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EAST PERTH REDEVELOPMENT ACT 1991

**EAST PERTH
REDEVELOPMENT
(SUBTRACTED AREA)
REGULATIONS 2002**

East Perth Redevelopment Act 1991

East Perth Redevelopment (Subtracted Area) Regulations 2002

Made under section 4(2) by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *East Perth Redevelopment (Subtracted Area) Regulations 2002*.

2. Commencement

These regulations come into operation on the day on which they are published in the *Gazette*.

3. Schedule 1 to the Act replaced

(1) In this regulation —

“**Schedule 1**” means the *East Perth Redevelopment Act 1991**
Schedule 1.

[* *Reprinted as at 27 August 1999.*

*For subsequent amendments see 2000 Index to Legislation of
Western Australia, Table 1, p. 1-125.]*

(2) When an order under regulation 4 takes effect, Schedule 1 is repealed and the following Schedule is inserted instead —

East Perth Redevelopment (Subtracted Area) Regulations 2002

r. 3

“

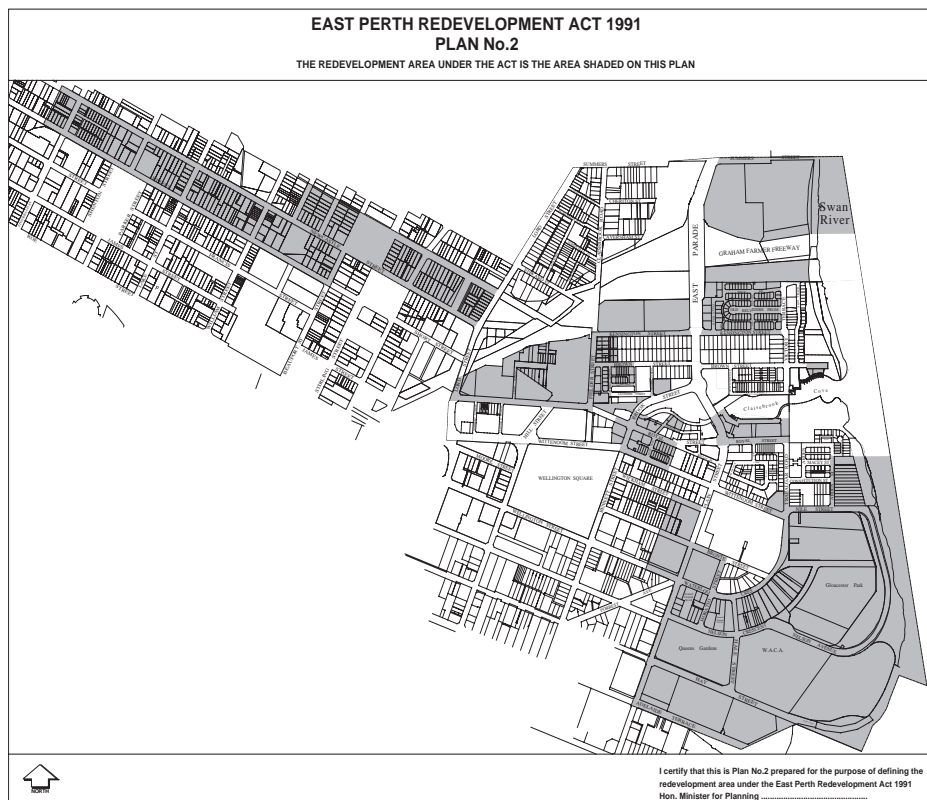
Schedule 1

[Section 4]

Redevelopment area

All of the land and waters in the area described as the redevelopment area on Plan No. 2 held at the office of the Authority, that plan being certified by the Minister as being the plan prepared for the purpose of defining the redevelopment area.

For guidance, the redevelopment area is indicated in the following representation of Plan No. 2.



”

East Perth Redevelopment (Subtracted Area) Regulations 2002

r. 4

4. Minister may amend planning schemes

- (1) The Minister may, by order published in the *Gazette*, amend the Metropolitan Region Scheme or the *City of Perth City Planning Scheme* to provide for —
 - (a) land in the subtracted area to be included in the area to which that scheme applies; and
 - (b) the land to have a reservation or zoning under that scheme the same as or similar to that which applied to the land immediately before it ceased to be in the redevelopment area.
- (2) In subregulation (1) —

“subtracted area” means the area to be subtracted from the redevelopment area by regulation 3.
- (3) The order takes effect at the beginning of the day after the day on which it is published in the *Gazette*.

5. Transitional matters to do with *City of Perth City Planning Scheme*

- (1) This regulation applies in relation to land included under regulation 4(1) in the area to which the City Scheme applies, but only to the extent that the City Scheme has not been amended to expressly exclude the application of this regulation.
- (2) The provisions of the Redevelopment Scheme that applied in relation to the land before it was included in the area to which the City Scheme applies continue to apply in relation to that land as if they were a part of the City Scheme but with —
 - (a) references to the Authority being read as references to the City of Perth;
 - (b) the reference in clause 4.6.4(g) to “a Special Fund in the East Perth Redevelopment Authority Account” being read as a reference to “a Special Fund”; and

East Perth Redevelopment (Subtracted Area) Regulations 2002**r. 6**

- (c) any other modifications necessary to enable the provisions to apply as if they were a part of the City Scheme administered by the City of Perth.
- (3) Provisions of the Redevelopment Scheme that are listed in the Table to this subregulation do not continue to apply under subregulation (2).

