

WESTERN AUSTRALIA

TOWN PLANNING REGULATIONS 1967

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WESTERN AUSTRALIA

TOWN PLANNING AND DEVELOPMENT ACT 1928

**TOWN PLANNING
REGULATIONS 1967**

Citation

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

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 —

“**Development Scheme**” means a Scheme that involves one or more of the following —

- (a) works;

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- (b) constructions;
- (c) alteration of boundaries,

but does not include a Scheme that involves the zoning or classification of land;

“Scheme” means a Town Planning Scheme;

“the Act” means the *Town Planning and Development Act 1928* (as amended);

“Town Planning Scheme Amendment” or **“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.

[*Regulation 3 amended in Gazette 7 March 1986 p.704; 9 February 1996 p.485.*]

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 “A”.

(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 “A”.

(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 Commission —

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

- (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; and
- (c) a statement setting forth —
 - (i) the objects and intentions of the Scheme; and
 - (ii) the anticipated format of 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 "A".

(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 Commission —

- (a) a copy of the resolution certified by the Town/Shire Clerk as the case may be;
- (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; and
- (c) a statement setting forth —
 - (i) the objects and intentions of the Scheme; and
 - (ii) the anticipated format of the Scheme.

(6) The Commission shall examine the copy of the resolution, the map and the statement forwarded pursuant to this regulation and shall as soon as reasonably practicable notify the local authority in writing of the receipt of the documents together with —

- (a) any adjustment that the Commission considers should be made to the Scheme area; and

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- (b) any comments the Commission may have on the statement forwarded pursuant to this regulation.

[Regulation 4 amended in Gazette 15 May 1981 p.1493; 7 March 1986 pp.704 and 708; Erratum in Gazette 14 March 1986 p.751.]

Advertisement of Notice of Resolution

5. (1) A local authority shall, as soon as reasonably practicable after receiving notification from the Commission pursuant to regulation 4 (6) 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 "A", 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, the Water Authority of Western Australia², the Department of Conservation and Environment³, the Department of Conservation and Land Management and every other 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.

[Regulation 5 amended in Gazette 15 May 1981 p.1493; 7 March 1986 pp.704 and 708.]

Scheme in Respect of Crown Land

6. (1) Where in pursuance of the powers conferred by section 19 of the Act the Commission 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 Commission as though it were a local authority that had resolved to prepare a Scheme.

(2) Where the Commission 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 Commission to prepare a Scheme in respect of Crown land shall be in the Form No. 1B in Appendix "A".

[Regulation 6 amended in Gazette 7 March 1986 pp.704 and 708.]

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) Subject to subregulation (1a), a Scheme shall comprise a Scheme Text, a map or set of maps marked "Scheme Map" and such supporting plans, maps, diagrams, illustrations and other material as the Commission may require.

(1a) The Commission may approve the omission of the Scheme Map referred to in subregulation (1).

(2) The local authority shall prepare a Base Map of the Scheme area, and such map shall be used in the preparation of 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 Commission.

(3) Unless otherwise approved by the Commission maps shall not be on sheets larger than A.1 size.

[Regulation 8 amended in Gazette 22 June 1973 p.2378; 15 May 1981 p.1493; 7 March 1986 pp.704 and 708.]

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[9. *Repealed in Gazette 7 March 1986 p.704.*]

Scheme Map

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

(2) Every Scheme Map shall show such information, and shall be prepared in such manner, as the Commission may require.

[*Regulation 10 amended in Gazette 7 March 1986 pp.704 and 708.*]

Scheme Text

11. (1) Where a Scheme envisages the zoning or classification of land a Scheme Text shall be prepared in such manner and form as the Commission may require.

(2) In the case of Development Schemes, or Schemes that do not envisage the zoning or 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.

[*Regulation 11 amended in Gazette 7 March 1986 p.705.*]

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) Where a Scheme envisages the zoning or classification of land the Scheme Report shall contain such information, and shall be prepared in such manner, as the Commission may require.

[Regulation 12 amended in Gazette 7 March 1986 p.705; Erratum in Gazette 14 March 1986 p.751.]

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 —

- (a) if it resolves to proceed with the Scheme, adopt the proposed Scheme in accordance with the Act; or
- (b) if it resolves not to proceed with the Scheme, notify the Commission in writing of that resolution.

