GOVERNMENT OF WESTERN AUSTRALIA

WAPC Western Australian Planning Commission

Station Precincts

Improvement Scheme No. 1

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Consultation with the Western Australian Planning Commission should be made to view a legal version of the Scheme. Please advise the Department of Planning, Lands and Heritage of any errors or omissions in this document.

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Station Precincts

Improvement Scheme No. 1

The Western Australian Planning Commission under the powers conferred by the *Planning and Development Act 2005* makes the following Improvement Scheme.

This Improvement Scheme of the Western Australian Planning Commission consists of this Scheme Text and the Scheme Maps. The Improvement Scheme should be read in conjunction with the Improvement Scheme Report.

Amendments

Amendment No.	Gazettal Date	Date Updated	Updated By	Details

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Part 1 — Preliminary

1. Citation

This Scheme is the Station Precincts Improvement Scheme No. 1 ('the Scheme').

2. Commencement

Under sections 87(4) and 122B of the *Planning and Development Act 2005* (the *Act*), this Scheme comes into operation on the day on which it is published in the *Gazette*.

3. Notes do not form part of Scheme

Notes, and instructions printed in italics, do not form part of this Scheme.

Note: *The Interpretation Act 1984 section 32 makes provision in relation to whether headings form part of the written law.*

4. Responsibility for Scheme

(1) The Western Australian Planning Commission (Commission) is responsible for the enforcement and implementation of this Scheme and the execution of any works required to be executed under this Scheme.

(2) Unless otherwise delegated by the Commission, any function conferred or duty imposed on a local government by a provision of this Scheme, including any provision of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (deemed provisions), is to be exercised or carried out by the Commission.

5. Implementation of Scheme

(1) For the purpose of carrying out and giving effect to this Scheme, the Commission may exercise its functions and powers under the *Act*.

(2) Without limiting subclause (1), the Commission may apply money in the Metropolitan Region Improvement Account to expenditure incurred in carrying out and giving effect to this Scheme in accordance with Part 8 Division 2 of the *Act*.

6. Scheme area

The Scheme applies to the station precinct areas shown on the Improvement Scheme Maps (Scheme Maps).

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7. Contents of Scheme

(1) In addition to the provisions set out in this document (the Scheme text), this Scheme includes:

(a) Schedule 2 - deemed provisions for local planning schemes set out in the *Planning and Development (Local Planning Schemes) Regulations 2015*, subject to the modifications set out in this Scheme; and

(b) the Scheme Maps.

(2) This Scheme is to be read in conjunction with the Improvement Scheme report for the Scheme area.

8. Purposes of Scheme

The purposes of this Scheme are to:

(a) set out the Commission's planning aims and intentions for the Scheme area; and

(b) set aside land as reserves for public purposes; and

(c) zone land within the Scheme area for the purposes defined in this Scheme;

(d) control and guide subdivision and development; and

(e) set out procedures for the consideration and determination of development applications; and

(f) provide for contributions to be made toward public realm improvements in association with development of land within the Scheme area; and

(g) make provision for the administration and enforcement of this Scheme; and

(h) address other matters referred to in Schedule 7 of the *Act*.

9. Aims of Scheme

The aims of this Scheme are:

(a) To support a connected and compact Perth and Peel region by guiding planning and development within station precincts to align with State and metropolitan strategic planning objectives, including transit-oriented development, sustainable urban growth and efficient land use.

(b) To facilitate the orderly and proper planning of the Scheme area.

(c) To facilitate housing delivery and choice by enabling the timely delivery of new housing within walking distance of passenger rail stations, providing a diverse range of dwelling types, sizes and tenures to meet the needs of different households and lifecycle stages.

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(d) To optimise the use of land and infrastructure by maximising the development potential of land within station precincts, including State-owned land, and leveraging existing and planned transport, social and physical infrastructure.

(e) To increase certainty and consistency in decision-making through a contemporary, flexible and fit-for-purpose statutory planning framework that delivers consistent planning controls while responding to local context and site-specific considerations.

(f) To promote high-quality urban design and amenity by facilitating development that positively contributes to streets, public spaces and station precinct environments, achieving appropriate outcomes for built form, scale, interface and amenity.

(g) To coordinate infrastructure and servicing outcomes by supporting efficient staging and delivery of infrastructure and services by State agencies and other providers to enable orderly development.

(h) To enable renewal while respecting local context by supporting urban change within station precincts while appropriately recognising and responding to heritage, character and environmental values through proportionate, design-led outcomes.

10. Relationship with Deemed Provisions

(1) The deemed provisions apply with modifications as are necessary to make them suitable for this Scheme, as if —

(a) a reference to a local planning scheme were a reference to this Scheme;

(b) a reference to a local government were a reference to the Commission;

(c) a reference to a local government district or to land in a district were a reference to the Scheme area;

(d) a reference to a local planning policy were a reference to an improvement scheme policy under this Scheme; and

(e) a reference to a local planning strategy is a reference to the Improvement Scheme Report.

(2) For the purpose of this Scheme, an improvement scheme policy means a policy prepared, amended or revoked by the Commission under the deemed provisions as applied by this Scheme.

(3) Despite clause 9 of the deemed provisions, there are no heritage areas designated under this Scheme.

(4) In the event of any inconsistency between the deemed provisions and this Scheme, this Scheme prevails.

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11. Relationship with Improvement Scheme Report

(1) The Scheme report provides the planning intent, design principles and guidance for development within the Scheme area.

(2) In considering an application for development under this Scheme, and in exercising any discretion under this Scheme, the Commission may have regard to the Scheme report to the extent that it is relevant to the proposed development.

(3) Nothing in the Scheme report limits or fetters the discretion of the Commission under this Scheme.

12. Relationship with local laws

Where a provision of this Scheme is inconsistent with a local law, the provision of this Scheme prevails to the extent of the inconsistency.

13. Relationship with local planning policies

(1) In this clause:

relevant Improvement Plan, in relation to land, means the Improvement Plan that provided for the preparation of this Scheme, or an amendment to this scheme, in respect of that land.

(2) Notwithstanding the operation of section 122D(2) of the Act, the Commission may have regard to a local planning policy that was in force immediately before the relevant Improvement Plan was published in the *Gazette,* and which would have applied to that land but for this Scheme, to the extent that the local planning policy is consistent with —

(a) this Scheme;

(b) the Improvement Scheme Report; and

(c) any improvement scheme policy under this Scheme,

in the circumstances specified in subclause (3) below, as if a reference to a local planning policy to —

i. "local planning scheme" were a reference to this Scheme; and

ii. "local government" were a reference to the Commission.

(3) The Commission may have regard to a local planning policy referred to in subclause (2) when —

(a) assessing and determining subdivision applications within the Scheme area;

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(b) assessing and determining development applications within the Scheme area including as a relevant planning consideration under clause 67(2)(zb) of the deemed provisions; and/or

(c) making decisions related to compliance, enforcement and/or prosecution matters under the Scheme.

14. Variations to procedural requirements

(1) The Commission may, for the purposes of preparing, amending or revoking an improvement scheme policy or local development plan, depart from any procedural requirement specified in this Scheme or in the deemed provisions, where the Commission considers it appropriate to do so.

(2) In exercising its discretion under subclause (1), the Commission shall have regard to the objectives of this Scheme and the principles of orderly and proper planning.

15. Lodgement of development applications

(1) Despite any other provisions of this Scheme to the contrary, an application for development approval must be lodged with the relevant local government, unless the Commission directs otherwise.

Note: *Where determination of an application has been delegated to a local government, the application will be determined by that local government. An application not delegated to a local government for determination is to be referred to the Commission within 3 business days after being accepted as complete under clause 63A of the deemed provisions.*

16. Transitional arrangements for development and subdivision applications

(1) In this clause —

start day means the day on which this Scheme comes into operation under clause 2.

pending application (as the case requires) means an application for —

(a) development approval;
(b) subdivision approval; or
(c) amendment to a development approval or subdivision approval,

in relation to land within the Scheme area that was validly lodged with —

i. a local government; or
ii. the Commission (as the case requires),

prior to the start day, and which had not been determined as at the start day.

Pending applications lodged with local government

(2) The applicant for a pending application lodged with a local government is not required to submit a new application under this Scheme.

(3) The Commission may deal with a pending application lodged with a local government, and any matter arising from or relating to that application, as if this Scheme had not come into operation including by —

(a) applying the planning framework that would have applied in relation to the application but for this Scheme; and

(b) delegating the power to determine the application and deal with any matter arising or in relation to the application to the relevant local government, which may apply the planning framework that would have applied in relation to the application but for this Scheme.

Pending applications referred to a development assessment panel

(4) The applicant for a pending application that had, prior to the start day, been referred to a development assessment panel may lodge an application for the same development under this Scheme.

Pending applications made under Part 11B

(5) The applicant for a pending application that had, prior to the start day, been made under Part 11B of the Act may lodge an application for the same development under this Scheme.

Applications made under subclause (4) or (5)

(6) The Commission may deal with any application referred to in subclause (4) or subclause (5) as follows:

(a) the Commission may have regard to any assessment, consultation, referral, submission or other consideration undertaken or received in relation to the pending application;

(b) the Commission may waive or modify any consultation, referral or procedural requirement under this Scheme where the Commission is satisfied that a corresponding requirement has been satisfactorily carried out in relation to the pending application; and

(c) the Commission may waive the application fee under this Scheme.

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Pending applications lodged with Commission under the Metropolitan Region Scheme

(7) The applicant for a pending application other than an application referred to in subclause (4) or subclause (5) lodged with the Commission is not required to submit a new application under this Scheme.

(8) The Commission may deal with an application referred to in subclause (7), and any matter arising from or relating to that application, as if this Scheme had not come into operation including by applying the planning framework that would have applied in relation to the application but for this Scheme.

Pending application for subdivision approval

(9) The applicant for a pending application for subdivision approval is not required to submit a new application under this Scheme.

(10) The Commission may deal with a pending application for subdivision approval, and any matter arising from or relating to that application, as if the Scheme had not come into operation, including by applying the planning framework that would have applied to the application but for this Scheme.

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Part 2 — Reserves

17. Reserves

(1) In this clause —

Department of Main Roads means the department principally assisting the administration of the *Main Roads Act 1930*.

Western Australian Road Hierarchy means the document of that name available on the website maintained by the Department of Main Roads.

(2) The lands shown as reserved lands on the Scheme Maps are reserved under this Scheme for the purposes shown on the Scheme Maps.

18. Objectives of reserves

The objectives of each reserve are as follows —

Table — Reserve objectives

Reserve name	Objectives
Regional Open Space	(a) To protect the natural environment, provide recreational and cultural opportunities, safeguard important landscapes and sites of cultural or historical significance and provide for public access.
Primary Distributor Road	(a) To set aside land required for a primary distributor road being a road classified as a Regional Distributor or Primary Distributor under the Western Australian Road Hierarchy.
District Distributor Road	(a) To set aside land required for a district distributor road being a road classified as a Distributor A or Distributor B under the Western Australian Road Hierarchy.
Local Distributor Road	(a) To set aside land required for a local distributor road being a road classified as a Local Distributor under the Western Australian Road Hierarchy.

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Local Road	(a) To set aside land required for a local road being a road classified as an Access Road under the Western Australian Road Hierarchy.
Railways	(a) To provide for the passage of trains, the marshalling, maintenance and storage of rolling stock, and the conveying of the public and freight by rail.
Public Open Space	(a) To set aside areas for public open space, particularly those established under section 152 of the *Act*. (b) To provide for a range of active and passive recreation uses such as recreation buildings and courts and associated car parking and drainage.
Cultural, Civic and Community	(a) To provide for a range of cultural, civic and community facilities and services which are compatible with surrounding land use and development.
Public Purposes	(a) To provide for a range of essential physical and community infrastructure.
Medical Services	(a) Public Purposes which specifically provide for a range of essential medical services.
Education	(a) Public Purposes which specifically provide for a range of essential education facilities.
Emergency Services	(a) Public Purposes which specifically provide for a range of essential emergency services.
Car Park	(a) To set aside land required for a car park.
Recreational	(a) Public Purposes which specifically provide for a range of public recreational facilities.
Infrastructure Services	(a) Public Purposes which specifically provide for a range of essential infrastructure services.
Special Purpose	(a) To set aside land for a special purpose. (b) Purposes that do not comfortably fit in any other reserve classification.

19. Additional uses for reserves

There are no additional uses for land in reserves that apply to this Scheme.

20. Permitted development on reserved land

Further to clause 61 of the deemed provisions, the following development of reserved land does not require development approval under this Scheme —

(a) works on reserved land owned or vested in a public authority that are —

i. works on land reserved for local distributor road, district distributor road or primary distributor road, for the purpose of or in connection with a road as defined in the Western Australian Road Hierarchy; or

ii. works on land reserved for railways, local distributor road, district distributor road or primary distributor road for the purpose of or in connection with a railway, other than the construction or alteration of a railway station or any related carparks, public transport interchange facilities or associated means of pedestrian or vehicular access; or

iii. works for the purpose of, or in connection with the supply of water or wastewater services, electricity or gas, the drainage of surplus water or the treatment of water, wastewater or surplus water; or

iv. works on reserved land if the works are in accordance with a management plan endorsed by the Commission; or

v. works that a public authority is expressly authorised under an *Act* to commence or carry out without the approval of the Commission.

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Part 3 — Zones and use of land

21. Zones

(1) Zones are shown on the Scheme Maps according to the legend on the Scheme Maps.

(2) The objectives of the zones are as follows —

Table — Zone objectives

Zone name	Objectives
Residential	(a) To provide for a range of residential density codings that support a diverse range of housing options to meet the needs of the community. (b) To facilitate and encourage design, built form and streetscapes consistent with the assigned residential density code throughout residential areas. (c) To provide for a range of non-residential uses, which are compatible with and complementary to residential development. (d) To encourage design which responds appropriately to local amenity and considers and respects heritage, local character and environmental values.
Centre	(a) To provide a primary focus for shopping, services, community facilities, entertainment, recreation and other compatible uses that meet the needs of the community. (b) To provide compact, walkable, active and well designed development that is connected to walking, cycling and public transport networks. (c) To enable the scale, intensity, built form and land use mix of each centre to respond to its role, catchment and infrastructure capacity. (d) To provide a range of housing types, short-term rental accommodation and non-residential uses that are compatible with the centre's primary focus.

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Mixed Use	(a) To allow for the development of a mix of varied but compatible land uses such as residential, commercial, retail, services and light industry uses without having a detrimental impact on the amenity of residents. (b) To provide for a range of housing types to meet the needs of the community. (c) To provide for a wide variety of active uses on street level which are compatible with residential development.
Private Community Purposes	(a) To provide sites for privately owned and operated recreation, institutions and places of worship. (b) To provide for a range of privately owned community facilities and uses that are incidental and ancillary to the provision of those facilities, which are compatible with surrounding development. (c) To ensure that the standard of development is in keeping with surrounding development and protects the amenity of the area.
Light Industry	(a) To provide for a range of industrial uses and service industries generally compatible with urban areas, that generally cannot be located in mixed use or centre zones. (b) To ensure that where any development adjoins zoned or developed residential properties, the development is suitably set back, screened or otherwise treated so as not to detract from the residential amenity.

22. Zoning table

The zoning table for this Scheme is as follows —

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Table — Zoning table

Use classes	Residential	Mixed Use	Centre	Private Community Purposes	Light Industry
Abattoir	X	X	X	X	X
Animal Establishment	X	A	A	X	D
Betting Agency	X	P	P	X	X
Beverage production facility	X	D	D	X	D
Bulky Goods Showroom	X	D	D	X	X
Car Park	X	D	D	D	P
Child Care Premises	A	D	P	D	X
Cinema/ Theatre	A	P	P	D	X
Civic Use	A	P	P	P	A
Club Premises	A	P	P	P	X
Commercial Vehicle Parking	A	A	A	A	P
Community Purpose	A	P	P	P	A
Consulting Rooms	A	P	P	D	X
Container Deposit Recycling Centre	X	D	X	X	D
Convenience Store	A	P	P	X	D
Educational Establishment	A	D	P	D	A
Exhibition Centre	A	P	P	D	X
Family Day Care	P	P	P	D	X
Food Outlet	X	P	P	X	D
Food Outlet with Drive-through Facility	X	D	D	X	X

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Use classes	Residential	Mixed Use	Centre	Private Community Purposes	Light Industry
Fuel Depot	X	X	X	X	A
Funeral Parlour	X	D	D	X	D
Garden Centre	X	D	D	X	D
Grouped Dwelling	P	D	D	X	X
Home Business	D	P	P	X	X
Home Occupation	P	P	P	X	X
Home Office	P	P	P	X	X
Home Store	D	P	P	X	X
Hospital	A	D	P	A	X
Hosted Short-Term Rental Accommodation	P	P	P	D	X
Hotel	X	P	P	X	X
Independent Living Complex	P	P	P	D	X
Industry	X	X	X	X	X
Industry – Light	X	A	A	X	P
Liquor Store – Large	X	D	P	X	X
Liquor Store – Small	A	P	P	X	X
Market	A	D	P	D	X
Medical Centre	X	P	P	D	X
Motor Vehicle Repair	X	A	X	X	D
Motor Vehicle Wash	X	A	X	X	P

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Use classes	Residential	Mixed Use	Centre	Private Community Purposes	Light Industry
Motor Vehicle, Boat or Caravan Sales	X	X	X	X	X
Multiple Dwelling	P	P	P	X	X
Night Club	X	A	D	X	X
Office	A	P	P	D	X
Place of Worship	A	D	D	D	X
Reception Centre	X	D	P	D	X
Recreation – Private	A	D	P	D	X
Residential Building	P	P	P	D	X
Residential Care Facility	P	P	P	D	X
Resource Recovery Centre	X	X	X	X	A
Restaurant / Cafe	A	P	P	D	X
Restricted Premises	X	D	A	X	X
Service Station	X	D	X	X	D
Shop – small	A	P	P	A	X
Shop – large	X	X	P	X	X
Single House	P	D	D	X	X
Small Bar	A	P	P	X	X
Student Accommodation	P	P	P	D	X
Tavern	X	D	P	X	X
Telecommunications Infrastructure	P	P	P	P	P
Tourist and Visitor Accommodation	A	P	P	A	X

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Use classes	Residential	Mixed Use	Centre	Private Community Purposes	Light Industry
Trade Display	X	D	D	X	P
Trade Supplies	X	X	D	X	A
Transport Depot	X	X	X	X	D
Unhosted Short-Term Rental Accommodation	A	D	D	D	X
Veterinary Premises	X	D	P	X	D
Warehouse/Storage	X	D	D	X	P
Waste Storage Facility	X	X	X	X	A

23. Interpreting the zoning table

(1) The permissibility of uses of land in the various zones in the Scheme area is determined by cross-reference between the list of use classes on the left-hand side of the zoning table and the list of zones at the top of the zoning table.

(2) The symbols used in the zoning table have the following meanings —

P means that the use is permitted if it complies with any relevant development standards and requirements of this Scheme as it relates to the use of the land;

D means that the use is not permitted unless the Commission has exercised its discretion by granting development approval;

A means that the use is not permitted unless the Commission has exercised its discretion by granting development approval after advertising the application in accordance with clause 64 of the deemed provisions.

X means that the use is not permitted by this Scheme.

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Notes *for this clause —*

1. *The development approval of the Commission may be required to carry out works on land in addition to any approval granted for the use of land. In normal circumstances one application is made for both the carrying out of works on, and the use of, land.*
2. *Under clause 61 of the deemed provisions, certain works and uses are exempt from the requirement for development approval.*
3. *Clause 67 of the deemed provisions deals with the consideration of applications for development approval by the Commission. Under that clause, development approval cannot be granted for development that is a class X use in relation to the zone in which the development is located, except in certain circumstances where land is being used for a non-conforming use.*
4. *Where proposed development is identified as a P use in the zoning table, but does not comply with all of the development standards and requirements of the scheme as they relate to the use of land, then it is to be treated as a D use.*

(3) A specific use class referred to in the zoning table is excluded from any other use class described in more general terms.

(4) The Commission may, in respect of a use that is not specifically referred to in the zoning table and that cannot reasonably be determined as falling within a use class referred to in the zoning table —

(a) determine that the use is consistent with the objectives of a particular zone and is therefore a use that may be permitted in the zone subject to conditions imposed by the Commission; or

(b) determine that the use may be consistent with the objectives of a particular zone and advertise under clause 64 of the deemed provisions as it applies to non-complex applications before considering an application for development approval for the use of the land; or

(c) determine that the use is not consistent with the objectives of a particular zone and is therefore not permitted in the zone.

(5) If a use of land is identified in a zone as being a class P use, the Commission may not refuse an application for development approval for that use in that zone but may require works that are to be undertaken in connection with that use to have development approval.

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24. Additional uses

(1) The Table sets out —

(a) classes of use for specified land that are additional to the classes of use that are permissible in the zone in which the land is located; and

(b) the conditions that apply to that additional use.

Table — Additional uses

Precinct	No.	Description of Land	Additional Use	Conditions
Bassendean Station Precinct	*There are no additional uses for the Bassendean Station Precinct.*			
Carlisle-Oats St Station Precinct	A1	Lot 524, (106) Oats Street, Carlisle	'P' - Warehouse/storage	Nil
Claisebrook Station Precinct	A2	Lots 1-32 (1-8, 20-26) Saunders Street, East Perth Lots 1-5 (1-5,7) Henry Street, East Perth	'D' - Medical centre	Nil
	A3	Lots 1-62 (11) Regal Place, East Perth	'P' - Hotel	Nil
Cottesloe Station Precinct	*There are no additional uses for the Cottesloe Station Precinct.*			
Glendalough Station Precinct	*There are no additional uses for the Glendalough Station Precinct.*			
Morley Station Precinct	*There are no additional uses for the Morley Station Precinct.*			
Mosman Park Station Precinct	*There are no additional uses for the Mosman Park Station Precinct.*			
Swanbourne Station Precinct	A4	Lot 97 (2) Devon Road, Swanbourne	'P' - Veterinary premises	Nil

(2) Despite anything contained in the zoning table, land that is specified in the Table to subclause (1) may be used for the additional use class of use set out in respect of that land subject to the conditions that apply to that use.

25. Restricted uses

There are no restricted uses which apply to this Scheme.

26. Special uses

There are no special uses which apply to this Scheme.

27. Non-conforming uses

(1) Unless specifically provided, this Scheme does not prevent —

(a) the continued use of any land, or any structure or building on land, for the purpose for which it was being lawfully used immediately before the commencement of this Scheme; or

(b) the carrying out of development on land if —

(i) before the commencement of this Scheme, the development was lawfully approved; and

(ii) the approval has not expired or been cancelled.

