

WESTERN AUSTRALIAN GOVERNMENT Gazette



PERTH, FRIDAY, 31 AUGUST 2001 No. 180

PUBLISHED BY AUTHORITY JOHN A. STRIJK, GOVERNMENT PRINTER AT 3.30 PM
 © STATE OF WESTERN AUSTRALIA

CONTENTS

PART 1

	Page
Electricity Corporation Act 1994—Electricity Transmission Amendment Regulations 2001.....	4877-81
Firearms Act 1973—Firearms Amendment Regulations (No. 3) 2001.....	4882-3
Local Government Act 1995—Shire of Serpentine-Jarrahdale (Validation of Imposition of Differential Rate (Mining Tenements)) Order 2001.....	4881-2
Police Act 1892—Police (Fees) Amendment Regulations 2001.....	4884-5
Road Traffic Act 1974—Road Traffic (Events on Roads) Amendment Regulations 2001.....	4887
Security and Related Activities (Control) Act 1996—Security and Related Activities (Control) Amendment Regulations (No. 2) 2001.....	4885-6

PART 2

Agriculture.....	4888
Cemeteries.....	4888-90
Consumer and Employment Protection.....	4890
Censorship.....	4890-2
Health.....	4892
Justice.....	4892
Land Administration.....	4893
Local Government.....	4893-4
Minerals and Petroleum.....	4894-6
Parliament.....	4896
Premier and Cabinet.....	4897
Planning and Infrastructure.....	4897-4949
Public Notices—	
Deceased Estates.....	4950-1
Notice of Appointment of Receiver.....	4951
Racing, Gaming and Liquor.....	4949
Treasury and Finance.....	4950
Transport.....	4950

IMPORTANT COPYRIGHT NOTICE

© State of Western Australia

This work is copyright. Apart from any use as permitted under the *Copyright Act 1968*, no part may be reproduced by any process without written permission from the Attorney General for Western Australia. Inquiries in the first instance should be directed to the Government Printer, State Law Publisher, 10 William St, Perth 6000.

PUBLISHING DETAILS

The Western Australian *Government Gazette* is published by State Law Publisher for the State of Western Australia on Tuesday and Friday of each week unless disrupted by Public Holidays or unforeseen circumstances.

Special *Government Gazettes* containing notices of an urgent or particular nature are published periodically. The following guidelines should be followed to ensure publication in the *Government Gazette*.

- Material submitted to the Executive Council prior to gazettal will require a copy of the signed Executive Council Minute Paper and in some cases the Parliamentary Counsel's Certificate.
- Copy must be lodged with the Sales and Editorial Section, State Law Publisher no later than 12 noon on Wednesday (Friday edition) or 12 noon on Friday (Tuesday edition).

Postal address:

State Law Publisher
P.O. Box 8448,
Perth Business Centre 6849

Delivery address:

State Law Publisher
Ground Floor,
10 William St. Perth, 6000
Telephone: 9321 7688 Fax: 9321 7536

- Inquiries regarding publication of notices can be directed to the Editor on (08) 9426 0010.
- Lengthy or complicated notices should be forwarded early to allow for preparation. Failure to observe this request could result in the notice being held over.

If it is necessary through isolation or urgency to fax copy, confirmation is not required by post. *If original copy is forwarded later and published, the cost will be borne by the advertiser.*

ADVERTISING RATES AND PAYMENTS

EFFECTIVE FROM 1 JULY 2001 (Prices include GST).

Deceased Estate notices, (per estate)—\$20.55

Real Estate and Business Agents and Finance Brokers Licences, (per notice)—\$48.00

Other articles in Public Notices Section—\$48.00 (except items of an exceptionally large nature. In these instances arrangements will be made for pricing the notice at time of lodging).

All other Notices

Per Column Centimetre—\$9.55

Bulk Notices—\$178.20 per page

Clients who have an account will be invoiced for advertising charges.

Clients without an account will need to pay at time of lodging the notice.

PUBLISHING ALTERATIONS

Periodically the normal *Gazette* publishing times need to be altered to cater for disruption caused by public holidays.

- Easter and Christmas holidays cause disruption each year.
- Australia Day and Anzac Day cause disruption when they fall on a Tuesday or Friday.

In these instances, notices warning of the change are generally published on page 2 for approximately 4 weeks prior to the date.

Readers are urged to check *Gazettes* accordingly, prior to contacting State Law Publisher.

JOHN A. STRIJK, Government Printer.

— PART 1 —

ENERGY

EN301*

Electricity Corporation Act 1994

Electricity Transmission Amendment Regulations 2001

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Electricity Transmission Amendment Regulations 2001*.

2. Schedule 4 replaced

Schedule 4 to the *Electricity Transmission Regulations 1996** is repealed and the following Schedule is inserted instead —

“

Schedule 4 — Loss factors

[r. 20]

Part A — Southwest transmission network entry points

Generator — Entry Point		Loss Factor
<i>Abbreviation</i>	<i>Name</i>	<i>MU 330 Ref Bus</i>
CPS	Collie Power Station	1.00000
GTN	Geraldton	1.13181
KPS	Kwinana Power Station	1.02565
KMK	Kerr McGee Kwinana	1.03924
MGA	Mungarra	1.11048
MPS	Muja Power Station	1.00000
PJR	Pinjar	1.03777
WKT	West Kalgoorlie	1.13393

Part B — Southwest transmission network exit points

Substation — Exit Point		Loss Factor
<i>Abbreviation</i>	<i>Name</i>	<i>MU 330 Ref Bus</i>
A 132	Arkana	1.04078
ABD 132	ALCOA Boddington	1.02087

Substation — Exit Point		Loss Factor
<i>Abbreviation</i>	<i>Name</i>	<i>MU 330 Ref Bus</i>
AFM 132	AFM	1.02949
AKW 132	ALCOA Kwinana	1.02816
ALB 132	Albany	1.08058
APJ 132	ALCOA Pinjarra	1.03567
APM 66	Aust Paper Mills	1.04118
BCH 132	Beechboro	1.03903
BDE 66	Bandee	1.08914
BEL 132	Belmont	1.03951
BHK 66	BHK	1.03111
BKF 132	Black Flag	1.14325
BLD 132B2	Boulder	1.13546
BNP 132	Beenup	1.03308
BNY 132	Bounty	1.10534
BP 66	British Petroleum	1.03206
BSI 132	Barrack Silicon Smelter	1.02129
BSN 66	Busselton	1.08948
BTN 132	Bridgetown	1.01701
BUH 132	Bunbury Harbour	1.02191
BUR 66	Burswood Island Casino	1.04333
BYF 132	Byford	1.03660
C 66	Cottesloe	1.04626
CAP 66	Capel	1.05907
CAR 66	Carrabin	1.08870
CBP 132	CSBP	1.02738
CC 132	Cockburn Cement	1.03088
CK 66	Cook Street	1.04744
CL 66	Clarence Street	1.04712
CLP 66	Coolup	1.05560
CO 66	Collie	1.01447
COL 66	Collier Street	1.04720
CPN 132	Chapman	1.13241
CUN 66	Cunderdin	1.08896
CVE 132	Canning Vale	1.03767
D 132	Darlington	1.04241
DUR 33	Durlacher	1.13181
E 66	Edmund Street	1.03848
EDG 132	Edgewater	1.04357
ENB 132	Eneabba	1.10414
F 66BUS1	Forrest Ave	1.04492
FFD 132	Forrestfield	1.03741
G 132	Gosnells	1.03818
GGV 132	Golden Grove	1.12888
GTN 33B1	Geraldton	1.13181

Substation — Exit Point		Loss Factor
<i>Abbreviation</i>	<i>Name</i>	<i>MU 330 Ref Bus</i>
H 132	Hadfields	1.04007
HAY 132	Hay Street	1.04095
HE 66	Herdsman Parade	1.04744
HIS 132	Hismelt	1.02737
JT 66BUS1	Joel Terrace	1.04246
K 132	Kalamunda	1.04069
KAT 66	Katanning	1.05036
KDN 220	Kondinin	1.05950
KEL 66	Kellerberrin	1.09383
KMC 132	Kerr McGee Cataby	1.08255
KMM 132	Kerr McGee Muchea	1.04111
KOJ 132B2	Kojonup	1.02955
LMC 132	Muchea Local	1.04079
LMR 132	Marriott Road Local	1.02004
MA 132	Manning Street	1.04255
MC 66	Medical Centre	1.04539
MED 132	Medina	1.02974
MER 66	Merredin	1.08289
MH 132	Mandurah	1.03929
MIL 132	Milligan Street	1.04049
MJ 132	Midland Junction	1.04222
MJP 132	Manjimup	1.02682
MO 132	Morley	1.04033
MOR 132	Moora	1.06876
MR 66	Margaret River	1.11343
MUL 132	Mullaloo	1.04357
MW 66	Mundaring Weir	1.05590
MY 66	Myaree	1.04555
N 66	Nedlands	1.04538
NB 132	North Beach	1.04302
NF 66	North Fremantle	1.03907
NGN 66	Narrogin	1.03280
NOR 66	Northam	1.06178
NP 66	North Perth	1.04629
OC 66	O'Connor	1.04463
OP 132	Osborne Park	1.04180
PCY 132	Piccadilly	1.13566
PIC 66	Picton	1.02639
PNJ 132	Pinjarra	1.03576
QNP 66	Quinninup	1.03055
RBD 132	Reynolds Boddington	1.02087
RO 132	Rockingham	1.03106
RTN 132	Riverton	1.03445

Substation — Exit Point		Loss Factor
<i>Abbreviation</i>	<i>Name</i>	<i>MU 330 Ref Bus</i>
RV 66	Rivervale	1.04336
SF 66	South Fremantle	1.03492
SP 66	Shenton Park	1.04489
SUM 132	Summer St	1.04069
SV 66	Sawyers Valley	1.05888
SX 33	Southern Cross	1.10414
TLN 66	Tomlinson Street	1.04267
TS 132	Three Springs	1.10403
TT 66	Tate Street	1.04210
U 66	University	1.04581
VP 66	Victoria Park	1.04247
W 66BUS1	Wellington Street	1.04246
WAG 66	Wagin	1.05457
WCL 132	Western Collieries	1.00000
WD 66	Wembley Downs	1.04608
WE 132	Welshpool	1.03826
WEB 66	WEB Grating	1.04243
WGP 132	Wagerup	1.01927
WKT132B1	West Kalgoorlie	1.13393
WM 132	Western Mining	1.02906
WOR 132	Worsley	1.00903
WSD 66	Westralian Sands	1.05032
WUN 66	Wundowie	1.04087
Y 132	Yokine	1.04087
YER 66	Yerbillon	1.08909
YLN 33	Yilgarn	1.10414
YNP 66	Yornup	1.03627
YP 132	Yanchep	1.04158

**Part C — Northwest transmission network
entry points**

Substation — Entry Point		Loss Factor
<i>Abbreviation</i>	<i>Name</i>	<i>CLB33KV Ref Bus</i>
DPS	Dampier	1.01537
LPS	Cape Lambert	0.96854
PEL	PEPL	1.01986

**Part D — Northwest transmission network
exit points**

Substation — Exit Point		Loss Factor
<i>Abbreviation</i>	<i>Name</i>	<i>CLB33KV Ref Bus</i>
AST	Anderson Street	1.03939
BUL	Bulgarra	1.01795

Substation — Exit Point		Loss Factor
<i>Abbreviation</i>	<i>Name</i>	<i>CLB33KV Ref Bus</i>
CLB-33	Cape Lambert Terminal 33kV	1.00000
DMP	Dampier (WPC)	1.01885
LPS-33	Cape Lambert Power Station	0.97354
MDR	Murdock Drive	1.02738
MNM-66	Mt Newman (BHP)	1.04003
NGA-66	Nimingarra (BHP)	1.06559
PCK	Pegs Creek	1.01783
PSN-33	Point Samson	1.00037
WFD	Wedgefield	1.02533

[* Published in Gazette 31 December 1996, p. 7257-320.
For amendments to 4 April 2001 see 1999 Index to
Legislation of Western Australia, Table 4, p. 68.]

By Command of the Governor,

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

LOCAL GOVERNMENT

LG301*

Local Government Act 1995

Shire of Serpentine-Jarrahdale (Validation of Imposition of Differential Rate (Mining Tenements)) Order 2001

Made under section 9.64 of the Act by the Governor in Executive Council.

1. Citation

This order may be cited as the *Shire of Serpentine-Jarrahdale (Validation of Imposition of Differential Rate (Mining Tenements)) Order 2001*.

2. Validation

The imposition by the Shire of Serpentine-Jarrahdale —

- (a) of the differential general rate of 20.6007 cents in the dollar of the unimproved value of rateable land in its district that is the subject of a mining tenement (within the meaning of the *Mining Act 1978*);

- (b) for the financial years ending 30 June 2000 and 30 June 2001,

is as valid as if it had been imposed with the approval of the Minister as required by section 6.33(3) of the Act.

By Command of the Governor,

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

POLICE

PO301*

Firearms Act 1973

Firearms Amendment Regulations (No. 3) 2001

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Firearms Amendment Regulations (No. 3) 2001*.

2. Commencement

These regulations come into operation on 1 September 2001.

3. The regulations amended

The amendments in these regulations are to the *Firearms Regulations 1974**.

[* Reprinted as at 8 June 2001.]

4. Regulation 4 amended

- (1) The Table to regulation 4(1a) is deleted and the following Table is inserted instead —

“

Table of application forms and fees

Form No.	Kind of Licence	Fee (\$)
1	Firearm Licence — original issue (1 year)	114
1	Firearm Licence — renewal (1 year)	24
1	Firearm Collector's Licence — original issue (5 years)	114

Form No.	Kind of Licence	Fee (\$)
1	Firearm Collector's Licence — renewal (5 years)	48
2	Corporate Licence — original issue (1 year).....	179
2	Corporate Licence — renewal (1 year).....	72

- (2) The Table to regulation 4(1c) is deleted and the following Table is inserted instead —

“

Table of application forms and fees

Form No.	Kind of Licence	Fee (\$)
3	Dealer's Licence — original issue (1 year)	179
3	Dealer's Licence — renewal (1 year)	73
3	Repairer's Licence — original issue (1 year)	179
3	Repairer's Licence — renewal (1 year)	40
3	Manufacturer's Licence — original issue (1 year)	179
3	Manufacturer's Licence — renewal (1 year).....	40
3	Shooting Gallery Licence — original issue (1 year).....	134
3	Shooting Gallery Licence — renewal (1 year).....	47
4	Ammunition Collector's Licence — original issue (5 years).....	114
4	Ammunition Collector's Licence — renewal (5 years).....	48

”

5. Various regulations amended

The regulations listed in column 1 of the Table to this regulation are amended by deleting the amounts set out in column 2 of that Table opposite those regulations and inserting instead the amounts set out in column 3.

Table of amendments

Column 1 Regulation	Column 2 Delete	Column 3 Insert
4(1aa)(a)	\$19	\$22
4(1aa)(b)	\$14	\$18
4(1b)(a)	\$19	\$22
5(1)(b)	\$9	\$11
8(2)	\$19	\$22
11(1)	\$74	\$89
27(1)(a)	\$200	\$284

By Command of the Governor,

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

PO302*

Police Act 1892

Police (Fees) Amendment Regulations 2001

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Police (Fees) Amendment Regulations 2001*.

2. Commencement

These regulations come into operation on 1 September 2001.

3. Schedule replaced

The Schedule to the *Police (Fees) Regulations 1981** is repealed and the following Schedule is inserted instead —

“

Schedule

[r. 2]

1.	Traffic conviction record fee	\$13.75
2.	Escorts and Guards —	
	(a) each person provided per hour or part thereof for —	
	(i) high risk escorts carried out by Tactical Response Group	\$59.11
	(ii) other escorts	\$51.70
	(b) per km rate for —	
	(i) motor vehicle	71.6 cents
	(ii) motor cycle	24.1 cents
	(c) travelling allowance, where applicable, to be charged in accordance with the Police Award.	
3.	Photographs, authorised reproductions —	
	(a) black and white, 254 mm x 203.2 mm	\$15.20
	(b) colour, 127 mm x 177.8 mm	\$15.20
4.	Police clearance certificates, each	\$18.70
5.	Preparation of reports for private prosecutions per hour or part thereof	\$53.90
6.	Traffic offence detection photographs (e.g. traffic speed camera, red light camera) if provided by police, per copy	\$15.20
7.	Provision of accident information —	
	(a) details of accident to those involved or their representatives (including explanatory letter outlining certain accident details)	\$26.15

- (b) details of accident to Insurance Commission of Western Australia for Third Party Insurance purposes \$22.00 ”

[* Reprinted as at 20 August 1999.
For amendments to 11 July 2001 see 2000 Index to
Legislation of Western Australia, Table 4, p. 264.]

By Command of the Governor,

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

PO303*

Security and Related Activities (Control) Act 1996

Security and Related Activities (Control) Amendment Regulations (No. 2) 2001

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Security and Related Activities (Control) Amendment Regulations (No. 2) 2001*.

2. Commencement

These regulations come into operation on 1 September 2001.

3. Schedule 4 amended

Schedule 4 to the *Security and Related Activities (Control) Regulations 1997** is amended by deleting the table of fees and inserting the following Table instead —

“

Provision of Act or regulations column 1	Subject matter column 2	Fee (\$) column 3
<i>Agent's licences</i>		
s. 46(1)	Application for issue of agent's licence —	
	for one year or less*	215
	for 3 years.....	235

Provision of Act or regulations column 1	Subject matter column 2	Fee (\$) column 3
s. 46(1)	Application by licensee for an additional agent's licence (each)	68
s. 49(1)(c)	Application for renewal of agent's licence — 3 year (each)	136
<i>Other licences</i>		
s. 46(1)	Application for issue of any other licence — for one year or less	47
	for 3 years	67
s. 46(1)	Application by licensee for an additional other licence (each)	26
s. 49(1)(c)	Application for renewal of any other licence — 3 year (each)	46
Reg. 10	Application for endorsement under section 24	20
Reg. 12	Application for permit under section 25	84
Reg. 13	Application for endorsement under section 26	21
<i>Miscellaneous</i>		
s. 10(2)	Application to inspect register	13
s. 10(3)	Certified copy of register entry	21
s. 46(1)	Fee if fingerprints and palm prints are required under section 48	34
s. 66	Issue of duplicate licence or duplicate identification card	26

[* Reprinted as at 20 April 2001.

For amendments to 11 July 2001 see Gazette 12 June 2001.]

By Command of the Governor,

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

TRANSPORT

TR301*

Road Traffic Act 1974

Road Traffic (Events on Roads) Amendment Regulations 2001

Made by the Lieutenant-Governor and deputy of the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Road Traffic (Events on Roads) Amendment Regulations 2001*.

2. Schedule 2 replaced

Schedule 2 to the *Road Traffic (Events on Roads) Regulations 1991** is repealed and the following Schedule is inserted instead —

“

Schedule 2 — Application fees

	[r. 6(2)(c)]
	\$
Category 1 event	119
Category 2 event	71
Category 3 event	48
Category 4 event	48

”

[* *Published in Gazette 1 February 1991 p. 549-54.*
*For amendments to 18 July 2001 see 2000 Index to
 Legislation of Western Australia, Table 4, p. 307.*]

By Command of the Lieutenant-Governor and
 deputy of the Governor,

ROD SPENCER, Clerk of the Executive Council.

— PART 2 —

AGRICULTURE

AG401

VETERINARY SURGEONS ACT 1960

Agriculture Western Australia,
South Perth WA 6151.

Agric. 89/89

The Governor has been pleased to appoint pursuant to Sections 5 and 6 of the Veterinary Surgeons Act 1966 the following as members and deputies of the Veterinary Surgeons Board for terms of office expiring on 31 December 2002.

Member

Dr John Edwards
Dr Peter Punch
Dr Anthony John Vigano-Paterson
Dr Jennifer Mills
Mr Anthony Vincent McCarthy

Deputy

Mr Preston Suijendorp
Dr Raymond George Batey

Ms Michelle Cole

KIM CHANCE, Minister for Agriculture, Forestry and Fisheries.

CEMETERIES

CC401*

CEMETERIES ACT 1986

GERALDTON PUBLIC CEMETERY

In pursuance of the powers conferred by Section 53 of the Cemeteries Act 1986, the Geraldton Cemetery Board hereby records having resolved on 15 August 2001 to substitute the following fees and charges, effective from 1st October 2001 for the fees and charges detailed in Schedule 'A' of the Geraldton Public Cemetery By-Laws. The fees shall be payable upon application for services detailed hereunder.