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

[Regulation 13 amended in Gazette 15 May 1981 p.1493; 10 August 1984 p.2364; 7 March 1986 p.708; 9 February 1996 p.486.]

Action by Minister and Notification

[Heading inserted in Gazette 10 August 1984 p.2364.]

14. (1) The Minister shall consider the proposed Scheme and the recommendation made by the Commission in relation thereto pursuant to regulation 13 and shall —

- (a) give his consent for the Scheme to be advertised for public inspection;

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- (b) withhold his consent for the Scheme to be advertised for public inspection; or
- (c) give his consent for the Scheme to be advertised for public inspection subject to such modifications and on such conditions as he may think fit.

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

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

(4) Within 42 days, or any longer period approved by the Minister, of being notified of any modifications required by the Minister, the local authority shall —

- (a) if it resolves to proceed with the Scheme —
 - (i) settle the modifications with the Commission together with any other modifications which appear to be necessary at that time;
 - (ii) request the Commission to obtain the consent of the Minister to the further modifications; and
 - (iii) resubmit the Scheme documents with the required modifications duly carried out;

or

- (b) if it resolves not to proceed with the Scheme, notify the Commission in writing of that resolution.

[Regulation 14 amended in Gazette 15 May 1981 p.1493; 10 August 1984 p.2365; 7 March 1986 p.708; 9 February 1996 p.486.]

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*.

[Regulation 14A inserted in Gazette 27 February 1976
p.545.]

Advertisement of Scheme

15. (1) Where the Minister has given his consent for the Scheme to be advertised for public inspection 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 "A" in accordance with subregulation (3) of this regulation and the responsible authority shall take such other steps, if any, as it considers necessary, or as it is directed by the Commission to take, to make public the details of the Scheme.

(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 Commission,

a copy of the Scheme, Scheme Report and other 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 Commission of the notice referred to in that subregulation once in the *Government Gazette* and the Commission shall forward to the responsible authority a copy of the notice so published and thereupon the responsible authority shall publish the notice once 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, and in the case of a development scheme to every landowner within the area the subject of the Scheme a notice in writing in the Form No. 3 in Appendix "A".

(5) The Commission 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 Development Scheme or 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.

[Regulation 15 amended in Gazette 27 February 1976 p.545; 15 May 1981 p.1494; 10 August 1984 p.2365; 7 March 1986 pp.705 and 708.]

Submissions on Scheme

[Heading inserted in Gazette 27 February 1976 p.545.]

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 Appendix A 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.

[Regulation 16 inserted in Gazette 27 February 1976 p.545; amended in Gazette 7 March 1986 p.705.]

Consideration of Submissions

[Heading inserted in Gazette 27 February 1976 p.545.]

17. (1) The responsible authority shall, within 6 months of the expiry of the period specified by the Commission or the Minister, as the case requires, under regulation 15 (5) for making submissions or within such further period as is approved by the Minister, 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 specified under regulation 15 (5) for making submissions, the responsible authority shall pass a resolution either —

- (a) that the Scheme be adopted with or without modification;
or
- (b) that it does not wish to proceed with the Scheme.

*[Regulation 17 inserted in Gazette 27 February 1976 p.545;
amended in Gazette 7 March 1986 p.705; 9 February 1996
p.486.]*

Scheme to be Forwarded to the Commission

*[Heading inserted in Gazette 27 February 1976 p.545;
amended in Gazette 7 March 1986 p.708.]*

18. (1) Within 28 days of passing a resolution under regulation 17 (2) the responsible authority shall forward to the Commission —

- (a) a schedule of submissions made on the Scheme;
- (b) its recommendations made in respect of those submissions;

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- (c) particulars of the modifications (if any) to the Scheme recommended by the responsible authority;
- (d) a copy of the resolution passed under regulation 17 (2); and
- (e) if that resolution was a resolution under regulation 17 (2) (b), a summary of the reasons why the responsible authority does not wish to proceed with the Scheme.

(2) The schedule of submissions referred to in subregulation (1) (a) shall contain —

- (a) the name and address of the person making the submission;
- (b) where it is relevant, a description of the affected property; and
- (c) the submission or a summary thereof,

and shall be accompanied by such relevant maps, plans, specifications and particulars as may be necessary or as are required by the Commission.

[Regulation 18 inserted in Gazette 27 February 1976 pp.545-6; amended in Gazette 15 May 1981 p.1494; 7 March 1986 pp.705 and 708; 9 February 1996 pp.486-7.]