(2) Subclause (1) does not apply if —

(a) the non-conforming use of the land is discontinued; and

(b) a period of 6 months, or a longer period approved by the Commission, has elapsed since the discontinuance of the non-conforming use.

(3) Subclause (1) does not apply in respect of a non-conforming use of land if, under Part 11 of the Act, the Commission —

(a) purchases the land; or

(b) pays compensation to the owner of the land in relation to the non-conforming use.

28. Changes to non-conforming use

(1) A person must not, without development approval —

(a) alter or extend a non-conforming use of land; or

(b) erect, alter or extend a building used for, or in conjunction with, a non-conforming use; or

(c) repair, rebuild, alter or extend a building used for a non-conforming use that is destroyed to the extent of 75% or more of its value; or

(d) change the use of land from a non-conforming use to another use that is not permitted by the Scheme.

(2) An application for development approval for the purposes of this clause must be advertised in accordance with clause 64 of the deemed provisions.

(3) The Commission may only grant development approval for a change of use of land referred to in subclause (1)(d) if, in the opinion of the Commission, the proposed use —

(a) is less detrimental to the amenity of the locality than the existing non-conforming use; and

(b) is closer to the intended purpose of the zone in which the land is situated.

29. Register of non-conforming use

(1) The Commission may prepare a register of land within the Scheme area that is being used for a non-conforming use.

(2) A register prepared by the Commission should set out the following —

(a) a description of each area of land that is being used for a non-conforming use;

(b) a description of any building on the land;

(c) a description of the non-conforming use;

(d) the date on which any discontinuance of the non-conforming use is noted.

(3) If the Commission prepares a register under subclause (1) the Commission —

(a) is to ensure that the register is kept up-to-date; and

(b) is to make a copy of the register available for public inspection during business hours at the offices of the Commission; and

(3A) Subclause (3)(b) is an ongoing publishing requirement for the purposes of clause 87(5)(a) of the deemed provisions.

(4) An entry in the register in relation to land that is being used for a non-conforming use is evidence of the matters set out in the entry, unless the contrary is proved.

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Part 4 — General subdivision and development requirements

30. R-Codes

(1) The R-Codes, modified as set out in clause 31, are to be read as part of this Scheme.

(2) The Commission must ensure that the R-Codes are published in accordance with clause 87 of the deemed provisions.

(2A) Subclause (2) is an ongoing publication requirement for the purposes of clause 87(5)(a) of the deemed provisions.

(3) The coding of land for the purposes of the R-Codes is shown by the coding number superimposed on a particular area contained within the boundaries of the area shown on the Scheme Maps.

(4) The R-Codes apply to an area if —

(a) the area has a coding number superimposed on it in accordance with subclause (3); or
(b) a provision of this Scheme provides that the R-Codes apply to the area.

31. Modification of R-Codes

Modifications to the R-Codes that apply to the Scheme Area are set out in Schedules 1 – 8.

32. Other planning codes to be read as part of Scheme

There are no other planning codes that are to be read as part of the Scheme.

33. Modification of planning codes

There are no modifications to a State planning code that, under clause 32 is to be read as part of this Scheme.

34. Environment conditions

There are no environmental conditions imposed under the *Environmental Protection Act 1986* that apply to this Scheme.

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35. Additional site and development requirements

(1) The following table and Schedules 1 to 8 set out development standards and other planning requirements that apply in addition to the R-Codes, local development plans, State planning policies and improvement scheme policies.

Table — Additional site and development requirements

No.	Description of land	Requirements
ASD1	All zoned land where a density code is applied	(1) Development that does not contain a residential component shall conform to the primary controls of the R-Code (as modified by this Scheme) which apply under the density code assigned to the lot as if the development included Multiple Dwellings.

36. Potential site contamination

(1) This clause applies to an application for subdivision or development approval or the preparation of a local development plan where:

(a) the land comprises all or part of a site that is classified or otherwise subject to a notice or requirement under the *Contaminated Sites Act 2003*;

(b) the land is known or suspected to be affected by site contamination; or

(c) having regard to the past or current use of the land and the subdivision, development or use proposed, site contamination may affect the suitability of the land for that purpose.

(2) An application to which this clause applies is to be accompanied by information demonstrating how any investigation, classification, remediation or management requirements under the *Contaminated Sites Act 2003* relevant to the proposal have been or will be addressed.

Note: *The zoning of land, permissibility of a land use or specification of a residential density or development standard under this Scheme does not establish that the land is suitable for the proposed subdivision, development or use. Land suitability may require investigation, assessment, remediation or management under the Contaminated Sites Act 2003.*

37. Variations to site and development requirements

(1) In this clause –

additional site and development requirements means requirements set out in clause 35.

(2) The Commission may approve an application for a development approval that does not comply with an additional site and development requirement.

(3) An approval under subclause (2) may be unconditional or subject to any conditions the Commission considers appropriate.

(4) The Commission may only approve an application for development approval under this clause if the Commission is satisfied that –

(a) approval of the proposed development would be appropriate having regard to the matters that the Commission is to have regard to in considering an application for development approval as set out in clause 67(2) of the deemed provisions;

(b) the non-compliance with the additional site and development requirement will not have a significant adverse effect on the occupiers or users of the development, the inhabitants of the locality or the likely future development of the locality.

38. Subdivision

(1) Subdivision and amalgamation of land within the Scheme area is to support the orderly and coordinated development of land in accordance with this Scheme.

(2) The Commission must not grant approval for subdivision that would result in the creation of an additional lot unless the Commission is satisfied that:

(a) the resulting lots will be of sufficient size, configuration and dimensions to facilitate development of the subject land in accordance with the intended scale and intensity of development contemplated by this Scheme and the applicable Schedule; and

(b) the subdivision will not unreasonably constrain the development or redevelopment potential of the subject land or adjoining land, or otherwise prejudice the achievement of the objectives of this Scheme or the relevant precinct; or

(c) the subdivision is required to facilitate development approved under this Scheme, or is supported by, or consistent with an approved local development plan.

(3) An application for subdivision that proposes to create an additional lot is to be accompanied by plans or other information sufficient to demonstrate, to the satisfaction of the Commission, that each lot created is capable of accommodating development in accordance with subclause (2).

39. Restrictive covenants

(1) A restrictive covenant affecting land in the Scheme area that would have the effect of limiting the number of residential dwellings which may be constructed on the land is extinguished or varied to the extent that the number of residential dwellings

that may be constructed is less than the number that could be constructed on the land under this Scheme.

(2) If subclause (1) operates to extinguish or vary a restrictive covenant —

(a) development approval is required to construct a residential dwelling that would result in the number of residential dwellings on the land exceeding the number that would have been allowed under the restrictive covenant; and

(b) the Commission must not grant development approval for the construction of the residential dwelling unless it advertises the application for development approval in accordance with clause 64 of the deemed provisions

40. Access and land requirements

(1) For development on land fronting a Primary Distributor Road, District Distributor Road or Local Distributor Road, vehicle access is to be provided from a side street, rear street, laneway or right-of-way where available and practicable.

(2) Despite subclause (1), the Commission may approve vehicle access from a Primary Distributor Road, District Distributor Road or Local Distributor Road if satisfied that alternative access is not available or practicable, having regard to advice from the relevant road authority.

(3) Where development is proposed on a lot affected by land reserved for a Primary Distributor Road, District Distributor Road or Local Distributor Road, the Commission may require the reserved land to be ceded free of cost as a condition of subdivision approval or development approval.

(4) Where development is proposed on land abutting or containing a right of way, the Commission may require for a right-of-way to be ceded, or otherwise secured for public access, as a condition of subdivision approval or development approval if the land is identified in a local development plan area or is otherwise considered necessary by the Commission to support access, movement or orderly development.

***Note*:** *Development approval under this Scheme does not remove the need to obtain any separate approval required from Main Roads Western Australia for access to, or works within, a Primary Distributor Road under its control.*

41. Car parking

(1) Car parking requirements for residential and non-residential development within the Scheme area are to comply with the requirements set out in Schedules 1 to 8, as applicable to the relevant station precinct.

(2) The Commission may approve a variation to the car parking requirements where satisfied that the proposed parking provision is appropriate having regard to the following, as relevant –

(a) the nature, scale and intensity of the development;
(b) the operational requirements of the development;
(c) accessibility to public transport, walking and cycling networks;
(d) the parking context of the locality; and
(e) the objectives of this Scheme and the relevant station precinct.

(3) The Commission may require the applicant to provide information it reasonably requires to assess a proposed variation to the car parking requirements.

(4) The Commission may impose conditions of development approval relating to parking management, access, transport demand management, green travel plans or active transport facilities to support the objectives of this Scheme and the relevant station precinct.

42. Public realm contribution

The Commission may, as a condition of development approval in relation to land within the Scheme area, require a contribution towards public realm improvements in accordance with the aims and objectives of this Scheme, with contributions to be applied within the station precinct in which the development is located.

43. Development of land affecting Swan and Canning Rivers development control area

(1) In this clause —

Swan Canning development control area means the development control area as defined in the *Swan and Canning Rivers Management Act 2006*;

Trust means the Swan River Trust established by the *Swan and Canning Rivers Management Act 2006*.

(2) This clause applies if an application for development approval under this Scheme relates to development of land —

(a) that abuts the Swan Canning development control area; or

(b) that in the opinion of the Commission is likely to affect waters in the Swan Canning development control area.

(3) Subject to subclause (7), the Commission must give full particulars of the application to the Trust.

(4) The Trust, within 42 days after the day on which it receives particulars of the application, or within any such longer period as the Commission allows, must give the Commission its advice in writing on —

(a) how the application should be determined; and

(b) any conditions to which any approval of the application should be made subject.

(5) If the Trust fails to give its advice within the time allowed under subclause (4), it is taken to have no advice to give on the application.

(6) The Commission must have regard to the advice of the Trust when determining an application that has been referred under this clause but is not required to make a determination that is consistent with the advice.

(7) The Trust may notify the Commission in writing that a class or description of application is not required to be referred under this clause.

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Part 5 — Special control areas

44. Special control areas

(1) Special control areas that apply to the Scheme area are listed below and marked on the Scheme Map —

(a) Special Control Area 1 – Royal Perth Hospital Helicopter Flight Path Protection

(b) Special Control Area 2 – Northbridge Special Entertainment Precinct

(2) Provisions that apply to special control areas listed in subclause (1) are set out in Schedule 9 – Special Control Areas and apply in addition to any other provision of this Scheme.

(3) Where a provision of a special control area is inconsistent with any other provision of this Scheme, the provision of the special control area is to prevail.

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Part 6 — Terms referred to in Scheme

Division 1 — General definitions used in Scheme

45. Terms used

(1) If a word or expression used in this Scheme is listed in this clause, its meaning is as follows —

commercial vehicle means a vehicle, whether licenced or not, that has a gross vehicle mass of greater than 4.5 tonnes including —

(a) a utility, van, truck, tractor, bus or earthmoving equipment; and
(b) a vehicle that is, or is designed to be an attachment to a vehicle referred to in paragraph (a);

floor area has meaning given in the Building Code;

green travel plan means a plan that sets out measures to reduce reliance on private car use and support sustainable travel to and from a development that may include initiatives such as active transport facilities, public transport promotion, travel behaviour programs, car share or shared parking arrangements and management of parking supply.

plot ratio means —

(a) for all residential development to which the R-Codes apply, has the meaning given in the R-Codes;

(b) for student accommodation, the ratio of the student accommodation floor area of a building to an area of land within the boundaries of the lot or lots on which the building is located;

(c) for all other development to which (a) and (b) does not apply, the ratio of the floor area of a building to an area of land within the boundaries of the lot or lots on which the building is located;

predominant use means the primary use of premises to which all other uses carried out on the premises are incidental;

retail means the sale or hire of goods or services to the public;

Scheme commencement day means the day this Scheme comes into effect under section 87(4) and section 122 of the Act;

Student accommodation floor area means the gross total area of all floors of a building excluding —

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(a) toilets, bathrooms and laundries;
(b) lift shafts;
(c) all stairs and landings;
(d) machinery, air conditioning and equipment rooms;
(e) entry lobbies and corridors at all levels where they are separated from other floor areas by walls or partitions or in the case of open lift lobbies, an area with a maximum dimension of 2 metres from the lift doors;
(f) communal facilities, available free of charge for the exclusive use of the on-site residents/guests (eg. gyms, change rooms and indoor swimming pools/spa, but not common storage areas);
(g) storerooms accessible from outside the dwelling/unit;
(h) vehicle parking areas, service/loading bays, bicycle parking areas and associated circulation areas, for use by the occupants of the building or their visitors; and
(i) balconies, eaves, verandahs, courtyards and roof terraces.

station precinct means a definable area within the Scheme area that is in the vicinity of a passenger rail station or stations, to which a Scheme Map and precinct specific provisions and standards apply.

wholesale means the sale of goods or materials to be sold by others.

(2) A word or expression that is not defined in this Scheme —

(a) has the meaning it has in the *Act*; or

(b) if it is not defined in that *Act* — has the same meaning as it has in the R-Codes.

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Division 2 — Land use terms used in Scheme

46. Land use terms used

If this Scheme refers to a category of land use that is listed in this provision, the meaning of that land use is as follows —

abattoir means premises used commercially for the slaughtering of animals for the purposes of consumption as food products;

animal establishment means premises used for the breeding, boarding, training or caring of animals for commercial purposes but does not include animal husbandry — intensive or veterinary centre;

betting agency means an office or totalisator agency established under the *Racing and Wagering Western Australia Act 2003*;

beverage production facility means premises used primarily for the manufacture of alcoholic and or non-alcoholic beverages and —

(a) which may include incidental activities such as the sale of the manufactured goods, sample tasting and complementary food, as permitted by a liquor licence;

(b) but does not include distinct land uses such as restaurant/café, reception centre, tavern and hotel.

bulky goods showroom means premises —

(a) used to sell by retail any of the goods and accessories of the following types that are principally used for domestic purposes —

(i) automotive parts and accessories;

(ii) camping, outdoor and recreation goods;

(iii) electric light fittings;

(iv) animal supplies including equestrian and pet goods;

(v) floor and window coverings;

(vi) furniture, bedding, furnishings, fabrics, manchester and homewares;

(vii) household appliances, electrical goods and home entertainment goods;

(viii) party supplies;

(ix) office equipment and supplies;

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(x) babies' and children's goods, including play equipment and accessories;

(xi) sporting, cycling, leisure, fitness goods and accessories;

(xii) swimming pools; or

(b) used to sell goods by retail if —

(i) a large area is required for the handling, display or storage of the goods; or

(ii) vehicular access is required to the premises for the purpose of collection of purchased goods;

car park means premises used primarily for parking vehicles whether open to the public or not but does not include —

(a) any part of a public road used for parking or for a taxi rank; or

(b) any premises in which cars are displayed for sale;

child care premises means premises where —

(a) an education and care service as defined in the Education and Care Services National Law (Western Australia) section 5(1), other than a family day care service as defined in that section, is provided; or

(b) a child care service as defined in the *Child Care Services Act 2007* section 4 is provided;

cinema/theatre means premises where the public may view a motion picture or theatrical production;

civic use means premises used by a government department, an instrumentality of the State or the Commission for administrative, recreational or other purposes;

club premises means premises used by a legally constituted club or association or other body of persons united by a common interest;

commercial vehicle parking means premises used for parking of one or 2 commercial vehicles but does not include —

(a) any part of a public road used for parking or for a taxi rank; or

(b) parking of commercial vehicles incidental to the predominant use of the land;

community purpose means premises designed or adapted primarily for the provision of educational, social or recreational facilities or services by organisations involved in activities for community benefit;

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consulting rooms means premises used by no more than 2 health practitioners at the same time for the investigation or treatment of human injuries or ailments and for general outpatient care;

convenience store means premises —

(a) used for the retail sale of convenience goods commonly sold in supermarkets, delicatessens or newsagents; and

(b) operated during hours which include, but may extend beyond, normal trading hours; and

(c) the floor area of which does not exceed 300 m^2 net lettable area;

educational establishment means premises used for the purposes of providing education including premises used for a school, higher education institution, business college, academy or other educational institution;

exhibition centre means premises used for the display, or display and sale, of materials of an artistic, cultural or historical nature including a museum or art gallery;

family day care means premises where a family day care residence as defined in the *Education and Care Services National Law (Western Australia)* is provided;

food outlet means premises used for the preparation, sale and serving of food and or non-alcoholic beverages in a form ready to be consumed —

(a) without further preparation;

(b) primarily off the premises; and

(c) excludes food outlets with a drive-through facility.

food outlet with a drive through facility means premises with a facility for drive-through service, used for the preparation, sale and serving of food and or non-alcoholic beverages in a form ready to be consumed —

(a) without further preparation; and
(b) primarily off the premises.

fuel depot means premises used for the storage and sale in bulk of solid or liquid or gaseous fuel but does not include premises used —
(a) as a service station; or
(b) for the sale of fuel by retail into a vehicle for use by the vehicle;

funeral parlour means premises used —
(a) to prepare and store bodies for burial or cremation;
(b) to conduct funeral services;

garden centre means premises used for the propagation, rearing and sale of plants, and the storage and sale of products associated with horticulture and gardens;

home business means a dwelling or land around a dwelling used by an occupier of the dwelling to carry out a business, service or profession if the carrying out of the business, service or profession—

(a) does not involve employing more than 2 people who are not members of the occupier's household; and

(b) will not cause injury to or adversely affect the amenity of the neighbourhood; and

(c) does not occupy an area greater than 50 m^2; and

(d) does not involve the retail sale, display or hire of any goods unless the sale, display or hire is done only by means of the Internet; and

(e) does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood; and

(f) does not involve the presence, use or calling of a vehicle of more than 4.5 tonnes tare weight; and

(g) does not involve the use of an essential service that is greater than the use normally required in the zone in which the dwelling is located;

home occupation means a dwelling or land around a dwelling used by an occupier of the dwelling to carry out an occupation if the carrying out of the occupation that —

(a) does not involve employing a person who is not a member of the occupier's household; and

(b) will not cause injury to or adversely affect the amenity of the neighbourhood; and

(c) does not occupy an area greater than 20 m^2; and

(d) does not involve the display on the premises of a sign with an area exceeding 0.2 m^2; and

(e) does not involve the retail sale, display or hire of any goods unless the sale, display or hire is done only by means of the Internet; and

(f) does not —

(i) require a greater number of parking spaces than normally required for a single dwelling; or

(ii) result in an increase in traffic volume in the neighbourhood; and

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(g) does not involve the presence, use or calling of a vehicle of more than 4.5 tonnes tare weight; and

(h) does not include provision for the fuelling, repair or maintenance of motor vehicles; and

(i) does not involve the use of an essential service that is greater than the use normally required in the zone in which the dwelling is located;

home office means a dwelling used by an occupier of the dwelling to carry out a home occupation if the carrying out of the occupation —

(a) is solely within the dwelling; and

(b) does not entail clients or customers travelling to and from the dwelling; and

(c) does not involve the display of a sign on the premises; and

(d) does not require any change to the external appearance of the dwelling;

home store means a shop attached to a dwelling that — (a) has a net lettable area not exceeding 100 m^2; and (b) is operated by a person residing in the dwelling;

hospital means premises used as a hospital as defined in the *Health Services Act 2016* section 8(4);

hotel means premises the subject of a hotel licence other than a small bar or tavern licence granted under the *Liquor Control Act 1988* including any betting agency on the premises;

independent living complex means a development with self-contained, independent dwellings for aged or dependent persons together with communal amenities and facilities for residents and staff that are incidental and ancillary to the provision of such accommodation, but does not include a development which includes these features as a component of a residential care facility.

industry means premises used for the manufacture, dismantling, processing, assembly, treating, testing, servicing, maintenance or repairing of goods, products, articles, materials or substances and includes facilities on the premises for any of the following purposes —

(a) the storage of goods;

(b) the work of administration or accounting;

(c) the selling of goods by wholesale or retail;

(d) the provision of amenities for employees;

(e) incidental purposes;

industry — light means premises used for an industry where impacts on the amenity of the area in which the premises is located can be mitigated, avoided or managed;

liquor store — large means premises the subject of a liquor store licence granted under the *Liquor Control Act 1988* with a net lettable area of more than 300 m^2;

liquor store — small means premises the subject of a liquor store licence granted under the *Liquor Control Act 1988* with a net lettable area of not more than 300 m^2;

market means premises divided into small individual tenancies and used for the display and sale of goods from stalls by independent vendors;

medical centre means premises other than a hospital used by 3 or more health practitioners at the same time for the investigation or treatment of human injuries or ailments and for general outpatient care;

motor vehicle, boat or caravan sales means premises used to sell or hire motor vehicles, boats or caravans;

motor vehicle repair means premises used for or in connection with —

(a) electrical and mechanical repairs, or overhauls, to vehicles other than panel beating, spray painting or chassis reshaping of vehicles; or

(b) repairs to tyres other than recapping or re-treading of tyres;

motor vehicle wash means premises primarily used to wash motor vehicles;

nightclub means premises the subject of a nightclub licence granted under the *Liquor Control Act 1988*;

office means premises used for administration, clerical, technical, professional or similar business activities;

place of worship means premises used for religious activities such as a chapel, church, mosque, synagogue or temple;

reception centre *means premises used for hosted functions on formal or ceremonial occasions;*

recreation — private means premises that are —

(a) used for indoor or outdoor amusement, leisure, recreation or sport; and

(b) not usually open to the public without charge;

residential care facility means a facility providing personal and/or nursing care primarily to people who are aged or dependent, but does not include a hospital,

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rehabilitation or psychiatric facility. In addition to providing accommodation, the facility may also provide —

(a) appropriate staffing to meet the nursing and personal care needs of residents for indoor or outdoor amusement, leisure, recreation or sport;
(b) meals and cleaning services; and
(c) incidental communal amenities and facilities for residents.

resource recovery centre means premises other than a waste disposal facility used for the recovery of resources from waste;

restaurant/cafe means premises primarily used for the preparation, sale and serving of food and drinks for consumption on the premises by customers for whom seating is provided, including premises that are licenced under the *Liquor Control Act 1988*;

restricted premises means premises used for the sale by retail or wholesale, or the offer for hire, loan or exchange, or the exhibition, display or delivery of —

(a) publications that are classified as restricted under the *Classification (Publications, Films and Computer Games) Act 1995* (Commonwealth); or

(b) materials, compounds, preparations or articles which are used or intended to be used primarily in or in connection with any form of sexual behaviour or activity; or (c) smoking-related implements;

service station means premises other than premises used for a transport depot, panel beating, spray painting, major repairs or wrecking, that are used for —

