
SUBIACO REDEVELOPMENT

SD301

SUBIACO REDEVELOPMENT ACT 1994

**SUBIACO REDEVELOPMENT AMENDMENT REGULATIONS
(No. 2) 1997**

Made by the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Subiaco Redevelopment Amendment Regulations (No. 2) 1997*.

Principal regulations

2. In these regulations the *Subiaco Redevelopment Regulations 1994** are referred to as the principal regulations.

[* *Published in Gazette 23 August 1994, pp. 4383-86.*]

Regulation 3 repealed and a regulation substituted

3. Regulation 3 of the principal regulations is repealed and the following regulation is substituted —

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Exclusions from definition of development

3. (1) The following works, acts and activities are declared not to constitute development for the purposes of the definition of “development” in section 3 of the Act —

- (a) the erection of a sign, including a traffic control sign or device, by a public authority or a local government authority;
- (b) the erection of a sign within a building;
- (c) the carrying out of routine work by a public authority or a local government authority including routine work on —
 - (i) electrical power lines or cables or any building used or associated with the supply, conversion, transformation or control of electricity;

- (ii) a drain or pipe that is part of a drainage scheme under the control of the authority;
- (iii) a road, bridge or railway; or
- (iv) land (including buildings and building improvements) set aside for public use;
- (d) the carrying out of work inside a building that is not related to a change of use of any part of the building and does not alter its external appearance;
- (e) the carrying out of work for the maintenance of any building or structure if that work does not materially affect the external appearance of the building or structure; or
- (f) the carrying out of work to which subregulation (2) applies.

(2) This subregulation applies to work that, in the opinion of the Minister, is necessary or desirable for compliance by the Authority with any conditions —

- (a) that are attached to approval of a subdivision of land given by the Minister under section 21 (7) of the Act; and
- (b) that relate to —
 - (i) causing to be constructed to the satisfaction, and in accordance with the specifications, of the relevant local government a road or roads providing access to, or within, that land;
 - (ii) making arrangements with the Water Corporation for the provision of water services to the satisfaction of the Water Corporation within that land; or
 - (iii) causing to be filled or drained or filled and drained to the satisfaction, and in accordance with the specifications, of the relevant local government the whole or any part of that land.

(3) In this regulation —

“**relevant local government**”, in relation to land, means the local government for the district within which the land is located;

“**routine work**” means work for the purposes of repair, maintenance or upkeep but does not include any new construction or any alteration;

“**Water Corporation**” means the body of that name established under section 4 of the *Water Corporation Act 1995*;

“**water service**” has the meaning given in section 3 of the *Water Corporation Act 1995*.

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Regulations 5 and 6 repealed and regulations substituted

4. Regulations 5 and 6 of the principal regulations are repealed and the following regulations are substituted —

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Fee for application for approval

5. (1) The fees specified in Schedule 2 are prescribed for the purposes of section 48 (1) of the Act in relation to land to which a redevelopment scheme applies.

(2) In Division 2 of Schedule 2 —

“home occupation” has the meaning given in the redevelopment scheme for the time being in force under Part 4 of the Act.

Plans

6. (1) All plans accompanying an application for approval under section 48 (1) of the Act, other than a plan to which subregulation (4) (b) refers —

- (a) are to be drawn on a white background;
- (b) are to be drawn to a scale generally not smaller than 1:500; and
- (c) are clearly to illustrate the proposed development in respect of which the application is made.

(2) All measurements used on a plan are to be in the metric system.

(3) A plan, other than a plan to which subregulation (4) (b) refers, is to include —

- (a) the location and proposed use of any existing buildings and out buildings to be retained and the location and use of buildings proposed to be erected or demolished on the land;
- (b) the existing and the proposed means of access for pedestrians and vehicles to and from the land;
- (c) the location, number, dimension and layout of all car parking spaces intended to be provided;
- (d) the location and dimensions of any area proposed to be provided for the loading and unloading of vehicles carrying goods or commodities to and from the land and the means of access to and from those areas;
- (e) the location, dimensions, design and particulars of the manner in which it is proposed to develop any landscaped area, including the retention of existing trees, vegetation, fences and walls;
- (f) plans, elevations and sections of any building proposed to be erected or altered and of any building it is intended to retain, including details of materials of construction, finishes and external colour;
- (g) a statement of, or plans indicating, any impact of the proposed development on —
 - (i) the appearance of streets and of vegetation and buildings in streets; and
 - (ii) views, privacy and overshadowing;and
- (h) a statement giving details of the proposed use and operation of the proposed development and of any signs or advertising structures that are proposed to be included in the proposed development.

(4) An application for approval under section 48 (1) of the Act is to be accompanied by 6 copies of —

- (a) any plan to which subregulation (1) applies; and

- (b) a plan, drawn to a scale not smaller than 1:2000, that identifies the land on which the proposed development that is the subject of the application is to be undertaken.

Schedule 2 repealed and a Schedule substituted

5. Schedule 2 to the principal regulations is repealed and the following Schedule is substituted —

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**SCHEDULE 2 — FEES FOR APPLICATIONS FOR APPROVAL
UNDER SECTION 48 (1)**

[Reg. 5]

Division 1

<i>Estimated value of proposed development</i>	<i>Fee</i>
Up to \$1 000	\$25
\$1 001 to \$5 000	\$100
\$5 001 to \$50 000	\$250
\$50 001 to \$150 000	\$300
\$150 001 to \$500 000	\$500
\$500 001 to \$750 000	\$1 500
\$750 001 to \$1 000 000	\$3 000
\$1 000 001 to \$2 000 000	\$5 000
\$2 000 001 and over	\$7 000, plus \$2 000 for each \$1 000 000, or part of \$1 000 000, over \$3 000 000, to a maximum of \$50 000

Division 2

<i>Home Occupation</i>	<i>Fee</i>
Home Occupation (first application)	\$200
Home Occupation (annual renewal)	\$100

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By the Governor's Command,

J. PRITCHARD, Clerk of the Executive Council.