SCHEDULE OF FEES AND CHARGES

Includes 10% Goods and Services Tax
Unless otherwise stated

GENERAL CEMETERY**A: Burial Fees**—Including Registration and Tablet Fee

Interment in grave any depth to 2.1m (up to 3 interments)	\$604.00
Interment of child under 13 years of age (Including Stillborn in ground not set aside for such purpose)	\$462.00
Interment of any stillborn child in ground set aside for that purpose	\$131.00
Interment in a brick grave	\$714.00
For every other 0.3 metre	\$79.00

B: Lot Fees

A 'Grant or Right of Burial' (Title Deed) being issued for each Lot and shall be additional to those fees prescribed in paragraphs (A) above—

Ordinary Land for grave 2.1m long x 0.75m wide x 1.8m deep where directed by cemetery	\$640.00
Ordinary Land for grave 1.5m long x 0.6m wide x 1.8m deep where directed by cemetery (child under 13 years of age)	\$252.00
Pre-need purchase—Land selected by applicant or land reserved in Advance	\$761.00

C: Re-opening Fees

For each interment in grave to depth of 2.1m	\$604.00
For each interment of a child under 13 years of age	\$462.00
For exhumation	\$724.00
For reburial after exhumation	\$604.00

D: Extra Charges		
For each Interment on a Saturday, Sunday, or Public Holiday		\$357.00
For each interment not in usual hours		\$320.00
For late arrival of a funeral at Cemetery gates		\$73.00
For late departure of funeral from Cemetery gates		\$73.00
Interment without due notice		\$320.00
LAWN CEMETERY		
A: Burial Fees—including Registration and Tablet Fee		
Ordinary Land for grave 2.1m long x 0.75m wide x 1.8m deep where directed by Cemetery (2 interments)		\$640.00
Interment in grave 2.1m long x 0.75m wide x 2.1m deep (3 interments)		\$750.00
Interment of a child under 13 years of age		\$462.00
Interment in a brick grave 2.4m long x 1.2m wide x 1.8m deep		\$750.00
B: Lot Fees		
A 'Grant or Right of Burial' (Title Deed) being issued for each Lot and shall be additional to those fees prescribed in paragraphs (A) above—		
Ordinary Land for grave 2.1m long x 0.75m wide x 1.8m deep where directed by cemetery		\$897.00
Ordinary Land for grave 1.5m long x 0.6m wide x 1.8m deep where directed by cemetery (child under 13 years of age)		\$252.00
Pre-need purchase—Land selected by applicant or land reserved in Advance		\$997.00
C: Re-opening Fees		
For each interment in a grave to depth of 2.13m		\$640.00
For Exhumation		\$1018.00
Reburial after Exhumation		\$640.00
D: Extra Charges		
For each Interment on a Saturday, Sunday, or Public Holiday		\$357.00
For each interment not in usual hours		\$320.00
For late arrival of a funeral at Cemetery gates		\$73.00
For late departure of funeral from Cemetery gates		\$73.00
Interment without due notice		\$320.00
CREMATORIUM		
A: Cremation Fees—including registration		
Cremation of Person thirteen years and over		\$630.00
Cremation of Child under 13 years of age		\$394.00
Cremation of Stillborn without memorial service		\$168.00
Cremation of Stillborn with memorial service		\$362.00
Pre-need Cremation		\$730.00
B: Extra Charges		
Cremation without due notice		\$320.00
Cremation not in usual hours		\$320.00
Cremation on a Saturday, Sunday or Public Holiday		\$357.00
Late Arrival/Commencement Penalty Fee		\$73.00
C: Disposal of Ashes		
Niche single—Brick Wall		\$110.00
Niche double—Brick Wall		\$220.00
Niche single—Tiled Wall		\$142.00
Niche double—Tiled Wall		\$289.00
Niche single—Marble Wall		\$178.00
Niche double—Marble Wall		\$362.00
Pre-need niche site (reservation fee only)		\$70.00
Plaque site in Memorial Garden		\$220.00
Plaque site at foot of shrub		\$693.00
Plaque site on kerbing in Memorial Gardens		\$110.00
Pre-need memorial site (reservation fee only)		\$105.00
Scatter Ashes as to Winds (with issue of certificate)		\$73.00
Scatter Ashes on Memorial Garden (with issue of certificate)		\$73.00
Interment of Ashes in a family grave		\$110.00
Post Ashes overseas		\$126.00
Post Ashes within Australia		\$95.00
Hold Ashes in Safe Custody after six months (per month)		\$16.00
Collection of Ashes from safe custody		\$73.00
MISCELLANEOUS CHARGES		
For Permit to erect a headstone, monument or rail in General Cemetery	exempt	\$200.00
Office of Australian War Graves—costs waived		
For Permit to place a plaque in Old Lawn Cemetery (LC)	exempt	\$200.00

For Permit to place a plaque/headstone/monument in Lawn Nos 1 & 2 (LCS & LCM)	exempt	\$231.00
Purchase of small raised headstone		\$94.00
Purchase of large raised headstone		\$178.00
Copy of Grant or Right of Burial		\$52.00
Transfer of Grant or Right of Burial		\$52.00
Copy of By-laws and Regulations		\$21.00
Funeral Director's Annual Licence Fee	exempt	\$231.00
Grave Dresser's Annual Licence Fee	exempt	\$115.00
Single Monument Work Permit (Permit fee also payable)	exempt	\$110.00
Single Funeral Permit (Funeral Director's only)	exempt	\$110.00
Single Funeral Permit (other than Funeral Directors)	exempt	\$300.00

RESEARCH SERVICES

Location Query per name	exempt	\$2.00
Photocopy of Cemetery Records per page		\$1.00

The Fees and Charges in the above schedule were set by resolution at a duly convened meeting of the Geraldton Cemetery Board held on 15 August 2001.

MAX CORREY, Chairman.
JENNIFER HALL, Administrator.

CONSUMER AND EMPLOYMENT PROTECTION

CE401

COMPANIES (CO-OPERATIVE) ACT 1943

(Section 296 Subsection (3))

Department of Consumer and Employment Protection.

Notice is hereby given that at the expiration of three months from the date hereof the name of the undermentioned Co-operative Company will, unless cause is shown to the contrary, be struck off the register and the said Co-operative Company will be dissolved.

- Nilgin Services Cooperative Limited

Dated this Twenty Seventh day of August 2001.

JOHN LUCEV, Person Authorised by the
Commissioner for Corporate Affairs in Western Australia.

CENSORSHIP

CS401*

CENSORSHIP ACT 1996

I, Jim McGinty, being the Minister administering the Censorship Act 1996, acting in the exercise of the powers conferred by Section 15 of that Act, do hereby determine that the publications specified in the schedule below shall be classified as refused publications for the purposes of that Act.

Dated this 21st day of August 2001.

JIM MCGINTY, Attorney General.

Schedule

14 August 2001

Refused Classification

Title or Description	Publisher
Australian Penthouse (Limited Edition) Oct 1995 Vol 16 No 10	Gemkilt Publishing Pty Ltd
Best of Wonderboy No 10	Not Known
Game Boys No 12	Media X
My Boyfriend's Dad (by Peter Jensen)	American Art Enterprises

CS402***CENSORSHIP ACT 1996**

I, Jim McGinty, being the Minister administering the Censorship Act 1996, acting in the exercise of the powers conferred by Section 15 of that Act, do hereby determine that the publications specified in the schedule below shall be classified as restricted publications for the purposes of that Act.

Dated this 21st day of August 2001.

JIM MCGINTY, Attorney General.

Schedule

14 August 2001

Restricted Classification

Title or Description	Publisher
Australasian Sex Paper Jul 2001 Vol 11 No 118	Xpress Australia Pty Ltd
Australian Rosie Gay, The Jul 2001 No 23	Xpress Australia Pty Ltd
Australian Rosie, The Jul 2001 No 145	Xpress Australia Pty Ltd
Best of 40 Plus, The Vol 2 Iss 10	Fantasy Publications Ltd
Best of Asian Babes, The Vol 2 Iss 9	Fantasy Publications Ltd
Best of Club No 41	Paul Raymond Publications Ltd
Big Ones (International) Vol 12 No 5	Fantasy Publications Ltd
Blowjob Fantasies.Com No 3	Amazing Media Group Inc
Boys Collection No 15	Media X
Boys Collection No 17	Media X
Boys Collection No 20	Media X
Boys Collection No 24	Man's Best Media
Boys Collection No 30	Man's Best Media
Celebrity Skin Jul 2001 Vol 23 No 96	Man's World Publications
Cover Boys No 1	Vito-Vertrieb
Encounters Iss 58	Pleasures Pty Ltd
Eros Vol 3 No 4	Fantasy Publications Ltd
Escort (Contact UK) Vol 1 No 2	Paul Raymond Publications Ltd
Escort Vol 21 No 7	Paul Raymond Publications Ltd
Fiesta Vol 34 Iss 10	Galaxy Publications Ltd
Freeway Iss 202	Freeway
Game Boys No 17	Media X
Gay Climax No 2	Vito-Vertrieb
Hong Kong 97 Jun 1999 No 165	Not Known
Hustler (Gold Edition) Vol 6 No 9	JT Publishing Pty Ltd
I Want It	Load
Mayfair Vol 36 No 7	Paul Raymond Publications Ltd
Men Only Vol 66 No 7	Paul Raymond Publications Ltd
Mister Macho No 10	Not Known
Model Directory Vol 19 No 7	Paul Raymond Publications Ltd
Naughty Neighbors Jul 2001 Vol 7 No 7	The Score Group
New Talent Vol 8 No 6	Fantasy Publications Ltd
Nude Readers' Wives No 170	Fantasy Publications Ltd
Outward Bound	Load
Penthouse Jul 2001 Vol 32 No 11	General Media Communications Inc
Penthouse Forum Jul 2001 Vol 31 No 7	General Media Communications Inc
Penthouse Forum Aug 2001 Vol 31 No 8	General Media Communications Inc
Picture Premium, The No 35	ACP Extra
Playmate Club Aug 2001 Iss 1	VLVDM
Posh Wives! (Special Edition) Vol 3 Iss 4	Fantasy Publications Ltd
Private No 166	Private Media Group
Private Sex No 33	Private Media Group
Pure Anal Sex.Com No 1	Amazing Media Group Inc
Razzle Vol 19 No 7	Paul Raymond Publications Ltd
Readers' Wives Vol 9 No 3	Fantasy Publications Ltd
Real Wives Vol 8 No 6	Fantasy Publications Ltd
Sexual Secrets (Swank Letter Series) Apr 1992 Vol 3 No 2	Broadway Publishing Corp
Soho Vol 1 Iss 11	Paul Raymond Publications Ltd
Stop My Ass Is On Fire No 1	Amazing Media Group Inc
Tight 'N Sticky	Load
Voltage No 2	Vito Vertrieb
X-Treme Vol 1 No 9	Fantasy Publications Ltd

CS403*

CENSORSHIP ACT 1996

I, Jim McGinty, being the Minister administering the Censorship Act 1996, acting in the exercise of the powers conferred by Section 15 of that Act, do hereby determine that the publications specified in the schedule below shall be classified as unrestricted publications for the purposes of that Act.

Dated this 21st day of August 2001.

JIM MCGINTY, Attorney General.

Schedule

14 August 2001

Unrestricted Classification

Title or Description	Publisher
Heavy Metal Sep 2001 Vol 25 No 4	Metal Mammoth Inc
Hustler (Australia) Vol 6 No 9	JT Publishing Pty Ltd

HEALTH

HE401*

HEALTH ACT 1911**HEALTH ACT (DALWALLINU TOWNSITE SEWERAGE SCHEME EXTENSION) ORDER 2001**

Made by the Governor in Executive Council under section 60 of the Act.

1. Citation

This order may be cited as the *Health Act (Dalwallinu Townsite Sewerage Scheme Extension) Order 2001*.

2. Commencement

The order comes into operation on the day on which it is published in the *Gazette*.

3. Dalwallinu Townsite Sewerage Scheme Extension

The Shire of Dalwallinu is empowered to undertake the construction of an extension to the existing sewerage scheme to service Lots 126, 127 and 128 in McNeill Street, Dalwallinu.

By Command of the Governor,

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

JUSTICE

JU401

JUSTICES ACT 1902

It is hereby notified for public information that His Excellency the Governor in Executive Council has approved of the appointment of—

Mrs Beverley Anne Agar of 20 Caulfield Road, Morawa

Mr James Foster Cook of 13 Broad Avenue, Morawa

to the office of Justice of the Peace for the State of Western Australia.

GARY THOMPSON, Executive Director, Court Services.

LAND ADMINISTRATION

LA101

CORRECTION

In the notice appearing on page 4593 of the *Government Gazette* published on 24 August 2001 the lot to be forfeited and file number were incorrect and are corrected as follows—

Delete 'Woodanilling Lot 20' and insert 'Woodanilling Lot 200'

Delete file number '1793-1992' and insert '1493-1992'

GRAHAME SEARLE, A/Chief Executive Officer.

LOCAL GOVERNMENT

LG101

*CORRECTION***LOCAL GOVERNMENT ACT 1995**

Department of Local Government and Regional Development,
Perth, 31 August 2001.

An error has been noted in the "Shire of Nannup—Basis of Rates Notice" published in the *Government Gazette* of 6 July 2001 on pages 3427 and 3428. To correct the error in line nine of the notice delete the words "the schedules hereunder shall be gross rental values" and insert "Schedule A hereunder shall be gross rental values and in Schedule B hereunder shall unimproved values

ALLAN SKINNER, Acting Director General,
Department of Local Government and Regional Development.

LG402*

CEMETERY ACT 1986*The Municipality of the Shire of Mundaring*

In pursuance of the powers conferred by Section 53 of the Cemeteries Act 1986, the Council of the Shire of Mundaring hereby records having resolved on 28 August 2001 to set the following fees and charges effective from 1 October 2001. The fees shall be payable upon application for services detailed hereunder at both Mundaring and Wooroloo cemeteries.

Details	Mundaring/Wooroloo Charges Effective 1/10/2001 Including GST \$
Interment of Adult	676.50
Interment of Child (under 13)	431.20
Grant of Right of Burial Where Directed by Council	884.40
Interment Without Due Notice—Extra Fee	93.50
Interment on Weekends or Public Holidays, Extra Fee	655.60
Saturday Morning Funeral	345.40
Interment of Ashes in Family Grave	171.60
Interment of Ashes In—	
Niche Wall: Single	411.40
Double	687.50
Interment of Ashes in Garden	390.50
Fee for Exhumation	1338.70
Reinterment After Exhumation	669.90
Number Disc	33.00
Reopening of Grave: Adult	676.50
Child (under 13)	431.20
Interment of Ashes on Weekend or Public Holiday—Extra Fee	655.60
Grant Transfer/Reissue/Refund	88.00

Details	Mundaring/Wooroloo Charges Effective 1/10/2001 GST Exempt \$
Undertakers' Licence P/Annum *	515.00
Branch Account Fee *	156.00
Single Funeral Permit *	94.00
Monumental Licence (Annual)	255.00
Single Permit *	88.00
Monument Erection Permit *	198.00

T. GERAGHTY, Shire President.
M. N. WILLIAMS, Chief Executive Officer.

LG401**LOCAL GOVERNMENT ACT 1995***City of Nedlands*

Reserves, Foreshores and Beaches Local Law

LGRD: ND 7-24 V2

Department of Local Government and Regional Development,
Perth, 31 August 2001.

It is hereby notified for public information that the Governor has approved under the provisions of section 3.6 of the *Local Government Act 1995*, of the City of Nedlands extending the area of application of its Reserves, Foreshores and Beaches Local Law for a distance of 200 metres seawards from its western district boundary which is bounded by the low water mark of the Indian Ocean.

ALLAN SKINNER, Acting Director General,
Department of Local Government and Regional Development.

MINERALS AND PETROLEUM

MP401**MINING ACT 1978**

NOTICE OF APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Minerals and
Petroleum Resources, Leonora.

In accordance with Regulation 49 (2) (c) of the Mining Regulations 1981, notice is hereby given that the following licences are liable to forfeiture under the provisions of Section 96 (1) (a) of the Mining Act 1978, for breach of covenant, viz, non-payment of rent.

S. M. WILSON (SM), Warden.

To be heard in the Warden's Court at Leonora on 18th September 2001.

EAST MURCHISON MINERAL FIELD*Lawlers District*

Miscellaneous Licence

36/56—WMC Resources Ltd

MOUNT MARGARET MINERAL FIELD*Mount Malcolm District*

Prospecting Licences

37/4245—Dixon, Trevor John; Melville, Brian Anthony

37/4615—Williams, Thomas Geoffrey

37/5649—Maynard, Allen John, McKeaig, Lindsay Stuart; Millenium Minerals (Operations) Pty Ltd

37/5896—Gutnick Resources NL

37/5897—Gutnick Resources NL

37/5898—Gutnick Resources NL

MOUNT MARGARET DISTRICT

Prospecting Licences

38/2724—Johnson's Well Mining NL
 38/2756—Johnson's Well Mining NL
 38/2896—Fargo Resources NL
 38/2897—Fargo Resources NL
 38/2898—Fargo Resources NL
 38/2899—Fargo Resources NL
 38/2900—Fargo Resources NL
 38/2901—Fargo Resources NL

MOUNT MORGANS DISTRICT

Prospecting Licences

39/2757—Menzies, John Charles; Richmond, William Robert
 39/2758—Menzies, John Charles; Richmond, William Robert
 39/2759—Menzies, John Charles; Richmond, William Robert

MP402**MINING ACT 1978**

NOTICE OF APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mineral and
 Petroleum Resources, Leonora.

In accordance with Regulation 49(2) (c) of the Mining Regulations 1981, notice is hereby given that the following licences are liable to forfeiture under the provisions of Section 96 (1) (a) of the Mining Act 1978, for breach of covenant, viz, failure to comply with the prescribed expenditure conditions.

S. M. WILSON (SM), Warden.

To be heard in the Warden's Court at Leonora on 18th September, 2001.

MOUNT MARGARET MINERAL FIELD

Mount Margaret District

Prospecting Licence

38/2726—Johnson's Well Mining NL

MP403**MINING ACT 1978**

Notice of Application for an Order for Forfeiture

Department of Mineral and Petroleum Resources,
 Kalgoorlie WA 6430.

In accordance with Regulation 49(2)(c) of the Mining Act 1978, notice is hereby given that the Prospecting Licences are liable to forfeiture under the provisions of Section 96(1)(a) for breach of covenant, viz. non payment of rent.

S. M. WILSON (SM), Warden.

To be heard in the Warden's Court, Kalgoorlie on the 27th September 2001.

BROAD ARROW MINERAL FIELD

P24/2667—Vigen Pty Ltd
 P24/3124—Centaur Mining and Exploration Ltd
 P24/3125—Centaur Mining and Exploration Ltd
 P24/3126—Centaur Mining and Exploration Ltd
 P24/3127—Centaur Mining and Exploration Ltd
 P24/3128—Centaur Mining and Exploration Ltd
 P24/3164—Centaur Mining and Exploration Ltd
 P24/3165—Centaur Mining and Exploration Ltd
 P24/3166—Centaur Mining and Exploration Ltd
 P24/3167—Centaur Mining and Exploration Ltd
 P24/3168—Centaur Mining and Exploration Ltd
 P24/3179—Impress Technologies Ltd and Richfield Resources NL
 P24/3180—Impress Technologies Ltd and Richfield Resources NL
 P24/3181—Impress Technologies Ltd and Richfield Resources NL
 P24/3182—Impress Technologies Ltd and Richfield Resources NL

BROAD ARROW MINERAL FIELD—*continued*

P24/3183—Impress Technologies Ltd and Richfield Resources NL
 P24/3184—Impress Technologies Ltd and Richfield Resources NL
 P24/3538—Murchison Resources Pty Ltd
 P24/3603—Murchison Resources Pty Ltd
 P24/3604—Murchison Resources Pty Ltd

EAST COOLGARDIE MINERAL FIELD

P26/2599—Richfield Resources NL
 P26/2995—Martin, Steven Howard

NORTH EAST COOLGARDIE MINERAL FIELD

P27/1498—Reeks, Edward Atherton and Reeks, Wendy Gillian
 P27/1500—Reeks, Leigh Edward
 P28/823—Anvil Mining NL

NORTH COOLGARDIE MINERAL FIELD

P29/1681—Pollock, George Leo and Pollock, Kim George

MP404

MINING ACT 1978

Notice of Application for an Order for Forfeiture

Department of Mineral and Petroleum Resources,
 Kalgoorlie WA 6430.

In accordance with Regulation 49(2)(c) of the Mining Act 1978, notice is hereby given that the Miscellaneous Licences are liable to forfeiture under the provisions of Section 96(1)(a) for breach of covenant, viz. non payment of rent.

S. M. WILSON (SM), Warden.

To be heard in the Warden's Court, Kalgoorlie on the 27th September 2001.

BROAD ARROW MINERAL FIELD

L24/152—Centaur Mining and Exploration Ltd

MP405*

Commonwealth of Australia

PETROLEUM (SUBMERGED LANDS) ACT 1967

Notice of Grant of Exploration Permit

Exploration Permit No. WA-310-P has been granted to West Oil NL and Bounty Oil & Gas NL to have effect for a period of six (6) years from 21 August 2001.

W. L. TINAPPLE, Director Petroleum Division.

PARLIAMENT

PA401*

PARLIAMENT OF WESTERN AUSTRALIA

Bills Assented To

It is hereby notified for public information that the Governor has Assented in the name and on behalf of Her Majesty the Queen, on the dates shown, to the undermentioned Bills passed by the Legislative Council and the Legislative Assembly during the First Session of the Thirty-Sixth Parliament.

Short Title Of Bill	Date of Assent	Act No.
Tamala Park Land Transfer Bill 2001	August 28 2001	15 of 2001
Election of Senators Amendment Bill 2001	August 28 2001	16 of 2001

L. B. MARQUET, Clerk of the Parliaments.

PREMIER AND CABINET

PC401

MINISTERIAL ACTING ARRANGEMENTS

It is hereby notified for public information the Governor in accordance with Section 52(1)(b) of the *Interpretation Act 1984* has approved the following temporary appointment in the place of the Hon. Dr. G. I. Gallop BEd MA MPhil DPhil MLA in the period 30 August to 9 September 2001 inclusive—

Premier; Minister for Public Sector Management;
Federal Affairs; Science; Citizenship and
Multicultural Interests

Hon. E. S. Ripper BA DipEd MLA.

M. C. WAUCHOPE, Director General, Ministry of the Premier and Cabinet.

PLANNING AND INFRASTRUCTURE

PI401

TOWN PLANNING AND DEVELOPMENT ACT 1928**ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT****CITY OF ALBANY****TOWN PLANNING SCHEME No.3—AMENDMENT No. 191**

Ref: 853/5/4/5 Pt 191

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 and Infrastructure approved the City of Albany Town Planning Scheme Amendment on 22 August 2001 for the purpose of—

1. Rezoning Plantagenet Location 87 and Pt Plantagenet Location 520 Norwood Road, Lower King from the Rural zone to the Special Residential zone and Parks and Recreation reserve (non restricted).
2. Amending the Scheme Map accordingly.
3. Introducing into Schedule 4—Special Residential zones, provisions relating to Specified Areas, reference to Area No. 18.

AREA	LOCALITY	LOTS	LOCATIONS
18	Lower King		Location 87 and Pt Location 520 Norwood Road

1. PLAN OF SUBDIVISION

1.1 Subdivision of Special Residential Zone Area No. 18 shall be generally in accordance with the Subdivision Guide Plan endorsed by the Chief Executive Officer/Administrator.

1.2 The Council will not recommend lot sizes less than 5000m² Subdivision shall generally be in accord with the lot sizes and layout shown on the Subdivision Guide Plan. Any significant variation to the Subdivision Guide Plan will need to be justified in terms of land capability, visual impact, retention of views, vegetation retention, emergency access/egress and setbacks from King River and creeks. Consultation with and general support of surrounding landowners will be a prerequisite to consideration of any significant variation to the Subdivision Guide Plan.

2. OBJECTIVES OF THE ZONE

Within Special Residential Zone Area No. 18 the objectives are to—

- 2.1 Allow for a range of lot sizes based on land capability and landscape design considerations.
- 2.2 Provide for the protection of the King River, creeklines and associated floodplains
- 2.3 Integrate development with the landscape, protect remnant vegetation and revegetate areas in order to minimise visual impact.