(a) the retail sale of fuel products, motor vehicle accessories and goods of an incidental or convenience nature and may also include;

(b) the charging of vehicles and/or carrying out of greasing, tyre repairs and minor mechanical repairs to motor vehicles;

shop — small means premises other than a bulky goods showroom, a liquor store — large or a liquor store — small used to sell goods by retail, to hire goods, or to provide services of a personal nature, including hairdressing or beauty therapy services; with no greater than 1500 m^2 NLA;

shop — large means premises other than a bulky goods showroom, a liquor store — large or a liquor store — small used to sell goods by retail, to hire goods, or to provide services of a personal nature, including hairdressing or beauty therapy services; with greater than 1500 m^2 NLA;

small bar means premises the subject of a small bar licence granted under the *Liquor Control Act 1988*;

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student accommodation means a purpose-built facility whose predominant purpose is to accommodate students while studying at a tertiary education facility, and staff of a tertiary education facility or visiting staff to a tertiary education facility —

(a) that is designed and managed to facilitate the predominant purpose;

(b) that typically provides students with a principal place of residence for 3 months or more; and

(c) that may have shared facilities such as a communal living room, kitchen and amenities;

tavern means premises the subject of a tavern licence granted under the *Liquor Control Act 1988*;

telecommunications infrastructure means premises used to accommodate the infrastructure used by or in connection with a telecommunications network including any line, equipment, apparatus, tower, antenna, tunnel, duct, hole, pit or other structure related to the network;

tourist and visitor accommodation

(a) means a building, or a group of buildings forming a complex, that —
  (i) is wholly managed by a single person or body; and
  (ii) is used to provide accommodation for guests, on a commercial basis, with no individual guest accommodated for a period or periods exceeding a total of 3 months in any 12 month period; and
  (iii) may include on site services and facilities for use by guests; and
  (iv) in the case of a single building — contains more than 1 separate accommodation unit or is capable of accommodating more than 12 people per night; and

(b) includes a building, or complex of buildings, meeting the criteria in paragraph (a) that is used for self contained serviced apartments that are regularly serviced or cleaned during the period of a guest's stay by the owner or manager of the apartment or an agent of the owner or manager; but

(c) does not include any of the following —
  (i) an aged care facility as defined in the *Land Tax Assessment Act 2002* section 38A(1);
  (ii) a caravan park;
  (iii) hosted short term rental accommodation;
  (iv) a lodging house as defined in the *Health (Miscellaneous Provisions) Act 1911* section 3(1);
  (v) a park home park;
  (vi) a retirement village as defined in the *Retirement Villages Act 1992* section 3(1);
  (vii) a road house;
  (viii) workforce accommodation;

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trade display means premises used for the display of trade goods and equipment for the purpose of advertisement;

trade supplies means premises used to sell by wholesale or retail, or to hire, assemble or manufacture any materials, tools, equipment, machinery or other goods used for the following purposes including goods which may be assembled or manufactured off the premises —

(a) automotive repairs and servicing;
(b) building including repair and maintenance;
(c) industry;
(d) landscape gardening;
(e) provision of medical services;
(f) primary production;
(g) use by government departments or agencies, including Commission;

transport depot means premises used primarily for the parking or garaging of 3 or more commercial vehicles including —

(a) any ancillary maintenance or refuelling of those vehicles; and
(b) any ancillary storage of goods brought to the premises by those vehicles; and
(c) the transfer of goods or persons from one vehicle to another;

veterinary premises means premises registered under the *Veterinary Practice Act 2021*;

warehouse/storage means premises including indoor or outdoor facilities used for —

(a) the storage of goods, equipment, plant or materials; or
(b) the display or sale by wholesale of goods, where the goods are to be on sold by a retailer;

waste storage facility means premises used to collect, consolidate, temporarily store or sort waste before transfer to a waste disposal facility or a resource recovery facility on a commercial scale.

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Schedule 1 - Bassendean Station Precinct

P1-1 Application of this Schedule

This Schedule applies to land within the Bassendean Station Precinct as shown on Figure P1(a).



Figure P1(a) – Bassendean Station Precinct

P1-2 Additional site and development requirements

(1) Figure P1(a) shows for the Bassendean Station Precinct —

(a) the R-Code to which the primary controls in Table P1(a) apply;

(b) lots requiring active frontage or semi-active frontage treatment in accordance with Table P1(b);

(c) land for which a local development plan is required under clause P1-3.

(2) The requirements in Tables P1(a) and Table P1(b)—

(a) vary the R-Codes to the extent expressly provided in those tables; and

(b) do not limit any other requirement that applies under this Scheme, the R-Codes, a local development plan, State planning policy or improvement scheme policy.

(3) A minimum residential density or building height specified in Table P1(a) does not apply to:

(a) the development of or alterations to a single house or an ancillary dwelling associated with a single house; or

(b) alterations or additions to an existing approved development, where the Commission is satisfied that the works are minor in nature and do not substantially increase the scale, intensity or development potential of the site.

(4) Subject to subclause (3) the Commission may approve development that does not comply with an applicable minimum residential density or building height in Table P1(a) only if satisfied that —

(a) compliance is unable to be achieved because of one or more of the following —

(i) the area, dimensions, configuration or frontage of the lot;

(ii) the retention of a place of heritage significance;

(iii) the retention of existing trees or other significant environmental feature;

(iv) the provision of non-residential floorspace as part of a mixed use development;

(v) another physical site constraint that materially restricts the development potential of the lot; and

(b) the development achieves the applicable minimum residential density to the greatest extent reasonably practicable.

***Note**: The cost or feasibility of development, or a preference to develop land at a lower density, is not, of itself, a relevant consideration for the purposes of subclause (4).*

(5) Where land is shown in Figure P1(a) as requiring active frontage or semi-active frontage treatment, the requirements in Table P1(b) apply to development on that land.

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Table P1(a) Bassendean Station Precinct Primary Controls

Primary Control		R30	R60	R160	MR1	MR2	HR1	HR2	HR3
Density	Minimum dwellings per hectare	20	50	50	N/A	N/A	N/A	N/A	N/A
	Minimum height (storeys)	N/A	N/A	N/A	3	3	3	3	6
	Plot ratio	N/A	N/A	N/A	N/A	N/A	4.0	6.0	7.0
Building Height	Podium height (storeys)	N/A	N/A	2	2	4	4	4	4
	Building height (storeys)	2	3	8	6	8	12	16	20
	Boundary wall height (storeys)	1	2	2[2]	2	4	4	4	4
Street Setbacks	Minimum primary and secondary street setbacks (podium)	4m[1]	2m[1]	2m	2m or nil[3]	2m or nil[3]	2m or nil[3]	2m or nil[3]	2m or nil[3]
	Minimum primary and secondary street (above podium)	N/A	N/A	4m	4m	6m	6m	6m	6m
Lot Boundary Setbacks	Side setbacks (podium)	1m (1st storey) 1.5m (2nd storey) 2m (3rd storey)		3m	Nil	Nil	Nil	Nil	Nil
	Rear setbacks (podium)	N/A		3m	Nil	Nil	Nil	Nil	Nil
	Minimum side / rear setbacks (above podium)	N/A		4m	4m	6m	6m	6m	6m

Where differing from Residential Design Codes settings, this table prevails to the extent of inconsistency.

[1] Secondary street setback as per the R-Codes.

[2] Boundary wall permitted to both side boundaries, and shall not exceed 2/3 length.

[3] Nil setback applicable if commercial use at ground floor.

Table P1(b) Bassendean Station Precinct Active and Semi-active frontage requirements

Frontage type	Requirements
Active frontage	(a) Buildings should generally be located at or near the street boundary to define and activate the public realm, except where publicly accessible spaces and/or landscaping are provided. (b) Continuous awnings or other forms of weather protection should be provided to support year-round pedestrian activity. (c) Active uses are provided for at the ground level, with alfresco dining and uses that open to the street strongly encouraged. (d) Active uses should have a minimum floor to ceiling height of 4 metres. (e) Vehicle access should be provided from secondary streets or laneways wherever practicable, and parking should be concealed from the public realm. (f) Blank walls are avoided and facades should include significant glazing, variation in materials, finishes and architectural treatments.
Semi-active frontage	(a) Development should provide clear visual connection between buildings and the street through entries, windows, balconies and habitable room outlooks. (b) Where street setbacks are provided, high-quality landscaping should be incorporated and may be co-located with private open spaces. (c) Fencing should be no higher than 1.2 metres and be a minimum of 80 percent permeable. (d) Weather protection should be provided to pedestrian entries and where interaction occurs between public and private areas. (e) Parking should be concealed from streets and key public frontages through sleeving, basement parking or other integrated building design responses.

P1-3 Local Development Plans

(1) Before granting subdivision or development approval for land shown in Figure P1(a) as requiring a local development plan, the Commission is to require a local development plan to be approved, unless the Commission is satisfied that, having regard to the nature and scale of the subdivision or development, a local development plan is not required.

(2) A local development plan may vary a development standard in Table P1(a) where the Commission is satisfied that the variation is consistent with orderly and proper planning and the objectives of this Scheme.

(3) The Commission may require a local development plan for land not shown in Figure P1(a) as requiring a local development plan where the Commission considers that further coordination of development is required including in relation to —

(a) staging or development across multiple lots;
(b) pedestrian access, cycling connections and vehicle access;
(c) public open space, drainage, landscaping, tree retention or environmental outcomes;
(d) public and private realm interfaces, built form or design controls;
(e) servicing or infrastructure coordination; or
(f) any other matter relevant to orderly and proper planning.

P1-4 Parking standards

(1) For the purposes of clause 41, the car parking and bike parking standards for residential and non-residential development within the Bassendean Station Precinct are set out in Table P1(c) and Table P1(d).

Table P1 (c) Bassendean Station Precinct Parking Requirements – Residential

Parking types	Dwelling Type	Minimum	Maximum
Car parking	Multiple dwellings	No minimum	A maximum rate of 2 bays per dwelling[2]
	Single house, grouped dwellings	No minimum	As per the R-Codes
Car parking - Visitor	Grouped dwellings, multiple dwellings	0.1 bays per dwelling[1]	N/A
Bicycle parking	Multiple dwellings	1 bike parking space for every dwelling	N/A
	Single house, grouped dwellings	As per the R-Codes	
Bicycle parking – visitor	Multiple dwellings	As per the R-Codes	
	Single house, grouped dwellings		

1 Calculation of parking ratios rounded to the nearest whole number.

2 Averaged across the residential component of the development.

Table P1(d) Bassendean Station Precinct Parking Standards – Non-Residential

Parking Types	Land use	Minimum		Maximum
Car-parking	All non-residential land uses	No minimum		A maximum car parking rate of one parking space per 25 m^2 of Floor Area (FA)[1]
Bicycle parking		**Short Stay**	**Long-stay**	N/A
	Offices	1 space per 500 m^2 NLA	1 space per 250 m^2 NLA	
	Retail, food and beverage, recreation and health services	1 space per 250 m^2 NLA	1 space per 500 m^2 NLA	
	Education and childcare	1 space per 100 m^2 NLA	1 space per 250 m^2 NLA	
	All other land uses	At the discretion of the WAPC	At the discretion of the WAPC	
End of Trip Facilities (based on total number of bicycle parking spaces required)	All non-residential land uses	**0-5 spaces:** No requirement		N/A
		6-10 spaces: 2 showers and change room facilities		
		More than 11 spaces: 4 showers and change room facilities		

[1] *Floor area has the same meaning given to in the Building Code, in accordance with the definitions under Schedule 1 clause 37 of the Planning and Development (Local Planning Schemes) Regulations 2015.*

P1-5 Vegetation and Habitat Assessment

(1) Before the approval or determination of any of the following proposals for land identified in Figure P1(b), a Vegetation and Habitat Assessment is to be prepared to the satisfaction of the Commission —

(a) a local development plan, where required;

(b) an application for subdivision approval; or

(c) an application for development approval.

(2) The Vegetation and Habitat Assessment is to identify, as relevant to the site: remnant and native vegetation, mature trees, habitat trees, tree hollows and other fauna habitat features, and include plans and supporting investigations showing their location, condition and extent.

(3) Where the Vegetation and Habitat Assessment identifies vegetation, trees or habitat features of retention value, the assessment is to include measures demonstrating how —

(a) impacts are avoided where practicable;

(b) where retention is not practicable, impacts are minimised through design measures and construction management practices; and

(c) where removal of vegetation, trees or habitat features is proposed and supported, impacts are addressed through salvage and replanting, revegetation, habitat enhancement, or other appropriate measures.

(4) A local development plan, subdivision application or development application for land identified in Figure P1(b) is to demonstrate how the findings and recommendations of the Vegetation and Habitat Assessment have been addressed in the design of the proposal and will be implemented.

(5) A development application for land identified in Figure P1(b) is to include a landscape plan, to the satisfaction of the Commission, that—

(a) identifies vegetation, trees and habitat features to be retained in accordance with the Vegetation and Habitat Assessment; and

(b) identifies replacement planting, habitat enhancement and other measures proposed to implement the recommendations of the Vegetation and Habitat Assessment.

Figure P1(b) – Vegetation and Habitat Assessment Area

Site A. Pt Reserve 12520 (Pt Lot 50) Railway Pde, Bassendean



Schedule 2 - Carlisle-Oats Street Station Precinct

P2-1 Application of this Schedule

This Schedule applies to land within the Carlisle-Oats Street Station Precinct as shown on Figure P2(a).

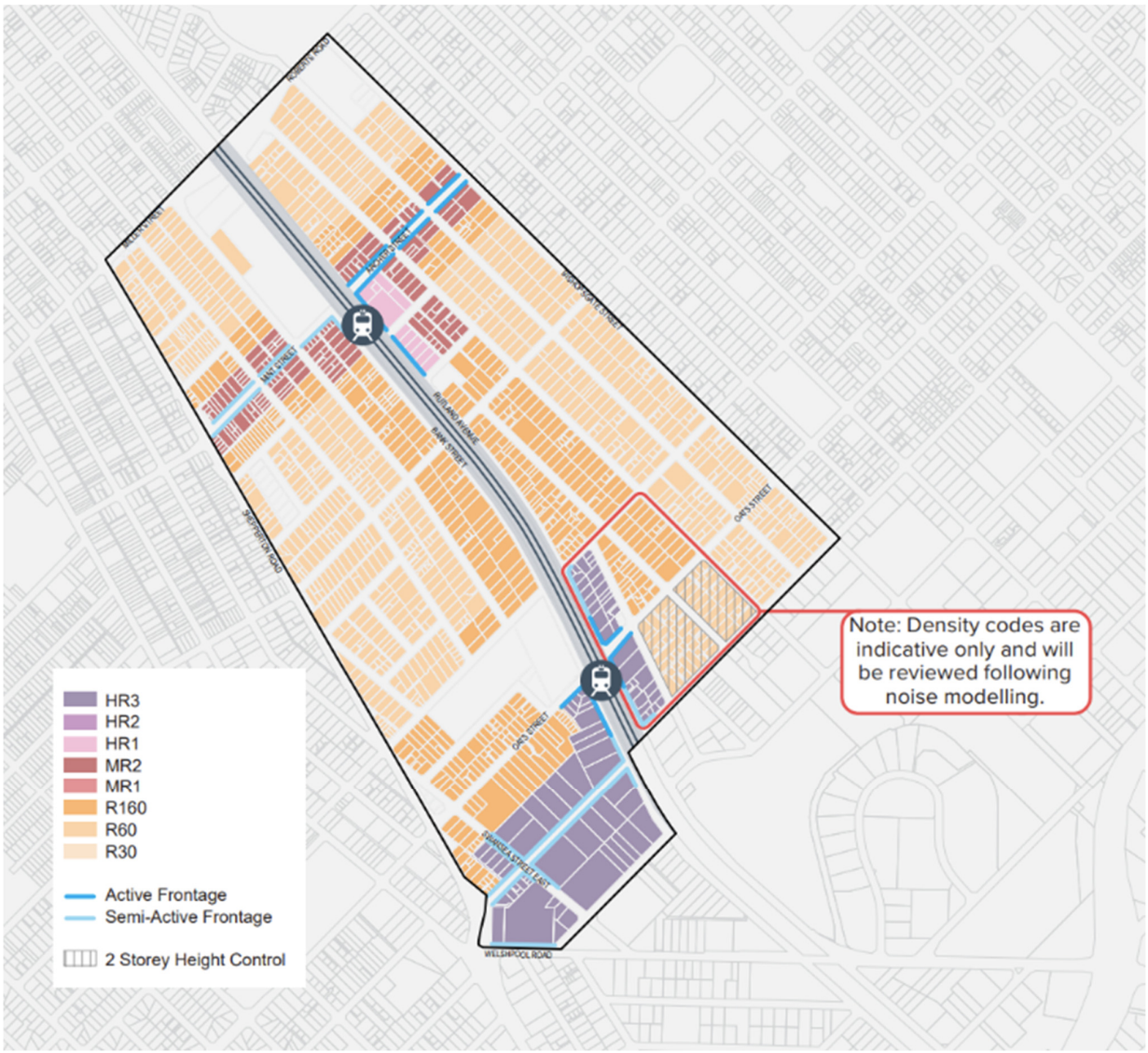


Figure P2(a) – Carlisle-Oats Street Station Precinct

P2-2 Additional site and development requirements

(1) Figure P2(a) shows for the Carlisle-Oats Street Station Precinct —

(a) the R-Code to which the primary controls in Table P2(a) apply;

(b) lots requiring active frontage or semi-active frontage treatment in accordance with Table P2(b);

(c) land for which a local development plan is required under clause P2-3.

(2) The requirements in Tables P2(a) and Table P2(b)—

(a) vary the R-Codes to the extent expressly provided in those tables; and

(b) do not limit any other requirement that applies under this Scheme, the R-Codes, a local development plan, State planning policy or improvement scheme policy.

(3) A minimum residential density or building height specified in Table P2(a) does not apply to:

(a) the development of or alterations to a single house or an ancillary dwelling associated with a single house; or

(b) alterations or additions to an existing approved development, where the Commission is satisfied that the works are minor in nature and do not substantially increase the scale, intensity or development potential of the site.

(4) Subject to subclause (3) the Commission may approve development that does not comply with an applicable minimum residential density or building height in Table P1(a) only if satisfied that —

(a) compliance is unable to be achieved because of one or more of the following —

i. the area, dimensions, configuration or frontage of the lot;

ii. the retention of a place of heritage significance;

iii. the retention of existing trees or other significant environmental feature;

iv. the provision of non-residential floorspace as part of a mixed use development;

v. another physical site constraint that materially restricts the development potential of the lot; and

(b) the development achieves the applicable minimum residential density to the greatest extent reasonably practicable.

***Note**: The cost or feasibility of development, or a preference to develop land at a lower density, is not, of itself, a relevant consideration for the purposes of subclause (4).*

(5) Where land is shown in Figure P2(a) as requiring active frontage or semi-active frontage treatment, the requirements in Table P2(b) apply to development on that land.

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Table P2(a) Carlisle-Oats Street Station Precinct Primary Controls

Primary Control		R30	R60	R160	MR1	MR2	HR1	HR2	HR3
Density	Minimum dwellings per hectare	20	50	50	N/A	N/A	N/A	N/A	N/A
	Minimum height (storeys)	N/A	N/A	N/A	3	3	3	3	6
	Plot ratio	N/A	N/A	N/A	N/A	N/A	4.0	6.0	7.0
Building Height	Podium height (storeys)	N/A	N/A	2	2	4	4	4	4
	Building height (storeys)	2	3[4]	8	6	8	12	16	20
	Boundary wall height (storeys)	1	2	2[2]	2	4	4	4	4
Street Setbacks	Minimum primary and secondary street setbacks (podium)	4m[1]	2m[1]	2m	2m or nil[3]	2m or nil[3]	2m or nil[3]	2m or nil[3]	2m or nil[3]
	Minimum primary and secondary street (above podium)	N/A	N/A	4m	4m	6m	6m	6m	6m
Lot Boundary Setbacks	Side setbacks (podium)	1m (1st storey) 1.5m (2nd storey) 2m (3rd storey)		3m	Nil	Nil	Nil	Nil	Nil
	Rear setbacks (podium)	N/A		3m	Nil	Nil	Nil	Nil	Nil
	Minimum side / rear setbacks (above podium)	N/A		4m	4m	6m	6m	6m	6m

Where differing from Residential Design Codes settings, this table prevails to the extent of inconsistency.

[1] Secondary street setback as per the R-Codes.

[2] Boundary wall permitted to both side boundaries, and shall not exceed 2/3 length.

[3] Nil setback applicable if commercial use at ground floor.

[4] Lots bounded by Oats Street, Cohn Street, Tuckett Street, Jupiter Street and Raleigh Street shall not exceed 2 storeys.

Table P2(b) Carlisle-Oats Street Station Precinct Active and Semi-active frontage requirements

Frontage type	Requirements
Active frontage	(a) Buildings should generally be located at or near the street boundary to define and activate the public realm, except where publicly accessible spaces and/or landscaping are provided. (b) Continuous awnings or other forms of weather protection should be provided to support year-round pedestrian activity. (c) Active uses are provided for at the ground level, with alfresco dining and uses that open to the street strongly encouraged. (d) Active uses should have a minimum floor to ceiling height of 4 metres. (e) Vehicle access should be provided from secondary streets or laneways wherever practicable, and parking should be concealed from the public realm. (f) Blank walls are avoided and facades should include significant glazing, variation in materials, finishes and architectural treatments.
Semi-active frontage	(a) Development should provide clear visual connection between buildings and the street through entries, windows, balconies and habitable room outlooks. (b) Where street setbacks are provided, high-quality landscaping should be incorporated and may be co-located with private open spaces. (c) Fencing should be no higher than 1.2 metres and be a minimum of 80 percent permeable. (d) Weather protection should be provided to pedestrian entries and where interaction occurs between public and private areas. (e) Parking should be concealed from streets and key public frontages through sleeving, basement parking or other integrated building design responses.

P2-3 Local Development Plans

(1) Before granting subdivision or development approval for land shown in Figure P2(a) as requiring a local development plan, the Commission is to require a local development plan to be approved, unless the Commission is satisfied that, having regard to the nature and scale of the subdivision or development, a local development plan is not required.

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(2) A local development plan may vary a development standard in Table P2(a) where the Commission is satisfied that the variation is consistent with orderly and proper planning and the objectives of this Scheme.

(3) The Commission may require a local development plan for land not shown in Figure P2(a) as requiring a local development plan where the Commission considers that further coordination of development is required including in relation to:

(a) staging or development across multiple lots;
(b) pedestrian access, cycling connections and vehicle access;
(c) public open space, drainage, landscaping, tree retention or environmental outcomes;
(d) public and private realm interfaces, built form or design controls;
(e) servicing or infrastructure coordination; or
(f) any other matter relevant to orderly and proper planning.

