

**City of Perth**



**Minor Town/Local Planning Schemes**

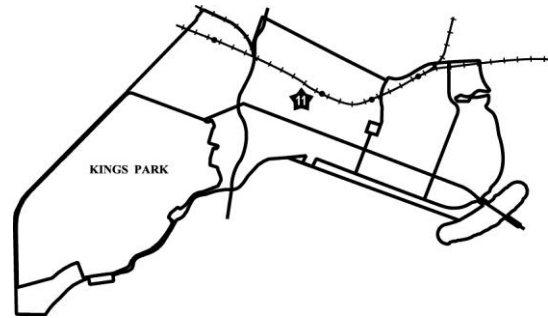
# **Town Planning Scheme No. 11 - Wesley Trust**



<b>Version #</b>	<b>Decision Reference</b>	<b>Synopsis</b>
1	24 December 1974	Gazetted
2	22 February 2005	Amended
3	24 February 2017	Amended

## Scheme Text

The local government, under and by virtue of the powers conferred upon it in that behalf by the Town Planning and Development Act, 1928 (as amended), and the Metropolitan Region Town Planning Scheme Act, 1959 (as amended), hereby makes the following Town Planning Scheme for the purpose of-



- (a) enabling the comprehensive redevelopment of the land within the Scheme area;
- (b) controlling the development of the land within the Scheme area;
- (c) other matters authorised by the enabling Act.

## Part I - Preliminary

- 1.1 This Town Planning Scheme may be cited as the City of Perth Town Planning Scheme No. 11 (hereinafter called “the Scheme”).
- 1.2 The Scheme shall come into operation on the publication of notice of the Minister’s final approval thereof in the *Government Gazette*, which date is hereinafter referred to as “the commencement date”.
- 1.3 The Scheme shall apply to the Scheme Area that comprises the land shown within the broken black line on the Scheme Map.
- 1.4 The Scheme is complementary to and is not a substitute for the Region Planning Scheme and the provisions of the Region Planning Scheme as amended from time to time shall continue to have effect.
- 1.5 The responsible authority for carrying out the Scheme is the local government.
- 1.6 The Scheme comprises:
  - (a) this Scheme text which is divided into the following parts:
    - (i) Part I – Preliminary;
    - (ii) Part II – Existing Use;
    - (iii) Part III – Development; and
  - (b) the Scheme Map which consists of:
    - (i) a map showing the Scheme Area and existing land uses;
    - (ii) a map showing the proposed subdivision of the Scheme Area, the Wesley Trust Area and the Travel Centre Area; and
    - (iii) a map showing the location of the church known as the Wesley Church and the area to be retained as open space.
  - (c) the Deemed Provisions.



- 1.7 To the extent of any inconsistency between provisions of the Scheme and the City of Perth City Planning Scheme, the provisions of the Scheme shall prevail.

## Part II - Existing Uses

- 2.1 Any land or building or part of a building within the Scheme Area may continue to be used for the purpose for which it was used prior to this Scheme coming into operation or may be used for any other purpose for which land within the City Centre Area within the St. Georges Precinct under the City of Perth City Planning Scheme may be used, provided such building or part thereof, if so used for any such other purpose, complies with the provisions of the City of Perth City Planning Scheme relating to such use.

## Part III - Development.

- 3.1 (a) In this clause:

“Floor area of a building” has the same meaning as given to that expression in the City of Perth City Planning Scheme;

“Permissible plot ratio” means the plot ratio fixed by the City of Perth City Planning Scheme for development within the Scheme Area.

- (b) The floor area of a building of any building hereafter erected within the Wesley Trust Area shall be such that, when combined with the floor area of a building of all other buildings erected within that Area and pursuant to this Scheme, the ratio which such total bears to the area of the Wesley Trust Area does not exceed the permissible plot ratio.
- (c) The floor area of a building of any building hereafter erected within the Travel Centre Area shall be such that, when combined with the floor area of a building of all other buildings erected within that Area and pursuant to this Scheme, the ratio which such total bears to the area of the Travel Centre Area does not exceed the permissible plot ratio.