3. LAND USE

3.1 Within Special Residential Zone Area No. 18 the following uses are permitted—

- Residential Dwelling House

3.2 The following uses may be permitted subject to the special approval of Council—

- Home Occupation
- Public Utility
- Cottage Industry
- Livestock, grazing and agistment
- Stables
- Other incidental or non defined activities considered appropriate by Council which are consistent with the objective of the zone.

4. KEEPING OF LIVESTOCK/ANIMALS

4.1 Intensive agricultural pursuits such as piggeries, feed lotting, poultry farms are not permitted. The keeping of livestock shall be restricted to fenced pastured areas of the lot. The owner shall be responsible for the maintenance of stock proof fencing to protect remnant vegetation areas and revegetation areas. Animal numbers shall not exceed stocking rates recommended by Agriculture WA. The keeping of animals shall not result in the removal or damage of vegetation and trees or result in soil degradation and dust nuisance. The keeping and rearing of stock shall not be permitted on lots of less than 1 hectare, except for domestic purposes and in such cases shall not exceed one horse or one cow or two sheep.

4.2 Where in the opinion of Council the continued presence of animals on any portion of land is likely to contribute, or is contributing to the dust nuisance or soil degradation, notice may be served on the owner of the land, requiring immediate removal of those animals specified in the notice.

4.3 Where notice has been served on a landowner in accordance with clause 4.2, the Council may also require the land to be rehabilitated to its satisfaction within three (3) months of serving the notice. In the event that such action is not undertaken, Council may carry out such works as are deemed necessary, with all costs being borne by the landowner.

5. FORESHORE MANAGEMENT PLAN

5.1 Council may request the Commission to impose a condition at the time of subdivision for the preparation and implementation of a Foreshore Management Plan to the satisfaction of Council and the Water and Rivers Commission. Such plan shall have specific regard for—

- Vesting and ongoing maintenance of the reserve;
- The fencing of all lot boundaries abutting the foreshore reserve and associated POS and the eastern edge of the 'Special Residential' zone;
- Provision of public facilities and access on the reserve; and
- Weed control and re-vegetation.

6. LOCATION OF BUILDINGS AND STRUCTURES

6.1 Buildings, tanks and structures shall be located within the building envelope areas where these are designated on the Subdivision Guide Plan.

6.2 The building envelope takes into account a number of factors which include—

- exclusion from the 100 year flood plain;
- a minimum fifty metre setback from the King River and creekline;
- a fifty metre setback from the foreshore footpath/bridlepath appropriate setback from revegetation areas
- 15 metre boundary setbacks
- exclusion from areas subject to inundation during winter months.

6.3 All new buildings and structures are to be setback a minimum of 15 metres from all boundaries.

6.4 Council may approve a lesser boundary setback if Council is of the opinion that (i) the topography or shape of the lot, or natural vegetation on it, makes it desirable to alter this provision and (ii) that the location of the building or structure will not detract from the environmental quality of the area or from the amenity of existing or future residences on adjoining lots. Council may require hydrological testings for footings and alternative wastewater effluent disposal systems.

7. BUILDING DESIGN, MATERIALS AND COLOUR

7.1 Dwellings and outbuildings shall be designed and constructed of materials which allow them to blend into the landscape of the site. Council shall refuse to approve walls and roofs constructed of reflective materials such as unpainted zincalume and off-white colours. Council will be supportive of walls and roofs with green, brown or red tonings in keeping with the amenity of the area.

7.2 All buildings shall have a finished floor level above 4 metres AHD.

7.3 Dwelling houses shall not exceed 7.5 metres in height which is measured vertically from the natural ground level unless otherwise approved by Council.

7.4 No boundary fencing shall be constructed of fibre cement, metal sheeting or wooden picket. If boundary fencing is utilised, it shall be of rural construction such as post and strand to the satisfaction of Council.

7.5 Any water tanks shall be coloured an appropriate natural shade of brown or green or suitably screened with vegetation in keeping with the amenity of the area to the satisfaction of Council.

8. VEGETATION AND REVEGETATION

8.1 No clearing of vegetation shall occur except for—

- (a) clearing to comply with the requirements of the Bush Fires Act 1954 (as amended);
- (b) clearing may reasonably be required to construct an approved building and curtilage;
- (c) trees that are diseased or dangerous;
- (d) clearing to gain vehicular access to an approved dwelling or any other clearing which may be approved by the Council;
- (e) clearing required to establish a low fuel buffer.

8.2 Council may request the Commission to impose a condition at the time of subdivision for revegetation of areas shown on the Subdivision Guide Plan. Such revegetation shall be appropriately

maintained for a minimum of three years and preference should be given to local species. Revegetation areas adjacent to the King River to be revegetated and fenced in accordance with Agwest's guidelines, as outlined in Amendment No. 191.

8.3 Additional tree planting may be required as a condition of development approval.

9. WATER SUPPLY

9.1 In accordance with Western Australian Planning Commission policy, a reticulated supply should be provided to the proposed lots.

10. EFFLUENT DISPOSAL

10.1 On-site effluent disposal shall be the responsibility of the individual landowner.

10.2 The disposal of liquid and/or solid wastes shall be carried out with an effluent disposal system approved by Council and the Health Department of WA. Systems shall be designed and located to minimise nutrient export and/or release into any waterway or ground water. Effluent disposal areas for new dwellings shall be setback a minimum of 100 metres from the natural permanent watercourse and situated above 5 metres AHD or 2 metres above the highest known ground water level, should this be more elevated.

10.3 Council shall require the use of amended soil type effluent disposal systems, such as Ecomax/ATU systems in the following situations,

- where a 100 metre setback from a creekline or water course cannot be achieved;
- in low lying areas; and
- all lots, unless the owner is able to demonstrate that soil conditions are conducive to the retention of nutrients.

Separation from waterways and ground water shall be determined by Council in accordance with the Health Department of WA and the Department of Environmental Protection guidelines.

10.4 Variations to the design or location of effluent disposal areas will require a suitably qualified practitioner demonstrating that effluent disposal will not cause environmental or health impacts to the satisfaction of Council and the Department of Health.

10.5 No more than one effluent disposal system will be permitted on one lot.

11. BUSHFIRE MANAGEMENT CONTROL

11.1 Council may request the Commission to impose a condition at the time of subdivision for the construction of strategic firebreaks as shown on the Subdivision Guide Plan.

11.2 The strategic firebreaks shall be constructed to a standard suitable for all year access by heavy duty fire appliances and two wheel drive vehicles.

11.3 A "low fuel buffer" not less than 20 metres wide shall be provided and maintained around all residential buildings.

11.4 In cases where only part of the zone is developed, an interim firebreak system or strategic fire break system shall be prepared and put in place, to the satisfaction of Council and FESA.

11.5 Council may request the Commission to impose a condition at the time of subdivision for a contribution towards the provision of fire fighting facilities.

11.6 Fire hydrants shall be provided at intervals of 200 metres along subdivisional water mains.

11.7 The subdivider shall make arrangements to the satisfaction of Council to ensure prospective purchasers are aware of the fire management guidelines of the Home Owners Bushfire Survival Manual and the Australian Standard 3959 "Construction of Buildings in Bushfire Prone Areas".

12. ROAD UPGRADING, ACCESS AND DESIGN AND STORM WATER MANAGEMENT

12.1 Council may request the Commission to impose a condition at the time of subdivision for a contribution to the upgrading of Norwood Road.

12.2 All stormwater shall be disposed of in a manner that meets water sensitive guidelines and avoids the need for detention basins within the foreshores of the river or creeks to the satisfaction of Albany Waterways Management Authority and Council.

13. NOTIFICATION OF PROSPECTIVE OWNERS

13.1 Provision shall be made to Council's satisfaction to ensure prospective purchasers of land within Special Residential Zone Area No. 18 are given a copy of these Special Provisions prior to entering into an agreement to acquire any property.

13.2 Council may request the Commission impose a condition at the time of subdivision for the preparation and distribution to prospective purchasers of an information sheet which outlines the objectives of the river wildlife corridor, discourages the keeping of pets on lots adjacent to the corridor and promotes measures that should be taken to minimise the impacts pets have on native fauna (eg night cat curfews, keeping dogs on leashes, etc).

13.3 Application for Planning Scheme Consent shall require the submission of—

- i. a completed "Application for Grant of Planning Scheme Consent" form;
- ii. three copies of a Plan showing the precise location and size of all the buildings propose and the parkland clearing and fire protection measures to be adopted;
- iv. three scaled elevation plans showing the elevation of the buildings proposed and the materials and colours to be used.

13.4 Council may request the Commission to impose a condition at the time of subdivision for memorials to be placed on each of the titles created advising that there is considerable adult mosquito activity at various times throughout the year. A direct consequence of this activity is the increased potential risk for humans to contract Ross River virus and Barmah Forest Virus in this area.

A. E. GOODE, Mayor.
A. C. HAMMOND, Chief Executive Officer.

PI402*

TOWN PLANNING AND DEVELOPMENT ACT 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
CITY OF ALBANY

TOWN PLANNING SCHEME No. 3—AMENDMENT No. 211

Ref: 853/5/4/5 Pt 211

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 and Infrastructure approved the City of Albany Town Planning Scheme Amendment on 22 August 2001 for the purpose of—

1. Rezoning Lot 33, Plantagenet Location 33, Racecourse Road, Robinson from “Rural” to “Special Rural”.
2. Amending Schedule 1 “Special Rural Zones - Provisions Relating to Specified Areas” to include Lot 33, Plantagenet Location 33, Racecourse Road, Robinson, within Special Rural Zone Area No. 29.
3. Amending the Scheme Map accordingly.
4. Replacing the Subdivision Guide Plan for Special Rural Zone Area No. 29 with the plan in the amending documents.

A. E. GOODE, Mayor.
A. C. HAMMOND, Chief Executive Officer.

PI403*

TOWN PLANNING AND DEVELOPMENT ACT 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
CITY OF KALGOORLIE-BOULDER

TOWN PLANNING SCHEME No. 1—AMENDMENT No. 23

Ref: 853/11/3/6 Pt 23

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 and Infrastructure approved the City of Kalgoorlie-Boulder Town Planning Scheme Amendment on 22 August 2001 for the purpose of rezoning Lots 3148 and 3151 Harvey Street, Boulder, from Service Station to Mixed Business.

P. ROBSON, Mayor.
I. FLETCHER, Chief Executive Officer.

PI404*

TOWN PLANNING AND DEVELOPMENT ACT 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
CITY OF KALGOORLIE-BOULDER

TOWN PLANNING SCHEME No. 1—AMENDMENT No. 36

Ref: 853/11/3/6 Pt 36

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 and Infrastructure approved the City of Kalgoorlie-Boulder Town Planning Scheme Amendment on 22 August 2001 for the purpose of rezoning Lot 3433 (Reserve 28229) Dugan Street, Kalgoorlie, from “Parks and Recreation” Reserve to “Public Purposes (PS)” Reserve.

P. ROBSON, Mayor.
P. A. ROB, Chief Executive Officer.

PI405*

TOWN PLANNING AND DEVELOPMENT ACT 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
CITY OF STIRLING

TOWN PLANNING SCHEME No. 38—AMENDMENT No. 3

Ref: 853/2/20/40 Pt 3

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 and Infrastructure approved the City of Stirling Town Planning Scheme Amendment on 22 August 2001 for the purpose of—

1. Adding the following subclause under Clause 3.6 - General Costs and Precinct Costs—
 - 3.6.20 Clauses 3.6.12 to 3.6.19 are subject to any contrary provision in relation to a particular Precinct in Part 5 of the Scheme.
2. Amending subclause 5.7.4(j)—Major Requirements prior to Development Commencement by—
 - 2.1 deleting paragraph (i);
 - 2.2 adding, at the beginning of paragraph (iii), the words “subject to Clause 5.7.5.”; and
 - 2.3 renumbering paragraphs (ii) and (iii) as paragraphs “(i) and “(ii)” respectively.
3. Adding a new Clause 5.7.5 as follows—

5.7.5 Special provisions regarding Scheme Costs for residential development up to R40

- (a) If, as at the date of the notification referred to in Clause 3.6.10, the land referred to in the notification is being used for residential purposes up to a maximum density of R40 then Clause 3.6.12 does not apply, so that the Owner's General Costs contribution and Precinct Costs contribution in respect of that land are not due and payable for so long as the land continues to be used for residential purposes up to a maximum density of R40 (**“Deferred Scheme Costs”**).
- (b) The Council shall include in the notification referred to in Clause 3.6.10 a statement as to whether or not Clause 5.7.5 applies.
- (c) An Owner may object to the statement referred to in Clause 5.7.5(b) in accordance with the procedure set out in Clause 3.6.11.
- (d) Clause 3.6.14 and Clause 5.7.4 (j) (ii) do not apply to any development for residential purposes up to a maximum density of R40.
- (e) Clause 3.6.15 applies to any Deferred Scheme Costs as if the Deferred Scheme Costs were an overdue General Costs contribution or Precinct Costs contribution.
- (f) If—
 - (i) the Owner of land the subject of Deferred Scheme Costs provides the City with a written consent to the endorsement on the Certificate of Title of the land of a notification pursuant to section 70A of the Transfer of Land Act 1893 (WA) concerning the use of the land for residential purposes up to a maximum density of R40; and
 - (ii) the notification is endorsed on the Certificate of Title in accordance with section 70A of the Transfer of Land Act, then Clause 3.6.16 does not apply to any Deferred Scheme Costs. Otherwise, Clause 3.6.16 applies to any Deferred Scheme Costs as if the Deferred Scheme Costs were an overdue General Costs contribution or Precinct Costs contribution.
- (g) Clause 3.6.17 does not apply to any Deferred Scheme Costs.
- (h) Clause 3.6.19 does not apply to any Deferred Scheme Costs.
- (i) An Owner may pay any Deferred Scheme Costs at any time, notwithstanding that the Deferred Scheme Costs are not due and payable.

D. C. VALLELONGA, Mayor.
 M. J. WADSWORTH, Chief Executive Officer.

PI406*

TOWN PLANNING AND DEVELOPMENT ACT 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
SHIRE OF ESPERANCE

TOWN PLANNING SCHEME No. 22—AMENDMENT No. 34

Ref: 853/11/6/21 Pt 34

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 and Infrastructure approved the Shire of Esperance Town Planning Scheme Amendment on 22 August 2001 for the purpose of

altering the zoning of Lot 31, corner Norseman Road and Irene Street and Lot 32 Norseman Road, Esperance, from Residential to Tourist Development.

I. S. MICKEL, President.
M. ARCHER, Chief Executive Officer.

PI407*

TOWN PLANNING AND DEVELOPMENT ACT 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
SHIRE OF EXMOUTH
TOWN PLANNING SCHEME No. 3—AMENDMENT No. 2

Ref: 853/10/7/3 Pt 2

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 and Infrastructure approved the Shire of Exmouth Town Planning Scheme Amendment on 22 August 2001 for the purpose of increasing the Residential Planning Code density from R17.5 to R30 for Lot 1 Turnor Place, Exmouth, as depicted on the Scheme Amendment Map.

M. S. PURSLOW, President.
K. J. GRAHAM, Chief Executive Officer.

PI408*

TOWN PLANNING AND DEVELOPMENT ACT 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
SHIRE OF MURRAY
TOWN PLANNING SCHEME No. 4—AMENDMENT No. 153

Ref: 853/6/16/7 Pt 153

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 and Infrastructure approved the Shire of Murray Town Planning Scheme Amendment on 22 August 2001 for the purpose of changing Special Provision (1) of Schedule 7 for Part Lot 13, Lot 331, Pinjarra Road, Pinjarra to read as follows—

- (1) A Neighbourhood Shopping Centre may be developed with a maximum retail floor area of 1400m² Net Lettable Area for the Ravenswood Sanctuary Estate.

N. H. NANCARROW, President.
N. LEACH, Chief Executive Officer.

PI409*

TOWN PLANNING AND DEVELOPMENT ACT 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
TOWN OF VICTORIA PARK
TOWN PLANNING SCHEME No. 1—AMENDMENT No. 5

Ref: 853/2/32/2 Pt 5

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 and Infrastructure approved the Town of Victoria Park Town Planning Scheme Amendment on 22 August 2001 for the purpose of—

1. Rezoning portion of Pt Lots 54, 55, 57, 58, 9 and 10 Welshpool Road, Lots 56 and 150 Welshpool Road, Lot 8 Forward Street, Lots 6, 12, 13, 15 to 19 (inclusive) Swansea Street from 'Residential' zone to 'Special Use' zone;
2. Recoding Pt Lots 54, 55, 57, 58, 9 and 10 Welshpool Road, Lots 56 and 150 Welshpool Road, Lot 8 Forward Street, Lots 6, 12, 13, 15 to 19 (inclusive) Swansea Street from R40 density code to R60 density code;

3. Amending the Scheme Maps and Precinct Plan P10 – Shepperton Precinct accordingly;
4. Amending the Legend contained in Precinct Plan P10 to include ‘Special Use’ under the Town of Victoria Park Scheme zones;
5. Amending Precinct Plan P10 – Shepperton Precinct by inserting the following text as a new paragraph after the first paragraph of the Statement of Intent—
The area of land identified as Special Use zone generally bounded by Welshpool Road, Forward Street, Swansea Street East, Milford Street and Shepperton Road is to be consolidated as a node of commercial uses and serve as part of the southern “Gateway” to the Town of Victoria Park.
6. Amending Precinct Plan P10 – Shepperton Precinct by incorporating the following provisions after the Development Standard provisions for the Office/Residential Zone—

SPECIAL USE ZONE

The area should be redeveloped for commercial purposes providing for a range of commercial uses that will promote an appropriate interface between the industrial, commercial and residential land uses and Welshpool Road and Shepperton Road which form entry/exit points to the Town.

The area will be consolidated as a node of commercial uses and serve as part of the “Gateway” to both Albany Highway and Shepperton Road. Development with frontages to Welshpool Road and Shepperton Road shall be set back and landscaped with the façade of buildings addressing the street to provide a visually attractive appearance from both of these Streets.

DEVELOPMENT GUIDE PLAN

Development within the Special Use zone shall be generally consistent with the provisions of the approved Development Guide Plan and amended from time to time by the Council. The approved Development Guide Plan would indicate broad land use options for the development and provide a framework for future subdivision and development. The approved Development Guide Plan will form the basis of Council’s determination of applications for subdivision and development of land within the precinct. In considering any Development Guide Plan for land within the Special Use zone, Council shall notify adjoining/nearby landowners and occupiers of the proposal and provide a minimum period of 14 days within which to lodge submissions. The proposal should include the following information in plan and where appropriate in written text form—

1. Statement of objectives and explanation of the rationale for the proposals contained in the Development Guide Plan;
2. The lot pattern proposed for the development of the entire Special Use zone area;
3. A Traffic Impact Statement addressing access points, vehicular accessways/easements and pedestrian network within the site;
4. Location of buildings, parking and landscaping together with illustrations of the scale and bulk of buildings;
5. Location of major services proposed including drainage, sewerage and water supply services; and
6. The relationship of the land to surrounding facilities, landuses and the road/pedestrian network including provision for landscape/landuse buffers and security measures to adjoining residential uses.
7. The Development Guide Plan is prepared in the context of the broader locality;
8. The Development Guide Plan is to have regard to the existing and future land uses external and relevant to the subject area.

The Council shall maintain a copy of the approved Development Guide Plan with its Town Planning Scheme No. 1 Policy Manual at the Council Administration Centre, and make it available for inspection by any person.

Any development of land within the Special Use zone shall be generally in accordance with the approved Development Guide Plan. Any significant departure from or alteration to the approved Development Guide Plan may, subject to the approval of the Council, be permitted by the Council if the Council considers that the proposed departure or alteration will not prejudice progressive development of the area the subject of the Development Guide Plan.

In considering any departure from or alteration of the approved development guide plan, the Council shall notify adjoining/nearby landowners and occupiers it considers are affected by the proposed departure and shall invite each owner to make a submission to the Council regarding the proposal within 14 days.

USE OF LAND

The following Table—The Zoning Table provides the range and permissibility of land uses in the Special Use zone.

The symbols used in the Zoning Table have the following meanings—

“P” means that the use is permitted by the Scheme.

“AA” means that the use is not permitted unless the Council has granted planning approval.

“X” means a use that is not permitted by the Scheme.

Zone	Special Use
Use Class	
Consulting Rooms, Day Care Centre	P
Convenience Store, Service Station	X
Educational Establishment, Place of Worship	P
Fast Food Outlet, Restaurant	AA
General Industry, Transport Depot	X
Hazardous Industry, Noxious Industry	X
Home Occupation	P
Hospital, Nursing Home, Residential Building	AA
Hotel, Motel, Tavern	P
Light Industry	X
Lodging House, Serviced Apartment	P
Massage Rooms	X
Motor Vehicles and Marine Sales Premises, Open Air Sales and Display	X
Nightclub	X
Office	P
Restricted Premises	X
Shop	P
Showroom	P
Single House, Grouped Dwelling	P
Aged or Dependent Persons' Dwelling, Multiple Dwelling	P
Warehouse	P

Note—

1. Shop component to have a maximum net leasable area of 500m² within the total 'Special Use' zone area.

DEVELOPMENT STANDARDS

1. Minimum Setbacks:

- Street setback: Forward Street and Swansea Street East shall be a minimum of 4.5 metres;
Shepperton Road frontage shall be a minimum of 3.0 metres;
The minimum street setback shall be 3.0 metres for that portion of the Welshpool Road frontage between the truncation of the intersection of Welshpool Road and Shepperton Road and a point 80 metres east of that truncation;
The setback for the remainder of Welshpool Road frontage shall be a minimum of 4.5 metres.
- Side/Rear setback: Nil except where adjacent to existing residential development, where a minimum setback of 3.0 metres shall apply.

2. Plot Ratio:

Plot ratio of development shall be a maximum of 1.0.

3. Residential Density:

Residential development shall have a maximum density of R60 and shall be developed in accordance with the "Residential R60" classification of the Residential Planning Codes.

4. Maximum Building Height:

Height of buildings should be integrated with adjoining residential development and height shall be restricted to 6.0 metres adjacent to existing residential development. Buildings elsewhere within the Special Use zone shall not exceed 15.0 metres in height.

