

City of Perth



Minor Town/Local Planning Schemes

Local Planning Scheme No. 26 - Normalised Redevelopment Areas



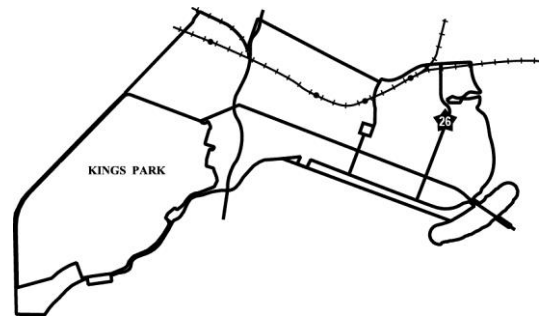
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1	11 September 2007	Gazetted
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The local government, under the powers conferred on it by the Planning and Development Act 2005, makes the following Local Planning Scheme.

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PART 1: PRELIMINARY

1.1 Citation of Scheme

This Scheme may be cited as the Local Planning Scheme No. 26 (Normalised Redevelopment Areas) (herein called the Scheme).

1.2 Responsible Authority

The responsible authority for the preparation and implementation of the Scheme is the local government.

1.3 Date of Operation

The Scheme shall come into operation on publication of notice of the Minister's final approval thereof in the *Government Gazette*.

1.4 Scheme Area

This Scheme shall apply to the area defined as the Scheme Area in the Scheme Map in Figure 1.

1.5 Relationship of Scheme to Local-laws

The provisions of the Scheme shall have effect notwithstanding any local-law and where the provisions of the Scheme are inconsistent with any local-law the provisions of the Scheme shall prevail.

1.6 Relationship to the City of Perth City Planning Scheme

1.6.1 This Scheme is complementary to and is not a substitute for the City Planning Scheme.

1.6.2 Where a provision of this Scheme is inconsistent with a provision of the City Planning Scheme, the provision of this Scheme prevails.

1.6.3 The reference in clause 36(1) of the City Planning Scheme to “a standard or requirement of this Scheme” shall be taken to include a standard or requirement of this Scheme.

1.6.4 In any provision which:

- (a) is contained within a local planning scheme that repeals and replaces the City Planning Scheme; and
- (b) empowers local government to approve a development which does not comply with the standard or requirement of that local planning scheme;

any reference to a standard or requirement of that local planning scheme shall be taken to include a standard or requirement of this Scheme.

1.6.5 The reference in clause 43(1)(d) of the City Planning Scheme to “all standards laid down and all requirements prescribed by this Scheme” shall be taken to include any standards laid down and any requirements prescribed by this Scheme.

1.6.6 In any provision which:

- (a) is contained within a local planning scheme that repeals and replaces the City Planning Scheme; and
- (b) prohibits a person from erecting, altering or adding to a building or using or changing the use of any land or building or permitting or suffering any land or building to be used or the use of any land or building to be changed for any purpose unless all the standards laid down and all the requirements prescribed by that local planning scheme or determined by the local government under that local planning scheme have been and continue to be complied with;

any reference to the standards laid down or standards prescribed by that local planning scheme shall be taken to include all standards laid down and all requirements prescribed by this Scheme.

1.7 Interpretation

In the Scheme unless the context otherwise requires, or unless it is otherwise provided herein, words and expressions have the respective meanings given to them in the Planning and Development Act 2005, the Deemed Provisions, Schedule 1, the City Planning Scheme and R-Codes. In the case of conflict between the meanings of words and expressions in those instruments:

- (a) in the case of residential development the definition in the R-Codes shall prevail; and
- (b) otherwise priority shall be given according to the order in which the instruments are referred to in this clause.

1.8 Contents of the Scheme

The Scheme comprises this Scheme Text which incorporates the Scheme Map and includes any Schedule to the Scheme and the Deemed Provisions.

1.9 Scheme Purpose

The purposes of the Scheme are to:

- (a) provide a system for the orderly control of development within the Scheme Area;
- (b) facilitate the process of development within the Scheme Area;
- (c) provide sufficient certainty to enable location and investment decisions to be made with reasonable confidence;
- (d) ensure that individual developments can occur without detriment to the integrity of the Scheme Area and locality as a whole;
- (e) provide flexibility and discretion in decision making;

- (f) provide an effective means of determining the urban design and visual quality of the Scheme Area;
- (g) provide effective standing for planning policies; and
- (h) facilitate the implementation of the Scheme objectives and principles.

1.10 Scheme Objectives

1.10.1 The objectives of the Scheme are to:

- (a) deliver sustainable urban development within the Scheme Area, with outcomes such as compact growth, mixed land use, good design, primacy of public spaces, heritage conservation and reduced motor vehicle usage;
- (b) deliver vibrant and attractive urban environments which infuse the city with vitality, life and character;
- (c) deliver development excellence through high quality design, by connecting people and places, and ensuring a successful mixture of land uses and activities;
- (d) increase the resident population, facilitate increased employment opportunities and a diverse range of businesses, facilities, services, amenities and infrastructure.

