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Crown Law Department,  
Perth, 20th October, 1976.

THE undermentioned Regulations made under the provisions of the Town Planning and Development Act, 1928-1975 and amended from time to time up to and including the 27th February, 1976 are reprinted as so amended pursuant to the Reprinting of Regulations Act, 1954 by authority of the Attorney General.

R. M. CHRISTIE,  
Under Secretary for Law.

TOWN PLANNING AND DEVELOPMENT ACT, 1928-1975.

### TOWN PLANNING REGULATIONS

Published in the *Government Gazette* on the 28th November, 1967 and now reprinted incorporating the amendments thereto published in the *Government Gazette* on the 22nd June, 1973 and the 27th February, 1976 and reprinted pursuant to the Reprinting of Regulations Act, 1954.



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TOWN PLANNING AND DEVELOPMENT ACT, 1928-1975.

**TOWN PLANNING REGULATIONS**

Citation.

1. These regulations may be cited as the Town Planning Regulations, 1967.

Revocation.

2. The Town Planning Regulations 1963, published in the *Government Gazette* on the 6th August, 1963, are as from the commencement of these regulations hereby revoked.

Interpretation.

3. In these regulations unless the context requires otherwise—  
“Appendix” means an appendix to these regulations;  
“Board” means the Town Planning Board constituted under the Act;  
“Development Scheme” means a Scheme that involves works or constructions or the alteration of boundaries, but does not include a Scheme that involves the zoning or classification of land;  
“regulation” means one of these regulations;  
“Scheme” means a Town Planning Scheme;  
“the Act” means the Town Planning and Development Act, 1928 (as amended);  
“Town Planning Scheme Amendment” means an amendment varying or amplifying a Scheme that has been approved and gazetted in accordance with section 7 (4) of the Act;  
and words and expressions used in these regulations have, when so used, the same respective meanings as are given to them in and for the purposes of the Act.

Resolution to Prepare a Scheme.

4. (1) The resolution of a local authority to prepare a Scheme for any land within its municipal district shall be in the Form No. 1 in Appendix “E”.

(2) The resolution of a local authority to prepare a Scheme for any land partly within its municipal district and partly within the municipal district of an adjoining local authority shall be in the Form No. 1A in Appendix “E”.

(3) A local authority that passes a resolution referred to in subregulation (1) and (2) of this regulation shall within twenty-eight days after passing that resolution forward to the Board—

- (a) a copy of the resolution certified by the Town/Shire Clerk as the case may be; and
- (b) a map marked “Scheme Area Map”, signed by the Town/Shire Clerk as the case may be, on which is delineated the area of land proposed to be included in the Scheme.

(4) The resolution of two or more adjoining local authorities to prepare or adopt a joint Scheme in respect of land that is situated partly within the municipal district of each local authority shall be in the Form No. 1A in Appendix “E”.

(5) Where two or more adjoining local authorities pass a resolution referred to in subregulation (4) of this regulation, each local authority shall within twenty-eight days after the passing of that resolution forward to the Board—

- (a) a copy of the resolution certified by the Town/Shire Clerk as the case may be; and

(b) a map marked "Scheme Area Map", signed by the Town/Shire Clerk as the case may be, on which is delineated the area of land proposed to be included in the Scheme.

(6) The Board shall examine the copy of the resolution and the map forwarded pursuant to this regulation and shall as soon as reasonably practicable notify the local authority in writing of any adjustment that the Board considers should be made to the Scheme area.

#### Advertisement of Notice of Resolution.

5. (1) A local authority shall, as soon as reasonably practicable after forwarding to the Board a copy of the resolution pursuant to regulation 4, publish once in the *Government Gazette* and also once in a newspaper circulating in the district of the local authority, in form No. 2 in Appendix "E", notice of the passing by the local authority of that resolution.

(2) The local authority shall thereupon forward a copy of the notice so published to every adjoining local authority and every public authority likely to be affected by the Scheme and shall request each of them to forward to the local authority particulars of any matters that in the opinion of the adjoining local authority or the public authority, should be considered during the preparation of the Scheme.

#### Scheme in Respect of Crown Land.

6. (1) Where in pursuance of the powers conferred by section 19 of the Act the Board prepares a Scheme in respect of Crown land, the provisions of these regulations shall, so far as the same are consistent and applicable, apply to the Board as though it were a local authority that had resolved to prepare a Scheme.

(2) Where the Board prepares a Scheme in respect of Crown land in pursuance of subregulation (1) of this regulation it shall notify every local authority affected by such Scheme.

(3) The resolution of the Board to prepare a Scheme in respect of Crown land shall be in the Form No. 1B in Appendix "E".

#### Scheme by Order of Minister.

7. Where in pursuance of section 18 of the Act the Minister orders a local authority to prepare or adopt a Scheme, the provisions of these regulations shall, so far as the same are consistent and applicable, apply to the Scheme prepared or adopted by the local authority in compliance with that order as though that local authority had passed a resolution to prepare, or as the case may be, adopt a Scheme.

#### Preparation of Scheme.

8. (1) A Scheme shall comprise a map or set of maps marked "Land Use Map", a map or set of maps marked "Scheme Map", and a Scheme Text, but the Board may approve the omission of one or both of these maps.

Reg. 8.  
Amended by  
G.G. 22/6/73,  
p. 2378.

(2) The local authority shall prepare a Base Map of the Scheme area and such map shall be used in the preparation of a Land Use Map and a Scheme Map and any other information map required to be prepared relative to the Scheme. Such Base Map shall be drawn to a scale appropriate to the size and character of the Scheme area, but not smaller than 1 : 10 000 or larger than 1 : 500, except with the approval of the Board.

#### Land Use Map.

9. (1) A Land Use Map shall be prepared in triplicate and when that map comprises a number of sheets each sheet shall be numbered consecutively.

(2) The survey of the Scheme Area from which a Land Use Map has been drawn and prepared shall be certified by the Town/Shire Clerk as the case may be, as having been carried out within the period of one year prior to the date of the Scheme being lodged with the Board for recommendation to the Minister.

(3) Every Land Use Map, so far as is reasonably practicable, shall show—

- (a) the lots and boundaries, together with the lot and location number or title reference, and position of streets together with names thereof;
- (b) the lots and locations, with or without buildings thereon and being used for any purpose coloured or left uncoloured generally in accordance with standard notation as detailed in Appendix "B" to these regulations to denote the use for which the land is used;
- (c) the land owned by the local authority and Crown land and reserves, together with the purpose for which such areas are reserved and used; and
- (d) the contours.

(4) The Board may, if it thinks fit in any particular case, direct or approve the omission of any of the particulars specified in sub-regulation (3) of this regulation, or may require such additional information to be supplied as it considers necessary.

#### Scheme Map.

10. (1) Every Scheme Map shall be prepared in triplicate together with such additional copies as the Board may require, and where that map comprises a number of sheets each sheet shall be numbered consecutively.

(2) Every Scheme Map shall, where applicable, show—

- (a) the proposed zoning, indicated by standard notation as detailed in Appendix "B";
- (b) all lots, reserves, streets and ways proposed to be established;
- (c) any proposed widening, deviation, or other alterations of any existing reserve or street;
- (d) in the case of Development Schemes or Schemes involving the alteration of boundaries, and when construction is involved, the existing and proposed ground levels; and
- (e) any other matters as the Board may require.

#### Scheme Text.

11. (1) In the case of Schemes that envisage the zoning and classification of land, a Scheme Text shall be prepared generally in conformity with the appropriate portions of the Model Text as set out in Appendix "A", and may include the use classes shown in Table No. 1 appended to clause 3.4 of that Appendix, except that a local authority may, if it so desires, further add to or divide those classes into subclasses.

(2) In the case of Development Schemes, or Schemes that do not envisage the zoning and classification of land, a Scheme Text shall be prepared setting forth the objects and intentions of the Scheme and the methods by which it is to be administered.

#### Scheme Report.

12. (1) The local authority shall in respect of the Scheme prepare three copies of a Scheme Report which shall contain an analysis of the investigations and surveys made during the preparation of the Scheme, and an explanation of the proposals.

(2) In the case of Schemes that envisage the Zoning and classification of land, the Scheme Report shall, so far as is reasonably practicable and necessary, set forth the information contained therein in the same order as is specified in the outline of subject matter appearing in Appendix "C".

#### Adoption of Scheme by Local Authority.

13. (1) On completion of the preparation of the Scheme documents pursuant to the provisions of these regulations, the local authority shall if it so desires adopt the proposed Scheme in accordance with the Act and evidence of such adoption shall be endorsed on the Scheme documents and signed by the mayor or president and by the town or shire clerk of the local authority as the case may be.