5. Landscaping:

- a. A minimum of 20% of any lot area shall be developed as landscaped open space.
- b. A minimum 2.0 metre wide landscaping strip shall be provided within the setback area adjacent to the street boundary for Forward Street and Swansea Street East.
- c. A minimum 3.0 metre wide landscaping strip shall be provided in the street setback area adjacent to the street boundary for all of the Shepperton Road frontage and that portion of the Welshpool Road frontage between the truncation of the intersection of Welshpool Road and Shepperton Road and a point 80 metres east of that truncation. Where that building is setback greater than 3.0 metres all of the setback area shall be landscaped.
- d. A minimum 2.0 metre wide landscaping strip shall be provided adjacent to the street boundary to the remainder of the Welshpool Road frontage;

- e. Extensive shade tree planting will be required for car parking areas at a rate of one tree for every four carparking bays along with paving, lighting and seating. Screen planting (eg hedges) is not appropriate other than around servicing yards and areas; and
- f. A detailed landscaping plan shall be provided for developments. The plan should include details of planting and paving where proposed. Information provided shall include all plants clearly labelled and located, proposed numbers, sizes and spacing of plants, and details of soil improvement and reticulation.

6. Carparking:

The provision of carparking within the Special Use zone is subject to the provisions of the Scheme. Only limited carparking will be supported within the street setback area for that portion of the Welshpool Road frontage between the truncation of the intersection of Welshpool Road and Shepperton Road and a point 80 metres east of that truncation.

7. Short Term Residential Accommodation:

Where land within the Special Use zone is developed for serviced apartments, hotels, motels, or other similar short term commercial accommodation, the development shall conform with the standards and requirements applicable to multiple dwellings on that land under the provisions of the Residential Planning Codes with the exception of the requirement for landscaped open space.

GENERAL DESIGN GUIDELINES

Streetscape and Built Form

The principal requirements relating to the streetscape and built form shall be set down in the approved Development Guide Plan.

- i. Where applicable, development shall have regard to adjacent residential development and may provide a 3.0 metre landscaped setback or a suitable alternative as approved.
- ii. All street level façade frontages should—
 - ◆ Provide displays or visible activity and a high degree of architectural design detail at a pedestrian scale;
 - ◆ Have at least 60% of the total length of the façade along the footpath transparent. The continuity of glazing should be broken to provide interest by solid (opaque) vertical panels, framework and/or strong visual displays;
 - ◆ Provide a high level of detailing or decorative design, structure, colour and materials to enhance the interest from the street;
 - ◆ Provide continuous weather protection or colonnades along footpaths.
- iii. Where long straight unrelieved, horizontal lines occur at awning or parapet level, they should be broken by design to suit a pedestrian environment and the building. Any slope in the land should be reflected in stepped awnings and parapets;
- iv. Reflective or heavily tinted glazing is not encouraged on any building. Climatic/sun control should be by built screening/shading devices.
- v. Roller doors/shutters or any solid material, including clear acrylic, is not acceptable on front ground floor facades facing streets.
- vi. Blank walls, exhaust fans, mechanical equipment and vehicle servicing areas must not be visible from any street frontage.
- vii Any fencing between the street alignment and buildings must be open style ornamental fencing.

Circulation

Future public and private development must take steps to ensure that unnecessary traffic and congestion problems are avoided. The principal requirements relating to pedestrian and vehicle movement in the area are set down below.

Vehicular Movement and Carparking

- i. Only a limited number of access points will be permitted to the adjoining streets. Reciprocal rights of access over lots in separate ownership to vehicular accessways and access points that traverse property boundaries should be used to provide access for car parking areas and service areas.
- ii. All access points to Welshpool Road shall be justified in accordance with the Traffic Impact Statement, submitted with the Development Guide Plan.
- iii. Vehicular access directly to Welshpool Road must be in accordance with the Traffic Impact Statement that forms part of the Development Guide Plan for the Special Use zone. Development Approval will be dependent upon combining parking areas and access points to serve multiple properties.
- iv. Any proposed multi-storey car park must comply with the built form objectives for the area. Blank exterior walls that front any road or pedestrian way are not permitted. Landscaping must also be incorporated into the design of multi-storey carparks. Redevelopment of any land shall be the subject of the Scheme requirements for the provision of parking.
- v. Car parking within a front setback may be permitted subject to appropriate design of building frontages and landscaping.

Pedestrian Movement

The pedestrian network should provide a continuous, safe and attractive link between the various activities and to the parking areas.

Pedestrian routes shall be given priority over vehicles at all internal crossing points.

Signage

Signage for buildings that front onto Welshpool Road should be consistent with the requirements of the Town of Victoria Park.

- i. Sign colour, material, form, shape, illumination, size and detail can be varied to add interest to the area.
- ii. Minimal signage will be permitted fronting Welshpool Road and will be designed to minimise potential traffic hazards.
- iii. Roof and pylon signs are considered appropriate within the area subject to an overall signage strategy.
- iv. Signs that are erected should not obscure—
 - a. Architectural detailing including windows;
 - b. Views of the building to which they are attached; or
 - c. Views of neighbouring buildings from street level.

Landscaping

High quality landscaping should be used throughout the area to enhance the image of the eastern gateway to the Town of Victoria Park and the East Victoria Park District centre. Landscaping shall be used to improve the pedestrian amenity (particularly in car parking areas) and the entrance to the Town.

Landscaping within the area should be undertaken within an overall landscaping theme established for the area. Landscaping may be used to provide adequate buffers between commercial and adjacent residential uses. Where landscaping is to be provided on sites along Welshpool Road it should be provided with the aim of presenting a street frontage in lieu of buildings, and/or providing a high quality setting for buildings or activities on the site, appropriate to the nature of the facilities proposed.

Lighting and Paving

All external lighting of buildings should be designed in such a manner as to complement the character of the streetscape. Care must be taken to ensure that external lighting does not spill onto adjoining sites (especially residential sites). Lighting should be provided to all internal streets for pedestrian safety and amenity and to enhance the streetscape.

Paving should be used to enhance and identify pedestrian and vehicular accessways and should be treated in a manner at least complementary to footpaths within the public area.

J. A. LEE, Mayor.
J. BONKER, Chief Executive Officer.

PI410*

TOWN PLANNING AND DEVELOPMENT ACT 1928*SHIRE OF CRANBROOK*

INTERIM DEVELOPMENT ORDER No. 2

Ref: 26/5/6/1

Notice is hereby given that in accordance with the provisions of sub-section (2) of section 7B of the Town Planning and Development Act, 1928 (as amended), and by direction of the Hon Minister for Planning and Infrastructure a summary as set out hereunder of the Shire of Cranbrook Interim Development Order No. 2 made pursuant to the provisions of section 7B of that Act is published for general information.

The Hon Minister for Planning and Infrastructure has made copies of this Order available for inspection by any person free of charge at the offices of the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and at the office of the Cranbrook Shire Council during normal office hours.

SUMMARY

1. The Shire of Cranbrook Interim Development Order No. 2 contains provisions inter alia—
 - (a) That the Order applies to the Municipal district of the Shire of Cranbrook.
 - (b) That, unless otherwise stated, the Cranbrook Shire Council is the authority responsible for its administration.
 - (c) That the carrying out of certain development on land within the scope of the Order without approval as stated therein is prohibited.
 - (d) Relating to the application for, and grant of approval for, development other than development permitted by the Order.

- (e) Relating to development permitted by a public authority.
 - (f) Relating to certain development permitted by this Order.
 - (g) Relating to the continuance of the lawful use of land and buildings.
 - (h) Relating to appeals against refusal of approval for development or against conditions subject to which approval to carry out development is granted.
2. The Order has effect from and after the publication of this Summary in the *Government Gazette*.
Dated: 20 April 2001.

R. BARRETT, Chief Executive Officer.

PI411*

TOWN PLANNING AND DEVELOPMENT ACT 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
CITY OF STIRLING
DISTRICT PLANNING SCHEME No. 2—AMENDMENT No. 378

Ref: 853/2/20/34 Pt 378

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 and Infrastructure approved the City of Stirling Town Planning Scheme Amendment on 22 August 2001 for the purpose of rezoning Pt Lot 149, HN 46 Flynn Street, Wembley, from Special Use Zone—Warehousing to Special Use Zone—Showroom, Warehousing and Office; and amending Schedule 2 of the Scheme Text accordingly.

D. C. VALLELONGA, Mayor.
M. J. WADSWORTH, Chief Executive Officer.

PI412*

TOWN PLANNING AND DEVELOPMENT ACT 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
CITY OF GOSNELLS
TOWN PLANNING SCHEME No. 1—AMENDMENT No. 498

Ref: 853/2/25/1 Pt 498

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 and Infrastructure approved the City of Gosnells Town Planning Scheme Amendment on 22 August 2001 for the purpose of rezoning Lots 904, 905 and 906 Flowerwood Way, Huntingdale from Residential A (R17.5) to Residential B (R30).

N. J. SMITH, Mayor.
S. HOLTBY, Chief Executive Officer.

PI413*

TOWN PLANNING AND DEVELOPMENT ACT 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
SHIRE OF PLANTAGENET
TOWN PLANNING SCHEME No. 3—AMENDMENT No. 24

Ref: 853/5/14/4 Pt 24

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 and Infrastructure approved the Shire of Plantagenet Town Planning Scheme Amendment on 22 August 2001 for the purpose of—

1. Modifying the Residential Planning Code from Residential R2.5 to Residential R12.5/20 for Lot 17, Athelton Street, Mount Barker.
2. Amending the Scheme Maps accordingly.

K. M. FORBES, President.
R. STEWART, Chief Executive Officer.

PI701

TOWN PLANNING AND DEVELOPMENT ACT 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME
TOWN OF PORT HEDLAND
TOWN PLANNING SCHEME No. 5

Ref: 853/8/4/6

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 and Infrastructure approved the Town of Port Hedland Town Planning Scheme No. 5 on 22 August 2001, the Scheme Text of which is published as a Schedule annexed hereto.

G. J. L. BLACKMAN, Mayor.
A. J. FORD, Chief Executive Officer.

Schedule

TOWN OF PORT HEDLAND TOWN PLANNING SCHEME NO. 5

INCORPORATING THE ENTIRE MUNICIPALITY OF THE TOWN OF PORT HEDLAND

The Council of the Town of Port Hedland, in accordance with the powers conferred upon it by the Town Planning and Development Act, 1928 (as amended), referred to here as The Act, makes the following Town Planning Scheme for the purposes set out in the Act.

PART I—PRELIMINARY

- 1.1 Citation
- 1.2 Responsible Authority
- 1.3 Scheme Area
- 1.4 Contents of the Scheme
- 1.5 Scheme Objectives
- 1.6 Revocation of Existing Scheme
- 1.7 Interpretation

PART II—RESERVATIONS

- 2.1 Categories
- 2.2 Development and Use of Reservations
- 2.3 Matters to be Considered by Council

PART III—ZONES

- 3.1 Categories
- 3.2 Zoning Table

PART IV—USE AND DEVELOPMENT OF LAND

- 4.1 Requirement for Planning Approval
- 4.2 Application for Planning Approval
- 4.3 Advertising of Applications
- 4.4 Consultation with Other Authorities
- 4.5 Matters to be Considered by Council
- 4.6 Determination of Applications
- 4.7 Compliance with Conditions
- 4.8 Deemed Refusal
- 4.9 Approval Subject to Later Approval of Details
- 4.10 Approval of Existing Developments

PART V—DEVELOPMENT OBJECTIVES AND LOCAL PLANNING POLICY

- 5.1 Local Planning Policy
- 5.2 Development Plans
- 5.3 Precinct Objectives

PART VI—DEVELOPMENT REQUIREMENTS

- 6.1 Operations of this Part
- 6.2 Residential Planning Codes
- 6.3 Residential Zone
- 6.4 Urban Development Zone
- 6.5 Transient Workforce Accommodation
- 6.6 Commercial Zones
- 6.7 Industry
- 6.8 Rural Zones

- 6.9 Community Zones
- 6.10 Heritage Matters
- 6.11 Transportable Structures
- 6.12 Control of Advertisements
- 6.13 Vehicles and Vehicle Areas
- 6.14 Landscaping, Screening and Fencing
- 6.15 Airports
- 6.16 Flood and Storm Surge Prone Land

PART VII—SPECIAL CONTROL AREAS

- 7.1 Operation of Special Control Areas
- 7.2 Boodarie Industrial Buffer Special Control Area
- 7.3 Gas Power Station Buffer Special Control Area
- 7.4 Wastewater Treatment Plant Buffer Special Control Area
- 7.5 Wedgefield Special Control Area

PART VIII—NON-CONFORMING USES

- 8.1 Non-Conforming Use Rights
- 8.2 Extension of Non-Conforming Use
- 8.3 Change of Non-Conforming Use
- 8.4 Discontinuance of Non-Conforming Use
- 8.5 Destruction of Buildings

PART IX—ADMINISTRATION

- 9.1 Powers of the Scheme
- 9.2 Delegation of Powers
- 9.3 Penalties
- 9.4 Compensation
- 9.5 Election to Purchase and Valuation
- 9.6 Rights of Appeal
- 9.7 Amendments to the Scheme
- 9.8 Notice for Removal of Certain Buildings

APPENDICES

- Appendix 1—Definitions
- Appendix 2—Additional Development and Uses
- Appendix 3—Application for Planning Approval
- Appendix 4—Notice of Public Advertisement of Planning Proposal
- Appendix 5—Development Plan Areas
- Appendix 6—Matters to be Addressed by Development Plans
- Appendix 7—Car Parking Standards
- Appendix 8—Minimum Car Parking Specifications
- Appendix 9—Australian Noise Exposure Contour Forecast Map

PART I—PRELIMINARY

1.1 CITATION

This Town Planning Scheme may be cited as the Town of Port Hedland Scheme No. 5 (hereinafter called the "Scheme") and shall come into operation on the publication of the Scheme in the *Government Gazette*.

1.2 RESPONSIBLE AUTHORITY

The authority responsible for implementing the Scheme is the Council of the Town of Port Hedland (hereinafter called the Council).

1.3 SCHEME AREA

The Scheme applies to the municipal district of the Town of Port Hedland as generally shown by the Scheme area boundary on the Scheme Maps. All offshore islands are included in the municipal district including Sable Island continuing east to Bedout Island.

1.4 CONTENTS OF THE SCHEME

The Scheme comprises—

- (a) This Scheme Text
- (b) The Scheme Maps (Sheets 1-5)

1.5 SCHEME OBJECTIVES

The general objectives of the scheme are to—

- (a) encourage an appropriate balance between economic and social development, conservation of the natural environment, and improvements in lifestyle and amenity,

- (b) implement strategic planning for the municipality, including the recommendations of the State Planning Strategy and relevant regional planning strategies,
- (c) reserve certain portions of land required for public purposes,
- (d) zone the balance of the land within the Scheme Area for purposes described in the Scheme,
- (e) define the uses and types of development to be permitted on land within the Scheme Area, and
- (f) control and regulate the development of land, erection and demolition of buildings and the carrying out of works.

1.6 REVOCATION OF EXISTING SCHEME

The Town of Port Hedland Scheme No. 4, published in the Government Gazette on July 11, 1986, and all amendments thereto are hereby revoked.

1.7 INTERPRETATION

1.7.1 Words and expressions used in the Scheme, and requiring a specific interpretation for the purposes of the Scheme, shall have the respective meanings given to them in Appendix 1, elsewhere in the Scheme or the Residential Planning Codes.

1.7.2 Where a word or term is defined in the Residential Planning Codes then notwithstanding anything else in the Scheme that word or term when used in respect of residential development has the meaning given to it in the Residential Planning Codes, unless the word has been specifically redefined by Appendix 1.

PART II—RESERVATIONS

2.1 CATEGORIES

The land shown as Scheme reservations on the Scheme Maps (reservations) is land which is intended to be used or developed for the public purpose or other purposes indicated on the Scheme Maps. The following reservations apply—

Public Purposes

- (a) Open Space
 - i. Parks and Recreation
 - ii. Conservation, Recreation and Natural Landscapes
- (b) Roads
 - i. State and Regional
 - ii. District
 - iii. Local
- (c) Other Public Purposes
 - i. Port Facilities
 - ii. Telecommunications
 - iii. Energy
 - iv. Waste Disposal and Treatment
 - v. Water and Drainage
 - vi. Cemetery

Other Purposes

- (d) Infrastructure
- (e) Explosives Safety Area

2.2 DEVELOPMENT AND USE OF RESERVATIONS

A person shall not carry out any development on, other than the erection of a boundary fence defined or accepted by Council, or change the use of a reservation without first applying for and obtaining the written approval of the Council.

2.3 MATTERS TO BE CONSIDERED BY COUNCIL

Where an application for planning approval is made with respect to land within a reservation, the Council shall—

- (a) have regard to the ultimate purpose intended for the reservation,
- (b) have regard for the intentions of agencies with responsibility for managing and developing the reservation, and
- (c) confer with the organisations it considers relevant to the reservation and the proposed use or development.

PART III—ZONES

3.1 CATEGORIES

The zones on the Scheme Maps have the following categories—

- (a) Residential
 - i. Residential

- ii. Urban Development
- iii. Transient Workforce Accommodation
- (b) Commercial
 - i. Town Centre
 - ii. Commercial
 - iii. Tourism
 - iv. Mixed Business
 - v. Airport
- (c) Industrial
 - i. Industry
 - ii. Strategic Industry
 - iii. Industrial Development
- (d) Rural
 - i. Rural
 - ii. Rural Residential
- (e) Community
 - i. Community
 - ii. Health
 - iii. Education

3.2 ZONING TABLE

3.2.1 The zoning table indicates, subject to the provisions of the Scheme, the development (and uses) permitted in the Scheme area in the various zones. The permissibility of any development is determined by cross reference between the list of uses on the left side of the zoning table and the list of zones at the top of the zoning table.

3.2.2 The symbols used in the zoning table have the following meanings—

- P the development is permitted by the Scheme
- AA the development is not permitted unless the Council has granted planning approval
- SA the development is not permitted unless the Council has granted planning approval after giving notice in accordance with clause 4.3
- IP the development is not permitted unless the use to which it is put is incidental to the predominant use as decided by Council
- ~ a development that is not permitted by the Scheme

3.2.3 Notwithstanding the provisions of 3.2.2, development may only be permitted within the Urban Development and Industrial Development zones where—

- (a) a Development Plan has been adopted for the subject land and the development is in accordance with the plan; or
- (b) Council has resolved that a Development Plan is not required.

ZONING TABLE		Residential	Urban Development	Transient Workforce Accommodation	Town Centre	Commercial	Tourism	Mixed Business	Airport	Strategic Industry	Industry	Industrial Development	Rural	Rural Residential	Community	Health	Education
		Residential															
1	Aged or Dependent Persons Dwelling	AA	AA	~	AA	AA	AA	~	~	~	~	~	AA	SA	IP	IP	IP
2	Ancillary Accommodation	IP	IP	~	IP	~	~	IP	~	~	~	~	IP	IP	IP	~	~
3	Caretaker's Dwelling	IP	IP	IP	AA	AA	IP	IP	~	~	~	~	IP	~	IP	IP	IP
4	Grouped Dwelling	P	P	~	AA	AA	~	~	~	~	~	~	AA	~	IP	IP	IP
5	Holiday Accommodation	~	~	~	AA	~	AA	~	~	~	~	~	IP	~	~	~	~
6	Home Occupation	AA	AA	AA	AA	~	AA	~	~	~	~	~	AA	AA	~	~	~
7	Hotel	~	~	~	AA	AA	AA	~	AA	~	~	~	SA	~	~	~	~
8	Motel	~	~	~	AA	AA	AA	~	SA	~	~	~	SA	SA	~	~	~
9	Movable Dwelling	~	~	AA	~	~	AA	~	~	~	~	~	AA	~	~	~	~

ZONING TABLE		Residential	Urban Development	Transient Workforce Accommodation	Town Centre	Commercial	Tourism	Mixed Business	Airport	Strategic Industry	Industry	Industrial Development	Rural	Rural Residential	Community	Health	Education
10	Multiple Dwelling	SA	SA	~	SA	SA	SA	~	~	~	~	~	~	~	~	~	~
11	Residential Building	AA	AA	AA	AA	~	AA	~	~	~	~	~	AA	AA	IP	IP	IP
12	Rural Settlement	~	~	~	~	~	~	~	~	~	~	~	AA	SA	~	~	~
13	Single House	P	P	~	AA	~	~	AA	~	~	~	~	AA	P	AA	IP	IP
14	Transient Workforce Accommodation	SA	AA	P	~	~	~	~	AA	SA	~	~	SA	~	~	~	~
Industry																	
15	Abattoir	~	~	~	~	~	~	~	~	~	SA	SA	SA	~	~	~	~
16	Agriculture	~	~	~	~	~	~	~	~	~	~	~	P	AA	~	~	~
17	Arts and Crafts Centre	SA	SA	~	AA	AA	AA	AA	IP	~	~	~	AA	AA	AA	IP	IP
18	Intensive Agriculture	~	~	~	~	~	~	~	SA	~	SA	~	AA	AA	~	~	~
19	Harbour Installation	~	~	~	~	~	~	~	~	P	AA	~	~	~	~	~	~
20	Hire Service (Industrial)	~	~	~	~	~	~	AA	~	~	P	AA	~	~	~	~	~
21	Industry—Cottage	SA	SA	~	AA	AA	~	P	~	~	~	~	AA	AA	~	~	~
22	Industry—Extractive	~	~	~	~	~	~	~	~	AA	AA	AA	AA	~	~	~	~
23	Industry—General	~	~	~	~	~	~	~	IP	~	AA	AA	~	~	~	~	~
24	Industry—Light	~	~	SA	~	~	~	AA	IP	~	P	AA	~	~	~	~	~
25	Industry—Noxious	~	~	~	~	~	~	~	~	SA	SA	SA	SA	~	~	~	~
26	Industry—Rural	~	~	~	~	~	~	~	~	~	AA	AA	P	SA	~	~	~
27	Industry—Service	~	~	SA	~	~	~	AA	IP	~	P	AA	~	~	~	~	~
28	Industry—Resource Processing	~	~	~	~	~	~	~	~	P	~	SA	SA	~	~	~	~
29	Infrastructure	AA	P	AA	AA	AA	AA	AA	AA	P	AA	P	AA	AA	AA	AA	AA
30	Stockyard	~	~	~	~	~	~	~	~	~	SA	AA	P	~	~	~	~
31	Storage facility/depot/laydown area	~	~	~	~	~	~	SA	IP	IP	AA	AA	AA	~	~	~	~
Commerce																	
32	Aerodrome	~	~	~	~	~	~	~	P	~	~	~	AA	~	~	~	~
33	Display Home Centre	AA	AA	~	~	~	~	~	~	~	~	~	~	~	~	~	~
34	Dry Cleaning	~	~	~	AA	AA	AA	SA	~	~	AA	~	~	~	~	IP	IP
35	Market	~	~	~	AA	AA	AA	~	~	~	AA	AA	~	~	IP	~	~
36	Motor Vehicle and/or Marine Repair	~	~	~	AA	~	~	AA	AA	~	P	AA	~	~	~	~	IP
37	Motor Vehicle and/or Marine Sales or Hire	~	~	~	AA	~	~	AA	AA	~	P	AA	~	~	~	~	~
38	Motor Vehicle and/or Marine Service Station	~	SA	~	SA	SA	SA	SA	P	~	AA	SA	~	~	~	~	~
39	Motor Vehicle and/or Marine Wrecking	~	~	~	~	~	~	~	~	~	P	AA	~	~	~	~	~
40	Motor Vehicle Wash	~	~	IP	AA	AA	~	AA	AA	IP	P	AA	~	~	~	~	~
41	Office	SA	AA	IP	P	P	IP	P	IP	IP	IP	IP	IP	~	IP	IP	IP
42	On-site Canteen	~	~	IP	~	~	~	~	~	IP	IP	IP	~	~	~	~	~
43	Outdoor Display	~	~	~	AA	AA	~	P	AA	~	P	AA	AA	~	~	~	~
44	Reception Centre	~	~	IP	AA	AA	IP	~	~	~	~	~	~	~	IP	~	~
45	Restaurant (includes café)	SA	AA	IP	P	P	P	~	AA	~	IP	~	IP	IP	IP	IP	IP
46	Restricted Premises	~	~	~	SA	SA	~	SA	~	~	AA	AA	~	~	~	~	~
47	Shop	~	SA	IP	P	P	IP	AA	IP	~	AA	AA	~	~	IP	IP	IP
48	Showroom	~	~	~	AA	AA	~	P	IP	~	P	P	~	~	~	~	~
49	Take-away Food Outlet	~	AA	AA	P	P	AA	SA	IP	~	AA	AA	AA	~	~	~	~
50	Warehouse	~	~	~	~	~	~	IP	IP	IP	P	IP	~	~	~	~	~