1.10.2 The local government will have due regard to the Scheme Objectives when determining applications made under the Scheme and when making other discretionary decisions regarding the Scheme.

1.11 Scheme Principles

1.11.1 The Scheme Principles are:

- (a) ‘Places for People’ – development must be planned, designed and managed to ensure the city is an appealing and welcoming place for people to live, work, play and visit;
- (b) ‘Critical Mass’ – development will increase the number of residents, businesses and jobs in the city and will provide facilities, services, amenities and infrastructure to support ongoing growth;
- (c) ‘Quality Design’ – development will deliver high quality design of places which responds to local context and develops Perth as a distinct, world class, liveable city. Design excellence in development will focus on innovation, aesthetics, function and materials, and the development of attractive, efficient and adaptable places and buildings;
- (d) ‘Diversity’ – development will support diversity of people, places, buildings, land uses, events and transport through the design and use of places, to create choice and flexibility in a compatible manner;

- (e) ‘Connectivity’ – development will deliver a well designed and serviced urban environment which integrates people, land uses and transport modes in an efficient, convenient and safe manner; and
- (f) ‘Environmental Integrity’ – development will conserve and enhance the natural and built environment and minimise resource consumption, carbon emissions, pollution, waste production and other detrimental environmental impacts.

1.11.2 All development proposals will be required to be consistent with the Scheme Principles, which are to be applied collectively to achieve the creation of sustainable communities.



PART 2: PLANNING POLICIES AND DESIGN GUIDELINES

2.1 Adoption of Planning Policies and Design Guidelines

The Planning Policies and Design Guidelines for the Normalised Redevelopment Areas shall be deemed to be policies adopted by the local government in accordance with the requirements of clauses 3 and 4 of the Deemed Provisions.

2.2 Amendments to Planning Policies and Design Guidelines

Amendments to the Planning Policies and Design Guidelines referred to in clause 2.1, shall follow the procedure established in clause 5 of the Deemed Provisions.

PART 3: PROJECT AREAS AND PRECINCTS

3.1 Project Areas and Precincts on Scheme Map

The Scheme Area is made up of Project Areas which are divided into Precincts. The location and boundaries of the Project Areas and Precinct are shown on the Scheme Map.

3.2 Land Use Categories

There are seven land use categories created by the Scheme. Table 1 – Land Use Categories defines the land use categories and lists the land uses within each category. Where appropriate, these categories are stipulated as ‘Preferred Uses’ categories or ‘Contemplated Uses’ categories in the Precincts.

3.3 Development in Precincts

- 3.3.1 All development is required to be generally consistent with the Statement of Intent for the Precinct in which it takes place.
- 3.3.2 Where in Parts Four and Five a category of use is stipulated as a ‘Preferred Use’ in any Precinct, in dealing with a development application involving a use from that category in that Precinct the local government shall deal with the application in accordance with clause 32 of the City Planning Scheme.
- 3.3.3 Where in Parts Four and Five a category of use is stipulated as a ‘Contemplated Use’ in any Precinct, in dealing with a development application involving a use from that category in that Precinct the local government shall deal with the application in accordance with clause 33 of the City Planning Scheme.
- 3.3.4 In dealing with an application for development approval for an unlisted land use, the local government shall deal with the application in accordance with clause 34 of the City Planning Scheme.

Table 1: Land Use Categories

CATEGORY 1 : CULTURE AND CREATIVE INDUSTRY	LAND USES
<p>Description:</p> <p>Businesses and activities which have their origin in individual creativity, skill and talent and which contribute to the cultural richness and economic advantage of an area. Provides opportunities for business incubation and job creation through exploitation of intellectual property and/or unique skills.</p> <p>In determining an application for development approval for a land use within the Culture and Creative Industry land use category, in addition to other provisions of the Scheme, the</p>	<ul style="list-style-type: none"> ● Media Production ● Creative Industry Office ● Creative Mixed Land Use ● Artist Studio ● Theatre/Performance Venue ● Exhibition Centre ● Event Space



