



Western Australia

Hope Valley-Wattleup Redevelopment Act 2000

Hope Valley-Wattleup Redevelopment Regulations 2000

Hope Valley-Wattleup Redevelopment Regulations 2000

Contents

1.	Citation	1
2.	Commencement	1
3.	Meaning of “home occupation”	1
4.	Exclusions from definition of development	2
5.	Form of application for approval	3
6.	Fee for application for approval	3
7.	Plans	3
8.	Offences	5
 Schedule 1 — Form		
1.	Name(s) of Owner(s) in full	6
2.	Address in full	6
	. . . . .	6
	. . . . .	6
3.	Applicant’s name in full (if owner put self)	6
	. . . . .	6
4.	Address for correspondence	6
	. . . . .	6
5.	Locality of development (street number, street, suburb)	6
6.	Description of land: Lot No(s). Location No	7
7.	Name of nearest road junction/intersection	7
	. . . . .	7
8.	Description of proposed development	7
	. . . . .	7

Contents

9.	Purpose for which land is currently being used	7
10.	State nature of existing buildings on the land	7
11.	Materials and colour to be used on external surfaces (including the roof) and any paved areas of the building	7
12.	Estimated cost of development \$	7
13.	Estimated date of completion	7
Note 1:	This application is to be accompanied by 6 copies of the plan(s) and specifications for the development and the prescribed fee.	8
Note 2:	It is an offence under regulation 8 for a person — The offence is punishable by a fine of up to \$1 000.	8

**Schedule 2 — Fees for applications
for approval under section 26(1)**

Notes

Compilation table	10
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Hope Valley-Wattleup Redevelopment Regulations 2000

1. Citation

These regulations may be cited as the *Hope Valley-Wattleup Redevelopment Regulations 2000*.

2. Commencement

These regulations come into operation on the same day that the *Hope Valley-Wattleup Redevelopment Act 2000* comes into operation.

3. Meaning of “home occupation”

In these regulations —

home occupation means an occupation carried out in a dwelling or on land around a dwelling by an occupier of the dwelling which —

- (a) does not employ any person not a member of the occupier’s household;
- (b) will not cause injury to or adversely affect the amenity of the neighbourhood;
- (c) does not occupy an area greater than 20 m²;
- (d) does not display a sign exceeding 0.2 m²;
- (e) does not involve the retail sale, display or hire of goods of any nature;

- (f) in relation to vehicles and parking, does not result in the requirement for a greater number of parking facilities than normally required for a single dwelling or an increase in traffic volume in the neighbourhood, does not involve the presence, use or calling of a vehicle more than 2 tonnes tare weight, and does not include provision for the fuelling, repair or maintenance of motor vehicles; and
- (g) does not involve the use of an essential service of greater capacity than normally required in the land-use classification.

4. 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(1) 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;
 - (iii) a road, bridge or railway; or
 - (iv) land (including buildings 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) a home office.
- (2) In subregulation (1)(f) —
- home office** means a home occupation limited to a business carried out solely within a dwelling by a resident of the dwelling but which does not —
- (a) entail clients or customers travelling to and from the dwelling;
 - (b) involve any advertising signs on the premises; or
 - (c) require any external change to the appearance of the dwelling.

5. Form of application for approval

Form 1 in Schedule 1 is prescribed for the purposes of section 26(1) of the Act.

6. Fee for application for approval

The fees specified in Schedule 2 are prescribed for the purposes of section 26(1) of the Act in relation to land to which a redevelopment scheme applies.

7. Plans

- (1) All plans accompanying an application for approval under section 26(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 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, 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;and
 - (h) a statement giving details of the proposed use and operation and of the proposed development and of any signs or advertising structures that are proposed to be included in the proposed development.

- (4) An application for approval under section 26(1) of the Act is to be accompanied by 6 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.

8. Offences

- (1) A person must not, in connection with an application for approval under section 26(1) of the Act, make a statement or give any information which that person knows to be false in a material particular.
Penalty: \$1 000.
- (2) A person must not, in connection with an application for approval under section 26(1) of the Act, omit to supply to the Commission any information or particulars which that person knows to be relevant to the application.
Penalty: \$1 000.

Schedule 1 — Form

[r.5]

Office Use Only

Application No. _____

Form 1

Hope Valley-Wattleup Redevelopment Act 2000

(Section 26(1))

Hope Valley-Wattleup Redevelopment Regulations 2000

Application for approval to undertake development

To: The Western Australian Planning Commission

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. **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 |
- State position if signing on behalf of a Company.

Schedule 1 Form

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 8 for a person —

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

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

[Form 1 amended: Gazette 29 Dec 2006 p. 5895.]

Schedule 2 — Fees for applications for approval under section 26(1)

[r. 6]

[Heading inserted: Gazette 30 Jun 2011 p. 2630.]

Item	Estimated value of the development	Fee
1.	Not more than \$50 000	\$139
2.	More than \$50 000 but not more than \$500 000	0.32% of the estimated cost of the development
3.	More than \$500 000 but not more than \$2.5 m	\$1 600 + 0.257% for every \$1 in excess of \$500 000
4.	More than \$2.5 m but not more than \$5 m	\$6 740 + 0.206% for every \$1 in excess of \$2.5 m
5.	More than \$5 m but not more than \$21.5 m	\$11 890 + 0.123% for every \$1 in excess of \$5 m
6.	More than \$21.5 m	\$32 185

[Schedule 2 inserted: Gazette 30 Jun 2011 p. 2630.]

Notes

- ¹ This is a compilation of the *Hope Valley-Wattleup Redevelopment Regulations 2000* and includes the amendments made by the other written laws referred to in the following table.

Compilation table

Citation	Gazettal	Commencement
<i>Hope Valley-Wattleup Redevelopment Regulations 2000</i>	29 Dec 2000 p. 7955-63	Operative 1 Jan 2001 (see regulation 2 and <i>Gazette</i> 29 Dec 2000 p. 7904)
<i>Hope Valley-Wattleup Redevelopment Amendment Regulations 2006</i>	29 Dec 2006 p. 5895	1 Jan 2007 (see r. 2 and <i>Gazette</i> 8 Dec 2006 p. 5369)
<i>Hope Valley-Wattleup Redevelopment Amendment Regulations 2011</i>	30 Jun 2011 p. 2629-30	r. 1 and 2: 30 Jun 2011 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2011 (see r. 2(b))

Defined terms

*[This is a list of terms defined and the provisions where they are defined.
The list is not part of the law.]*

Defined term	Provision(s)
home occupation	3
home office	4(2)