

AB301*

Armadale Redevelopment Act 2001

Armadale Redevelopment Regulations 2003

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Armadale Redevelopment Regulations 2003*.

2. Exclusions from definition of “development”

- (1) The following works, acts and activities are declared not to constitute development for the purposes of the definition of “development” in section 3 of the Act —
 - (a) the erection of a sign, including a traffic control sign or device, by a public authority or the City of Armadale;
 - (b) the erection of a sign within a building;
 - (c) the carrying out of routine work by a public authority or the City of Armadale 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 public authority or the City of Armadale;
 - (iii) a road, bridge or railway; or
 - (iv) land (including building and building improvements) set aside for public use;
 - (d) the carrying out of work inside a building that is not related to a change of use of any part of the building and does not alter its external appearance;
 - (e) the carrying out of work for the maintenance of any building or structure if that work does not materially affect the external appearance of the building or structure; or
 - (f) the carrying out of work to which subregulation (2) applies.

- (2) This subregulation applies to work that, in the opinion of the Minister, is necessary or desirable for compliance by the Authority with any conditions —
- (a) that are attached to approval of a subdivision of land given by the Minister under section 17(8) of the Act; and
 - (b) that relate to —
 - (i) causing to be constructed to the satisfaction, and in accordance with the specifications, of the City of Armadale a road or roads providing access to, or within, that land;
 - (ii) making arrangements with the Water Corporation for the provision of water services to the satisfaction of the Water Corporation within that land; or
 - (iii) causing to be filled or drained or filled and drained to the satisfaction, and in accordance with the specifications, of the City of Armadale the whole or any part of that land.
- (3) In this regulation —
- “routine work”** means work for the purpose of repair, maintenance or upkeep but does not include any new construction or any alteration;
- “Water Corporation”** means the body established by section 4 of the *Water Corporation Act 1995*;
- “water service”** has the meaning given in section 3 of the *Water Corporation Act 1995*.

3. Form of application

Form 1 in Schedule 1 is prescribed for the purposes of section 46(1) of the Act.

4. Fee for application

The fees specified in Schedule 2 are prescribed for the purposes of section 46(1) of the Act in relation to land to which a redevelopment scheme applies.

5. Plans

- (1) All plans accompanying an application for approval referred to in section 46(1) of the Act, other than a plan to which subregulation (4)(b) refers —
- (a) are to be drawn on a white background;
 - (b) are to be drawn to a scale generally not smaller than 1:500; and
 - (c) are clearly to illustrate the proposed development in respect of which the application is made.

- (2) All measurements used on a plan are to be in the metric system.
- (3) A plan, other than a plan to which subregulation (4)(b) refers, is to include —
 - (a) the location and proposed use of any existing buildings and out buildings to be retained and the location and use of buildings proposed to be erected or demolished on the land;
 - (b) the existing and proposed means of access for pedestrians and vehicles to and from the land;
 - (c) the location, number, dimension and layout of all car parking spaces intended to be provided;
 - (d) the location and dimensions of any area proposed to be provided for the loading and unloading of vehicles carrying goods or commodities to and from the land and the means of access to and from those areas;
 - (e) the location, dimensions, design and particulars of the manner in which it is proposed to develop any landscaped area, including the retention of existing trees, vegetation, fences and walls;
 - (f) plans, elevations and sections of any building proposed to be erected or altered and of any building it is intended to retain, including details of materials of construction, finishes and external colour;
 - (g) a statement of, or plans indicating, any impact of the proposed development on —
 - (i) the appearance of streets and of vegetation and buildings in streets; and
 - (ii) views, privacy and overshadowing;
 - (h) a statement giving details of the proposed use and operation of the proposed development; and
 - (i) a statement giving details of any signs or advertising structures that are proposed to be included in the proposed development.
- (4) An application for approval referred to in section 46(1) of the Act is to be accompanied by 4 copies of —
 - (a) any plan to which subregulation (1) applies; and
 - (b) a plan, drawn to a scale not smaller than 1:2000, that identifies the land on which the proposed development that is the subject of the application is to be undertaken.

6. Fee for revised plan

- (1) A person —
 - (a) who has made an application; and
 - (b) who wishes to revise a plan that accompanied the application,

must pay to the Authority, at the time the revised plan is provided to the Authority, a fee of \$50 or 10% of the fee paid by the person under section 46(1) of the Act in respect of the application, whichever is the greater amount.

- (2) The Authority may waive, in whole or in part, the payment of a fee under subregulation (1).

7. Offences

- (1) A person must not, in connection with an application for approval referred to in section 46(1) of the Act, make a statement or give any information that the person knows to be false in a material particular.

Penalty: \$1 000.

- (2) A person must not, in connection with an application for approval referred to in section 46(1) of the Act, omit to supply to the Authority any information or particulars that the person knows to be relevant to the application.

Penalty: \$1 000.

Schedule 1 — Form of application

[r. 3]

Office Use Only

Application No. _____

Form 1

Armadale Redevelopment Act 2001

(Section 46(1))

Application for approval to undertake development

To: Armadale 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

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3. Applicant’s name in full (if owner put self)

4. Address for correspondence

Telephone No.

5. Locality of development (street number, street, suburb)

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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 \$**
13. **Estimated date of completion**
 Signature of owner(s) of the land. Signature of Applicant(s).
 Date Date
 Date Date
 Date Date

If signing on behalf of a body corporate state the nature of the authority by which signing.

Note 1: This application is to be accompanied by 4 copies of the plan(s) and specifications for the development and the prescribed fee.

Note 2: It is an offence under regulation 7 of the *Armadale Redevelopment Regulations 2003* for a person —

- (a) to make a statement or give any information that person knows to be 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 particulars that person knows to be relevant to the application.

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

Schedule 2 — Fee for application

[r. 4]

Estimated value of proposed development	Fee
Up to \$10 000	\$50
\$10 001 to \$50 000	\$100

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

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.