

Town Planning and Development Act 1928

**Town Planning and Development (Appeal)
Amendment Regulations 2004**

Made by the Governor in Executive Council.

1. Citation

These are the *Town Planning and Development (Appeal) Amendment Regulations 2004*.

2. Commencement

These regulations come into operation on the day on which Part 2 Division 126 of the *State Administrative Tribunal (Conferral of Jurisdiction) Amendment and Repeal Act 2004* comes into operation or on the day of their publication in the *Gazette*, whichever is the later.

3. The regulations amended

The amendments in these regulations are to the *Town Planning and Development (Appeal) Regulations 2003*.

[* *Published in Gazette 17 April 2003.*]

4. Regulation 1 amended

Regulation 1 is amended by deleting “Appeal” and inserting instead —

“ *Ministerial Determinations* ”.

5. Regulations 3 and 4 repealed

Regulations 3 and 4 are repealed.

6. Regulation 5 amended

- (1) Regulation 5(1), (2) and (3) are repealed and the following subregulations are inserted instead —

“

- (1) On the supply of a copy of the written reasons for a determination of the Minister under section 71 of the Act a fee of \$45.00 is payable for —
- (a) each copy in excess of one copy supplied to a party to the application; and
 - (b) each copy supplied to a person who is not a party to the application.

- (2) The fee for the supply of a copy is payable before the copy is supplied.

”.

- (2) Regulation 5(4) is amended as follows:

- (a) by deleting “The Tribunal or Principal Registrar” and inserting instead —

“

Despite subregulations (1) and (2), the Minister or the executive officer of the State Administrative Tribunal

”;

- (b) in paragraph (c) by deleting “Tribunal or Principal Registrar” and inserting instead —

“ Minister or executive officer ”.

7. Regulation 6 repealed

Regulation 6 is repealed.

8. Regulation 7 replaced

Regulation 7 is repealed and the following regulation is inserted instead —

“

7. Publication of reasons

A copy of the written reasons for each determination of the Minister under section 71 of the Act is to be kept at the office of the executive officer of the State Administrative Tribunal and to be available for public inspection during normal office hours.

”.

9. Regulation 9 repealed

Regulation 9 is repealed.

10. Schedule 1 repealed

Schedule 1 is repealed.

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.