Commission to Submit Scheme to Minister

[Heading amended in Gazette 7 March 1986 p.709.]

19. The Commission 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.

[Regulation 19 inserted in Gazette 27 February 1976 p.546; amended in Gazette 7 March 1986 p.709.]

Consideration of Scheme by Minister

[Heading inserted in Gazette 27 February 1976 p.546.]

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. 3A in Appendix A once in a newspaper circulating in the district where the land the subject of the Scheme is situated and to display a copy of the notice in a prominent place in the offices of the responsible authority for the period set forth in the direction and may direct the responsible authority to take such other steps as he considers necessary to make public the modification 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. 4 in Appendix A within the period specified by the Minister in the direction given under subregulation (1) of this regulation.

(3) The responsible authority shall, within 3 months of the expiry of the period specified by the Minister under subregulation (1) for making submissions on the modifications or within such further period as is approved by the Minister —

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

(4) The Commission 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.

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(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 Commission, and shall pursuant to section 7 (2) of the Act approve the Scheme, refuse to approve the Scheme or require the responsible authority to modify the Scheme in such manner as he may specify before approval is given.

[Regulation 20 inserted in Gazette 27 February 1976 p.546; amended in Gazette 15 May 1981 p.1494; 7 March 1986 pp.705 and 709.]

Approval of Scheme by Minister

[Heading inserted in Gazette 27 February 1976 p.546.]

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

- (a) approved of a Scheme;
- (b) refused to approve of a Scheme; or
- (c) required the responsible authority to modify the Scheme in such manner as he has specified before approval will be given,

the Commission shall notify the responsible authority of the approval, refusal or the requirement that the responsible authority modify the Scheme in such manner as the Minister may specify before approval is given.

(2) Within 42 days of being notified that the Minister —

- (a) has approved the Scheme; or
- (b) has required the responsible authority to modify the Scheme in such manner as the Minister may specify before approval is given,

the responsible authority shall —

- (c) comply with any modifications required by the Minister;
and
- [(d) *deleted*]
- (e) forward three copies of the Scheme to the Commission for
final approval,

and in the case of joint planning Schemes shall forward such additional copies as the Commission 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.

[Regulation 21 inserted in Gazette 27 February 1976 pp.546-7; amended in Gazette 15 May 1981 p.1494; 7 March 1986 pp.706 and 709; 9 February 1996 p.487.]

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 Commission.

(2) The Commission shall further endorse one of the copies of the Scheme and submit that copy to the Minister for endorsement by him of his final approval.

(3) A person authorized in writing in that behalf by the Commission may certify that a copy of the Scheme is a true copy of that Scheme as approved by the Minister.

[Regulation 22 amended in Gazette 7 March 1986 pp.706 and 709.]

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Advertisement of Approved Scheme

23. (1) After endorsement by the Minister of final approval of the Scheme, the Commission shall publish once in the *Government Gazette* a notice substantially in the Form No. 6 in Appendix A 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.

(3) The responsible authority shall pay the costs incurred in the publication of the notice and scheme text by the Commission pursuant to subregulation (1) of this regulation.

[Regulation 23 amended in Gazettes 10 September 1982 p.3655; 7 March 1986 pp.705 and 709.]

Deposit of Scheme

24. Upon the Commission forwarding to the responsible authority under the Scheme the copy of the notice under regulation 23 the copy of the Scheme endorsed by the Minister under regulation 22 shall be deposited with the Minister and a copy of the Scheme as certified under regulation 22 (3) shall be deposited with the Commission and the responsible authority.

[Regulation 24 inserted in Gazette 7 March 1986 p.706.]

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, in the opinion of the Commission, 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 A and shall be forwarded to the Commission separate from but with the Amendment;
- (d) the Commission shall not make a recommendation to the Minister under regulation 13 (2);
- (e) regulation 14 shall not apply but regulation 25AA shall apply to the giving or withholding of consent to the advertising of the Amendment for public inspection;
- (f) in regulation 15 (1) a reference to the Minister giving his consent for the Scheme to be advertised for public inspection under regulation 14 shall be read and construed as a reference to the Commission giving its consent for the Amendment to be advertised for public inspection under regulation 25AA;
- (fa) the date referred to in regulation 15 (5) shall be a date not less than 42 days from the date of publication of the advertisement in the *Government Gazette* unless the Commission decides that another date, being not less than 21 days nor more than 90 days from the date of such publication, is appropriate to the Amendment;
- (fb) in regulation 17 (1) a reference to 6 months shall be read and construed as a reference to 42 days; and
- (g) where no submissions are made a local authority may, if it resolves to adopt an amendment without modification, proceed to execute the documents in the manner prescribed in regulation 22.