<p>local government shall have regard to the following objectives:</p> <ul style="list-style-type: none"> (a) infusing creativity, originality and innovation into the built environment; (b) encouragement of creative industries; (c) providing opportunities for business incubation; (d) the provisions of flexible and adaptive spaces to live, work and display; and (e) ensuring the compatible operation of culture and creative land uses with other land uses in the vicinity of the proposed development. 	
<p>CATEGORY 2 : COMMERCIAL</p> <p>Description:</p> <p>Business activities, professional services and other principally profit-based land uses of a non-retail, low impact nature. The category does not include businesses of an industrial, entertainment or other moderate to high impact nature.</p> <p>In determining an application for development approval for a land use within the Commercial land use category, in addition to other provisions of the Scheme, the local government shall have regard to the following objectives:</p> <ul style="list-style-type: none"> (a) facilitating prosperity and diversity in economic activity and commercial buildings and premises; (b) ensuring an active interface of ground floor development with the public realm; (c) healthy, functional and environmentally sustainable workplaces; and (d) accessibility to work places by sustainable modes of transport. 	<p>LAND USES</p> <ul style="list-style-type: none"> • Office • Business Services • Consulting Rooms • Medical Centre • Commercial Training Centre • Dry Cleaning Premises • Veterinary Centre • Car Park
<p>CATEGORY 3 : LIGHT INDUSTRY</p> <p>Description:</p> <p>Low to moderate impact businesses, predominately based in skilled trades, manufacturing, goods handling, the automotive industry and other land uses of an industrial nature. The land uses usually require large purpose built premises and may not be appropriate for mixed-use buildings or residential areas.</p> <p>In determining an application for development approval for a land use within the Light Industry land use category, in addition</p>	<p>LAND USES</p> <ul style="list-style-type: none"> • Light Industry • Service Industry • Research and Development • Showroom/Warehouse • Open Air Sales and Display • Transport Depot



<p>to other provisions of the Scheme, the local government shall have regard to the following objectives:</p> <p>(a) ensuring the operation of the land use does not negatively affect the amenity of the locality, including operating hours, traffic, noise, emissions and other operations are compatible with surrounding land uses;</p> <p>(b) the appropriate interface of development with the surrounding environment, including amenity and a quality streetscape; and</p> <p>(c) ensuring the proposed development will not significantly detract from the vision for the Project Area and the intent for the Precinct.</p>	<ul style="list-style-type: none"> • Service Station • Major Utility Infrastructure
<p>CATEGORY 4 : RETAIL</p> <p>Description:</p> <p>Places of business offering goods displayed on the premises for sale or hire to the public, and also includes premises for the provision of services of a personal nature. May include the preparation of goods for sale on site but not manufacturing of goods.</p> <p>In determining an application for development approval for a land use within the Retail land use category, in addition to the other provisions of the Scheme, the local government shall have regard to the following objectives:</p> <p>(a) encouraging a diversity of retail services and premises in appropriate locations; and</p> <p>(b) ensuring an active interface of ground floor development with the public realm.</p>	<p>LAND USES</p> <ul style="list-style-type: none"> • Shop • Shopping Complex • Personal Services • Market • Convenience Store • Liquor Store
<p>CATEGORY 5 : RESIDENTIAL</p> <p>Description:</p> <p>A building or a portion of a building that is designed or adapted for habitation.</p> <p>In determining an application for development approval for a land use within the Residential land use category, in addition to other provisions of the Scheme, the local government shall have regard to the following objectives:</p> <p>(a) encouragement of a socially diverse inner city population;</p> <p>(b) the provision of a diversity of housing and accommodation</p>	<p>LAND USES</p> <p>5A Permanent Residential</p> <ul style="list-style-type: none"> • Single House • Multiple Dwelling • Grouped Dwelling • Specific Purpose Housing • Home Occupation <p>5B Transient Residential</p> <ul style="list-style-type: none"> • Lodging House



<p>types, size and tenure;</p> <p>(c) the provision of social and affordable housing;</p> <p>(d) the provision of universally accessible and adaptive housing;</p> <p>(e) the compatibility of new residential development with existing land uses; and</p> <p>(f) the need to separate permanent residential development from transient accommodation or other land uses, where appropriate.</p>	<ul style="list-style-type: none"> ● Short Term Accommodation ● Serviced Apartments ● Hotel ● Hostel
<p>CATEGORY 6 : COMMUNITY</p> <p>Description:</p> <p>Premises or land uses which provide essential services or leisure facilities to local residents and workers or the wider community, also referred to as ‘social infrastructure’. May include activities for commercial gain which provide a social benefit.</p> <p>In determining an application for development approval for a land use within the Community land use category, in addition to other provisions of the Scheme, the local government shall have regard to the following objectives:</p> <p>(a) encouraging facilities that provide essential services or enhanced lifestyles to segments of the community or to the general public;</p> <p>(b) facilitating social interaction and community building;</p> <p>(c) supporting physical activity and healthy lifestyles; and</p> <p>(d) ensuring the appropriate interface of development with the surrounding environment, including patron and traffic management, and high quality public realm.</p>	<p>LAND USES</p> <ul style="list-style-type: none"> ● Civic Building ● Community Centre ● Recreation Facilities ● Public Open Space ● Place of Worship ● Hospital ● Health & Social Services ● Education Establishment ● Day Care Centre ● Public Library



