strickland Street	Residential	Consulting Rooms
A 55	92 <i>AMD 32 GG 21/9/90</i>	Strickland Street, Mt Claremont	Residential	Medical Consulting Rooms in accordance with plans submitted and approved by Council on 1/2/1990.

SCHEDULE I - ADDITIONAL USES (CONTINUED)

	LOT NO.	STREET	ZONE	ADDITIONAL USE PERMITTED
A 56	169 <i>AMD 41 GG 20/3/92</i>	Mooro Drive (Unit No 6)	Residential	Medical Consulting Rooms
A 57	100 (strata lots 3 & 4) <i>AMD 48 GG 3/11/92</i>	Corner Stirling Highway and Dalkeith Road	Office/ Showroom	Sale of Motor Vehicles
A 58	328 <i>AMD 49 GG 23/4/93</i>	Waratah Avenue	Residential	Two (2) aged persons units
A 59	19 and 20 <i>AMD 54 GG 4/6/93</i>	Carrington Street	Light Industrial	Child Day Care Centre
A 60	372 <i>AMD55 GG 6/7/93</i>	Broome Street	Residential	Two (2) Senior Persons Dwellings
A 61	299 <i>AMD 58 GG 1/10/93</i>	Waratah Avenue	Residential	Two (2) Senior Persons Units
A 62	50-53 <i>AMD 52 GG 13/7/93</i>	Nandina Avenue	Residential	Aged Persons Units (in accordance with R40 code)
A 63	237,238 <i>AMD 4 GG 19/12/86</i>	Waratah Avenue	Residential	Seven (7) Age Persons Units in accordance with plans submitted and approved by Council on 6 February 1986
A 64	18 <i>AMD 64 GG 22/4/94</i>	Ord Street	Residential	Two (2) Senior Persons Dwellings
A 65	177 <i>AMD 67 GG 11/3/94</i>	Waroonga Road	Residential	Two (2) Senior Persons Units
A 66	450 <i>AMD 66 GG 8/4/94</i>	Circe Circle	Residential	Two (2) Senior Persons Dwellings
A 67	377 <i>AMD 38 GG 5/4/91</i>	Philip Road, Dalkeith	Residential Retail Shopping	Three (3) Aged Persons Units in accordance with plans submitted and approved by Council on August 2, 1990
A 68	188 <i>AMD 68 GG 12/4/94</i>	Neville Road	Residential	Two (2) Senior Persons Dwellings
A 69	365 <i>AMD 61 GG 19/7/94</i>	Dalkeith Road	Residential	Two (2) Senior Persons Units
A 70	130 <i>AMD 73 GG 18/11/94</i>	Hynes Road	Residential	Two (2) Senior Persons Dwellings
A 71	147 <i>AMD 80 GG 1/9/95</i>	Bulimba Road	Residential	Two (2) Senior Persons Dwellings
A 72	34 <i>AMD 82 GG 19/9/95</i>	Doonan Road	Residential	Two (2) Senior Persons Dwelling
A 74	134 (Lot 5) <i>AMD 74 GG 25/11/94</i>	Stirling Highway	Retail Shopping	Dwellings in accordance with R35 Code
A 75	314 <i>AMD 85 GG 25/6/96</i>	Dalkeith Road	Residential	Two (2) Senior Persons Dwellings

SCHEDULE I - ADDITIONAL USES (CONTINUED)

	LOT NO.	STREET	ZONE	ADDITIONAL USE PERMITTED
A 76	224 (No. 27) <i>AMD 76 GG 21/4/95</i>	Mountjoy Road cnr Jenkins Avenue	Residential	Two (2) Senior Persons Dwellings
A 77	3 (No. 69) <i>AMD 111 GG 1/11/96</i>	Broadway, Nedlands	Antiquarian Bookshop	
A 78	798 (No. 59) <i>AMD 78 27/12/96</i>	Esplanade cnr Bessell Ave	Residential	Two (2) Senior Persons Dwellings
A 79	693 (No. 75) <i>AMD 79 GG 9/6/95</i>	Stanley Street cnr Princess Road	Residential	Two (2) Senior Persons Dwellings
A 80	259 (No. 2) <i>AMD96 GG 27/12/96</i>	Sherwood Road cnr Melvista Ave	Residential	Two (2) Senior Persons Dwellings
A 81	252 & 253 <i>AMD 92 GG 25/8/95</i>	Strickland (cnr Asquith)	Retail Shopping	Residential R20
A 82	276 <i>AMD 87 GG 27/12/96</i>	Mountjoy Road	Residential	Two (2) Senior Persons Dwellings
A 83	28 <i>AMD95 27/12/96</i>	Stanley Street	Residential	Two (2) Senior Persons Dwellings
A 84	657 <i>AMD 98 GG 27/12/96</i>	Edna Road	Residential	Two (2) Senior Persons Dwellings
A 86	36 (No. 1) <i>AMD 86 GG 24/10/97</i>	Robinson Street, Nedlands	Residential	Two (2) Senior Persons Dwellings
A 87	683 <i>AMD 84 GG 11/11/97</i>	Gallop Road	Residential	Two (2) Senior Persons Dwellings
A 88	372 (No 65) <i>AMD 108 GG 29/5/98</i>	Florence Road Cnr Princess Road, Nedlands	Residential R10	Two (2) Seniors Persons Dwelling, subject to development being restricted to single storey building and incorporating design for the special needs of the elderly/seniors.
A 89	5 (No. 63) <i>AMD 122 GG 4/7/00</i>	North Street/Kirkwood Road, Swanbourne		Office - General
A 90	7 (No. 81) <i>AMD 105 GG 7/7/00</i>	Melvista Avenue (corner Vincent Street), Nedlands		Two (2) Senior Persons Dwellings, incorporating a design catering for the specials needs of the elderly.

SCHEDULE I - ADDITIONAL USES (CONTINUED)

	LOT NO.	STREET	ZONE	ADDITIONAL USE PERMITTED
A 91	86 (No. 6) <i>AMD917 GG 27/12/96</i>	Thomas Street	Residential	Two (2) Senior Persons Dwellings
A 92	26 (No. 110) 500 (No. 71) 29 (No. 67) <i>AMD 127 GG 10/11/00</i>	Smythe Road, Nedlands Stirling Highway, Nedlands Stirling Highway, Nedlands	Residential R35 Residential R12.5	Office - subject to development applications being in accordance with the provisions of Office Use Class in Table 1 - Use Class Table
A 93	3836 <i>AMD 101 GG 27/12/96</i>	Goldsmith Road	Residential	Two (2) Senior Persons Dwellings
A 94	64 <i>AMD 94 GG 15/3/96</i>	Loch Street	Residential	Two (2) Senior Persons Dwellings
A 100	193 (No. 80) <i>AMD 100 GG 16/5/97</i>	Louise Street, Nedlands	Residential	Two (2) Senior Persons Dwellings
A 101A	508 <i>AMD 146 GG 7/5/04</i>	Alexander Rd Corner Beatrice Street	Residential	Two Grouped Dwellings
A 101	Lot 380 <i>AMD 154 GG 24/12/04</i>	Carrington Street, Nedlands	Light Industrial	Child Day Care Centre and Child Care Training Facility
A 102	Lot 478 (No. 42) <i>AMD 159 GG 1/7/05</i>	Alexander Road, Dalkeith		Church Purposes
A 103	280 <i>AMD 161 GG 6/1/06</i>	Stirling Highway	Office/Showroom	Residential R60 Grouped and Multiple dwellings
A 106	564 <i>AMD 165 GG 7/3/06</i>	Bruce Street	Residential R 12.5	Two Grouped Dwellings
A 108	Lot 204, 205 <i>AMD 169 GG 23/5/06</i>	Stirling Highway	Office/Showroom	Grouped and Multiple Dwellings: Residential R50 Residential Density – In relation to density, Residential development shall not exceed the Residential Design R50 standards. Development Standards – Where a development standard mentioned in this Schedule differs from a development standard contained elsewhere in this Scheme or the Residential Design Codes, the provisions of this Schedule shall prevail. Unless otherwise specified below, the development standards mentioned in this Schedule shall apply irrespective of whether the development contains Dwelling uses.

SCHEDULE I - ADDITIONAL USES (CONTINUED)

	LOT NO.	STREET	ZONE	ADDITIONAL USE PERMITTED
A 108	Lot 204, 205 (Cont'd) AMD 169 GG 23/5/06	Stirling Highway	Office/Showroom	<p>Plot Ratio – Maximum of 1.33 except where a mixed use development comprising residential use is proposed. In this instance the maximum plot ratio may be increased to 2 provided that in any development not more than 30% of the total floor space will be used for non-residential purposes.</p> <p>Setbacks – At Council's discretion.</p> <p>Building Heights – Maximum building height of 12m.</p> <p>i) New building facades should be compatible height with existing buildings and be in harmony with the neighbouring streetscape.</p> <p>ii) Portion of the building fronting the street shall not exceed 8.5m.</p> <p>iii) Council may permit an overall height variation permitting a maximum height of 15m or 4 storeys where the major portion of the building is setback at least 6m from the street boundary and where the overall development will not have an adverse effect on adjoining residential landuses or future residential landuses, by way of overshadowing and the loss of privacy. An 8.5m facade is required to be maintained in keeping with the pedestrian scale of the street.</p> <p>Car Parking Office – 1 per 50m² of Gross Floor Area Showroom – 1 per 70m² of Gross Floor Area.</p> <p>Non-Residential and Residential Development – In considering an application for a mix of non-residential and residential purposes, the Council will have particular regard to measures taken to minimize conflict between non-residential and residential use.</p>
A 109	409 (No. 27 and 27A) AMD 180 GG 4/12/07	Clark Street, Nedlands	Residential R12.5	Two Grouped Dwellings

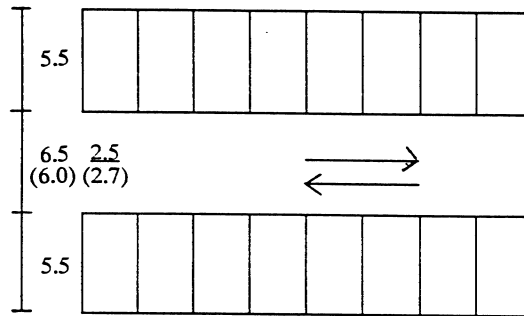
SCHEDULE I - ADDITIONAL USES (CONTINUED)

	LOT NO.	STREET	ZONE	ADDITIONAL USE PERMITTED
A 110	50 <i>AMD 170 GG 10/10/06</i>	Langham Street	Residential R12.5	Two Grouped Dwellings
A 111	382 <i>AMD 171 GG 22/12/06</i>	Cooper Street	Residential R12.5	Two Grouped Dwellings
A 112	160 <i>AMD 188 GG 2/5/08</i>	Alderbury Street	Residential R12.5	Two Grouped Dwellings
<i>A/113</i>	<i>346</i> <i>AMD 201 GG 02/04/15</i>	<i>Bedford Street</i>	<i>Residential R10</i>	<i>Two (2) Single Houses.</i> <i>Development to be in accordance with a Local Area Plan attached as Appendix 5.</i>

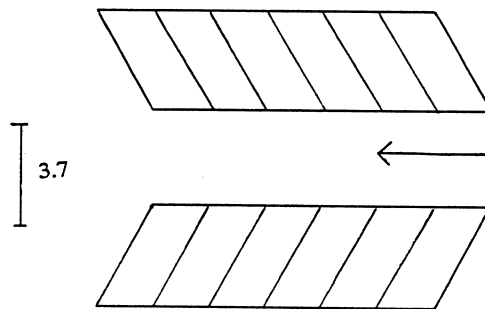
SCHEDULE II - CARPARKING LAYOUTS

LAYOUTS AND DIMENSIONS (shown in metres)

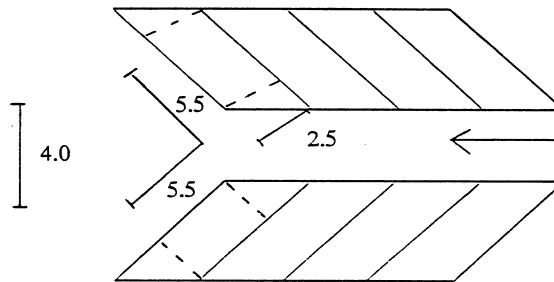
90° Parking



60° Parking

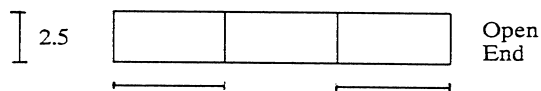


45° Parking



Parallel Parking

Where a parking bay is alongside a wall or solid obstruction, the width shall be increased to 3 metres. Columns or piers not more than 1 metre from either end of a bay shall not require the width of a bay to be increased, provided the width of the column or pier does not exceed 300 mm.



SCHEDULE III - CARPARKING REQUIREMENT BY USE CLASS

USE CLASS OR ADDITIONAL USE	CONDITIONS AND NO. OF SPACES	QUALIFICATION
Religious Purposes	1 to 4 person (a)	
Educational Establishment Primary	1.2 per Staff Member	2 at every 10 spaces (or part thereof) to be set aside for student teachers or visitors (b)
Secondary	2 per Staff Member PLUS 1 per rostered canteen worker PLUS 2 additional spaces for each 10 provided(or part thereof)	Additional spaces to be set aside for student teachers or visitors
Licensed Premises	1 per Bedroom PLUS 1 per each 1.3m ² of bar & public areas PLUS 1 per each employee on duty (a)	Includes all such areas other than restaurant to which public has access excluding only toilets and passages. (c) (e). To be set aside.
Restaurant	1 per each 2.6m ² of restaurant seating area, OR 1 per 2 persons (a)	Whichever is greater. May include a bar area intended for use by diners only(c) (d)
Light Industry	2.2 per each 100m ² of gross leasable floor area OR 1 per employee	Whichever is greater. 1 space in every 3 to be set aside for employees (b)
Hospital	12 OR 1 per every 4 beds	Whichever is greater
Motor Repair Station	5 per each working bay PLUS 1 per employee	
Office		
Professional Office	4.75 per every 100m ² of gross leasable floor area	2 spaces in every 3 set aside for employees
Public Amusement	1 per 2 persons	
Shop	8.3 per every 100m ² of leasable floor area	1 space in every 5 to be set aside for employees
Showroom/ Warehouse	2.2 per every 100m ² gross leasable floor area OR 1 per employee	Whichever is greater. 2 spaces in every 3 to be set aside for employees

- (a) **Persons** means the number of persons for which a building has been designed or for whom seating is provided. **Employee** means any person employed in the building.
- (b) Where spaces are to be set aside for visitors, employees or student teachers, they must be clearly marked as such.
- (c) In the case of every Hotel, Licensed Premises and Restaurant there shall be displayed in such premises a plate being not less than 200mm x 100mm stating the number of car parking spaces which have been provided and the use of such premises by a number of persons exceeding twice that number is not permitted.
- (d) In calculating the area of a Restaurant the area of any bar therein intended for use by diners only shall not be taken into account.
- (e) In calculating the area of the bar and public areas within a Hotel or Licensed Premises the area of toilets and passages shall not be taken into account.

SCHEDULE IV - APPLICATION FOR PLANNING APPROVAL FORM 1

Name of Owner of Land on which development is proposed: Surname:
Christian Names:

Address in full:
.....

Submitted by:

Address for correspondence:
.....

Locality of Development:

Description of Land: Lot No. Street:.....

Location No: Plan/Diagram No.

Certificate of Title Volume: Folio:

Development Proposed:
.....
.....

Approximate Cost of Proposed Development:

Estimated Time of Completion:

Signature of Applicant:

Date:

Signature of Owner:
(If not the Applicant)

Date:

This form is to be submitted in duplicate with three copies of the site plan.

This is not an application for a building licence, for which a separate application is required.

SCHEDULE IV - APPLICATION FOR PLANNING APPROVAL FORM 2

Name and Address of Applicant:

Name and Address of Owner (if not applicant):

.....

.....

Description of Land:

Planning approval in accordance with an application dated the day of and the plans attached thereto is granted subject to the following conditions:

This approval is valid for a period of months from the date hereof. If development is not commenced within that period a fresh application must be made.

.....
N G LEACH
TOWN CLERK

DATE:

This is not a building licence for which a separate application is necessary.

SCHEDULE V - SPECIAL USE ZONE

AMD 97 GG 22/11/86

(A) DESCRIPTION OF SITE	(B) PERMITTED USES AND PROVISIONS APPLYING TO SPECIAL USE SITES
<p>Pt. Loc. 1715 and Pt. Loc. 8697 Monash Avenue, Nedlands (Hollywood Repatriation Hospital)</p> <p>AMD 97 GG 22/11/96</p> <p>AMD 198 GG 7/02/14</p>	<p>(i) Hospital and ancillary facilities; and</p> <p>(ii) Aged persons housing and frail aged persons hotel, subject to being advertised in accordance with the provisions of Clause 6.3.3 and 6.3.4.</p> <p>(iii) The development of the site shall be in accordance with the current Master Plan applicable to the Special Use Zone as approved by Council from time to time, following the procedures set out in Clause 8.3 of the Scheme.</p>
<p>No. 20 (Reserve 43183) St Johns Wood Boulevard, Mt Claremont</p> <p>AMD 99 GG 5/9/97</p>	<p>Historic Precinct, Public Purposes, Community Use and Ancillary and Beneficial Commercial Purposes.</p>
<p>No. 169 (Lot 100) Broadway, Nedlands</p> <p>AMD 117 GG 7/10/97</p> <p>AMD 124 GG 9/11/99</p>	<p>i) The following uses are 'P' permitted:</p> <p>Consulting Rooms Office - General Office - Professional Office - Service</p> <p>ii) The following uses are 'AA':</p> <p>Child Day Care Centre Grouped Dwelling Funeral Parlour Medical Centre Recreation - Private Recreation - Public Showroom Veterinary Consulting Rooms</p> <p>iii) All other uses are not permitted.</p> <p>iv) No building on the land shall exceed two storeys or 8.5 metres in height as measured from natural aground level to the highest point of wall above natural ground level and 10 metres to pitch of roof.</p> <p>v) No balconies shall be permitted on the western or northern elevation of any proposed building within a 10 metre setback.</p> <p>vi) No windows shall be permitted on the western or northern elevation of any proposed building within a 10 metre setback, unless with windows have a minimum sill height of 1.8 metres.</p> <p>vii) A minimum setback of 5 metres shall be provided along the western boundary. All other setbacks shall be determined by Council.</p>

SCHEDULE V - SPECIAL USE ZONE – (CONTINUED)

(A) DESCRIPTION OF SITE	(B) PERMITTED USES AND PROVISIONS APPLYING TO SPECIAL USE SITES
	viii) No more than one crossover shall be permitted to each of the fronting roads.
<p>No. 169 (Lot 100) Broadway, Nedlands(Cont'd)</p> <p><i>AMD 117 GG 7/10/97</i> <i>AMD 124 GG 9/11/99</i></p>	<p>ix) All buildings shall be designed to compliment existing buildings within the locality and constructed of materials and textures to the satisfaction of Council.</p> <p>x) All residential development to be restricted to the upper floor of building unless otherwise approved by the Council;</p> <p>xi) Development of the site for Grouped Dwellings shall be limited to R35 density in accordance with the R-Codes except that the density bonus under the R-Codes shall not apply. Development of Grouped Dwellings as a mixed use on the upper floor (as paragraph (x) shall be limited to 7 units maximum.</p> <p>xii) All Residential development shall be subject to the building incorporating appropriate noise attenuation measures to the satisfaction of Council.</p>
<p>Swan Location 2237 (Nos. 118-120) Monash Avenue, Nedlands</p> <p><i>AMD 139 GG 11/11/03</i></p>	<p>(i) the following are 'P' permitted uses:</p> <p>Aged Persons Dwellings Aged Persons Hostel Residential Building Nursing Home Public Utility</p> <p>(ii) the following are IP (incidental) uses:</p> <p>Consulting Rooms Office-General Office-Professional Office-Service Medical Centre Shop Car Park Place of Public Worship</p> <p>(iii) All other uses are not permitted unless identified in the approved Master Plan, and then the proposed use shall be subject to the provisions of Clause 6.3.3 and 6.3.4 of the Scheme.</p> <p>(iv) the height of building(s) and the number of storeys shall be in accordance with the approved Master Plan for the subject site.</p> <p>(v) The vehicular access points are to be restricted to</p>

SCHEDULE V - SPECIAL USE ZONE – (CONTINUED)

(A) DESCRIPTION OF SITE	(B) PERMITTED USES AND PROVISIONS APPLYING TO SPECIAL USE SITES
	those locations stipulated on the approved Master Plan.
Swan Location 2237 (Nos. 118-120) Monash Avenue, Nedlands (Cont'd) <i>AMD 139 GG 11/11/03</i>	(vi) All development shall be subject to development standards outlined in Clause 5.4.1, Table II and Schedule 3 (T.P.S No. 2) unless otherwise stipulated on the approved Master Plan.
No. 171 (Lot 24) Broadway and No. 36 (Lot 10) The Avenue, Nedlands <i>AMD 152 GG 12/8/05</i>	(i) The following Use are 'AA' permitted: Betting Agency Caretaker's Dwelling Carpark Consulting Rooms Exhibition Centre Grouped Dwelling Home Business Home Occupation Home Office Hotel Lunch Bar Motel Multiple Dwelling Office Public Utilities Residential Building Restaurant Shop Single House Tavern (ii) The hotel building shall be retained and restored in accordance with a Conservation Plan approved by the Heritage Council of Western Australia. (iii) The site should accommodate a variety of dwelling sizes to accommodate different lifestyle needs and budgets in accordance with Statement of Planning Policy (SPP) 3. (iv) Maximum Building Height: (a) The Avenue – The maximum height of a building fronting The Avenue shall be three storeys or 11.0 metres, whichever is the lesser (excluding non-habitable basements or non-habitable roof spaces). The apex of a roof shall not be higher than 4.0 metres above the upper floor ceiling height.