P2-4 Parking standards

(1) For the purposes of clause 41, the car parking and bike parking standards for residential and non-residential development within the Carlisle-Oats Street Station Precinct are set out in Table P2(c) and Table P2(d).

Table P2(c) Carlisle-Oats Street Station Precinct Parking Requirements – Residential

Parking types	Dwelling Type	Minimum	Maximum
Car parking	Multiple dwellings	No minimum	A maximum rate of 2 bays per dwelling[2]
	Single house, grouped dwellings	No minimum	As per the R-Codes
Car parking - Visitor	Grouped dwellings, multiple dwellings	0.1 bays per dwelling[1]	N/A
Bicycle parking	Multiple dwellings	1 bike parking space for every dwelling	N/A
	Single house, grouped dwellings	As per the R-Codes	
Bicycle parking – visitor	Multiple dwellings	As per the R-Codes	
	Single house, grouped dwellings		

1 Calculation of parking ratios rounded to the nearest whole number.

2 Averaged across the residential component of the development.

Table P2(d) Carlisle-Oats Street Station Precinct Parking Standards – Non-Residential

Parking Types	Land use	Minimum		Maximum
Car-parking	All non-residential land uses	No minimum		A maximum car parking rate of one parking space per 25 m^2 of Floor Area (FA)[1]
Bicycle parking		**Short Stay**	**Long-stay**	N/A
	Offices	1 space per 500 m^2 NLA	1 space per 250 m^2 NLA	
	Retail, food and beverage, recreation and health services	1 space per 250 m^2 NLA	1 space per 500 m^2 NLA	
	Education and childcare	1 space per 100 m^2 NLA	1 space per 250 m^2 NLA	
	All other land uses	At the discretion of the WAPC	At the discretion of the WAPC	
End of Trip Facilities (based on total number of bicycle parking spaces required)	All non-residential land uses	**0-5 spaces:** No requirement		N/A
		6-10 spaces: 2 showers and change room facilities		
		More than 11 spaces: 4 showers and change room facilities		

1. *Floor area has the same meaning given to in the Building Code, in accordance with the definitions under Schedule 1 clause 37 of the Planning and Development (Local Planning Schemes) Regulations 2015.*

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Schedule 3 - Claisebrook Station Precinct

P3-1 Application of this Schedule

This Schedule applies to land within the Claisebrook Station Precinct as shown on Figure P3(a).

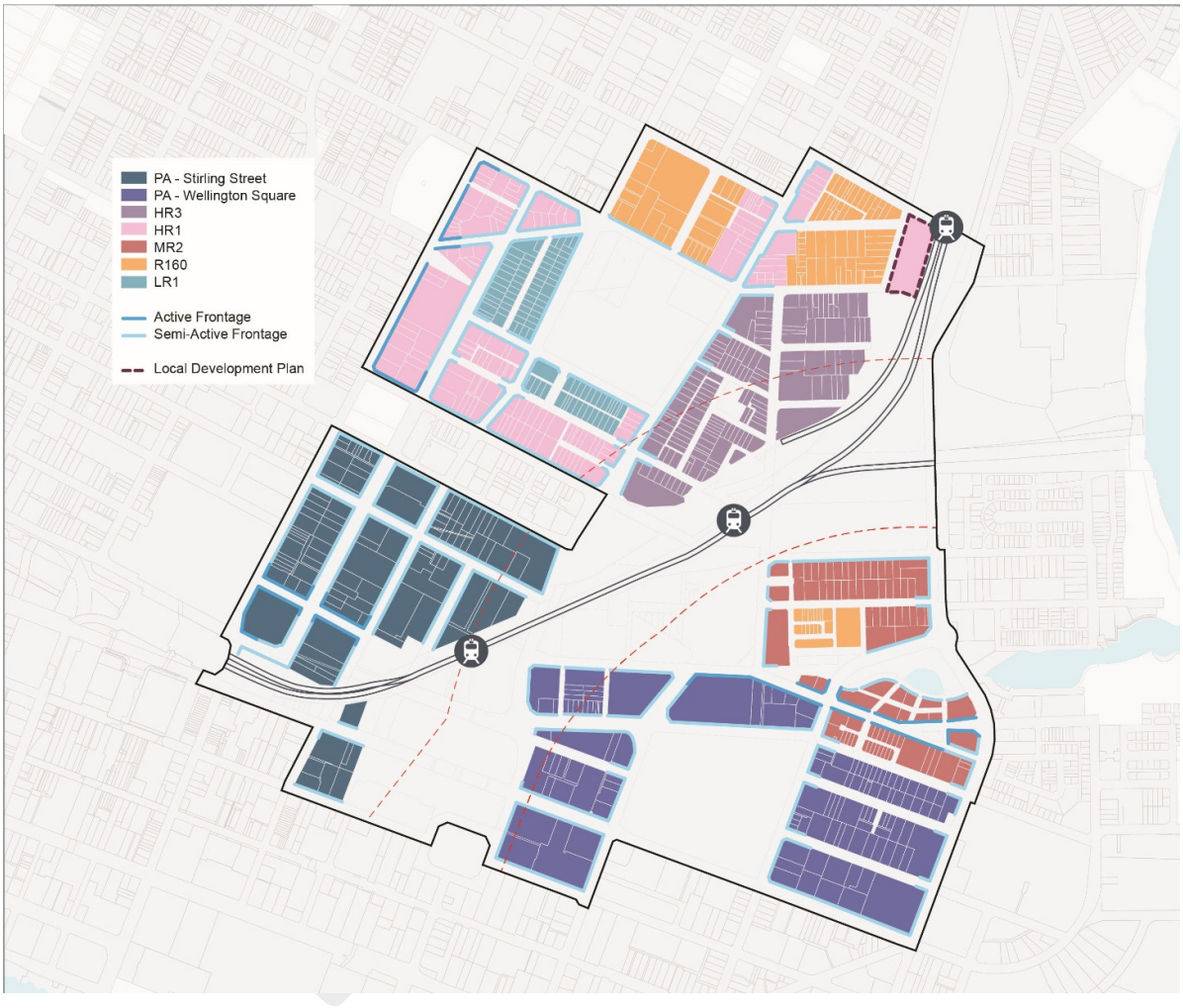


Figure P3(a) – Claisebrook Station Precinct

P3-2 Additional site and development requirements

(1) Figure P3(a) shows for the Claisebrook Station Precinct —

(a) the R-Code to which the primary controls in Table P3(a) apply;

(b) lots requiring active frontage or semi-active frontage treatment in accordance with Table P3(b);

(c) land for which a local development plan is required under clause P3-3.

(2) The requirements in Tables P3(a) and Table P3(b)—

(a) vary the R-Codes to the extent expressly provided in those tables; and

(b) do not limit any other requirement that applies under this Scheme, the R-Codes, a local development plan, State planning policy or improvement scheme policy.

(3) A minimum residential density or building height specified in Table P3(a) does not apply to:

(a) the development of or alterations to a single house or an ancillary dwelling associated with a single house; or

(b) alterations or additions to an existing approved development, where the Commission is satisfied that the works are minor in nature and do not substantially increase the scale, intensity or development potential of the site.

(4) Subject to subclause (3) the Commission may approve development that does not comply with an applicable minimum residential density or building height in Table P1(a) only if satisfied that —

(a) compliance is unable to be achieved because of one or more of the following —

i. the area, dimensions, configuration or frontage of the lot;

ii. the retention of a place of heritage significance;

iii. the retention of existing trees or other significant environmental feature;

iv. the provision of non-residential floorspace as part of a mixed use development;

v. another physical site constraint that materially restricts the development potential of the lot; and

(b) the development achieves the applicable minimum residential density to the greatest extent reasonably practicable.

***Note**: The cost or feasibility of development, or a preference to develop land at a lower density, is not, of itself, a relevant consideration for the purposes of subclause (4).*

(5) Where land is shown in Figure P3(a) as requiring active frontage or semi-active frontage treatment, the requirements in Table P3(b) apply to development on that land.

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Table P3(a) Claisebrook Station Precinct Primary Controls

Primary Control		R160	LR1	MR2	HR1	HR3	PA Wellington Square	PA Stirling Street
Density	Minimum dwellings per hectare	50	N/A	N/A	N/A	N/A	N/A	N/A
	Minimum height (storeys)	N/A	2	3	3	6	6	6
	Plot ratio	N/A	N/A	N/A	4.0	7.0	8.0	10.0
Building Height	Podium height (storeys)	2	2	4	4	4	12	6
	Building height (storeys)	8	4	8	12	20	N/A	N/A
	Boundary wall height (storeys)	2[1]	2	4	4	4	N/A	6
Street Setbacks	Minimum primary and secondary street setbacks (podium)	2m	2m or nil[2]	2m or nil[2]	2m or nil[2]	2m or nil[2]	4m	2m or nil[2]
	Minimum primary and secondary street (above podium)	4m	4m	6m	6m	6m	4m	4m
Lot Boundary Setbacks	Side setbacks (podium)	3m	Nil	Nil	Nil	Nil	4m	Nil
	Rear setbacks (podium)	3m	Nil	Nil	Nil	Nil	4m	Nil
	Minimum side / rear setbacks (above podium)	4m	4m	6m	6m	6m	4m	4m

Where differing from Residential Design Codes settings, this table prevails to the extent of inconsistency.

[1] Boundary wall permitted to both side boundaries, and shall not exceed 2/3 length.

[2] Nil setback applicable if commercial use at ground floor.

Table P3(b) Claisebrook Station Precinct Active and Semi-active frontage requirements

Frontage type	Requirements
Active frontage	(a) Buildings should generally be located at or near the street boundary to define and activate the public realm, except where publicly accessible spaces and/or landscaping are provided. (b) Continuous awnings or other forms of weather protection should be provided to support year-round pedestrian activity. (c) Active uses are provided for at the ground level, with alfresco dining and uses that open to the street strongly encouraged. (d) Active uses should have a minimum floor to ceiling height of 4 metres. (e) Vehicle access should be provided from secondary streets or laneways wherever practicable, and parking should be concealed from the public realm. (f) Blank walls are avoided and facades should include significant glazing, variation in materials, finishes and architectural treatments.
Semi-active frontage	(a) Development should provide clear visual connection between buildings and the street through entries, windows, balconies and habitable room outlooks. (b) Where street setbacks are provided, high-quality landscaping should be incorporated and may be co-located with private open spaces. (c) Fencing should be no higher than 1.2 metres and be a minimum of 80 percent permeable. (d) Weather protection should be provided to pedestrian entries and where interaction occurs between public and private areas. (e) Parking should be concealed from streets and key public frontages through sleeving, basement parking or other integrated building design responses.

P3-3 Local Development Plans

(1) Before granting subdivision or development approval for land shown in Figure P3(a) as requiring a local development plan, the Commission is to require a local development plan to be approved, unless the Commission is satisfied that, having regard to the nature and scale of the subdivision or development, a local development plan is not required.

(2) A local development plan may vary a development standard in Table P3(a) where the Commission is satisfied that the variation is consistent with orderly and proper planning and the objectives of this Scheme.

(3) The Commission may require a local development plan for land not shown in Figure P3(a) as requiring a local development plan where the Commission considers that further coordination of development is required including in relation to:

(a) staging or development across multiple lots;
(b) pedestrian access, cycling connections and vehicle access;
(c) public open space, drainage, landscaping, tree retention or environmental outcomes;
(d) public and private realm interfaces, built form or design controls;
(e) servicing or infrastructure coordination; or
(f) any other matter relevant to orderly and proper planning.

P3-4 Parking Standards

(1) For the purposes of clause 41, the car parking and bike parking standards for residential and non-residential development within the Claisebrook Station Precinct are set out in Table P3(c) and Table P3(d).

Table P3(c) Claisebrook Station Precinct Parking Requirements – Residential

Parking types	Dwelling Type	Minimum	Maximum
Car parking	Multiple dwellings	No minimum	A maximum rate of 2 bays per dwelling[2]
	Single house, grouped dwellings	No minimum	As per the R-Codes
Car parking - Visitor	Grouped dwellings, multiple dwellings	0.1 bays per dwelling[1]	N/A
Bicycle parking	Multiple dwellings	1 bike parking space for every dwelling	N/A
	Single house, grouped dwellings	As per the R-Codes	
Bicycle parking – visitor	Multiple dwellings	As per the R-Codes	
	Single house, grouped dwellings		

1 Calculation of parking ratios rounded to the nearest whole number.

2 Averaged across the residential component of the development.

Table P3(d) Claisebrook Station Precinct Parking Standards – Non-Residential

Parking Types	Land use	Minimum		Maximum
Car-parking	All non-residential land uses	No minimum car parking requirement		As specified within the Perth Parking Policy 2012. For areas outside the Perth Parking Management Area a maximum car parking rate of one parking space per 25 m^2 of Floor Area (FA)[1] shall apply.
Bicycle parking		**Short Stay**	**Long-stay**	N/A
	Offices	1 space per 500 m^2 NLA	1 space per 250 m^2 NLA	
	Retail, food and beverage, recreation and health services	1 space per 250 m^2 NLA	1 space per 500 m^2 NLA	
	Education and childcare	1 space per 100 m^2 NLA	1 space per 250 m^2 NLA	
	All other land uses	At the discretion of the WAPC	At the discretion of the WAPC	
End of Trip Facilities (based on total number of bicycle parking spaces required)	All non-residential land uses	**0-5 spaces:** No requirement		N/A
		6-10 spaces: 2 showers and change room facilities		
		More than 11 spaces: 4 showers and change room facilities		

1. *Floor area has the same meaning given to in the Building Code, in accordance with the definitions under Schedule 1 clause 37 of the Planning and Development (Local Planning Schemes) Regulations 2015.*

P3-5 Vegetation and Habitat Assessment

(1) Before the approval or determination of any of the following proposals for land identified in Figure P3(b), a Vegetation and Habitat Assessment is to be prepared to the satisfaction of the Commission —

(a) a local development plan, where required;

(b) an application for subdivision approval; or

(c) an application for development approval.

(2) The Vegetation and Habitat Assessment is to identify, as relevant to the site: remnant and native vegetation, mature trees, habitat trees, tree hollows and other fauna habitat features, and include plans and supporting investigations showing their location, condition and extent.

(3) Where the Vegetation and Habitat Assessment identifies vegetation, trees or habitat features of retention value, the assessment is to include measures demonstrating how —

(a) impacts are avoided where practicable;

(b) where retention is not practicable, impacts are minimised through design measures and construction management practices; and

(c) where removal of vegetation, trees or habitat features is proposed and supported, impacts are addressed through salvage and replanting, revegetation, habitat enhancement, or other appropriate measures.

(4) A local development plan, subdivision application or development application for land identified in Figure P3(b) is to demonstrate how the findings and recommendations of the Vegetation and Habitat Assessment have been addressed in the design of the proposal and will be implemented.

(5) A development application for land identified in Figure P3(b) is to include a landscape plan, to the satisfaction of the Commission, that—

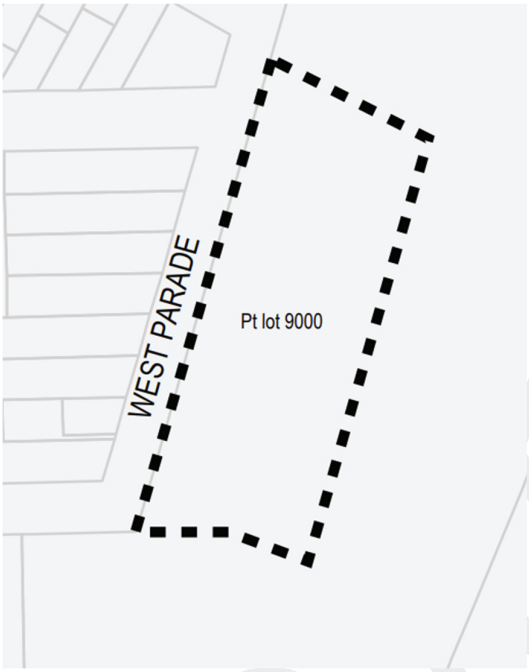
(a) identifies vegetation, trees and habitat features to be retained in accordance with the Vegetation and Habitat Assessment; and

(b) identifies replacement planting, habitat enhancement and other measures proposed to implement the recommendations of the Vegetation and Habitat Assessment.

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Figure P3(b) – Vegetation and Habitat Assessment Area

Site A. Pt Reserve 34132 (Pt Lot 9000) West Pde, Perth



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Schedule 4 - Cottesloe Station Precinct

P4-1 Application of this Schedule

This Schedule applies to land within the Cottesloe Station Precinct as shown on Figure P4(a).



Figure P4(a) – Cottesloe Station Precinct

P4-2 Additional site and development requirements

(1) Figure P4(a) shows for the Cottesloe Station Precinct —

(a) the R-Code to which the primary controls in Table P4(a) apply;

(b) lots requiring active frontage or semi-active frontage treatment in accordance with Table P4(b);

(c) land for which a local development plan is required under clause P4-3.

(2) The requirements in Tables P4(a) and Table P4(b)—

(a) vary the R-Codes to the extent expressly provided in those tables; and

(b) do not limit any other requirement that applies under this Scheme, the R-Codes, a local development plan, State planning policy or improvement scheme policy.

(3) A minimum residential density or building height specified in Table P4(a) does not apply to:

(a) the development of or alterations to a single house or an ancillary dwelling associated with a single house; or

(b) alterations or additions to an existing approved development, where the Commission is satisfied that the works are minor in nature and do not substantially increase the scale, intensity or development potential of the site.

(4) Subject to subclause (3) the Commission may approve development that does not comply with an applicable minimum residential density or building height in Table P4(a) only if satisfied that —

(a) compliance is unable to be achieved because of one or more of the following —

i. the area, dimensions, configuration or frontage of the lot;

ii. the retention of a place of heritage significance;

iii. the retention of existing trees or other significant environmental feature;

iv. the provision of non-residential floorspace as part of a mixed use development;

v. another physical site constraint that materially restricts the development potential of the lot; and

(b) the development achieves the applicable minimum residential density to the greatest extent reasonably practicable.

***Note**: The cost or feasibility of development, or a preference to develop land at a lower density, is not, of itself, a relevant consideration for the purposes of subclause (4).*

(5) Where land is shown in Figure P4(a) as requiring active frontage or semi-active frontage treatment, the requirements in Table P4(b) apply to development on that land.

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Table P4(a) Cottesloe Station Precinct Primary Controls

Primary Control		R30	R60	R160	MR1	MR2	HR1	HR2	HR3
Density	Minimum dwellings per hectare	20	50	50	N/A	N/A	N/A	N/A	N/A
	Minimum height (storeys)	N/A	N/A	N/A	3	3	3	3	6
	Plot ratio	N/A	N/A	N/A	N/A	N/A	4.0	6.0	7.0
Building Height	Podium height (storeys)	N/A	N/A	2	2	4	4	4	4
	Building height (storeys)	2	3	8	6	8	12	16	20
	Boundary wall height (storeys)	1	2	2[2]	2	4	4	4	4
Street Setbacks	Minimum primary and secondary street setbacks (podium)	4m[1]	2m[1]	2m	2m or nil[3]	2m or nil[3]	2m or nil[3]	2m or nil[3]	2m or nil[3]
	Minimum primary and secondary street (above podium)	N/A	N/A	4m	4m	6m	6m	6m	6m
Lot Boundary Setbacks	Side setbacks (podium)	1m (1st storey) 1.5m (2nd storey) 2m (3rd storey)		3m	Nil	Nil	Nil	Nil	Nil
	Rear setbacks (podium)	N/A		3m	Nil	Nil	Nil	Nil	Nil
	Minimum side / rear setbacks (above podium)	N/A		4m	4m	6m	6m	6m	6m

Where differing from Residential Design Codes settings, this table prevails to the extent of inconsistency.

[1] Secondary street setback as per the R-Codes.

[2] Boundary wall permitted to both side boundaries, and shall not exceed 2/3 length.

[3] Nil setback applicable if commercial use at ground floor.

Table P4(b) Cottesloe Station Precinct Active and Semi-active frontage requirements

Frontage type	Requirements
Active frontage	(a) Buildings should generally be located at or near the street boundary to define and activate the public realm, except where publicly accessible spaces and/or landscaping are provided. (b) Continuous awnings or other forms of weather protection should be provided to support year-round pedestrian activity. (c) Active uses are provided for at the ground level, with alfresco dining and uses that open to the street strongly encouraged. (d) Active uses should have a minimum floor to ceiling height of 4 metres. (e) Vehicle access should be provided from secondary streets or laneways wherever practicable, and parking should be concealed from the public realm. (f) Blank walls are avoided and facades should include significant glazing, variation in materials, finishes and architectural treatments.
Semi-active frontage	(a) Development should provide clear visual connection between buildings and the street through entries, windows, balconies and habitable room outlooks. (b) Where street setbacks are provided, high-quality landscaping should be incorporated and may be co-located with private open spaces. (c) Fencing should be no higher than 1.2 metres and be a minimum of 80 percent permeable. (d) Weather protection should be provided to pedestrian entries and where interaction occurs between public and private areas. (e) Parking should be concealed from streets and key public frontages through sleeving, basement parking or other integrated building design responses.

P4-3 Local Development Plans

(1) Before granting subdivision or development approval for land shown in Figure P4(a) as requiring a local development plan, the Commission is to require a local development plan to be approved, unless the Commission is satisfied that, having regard to the nature and scale of the subdivision or development, a local development plan is not required.

(2) A local development plan may vary a development standard in Table P4(a) where the Commission is satisfied that the variation is consistent with orderly and proper planning and the objectives of this Scheme.

(3) The Commission may require a local development plan for land not shown in Figure P4(a) as requiring a local development plan where the Commission considers that further coordination of development is required including in relation to —

(a) staging or development across multiple lots;
(b) pedestrian access, cycling connections and vehicle access;
(c) public open space, drainage, landscaping, tree retention or environmental outcomes;
(d) public and private realm interfaces, built form or design controls;
(e) servicing or infrastructure coordination; or
(f) any other matter relevant to orderly and proper planning.

P4-4 Parking standards

(1) For the purposes of clause 41, the car parking and bike parking standards for residential and non-residential development within the Cottesloe Station Precinct are set out in Table P4(c) and Table P4(d).