<p>CATEGORY 7: DINING AND ENTERTAINMENT</p> <p>Description:</p> <p>Premises designed and used to provide public entertainment or social interaction, principally dining and drinking. Usually involves extended/evening trading and may involve service of alcohol and amplified music. Includes land uses which may present moderate impacts on residential amenity, due to noise, patronage and hours of operation.</p> <p>In determining an application for development approval for a land use within the Dining and Entertainment land use category, in addition to other provisions of the Scheme, the local government shall have regard to the following objectives:</p> <ul style="list-style-type: none"> (a) enhancing lifestyle, character and vibrancy; (b) achieving effective venue management, including venue operation, patron management, and customer and public safety; and (c) ensuring the operation of land use does not negatively affect the amenity of the locality, including operating hours, traffic, noise or other emissions, and is compatible with surrounding land uses. 	<p>LAND USES</p> <ul style="list-style-type: none"> • Tavern • Small Bar • Night Club • Entertainment Complex • Function Centre • Club • Restaurant • Fast Food Outlet • Cinema Complex • Amusement Parlour • Betting Agency
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3.4 Plot Ratio

The local government cannot grant development approval for a non-complying application in respect of an application for an increase in plot ratio above the specified maximum plot ratio in Parts Four and Five of the Scheme.

PART 4: CLAISEBROOK VILLAGE PROJECT AREA

4.1 Claisebrook Village Project Area Vision

The Vision for the Claisebrook Village Project Area is:

Claisebrook Village will be a sustainable urban village based on the Claisebrook Cove. It will exemplify the Scheme Principles, through its environmental integrity, a high quality public realm, and diverse land uses and housing in an easily accessible and connected environment. The area will be enriched by its Indigenous and architectural heritage and public art. The area will exhibit contemporary transport planning and design principles which capitalise on its proximity to good public transport and further develop the pedestrian-friendly public realm.

4.2 Precinct EP1: Claisebrook Inlet

4.2.1 Precinct Statement of Intent

The Claisebrook Inlet Precinct is the principal visual and social focus of the Claisebrook Village Project Area. It is a vibrant mixed land use precinct, providing opportunities for dining, leisure and social interaction and an active public realm.

4.2.2 The following table lists the Preferred, Contemplated and Prohibited uses within Precinct EP1: Claisebrook Inlet:

Precinct EP1: Claisebrook Inlet	
Land Use Category	Use Symbol
Category 1 Culture and Creative Industry	C
Category 2 Commercial	P
Category 3 Light Industry	X
Category 4 Retail	P
Category 5A Permanent Residential	P/X1
Category 5B Transient Residential	P
Category 6 Community	P
Category 7 Dining and Entertainment	C

(1) Means use is prohibited where it fronts the street at pedestrian level but preferred elsewhere.

4.2.3 Maximum Plot Ratio: 1.0

The plot ratio may be increased to a maximum of 2.0 provided that in any development having a plot ratio in excess of 1.0, not less than 50% of the excess relevant floor area shall be dedicated to residential use.

For Lot 162 Plain Street, East Perth maximum plot ratio is 2.0.

4.2.4 Development of Lots 1 – 85 Nos. 50-60 Royal Street and Lots 1-79 No. 20 Royal Street:

- (a) This subclause applies only to Lots 1-85 Nos. 50-60 and Lots 1-79 No. 20 Royal Street, East Perth and for the purpose of this subclause, they shall be treated as a single lot and referred to as “the Lot”.
- (b) The Lot is to be developed and used for either Serviced Apartments or a Hotel or both with at least one or a combination of any of the following developments and uses:
 - (i) Serviced Apartments;
 - (ii) Hotel;
 - (iii) Tavern;
 - (iv) Office;
 - (v) Restaurant;
 - (vi) Theatre/Cinema;
 - (vii) Recreation facilities;
 - (viii) Retail; and
 - (ix) a use or development ancillary to those referred to in items (i)-(viii) above.
- (c) At least 2/3 of the total number of apartments and rooms are to be developed and used for short stay accommodation.
- (d) The plans submitted for development approval in respect of the Lot are to identify the apartments and rooms which are to be developed and used for short stay accommodation.
- (e) In this subclause:
 - (i) Serviced Apartments means buildings which include self-contained units used for short stay accommodation together with associated office and service facilities, but the term does not include a hostel, a hotel, a motel or a lodging house; and
 - (ii) Short Stay Accommodation means continuous accommodation of the same person for a period of up to 12 months.

4.3 Precinct EP2: Constitution Street

4.3.1 Precinct Statement of Intent:

The Constitution Street Precinct promotes critical mass through housing diversity that varies in type and form. The critical mass from this and adjoining Precincts provides a supporting base population for the Claisebrook Inlet Precinct and the effective function of public transport services for the Project Area.