SCHEDULE V - SPECIAL USE ZONE – (CONTINUED)

(A) DESCRIPTION OF SITE	(B) PERMITTED USES AND PROVISIONS APPLYING TO SPECIAL USE SITES
<p>No. 171 (Lot 24) Broadway and No. 36 (Lot 10) The Avenue, Nedlands</p> <p><i>AMD 152 GG 12/8/05</i></p>	<p>The height along the south-western boundary be restricted to a maximum of 4 storeys if the building form on the subject property complements (to the satisfaction of Council) the development outcomes on the adjoining property at No 38 The Avenue (Part Lot 787) and No 37 (Part Lot 787) The Esplanade, Nedlands.</p> <p>(b) Broadway – The average height of all buildings fronting Broadway, between the southern (riverside) façade of the original Hotel and the corner of Broadway/The Esplanade shall not exceed five storeys, with a maximum height of six storeys (excluding non-habitable basements), car parks or non-habitable roof spaces). The apex of a roof shall not be higher than 4.0 metres above the upper floor ceiling height.</p> <p>(c) The Esplanade – The maximum height of a building fronting the Esplanade shall be four storeys or 14.0 metres, whichever is the lesser (excluding non-habitable basements, carparks or non-habitable roof spaces). The apex of a roof shall not be higher than 4.0 metres above the upper floor ceiling height.</p> <p>(v) Site cover shall not exceed 60%, and plot ratio shall not exceed 1.5.</p> <p>(vi) New development surrounding the original hotel shall be set back a minimum of 10.0 metres from the building (including the verandah) or as otherwise determined by the Conservation Plan referred to in (ii) above.</p> <p>(vii) The Design for Privacy provisions of the Residential Design Codes (2002) should be complied with.</p> <p>(viii) The Design for Climate Requirements of the Residential Design Codes (2002) should be complied with.</p> <p>(ix) Setbacks: Front – The Avenue</p> <p>Building fronts used for ‘mixed use’ purposes shall have a setback of nil metres to the street, except in the case of ground floor residential, which shall be setback no less than 3.0 metres from the street boundary, and no greater than 6.0 metres from the street boundary.</p>

SCHEDULE V - SPECIAL USE ZONE – (CONTINUED)

(A) DESCRIPTION OF SITE	(B) PERMITTED USES AND PROVISIONS APPLYING TO SPECIAL USE SITES
<p>No. 171 (Lot 24) Broadway and No. 36 (Lot 10) The Avenue, Nedlands (Cont'd)</p> <p><i>AMD 152 GG 12/8/05</i></p>	<p>In the case of a setback of between 3.0 and 6.0 metres for residential ground floor uses, no subsequent floors may project closer to the street than the prevailing setback established by the ground floor.</p> <p>The setback along the south-western boundary may be reduced to nil if the building form on the subject property complements (to the satisfaction of the Council) the development outcomes on the adjoining property at No. 38 The Avenue (Part Lot 787) and No. 37 Esplanade (Part Lot 787), Nedlands.</p> <p>Setbacks: Front – Broadway</p> <p>Building fronts uses for 'mixed use' purposes shall have a setback of nil metres to the street, except in the case of ground floor residential, which shall be setback no less than 3.0 metres from the street boundary, and no greater than 6.0 metres from the street boundary.</p> <p>In the case of a setback of between 3.0 and 6.0 metres for residential ground floor uses, no subsequent floors may project closer to the street than the prevailing setback established by the ground floor.</p> <p>Development on the building site fronting Broadway, on the corner of the Esplanade, shall have a setback of nil metres to the street.</p> <p>Setbacks: Front – Esplanade</p> <p>Building fronts used for residential purposes, shall be setback no less than 3.0 metres from the street boundary and no greater than 6.0 m from the street boundary.</p> <p>Development on the building site, excluding underground parking, fronting The Esplanade, on the corner of Broadway, shall have a setback of 3.0 metres to the street.</p> <p>Setbacks: Side</p> <p>Side setbacks (to common boundaries with the abutting residential lots) shall be in accordance with the Residential Design Codes.</p>

SCHEDULE V - SPECIAL USE ZONE – (CONTINUED)

(A) DESCRIPTION OF SITE	(B) PERMITTED USES AND PROVISIONS APPLYING TO SPECIAL USE SITES
<p>No. 171 (Lot 24) Broadway and No. 36 (Lot 10) The Avenue, Nedlands (Cont'd)</p> <p><i>AMD 152 GG 12/8/05</i></p>	<p>Council may consider a reduction to the side setback provisions, along the south-western boundary, provided the relaxation of the setback results in a corresponding increase in the width of the view corridor to the hotel.</p> <p>Setbacks: To Hotel</p> <p>A building redeveloped upon portions of the site currently occupied by additions to the original Steve's Hotel or on other parts of the site shall have a minimum setback of 10.0 metres to the original Hotel building, or otherwise in accordance with an approved Conservation Plan referred to in (ii) above.</p> <p>(x) View Corridor to The River</p> <p>No development application shall be approved by Council unless it includes an open, uninterrupted corridor for the purpose of providing visual connection at pedestrian level, between and perpendicular to, the original Hotel façade facing the river, and The Esplanade.</p> <p>The width of the view corridor shall be no less than three-quarters of the length of the river façade of the original Steve's Hotel (including verandahs), and its axis shall generally be aligned with the centre of the river elevation of the Hotel.</p> <p>The view corridor may accommodate underground parking beneath it, or amenities (such as pools, courts and landscaping) within it, but may not contain any habitable or visually intrusive building structures.</p> <p>(xi) View Corridor/Civic Space at Broadway and The Avenue</p> <p>No development application shall be approved by Council unless it includes an open uninterrupted square for the purpose of providing visual connection at pedestrian level, between and perpendicular to, the original Hotel façade facing the intersection of Broadway and The Avenue, and that intersection itself.</p>

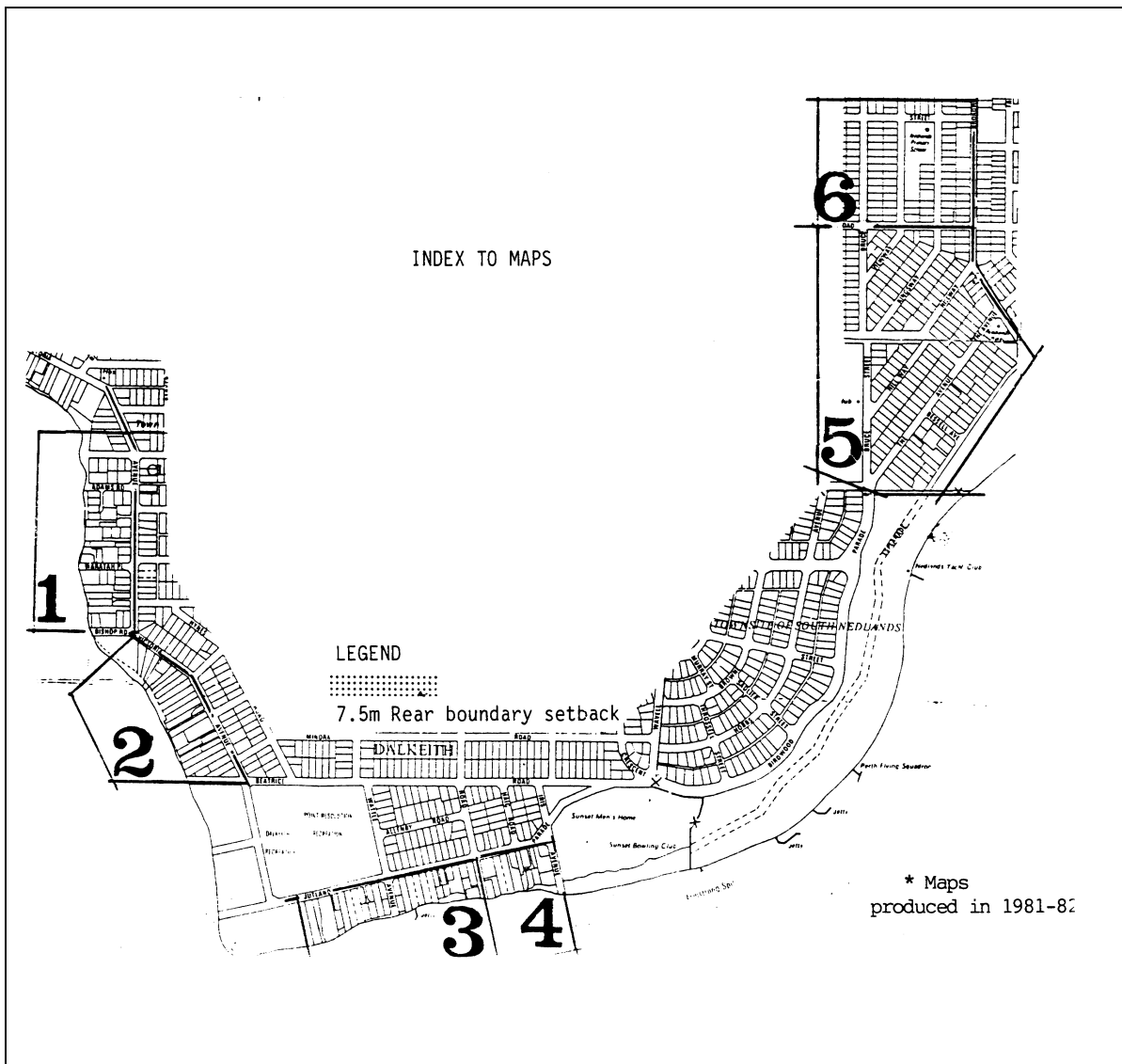
SCHEDULE V - SPECIAL USE ZONE – (CONTINUED)

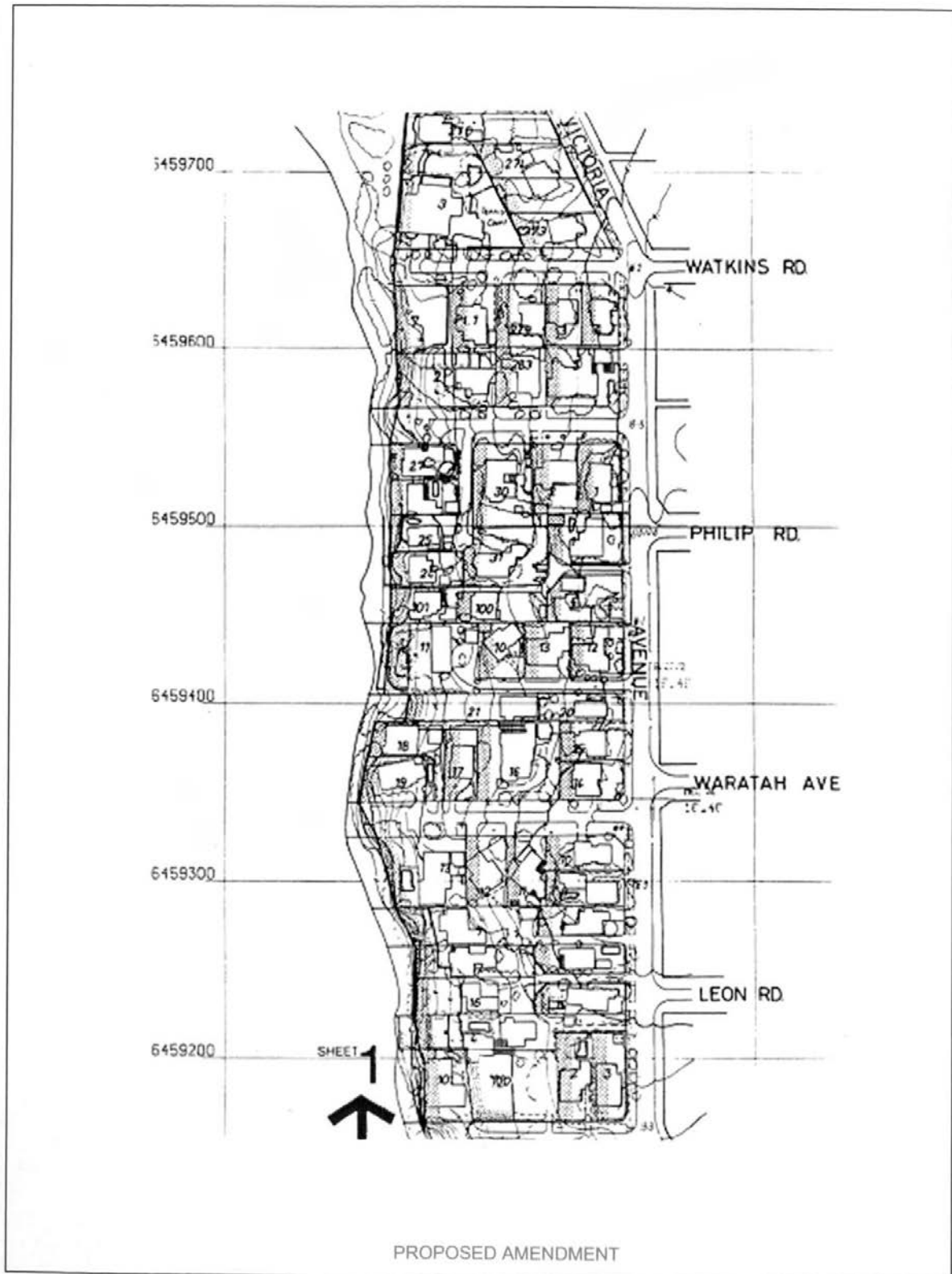
(A) DESCRIPTION OF SITE	(B) PERMITTED USES AND PROVISIONS APPLYING TO SPECIAL USE SITES
<p>No. 171 (Lot 24) Broadway and No. 36 (Lot 10) The Avenue, Nedlands (Cont'd)</p> <p><i>AMD 152 GG 12/8/05</i></p>	<p>The square may accommodate alfresco dining, landscaping and public art within it, but may not contain habitable or visually intrusive structures over 1.2 metres in height, although lightweight structures may be considered by Council where it does not unduly interfere with the view corridor (including such structures as shade umbrellas, pergolas, patios etc).</p> <p>(xii) No less than 50% of the building façade at ground level and facing a street (or formal public space such as the view corridors, civic space etc) shall comprise windows or glazed doors.</p> <p>(xiii) Where buildings abut a street sidewalk, such buildings shall provide a continuous awning over the 'free walk zone' of the sidewalk.</p> <p>(xiv) Parking is to be provided on site at the rate prescribed in the Scheme.</p> <p>(ix) All fencing between the public and private or semi-private areas shall be visually permeable, utilising such materials as wrought iron, 'hit and miss' pickets, 'pool' type fencing, glass or acrylic, other than for loading areas. Solid fencing shall be a maximum height of 0.6 metres from ground level.</p>

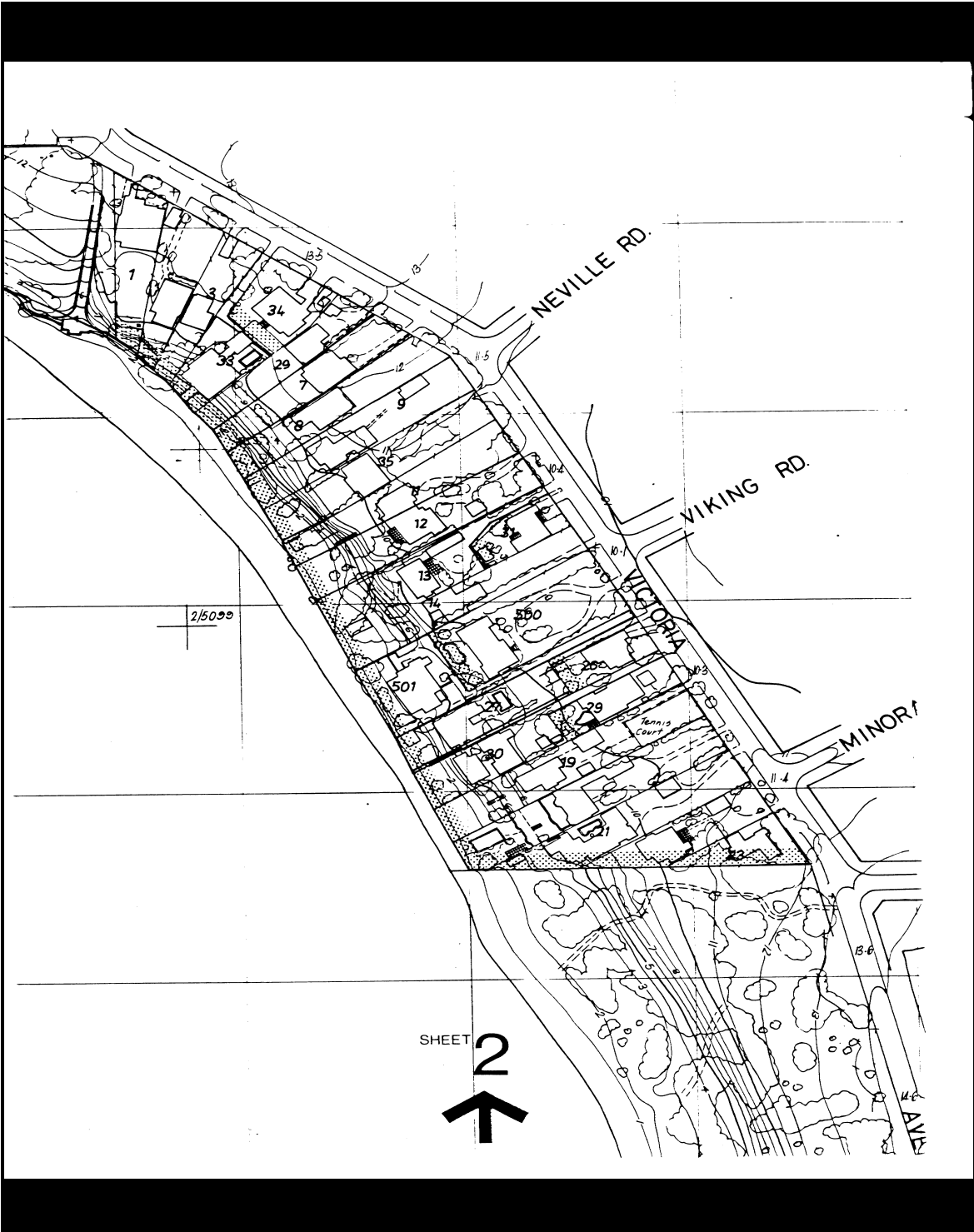
APPENDIX I - CONTROLLED DEVELOPMENT AREA

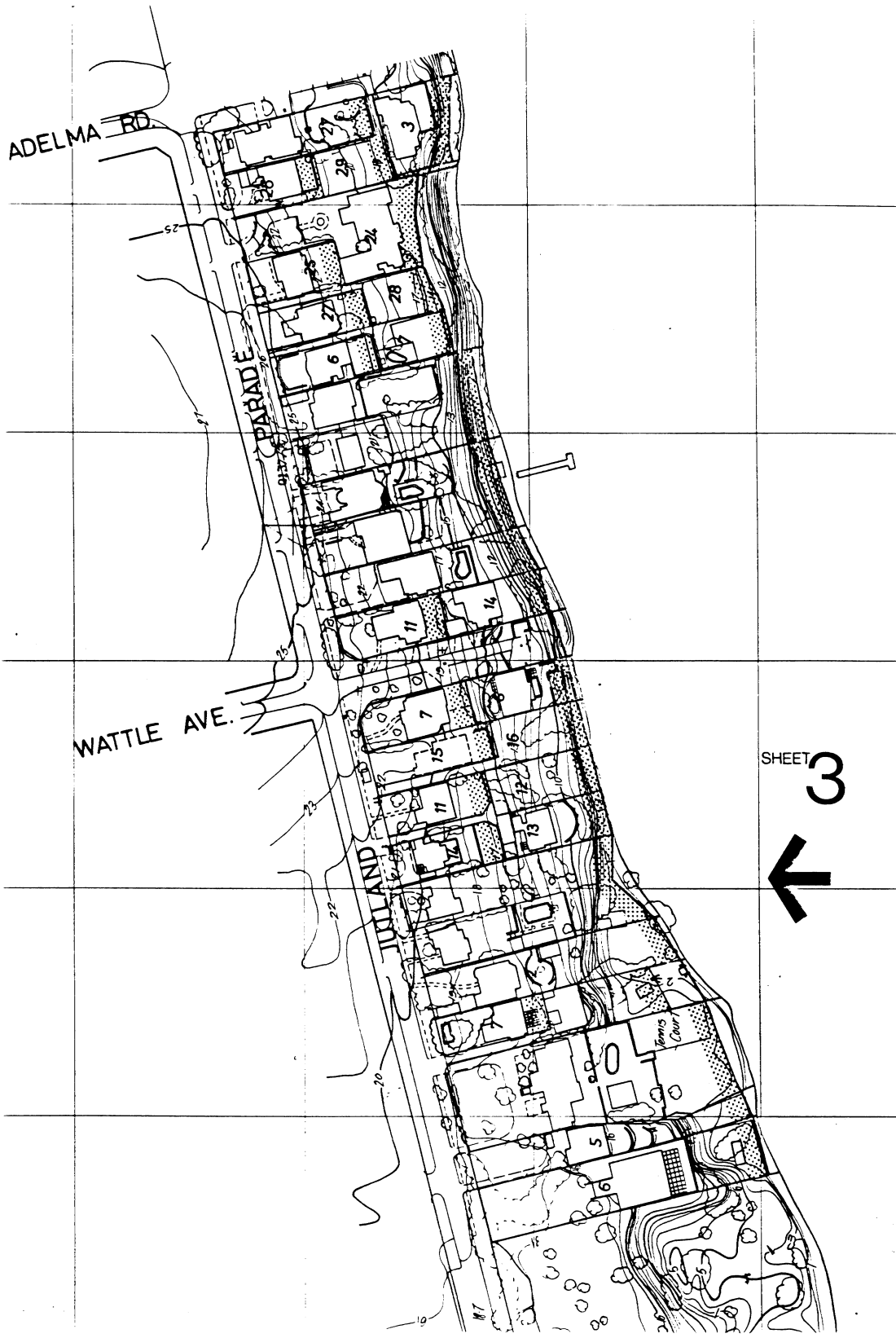
NOTES:

1. This is the Appendix referred to in clause 5.10 of the Scheme Text.
2. Where a subdivision of land takes place within the area the subject of clause 5.10, the Council shall determine which boundary shall be regarded as the rear boundary for the purposes of determining where the rear setback shall be applied.
3. The maps comprising Appendix 1 follow and are numbered 1-6 inclusive. They are drawn to a scale of 1-2000 but in determining distances preference shall be given to actual measurements.
4. Contours shown are indicative only. Actual levels shall be determined as provided elsewhere in the Scheme Text.



