



TOWN OF
VICTORIA PARK

**Town of Victoria Park
Town Planning Scheme No. 1**

Amendment No. 88

To amend Town Planning Scheme No. 1 to establish a Special Control Area and associated requirements for development approval over the area known as the Residential Character Study Area.

Planning and Development Act 2005

RESOLUTION TO PREPARE AMENDMENT TO LOCAL PLANNING SCHEME

Town Planning Scheme No. 1 Scheme Amendment 88

Resolved that the Local Government pursuant to section 75 of the *Planning and Development Act 2005*, amend the above Local Planning Scheme by:

1. Including a new sub-clause 25A(1)(c) within the Scheme Text as follows:
 - c) Character Retention Area shown on the Precinct Plans as CRA with a number (1) and included in Schedule E.

2. Inserting a new clause 25AC within the Scheme Text as follows:

25AC. Character Retention Area

 - (1) The purpose of the Character Retention Area is to:
 - a. Retain and enhance the contribution made by original dwellings towards streetscape character; and
 - b. To facilitate the consideration of streetscape character in development proposals.
 - (2) Schedule E sets out the specific objectives and additional provisions that apply to the Character Retention Area.

3. Including the Character Retention Area within Schedule E of the Scheme Text as follows:

Area No	Land Description	Purpose and Particular Requirements
		Purpose
		1. Retain and enhance the contribution made by original dwellings towards streetscape character; and 2. To facilitate the consideration of streetscape character in development proposals.
		Particular requirements

CRA1	Land generally extending between the railway line and to around Berwick Street and Canning Highway to around Oats Street, and more specifically identified in the Precinct Plans with the designation 'CRA 1'	1. Notwithstanding subclause 61(1) Items 1, 6 and 7 of the deemed provisions, development approval is required for the following works:
		a) the erection of, or alterations or additions to, a single house on a lot, where visible from the street;
		b) the erection or installation of, or alterations or additions to, any of the following on the same lot as a single house or grouped dwelling, where visible from the street: <ul style="list-style-type: none"> • an ancillary dwelling; • an outbuilding; • an external fixture; • a boundary wall or fence; • a patio; • a pergola; • a verandah; • a deck; • a garage; • a carport. or
		c) the demolition of a single house constructed prior to 1 January 1946.
		unless those works are specified as being exempt from development approval under a local planning policy referred to in deemed subclause 61(1) Item 20.
		For the purposes of this clause: <ol style="list-style-type: none"> i. "visible from the street" only applies to a dwelling which has a frontage to a street. ii. "visible from the street" means development which if implemented is either : <ul style="list-style-type: none"> • Situated wholly or partially within 12m of the street boundary; or • Wholly located greater than 12m from the street boundary and exceeding a height of 5m above

		<p>the natural ground level at the street boundary.</p> <p>iii. "Street" means a public street, whether a primary or secondary frontage to a site, but does not include a right-of-way (or a public street which was formerly a right-of-way), or a communal street.</p> <p>iv. Clause 60 of the deemed provisions continue to apply in relation to other works that require development approval.</p> <hr/> <p>2. All development for which development approval is required (including by virtue of this Schedule E) shall be designed with due regard for any relevant local planning policy adopted for the Character Retention Area.</p>
--	--	---

4. Amend Precinct Plans P5, P6, P10 – Sheet A and P12 – Sheets A and B by including in the legend a heading 'Land Use and Development Controls' and then underneath a black border and number CRA1 within the boundaries of the border described as 'Character Retention Area – refer to clause 25AC and Schedule E of the Scheme Text'.
5. Amend Precinct Plans P5, P6, P10 – Sheet A and P12 – Sheets A and B by delineating the Character Retention Area using a blue border and the number CRA1 within the boundaries of the border.

The amendment is complex under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reason(s):

1. The amendment is not addressed by any Local Planning Strategy; and
2. The amendment has the potential to result in significant environmental, social, economic or governance impacts on land in the scheme area.

Dated this 15th day of September 2020

(Chief Executive Officer)

1.0 INTRODUCTION

This report has been prepared to amend the Town of Victoria Park Town Planning Scheme No. 1 (TPS 1) to create a Special Control Area (subject area) over the area identified in Figure 1, known as the Residential Character Study Area.

The subject area consists of a variety of properties with various owners, comprising predominately of dwellings. This report provides details of the subject area and the proposal, an assessment of the town planning framework applicable to the area as well as the rationale supporting the Scheme Amendment, to gain the support of the Town of Victoria Park, the Western Australian Planning Commission (WAPC) and the Hon. Minister of Transport; Planning.

2.0 BACKGROUND

Location

The subject area is identified in Figure 1 below, being specifically the land within the blue bordered lines noted as 'Policy Area'. The amended TPS 1 Precinct Plans that appear at Attachment 1 within this report provide further detail of the extent of the proposed Special Control Area.

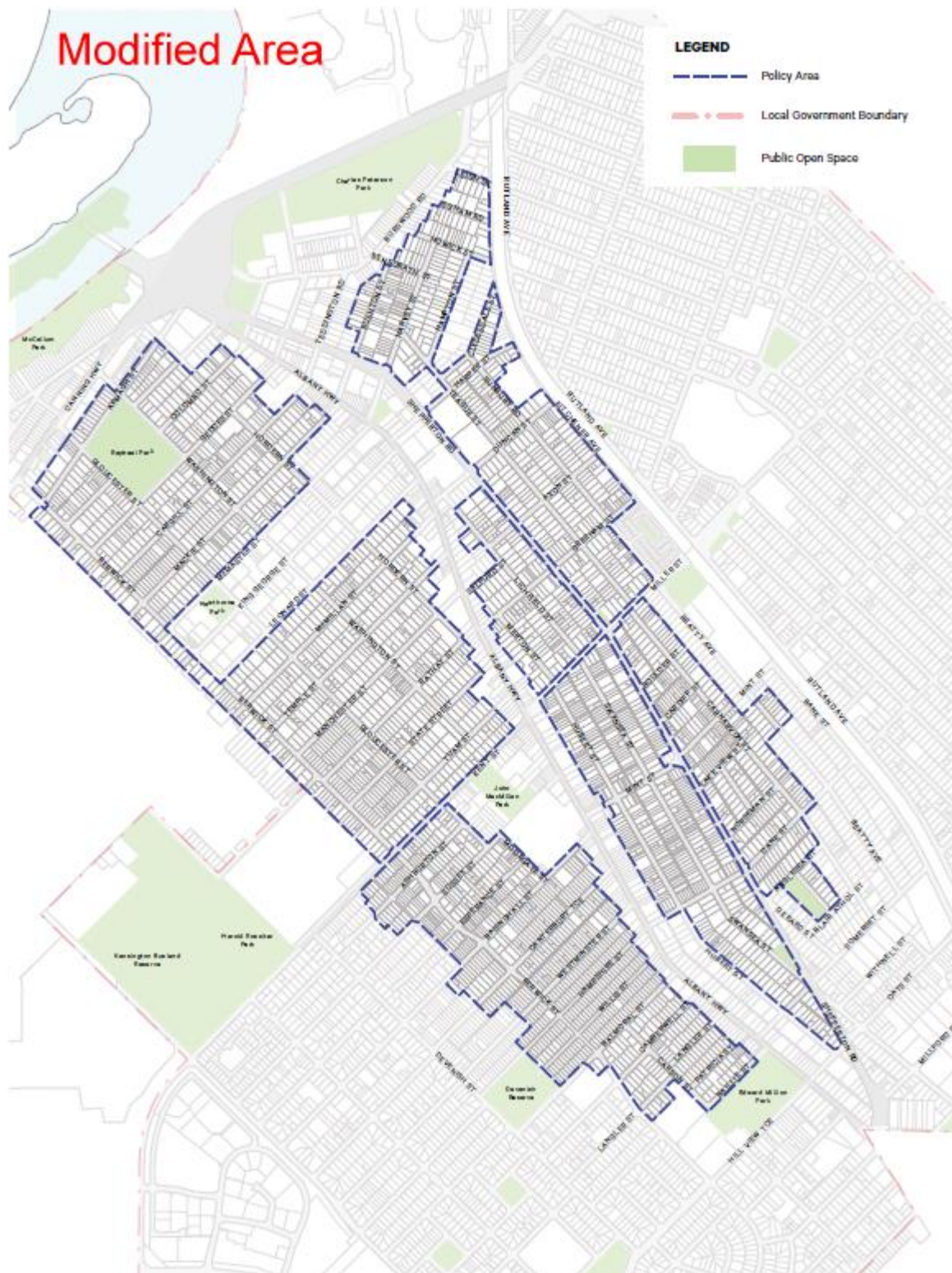


FIGURE 1 – LOCATION PLAN

Site Area

The proposed Special Control Area (SCA) extends across an area encompassing a large number of dwellings, which are predominately residential in nature. Within the subject site, dwellings comprise of singles houses, grouped dwellings and multiple dwellings.

3.0 LOCAL PLANNING CONTEXT

Metropolitan Region Scheme

The subject site is predominantly zoned "Urban" under the provisions of the Metropolitan Region Scheme (MRS). Portions of the subject site abut reserve land, this includes Other Regional Road, Primary Regional Road and Railways. An extract of the MRS is included at **Figure 2** (*below*).

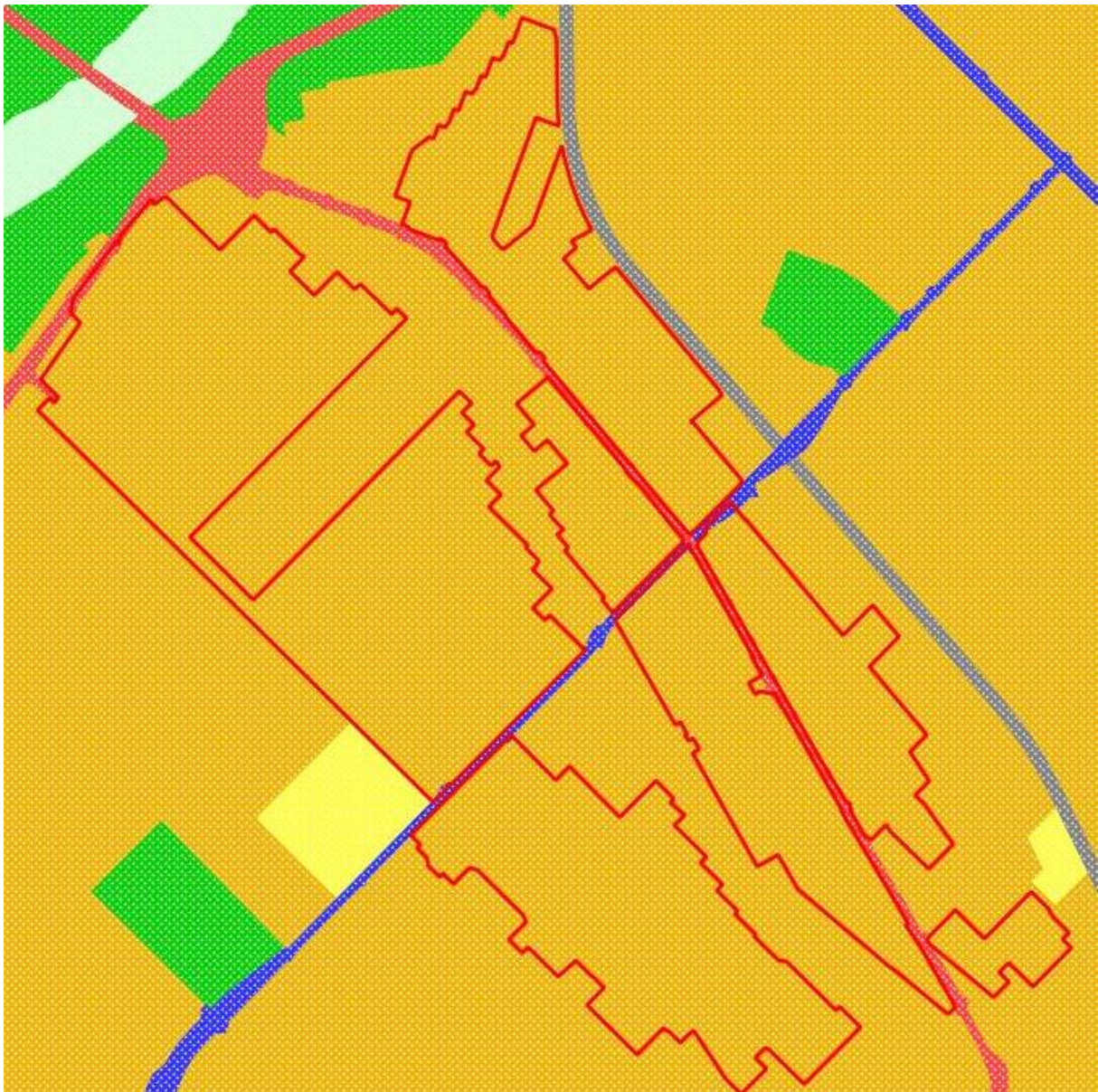


FIGURE 2 – METROPOLITAN REGION SCHEME

Perth and Peel @ 3.5 Million

The *Perth and Peel@3.5 Million* suite of documents released by the WAPC in March 2018, to provide a planning framework for the Perth and Peel Regions as they grow to a population of 3.5 million people by 2050. The strategy broadly seeks to provide guidance to creating liveable communities that are part of a consolidated, well connected and vibrant city. The strategy is supported by Sub-Regional Planning Frameworks, and the subject site is located the Central Sub-Regional Planning Framework, as being within an Urban Corridor.

Based on demographic forecasting, the Perth and Peel @ 3.5 Million sets out a forecast of the total infill developments likely required by each of the subregions by 2050, with 213,130 new dwellings required within the Central sub-region by 2050. The document further sets out infill targets for each of the local government areas, with the Town of Victoria Park requiring 19,320 new dwellings by 2050.

The document recognises that infill development impacts on the character of existing suburbs. More specifically, one of the 10 urban consolidation principles is "character and heritage" and reads:

"Ensure the attractive character and heritage values within suburbs are retained and minimise changes to the existing urban fabric, where appropriate."

The proposed Scheme Amendment area is generally consistent with the area currently known as the RCSA, some minor modifications to the existing boundaries have been proposed to reflect the changing character of the area. The area has been identified as having a strong intact urban fabric and definable character. The proposed Scheme Amendment still permits the provision of infill housing whilst maintaining the urban fabric of the RCSA.

Central Sub-Regional Planning Framework

The Sub-Regional Planning Frameworks were released by the Department of Planning, Lands and Heritage as part of the Perth and Peel @ 3.5 Million suite of documents in March 2018. These frameworks provide the strategic guidance for the urban form and infrastructure for the Perth and Peel region over the next 30 years. The Sub-Regional Planning Frameworks are considered a Sub-Regional Strategy under the planning framework.

Broadly, the Frameworks seek to provide for a more consolidated urban form to accommodate the long-term housing requirements of the metropolitan area. In providing for the needs of a consolidated urban form, the Framework also focuses on transport links, employment centres, regional infrastructure and public open space. Each of these aspects of a functional, consolidated urban form are reflected in the varying maps throughout each of the frameworks.

The subject land is located within the Central Sub-Regional Planning Framework. Plan 1 of the Planning Framework illustrates the key land use proposals for the subregion, and which identifies large portions of the SCA as "Urban Corridor". An extract of Plan 1 has been included at **Figure 3**.

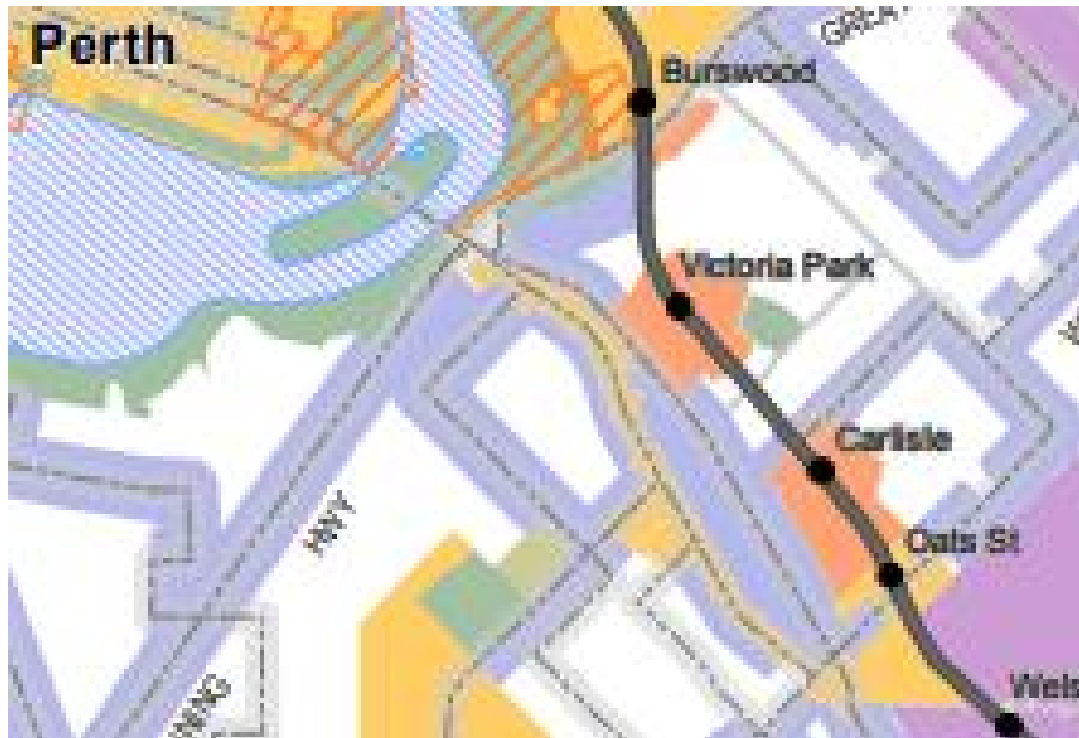


FIGURE 3 – EXTRACT OF PLAN 1 – CENTRAL METROPOLITAN PLANNING FRAMEWORK

The Framework builds on Perth and Peel @ 3.5 Million to set out the key roles for each of the land use proposals within the investigation area. The framework identifies activity centres to be the highest order centre supporting higher densities and other services and amenities. The role of the Urban Corridors is to provide connections between activity centres and are identified to provide an opportunity to accommodate increased residential density. The framework identifies important considerations for urban corridors is maintaining and enhancing the urban amenity of an area and its local context.

The Residential Character Study Area (RCSA) extends across a diverse area of the Town, with areas partially located within identified urban corridors adjacent to Albany Highway, Canning Highway, Berwick Street, Kent Street, Shepperton Road, Mint Street and Oats Street. The RCSA is characterised by predominantly single houses and grouped dwellings with residential zones coded between R30 and R80.

State Planning Policy 3: Urban Growth and Settlement

State Planning Policy 3: Urban Growth and Settlement (SPP 3) was prepared by the WAPC to provide guidance on the orderly and proper planning of urban settlements in the State. The objectives of SPP 3 are defined in the policy as follows:

- *To promote a sustainable and well planned pattern of settlement across the State, with sufficient and suitable land to provide for a wide variety of housing, employment, recreation facilities and open space.*
- *To build on existing communities with established local and regional economies, concentrate investment in the improvement of services and infrastructure and enhance the quality of life in those communities.*
- *To manage the growth and development of urban areas in response to the social and economic needs of the community and in recognition of relevant climatic, environmental, heritage and community values and constraints.*
- *To promote the development of a sustainable and liveable neighbourhood form which reduces energy, water and travel demand whilst ensuring safe and convenient access to employment and services by all modes, provides choice and affordability of housing and creates an identifiable sense of place for each community.*
- *To coordinate new development with the efficient, economic and timely provision of infrastructure and services.*

This proposal seeks to establish a SCA over the area identified as the RCSA within the Town of Victoria Park. Of particular relevance, the third objective point outlines the importance of managing development in urban areas in response to the local heritage and community values. The proposed SCA provides a framework to still enable infill development within the district that respects and enhances the local heritage of the area.

Prior to Council initiating the proposed Scheme Amendment, in 2018 significant community consultation was undertaken to determine the local communities views on the importance of maintaining the character of the area. The result of community consultation revealed the following aspirations for the RCSA:

- a) Streetscape character is seen to play an important role in telling the story of the Victoria Park area;
- b) While there are pockets of 'intact' streetscapes, the overwhelming description respondents used for the character of the area they live in is 'mixed';
- c) The majority of respondents recognised that the character of the area deserves protection;
- d) There is a clear desire from respondents to retain original dwellings;
- e) There is no clear perception of either positive or negative change in character over time;

- f) A flexible approach to policy administration is desired to encourage the retention of original dwellings as well as new development within character, rather than enforcing it; and
- g) There is seen to be a need for an equal effort in protecting and enhancing the natural beauty of the area.

As a result of the community consultation, an overwhelming response indicated support for a degree of character protection for the RCSA. Community consultation indicated a clear desire within the community to retain the established character of the area. It is considered the proposed amendment is consistent with orderly and proper planning principles; given the proposed SCA seeks to retain the defined character of the area whilst facilitating the provision of infill housing.

State Planning Policy 7.3: Residential Design Codes – Volume 1

State Planning Policy 7.3 – Residential Design Codes Volume 1 (R-Codes) was introduced by the WAPC in May 2019 as part of the Design WA suite of documents, which replaced the previous State Planning Policy 3.1 – Residential Design Codes.

The R-Codes apply to residential development in the State. In accordance with R-Codes Clause 7.3 – Volume 1, local planning policies can be prepared to replace or amend specific provisions of the R-Codes.

In this respect, one of the proposed provisions to apply to the SCA is that:

“All development for which development approval is required (including by virtue of this Schedule E) shall be designed with due regard for any relevant local planning policy adopted for the Character Retention Area.”

In this regard, an associated draft Local Planning Policy (Policy) has been prepared to address development within the RCSA.

Town of Victoria Park Town Planning Scheme No. 1

The Town of Victoria Park Town Planning Scheme No. 1 (TPS 1) represents the statutory planning framework for the Town of Victoria Park, and includes a range of zonings and reservations relating to land within the Scheme area. These zones and reservations provide for different land use opportunities and constraints and form the basis for land use planning decisions in relation to subdivision, rezoning and development, both at local and state levels. The subject land is predominately zoned “Residential” with density codes ranging from R30 to R80. An excerpt of the TPS 1 map with the existing RCSA outlined in red, appears at **Figure 4**.