Table P4(c) Cottesloe Station Precinct Parking Requirements – Residential

Parking types	Dwelling Type	Minimum	Maximum
Car parking	Multiple dwellings	No minimum	A maximum rate of 2 bays per dwelling [2]
	Single house, grouped dwellings	No minimum	As per the R-Codes
Car parking - Visitor	Grouped dwellings, multiple dwellings	0.1 bays per dwelling[1]	N/A
Bicycle parking	Multiple dwellings	1 bike parking space for every dwelling	N/A
	Single house, grouped dwellings	As per the R-Codes	
Bicycle parking – visitor	Multiple dwellings	As per the R-Codes	
	Single house, grouped dwellings		

1 Calculation of parking ratios rounded to the nearest whole number.

2 Averaged across the residential component of the development.

Table P4(d) Cottesloe Station Precinct Parking Standards – Non-Residential

Parking Types	Land use	Minimum		Maximum
Car-parking	All non-residential land uses	No minimum car parking requirement		A maximum car parking rate of one parking space per 25 m^2 of Floor Area (FA)[1]
Bicycle parking		**Short Stay**	**Long-stay**	N/A
	Offices	1 space per 500 m^2 NLA	1 space per 250 m^2 NLA	
	Retail, food and beverage, recreation and health services	1 space per 250 m^2 NLA	1 space per 500 m^2 NLA	
	Education and childcare	1 space per 100 m^2 NLA	1 space per 250 m^2 NLA	
	All other land uses	At the discretion of the WAPC	At the discretion of the WAPC	
End of Trip Facilities (based on total number of bicycle parking spaces required)	All non-residential land uses	**0-5 spaces:** No requirement		N/A
		6-10 spaces: 2 showers and change room facilities		
		More than 11 spaces: 4 showers and change room facilities		

1. *Floor area has the same meaning given to in the Building Code, in accordance with the definitions under Schedule 1 clause 37 of the Planning and Development (Local Planning Schemes) Regulations 2015.*

P4-5 Vegetation and Habitat Assessment

(1) Before the approval or determination of any of the following proposals for land identified in Figure P4(b), a Vegetation and Habitat Assessment is to be prepared to the satisfaction of the Commission —

(a) a local development plan, where required;

(b) an application for subdivision approval; or

(c) an application for development approval.

(2) The Vegetation and Habitat Assessment is to identify, as relevant to the site: remnant and native vegetation, mature trees, habitat trees, tree hollows and other fauna habitat features, and include plans and supporting investigations showing their location, condition and extent.

(3) Where the Vegetation and Habitat Assessment identifies vegetation, trees or habitat features of retention value, the assessment is to include measures demonstrating how —

(a) impacts are avoided where practicable;

(b) where retention is not practicable, impacts are minimised through design measures and construction management practices; and

(c) where removal of vegetation, trees or habitat features is proposed and supported, impacts are addressed through salvage and replanting, revegetation, habitat enhancement, or other appropriate measures.

(4) A local development plan, subdivision application or development application for land identified in Figure P4(b) is to demonstrate how the findings and recommendations of the Vegetation and Habitat Assessment have been addressed in the design of the proposal and will be implemented.

(5) A development application for land identified in Figure P4(b) is to include a landscape plan, to the satisfaction of the Commission, that—

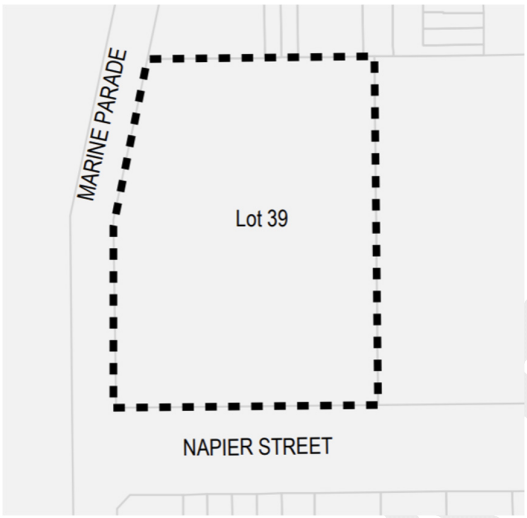
(a) identifies vegetation, trees and habitat features to be retained in accordance with the Vegetation and Habitat Assessment; and

(b) identifies replacement planting, habitat enhancement and other measures proposed to implement the recommendations of the Vegetation and Habitat Assessment.

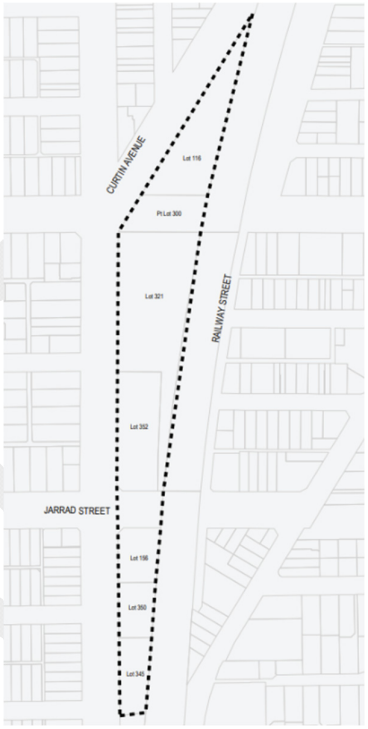
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Figure P4(b) – Vegetation and Habitat Assessment

Site A. Lot 39 Napier Street, Cottesloe



Site B. Reserve 3235 (Lot 39) Marine Parade, Cottesloe



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Schedule 5 - Glendalough Station Precinct

P5-1 Application of this Schedule

This Schedule applies to land within the Glendalough Station Precinct as shown on Figure P5(a).

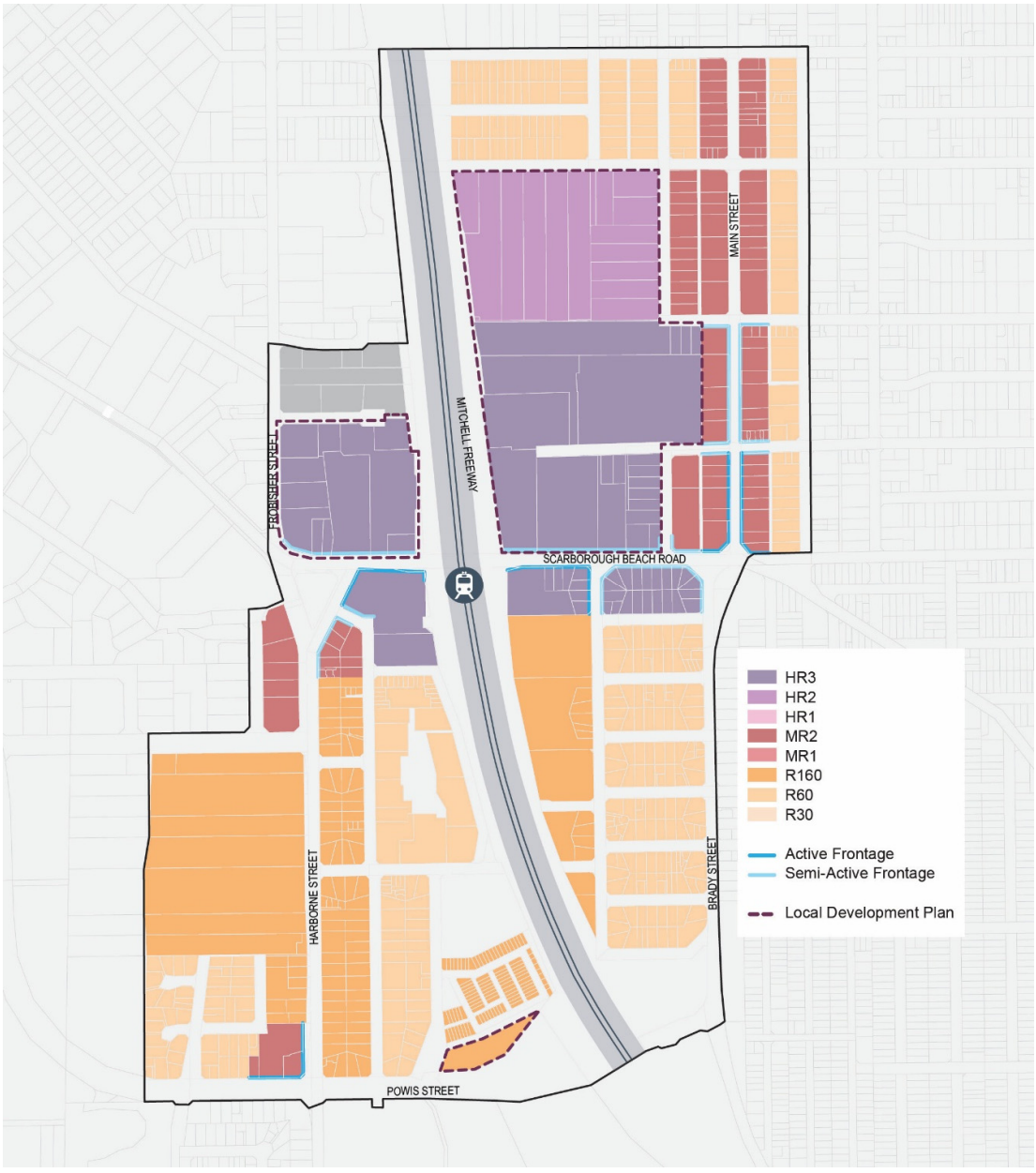


Figure P5(a) – Glendalough Station Precinct control areas

5-2 Additional site and development requirements

(1) Figure P5(a) shows for the Glendalough Station Precinct —

(a) the R-Code to which the primary controls in Table P5(a) apply;

(b) lots requiring active frontage or semi-active frontage treatment in accordance with Table P5(b);

(c) land for which a local development plan is required under clause P5-3.

(2) The requirements in Tables P5(a) and Table P5(b)—

(a) vary the R-Codes to the extent expressly provided in those tables; and

(b) do not limit any other requirement that applies under this Scheme, the R-Codes, a local development plan, State planning policy or improvement scheme policy.

(3) A minimum residential density or building height specified in Table P5(a) does not apply to:

(a) the development of or alterations to a single house or an ancillary dwelling associated with a single house; or

(b) alterations or additions to an existing approved development, where the Commission is satisfied that the works are minor in nature and do not substantially increase the scale, intensity or development potential of the site.

(4) Subject to subclause (3) the Commission may approve development that does not comply with an applicable minimum residential density or building height in Table P5(a) only if satisfied that —

(a) compliance is unable to be achieved because of one or more of the following —

i. the area, dimensions, configuration or frontage of the lot;

ii. the retention of a place of heritage significance;

iii. the retention of existing trees or other significant environmental feature;

iv. the provision of non-residential floorspace as part of a mixed use development;

v. another physical site constraint that materially restricts the development potential of the lot; and

(b) the development achieves the applicable minimum residential density to the greatest extent reasonably practicable.

***Note**: The cost or feasibility of development, or a preference to develop land at a lower density, is not, of itself, a relevant consideration for the purposes of subclause (4).*

(5) Where land is shown in Figure P5(a) as requiring active frontage or semi-active frontage treatment, the requirements in Table P5(b) apply to development on that land.

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Table P5(a) Glendalough Station Precinct Primary Controls

Primary Control		R30	R60	R160	MR1	MR2	HR1	HR2	HR3
Density	Minimum dwellings per hectare	20	50	50	N/A	N/A	N/A	N/A	N/A
	Minimum height (storeys)	N/A	N/A	N/A	3	3	3	3	6
	Plot ratio	N/A	N/A	N/A	N/A	N/A	4.0	6.0	7.0
Building Height	Podium height (storeys)	N/A	N/A	2	2	4	4	4	4
	Building height (storeys)	2	3	8	6	8	12	16	20
	Boundary wall height (storeys)	1	2	2[2]	2	4	4	4	4
Street Setbacks	Minimum primary and secondary street setbacks (podium)	4m[1]	2m[1]	2m	2m or nil[3]	2m or nil[3]	2m or nil[3]	2m or nil[3]	2m or nil[3]
	Minimum primary and secondary street (above podium)	N/A	N/A	4m	4m	6m	6m	6m	6m
Lot Boundary Setbacks	Side setbacks (podium)	1m (1st storey) 1.5m (2nd storey) 2m (3rd storey)		3m	Nil	Nil	Nil	Nil	Nil
	Rear setbacks (podium)	N/A		3m	Nil	Nil	Nil	Nil	Nil
	Minimum side / rear setbacks (above podium)	N/A		4m	4m	6m	6m	6m	6m

Where differing from Residential Design Codes settings, this table prevails to the extent of inconsistency.

[1] Secondary street setback as per the R-Codes.

[2] Boundary wall permitted to both side boundaries, and shall not exceed 2/3 length.

[3] Nil setback applicable if commercial use at ground floor.

Table P5(b) Glendalough Station Precinct Active and Semi-active frontage requirements

Frontage type	Requirements
Active frontage	(a) Buildings should generally be located at or near the street boundary to define and activate the public realm, except where publicly accessible spaces and/or landscaping are provided. (b) Continuous awnings or other forms of weather protection should be provided to support year-round pedestrian activity. (c) Active uses are provided for at the ground level, with alfresco dining and uses that open to the street strongly encouraged. (d) Active uses should have a minimum floor to ceiling height of 4 metres. (e) Vehicle access should be provided from secondary streets or laneways wherever practicable, and parking should be concealed from the public realm. (f) Blank walls are avoided and facades should include significant glazing, variation in materials, finishes and architectural treatments.
Semi-active frontage	(a) Development should provide clear visual connection between buildings and the street through entries, windows, balconies and habitable room outlooks. (b) Where street setbacks are provided, high-quality landscaping should be incorporated and may be co-located with private open spaces. (c) Fencing should be no higher than 1.2 metres and be a minimum of 80 percent permeable. (d) Weather protection should be provided to pedestrian entries and where interaction occurs between public and private areas. (e) Parking should be concealed from streets and key public frontages through sleeving, basement parking or other integrated building design responses.

P5-3 Local Development Plans

(1) Before granting subdivision or development approval for land shown in Figure P5(a) as requiring a local development plan, the Commission is to require a local development plan to be approved, unless the Commission is satisfied that, having regard to the nature and scale of the subdivision or development, a local development plan is not required.

(2) A local development plan may vary a development standard in Table P5(a) where the Commission is satisfied that the variation is consistent with orderly and proper planning and the objectives of this Scheme.

(3) The Commission may require a local development plan for land not shown in Figure P5(a) as requiring a local development plan where the Commission considers that further coordination of development is required including in relation to:
  (a) staging or development across multiple lots;
  (b) pedestrian access, cycling connections and vehicle access;
  (c) public open space, drainage, landscaping, tree retention or environmental outcomes;
  (d) public and private realm interfaces, built form or design controls;
  (e) servicing or infrastructure coordination; or
  (f) any other matter relevant to orderly and proper planning.

P5-4 Parking standards

(1) For the purposes of clause 41, the car parking and bike parking standards for residential and non-residential development within the Glendalough Station Precinct are set out in Table P5(c) and Table P5(d).

Table P5(c) Glendalough Station Precinct Parking Requirements – Residential

Parking types	Dwelling Type	Minimum	Maximum
Car parking	Multiple dwellings	No minimum	A maximum rate of 2 bays per dwelling [2]
	Single house, grouped dwellings	No minimum	As per the R-Codes
Car parking - Visitor	Grouped dwellings, multiple dwellings	0.1 bays per dwelling[1]	N/A
Bicycle parking	Multiple dwellings	1 bike parking space for every dwelling	N/A
	Single house, grouped dwellings	As per the R-Codes	
Bicycle parking – visitor	Multiple dwellings	As per the R-Codes	
	Single house, grouped dwellings		

1 Calculation of parking ratios rounded to the nearest whole number.

2 Averaged across the residential component of the development.

Table P5(d) Glendalough Station Precinct Parking Standards – Non-Residential

Parking Types	Land use	Minimum		Maximum
Car-parking	All non-residential land uses	No minimum car parking requirement		A maximum car parking rate of one parking space per 25 m^2 of Floor Area (FA)[1]
Bicycle parking		**Short Stay**	**Long-stay**	N/A
	Offices	1 space per 500 m^2 NLA	1 space per 250 m^2 NLA	
	Retail, food and beverage, recreation and health services	1 space per 250 m^2 NLA	1 space per 500 m^2 NLA	
	Education and childcare	1 space per 100 m^2 NLA	1 space per 250 m^2 NLA	
	All other land uses	At the discretion of the WAPC	At the discretion of the WAPC	
End of Trip Facilities (based on total number of bicycle parking spaces required)	All non-residential land uses	**0-5 spaces:** No requirement		N/A
		6-10 spaces: 2 showers and change room facilities		
		More than 11 spaces: 4 showers and change room facilities		

1. *Floor area has the same meaning given to in the Building Code, in accordance with the definitions under Schedule 1 clause 37 of the Planning and Development (Local Planning Schemes) Regulations 2015.*

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Schedule 6 - Morley Station Precinct

P6-1 Application of this Schedule

This Schedule applies to land within the Morley Station Precinct as shown on Figure P6(a).

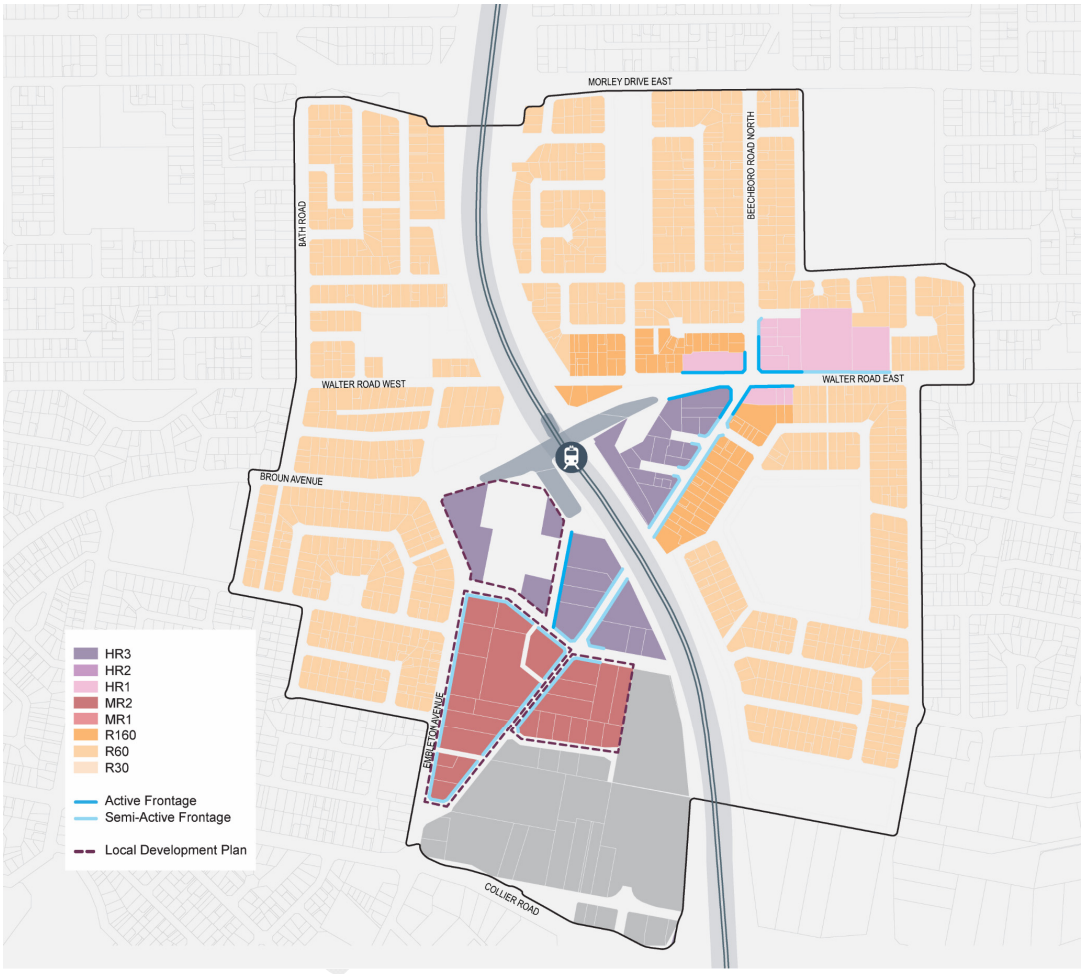


Figure P6(a) – Morley Station Precinct

P6-2 Additional site and development requirements

(1) Figure P6(a) shows for the Morley Station Precinct —

(a) the R-Code to which the primary controls in Table P6(a) apply;

(b) lots requiring active frontage or semi-active frontage treatment in accordance with Table P6(b);

(c) land for which a local development plan is required under clause P6-3.

(2) The requirements in Tables P6(a) and Table P6(b)—

(a) vary the R-Codes to the extent expressly provided in those tables; and

(b) do not limit any other requirement that applies under this Scheme, the R-Codes, a local development plan, State planning policy or improvement scheme policy.

(3) A minimum residential density or building height specified in Table P6(a) does not apply to:

(a) the development of or alterations to a single house or an ancillary dwelling associated with a single house; or

(b) alterations or additions to an existing approved development, where the Commission is satisfied that the works are minor in nature and do not substantially increase the scale, intensity or development potential of the site.

(4) Subject to subclause (3) the Commission may approve development that does not comply with an applicable minimum residential density or building height in Table P6(a) only if satisfied that —

(a) compliance is unable to be achieved because of one or more of the following —

i. the area, dimensions, configuration or frontage of the lot;

ii. the retention of a place of heritage significance;

iii. the retention of existing trees or other significant environmental feature;

iv. the provision of non-residential floorspace as part of a mixed use development;

v. another physical site constraint that materially restricts the development potential of the lot; and

(b) the development achieves the applicable minimum residential density to the greatest extent reasonably practicable.

***Note**: The cost or feasibility of development, or a preference to develop land at a lower density, is not, of itself, a relevant consideration for the purposes of subclause (4).*

(5) Where land is shown in Figure P6(a) as requiring active frontage or semi-active frontage treatment, the requirements in Table P6(b) apply to development on that land.

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Table P6(a) Morley Station Precinct Primary Controls

Primary Control		R30	R60	R160	MR1	MR2	HR1	HR2	HR3
Density	Minimum dwellings per hectare	20	50	50	N/A	N/A	N/A	N/A	N/A
	Minimum height (storeys)	N/A	N/A	N/A	3	3	3	3	6
	Plot ratio	N/A	N/A	N/A	N/A	N/A	4.0	6.0	7.0
Building Height	Podium height (storeys)	N/A	N/A	2	2	4	4	4	4
	Building height (storeys)	2	3	8	6	8	12	16	20
	Boundary wall height (storeys)	1	2	2[2]	2	4	4	4	4
Street Setbacks	Minimum primary and secondary street setbacks (podium)	4m[1]	2m[1]	2m	2m or nil[3]	2m or nil[3]	2m or nil[3]	2m or nil[3]	2m or nil[3]
	Minimum primary and secondary street (above podium)	N/A	N/A	4m	4m	6m	6m	6m	6m
Lot Boundary Setbacks	Side setbacks (podium)	1m (1st storey) 1.5m (2nd storey) 2m (3rd storey)		3m	Nil	Nil	Nil	Nil	Nil
	Rear setbacks (podium)	N/A		3m	Nil	Nil	Nil	Nil	Nil
	Minimum side / rear setbacks (above podium)	N/A		4m	4m	6m	6m	6m	6m

Where differing from Residential Design Codes settings, this table prevails to the extent of inconsistency.