(2) Two copies of the Scheme and all documents in support and forming part thereof shall if adopted be submitted to the Board, and thereupon the Board shall examine the Scheme and those documents and recommend to the Minister that he give or withhold preliminary approval to the Scheme or that he give such preliminary approval subject to such modifications to the Scheme as are specified.

Preliminary Approval by Minister.

14. (1) The Minister shall consider the proposed Scheme and the recommendations made by the Board in respect thereto pursuant to regulation 13 and shall—

- (a) give his preliminary approval to the Scheme with or without modification; or
- (b) refuse to give his preliminary approval to the Scheme.

(2) The Minister shall notify the Board of his decision in respect to the Scheme and the Board shall thereupon forthwith give notice in writing of that decision to the local authority.

(3) The Board shall retain one copy of the Scheme for its own use and record and shall return the other copy to the local authority.

Reg. 14A.  
Added by  
G.G. 27/2/76,  
p. 545.

14A. Where the Minister has, pursuant to regulation 14, given preliminary approval to a proposed Scheme or a proposed Town Planning Scheme Amendment before the coming into operation of the Town Planning Regulations Amendment Regulations, 1976 that proposed Scheme or proposed Town Planning Scheme Amendment shall be dealt with in the manner prescribed by these regulations as in force immediately before the coming into operation of the Town Planning Regulations Amendment Regulations, 1976.

Advertisement of Scheme.

Reg. 15.  
Amended by  
G.G. 27/2/76,  
p. 545.

15. (1) Where the Minister has given preliminary approval to the Scheme under regulation 14, the local authority specified in the Scheme as such shall become the responsible authority under the Act and notice of the Scheme shall be advertised in the Form No. 3 in Appendix "E" in accordance with subregulation (3) of this regulation and the responsible authority shall give such other form of notice as the Minister may require.

(2) The responsible authority shall make available for inspection by the public during office hours—

- (a) at the office of the responsible authority; and
- (b) at the office of the Board,

a copy of the Scheme and supporting documents, and there shall be made available at the office of any municipality affected by the Scheme a copy of that part of the Scheme that relates to land within that municipality.

(3) The advertisement required to be made pursuant to subregulation (1) of this regulation shall be effected by publication by the Board of the notice referred to in that subregulation once in the *Government Gazette* and the Board shall forward to the responsible authority a copy of the notice so published and thereupon the responsible authority shall publish the notice once a week for three consecutive weeks in a newspaper circulating in the district where the land the subject of the Scheme is situated and shall also display a copy of the notice in a prominent place in the offices of the responsible authority for the period prescribed by subregulation (5) of this regulation for the lodging of submissions.

(4) The responsible authority shall give to every public authority affected by the Scheme a notice in writing in the Form No. 3 in Appendix "E".

(5) The Board shall, in the notice advertised or given pursuant to this regulation, describe the purpose of the Scheme, state the times and places where the Scheme may be inspected, and specify a date on or before which submissions in respect of the Scheme may be made; which date shall be not less than three months from the date of publication of advertisement in the *Government Gazette* pursuant to this regulation, except that in the case of a Scheme

that does not involve the zoning or classification of land the Minister may specify a lesser period for the lodging of submissions but subject in the case of a Town Planning Scheme Amendment to regulation 25.

#### Submissions on Scheme.

16. (1) A person who desires to make a submission on the Scheme shall make a written submission by notice in the form of Form No. 4 in the Appendix signed by him to the responsible authority.

(2) A person making a submission under subregulation (1) of this regulation shall state in the notice whether he makes the submission as an owner or occupier of property within the area of the responsible authority or as the representative of a body corporate or other body, or in some other capacity.

#### Consideration of Submissions.

17. (1) As soon as practicable after the period prescribed by subregulation (5) of regulation 15 for making submissions has expired, the responsible authority shall consider all submissions to the Scheme and in respect of each submission shall consider whether the Scheme should be modified accordingly or whether it shall be rejected.

(2) After considering the submissions made pursuant to subregulation (1) of regulation 16 or if no submissions have been lodged within the period prescribed by subregulation (5) of regulation 15 for making submissions, the responsible authority shall pass a resolution either—

- (a) that the Scheme be adopted with or without modification; or
- (b) that the Scheme be not proceeded with.

#### Scheme to be Forwarded to the Board.

18. (1) Where a responsible authority passes a resolution to adopt a Scheme with or without modifications the responsible authority shall within twenty-eight days after such adoption forward to the Board—

- (a) one copy of the Scheme without any modification thereto;
- (b) a schedule of submissions made on the Scheme;
- (c) its recommendations made in respect of the submissions made to it; and
- (d) particulars of the modifications (if any) to the Scheme recommended by the responsible authority.

(2) The schedule of submissions referred to in paragraph (b) of subregulation (1) of this regulation and the recommendations thereon of the responsible authority shall be submitted in the form of Form No. 5 in Appendix E and shall be accompanied by such relevant maps, plans, specifications and particulars as may be necessary.

#### Board to Submit Scheme to Minister.

19. The Board shall after having examined the Scheme and the submissions made thereon and the comments, recommendations and modifications made by the responsible authority submit its recommendations to the Minister.

#### Consideration of Scheme by Minister.

20. (1) Where the Minister is of the opinion that a modification to the Scheme is substantial whether the modification is recommended by the responsible authority or any other modification he shall direct the responsible authority to advertise the modification in the form of Form No. 3B in Appendix E and in the manner and for the period set forth in the direction and the responsible authority shall give effect to the direction.

(2) A person who desires to make a submission on a modification to the Scheme that has been advertised pursuant to subregulation (1) of this regulation shall make a written submission by notice in the form of Form No. 4B in Appendix E within the period specified by the Minister in the direction given under subregulation (1) of this regulation.

Heading substituted by G.G. 27/2/76, p. 545. Reg. 16. Substituted by G.G. 27/2/76, p. 545.

Heading substituted by G.G. 27/2/76, p. 545. Reg. 17. Substituted by G.G. 27/2/76, p. 545.

Heading substituted by G.G. 27/2/76, p. 545. Reg. 18. Substituted by G.G. 27/2/76, pp. 545-6.

Reg. 19. Substituted by G.G. 27/2/76, p. 546.

Heading Substituted by G.G. 27/2/76, p. 546. Reg. 20. Substituted by G.G. 27/2/76, p. 546.

(3) As soon as practicable after the period fixed by the Minister for making submissions on the modifications to the Scheme has expired, the responsible authority shall—

- (a) consider all submissions on the modifications to the Scheme;
- (b) make a recommendation in respect of each submission to the Board; and
- (c) forward the submissions on the modifications to the Scheme and its recommendations thereon to the Board.

(4) The Board shall examine the submissions on the modifications to the Scheme and the recommendations of the responsible authority and make its recommendations thereon to the Minister.

(5) The Minister shall consider the submissions on the modifications to the Scheme made under this regulation together with the recommendations made thereon by the responsible authority and the recommendations of the Board, and shall pursuant to subsection (2) of section 7 of the Act approve, refuse to approve the Scheme or refuse to approve the Scheme except with such modifications, and on such conditions as he may think fit.

Heading.  
Substituted  
by G.G.  
27/2/76,  
p. 546.  
Reg. 21.  
Substituted  
by G.G.  
27/2/76,  
pp. 546-7.

#### Approval of Scheme by Minister.

21. (1) Where pursuant to subsection (2) of section 7 of the Act the Minister has—

- (a) approved of a Scheme;
- (b) refused to approve of a Scheme; or
- (c) refused to approve of a Scheme except with such modifications and on such conditions as he may think fit,

the Board shall notify the responsible authority of the approval, refusal or refusal to approve except with such modifications and on such conditions as the Minister thinks fit.

(2) Upon being notified that—

- (a) the Minister has approved the Scheme; or
- (b) refused to approve the Scheme except with such modifications and on such conditions as the Minister thinks fit,

the responsible authority shall if it so desires prepare three copies of the Scheme for final approval and shall comply with the modifications and conditions required by the Minister, and in the case of joint planning schemes shall also prepare such additional copies as the Board may require.

(3) Where a Scheme has been approved without modification requiring amendment of the Scheme Map, those copies may comprise the copies originally prepared by the local authority, duly marked in accordance with these regulations.

#### Endorsement of Scheme.

22. (1) The three copies of the Scheme for final approval shall be executed by the responsible authority by the affixing of its seal to the documents comprising the Scheme, in accordance with section 189 of the Local Government Act, 1960, and be lodged with the Board.

(2) The Board shall further endorse the copies of the Scheme and submit them to the Minister for endorsement by him of his final approval.