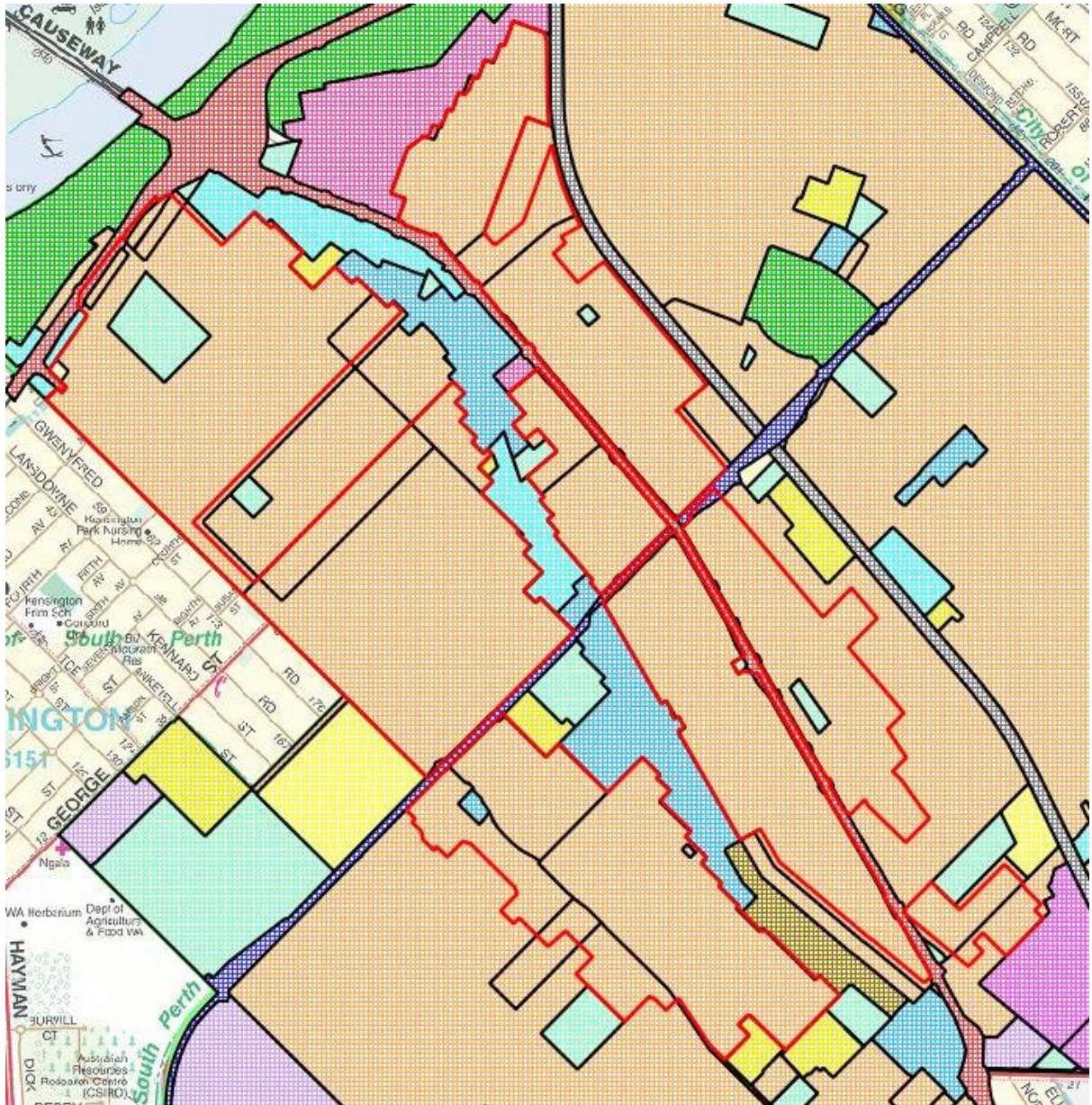


FIGURE 4 – EXISTING ZONING

TPS 1 also divides the Scheme Area into a range of planning precincts, as set out in the Scheme. Accordingly, the subject site is located within the following precincts:

- Precinct 5 – Raphael
- Precinct 6 – Victoria Park
- Precinct 10 – Shepperton – Sheet A
- Precinct 12 – East Victoria Park – Sheets A and B

The following excerpts from each precinct plan are relevant to the proposed SCA.

Precinct Plan P5 – Raphael Precinct

- *The Raphael Precinct shall remain as a residential precinct containing many fine examples of houses from past eras.*
- *Infill development and redevelopment of corner lots may be appropriate, although not to the detriment of the existing character of the area and of the existing quality housing stock.*
- *The precinct should remain a visually attractive area and have a pleasant atmosphere characterized by low to medium scale architecture, buildings facing the street in the traditional manner and set in landscaped surrounds. The retention of structurally sound original houses and healthy mature trees will be a priority in order to maintain the existing residential character and streetscape.*

Precinct Plan P6 – Victoria Park Precinct

- *The Victoria Park Precinct will remain as attractive and essentially low to medium scale residential area set on some of the highest land within the locality.*
- *The retention and rejuvenation of existing housing, particularly dwellings indicative of the era in which the locality was developed, and selective sensitivity designed 'infill' housing is the most favoured form of development and will be encouraged.*
- *The precinct should remain a visually attractive area and the preservation of trees and the generous landscape planning of properties upon redevelopment will be required.*

Precinct Plan 10 – Shepperton Precinct

- *The Shepperton Precinct should remain a pleasant, low scale, medium density housing area.*
- *The retention of structurally sound houses and healthy, mature trees is an important aim for the precinct. Selective infill and the development of grouped dwellings is also encouraged. New development is to enhance the existing character of the area and have regard for remaining quality housing stock.*

Precinct Plan 12 – East Victoria Park

- *The retention of existing structurally sound housing which generally contributes to the character of the area, and the selective redevelopment of other sites will be encouraged. The character of the precinct between Canterbury Terrace and Balmoral Streets, which consists of small cottages on small lots, should be preserved. Any redevelopment in this locality should adhere to strict design constraints governed by the existing scale and character of housing.*

The statements of intent in each precinct plan makes specific mention for the retention and improvement of original character dwellings within their respective precincts. Within the character areas of the Town, many lots have frontage to rights-of-way and a primary street. The statements of intent encourage the retention of existing character dwellings with infill development occurring at the rear of the existing dwelling. The supporting proposed policy outlines provisions to encourage new and contemporary development where not visible from a street.

Local Planning Strategy

On 21 April 2020 the Council endorsed a draft Local Planning Strategy ('Strategy') (dated April 2020) for public advertising following Certification by the WAPC. Chapter 14 Residential Character Area (East and West) included the following action to be undertaken during preparation of the new Local Planning Scheme No. 2:

"14.1 Transition the current TPS No.1 zones, R-Code densities and development requirements into LPS No.2, including the proposed TPS No.1 amendment to introduce a Special Control Area (Character Retention Area) over the Character Retention Area and amendments to Local Planning Policy 25 - Streetscape."

In their assessment of the draft Strategy (April 2020) for Certification, the Department for Planning, Lands and Heritage instructed the Town to remove reference to the proposed Special Control Area as it was the subject of a current scheme amendment. The WAPC granted the DPLH delegation to Certify the draft Strategy in September 2020. Certification was provided in February 2021 and an amended draft Strategy (dated March 2021) was publicly advertised between 6 April and 31 May 2021.

The draft Strategy (March 2021) Part Two – LPS Background Information and Analysis, Chapter 13 Character Area (East and West) acknowledges the Scheme Amendment process currently being undertaken to establish a Special Control Area over the RCSA. This is contained in the description of the Current Planning Framework – Local Planning Policy 25 Streetscapes (page 73) which states *"The Town has recently confirmed the community's desire for conservation of heritage values through this neighbourhood and is updating the Policy to reflect contemporary needs, as well as initiating a Special Control Area in TPS No.1 to manage demolition and development for single houses."*

The draft Strategy Part One - Local Planning Strategy, Chapter 8 Neighbourhood, Neighbourhood 5 Residential Character Area includes Objectives which provide the strategic basis for the Residential Character Area and the future Local Planning Scheme No. 2 (and other planning instruments) to ensure that character protection and retention is central to decisions made through the Scheme.

The draft Strategy Objectives for the Residential Character Area are:

- “CA.1 To encourage the conservation and retention of original dwellings and streetscapes.*
- CA.2 To enhance the streetscape character that is attributed to the presence of original dwellings and the sympathetic character of new development.*
- CA.3 To ensure the special and particular elements of streetscape character are considered in all land use and development proposals.”*

As such, The Town’s strategic direction is clear that including character protection and retention is intended to be a focus of the strategic direction and future planning controls for the Residential Character Area.

4.0 PROPOSAL

Scheme Amendment 73

Prior to the introduction of the Planning and Development (Local Planning Schemes) Regulations 2015 (Regulations) and Application for Development Approval was required for most forms of development, include the demolition of dwellings. Previously, the Town had the ability to maintain the essence of the RCSA through the assessment and determination of development applications against the character provisions of Local Planning Policy 25 - Streetscape. The changes to the Regulations in 2015 prompted the Town to propose Scheme Amendment 73. Ultimately, Scheme Amendment 73 was refused by the Minister for Planning.

By way of background, Scheme Amendment 73, as initiated and advertised for public comments, proposed:

- a) Introducing the need for development approval for:
 - i. Demolition of ‘original dwellings’
 - ii. All forms of development, other than those listed as exempt under a local planning policy.
- b) Requiring development to conform with:
 - i. The objectives of the RCSA.
 - ii. The future Local Planning Policy specific to the RCSA.
 - iii. Requirements for demolition, namely that demolition of dwellings not being permitted except where:
 - (1) The dwelling is determined by Council to be structurally unsound; or
 - (2) The dwelling is wholly clad in fibro or asbestos wall cladding; or
 - (3) Council considers that the dwelling does not make a positive contribution to the character of the area as a result of it having had significant external alterations.

- c) Powers for the Town to issue a Conservation Notice requiring a landowner to undertake repairs/improvements to a property if it is considered by the Town that the property is not being properly maintained.

The Town undertook community consultation, distributing over 5,000 letters to the community. The response consisted the following:

- 51 objections (74% of submissions);
- 12 supporting submissions (17% of submissions);
- 3 submissions of partial support (4% of submissions);
- 2 submissions without a stated position (3% of submissions); and
- 1 submission requesting a halt to any decision (1% of submissions).

It could be determined from the community response the proposed conservation notice generated a degree of community concern, with the majority of objections specifically citing this in their submission. Of relevance, the following information was considered by Council:

The community consultation carried out for Amendment 73, despite exceeding relevant statutory requirements, has not been able to identify whether there is a broad level of support or opposition to the proposal within the community given the very low response rate. What it has identified, is that there are some highly concerned affected residents and property owners who are strongly opposed to the Amendment. In particular, the written submissions and verbal statements made by attendees at the community information sessions were strongly opposed to the 'demolition by neglect' provisions, namely the proposed ability of Council to serve conservation notices to property owners to carry out remedial works in the event of extreme negligence or damage to the architectural integrity of an original dwelling due to unauthorised works.

Community Expectations for Increased Engagement and Participation

There is a growing desire and increasing demand by residents and community members to be involved in the decision-making process, and to be provided with the opportunity to provide input and feedback into the development and implementation of government led strategies and projects of all kinds, at all levels.

Council-led community engagement projects such as the Evolve Project, 'Have Your Say' and other programs have also raised expectations in the community that exceed standard statutory consultation requirements and adopted policies of the Council, particularly with respect to Council-led town planning scheme or policy initiatives.

Whilst the submissions received during the community consultation process were overwhelmingly opposed to the Amendment, Council Officers are of the view that a 1.4% response rate does not give any clear direction as to whether or not the Amendment is supported by the community. The community consultation process, which was completed in excess of relevant statutory requirements, has not been able to identify whether a broad level of support (or opposition) exists for the measures proposed by Amendment 73.

A simple approach would be to either dismiss the proportionately small number of objections, given the very low 1.4% response rate, and continue pursuing the Amendment in its current form, or to give the objections greater weight as they represented the majority of submissions received, by no longer pursuing the Amendment at all or any other potential measures to protect or incentivise retention of original dwellings. However, either approach is not considered in keeping with good policymaking principles or to respect the opinions and aspirations of the community members whom will be affected by either of these options.

Community Engagement Opportunity

It is recommended that the Council utilise the outcomes of the consultation undertaken for proposed Amendment 73 as an opportunity to engage with the community on the desired outcomes for the area, including whether the Town's traditional residential areas should be protected and managed. Accordingly, it would then be proposed to prepare an appropriate statutory or policy solution that builds on this community input, which is then subject to further feedback and consultation with community members, and consideration by Council.

In view of the very low response rate, it is considered appropriate that Council consider carrying out an independent community engagement project to engage with the community and obtain a clear, broad understanding of the community's desires with respect to the retention and demolition of original dwellings and the extent and type of development controls that should be applied to development within the Residential Character Study Area

At the September 2017 Ordinary Council Meeting, Scheme Amendment 73 was modified by Council, to remove the need for development approval for demolition of original dwellings and new works, and removed the ability to issue conservation notices. As a result, this left the Amendment as containing some general objectives for the area, but without any mechanism to ensure development met these objectives.

As part of the September 2017 Council resolution, Council requested Town Officers to further review the Town's statutory planning process in regard to the RCSA. The resolution specifically required the following:

- a) Identify and measure the wishes of the community with respect to the retention of original dwellings within the Residential Character Study Area;
- b) Identify potential town planning scheme and local planning policy measures to promote, incentivise or require the retention of original dwellings and the protection of character streetscapes within the Residential Character Study Area;
- c) Undertake a review of the original dwellings within the Residential Character Study Area to identify those dwellings or groups of dwellings worthy of formal heritage protection either individually or collectively; and
- d) Review and provide a list of recommendations to the Council to amend Town Planning Scheme No. 1 and/or amend Local Planning Policy 25 'Streetscape', having regard to the outcomes of the community engagement process, and arriving at a recommended series of statutory and/or policy framework measures that is:
 - i. aligned with the values of the community and the Council;
 - ii. can be easily understood by the community;
 - iii. is relatively simple to administer; and
 - iv. minimises the need to impose additional levels of regulation contrary to the intent of the Planning and Development (Local Planning Schemes) Regulations 2015.

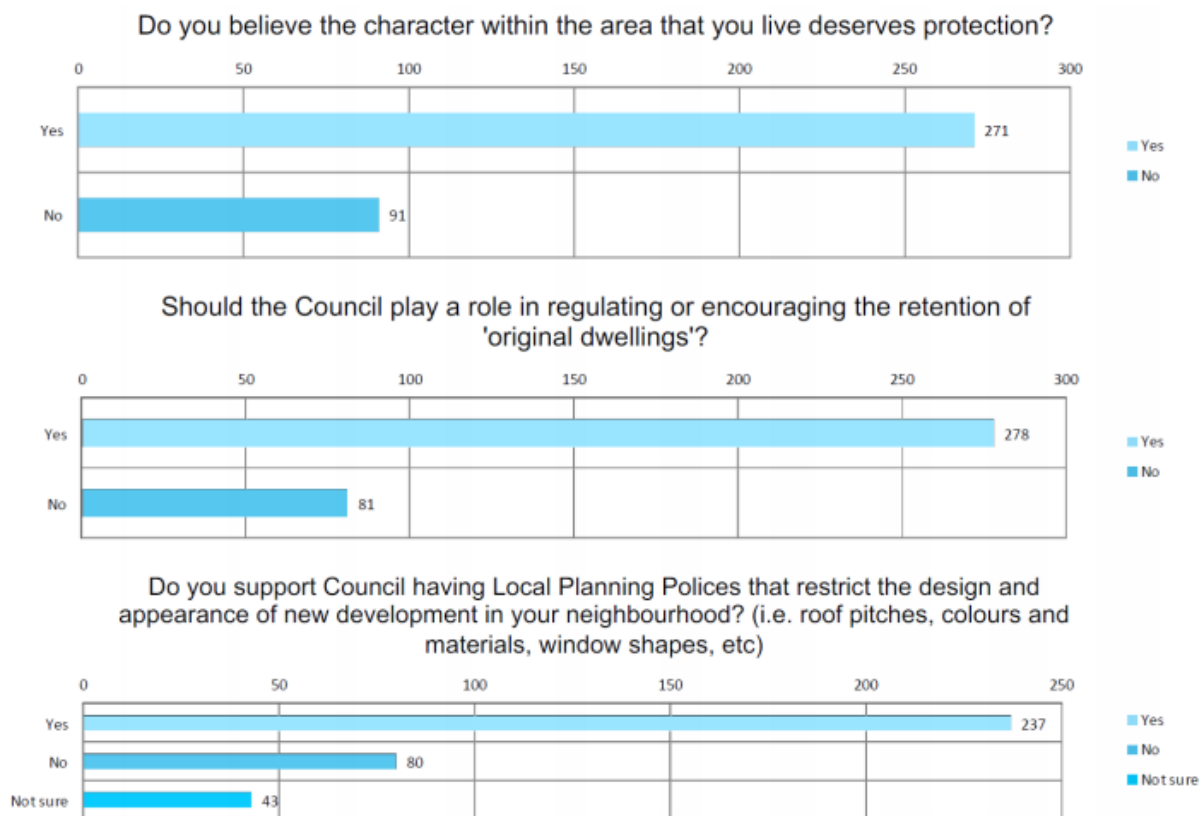
Ultimately the Scheme Amendment was refused by the Minister for Planning on the basis that:

- a) The amendment does not include any planning controls to implement the objectives proposed to be inserted;
- b) Local planning policies are considered the appropriate planning mechanism to control streetscape design to protect local character; and
- c) The Regulations provide appropriate heritage controls

Proposed Scheme Amendment 88

Consistent with the September 2017 Council resolution, the Town engaged Element to undertake an independent review of the Town's planning framework for the RCSA and engage the community. The Stage 1 consultation comprised a survey seeking feedback of residents attitudes towards residential character, a total of 5,524 letters were sent to residents, including all submitters regarding the refused Scheme Amendment 73. A total of 357 submissions were received in Stage 1 consultation.

The following graphs provide a summary of the responses to some key questions:



Based on the community feedback received, the Recommendations Report prepared by Element determined a Scheme Amendment to establish a Special Control Area (SCA) over the RCSA remains the most desirable option for character retention. The objectives of the SCA will be supported by a new Local Planning Policy – Character Retention Guidelines (guidelines). Recognising the previous community concerns relating to the inclusion of Scheme provisions providing power to issue Conservation Notices, no such provision is proposed as part of the current Scheme Amendment.

The Recommendations Report prepared by Element concluded that the area contains a significant number of 'original dwellings', which are defined as:

"The first dwelling to be constructed on the site that's considered to make a positive contribution to the streetscape due to its period of construction, architectural style and inherent character."

The presence of "original dwellings" located within the older established areas of the Town (located generally between Berwick Street and the railway line) contribute to a unique, identifiable streetscape character that should be protected and maintained. The relatively high response rate indicated the community views character retention as a desirable outcome for the RCSA.

The proposed Scheme Amendment specifies development in the SCA will require development approval in the circumstances described as follows:

Area No	Land Description	Purpose and Particular Requirements
		Purpose
		<ol style="list-style-type: none"> 1. Retain and enhance the contribution made by original dwellings towards streetscape character; and 2. To facilitate the consideration of streetscape character in development proposals.
		Particular requirements
CRA1	Land generally extending between the railway line and to around Berwick Street and Canning Highway to around Oats Street, and more specifically identified in the Precinct Plans with the designation 'CRA 1'	<ol style="list-style-type: none"> 1. Notwithstanding subclause 61(1) Items 1, 6 and 7 of the deemed provisions, development approval is required for the following works: <ol style="list-style-type: none"> a) the erection or extension of a single house on a lot, where visible from the street; b) the erection or extension of an ancillary dwelling, outbuilding, external fixture, front fence, patio, verandah, garage or carport on the same lot as a single house or grouped dwelling, where visible from the street; or c) the demolition of a single house constructed prior to 1 January 1946. <p>unless those works are specified as being exempt from development approval under a local planning policy referred to in deemed subclause 61(1) Item 20.</p> <p>For the purposes of this clause:</p> <ol style="list-style-type: none"> i. "visible from the street" only applies to a dwelling which has a frontage to a street. ii. "visible from the street" means development which if implemented is either : <ul style="list-style-type: none"> • Situated wholly or partially within 12m of the street boundary; or

		<ul style="list-style-type: none"> • Wholly located greater than 12m from the street boundary and exceeding a height of 5m above the natural ground level at the street boundary. <p>iii. "Street" means a public street, whether a primary or secondary frontage to a site, but does not include a right-of-way (or a public street which was formerly a right-of-way), or a communal street.</p> <p>iv. Clause 60 of the deemed provisions continue to apply in relation to other works that require development approval.</p>
		<p>2. All development for which development approval is required (including by virtue of this Schedule E) shall be designed with due regard for any relevant local planning policy adopted for the Character Retention Area.</p>

The need to obtain development approval gives the Town the ability to assess the merits of a proposal, and approve development that will not negatively impact upon the streetscape character. Without the introduction of such provisions, there will be no power for the Town to receive an application in some instances, and importantly assess whether or not a proposed development is acceptable within its streetscape context. In such a situation, demolition of original dwellings will be permitted regardless of the streetscape outcome and incompatible development that does not respect the streetscape could occur as the development may otherwise be exempt from needing development approval.

Addressing Minister Refusal of Scheme Amendment 73

Noting that Amendment 73 previously proposed the creation of a SCA over largely the same area, and that this was refused by the Minister, it would be reasonable to question why the current Amendment again proposes the creation of a SCA and why this has any greater prospect of being approved. The below table outlines the differences between the refused SCA and the SCA the subject of this Report.

