



Western Australia

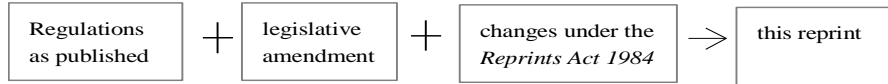
East Perth Redevelopment Act 1991

East Perth Redevelopment Regulations 1992

Reprint 1: The regulations as at 9 January 2004

Guide for using this reprint

What the reprint includes



Endnotes, Compilation table, and Table of provisions that have not come into operation

1. Details about the original regulations and legislation that has amended its text are shown in the Compilation table in endnote 1, at the back of the reprint. The table also shows any previous reprint.
2. Transitional, savings, or other provisions identified in the Compilation table may be important. The table may refer to another endnote setting out the text of these provisions in full.
3. A table of provisions that have not come into operation, to be found in endnote 1a if it is needed, lists any provisions of the regulations being reprinted that have not come into operation and any amendments that have not come into operation. The full text is set out in another endnote that is referred to in the table.

Notes amongst text (italicised and within square brackets)

1. If the reprint includes a regulation that was inserted, or has been amended, since the regulations being reprinted were made, editorial notes at the foot of the regulation give some history of how the regulation came to be as it is. If the regulation replaced an earlier regulation, no history of the earlier regulation is given (the full history of the regulations is in the Compilation table).

Notes of this kind may also be at the foot of Schedules or headings.

2. The other kind of editorial note shows something has been —
 - removed (because it was repealed or deleted from the law); or
 - omitted under the *Reprints Act 1984* s. 7(4) (because, although still technically part of the text, it no longer has any effect).

The text of anything removed or omitted can be found in an earlier reprint (if there is one) or one of the written laws identified in the Compilation table.

Reprint numbering and date

1. The reprint number (in the footer of each page of the document) shows how many times the regulations have been reprinted. For example, numbering a reprint as “Reprint 3” would mean that the reprint was the 3rd reprint since the regulations were published. Reprint numbering was implemented as from 1 January 2003.
2. The information in the reprint is current on the date shown as the date as at which the regulations are reprinted. That date is not the date when the reprint was published by the State Law Publisher and it is probably not the date when the most recent amendment had effect.

Reprinted under the
Reprints Act 1984 as
at 9 January 2004

Western Australia

East Perth Redevelopment Regulations 1992

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Western Australia

Reprinted under the
Reprints Act 1984 as
at 9 January 2004

East Perth Redevelopment Act 1991

East Perth Redevelopment Regulations 1992

1. Citation

These regulations may be cited as the *East Perth Redevelopment Regulations 1992*¹.

2. Commencement

These regulations shall come into operation on the day on which the *East Perth Redevelopment Act 1991* comes into operation¹.

3. Exclusions from definition of development

- (1) The following works, acts and activities do not 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;

r. 4

- (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 improvements thereon) set aside for public use;
 - (d) the carrying out of work inside a building which is not related to a change of use of any part of the building and does not alter its external appearance; or
 - (e) the carrying out of work for the maintenance of any building or structure where that work does not materially affect the external appearance of the building or structure.
- (2) In subregulation (1) “**routine work**” means work for the purposes of repair, maintenance or upkeep but does not include any new construction or alteration.

4. Application for approval

Form 1 in Schedule 1 is prescribed for the purpose of section 41 of the Act.

5. Fee

The fee for an application for approval under section 40 of the Act in relation to land that is in, or partly in, part of the redevelopment area to which a redevelopment scheme is applicable is as specified in Schedule 2.

6. Plans

- (1) All plans accompanying an application for approval under section 40 of the Act shall be —
 - (a) drawn on a white background;
 - (b) drawn to a scale not smaller than 1:500; and
 - (c) clearly illustrate the proposal in respect of which the application is made.
- (2) All measurements used on the plan shall be metric.
- (3) A plan shall 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 and vegetation;
 - (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; and
 - (g) a statement of or plans indicating the impact of the proposed development on views, privacy and overshadowing.