#### Advertisement of Approved Scheme.

23. (1) After endorsement by the Minister of final approval of the Scheme, the Board shall publish once in the *Government Gazette* a notice substantially in the Form No. 6 in Appendix "E" of the Minister's approval and the Scheme Text and shall also forward a copy of such notice to the responsible authority.

(2) The responsible authority shall forthwith publish once in a newspaper circulating in the district where the land the subject of the Scheme is situated, a copy of such notice.



Deposit of Statutory Scheme.

24. (1) Upon the Board forwarding to the responsible authority the copy of the notice pursuant to regulation 23, a copy of the Scheme as approved under regulation 22 shall be deposited with—

- (a) the Minister;
- (b) the Board; and
- (c) the responsible authority under the Scheme.

(2) Where there is a conflict between a copy of the Scheme, as approved and deposited with the Minister pursuant to subregulation (1) of this regulation and any other copy of the Scheme, the former copy shall prevail.

Town Planning Scheme Amendment.

25. A Town Planning Scheme Amendment shall be in conformity with these regulations as though it were a Scheme except that—

- (a) it shall comprise only such of the documents comprising a Scheme as are necessary to convey the intent and reasons for the amendment;
- (b) regulations 4 and 5 shall not apply;
- (c) the resolution of the responsible authority to amend a Scheme shall be in the Form No. 1C in Appendix "E" and shall be forwarded to the Board with the Amendment;
- (d) the advertisement required by regulation 15 shall be in the Form No. 3A in Appendix "E";
- (da) the advertisement required by subregulation (1) of regulation 20 shall be in the form of Form No. 3C in Appendix "E";
- (e) the notice of a submission referred to in regulation 16 shall be in or generally to the effect of Form No. 4A in Appendix "E";
- (ea) a submission pursuant to subregulation (2) of regulation 20 on a modification to an amendment shall be in the form of Form No. 4C in Appendix "E"; and
- (f) where the Minister decides that the Amendment is of a minor nature, he may reduce the period during which submissions may be lodged to a period of not less than 21 days from the date of first advertisement.

Reg. 25.  
Amended by  
G.G. 27/2/76,  
p. 547.

25A. Where an owner of land requests that an amendment be made to a Scheme with respect to land owned by him, the local authority may require him to pay the costs of the publication of any notice under these regulations.

Reg. 25A.  
Added by  
G.G. 27/2/76,  
p. 547.

Compensation.

26. Where pursuant to the provisions of the Act a claim is made for compensation thereunder, such claim may be in the Form No. 7 in Appendix "E".

27. In every Scheme Text the words and expressions used therein shall, unless otherwise stated in the Text, have when so used the respective meanings given to them in Appendix "D".

Appendix "A".

MODEL SCHEME TEXT.

(Minimum Standard) for Schemes Envisaging the Zoning and Classification of Land.

THE City/Town/Shire of.....  
Town Planning Scheme No.....

The ..... City/Town/Shire Council, under and by virtue of the powers conferred upon it in that behalf by the Town Planning and Development Act, 1928 (as amended),\* hereby makes the following Town Planning Scheme for the purpose of—

- (a) setting aside land for future public use as reserves;
- (b) controlling land development;
- (c) other matters authorised by the enabling Act.

\*In the case of Schemes within the Metropolitan Region add the words "and the Metropolitan Region Town Planning Scheme Act 1959 (as amended)".

**PART I.—PRELIMINARY.**

- 1.1 This Town Planning Scheme may be cited as the City/Town/Shire of ..... Town Planning Scheme No. .... (..... area) hereinafter called "the Scheme" and shall come into operation on the publication of notice of the Minister's final approval thereof in the *Government Gazette*.
- 1.2 The Scheme shall apply to the whole of the land set out in the maps forming part of the Scheme; (or describe the area if more appropriate).
- 1.3 The Scheme is complementary to, and is not a substitute for, the Metropolitan Region Scheme, and the provisions of the Metropolitan Region Scheme, as amended from time to time, shall continue to have effect.
- 1.4 (Include where necessary.)  
The Town Planning Scheme for ..... which was published in the *Government Gazette* on the ..... day of ..... and subsequently from time to time amended is hereby revoked (for the area detailed in clause 1.2 above.)
- 1.5 The responsible authority for carrying out the Scheme is the Council of the City/Town/Shire of ..... (hereinafter referred to as the Council) except that where land is shown in the Scheme Map as "Regional Reservation" the responsible authority shall be deemed to be the ..... and the provision of the ..... scheme shall apply to such reservations.
- 1.6 Arrangement of Scheme:  
The Scheme Text is divided into the following Parts:—  
Part I.—Preliminary.  
Part II.—Reserved Land.  
Part III.—Zones.  
Part IV.—Non-conforming Uses.  
Part V.—General Provisions.  
Part VI.—Finance and Administration.  
The remaining documents of the Scheme are as follows:—  
(1) Land Use Map.  
(2) Scheme Map.  
*(Note.—Part II of 1.6 may be expanded to cover the development of reserves, and to specify control for reserves vested in a public authority.)*
- 1.7 Interpretation:  
In this Scheme the terms used will have the respective interpretations set out in Appendix "D" of the Town Planning Regulations 1967, unless otherwise specified by this Scheme.

**PART II.—RESERVED LAND.**

## Reservation of Land and Development Thereof.

- 2.1 (a) Land set aside under this Scheme for the purposes of a reservation is deemed to be reserved for the purposes indicated on the Scheme Map, and the reservations of the Metropolitan Region Scheme are shown in the Scheme in order to comply with the provisions of the Metropolitan Region Town Planning Scheme Act.
- (b) Except as otherwise provided in this Part a person shall not carry out any development on land reserved under this Scheme, other than the erection of a boundary fence, without first applying for and obtaining the written approval of the Council.

- (c) In giving its approval the Council shall have regard to the ultimate purpose intended for the reserve and shall in the case of land reserved for the purposes of a public authority confer with that authority before giving its approval.
- (d) No provision of this Part shall prevent the continued use of land for the use for which it was being lawfully used immediately prior to the Scheme having the force of law, or the repair and maintenance, for which the prior consent in writing of the Council has been obtained, of buildings or works lawfully existing on the land.
- 2.2 (a) Where a Council refuses approval for the development of land reserved under the Scheme on the ground that the land is reserved for public purposes, or grants approval subject to conditions that are unacceptable to the applicant the owner of the land may, if the land is injuriously affected thereby, claim compensation for such injurious affection.
- (b) Claims for such compensation shall be lodged at the office of the Council not later than six months after the date of the decision of the Council refusing approval or granting it subject to conditions that are unacceptable to the applicant.
- (c) In lieu of paying compensation the Council may purchase the land affected by such decision of the Council at a price not exceeding the value of the land at the time of refusal of approval or of the grant of approval subject to conditions that are unacceptable to the applicant.

#### PART III.—ZONES.

- 3.1 Notwithstanding anything to the contrary in this Scheme and without affecting the generality of clause 1.5 of Part I, the Council may, with the consent of the Minister, or when required by the Metropolitan Region Planning Authority so to do, shall require that the development of any land within the District, however zoned, shall be subject to the provisions of clauses 10, 24 and 30 of the Metropolitan Region Scheme.
- 3.2 The Scheme area is divided into.....types of zones set out hereunder:—
- (Here set out the types of zones in order of appearance on Table No. 1.)
- 3.3 Table No. 1 appended to Clause 3.4 of this Part indicates the several uses permitted by this Scheme in the various zones, such uses being determined by cross reference between the list of "Use Classes" on the left-hand side of the Table and the list of "Zones" on the top of that Table.
- 3.4 The symbols used in the cross reference in Table No. 1 appended to this clause have the following meanings:—
- "P" = A use that is permitted under this Scheme.
- "AA" = A use that is not permitted unless approval is granted by the Council.
- "IP" = A use that is not permitted unless such use is incidental to the predominant use as decided and approved by the Council.
- "X" = A use that is not permitted.

*(Note—Where a special zone is restricted to one use only, it may be excluded from the columns in Table No. 1 and its use determined from the Map.)*

Table No. 1.