Minister reason for refusal of Amendment 73	Scheme Amendment 88 context
The amendment does not include any planning controls to implement the objectives proposed to be inserted.	Proposed Scheme Amendment 88 stipulates planning controls within the SCA. These are:

1. Notwithstanding subclause 61(1) Items 1, 6 and 7 of the deemed provisions, development approval is required for the following works:

- a) the erection or extension of a single house on a lot, where visible from the street;
- b) the erection or extension of an ancillary dwelling, outbuilding, external fixture, front fence, patio, verandah, garage or carport on the same lot as a single house or grouped dwelling, where visible from the street;
- c) the demolition of a single house constructed prior to 1 January 1946.

unless those works are specified as being exempt from development approval under a local planning policy referred to in deemed subclause 61(1) Item 20.

For the purposes of this clause:

- i. "visible from the street" only applies to a dwelling which has a frontage to a street.
- ii. "visible from the street" means development which if implemented is either:
 - Situated wholly or partially within 12m of the street boundary; or
 - Wholly located greater than 12m from the street boundary and exceeding a height of 5m above the natural ground level at the street boundary.
- iii. "Street" means a public street, whether a primary or secondary frontage to a site, but does not include a right-of-way (or a public street which was formerly a right-of-way), or a communal street.
- iv. Clause 60 of the deemed provisions continue to apply in relation to other

	<p>works that require development approval.</p> <p>The planning controls are considered to be effective in delivering the objectives of the proposed SCA and providing for character retention.</p> <p>It is considered that the previously stated reason for refusal has now been addressed as part of Amendment 88.</p>
<p>Local planning policies are considered the appropriate planning mechanism to control streetscape design to protect local character.</p>	<p>Element has prepared a draft Character Retention Guidelines for the Town. The draft Character Retention Guidelines have been developed to be a local planning policy which relates to design and streetscape character. It is considered that the previously stated reason for refusal has now been addressed by the Town.</p>
<p>The Regulations provide appropriate heritage controls.</p>	<p>It is agreed that the Regulations have scope to provide heritage protection through the introduction of a statutory Heritage List or an identified Heritage Area. In this respect the Town has commenced work on an updated Municipal Heritage Inventory, now known as a Local Heritage Survey, which will then inform the preparation of a Heritage List.</p> <p>However, in this case, the issue is one of character, not heritage. The majority of dwellings in the RCSA do not individual heritage significance in their own right, but collectively they form a distinct and identifiable character.</p> <p>It is considered that the previously stated reason for refusal has been and will be further addressed by the Town.</p>

Requirement for Development Approval

Deemed clause 60 of the Regulations 2015 provides that any works on, or use of land in the Scheme area requires development approval, unless exempt from approval under deemed clause 61. Under deemed subclause 61(1) there are a range of works that are exempt from development approval, notably the following:

- Subclause (1) Item 6 – a new single house, or alterations or additions to, a single house on a lot, if compliant with the R-Codes.
- Subclause (1) Item 7 - the erection or installation of, or alterations or additions to, an ancillary dwelling, outbuilding, external fixture, boundary wall or fence, patio, pergola, verandah, deck, garage or carport on the same lot as a single house or grouped dwelling, if compliant with the R-Codes.
- Subclause (1) Item 1 - the demolition of a single house.
- Subclause (1) Item 20 - works specified in a local planning policy as works that do not require development approval.

Note – the exemptions under subclause 61(1) Items 1, 6 and 7 do not apply to a heritage protected place. Furthermore, the reference to being compliant with the R-Codes also refers to a deemed-to-comply standard of the R-Codes amended or replaced by a local planning policy.

As outlined above, subclause (6) of deemed clause 61 states *“Despite subclauses 61(1) and (2), an exemption under those subclauses does not apply to development if – (a) the development is undertaken in a special control area and the special provisions that apply to that area under this Scheme provide that development approval is required for the development.”*

Notwithstanding deemed subclause 61(1) Items 1, 6 and 7, Scheme Amendment 88 proposes that development approval will be required for the following:

- a) the erection or extension of a single house on a lot, where visible from the street;
- b) the erection or extension of an ancillary dwelling, outbuilding, external fixture, front fence, patio, verandah, garage or carport on the same lot as a single house or grouped dwelling, where visible from the street;
- c) the demolition of a dwelling constructed prior to 1 January 1946.

Unless those works are specified as being exempt from development approval under a local planning policy referred to in deemed subclause 61(1) Item 20.

For the purposes of this clause:

- i. “visible from the street” only applies to a dwelling which has a frontage to a street.
- ii. “visible from the street” means development which if implemented is either:
 - Situated wholly or partially within 12m of the street boundary; or
 - Wholly located greater than 12m from the street boundary and exceeding a height of 5m above the natural ground level at the street boundary.
- iii. “Street” means a public street, whether a primary or secondary frontage to a site, but does not include a right-of-way (or a public street which was formerly a right-of-way), or a communal street.

- iv. Clause 60 of the deemed provisions continue to apply in relation to other works that require development approval.

Noting that a number of forms of development are already exempt from development approval under the current planning framework, in summary, the following works which currently do not require development approval will now require development approval:

- A new single house, or additions to a single house, where visible from the street, regardless of compliance with the R-Codes.
- the erection or extension of an ancillary dwelling, outbuilding, external fixture, front fence, patio, verandah, garage or carport on the same lot as a single house or grouped dwelling, where visible from the street, regardless of compliance with the R-Codes.
- the demolition of a dwelling constructed prior to 1 January 1946

5.0 CONCLUSION

Prior to the introduction of the Regulations in 2015, development approval was required for most development. As a result, the Town was able to assess and determine Application for Development Approval in the Residential Character Study Area and ensure the unique and identified character of the area was retained. As discussed above, since the gazettal of the Regulations 2015 some types of development have been made exempt from require development approval. In the absence of a mechanism to require development approval within the RCSA, there has been an incremental erosion of the character of the area, which may continue to occur.

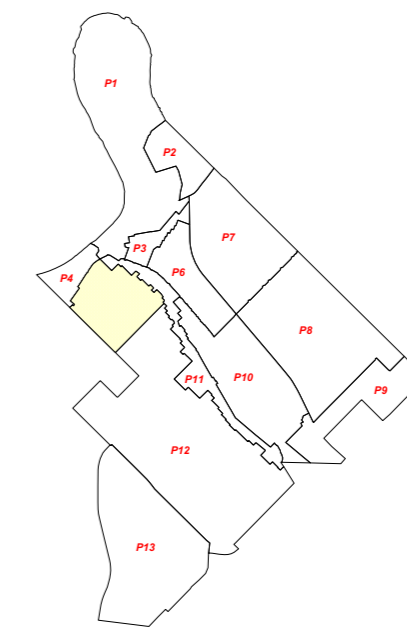
The proposed Scheme Amendment reflects the communities' expectation for the character area and addresses the Ministers reasons for refusing Scheme Amendment 73. The proposed Scheme Amendment is consistent with the State's strategic direction and has been included in the Town's draft Local Planning Strategy.

AMENDMENT MAP

PRECINCT PLAN P5

Updated on 14 April 2019

AMENDMENT N ^o	GAZETAL DATE	AMENDMENT N ^o	GAZETAL DATE
3.	2 February 2001	76.	23 June 2017
4.	8 October 2002	77.	19 June 2018
59.	13 July 2012	80.	14 April 2019
59.	21 June 2013		
61.	14 November 2014		



LEGEND

Precinct Boundary

TOWN OF VICTORIA PARK SCHEME RESERVES

Parks and Recreation

Public Purposes

PS Primary School

TOWN OF VICTORIA PARK SCHEME ZONES

Residential

NOTE:
 R-Code

RESIDENTIAL ZONE

Single houses with some infill housing will occupy a large portion of this precinct, in line with the R-Codes R30 standards. The retention of original housing and the promotion of selective sensitive redevelopment consistent with existing style, scale and character will consolidate the area as to a low to medium density neighbourhood.

In selected areas (indicated on the Precinct Map) redevelopment will be permitted in accordance with the R60 and R80 standards; permitting single houses as well as grouped and multiple dwellings at a higher density.

The application of the R-Codes and design and development guidelines shall ensure new buildings in the lower density areas reflect the existing traditional characteristics of the precinct. Buildings are to be set back from all boundaries and surrounded by landscaped spaces. While the effect of traffic on dwellings fronting roads should be minimised through appropriate design measures, all development shall face the street in the traditional manner.

Priority will be given to ensuring that new development, particularly infill and development at higher densities, does not result in undue loss of privacy or amenity for existing residents.

New development fronting main roads must take vehicular access from a laneway or other street where possible and where residential amenity will not be diminished.

USE OF LAND

As indicated in the Zoning Table in the Scheme Text and outlined below for a Residential Zone:

Use Class	Zone
Consulting Rooms, Day Care Centre	Residential
Convenience Store, Service Station	1.
Educational Establishment, Place of Worship	AA
Fast Food Outlet, Restaurant	X
General Industry, Transport Depot	X
Hazardous Industry, Noxious Industry	X
Home Occupation	AA
Home Office	P
Hospital, Nursing Home, Residential Building	AA
Hotel, Motel, Tavern	X
Light Industry	X
Liquor Store - Small	X
Liquor Store - Large	X
Lodging House, Serviced Apartment	AA
Massage Rooms	X
Motor vehicles and Marine Sales Premises	X
Open Air Sales and Display	X
Nightclub	X
Office	X
Restricted Premises	X
Service Industry	X
Shop	X
Showroom	X
Single House, Group Dwelling, Aged or Dependent Persons' Dwelling, Multiple Dwelling	1, AA
Warehouse	X

Footnote:

1. Multiple Dwellings are only permitted in areas coded R40 and above, and in addition are subject to clause 22 of the Scheme Text - Special Application of the R-Codes.

The symbols used in the cross reference in the Zoning Table have the following meanings:

"P" (Permitted Use): means that the use is permitted by the Scheme.

"AA" (Discretionary Use): means that the use is not permitted unless the Council has granted planning approval.

"X" (Prohibited Use): means a use that is not permitted by the Scheme.

Note: If the use of the land for a particular purpose is not specifically mentioned in the Zoning Table and cannot be determined as falling within the interpretation of one of the Use Class categories Council may consider it an unlisted (ie discretionary) use requiring that the advertising procedures referred to in clause 28 of the Scheme Text be followed.

DEVELOPMENT STANDARDS

Development shall generally be in accordance with the R-Codes (where applicable) and any relevant planning policy.

Building Height -

The building height on land bounded by Canning Highway, Gloucester Street, Washington Street and the right-of-way located between Canning Highway and Armagh Street, coded Residential R60, shall not exceed 3 storeys (11.25m).

The building height on land bounded by Canning Highway, Washington Street and Heirsson Way, coded Residential R80, shall not exceed 5 storeys (16.75m).

The building height on land bounded by McMaster Street, Berwick Street and Leonard Street shall be as follows:

For lot frontages to Leonard Street:
A significant portion of building, to a maximum height of 3 storeys (11.25m), is to be located between a 4.0m minimum front setback and a maximum 6.0m front setback. Any portion of building above 3 storeys (11.25m) is to be setback a minimum of 12.0m from the front boundary, and shall be a maximum height of 6 storeys (22.5m).

For lot frontages to all streets other than Leonard Street:
A maximum building height of 6 storeys (22.5m) with a minimum front setback of 4.0m.

Where the lot has a boundary to a secondary street the secondary street elevation is to be appropriately articulated.

Development on Lots 14, 15 and 41 Armagh Street to be generally in accordance with the R-Codes and the relevant planning policies contained in the Town Planning Scheme. Development to be in accordance with the development standards for R30, or in the case of where the subject lots are amalgamated into one lot, development to be in accordance with R60 with the following specific standards applying:

1. Building Height
Building height shall be limited to 3 storeys (11.25m), other than any portion of building within 8.0m of the boundary with Lot 42 Armagh Street, for which a maximum building height of 2 storeys (7.5m) applies.

2. Setback
Setback to Berwick Street may be reduced to less than 3.0m where the proposed development is considered to result in a good urban design outcome.

3. Access and Parking
Vehicle access shall not be taken from Berwick Street. All car parking to be screened from view from streets.

POLICY NOTE: Design and development guidelines for residential development in the Raphael Precinct have been adopted by the Council and are included in a planning policy.

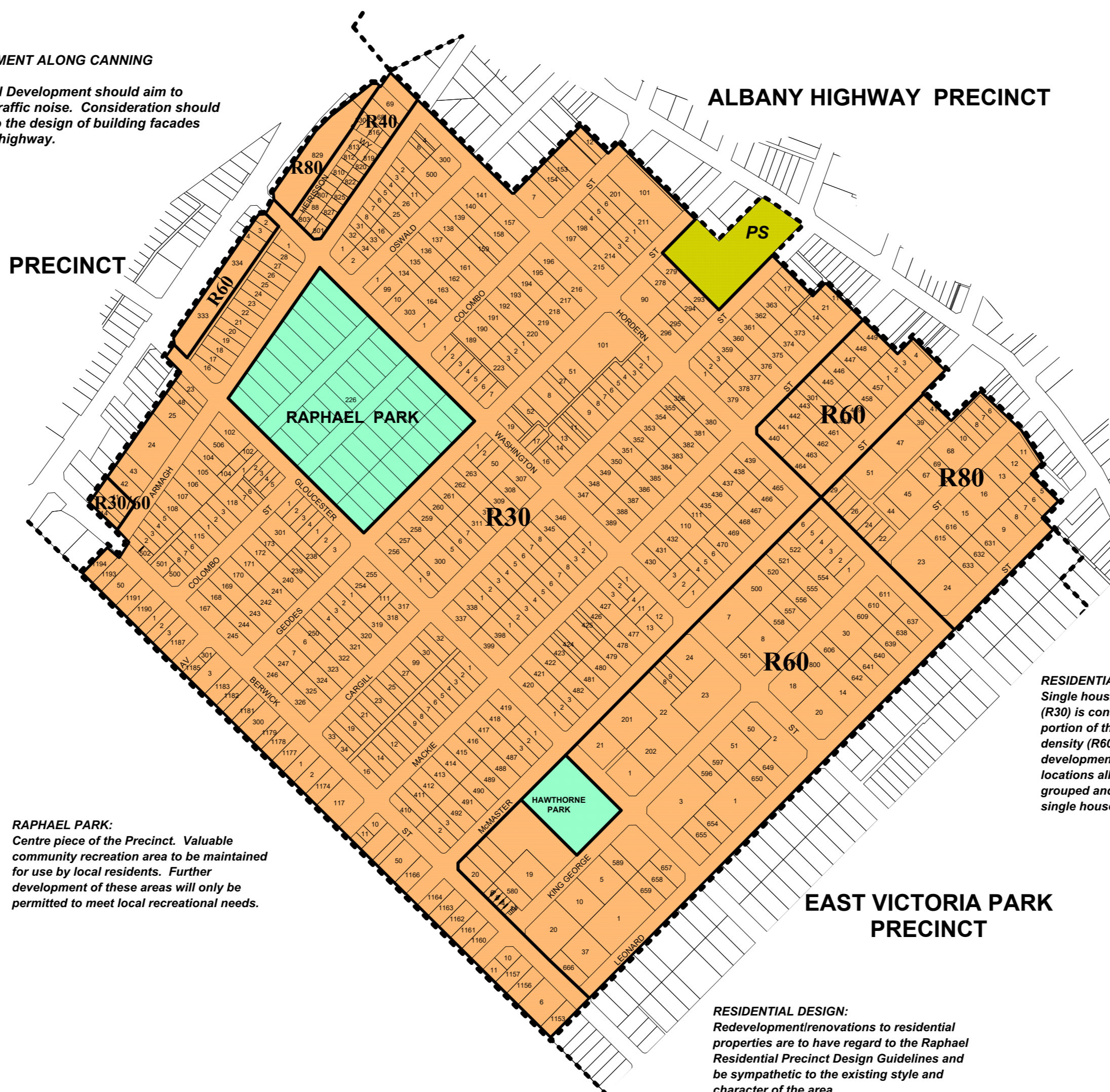
EXISTING

NORTH
SCALE 1 : 5,000

DEVELOPMENT ALONG CANNING HIGHWAY:
Residential Development should aim to minimise traffic noise. Consideration should be given to the design of building facades facing the highway.

MCCALLUM PRECINCT

ALBANY HIGHWAY PRECINCT



RESIDENTIAL DENSITY:
Single housing with some infill development (R30) is considered appropriate for a large portion of the precinct. Medium to high density (R60 and R80) residential development will be permitted in selected locations allowing for the development of grouped and multiple dwellings in addition to single houses.

RESIDENTIAL DESIGN:
Redevelopment/renovations to residential properties are to have regard to the Raphael Residential Precinct Design Guidelines and be sympathetic to the existing style and character of the area.

RAPHAEL PARK:
Centre piece of the Precinct. Valuable community recreation area to be maintained for use by local residents. Further development of these areas will only be permitted to meet local recreational needs.

RESERVES

RAPHAEL PARK and HAWTHORNE PARK

These areas shall continue in their role as recreational parkland for use primarily by local residents.

The land will be used, maintained and enhanced as parklands. The development of any new buildings within these areas will generally not be permitted unless they are small in bulk and scale, unobtrusive in their setting, and only if necessary to meet local recreational needs. No activity or action will be permitted which may destroy the integrity of the recreation areas, including all existing landscape elements, particularly the large Morton Bay Fig Trees in Raphael Park.

HOW IT WORKS

This Precinct Plan describes the Council's town planning intentions for this precinct. It contains a Statement of Intent which applies to the whole Precinct and several other statements which apply to specific areas within the Precinct. These statements summarise the kind of future that is seen to be appropriate for the precinct.

In this Precinct Plan you will also find information about the purposes for which land may be used and guidelines for the development of land and buildings.

This Precinct Plan should be read together with: -

1. Planning policies which contain guidelines for the development and use of land which apply to more than one precinct. References are given in this Precinct Plan to those policies.
2. The Scheme Text which contains legal and administrative provisions regarding the use and development of land.

In order to determine how a particular lot is affected by the above, you will need to refer to that lot on the map and the related text in this Precinct Plan. Where a property is located on or near the Precinct boundary it may also be necessary to consult the neighbouring Precincts. It should also be noted that from time to time, the Town Planning Scheme may be subject to amendments.

You are reminded that before land and buildings can be developed or used for another purpose it will probably be necessary to make a planning application and receive approval from the Council.

Enquiries concerning this Precinct Plan or general planning matters should be directed to the Council's Planning Department.

ADOPTION

Adopted by resolution of the Council of the Town of Victoria Park at the Ordinary Meeting of the Council held on the 9th day of August 1994.

J A E LEE
MAYOR

J M BONKER
CHIEF EXECUTIVE OFFICER

FINAL ADOPTION

Adopted for final approval by resolution of the Council of the Town of Victoria Park at the Ordinary Meeting of the Council held on the 11th day of August 1998 and the seal of the Municipality was pursuant to that resolution, hereunto affixed in the presence of:

J A E LEE
MAYOR

J M BONKER
CHIEF EXECUTIVE OFFICER

RECOMMENDED FOR FINAL APPROVAL

CHAIRMAN OF THE WESTERN
AUSTRALIAN PLANNING COMMISSION

Date _____

FINAL APPROVAL GRANTED

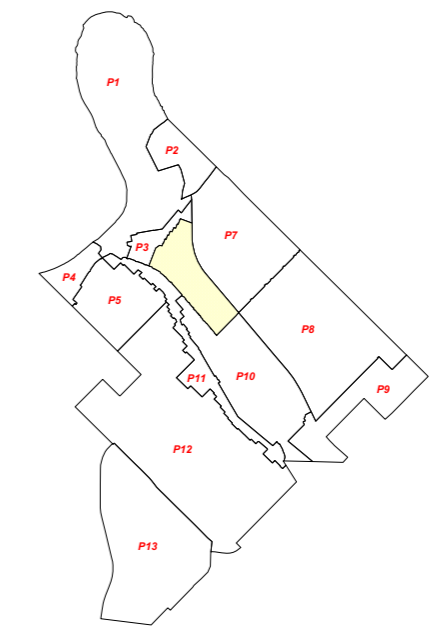
MINISTER FOR PLANNING

Date _____

PRECINCT PLAN P6

Updated on 14 April 2019

AMENDMENT #1	GAZETAL DATE	AMENDMENT #1	GAZETAL DATE
3.	2 February 2001	61.	14 November 2014
6.	8 October 2002	75.	23 June 2017
8.	4 February 2003	77.	19 June 2018
50.	13 July 2012	80.	14 April 2019
54.	6 September 2013		



LEGEND

Precinct Boundary

METROPOLITAN REGION SCHEME RESERVES

NOTE: The Western Australian Planning Commission care of the Ministry for Planning should be consulted for full information on the precise land requirements for all Metropolitan Region Scheme Reserves.

- Primary Regional Roads
- Other Regional Roads
- Railways

TOWN OF VICTORIA PARK SCHEME RESERVES

- Parks and Recreation

TOWN OF VICTORIA PARK SCHEME ZONES

- Residential

NOTE:
 R-Code

STATEMENT OF INTENT

The Victoria Park Precinct will remain as attractive and essentially low to medium scale residential area set on some of the highest land within the locality.

The retention and rejuvenation of existing housing, particularly dwellings indicative of the era in which the locality was developed, and selective sensitively designed 'infill' housing is the most favoured form of development and will be encouraged.

Medium density residential development will be consolidated in the area on the ridge in Clydesdale Street, but will be expected to respect the amenity of adjacent lower density dwellings.

Development or expansion of existing non-residential uses in the precinct will be limited, to safeguard residential amenity. The existing industrial use should desirably move to a more suitable location.

The precinct should remain a visually attractive area and the preservation of trees and the generous landscape planting of properties upon redevelopment will be required. Public places within the precinct, such as parks, reserves and streets will be enhanced and maintained so that they contribute to its pleasant environment. Safe, accessible movement for pedestrians, cyclists, public transport and vehicles will be an important aim for the precinct.

HOW IT WORKS

This Precinct Plan describes the Council's town planning intentions for this precinct. It contains a Statement of Intent which applies to the whole Precinct and several other statements which apply to specific areas within the Precinct. These statements summarise the kind of future that is seen to be appropriate for the precinct.

In this Precinct Plan you will also find information about the purposes for which land may be used and guidelines for the development of land and buildings.

This Precinct Plan should be read together with: -

1. Planning policies which contain guidelines for the development and use of land which apply to more than one precinct. References are given in this Precinct Plan to those policies.
2. The Scheme Text which contains legal and administrative provisions regarding the use and development of land.