4.3.2 The following table lists the Preferred, Contemplated and Prohibited uses within Precinct EP2: Constitution Street:

Precinct EP2: Constitution Street	
Land Use Category	Use Symbol
Category 1 Culture and Creative Industry	X
Category 2 Commercial	X
Category 3 Light Industry	X
Category 4 Retail	X
Category 5A Permanent Residential	P
Category 5B Transient Residential	C
Category 6 Community	C
Category 7 Dining and Entertainment	X

4.3.3 Maximum Plot Ratio: 1.5

4.4 Precinct EP3: Royal Street Central

4.4.1 Precinct Statement of Intent:

The Royal Street Central Precinct is the main focus for shopping and commercial activity in the Project Area, whilst also supporting mixed-use development. Royal Street between Bennett and Plain Street is to remain as the retail 'high street', with a wide variety of shops and personal services and other land uses that help activate the locality. The high street is linked to the dining and recreation area of 'Claisebrook Walk' through a series of pedestrian piazzas developed to provide a high quality pedestrian network and public realm.

4.4.2 The following table lists the Preferred, Contemplated and Prohibited uses within Precinct EP3: Royal Street Central:

Precinct EP3: Royal Street Central	
Land Use Category	Use Symbol
Category 1 Culture and Creative Industry	C
Category 2 Commercial	P
Category 3 Light Industry	C
Category 4 Retail	P
Category 5A Permanent Residential	P
Category 5B Transient Residential	P
Category 6 Community	C
Category 7 Dining and Entertainment	C

4.4.3 Plot Ratio: 1.5

The plot ratio may be increased to a maximum of 2.5 provided that in any development having a plot ratio in excess of 1.5, not less than 50% of the excess relevant floor area shall be dedicated to residential use.

For Lot 203 No. 100 Royal Street, East Perth the plot ratio may be increased to a maximum of 3.0.

For Lots 1-35 No. 118 Royal Street, East Perth, Lots 1-13 No. 22 Eastbrook Terrace, East Perth and Lots 1-15 No. 26 Eastbrook Terrace, East Perth the plot ratio may be increased to a maximum of 3.0, provided that the minimum plot ratio of 2.0 is attributable in any development to Category 2.

4.4.4 Development of Lots 1-62 No. 11 Regal Place, East Perth

- (a) this subclause applies only to Lots 1-62 No. 11 Regal Place, East Perth;
- (b) the Lot is to be developed and used for either Serviced Apartments or a Hotel or both with at least one or a combination of any of the following developments and uses:
 - (i) Serviced Apartments;
 - (ii) Hotel;
 - (iii) Office;
 - (iv) Restaurant; and
 - (v) a use or development ancillary to those referred to in items (i)-(iv) above.
- (c) In this subclause:
 - (i) Serviced Apartments means buildings which include self-contained units used for short stay accommodation together with associated office and

service facilities, but the term does not include a hostel, a hotel, a motel or a lodging house; and

- (ii) Short Stay Accommodation means continuous accommodation of the same person for a period of up to 12 months.

4.5 Precinct EP4: Silver City

4.5.1 Precinct Statement of Intent:

The Silver City Precinct will continue its key role in accommodating a substantial workforce population including research, office and other business activity, whilst also including residential development.

- 4.5.2 The following table lists the Preferred, Contemplated and Prohibited uses within Precinct EP4: Silver City:

Precinct EP4: Silver City	
Land Use Category	Use Symbol
Category 1 Culture and Creative Industry	C
Category 2 Commercial	P
Category 3 Light Industry	C
Category 4 Retail	C
Category 5A Permanent Residential	P
Category 5B Transient Residential	P
Category 6 Community	P
Category 7 Dining and Entertainment	C

- 4.5.3 Maximum Plot Ratio: 1.5

The plot ratio may be increased to a maximum of 2.5 provided that in any development having a plot ratio in excess of 1.5, not less than 50% of the excess relevant floor area shall be dedicated to residential use.

4.6 Precinct EP6: Boans

4.6.1 Precinct Statement of Intent:

The Boans Precinct takes its name from the former Boans Warehouse on Saunders Street, one of many fine examples of adaptive re-use within the Claisebrook Village Project Area. The Precinct's close proximity to the Claisebrook Train Station provides a strong opportunity to continue the medium density and mixed land use function of the Project Area, while ensuring a high quality, connected pedestrian network through the Precinct.

4.6.2 The following table lists the Preferred, Contemplated and Prohibited uses within Precinct EP6: Boans:

Precinct EP6: Boans	
Land Use Category	Use Symbol
Category 1 Culture and Creative Industry	C
Category 2 Commercial	C
Category 3 Light Industry	C
Category 4 Retail	C
Category 5A Permanent Residential	P
Category 5B Transient Residential	P
Category 6 Community	C
Category 7 Dining and Entertainment	C

4.6.3 Maximum Plot Ratio: 1.5

The plot ratio may be increased to a maximum of 2.5 provided that in any development having a plot ratio in excess of 1.5, not less than 50% of the excess relevant floor area shall be dedicated to residential use.

4.7 Precinct EP7: East Parade

4.7.1 **Precinct Statement of Intent:**

The East Parade Precinct will provide a mix of commercial and residential uses, with a particular emphasis on improving the streetscape quality and built form along the edges of East Parade and the Graham Farmer Freeway. The Precinct will provide a distinctive entry point into the Project Area from the north.