Table

| | |
|----------------------|---------------------|
| clauses 1.1 to 1.6 | clauses 3.2 to 3.12 |
| clause 2.23 | clause 3.16 |
| clauses 2.25 to 2.27 | clause 4.8 |

- (4) Provisions applying under subregulation (2) prevail to the extent of any inconsistency with another provision of the City Scheme.
- (5) The General Planning Policies, Precinct Planning Policies, and Design Guidelines adopted under the Act and listed in Schedule 1 are to be treated as if —
- they were Policies prepared under the provisions applying under subregulation (2); and
 - to the extent of any inconsistency with any other provision of the City Scheme, they prevailed over that provision.
- (6) In this regulation —
- “the City Scheme”** means the *City of Perth City Planning Scheme*;
- “the Redevelopment Scheme”** means the redevelopment scheme in force under Part 4 of the Act immediately before an order under regulation 4 takes effect.

6. Other transitional matters

When an order under regulation 4 takes effect, the effect, if any, of a decision previously made by the Authority about a development application or approval continues.

East Perth Redevelopment (Subtracted Area) Regulations 2002

r. 7**7. Expiry of regulations**

- (1) These regulations expire if the Minister has made an order under regulation 4(1) but there is no longer any land in relation to which regulation 5 applies, unless these regulations have already expired under subregulation (2).
- (2) These regulations expire at the end of the period of 2 years commencing on the day on which they come into operation, unless they have already expired under subregulation (1).
- (3) The expiry of these regulations does not affect the amendment made by regulation 3(2) nor an amendment made by an order under regulation 4(1).

East Perth Redevelopment (Subtracted Area) Regulations 2002**Schedule 1** Adopted Policies and Guidelines

Schedule 1 — Adopted Policies and Guidelines

[r. 5(5)]

General Planning Policies

| | |
|----------------------|---|
| Planning Policy 1.2 | The Urban Village |
| Planning Policy 1.4 | Residential Development |
| Planning Policy 1.5 | Urban Design |
| Planning Policy 1.6 | Energy Conservation |
| Planning Policy 1.7 | Landscaping |
| Planning Policy 1.8 | Open Space |
| Planning Policy 1.9 | Car Parking |
| Planning Policy 1.10 | Transport |
| Planning Policy 1.11 | Public Art |
| Planning Policy 1.12 | Community and Cultural Facilities |
| Planning Policy 1.13 | Home Occupation |
| Planning Policy 1.14 | Security |
| Planning Policy 1.15 | Advertising Signs |
| Planning Policy 1.16 | Heritage |
| Planning Policy 1.17 | Industrial Uses in East Perth |
| Planning Policy 1.18 | Television Antennae and Satellite and Microwave Dishes |

Precinct Planning Policies

| | |
|----------------------|----------------------------------|
| Planning Policy 2.1 | Precinct 1: Claisebrook Inlet |
| Planning Policy 2.2 | Precinct 2: Constitution Street |
| Planning Policy 2.3 | Precinct 3: Royal Street Central |
| Planning Policy 2.4 | Precinct 4: Silver City |
| Planning Policy 2.6 | Precinct 6: Boans |
| Planning Policy 2.7 | Precinct 7: East Parade |
| Planning Policy 2.8 | Precinct 8: Belvidere |
| Planning Policy 2.9 | Precinct 9: Brown Street |
| Planning Policy 2.10 | Precinct 10: Riverbank |

East Perth Redevelopment (Subtracted Area) Regulations 2002**Adopted Policies and Guidelines Schedule 1**

| | |
|----------------------|-------------------------------------|
| Planning Policy 2.11 | Precinct 11: Cemeteries |
| Planning Policy 2.12 | Precinct 12: Waterloo |
| Planning Policy 2.13 | Precinct 13: Plain Street |
| Planning Policy 2.15 | Precinct 15: Claisebrook Road North |
| Planning Policy 2.16 | Precinct 16: Transport Corridor |

Design Guidelines

| | |
|--|---------------------------|
| Constitution Hill | adopted 23 May 1994 |
| Lot 221 Royal Street (Regal Place) | adopted 22 July 1996 |
| Gasworks Subdivision Sector 10B (Belvidere) | adopted 23 September 1996 |
| Lots 209, 211 and 212 Eastbrook Subdivision | adopted 23 September 1996 |
| Sectors 1 and 2 – Haig Park and South Cove | adopted 24 February 1997 |
| Lots 161 and 162 Quayside | adopted 26 February 1997 |
| The Quadrant Site, Sector 6 | adopted 26 February 1997 |
| Sector 34 Perth Aboriginal Medical Service Site between Wittenoom and Royal Streets | adopted 28 April 1997 |
| Lot 201 Plain Street | adopted 26 May 1997 |
| Glyde Street Substation Design Guidelines | adopted 26 May 1997 |
| Lot 201 Plain Street | adopted 23 June 1997 |
| East Perth Primary School | adopted 25 August 1997 |
| Sector 25 – Claisebrook Road | adopted 25 August 1997 |
| Lots 73, 75 and 76 Royal Street | adopted 25 August 1997 |
| Lots 37 to 44 Belvidere (Sector 10) Design Guidelines for resubdivided land | adopted 24 November 1997 |

By Command of the Governor,

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