*Use Classes.	Zones.
	<i>(Here insert the various zones.)</i>
1. Caravan Parks .....	
2. Caretaker's House/Flat .....	
3. Car Parks .....	
4. Car Sales Premises .....	
5. Cemeteries/Crematoria .....	
6. Civic Buildings .....	
7. Consulting Rooms .....	
8. Drive-in Theatre .....	
9. Dry Cleaning Premises .....	
10. Educational Establishments .....	
11. Fish Shop .....	
12. Fuel Depot .....	
13. Funeral Parlour .....	
14. Health Centre .....	
15. Home Occupation .....	
16. Hospital .....	
17. Hotel .....	
18. Industry—Extractive .....	
19. Industry—General .....	
20. Industry—Hazardous .....	
21. Industry—Light .....	
22. Industry—Noxious .....	
23. Industry—Rural .....	
24. Industry—Service .....	
25. Institutional Building .....	
26. Institutional Home .....	
27. Marine Filling Station .....	
28. Milk Depot .....	
29. Motel .....	
30. Motor Repair Station .....	
31. Office .....	
32. Petrol Filling Station .....	
33. Professional Office .....	
34. Public Amusement .....	
35. Public Assembly .....	
36. Public Recreation .....	
37. Public Utility .....	
38. Public Worship .....	
39. Radio/T.V. Installation .....	
40. Reformative Institution .....	
41. Residential Building .....	
42. Residential—	
(a) Duplex House .....	
(b) Dwelling House .....	
(c) Flats .....	
43. Rural Use .....	
44. Service Station .....	
45. Shop .....	
46. Showroom .....	
47. Sportsground .....	
48. Trade Display .....	
49. Transport Depot .....	
50. Zoological Garden .....	
	<i>(Here insert the symbols referred to in 3.4 of Model Text opposite the use class intended.)</i>

\*Any use not specifically listed in this Table shall be included either in the appropriate use class or special use class at the discretion of the Council.

## PART IV.—NON-CONFORMING USE OF LAND.

## 4.1 No provision of the Scheme shall prevent—

- (a) the continued use of any land or building for the purpose for which it was being lawfully used at the time of the coming into force of the Scheme; or
- (b) the carrying out of any development thereon for which, immediately prior to that time, a permit or permits required under the Town Planning and Development Act, 1928 (as amended), and any other law authorising the development to be carried out have been duly obtained and was current.

## 4.2 (a) Where in respect of land reserved under Part II of the Scheme a non-conforming use exists or was authorised as mentioned in clause 4.1 of this Part on that land all or any erections alterations or extensions of the buildings thereon or use thereof shall not be carried out unless the approval of the Council has been obtained in writing;

- (b) Where in respect of land zoned under Part III of the Scheme a non-conforming use exists or was authorised as mentioned in clause 4.1 of this Part on that land, and provided the prior consent in writing of the Council has been obtained, buildings may be extended to the limits prescribed by the Uniform Building By-laws made under the Local Government Act, 1960 (as amended), or by any other by-laws made under that Act for the purpose of limiting the size, location and distance from boundaries and any other matter required by law for that class of use within the boundary of the lot or lots on which the use was carried on immediately prior to the coming into force of the Scheme.

## 4.3 Change of Non-Conforming Use:

The Council may permit the use of any land to be changed from one non-conforming use to another non-conforming use, provided the proposed use is, in the opinion of the Council, less detrimental to the amenity of the neighbourhood than the existing use, or is in the opinion of the Council closer to the intended uses of the zone.

## 4.4 Discontinuance of Non-Conforming Use:

- (a) Notwithstanding the preceding provisions of this Part, except where a change of non-conforming use has been permitted by the Council under Clause 4.3, when a non-conforming use of any land or building has been discontinued, such land or building shall not thereafter be used other than in conformity with the provisions of the Scheme.
- (b) The Council may effect the discontinuance of a non-conforming use by the purchase of the affected property, or by the payment of compensation to the owner or the occupier or to both the owner and the occupier of that property, and may enter into an agreement with the owner for that purpose.

## PART V.—GENERAL PROVISIONS.

*This part of the Text is for the inclusion of clauses considered necessary by the Council relating to control of development and other specific provisions.*

*Where the exercise of discretion by the Council is provided for in such clauses a right of appeal to the Hon. Minister for Town Planning should also be included.*

## PART VI.—FINANCE AND ADMINISTRATION.

## 5.1 Disposal of Land:

The Council may deal with or dispose of any land which it owns or which it has acquired pursuant to the provisions of the Scheme, in accordance with the Act and in conformity with the provisions of the Scheme, and for such purpose may make such agreements with other owners as it deems fit.

## 5.2 Compensation:

Claims for compensation by reason of the Scheme other than for the purpose of Part II shall be made not later than six months from the date on which notice of approval of the Scheme is published in the *Government Gazette*, except in the case of reserved land where the provisions of Part II shall apply.

## 5.3 Entry to Premises:

The Council may by an authorised officer enter at all reasonable times any building or land for the purpose of ascertaining whether the provisions of the Scheme are being observed.

## 5.4 Penalties:

Any person who fails to comply with any of the provisions of the Scheme is guilty of an offence and without prejudice to any other remedy given herein is liable to such penalties as are prescribed by the Act.

Adopted by resolution of the Council of the City/Town/Shire of ..... at the ..... meeting of the Council held on the ..... day of ..... 19..... and the seal of the Municipality was pursuant to that resolution hereunto affixed in the presence of:

[SEAL]

.....  
Mayor/President......  
Town/Shire Clerk.

This Scheme Text is to be read in conjunction with the approved maps of the Scheme described in clause 1.6 of this Scheme and to which formal approval was given by the Hon. Minister for Town Planning on the ..... day of ..... 19.....

Recommended—

.....  
Chairman of the Town Planning Board.

Date.....

Approved—

.....  
Minister for Town Planning.

Date.....




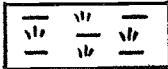
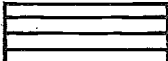
## Appendix "B".

## MAPS AND SYMBOLS.

The colour codes referred to in this notation are those of Messrs. Winsor and Newton's Town Planning Colours. Should these be unobtainable, or, as an alternative, other forms of colour may be used provided they correspond in shade and are permanent.


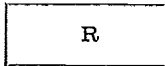
Where two zones or reserves join with similar colours the boundaries should be distinguished by a narrow black border.

GENERAL.

Boundary of Scheme—Inner Edge		Black.
Boundary of Local Authority (where other than boundary of Scheme)		Black.
Building line		Black.
Swamp or Waterlogged Land		Black.
Area to be reclaimed		Thin black horizontal lines.

RESERVES.

Open Space Reserves.

Park and Recreation Area (non restricted)		Green 2.1.
Park and Recreation Area (restrictive)		Green 2.1 and black letter to indicate purpose.

Public Use Reserves.

Public Purposes		Yellow 1 with black or red letter(s) as appropriate to indicate purpose.
-----------------	--	--

Areas to be named or to contain the following or other letters or symbols appropriate to purposes not listed below, where applicable. In the case of land reserved under a Regional Scheme letters to be red and in the case of land reserved under a local scheme letters to be shown in black:—

State:

Hospital	H
Primary School	P S
High School	H S
Technical School	T S
University	U
Teachers' Training College	T T C
State Electricity	S E C
Water Supply, Sewerage and Drainage	W S D

Commonwealth:


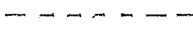
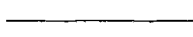
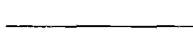
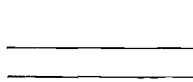
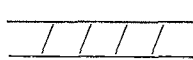
Post Office	P M G
Defence	D D
Other Commonwealth	C G

Special Uses:


Parking areas, etc.	C P
Cemetery	C
Police Station	P

Communications Reserves.

Roads:

Controlled Access Highway	.....		Broad red 2 lines.
Major Highway	.....		Broken broad red 2 lines.
Important Regional Road	.....		Broad blue 1 lines.
Local Road	.....		Thin black lines.
Proposed Road Widening and New Street Alignment	.....		Thin black line(s) outside existing road reserve(s).
Road to be closed	.....		Thin black diagonal hatch.

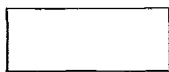
N.B.—On Development Scheme Maps and Land Use Maps made and unmade Roads may be coloured Orange 1.2 and Yellow 1.4, respectively.

Railway	.....		Grey 1.2
---------	-------	--	----------

N.B.—On Land Use Maps unused Railways may be marked as such by appropriate letters or words.

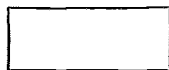


Port Installation	.....		Grey 1.2 thin black vertical hatch and black letters(s) to indicate authority.
-------------------	-------	---	--

Waterway	.....		Blue 1.2.
----------	-------	--	-----------

Airways ground facilities including airstrip	.....		Yellow 1. Blue 2 border. Black letter(s) to indicate name.
--	-------	--	--

N.B.—Name C G or D D or other symbols where applicable.

Special Reserves.

State forest	.....		Yellow brown 1.
Water catchment area	.....		Blue 1 dots over appropriate reserve or zone colour.
Civic and Cultural areas	.....		Orange 1.