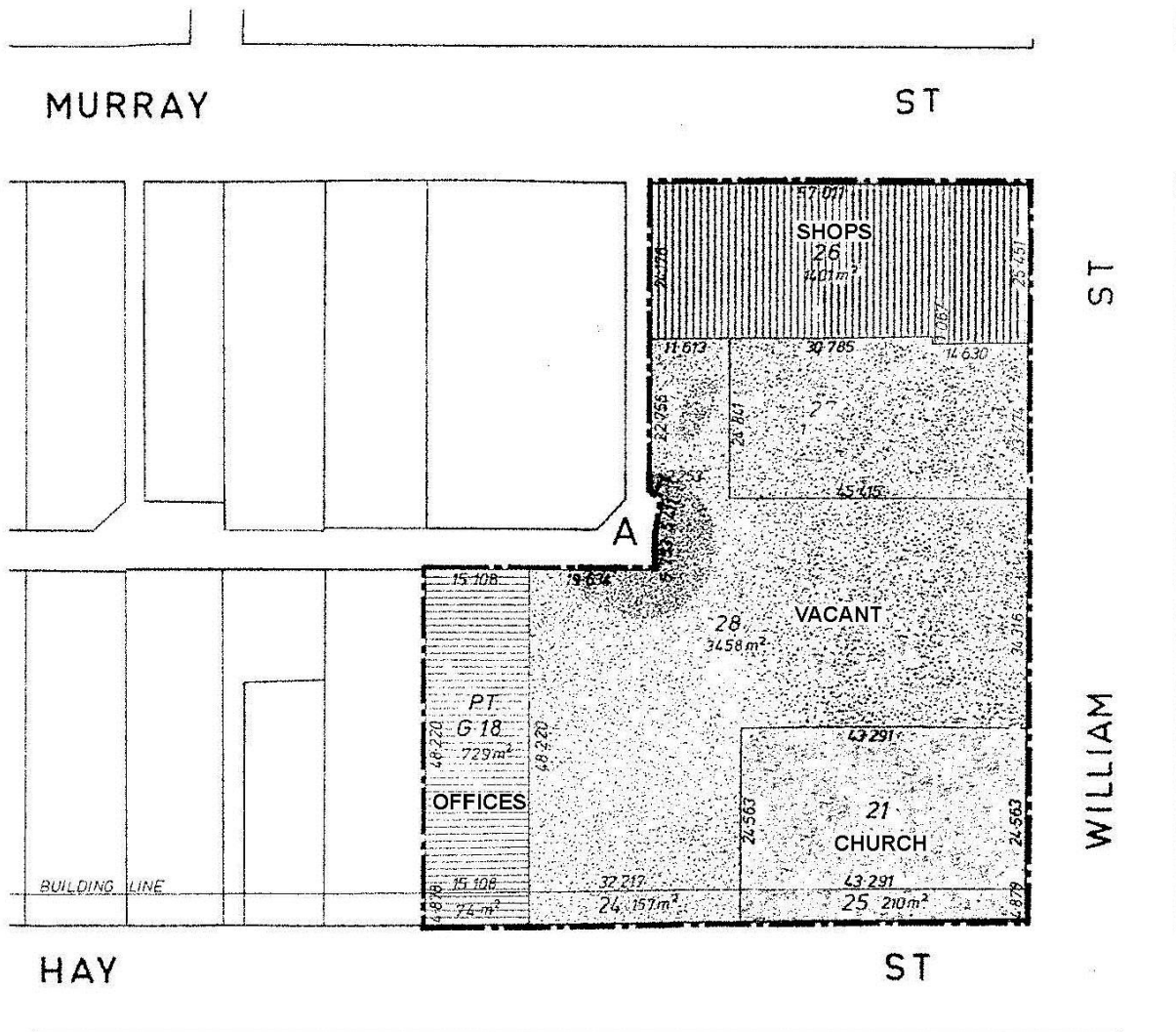
- 3.2 After the commencement date, development within the Scheme Area may only be carried out subject to the provisions of the Scheme and in compliance with the following conditions:-

- (a) That portion of the Scheme Area which is marked on the Scheme Map as ground level open space shall be retained as such and shall, subject to clause 3.3, be open to the public.
- (b) Subject to paragraphs (b) and (c) of clause 3.1 for the purposes of the City of Perth City Planning Scheme, the Scheme Area shall be deemed to be one site in one occupancy.

