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CITY OF PERTH

Town Planning Scheme No. 24

Updated to include AMD 2 GG 24/02/17



Department of
Planning

Prepared by the
Department of Planning

Original Town Planning Scheme Gazettal
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DISCLAIMER

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

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

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

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CITY OF PERTH CPS 24 - TEXT AMENDMENTS

AMD NO	GAZETTAL DATE	UPDATED		DETAILS
		WHEN	BY	
1	23/11/04	23/11/04	DH	<p>Clause 9 – modify Clause 9(1).</p> <p>Clause 9 – delete Clause 9(3) and replace with new 9(3) & 9(4).</p> <p>Clause 9 – delete text of Clause 9(4) and replace with 9(5).</p> <p>Clause 13 - modify clause 13(1).</p> <p>Clause 13 – modify Clause 13(2).</p> <p>Schedule 1 – delete ‘City Planning Scheme’ means theAct 1928 (as amended); and replace with ‘City Planning Scheme’ means the City of Perth City Planning Scheme or any amendment thereof;’</p> <p>Schedule 1 – add ‘Lot’ has the same meaning as is given to it and for the same purpose of the Town Planning and Development Act 1928 (as amended).</p>
2	24/02/17	21/03/17	GM	<p>Introduction amended by deleting ‘City of Perth’ and replacing with ‘local government’.</p> <p>Clause 3 – deleted ‘City of Perth’ and replaced with ‘local government’.</p> <p>Clause 4 – inserted ‘and the Deemed Provisions’ after Schedule 1.</p> <p>Clause 6 – deleted ‘Council of the City of Perth (‘the Council’) and replaced with ‘local government’.</p> <p>Clause 9 and 16 – deleted ‘Council’ and replaced with ‘local government’.</p> <p>Clause 9(3) – deleted ‘47(1) of City Planning Scheme’ and replacing with clause 36 (1).</p> <p>Clause 9(5) - deleted ‘64(1)(d) of City Planning Scheme’ and replacing with clause 43 (1) (d).</p> <p>Clauses 13 and 14 - deleted.</p> <p>Renumbered clauses 15 to 13 and 16 to 14.</p> <p>Renumbered clause 13 - amended by deleting ‘town planning’ and replacing with ‘development’.</p> <p>Schedule 1 - deleted the definitions of ‘Council’, ‘Lot’, ‘Metropolitan Region Scheme’ and ‘Scheme Area’.</p>

TOWN PLANNING REGULATIONS

Form No. 1

**TOWN PLANNING AND DEVELOPMENT ACT 1928
(as amended)**

RESOLUTION DECIDING TO PREPARE A TOWN PLANNING SCHEME

CITY OF PERTH TOWN PLANNING SCHEME NO. 24

RESOLVED that the Council, pursuant of Section 7 of the Town Planning and Development Act 1928 (as amended), prepare the above Town Planning Scheme with reference to an area situated wholly within the local government and enclosed within the inner edge of a black dashed border on a plan now produced to the Council and marked and certified by the Chief Executive Officer under his hand dated the 26th April 2000 as "Scheme Area Map".

Dated this Third day of May 2000.

Acting Chief Executive Officer

The Local Government, under the powers conferred on it by the town Planning and Development Act 1928, makes the following Town Planning Scheme

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ADOPTION	Error! Bookmark not defined.

CITY OF PERTH
TOWN PLANNING SCHEME NO. 24

1. Title

This Town Planning Scheme may be referred to as the City of Perth Town Planning Scheme No. 24.

2. Commencement

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

3. Scheme Documents

AMD 2 GG 24/02/17

This Scheme comprises the following documents:

- (a) the Scheme text;
- (b) the Scheme map, and
- (c) the Deemed Provisions.

4. Definitions

AMD 2 GG 24/02/17

In this Scheme, unless the context requires otherwise, the words and expressions uses have the meanings set out in Schedule 1 and the Deemed Provisions.

5. Scheme Area

This Scheme applies to the Scheme.