Areas to be named or to contain the following or other letters or symbols appropriate to purposes not listed below, where applicable: —

Town Hall	.....	T H
Civic Centre	.....	C C
Library	.....	L
Clinic	.....	CL
Art Gallery	.....	A G




ZONES.

Private Clubs and Institutions ....  Yellow green  
1 and black  
letter (s) to  
indicate club  
or  
institution.

N.B.—Institution or Club to be indicated by the following or other letters or symbols appropriate to Institutions or Clubs not listed below, where applicable:—


Golf Club .... G C  
Bowling Club .... B C  
Private School .... P C  
Religious Institution .... R I


Place of Public Assembly ..  Yellow green  
1 red 2  
border and  
black  
letter(s).


N.B.—Use to be indicated by the following or other letters or symbols appropriate to uses not listed below, where applicable:—


Place of Public Workship .... W  
Cinema .. C  
Indoor Games .. G  
Theatre .. T

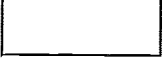
Residential Zones.

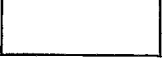
Urban Deferred ....  Red brown  
1.3 border  
and thin  
diagonal  
hatch.


Residential 1 ....  Red brown  
1.2.

Residential 2 ....  Red brown  
1.2 with  
red brown 1  
border.





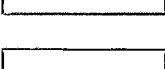
Residential 3 ....  Red brown 1.

General Residential 4 ....  Brown 1.3.

General Residential 5 ....  Brown 1.3  
with brown  
1 border.

General Residential 6 ....  Brown 1  
border and  
thin diagonal  
hatch.





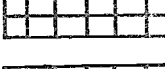

Commercial Zones.

Local Shopping	.....		Blue 2.
District Shopping	.....		Blue 2.2 with blue 2 border.
Special Business	.....		Blue 2.2 with blue 2 border and thin diagonal hatch.
Office	.....		Blue 2.2 with blue 2 border and thin vertical hatch.
Other Commercial	.....		Blue 2.2 with black letter(s).


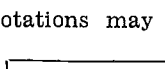

N.B.—Use to be indicated by the following or other letters or symbols appropriate to uses not listed below, where applicable:—




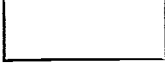



Market	.....	M
Showroom	.....	S
Car Sales	.....	C S
Car Park	.....	C P

Industrial Zones.

Service Industry	.....		Red purple 1.2 with blue 2 border.
Light Industry	.....		Red purple 1.2 border and thin diagonal hatch.
General Industry	.....		Red purple 1.2
Noxious Industry	.....		Red purple 1.2 and thin black cross hatch.
Hazardous Industry	.....		Red purple 1.2 and thin black cross hatch and red 2 dot.
Extractive Industry	.....		Red purple 1.2 border and thin cross hatch.

Rural Zone.

Rural	.....		Green brown 1.2.
On Land Use Maps the following detailed notations may be used where appropriate:—			
Intensive Cultivation	.....		Green brown 1.2 with green 2 border and thin diagonal hatch.
Other Rural Use	.....		Green brown 1.2.

Special Zones.								
Hotel ..	....	....	....	....	....	....		Red brown 1.2 with blue 2 dot.
Motel	....	....	....	....	....	....		Red brown 1.2 with blue border.
Fuel Depot ..	....	....	....	....	....	....		Red purple 1.2 with red 2 border.
Service Station	....	....	....	....	....	....		Blue 2 with red 2 border.
Drive-In Theatre	....	....	....	....	....	....		Red 2 border and thin blue 2 diagonal hatch.
Undertaker's Premises	....	....	....	....	....	....		Blue 2.2 and thick black border.
Undeveloped Land ..	....	....	....	....	....	....		Uncoloured.

N.B.—Zones or land uses not included in the above notation, may after consultation with the Town Planning Board be shown by appropriate additional colours and/or symbols.

Appendix "C".

SCHEME REPORT SUBJECT MATTER.

Reasons for Scheme.

Part I.—Planning Data.

1. Location and Area.
2. Population Trends.
3. Land Use and Statistical Information.
4. Public Utilities and Services.
5. Transportation and Communications.
6. Crown Land and Reserves.

Part II.—Scheme Proposals.

1. Existing Uses and Non-conforming Use Rights.
2. Zoning Policy.
3. Residential Zones.
4. Commercial Zones.
5. Industrial Zones.
6. Special Zones.
7. Other Specific Zones.

Part III.—Administration and Finance.

1. Development Controls.
2. Control of Advertising.
3. Relationship with Metropolitan Region Planning Scheme.
4. Enforcement of Scheme.
5. Compensation.
6. Financing of Scheme.

App. D.  
Amended by  
G.G. 22/6/73,  
p. 2378.

Appendix "D".

PLANNING SCHEME INTERPRETATIONS.

In any Scheme prepared in accordance with the Town Planning Regulations, 1967, unless the Scheme text provides otherwise—

"amenity building" means a building or part of a building that employees or persons engaged in an industry or business use for their personal comfort, convenience or enjoyment of leisure as distinct from the work of the industry or business;

"Board" means the Town Planning Board constituted under the Act;

"building" shall have the same meaning as is given to it in and for the purposes of the Uniform Building By-laws;

"building line" means the line between which and any public place or public reserve a building may not be erected except by or under the authority of an Act;

"car park" means a site or building used primarily for parking private cars or taxis whether as a public or private car park, but does not include any part of a public road used for parking or for a taxi rank, or any land or buildings on or in which cars are displayed for sale;

"car sales premises" means land and buildings used for the display and sale of cars, whether new or second-hand, but does not include a workshop;

"caretaker's house" means a building used as a residence by the proprietor or manager of an industry carried on upon the same site or by a person having the care of the building or plant of the industry;

"caravan park" means an area set aside for the parking of caravans in conformity with the Caravan and Camp Regulations, 1961, made pursuant to the provisions of the Health Act, 1911 (as amended), and the Local Government Model By-law (Caravan Parks) No. 2 made pursuant to the powers conferred by the Local Government Act, 1960 (as amended), and any amendments to those Regulations or to that Model By-law;

"civic building" means a building designed, used or intended to be used by Government Departments, statutory bodies representing the Crown, or councils as offices or for administrative or other like purposes;

"consulting rooms" means a building or part of a building (other than a hospital) used in the practice of his profession by a legally qualified medical practitioner or dentist, or by a physiotherapist, a masseur or a person ordinarily associated with a medical practitioner in the investigation or treatment of physical or mental injuries or ailments;

"drive-in theatre" means an open air cinema that makes provision for the audience or spectators to view the entertainment while seated in motor vehicles;

"dry cleaning premises" means land and buildings used for the cleaning of garments and other fabrics by chemical processes;

"duplex house" shall have the same meaning as is given to it and for the purposes of the Uniform Building By-laws;

"dwelling house" means a building used primarily for living purposes as one separate family unit; the term also includes such out-buildings and recreational uses and gardens as are ordinarily used therewith, but does not include a "residential building" or part of such a building;

"educational establishment" means a school, college, university technical institute, academy or other educational centre, or a lecture hall, but does not include a reformatory institution or institutional home;

"existing use" means use of any land or building for the purpose for which it was lawfully used immediately prior to the gazettal date of the Scheme, in accordance with the conditions set out in Part IV of Appendix "A";

"extractive industry" includes the extraction of sand, gravel, clay, turf, soil, rock, stone minerals or similar substance from the land, and also the manufacture of products from those materials when the manufacture is carried out on the land from which any of those materials is extracted or on land adjacent thereto;

"fish shop" means a shop where the goods kept exposed or offered for sale include wet fish or fish fried on the premises for consumption off the premises.