ZONING TABLE		Residential	Urban Development	Transient Workforce Accommodation	Town Centre	Commercial	Tourism	Mixed Business	Airport	Strategic Industry	Industry	Industrial Development	Rural	Rural Residential	Community	Health	Education
Health, Welfare & Community Services																	
51	Carpark	IP	IP	AA	AA	AA	AA	AA	IP	IP	~	IP	~	~	IP	IP	IP
52	Child Care Service	SA	SA	AA	AA	AA	IP	AA	IP	~	~	~	IP	SA	P	IP	IP
53	Community Use	SA	AA	~	P	AA	AA	AA	~	~	~	~	~	IP	P	P	P
54	Consulting Rooms	SA	AA	IP	P	AA	~	AA	~	~	~	~	IP	~	AA	P	~
55	Education Establishment	~	AA	IP	~	~	~	~	IP	~	~	~	~	~	IP	IP	P
56	Emergency Services	~	AA	~	AA	AA	~	AA	P	AA	AA	AA	~	~	AA	AA	~
57	Funeral Parlour	~	AA	~	AA	AA	~	SA	~	~	AA	AA	~	~	AA	~	~
58	Hospital	~	~	~	AA	AA	~	~	~	~	~	~	~	~	~	P	~
59	Juvenile Detention Centre	~	~	~	~	~	~	~	SA	~	~	~	SA	~	SA	~	~
60	Medical Centre	~	SA	~	P	AA	~	AA	~	~	~	~	~	~	~	P	~
61	Nursing Home	SA	SA	~	AA	AA	~	~	~	~	~	~	~	~	AA	P	~
62	Place of Animal Care	~	SA	~	AA	AA	~	~	~	~	AA	AA	AA	~	AA	~	~
63	Place of Public Meeting, Assembly or Worship	SA	AA	IP	P	AA	IP	~	AA	~	~	~	AA	AA	P	IP	IP
64	Prison	~	~	~	~	~	~	~	SA	~	~	~	~	~	SA	~	~
65	Public Mall	~	~	~	AA	AA	~	~	~	~	~	~	~	~	AA	~	~
66	Public Utility	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA
Entertainment, Recreation and Culture																	
67	Equestrian Centre	~	~	~	~	~	~	~	~	~	~	~	AA	SA	~	~	~
68	Entertainment Venue	~	~	~	SA	SA	SA	SA	AA	~	SA	~	SA	~	SA	~	SA
69	Private Recreation	SA	AA	IP	AA	AA	P	AA	AA	~	~	~	AA	~	AA	IP	IP
70	Public Recreation	AA	AA	IP	P	P	P	~	AA	~	~	~	AA	AA	AA	IP	IP

The symbols used in the zoning table have the following meanings—

P the development is permitted by the Scheme

AA the development is not permitted unless the Council has granted planning approval

SA the development is not permitted unless the Council has granted planning approval after giving notice in accordance with clause 4.3

IP the development is not permitted unless the use to which it is put is incidental to the predominant use as decided by Council

~ a development that is not permitted by the Scheme

3.2.4 Where no symbol appears in the cross reference of a development with a zone in the zoning table that development is not permitted in that zone.

3.2.5 Where a development is included in the definition of developments in Appendix 1 it is deemed to be excluded from the definition of any other development which may include it by more general reference.

3.2.6 If the development of land for a particular purpose is not specifically mentioned in the zoning table and cannot reasonably be included in the definition of one of the development categories the Council may determine—

(a) that the development or use is not consistent with the objectives and purposes of the particular zone or precinct and is, therefore, not permitted, or

(b) by absolute majority that the proposed development may be consistent with the objectives and purposes of the zone and an application for planning approval should be determined in accordance with Part IV, including the advertising procedures of clause 4.3

3.2.7 Notwithstanding anything contained in the zoning table, the land specified in Appendix 2 may be developed or used for the specific additional development categories listed in Appendix 2, in addition to any development categories permissible in the zone in which the land is situated, subject to the conditions set out in Appendix 2 with respect to that land. Council shall not permit any further caretakers' dwellings in the Wedgefield Special Control Area.

PART IV—USE AND DEVELOPMENT OF LAND**4.1 REQUIREMENT FOR PLANNING APPROVAL**

4.1.1 Subject to the exclusions in subclause 4.1.3 the planning approval of Council is required for all development, including building, works, changes in use and new uses, on zoned and reserved land in the Scheme. Accordingly, no person shall commence or carry out any development, including a change in the use of any land, without having first obtained the approval of the Council pursuant to the provisions of this Part.

4.1.2 Unless otherwise varied by the planning approval of Council, and this variation is exercised by the discretion of Council in accordance with the Scheme, all development is to be in accordance with the provisions of this Scheme.

4.1.3 Unless otherwise referred to in subclause 4.1.4 the planning approval of Council is not required for the following development of land—

- (a) The use of land in a reserve, where such land is held by the Council or vested in a public authority, for the purpose for which the land—
 - (i) is reserved under the Scheme, or
 - (ii) may be lawfully used by the Council or a public authority.
- (b) The use of land which is a permitted (P) use in the zone in which that land is situated provided it does not involve the carrying out of any building or other works.
- (c) The carrying out of works for the maintenance, improvement or other alteration of any building, being works which affect only the interior of the building or which do not materially affect the external appearance of the building.
- (d) The carrying out of works urgently necessary for public safety, the safety or security of plant or equipment or the maintenance of essential services.
- (e) The erection of a boundary fence except as otherwise required by the Scheme,
- (f) The erection on a lot of a single house, including ancillary outbuildings, in a zone in which a single house is a permitted (P) use, except as otherwise required by the Scheme,
- (g) The development of land in a rural settlement where Council has resolved that an endorsed development plan adequately addresses Council requirements for planning approval,
- (h) The parking of a movable dwelling where Council has previously approved the use of the site for that purpose,
- (i) The carrying out of works on, in, over or under a street or road by a public authority acting pursuant to any Act, except as otherwise required by the Scheme, and
- (j) The development of land which, under State or Commonwealth legislation, is exempt from the requirement for planning approval.

4.1.4 Where the Council considers development of land referred to in subclause 4.1.3 (a) may not be consistent with the objectives or requirements of the Scheme, or a provision of the Policy Manual, the proponent shall seek planning approval in accordance with clause 4.2.

4.2 APPLICATION FOR PLANNING APPROVAL

4.2.1 Every application for planning approval shall be made in the form prescribed in Appendix 3 and, unless Council waives a particular requirement, shall be accompanied by such plans and other information outlined in Appendix 3 and any other information the Council may reasonably require to enable the application to be determined.

4.2.2 Where the undertaking of building or works will result in one or more uses these uses are to be specified on the application for planning approval and Council shall determine which of these is or is not approved.

4.3 ADVERTISING OF APPLICATIONS

4.3.1 Where an application is made for planning approval to carry out development which involves an "SA" use, the Council shall not grant approval to that application unless notice of the application is first given in accordance with the provisions of subclause 4.3.3.

4.3.2 Where an application is made for planning approval to carry out any other development the Council may give notice of the application in accordance with one or more of the provisions of subclause 4.3.3.

4.3.3 Where the Council is required or decides to give notice of an application for planning approval the Council shall—

- (a) determine a submission period of not less than 14 days which is appropriate to the potential impact of the development and takes into account calendar events which may detract from the effective advertising of the proposal or the preparation of submissions,
- (b) determine the level of notice required as one or more of the following—
 - (i) serving notice of the proposed development, adequately describing and illustrating the proposal, on the owners and occupiers as likely to be affected by the granting of planning approval, stating that submissions may be made to the Council within the submission period,
 - (ii) publishing notice of the proposed development, adequately describing and illustrating the proposal, in a local newspaper circulating in the Scheme area stating that submissions may be made to the Council within the submission period, which may be 14 days or longer as determined by Council pursuant to subclause 4.3.3 (a), and

(iii) erecting a sign or signs displaying notice of the proposed development, adequately describing and illustrating the proposal, in a conspicuous position on the land for the duration of the submission period,

(c) give notice of the proposed development in accordance with its determination pursuant to subclause 4.3.3 (b).

4.3.4 The Council may require that further plans, sketches, scale models, photographs or other similar aids to explain the proposal, are deposited at the offices of the Council for viewing during normal office hours for the duration of the submission period. All costs associated with the advertising and display of a proposed development shall be borne by the applicant.

4.3.5 The notice referred to in subclause 4.3.3 (b) and (c) shall be in the form contained in Appendix 4 with such modifications as circumstances require.

4.3.6 After expiration of the submission period the Council shall consider and determine the application.

4.4 CONSULTATION WITH OTHER AUTHORITIES

When considering applications for planning approval, and notwithstanding the requirements of clause 4.3, the Council may consult with any public authority, private organisation, community or Aboriginal group regarding the proposal.

4.5 MATTERS TO BE CONSIDERED BY COUNCIL

The Council, in considering an application for planning approval, shall have due regard to the following—

- (a) the provisions of this Scheme and any relevant town planning Scheme operating in the district including any regional planning scheme,
- (b) any relevant proposed new town planning Scheme of the Council or any proposed amendment to an existing Scheme operating within the district,
- (c) any approved Statement of Planning Policy of the Commission,
- (d) any other policy of the Commission or any planning policy adopted by the Government of the State of Western Australia,
- (e) any Policy Statement, strategy or plan adopted by the Council in accordance with the requirements of Part V and subclause 4.3.3 and 4.3.4,
- (f) the land use, development and management intentions of agencies managing landholdings within reservations identified on the Scheme maps,
- (g) the preservation of any object or place of heritage significance, including Aboriginal heritage significance,
- (h) any other considerations which the Council considers relevant to the Scheme objectives in clause 1.5,
- (i) any comments, submissions or objections received on the application from individuals, public authorities, private organisations, community or Aboriginal groups,
- (j) the requirements of orderly and proper planning and the preservation of amenity of the locality,
- (k) any other planning considerations which the Council considers relevant, and
- (l) any relevant local law or policy of the Council.

4.6 DETERMINATION OF APPLICATIONS

4.6.1 In determining an application for planning approval the Council may—

- (a) grant its approval with or without conditions,
- (b) refuse to grant its approval

4.6.2 The Council shall convey its decision to the applicant in writing clearly stating the conditions to be satisfied to validate the approval or the reasons for refusal and informing the applicant of the available avenues of appeal.

4.6.3 Where the Council grants planning approval, that approval—

- (a) continues in force for two years, or such other period as specified in the approval, after the date on which the application is approved, and
- (b) lapses if the development has not substantially commenced and is in continuation before the expiration of that period.

4.6.4 An application may be made to the Council for an extension of the term of planning approval at any time prior to the expiry of the approval period in clause 4.6.3 (a)

4.6.5 Where Council imposes a condition of approval, it may specify a period or periods in which all or part of the requirements of a condition shall be completed.

4.6.6 Where the Council grants planning approval, it may impose conditions limiting the period of time for which the development is permitted.

4.7 COMPLIANCE WITH CONDITIONS

4.7.1 If the Council grants planning approval subject to conditions, no person shall use or develop any land or building affected by the conditions or suffer or permit them to be used or developed otherwise than in accordance with the conditions.

4.7.2 Upon written application being made by an owner of land the Council may vary any condition imposed on a planning approval or may extend the time for compliance of any condition so imposed.

4.8 DEEMED REFUSAL

4.8.1 An application for planning approval shall be deemed to have been refused where a decision has not been conveyed to the applicant by the Council within 60 days of the receipt of it by the Council, or 90 days in the case of a planning approval subject to subclause 4.3.3, or within such time as agreed in writing between the applicant and the Council.

4.8.2 Notwithstanding that an application for planning approval may be deemed to be refused, the Council may issue a valid decision in respect of the application after the expiry of the 60 or 90 day period referred to in subclause 4.8.1.

4.9 APPROVAL SUBJECT TO LATER APPROVAL OF DETAILS

4.9.1 Where an application is for a development that includes the carrying out of any building or works, the Council may grant approval subject to matters requiring the subsequent approval of Council.

4.9.2 The Council may decline to deal with an application requiring later approval of details or call for further details if it thinks fit.

4.9.3 Where the Council has granted approval, subject to matters requiring later approval, application for approval of those matters must be made not later than the expiration of two years beginning with the date of the first approval.

4.10 APPROVAL OF EXISTING DEVELOPMENTS

4.10.1 The Council may grant approval to a development already commenced or carried out regardless of when it commenced or was carried out. Such approval shall have the same effect for all purposes as it had been given prior to the commencement or carrying out of the development, but provided that the development complies with the provisions of the Scheme, with or without the exercise of a discretion provided in the Scheme, as to all matters other than the provisions requiring Council's approval prior to the commencement of development.

4.10.2 The application to the Council for approval under subclause 4.10.1 shall be made on the form prescribed in Appendix 3.

4.10.3 A development which was not permissible under this Scheme at the time it was commenced or carried out may be approved if at the time of approval under this clause it is permissible

PART V—DEVELOPMENT OBJECTIVES AND LOCAL PLANNING POLICY

5.1 LOCAL PLANNING POLICY

5.1.1 Council may prepare a Local Planning Policy in respect of any matter related to the planning and development of the Scheme area so as to apply—

- (a) generally or for a particular class or classes of matters, and
- (b) throughout the Scheme area or in one or more parts of the Scheme area,

and may amend, add to or rescind the Policy.

Relationship of Local Planning Policies to the Scheme

5.1.2 If a provision of a Local Planning Policy is inconsistent with the Scheme, the Scheme prevails.

5.1.3 A Local Planning Policy is not part of the Scheme and does not bind the Council in respect of any application for planning approval but the Council shall have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making its determination.

Procedure for Making or Amending Local Planning Policy

5.1.4 If Council resolves to prepare a Local Planning Policy, it—

- (a) shall publish a notice of the proposed Policy once a week for 2 consecutive weeks in a newspaper circulating in the Scheme area, giving the details of—
 - i. where the draft Policy may be inspected,
 - ii. the subject and nature of the draft Policy, and
 - iii. in what form and during what period (being not less than 21 days from the day the notice is published) submissions may be made, and
- (b) may publish a notice of the proposed policy in such other manner and carry out such other consultation as it considers appropriate.

5.1.5 After expiry of the period within which submissions may be made, Council shall—

- (a) review the proposed Policy in the light of any submissions made, and
- (b) resolve to adopt the Policy with or without modification, or not to proceed with the Policy.

5.1.6 If Council resolves to adopt the Policy, it shall—

- (a) publish notice of the Policy once in a newspaper circulating in the Scheme area, and
- (b) if, in the opinion of Council, the Policy affects the interests of the Commission, forward a copy of the Policy to the Commission.

5.1.7 A Policy has effect on publication of a notice under clause 5.1.6(a).

5.1.8 A copy of the Local Planning Policy, as amended from time to time, is to be kept in the Town of Port Hedland Local Planning Policy Manual and made available for public inspection in conjunction with the Scheme during normal business hours at the offices of the Council.

5.1.9 Clauses 5.1.4 to 5.1.8, with any necessary changes, apply to the amendment or rescission of a Local Planning Policy.

5.1.10 A Local Planning Policy may be rescinded by the final adoption of a new Policy specifically worded to supersede an existing policy.

5.2 DEVELOPMENT PLANS

5.2.1 Council may prepare, or require the preparation of, a Development Plan prior to considering subdivision or development proposals for—

- (a) Development Plan Precincts identified in Appendix 5
- (b) Urban Development zone
- (c) Industrial Development zone
- (d) Rural Residential zone
- (e) Rural Settlement developments

5.2.2 Council shall, upon endorsement of development plans, or parts of development plans, ensure they are included in the Town of Port Hedland Local Planning Policy Manual as a policy statement.

5.2.3 Development of land shall be generally consistent with the requirements of endorsed development plans, subject to compliance with the provisions of the Scheme.

5.2.4 In considering applications for planning approval, Council may permit minor departure from a development plan where in its opinion the departure would not prejudice the orderly and proper development of the area.

5.2.5 The proponent of a Development Plan, required by this scheme, may appeal in accordance with Part V of the Act against—

- (a) The failure of the Council to make a determination on the content and requirements of a development plan (or an amendment to a development plan) within 60 days of receiving a request for direction.
- (b) A decision by Council not to endorse a development plan (or an amendment to a development plan).
- (c) The imposition of conditions on Council's endorsement of a development plan (or alterations to a development plan).

5.2.6 Development Plans shall address the matters outlined in Appendix 6.

5.2.7 Where a development plan proposes subdivision of land the Council shall forward the Plan to the Western Australian Planning Commission and request the Commission to adopt the Development Plan.

5.2.8 The Council shall request Development Plans, or any departure from or alterations it considers substantial, to be advertised seeking public submissions in accordance with subclauses 4.3.3 and 4.3.4, prior to considering endorsement of the plans.

5.2.9 Any departure from or alterations to Development Plans may, subject to the approval of the Commission, be permitted if the Council considers that the proposed departure or alteration will not prejudice the progressive subdivision and development of the area.

5.2.10 A Development Plan may indicate development categories in the zoning table, currently classified as (AA) categories, which should be considered permitted (P) by Council in the area of the plan. In the absence of an endorsed Development Plan the symbols in the zoning table apply.

5.2.11 Council may, when it considers subdivision and development in an area the subject of a development plan has proceeded to an extent where detailed zones and reservations should be defined, amend the Scheme to indicate these zones and reservations.

5.3 PRECINCT OBJECTIVES

5.3.1 The precinct objectives in this Part—

- (a) relate to precincts identified in Appendix 5,
- (b) indicate the preferred land use and development within these precincts, and
- (c) provide additional guidance for Council when determining applications for planning approval.

Spinifex Hill Commercial/Community Precinct

5.3.2 The precinct objects for Spinifex Hill Commercial/Community precinct are to—

- (a) reinforce the precinct as the entrance to Port Hedland,
- (b) consolidate community and recreation uses between McGregor and Coolinda Streets,
- (c) maintain the role of the Boulevard commercial centre as a local retail centre which will not compete with the Port Area Town Centre,
- (d) encourage pedestrian connections to the coast,
- (e) encourage participation of the local Aboriginal community in the preparation of development plans for the precinct,
- (f) improve sport and recreation facilities in accordance with the 1996 Port Hedland Sport and Recreation Study,

- (g) give priority to active recreation facilities which require developed infrastructure and facilities, and
- (h) consolidate the existing civic and community function of the precinct having particular regard for the cohesive location of buildings, structures and open spaces.

Pretty Pool

5.3.3 The precinct objectives for the Pretty Pool precinct are to—

- (a) reinforce the precinct as part of the entrance to Port Hedland,
- (b) ensure that any further urban development within the precinct is compatible with its environmental values,
- (c) give particular priority to the conservation and management of mangroves and tidal flats,
- (d) ensure that the facilities and the active and passive recreation activities within the Pretty Pool reserve are consistent with its district function,
- (e) permit additional tourist facilities provided these do not detract from the district recreational function and the environmental values of the precinct, and
- (f) ensure that development within the precinct is compatible with potential storm surge conditions within the precinct.

Airport

5.3.4 The precinct objectives for the Airport precinct are to—

- (a) protect options for future airport infrastructure within the precinct,
- (b) ensure that development within the precinct meets prevailing noise and height limitation standards associated with the operation of aircraft, and
- (c) ensure that any commercial development reinforces the transportation functions of the airport.

South Hedland Entry

5.3.5 The precinct objectives for the South Hedland entry precinct are to—

- (a) improve the legibility of the locational and functional relationships between Wedgefield, Boodarie, South Hedland, Port Hedland and the airport,
- (b) enhance the visual amenity of entry roads to South Hedland,
- (c) give priority to recreation and community uses,
- (d) ensure that uses occurring within the Boodarie strategic industrial buffer area place no constraints on industry operations within the Strategic Industry zone,
- (e) determine practical functional relationships between land uses as the basis for possible rationalisation of cadastral boundaries within the precinct, and
- (f) protect options for future infrastructure within the area reserved for this purpose.