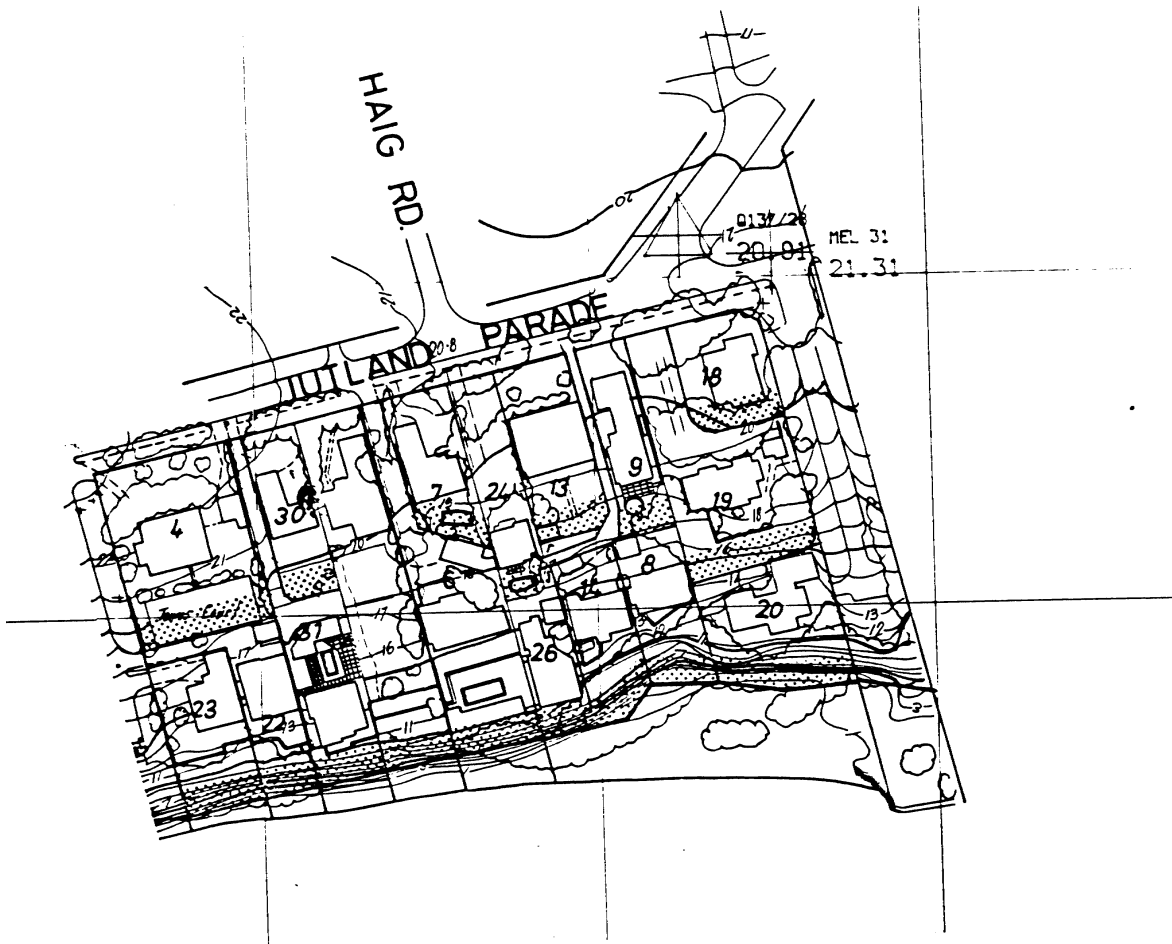






SHEET 3





SHEET 4

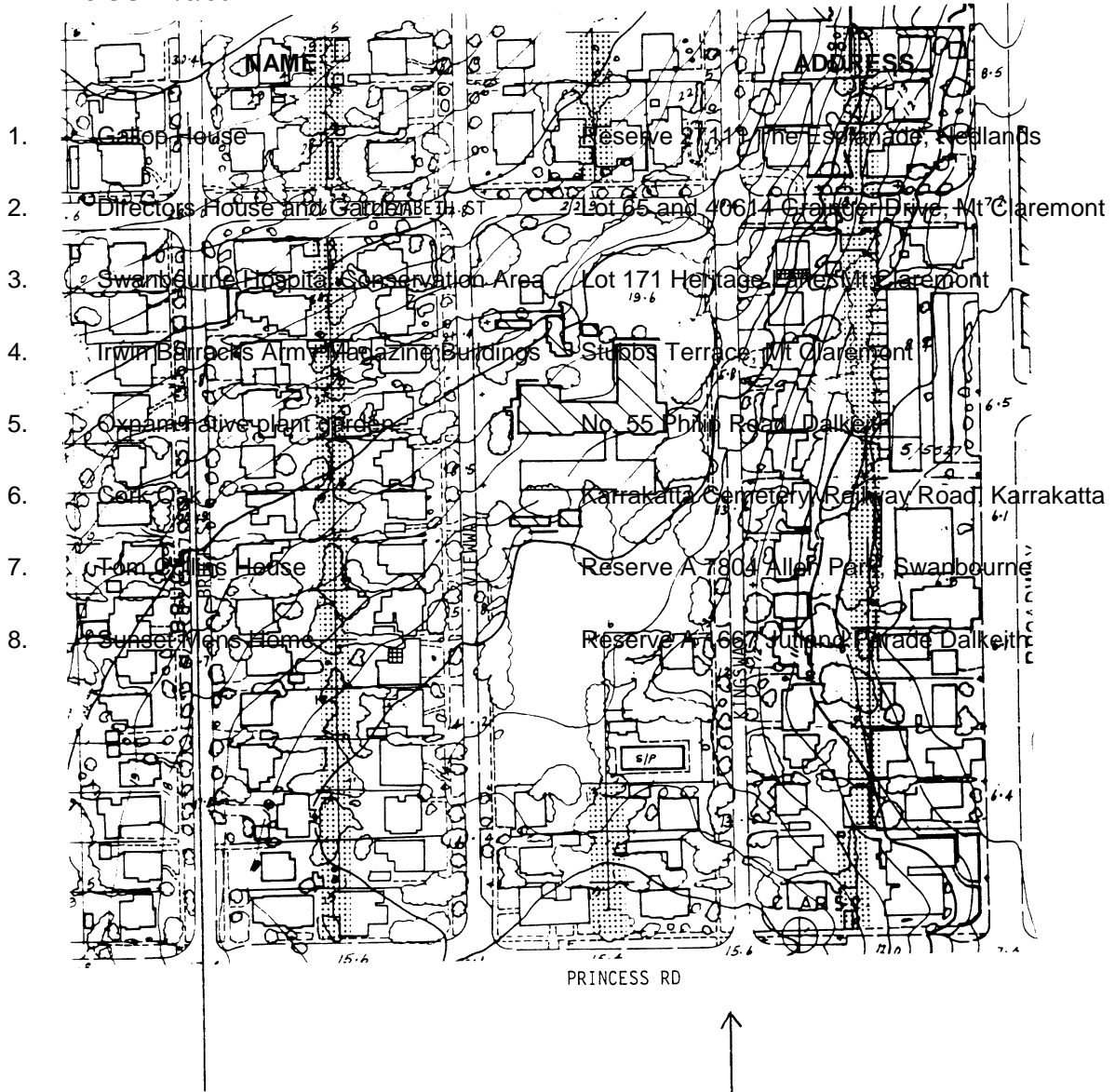




↑
SHEET 5

APPENDIX II - CONSERVATION AND PRESERVATION OF PLACES OF NATURAL BEAUTY AND HISTORIC BUILDINGS AND OBJECTS OF HISTORIC OR SCIENTIFIC INTEREST

AMD 25 GG 14/9/90



SHEET 6

APPENDIX III - DESIGN GUIDELINES

(refer to Clause 5.3.1(c))

AMD 57 GG 5/7/94

GENERAL

All grouped dwelling applications to be in accordance with the provisions of the City of Nedlands Town Planning Scheme No 2, Residential Planning Codes and other policies of the Council.

BUILDING FORM

The majority of housing within the locality is single storey.

Grouped dwelling developments result in housing on smaller lots, increasing the likelihood of two storey dwellings, to increase living space.

The Town Planning Scheme limits buildings to an overall height of 10 metres and Two Storeys, however, given the increased scale of development associated with grouped dwellings, further controls are considered necessary. Where a development proposes the maximum number of dwellings permitted under the R40 code any second level should be limited to an area of not more than 50% of the ground floor space.

Restricting the size of the second level also helps minimise the potential for overlooking and loss of privacy.

BUILDING APPEARANCES

To ensure that the external design of buildings is attractive and visually compatible with the character of the locality the following identified characteristic should be maintained:

- Front dwelling orientated towards the street with open front gardens and not concealed behind walls, garages and other structures.

ROOF PITCH

Council encourages roof pitches for grouped dwellings to be not less than 25 degrees or greater than 45 degrees.

THE RETENTION OF THE EXISTING DWELLING

Where the existing house is being retained in the development the applicant must submit with the planning application a schedule of works/renovations which will be carried out on the existing dwelling. The upgrading should include the items listed in Council's Grouped Dwelling Development Policy (10.19).

STREETSCAPE

A streetscape is a measure of the total environmental quality and function of a street encompassing buildings, street and landscape design. Controls over these elements are specifically referred to in other aspects of this policy, however, a general objective is provided.

To provide attractive streetscape which is sensitive to the built form, landscape and environmental conditions of the locality.

CAR PARKING

Where visible from the street, covered car bays should be compatible with the architecture of the main dwelling, being similar in both building materials and roofing pitch.

ACCESSWAYS

Where vehicle access to a single rear dwelling is provided from the street, the accessway must be a minimum width of 4 metres. If the existing front dwelling is being retained and is located close to the side boundary, the accessway width may be reduced to 3 metres subject to the requirements set out in Council's Grouped Dwelling Development Policy (10.19).

Where an accessway provides access to two or more dwellings, the width should be increased to 5.6m - 6.0m.

Accessways must be attractively designed, brick paved with earth/clay colours and appropriately landscaped. They should be designed so as not to dominate the proposed development.

The accessways should not extend the full length of the property but should terminate at the front or the rear dwelling.

Accessways should provide for the safe and convenient turning of vehicles.

CROSSING POINTS

Grouped dwelling development on lots fronting Alfred Road be encouraged to provide a single (shared) crossing point only.

FENCING AND WALLS

Fencing design has implications for streetscape appearance, privacy and security. Front fences can dominate a street and their design may not always be in keeping with the streetscape and built character.

In density development there will inevitably be a demand to fence the front yard as it enables the best use of this open space.

75% of a front fence should remain permeable. Privacy may be obtained through landscape planting. A more attractive streetscape may be created by having buildings set with a semi public landscape rather than behind high fences.

Front fencing should be designed and detailed to provide visual interest to the streetscape and construction materials compatible with the proposed dwellings.

LANDSCAPING

The retention of mature and well developed vegetation on site is encouraged, ie. appropriate specimens of existing trees.

Areas of open space are also encouraged to be vegetated/landscaped whilst large areas of brick paving are discouraged.

STORE ROOMS

Whenever possible store rooms required under the Residential Planning Codes shall be integrated within the proposed house design. However, where provided as a separate structure the store room shall be constructed from the same building material and of similar design as the main dwelling.

UNDERGROUND POWER

All grouped dwellings (including existing houses) must install attachment points and cabling to enable an underground power supply to be connected in the future.

Attachment points must be positioned to the satisfaction of the Council so as not to affect the amenity of adjoining landowners.

APPENDIX V RESIDENTIAL DESIGN GUIDELINES AND DETAILED AREA PLAN ALEXANDER ROAD LOCALITY

AMD 148 GG 15/2/05

STUDY AREA

The Alexander Road Locality is bounded by Tree Markin Lane, Waratah Avenue, Shinko Lane and the eastern (or rear boundary) of those lots fronting the eastern side of Alexander Road, as shown on the Location Plan. This Detailed Area Plan applies to all allotments within this area, generally being those lots fronting Alexander Road between Waratah Avenue and Philip Road and including No 29 Philip Road.

Scope of Detailed Area Plan

This Detailed Area Plan applies to the subject Locality as prescribed by the City of Nedlands' Town Planning Scheme No 2 (the 'Scheme').

The Detailed Area Plan applies general residential development controls for the Locality further to the Scheme and the Residential Design Codes for the following Design Elements:

- Development Layout;
- Streetscape;
- Building Design;
- Boundary Walls; and,
- Building Height.

Please note that unless otherwise stated on the Detailed Area Plan, the provisions of Council's Scheme and the Residential Design Codes shall apply.

Objectives

To provide for the managed and orderly redevelopment of the Locality to enhance the amenity for existing and future residents;

To provide for the development of no more than two dwellings per allotment in a manner which ensures integration with the existing urban fabric of the area;

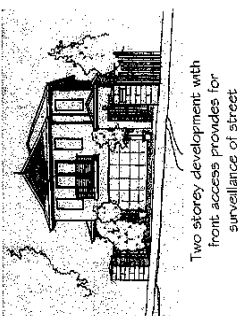
To promote the development of housing styles that complement the existing and traditional character of the locality in general, while providing for innovation and diversity; and,

To encourage retention of the overall character of the existing streetscape of Alexander Road, balancing the intimate and leafy nature of the Locality with orderly redevelopment.

DEVELOPMENT GUIDELINES

The following Development Guidelines are provided to encourage a high standard of both development and appearance for the renovation of existing homes and the creation of new dwellings within the Locality.

A well designed home and its setting will maintain the amenity of the area and enhance both lifestyle and investment for owners and neighbours alike.



Two storey development with front access provides for surveillance of street

Building Materials and Design

Materials and colouring should be selected to complement the existing character of the area.

Buildings should also be designed to complement the existing character of the locality. Homes with front porches and verandahs are encouraged, together with other features that provide a sense of place, in order to provide for greater integration with the street and its environment.

Finished roofs are also encouraged and these should be designed to be generally between 25 and 30 degrees. Highly reflective roofing is not recommended as it is considered to be inappropriate due to its highly reflective nature and susceptibility to corrosion.

Where an existing dwelling is retained as part of a development, the dwelling's appearance should be upgraded externally in order to enhance the overall streetscape and development quality within the Locality.

Ancillary Structures

TV antennas, air conditioners and satellite dishes should be screened from public view and not visible above the roof-line.

The location of air conditioners should be carefully considered with regard to potential noise impacts for neighbouring properties.


Letterboxes should be designed to complement the dwelling and be clearly visible from the street. Letterboxes should be constructed from materials in which they sit, they should be constructed to match in material, style and colouring.

Clotheslines should be screened from public view where possible and located to catch both winter and summer sun.

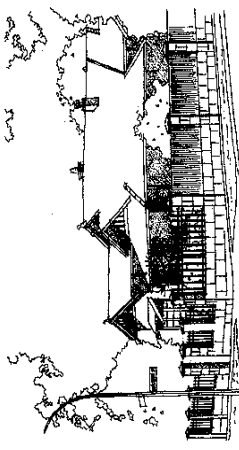
A summer bank, if provided, should be located to minimise its impact on the street. It should be positioned out of public view, be appropriately screened or painted to match the dwelling.

For more information or assistance, please contact the Planning Services at the City of Nedlands:

Phone: 9273 9500;
 Fax: 9273 3670;
 www.nedlands.wa.gov.au
 Web: 71 Shinko Highway
 Address: NEDLANDS WA 6009
 (PO Box 9, Nedlands WA 6009)



City of Nedlands

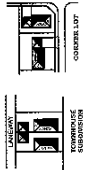


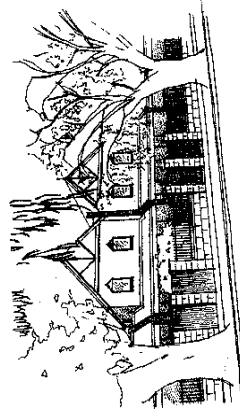
Open style front fencing to provide for interaction with street environment

Form of Development

Development of additional dwellings, in accordance with the given objectives, may take the following form:

- 'Townhouse' Subdivision and Development;
- 'Center Lot' Subdivision and Development;

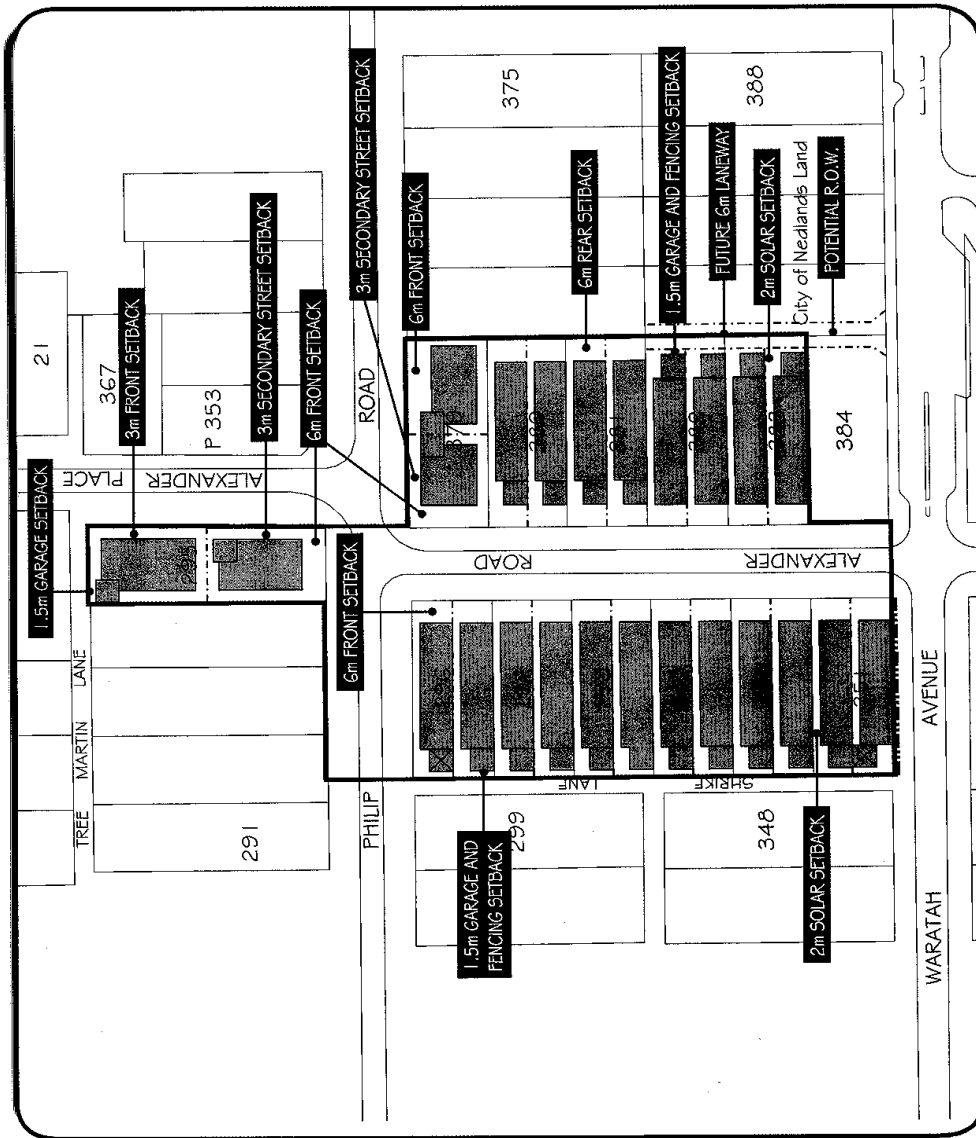




'Townhouse' style subdivision with rear access

APPENDIX V RESIDENTIAL DESIGN GUIDELINES AND DETAILED AREA PLAN ALEXANDER ROAD LOCALITY

AMD 148 GG 15/2/05



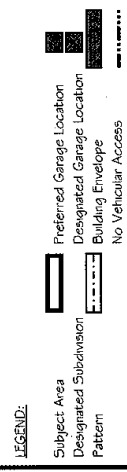
ALEXANDER/PHILIP ROAD LOCALITY DETAILED AREA PLAN PROVISIONS AND R-CODE VARIATIONS

The provisions of the City of Nedlands Town Planning Scheme No. 2 and the Residential Design Codes apply unless otherwise varied below:

1. Setbacks shall be as per the Residential Design Codes unless otherwise specified below or on the plan;
2. Vehicular access to lots 296, 297, 298, 349, 350, 351, 352 & 363 is only permitted from the laneway and it is mandatory for all garages to be located at the rear of the lot;
3. The minimum front setback to Alexander Road for all development shall be 6 metres;
4. Zero lot lines are permitted on the southern boundary of each allotment as shown;
5. A 2metre solar setback applies to the northern boundary of each allotment as shown;
6. Solid front walling to Waratah Avenue is permitted for the purpose of noise attenuation;
7. A two storey height limit applies to all development in accordance with Town Planning Scheme No. 2;
8. Neighbour consultation is mandatory for any boundary wall proposals in accordance with the requirements of Town Planning Scheme No. 2;
9. Front boundary walling or fencing is not permitted unless approval is granted by Council; and
10. The materials, colouring, style and roof pitch (if any) of a carport or garage shall be designed to match those of the existing dwelling.

Endorsed by: _____ Date _____
Director of Environmental Services
City of Nedlands

DETAILED AREA PLAN Alexander/Philip Road Locality for City of Nedlands



AlleringBurgess
Town Planning, Urban Design & Advisory

SCALE 1:1250
DATE: APRIL 2004

APPENDIX V RESIDENTIAL DESIGN GUIDELINES AND DETAILED AREA PLAN ROCHDALE ROAD LOCALITY

AMD 149 GG 15/2/05

STUDY AREA

The Rochdale Road Locality is bounded by Asquith Street, Olena Lane, Kennedy Lane and Acacia Lane, as shown on the Location Plan. This Detailed Area Plan applies to all allotments within this area, generally being those lots fronting Rochdale Road between Kennedy Lane and Asquith Street.

Scope of Detailed Area Plan

This Detailed Area Plan applies to the subject Locality as prescribed by the City of Nedlands' Town Planning Scheme No 2 (the 'Scheme').

The Detailed Area Plan applies general residential development controls for the Locality further to the Scheme and the Residential Design Codes for the following Design Elements:

- Development Layout;
- Streetscape;
- Building Design;
- Boundary Walls; and,
- Building Height.

Please note that unless otherwise stated on the Detailed Area Plan, the provisions of Council's Scheme and the Residential Design Codes shall apply.