In order to determine how a particular lot is affected by the above, you will need to refer to that lot on the map and the related text in this Precinct Plan. Where a property is located on or near the Precinct boundary it may also be necessary to consult the neighbouring Precincts. It should also be noted that from time to time, the Town Planning Scheme may be subject to amendments.

You are reminded that before land and buildings can be developed or used for another purpose it will probably be necessary to make a planning application and receive approval from the Council.

Enquiries concerning this Precinct Plan or general planning matters should be directed to the Council's Planning Department.

ADOPTION

Adopted by resolution of the Council of the Town of Victoria Park at the Ordinary Meeting of the Council held on the 9th day of August 1994.

J A E LEE
MAYOR

J M BONKER
CHIEF EXECUTIVE OFFICER

FINAL ADOPTION

Adopted for final approval by resolution of the Council of the Town of Victoria Park at the Ordinary Meeting of the Council held on the 11th day of August 1998 and the seal of the Municipality was pursuant to that resolution, hereunto affixed in the presence of:

J A E LEE
MAYOR

J M BONKER
CHIEF EXECUTIVE OFFICER

RECOMMENDED FOR FINAL APPROVAL

CHAIRMAN OF THE WESTERN AUSTRALIAN PLANNING COMMISSION

Date _____

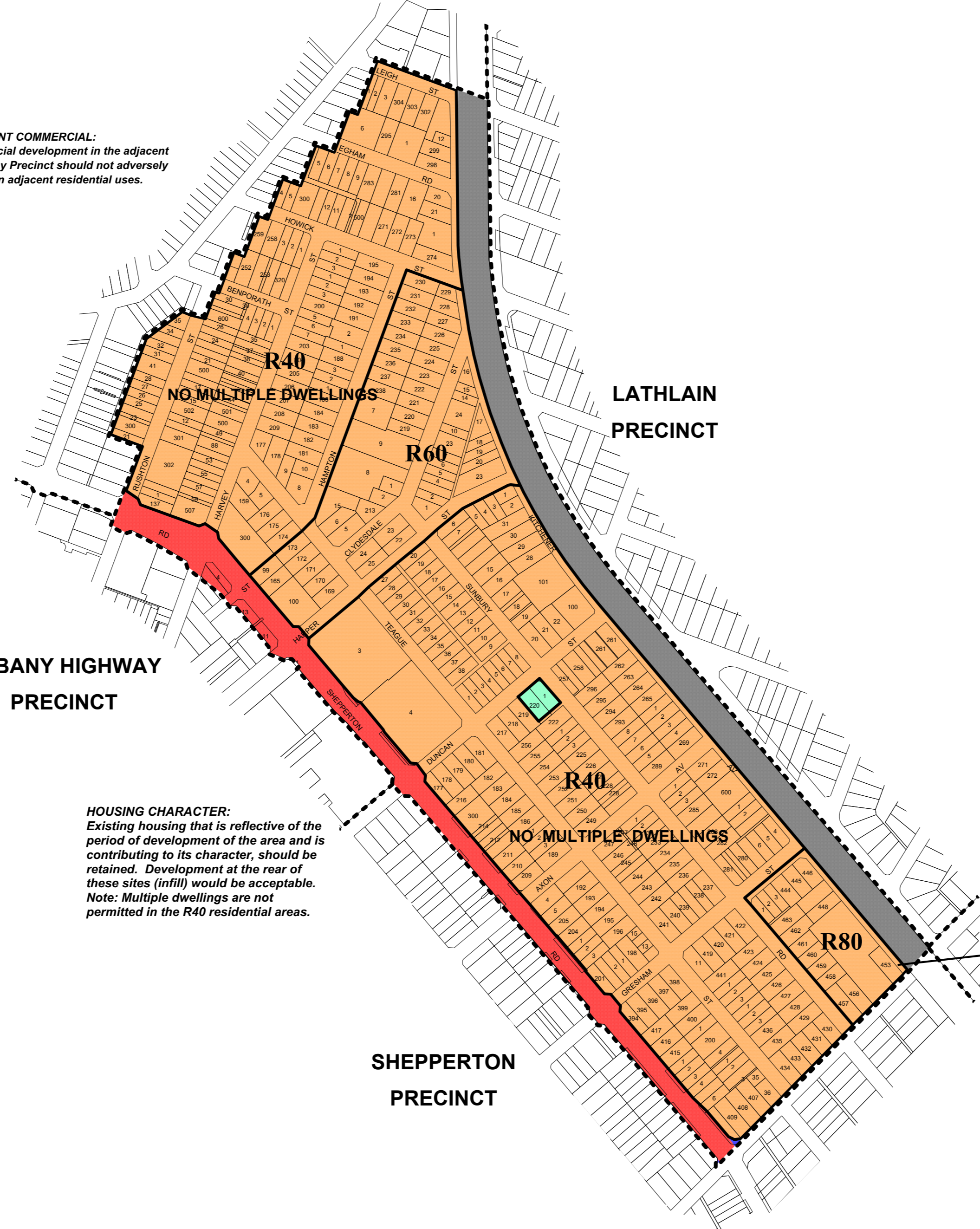
FINAL APPROVAL GRANTED

MINISTER FOR PLANNING

Date _____

EXISTING

NORTH
SCALE 1 : 5,000



ADJACENT COMMERCIAL:
Commercial development in the adjacent Causeway Precinct should not adversely impact on adjacent residential uses.

HOUSING CHARACTER:
Existing housing that is reflective of the period of development of the area and is contributing to its character, should be retained. Development at the rear of these sites (infill) would be acceptable. Note: Multiple dwellings are not permitted in the R40 residential areas.

NON CONFORMING USE:
Should the industrial use of this land be discontinued, the site may be redeveloped for residential use. The site is appropriate for this purpose; set amongst existing residential land, close to district facilities, the city centre and Lathlain Railway Station.

RESIDENTIAL ZONE

Single houses and group housing will occupy a large portion of the precinct, in line with the R-Codes R40 standards. No multiple dwellings will be permitted in these locations.

The area around Clydesdale Street, between Shepperton Road and the railway line will be permitted to redevelop in accordance with the Residential R60 standards; permitting single houses as well as groups and multiple dwellings at medium density. Development should be generally limited in height to 3 storeys, except where otherwise specified.

Child care facilities, schools and recreational areas serving the day-to-day needs of residents may be appropriate additional uses for this residential area. All such uses shall be unobtrusive in scale and not adversely affect the amenity of adjacent residential uses.

The existing schools and the Association for the Blind are acceptable uses within the precinct. Any further expansion or intensification of the uses, however, will not be permitted where it involves significant loss of existing housing or will impinge on the amenity of surrounding residents. Generally, development should be in accordance with planning policy relating to non-residential development in or adjacent to residential areas. Height and scale of any development is to be compatible with existing buildings. New buildings are to be set back from all boundaries and these areas landscaped. Adequate parking and set down areas are to be provided on-site.

With regard to residential development, the retention of existing housing and the promotion of selective and sensitive redevelopment in line with existing style, scale and character is most favoured. New buildings shall be set back from all boundaries and be set in landscaped spaces. While the effect of traffic on dwellings fronting roads should be minimised through appropriate design measures, all development shall face the street in the traditional manner.

Priority will be given to ensuring that new development, particularly infill and development at higher densities, does not result in undue loss of privacy or amenity for existing residents.

The timber products factory presently located in this area is incompatible with the surrounding residential land and its relocation to a more suitable industrial area is encouraged. More appropriate uses for the site would be those indicated in the Zoning Table and outlined below for a Residential Zone such as multiple dwellings, grouped dwellings and various forms of specialised accommodation. Development shall be in accordance with Residential R60 standards. A mixture of accommodation types together with associated non-residential uses could be appropriate. Development should be generally limited in height to 3 storeys, with a maximum of 2 storeys for development fronting Sunbury Road and Gresham Street where development should respect the form and character of existing residential development.

USE OF LAND

As indicated in the Zoning Table in the Scheme Text and outlined below for a Residential Zone:

Use Class	Zone
Consulting Rooms, Day Care Centre	AA
Convenience Store, Service Station	X
Educational Establishment, Place of Worship	AA
Fast Food Outlet, Restaurant	X
General Industry, Transport Depot	X
Hazardous Industry, Noxious Industry	X
Home Occupation	AA
Home Office	P
Hospital, Nursing Home, Residential Building	AA
Hotel, Motel, Tavern	X
Light Industry	X
Liquor Store - Small	X
Liquor Store - Large	X
Lodging House, Serviced Apartment	AA
Massage Rooms	X
Motor vehicles and Marine Sales Premises	X
Open Air Sales and Display	X
Nightclub	X
Office	X
Restricted Premises	X
Service Industry	X
Shop	X
Showroom	X
Single House, Group Dwelling, Aged or Dependent Persons' Dwelling, Multiple Dwelling	P ₁
Warehouse	X

Footnote:

1. Multiple Dwellings are only permitted in areas coded R40 and above, and in addition are subject to clause 22 of the Scheme Text - Special Application of the R-Codes.

The symbols used in the cross reference in the Zoning Table and outlined below for a Residential Zone such as multiple dwellings, grouped dwellings and various forms of specialised accommodation. Development shall be in accordance with Residential R60 standards. A mixture of accommodation types together with associated non-residential uses could be appropriate. Development should be generally limited in height to 3 storeys, with a maximum of 2 storeys for development fronting Sunbury Road and Gresham Street where development should respect the form and character of existing residential development.

"R" (Permitted Use): means that the use is permitted by the Scheme.

"AA" (Discretionary Use): means that the use is not permitted unless the Council has granted planning approval.

"X" (Prohibited Use): means a use that is not permitted by the Scheme.

Note: If the use of the land for a particular purpose is not specifically mentioned in the Zoning Table and cannot be determined as falling within the interpretation of one of the Use Class categories Council may consider it an unlisted (ie discretionary) use requiring that the advertising procedures referred to in clause 28 of the Scheme Text be followed.

DEVELOPMENT STANDARDS

Development shall generally be in accordance with the R-Codes (where applicable) and any relevant planning policy.

In addition the following standards apply:

Building Height - The building height on land bounded by Hampton Street, Teague Street, Clydesdale Street, Kitchener Avenue and Howick Street, coded Residential R60, shall be as follows:

For those lots with a frontage to Clydesdale Street and Kitchener Avenue: A significant portion of building, to a maximum height of 2 Storeys (7.5m), is to be located between a minimum 6.0m average front setback and a maximum 9.0m average front setback. Any portion of building above 2 storeys (7.5m) is to be setback a minimum of 12.0m from the front boundary, and shall be a maximum height of 4 storeys (15.0m).

For those lots with a frontage to Teague Street: A maximum building height of 4 storeys (15.0m) with an average front setback of 6.0m or more.

For those lots with a frontage to Hampton Street and Howick Street: A maximum height of 6 storeys (22.5m) with an average front setback of 6.0m or more.

For lots with frontages to both Hampton Street and Clydesdale Street: Both street frontages will be considered primary streets and will need to be developed in accordance with their respective building height and setback requirements.

Note: The lot on the corner of Kitchener Avenue and Howick Street is considered to have a Kitchener Avenue frontage for the purposes of building heights and setbacks.

RESIDENTIAL ZONE

Single housing with some infill development will occupy the majority of this precinct, with small areas of grouped and multiple dwellings. The retention of existing housing, particularly whole street blocks or streetscapes will be encouraged and promoted. Redevelopment shall be consistent with existing style, character and scale of dwellings throughout the precinct.

Predominantly, development shall be in accordance with the standards specified for Residential R20 and R30 under the R-Codes. Areas adjoining Raphael Park Precinct, portions of Albany Highway Precinct, and the Park Centre shopping areas will be permitted to redevelop in accordance with the standard specified for Residential R40 and R60. These densities will service to increase the availability and range of housing types in areas close to the city centre and other facilities such as Curtin University. In the R40 areas around the Park Centre a height limit of two storeys will apply.

Other types of accommodation, and some non-residential uses to serve the day-to-day needs of local residents are appropriate to these localities. Existing local parkland facilities and reserves are also appropriate uses for the residential area. New buildings shall be set back from all boundaries although variations reflecting existing character of development will be permitted. Buildings shall be set in landscaped surrounds and mature trees shall be preserved. Design guidelines will apply throughout the precinct and specific controls will be progressively introduced for pockets of identifiable character housing.

While the effect of traffic should be minimised through appropriate design measures, all development shall face the street in the traditional manner.

Priority will be given to ensuring new development, particularly infill and development at higher densities, does not result in the undue loss of privacy or amenity for existing residents.

USE OF LAND

As indicated in the Zoning Table in the Scheme Text and outlined below for a Residential Zone.

P (Permitted Use): means that the use is permitted by the Scheme.

AA (Discretionary Use): means that the use is not permitted unless the Council has granted planning approval.

X (Prohibited Use): means a use that is not permitted by the Scheme.

SPECIAL USE ZONE

EDUCATIONAL FACILITY GEORGE STREET

Currently this area is used for educational purposes; this is an acceptable use in this location. Any future development or use shall be in keeping with surrounding sites and uses.

USE OF LAND

As indicated in the Zoning Table in the Scheme Text and outlined below for a Special Use Zone

Use Class	Zone	Special Use
Consulting Rooms, Day Care Centre	9.	
Convenience Store, Service Station		
Educational Establishment, Place of Worship		
Fast Food Outlet, Restaurant		
General Industry, Transport Depot		
Hazardous Industry, Noxious Industry		
Home Occupation		
Home Office		
Hospital, Nursing Home, Residential Building		
Hotel, Motel, Tavern		
Light Industry		
Lodging House, Serviced Apartment		
Massage Rooms		
Motor vehicles and Marine Sales Premises		
Open Air Sales and Display		
Nightclub		
Office		
Restricted Premises		
Service Industry		
Shop		
Showroom		
Single House, Group Dwelling, Aged or Dependent Persons' Dwelling, Multiple Dwelling		
Warehouse		

Educational uses are permitted. Any future development or use shall be in keeping with surrounding sites and uses.

Note: All uses other than that which is nominated above, and those which have a direct association with the nominated use are prohibited uses.

Where it is considered that a particular use could have a detrimental impact on the amenity of the surrounding area (mainly adjacent residential uses) it will be subject to assessment and advertising under any relevant planning policy.

**Replaced by
AMDT 80/GS 18/04/19**

Use Class	Zone
1.	Residential
Consulting Rooms, Day Care Centre	AA
Convenience Store, Service Station	X
Educational Establishment, Place of Worship	AA
Fast Food Outlet, Restaurant	X
General Industry, Transport Depot	X
Hazardous Industry, Noxious Industry	X
Home Occupation	AA
Home Office	P
Hospital, Nursing Home, Residential Building	AA
Hotel, Motel, Tavern	X
Light Industry	X
Liquor Store - Small	X
Liquor Store - Large	X
Lodging House, Serviced Apartment	AA
Massage Rooms	X
Motor vehicles and Marine Sales Premises	
Open Air Sales and Display	X
Nightclub	X
Office	X
Restricted Premises	X
Service Industry	X
Shop	X
Showroom	X
Single House, Group Dwelling, Aged or Dependent Persons' Dwelling, Multiple Dwelling	R1
Warehouse	X

Footnote:

1. Multiple Dwellings are only permitted in areas coded R40 and above, and in addition are subject to clause 22 of the Scheme Text - Special Application of the R-Codes.

The symbols used in the cross reference in the Zoning Table have the following meanings:

P (Permitted Use): means that the use is permitted by the Scheme.

AA (Discretionary Use): means that the use is not permitted unless the Council has granted planning approval.

X (Prohibited Use): means a use that is not permitted by the Scheme.

PRIVATE CARPARKING

Lot 148 Westminster Street and Lot 149 Westminster Street
 P Private carparking required for the use of the premises at Lots 144, 145 and 146 Albany Highway, corner Westminster Street, East Victoria Park.
 X All other uses.

CARPARKING / DRAINAGE

The only permitted use of this land is carparking and/or drainage.

RESERVES

Some of the land in this precinct is reserved under the Metropolitan Region Scheme for public purposes and as such, falls within the planning authority of the Ministry for Planning. Other land within this precinct is reserved under the Town Planning Scheme for parks and recreation and for public purposes and therefore the Council retains responsibility for development.

In regard to both the Metropolitan Regional Scheme and Town of Victoria Park Reserves, the Council has the opportunity to comment on and assess development; in this regard the following matters will be taken into account.

The reserves are an integral part of and vital to the residential areas they serve. The areas known as the Kensington Bushland contains recognised areas of remnant natural bush. The Council is currently working with the community to implement appropriate management procedures to ensure its protection. Any redevelopment in regard to the Kent Street Sand Pit shall be in keeping with the scale, character and nature of the surrounding areas.

In all reserves, the land will be used, maintained and enhanced primarily for recreational and/or community purposes. The development of any new buildings within these areas will generally not be permitted unless they are small in bulk and scale and unobtrusive in their setting. On the Kent Street High School site, new development shall be set back from the street and these areas landscaped and extensively planted.

Uses permitted will only be those which are incidental to the recreational and community roles of the reserves. No activity or action will be permitted which destroys the integrity of these reserve areas, including all existing landscape elements.

Note: If the use of the land for a particular purpose is not specifically mentioned in the Zoning Table and cannot be determined as falling within the interpretation of one of the Use Class categories Council may consider it an unlisted (ie discretionary) use requiring that the advertising procedures referred to in clause 28 of the Scheme Text be followed.

DEVELOPMENT STANDARDS

Development shall generally be in accordance with the R-Codes (where applicable) and any relevant planning policy.

In addition, the following standard applies:

Building Height -
 The height of a building on land coded Residential R40 adjoining the Park Centre shall not exceed 6 metres.
 The height of a building on land coded Residential R60 shall not exceed 8.6 metres.

Residential Development -
 In this precinct in the area coded Residential R40 between Leonard Street and McMillan Street, and the area coded Residential R40 bounded by Kent Street, Berwick Street, Basinghall Street, Moorgate Street and Grouse Street, multiple dwellings are not permitted.

EXISTING

NORTH
SCALE 1 : 5,000

RESIDENTIAL AMENITY:
 Commercial development to Albany highway shall not adversely impact upon the residential amenity of adjacent land.

RESIDENTIAL DEVELOPMENT:
 There are many areas where little redevelopment has occurred and much of the original housing stock remains. The retention and restoration of dwellings, particularly in whole street/street blocks is most favoured and will be encouraged.

LEGEND

Precinct Boundary

METROPOLITAN REGION SCHEME RESERVES

NOTE: The Western Australian Planning Commission care of the Ministry for Planning should be consulted for full information on the precise land requirements for all Metropolitan Region Scheme Reserves.

- Other Regional Roads
- Public Purposes
- High School

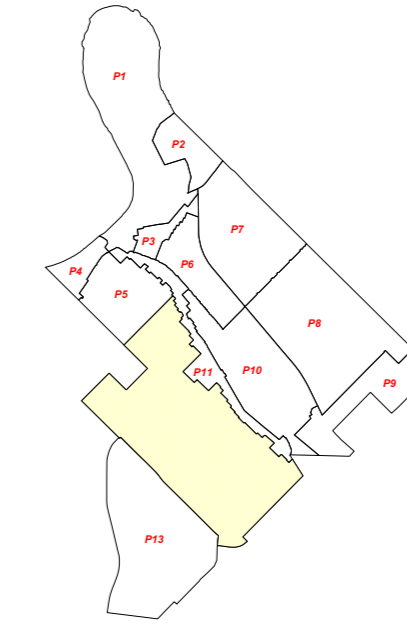
TOWN OF VICTORIA PARK SCHEME RESERVES

- Parks and Recreation
- Public Purposes
- Civic Use

TOWN OF VICTORIA PARK SCHEME ZONES

- Residential
- Local Centre
- Special Use
- Additional Use
- Educational Facilities
- Private Carparking
- Carparking / Drainage
- R-Code

NOTE:
R30



**TOWN OF VICTORIA PARK
 TOWN PLANNING SCHEME No.1
 EAST VICTORIA PARK PRECINCT**

P12
 SHEET A

**PRECINCT PLAN P12
 SHEET A**

Updated on 14 April 2019

AMENDMENT N°1	GAZETTAL DATE	AMENDMENT N°1	GAZETTAL DATE
3.	2 February 2001	49.	8 March 2013
6.	8 October 2002	62.	23 September 2014
8.	4 February 2003	61.	14 November 2014
12.	6 September 2002	67.	5 May 2017
17.	29 August 2005	75.	23 June 2017
18.	14 September 2004	77.	19 June 2018
26.	26 August 2003	80.	14 April 2019
34.	3 May 2005		

HOW IT WORKS

This Precinct Plan describes the Council's town planning intentions for this precinct. It contains a Statement of Intent which applies to the whole Precinct and several other statements which apply to specific areas within the Precinct. These statements summarise the kind of future that is seen to be appropriate for the precinct.

In this Precinct Plan you will also find information about the purposes for which land may be used and guidelines for the development of land and buildings.

This Precinct Plan should be read together with: -

1. Planning policies which contain guidelines for the development and use of land which apply to more than one precinct. References are given in this Precinct Plan to those policies.
2. The Scheme Text which contains legal and administrative provisions regarding the use and development of land.

In order to determine how a particular lot is affected by the above, you will need to refer to that lot on the map and the related text in this Precinct Plan. Where a property is located on or near the Precinct boundary it may also be necessary to consult the neighbouring Precincts. It should also be noted that from time to time, the Town Planning Scheme may be subject to amendments.

You are reminded that before land and buildings can be developed or used for another purpose it will probably be necessary to make a planning application and receive approval from the Council.

Enquiries concerning this Precinct Plan or general planning matters should be directed to the Council's Planning Department.

ADOPTION

Adopted by resolution of the Council of the Town of Victoria Park at the Ordinary Meeting of the Council held on the 9th day of August 1994.