Port Area Town Centre

5.3.6 The precinct objectives for the Port Area Town Centre precinct are to—

- (a) consolidate the town centre status of the precinct and to redefine and optimise its visual quality and its administrative, commercial and community function,
- (b) consolidate existing development,
- (c) ensure that there is continuity in the character of old and new structures, landscaping and other improvements whilst promoting innovative approaches to design which are consistent with the climatic and cultural context of the precinct,
- (d) make safe, efficient and convenient provision for pedestrian movement, road transport and car parking, and
- (e) improve the utility and appearance of public spaces and street furniture.
- (f) The Mixed Business zone, located between Morgans and Anderson Streets, to be developed as a precinct in which—
 - businesses may be developed in conjunction with single residences,
 - an approach to design provides for dual frontage with residential development fronting Morgans Street and business operations fronting Anderson Street,
 - uses are not permitted which are inconsistent with the residential component,
 - no site may be developed just for a residential function.

PART VI—DEVELOPMENT REQUIREMENTS

6.1 OPERATIONS OF THIS PART

6.1.1 Unless otherwise indicated by this Scheme, the provisions of the Building Code of Australia apply to development in the Scheme area in addition to the development requirements of this Scheme.

6.1.2 Except for development in respect of which the Residential Planning Codes apply under this Scheme, if a development the subject of an application for planning approval does not comply with a

development requirement prescribed by the Scheme, the Council may, notwithstanding that non-compliance, approve the application unconditionally or subject to such conditions as the Council thinks fit. This approval may only be granted if Council is satisfied that—

- (a) it would be consistent with the objectives and policies of the Scheme,
- (b) the non-compliance will not have any adverse effect upon the occupiers or users of the development, inhabitants of the locality or upon the likely future development of the locality, and
- (c) it would be consistent with the objectives of the Scheme, the precinct objectives set out in clause 5.3, and the Policy Statements adopted in accordance with Part V of the Scheme.

6.2 RESIDENTIAL PLANNING CODES

6.2.1 For the purpose of this Scheme “Residential Planning Codes” means the Residential Planning Codes set out in Appendix 2 to Statement of Planning Policy No. 1, together with any amendments to these codes.

6.2.2 A copy of the Residential Planning Codes, as amended, shall be kept and made available for public inspection at the offices of the Council.

6.2.3 Unless otherwise provided for in the Scheme the development of land for any of the Residential purposes dealt with by the Residential Planning Codes shall conform to the provisions of those Codes.

6.2.4 The Residential Planning Code density applicable to land in the Residential zone within the Scheme Area shall be R20 unless otherwise determined by reference to the Residential Planning Code density number superimposed on the particular areas shown on the Scheme maps as being contained within the black line borders.

6.2.5 Within the areas coded R12.5/30 and R12.5/50 the standards of the R12.5 code apply to single houses and the standards of the R30 and R50 codes apply to grouped and multiple dwellings respectively, except that Council shall only approve development to R30 or R50 density if it is satisfied that the particular site is suitable to accommodate on-site effluent disposal or a sewer line connected to a wastewater treatment plant which has approval of the Water Corporation.

6.2.6 The density for residential development on land not within the Residential zone shall be determined by Development Plans where approved in accordance with the Scheme.

6.3 RESIDENTIAL ZONE

6.3.1 In determining any application for planning approval within the Residential zone, Council shall have regard for the Port Hedland Local Housing Strategy.

6.3.2 No more than two commercial vehicles, of which only one may exceed two tonnes tare weight, may be parked on a lot in the Residential zone provided that Council has granted planning approval, in accordance with Part IV, for the parking on the lot and—

- (a) the vehicles form an essential part of the occupation of a resident on the lot,
- (b) no vehicle exceeds either 2.7 metres in height or 16 metres in length,
- (c) any vehicle exceeding 8 metres in length is screened from view from outside the lot,
- (d) no vehicle is brought to or taken from the lot between the hours of 10pm and 6am,
- (e) major repairs to the vehicles are not undertaken on the lot, and
- (f) minor repairs, servicing or cleaning of the vehicles are carried out in areas which are screened from view from outside the lot.

6.3.3 An approval granted under subclause 6.3.2 shall apply only to a specified person or persons, and to specified land. The approval shall not be transferred or assigned to another person or persons, or to other land. A Person or persons to whom approval has been granted shall not park, or allow to be parked, a commercial vehicle on any lot within the Residential zone other than the lot subject to an approval.

6.3.4 If a vehicle has been parked with the approval of Council under subclause 6.3.2 and, in the opinion of Council, it causes a nuisance or annoyance to residents in the surrounding area, the Council may revoke the approval.

6.3.5 No person shall, within the Residential zone—

- (a) build, repair, paint, service, clean or renovate any marine vessel, caravan, commercial or industrial vehicle in front of the building line for more than eight hours consecutively without the consent of Council,
- (b) repair, service or clean a commercial or industrial vehicle for a longer period than eight hours unless such work is carried out whilst the vehicle is housed in a domestic garage or outbuilding.

6.3.6 A home occupation shall not be undertaken unless Council has granted planning approval. In considering an application for planning approval Council shall have regard for the Home Occupation Policy Statement in the Policy Manual.

6.3.7 Notwithstanding subclauses 3.5.1 and 4.7.1 of the Residential Planning Codes every dwelling shall be provided with a store room of not less than four square metres in floor area. The store room shall be fully enclosed and have direct ground level access from outside the building with no direct internal access from the dwelling. It may form part of the main building structure or be a permanent outbuilding.

6.4 URBAN DEVELOPMENT ZONE

6.4.1 The purpose of the Urban Development zone is to identify land where detailed planning and the provision of infrastructure is required prior to the further subdivision and development of land. This planning should be documented in the form of a Development Plan. Although subdivision and development may take place prior to the Scheme maps being amended to reflect the details of Development Plans; the Scheme maps should be amended as soon as practicable following the creation of lots and Crown reserves.

6.4.2 Subject to the provisions of clause 5.2, the Council may require the preparation of a Development Plan for the whole or any part of the Urban Development zone.

6.4.3 The Development Plan shall address the matters outlined in Appendix 6.

6.5 TRANSIENT WORKFORCE ACCOMMODATION

6.5.1 All transient workforce accommodation, whether designed as permanent or temporary structures, shall be regarded as residential development and is subject to the requirements of the Residential Planning Codes and clause 6.3 of this Scheme.

6.5.2 Except in the Residential zone and notwithstanding subclause 6.5.1, the requirements of the Residential Planning Codes and clause 6.3 of the Scheme may be varied for transient workforce accommodation by Council provided adequate justification for the variation is submitted by the proponents of the accommodation and provided Council considers the variation appropriate.

6.5.3 Planning applications for transient workforce accommodation within areas outside the Transient Workforce Accommodation zone, shall be accompanied by information and plans indicating, to Council's satisfaction, how and when the development will convert to a subsequent use which is consistent with the Scheme.

6.5.4 Planning applications for temporary structures to provide transient workforce accommodation shall be accompanied to Council's satisfaction by information and plans indicating how and when the development will be removed and the site rehabilitated or developed for a different use intended for the zone.

6.5.5 Council may require a signed agreement making commitment to the date and details of conversion and rehabilitation the subject of subclauses 6.5.3 and 6.5.4.

6.6 COMMERCIAL ZONES

6.6.1 Development within the Town Centre zone shall be in accordance with the development plan or development plans approved in accordance with the provisions of clause 5.2.

6.6.2 In determining applications for planning approval within the Commercial, Tourism and Mixed Business zones, Council may take into consideration any relevant policy adopted in accordance with the Scheme.

6.6.3 Within the Mixed Business zone buildings shall be set back from the street frontage of a lot no less than 6 metres. The land between the building and the street frontage shall be used for no purpose other than car parking, outdoor display or landscaping.

6.6.4 In the absence of precinct objectives, Policy Statements or a Development Plan for land within the zones referred to in subclause 6.6.2 Council, when considering a planning application, shall take into account other matters it considers relevant to the proposal including floorspace limitations, setbacks from boundaries and height of structures.

6.6.5 The density of residential development in the Town Centre shall not exceed R50.

6.7 INDUSTRY

General Provisions

6.7.1 In determining applications for planning approval within the Strategic Industry, Industry and Industrial Development zones, Council shall have regard to any relevant Council Policy Statement adopted under Part V of the Scheme.

6.7.2 In considering planning applications within the Strategic Industry, Industry or Industrial Development zones, Public Purpose or other reservations, or the industry buffers identified in the Policy Manual, Council shall have regard for the—

- (a) compatibility of uses,
- (b) potential impact of the proposal on the efficient and effective operations of the existing and planned industry, infrastructure or public purpose, and
- (c) risks, hazards, health and amenity associated with the proposed use being located in proximity to existing and planned industry, infrastructure or public purpose or any other use.

Strategic Industry Zone

6.7.3 In considering applications for planning approval in the Strategic Industry Zone Council shall ensure that the proposal—

- (a) optimises the effectiveness of the zone as a strategic industrial area and utilises major infrastructure, creates symbiosis with other industries or includes resource processing industry,
- (b) is significant to the regional and/or state economies, or
- (c) provides goods and services which directly support or compliment industries described in (a) and (b) of this subclause, and
- (d) minimises or offsets impacts on local infrastructure, economic and community development.

6.7.4 The purpose of the Strategic Industry zone is to accommodate strategic industries and, notwithstanding the provisions of any other part of the Scheme, development which may impede the operation of such industries shall not be permitted within the Strategic Industry zone or the Boodarie Industrial Buffer Special Control Area.

6.7.5 Council shall consult with the relevant State government or other relevant organisations, when assessing planning applications in the Strategic Industry zone, to ensure the proposal does not conflict with the strategic intentions for industry and infrastructure development in the zone.

Industry

6.7.6 The purpose of the Industry zone is to accommodate the broad range of developments required to support industry and commerce within the Town of Port Hedland.

6.7.7 Council may approve a planning application for a shop in the Industry and Industrial Development zones and shall ensure the matters contained in its Local Planning Policy manual relating to the development of shops in industrial zones are addressed in its determination of applications for planning approval.

6.7.8 When considering applications for planning approval in the Industry or Industrial Development zones Council shall require development to—

- (a) be set back a minimum of six metres from the front boundary,
- (b) cover no more than fifty percent of the lot,
- (c) include building facades comprised of materials to Council's satisfaction
- (d) include on-site car parking, wholly or partly within the setback area, with a minimum of one car parking bay for each person employed or normally engaged on the site plus three visitor bays, unless otherwise stipulated in Appendix 7
- (e) provide for the storage of materials not within the front setback unless for a temporary period as determined by Council, and
- (f) have regard for any other development standard contained in the Policy Manual.

6.7.9 Development of factory unit buildings shall include—

- (a) a minimum floor area of 100 m² for each unit,
- (b) a service yard, which is appurtenant to the unit and located separate from the principal access to the unit, with a minimum size of five percent of the unit floor area, and
- (c) off-street car parking in accordance with the car parking requirements of subclause 6.7.7 and which may include a reduction to one visitor bay per unit and may be accommodated in one area of the overall site.

6.7.10 Council in considering applications for subdivision/amalgamation of land under clause 24(2) of the Act, shall not recommend approval of lots in the Industry or Industrial Development zones which are below 2 000 m² or include battleaxe access legs.

Industrial Development Zone

6.7.11 The purpose of the Industrial Development zone is to identify land where further detailed planning and the provision of infrastructure is required prior to the further subdivision and development of land. This planning should be documented in the form of a Development Plan. Although subdivision and development may take place prior to the Scheme maps being amended to reflect the details of Development Plans; the Scheme maps should be amended as soon as practicable following the creation of lots and Crown reserves.

6.7.12 All development requirements related to the Industry Zone also apply to the Industrial Development Zone.

6.7.13 Council may prepare, or require to be prepared, a Development Plan for land within the Industrial Development Zone. The provisions of subclauses 5.2.2 to 5.2.11 of the Scheme shall apply in relation to the adoption, approval, modification and implementation of any such plan.

6.7.14 The Development Plan shall address the matters outlined in Appendix 6.

6.8 RURAL ZONES

6.8.1 In considering any proposed development within the Rural zone, but in an area subject to strategic proposals for urban or industrial development, the Council shall only grant approval where that proposed development or use will not, in the opinion of Council, prejudice the future development of those proposals.

6.8.2 Council may prepare, or require to be prepared, a Development Plan for rural settlement development. The provisions of subclauses 5.2.2 to 5.2.11 of the Scheme shall apply in relation to the adoption, approval, modification and implementation of any such plan.

6.8.3 The Development Plan shall address the matters outlined in Appendix 6

6.8.4 Lots connected to reticulated water and located in the Rural Residential zone shall be no less than 1 hectare and lots not connected to reticulated water and located within the Rural Residential zone shall be no less than 2 hectares.

6.8.5 In considering any proposal for rural residential, rural living, intensive agriculture or a rural settlement, Council may determine that the Development Plan required by 6.8.2 should be supplemented by—

- (i) a local settlement and/or rural strategy to address impacts beyond the site, and
- (ii) additional zones and Scheme provisions to be included by amendment in this Scheme.

6.9 COMMUNITY ZONES

6.9.1 In considering applications for planning approval in the Community, Health, Education or Airport zones Council shall have regard for the—

- (a) objectives relating to the entire Scheme in clause 1.5 and the relevant precinct in Part V,
- (b) Policy statements in the Policy Manual,
- (c) purpose of the zone and any existing development on the land, and
- (d) potential impact of the proposal on the surrounding locality.

6.10 HERITAGE MATTERS

Purpose and Intent

6.10.1 The purpose and intent of the heritage provisions, in relation to Aboriginal and non-Aboriginal heritage, is to—

- (a) ensure the conservation of any place, area, building, object or structure of heritage value,
- (b) afford the opportunity for existing traditional uses to be continued or allow for the approval of alternative uses which are compatible with the heritage values and character of the locality
- (c) ensure that development within or adjacent to places of heritage value has due regard to the value of the heritage place and is in harmony with the character of the locality.

Inventory of Heritage Places and Buildings

6.10.2 The Council shall establish and maintain an Inventory of buildings, objects, structures and places considered by the Council to be of heritage significance and worthy of conservation.

6.10.3 For the purposes of this Part, Inventory means the Municipal Inventory prepared and amended by the Council pursuant to Section 45 of the Heritage of Western Australia Act 1990 (as amended).

6.10.4 The Council shall keep copies of the Inventory with the Scheme documents for public inspection during normal office hours.

6.10.5 The Council may amend the Inventory by the addition or deletion of any building, object, structure or place.

6.10.6 The Council, before adopting a proposal to establish or amend the Inventory, shall—

- (a) notify in writing the owner(s) and the occupier(s) of the land and any other persons whose names appear on the Certificate of Title of the land as having an interest in the land,
- (b) advertise the proposal by way of a notice in a newspaper circulating in the district, by the erection of a sign or signs displaying notice of the proposal, adequately describing and illustrating the proposal, to be erected in a conspicuous position on the land for a period of twenty-eight days from the date of publication of the notice in the newspaper, and use such other methods as the Council considers appropriate to ensure widespread notice of the proposal,
- (c) invite submissions on the proposal within a period of not less than 28 days of the date specified on the notice under (b) of this clause,
- (d) carry out such other consultations as it thinks fit,
- (e) consider any submissions made and resolve to adopt the proposal with or without modification or reject the proposal, and
- (f) forward notice of its decision to the Heritage Council of WA and Western Australian Planning Commission.

Development Plans

6.10.7 Where the council requires a Development Plan to be prepared, that plan shall document the heritage values and character of the development area, including any buildings, objects, structures and places included in the inventory, and include measures to conserve or enhance these to the satisfaction of Council.

6.10.8 Where heritage matters are a significant component of a Development Plan, Council shall—

- (a) undertake the advertising procedures in subclause 4.3.3 and 4.3.4, and
- (b) advise the Commission and the Heritage Council of Western Australia of Council's decision in relation to endorsement of the Development Plan.

Applications for Planning Approval

6.10.9 In dealing with any matters which may affect an entry on the Inventory, including any application for planning approval, Council shall have regard to any provision or precinct objective in the Scheme, Policy Statement in the Policy Manual, an endorsed Development Plan and the views of the Heritage Council of WA, the National Trust of Australia (WA) or any other relevant bodies.

6.10.10 In dealing with any matters which may affect Aboriginal heritage, including any application for planning approval, Council may refer the matter to the Aboriginal Cultural Material Committee (ACMC), and may—

- (a) defer consideration of the matter until the requirements of the Aboriginal Heritage Act 1972 (as amended) have been fulfilled,
- (b) determine the application subject to a condition that the requirements of the Aboriginal Heritage Act 1972 (as amended) be fulfilled, or
- (c) otherwise determine the application as considered appropriate by Council.

6.10.11 In addition to the requirements of other provisions of the Scheme, the Council may require an application for planning approval, where the proposed development may affect a place of cultural heritage significance or an entry on the Inventory to include one or more of the following to assist the Council in its determination—

- (a) Street elevations drawn to a scale not smaller than 1:100 showing the proposed development and the whole of the existing development on each lot immediately adjoining the land the subject of the application, and drawn as one continuous elevation.
- (b) Side and rear elevations of the proposed development, drawn to a scale of not smaller than 1:100.
- (c) A site plan including existing and proposed ground levels over the whole of the land the subject of the application, and the location, type and height of all existing structures and of all vegetation exceeding 2 metres in height, and marking any existing structures and vegetation proposed to be removed, such a plan shall be drawn to the same scale as the site plan.
- (d) Notwithstanding any existing assessment on record, an assessment of the cultural and heritage significance of any existing buildings and the development site to Council's satisfaction.
- (e) a detailed schedule of all finishes, including materials and colours of the proposed development and unless the Council exempts the applicant from the requirement or any part of it, also the existing developments on the subject lot immediately adjoining the subject lot.
- (f) any other information that council considers relevant.

Variations to Scheme Provisions and Conservation Incentives

6.10.12 Where desirable to facilitate the conservation of a heritage place or to enhance or conserve heritage values, the Council may vary any provision of the Scheme provided that, where in the Council's opinion the variation of a provision is likely to affect any owners or occupiers in the general locality or adjoining the subject site, the Council shall—

- (a) consult the affected parties by following one or more of the provisions in subclause 4.3.3, and
- (b) have regard to any expressed views prior to granting the variation.

6.10.13 The Council may permit, on a lot zoned Residential and listed in the Inventory, an increase up to fifty percent of permitted dwelling density which otherwise would not apply on that lot. The density bonus shall only be granted where the increased development would effectively maintain the cultural or heritage significance and character of the place, street or precinct, and if one or more of the following circumstances apply—

- (a) provision is made for the preservation of significant landscape features, including significant trees or other vegetation,
- (b) provision is made for satisfactory completion of conservation works approved or required by the Council on a heritage place, or
- (c) a cash contribution is made to a fund set up by Council for the purpose of heritage conservation.

6.10.14 In a case where the Council has permitted an increase in density in accordance with subclause 6.10.13, the standards and provisions of the higher density code shall apply.

6.10.15 In granting variations under subclauses 6.10.12 and 6.10.13 the Council may enter into a heritage agreement under Part IV of the Heritage of Western Australia Act 1990 (as amended) with an owner who would benefit from the incentive. The agreement may specify the owner's obligations and contain covenants noted on relevant Certificates of Title.

6.11 TRANSPORTABLE STRUCTURES

6.11.1 When considering planning applications which include transportable buildings and structures Council shall have regard for—

- (a) whether the structure is to be permanent or temporary,
- (b) the location and design of the structure in relation to surrounding structures and other physical features,
- (c) the footings or other methods of stabilising the structure, and
- (d) proposed landscaping to be associated with the structure.

6.11.2 Council may specify a period to which planning approval applies and the requirements for removal of structures which are intended to be temporary.

6.11.3 Council may require modifications, additions or landscaping to be undertaken as part of the placement of transportable structures.

6.12 CONTROL OF ADVERTISEMENTS

6.12.1 For the purpose of this Scheme, the erection, placement and display of advertisements and the use of land or buildings for that purpose is development within the definition of the Act requiring, except as otherwise provided, the prior approval of the Council. Planning approval is required in addition to any licence pursuant to Council's Local Law relating to Signs and Hoardings.

6.12.2 Applications for planning approval pursuant to this Part shall be submitted in accordance with the provisions of clause 4.2 of the Scheme and shall include the information and plans required by Appendix 3.

Existing Advertisements

6.12.3 Advertisements which—

- (a) were lawfully erected, placed or displayed prior to the approval of this Scheme, or
- (b) may be erected, placed or displayed pursuant to a licence or other approval granted by the Council prior to the approval of this Scheme,

shall be referred to in the Scheme as “existing advertisements” and may, except as otherwise provided, continue to be erected and displayed in accordance with the licence or approval as appropriate.

Consideration of Applications

6.12.4 Without limiting the generality of matters which may be taken into account when making a decision upon an application for planning approval to erect, place or display an advertisement, Council shall examine each such application in the light of the objectives of the Scheme and with particular reference to the character and amenity of the locality within which it is to be displayed, including its historic or landscape significance and traffic safety and the amenity of adjacent areas which may be affected.

Exemptions from the Requirements to Obtain Planning Approval

6.12.5 Subject to the provisions of the Main Roads (Control of Advertisements) Regulations 1996, and notwithstanding the provisions of subclause 6.12.1, the Council's prior planning approval is not required in respect of those advertisements which comply with Council's Local Law relating to signs and hoardings. These exemptions do not apply to land, buildings, objects, structures and places included on the Inventory or the subject of a Development Plan endorsed under subclause 6.10.8.

Discontinuance

6.12.6 Notwithstanding the provisions of subclauses 6.12.3 and 6.12.5, where the Council can demonstrate exceptional circumstances which cause an exempted or existing advertisement to seriously conflict with the objectives of this Scheme, it may by notice in writing (giving clear reasons) require the advertiser to remove, relocate, adapt or otherwise modify the advertisement within a period of time specified in the notice.

Derelict or Poorly Maintained Signs

6.12.7 Where in the opinion of Council, an advertisement has been permitted to deteriorate to a point where it conflicts with the objectives of the Scheme or it ceases to be effective for the purpose for which it was erected or displayed, Council may, by notice in writing, require the advertiser to—

- (a) repair, repaint or otherwise restore the advertisement to a standard specified by Council in the notice, or
- (b) remove the advertisement.

Notices

6.12.8 “The advertiser” shall be interpreted as any one person or any group comprised of the landowner, occupier, licensee or other person having an interest in or drawing benefit from the display of the advertisement concerned.