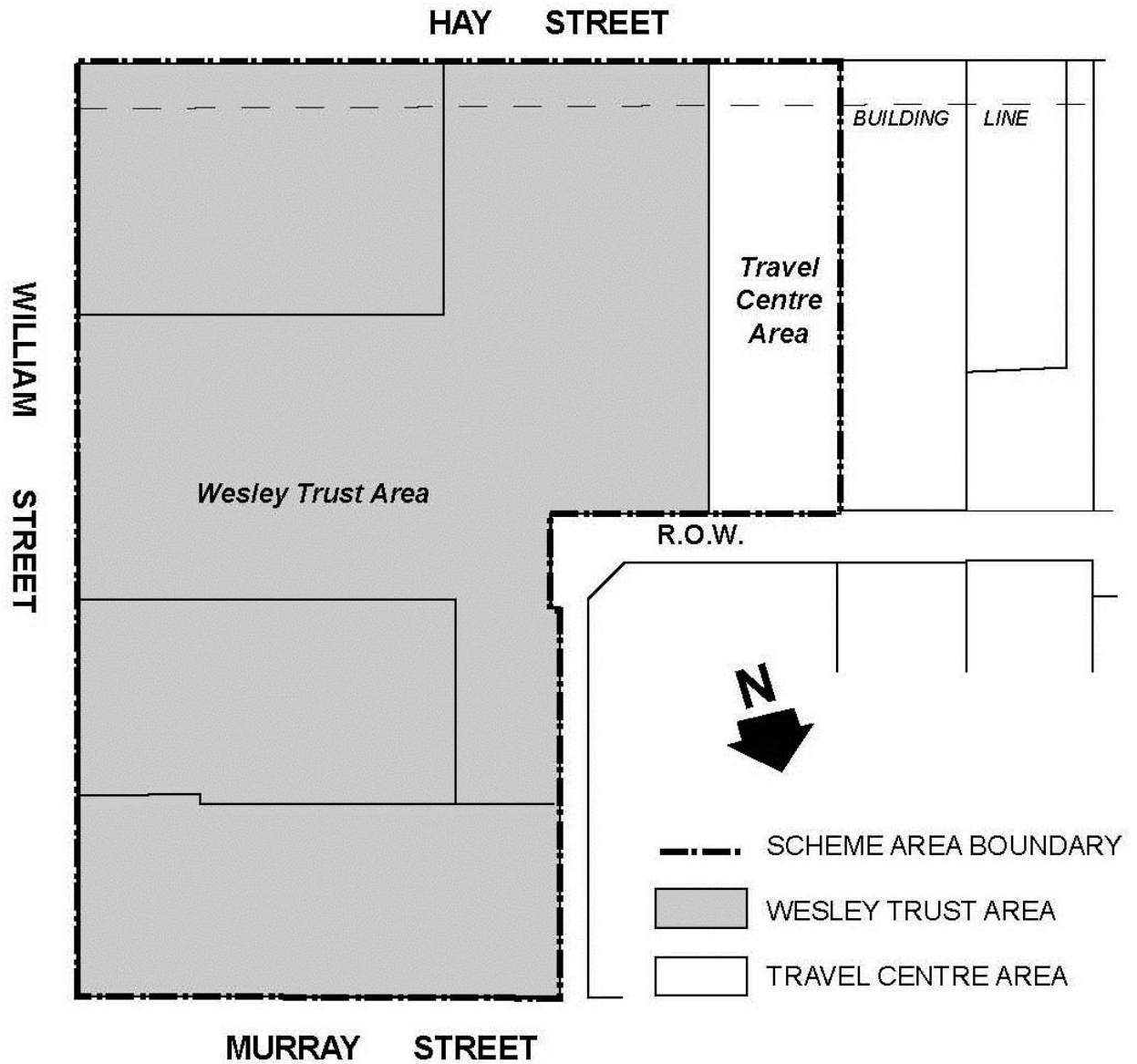
- 3.3 Nothing in this Scheme shall constitute or be deemed to constitute a dedication or an implied dedication to the public of a right of use of the land shown on the Scheme Map as ground level open space and so that the owner of that land may, in order to negative any dedication or implied dedication as aforesaid, such owner may from time to time close access to any portion of that land as the owner thinks fit.