Objectives

To provide for the managed and orderly redevelopment of the Locality to enhance the amenity for existing and future residents;

To provide for the development of no more than two dwellings per allotment in a manner which ensures integration with the existing urban fabric of the area;

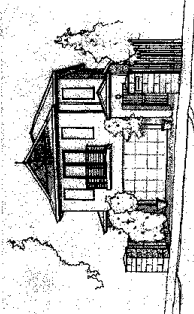
To promote the development of housing styles that complement the existing and traditional character of the locality in general, while providing for innovation and diversity; and,

To encourage retention of the overall character of the existing streetscape of Rochdale Road, balancing the intimate and leafy nature of the Locality with orderly redevelopment.

DEVELOPMENT GUIDELINES

The following Development Guidelines are provided to encourage a high standard of both development and appearance for the renovation of existing homes and the creation of new dwellings within the Locality.

A well designed home and its setting will maintain the amenity of the area and enhance both lifestyle and investment for owners and neighbours alike.



Two storey development with front access provides for surveillance of street

Building Materials and Design

Materials and colouring should be selected to complement the existing character of the area.

Buildings should also be designed to complement the existing character of the locality. Homes with front porches and verandahs are encouraged, adjacent to Rochdale Road and Asquith Street, in order to provide for greater interaction with the street and its environment.

Pitched roofs are also encouraged and these should be designed to be generally between 25 and 30 degrees. Highly reflective roofing is not recommended as it is considered to be inappropriate due to its highly reflective nature and susceptibility to corrosion.

Where an existing dwelling is retained as part of a development, the dwelling's appearance should be upgraded externally in order to enhance the overall streetscape and development quality within the Locality.

Ancillary Structures

TV antennas, air conditioners and satellite dishes should be screened from public view and not visible above the roof-line.

The location of air conditioners should be carefully considered with regard to potential noise impacts for neighbouring properties.


Letterboxes should be designed to complement the dwelling and be clearly numbered. Where letterboxes are provided for two dwellings in a manner in which they adjoin, they should be constructed to match in materials, style and colouring.

Clotheslines should be screened from public view where possible and located to catch both winter and summer sun.

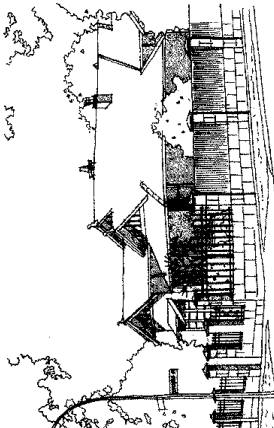
A rainwater tank, if provided, should be located to minimise its impact on neighbours. It should be positioned out of public view, be appropriately screened or painted to match the dwelling.

For more information or assistance, please contact the Planning Services at the City of Nedlands:

Phone: 9273 3500;
 9273 3670;
 Fax: www.nedlands.wa.gov.au
 Web: 71 Stirling Highway
 Address: NEDLANDS WA 6009
 (PO Box 9, Nedlands WA 6909)



City of Nedlands

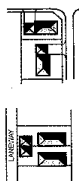


Open style front fencing to provide for interaction with street environment

Form of Development

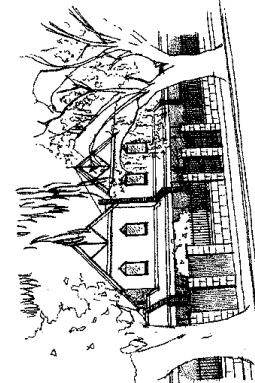
Development of additional dwellings, in accordance with the given objectives, may take the following form:

- 'Townhouse' Subdivision and Development;
- 'Corner Lot' Subdivision and Development;



Battleaxe subdivision with vehicle access directly to Rochdale Road in either 'Green Title' or 'Survey Strata' configuration is considered inappropriate within this Locality. Such subdivision will only be entertained on the basis that justification is provided, to the satisfaction of Council, to show that alternative forms of development are unsuitable for a particular allotment.

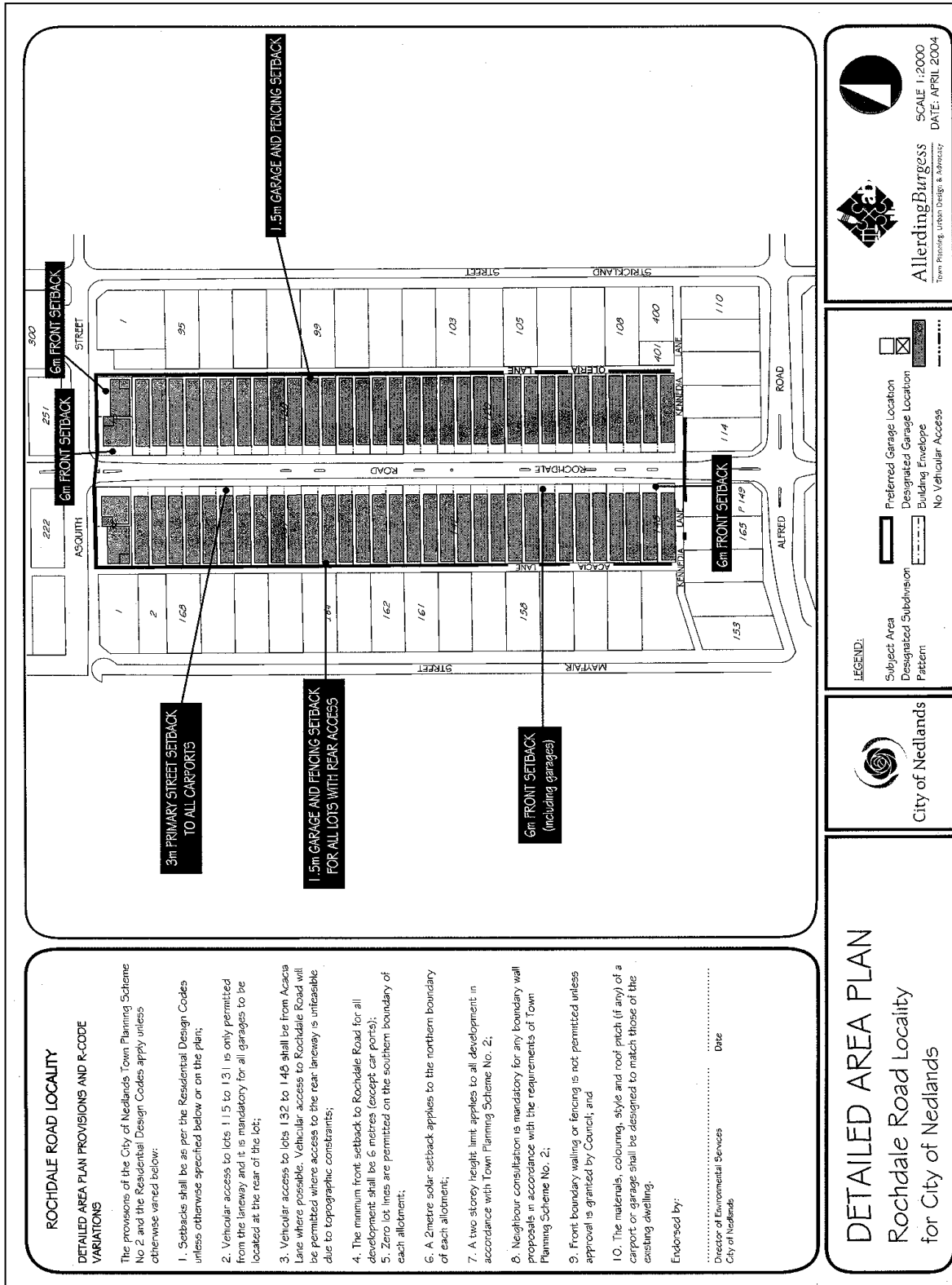
Such justification may include where access to the rear 'right of way' cannot be provided due to topographical constraints.



'Townhouse' style subdivision with rear access

APPENDIX V RESIDENTIAL DESIGN GUIDELINES AND DETAILED AREA PLAN ROCHDALE ROAD LOCALITY

AMD 149 GG 15/2/05



APPENDIX V RESIDENTIAL DESIGN GUIDELINES AND DETAILED AREA PLAN JAMES ROAD LOCALITY

AMD 150 GG 15/2/05;

STUDY AREA

The Knutsford Street Locality is generally bounded by Knutsford Street, West Coast Highway, Walpole Street and North Street, as shown on the Location Plan. This Detailed Area Plan applies to all allotments within this area.

Scope of Detailed Area Plan

This Detailed Area Plan applies to the subject Locality as prescribed by the City of Nedlands' Town Planning Scheme No 2 (the "Scheme").

The Detailed Area Plan applies general residential development controls for the Locality further to the Scheme and the Residential Design Codes for the following Design Elements:

- Development Layout;
- Streetscape;
- Building Design;
- Boundary Walls; and,
- Building Height.

Please note that unless otherwise stated on the Detailed Area Plan, the provisions of Council's Scheme and the Residential Design Codes shall apply.

Objectives

To provide for the managed and orderly redevelopment of the Locality to enhance the amenity for existing and future residents;

To provide for the development of no more than two dwellings per allotment in a manner which ensures integration with the existing urban fabric of the area;

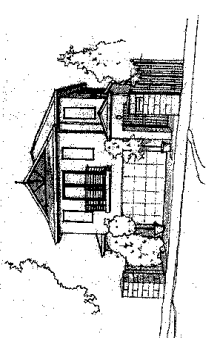
To promote the development of housing styles that complement the existing and traditional character of the locality in general, while providing for innovation and diversity; and,

To encourage retention of the overall character of the existing streetscape of Knutsford Street and Walpole Street balancing the intimate and leafy nature of the Locality.

DEVELOPMENT GUIDELINES

The following Development Guidelines are provided to encourage a high standard of both development and appearance for the renovation of existing homes and the creation of new dwellings within the Locality with orderly redevelopment.

A well designed home and its setting will maintain the amenity of the area and



Two storey development with front access provides for surveillance of street

Building Materials and Design

Materials and colouring should be selected to complement the existing character of the area.

Buildings should also be designed to complement the existing character of the locality. Homes with front porches and verandahs are encouraged, adjacent to Knutsford Street and Walpole Street only, in order to provide for greater interaction with the street and its environment.

Pitched roofs are also encouraged and these should be designed to be generally between 25 and 30 degrees. Highly reflective roofing is not recommended as it is considered to be inappropriate due to its highly reflective nature and susceptibility to corrosion.

Where an existing dwelling is retained as part of a development, the dwelling's appearance should be upgraded externally in order to enhance the overall streetscape and development quality within the Locality.

Ancillary Structures

TV antennas, air conditioners and satellite dishes should be screened from public view and not visible above the roof line.

The location of air conditioners should be carefully considered with regard to potential noise impacts for neighbouring properties.

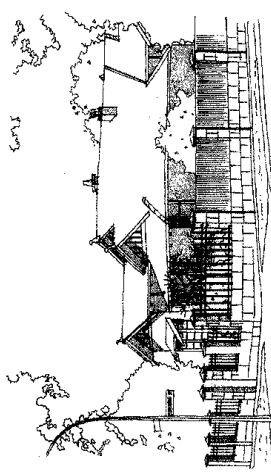
Letterboxes should be designed to complement the dwelling and be clearly numbered. Where letterboxes are provided for two dwellings in a manner in which they adjoin, they should be constructed to match in materials, style and colouring.

Clotheslines should be screened from public view where possible and located to catch both winter and summer sun.

A rainwater tank, if provided, should be located to minimise its impact on neighbours. It should be positioned out of public view, be appropriately screened or painted to match the dwelling.

For more information or assistance, please contact the Planning Services at the City of Nedlands:

Phone: 9273 3500;
 Fax: 9273 3670;
 Web: www.nedlands.wa.gov.au
 Address: 71 Stirling Way, COO9
 NEDLANDS, WA 6009
 (PO Box 3, Nedlands WA 6009)

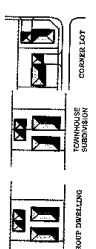


Open style front fencing to provide for interaction with street environment

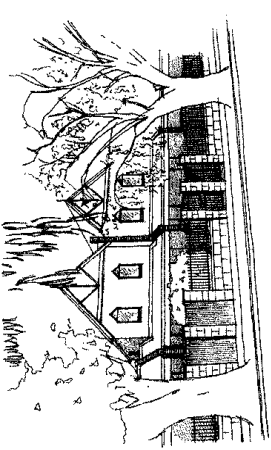
Form of Development

Development of additional dwellings, in accordance with the given objectives, may take the following form:

- 'Townhouse' Subdivision and Development;
- 'Corner Lot' Subdivision and Development; and/or,
- Group Dwelling Development.



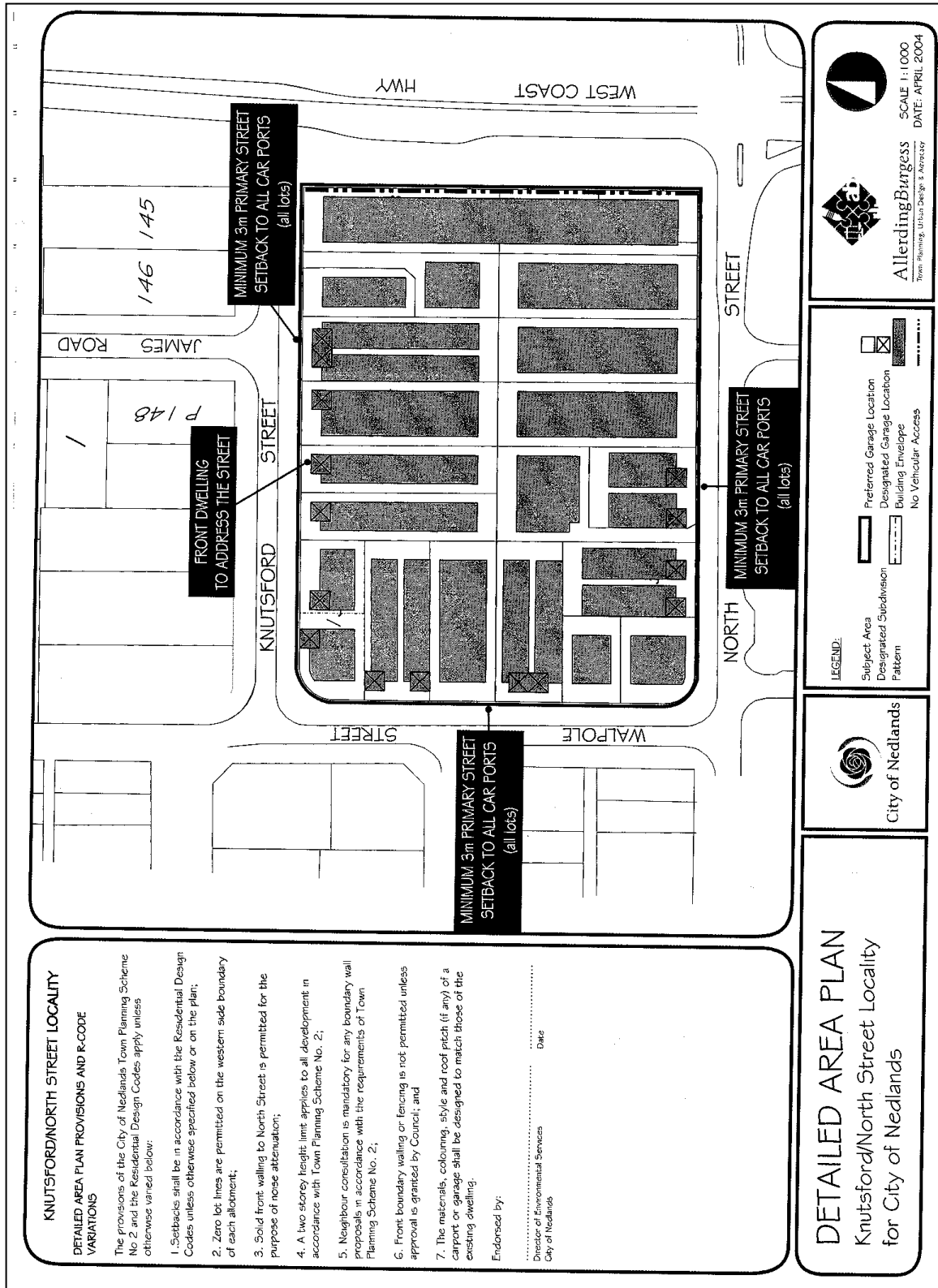
Battleaxe subdivision is considered inappropriate within this Locality. Such subdivision will only be entertained on the basis that justification is provided, to the satisfaction of Council, to show that alternative forms of development are unsuitable for a particular allotment.



'Townhouse' style subdivision with rear access

APPENDIX V RESIDENTIAL DESIGN GUIDELINES AND DETAILED AREA PLAN JAMES ROAD LOCALITY

AMD 150 GG 15/2/05



KNUTSFORD/NORTH STREET LOCALITY DETAILED AREA PLAN PROVISIONS AND R-CODE VARIATIONS

The provisions of the City of Nedlands Town Planning Scheme No. 2 and the Residential Design Codes apply unless otherwise varied below:

1. Setbacks shall be in accordance with the Residential Design Codes unless otherwise specified below or on the plan;
2. Zero lot lines are permitted on the western side boundary of each allotment;
3. Solid front walling to North Street is permitted for the purpose of noise attenuation;
4. A two storey height limit applies to all development in accordance with Town Planning Scheme No. 2;
5. Neighbour consultation is mandatory for any boundary wall proposals in accordance with the requirements of Town Planning Scheme No. 2;
6. Front boundary walling or fencing is not permitted unless approval is granted by Council; and
7. The materials, colouring, style and roof pitch (if any) of a carport or garage shall be designed to match those of the existing dwelling.

Endorsed by:

..... Date
Director of Environmental Services
City of Nedlands

DETAILED AREA PLAN Knutsford/North Street Locality for City of Nedlands



LEGEND:

- Subject Area
- Designated Subdivision Pattern
- Preferred Garage Location
- Designated Garage Location
- Building Envelope
- No Vehicular Access

Allering Burgess
From Planning, Urban Design & Architecture

SCALE 1:1,000
DATE: APRIL 2004

APPENDIX V RESIDENTIAL DESIGN GUIDELINES AND DETAILED AREA PLAN JAMES ROAD LOCALITY

AMD 160 GG 9/6/06

STUDY AREA

The James Road Locality is bounded by Wood Street, West Coast Highway Langajunt Road, Knutsford Street and James Road, as shown on the Location Plan. The Detailed Area Plan applies to all allotments within this area, generally being those fronting the eastern side of James Road between Wood Street and Knutsford Street.

Scope of Detailed Area Plan

This Detailed Area Plan applies to the subject Locality as prescribed by the City of Nedlands' Town Planning Scheme No 2 (the 'Scheme').

The Detailed Area Plan applies general residential development controls for the Locality further to the Scheme and the Residential Design Codes for the following Design Elements:

- Development Layout;
- Streetscape;
- Building Design;
- Boundary Walls; and,
- Building Height.

Please note that unless otherwise stated on the Detailed Area Plan, the provisions of Council's Scheme and the Residential Design Codes shall apply.

Objectives

To provide for the managed and orderly redevelopment of the Locality to enhance the amenity for existing and future residents;

To provide for the development of no more than two dwellings per allotment in a manner which ensures integration with the existing urban fabric of the area;

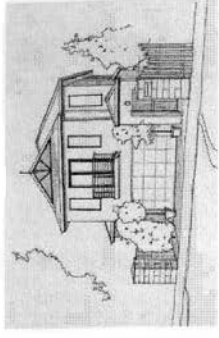
To promote the development of housing styles that complement the existing and traditional character of the locality in general, while providing for innovation and diversity; and,

To encourage retention of the overall character of the existing streetscape of James Road, balancing the intimate and leafy nature of the Locality with orderly redevelopment.

DEVELOPMENT GUIDELINES

The following Development Guidelines are provided to encourage a high standard of both development and appearance for the renovation of existing homes and the creation of new dwellings within the Precinct.

A well designed home and its setting will maintain the amenity of the area and enhance both lifestyle and investment for owners and neighbours alike.

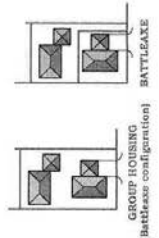


Two storey development with front access provides for surveillance of street

Form of Development

Development of additional dwellings, in accordance with the given objectives, may take the following form:

- 'Battleaxe' Subdivision and Development;
- 'Corner Lot' Subdivision and Development (Lots 6 & 146 only); and /or;
- 'Group Dwelling' Development (in a battleaxe configuration).



Ancillary Structures

TV antennas, air conditioners and satellite dishes should be screened from public view and not visible above the roofline.

The location of air conditioners should be carefully considered with regard to potential noise impacts for neighbouring properties.


Letterboxes should be designed to complement the dwelling and be clearly identified. Where letterboxes are provided for two dwellings in a manner in which they align, they should be constructed to match in materials, style and colouring.

Ceilinglines should be screened from public view where possible and located to catch both winter and summer sun.

A rainwater tank, if provided, should be located to minimise its impact on neighbours. It should be positioned out of public view, be appropriately screened or painted to match the dwelling.

