

Western Australia

**East Perth Redevelopment Regulations
1992**

As at 01 Jan 2005

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East Perth Redevelopment Regulations 1992

CONTENTS

1.	Citation	1
2.	Commencement	1
3.	Exclusions from definition of development	1
4.	Application for approval	2
5.	Fee	2
6.	Plans	2
7.	Penalties	3
8.	Appeal	4
	Schedule 1	5
	Schedule 2 — Fees for application for approval under section 40	7
	Notes	
	Compilation table	8

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;
 - (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;

r. 4

- (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

r. 8

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 apply to the State Administrative Tribunal for a review of the decision in accordance with Part V of the Town Planning Act.

[Regulation 8 amended in Gazette 30 Dec 2004 p. 6952.]

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

Schedule 1

12. Estimated cost of development \$
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.

[Correction to Reprint in Gazette 27 Feb 2004 p. 639.]

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 is a compilation 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) (correction in <i>Gazette</i> 27 Feb 2004 p. 639)		
<i>East Perth Redevelopment Amendment Regulations 2004</i>	30 Dec 2004 p. 6952	1 Jan 2005 (see r. 2 and <i>Gazette</i> 31 Dec 2004 p. 7130)