[1] Secondary street setback as per the R-Codes.

[2] Boundary wall permitted to both side boundaries, and shall not exceed 2/3 length.

[3] Nil setback applicable if commercial use at ground floor.

Table P6(b) Morley Station Precinct Active and Semi-active frontage requirements

Frontage type	Requirements
Active frontage	(a) Buildings should generally be located at or near the street boundary to define and activate the public realm, except where publicly accessible spaces and/or landscaping are provided. (b) Continuous awnings or other forms of weather protection should be provided to support year-round pedestrian activity. (c) Active uses are provided for at the ground level, with alfresco dining and uses that open to the street strongly encouraged. (d) Active uses should have a minimum floor to ceiling height of 4 metres. (e) Vehicle access should be provided from secondary streets or laneways wherever practicable, and parking should be concealed from the public realm. (f) Blank walls are avoided and facades should include significant glazing, variation in materials, finishes and architectural treatments.
Semi-active frontage	(a) Development should provide clear visual connection between buildings and the street through entries, windows, balconies and habitable room outlooks. (b) Where street setbacks are provided, high-quality landscaping should be incorporated and may be co-located with private open spaces. (c) Fencing should be no higher than 1.2 metres and be a minimum of 80 percent permeable. (d) Weather protection should be provided to pedestrian entries and where interaction occurs between public and private areas. (e) Parking should be concealed from streets and key public frontages through sleeving, basement parking or other integrated building design responses.

P6-3 Local Development Plans

(1) Before granting subdivision or development approval for land shown in Figure P6(a) as requiring a local development plan, the Commission is to require a local development plan to be approved, unless the Commission is satisfied that, having regard to the nature and scale of the subdivision or development, a local development plan is not required.

(2) A local development plan may vary a development standard in Table P6(a) where the Commission is satisfied that the variation is consistent with orderly and proper planning and the objectives of this Scheme.

(3) The Commission may require a local development plan for land not shown in Figure P6(a) as requiring a local development plan where the Commission considers that further coordination of development is required including in relation to:

(a) staging or development across multiple lots;
(b) pedestrian access, cycling connections and vehicle access;
(c) public open space, drainage, landscaping, tree retention or environmental outcomes;
(d) public and private realm interfaces, built form or design controls;
(e) servicing or infrastructure coordination; or
(f) any other matter relevant to orderly and proper planning.

P6-4 Parking standards

(1) For the purposes of clause 41, the car parking and bike parking standards for residential and non-residential development within the Morley Station Precinct are set out in Table P6(c) and Table P6(d).

Table P6(c) Morley Station Precinct Parking Requirements – Residential

Parking types	Dwelling Type	Minimum	Maximum
Car parking	Multiple dwellings	No minimum	A maximum rate of 2 bays per dwelling[2]
	Single house, grouped dwellings	No minimum	As per the R-Codes
Car parking - Visitor	Grouped dwellings, multiple dwellings	0.1 bays per dwelling[1]	N/A
Bicycle parking	Multiple dwellings	1 bike parking space for every dwelling	N/A
	Single house, grouped dwellings	As per the R-Codes	
Bicycle parking – visitor	Multiple dwellings	As per the R-Codes	
	Single house, grouped dwellings		

1 Calculation of parking ratios rounded to the nearest whole number.

2 Averaged across the residential component of the development.

Table P6(d) Morley Station Precinct Parking Standards – Non-Residential

Parking Types	Land use	Minimum		Maximum
Car-parking	All non-residential land uses	No minimum car parking requirement		A maximum car parking rate of one parking space per 25 m^2 of Floor Area (FA)[1]
Bicycle parking		**Short Stay**	**Long-stay**	N/A
	Offices	1 space per 500 m^2 NLA	1 space per 250 m^2 NLA	
	Retail, food and beverage, recreation and health services	1 space per 250 m^2 NLA	1 space per 500 m^2 NLA	
	Education and childcare	1 space per 100 m^2 NLA	1 space per 250 m^2 NLA	
	All other land uses	At the discretion of the WAPC	At the discretion of the WAPC	
End of Trip Facilities (based on total number of bicycle parking spaces required)	All non-residential land uses	**0-5 spaces:** No requirement		N/A
		6-10 spaces: 2 showers and change room facilities		
		More than 11 spaces: 4 showers and change room facilities		

1. *Floor area has the same meaning given to in the Building Code, in accordance with the definitions under Schedule 1 clause 37 of the Planning and Development (Local Planning Schemes) Regulations 2015.*

P6-5 Vegetation and Habitat Assessment

(1) Before the approval or determination of any of the following proposals for land identified in Figure P6(b), a Vegetation and Habitat Assessment is to be prepared to the satisfaction of the Commission —

(a) a local development plan, where required;

(b) an application for subdivision approval; or

(c) an application for development approval.

(2) The Vegetation and Habitat Assessment is to identify, as relevant to the site: remnant and native vegetation, mature trees, habitat trees, tree hollows and other fauna habitat features, and include plans and supporting investigations showing their location, condition and extent.

(3) Where the Vegetation and Habitat Assessment identifies vegetation, trees or habitat features of retention value, the assessment is to include measures demonstrating how —

(a) impacts are avoided where practicable;

(b) where retention is not practicable, impacts are minimised through design measures and construction management practices; and

(c) where removal of vegetation, trees or habitat features is proposed and supported, impacts are addressed through salvage and replanting, revegetation, habitat enhancement, or other appropriate measures.

(4) A local development plan, subdivision application or development application for land identified in Figure P6(b) is to demonstrate how the findings and recommendations of the Vegetation and Habitat Assessment have been addressed in the design of the proposal and will be implemented.

(5) A development application for land identified in Figure P6(b) is to include a landscape plan, to the satisfaction of the Commission, that—

(a) identifies vegetation, trees and habitat features to be retained in accordance with the Vegetation and Habitat Assessment; and

(b) identifies replacement planting, habitat enhancement and other measures proposed to implement the recommendations of the Vegetation and Habitat Assessment.

Figure P6(b) – Vegetation and Habitat Assessment

Site A. Lot 2 Embleton Ave, Bayswater



Schedule 7 - Mosman Park Station Precinct

P7-1 Application of this Schedule

This Schedule applies to land within the Mosman Park Station Precinct as shown on Figure P7(a).

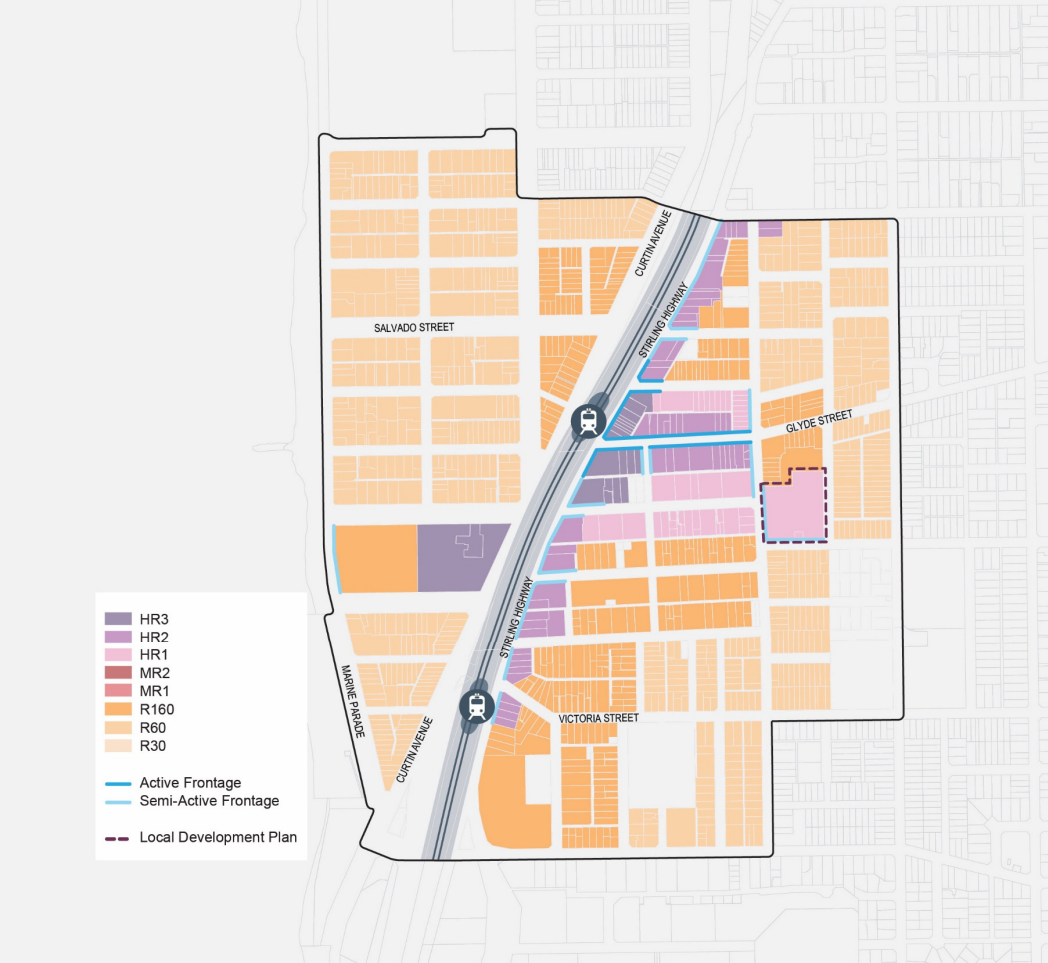


Figure P7(a) – Mosman Park Station Precinct

P7-2 Additional site and development requirements

(1) Figure P7(a) shows for the Mosman Park Station Precinct —

(a) the R-Code to which the primary controls in Table P7(a) apply;

(b) lots requiring active frontage or semi-active frontage treatment in accordance with Table P7(b);

(c) land for which a local development plan is required under clause P7-3.

(2) The requirements in Tables P7(a) and Table P7(b)—

(a) vary the R-Codes to the extent expressly provided in those tables; and

(b) do not limit any other requirement that applies under this Scheme, the R-Codes, a local development plan, State planning policy or improvement scheme policy.

(3) A minimum residential density or building height specified in Table P7(a) does not apply to:

(a) the development of or alterations to a single house or an ancillary dwelling associated with a single house; or

(b) alterations or additions to an existing approved development, where the Commission is satisfied that the works are minor in nature and do not substantially increase the scale, intensity or development potential of the site.

(4) Subject to subclause (3) the Commission may approve development that does not comply with an applicable minimum residential density or building height in Table P7(a) only if satisfied that —

(a) compliance is unable to be achieved because of one or more of the following —

i. the area, dimensions, configuration or frontage of the lot;

ii. the retention of a place of heritage significance;

iii. the retention of existing trees or other significant environmental feature;

iv. the provision of non-residential floorspace as part of a mixed use development;

v. another physical site constraint that materially restricts the development potential of the lot; and

(b) the development achieves the applicable minimum residential density to the greatest extent reasonably practicable.

***Note**: The cost or feasibility of development, or a preference to develop land at a lower density, is not, of itself, a relevant consideration for the purposes of subclause (4).*

(5) Where land is shown in Figure P7(a) as requiring active frontage or semi-active frontage treatment, the requirements in Table P7(b) apply to development on that land.

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Table P7(a) Mosman Park Station Precinct Primary Controls

Primary Control		R30	R60	R160	MR1	MR2	HR1	HR2	HR3
Density	Minimum dwellings per hectare	20	50	50	N/A	N/A	N/A	N/A	N/A
	Minimum height (storeys)	N/A	N/A	N/A	3	3	3	3	6
	Plot ratio	N/A	N/A	N/A	N/A	N/A	4.0	6.0	7.0
Building Height	Podium height (storeys)	N/A	N/A	2	2	4	4	4	4
	Building height (storeys)	2	3	8	6	8	12	16	20
	Boundary wall height (storeys)	1	2	2[2]	2	4	4	4	4
Street Setbacks	Minimum primary and secondary street setbacks (podium)	4m[1]	2m[1]	2m	2m or nil[3]	2m or nil[3]	2m or nil[3]	2m or nil[3]	2m or nil[3]
	Minimum primary and secondary street (above podium)	N/A	N/A	4m	4m	6m	6m	6m	6m
Lot Boundary Setbacks	Side setbacks (podium)	1m (1st storey) 1.5m (2nd storey) 2m (3rd storey)		3m	Nil	Nil	Nil	Nil	Nil
	Rear setbacks (podium)	N/A		3m	Nil	Nil	Nil	Nil	Nil
	Minimum side / rear setbacks (above podium)	N/A		4m	4m	6m	6m	6m	6m

Where differing from Residential Design Codes settings, this table prevails to the extent of inconsistency.

[1] Secondary street setback as per the R-Codes.

[2] Boundary wall permitted to both side boundaries, and shall not exceed 2/3 length.

[3] Nil setback applicable if commercial use at ground floor.

Table P7(b) Mosman Park Station Precinct Active and Semi-active frontage requirements

Frontage type	Requirements
Active frontage	(a) Buildings should generally be located at or near the street boundary to define and activate the public realm, except where publicly accessible spaces and/or landscaping are provided. (b) Continuous awnings or other forms of weather protection should be provided to support year-round pedestrian activity. (c) Active uses are provided for at the ground level, with alfresco dining and uses that open to the street strongly encouraged. (d) Active uses should have a minimum floor to ceiling height of 4 metres. (e) Vehicle access should be provided from secondary streets or laneways wherever practicable, and parking should be concealed from the public realm. (f) Blank walls are avoided and facades should include significant glazing, variation in materials, finishes and architectural treatments.
Semi-active frontage	(a) Development should provide clear visual connection between buildings and the street through entries, windows, balconies and habitable room outlooks. (b) Where street setbacks are provided, high-quality landscaping should be incorporated and may be co-located with private open spaces. (c) Fencing should be no higher than 1.2 metres and be a minimum of 80 percent permeable. (d) Weather protection should be provided to pedestrian entries and where interaction occurs between public and private areas. (e) Parking should be concealed from streets and key public frontages through sleeving, basement parking or other integrated building design responses.

P7-3 Local Development Plans

(1) Before granting subdivision or development approval for land shown in Figure P7(a) as requiring a local development plan, the Commission is to require a local development plan to be approved, unless the Commission is satisfied that, having regard to the nature and scale of the subdivision or development, a local development plan is not required.

(2) A local development plan may vary a development standard in Table P7(a) where the Commission is satisfied that the variation is consistent with orderly and proper planning and the objectives of this Scheme.

(3) The Commission may require a local development plan for land not shown in Figure P7(a) as requiring a local development plan where the Commission considers that further coordination of development is required including in relation to:
- (a) staging or development across multiple lots;
- (b) pedestrian access, cycling connections and vehicle access;
- (c) public open space, drainage, landscaping, tree retention or environmental outcomes;
- (d) public and private realm interfaces, built form or design controls;
- (e) servicing or infrastructure coordination; or
- (f) any other matter relevant to orderly and proper planning.

P7-4 Parking standards

(1) For the purposes of clause 41, the car parking and bike parking standards for residential and non-residential development within the Mosman Park Station Precinct are set out in Table P7(c) and Table P7(d).

Table P7(c) Mosman Park Station Precinct Parking Requirements – Residential

Parking types	Dwelling Type	Minimum	Maximum
Car parking	Multiple dwellings	No minimum	A maximum rate of 2 bays per dwelling[2]
	Single house, grouped dwellings	No minimum	As per the R-Codes
Car parking - Visitor	Grouped dwellings, multiple dwellings	0.1 bays per dwelling[1]	N/A
Bicycle parking	Multiple dwellings	1 bike parking space for every dwelling	N/A
	Single house, grouped dwellings	As per the R-Codes	
Bicycle parking – visitor	Multiple dwellings	As per the R-Codes	
	Single house, grouped dwellings		

1 Calculation of parking ratios rounded to the nearest whole number.

2 Averaged across the residential component of the development.

Table P7(d) Mosman Park Station Precinct Parking Standards – Non-Residential

Parking Types	Land use	Minimum		Maximum
Car-parking	All non-residential land uses	No minimum car parking requirement		A maximum car parking rate of one parking space per 25 m^2 of Floor Area (FA)[1]
Bicycle parking		**Short Stay**	**Long-stay**	N/A
	Offices	1 space per 500 m^2 NLA	1 space per 250 m^2 NLA	
	Retail, food and beverage, recreation and health services	1 space per 250 m^2 NLA	1 space per 500 m^2 NLA	
	Education and childcare	1 space per 100 m^2 NLA	1 space per 250 m^2 NLA	
	All other land uses	At the discretion of the WAPC	At the discretion of the WAPC	
End of Trip Facilities (based on total number of bicycle parking spaces required)	All non-residential land uses	**0-5 spaces:** No requirement		N/A
		6-10 spaces: 2 showers and change room facilities		
		More than 11 spaces: 4 showers and change room facilities		

1. *Floor area has the same meaning given to in the Building Code, in accordance with the definitions under Schedule 1 clause 37 of the Planning and Development (Local Planning Schemes) Regulations 2015.*

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Schedule 8 - Swanbourne Station Precinct

P8-1 Application of this Schedule

This Schedule applies to land within the Swanbourne Station Precinct as shown on Figure P8(a).

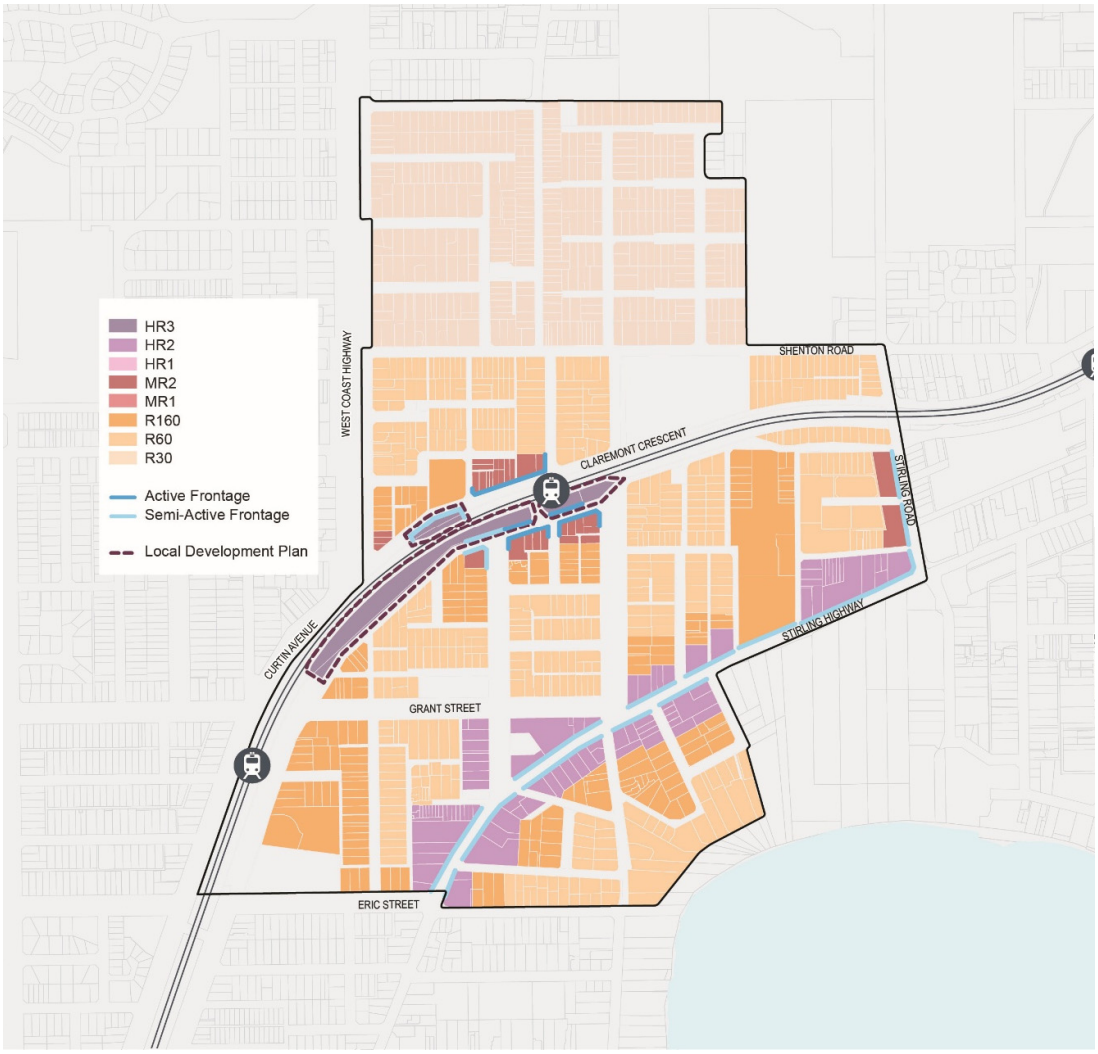


Figure P8(a) – Swanbourne Station Precinct

P8-2 Additional site and development requirements

(1) Figure P8(a) shows for the Swanbourne Station Precinct —

(a) the R-Code to which the primary controls in Table P8(a) apply;

(b) lots requiring active frontage or semi-active frontage treatment in accordance with Table P8(b);

(c) land for which a local development plan is required under clause P8-3.

(2) The requirements in Tables P8(a) and Table P8(b)—

(a) vary the R-Codes to the extent expressly provided in those tables; and

(b) do not limit any other requirement that applies under this Scheme, the R-Codes, a local development plan, State planning policy or improvement scheme policy.

(3) A minimum residential density or building height specified in Table P8(a) does not apply to:

(a) the development of or alterations to a single house or an ancillary dwelling associated with a single house; or

(b) alterations or additions to an existing approved development, where the Commission is satisfied that the works are minor in nature and do not substantially increase the scale, intensity or development potential of the site.