J A E LEE
 MAYOR

J M BONKER
 CHIEF EXECUTIVE OFFICER

FINAL ADOPTION

Adopted for final approval by resolution of the Council of the Town of Victoria Park at the Ordinary Meeting of the Council held on the 11th day of August 1998 and the seal of the Municipality was pursuant to that resolution, hereunto affixed in the presence of:

J A E LEE
 MAYOR

J M BONKER
 CHIEF EXECUTIVE OFFICER

RECOMMENDED FOR FINAL APPROVAL

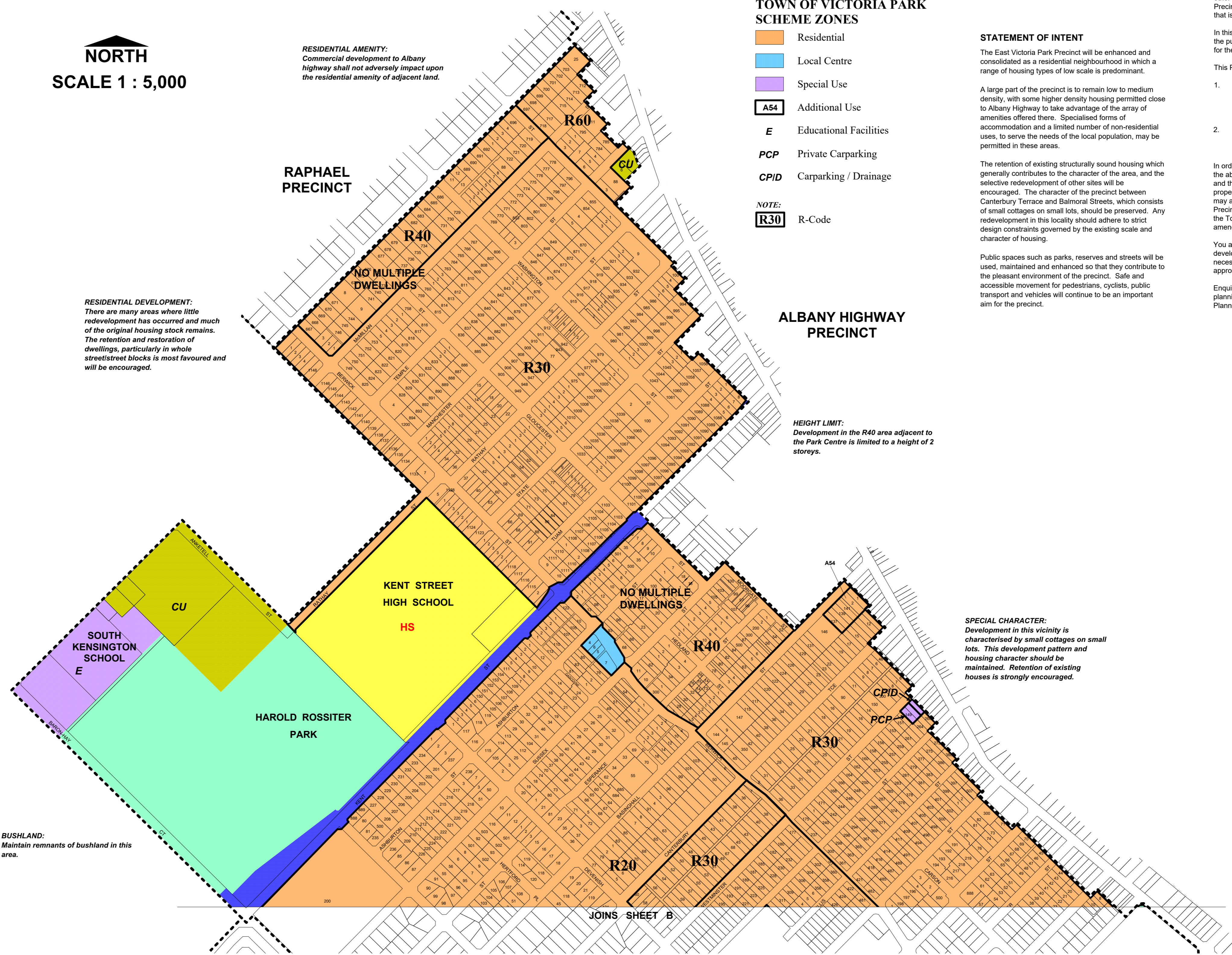
CHAIRMAN OF THE WESTERN
 AUSTRALIAN PLANNING COMMISSION

Date _____

FINAL APPROVAL GRANTED

MINISTER FOR PLANNING

Date _____



ALBANY HIGHWAY PRECINCT

HEIGHT LIMIT:
 Development in the R40 area adjacent to the Park Centre is limited to a height of 2 storeys.

SPECIAL CHARACTER:
 Development in this vicinity is characterised by small cottages on small lots. This development pattern and housing character should be maintained. Retention of existing houses is strongly encouraged.

JOINS SHEET B

PRECINCT PLAN P12
SHEET B

Updated on 14 April 2019

AMENDMENT NO.	GAZETTAL DATE	AMENDMENT NO.	GAZETTAL DATE
3.	2 February 2001	49.	8 March 2013
6.	8 October 2002	62.	23 September 2014
8.	4 February 2003	61.	14 November 2014
12.	6 September 2002	76.	23 June 2017
19.	14 September 2004	77.	19 June 2018
26.	26 August 2003	80.	14 April 2019
34.	3 May 2005		

HOW IT WORKS

This Precinct Plan describes the Council's town planning intentions for this precinct. It contains a Statement of Intent which applies to the whole Precinct and several other statements which apply to specific areas within the Precinct. These statements summarise the kind of future that is seen to be appropriate for the precinct.

In this Precinct Plan you will also find information about the purposes for which land may be used and guidelines for the development of land and buildings.

This Precinct Plan should be read together with:-

1. Planning policies which contain guidelines for the development and use of land which apply to more than one precinct. References are given in this Precinct Plan to those policies.
2. The Scheme Text which contains legal and administrative provisions regarding the use and development of land.

In order to determine how a particular lot is affected by the above, you will need to refer to that lot on the map and the related text in this Precinct Plan. Where a property is located on or near the Precinct boundary it may also be necessary to consult the neighbouring Precinct's. It should also be noted that from time to time, the Town Planning Scheme may be subject to amendments.

You are reminded that before land and buildings can be developed or used for another purpose it will probably be necessary to make a planning application and receive approval from the Council.

Enquiries concerning this Precinct Plan or general planning matters should be directed to the Council's Planning Department.

ADOPTION

Adopted by resolution of the Council of the Town of Victoria Park at the Ordinary Meeting of the Council held on the 9th day of August 1994.

J A E LEE
 MAYOR

J M BONKER
 CHIEF EXECUTIVE OFFICER

FINAL ADOPTION

Adopted for final approval by resolution of the Council of the Town of Victoria Park at the Ordinary Meeting of the Council held on the 11th day of August 1998 and pursuant to that resolution, hereunto affixed in the presence of:

J A E LEE
 MAYOR

J M BONKER
 CHIEF EXECUTIVE OFFICER

RECOMMENDED FOR FINAL APPROVAL

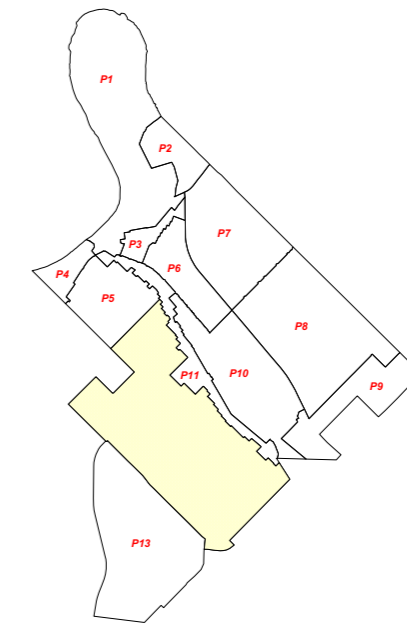
CHAIRMAN OF THE WESTERN
 AUSTRALIAN PLANNING COMMISSION

Date _____

FINAL APPROVAL GRANTED

MINISTER FOR PLANNING

Date _____



LEGEND

Precinct Boundary

METROPOLITAN REGION SCHEME RESERVES

NOTE: The Western Australian Planning Commission care of the Ministry for Planning should be consulted for full information on the precise land requirements for all Metropolitan Region Scheme Reserves.

- Primary Regional Roads
- Other Regional Roads

TOWN OF VICTORIA PARK SCHEME RESERVES

- Parks and Recreation
- Public Purposes
- PS Primary School
- CU Civic Use
- CUICP Civic Use and Community Purpose

TOWN OF VICTORIA PARK SCHEME ZONES

- Residential
- Local Centre

NOTE:
 R-Code

STATEMENT OF INTENT

The East Victoria Park Precinct will be enhanced and consolidated as a residential neighbourhood in which a range of housing types of low scale is predominant.

A large part of the precinct is to remain low to medium density, with some higher density housing permitted close to Albany Highway to take advantage of the array of amenities offered there. Specialised forms of accommodation and a limited number of non-residential uses, to serve the needs of the local population, may be permitted in these areas.

The retention of existing structurally sound housing which generally contributes to the character of the area, and the selective redevelopment of other sites will be encouraged. The character of the precinct between Canterbury Terrace and Balmoral Streets, which consists of small cottages on small lots, should be preserved. Any redevelopment in this locality should adhere to strict design constraints governed by the existing scale and character of housing.

Public spaces such as parks, reserves and streets will be used, maintained and enhanced so that they contribute to the pleasant environment of the precinct. Safe and accessible movement for pedestrians, cyclists, public transport and vehicles will continue to be an important aim for the precinct.

EXISTING

NORTH
SCALE 1 : 5,000

RESERVES

Some of the land in this precinct is reserved under the Metropolitan Region Scheme for public purposes and as such, falls within the planning authority of the Ministry for Planning. Other land within this precinct is reserved under the Town Planning Scheme for parks and recreation and for public purposes and therefore the Council retains responsibility for development.

In regard to both the Metropolitan Regional Scheme and Town of Victoria Park Reserves, the Council has the opportunity to comment on and assess development; in this regard the following matters will be taken into account.

The reserves are an integral part of and vital to the residential areas they serve. The areas known as the Kensington Bushland contains recognised areas of remnant natural bush. The Council is currently working with the community to implement appropriate management procedures to ensure its protection. Any redevelopment in regard to the Kent Street Sand Pit shall be in keeping with the scale, character and nature of the surrounding areas.

In all reserves, the land will be used, maintained and enhanced primarily for recreational and/or community purposes. The development of any new buildings within these areas will generally not be permitted unless they are small in bulk and scale and unobtrusive in their setting. On the Kent Street High School site, new development shall be set back from the street and these areas landscaped and extensively planted.

Uses permitted will only be those which are incidental to the recreational and community roles of the reserves. No activity or action will be permitted which destroys the integrity of these reserve areas, including all existing landscape elements.

Note: If the use of the land for a particular purpose is not specifically mentioned in the Zoning Table and cannot be determined as falling within the interpretation of one of the Use Class categories Council may consider it an unlisted (ie discretionary) use requiring that the advertising procedures referred to in clause 28 of the Scheme Text be followed.

DEVELOPMENT STANDARDS

Development shall generally be in accordance with the R-Codes (where applicable) and any relevant planning policy.

In addition, the following standard applies:

Building Height -
 The height of a building on land coded Residential R40 adjoining the Park Centre shall not exceed 6 metres.
 The height of a building on land coded Residential R80 shall not exceed 8.6 metres.

Residential Development -
 In this precinct in the area coded Residential R40 between Leonard Street and McMillan Street, and the area coded Residential R40 bounded by Kent Street, Berwick Street, Basinghall Street, Moorgate Street and Gloucester Street, multiple dwellings are not permitted.

In relation to the land at No. 384 (Lot 3) Berwick Street, East Victoria Park, the following provisions apply to the development of the land:

- i. A Local Development Plan is to be approved by the Town prior to the commencement of any development on the site.
- ii. The site is to be developed with Single Houses and/or Grouped Dwellings, generally consistent with the approved Local Development Plan.
- iii. The maximum building height being three storeys.
- iv. There being no vehicle access onto Carson Street/Baillie Avenue.
- v. Vehicle access to/from Berwick Street is to be the subject of a Traffic Impact and Road Safety Assessment report submitted at the subdivision application, development application or Local Development Plan stage (whichever occurs first).

RESIDENTIAL ZONE

Single housing with some infill development will occupy the majority of this precinct, with small areas of grouped and multiple dwellings. The retention of existing housing, particularly whole street blocks or streetscapes will be encouraged and promoted. Redevelopment shall be consistent with existing style, character and scale of dwellings throughout the precinct.

Predominantly, development shall be in accordance with the standards specified for Residential R20 and R30 under the R-Codes. Areas adjoining Raphael Park Precinct, portions of Albany Highway Precinct, and the Park Centre shopping areas will be permitted to redevelop in accordance with the standard specified for Residential R40 and R60. These densities will service to increase the availability and range of housing types in areas close to the city centre and other facilities such as Curtin University. In the R40 areas around the Park Centre a height limit of two storeys will apply.

Other types of accommodation, and some non-residential uses to serve the day-to-day needs of local residents are appropriate in these localities. Existing local parkland facilities and reserves are also appropriate uses for the residential area. New buildings shall be set back from all boundaries although variations reflecting existing character of development will be permitted. Buildings shall be set in landscaped surrounds and mature trees shall be preserved. Design guidelines will apply throughout the precinct and specific controls will be progressively introduced for pockets of identifiable character housing.

While the effect of traffic should be minimised through appropriate design measures, all development shall face the street in the traditional manner.

Priority will be given to ensuring new development, particularly infill and development at higher densities, does not result in the undue loss of privacy or amenity for existing residents.

USE OF LAND

As indicated in the Zoning Table in the Scheme Text and outlined below for a Residential Zone

Use Class	Zone	Residential
Consulting Rooms, Day Care Centre	1.	AA
Convenience Store, Service Station		X
Educational Establishment, Place of Worship		AA
Fast Food Outlet, Restaurant		X
General Industry, Transport Depot		X
Hazardous Industry, Noxious Industry		X
Home Occupation		AA
Home Office		P
Hospital, Nursing Home, Residential Building		AA
Hotel, Motel, Tavern		X
Light Industry		X
Liquor Store - Small		X
Liquor Store - Large		X
Lodging House, Serviced Apartment		AA
Massage Rooms		X
Motor vehicles and Marine Sales Premises		X
Open Air Sales and Display		X
Nightclub		X
Office		X
Restricted Premises		X
Service Industry		X
Shop		X
Showroom		X
Single House, Group Dwelling, Aged or Dependent Persons' Dwelling, Multiple Dwelling		p1
Warehouse		X

Footnote:

1. Multiple Dwellings are only permitted in areas coded R40 and above, and in addition are subject to clause 22 of the Scheme Text - Special Application of the R-Codes.

The symbols used in the cross reference in the Zoning Table have the following meanings:

"P" (Permitted Use): means that the use is permitted by the Scheme.

"AA" (Discretionary Use): means that the use is not permitted unless the Council has granted planning approval.

"X" (Prohibited Use): means a use that is not permitted by the Scheme.

LOCAL CENTRE ZONE

ETWELL STREET AND BERWICK STREET SHOPS

These centres offering services for the day-to-day needs of the local population can be further consolidated. Uses such as local shops, consulting rooms, child care facilities and restaurants are appropriate in these areas.

Any new development should be of a height and scale similar to existing buildings in the shopping areas and the nearby locality. Buildings shall be constructed up to the street and be provided with continuous shopfronts and weather protection over the footpath for pedestrians.

Careful control will be exercised over the nature of any proposed new uses, their design and layout to ensure the amenity of adjacent residential uses is maintained. Local centre development will not be permitted to occur outside the designated boundaries of the shopping areas. Additionally, adequate parking is to be available to ensure that retail traffic does not encroach into the residential areas, although on-site parking requirements may be waived by the Council where uses are to serve the local population, and are unlikely to require prolonged stopovers by customers. Where provided, new parking areas and access points shall be combined with existing facilities. Access from new parking areas will not be permitted directly onto Berwick Street.

USE OF LAND

As indicated in the Zoning Table in the Scheme Text and outlined below for a Local Centre Zone.

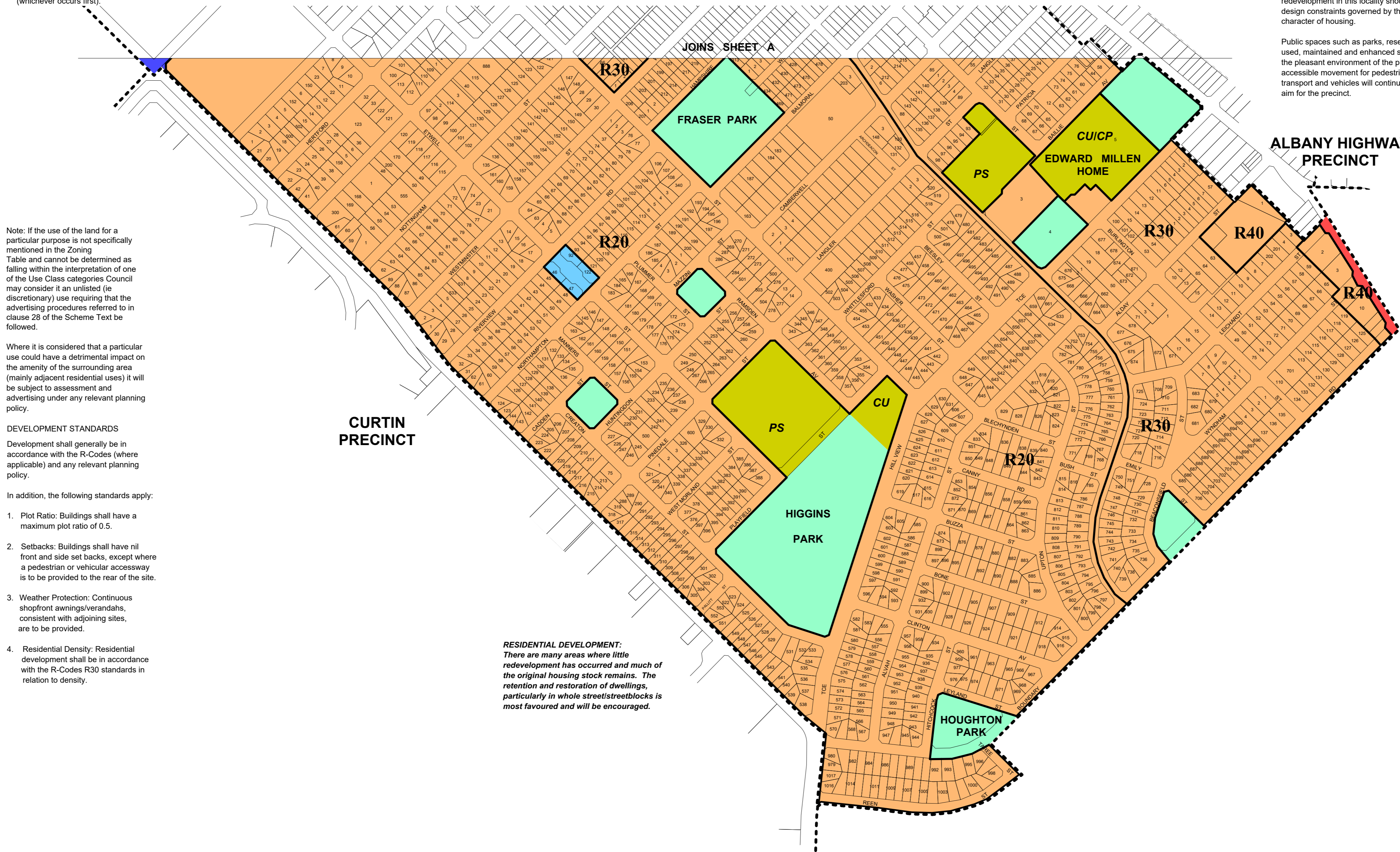
Use Class	Zone	Local Centre
Consulting Rooms, Day Care Centre	4.	P
Convenience Store, Service Station		AA
Educational Establishment, Place of Worship		P
Fast Food Outlet, Restaurant		P
General Industry, Transport Depot		X
Hazardous Industry, Noxious Industry		X
Home Occupation		AA
Home Office		P
Hospital, Nursing Home, Residential Building		AA
Hotel, Motel, Tavern		X
Light Industry		X
Liquor Store - Small		P
Liquor Store - Large		X
Lodging House, Serviced Apartment		AA
Massage Rooms		X
Motor vehicles and Marine Sales Premises		X
Open Air Sales and Display		X
Nightclub		X
Office		P
Restricted Premises		X
Service Industry		AA
Shop		P
Showroom		X
Single House, Group Dwelling, Aged or Dependent Persons' Dwelling, Multiple Dwelling		AA
Warehouse		X

The symbols used in the cross reference in the Zoning Table have the following meanings:

"P" (Permitted Use): means that the use is permitted by the Scheme.

"AA" (Discretionary Use): means that the use is not permitted unless the Council has granted planning approval.

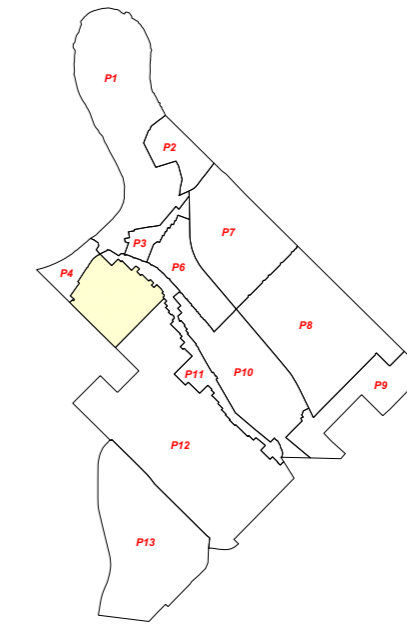
"X" (Prohibited Use): means a use that is not permitted by the Scheme.



RESIDENTIAL DEVELOPMENT:
 There are many areas where little redevelopment has occurred and much of the original housing stock remains. The retention and restoration of dwellings, particularly in whole street/streetblocks is most favoured and will be encouraged.

PROPOSED

PRECINCT PLAN P5



LEGEND

Precinct Boundary

TOWN OF VICTORIA PARK SCHEME RESERVES

Parks and Recreation

Public Purposes

PS Primary School

TOWN OF VICTORIA PARK SCHEME ZONES

Residential

NOTE:

Residential Planning Code

LAND USE AND DEVELOPMENT CONTROLS

Character Retention Area - refer to Clause 25AC and Schedule E of the Scheme Text

STATEMENT OF INTENT

The Raphael Precinct shall remain as a residential precinct containing many fine examples of houses from past eras.