6.12.9 Any notice served pursuant to subclauses 6.12.6 and 6.12.7 shall be served upon the advertiser and shall specify—

- (a) the advertisement(s) the subject of the notice,
- (b) full details of the action or alternative courses of action to be taken by the advertiser to comply with the notice,
- (c) the period, not being less than 60 days, within which the action specified shall be completed by the advertiser.

6.12.10 Any person, upon whom a notice is served pursuant to this Clause may, within a period of 60 days from the date of the notice, appeal to the Hon Minister For Planning or the Town Planning Appeal Tribunal in accordance with Part V of the Act and, where any such appeal is lodged, the effect of the notice shall be suspended until the decision to uphold, quash or vary the notice is known and shall thereafter have effect according to that decision.

Scheme to Prevail

6.12.11 Where the provisions of this clause are found to be at variance with the provisions of the Council's Signs and Hoardings Local Laws, the provisions of the Scheme shall prevail.

6.12.12 The offences and penalties specified in clause 9.3 of the Scheme apply to the advertiser in this clause.

6.13 VEHICLES AND VEHICLE AREAS**Car Parking Requirements**

6.13.1 Unless otherwise provided by the Scheme, no development is permitted without providing concrete or bitumen sealed, drained, kerbed and marked onsite car parking in accordance with the requirements in Appendices 7 and 8.

6.13.2 Where a development is not specified in Appendix 7 the Council shall determine car parking requirements having regard to the nature of development, the number of vehicles likely to be attracted to the development and the maintenance of desirable safety standards.

6.13.3 As an alternative to subclause 6.13.1, and subject to Council approval, a cash-in-lieu payment, to the equivalent cost of providing the required car parking spaces and proportion of aisles, plus the value of the area of land which would have been occupied by the spaces and proportion of aisles, may be paid to the Council. This payment is to contribute to a fund set aside by Council for the purposes of providing public car parking areas.

6.13.4 Where the amount of cash-in-lieu payable under clause 6.13.3 cannot be agreed it shall be determined by arbitration in accordance with the Commercial Arbitration Act 1985 (as amended) or some other method agreed upon by Council and the developer.

Variations to Car Parking Requirements

6.13.5 Where the Council is satisfied that the circumstances of a development justify such action and there will not be any resultant lowering of safety standards, it may permit a reduction in the number of car parking spaces required by subclause 6.13.1.

6.13.6 Where the Council is of the opinion, at any time, that it is necessary to increase the required number of car parking spaces in order to maintain desirable standards of safety, convenience and amenity, such extra car parking spaces as Council considers necessary shall be provided. In imposing such extra car parking requirements, the Council shall explain the reasons for the increase to the owner of the lot.

6.13.7 Where there are two separate and different developments with different hours of peak operation, but being located on the same or adjoining lots, the Council may permit some discounting of the required number of car parking bays on either or both lots, provided it is satisfied there would be no resultant lowering of safety standards and there is agreement to the reciprocal use of all car parking bays.

6.13.8 Where a proposed development is located adjacent to a constructed public carpark, the Council may, where it is satisfied there would be no lowering of safety standards, reduce the amount of required onsite car parking for that development by the amount which it considers the public carpark serves the development. Council may also require a cash-in-lieu payment to the value referred to in subclause 6.13.3.

Design and Maintenance of Car Parking

6.13.9 When considering any application for planning approval the Council shall have regard to and may impose conditions concerning—

- (a) the proportion of car parking bays to be roofed or covered and the design criteria for this covering,
- (b) the proportion of car parking bays to be below natural ground level or on the roof level of buildings and the design criteria for these structures,
- (c) the means of access to each car parking bay and the adequacy of any vehicular manoeuvring area,
- (d) the provision and location of disabled car parking bays as required by the Building Code of Australia,
- (e) the location of the car parking bays and the impact upon the aesthetic character of adjoining development, including the potential effect if those spaces should later be roofed or covered,
- (f) the extent to which car parking bays are located within required building setbacks,
- (g) the location of proposed public footpaths, vehicular crossings, private footpaths within the lot, and the effect of both pedestrian and vehicular traffic movement and safety,
- (h) materials for the sealing, paving and kerbing of carpark surfaces, associated islands and pedestrian spaces and the landscaping of these areas.

6.13.10 The owner and occupier of premises on which car parking bays are provided shall ensure that the carpark, its markings, associated structures, landscaping and drainage are provided and maintained to the satisfaction of Council

Dimensions of Car Parking

6.13.11 The dimensions of car parking bays, parking angles and carriageway widths specified in Appendix 8 shall be used by Council in determining the layout of car parking areas.

6.13.12 The minimum dimensions of an oversized vehicle parking bay shall be 9 metres x 3 metres.

6.13.13 All road train parking bays shall be the size relevant to the vehicle to be accommodated, but shall be no less than 15 metres x 4 metres.

Sealed Areas

6.13.14 All areas to be used for car parking, accessways, loading bays and for turning or manoeuvring of vehicles shall be sealed, drained, curbed, marked and signposted to the specification and satisfaction of the Council.

6.13.15 Within the Industrial and Rural zones the Council may permit an alternative method of surface treatment/dust suppression where, by reason of the development characteristics or the area of bitumen required, the Council considers the seal required in subclause 6.13.14 would be either impractical or unduly expensive and the alternative would serve the same function without unacceptable reduction in the standards of health and safety.

6.13.16 All sealed areas shall be permanently maintained to the satisfaction of the Council and the Council may order an owner to effect repairs where it considers that the sealed area has unduly deteriorated.

6.13.17 Outdoor displays, industrial hire services, storage facilities, depots, laydown areas and any other open area shall be sealed or grassed to the satisfaction of Council and maintained in good condition.

6.14 LANDSCAPING, SCREENING AND FENCING

6.14.1 All applications for Planning Approval, except those for residential development involving three dwellings or less shall indicate the landscaping elements of the proposal and in particular a plan showing—

- (a) the percentage of the site devoted to landscaping,
- (b) the areas subject to landscaping works,
- (c) location and species of plants,
- (d) other materials imported, arranged and/or constructed on the site, and
- (e) the proposed staging, if any, of works.

6.14.2 Council may require modifications or additions to the landscaping proposed by any planning application.

6.14.3 The owner or occupier of the land shall not use the area shown as landscaping on an approved plan for any purpose other than landscaping unless otherwise approved by Council. All elements of the landscaped area shall be maintained in a condition to the satisfaction of Council.

6.14.4 Within the Town Centre, Commercial, Tourism, and Mixed Business zones, any outside area which Council considers detrimental to the amenity of the locality or adjoining lots shall be screened by a wall, fence or planting, including gates where access is required, to the satisfaction of Council.

6.14.5 Within the Industry and Industrial Development zones, any outside area which Council considers may become untidy or is currently untidy when visible from the street shall be screened by a wall, fence or planting, including gates where access is required, to the satisfaction of Council.

6.15 AIRPORTS

6.15.1 No development, within the height restriction areas indicated on the Obstacle Limitation Surfaces map in the Policy Manual shall exceed the height restrictions indicated in the manual.

6.15.2 Development within the Residential, Commerce, Health, Welfare and Community or Entertainment, Recreation and Culture categories in the zoning table is not permitted inside the 25 ANEF contour of the Australian Noise Exposure Forecast map contained in Appendix 9. When considering planning applications Council may vary the requirements of this clause where it is satisfied that aircraft noise will not unduly impact on the proposed use or the development is specifically constructed to attenuate the impact of aircraft noise.

6.16 FLOOD AND STORM SURGE PRONE LAND

6.16.1 When considering applications for planning approval Council shall have regard to information about the land prone to 1:100 year flood and storm surge events and may permit, with or without conditions, or refuse proposals at its discretion.

6.16.2 In considering applications for planning approval for land which may be prone to flood and storm surge, Council shall consult with the relevant public authorities to obtain the most up-to-date information regarding the potential for the land to be affected by flood and storm surge events.

6.16.3 Council may require applications for planning approval to include an assessment, prepared to its satisfaction, of the impact of potential flood and storm surge events on the proposed development.

PART VII—SPECIAL CONTROL AREAS

7.1 OPERATION OF SPECIAL CONTROL AREAS

7.1.1 The following Special Control Areas are shown on the Scheme Maps—

- (a) Boodarie Industrial Buffer Special Control Area
- (b) Gas Power Station Buffer Special Control Area
- (c) Waste Water Treatment Plant Special Control Area
- (d) Wedgefield Special Control Area

7.1.2 In respect of the Special Control Area(s) shown on the Scheme map, the provisions of the Special Control Area apply in addition to the provisions of the underlying zone(s), reserve(s) and any general provisions of the Scheme.

7.2 BOODARIE INDUSTRIAL BUFFER SPECIAL CONTROL AREA

7.2.1 Within the Boodarie Industrial Buffer—

- (a) no dwelling is permitted, and
- (b) no development is permitted which would attract persons, other than those working in the adjacent strategic industrial area.

7.2.2 When considering applications for planning approval within the Boodarie Industrial Buffer Council shall have regard to—

- (a) the existing, proposed or likely risks, hazards and nuisance (odour, noise, light) associated with the adjoining Strategic Industrial Area.
- (b) compatibility of uses, and
- (c) the impact of the proposal on the efficient development of the strategic industrial area.

7.3 GAS POWER STATION BUFFER SPECIAL CONTROL AREA

7.3.1 When considering applications for planning approval within the Gas Power Station Buffer Special Control Area, Council shall have regard to the —

- (a) compatibility of the development with the operations of the power station,
- (b) impact of the proposal on the operations of the power station, and
- (c) the need for the proposal to connect to the power supply from the station.

7.3.2 When determining applications for planning approval within the Gas Power Station Buffer Special Control Area, Council may approve, with or without conditions, or refuse a proposal for reasons relevant to the operations of the Gas Power Station.

7.4 WASTE WATER TREATMENT PLANT SPECIAL CONTROL AREA

7.4.1 When considering applications for planning approval within the Waste Water Treatment Plant Special Control Area, Council shall have regard to the —

- (a) compatibility of the development with the operations of the treatment plant, and
- (b) impact of the proposal on the operations of the treatment plant.

7.4.2 When determining applications for planning approval within the Wastewater Treatment Plant Special Control Area, Council may approve, with or without conditions, or refuse a proposal for reasons relevant to the operations of the treatment plant.

7.5 WEDGEFIELD SPECIAL CONTROL AREA

7.5.1 The purpose of this special control area is to recognise the special relationship that has emerged in Wedgefield between caretaker's dwellings and industry and to outline the considerations for these developments which do not apply elsewhere in the Scheme Area.

7.5.2 Notwithstanding the definition of Caretaker's Dwelling in Appendix 1, Caretaker's Dwellings in Wedgefield are not restricted to a maximum floorspace of 50 m².

7.5.3 When considering applications for planning approval in the Wedgefield Special Control Area, Council shall have regard for—

- (a) the potential impacts of emissions of light, noise, electrical interference, vibration, smell, fumes, smoke, vapour, steam, soot, ash dust, waste water or other waste products from existing or proposed developments on any existing or proposed caretaker's dwelling.
- (b) the potential for exposure to risks and hazards associated with the location of a caretaker's dwelling in proximity to any other development, and in this regard may refer an application for planning approval to the Environmental Protection Authority for advice or assessment of risks and hazards.

7.5.4 When assessing applications for planning approval for any development category in the Wedgefield Special Control Area, Council may require applicants to provide information and technical assessments of the potential emissions, risks and hazards of existing and proposed non-residential development on existing and proposed caretaker's dwellings.

7.5.5 Council may require the owners and occupiers of caretaker's dwellings, in the Wedgefield Special Control Area, to enter into formal agreement with Council stating that—

- (a) they are aware of the potential impacts of emissions and risks and hazards associated with such caretaker's dwellings being located in proximity to all, or particular developments, within the Wedgefield Industrial Area, and
- (b) Council is not liable for any damage caused by exposure to emissions, risks or hazards and no legal action shall be taken against Council in this regard.

PART VIII—NON-CONFORMING USES

8.1 NON-CONFORMING USE RIGHTS

Except as otherwise provided in this Part, no provision of the Scheme shall prevent the—

- (a) continued use of any land or building for the purpose for which it was lawfully used at the time of coming into force of the Scheme, or
- (b) carrying out of any development thereon for which, immediately prior to that time, a permit or permits, lawfully required to authorise the development to be carried out were duly obtained and are current.

8.2 EXTENSION OF NON-CONFORMING USE

A person shall not alter or extend a non-conforming use or erect, alter or extend a building used in conjunction with a non-conforming use without first having applied for and obtained the planning approval of the Council under the Scheme and unless in conformity with any other provisions and requirements contained in the Scheme.

8.3 CHANGE OF NON-CONFORMING USE

Notwithstanding anything contained in the Zoning Table, the Council may grant its planning approval to the change of use of any land from a non-conforming use to another use if the proposed use is, in the opinion of the Council, less detrimental to the amenity of the locality than the non-conforming use and is, in the opinion of Council, closer to the intended purpose of the zone or reserve.

8.4 DISCONTINUANCE OF NON-CONFORMING USE

8.4.1 Where a non-conforming use of any land or building has been discontinued for a period of six months or more such land or building shall not thereafter be otherwise than in conformity with the provisions of the Scheme.

8.4.2 The Council may effect the discontinuance of a non-conforming use by the purchase of the affected property, or by the payment of compensation to the owner or the occupier or to both the owner and the occupier of that property, and may enter into an agreement with the owner for that purpose.

8.5 DESTRUCTION OF BUILDINGS

If a building used for a non-conforming use, is destroyed to 75% or more of its value, the building is not be repaired or rebuilt, altered or added to for the purpose of being used for a non-conforming use or in a manner not permitted by the Scheme, except with the planning approval of Council.

PART IX—ADMINISTRATION

9.1 POWERS OF THE SCHEME

The Council in implementing the Scheme has, in addition to all other powers vested in it, the following powers—

- (a) The Council may enter into an agreement with any owner or occupier of land or other person in respect of any matters pertaining to the Scheme.
- (b) The Council may acquire any land or buildings within the Scheme Area pursuant to the provisions of the Scheme or the Act. The Council may deal with or dispose of this land or buildings in accordance with the law and for this purpose may make such agreements with other owners as it considers fit.
- (c) An officer of the Council, authorised by Council for the purpose, may at all reasonable times and with such assistance as may be required, enter any building or land for the purpose of ascertaining whether the provisions of the Scheme are being observed.

9.2 DELEGATION OF POWERS

9.2.1 The council may, either generally or in a particular case or particular class of cases, by resolution passed by an absolute majority of Council, delegate to—

- (a) a committee of the Council, or
- (b) a member of the Council, or
- (c) an officer of the Council,

any power conferred or duly imposed on the Council under this Scheme.

9.2.2 Any delegation made under subclause 9.2.1 shall have effect for the period of twelve months following the resolution unless the Council stipulates a lesser or greater period in the resolution.

9.2.3 A delegation of authority pursuant to this clause has effect and may be exercised according to its tenor, but is revocable at the will of the Council and does not preclude the Council from exercising the power.

9.2.4 A resolution to revoke or amend a delegation under this clause may be passed by a Council majority.

9.2.5 A committee, member or officer exercising the power delegated pursuant to the provisions of this clause shall comply with the provisions of the Scheme, insofar as such provisions are reasonably applicable.

9.2.6 A person who is or has been a delegate of the Council is not personally liable for anything done or omitted in good faith in, or in connection with, the exercise or purported exercise of any powers conferred, or the carrying out of any duty imposed on the Council by this Scheme.

9.3 PENALTIES

9.3.1 No person shall depart from or permit or suffer any departure from the requirements and provisions of the Scheme.

9.3.2 Any person who fails to comply with any provision of the Scheme is guilty of an offence and, without prejudice to any other remedy given herein is liable to the penalties prescribed by section 10 of the Act.

9.4 COMPENSATION

9.4.1 Except as otherwise provided, the time limit for the making of claims for compensation for injurious affection pursuant to Section 11 of the Act, resultant from the making of, or the making of an amendment to, the Scheme is six (6) months from the date of publication of the Scheme or Scheme Amendment in the Government Gazette.

9.4.2 Where, in respect of any application for planning approval, the Council, or any appellate body, refuses or grants approval subject to conditions and the effect of the decision is to permit the land to be used or developed for no purpose other than a public purpose, the owner of the land may, within six (6) months of the date of the relevant decision, claim compensation for injurious affection.

9.5 ELECTION TO PURCHASE AND VALUATION

9.5.1 Where compensation for injurious affection is claimed pursuant to clause 9.4.1 or 9.4.2 the Council may, at its option elect to acquire the land so affected instead of paying compensation.

9.5.2 Where the Council elects to acquire land the subject of a claim for compensation for injurious affection, the Council shall give notice of this to the claimant in writing within three (3) months of the claim for compensation being made.

9.5.3 Where the Council elects to acquire the land as provided in subclause 9.5.1, if the Council and the owner of the land are unable to agree as to the price to be paid for the land by the Council, the price at which the land may be acquired by the Council shall be the value of the land as determined in accordance with subclause 9.5.4.

9.5.4 The value of the land referred to in subclause 9.5.3 shall be the value thereof on the date that the Council elects to acquire the land and that land shall be determined by—

- (a) arbitration in accordance with the Commercial Arbitration Act 1985 (as amended), or
- (b) some other method agreed upon by the Council and the owner of the land,

and the value shall be determined without regard to any increase or decrease, if any, in value attributable wholly or in part to this Scheme.

9.6 RIGHTS OF APPEAL

An applicant aggrieved by a decision of the Council in respect of the exercise of a discretionary power under the Scheme may appeal in accordance with Part V of the Act and the rules and regulations made pursuant to the Act.

9.7 AMENDMENTS TO THE SCHEME

9.7.1 The Council shall keep the Scheme under constant monitor and where appropriate carry out investigations and study with a view to maintaining the Scheme as an up-to-date and efficient means for pursuing community objectives regarding development and land use.

9.7.2 The Council may initiate amendments to the Scheme in accordance with the Act and Regulations and shall give consideration to any request to have the Scheme amended.

9.7.3 In the case of a proposed amendment to the zoning or reservation of land, other than requested by the owner(s), the Council shall, before initiating any amendment to the Scheme, invite comment from the owner(s) of the land concerned.

9.7.4 Council shall take into consideration any comments or submissions received in respect of a proposed amendment to the Scheme and shall only proceed with the amendment where it is satisfied the amendment would be consistent with the objectives of the Scheme and would not be contrary to the public interest.

9.8 NOTICE FOR REMOVAL OF CERTAIN BUILDINGS

9.8.1 Twenty eight (28) days written notice is hereby prescribed as the notice to be given pursuant to section 10 of the Act for the removal of certain buildings.

APPENDIX 1—DEFINITIONS

These definitions apply unless State Government Model Scheme Text definitions or other standard definitions in the Residential Planning Codes are modified and subsequently endorsed by the Council.

abattoir—any land or buildings used for the slaughter of animals for human consumption and the treatment of carcasses, offal and by-products.

absolute majority—has the same meaning as given to it in the Local Government Act 1995 (as amended).

Act—the Town Planning and Development Act 1928 (as amended).

advertisement—any word, letter, model, sign, placard, board, notice, device or representation, whether illuminated or not, used entirely or partly for advertisement, announcement or direction and includes any hoarding or similar structure used, or adapted for use, for the display of advertisement.

aerodrome—land, buildings and facilities provided for the purpose of landing, takeoff, refuelling, maintenance, loading and unloading of aircraft

aged or dependent person—a person who is aged 55 years or over or is a person with a recognised form of handicap requiring special accommodation provisions for independent living or special care.

aged or dependent persons dwelling—a dwelling designed for the accommodation of aged or dependent persons.

agriculture—the use of land and associated buildings for the—

- (a) rearing or agistment of livestock
- (b) the stabling, agistment or training of horses,
- (c) the growing of crops, trees, plants, shrubs or flowers for harvest or replanting, and
- (d) the sale of produce grown solely on the lot,

but does not include intensive agriculture.

amenity—natural and people made qualities of the environment from which people derive pleasure enrichment and satisfaction and includes the conditions such as environmental quality, health and safety, or the facilities that make a place more pleasant and attractive

ancillary accommodation—self contained living accommodation on the same site as a single house, where the lot is not large enough to accommodate grouped dwellings, and may be attached or detached from the single house existing on the lot

appendix—an appendix to the scheme

aquaculture—the farming of aquatic organisms, including fish, molluscs, crustaceans and aquatic plants. It includes the breeding, hatching, rearing and cultivation for sale of all aquatic organisms.

- arts and crafts centre—land or buildings used to create, display and/or sell works of art and craft.
- battleaxe access leg—a strip of land included in a Certificate of Title of a lot providing access to the lot from a public road.
- building—any structure or associated appurtenance, whether fixed or moveable, temporary or permanent, placed or erected upon the land, and the term includes dwellings and buildings appurtenant to dwellings such as carports, garages, verandahs and retaining walls, but shall exclude a boundary fence, pergolas, garden sheds and the like and swimming pools where no part is more than 600mm above surrounding ground level.
- Building Code of Australia—the Building Code of Australia 1988 (as amended).
- caretaker's dwelling—a building used as a dwelling by a person, and an associated household, having the care of buildings, plant, equipment or land used for any development category in the zoning table carried out on or existing on the same site, with a maximum floor space of 50m².
- carpark—land or buildings used primarily for parking private cars or taxis, whether open to the public or not, but does not include any part of a public road used for parking or a taxi rank, or any land or building in which cars are displayed for sale.
- childcare service—land or buildings used for the daily or occasional care of five or more unrelated children in either a centre or a private dwelling.
- Commission—the Western Australian Planning Commission established by section 4 of the Western Australian Planning Commission Act 1985 (as amended).
- community use—land or buildings designed or adapted primarily for the provision of educational, social and recreational facilities and services by organisations involved in activities for community benefit.
- consulting rooms—a building (other than a hospital or medical centre) used by practitioners who are legally qualified medical practitioners, dentists, physiotherapists, podiatrists or any other person ordinarily associated with a practitioner in the prevention, investigation or treatment of the physical or mental injuries or ailments.
- Council—the elected Council of the Town of Port Hedland.
- developer—a person or group of people undertaking development.
- development—the development or use of land, including any demolition, erection, construction, alteration of or addition to any building or structure on the land and the carrying out on the land of any excavation or other works and in relation to any building, object or place entered in the Municipal Inventory or identified in a development plan as having heritage value, any act or thing that—
- (a) is likely to change the character of the place or the external appearance of any buildings, or
 - (b) would constitute an irreversible alteration to the fabric of any building.
- development plan—plans which address the schematic layout of proposed development and proposed lot boundaries in addition to various other matters as may be required by the Scheme and includes local structure plans, outline or comprehensive development plans.
- display home centre—a group of two or more dwellings which are intended to be open for public inspection.
- dry cleaning premises—any land or buildings used for the cleaning of garments and other fabrics by chemical processes.
- dwelling—a building or portion of a building being used or intended, adapted or designed to be used for the purpose of human habitation on a permanent basis by—
- (a) a single person,
 - (b) a single family, or
 - (c) no more than six (6) persons who do not comprise a single family.
- It may be constructed on or transported to the site but does not include a movable dwelling.
- education establishment—a kindergarten, school, college, university, technical institute, academy or other education centre including a residential school, but not including a juvenile detention centre.
- emergency services—land or buildings used to store and maintain emergency vehicles and equipment, coordinate response to emergency events and may include training facilities and caretakers dwellings.
- equestrian centre—land and buildings used for sport and recreation associated with horses including, harness and turf racing, polocrosse, gymkhana, dressage and may incorporate facilities for stabling, agistment or training of horses.
- entertainment venue—any land, buildings or structures used for the amusement or entertainment of the public with or without charge, with or without the serving of food or liquor and includes cinemas, theatres, drive-in theatres, amusement parlours, nightclubs, taverns, bars or concert auditoriums.
- factory unit building—a building or structure, or a group of buildings or structures on one lot, in which are carried out two or more separate industries or storage areas not owned or managed by the same person, or in which provision is made for the carrying on of two or more separate industries or storage areas not owned or managed by the same person.
- funeral parlour—any land or buildings used to prepare and store bodies for burial or cremation and may include facilities to conduct memorial services.