- “flats” shall have the same meaning as is given to it in and for the purpose of the Uniform Building By-laws and includes single unit flats as described in By-law 2808 of the Uniform Building By-laws;
- “floor area” shall have the same meaning as is given to it in and for the purposes of the Uniform Building By-laws;
- “frontage” shall have the same meaning as is given to it in and for the purposes of the Uniform Building By-laws;
- “fuel depot” means a depot for storage or bulk sale of solid or liquid gaseous fuel, but does not include a service station;
- “funeral parlour” means land and buildings occupied by undertakers where bodies are stored and prepared for burial or cremation;
- “gazettal date” means the date on which notice of the approval of the Minister to a planning Scheme is published in the *Government Gazette*;
- “general industry” means any industry other than a hazardous, light, noxious, rural, extractive or service industry;
- “hazardous industry” means an industry which by reason of the processes involved or the method of manufacture, or the nature of the materials used or produced requires isolation from other buildings;
- “health centre” means a maternal or x-ray centre, a district clinic, a masseur’s establishment, or a medical clinic;
- “height” has the same meaning as is given to it in and for the purposes of the Uniform Building By-laws;
- “hospital” means any building or part of a building, whether permanent or otherwise, in which persons are received and lodged for medical treatment or care;
- “home occupation” means a business carried on with the permission of the responsible authority within a house or the curtilage of a house that—
- (a) does not cause injury to or prejudicially affect the amenity of the neighbourhood including (but without limiting the generality of the foregoing) injury or prejudicial affection due to the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, grit, oil, waste water, or waste products;
  - (b) does not entail the employment of any person not a member of the occupier’s family, except in the case of a professional person;
  - (c) does not occupy an area greater than 20 square metres;
  - (d) does not require the provision of any essential service main of a greater capacity than normally required in the zone in which it is located; and
  - (e) is restricted in advertisement to a sign not exceeding 0.2 square metre in area;
- “hotel” means land and buildings the subject of a Publican’s General Licence, and Hotel Licence or a Wayside-house Licence granted under the provisions of the Licensing Act, 1911 (as amended), or of any Act in substitution for that Act, but does not include a motel;
- “industry” means the carrying out of any process for and incidental to—
- (a) the making, altering, repairing or ornamentation, painting, finishing, cleaning, packing or canning or adapting for sale, or breaking up or demolition of any article or part of any article;
  - (b) the winning, processing or treatment of minerals;
  - (c) the generation of electricity or the production of gas; and
  - (d) the manufacture of edible goods for human or animal consumption, being a process carried on in the course of trade or business for gain, other than operations connected with—
    - (i) the carrying out of agriculture;
    - (ii) site work on buildings, work or land; and
    - (iii) in the case of the manufacture of goods referred to in subparagraph (d) above, the preparation on the premises of a shop of food for sale;

and includes, when carried out on land upon which the process is carried out and in connection with that process, the storage of goods, any work of administration or accounting, the sale of goods resulting from the process and the use of land for the amenity of persons engaged in the process;

“institutional building” means a building used or designed for use wholly or principally for the purpose of—

- (a) a hospital or sanatorium for the treatment of infectious or contagious diseases;
- (b) a home or other institution for care of State wards, orphans, or persons who are physically or mentally handicapped;
- (c) a penal or reformatory institution;
- (d) a hospital for treatment or care of the mentally sick; or
- (e) any other similar use;

“institutional home” means a residential building for the care and maintenance of children, the aged, or the infirm, and includes a benevolent institution; but does not include a hospital or a mental institution;

“land” includes air stratum titles, messuages, tenements and hereditaments and any estate in the land, and houses, buildings, works and structures, in or upon the land;

“light industry” means an industry—

- (a) in which the processes carried on, the machinery used, and the goods and commodities carried to and from the premises will not cause any injury to or prejudicially affect the amenity of the locality by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil or otherwise; and
- (b) the establishment of which will not or the conduct of which does not impose an undue load on any existing or projected service for the supply or provision of water, gas, electricity, sewerage facilities, or any other like service;

“lot” has the meaning given to it in and for the purposes of the Act, and “allotment” has the same meaning;

“marine filling station” means land and buildings used for the storage and supply of liquid fuels and lubricants for marine craft, but in which no industry is carried on; but does not include a service station;

“milk depot” means a depot to which milk is delivered for distribution to consumers but in which milk is not processed or pasteurised;

“motel” means a building, group of buildings or place used or intended to be used to accommodate patrons in a manner similar to an hotel or boarding house but in which special provision is made for the accommodation of patrons with motor vehicles;

“motor repair station” means land and buildings used for or in connection with mechanical repairs and overhauls, including tyre recapping, retreading, panel beating, spray painting and chassis reshaping;

“new street alignment” See “street alignment”;

“non-conforming use” means the use of land which, though lawful immediately prior to the coming into operation of this Scheme is not in conformity with the Scheme;

“noxious industry” means an industry in which the processes involved constitute an offensive trade within the meaning of the Health Act, 1911 (as amended), but does not include fish shops or dry cleaning establishments;

“office” means the conduct of administration, the practice of a profession, the carrying on of agencies, banks, typist and secretarial services and services of a similar nature or, where not conducted on the site thereof, the administration of or the accounting in connection with an industry;

“open air display” means the use of land as a site for the display and/or sale of goods and equipment;

- “owner” in relation to any land includes the Crown and every person who, jointly or severally, whether at law or in equity—
- (a) is entitled to the land for any estate in fee simple in possession; or
  - (b) is a person to whom the Crown has lawfully contracted to grant the fee simple of the land; or
  - (c) is a lessee or licensee from the Crown; or
  - (d) is entitled to receive or is in receipt of, or, if the lands were let to a tenant, would be entitled to receive, the rents and profits thereof, whether as a beneficial owner, trustee, mortgagee in possession or otherwise;
- “petrol filling station” means land and buildings used for the supply of petroleum products and automotive accessories;
- “plot ratio” has the same meaning as is given to it in and for the purposes of the Uniform Building By-laws;
- “private hotel” means land and buildings used for residential purposes in respect of which may be granted an hotel licence under the provisions of the Licensing Act, 1911 (as amended), or any Act in substitution for that Act;
- “private recreation” means the use of land for parks, gardens, playgrounds, sports arenas or other grounds for recreation which are not normally open to the public without charge;
- “professional offices” means any building used for the purpose of his profession by an accountant, architect, artist, author, barrister, chiropractist, consular official, dentist, doctor, engineer, masseur, nurse, physiotherapist, quantity surveyor, solicitor, surveyor, teacher (other than a dancing teacher or a music teacher), or town planner; and “professional person” has a corresponding interpretation;
- “public amusement” means the use of land as a theatre, a cinema, a dance hall, a skating rink, swimming pool or gymnasium, or for games;
- “public assembly—place of” means any special place of assembly including grounds for athletics, all sports grounds with spectator provision, racecourses, trotting tracks, stadia, or show-grounds;
- “public authority” means a Minister of the Crown acting in his official capacity, a State Government Department, State trading concern, State instrumentality, State public utility and any other person or body, whether corporate or not, who or which, under the authority of any Act, administers or carries on for the benefit of the State, a social service or public utility;
- “public recreation” means the use of land for a public park, public gardens, foreshore reserve, playground or grounds for recreation which are normally open to the public without charge.
- “public utility” means any works or undertaking constructed or maintained by a public authority or municipality as may be required to provide water, sewerage, electricity, gas, drainage, communications or other similar services;
- “public worship—place of” includes buildings used primarily for the religious activities of a church, but does not include an institution for primary, secondary or higher education, or a residential training institution;
- “redevelopment” means revision or replacement of an existing land use according to a controlled plan;
- “reformatory institution” includes a penal institution;
- “reserved land for public purposes” means any land referred to in Part II of Appendix “A” of these regulations;
- “residential building” means a building, other than a dwelling house, designed for use for human habitation together with such outbuildings as are ordinarily used therewith, and the expression includes a hostel, an hotel designed primarily for residential purposes and a residential club;
- “rural industry” means an industry handling, treating, processing or packing primary products grown, reared or produced in the locality, and a workshop, servicing plant or equipment used for rural purposes in the locality;

- "service industry" means a light industry carried on on land and in buildings having a retail shop front and in which goods may be manufactured only for sale on the premises, or land and buildings having a retail shop front and used as a depot for receiving goods to be serviced;
- "service station" means land and buildings used for the supply of petroleum products and automotive accessories and includes greasing, tyre repairs and minor mechanical repairs;
- "shop" means any building wherein goods are kept exposed or offered for sale by retail, and includes a cafe and a restaurant and receiving depot; but does not include a bank, fuel depot, a market, service station, petrol filling station, milk depot, marine store, timber yard, or land and buildings used for the sale of motor and other vehicles, or for any purpose falling within the definition of industry;
- "showrooms" means rooms in connection with warehousing or offices, and intended for display of goods of a bulky character;
- "sports ground" means any land used for any sport; but does not include land within the curtilage of a dwelling, if not used commercially;
- "street alignment" means the boundary between the land comprising a street and the land that abuts thereon, but where a new street alignment is prescribed, means the new street alignment so prescribed;
- "transport depot" means land used for the garaging of road motor vehicles used or intended to be used for carrying goods for hire or reward or for any consideration, or for the transfer of goods from one such motor vehicle to another of such motor vehicles, and includes maintenance and repair of vehicles;
- "Uniform Building By-laws" means the Uniform Building By-laws, 1965, published in the *Government Gazette* on the 15th October, 1965, and amended from time to time thereafter by notices published in the *Government Gazette*;
- "warehouse" means any building or enclosed land, or part of a building or enclosed land, used for storage of goods and the carrying out of commercial transactions involving the sale of such goods by wholesale;
- "zone" means a portion of the Scheme area shown on the map by distinctive colouring, hatching, or edging for the purpose of indicating the restrictions imposed by the Planning Scheme on the erection and use of buildings or for the use of land, but does not include land reserved.