(4) Subject to subclause (3) the Commission may approve development that does not comply with an applicable minimum residential density or building height in Table P8(a) only if satisfied that —

(a) compliance is unable to be achieved because of one or more of the following —

i. the area, dimensions, configuration or frontage of the lot;

ii. the retention of a place of heritage significance;

iii. the retention of existing trees or other significant environmental feature;

iv. the provision of non-residential floorspace as part of a mixed use development;

v. another physical site constraint that materially restricts the development potential of the lot; and

(b) the development achieves the applicable minimum residential density to the greatest extent reasonably practicable.

***Note**: The cost or feasibility of development, or a preference to develop land at a lower density, is not, of itself, a relevant consideration for the purposes of subclause (4).*

(5) Where land is shown in Figure P8(a) as requiring active frontage or semi-active frontage treatment, the requirements in Table P8(b) apply to development on that land.

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Table P8(a) Swanbourne Station Precinct Primary Controls

Primary Control		R30	R60	R160	MR1	MR2	HR1	HR2	HR3
Density	Minimum dwellings per hectare	20	50	50	N/A	N/A	N/A	N/A	N/A
	Minimum height (storeys)	N/A	N/A	N/A	3	3	3	3	6
	Plot ratio	N/A	N/A	N/A	N/A	N/A	4.0	6.0	7.0
Building Height	Podium height (storeys)	N/A	N/A	2	2	4	4	4	4
	Building height (storeys)	2	3	8	6	8	12	16	20
	Boundary wall height (storeys)	1	2	2[2]	2	4	4	4	4
Street Setbacks	Minimum primary and secondary street setbacks (podium)	4m[1]	2m[1]	2m	2m or nil[3]	2m or nil[3]	2m or nil[3]	2m or nil[3]	2m or nil[3]
	Minimum primary and secondary street (above podium)	N/A	N/A	4m	4m	6m	6m	6m	6m
Lot Boundary Setbacks	Side setbacks (podium)	1m (1st storey) 1.5m (2nd storey) 2m (3rd storey)		3m	Nil	Nil	Nil	Nil	Nil
	Rear setbacks (podium)	N/A		3m	Nil	Nil	Nil	Nil	Nil
	Minimum side / rear setbacks (above podium)	N/A		4m	4m	6m	6m	6m	6m

Where differing from Residential Design Codes settings, this table prevails to the extent of inconsistency.

[1] Secondary street setback as per the R-Codes.

[2] Boundary wall permitted to both side boundaries, and shall not exceed 2/3 length.

[3] Nil setback applicable if commercial use at ground floor.

Table P8(b) Swanbourne Station Precinct Active and Semi-active frontage requirements

Frontage type	Requirements
Active frontage	(a) Buildings should generally be located at or near the street boundary to define and activate the public realm, except where publicly accessible spaces and/or landscaping are provided. (b) Continuous awnings or other forms of weather protection should be provided to support year-round pedestrian activity. (c) Active uses are provided for at the ground level, with alfresco dining and uses that open to the street strongly encouraged. (d) Active uses should have a minimum floor to ceiling height of 4 metres. (e) Vehicle access should be provided from secondary streets or laneways wherever practicable, and parking should be concealed from the public realm. (f) Blank walls are avoided and facades should include significant glazing, variation in materials, finishes and architectural treatments.
Semi-active frontage	(a) Development should provide clear visual connection between buildings and the street through entries, windows, balconies and habitable room outlooks. (b) Where street setbacks are provided, high-quality landscaping should be incorporated and may be co-located with private open spaces. (c) Fencing should be no higher than 1.2 metres and be a minimum of 80 percent permeable. (d) Weather protection should be provided to pedestrian entries and where interaction occurs between public and private areas. (e) Parking should be concealed from streets and key public frontages through sleeving, basement parking or other integrated building design responses.

P8-3 Local Development Plans

(1) Before granting subdivision or development approval for land shown in Figure P8(a) as requiring a local development plan, the Commission is to require a local development plan to be approved, unless the Commission is satisfied that, having

regard to the nature and scale of the subdivision or development, a local development plan is not required.

(2) A local development plan may vary a development standard in Table P8(a) where the Commission is satisfied that the variation is consistent with orderly and proper planning and the objectives of this Scheme.

(3) The Commission may require a local development plan for land not shown in Figure P8(a) as requiring a local development plan where the Commission considers that further coordination of development is required including in relation to:
   (a) staging or development across multiple lots;
   (b) pedestrian access, cycling connections and vehicle access;
   (c) public open space, drainage, landscaping, tree retention or environmental outcomes;
   (d) public and private realm interfaces, built form or design controls;
   (e) servicing or infrastructure coordination; or
   (f) any other matter relevant to orderly and proper planning.

P8-4 Parking standards

(1) For the purposes of clause 41, the car parking and bike parking standards for residential and non-residential development within the Swanbourne Station Precinct are set out in Table P8(c) and Table P8(d).

Table P8(c) Swanbourne Station Precinct Parking Requirements – Residential

Parking types	Dwelling Type	Minimum	Maximum
Car parking	Multiple dwellings	No minimum	A maximum rate of 2 bays per dwelling[2]
	Single house, grouped dwellings	No minimum	As per the R-Codes
Car parking - Visitor	Grouped dwellings, multiple dwellings	0.1 bays per dwelling[1]	N/A
Bicycle parking	Multiple dwellings	1 bike parking space for every dwelling	N/A
	Single house, grouped dwellings	As per the R-Codes	
Bicycle parking – visitor	Multiple dwellings	As per the R-Codes	
	Single house, grouped dwellings		

1 Calculation of parking ratios rounded to the nearest whole number.

2 Averaged across the residential component of the development.

Table P8(d) Swanbourne Station Precinct Parking Standards – Non-Residential

Parking Types	Land use	Minimum		Maximum
Car-parking	All non-residential land uses	No minimum car parking requirement		A maximum car parking rate of one parking space per 25 m^2 of Floor Area (FA)[1]
Bicycle parking		**Short Stay**	**Long-stay**	N/A
	Offices	1 space per 500 m^2 NLA	1 space per 250 m^2 NLA	
	Retail, food and beverage, recreation and health services	1 space per 250 m^2 NLA	1 space per 500 m^2 NLA	
	Education and childcare	1 space per 100 m^2 NLA	1 space per 250 m^2 NLA	
	All other land uses	At the discretion of the WAPC	At the discretion of the WAPC	
End of Trip Facilities (based on total number of bicycle parking spaces required)	All non-residential land uses	**0-5 spaces:** No requirement		N/A
		6-10 spaces: 2 showers and change room facilities		
		More than 11 spaces: 4 showers and change room facilities		

1. *Floor area has the same meaning given to in the Building Code, in accordance with the definitions under Schedule 1 clause 37 of the Planning and Development (Local Planning Schemes) Regulations 2015.*

P8-5 Vegetation and Habitat Assessment

(1) Before the approval or determination of any of the following proposals for land identified in Figure P8(b), a Vegetation and Habitat Assessment is to be prepared to the satisfaction of the Commission —

(a) a local development plan, where required;

(b) an application for subdivision approval; or

(c) an application for development approval.

(2) The Vegetation and Habitat Assessment is to identify, as relevant to the site: remnant and native vegetation, mature trees, habitat trees, tree hollows and other fauna habitat features, and include plans and supporting investigations showing their location, condition and extent.

(3) Where the Vegetation and Habitat Assessment identifies vegetation, trees or habitat features of retention value, the assessment is to include measures demonstrating how —

(a) impacts are avoided where practicable;

(b) where retention is not practicable, impacts are minimised through design measures and construction management practices; and

(c) where removal of vegetation, trees or habitat features is proposed and supported, impacts are addressed through salvage and replanting, revegetation, habitat enhancement, or other appropriate measures.

(4) A local development plan, subdivision application or development application for land identified in Figure P8(b) is to demonstrate how the findings and recommendations of the Vegetation and Habitat Assessment have been addressed in the design of the proposal and will be implemented.

(5) A development application for land identified in Figure P8(b) is to include a landscape plan, to the satisfaction of the Commission, that—

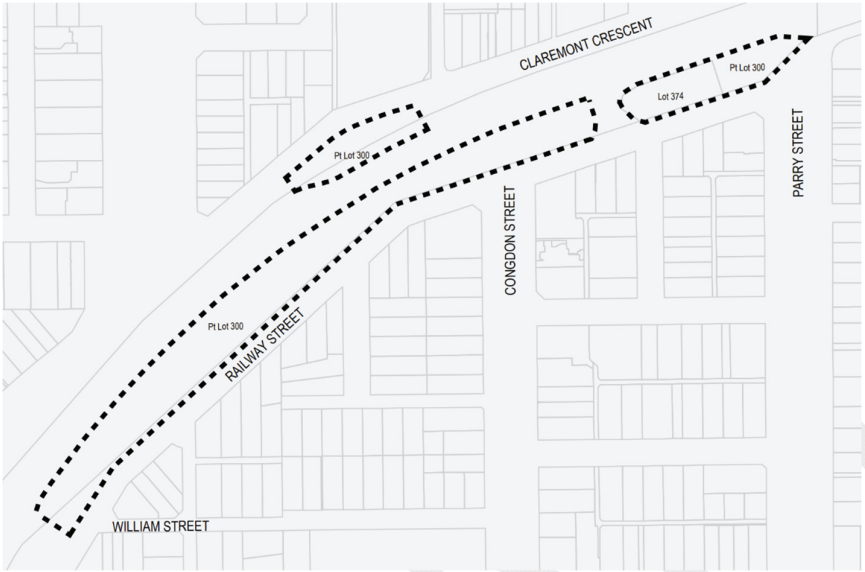
(a) identifies vegetation, trees and habitat features to be retained in accordance with the Vegetation and Habitat Assessment; and

(b) identifies replacement planting, habitat enhancement and other measures proposed to implement the recommendations of the Vegetation and Habitat Assessment.

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Figure P8(b) – Vegetation and Habitat Assessment

Site A. Pt Reserve 51818 (Pt Lot 300) and Reserve 44019 (Lot 374) Railway St, Claremont



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Schedule 9 - Special Control Areas

Special Control Area 1 – Royal Perth Hospital Helicopter Flight Path Protection

1. Purpose

To protect the Royal Perth Hospital Emergency Flight Path.

2. Application

(1) The following provisions apply to the land shown in Figures 1 to 5 of this Special Control Area (SCA), being the Royal Perth Hospital Helicopter Flight Path Protection Special Control Area which comprises Core and Frame Flight Path Areas.

(2) For the purposes this SCA, references to the Core and Frame areas are references to the areas identified in Figures 1 to 5 for the Royal Perth Hospital Helicopter Flight Path Protection only, and are not to be taken to refer to any core, frame or transition area identified elsewhere in this Scheme.

Note:

i. These provisions apply to the part of the Scheme area within the broader Royal Perth Hospital Helicopter Flight Path Protection, which is also regulated through the City of Perth Local Planning Scheme No. 3 and City of Vincent Local Planning Scheme No. 2.

ii. The provisions of this SCA do not apply to the parts of the SCA which are legislated under the Metropolitan Redevelopment Act 2011 or to telecommunication facilities legislated by the Telecommunications (Low Impact Facilities) Determination Act 1997.

3. Objectives

The objectives of the Royal Perth Hospital Helicopter Flight Path Protection SCA are:

(a) To ensure the continued safe operation of Royal Perth Hospital's Strategic Helicopter Landing Site in support of the hospital's function as the State's Major Trauma Unit.

(b) To ensure that permanent development does not encroach into the Core Flight Path Area.

(c) To ensure that temporary works and equipment within the SCA do not present a hazard to helicopters using the Core Flight Path Area.

4. General provisions

Where the maximum building heights specified in clause 6 of this SCA are inconsistent with the maximum building heights specified elsewhere in this Scheme or in a planning instrument adopted pursuant to this Scheme, whichever is the lower height shall apply.

5. Requirement for development approval for works

In accordance with sub-clause 61(6)(a) of the deemed provisions, an application for development approval for works that are typically excluded under clause 61(1) of the deemed provisions shall be required for works that are situated above or within 30 metres of the maximum AHD heights specified in Figures 2 to 5 for the Core and Frame Flight Path Areas.

6. Development requirements

(1) Within the Core Flight Path Area, permanent development, including the parts of a building which are ordinarily excluded from building height calculations, shall not exceed the maximum AHD heights specified in Figures 2 to 5, as well as intermediate maximum AHD height values determined by a 4.5% gradient as shown in Figure 6.

(2) Within the Core and Frame Flight Path Areas, temporary works and equipment shall not present a hazard to helicopters using the Core Flight Path Area.

7. Consultation with other authorities

Where development and any associated works are situated above or within 30 metres of the maximum AHD heights specified in Figures 2 to 5, and/or the intermediate maximum AHD heights specified in Figure 6 for the Core and Frame Flight Path Areas, the Commission shall provide a copy of the application for development approval to the owner of the Royal Perth Hospital Helicopter Landing Site for objections and recommendations in accordance with clause 66 of the deemed provisions.

Note: *The Department of Health's East Metropolitan Health Service is the owner of the Royal Perth Hospital helicopter landing site.*

8. Consideration of application with Commission

(1) Development approval shall not be granted for permanent development in the Core Flight Path Area which exceeds the maximum AHD heights specified in Figures 2 to 5 or the intermediate maximum AHD heights specified in Figure 6.

(2) In considering an application for development approval (other than an application for which approval cannot be granted under clause 8 (1)), the Commission is to have due regard to the following matters —

(a) the objectives of this SCA;

(b) the views of the owner of the Royal Perth Hospital Helicopter Landing Site in relation to how the application addresses the National Airports Safeguarding Framework - Guideline H, or any other relevant technical guidelines.

(3) Where development and associated works are situated above or within 30 metres of the maximum AHD heights specified in Figures 2 to 5, or the intermediate maximum AHD heights in Figure 6 of this SCA, for the Core and Frame Flight Path Areas, the Commission shall include as a condition of development approval, the submission of a Construction and Demolition Management Plan in a form and manner to the satisfaction of the Commission.

(4) The Commission shall provide a copy of the Construction and Demolition Management Plan, including any subsequent amendments to the plan, to the owner of the Royal Perth Hospital Helicopter Landing Site for recommendations for the Commission to consider in determining the acceptability of the plan.

(5) The owner of the Royal Perth Hospital Helicopter Landing Site shall, within 21 days of receiving the Construction and Demolition Management Plan, or within such longer period as the Commission allows, provide to the Commission a memorandum in writing containing any recommendations with respect to the plan and any subsequent amendments to the plan.

(6) The Construction and Demolition Plan shall provide details of the temporary works and equipment, including cranes, to be used on site for construction and demolition purposes including but not limited to —

(a) the duration of the construction period (start date and end date) and the time period in which any crane or other equipment will remain on site;

(b) Maximum operating height, maximum operating radius and operating time/s of any crane or other equipment; and

(c) The measures to be taken to minimise any potential impact on and/or encroachment into the Core Flight Path Area.

9. Definitions

core flight path area means the protected operational flight paths used by helicopters arriving and departing the Royal Perth Hospital Helicopter Landing Site as defined by the relevant civil aviation guidelines and/or standards as shown in Figures 2 to 6;

frame flight path area means the area adjoining the Core Flight Path Area as shown in Figures 2 to 5 within which temporary works and equipment need to be considered in relation to their impact on the Core Flight Path Area.

Royal Perth Hospital helicopter landing site means the rooftop landing surface used for the arrival or departure of helicopters associated with the operations of the Royal Perth Hospital State Major Trauma Unit as shown in Figure 1.

permanent development means development which is not temporary works or equipment.

temporary works and equipment means works and equipment such as cranes, machinery and structures used temporarily to undertake development and/or maintenance.