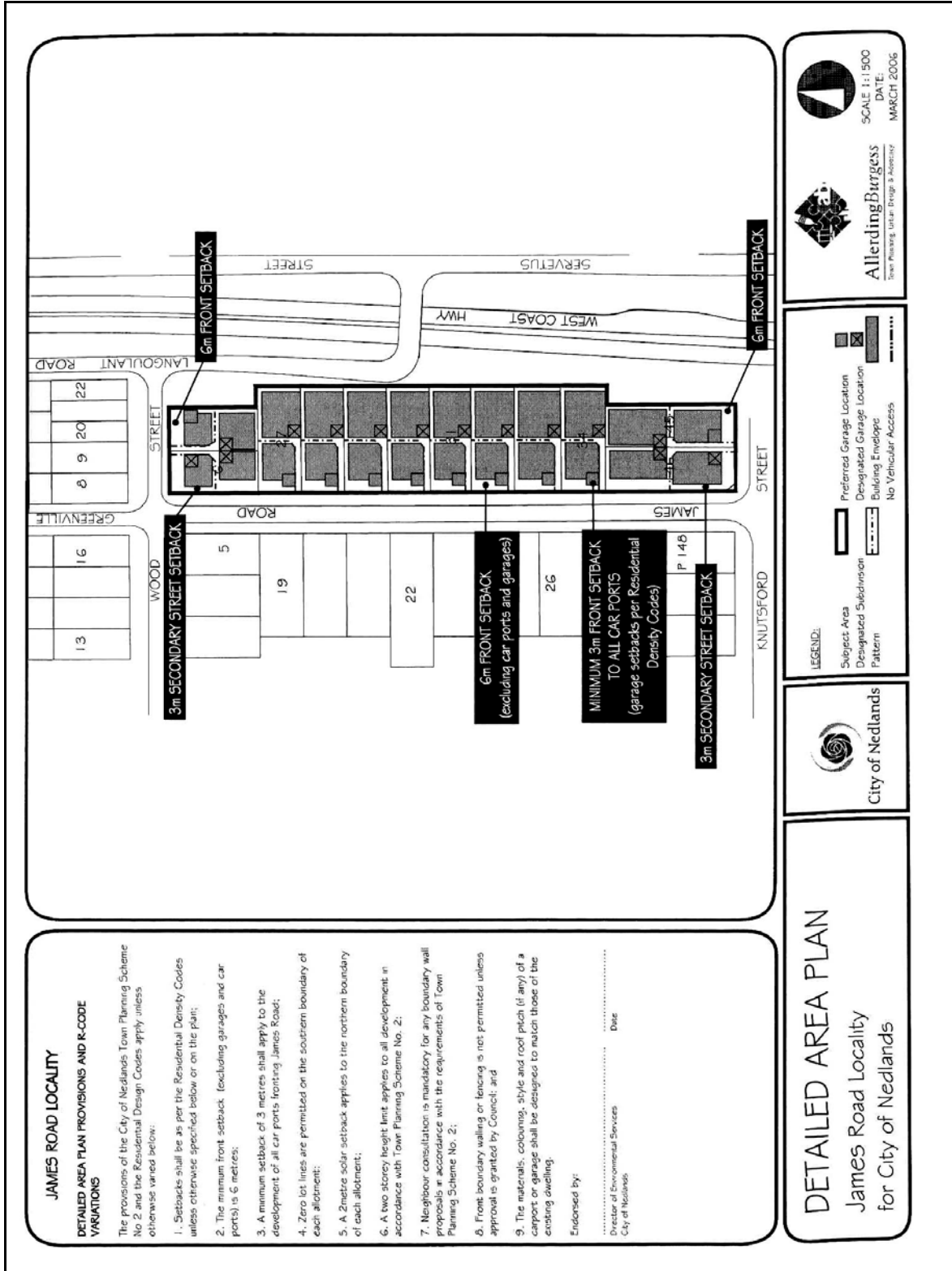
For more information or assistance, please contact the Planning Services at the City of Nedlands:

Phone: 9273 3500;
 Fax: 9273 3670;
 Web: www.nedlands.wa.gov.au
 Address: 71 Stirling Highway
 NEDLANDS WA 6009
 (PO Box 9, Nedlands WA 6903)

 City of Nedlands

APPENDIX V RESIDENTIAL DESIGN GUIDELINES AND DETAILED AREA PLAN JAMES ROAD LOCALITY

AMD 160 GG 9/6/06



JAMES ROAD LOCALITY

DETAILED AREA PLAN PROVISIONS AND R-CODE VARIATIONS

The provisions of the City of Nedlands Town Planning Scheme No. 2 and the Residential Design Codes apply unless otherwise varied below:

1. Setbacks shall be as per the Residential Density Codes unless otherwise specified below or on the plan;
2. The minimum front setback (excluding garages and car ports) is 6 metres;
3. A minimum setback of 3 metres shall apply to the development of all car ports fronting James Road;
4. Zero lot lines are permitted on the southern boundary of each allotment;
5. A 2 metre solar setback applies to the northern boundary of each allotment;
6. A two storey height limit applies to all development in accordance with Town Planning Scheme No. 2;
7. Neighbour consultation is mandatory for any boundary wall proposals in accordance with the requirements of Town Planning Scheme No. 2;
8. Front boundary walling or fencing is not permitted unless approval is granted by Council; and
9. The materials, colouring, style and roof pitch (if any) of a carport or garage shall be designed to match those of the existing dwelling.

Endorsed By: _____ Date: _____
 Director of Environmental Services
 City of Nedlands

DETAILED AREA PLAN
 James Road Locality
 for City of Nedlands



- LEGEND:**
- Subject Area
 - Designated Subdivision
 - Preferred Garage Location
 - Designated Garage Location
 - Building Envelope
 - No Vehicular Access

Allering Burgess
 Town Planning Urban Design & Architecture
 SCALE 1:1500
 DATE: MARCH 2006

APPENDIX V RESIDENTIAL DESIGN GUIDELINES AND DETAILED AREA PLAN KNUTSFORD STREET/NORTH STREET LOCALITY

AMD 151 G 15/2/05

STUDY AREA

The Knutsford Street Locality is generally bounded by Knutsford Street, West Coast Highway, Walpole Street and North Street, as shown on the Location Plan. This Detailed Area Plan applies to all allotments within this area.

Scope of Detailed Area Plan

This Detailed Area Plan applies to the subject Locality as prescribed by the City of Nedlands' Town Planning Scheme No 2 (the Scheme).

The Detailed Area Plan applies general residential development controls for the Locality further to the Scheme and the Residential Design Codes for the following Design Elements:

- Development Layout;
- Streetscape;
- Building Design;
- Boundary Walls; and,
- Building Height.

Please note that, unless otherwise stated on the Detailed Area Plan, the provisions of Council's Scheme and the Residential Design Codes shall apply.

Objectives

To provide for the managed and orderly redevelopment of the Locality to enhance the amenity for existing and future residents;

To provide for the development of no more than two dwellings per allotment in a manner which ensures integration with the existing urban fabric of the area;

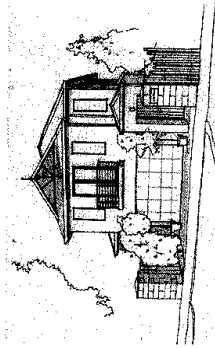
To promote the development of housing styles that complement the existing and traditional character of the locality in general, while providing for innovation and diversity; and,

To encourage retention of the overall character of the existing streetscape of Knutsford Street and Walpole Street balancing the intimate and leafy nature of the Locality.

DEVELOPMENT GUIDELINES

The following Development Guidelines are provided to encourage a high standard of both development and appearance for the renovation of existing homes and the creation of new dwellings within the Locality with orderly redevelopment.

A well designed home and its setting will maintain the amenity of the area and



Two storey development with front access provides for surveillance of street

Building Materials and Design

Materials and colouring should be selected to complement the existing character of the area.

Buildings should also be designed to complement the existing character of the locality. Homes with front porches and verandahs are encouraged, adjacent to Knutsford Street and Walpole Street only, in order to provide for greater interaction with the street and its environment.

Fitched roofs are also encouraged and these should be designed to be generally between 25 and 30 degrees. Highly reflective roofing is not recommended as it is considered to be inappropriate due to its highly reflective nature and susceptibility to corrosion.

Where an existing dwelling is retained as part of a development, the dwelling's appearance should be upgraded externally in order to enhance the overall streetscape and development quality within the Locality.

Ancillary Structures

TV antennas, air conditioners and satellite dishes should be screened from public view and not visible above the roof-line.

The location of air conditioners should be carefully considered with regard to potential noise impacts for neighbouring properties.

Letterboxes should be designed to complement the dwelling and be clearly numbered. Where letterboxes are provided for two dwellings in a manner in which they adjoin, they should be constructed to match in materials, style and colouring.

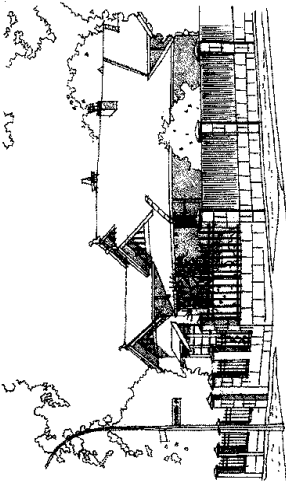
Clotheslines should be screened from public view where possible and located to catch both winter and summer sun.

A rainwater tank, if provided, should be located to minimise its impact on neighbours. It should be positioned out of public view, be appropriately screened or painted to match the dwelling.

For more information or assistance, please contact the Planning Services at the City of Nedlands:

Phone: 9273 3500;
 Fax: 9273 3670;
 www.nedlands.wa.gov.au
 Web: 71 Spring Highway
 NEDLANDS WA 6009
 (PO Box 9, Nedlands WA 6009)

City of Nedlands




Open style front fencing to provide for interaction with street environment

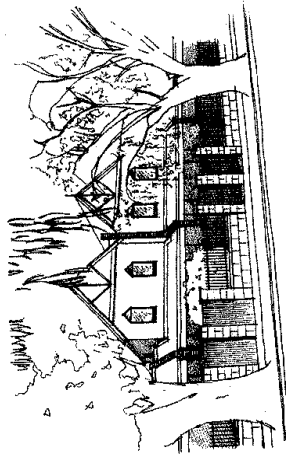
Form of Development

Development of additional dwellings, in accordance with the given objectives, may take the following form:

- 'Townhouse' Subdivision and Development;
- 'Corner Lot' Subdivision and Development;
- and/or, 'Group Dwelling' Development.



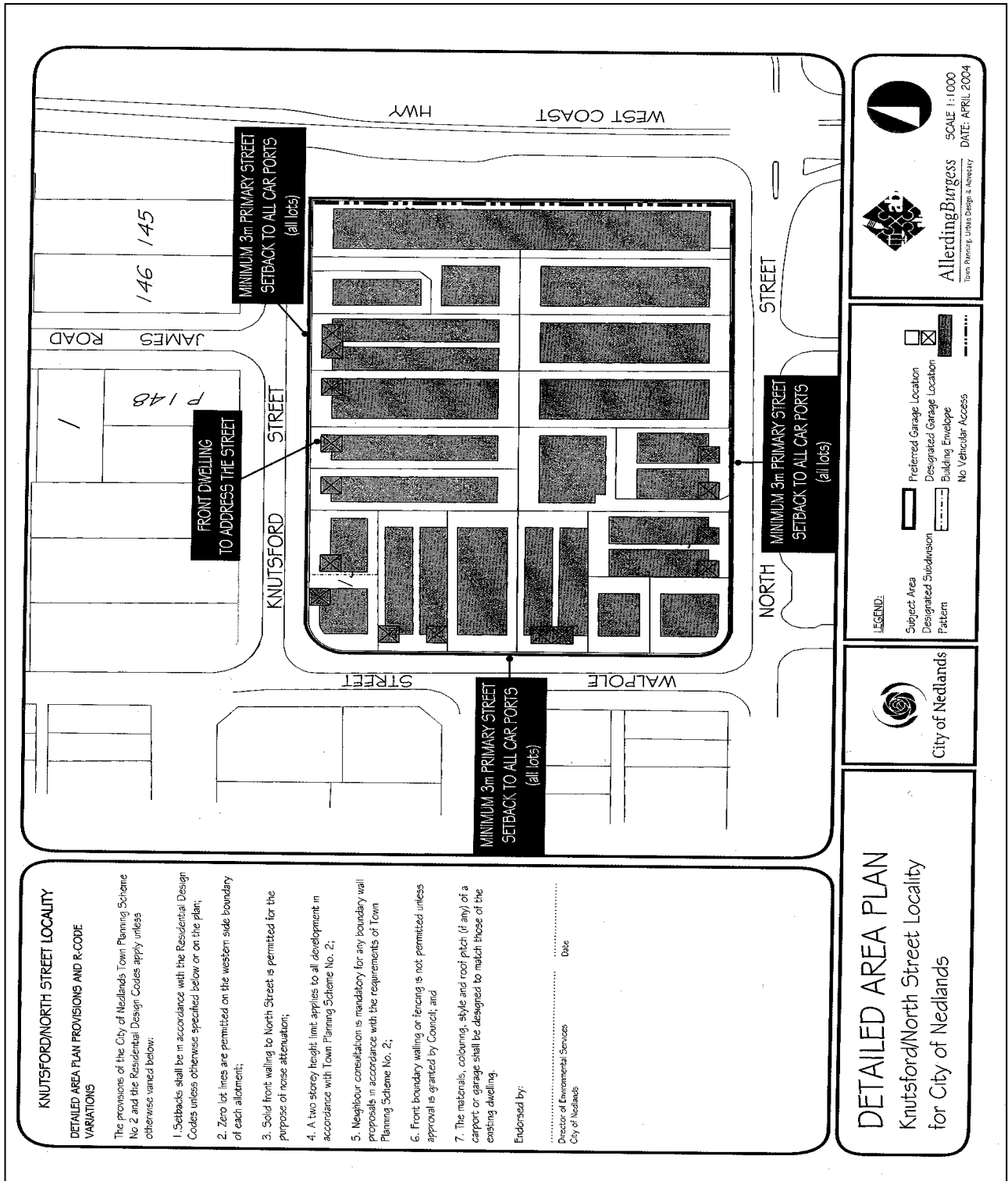
Battlease subdivision is considered inappropriate within this Locality. Such subdivision will only be entertained on the basis that justification is provided, to the satisfaction of Council, to show that alternative forms of development are unsuitable for a particular allotment.



'Townhouse' style subdivision with rear access

APPENDIX V RESIDENTIAL DESIGN GUIDELINES AND DETAILED AREA PLAN KNUTSFORD STREET/NORTH STREET LOCALITY

AMD 151 G 15/2/05



KNUTSFORD/NORTH STREET LOCALITY DETAILED AREA PLAN PROVISIONS AND R CODE VARIATIONS

The provisions of the City of Nedlands Town Planning Scheme No 2 and the Residential Design Codes apply unless otherwise varied below:

1. Setbacks shall be in accordance with the Residential Design Codes unless otherwise specified below or on the plan;
2. Zero lot lines are permitted on the western side boundary of each allotment;
3. Solid front walling to North Street is permitted for the purpose of noise attenuation;
4. A two storey height limit applies to all development in accordance with Town Planning Scheme No. 2;
5. Neighbour consultation is mandatory for any boundary wall proposals in accordance with the requirements of Town Planning Scheme No. 2;
6. Front boundary walling or fencing is not permitted unless approval is granted by Council; and
7. The materials, colouring, style and roof pitch (if any) of a carport or garage shall be designed to match those of the existing dwelling.

Endorsed by:

..... Date
Director of Environmental Services
City of Nedlands

DETAILED AREA PLAN
Knutsford/North Street Locality
for City of Nedlands

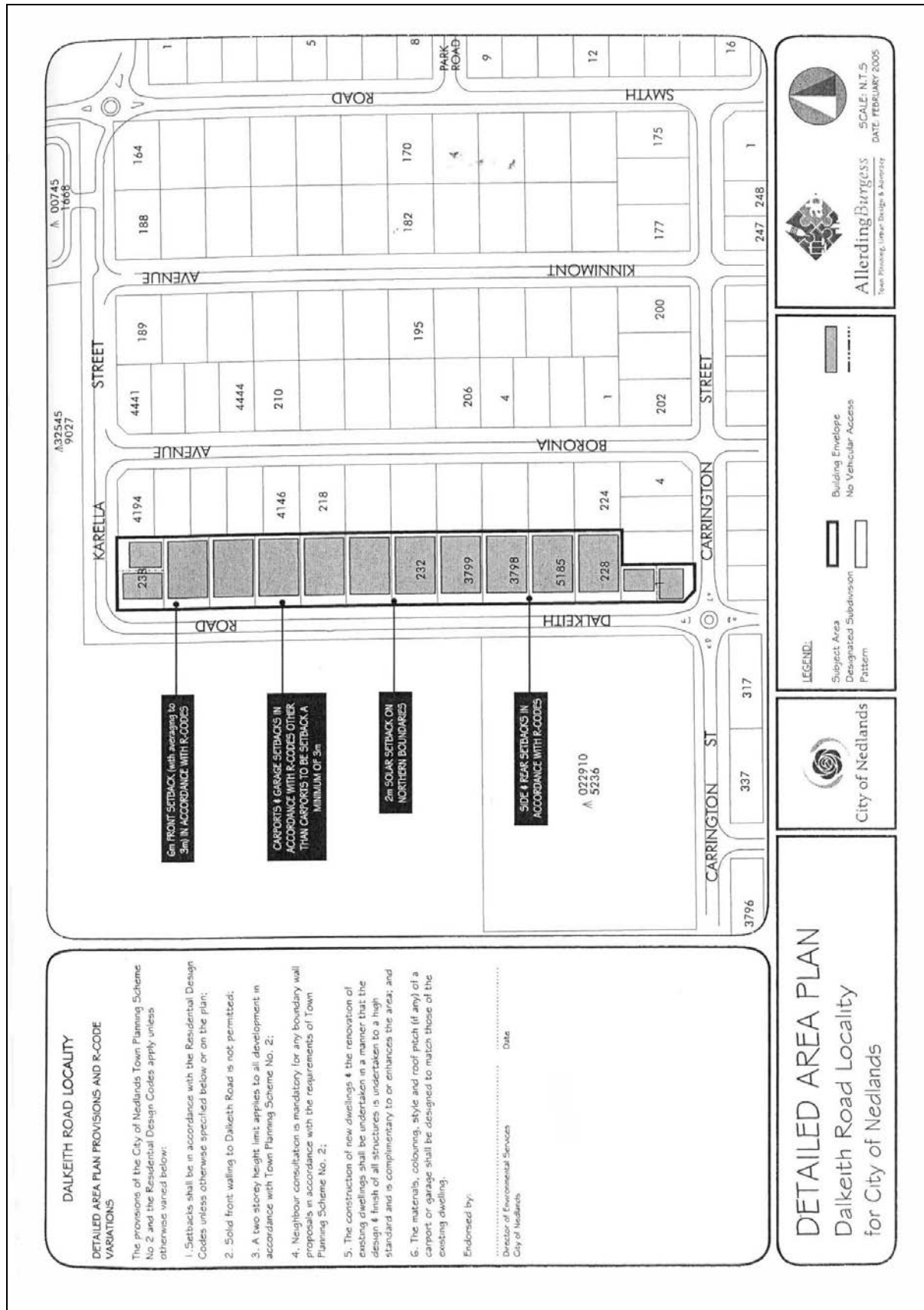


- LEGEND:**
- Subject Area
 - Designated Subdivision
 - Pattern
 - Preferred Garage Location
 - Designated Garage Location
 - Building Envelope
 - No Vehicular Access

AllerdingBurgess
Town Planning, Urban Design & Advisory
SCALE 1:1000
DATE: APRIL 2004

APPENDIX V RESIDENTIAL DESIGN GUIDELINES AND DETAILED AREA PLAN FOR THE DALKEITH ROAD LOCALITY

AMD177 GG 24/10/06



APPENDIX V RESIDENTIAL DESIGN GUIDELINES AND DETAILED AREA PLAN FOR THE DALKEITH ROAD LOCALITY

AMD177 GG 24/10/06

STUDY AREA

The Dalkeith Road Locality is generally bounded by Dalkeith Road, Kareella Street, Carrington Street and Boronia Avenue as shown on the Location Plan. This Detailed Area Plan applies to all allotments within this area.

Scope of Detailed Area Plan

This Detailed Area Plan applies to the subject Locality as prescribed by the City of Nedlands' Town Planning Scheme No 2 (the 'Scheme').

The Detailed Area Plan applies general residential development controls for the Locality further to the Scheme and the Residential Design Codes for the following Design Elements:

- Development Layout;
- Streetscape;
- Building Design;
- Boundary Walls; and,
- Building Height.

Please note that unless otherwise stated on the Detailed Area Plan, the provisions of Council's Scheme and the Residential Design Codes shall apply.

Objectives

To provide for the managed and orderly redevelopment of the Locality to enhance the amenity for existing and future residents;

To provide for the development of no more than two dwellings per allotment in a manner which ensures integration with the existing urban fabric of the area;

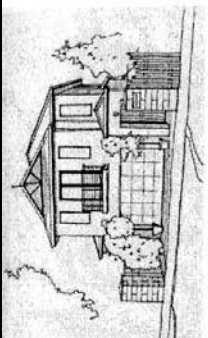
To promote the development of housing styles that complement the existing and traditional character of the locality in general, while providing for innovation and diversity; and,

To encourage retention of the overall character of the existing streetscape of Dalkeith Road balancing the intimate and leafy nature of the Locality.

DEVELOPMENT GUIDELINES

The following Development Guidelines are provided to encourage a high standard of both development and appearance for the renovation of existing homes and the creation of new dwellings within the Locality with orderly redevelopment.

A well designed home and its setting will maintain the amenity of the area and enhance both lifestyle and investment for owners and neighbours alike.



Two storey development with front access provides for surveillance of street

Building Materials and Design

Materials and colouring should be selected to complement the existing character of the area.

Buildings should also be designed to complement the existing character of the locality. Finishes with front porches and verandahs are encouraged, adjacent to Dalkeith Road, in order to provide for greater interaction with the street and its environment.

Picketed roofs are also encouraged and these should be designed to be generally between 25 and 30 degrees. Highly reflective roofing is not recommended as it is considered to be inappropriate due to its highly reflective nature and susceptibility to corrosion.

Where an existing dwelling is retained as part of a development, the dwelling's appearance should be upgraded externally in order to enhance the overall streetscape and development quality within the locality.

Ancillary Structures

TV antennas, air conditioners and satellite dishes should be screened from public view and not visible above the roof-line.

The location of air conditioners should be carefully considered with regard to potential noise impacts for neighbouring properties.

Letterboxes should be designed to complement the dwelling and be clearly numbered. Where letterboxes are provided for two dwellings in a manner in which they adjoin, they should be constructed to match in materials, style and colouring.

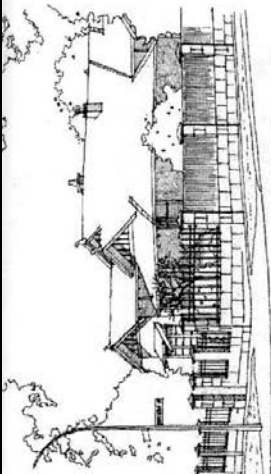
Clotheslines should be screened from public view where possible and localized to catch both winter and summer sun.

A rainwater tank, if provided, should be located to minimise its impact on neighbours. It should be positioned out of public view, be appropriately screened or painted to match the dwelling.