[Regulation 25 amended in *Gazette* 27 February 1976 p.547; 15 May 1981 p.1494; 7 March 1986 pp.706 and 709; 9 February 1996 p.487.]

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Consent for Advertisement of Amendment and Notification

25AA. (1) The Commission shall consider the proposed Town Planning Scheme Amendment and shall —

- (a) give its consent for the Amendment to be advertised for public inspection;
- (b) give its consent for the Amendment to be advertised for public inspection subject to such modifications and on such conditions as it may think fit; or
- (c) recommend to the Minister that consent for the Amendment to be advertised for public inspection be withheld.

(2) Where the Commission makes a decision under subregulation (1) (a) or (b) it shall forthwith give notice in writing of that decision to the local authority.

(3) Where the Commission makes a recommendation under subregulation (1) (c) the Minister shall consider the proposed Amendment and the recommendation made by the Commission and shall —

- (a) withhold his consent for the Amendment to be advertised for public inspection; or
- (b) direct the Commission —
 - (i) to give its consent for the Amendment to be advertised for public inspection; or
 - (ii) to give its consent for the Amendment to be advertised for public inspection subject to such modifications and on such conditions as are contained in that direction,

and the Commission shall give effect to the direction of the Minister.

(4) The Commission shall forthwith give notice in writing to the local authority of —

- (a) the decision of the Minister under subregulation (3) (a); or
- (b) the decision of the Commission pursuant to the direction of the Minister under subregulation (3) (b) or (c).

(5) The Commission shall retain one copy of the Amendment for its own use and record and shall return the other copy to the local authority.

(6) Within 42 days, or any longer period approved by the Minister, of being notified of any modifications required by the Commission, the local authority shall —

- (a) if it resolves to proceed with the Amendment —
 - (i) settle the modifications with the Commission together with any other modifications which appear to be necessary at that time; and
 - (ii) resubmit the Amendment documents with the required modifications duly carried out;
- or
- (b) if it resolves not to proceed with the Amendment, notify the Commission in writing of that resolution.

*[Regulation 25AA inserted in Gazette 7 March 1986 p.707;
amended in Gazette 9 February 1996 p.487.]*

Consolidated schemes

25AB. For the purposes of the application of these regulations to a consolidated scheme pursuant to section 7AA (3a) of the Act —

- (a) in regulation 15 (2) a reference to the Scheme Report shall be read and construed as a reference to the report by the local authority under section 7AA (2) (a) of the Act; and

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(b) regulation 17 (2) (b) shall not apply.

*[Regulation 25AB inserted in Gazette 7 March 1986 p.707;
amended in Gazette 9 February 1996 p.488.]*

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.

*[Regulation 25A inserted in Gazette 27 February 1976
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 A.

[Regulation 26 amended in Gazette 7 March 1986 p.707.]

[27. Repealed in Gazette 7 March 1986 p.707.]

[Appendices A, B, C and D deleted in Gazette 7 March 1986 p.707.]

Appendix A

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 of19

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

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



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App. A

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.



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.)

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 following Resolution: —

(Here Insert Resolution 1, or 1A.)

Dated this day of 19

.....
Town/Shire Clerk.

Form No. 3A
[Regs. 20 (1) and (25).]

TOWN PLANNING AND DEVELOPMENT ACT 1928

**MODIFICATION TO TOWN PLANNING SCHEME/SCHEME
AMENDMENT* AVAILABLE FOR INSPECTION**

(Name or Number of Town Planning Scheme/Scheme Amendment*.)

Notice is hereby given that the following modification(s) has (have) been made to the abovementioned town planning scheme/scheme amendment* (1).....

Plans and documents setting out and explaining the town planning scheme/scheme amendment* and modification(s) thereto have been deposited at (2).....

and at the State Planning Commission, Perth, and will be open for inspection during office hours up to and including (3).....

Submissions on the modification(s) may be made in writing on Form No. 4 and lodged with the undersigned on or before (4).....