4.7.2 The following table lists the Preferred, Contemplated and Prohibited uses within Precinct EP7: East Parade:

Precinct EP7: East Parade	
Land Use Category	Use Symbol
Category 1 Culture and Creative Industry	C
Category 2 Commercial	P
Category 3 Light Industry	C
Category 4 Retail	C
Category 5A Permanent Residential	P
Category 5B Transient Residential	P
Category 6 Community	C
Category 7 Dining and Entertainment	C

4.7.3 Maximum Plot Ratio: 2.0

4.8 Precinct EP8: Belvidere

4.8.1 Precinct Statement of Intent:

The Belvidere Precinct provides predominantly for residential development, with some opportunities for commercial land uses. The Precinct functions as the gateway to the Perth inner city from the north and east. Quality development will be located along the northern periphery of the Precinct, adjacent to the Public Transport Authority Reserve.

4.8.2 The following table lists the Preferred, Contemplated and Prohibited uses within Precinct EP8: Belvidere:

Precinct EP8: Belvidere	
Land Use Category	Use Symbol
Category 1 Culture and Creative Industry	C
Category 2 Commercial	C
Category 3 Light Industry	C
Category 4 Retail	C
Category 5A Permanent Residential	P
Category 5B Transient Residential	C
Category 6 Community	C
Category 7 Dining and Entertainment	C

4.8.3 Maximum Plot Ratio: 1.0

The plot ratio may be increased to a maximum of 2.0 provided that in any development having a plot ratio in excess of 1.0 not less than 50% of the excess relevant floor area shall be dedicated to residential use.

4.9 Precinct EP9: Brown Street

4.9.1 Precinct Statement of Intent:

The Brown Street Precinct will provide a mix of uses, commercial and high amenity light industry to the north of Brown Street and residential to the south and along Claisebrook Inlet. This highly prominent location will showcase high quality design and medium density residential development.

4.9.2 The following table lists the Preferred, Contemplated and Prohibited uses within Precinct EP9: Brown Street:

Precinct EP9: Brown Street	
Land Use Category	Use Symbol
Category 1 Culture and Creative Industry	C
Category 2 Commercial	C
Category 3 Light Industry	C
Category 4 Retail	C
Category 5A Permanent Residential	P
Category 5B Transient Residential	C
Category 6 Community	C
Category 7 Dining and Entertainment	C

4.9.3 Maximum Plot Ratio: 1.0

The plot ratio may be increased to a maximum of 2.0 provided that in any development having a plot ratio in excess of 1.0 not less than 50% of the excess relevant floor area shall be dedicated to residential use.

4.10 Precinct EP10: Riverbank

4.10.1 Precinct Statement of Intent:

The Riverbank Precinct will have a strong focus on environmental integrity. Its primary function is a remediated area of river foreshore public open space. Any future development shall only be supportive of, or incidental to, the recreational and public open space role of the Precinct, to ensure that conservation and appropriate public access of the Swan River is maintained.

4.10.2 The following table lists the Preferred, Contemplated and Prohibited uses within Precinct EP10: Riverbank:

Precinct EP10: Riverbank	
Land Use Category	Use Symbol
Category 1 Culture and Creative Industry	X
Category 2 Commercial	X
Category 3 Light Industry	X
Category 4 Retail	X
Category 5A Permanent Residential	X
Category 5B Transient Residential	X
Category 6 Community	C
Category 7 Dining and Entertainment	X

4.10.3 Maximum Plot Ratio: 0.5

4.11 Precinct EP11: Cemeteries

4.11.1 Precinct Statement of Intent:

The Cemeteries Precinct comprising Pioneer Gardens and the East Perth Cemetery has a strong focus as an important heritage place and community resource.

4.11.2 The following table lists the Preferred, Contemplated and Prohibited uses within Precinct EP11: Cemeteries

Precinct EP11: Cemeteries	
Land Use Category	Use Symbol
Category 1 Culture and Creative Industry	X
Category 2 Commercial	X
Category 3 Light Industry	X
Category 4 Retail	X
Category 5A Permanent Residential	X
Category 5B Transient Residential	X
Category 6 Community	C
Category 7 Dining and Entertainment	X

4.11.3 Maximum Plot Ratio: 0.5

4.12 Precinct EP12: Waterloo

4.12.1 Precinct Statement of Intent:

The Waterloo Precinct will be residential in nature with strong visual links to the East Perth Cemetery, Waterloo Crescent and the Riverside Project Area.

4.12.1 The following table lists the Preferred, Contemplated and Prohibited uses within Precinct EP12: Waterloo

Precinct EP12: Waterloo	
Land Use Category	Use Symbol
Category 1 Culture and Creative Industry	X
Category 2 Commercial	X
Category 3 Light Industry	X
Category 4 Retail	X
Category 5A Permanent Residential	P
Category 5B Transient Residential	C
Category 6 Community	C
Category 7 Dining and Entertainment	X

4.12.3 Maximum Plot Ratio: 1.0

4.12.4 Development on each lot shall be contained within a height plane connecting points 12m above the natural ground level on the front property boundary and 12m above natural ground level on the rear property boundary.