7. Penalties

- (1) A person shall not, in connection with an application for approval under section 40 of the Act, make a statement or give any information which that person knows is false in a material particular.

Penalty: \$1 000.

- (2) A person shall not, in connection with an application for approval under section 40 of the Act, omit to supply to the Authority any information or particulars which that person knows to be relevant to the application.

Penalty: \$1 000.

8. Appeal

Where the Authority has made a decision under section 43 of the Act in respect of a development on land in part of the redevelopment area to which the redevelopment scheme does not apply, the applicant may appeal against the decision in accordance with Part V of the Town Planning Act.

Schedule 1

[Reg. 4]

Office Use Only

Application No. _____

FORM 1

EAST PERTH REDEVELOPMENT ACT 1991

SECTION 40

APPLICATION FOR APPROVAL TO UNDERTAKE DEVELOPMENT

To : East Perth Redevelopment Authority

- 1. Name(s) of Owner(s) in full
Surname (or Company name) Other names
- Surname (or Company name) Other names
- Surname (or Company name) Other names
- 2. Address in full
- 3. Applicant's Name in full (if owner put self)
- 4. Address for correspondence
- Telephone No.
- 5. Locality of Development (Street number, street, suburb)
- 6. Titles Office Description of land: Lot No(s) Location No.
- Plan/Diagram No. Certificate of Title Vol. Folio
- Plan/Diagram No. Certificate of Title Vol. Folio
- 7. Name of nearest road junction/intersection
- 8. Description of proposed development
- 9. Purpose for which land is currently being used
- 10. State nature of existing buildings on the land
- Are existing buildings to be demolished in whole or in part?
- (a) YES/NO (b) WHOLE/PART
- 11. Materials and Colour to be used on external surfaces (including the roof) and any paved areas of the building
- 12. Estimated cost of development \$

Schedule 1

13. Estimated date of completion

Signature of owner(s) of the land	Signature of Applicant(s)
..... Date Date
..... Date Date
..... Date Date

State position if signing on behalf of a Company

Note 1: This application is to be accompanied by 6 copies of the plan(s) and specifications for the development and the prescribed fee.

Note 2: It is an offence under regulation 7 for a person —

- (a) to make a statement or give any information which that person knows is false in a material particular in connection with an application for approval of a development; or
- (b) to omit to supply to the Authority any information or particular which that person knows to be relevant to the application.

The offence is punishable by a fine of up to \$1 000.

Schedule 2 — Fees for application for approval under section 40

[r. 5]

Estimated value of proposed development	Fee
	\$
Up to \$10 000	50
\$10 001 - \$50 000	100
\$50 001 - \$100 000	250
\$100 001 - \$1 000 000	350
\$1 000 001 - \$10 000 000	\$0.75 for each \$4 000 + \$250
Greater than \$10 000 000	\$0.50 for each \$4 000 + \$1 000 (to a maximum of \$12 500)

[Schedule 2 inserted in Gazette 6 Oct 1998 p. 5550.]



Notes

- ¹ This reprint is a compilation as at 9 January 2004 of the *East Perth Redevelopment Regulations 1992* and includes the amendments made by the other written laws referred to in the following table. The table also contains information about any reprint.

Compilation table

Citation	Gazettal	Commencement
<i>East Perth Redevelopment Regulations 1992</i>	30 Jun 1992 p. 2870-3	1 Jul 1992 (see r. 2 and <i>Gazette</i> 1 Jul 1992 p. 2945)
<i>East Perth Redevelopment Amendment Regulations 1998</i>	6 Oct 1998 p. 5549-50	6 Oct 1998
Reprint 1: The <i>East Perth Redevelopment Regulations 1992</i> as at 9 Jan 2004 (includes amendments listed above)		