.....
Commission Executive Secretary*

.....
Town/Shire Clerk*

- (1) Describe modification(s) to town planning scheme/scheme amendment.
- (2) Insert address of place(s) where town planning scheme/scheme amendment may be inspected.
- (3) and (4) Insert appropriate date.

* Delete where necessary.

Form No. 4 Regs. 16 (1) and 20 (2).

Town Planning and Development Act 1928

TO: The Town*/Shire* Clerk of the City*/Town*/Shire* of
SUBMISSION ON
PLANNING SCHEME*/SCHEME AMENDMENT* No
OR
MODIFICATION TO SCHEME*/MODIFICATION TO SCHEME
AMENDMENT*

No
Name Phone
Address.....

SUBJECT OF SUBMISSION

(State how your interests are affected, whether as a private citizen, on behalf of a company or other organisation, or as an owner or occupier of property.)

ADDRESS OF PROPERTY AFFECTED BY SCHEME (if applicable). (Include lot number and nearest street intersection).

SUBMISSION (Give in full your comments and any arguments supporting your comments — continue on additional sheets if necessary).

Date Signature
* Delete whichever is inapplicable.

[Forms No. 4A, 4B, 4C deleted in Gazette 15 May 1981 p.1494.]

[Form No. 5 deleted in Gazette 7 March 1986 p.709.]

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 Planning approved the (Name and Number of Town Planning Scheme) on the day of 19

(“ ”)

(2)
Executive Secretary, State Planning Commission

(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 Planning approved the City/Town/Shire of Town Planning Scheme Amendment on the day of 19

(“ ”)

(2)
Executive Secretary, State Planning Commission

(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.*



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)

[Appendix A formerly Appendix "E" amended in Gazette
27 February 1976 pp.547-52; 15 May 1981 pp.1494-5.
Redesignated Appendix A and amended in Gazette 7 March
1986 pp.707-8.]

Town Planning Regulations 1967

NOTES

¹ This reprint is a compilation as at 28 May 1996 of the *Town Planning Regulations 1967* and includes the amendments in the reprint published in the *Gazette* on 28 October 1976 and the amendments effected by the other regulations referred to in the following Table.

Table of Regulations

Regulation	Gazettal	Commencement	Miscellaneous
<i>Town Planning Regulations 1967</i>	28 November 1967 pp.3227-53	28 November 1967	
(Regulations effecting amendments included in the previous reprint are not referred to in this Table)			
<i>Town Planning Amendment Regulations 1981</i>	15 May 1981 pp.1493-5	15 May 1981	
<i>Town Planning Amendment Regulations 1982</i>	10 September 1982 p.3655	10 September 1982	
<i>Town Planning Amendment Regulations 1984</i>	10 August 1984 pp.2364-5	10 August 1984	Regulation 7 transitional ⁴
<i>Town Planning Amendment Regulations 1986</i> Erratum 14 March 1986 p.751	7 March 1986 pp.703-9	10 March 1986	Regulation 32 transitional ⁵
<i>Town Planning Amendment Regulations 1996</i>	9 February 1996 pp.485-8	9 February 1996	

² The Water Authority of Western Australia no longer exists. See the *Water Agencies Restructure (Transitional and Consequential Provisions) Act 1995* (Act No. 73 of 1995) section 8.

³ Now see Department of Environmental Protection.

Town Planning Regulations 1967

⁴ Regulation 7 of the *Town Planning Amendment Regulations 1984* published in the *Gazette* on 10 August 1984 p.2365 reads as follows —

“ **Transitional**

7. Any Scheme submitted for preliminary approval by the Minister under the principal regulations as in force before the day that these regulations come into operation shall be deemed to be submitted to the Minister under the principal regulations as in force after the day that these regulations come into operation and shall be dealt with accordingly.

”.

⁵ Regulation 32 of the *Town Planning Amendment Regulations 1986* published in the *Gazette* on 7 March 1986 p.709 reads as follows —

“ **Transitional**

32. Any scheme or Town Planning Scheme Amendment submitted for the obtaining of the consent of the Minister for the Scheme or Amendment, as the case requires, to be advertised for public inspection under the principal regulations as in force before the coming into operation of these regulations shall be deemed to be submitted under the principal regulations as in force after the coming into operation of these regulations and shall be dealt with accordingly.

”.