The precinct is and should remain a low to medium density housing area for the larger part. Infill development and the redevelopment of corner lots may be appropriate, although not to the detriment of the existing character of the area and of the existing quality housing stock.

Higher densities, allowing multiple units and grouped housing are permitted in selected areas of the precinct.

Further non-residential uses will only be permitted where they are small in scale, maintain the residential character and provide for day to day local needs.

The precinct should remain a visually attractive area and have a pleasant atmosphere characterised by low to medium scale architecture, buildings facing the street in the traditional manner and set in landscaped surrounds. The retention of structurally sound original houses and healthy mature trees will be a priority in order to maintain the existing residential character and streetscapes.

Streets within the precinct will be enhanced and maintained so that they contribute to its pleasant environment. In particular, Council will endeavour to discourage the movement of commercial traffic into residential streets from main roads adjacent to the precinct. Safe, accessible movement for pedestrians, cyclists, public transport and private vehicles is an important aim for the precinct.

HOW IT WORKS

This Precinct Plan describes the Council's town planning intentions for this precinct. It contains a Statement of Intent which applies to the whole Precinct and several other statements which apply to specific areas within the Precinct. These statements summarise the kind of future that is seen to be appropriate for the precinct.

In this Precinct Plan you will also find information about the purposes for which land may be used and guidelines for the development of land and buildings.

This Precinct Plan should be read together with: -

1. Planning policies which contain guidelines for the development and use of land which apply to more than one precinct. References are given in this Precinct Plan to those policies. They are published as a separate booklet.
2. The Scheme Text which contains legal and administrative provisions regarding the use and development of land.

In order to determine how a particular lot is affected by the above, you will need to refer to that lot on the map and the related text in this Precinct Plan. Where a property is located on or near the Precinct boundary it may also be necessary to consult the neighbouring Precinct's. It should also be noted that from time to time, the Town Planning Scheme may be subject to amendments.

You are reminded that before land and buildings can be developed or used for another purpose it will probably be necessary to make a planning application and receive approval from the Council.

Enquiries concerning this Precinct Plan or general planning matters should be directed to the Council's Planning Department.

ADOPTION

Adopted by resolution of the Council of the Town of Victoria Park at the Ordinary Council Meeting of the Council held on the 15th day of September 2020.

MAYOR

CHIEF EXECUTIVE OFFICER

FINAL ADOPTION

Adopted for final approval by resolution of the Council of the Town of Victoria Park at the Ordinary Meeting of the Council held on the _____ and the seal of the Municipality was pursuant to that resolution, hereunto affixed in the presence of:

MAYOR

CHIEF EXECUTIVE OFFICER

RECOMMENDED FOR FINAL APPROVAL

Delegated under s.16 of PD Act 2005

Date _____

FINAL APPROVAL GRANTED

MINISTER FOR PLANNING

Date _____

RESIDENTIAL ZONE

Single houses with some infill housing will occupy a large portion of this precinct, in line with the Residential Planning Code R30 standards. The retention of original housing and the promotion of selective sensitive redevelopment consistent with existing style, scale and character will consolidate the area as to a low to medium density neighbourhood.

In selected areas (indicated on the Precinct Map) redevelopment will be permitted in accordance with the R60 and R80 standards; permitting single houses as well as grouped and multiple dwellings at a higher density.

The application of the Residential Planning Codes and design and development guidelines shall ensure new buildings in the lower density areas reflect the existing traditional characteristics of the precinct. Buildings are to be set back from all boundaries and surrounded by landscaped spaces. While the effect of traffic on dwellings fronting roads should be minimised through appropriate design measures, all development shall face the street in the traditional manner.

Priority will be given to ensuring that new development, particularly infill and development at higher densities, does not result in undue loss of privacy or amenity for existing residents.

New development fronting main roads must take vehicular access from a laneway or other street where possible and where residential amenity will not be diminished.

USE OF LAND

As indicated in the Zoning Table in the Scheme Text and outlined below for a Residential Zone:

Use Class	Zone	Residential
Consulting Rooms, Day Care Centre	AA	
Convenience Store, Service Station	X	
Educational Establishment, Place of Worship	AA	
Fast Food Outlet, Restaurant	X	
General Industry, Transport Depot	X	
Hazardous Industry, Noxious Industry	X	
Home Occupation	AA	
Home Office	P	
Hospital, Nursing Home, Residential Building	AA	
Hotel, Motel, Tavern	X	
Light Industry	X	
Liquor Store - Small	X	
Liquor Store - Large	X	
Lodging House, Serviced Apartment	AA	
Massage Rooms	X	
Motor vehicles and Marine Sales Premises	X	
Open Air Sales and Display	X	
Nightclub	X	
Office	X	
Restricted Premises	X	
Shop	X	
Showroom	X	
Single House, Group Dwelling, Aged or Dependent Persons' Dwelling, Multiple Dwelling	P	1
Warehouse	X	

Footnote:

1. Multiple Dwellings are only permitted in areas coded R40 and above, and in addition are subject to clause 22 of the Scheme Text - Special Application of the Residential Planning Codes.

The symbols used in the cross reference in the Zoning Table have the following meanings:

"P" (Permitted Use): means that the use is permitted by the Scheme.

"AA" (Discretionary Use): means that the use is not permitted unless the Council has granted planning approval.

"X" (Prohibited Use): means a use that is not permitted by the Scheme.

Note: If the use of the land for a particular purpose is not specifically mentioned in the Zoning Table and cannot be determined as falling within the interpretation of one of the Use Class categories Council may consider it an unlisted (ie discretionary) use requiring that the advertising procedures referred to in clause 37 of the Scheme Text be followed.

DEVELOPMENT STANDARDS

Development shall generally be in accordance with the Residential Planning Codes and with the relevant planning policies contained in the Town Planning Scheme Policy Manual.

Building Height -

The building height on land bounded by Canning Highway, Gloucester Street, Washington Street and the right-of-way located between Canning Highway and Armagh Street, coded Residential R60, shall not exceed 3 storeys (11.25m).

The building height on land bounded by Canning Highway, Washington Street and Heirison Way, coded Residential R80, shall not exceed 5 storeys (18.75m).

The building height on land bounded by McMaster Street, Berwick Street and Leonard Street shall be as follows:

For lot frontages to Leonard Street:

A significant portion of building, to a maximum height of 3 storeys (11.25m), is to be located between a 4.0m minimum front setback and a maximum 6.0m front setback. Any portion of building above 3 storeys (11.25m) is to be setback a minimum of 12.0m from the front boundary, and shall be a maximum height of 6 storeys (22.5m).

For lot frontages to all streets other than Leonard Street:

A maximum building height of 6 storeys (22.5m) with a minimum front setback of 4.0m.

Where the lot has a boundary to a secondary street the secondary street elevation is to be appropriately articulated.

Development on Lots 14, 15 and 41 Armagh Street to be generally in accordance with the Residential Design Codes and the relevant planning policies contained in the Town Planning Scheme. Development to be in accordance with the development standards for R30, or in the case of where the subject lots are amalgamated into one lot, development to be in accordance with R60 with the following specific standards applying:

1. Building Height
Building height shall be limited to 3 storeys (11.25m), other than any portion of building within 8.0m of the boundary with Lot 42 Armagh Street, for which a maximum building height of 2 storeys (7.5m) applies.

2. Setback
Setback to Berwick Street may be reduced to less than 3.0m where the proposed development is considered to result in a good urban design outcome.

3. Access and Parking
Vehicle access shall not be taken from Berwick Street. All car parking to be screened from view from streets.

POLICY NOTE: Design and development guidelines for residential development in the Raphael Precinct have been adopted by the Council and are included in the Town Planning Scheme Policy Manual.

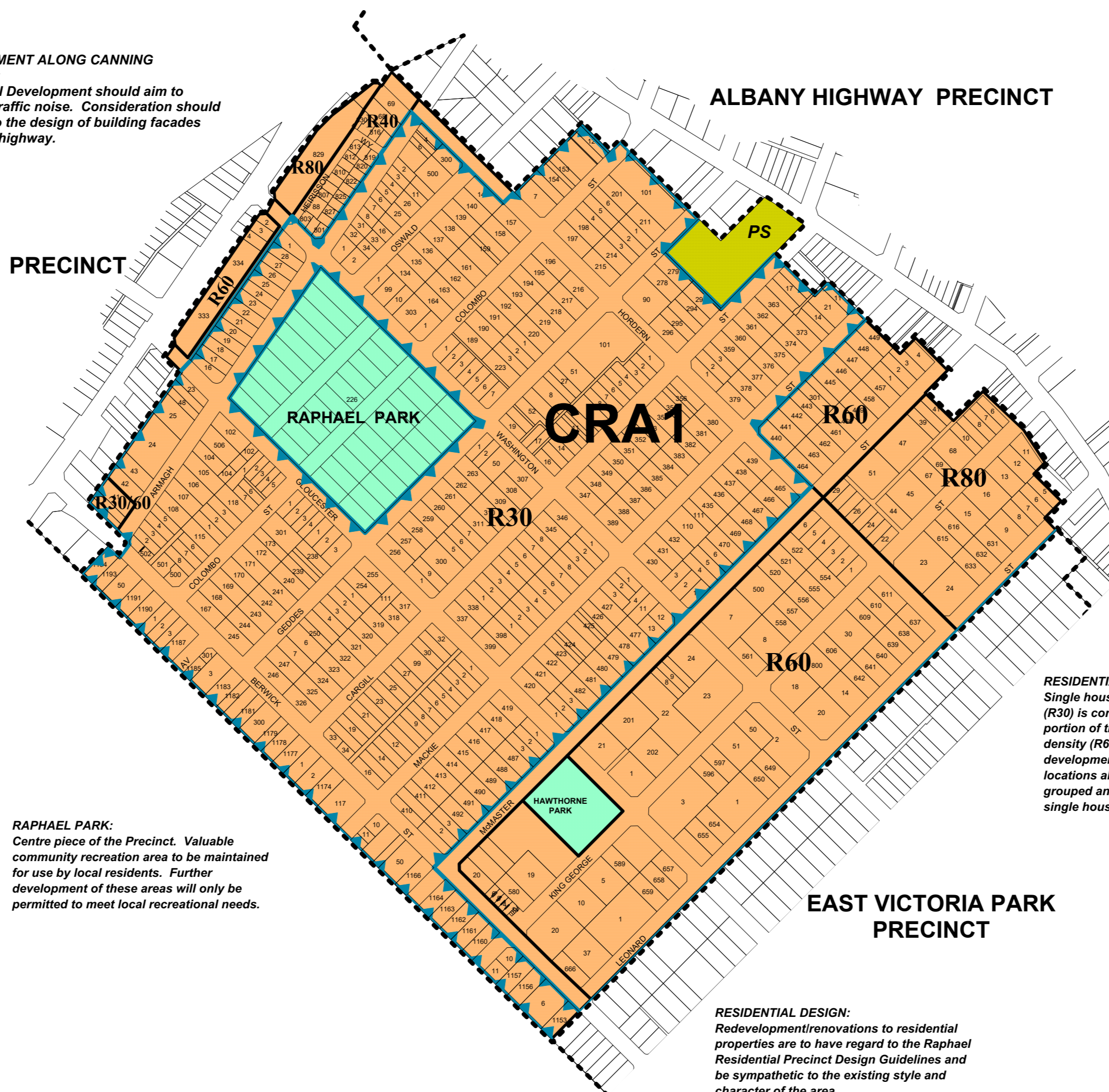
NORTH
SCALE 1 : 5,000

DEVELOPMENT ALONG CANNING HIGHWAY:

Residential Development should aim to minimise traffic noise. Consideration should be given to the design of building facades facing the highway.

MCCALLUM PRECINCT

ALBANY HIGHWAY PRECINCT



RESIDENTIAL DENSITY:
Single housing with some infill development (R30) is considered appropriate for a large portion of the precinct. Medium to high density (R60 and R80) residential development will be permitted in selected locations allowing for the development of grouped and multiple dwellings in addition to single houses.

RESIDENTIAL DESIGN:
Redevelopment/renovations to residential properties are to have regard to the Raphael Residential Precinct Design Guidelines and be sympathetic to the existing style and character of the area.

RAPHAEL PARK:
Centre piece of the Precinct. Valuable community recreation area to be maintained for use by local residents. Further development of these areas will only be permitted to meet local recreational needs.

RESERVES

RAPHAEL PARK and HAWTHORNE PARK
These areas shall continue in their role as recreational parkland for use primarily by local residents.

The land will be used, maintained and enhanced as parklands. The development of any new buildings within these areas will generally not be permitted unless they are small in bulk and scale, unobtrusive in their setting, and only if necessary to meet local recreational needs. No activity or action will be permitted which may destroy the integrity of the recreation areas, including all existing landscape elements, particularly the large Morton Bay Fig Trees in Raphael Park.

RESIDENTIAL ZONE

Single houses and group housing will occupy a large portion of the precinct, in line with the Residential Planning Codes R40 standards. No multiple dwellings will be permitted in these locations.

The area around Clydesdale Street, between Shepperton Road and the railway line will be permitted to redevelop in accordance with the Residential R60 standards; permitting single houses as well as groups and multiple dwellings at medium density. Development should be generally limited in height to 3 storeys, except where otherwise specified.

Child care facilities, schools and recreational areas serving the day-to-day needs of residents may be appropriate additional uses for this residential area. All such uses shall be unobtrusive in scale and not adversely affect the amenity of adjacent residential uses.

The existing schools and the Association for the Blind are acceptable uses within the precinct. Any further expansion or intensification of the uses, however, will not be permitted where it involves significant loss of existing housing or will impinge on the amenity of surrounding residents. Generally, development should be in accordance with planning policy relating to non-residential development in or adjacent to residential areas. Height and scale of any development is to be compatible with existing buildings. New buildings are to be set back from all boundaries and these areas landscaped. Adequate parking and set down areas are to be provided on-site.

With regard to residential development, the retention of existing housing and the promotion of selective and sensitive redevelopment in line with existing style, scale and character is most favoured. New buildings shall be set back from all boundaries and be set in landscaped spaces. While the effect of traffic on dwellings fronting roads should be minimised through appropriate design measures, all development shall face the street in the traditional manner.

Priority will be given to ensuring that new development, particularly infill and development at higher densities, does not result in undue loss of privacy or amenity for existing residents.

The timber products factory presently located in this area is incompatible with the surrounding residential land and its relocation to a more suitable industrial area is encouraged. More appropriate uses for the site would be those indicated in the Zoning Table and outlined below for a Residential Zone such as multiple dwellings, grouped dwellings and various forms of specialised accommodation. Development shall be in accordance with Residential R60 standards. A mixture of accommodation types together with associated non-residential uses could be appropriate. Development should be generally limited in height to 3 storeys, with a maximum of 2 storeys for development fronting Sunbury Road and Gresham Street where development should respect the form and character of existing residential development.

USE OF LAND

As indicated in the Zoning Table in the Scheme Text and outlined below for a Residential Zone:

Use Class	Zone	Residential
	1.	
Consulting Rooms, Day Care Centre	AA	
Convenience Store, Service Station	X	
Educational Establishment, Place of Worship	AA	
Fast Food Outlet, Restaurant	X	
General Industry, Transport Depot	X	
Hazardous Industry, Noxious Industry	X	
Home Occupation	AA	
Home Office	P	
Hospital, Nursing Home, Residential Building	AA	
Hotel, Motel, Tavern	X	
Light Industry	X	
Liquor Store - Small	X	
Liquor Store - Large	X	
Lodging House, Serviced Apartment	AA	
Massage Rooms	X	
Motor vehicles and Marine Sales Premises	X	
Open Air Sales and Display	X	
Nightclub	X	
Office	X	
Restricted Premises	X	
Shop	X	
Showroom	X	
Single House, Group Dwelling, Aged or Dependent Persons' Dwelling, Multiple Dwelling	P ₁	
Warehouse	X	

Footnote:

1. Multiple Dwellings are only permitted in areas coded R40 and above, and in addition are subject to clause 22 of the Scheme Text - Special Application of the Residential Planning Codes.

The symbols used in the cross reference in the Zoning Table have the following meanings:

"R" (Permitted Use): means that the use is permitted by the Scheme.

"AA" (Discretionary Use): means that the use is not permitted unless the Council has granted planning approval.

"X" (Prohibited Use): means a use that is not permitted by the Scheme.

Note: If the use of the land for a particular purpose is not specifically mentioned in the Zoning Table and cannot be determined as falling within the interpretation of one of the Use Class categories Council may consider it an unlisted (ie discretionary) use requiring that the advertising procedures referred to in clause 37 of the Scheme Text be followed.

DEVELOPMENT STANDARDS

Development shall generally be in accordance with the Residential Planning Codes and with the relevant planning policies contained in the Town Planning Scheme Policy Manual.

In addition the following standards apply:

Building Height -

The building height on land bounded by Hampton Street, Teague Street, Clydesdale Street, Kitchener Avenue and Howick Street, coded Residential R60, shall be as follows:

For those lots with a frontage to Clydesdale Street and Kitchener Avenue:

A significant portion of building, to a maximum height of 2 Storeys (7.5m), is to be located between a minimum 6.0m average front setback and a maximum 9.0m average front setback. Any portion of building above 2 storeys (7.5m) is to be setback a minimum of 12.0m from the front boundary, and shall be a maximum height of 4 storeys (15.0m).

For those lots with a frontage to Teague Street:

A maximum building height of 4 storeys (15.0m) with an average front setback of 6.0m or more.

For those lots with a frontage to Hampton Street and Howick Street:

A maximum height of 6 storeys (22.5m) with an average front setback of 6.0m or more.

For lots with frontages to both Hampton Street and Clydesdale Street:

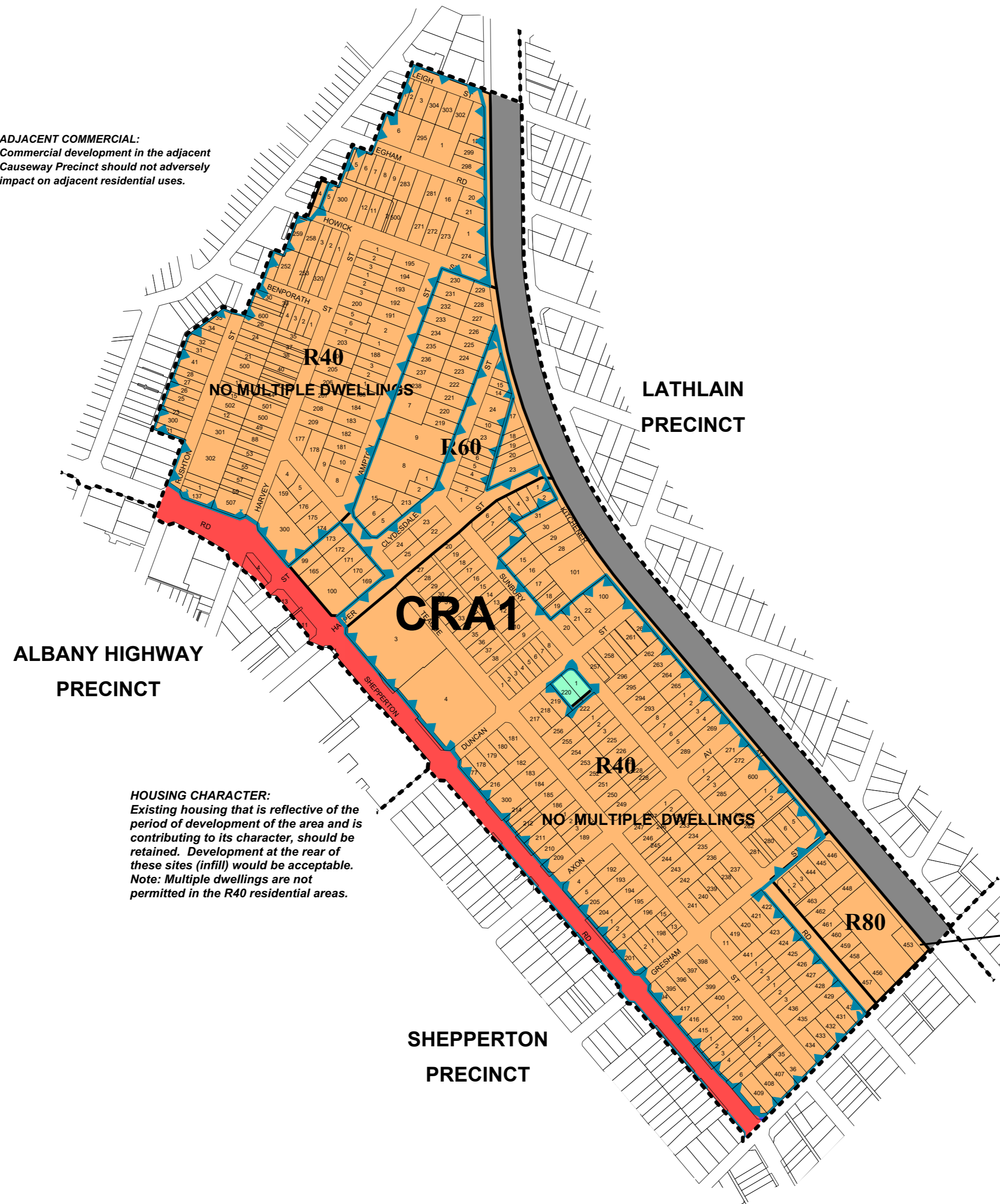
Both street frontages will be considered primary streets and will need to be developed in accordance with their respective building height and setback requirements.

Note: The lot on the corner of Kitchener Avenue and Howick Street is considered to have a Kitchener Avenue frontage for the purposes of building heights and setbacks.

ADJACENT COMMERCIAL:
Commercial development in the adjacent Causeway Precinct should not adversely impact on adjacent residential uses.



SCALE 1 : 5,000



HOUSING CHARACTER:
Existing housing that is reflective of the period of development of the area and is contributing to its character, should be retained. Development at the rear of these sites (infill) would be acceptable. Note: Multiple dwellings are not permitted in the R40 residential areas.

