

City of Perth



Minor Town/Local Planning Schemes

# Town Planning Scheme No. 24 - 131-137 Adelaide Terrace



| <b>Version #</b> | <b>Decision Reference</b> | <b>Synopsis</b> |
|------------------|---------------------------|-----------------|
| 1                | 10 August 2001            | Gazetted        |
| 2                | 23 November 2004          | Amended         |
| 3                | 24 February 2017          | Amended         |
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The local government, under the powers conferred on it by the Town Planning and Development Act 1928, makes the following Town Planning Scheme.

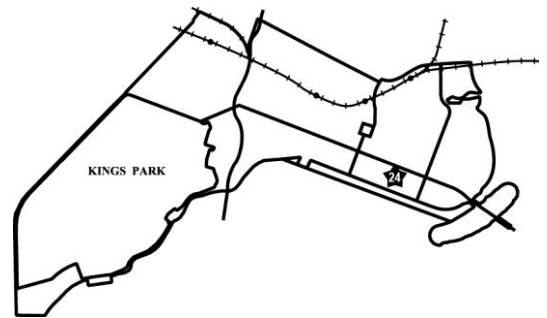
## ARRANGEMENT

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### Schedule

1. Definitions



## 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

This Scheme comprises the following documents —

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

### 4. Definitions

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

### 5. Scheme Area

This Scheme applies to the Scheme area.

### 6. Responsible Authority

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 provisions of the Region Planning Scheme shall continue to have effect.

## 9. City Planning Scheme

- (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) of the City Planning Scheme to “a standard or requirement of this Scheme” shall be taken to include a standard or requirement of this Scheme;
- (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 schemeany 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) of the City Planning Scheme to “all standards laid down and all requirements prescribed by this Scheme” shall be taken to include any standards laid down and any requirements prescribed by this Scheme.
- (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 withany 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**

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.

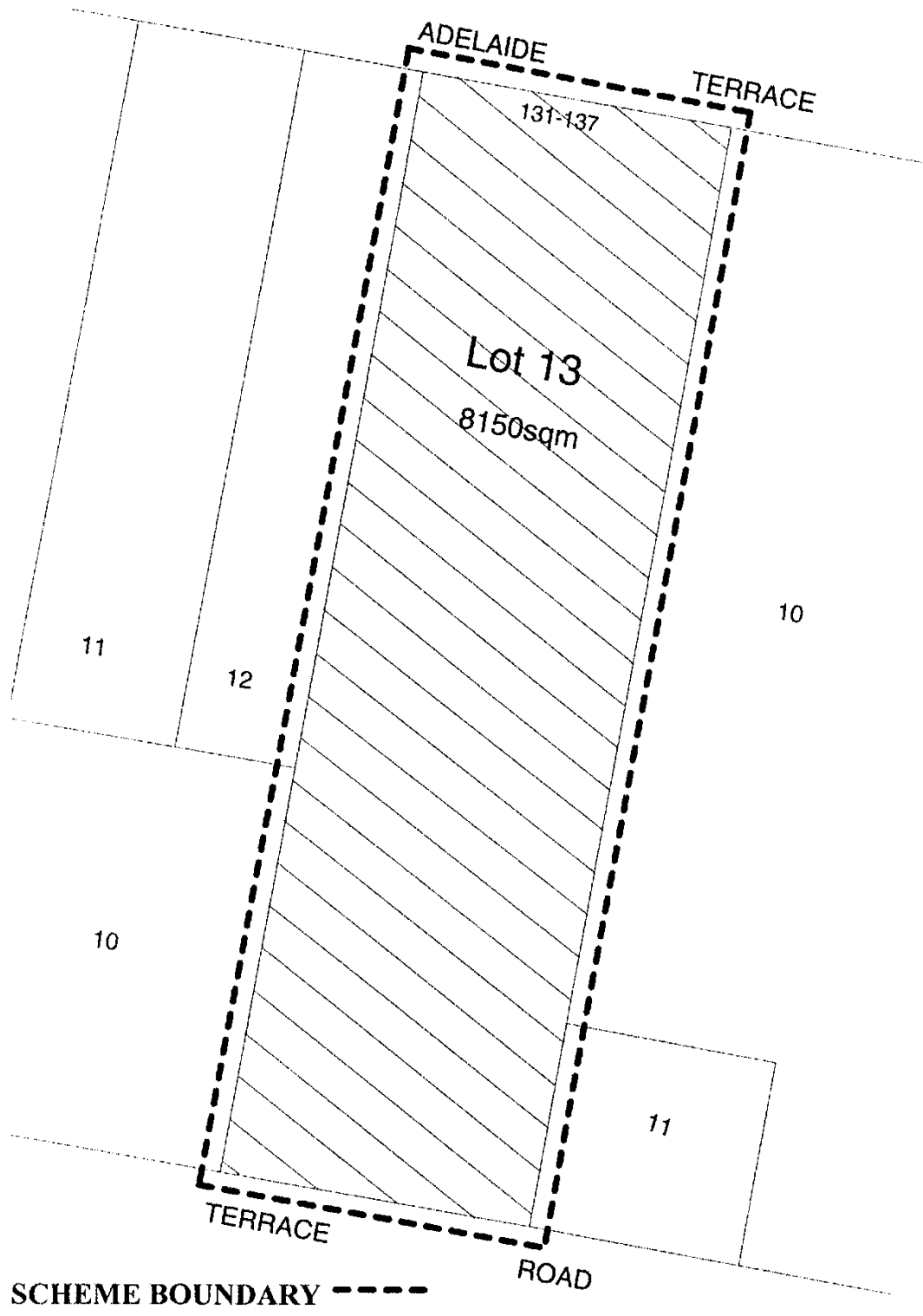
## **14. Agreements**

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

In this Scheme, unless the contrary intention appears—

|                               |   |
|-------------------------------|---|
| <b>‘City Planning Scheme’</b> | means the City of Perth City Planning Scheme or any amendment thereof;            |
| <b>‘Gazettal date’</b>        | means the date on which this Scheme is published in the Government Gazette;       |
| <b>‘Land area’</b>            | means the area shown shaded in the Scheme Map;                                    |
| <b>‘Scheme map’</b>           | means the map showing and describing the Scheme area.                             |
| <b>‘Scheme text’</b>          | means the document to which this Schedule is attached and includes this Schedule; |



SCHEME BOUNDARY - - - -



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