PART 5: NEW NORTHBRIDGE PROJECT AREA

5.1 New Northbridge Project Area Vision

The Vision for the New Northbridge Project Area is:

New Northbridge will develop as a vibrant, cosmopolitan community that builds on the rich history and unique atmosphere of Northbridge. The area will exemplify the Scheme Principles, with unique, people-focused design, true diversity and connections with the city centre to the south and inner suburbs to the north. The area will incorporate adaptive reuse of heritage buildings with a mix of residential, office and educational development, as well as retail and entertainment activities, which will develop as an exciting yet natural extension of the existing mixed land use distinct of Northbridge.

5.2 Amenity and Mixed Land Uses

In considering development applications within the New Northbridge Project Area, the local government will have regard to the following objectives:

- (a) To facilitate the successful operation of Northbridge as a mixed land use environment; and
- (b) To reduce land use conflicts between residential and entertainment development by achieving a careful mix of land uses, acoustic attenuation of buildings, and management of amenity impacts.

5.3 Graham Farmer Freeway Tunnel, Northbridge

To protect the structural integrity and operation of the Graham Farmer Freeway Tunnel, Northbridge development above or adjacent to the tunnel will be required to meet specific design and construction requirements.

5.4 Precinct NB1: Russell Square

5.4.1 Precinct Statement of Intent:

The Russell Square Precinct will continue to encourage a rich social and cultural diversity with an emphasis on infill residential development providing single lot, multiple dwellings and mixed-use buildings. Development fronting onto Russell Square must provide adequate surveillance and activation of the parkland. New buildings in the Precinct are to be quality contemporary in design and of low to moderate height, with new buildings adjacent to heritage buildings to be reflective of the scale, proportions and materials of the heritage buildings, but not mimicking historic detail.

5.4.2 The following table lists the Preferred, Contemplated and Prohibited uses within Precinct NB1: Russell Square:

Precinct NB1: Russell Square	
Land Use Category	Use Symbol
Category 1 Culture and Creative Industry	C
Category 2 Commercial	P
Category 3 Light Industry	C
Category 4 Retail	P
Category 5A Permanent Residential	P
Category 5B Transient Residential	P
Category 6 Community	C
Category 7 Dining and Entertainment	C

5.4.3 Maximum Plot Ratio: 2.0

5.5 Precinct NB2: Lake Street

5.5.1 Precinct Statement of Intent:

The Lake Street Precinct is intended to become a mixed land use Precinct that will create a careful transition from the existing core Northbridge entertainment precinct south of Aberdeen Street to the predominantly residential areas north of Newcastle Street. Essential to the successful activation of the Lake Street Precinct is the creation of a social focal point based around the Plateia Hellas in Lake Street. The Plateia will provide a community and entertainment space, framed by high quality dining, retail and mixed-use development, and add to the quality pedestrian experience of Lake Street.

5.5.2 The following table lists the Preferred, Contemplated and Prohibited uses within Precinct NB2: Lake Street:

Precinct NB2: Lake Street	
Land Use Category	Use Symbol
Category 1 Culture and Creative Industry	P
Category 2 Commercial	P
Category 3 Light Industry	C
Category 4 Retail	P
Category 5A Permanent Residential	C
Category 5B Transient Residential	P
Category 6 Community	P
Category 7 Dining and Entertainment	P

5.5.3 Maximum Plot Ratio: 2.0

SCHEDULE 1: INTERPRETATIONS

In this Scheme unless the context otherwise requires:

Applicant	means a person or body authorised by the owner to make an application for development, of land or to act on any other matter in relation to the land;
Artist Studio	means premises from which an artist or artists work to produce items of an artistic nature including paintings, ceramics, sculptures, craft, photography, jewellery, fashion and mixed-media art. It may also include goods produced on site. An artist studio does not allow for accommodation on the premises;
Cinema Complex	means land and buildings designed and used for the public viewing of motion pictures which include the provision of multiple cinemas or screens, and may also include facilities for patron dining or drinking and other ancillary public amusements;
City Planning Scheme	means the City of Perth City Planning Scheme No. 2 or any amendment thereof;
Commercial Training Centre	means premises used for the provisions of training or private education of groups and individuals for commercial gain, usually in small groups in office like premises, such as computer or other work skill training premises, private language schools, catering classes, personal development seminars, and like places, but does not include those activities falling within the definition of Educational Establishment;
Commission	means the Western Australian Planning Commission;
Creative Industry Office	means offices used by those working in the creative and cultural industries, being professions based in creative skill, design or new technology, which includes professions such as advertising, marketing, copy writing, architecture, media production and design professions;
Creative Mixed Land Use	means premises used for a mix of creative activities including design, production, display or performance and ancillary sales and may include accommodation of artists or creative professionals on site;
Educational Establishment	means a school, college, university, technical institute, kindergarten, but does not include those uses falling within the definition of Commercial Training Centre;
Entertainment Complex	means a large scale multi-purpose sports, concert and entertainment venue, which may include associated dining and drinking facilities and may be subject to a Special Facility or other such licence under the <i>Liquor Control Act 1988</i> ;
Event Space	means land and/or premises regularly or occasionally used use temporary events such as festivals, fairs, expos, concerts, artist performances and art exhibitions or art installations;
Hall	means a structure designed and used for commercial gatherings and public