LEGEND

Precinct Boundary

METROPOLITAN REGION SCHEME RESERVES

NOTE: The Western Australian Planning Commission care of the Ministry for Planning should be consulted for full information on the precise land requirements for all Metropolitan Region Scheme Reserves.

- Primary Regional Roads
- Other Regional Roads
- Railways

TOWN OF VICTORIA PARK SCHEME RESERVES

- Parks and Recreation

TOWN OF VICTORIA PARK SCHEME ZONES

- Residential

NOTE:

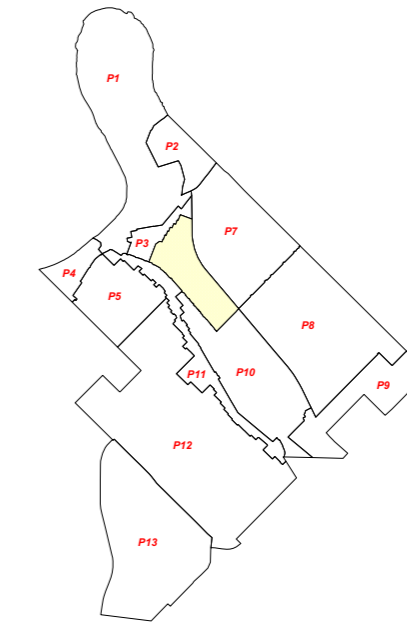
Residential Planning Code

LAND USE AND DEVELOPMENT CONTROLS

Character Retention Area - refer to Clause 25AC and Schedule E of the Scheme Text

NON CONFORMING USE:
Should the industrial use of this land be discontinued, the site may be redeveloped for residential use. The site is appropriate for this purpose; set amongst existing residential land, close to district facilities, the city centre and Lathlain Railway Station.

PRECINCT PLAN P6



HOW IT WORKS

This Precinct Plan describes the Council's town planning intentions for this precinct. It contains a Statement of Intent which applies to the whole Precinct and several other statements which apply to specific areas within the Precinct. These statements summarise the kind of future that is seen to be appropriate for the precinct.

In this Precinct Plan you will also find information about the purposes for which land may be used and guidelines for the development of land and buildings.

This Precinct Plan should be read together with: -

1. Planning policies which contain guidelines for the development and use of land which apply to more than one precinct. References are given in this Precinct Plan to those policies. They are published as a separate booklet.
2. The Scheme Text which contains legal and administrative provisions regarding the use and development of land.

In order to determine how a particular lot is affected by the above, you will need to refer to that lot on the map and the related text in this Precinct Plan. Where a property is located on or near the Precinct boundary it may also be necessary to consult the neighbouring Precinct/s. It should also be noted that from time to time, the Town Planning Scheme may be subject to amendments.

You are reminded that before land and buildings can be developed or used for another purpose it will probably be necessary to make a planning application and receive approval from the Council.

Enquiries concerning this Precinct Plan or general planning matters should be directed to the Council's Planning Department.

ADOPTION

Adopted by resolution of the Council of the Town of Victoria Park at the Ordinary Council Meeting of the Council held on the 15th day of September 2020

MAYOR

CHIEF EXECUTIVE OFFICER

FINAL ADOPTION

Adopted for final approval by resolution of the Council of the Town of Victoria Park at the Ordinary Meeting of the Council held on the _____ and the seal of the Municipality was pursuant to that resolution, hereunto affixed in the presence of:

MAYOR

CHIEF EXECUTIVE OFFICER

RECOMMENDED FOR FINAL APPROVAL

Delegated under s.16 of PD Act 2005

Date _____

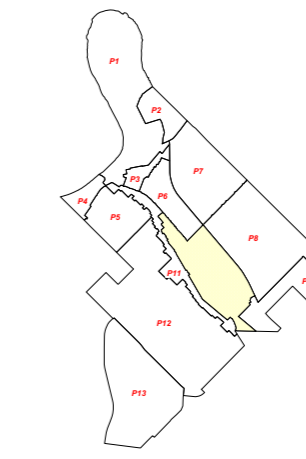
FINAL APPROVAL GRANTED

MINISTER FOR PLANNING

Date _____

PROPOSED

PRECINCT PLAN P10



STATEMENT OF INTENT

The Shepperton Precinct should remain a pleasant, low scale, medium density housing area. Future development should take advantage of the excellent accessibility available to the precinct due to the close proximity to major transportation networks, and to the city.

The area of land identified as Special Uses zone generally bounded by Welshpool Road Forward Street, Swansea Street East, Milford Street and Shepperton Road is to be consolidated as a node of commercial uses and serve as part of the southern "Gateway" to the Town of Victoria Park.

The retention of structurally sound houses and healthy, mature trees is an important aim for the precinct. Selective infill and the development of grouped dwellings is also encouraged. New development is to enhance the existing character of the area and have regard for remaining quality housing stock.

To ensure its cohesion as a residential locality, the only new non-residential activities to be permitted in the area should be those which predominantly function to provide for day-to-day local needs.

The application of residential development standards should ensure a high level of environmental amenity and maintain a pleasant atmosphere characterised by low to medium scale architecture, orientated to the street and set in landscaped surroundings. Development should generally be one to two storeys in height and be in harmony with the scale, character and style of original buildings. Residential development on land facing Shepperton Road is to be designed to minimise the negative affects of traffic noise but must remain visually attractive from and orientated to the road. The environment should be further enhanced by improvements to the public streetscape, involving street tree planting.

The Somerset Pool area is an important recreation focus in the precinct. Any expansion or increase in functions and/or population of the Carlisle Campus of Technical and Further Education shall not cause undue adverse impact on adjacent residential areas or a substantial loss of residential properties.

Safe and accessible movement for people on foot, bicycles, users of public transport and vehicles is an important aim for the precinct. Streets will be enhanced and maintained so that they contribute to its pleasant environment. Council will aim to discourage the movement of unnecessary traffic through the area.

HOW IT WORKS

This Precinct Plan describes the Council's town planning intentions for this precinct. It contains a Statement of Intent which applies to the whole Precinct and several other statements which apply to specific areas within the Precinct. These statements summarise the kind of future that is seen to be appropriate for the precinct.

In this Precinct Plan you will also find information about the purposes for which land may be used and guidelines for the development of land and buildings.

This Precinct Plan should be read together with:-

1. Planning policies which contain guidelines for the development and use of land which apply to more than one precinct. References are given in this Precinct Plan to those policies. They are published as a separate booklet.
2. The Scheme Text which contains legal and administrative provisions regarding the use and development of land.

In order to determine how a particular lot is affected by the above, you will need to refer to that lot on the map and the related text in this Precinct Plan. Where a property is located on or near the Precinct boundary it may also be necessary to consult the neighbouring Precincts. It should also be noted that from time to time, the Town Planning Scheme may be subject to amendments.

You are reminded that before land and buildings can be developed or used for another purpose it will probably be necessary to make a planning application and receive approval from the Council.

Enquiries concerning this Precinct Plan or general planning matters should be directed to the Council's Planning Department.

ADOPTION

Adopted by resolution of the Council of the Town of Victoria Park at the Ordinary Council Meeting of the Council held on the 15th day of September 2020

MAYOR

CHIEF EXECUTIVE OFFICER

FINAL ADOPTION

Adopted for final approval by resolution of the Council of the Town of Victoria Park at the Ordinary Meeting of the Council held on the _____ and the seal of the Municipality was pursuant to that resolution, hereunto affixed in the presence of:

MAYOR

CHIEF EXECUTIVE OFFICER

RECOMMENDED FOR FINAL APPROVAL

Delegated under s.16 of PD Act 2005

Date _____

FINAL APPROVAL GRANTED

MINISTER FOR PLANNING

Date _____

LEGEND

Precinct Boundary

METROPOLITAN REGION SCHEME RESERVES

NOTE: The Western Australian Planning Commission care of the Ministry for Planning should be consulted for full information on the precise land requirements for all Metropolitan Region Scheme Reserves.

- Primary Regional Roads
- Other Regional Roads
- Public Purposes
- Technical School
- Railways

TOWN OF VICTORIA PARK SCHEME RESERVES

- Parks and Recreation
- Public Purposes
- Primary School

TOWN OF VICTORIA PARK SCHEME ZONES

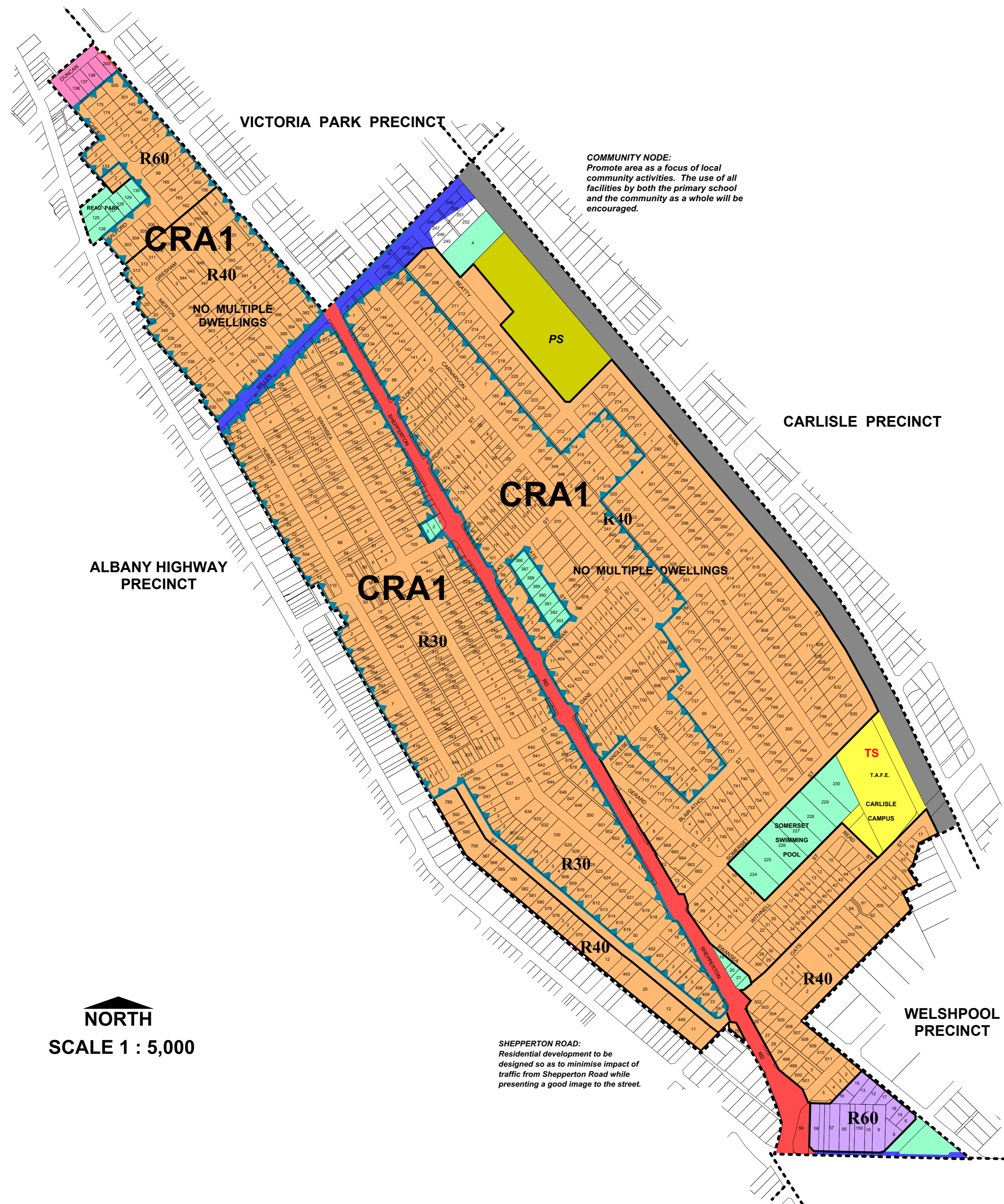
- Residential
- Office/Residential
- Special Use

NOTE:

- Residential Planning Code

LAND USE AND DEVELOPMENT CONTROLS

- Character Retention Area - refer to Clause 25AC and Schedule E of the Scheme Text



COMMUNITY NODE:
Promote area as a focus of local community activities. The use of all facilities by both the primary school and the community as a whole will be encouraged.

SHEPPERTON ROAD:
Residential development to be designed so as to minimise impact of traffic from Shepperton Road while presenting a good image to the street.

NORTH
SCALE 1 : 5,000

RESIDENTIAL ZONE

Single housing with some infill development will occupy the majority of this precinct, with small areas of grouped and multiple dwellings. The retention of existing housing, particularly whole street blocks or streetscapes will be encouraged and promoted. Redevelopment shall be consistent with existing style, character and scale of dwellings throughout the precinct.

Predominantly, development shall be in accordance with the standards specified for Residential R20 and R30 under the Residential Planning Codes. Areas adjoining Raphael Park Precinct, portions of Albany Highway Precinct, and the Park Centre shopping areas will be permitted to redevelop in accordance with the standard specified for Residential R40 and R60. These densities will service to increase the availability and range of housing types in areas close to the city centre and other facilities such as Curtin University. In the R40 areas around the Park Centre a height limit of two storeys will apply.

Other types of accommodation, and some non-residential uses to serve the day-to-day needs of local residents are appropriate to these localities. Existing local parkland facilities and reserves are also appropriate uses for the residential area. New buildings shall be set back from all boundaries although variations reflecting existing character of development will be permitted. Buildings shall be set in landscaped surrounds and mature trees shall be preserved. Design guidelines will apply throughout the precinct and specific controls will be progressively introduced for pockets of identifiable character housing.

While the effect of traffic should be minimised through appropriate design measures, all development shall face the street in the traditional manner.

Priority will be given to ensuring new development, particularly infill and development at higher densities, does not result in the undue loss of privacy or amenity for existing residents.

USE OF LAND

As indicated in the Zoning Table in the Scheme Text and outlined below for a Residential Zone.

SPECIAL USE ZONE

EDUCATIONAL FACILITY GEORGE STREET

Currently this area is used for educational purposes; this is an acceptable use in this location. Any future development or use shall be in keeping with surrounding sites and uses.

USE OF LAND

As indicated in the Zoning Table in the Scheme Text and outlined below for a Special Use Zone

Zone	Special Use
9.	
Use Class	
Consulting Rooms, Day Care Centre	
Convenience Store, Service Station	
Educational Establishment, Place of Worship	
Fast Food Outlet, Restaurant	
General Industry, Transport Depot	
Hazardous Industry, Noxious Industry	
Home Occupation	
Home Office	
Hospital, Nursing Home, Residential Building	
Hotel, Motel, Tavern	
Light Industry	
Lodging House, Serviced Apartment	
Massage Rooms	
Motor vehicles and Marine Sales Premises	
Open Air Sales and Display	
Nightclub	
Office	
Restricted Premises	
Shop	
Showroom	
Single House, Group Dwelling, Aged or Dependent Persons' Dwelling, Multiple Dwelling	
Warehouse	

Educational uses are permitted. Any future development or use shall be in keeping with surrounding sites and uses.

Note: All uses other than that which is nominated above, and those which have a direct association with the nominated use are prohibited uses.

Where it is considered that a particular use could have a detrimental impact on the amenity of the surrounding area (mainly adjacent residential uses) it will be subject to the advertising procedure referred to in the Scheme Text. Policy to this effect is contained in the Town Planning Scheme Policy Manual under the section General Planning Procedures.

Use Class	Zone
	Residential
1.	
Consulting Rooms, Day Care Centre	AA
Convenience Store, Service Station	X
Educational Establishment, Place of Worship	AA
Fast Food Outlet, Restaurant	X
General Industry, Transport Depot	X
Hazardous Industry, Noxious Industry	X
Home Occupation	AA
Home Office	P
Hospital, Nursing Home, Residential Building	AA
Hotel, Motel, Tavern	X
Light Industry	X
Liquor Store - Small	X
Liquor Store - Large	X
Lodging House, Serviced Apartment	AA
Massage Rooms	X
Motor vehicles and Marine Sales Premises	X
Open Air Sales and Display	X
Nightclub	X
Office	X
Restricted Premises	X
Shop	X
Showroom	X
Single House, Group Dwelling, Aged or Dependent Persons' Dwelling, Multiple Dwelling	p1
Warehouse	X

Footnote:

1. Multiple Dwellings are only permitted in areas coded R40 and above, and in addition are subject to clause 22 of the Scheme Text - Special Application of the Residential Planning Codes.

The symbols used in the cross reference in the Zoning Table have the following meanings:

"P" (Permitted Use) means that the use is permitted by the Scheme.

"AA" (Discretionary Use) means that the use is not permitted unless the Council has granted planning approval.

"X" (Prohibited Use) means a use that is not permitted by the Scheme.

PRIVATE CARPARKING

Lot 148 Westminster Street and Lot 149 Westminster Street

P Private carparking required for the use of the premises at Lots 144, 145 and 146 Albany Highway, corner Westminster Street, East Victoria Park.

X All other uses.

CARPARKING / DRAINAGE

The only permitted use of this land is carparking and/or drainage.

RESERVES

Some of the land in this precinct is reserved under the Metropolitan Region Scheme for public purposes and as such, falls within the planning authority of the Ministry for Planning. Other land within this precinct is reserved under the Town Planning Scheme for parks and recreation and for public purposes and therefore the Council retains responsibility for development.

In regard to both the Metropolitan Regional Scheme and Town of Victoria Park Reserves, the Council has the opportunity to comment on and assess development; in this regard the following matters will be taken into account.

The reserves are an integral part of and vital to the residential areas they serve. The areas known as the Kensington Bushland contains recognised areas of remnant natural bush. The Council is currently working with the community to implement appropriate management procedures to ensure its protection. Any redevelopment in regard to the Kent Street Sand Pit shall be in keeping with the scale, character and nature of the surrounding areas.

In all reserves, the land will be used, maintained and enhanced primarily for recreational and/or community purposes. The development of any new buildings within these areas will generally not be permitted unless they are small in bulk and scale and unobtrusive in their setting. On the Kent Street High School site, new development shall be set back from the street and these areas landscaped and extensively planted.

Uses permitted will only be those which are incidental to the recreational and community roles of the reserves. No activity or action will be permitted which destroys the integrity of these reserve areas, including all existing landscape elements.

Note: If the use of the land for a particular purpose is not specifically mentioned in the Zoning Table and cannot be determined as falling within the interpretation of one of the Use Class categories Council may consider it an unlisted (ie discretionary) use requiring that the advertising procedures referred to in clause 37 of the Scheme Text be followed.

DEVELOPMENT STANDARDS

Development shall generally be in accordance with the Residential Planning Codes, and with relevant planning policies contained in the Town Planning Scheme Policy Manual.

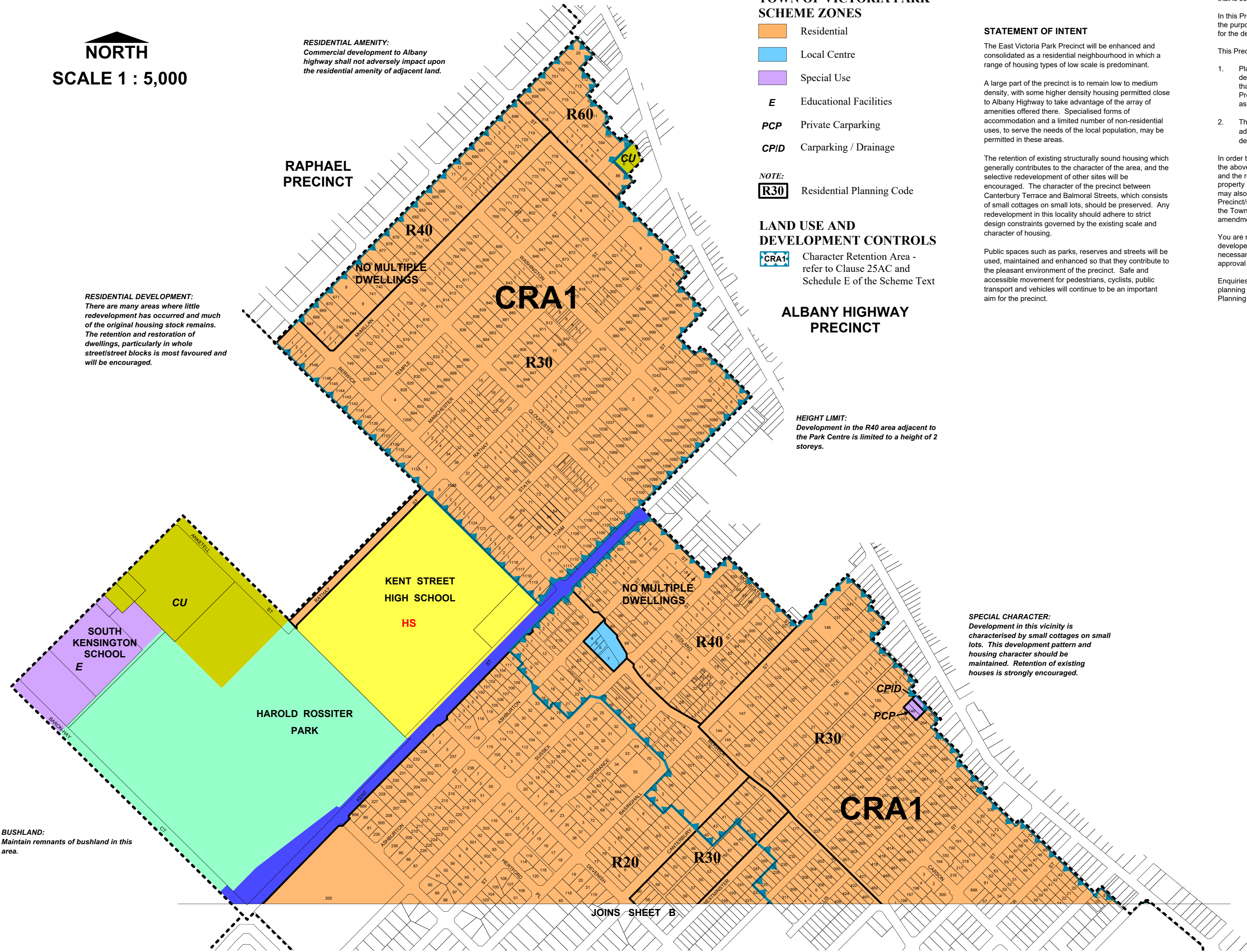
In addition, the following standard applies:

Building Height - The height of a building on land coded Residential R40 adjoining the Park Centre shall not exceed 6 metres. The height of a building on land coded Residential R60 shall not exceed 8.6 metres.