Appendix "E"  
Amended by  
G.G. 27/2/76.  
pp.547-52.

Appendix "E".  
Forms.

Form No. 1.

Town Planning and Development Act, 1928 (as amended).

**RESOLUTION DECIDING TO PREPARE A TOWN PLANNING SCHEME.**

Lands Wholly within the District of the Local Authority  
Preparing the Scheme.

(Name or Number of Town Planning Scheme.)

RESOLVED that the Council, in pursuance of section 7 of the Town Planning and Development Act, 1928 (as amended), prepare the above Town Planning Scheme with reference to an area situate wholly within the City/Town/Shire of..... and enclosed within the inner edge of \*.....border on a plan now produced to the Council and marked and certified by †.....under his hand dated the ..... as "Scheme Area Map".

Dated this.....day of.....19.....

(Town/Shire Clerk.)

\* Insert colour used on plan.

† i.e., Town/Shire Clerk.



Form No. 1A.

Town Planning and Development Act, 1928 (as amended).

RESOLUTION DECIDING TO PREPARE A TOWN PLANNING SCHEME.

Lands extending outside the District of the Local Authority  
Preparing the Scheme.

(Name or Number of Town Planning Scheme.)

RESOLVED that the Council, in pursuance of section 7 of the Town Planning and Development Act, 1928 (as amended), prepare the above Town Planning Scheme with reference to an area situate partly within the City/Town/Shire of ..... and partly within the City/Town/Shire of ..... and enclosed within the inner edge of a \* ..... border on a plan now produced to the Council and marked and certified by † ..... under his hand dated the ..... as "Scheme Area Map."

Dated this ..... day of ..... 19.....

.....  
(Town/Shire Clerk.)

\* Insert colour used on plan.  
† i.e., Town/Shire Clerk.

Form No. 1B.

Town Planning and Development Act, 1928 (as amended).

RESOLUTION DECIDING TO PREPARE A TOWN PLANNING SCHEME.

Lands within the District/s of the Local Authority/ies.

(Name or Number of Town Planning Scheme.)

RESOLVED that the Town Planning Board, in pursuance, of section 19 of the Town Planning and Development Act, 1928 (as amended), prepare the above Town Planning Scheme with reference to an area situate within the City/s Town/s Shire/s of ..... and enclosed within the inner edge of \* ..... border on a plan now produced to the Board and marked and certified by † ..... under his hand dated the ..... as "Scheme area Map."

Dated this ..... day of ..... 19.....

.....  
(Board Secretary.)

\* Insert colour used on plan.  
† i.e., Board Secretary.

Form No. 1C.

Town Planning and Development Act, 1928 (as amended).

RESOLUTION DECIDING TO AMEND A TOWN PLANNING SCHEME.

(Name and Number of Town Planning Scheme.)

RESOLVED that the Council, in pursuance of section 7 of the Town Planning and Development Act, 1928 (as amended), amend the above Town Planning Scheme by ..... (Here insert the purpose of the amendment) .....

Dated this ..... day of ..... 19.....

.....  
Town/Shire Clerk.

Form No. 2.

Town Planning and Development Act, 1928 (as amended).

ADVERTISEMENT OF RESOLUTION DECIDING TO PREPARE A  
TOWN PLANNING SCHEME.

(Name or Number of Town Planning Scheme.)

NOTICE is hereby given that the..... Council of  
..... on..... 19..... passed the follow-  
ing Resolution:—

(Here insert Resolution 1, or 1A.)

Dated this..... day of..... 19.....

.....  
Town/Shire Clerk.

Form No. 3.

Town Planning and Development Act, 1928 (as amended).

NOTICE THAT A PLANNING SCHEME HAS BEEN PREPARED AND  
IS AVAILABLE FOR INSPECTION.

(Name or Number of Town Planning Scheme.)

T.P.B. File No.

NOTICE is hereby given that the (1)..... in  
pursuance of its powers under the Town Planning and Development Act, 1928  
(as amended), has prepared a Planning Scheme with reference to  
(2)..... for the purpose  
of (3).....All plans and documents setting out and explaining the Planning Scheme  
have been deposited at (4)..... and will be open  
for inspection without charge during the hours of..... and.....  
on all days of the week except Saturdays, Sundays and Public Holidays, until  
and including the (5)..... day of..... 19.....The maps and other documents have also been deposited at the office of the  
Town Planning Department, Perth, and will similarly be open for inspection  
for the same period between the hours of 10 a.m. and 4 p.m.Any person who desires to make a submission on the Planning Scheme should  
make the submission in writing in the form prescribed by the regulations and  
lodge it with (6)..... on or before the (5).......... day of.....  
19.....

(7).....

(Board Secretary)

.....  
Town/Shire Clerk.

- (1) Insert name of Responsible Authority.
- (2) Insert a description of the area included in the Planning Scheme.
- (3) Describe shortly the purpose of the Scheme.
- (4) Insert address of place (or places) where Planning Scheme may be inspected.
- (5) Insert date on which exhibition period for documents ends.
- (6) Insert Town or Shire Clerk and the name and official address of the Responsible Authority.
- (7) Delete where not applicable.

Form No. 3A.

Town Planning and Development Act, 1928 (as amended).

**NOTICE THAT A TOWN PLANNING SCHEME AMENDMENT HAS BEEN PREPARED AND IS AVAILABLE FOR INSPECTION.**

(Name or Number of Town Planning Scheme and Amendment.)

T.P.B. File No.

NOTICE is hereby given that the (1).....in pursuance of its powers under the Town Planning and Development Act, 1928 (as amended) has prepared a Town Planning Scheme amendment for the purpose of (2).....

All plans and documents setting out and explaining the amendment have been deposited at (3) .....

..... and will be open for inspection without charge during the hours of.....and.....on all days of the week except Saturdays, Sundays and Public Holidays until and including the (4).....day of.....19.....

The plans and documents have also been deposited at the office of the Town Planning Department, Perth, and will similarly be open for inspection for the same period between the hours of 10 a.m. and 4 p.m.

Any person who desires to make a submission on the amendment should make the submission in writing in the form prescribed by the regulations and lodge it with (5) ..... on or before the (4) .....

.....day of .....19.....

(6)..... Town/Shire Clerk.

(Board Secretary)

- (1) Insert name of responsible authority.
- (2) Describe shortly the purpose of the amendment and description of the land affected by it.
- (3) Insert the address of place (or places) where amendment may be inspected.
- (4) Insert date on which exhibition period for documents ends.
- (5) Insert Town or Shire Clerk and the name and official address of the Responsible Authority.
- (6) Delete where not applicable.



Form 3B (Reg. 20(1)).

Town Planning and Development Act, 1928.  
(as amended.)NOTICE THAT A MODIFICATION HAS BEEN MADE  
TO A TOWN PLANNING SCHEME  
AND IS AVAILABLE FOR INSPECTION.

NOTICE is hereby given that the (1).....  
in pursuance of its powers under the Town Planning and Development Act,  
1928 (as amended) has prepared a Town Planning Scheme with reference to  
(2) ..... for the purpose  
of (3) ..... and the  
following modification has been made to the said Town Planning Scheme—  
(4) .....

All plans and documents setting out and explaining the Town Planning  
Scheme and the modification thereto have been deposited at (5) .....  
..... and will be open  
for inspection without charge during the hours of .....  
and ..... on all days of  
the week except Saturdays, Sundays and Public Holidays until and including  
the (6) .....

The plans and documents have been deposited at the office of the Town  
Planning Department, Perth, and will similarly be open for inspection for the  
same period between the hours of 10 a.m. and 4 p.m.

Any person who desires to make a submission on the modification to the  
Town Planning Scheme should make a submission in writing and lodge it with  
(7) ..... on or before  
the ..... day of.....  
19.....

(8) Board Secretary

Town/Shire Clerk.

- (1) Insert name of Responsible Authority.
- (2) Insert a description of the area included in the Planning Scheme.
- (3) Describe shortly the purpose of the Scheme.
- (4) Describe the modification to the Scheme.
- (5) Insert place or places where modification may be inspected.
- (6) Insert date on which exhibition period ends.
- (7) Insert Town or Shire Clerk and the name and official address of the Responsible Authority.
- (8) Delete where not applicable.