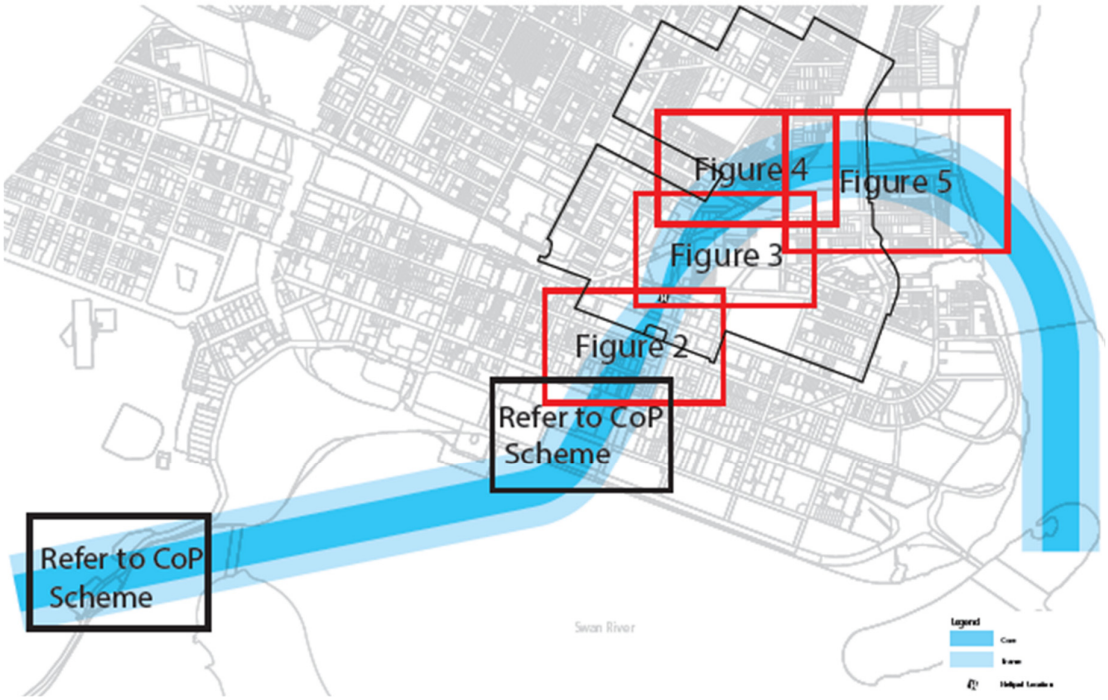


Figure 1 – Overall Plan

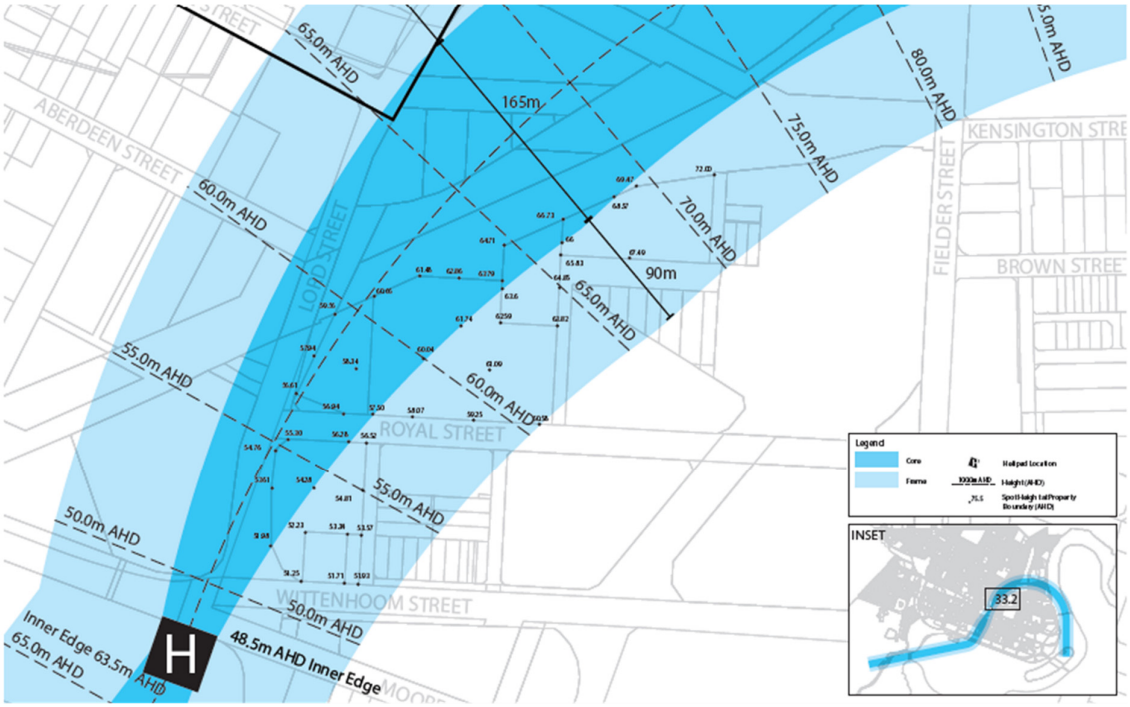


Figure 2 – Detailed Path



Figure 3 – Detailed Path

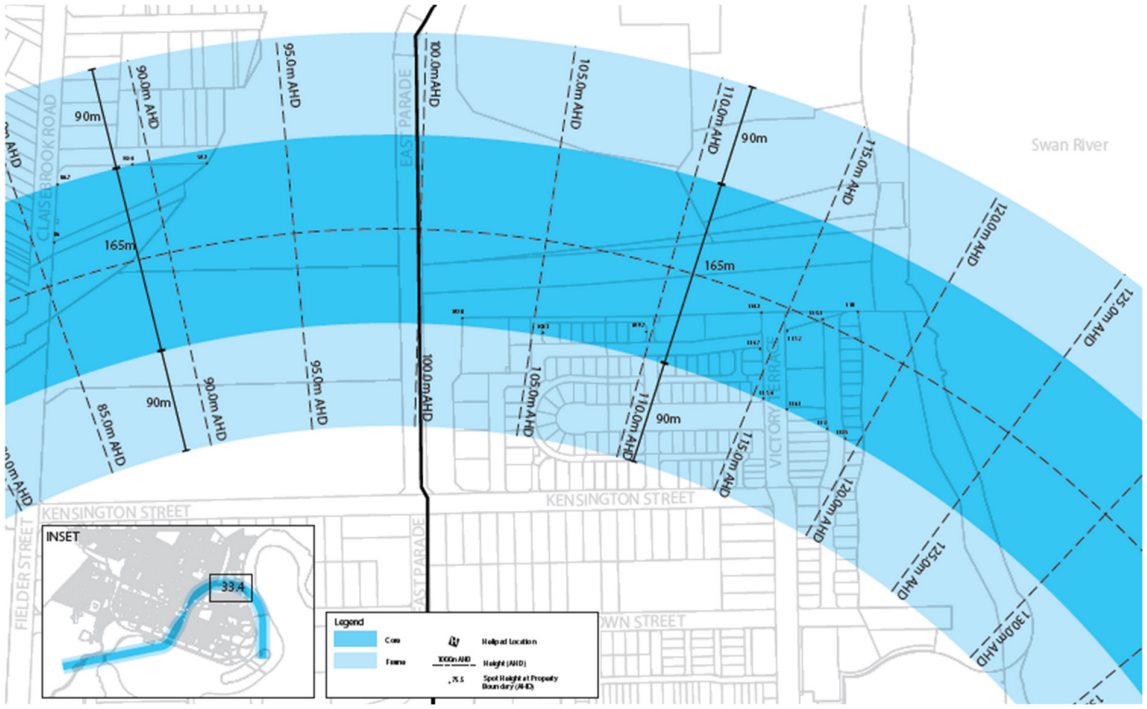


Figure 4 – Detailed Path

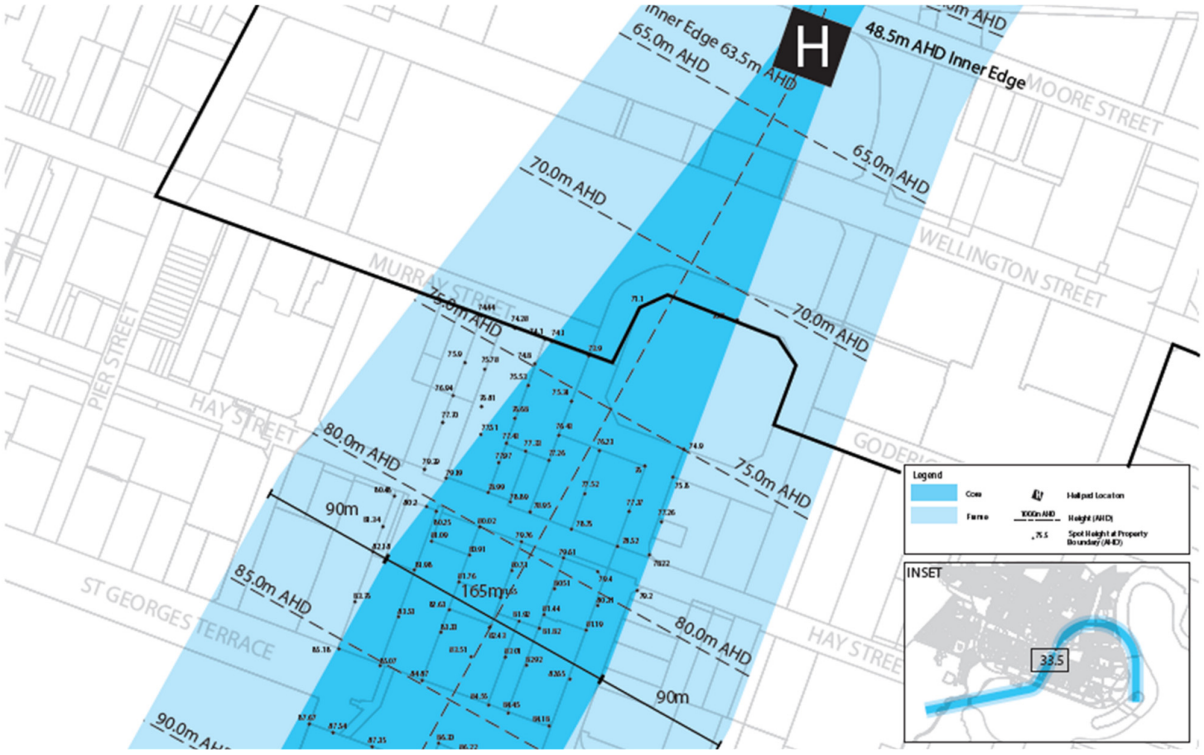
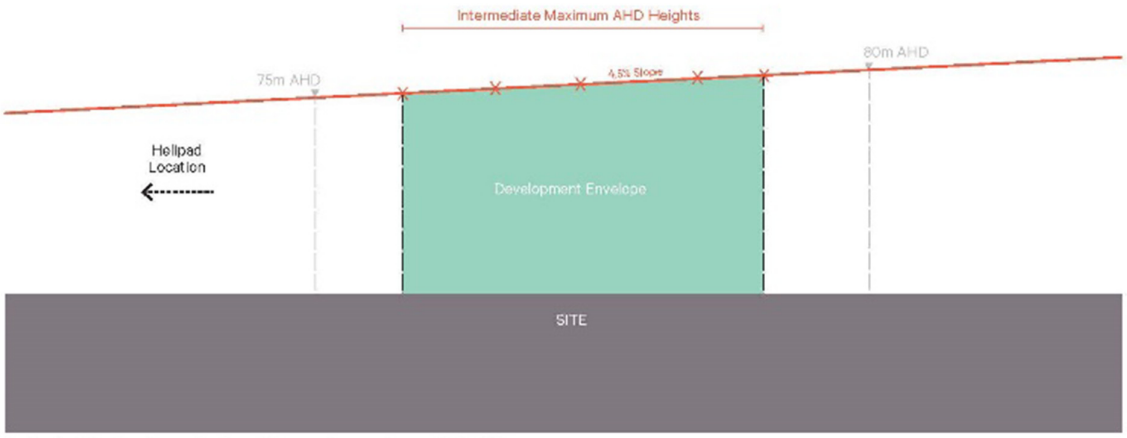


Figure 5 – Detailed Path



Typical section showing application of intermediate maximum AHD heights.

Note: Proponents will need to consider location, orientation and context of the development site in relation to the Helipad and associated flight paths in calculating intermediate maximum AHD heights.

Figure 6 – Intermediate Maximum AHD Heights

Special Control Area 2 – Northbridge Special Entertainment Precinct

1. Purpose

To establish a Northbridge Special Entertainment Precinct (NSEP), in recognition of its significance as the State's premier entertainment area, by supporting entertainment venues and associated high external amplified music noise levels and thereby facilitating an active night-time economy.

Note: *The Special Control Area does not regulate the level of noise emitted by entertainment venues or override the requirements of the Environmental Protection (Noise) Regulations 1997.*

2. Application

(1) The following provisions apply to the land shown in Figure 1 of this SCA, being part of the Northbridge Special Entertainment Precinct which comprises Core, Transition and Frame areas.

(2) For the purposes this SCA, references to the Core, Transition and Frame areas are references to the areas identified in Figure 1 for the Northbridge Special Entertainment Precinct only, and are not to be taken to refer to any core, frame or transition area identified elsewhere in this Scheme.

Note: *These provisions apply to the part of the Scheme area within the broader Northbridge Special Entertainment Precinct, which is also regulated through the City of Perth Local Planning Scheme No. 3.*

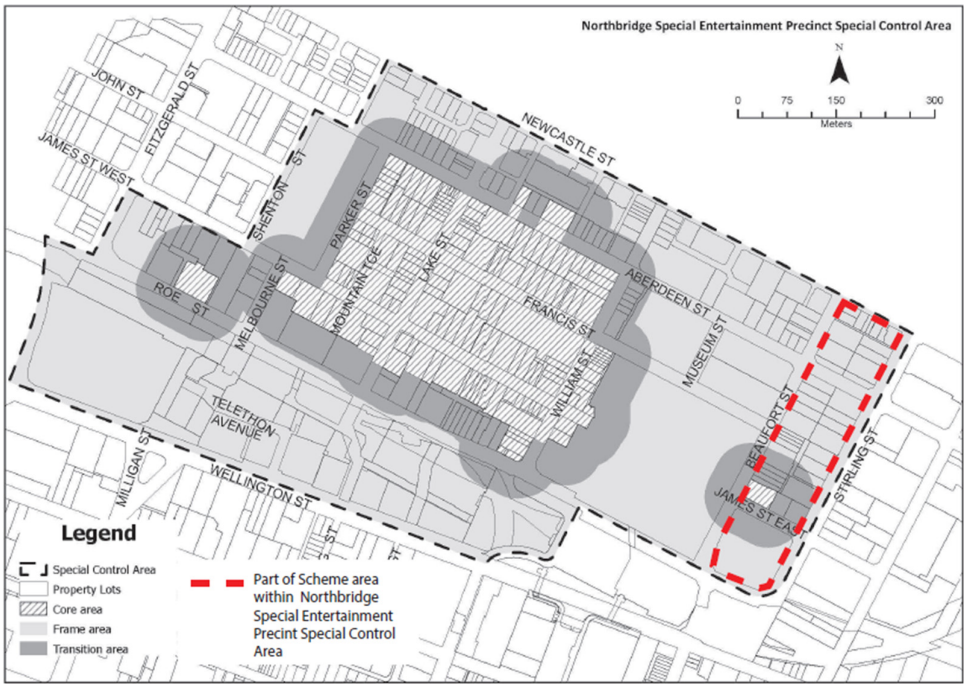


Figure 1 - Northbridge Special Entertainment Precinct

3. Objectives

(1) The objectives of the NSEP Special Control Area are to:

(a) ensure the NSEP remains the State's premier entertainment area with a variety and concentration of entertainment venues, providing an active nighttime economy and vibrant social and cultural scene;

(b) provide entertainment venues with greater operational certainty;

(c) provide a differentiated approach in the Core, Transition and Frame areas, recognising that the Core contains the highest concentration of entertainment venues emitting higher levels of music noise, while the Transition and Frame areas contain a broader mix of land uses and entertainment venues that emit lower levels of music noise, providing a transition from the Core to the area outside of the NSEP;

(d) reduce potential land use conflicts between accommodation land uses and entertainment venues by requiring the design and construction of buildings to incorporate appropriate sound attenuation measures; and

(e) ensure accommodation land uses are designed and constructed to provide an acceptable level of amenity to occupants from existing and future music noise.

4. General Provisions

(1) Notwithstanding the exemptions from the requirement for development approval set out in clause 61(1) and 61(2) of the deemed provisions, and in accordance with clause 61(6)(a) of the deemed provisions, development approval is required for:

(a) Works associated with an accommodation land use or entertainment venue, including:

i. the carrying out of substantial internal building work;

ii. the erection of, or alterations or additions to, a single house;

iii. the erection of, or alterations to, an ancillary dwelling.

(b) A change of use to an accommodation land use, or an entertainment venue.

(2) Sound attenuation measures shall be carefully integrated into the design of development and not adversely impact upon:

(a) the building's aesthetics, environmental sustainability, and cultural heritage significance where applicable;

(b) the internal amenity for building occupants; or

(c) the public realm.

5. Development standards: Accommodation land uses

5.1 Application

(1) For the purposes of the NSEP Special Control Area only, accommodation land uses have been grouped into the following categories to reflect the level of permanency of the occupants:

(a) residential accommodation;

(b) student accommodation;

(c) short term rental accommodation; and

(d) tourist and visitor accommodation.

(2) Despite the zoning table and any other provision in this Scheme, residential accommodation land uses are not permitted in the Core Area identified in Figure 1 of the Northbridge Special Entertainment Precinct Special Control Area.

(3) These development standards apply in relation to development applications for any of the following:

(a) new premises for the purpose of an accommodation land use;

(b) a change of use application to use an existing premises for a new accommodation land use;

(c) works in relation to existing premises used for an accommodation land use which creates a new habitable room or space.

(4) In respect of an application for development approval in clause 5.1(3)(c) the development standards set out in this Part will only apply to that part of the premises for which approval is required.

5.2 Technical standards

Attenuation standards: NSEP Special Control Area Frame area

(1) Residential accommodation and Student accommodation development in the NSEP Special Control Area Frame area must be designed and constructed to achieve minimum standardised level difference, D2m,nT:

(a) 36 + C_w dB in the 63 Hz octave band; and

(b) 41 + C_w dB in the 125 Hz octave band;

where:

(c) $D_{2m,nT}$ is the standardised level difference as defined by ISO 12354 3:2017; and

(d) C_w is the Waterhouse correction defined in ISO 12354 1:2017 Annex I.

(2) Short term rental accommodation and tourist and visitor accommodation development in the NSEP Frame area should be designed and constructed to meet the attenuation standards outlined in clause 5.2(1), unless otherwise approved by the Commission.

Attenuation standards: NSEP Special Control Area Transition area

(3) Student accommodation development in the NSEP Special Control Area Transition area must be designed and constructed to achieve minimum standardised level difference, D2m,nT:

(a) 36 + C_w dB in the 63 Hz octave band; and

(b) 45 + C_w dB in the 125 Hz octave band;

where:

(c) $D_{2m,nT}$ is the standardised level difference as defined by ISO 12354 3:2017; and

(d) C_w is the Waterhouse correction defined in ISO 12354 1:2017 Annex I.

(4) Short term rental accommodation and tourist and visitor accommodation development in the NSEP Special Control Area Transition area should be designed and constructed to meet the attenuation standards outlined in clause 5.2(3), unless otherwise approved by the Commission.

(5) Residential accommodation development in the NSEP Special Control Area Transition area should only be supported for approval when the Commission is satisfied that the music level ($L_{Ceq,1min}$), at the receiving façade is 79 dB(C) or less, having regard to the site context including:

(i) Assumed venue music noise levels outlined in clause 5.2(8);

(ii) Separation distance from assumed entertainment venues;

(iii) Surrounding development; and

(iv) Other matters outlined in clause 5.2(9) Attenuation Measures.

If supported, the development must be designed and constructed to meet the attenuation standards outlined in clause 5.2(3).

Attenuation standards: NSEP Special Control Area Core area

(6) Student accommodation development in the NSEP Special Control Area Core area must be designed and constructed to achieve minimum standardised level difference, D2m,nT:

(a) 36 + C_w dB in the 63 Hz octave band; and

(b) 45 + C_w dB in the 125 Hz octave band;

where:

(c) $D_{2m,nT}$ is the standardised level difference as defined by ISO 12354 3:2017; and

(d) C_w is the Waterhouse correction defined in ISO 12354 1:2017 Annex I.

(7) Short term rental accommodation and tourist and visitor accommodation development in the NSEP Special Control Area Core area should be designed and constructed to meet the attenuation standards outlined in clause 5.1(6), unless otherwise approved by the Commission.

Note: *Residential accommodation land use is prohibited in the Core Area of the Northbridge Special Entertainment Precinct Special Control Area as outlined in clause 5.1(2).*

Assumed Venue Music noise levels

(8) The assumed venue music noise level means that each lot within the NSEP Special Control Area is assumed to emit noise at the venue music noise levels set out in Table 1, measured 1 metre outside the entertainment venue boundary unless:

(i) any lot is already developed with a land use which is not an entertainment venue, and in the opinion of the Commission is unlikely to be redeveloped or adapted for an entertainment venue, in which case this lot is not assumed to emit at the applicable assumed venue music noise level;

(ii) any lot is already operating pursuant to a Music Entertainment Venue approval, and it can be demonstrated to the Commission's satisfaction that the measured venue music noise levels emitted from the entertainment venue measured at 1 metre outside the entertainment venue boundary are lower and unlikely to ever reach the assumed venue music noise level by reason of the building's design and/or construction.

Table 1: Assumed Venue Music Noise Levels

NSEP Sub Area	Venue Music Noise Level $L_{Ceq,\ 1min}$ (dB)
Core	90
Transition	79
Frame	79

Attenuation Measures

(9) Attenuation measures include:

(i) Distance factors - including distance between the accommodation land use and another lot assumed to emit music noise at the applicable assumed venue music noise level;

(ii) Design factors - including the design of proposed accommodation land uses to locate bedrooms and living rooms in such a way as to reduce exposure to venue music noise;

(iii) Construction factors, being structural elements of the accommodation land use, including but not limited to the standard of construction of the external walls of a proposed building, and the quality of fenestration to reduce exposure to venue music noise.

Plot Ratio

(10) A winter garden proposed as part of the design of an accommodation land use for the purpose of applying an attenuation measure may, at the discretion of the Commission, be excluded from the definition of 'floor area of a building' (as defined in Division 1, clause 45 for calculation of plot ratio.

5.3 Development application accompanying material

(1) In accordance with clause 63(1)(d) of the deemed provisions, all development applications for accommodation land uses shall be accompanied by an acoustic report, prepared by a qualified acoustic consultant, in a manner and form to the satisfaction of the Commission.

(2) The acoustic report shall include:

(a) an assessment of the assumed and/or measured venue music noise levels; and

(b) details of the attenuation measures proposed; and

(c) modelling to illustrate compliance with the technical standards set out in clauses 5.2(1) to 5.2(7).

5.4 Determination of application

(1) The Commission shall not grant its approval if it is not satisfied that the technical standards in clause 5.2 can be met.

(2) The Commission may, in addition to any other conditions which may be lawfully imposed, include as a condition of approval, a requirement:

(a) for the lodgement of a notification pursuant to section 70A of the *Transfer of Land Act 1893* to notify the likelihood of elevated music noise levels from entertainment venues;

(b) in order to comply with section 20(1)(o) of the *Building Act 2011*, to submit a report by a qualified acoustic consultant confirming to the satisfaction of the Commission, that the construction drawings to be the subject of an application for a Building Permit under section 20 of the *Building Act 2011* will comply with the acoustic report required by clause 5.3(1);

(c) prior to lodging an application for an Occupancy Permit under the *Building Act 2011*, and prior to the building being occupied, to submit a report co-signed by the contracted builder and a qualified acoustic consultant. This report must confirm, to the satisfaction of the Commission, that all construction standards outlined in the acoustic report required by clause 5.3(1) have been implemented.

6. Development standards: Entertainment Venues

6.1 Application

(1) These development standards apply in relation to development applications for any of the following:

(a) premises for a new entertainment venue;

(b) a change of use application to use an existing premises or for a new entertainment venue;

(c) substantial works to an existing entertainment venue.

(2) In respect of development applications in clause 6.1(1)(c), the development standards set out in this Part will only apply to that part of the premises for which approval is required.

6.2 Technical standards

Venue music noise levels

(1) Development shall be designed and specified to ensure venue music noise levels set out in Table 2 are not exceeded when measured 1 metre outside the entertainment venue boundary.

Table 2: Venue Music Noise Levels

NSEP Sub-area	Venue Music Noise Level $L_{Ceq,\ 1min}$ (dB)
Core	90
Transition	79
Frame	79

(2) Appropriate sound attenuation shall be achieved through design and construction methods, and/or ongoing operational management measures.

Setbacks

(3) That part of a new entertainment venue that generates music noise should be set back in accordance with Table 3 below, otherwise the standard setback provisions outlined in this Scheme apply.

Table 3: Separation Requirements

NSEP Sub-area	Separation Requirement
Core	5 metres from all existing accommodation land uses
Transition	
Frame	

(4) The separation distance may include a portion of the existing accommodation land use not used as a habitable room or space that will not be affected by music noise.

6.3 Development application accompanying material

(1) In accordance with clause 63(1)(d) of the deemed provisions, all development applications for entertainment venues shall be accompanied by an acoustic report, prepared by a qualified acoustic consultant, in a manner and form to the satisfaction of the Commission.

(2) The acoustic report shall include:

(a) details of the existing and proposed sound attenuation measures that are to be included in the design and construction; and

(b) any operational management measures proposed; and

(c) modelling to illustrate compliance with the technical standards set out in clause 6.2(1).

6.4 Determination of application

(1) The Commission shall not grant its approval unless it is satisfied that the relevant venue music noise levels will not be exceeded.

(2) The Commission may, in addition to any other conditions which may be lawfully imposed, include as a condition of approval, a requirement:

(a) in order to comply with section 20(1)(o) of the *Building Act 2011*, to submit a report by a qualified acoustic consultant confirming to the satisfaction of the Commission, that the construction drawings to be the subject of an application for a Building Permit under section 20 of the *Building Act 2011* will comply with the acoustic report required by clause 6.3(1)

(b) prior to lodging an application for an Occupancy Permit under the *Building Act 2011*, and prior to the building being occupied, to submit a report co-signed by the contracted builder and a qualified acoustic consultant. This report must confirm, to the satisfaction of the Commission, that all construction standards outlined in the acoustic report required by clause 6.3(1) have been implemented.

7. Definitions used in Northbridge Special Entertainment Precinct Special Control Area

Accommodation land use means a land use listed in clause 5.1(1).

Assumed entertainment venue means an entertainment venue that has been assumed to exist on a lot, for the purposes of the calculations in clause 5.2(8)

Core area means the area identified as such in Figure 1.

Entertainment venue:

(a) includes a venue whether indoor or outdoor to which a hotel, nightclub, small bar or special facility liquor licence under the *Liquor Control Act 1988* has been granted and from which music is regularly emitted as part of its day to day operations; but

(b) excludes premises such as restaurants, fast food outlets, shops, cinemas and theatres.

Entertainment venue boundary, or the boundary of entertainment venue, means:

(a) In relation to existing entertainment venues and assumed entertainment venues in existing buildings:

(b) The boundary delineating the horizontal and vertical extent of an entertainment venue and may include:

A external perimeter walls;

B internal walls, floor and/or ceiling;

C outdoor containment structures, for example a wall, fence or planter box; and

D roof;

(c) where an entertainment venue has no physically defined vertical extent, such as in the case of an outdoor area or rooftop venue, its vertical extent shall be 4 metres above the ground and/or floor level of the venue where the outdoor space is located;

(d) where the entertainment venue is the sole land use on a lot or lots, including a strata lot or lots, its boundary shall be designated as the boundaries of the lot or lots upon which it is located.;

(e) In all other cases:

A the boundaries shall be designated as the boundaries of the subject lot or lots, including a strata lot or lots; and

B the vertical boundary extent shall be 4 metres above the natural ground level.

Frame area means the area identified as such in Figure 1.

Music includes live music and prerecorded music, whether vocal or instrumental and whether amplified or unamplified, and any combination of these.

Music Entertainment Venue approval is an approval to emit music noise under the *Environmental Protection (Noise) Regulations 1997*.

Qualified acoustic consultant means a person who is at least a Member of, or eligible for membership as a Member of Australian Acoustical Society.

Residential accommodation means premises for long term or permanent residential accommodation including aged persons dwelling, caretaker's dwelling, grouped dwelling, single house, multiple dwelling.

Receiving façade means the wall or walls of a building that are receiving music noise from an Entertainment Venue.

Short term rental accommodation is as defined in Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Substantial internal building work means significant works to the internal building fabric, including:

(a) Demolition, removal, erection, construction, alteration or addition to:

(i) floors;
(ii) internal walls;
(iii) ceilings;
(iv) roofs;
(v) windows; or
(vi) internal doors.

(b) They do not include:

(i) electrical wiring for internal and external walls;
(ii) plastering or rendering walls;
(iii) tiling walls, floors or parts thereof;
(iv) plumbing;
(v) removing or replacing fixtures such as kitchen cupboards, benches or bathroom cabinets;
(vi) removing or replacing air conditioning or security systems; and
(vii) cosmetic work such as painting, sanding floors, removing and replacing fittings such as light fittings.

Transition Area means the area identified as such in Figure 1 of this Special Control Area.

Winter garden means an enclosed balcony (with glazing which can be opened for ventilation) and is a minimum of 1 metre in width.