Residential Development - In this precinct in the area coded Residential R40 between Leonard Street and McMillan Street, and the area coded Residential R40 bounded by Kent Street, Berwick Street, Basinghall Street, Moorgate Street and Gloucester Street, multiple dwellings are not permitted.

NORTH
SCALE 1 : 5,000

PROPOSED



RESIDENTIAL AMENITY:
Commercial development to Albany highway shall not adversely impact upon the residential amenity of adjacent land.

RESIDENTIAL DEVELOPMENT:
There are many areas where little redevelopment has occurred and much of the original housing stock remains. The retention and restoration of dwellings, particularly in whole street/street blocks is most favoured and will be encouraged.

HEIGHT LIMIT:
Development in the R40 area adjacent to the Park Centre is limited to a height of 2 storeys.

SPECIAL CHARACTER:
Development in this vicinity is characterised by small cottages on small lots. This development pattern and housing character should be maintained. Retention of existing houses is strongly encouraged.

LEGEND

Precinct Boundary

METROPOLITAN REGION SCHEME RESERVES

NOTE: The Western Australian Planning Commission care of the Ministry for Planning should be consulted for full information on the precise land requirements for all Metropolitan Region Scheme Reserves.

- Other Regional Roads
- Public Purposes
- High School

TOWN OF VICTORIA PARK SCHEME RESERVES

- Parks and Recreation
- Public Purposes
- Civic Use

TOWN OF VICTORIA PARK SCHEME ZONES

- Residential
- Local Centre
- Special Use
- Educational Facilities
- Private Carparking
- Carparking / Drainage

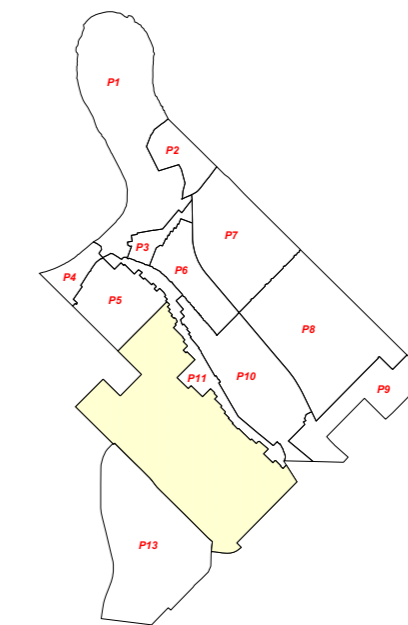
NOTE:
 Residential Planning Code

LAND USE AND DEVELOPMENT CONTROLS

Character Retention Area - refer to Clause 25AC and Schedule E of the Scheme Text

ALBANY HIGHWAY PRECINCT

PRECINCT PLAN P12 SHEET A



HOW IT WORKS

This Precinct Plan describes the Council's town planning intentions for this precinct. It contains a Statement of Intent which applies to the whole Precinct and several other statements which apply to specific areas within the Precinct. These statements summarise the kind of future that is seen to be appropriate for the precinct.

In this Precinct Plan you will also find information about the purposes for which land may be used and guidelines for the development of land and buildings.

This Precinct Plan should be read together with: -

1. Planning policies which contain guidelines for the development and use of land which apply to more than one precinct. References are given in this Precinct Plan to those policies. They are published as a separate booklet.
2. The Scheme Text which contains legal and administrative provisions regarding the use and development of land.

In order to determine how a particular lot is affected by the above, you will need to refer to that lot on the map and the related text in this Precinct Plan. Where a property is located on or near the Precinct boundary it may also be necessary to consult the neighbouring Precinct/s. It should also be noted that from time to time, the Town Planning Scheme may be subject to amendments.

You are reminded that before land and buildings can be developed or used for another purpose it will probably be necessary to make a planning application and receive approval from the Council.

Enquiries concerning this Precinct Plan or general planning matters should be directed to the Council's Planning Department.

ADOPTION

Adopted by resolution of the Council of the Town of Victoria Park at the Ordinary Council Meeting of the Council held on the 15th day of September 2020.

MAYOR

CHIEF EXECUTIVE OFFICER

FINAL ADOPTION

Adopted for final approval by resolution of the Council of the Town of Victoria Park at the Ordinary Meeting of the Council held on the _____ and the seal of the Municipality was pursuant to that resolution, hereunto affixed in the presence of:

MAYOR

CHIEF EXECUTIVE OFFICER

RECOMMENDED FOR FINAL APPROVAL

Delegated under s.16 of PD Act 2005

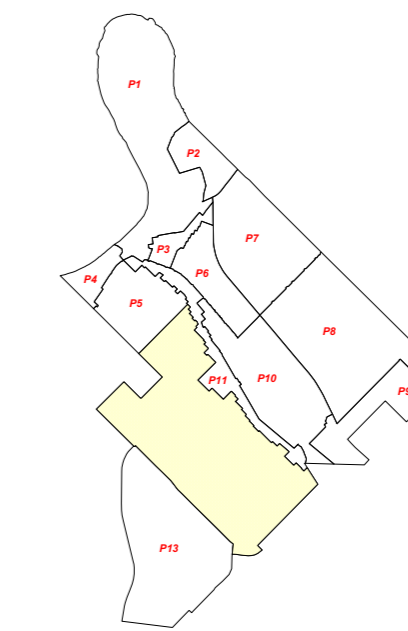
Date _____

FINAL APPROVAL GRANTED

MINISTER FOR PLANNING

Date _____

PRECINCT PLAN P12
SHEET B



HOW IT WORKS
 This Precinct Plan describes the Council's town planning intentions for this precinct. It contains a Statement of Intent which applies to the whole Precinct and several other statements which apply to specific areas within the Precinct. These statements summarise the kind of future that is seen to be appropriate for the precinct.

In this Precinct Plan you will also find information about the purposes for which land may be used and guidelines for the development of land and buildings.

This Precinct Plan should be read together with: -

1. Planning policies which contain guidelines for the development and use of land which apply to more than one precinct. References are given in this Precinct Plan to those policies. They are published as a separate booklet.
2. The Scheme Text which contains legal and administrative provisions regarding the use and development of land.

In order to determine how a particular lot is affected by the above, you will need to refer to that lot on the map and the related text in this Precinct Plan. Where a property is located on or near the Precinct boundary it may also be necessary to consult the neighbouring Precincts. It should also be noted that from time to time, the Town Planning Scheme may be subject to amendments.

You are reminded that before land and buildings can be developed or used for another purpose it will probably be necessary to make a planning application and receive approval from the Council.

Enquiries concerning this Precinct Plan or general planning matters should be directed to the Council's Planning Department.

ADOPTION
 Adopted by resolution of the Council of the Town of Victoria Park at the Ordinary Council Meeting of the Council held on the 15th day of September 2020

MAYOR

CHIEF EXECUTIVE OFFICER

FINAL ADOPTION
 Adopted for final approval by resolution of the Council of the Town of Victoria Park at the Ordinary Meeting of the Council held on the _____ and the seal of the Municipality was pursuant to that resolution, hereunto affixed in the presence of:

MAYOR

CHIEF EXECUTIVE OFFICER

RECOMMENDED FOR FINAL APPROVAL

Delegated under s.16 of PD Act 2005

Date _____

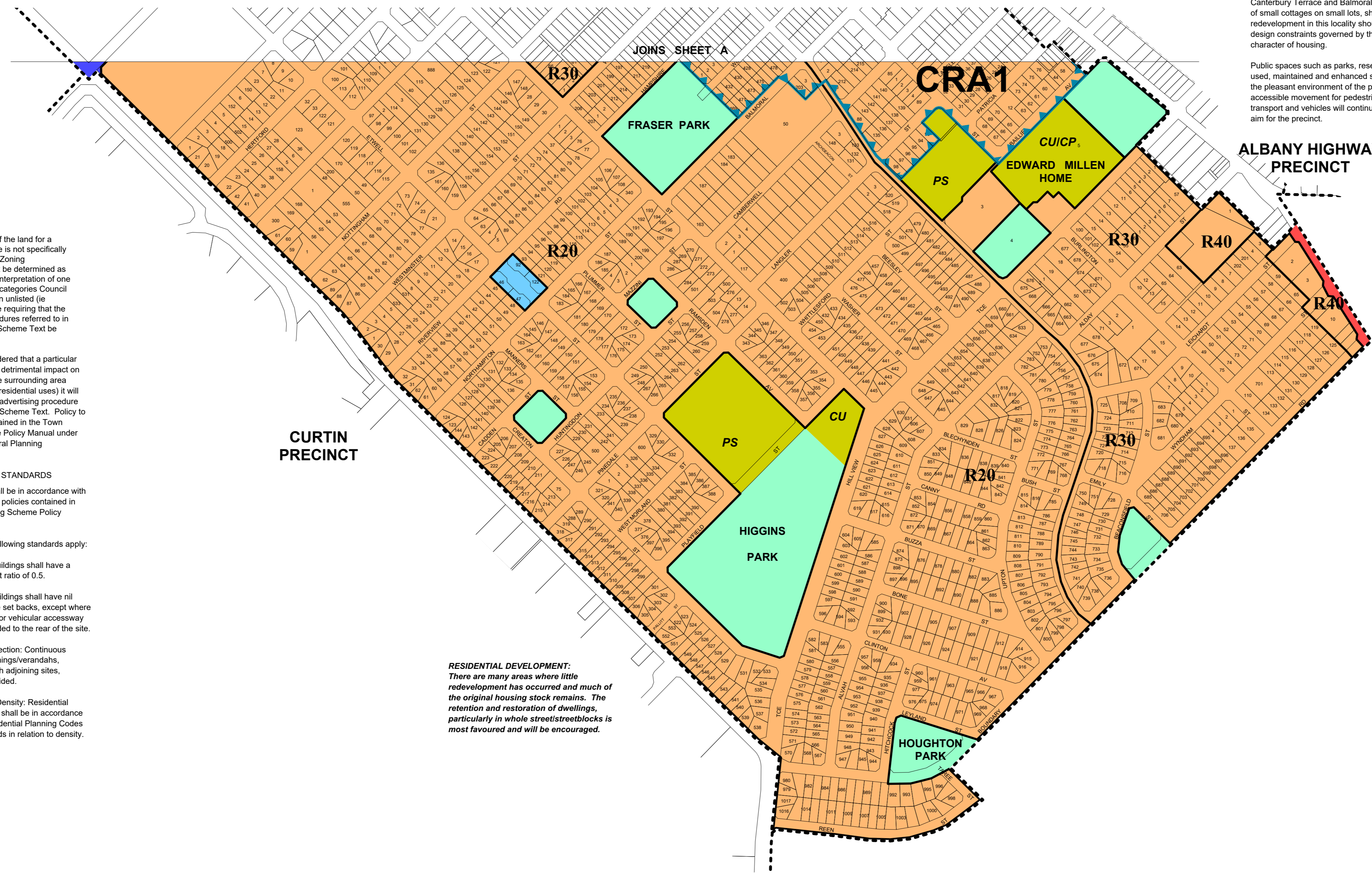
FINAL APPROVAL GRANTED

MINISTER FOR PLANNING

Date _____

PROPOSED

NORTH
SCALE 1 : 5,000



RESIDENTIAL DEVELOPMENT:
 There are many areas where little redevelopment has occurred and much of the original housing stock remains. The retention and restoration of dwellings, particularly in whole street/streetblocks is most favoured and will be encouraged.

RESIDENTIAL ZONE

Single housing with some infill development will occupy the majority of this precinct, with small areas of grouped and multiple dwellings. The retention of existing housing, particularly whole street blocks or streetscapes will be encouraged and promoted. Redevelopment shall be consistent with existing style, character and scale of dwellings throughout the precinct.

Predominantly, development shall be in accordance with the standards specified for Residential R20 and R30 under the Residential Planning Codes. Areas adjoining Raphael Park Precinct, portions of Albany Highway Precinct, and the Park Centre shopping areas will be permitted to redevelop in accordance with the standard specified for Residential R40 and R60. These densities will service to increase the availability and range of housing types in areas close to the city centre and other facilities such as Curtin University. In the R40 areas around the Park Centre a height limit of two storeys will apply.

Other types of accommodation, and some non-residential uses to serve the day-to-day needs of local residents are appropriate in these localities. Existing local parkland facilities and reserves are also appropriate uses for the residential area. New buildings shall be set back from all boundaries although variations reflecting existing character of development will be permitted. Buildings shall be set in landscaped surrounds and mature trees shall be preserved. Design guidelines will apply throughout the precinct and specific controls will be progressively introduced for pockets of identifiable character housing.

While the effect of traffic should be minimised through appropriate design measures, all development shall face the street in the traditional manner.

Priority will be given to ensuring new development, particularly infill and development at higher densities, does not result in the undue loss of privacy or amenity for existing residents.

USE OF LAND

As indicated in the Zoning Table in the Scheme Text and outlined below for a Residential Zone

Use Class	Zone	Residential
Consulting Rooms, Day Care Centre	AA	X
Convenience Store, Service Station	AA	X
Educational Establishment, Place of Worship	AA	X
Fast Food Outlet, Restaurant	X	X
General Industry, Transport Depot	X	X
Hazardous Industry, Noxious Industry	X	X
Home Occupation	AA	X
Home Office	P	X
Hospital, Nursing Home, Residential Building	AA	X
Hotel, Motel, Tavern	X	X
Light Industry	X	X
Liquor Store - Small	X	X
Liquor Store - Large	X	X
Lodging House, Serviced Apartment	AA	X
Massage Rooms	X	X
Motor vehicles and Marine Sales Premises	X	X
Open Air Sales and Display	X	X
Nightclub	X	X
Office	X	X
Restricted Premises	X	X
Shop	X	X
Showroom	X	X
Single House, Group Dwelling, Aged or Dependent Persons' Dwelling, Multiple Dwelling	P1	X
Warehouse	X	X

Footnote:

1. Multiple Dwellings are only permitted in areas coded R40 and above, and in addition are subject to clause 22 of the Scheme Text - Special Application of the Residential Planning Codes.

The symbols used in the cross reference in the Zoning Table have the following meanings:

"P" (Permitted Use): means that the use is permitted by the Scheme.

"AA" (Discretionary Use): means that the use is not permitted unless the Council has granted planning approval.

"X" (Prohibited Use): means a use that is not permitted by the Scheme.

LOCAL CENTRE ZONE

ETWELL STREET AND BERWICK STREET SHOPS

These centres offering services for the day-to-day needs of the local population can be further consolidated. Uses such as local shops, consulting rooms, child care facilities and restaurants are appropriate in these areas.

Any new development should be of a height and scale similar to existing buildings in the shopping areas and the nearby locality. Buildings shall be constructed up to the street and be provided with continuous shopfronts and weather protection over the footpath for pedestrians.

Careful control will be exercised over the nature of any proposed new uses, their design and layout to ensure the amenity of adjacent residential uses is maintained. Local centre development will not be permitted to occur outside the designated boundaries of the shopping areas. Additionally, adequate parking is to be available to ensure that retail traffic does not encroach into the residential areas, although on-site parking requirements may be waived by the Council where uses are to serve the local population, and are unlikely to require prolonged stopovers by customers. Where provided, new parking areas and access points shall be combined with existing facilities. Access from new parking areas will not be permitted directly onto Berwick Street.

USE OF LAND

As indicated in the Zoning Table in the Scheme Text and outlined below for a Local Centre Zone.

Use Class	Zone	Local Centre
Consulting Rooms, Day Care Centre	P	X
Convenience Store, Service Station	AA	X
Educational Establishment, Place of Worship	P	X
Fast Food Outlet, Restaurant	P	X
General Industry, Transport Depot	X	X
Hazardous Industry, Noxious Industry	X	X
Home Occupation	AA	X
Home Office	P	X
Hospital, Nursing Home, Residential Building	AA	X
Hotel, Motel, Tavern	X	X
Light Industry	X	X
Liquor Store - Small	P	X
Liquor Store - Large	X	X
Lodging House, Serviced Apartment	AA	X
Massage Rooms	X	X
Motor vehicles and Marine Sales Premises	X	X
Open Air Sales and Display	X	X
Nightclub	X	X
Office	P	X
Restricted Premises	X	X
Shop	P	X
Showroom	X	X
Single House, Group Dwelling, Aged or Dependent Persons' Dwelling, Multiple Dwelling	AA	X
Warehouse	X	X

The symbols used in the cross reference in the Zoning Table have the following meanings:

"P" (Permitted Use): means that the use is permitted by the Scheme.

"AA" (Discretionary Use): means that the use is not permitted unless the Council has granted planning approval.

"X" (Prohibited Use): means a use that is not permitted by the Scheme.

RESERVES

Some of the land in this precinct is reserved under the Metropolitan Region Scheme for public purposes and as such, falls within the planning authority of the Ministry for Planning. Other land within this precinct is reserved under the Town Planning Scheme for parks and recreation and for public purposes and therefore the Council retains responsibility for development.

In regard to both the Metropolitan Regional Scheme and Town of Victoria Park Reserves, the Council has the opportunity to comment on and assess development; in this regard the following matters will be taken into account.

The reserves are an integral part of and vital to the residential areas they serve. The areas known as the Kensington Bushland contains recognised areas of remnant natural bush. The Council is currently working with the community to implement appropriate management procedures to ensure its protection. Any redevelopment in regard to the Kent Street Sand Pit shall be in keeping with the scale, character and nature of the surrounding areas.

In all reserves, the land will be used, maintained and enhanced primarily for recreational and/or community purposes. The development of any new buildings within these areas will generally not be permitted unless they are small in bulk and scale and unobtrusive in their setting. On the Kent Street High School site, new development shall be set back from the street and these areas landscaped and extensively planted.

Uses permitted will only be those which are incidental to the recreational and community roles of the reserves. No activity or action will be permitted which destroys the integrity of these reserve areas, including all existing landscape elements.

Note: If the use of the land for a particular purpose is not specifically mentioned in the Zoning Table and cannot be determined as falling within the interpretation of one of the Use Class categories Council may consider it an unlisted (ie discretionary) use requiring that the advertising procedures referred to in clause 37 of the Scheme Text be followed.

DEVELOPMENT STANDARDS

Development shall generally be in accordance with the Residential Planning Codes, and with relevant planning policies contained in the Town Planning Scheme Policy Manual.

In addition, the following standard applies:

Building Height -
 The height of a building on land coded Residential R40 adjoining the Park Centre shall not exceed 6 metres.
 The height of a building on land coded Residential R60 shall not exceed 8.6 metres.

Residential Development -
 In this precinct in the area coded Residential R40 between Leonard Street and McMillan Street, and the area coded Residential R40 bounded by Kent Street, Berwick Street, Basinghall Street, Moorgate Street and Gloucester Street, multiple dwellings are not permitted.

Residential Development -
 In this precinct in the area coded Residential R40 between Leonard Street and McMillan Street, and the area coded Residential R40 bounded by Kent Street, Berwick Street, Basinghall Street, Moorgate Street and Gloucester Street, multiple dwellings are not permitted.

Residential Development -
 In this precinct in the area coded Residential R40 between Leonard Street and McMillan Street, and the area coded Residential R40 bounded by Kent Street, Berwick Street, Basinghall Street, Moorgate Street and Gloucester Street, multiple dwellings are not permitted.

Residential Development -
 In this precinct in the area coded Residential R40 between Leonard Street and McMillan Street, and the area coded Residential R40 bounded by Kent Street, Berwick Street, Basinghall Street, Moorgate Street and Gloucester Street, multiple dwellings are not permitted.

Residential Development -
 In this precinct in the area coded Residential R40 between Leonard Street and McMillan Street, and the area coded Residential R40 bounded by Kent Street, Berwick Street, Basinghall Street, Moorgate Street and Gloucester Street, multiple dwellings are not permitted.

Note: If the use of the land for a particular purpose is not specifically mentioned in the Zoning Table and cannot be determined as falling within the interpretation of one of the Use Class categories Council may consider it an unlisted (ie discretionary) use requiring that the advertising procedures referred to in clause 37 of the Scheme Text be followed.

Where it is considered that a particular use could have a detrimental impact on the amenity of the surrounding area (mainly adjacent residential uses) it will be subject to the advertising procedure referred to in the Scheme Text. Policy to this effect is contained in the Town Planning Scheme Policy Manual under the section General Planning Procedures.

DEVELOPMENT STANDARDS

Development shall be in accordance with relevant planning policies contained in the Town Planning Scheme Policy Manual.

In addition, the following standards apply:

1. Plot Ratio: Buildings shall have a maximum plot ratio of 0.5.
2. Setbacks: Buildings shall have nil front and side set backs, except where a pedestrian or vehicular accessway is to be provided to the rear of the site.
3. Weather Protection: Continuous shopfront awnings/verandahs, consistent with adjoining sites, are to be provided.
4. Residential Density: Residential development shall be in accordance with the Residential Planning Codes R30 standards in relation to density.

COUNCIL ADOPTION

This Complex Amendment was adopted by resolution of the Council of the Town of Victoria Park at the Ordinary Meeting of the Council held on the 15th day of September, 2020.

.....

MAYOR/SHIRE PRESIDENT

.....

CHIEF EXECUTIVE OFFICER

COUNCIL RESOLUTION TO ADVERTISE

by resolution of the Council of the Town of Victoria Park at the Ordinary Meeting of the Council held on the 15th day of September, 2020, proceed to advertise this Amendment.

.....

MAYOR/SHIRE PRESIDENT

.....

CHIEF EXECUTIVE OFFICER

COUNCIL RECOMMENDATION

This Amendment is recommended _____ by resolution of the _____ at the _____ Meeting of the Council held on the _____ day of _____, 20____ and the Common Seal of the _____ was hereunto affixed by the authority of a resolution of the Council in the presence of:

.....

MAYOR/SHIRE PRESIDENT

.....

CHIEF EXECUTIVE OFFICER

WAPC ENDORSEMENT (r.63)

.....

**DELEGATED UNDER S.16 OF
THE P&D ACT 2005**

DATE.....

APPROVAL GRANTED

.....

MINISTER FOR PLANNING

DATE.....