6. Responsible Authority

AMD 2 GG 24/02/17

The Authority responsible for administering this Scheme is the local government.

7. Scheme Objects

The objects of this Scheme are to facilitate:

- (a) the development of the Land area indicated on the Scheme Map as a whole in a coordinated manner;
- (b) the adequate provision of landscaped areas and green space offering attractive areas for pedestrians and residents;
- (c) the coordination of vehicular access to the Scheme Area from Terrace Road.

8. Region Planning Scheme

This Scheme is complementary to and is not a substitute for the Region Planning Scheme and the provision of the Region Planning Scheme shall continue to have effect.

9. City Planning Scheme

AMD 1 GG 23/11/04; AMD 2 GG 24/02/17

- (1) This Scheme is complementary to, and is not a substitute for the City Planning Scheme.
- (2) Where a provision of this Scheme is inconsistent with a provision of the City Planning Scheme, the provision of this Scheme prevails.
- (3) The reference in clause 36(1) to “a standard or requirement of this Scheme” shall be taken to include a standard or requirement of this Scheme;
- (4) In any provision which:
 - (a) is contained within a town planning scheme that repeals and replaces the City Planning Scheme; and
 - (b) empowers local government to approve a development which does not comply with the standard or requirement of that town planning scheme

any reference to a standard or requirement of that town planning scheme shall be taken to include a standard or requirement of this Scheme.
- (5) The reference in clause 43(1(d) to “all standards laid down and all requirements prescribed by this Scheme” shall be taken to include any standards laid down and any requirements prescribed by this Scheme.
- (6) In any provision which:
 - (a) is contained within a town planning scheme that repeals and replaces the City Planning Scheme; and
 - (b) prohibits a person from erecting, altering or adding to a building or using or changing the use of any land or building or permitting or suffering any land or building to be used or the use of any land or building to be changed for any purpose unless all the standards laid down and all the requirements prescribed by that town planning scheme or determined by the local government under that town planning scheme have been and continue to be complied with any reference to the standards laid down or standards prescribed by that town planning scheme shall be taken to include all standards laid down and all requirements prescribed by this Scheme.

10. Local Laws

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

11. Plot Ratio

For the purpose of determining plot ratio under the City Planning Scheme, with respect to land within the Scheme area, the Land area indicated on the Scheme Map shall be treated as one site. Plot ratio allowance shall be calculated on the basis of the shaded area on the Scheme Map and shall be applied to all development within the Scheme Area.

12. Car Parking

For the purpose of determining parking provision under the City Planning Scheme, with respect to land within the Scheme area, the Land area indicated on the Scheme map shall be treated as one site.

13. Existing Development Approval

AMD 2 GG 24/02/17

No provision of this Scheme is to limit or restrict the carrying out of any development in respect of which development approval has been granted before the commencement of this Scheme.