For more information or assistance, please contact the Planning Services at the City of Nedlands:

Phone: 9273 3500;
 Fax: 9273 3670;
 www.nedlands.wa.gov.au
 71 Sheringway
 NEDLANDS WA 6209
 (PO Box 3, Nedlands WA 6303)

City of Nedlands

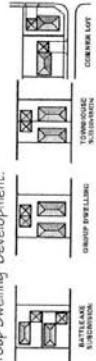


Open style front fencing to provide for interaction with street environment with side privacy for corner lots

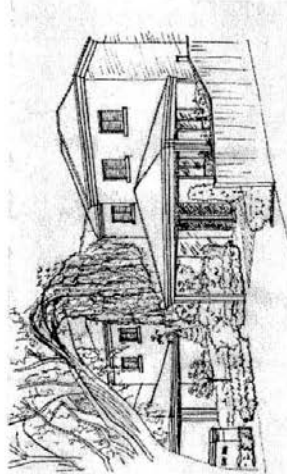
Form of Development

Development of additional dwellings, in accordance with the given objectives, may take the following form:

- 'Townhouse' Subdivision and Development;
- 'Corner Lot' Subdivision and Development;
- 'Battlease' Subdivision and Development;
- and/or 'Group Dwelling' Development.



Battlease subdivision will only be entertained on the basis that justification is provided, to the satisfaction of Council, to show that alternative forms of development are unsuitable for a particular allotment.



'Townhouse' style subdivision

APPENDIX V RESIDENTIAL DESIGN GUIDELINES AND DETAILED AREA PLANS FOR THE ABERDARE ROAD LOCALITY

STUDY AREA

The Aberdare Road Locality is generally bounded by Aberdare Road, Kitchen Street and Gardner Drive as shown on the Location Plan. This Detailed Area Plan applies to all allotments within this area.

Scope of Detailed Area Plan

This Detailed Area Plan applies to the subject Locality as prescribed by the City of Nedlands' Town Planning Scheme No 2 (the 'Scheme').

The Detailed Area Plan applies general residential development controls for the Locality further to the Scheme and the Residential Design Codes for the following Design Elements:

- Development Layout;
- Streetscape;
- Building Design;
- Boundary Walls; and,
- Building Height.

Please note that unless otherwise stated on the Detailed Area Plan, the provisions of Council's Scheme and the Residential Design Codes shall apply.

Objectives

To provide for the managed and orderly redevelopment of the Locality to enhance the amenity for existing and future residents;

To provide for the development of no more than two dwellings per allotment in a manner which ensures integration with the existing urban fabric of the area;

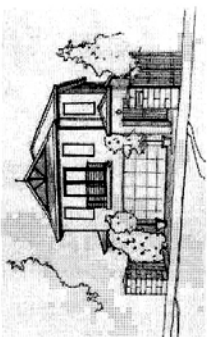
To promote the development of housing styles that complement the existing and traditional character of the locality in general, while providing for innovation and diversity; and,

To encourage retention of the overall character of the existing streetscape of Aberdare Road balancing the intimate and leafy nature of the Locality.

DEVELOPMENT GUIDELINES

The following Development Guidelines are provided to encourage a high standard of both development and appearance for the renovation of existing homes and the creation of new dwellings within the Locality with orderly redevelopment.

A well designed home and its setting will maintain the amenity of the area and enhance both lifestyle and investment for owners and neighbours alike.



Two storey development with front access provides for surveillance of street

Building Materials and Design

Materials and colouring should be selected to complement the existing character of the area.

Buildings should also be designed to complement the existing character of the Locality. Homes with front porches and verandahs are encouraged, adjacent to Aberdare Road, in order to provide for greater interaction with the street and its environment.

Pitched roofs are also encouraged and these should be designed to be generally between 25 and 30 degrees. Highly reflective roofing is not recommended as it is considered to be inappropriate due to its highly reflective nature and susceptibility to corrosion.

Where an existing dwelling is retained as part of a development, the dwelling's appearance should be upgraded externally in order to enhance the overall streetscape and development quality within the Locality.

Ancillary Structures

TV antennas, air conditioners and satellite dishes should be screened from public view and not visible above the roofline.

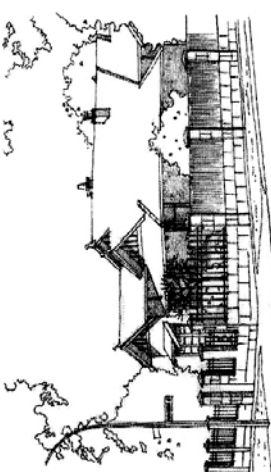
The location of air conditioners should be carefully considered with regard to potential noise impacts for neighbouring properties.

Letterboxes should be designed to complement the dwelling and be clearly numbered. Where letterboxes are provided for two dwellings in a manner in which they adjoin, they should be constructed to match in materials, style and colouring.

Outbuildings should be screened from public view where possible and located to catch both winter and summer sun.

A rainwater tank, if provided, should be localized to minimise its impact on neighbours. It should be positioned out of public view, be appropriately screened or painted to match the dwelling.

For more information or assistance, please contact the Planning Services at the City of Nedlands:
 Phone: 9273 3500;
 Fax: 9273 3670;
 Web: www.nedlands.wa.gov.au
 Address: 71 Spring Highway
 NEDLANDS WA 6009
 (PO Box 9, Nedlands WA 6909)

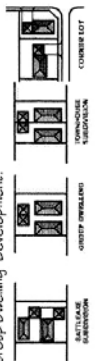


Open style front fencing to provide for interaction with street environment with side privacy for corner lots

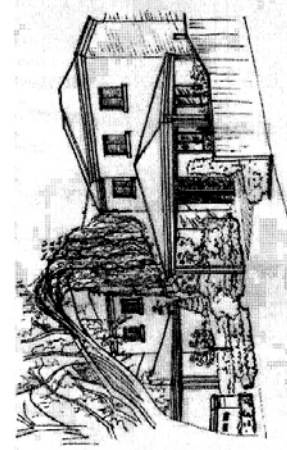
Form of Development

Development of additional dwellings, in accordance with the given objectives, may take the following form:

- 'Townhouse' Subdivision and Development;
- 'Corner Lot' Subdivision and Development;
- 'Battlease' Subdivision and Development;
- and/or, 'Group Dwelling' Development.

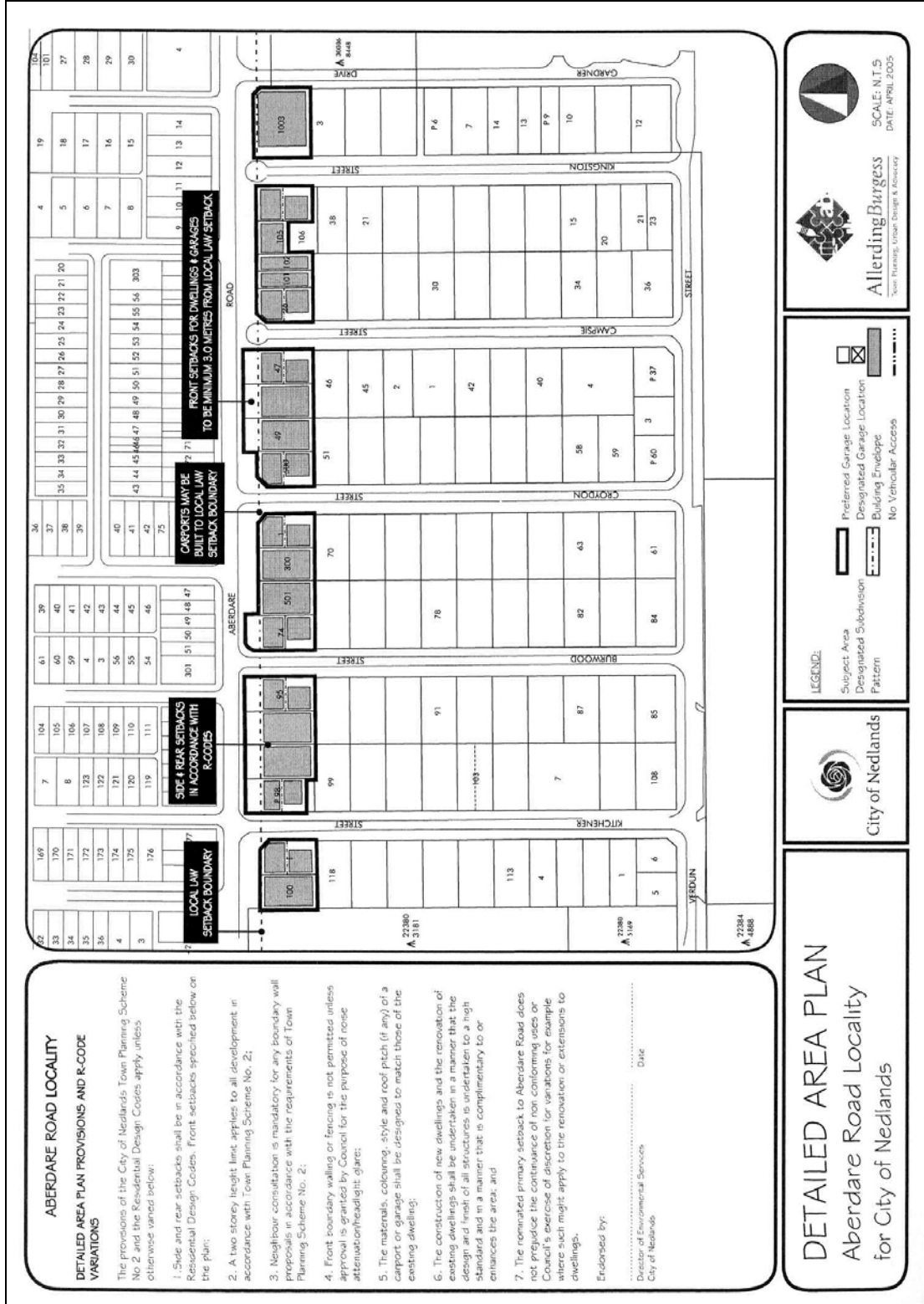


Battlease subdivision is will only be entertained on the basis that justification is provided, to the satisfaction of Council, to show that alternative forms of development are unsuitable for a particular allotment.



'Townhouse' style subdivision

APPENDIX V RESIDENTIAL DESIGN GUIDELINES AND DETAIL AREA PLANS FOR THE ABERDARE ROAD LOCALITY



APPENDIX V RESIDENTIAL DESIGN GUIDELINES AND DETAIL AREA PLANS FOR ALFRED ROAD LOCALITY

AMD 173 GG 24/11/06

STUDY AREA

The Alfred Road Locality is generally bounded by Alfred Road, Mayfair Street, Addressy Street and Korredia Lane as shown on the Location Plan. This Detailed Area Plan applies to all allotments within this area.

Scope of Detailed Area Plan

This Detailed Area Plan applies to the subject Locality as prescribed by the City of Nedlands' Town Planning Scheme No 2 (the 'Scheme').

The Detailed Area Plan applies general residential development controls for the Locality further to the Scheme and the Residential Design Codes for the following Design Elements:

- Development Layout;
- Streetscape;
- Building Design;
- Boundary Walls; and,
- Building Height.

Please note that unless otherwise stated on the Detailed Area Plan, the provisions of Council's Scheme and the Residential Design Codes shall apply.

Objectives

To provide for the managed and orderly redevelopment of the Locality to enhance the amenity for existing and future residents;

To provide for the development of no more than two dwellings per allotment in a manner which ensures integration with the existing urban fabric of the area;


To promote the development of housing styles that complement the existing and traditional character of the locality in general, while providing for innovation and diversity; and,

To encourage retention of the overall character of the existing streetscape of Alfred Road balancing the intimate and leafy nature of the Locality.

DEVELOPMENT GUIDELINES

The following Development Guidelines are provided to encourage a high standard of both development and appearance for the renovation of existing homes and the creation of new dwellings within the Locality with orderly redevelopment.

A well designed home and its setting will maintain the amenity of the area and enhance both lifestyle and investment for owners and neighbours alike.



Two storey development with front access provides for surveillance of street

Building Materials and Design

Materials and colouring should be selected to complement the existing character of the area.

Buildings should also be designed to complement the existing character of the locality. Homes with front porches and verandahs are encouraged, adjacent to Alfred Road, in order to provide for greater interaction with the street and its environment.

Finished roofs are also encouraged and these should be designed to be generally between 25 and 30 degrees. Highly reflective roofing is not recommended as it is considered to be inappropriate due to its highly reflective nature and susceptibility to corrosion.

Where an existing dwelling is retained as part of a development, the dwelling's appearance should be upgraded, enhanced or altered to enhance the overall streetscape and development quality within the locality.

Ancillary Structures

TV antennas, air conditioners and satellite dishes should be screened from public view and not visible above the roof-line.

The location of air conditioners should be carefully considered with regard to potential noise impacts for neighbouring properties.


Letterboxes should be designed to complement the dwelling and be clearly numbered. Where letterboxes are provided for two dwellings in a manner in which they adjoin, they should be constructed to match in materials, style and colouring.

Clotheslines should be screened from public view where possible and located to catch both winter and summer sun.

A rainwater tank, if provided, should be located to minimise its impact on neighbours. It should be positioned out of public view, be appropriately screened or painted to match the dwelling.

For more information or assistance, please contact the Planning Services at the City of Nedlands:

Phone: 9273 3500;
 Fax: 9273 3670;
 Web: www.nedlands.wa.gov.au
 Email: nedlands@nedlands.wa.gov.au
 Address: MEDICAL CENTRE, 6009 (PO Box 9, Nedlands WA 6009)
 City of Nedlands

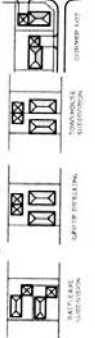


Open style front fencing to provide for interaction with street environment with side privacy for corner lots

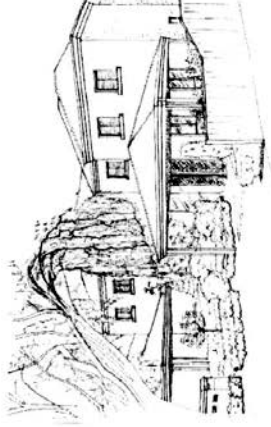
Form of Development

Development of additional dwellings, in accordance with the given objectives, may take the following form:

- 'Townhouse' Subdivision and Development;
- 'Corner Lot' Subdivision and Development;
- 'Batt-leave' Subdivision and Development;
- and/or 'Group Dwelling' Development.



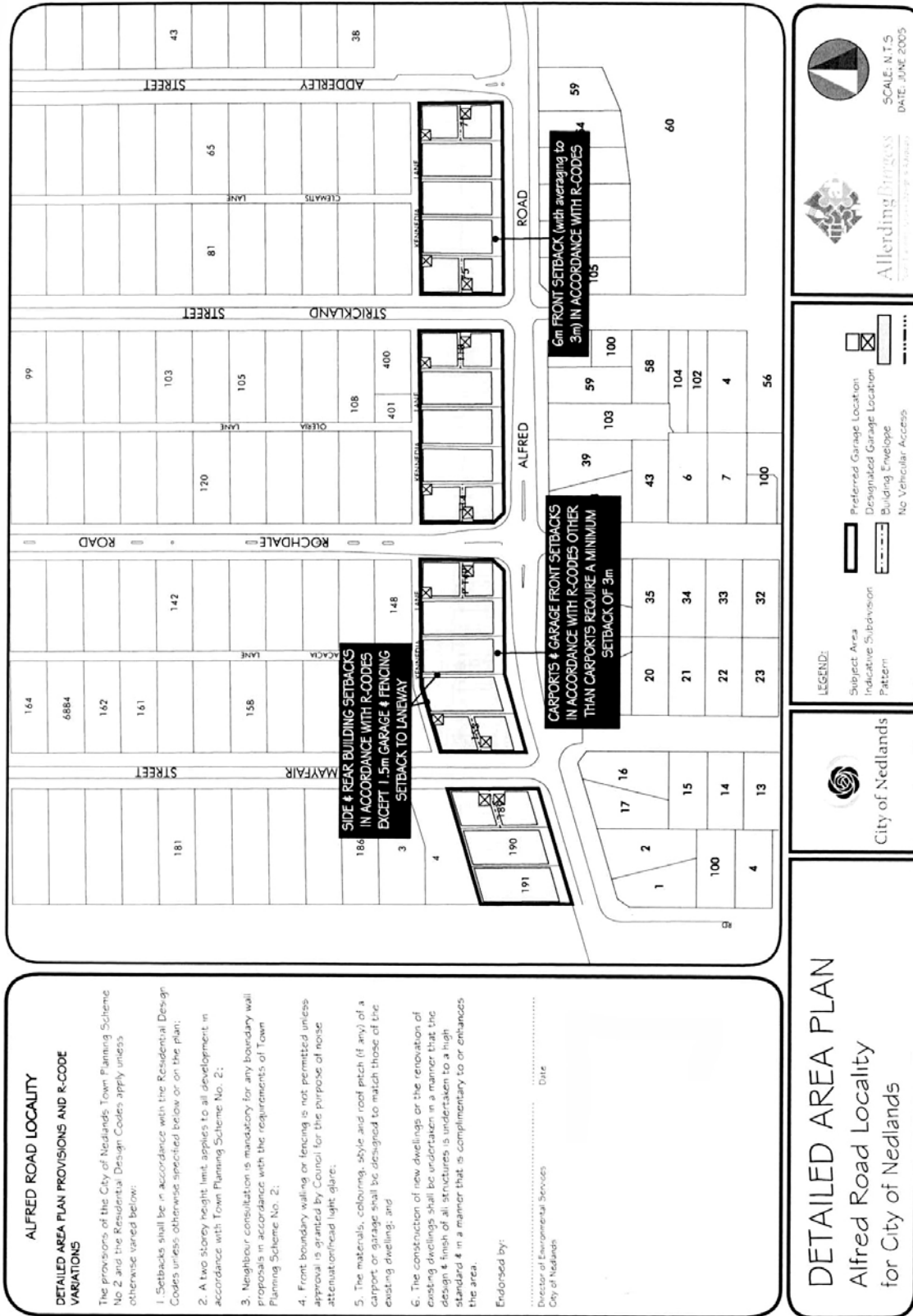
Batt-leave subdivision will only be entertained on the basis that justification is provided, to the satisfaction of Council, to show that alternative forms of development are unsuitable for a particular allotment.



Townhouse' style subdivision

APPENDIX V RESIDENTIAL DESIGN GUIDELINES AND DETAIL AREA PLANS FOR ALFRED ROAD LOCALITY

AMD 173 GG 24/11/06



APPENDIX V RESIDENTIAL DESIGN GUIDELINES AND DETAILED AREA PLAN FOR THE KARELLA STREET LOCALITY

STUDY AREA

The Karella Street Locality is generally bounded by Karella Street, Dalketh Road and Williams Road as shown on the Location Plan. This Detailed Area Plan applies to all allotments within the area.

Scope of Detailed Area Plan

This Detailed Area Plan applies to the subject Locality as prescribed by the City of Nedlands' Town Planning Scheme No 2 (the 'Scheme').

The Detailed Area Plan applies general residential development controls for the Locality further to the Scheme and the Residential Design Codes for the following Design Elements:

- Development Layout;
- Streetscape;
- Building Design;
- Boundary Walls; and,
- Building Height.

Please note that unless otherwise stated on the Detailed Area Plan, the provisions of Council's Scheme and the Residential Design Codes shall apply.

Objectives

To provide for the managed and orderly redevelopment of the Locality to enhance the amenity for existing and future residents;

To provide for the development of no more than two dwellings per allotment in a manner which ensures integration with the existing urban fabric of the area;

To promote the development of housing styles that complement the existing and traditional character of the locality in general, while providing for innovation and diversity; and,

To encourage retention of the overall character of the existing streetscape of Karella Road balancing the intimate and leafy nature of the Locality.

DEVELOPMENT GUIDELINES

The following Development Guidelines are provided to encourage a high standard of both development and appearance for the renovation of existing homes and the creation of new dwellings within the Locality with orderly redevelopment.

A well designed home and its setting will maintain the amenity of the area and enhance both lifestyle and investment for owners and neighbours alike.

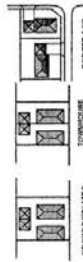


Open style front fencing to provide for interaction with street environment with side privacy for corner lots

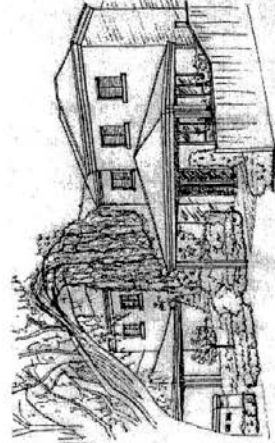
Form of Development

Development of additional dwellings, in accordance with the given objectives, may take the following form:

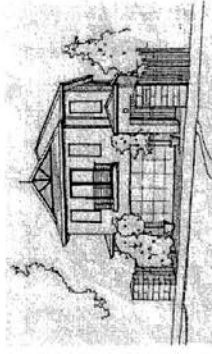
- 'Townhouse' Subdivision and Development;
- 'Corner Lot' Subdivision and Development;
- and/or, 'Group Dwelling' Development.



Battleaxe subdivision is considered inappropriate within this Locality. Such subdivision will only be entertained on the basis that justification is provided, to the satisfaction of Council, to show that alternative forms of development are unsuitable for a particular allotment. Townhouse Development will also be considered for corner allotments.



'Townhouse' style subdivision



Two storey development with front access provides for surveillance of street where townhouse developments proposed at standard setbacks

Building Materials and Design

Materials and colouring should be selected to complement the existing character of the area.

Buildings should also be designed to complement the existing character of the locality. Homes with front porches and verandahs are encouraged, adjacent to Karella Street, in order to provide for greater interaction with the street and its environment.

Pitched roofs are also encouraged and these should be designed to be generally between 25 and 30 degrees. Highly reflective roofing is not recommended as it is considered to be inappropriate due to its highly reflective nature and susceptibility to corrosion.

Where an existing dwelling is retained as part of a development, the dwelling's appearance should be upgraded externally in order to enhance the overall streetscape and development quality within the Locality.

Ancillary Structures

TV antennas, air conditioners and satellite dishes should be screened from public view and not visible above the roof-line.

The location of air conditioners should be carefully considered with regard to potential noise impacts for neighbouring properties.

Letterboxes should be designed to complement the dwelling and be clearly numbered. Where letterboxes are provided for two dwellings in a manner in which they adjoin, they should be constructed to match in materials, style and colouring.

Clotheslines should be screened from public view where possible and located to catch both winter and summer sun.

A rainwater tank, if provided, should be located to minimise its impact on neighbours. It should be positioned out of public view, be appropriately screened or painted to match the dwelling.