Form 3C (Reg. 25 (da)).

Town Planning and Development Act, 1928.  
(as amended).

NOTICE THAT A MODIFICATION HAS BEEN MADE TO A TOWN  
PLANNING SCHEME AMENDMENT AND IS AVAILABLE FOR INSPECTION.

NOTICE is hereby given that the (1) .....

.....  
in pursuance of its powers under the Town Planning and Development Act, 1928  
(as amended) has prepared a Town Planning Scheme Amendment for the  
purpose of (2) .....  
and the following modification has been made to the said Town Planning  
Scheme Amendment—

(3) .....

All plans and documents setting out and explaining the amendment and  
modification thereto have been deposited at (4) .....  
.....and will be open for inspection without  
charge during the hours of ..... and .....  
on all days of the week except Saturdays, Sundays and Public Holidays until  
and including the (5) .....

The plans and documents have been deposited at the office of the Town  
Planning Department, Perth, and will similarly be open for inspection for the  
same period between the hours of 10 a.m. and 4 p.m.

Any person who desires to make a submission on the modification to the  
Town Planning Scheme Amendment should make a submission in writing  
and lodge it with (6) .....  
on or before the ..... day of ..... 19.....

.....  
(7) Board Secretary.

.....  
Town/Shire Clerk.

- (1) Insert name of Responsible Authority.
- (2) Describe shortly the purpose of the Scheme.
- (3) Describe the modification to the Scheme.
- (4) Insert place or places where modification may be inspected.
- (5) Insert date on which exhibition period ends.
- (6) Insert Town or Shire Clerk and the name and official address of the Responsible Authority.
- (7) Delete where not applicable.



Form No. 4 (Reg. 16(1)).

Town Planning and Development Act, 1928.  
(as amended).NOTICE TO RESPONSIBLE AUTHORITY OF SUBMISSION ON  
PLANNING SCHEME.

To the Town/Shire Clerk of the City/Town/Shire of .....

TAKE NOTICE that I .....

of ..... in the State  
of Western Australia, do hereby make the following submission in respect of the  
land described below in relation to the Town Planning Scheme proposed by  
your Council.

The submission is as follows:—

Locality the subject of the submission (sketch to be shown):  
.....  
.....

Description of Land (as in Certificate of Title):

Location No.: ..... Lot No.: ..... Plan No.: ..... or Diagram  
No.: .....

Certificate of Title: Volume ..... Folio .....

- \* I am the owner/occupier of property within the area.
- \* I am the representative of a body corporate or other body that is the  
owner/occupier of property within the area (give name of body corporate  
or other body) .....
- \* My capacity in making this submission is (state other capacity) .....

Dated this ..... day of ..... 19.....

.....  
Signature.

\* Delete whichever inapplicable.

Form No. 4A (Reg. 25 (e)).

Town Planning and Development Act, 1928.  
(as amended).

**NOTICE TO LOCAL AUTHORITY OF SUBMISSION ON TOWN  
PLANNING SCHEME AMENDMENT.**

To the Town/Shire Clerk of the City/Town/Shire of .....

**TAKE NOTICE** that I .....

of .....  
in the State of Western Australia do hereby make the following submission in  
respect of the land described below in relation to the Town Planning Scheme  
Amendment proposed by your Council.

The submission is as follows:—

.....  
.....  
.....

Locality of the subject of the submission (sketch to be shown):

.....  
.....

Description of Land (as in Certificate of Title):

Location No.: ..... Lot No.: .....

Plan No.: ..... or Diagram No.: .....

Certificate of Title: Volume ..... Folio .....

- \* I am the owner/occupier of property within the area.
- \* I am the representative of a body corporate or other body that is the owner/occupier of property within the area (give name of body corporate or other body) .....
- \* My capacity in making this submission is (state other capacity) .....

Dated this ..... day of ..... 19.....

.....  
Signature.

\* Delete whichever inapplicable.



Form 4B (Reg. 20 (2)).

Town Planning and Development Act, 1928.  
(as amended).

NOTICE TO RESPONSIBLE AUTHORITY OF MODIFICATION TO TOWN  
PLANNING SCHEME.

To the Town/Shire Clerk of the City/Town/Shire of .....

TAKE NOTICE that I .....

of ..... in the State of  
Western Australia, do hereby make the following submission in respect of the  
land described below in relation to a modification to the Town Planning Scheme  
Amendment notice of which modification was published on the .....  
day of ..... 19.....

The submission is as follows:—

.....  
.....  
.....

Locality of the subject of the submission (sketch to be shown):

.....  
.....

Description of land (as in Certificate of Title)

Location No.: ..... Lot No.: .....

Plan No.: ..... or Diagram No.: .....

Certificate of Title: Vol. .... Folio .....

- \* I am the owner/occupier of property within the area.
- \* I am the representative of a body corporate or other body that is the owner/  
occupier of property within the area (give name of body corporate or other  
body) .....

\* My capacity in making this submission is (state other capacity) .....

Dated this ..... day of ..... 19.....

.....  
Signature.

\* Delete whichever is inapplicable.





Form 4C (Reg. 25).

Town Planning and Development Act, 1928.  
(as amended).

NOTICE TO LOCAL AUTHORITY OF SUBMISSION ON MODIFICATION TO  
TOWN PLANNING SCHEME AMENDMENT.

To the Town/Shire Clerk of the City/Town/Shire of .....

TAKE NOTICE that I .....

of .....  
in the State of Western Australia do hereby make the following submission in  
respect of the land described below in relation to a modification to the Town  
Planning Scheme Amendment notice of which modification was published on

the ..... day of ..... 19.....

The submission is as follows:—

Locality of the subject of the submission (sketch to be shown):  
.....

Description of land (as in Certificate of Title)

Location No.: ..... Lot No.: .....

Plan No.: ..... or Diagram No.: .....

Certificate of Title: Vol. .... Folio .....

- \* I am the owner/occupier of property within the area.
- \* I am the representative of a body corporate or other body that is the owner/  
occupier of property within the area (give name of body corporate or other  
body) .....
- \* My capacity in making this submission is (state other capacity) .....

Dated this ..... day of ..... 19.....

Signature.

\* Delete whichever is inapplicable.

Form No. 5 (Reg. 18(2)).

Town Planning and Development Act, 1928.  
(as amended).

## SCHEDULE OF SUBMISSIONS.

To .....

No.	Name/Address	Description of affected property. Lot. No., Street, etc.	Submission	Council's recommendation

.....  
Town/Shire Clerk.

Form No. 6.

Town Planning and Development Act, 1928 (as amended).  
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME.  
(Name and Number of Town Planning Scheme.)

T.P.B. File No. ....

IT is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon. Minister for Town Planning approved the (Name and Number of Town Planning Scheme) on the ..... day of ..... 19.....

(“.....”)

(2) .....  
Secretary, Town Planning Board.

(2) .....  
President/Mayor of Local Authority.

(2) .....  
Shire/Town Clerk.

- (1) The Scheme Text will be published only in the *Government Gazette* in accordance with Regulation 23.
- (2) *Delete where not applicable.*



Form No. 6A.

Town Planning and Development Act, 1928 (as amended).  
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME  
AMENDMENT.  
(Name and Number of Town Planning Scheme Amendment.)

T.P.B. File No. ....

IT is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act, 1928 (as amended), that the Hon. Minister for Town Planning approved the City/Town/Shire of ..... Town Planning Scheme Amendment on the ..... day of ..... 19.....

(“.....”)

(2) .....  
Secretary, Town Planning Board.

(2) .....  
President/Mayor of Local Authority

(2) .....  
Shire/Town Clerk.

- (1) The Text of the Amendment (if any) will be published only in the *Government Gazette* in accordance with Regulation 23.
- (2) *Delete where not applicable.*

Form No. 7.

Town Planning and Development Act, 1928 (as amended).

CLAIM FOR COMPENSATION.

To the Town/Shire Clerk

City/Town/Shire of .....

I/WE .....

of ..... hereby

claim compensation in the amount of .....  
..... (state amount claimed) in respect of the land described

hereunder and affected by ..... Planning

Scheme made in .....

Description of land affected by the Planning Scheme:

City/Town/Shire of .....

Lot No. .... Street .....

Plan No. .... Location No. ....

Certificate of Title: Volume ..... Folio .....

situated in the City/Town/Shire of .....

.....

.....

.....

the nature of my interest being (registered proprietor, lessee, mortgagor, etc.)  
on the following grounds:

.....

.....

.....

.....

.....

.....

(Signature of Claimant) .....

(Date) .....

\_\_\_\_\_