14. Agreements

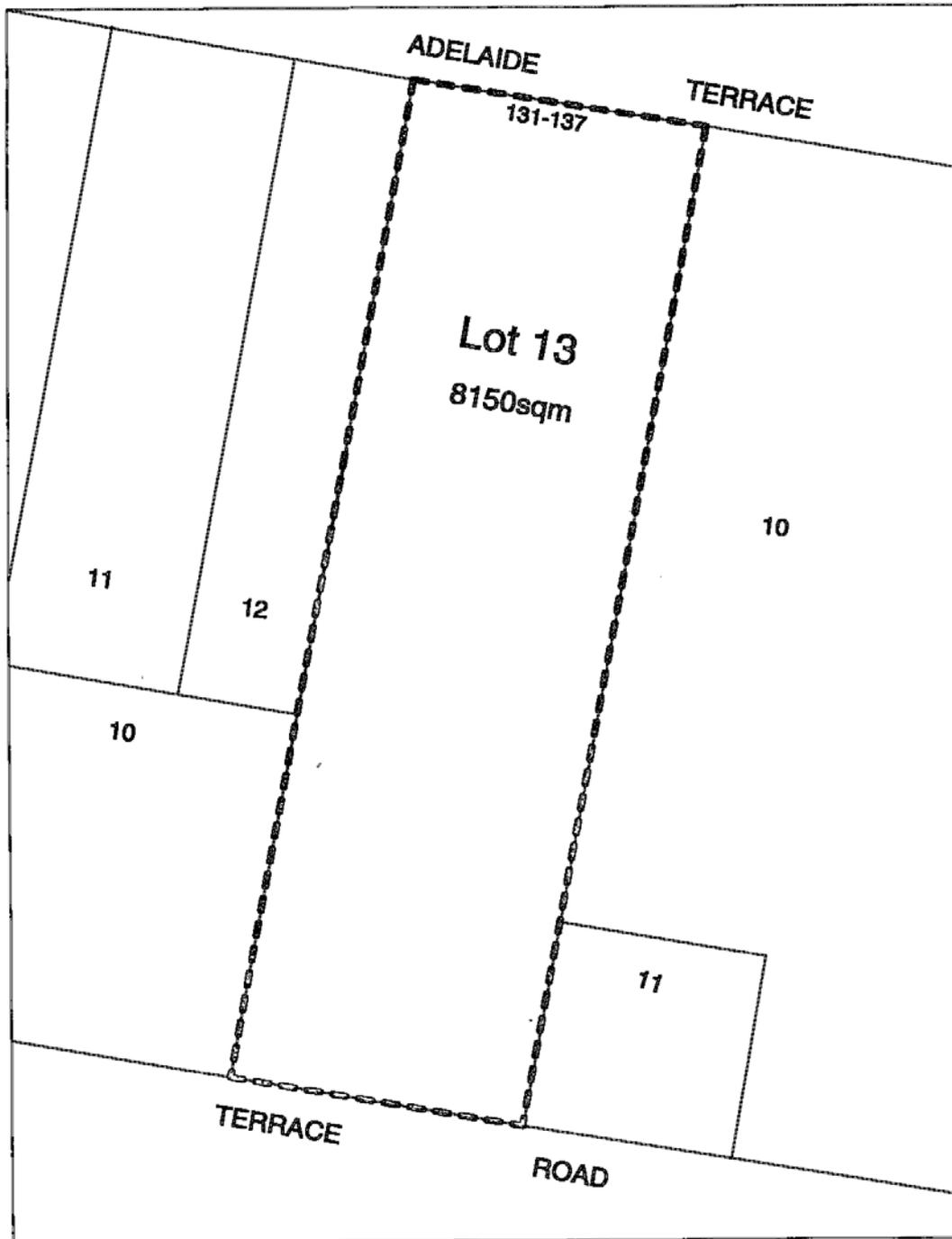
AMD 2 GG 24/02/17

The local government may enter into an agreement with any owner of land within the Scheme area which the local government considers necessary or convenient for the implementation of the objects of this Scheme.

SCHEDULE 1 - DEFINITIONS

In this Scheme, unless the contrary intention appears:-

"City Planning Scheme"	means the City of Perth City Planning Scheme or any amendment thereof. <i>AMD 1 GG 23/11/04</i>
"Council"	<i>DELETED BY AMD 2 GG 24/02/17;</i>
"Gazettal date"	means the date on which this Scheme is published in the Government Gazette;
"Land area";	means the area shown shaded in the Scheme Map
"Lot"	<i>DELETED BY AMD 2 GG 24/02/17</i>
"Metropolitan Region Scheme"	<i>DELETED BY AMD 2 GG 24/02/17;</i>
"Scheme area"	<i>DELETED BY AMD 2 GG 24/02/17;</i>
"Scheme map"	means the map showing and describing the Scheme area.
"Scheme text"	means the document to which this Schedule is attached and includes this Schedule;



**131 - 137 ADELAIDE TERRACE
TOWN PLANNING SCHEME NO.24
SCHEME AREA MAP**

--- Scheme Boundary