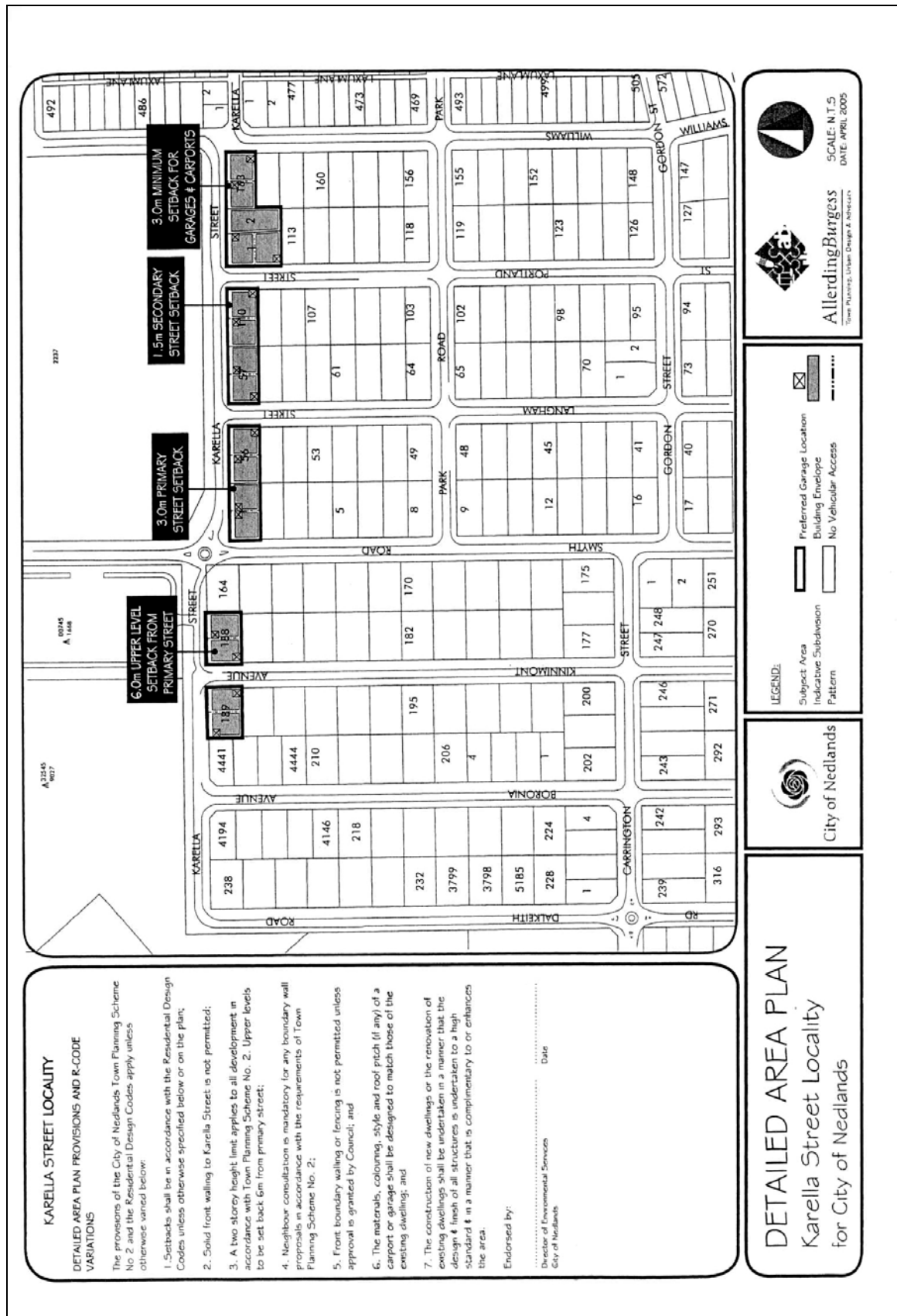
For more information or assistance, please contact the Planning Services at the

City of Nedlands.
 Phone: 9273 3500;
 Fax: 9273 3670;
 Web: www.nedlands.wa.gov.au
 Address: 71 Stirling Highway,
 NEDLANDS WA 6009
 (PO Box 9, Nedlands WA 6909)



City of Nedlands

APPENDIX V RESIDENTIAL DESIGN GUIDELINES AND DETAILED AREA PLAN FOR THE KARELLA STREET LOCALITY



APPENDIX VI DALKEITH REDEVELOPMENT

AMD 192 GG 05/04/12

SPECIAL CONTROL AREA PROVISIONS

TABLE OF CONTENTS

- 1 General Provisions
- 2 Specific Provisions – Built Form
- 3 Specific Provisions – Street Form
- 4 Definitions
- 5 Figures and Tables
- 6 Precinct Plans

1 GENERAL PROVISIONS

1.1 Town Planning Scheme

- (a) These provisions apply to all development within the Special Control Area (SCA), unless varied by a provision within a specific Precinct Plan. If there is an apparent discrepancy between these general provisions and the provisions applicable to a Precinct, the specific Precinct Plan provisions will apply.
- (b) All other provisions of the City's Town Planning Scheme No. 2 (TPS2) and the Residential Design Codes (RCodes) shall apply unless stipulated in these guidelines.

1.2 Special Control Area Relationship

- (a) Figure 1 depicts the Special Control Area and the associated Precincts.
- (b) Each Detailed Area has an associated Precinct Plan which outlines specific development provisions to that Area.

1.3 Development in Accordance with the Dalkeith Guidelines






- (a) Any development in accordance with these guidelines shall conform with the following vision as agreed to by the Dalkeith Community—

“A place that inspires a sense of Community for people to live, work and recreate in an environment that embraces cross-generational needs with development that reflects and respects the past, and yet showcases the art and culture of a contemporary Australian lifestyle.

Specifically, the Dalkeith Redevelopment Area should maintain the historic and long established position as one of Western Australia's first garden suburbs in keeping with its founding philosophy of providing a family friendly housing environment with close-by and easily accessible range of basic social, recreational, local business and community facilities whilst being encapsulated within a parkland landscape of treed gardens, open streetscapes, street trees, green areas, parks and recreation areas with local traffic and public transport access for residents within the area.”

- (b) Any building which is demolished or destroyed to an amount of more than 25% of its original form, shall be subject to redevelopment and renovations, if applicable, in accordance with these guidelines.
- (c) Where existing strata developments exist, amalgamation into its original parent lot is required prior to approval of a development in accordance with these guidelines.
- (d) Development in accordance with these guidelines shall only occur when a minimum lot size of 1000 m² is available (amalgamation may be required to achieve this).

- (e) Development in accordance with these guidelines shall only occur when a required rear laneway has full access to a gazetted road as outlined on the DAPs (refer clause 2.8 of these guidelines for laneway specifications).
- (f) Five Precincts exist within the SCA with corresponding Precinct Plans, as outlined below—

	Precinct 1 – No. 79 Waratah Avenue
	Precinct 2 – No. 81 Waratah Avenue
	Precinct 3 – No. 87, 89, 91, 93, 93A, 95A Waratah Avenue
	Precinct 4 – No. 101 Waratah Avenue
	Precinct 5 – Nos 129, 131, 133 Waratah Avenue

1.4 Relationship to Adjacent Development

- (a) Development within the SCA that is adjacent to land outside the SCA shall be designed in a manner that is compatible with the maximum allowable scale in accordance with TPS2 and the Residential Design Codes of WA.
- (b) If a property which is within the SCA is amalgamated with an adjacent property which is not within the SCA, then the new parent lot shall be removed from the SCA and the lowest zoning of any of the amalgamated lots applies to the whole new lot as per the current town planning scheme zoning at the time.

1.5 Discretion

Council may vary clauses in these guidelines, with the exception of building height, landscaping, rear laneway requirements and public access gained from rear laneways, but limited to car parking, setbacks and land use and side (north/south) laneways.

2 SPECIFIC PROVISIONS - BUILT FORM

2.1 Land-uses

- (a) Permitted and prohibited land uses are in accordance with the Use Class Table (Table 1) of these guidelines.
- (b) Exceptions to part (a) are identified on the Precinct Plans and shall apply.

- (c) The guiding principle for determining the acceptability of specific land uses will be that land uses are to contribute towards achieving the vision of the SCA as detailed in clause 1.3(b).
- (d) All developments shall comprise of a non-residential component and a residential component of a minimum of 2 dwellings per 1000 m2 site area.
- (e) No residential land-uses may front Waratah Avenue on the ground floor with the intent of ensuring an active street frontage; however these uses may address a Secondary Street if applicable.
- (f) Notwithstanding part (d) above, residential uses are not stipulated to exist on a certain floor of a development and may be located below office uses if deemed that it achieves the intent of part (c) above.

2.2 Building Height

- (a) Building height is measured in metres and shall be measured in accordance with the provisions stipulated in the current Town Planning Scheme.
- (b) Maximum building heights are identified within these guidelines and are non-discretionary.
- (c) Undercroft and basement car parking located a minimum of 70% below natural ground level are not considered to be a storey but any part of a building above natural ground level shall be included in the calculation measurement of overall building height.
- (d) The following table outlines the maximum meter requirement for developments in accordance with these guidelines—

Precinct 1-3 –

Land Use	Maximum Overall Height	Maximum Wall Height
All development	16.5 metres	13.6 metres
<i>Note: All development shall be Mixed Use.</i>		

Precinct 4 –

Land Use	Maximum Overall Height	Maximum Wall Height
Non-Residential Component	10 metres	8.5 metres
Residential Component	12 metres	10.5 metres
<i>Note: All development shall be mixed use</i>		

Precinct 5 –

Land Use	Maximum Overall Height	Maximum Wall Height
Non-Residential Component	10 metres	8.5 metres
Residential Component	12 metres	10.5 metres
<i>Note: All development shall be mixed use</i>		

2.3 Building Elevations

- (a) Each façade of a building shall be elevated to present an attractive and appropriately detailed appearance from the street within and beyond the site boundaries to meet the provisions of clause 2.1 (c) of these guidelines.
- (b) At a minimum, any exposed parapet wall(s) shall have the same level of finish as the primary façade and are to incorporate detailing to add visual interest, to the satisfaction of the City.

- (c) Building facades shall be articulated through the considered articulation of windows, doors, balconies, and other openings; distinct base, middle and top elements, decoration, setbacks, selection of materials and other such design elements as appropriate.
- (d) External ducting, air conditioners, plant, pipes, lift over-runs, telecommunication structures and similar building services shall be incorporated in the building design and be screened from view from any public place or adjacent property.
- (e) The upper floor(s) of a development shall be activated to the street through the provision of either windows or balconies to ensure passive surveillance in accordance with the following —
 - i. A minimum window size shall be 2 m² of glazing; and/or,
 - ii. A minimum balcony size shall be 3 m² of usable space, excluding areas for balustrade.

2.4 Dwelling Types and Sizes

- (a) Grouped and Multiple Dwellings are the only permitted residential land-use.
- (b) Grouped and Multiple Dwellings shall comply with the following restrictions—
 - i. No density restrictions are imposed with the maximum number of dwellings being determined by the permitted building envelope and development requirements for each lot (e.g. setbacks/heights/open space/car parking/BCA requirements).
 - ii. Where applicable, all dwelling types are permitted on the ground floor only when facing a Secondary Street.
 - iii. Minimum sizes of dwellings and required outdoor living areas based on number of bedrooms are outlined below—

Number of Bedrooms	Minimum Size	Outdoor Living Requirements	Notes
1	75m ²	16m ²	Outdoor Living areas can be in the form of more than one area. Min dimension of 4m.
2	100m ²	24m ²	
3+	120m ²	30m ²	

- iv. All areas referred to in clause 2.4 (b) iii of these guidelines, may be included in the calculation of any open space required under these guidelines but excludes garage, storage and balcony areas.

2.5 Setbacks

- (a) Setbacks shall be in accordance with the provisions of the relevant Precinct Plans.
- (b) Setbacks defined under the Residential Design Codes of WA are not applicable.
- (c) All setbacks are minimums unless stipulated on a Precinct Plans and are not discretionary in order to ensure high quality amenity.
- (d) Balconies shall not extend into an existing or proposed road reserve or laneway area.
- (e) All reference to setbacks under specific Precinct Plans are measured from the new proposed boundary after any required Laneway areas have been ceded.

2.6 Laneway Requirements

- (a) Laneways shall be provided where marked on a specific Precinct Plan, with the exception of Precinct Plan 3 where the required side (north/south) laneways may be varied or not provided subject to reasonable justification.
- (b) Where laneway widening is identified on a site, this land shall be ceded free of cost prior to issue of certificate of classification.
- (c) All proposed Laneways shall be ceded free of cost by the relevant property, with no portion being taken from existing adjacent residential properties on Philip Road.
- (d) Where a laneway is required, it shall be constructed and drained to the specification and satisfaction of the City of Nedlands prior to occupation of the development.
- (e) Laneways shall have a width of 7 m, including a 1 m infrastructure and servicing strip along the rear boundary.
- (f) Finished levels of laneways shall be 150 mm less than those of the adjoining property along the entire boundary.
- (g) All required laneways shall include the installation of mature trees (species specified by the City) of a minimum height of 2.4 m at 3 m intervals within the infrastructure and servicing strip, prior to the occupation of the development and maintained by the owner of the land for a minimum of 2 years from occupation to the satisfaction of the City.
- (h) All required Laneways shall include bollard lighting infrastructure installed within the infrastructure and servicing strip to be integrated into the City's lighting scheme at the cost of the developer to the satisfaction of the City.
- (i) Laneways shall be constructed and funded (all costs) by owner of the site once approval given by the City.
- (j) Once laneways are constructed and gazetted, access is available to the rear of Philip Road properties by owners of those properties through approved gates onto the laneway.
- (k) Laneways are to be constructed to provide access within the precinct and not on, through or be reliant on access of adjacent sites not in this precinct.

2.7 Access

- (a) Vehicle access and garaging to sites shall be taken from a side street or rear laneway where available.
- (b) Where vehicle access or laneway access is required from Waratah Avenue, access points and crossovers shall be designed in accordance with the City's specifications with left-in, left-out access only and are delineated in the Precinct Plans.
- (c) Public pedestrian access to all uses of a development (i.e. residential and non-residential) shall only be gained from Waratah Avenue.
- (d) Notwithstanding (c), if a unit/tenancy cannot provide public access from Waratah Avenue, then access can be gained from a secondary street or side laneway (i.e. north-south orientated) with adequate justification to the satisfaction of the City, however public access shall not be gained from a rear laneway under any circumstance.

2.8 Universal Access

- (a) Developments with a residential component of 4 or more dwellings are required to provide dwellings designed for universal access in accordance with the following ratios—

Number of Dwellings	Minimum Number of Dwellings Designed for Universal Access
4-7	1
8-11	2
12 or more	3

2.9 Driveways and Garages

- (a) A crossover and/or driveway shall have a minimum width of 4 m and a maximum width at any point of 6 m.
- (b) A crossover and/or driveway onto a laneway shall have a maximum of width of 9 m aggregate per property developed in accordance with these guidelines.

2.10 Car Parking

- (a) All required car parking shall be provided on-site;
- (b) A minimum of 2 car parking bays per residential dwelling shall be provided on-site.
- (c) On-site visitor car parking is required for all residential developments with 3 or more dwellings, at a rate of 1 bay per 4 dwellings, including residential within mixed use developments.
- (d) Car parking shall be provided for each development in accordance with the Non-Residential Car Parking and Bicycle Parking Table (Table 2) of these guidelines.
- (e) Car park designs on-site shall comply with the Australian Standards and the City's TPS.
- (f) All car parking required for properties shall not address Waratah Avenue or, if applicable, a Secondary Street.
- (g) All car parking shall be covered with the exception of visitor car parking.
- (h) There shall be no car parking within street setbacks other than parking for universal access and residential visitors, which shall not be covered, but shall be screened from view from any street with landscaping, or permanent structure to the satisfaction of the City.
- (i) No additional on-street or verge/road reserve car parking shall be considered as part of a Development Application for development in accordance with these guidelines.
- (j) Cash in lieu for parking will not be considered unless there is a Council approved funded alternative for which the cash in lieu can be used to address the parking shortfall.

2.11 Bicycle Parking

- (a) Bicycle parking shall be provided for each development in accordance with the Non-Residential Car Parking and Bicycle Parking Table (Table 2) of these guidelines.

2.12 Storage

- (a) Lockable storage shall be provided for each dwelling with a minimum of 4 m² per dwelling with a minimum dimension of 1.5 m.
- (b) Storage shall not be used as a substitute for required bicycle parking and shall be located externally to the dwelling; however where this is not practical as deemed by the City, the applicant must demonstrate the functionality of the storage enclosure to the satisfaction of the City.

2.13 Bin and Service Provisions

- (a) The design and provision of bin and service enclosures shall comply with relevant City of Nedlands Local Law.
- (b) All buildings are to be designed with bin and service enclosures as an integral part of the building and shall be located with access to a rear laneway or secondary street.
- (c) All dwellings other than multiple dwellings shall have provision of a private outdoor clothes drying facility.
- (d) All multiple dwellings shall have provision of screened outdoor clothes drying areas, to minimise the use of clothes dryers.
- (e) All outdoor drying areas are to be screened from the street and adjoining properties.

2.14 Fencing

- (a) Fencing to Waratah Avenue, and associated primary setback area, is not permitted as it does not encourage active street fronts.
- (b) Fencing to a Secondary Street, where applicable, is permitted to a maximum height of 1.8 m above natural ground level on the street-side and shall be 50% or more visually permeable above 1.2 m height.
- (c) Walls and fences shall be truncated or reduced to no higher than 0.75 m within 1.5 m where walls and fences adjoin vehicle access points where a driveway meets a public street and where two streets intersect.
- (d) Dividing fencing or screen walls are not permitted within setback areas adjacent to laneways or public area for commercial land uses, however security bollards (lighting or other) are permitted to maximum height of 1.2 m.

2.15 Gardens, Landscaping and Open Space

- (a) All development applications shall require a Landscaping Plan depicting proposed landscaping and protection of significant vegetation, if applicable, for approval by the City.
- (b) All properties shall have a minimum of 35% of open space, which may include open car parking, landscaping and pedestrian areas, at ground level measured over the original lot size prior to any applicable laneway ceding requirement subject to the following—
 - i. Of the 35% required open space, 20% shall be permanent landscaping, subject to half of which being in-ground landscaping.
- (c) All setback areas to Waratah Avenue and any applicable Secondary Street shall be landscaped or finished to the satisfaction of the City.

2.16 Noise

- (a) All developments applications shall require an acoustic engineer's report prepared by a qualified Acoustic Engineer demonstrating how the proposed development is designed to deal with sound intrusions (such as vehicle noise from Waratah Avenue) and sound emissions such as communal open space and air conditioners in accordance with the *Environmental Protection (Noise) Regulations 1997*.

2.17 Sustainable Design

- (a) New buildings shall be designed in accordance with the following—
 - i. All north facing glazing shall be shaded by eaves extending between 0.4 and 0.7 times the height of the glazed area, measured from the lower window sill height to the lowest point of the eave, awning or shade device;

- ii. Eaves shall have a minimum 450 mm overhang on southern and eastern boundaries and a minimum 750 mm on northern and western boundaries; and
 - iii. Dark roofs with an absorption value above 0.8 will not be permitted unless it can be demonstrated that additional insulation above BCA requirements and roof ventilation are provided.
- (b) All developments comprising of more than 5 dwellings shall include a sustainability strategy that addresses the following minimum criteria to the satisfaction of the City—
- i. Systems and initiatives that are proposed to reduce water and energy consumption during construction and operation of the building/development;
 - ii. A building materials list that demonstrates the extent to which the material proposed to be used contribute towards sustainability;
 - iii. Material storage so as to minimize ground contamination;
 - iv. Minimal site disturbance during construction and subsequent ground stabilisation;
 - v. All trees and remaining vegetation that have been identified as being retained are to be fenced off with environmentally friendly temporary fencing and maintained during the construction period;
 - vi. Methods to sort all construction waste on site to enable maximum re-use/re-cycling of materials; and
 - vii. Any other matter Council may require.

2.18 Solar Access

- (a) A minimum of 50% of all habitable rooms/open space of any dwelling shall be designed so as to maximise solar exposure to the northern winter sun.
- (b) Buildings shall be designed such that no more than 50% of private open space or northern windows to habitable rooms of an adjoining lot are in shadow at 12:00 pm on 21 June.

2.19 Privacy

- (a) Any potential overlooking from properties within the SCA into properties that are not within the SCA shall be measured in accordance with the provisions of the RCodes.
- (b) All residential dwellings shall be subject to the privacy and overlooking provisions of the RCodes.
- (c) All privacy and overlooking provisions of the RCodes shall be applied to for development with the following exceptions—
 - i. For developments which abut other properties in the SCA, any cone of vision as defined under the RCodes shall be measured to the next closest adjacent setback line, as defined in Clause 3.2, and not property boundary.

2.20 Signs

- (a) Signs shall be integrated into the facades or below the awnings of the building.
- (b) Signage to maintain a minimum clearance of 3 m above the finished pavement level.
- (c) Signage shall not be illuminated.
- (d) All other signage requirements shall be in accordance with the City's requirements.
- (e) Parapet walls shall not be used for any form of advertising at any time during or after construction.
- (f) No roof signs, billboards or hoardings are allowed.

- (g) 75% of the total shop front clear glazed window is to remain free from the advertising, solid materials, solid furniture on or directly adjacent to the clear glazed windows to ensure an open streetscape.

3 SPECIFIC PROVISIONS - STREET FORM

3.1 Safer Design

- (a) Pedestrian entries to all buildings are to be visible from Waratah Avenue and be clearly delineated and legible.
- (b) Buildings are to be designed to allow passive surveillance of communal areas and adjacent public spaces, and shall have at least one habitable room window or balcony overlooking any adjacent street, public space or communal open space, including rear laneways.
- (c) Loading and storage areas shall be well lit and/or lockable after hours to the satisfaction of the City and not visible from Waratah Avenue.
- (d) Ground floor frontages are to be designed as shop fronts with no less than 70% of the shop front glazed with clear glass.
- (e) All developments with public interface (e.g. laneways) shall be assessed against the Design Out Crime Planning Guidelines in order to ensure the highest level of public amenity and safety.

3.2 Activation of Side Streets and Secondary Streets

- (a) To enhance safety and security, all developments shall address and respond to all adjacent streets including rear laneways through active uses.
- (b) Where applicable, alfresco dining is a permitted land use within the street setback area and some portions of the verge on a Street subject to, but not limited to car parking, sight lines and pedestrian access requirements.