	meetings;
Health & Social Services	means a Government, not for profit, or private health and welfare service, such as a health clinic or counselling services, and may include temporary or permanent accommodation of patients, such as a rehabilitation centre or nursing home;
Hostel	means a lodging house which is not open to the public generally but is reserved for use solely by students and staff of educational establishments, members of societies, institutes or associations;
Light Industry	means an industry: <ul style="list-style-type: none"> 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 noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil or otherwise; and b) the establishment of which will not or the conduct of which does not impose an undue load on any existing or projected service for the supply or provision of water, gas, electricity, sewerage facilities, or any other like service;
Liquor Store	means premises licensed under the <i>Liquor Control Act 1988</i> providing for the sale of packaged liquor for consumption off the premises only, but does not include a Hotel or a Tavern;
Major Utility Infrastructure	means land and/or buildings used to accommodate infrastructure for the provision of utilities and essential services, including telecommunication towers, electricity substations, water or sewerage treatment plants, and other such infrastructure of a large scale or presenting a high impact on amenity. Does not include minor utility infrastructure that may be incorporated into other land uses, such as electricity cables and small scale transformer equipment, and other wire or pipe services;
Market	means land or premises used for the temporary or permanent establishment of stalls for the display and retail sale of goods or to provide services of a personal nature, by independent vendors or stall holders;
Media Production	means premises, other than an Office designed and used for production, post production, or broadcasting of traditional, digital and experimental media and communication, including television, radio, film, print, music, photography, software and electronic publishing. May include ancillary distribution or wholesale sale of goods produced on site but does not include retail sale of goods;
Motel	means a building, group of buildings or place used to accommodate patrons in a manner similar to a hotel or lodging house but in which special provision is

	made for the accommodation of patrons with motor vehicles;
Personal Services	means an establishment providing services of a personal beauty or wellbeing nature such as hairdressers, massage, manicure, solariums and beautician services;
Policy	means a policy adopted, or deemed to be adopted, pursuant to the requirements of clauses 3 and 4 of the Deemed Provisions;
Precinct	means an area designated as such on the Scheme Map pursuant to clause 3.1;
Public Open Space	means land used for a public park, public gardens, foreshore reserve, playground or other grounds for recreation which are normally open to the public without charge;
Research and Development	means scientific and industrial research and the development, production and assembly of products associated with such research;
Scheme Map	means the map in Figure 1 showing and describing the Scheme Area;
Scheme Text	means the document to which this Schedule is attached and includes this Schedule and all other Schedules and the Scheme Map and the Deemed Provisions, but excludes the Planning Policies and Design Guidelines for the Normalised Redevelopment Areas;
Service Industry	means an activity carried out on land or in buildings which may have a retail shop front and from which goods manufactured on the premises may be sold; or land and buildings having a retail shop front and used as a depot for receiving goods to be serviced;
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: premises used for the sale of foodstuffs generally, clothing, drapery, furniture and furnishings, footwear, hardware, electrical goods, sporting goods, toys, second-hand goods, and jewellers, chemists, stationers, newsagents, variety stores, premises for the sale of photographic studies and supplies, florists but shall not include an office or a market;
Shopping Complex	means a large scale premises, building or group of buildings and associated land and car parking, use for large retail outlets displaying and selling bulky goods or a large variety of goods, such as a supermarket, variety store, department store, retail showroom, or a shopping centre containing several shops;
Small Bar	means premises used to sell liquor for consumption on the premises and that are the subject of a small bar license under the <i>Liquor Control Act 1988</i> ;
Specific Purpose Housing	means a dwelling or collection of dwellings designed and/or set aside for a specific or special accommodation need usually of a permanent nature,

	including but not limited to aged persons, students, care takers dwelling, communal living, disability living and designated affordable housing;
Theatre/Performance Venue	means a premises designed and used for the regular performance and public viewing of a theatrical, dance, music or comedy performance or other such live artistic performance and may include the viewing of a motion picture but not a Cinema Complex use. The premises usually includes a stage, public seating and the ancillary services of beverages or light food, but does not include a Tavern or Nightclub or other such venue operated predominately for the sale and consumption of liquor;
Transport Depot	means land and associated buildings for the holding or storage and ancillary servicing of transport vehicles such as trains, trams, buses and trucks and related infrastructure, equipment, and offices;