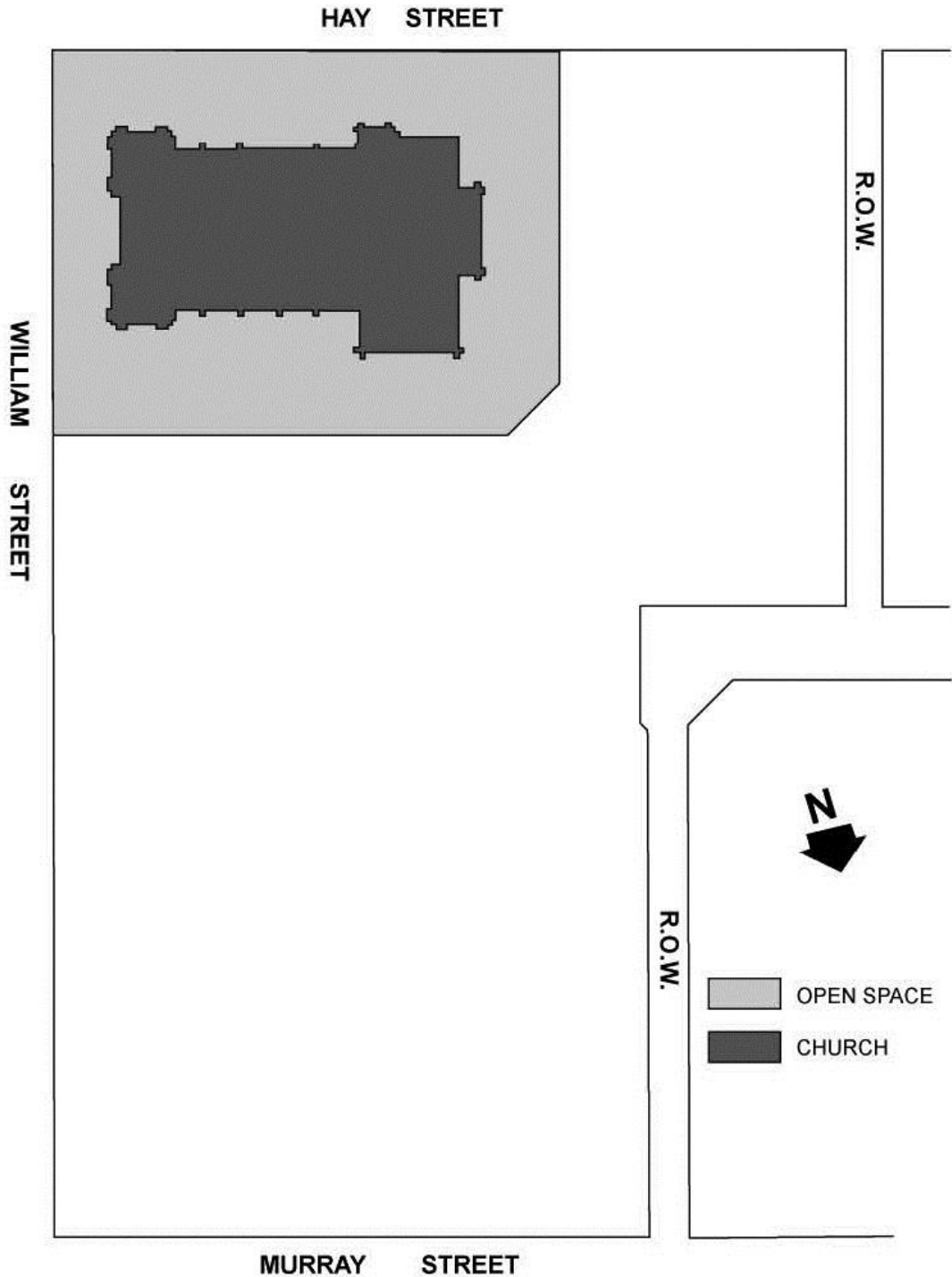
3.4 In addition to all other powers vested in it, the local government may enter into any agreement or arrangement with any of the owners for the purposes of the Scheme.



**WESLEY TRUST**  
**TOWN PLANNING SCHEME No. 11**  
**SCHEME MAP**  
**(EXISTING LAND USES)**



**WESLEY TRUST**  
**TOWN PLANNING SCHEME No. 11**  
**SCHEME MAP**



**WESLEY TRUST**  
**TOWN PLANNING SCHEME No. 11**  
**SCHEME MAP**  
**(CHURCH AND OPEN SPACE AREAS)**