3.3 Ground Floor Heights

- (a) The floor to floor height of ground floor non-residential development shall be a minimum of 4 m above the finished floor level of the adjacent footpath.
- (b) The City may approve a greater floor to floor height than that specified in part (a), to achieve a feature effect, for example an internal void if deemed appropriate by the City.
- (c) Awnings over footpaths shall have a height to the underside of not less than 3 m and not greater than 3.5 m.

3.4 Ground Floor Tenancy Depth

- (a) Tenancies fronting Waratah Avenue on the ground floor shall have a minimum depth of 10 m of non-residential use.

3.5 Streetscape Elements

- (a) At least one habitable room window of a street-facing dwelling shall have a clear view of the street and the approach to the building to the satisfaction of the City.
- (b) The upper floor(s) of a street-facing dwelling shall be activated to the street elevation through the provision of either windows or a balcony to the satisfaction of the City to ensure public surveillance and safety.
- (c) All levels of a building shall address adjacent streets/laneways through the provision of major windows, pedestrian entries and balconies or similar.

- (d) All ground floors shall be activated and functional at a pedestrian scale facing Waratah Avenue and, if applicable, a Secondary Street to the satisfaction of the City.

3.6 Pedestrian Amenity

- (a) Any setback area from the original boundary for road upgrades shall be required to be paved and landscaped to the City's specifications as part of the development of the adjacent lot prior to the occupation of the development and ceding of the land.
- (b) All pedestrian entrances shall be constructed with an awning which extends a minimum of 1.5 m either side of the entrance doors.

4 DEFINITIONS

Gross Leasable Area	<i>Typically used to determine the required car parking for a non-residential use and means the area of all floors capable of being occupied by a tenant for their exclusive use, which area is measured from the centre lines of joint partitions or walls and from the outside of external walls or building alignment, including shop fronts, basements mezzanines and storage areas.</i>
Grouped Dwelling	<i>As defined under the Residential Design Codes.</i>
In ground Landscaping	<i>In ground landscaping is the portion of the total required landscaped area that consists of areas of planted materials. This includes areas of mulch, groundcovers, shrubs and trees and excludes areas of hard surfaces, paving, carparking, decks and other standalone hard structures (not associated with planting).</i>
Multiple Dwelling	<i>As defined under the Residential Design Codes.</i>
Open Space	<i>As defined in the Residential Design Codes.</i>
Plot Ratio	<i>Not applicable for these guidelines as building form and type is stipulated by development provisions such as car parking, setback, height and open space requirements.</i>
RCodes	<i>Residential Design Codes of Western Australia (As Amended).</i>
Secondary Street Frontage	<i>The frontage of a property which is located on the corner of Waratah Avenue and a side street (being either Adelma Road, Alexander Road or Robert Street).</i>
Setback	<i>The horizontal distance between a wall at any point and an adjacent lot boundary, measured at right angles (90 degrees) to the boundary, taking into account any and all road widening or laneway requirements.</i>
Single House	<i>As defined under the Residential Design Codes.</i>
Special Control Area (SCA)	<i>Refers to Special Control Area 5—Dalkeith Housing Diversity Area of Town Planning Scheme No. 2 and includes all properties within the boundary of these guidelines as depicted within Figure 1.</i>
Dalkeith Redevelopment Guidelines (also referred to as 'Guidelines')	<i>Refers to the Special Control Area provisions.</i>

TPS No. 2

Refers to Town Planning Scheme No. 2.

Universal Access

Any person who has a limitation, restriction or impairment, which has lasted, or is likely to last, for at least six months and restricts everyday activities.

WAPC

Refers to the Western Australian Planning Commission.

Notes

(a) *The meaning of a term listed in this section shall prevail over all other definitions.*

(b) *Where a term is not listed in this section and is listed in the Residential Design Codes, the Residential Design Codes shall prevail as the meaning.*

5 FIGURES AND TABLES

Figure 1 – Special Control Area Boundary

Table 1 – Use Class Table

Table 2 – Non-Residential Car Parking and Bicycle Parking Table

Figure 1 – Special Control Area Boundary



DALKEITH REDEVELOPMENT PROJECT
WARATAH AVENUE, DALKEITH
BOUNDARY AND PRECINCT PLAN

Table 1 – Use Class Table

<p><u>Explanatory Notes:</u></p> <p>P = Permitted</p> <p>D = Not permitted unless Council exercises discretion.</p> <p>S = Not permitted unless Council exercises discretion after giving special notice.</p> <p>X = Not permitted.</p> <p>Compliance in accordance with Clause 6.3 of TPS 2 is required for 'S' uses and shall be considered the same as 'AA' uses.</p>
--

Use Classes	Permissibility
Residential uses	
Grouped Dwellings	P
Multiple Dwellings	P
Single House	X
Residential Building	X
Bed and Breakfast	S
Home Business	P
Home Occupation	P
Home Office	P
Home Store	P
Non-residential uses	
Amusement Parlour	S
Animal Establishment	X
Betting Agency	S
Caretaker's Dwelling	P
Car park	S
Child Care Premises	S
Cinema/Theatre	D
Civic Use	D
Club Premises	S
Community Purpose	D
Consulting Rooms	P
Convenience Store	P
Corrective Institution	X
Day Surgery	S
Educational Establishment	D
Exhibition Centre	P
Family Day Care	S
Fast Food Outlet (Cat 1)	X
Fast Food Outlet (Cat 2)	S
Fuel Depot	X
Funeral Parlour	X


Hospital	X
Hotel	X
Industry Cottage	X
Industry Extractive	X
Industry General	X
Industry Light	X
Industry Service	S
Lunch Bar	P
Market	S
Medical Centre	D
Motel	X
Motor Vehicle, Boat or Caravan Sales	X
Motor Vehicle Repair	X
Motor Vehicle Wash	X
Nursing Home	S
Nursery	P
Nightclub	X
Office	P
Place of Worship	D
Public Utilities	D
Reception Centre	S
Recreation Private	D
Respite Centre	S
Restaurant	P
Restricted Premises	X
Serviced Apartments	S
Service Station	S
Sexual Services Business	X
Shop	P
Showroom	X
Small Bar	S
Storage	X
Tavern	X
Telecommunications Infrastructure	S
Trade Display	X
Transport Depot	X
Veterinary Centre	P
Warehouse	X





Table 2 – Non-Residential Car Parking and Bicycle Parking Table

Land Use	Number of Car Parking Bays	Number of Bicycle Parking Spaces
Caretakers Dwelling	One bay in addition to the number of bays required for the predominant use	
Bed and Breakfast Establishment	2 for the permanent residents plus 1 for each guest bedroom	
Education Establishment	2 per classroom	Primary School: 1 per 4 students Secondary School: 1 per 2 students
Home Store	4 bays per 100 m ² of gross floor area or 1 bay per 25 m ² of gross floor area whichever is the greater	
Hospital, Day Surgery Respite Centre	1 per every 3 beds and 1 bay per staff member	1 per 10 beds

Nursing Home	1 per 8 patients' beds plus 1 per 2 employees	1 per 10 beds
Club Premises	All areas to be calculated according to use	All areas to be calculated
Reception Centre Recreation Private Hotel, Motel, Serviced Apartments Tavern, Nightclub	1 bay per bedroom/unit 1 bay per 4 m ² of eating, drinking, lounge or assembly area 1 bay per 4 m ² of assembly area	according to use 1 per 100 m ² of lounge, dining and function areas, beer gardens, and areas used predominantly for games
Place of Worship Cinema/Theatre	1 bay per 4 m ² of assembly area or 1 bay per 25 m ² of gross floor area whichever is the greater	1 per 50 m ² of auditorium area
Consulting Rooms, Veterinary Centre, Medical Centre	4 bays per consulting room or 1 bay per 25 m ² of gross floor area whichever is the greater	1 per practitioner
Child Care Facilities	1 bay for every staff member, plus 1 bay for every 10 children with a minimum of 3 bays other than staff parking	1 per 10 children
Convenience Store/ Service Station	1 bay per petrol pump plus 2 bays per service bay plus 1 bay per 40 m ² of shop area or 1 bay per 25 m ² of gross floor area whichever is the greater	
Restaurant, Fast Food Outlet (Cat 2), Lunch Bar Shop, Betting Agency Community Purpose, Service Industry, Market, Exhibition Centre, Office	1 per 25 m ² of gross floor area	1 per 40 m ² of gross floor area
Industry (light, general, cottage), Motor Vehicle, Boat or Caravan Sales Storage, Open-Air Display	1 bay per 50 m ² gross floor area	Staff: 1 per 200 m ² gross floor area; and Visitors: 1 per 750 m ² gross floor area

6 PRECINCTS

	Precinct 1 – No. 79 Waratah Avenue
---	------------------------------------

	Precinct 2 – No. 81 Waratah Avenue
	Precinct 3 – No. 87, 89, 91, 93, 93A, 95A Waratah Avenue
	Precinct 4 – No. 101 Waratah Avenue
	Precinct 5 – Nos 129, 131, 133 Waratah Avenue

P1 Precinct 1 – No. 79 Waratah Avenue

Development Provisions

Setbacks:

- Front Setbacks**
 - Ground floor – 2 m
 - 1st Floor – 3 m
 - 2nd Floor and above – 5 m
- Secondary Street**
 - Ground Floor – Nil
 - 1st Floor – First 20 m from primary frontage – Nil
 - Beyond 20 m – 2 m
 - 2nd floor and above – First 20 m – Nil
 - Beyond 20 m – 4 m
- Side Setbacks**
 - Ground Floor – Nil
 - 1st Floor – First 20 m from primary frontage – Nil
 - Beyond 20 m – 2 m
 - 2nd floor and above – First 20 m – Nil
 - Beyond 20 m – 4 m

Rear Setbacks

- Adjoining Residential – 5 m
- Adjoining laneway
 - Ground to 1st Floor – 1.5 m from laneway
 - 2nd floor and above – 5.5 m from laneway

Laneways

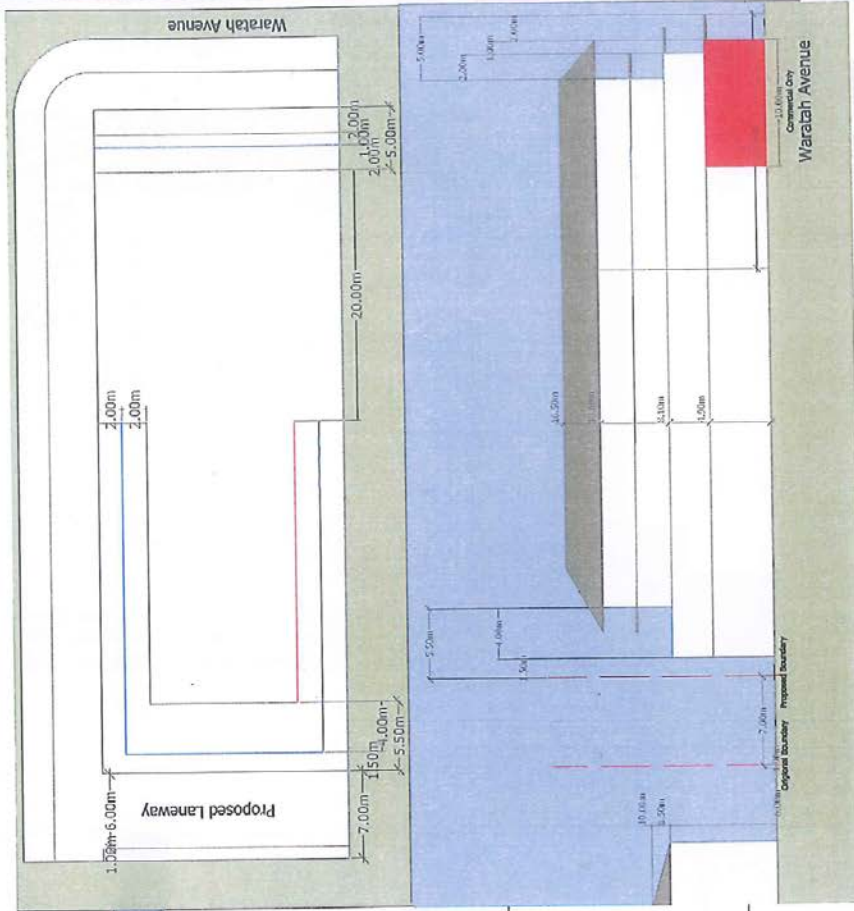
- Width- 7 m.
- Laneways marked on plan (including 1 m landscaping and infrastructure strip).
- Requirement to seal laneway prior to occupation.
- Laneway to include trees of minimum height of 2.4 m – provided prior to occupation and maintained by developer.
- Laneway to include bollard lighting to be integrated into City's lighting scheme.

Land Use Notes:

- Prohibited land Uses**
 - Entire developments of Residential.

Notes

- All developments shall have a minimum of 2 Residential dwellings.



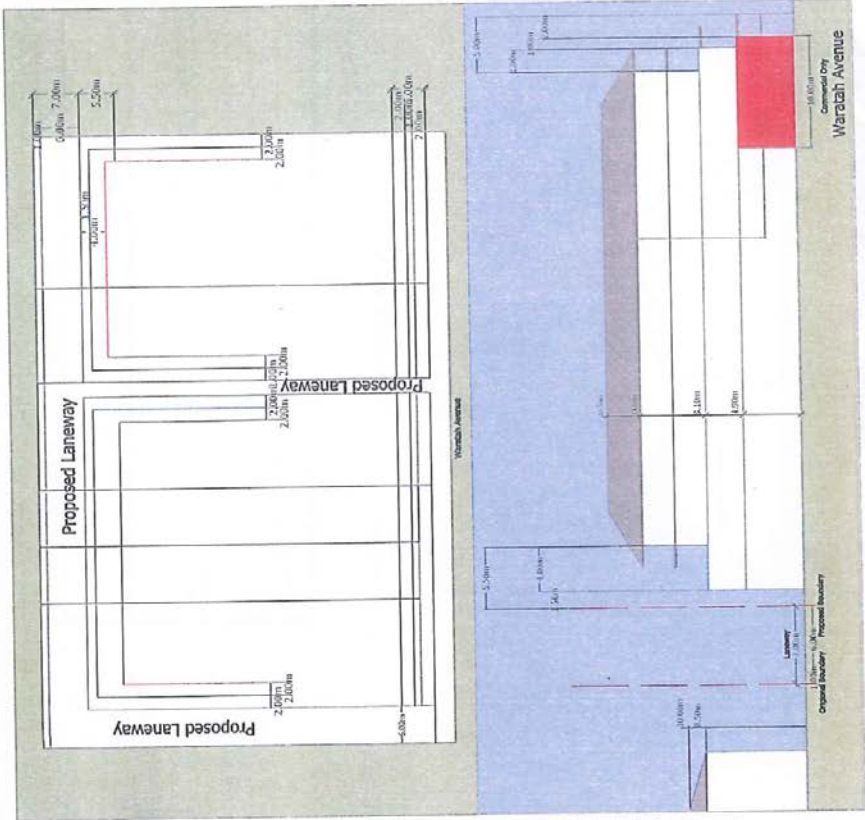
P3 Precinct 3 – Nos. 87, 89, 91, 93, 93A,
95A Waratah Avenue

Development Provisions

- Setbacks:**
- Front Setbacks**
Ground floor – 2 m
1st Floor – 3 m
2nd Floor and above – 5 m
- Side Setbacks**
Ground Floor – Nil
1st Floor – First 20 m from primary frontage- Nil
– Beyond 20 m – 2 m
2nd floor and above – First 20 m - Nil
– Beyond 20 m – 4 m
- Rear Setbacks**
Adjoining Residential – 5 m
Adjoining laneway:
Ground to 1st Floor – 1.5 m from laneway
2nd floor and above – 5.5 m from laneway

- Laneways**
- Width- 7 m.
 - Laneways marked on plan (including 1 m landscaping and infrastructure strip).
 - Requirement to seal laneway prior to occupation.
 - Laneway to include trees of minimum height of 2.4 m - provided prior to occupation and maintained by developer.
 - Laneway to include bollard lighting to be integrated into City's lighting scheme.

- Land Use Notes:**
- Prohibited land Uses**
- Entire developments of Residential.
- Notes**
- All developments shall have a minimum of 2 Residential dwellings.



P4

Precinct 4 – No. 101 Waratah Avenue

Development Provisions

Setbacks:

Front Setbacks
 Ground floor – 2m
 1st Floor – 3m
 2nd Floor and Loft – 5m

Secondary Street
 Ground Floor – Nil
 1st Floor – First 20m from primary frontage – Nil
 – Beyond 20m – 2m
 2nd Floor – First 20m – Nil
 – Beyond 20m – 4m

Side Setbacks
 Ground Floor – Nil
 1st Floor – First 20m from primary frontage – Nil
 – Beyond 20m – 2m
 2nd Floor – First 20m – Nil
 – Beyond 20m – 4m

Rear Setbacks
 Adjoining Residential – 5m
 Adjoining Laneway
 - Ground and 1st Floor – 1.5m
 - 2nd Floor and Loft – 4.5m

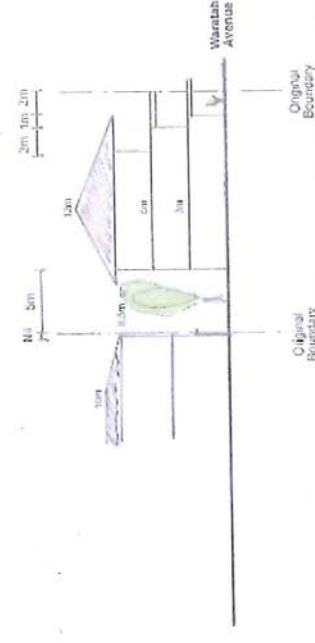
Laneways:

- Width – 7m
- Laneways marked on plan (including 1m landscaping and infrastructure strip).
- Requirement to seal laneway prior to occupation.
- Laneway to include trees of minimum height of 2.4m – provided prior to occupation and maintained by developer.
- Laneway to include bollards lighting to be integrated into City's lighting scheme.

Land Use Notes:

Prohibited Land Uses
 – Entire developments of Residential

Notes
 – All developments shall have a minimum of 2 residential dwellings.





P5

Precinct 5 – Nos. 129, 131, 133 Waratah Avenue

Development Provisions

Setbacks:

Front Setbacks
Ground floor – 2m
1st Floor – 3m
2nd Floor and Loft – 5m

Secondary Street

Ground Floor – Nil
1st Floor – First 20m from primary frontage – Nil
– Beyond 20m – 2m
2nd Floor – First 20m – Nil
– Beyond 20m – 4m

Side Setbacks

Ground Floor – Nil
1st Floor – First 20m from primary frontage – Nil
– Beyond 20m – 2m
2nd Floor – First 20m – Nil
– Beyond 20m – 4m

Rear Setbacks

Adjoining Residential – 5m
Adjoining Laneway
- Ground and 1st Floor – 1.5m
- 2nd Floor and Loft – 4.5m



Laneways:

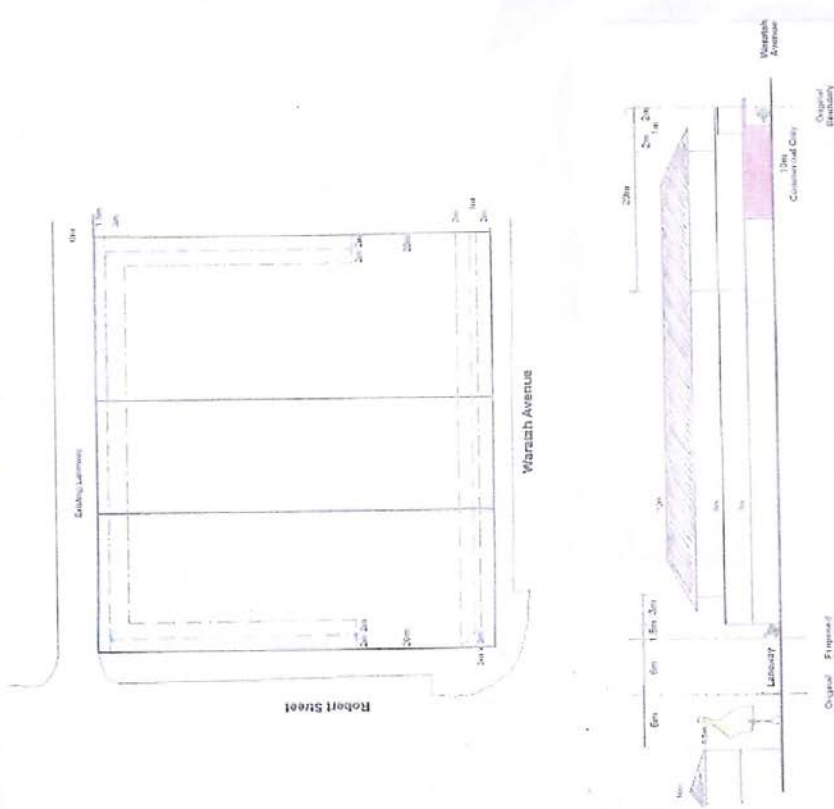
- Width – 7m.
- Laneways marked on plan (including 1m landscaping and infrastructure strip).
- Requirement to seal laneway prior to occupation.
- Laneway to include trees of minimum height of 2.4m – provided prior to occupation and maintained by developer.
- Laneway to include bollard lighting to be integrated into City's lighting scheme.

Land Use Notes:

Prohibited Land Uses
– Entire developments of Residential

Notes

- All developments shall have minimum of 2 residential dwellings.



ADOPTION

Adopted by resolution of the Council of the City of Nedlands at the meeting held on the **FIFTH** day of **JULY, 1984**.

SIGNED

D C CRUICKSHANK, J P
MAYOR

Date: **5th July, 1984**

SIGNED

N G LEACH
TOWN CLERK

Date: **5th July, 1984**

FINAL APPROVAL

1. Adopted by resolution of the Council of the City of Nedlands at the meeting of the Council held on the **SIXTH** day of **DECEMBER, 1984**.

SIGNED

D C CRUICKSHANK, J P
MAYOR

Date: **14th February, 1985**

SIGNED

N G LEACH
TOWN CLERK

Date: **14th February, 1985**

2. Recommended for final approval :

SIGNED

M A FEILMAN
CHAIRMAN TOWN PLANNING BOARD

Date: **13th March, 1985**

3. Final approval granted :

SIGNED

R J PEARCE, B A, Dip Ed, MLA
MINISTER FOR PLANNING

Date: **14th March, 1985**