- grouped dwelling—a dwelling which is one of a group of two or more dwellings on the same lot such that no dwelling is placed wholly or partly vertically above another, except where special conditions of landscape or topography dictate.
- harbour installation—any land or buildings used for and incidental to the purposes of loading, unloading, mooring and maintaining ships.
- Heritage Council—the Heritage Council of Western Australia established pursuant to the Heritage of Western Australia Act 1990 (as amended).
- hire service (industrial)—any land or buildings used for the offering for hire or rent of bulky items including machines and mechanical equipment.
- holiday accommodation—any land and/or buildings used predominantly by travellers and holiday-makers and designed to take advantage of a tourist attraction or other locational consideration for tourism reasons including camping areas, areas for movable dwellings, chalet parks and serviced apartments or any combination thereof but excluding hotel and motel and Bed/Breakfast facilities.
- home occupation—a business or activity carried out within a dwelling house or the curtilage of a house by a person resident therein or within a domestic outbuilding by a person resident in the dwelling house to which it is appurtenant that—
- (a) entails the conduct of a business, office and/or workshop and does not entail the retail sale or display of goods of any nature,
 - (b) does not cause injury to or prejudicially affect the amenity of the neighbourhood,
 - (c) does not detract from the residential appearance of the dwelling house or domestic outbuilding,
 - (d) does not entail employment of any person not a member of the occupier's household,
 - (e) does not occupy an area greater than 20m²,
 - (f) does not display a sign exceeding 0.2 m² in area.
 - (g) in the opinion of Council is compatible with the principle uses to which land in the zone in which it is located may be put,
 - (h) will not result in the requirement for a greater number of parking facilities than normally reserved for a single dwelling and will not result in a substantial increase in the amount of vehicular traffic in the vicinity,
 - (i) does not entail the presence, parking and garaging of a vehicle of more than two tonnes tare weight.
- hospital—a building in which persons are received and lodged for medical treatment or care and includes a maternity hospital.
- hotel—any land or buildings providing accommodation for the public and may include an entertainment venue, restaurant or sell liquor.
- incidental use—a use which is incidental to the predominant use on a lot due to its less frequent use or less importance compared to the operations of the predominant use and may involve smaller structures or less land area.
- industry—the carrying out of any process in the course of trade or business for gain, for and incidental to one or more of the following—
- (a) the winning, processing or treatment of minerals,
 - (b) the making, altering, repairing or ornamentation, painting, finishing, cleaning, packing or canning or adapting for sale, or the breaking up or demolition of any article or part of an article, the generation of electricity or the production of gas,
 - (c) the manufacture of edible goods,
- and includes, when carried out on land upon which the process is carried out and in connection with that process, the storage of goods, any work of administration or accounting, or the wholesaling of, or the incidental sale of goods resulting from the process, and the use of land for the amenity of persons engaged in the process, but does not include—
- (a) the carrying out of agriculture,
 - (b) on-site work on buildings or land, and
 - (c) in the case of edible goods the preparation of food for retail sale from the premises.
- industry—cottage—a business, professional service, trade or light industry producing arts and craft goods which cannot be carried out under the provisions relating to a “home occupation” and which, in the opinion of Council—
- (a) does not cause injury to or prejudicially affect the amenity of the neighbourhood,
 - (b) where operated in the Residential zone, does not entail the employment of any person other than a member of the occupiers household,
 - (c) is conducted in an out-building which is compatible with the principle uses to which land in the zone in which it is located may be put,
 - (d) does not occupy an area in excess of 50m², and
 - (e) does not display a sign exceeding 0.2 m² in area.
- industry—extractive—an industry which involves—
- (a) the extraction of sand, gravel, clay, turf, soil, rock, stone, minerals or similar substance from the land and also includes the manufacture of products from any of those materials when the manufacture is carried out on the land from which any of the materials so used is extracted or on land adjacent thereto, and the storage of such materials or products, or

(b) the production of salt by the evaporation of salt water.

industry—general—an industry other than a cottage, extractive, light, noxious, rural or service industry.

industry—light—an industry—

(a) in which the processes carried on, the machinery used, and the goods and commodities carried to and from the premises, will not cause any injury to, or will not adversely affect the amenity of the locality by reason of the emission of light, noise, electrical interference, vibration, smell, fumes, smoke, vapour, steam soot, ash, dust, waste water or other waste products; and

(b) the establishment of which will not, or the conduct of which does not, impose an undue load on any existing or proposed service for the supply or provision of water, gas, electricity, sewerage facilities, or any other like services.

industry—noxious—an industry which is subject to licensing as “Prescribed Premises” under the environmental Protection Regulations 1987 (as amended).

industry—resource processing—major industry which would normally involve—

(a) the processing of natural resources (including chemical industries),

(b) substantial capital investment,

(c) significant employment, and

(d) a need for substantial separation or buffer distance to sensitive uses.

industry—rural—an industry handling, treating, processing or packing primary goods grown, reared or produced in the locality, and a workshop servicing plant or equipment used for rural purposes in the locality.

industry—service—a light industry carried out on land or in buildings which may have a retail shop front and from which goods manufactured on the premises may be sold; or land and buildings having a retail shop front and used as a depot for receiving goods to be serviced.

infrastructure—physical equipment or systems, such as cables, pipelines, roads, railways, conveyors and pumps constructed, operated and maintained by a public authority or private sector body for the purposes of conveying, transmitting, receiving or processing water, sewerage, electricity, gas, drainage, communications, raw materials or other goods and services, but does not include industry.

intensive agriculture—the use and development of land, whether for profit or pleasure, including such buildings and earthworks normally associated with—

(a) production of grapes, vegetables, flowers, exotic and native plants, fruit and nuts,

(b) establishment and operation of plant and fruit nurseries,

(c) irrigated fodder production and pasture (including turf farms),

(d) keeping, rearing or fattening of pigs, poultry (for either egg or meat production), rabbits (for either meat or fur production) and other livestock in feedlots,

(e) dairy milking sheds

(f) keeping, rearing or fattening of other livestock above those stocking rates recommended by Agriculture Western Australia in consultation with surrounding farmers for the applicable pasture type,

(g) aquaculture, or

(h) the sale of produce grown solely on the lot.

juvenile detention centre—land or buildings used for the confinement or detention in custody of juvenile offenders against the law with a view to their rehabilitation.

landscaping or landscaped—land developed with or by the planting of vegetation, the recontouring or cut and fill of land, irrigation, placement of rocks, paving or laying of pathways and hard surfaces, creation of streams, wetlands and water features, including swimming pools and may include other fixtures such as shelters or sculpture and art installation.

lot—a defined portion of land—

(a) depicted on a plan or diagram publicly exhibited in the public office of the Department of Land Administration or deposited in the Office of Titles or Registry of Deeds and for which a separate Crown Grant or Certificate of Title has been or can be issued, or

(b) depicted on a subdivisional plan or diagram, whether so exhibited or deposited or not, but which is, whether before or after the coming into operation of the Town Planning and Development Act 1928 (as amended), approved by the Commission.

and includes the whole of the land the subject of a—

(a) Crown Grant issued under the Land Act 1933 (as amended), or

(b) certificate of title issued under the Transfer of Land Act 1893 (as amended), or

(c) survey into a lot pursuant to a direction given under section 17 of the Land Act 1933 (as amended),

(d) part-lot shown on a plan of subdivision or diagram deposited in the Department of Land Administration, Office of Titles, or Registry of Deeds, or

(e) conveyance registered under the Registration of Deeds Act 1856 (as amended).

- marina—premises at which berths or pens, and fuelling, servicing, storage (including storage on land) and other facilities for boats are provided, with or without the sale of boating gear and equipment, and includes all offices, storerooms, jetties, piers, embankments, quays and moorings associated with these facilities.
- market—any land or buildings used for a fair, farmer's or producer's market or swap-meet in which the business or selling carried on or the entertainment provided is by independent operators or stallholders carrying on their business or activities independently of the market operator save for the payment of a fee or rental.
- medical centre—a building (other than a hospital) that contains or is designed to contain ancillary medical services and facilities such as chemists, pathologist and radiologists and may include consulting rooms.
- motel—any land or buildings providing accommodation in a manner similar to a hotel but in which special provision is made for patrons with motor vehicles and may include an entertainment venue, restaurant or sell liquor.
- motor vehicle and/or marine repair—land or buildings used for the mechanical or body repair and overhaul of motor vehicles, caravans and marine vessels, including tyre repair, retreading, panel beating, spray painting, chassis reshaping or hull scouring.
- motor vehicle and/or marine sales and hire—land and buildings used for the display, sale and/or hire of motor vehicles, caravans and marine vessels, including storage, cleaning and minor repairs.
- motor vehicle and/or marine service station—land or buildings used for the retail sale of fuel and lubricants and motor vehicle or marine vessel accessories and may include minor repairs, motor vehicle wash facilities, cafe/restaurant or sale of convenience items with a nett lettable retail floorspace not exceeding 300m², but does not include a transport depot, spray painting, major repairs and wrecking.
- motor vehicle and/or marine wrecking —land or buildings used for the storage, breaking up or dismantling of motor vehicles, caravans and marine vessels and includes the sale of second hand motor vehicle and marine accessories and spare parts
- motor vehicle wash—land or buildings where vehicles are washed and cleaned.
- movable dwelling—a caravan defined under the Road Traffic Act 1974 (as amended), or other dwelling constructed and maintained on its own chassis and wheels and capable of mobility at all times, although it may be stabilised by jacks, provided with skirtings or designed and constructed to permit independent occupancy for dwelling purposes.
- multiple dwelling—a dwelling in a group of more than one where any part of a dwelling is vertically above part of any other
- nett lettable area (NLA)—the area of all floors, whether designed or intended for lease or not, confined within the internal finished surfaces of permanent walls but excluding—
- all stairs, toilets, bathrooms, cleaners' cupboards, lift shafts and motor rooms, escalators, tea rooms, plant rooms, laundries and others service areas,
 - lobbies between lifts facing other lifts servicing the same floor,
 - areas set aside as public space or thoroughfares and not for the exclusive use of occupiers of the floor or building,
 - areas set aside for the provision of facilities or services to the floor or building where such facilities are not for the exclusive use of occupiers of the floor or building.
- nursing home—a building used for the long term medical treatment or care of sick persons, whether resident or not, but does not include consulting rooms.
- office—a building or part of a building used for the conduct of administration, the practice of a profession, the carrying on of agencies, a post office, bank, building society, insurance office, estate agency, typist and secretarial services, or services of a similar nature, and where not conducted on the site thereof, the administration of or the accounting in connection with a commercial or industrial undertaking.
- on-site canteen—a building, and any associated outbuildings and grounds, which are incidental to a predominant land use and where food is prepared for sale, consumed on the premises without further preparation, by staff and visitors to the predominant land use, and may or may not be licensed to sell liquor.
- outdoor display—the use of land and any incidental structures, which may be permanent, for the display and/or sale of goods, equipment or services.
- oversized vehicle—any vehicle greater than two metres in width or five metres in length and includes articulated trucks and road trains.
- place of animal care—any land or buildings used for the keeping, boarding, breeding, display, veterinary treatment of injuries or ailments of animals and may include zoological gardens, enclosures or accommodation of animals.
- place of public meetings, assembly or worship—any land or buildings used of designed for use by a body of persons united by a common interest such as private clubs or religions, organisations and may include the serving of liquor.
- policy manual—the Town of Port Hedland Local Planning Policy Manual being the collection of policy statements adopted by Council in accordance with clause 5.1 of the Scheme.
- precincts—specific areas identified as precincts on the Scheme Maps which may require the preparation of a Development Plan prior to planning approval.

- prison—any land or buildings designed and used permanently for the confinement or detention in custody of adult offenders against the law with a view to their rehabilitation and does not include places proclaimed temporarily under section 5 of the Prisons Act 1981 (as amended) for the same purpose.
- public mall—land under public ownership or control designed for pedestrians with vehicle access restricted to service vehicles at times specified by Council.
- public purpose, development or use for—development or use of land which is required to be permanently located on publicly owned land as it offers a public service, operates in the public interest or requires coordination and supervision by a public authority. Development may be owned and/or operated by either a public or private interest and may be the subject of a lease or other agreements as necessary. Development requiring coordination or supervision may offer a service, or be of direct benefit, to the public.
- public utility—any work or undertaking constructed or maintained by a public authority or the Council to provide water, sewerage, gas, drainage, communications or other similar services.
- publicly owned land—land held by an authority with statutory responsibilities and this land may be owned as freehold land or be a Crown Reserve and vested with the authority.
- reception centre—land or buildings used by parties for functions on formal, business, social or ceremonial occasions, but not for unhosted use or general entertainment purposes.
- recreation—private—land or buildings used for parks, gardens, playgrounds, sports arenas, or other grounds which are not usually open to the public without charge and includes health clubs squash courts and other indoor sports facilities.
- recreation—public—land or buildings used for public parks, gardens, playgrounds or other grounds for recreation and includes facilities for the enjoyment of natural features such as rivers and the coast.
- residential building—a building or portion of a building, together with rooms and outbuildings separate from such building but ancillary thereto; such building being used or intended, adapted or designed to be used for the purpose of human habitation—
- (a) temporarily by two or more persons, or
 - (b) permanently by seven or more persons,
- who do not comprise a single family; but does not include a hospital, nursing home, prison, juvenile detention centre, school, hotel, motel or holiday accommodation.
- restaurant—a building and any associated outbuildings and grounds where food is prepared for sale and consumption on the premises and may be licensed to sell liquor.
- restricted premises—any land or building, part or parts thereof, used or designed to be used primarily for the sale of retail or wholesale, or the offer for hire, loan or exchange, or the exhibition, display or deliver of—
- (a) publications classified as restricted pursuant to the Censorship Act 1996 (as amended), or
 - (b) materials, compounds, preparations or articles which are used or intended to be used primarily in or in connection with any form of sexual behaviour or activity.
- rural residential—subdivision and development of land where lots and dwellings are located in a rural setting, where the use of lots may include agriculture or intensive agriculture and the development standards for lots, including lot sizes, have been endorsed by the Council and Commission in accordance with Commission policy.
- rural settlement—a collection of two or more dwellings in proximity and located in a rural zone and may include other commercial or community development as approved by Council.
- Scheme—the Town of Port Hedland Scheme No. 5.
- shop—any building and associated land where goods are displayed or offered for sale by retail or hire of non-industrial goods or where services of a personal nature are provided, including a betting agency but excluding a showroom, take-away food outlet and garage sale.
- showroom—any building or part of a building used or intended for use for displaying or offering for sale by wholesale or retail, automotive spare parts, carpets, large electrical appliances, furniture, hardware or goods of a bulky nature but does not include the sale by retail of foodstuffs, liquor or beverages, items of clothing or apparel, magazines, newspapers, books or paper products, china, glassware or domestic hardware or items of personal adornment.
- single house—an independently constructed dwelling standing wholly on its own lot created pursuant to the Town Planning and Development Act 1928 (as amended).
- stockyard—any land, building or other structure used for holding and/or sale of livestock
- storage facility/depot/laydown area—any land, buildings or other structures used for the storage and transfer of goods including salvaged items, the assembling of prefabricated components of products and includes milk, transport and fuel depots and salvage yards.
- subdivision—the amalgamation and/or subdivision of land to create new lots in addition to other activity requiring the approval of the Commission under Part III of the Act or a strata plan, strata plan of consolidation required to be accompanied by a certificate of approval given under Section 25 of the Strata Titles Act 1985 (as amended).
- take-away food outlet—any land or buildings used for the preparation, sale and serving of food to customers in a form ready to be eaten, without further preparation, primarily off the premises.
- transient workforce accommodation—dwellings intended for the temporary accommodation of transient workers and may be designed to allow transition to another use or may be designed as a permanent facility for transient workers and includes a contractors camp and dongas.

transportable structure—a building or structure which has been prefabricated at another location and transported either whole or in parts to the intended location.

urban development—development which is undertaken by multiple land owners of lots in an area set aside for the range of uses associated with urban areas such as residential, commercial, community, roads and open spaces.

use—the occupation by people and objects of a building, structure or place and the carrying out of activity for a particular purpose. The use of buildings and places shall be regarded as a form of development.

vehicle—any motor vehicle or trailer, whether designed or used for domestic, commercial or industrial purposes, including boat trailers (and boats) but not including moveable dwellings.

warehouse—a building where goods are stored and may be offered for sale by wholesale.

APPENDIX 2—ADDITIONAL DEVELOPMENT AND USES

No.	Description of land	Additional use	Conditions
1	Lot 1 Abydos Place Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
2	Lot 101 Abydos Place Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
3	Lot 102 Abydos Place Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
4	Lot 2062 Abydos Place Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
5	Lot 2063 Abydos Place Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
6	Lot 1679 Cajarina Road Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
7	Lot 3756 Cajarina Road Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
8	Lot 5276 Cajarina Road Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
9	Lot 3772 Carlindie Way Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
10	Lot 3773 Carlindie Way Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
11	Lot 3775 Carlindie Way Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
12	Lot 3776 Carlindie Way Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
13	Lot 3779 Carlindie Way Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
14	Lot 3782 Carlindie Way Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
15	Lot 3802 Carlindie Way Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
16	Lot 3803 Carlindie Way Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
17	Lot 3804 Carlindie Way Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
18	Lot 3805 Carlindie Way Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
19	Lot 3806 Carlindie Way Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
20	Lot 3764 Harwell Way Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
21	Lot 3765 Harwell Way Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
22	Lot 3766 Harwell Way Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
23	Lot 3771 Harwell Way Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
24	Lot 3783 Harwell Way Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
25	Lot 3784 Harwell Way Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
26	Lot 3786 Harwell Way Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
27	Lot 3797 Harwell Way Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
28	Lot 3798 Harwell Way Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
29	Lot 3800 Harwell Way Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
30	Lot 5274 Harwell Way Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5

No.	Description of land	Additional use	Conditions
31	Lot 5544 Harwell Way Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
32	Lot 5546 Harwell Way Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
33	Lot 5547 Harwell Way Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
34	Lot 5840 Harwell Way Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
35	Lot 5841 Harwell Way Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
36	Lot 5842 Harwell Way Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
37	Lot 5843 Harwell Way Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
38	Lot 5844 Harwell Way Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
39	Lot 5848 Harwell Way Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
40	Lot 5849 Harwell Way Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
41	Lot 5850 Harwell Way Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
42	Lot 5852 Harwell Way Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
43	Lot 5853 Harwell Way Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
44	Lot 5854 Harwell Way Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
45	Lot 3757 Kangan Way Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
46	Lot 3758 Kangan Way Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
47	Lot 5529 Kangan Way Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
48	Lot 972 Leehey Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
49	Lot 973 Leehey Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
50	Lot 2492 Leehey Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
51	Lot 2493 Leehey Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
52	Lot 2494 Leehey Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
53	Lot 2495 Leehey Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
54	Lot 2496 Leehey Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
55	Lot 2497 Leehey Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
56	Lot 2498 Leehey Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
57	Lot 2500 Leehey Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
58	Lot 2501 Leehey Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
59	Lot 2502 Leehey Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
60	Lot 2503 Leehey Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
61	Lot 5205 Leehey Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
62	Lot 2051 Miller Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
63	Lot 984 Moorambine Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
64	Lot 1642 Moorambine Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
65	Lot 1808 Moorambine Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
66	Lot 2113 Moorambine Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
67	Lot 2114 Moorambine Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5

No.	Description of land	Additional use	Conditions
68	Lot 2445 Moorambine Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
69	Lot 2446 Moorambine Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
70	Lot 2447 Moorambine Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
71	Lot 2448 Moorambine Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
72	Lot 2450 Moorambine Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
73	Lot 2505 Moorambine Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
74	Lot 2506 Moorambine Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
75	Lot 2507 Moorambine Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
76	Lot 2508 Moorambine Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
77	Lot 2509 Moorambine Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
78	Lot 2510 Moorambine Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
79	Lot 3011 Moorambine Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
80	Lot 3012 Moorambine Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
81	Lot 3013 Moorambine Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
82	Lot 5208 Moorambine Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
83	Lot 5539 Moorambine Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
84	Lot 5540 Moorambine Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
85	Lot 5834 Moorambine Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
86	Lot 1 (5555) Munda Way Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
87	Lot 2 Munda Way Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
88	Lot 1670 Munda Way Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
89	Lot 3759 Munda Way Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
90	Lot 3767 Munda Way Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
91	Lot 3787 Munda Way Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
92	Lot 3788 Munda Way Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
93	Lot 3789 Munda Way Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
94	Lot 3790 Munda Way Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
95	Lot 3791 Munda Way Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
96	Lot 3793 Munda Way Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
97	Lot 3794 Munda Way Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
98	Lot 5277 Munda Way Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
99	Lot 5782 Munda Way Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
100	Lot 2 Murrena Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
101	Lot 10 Murrena Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
102	Lot 50 Murrena Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
103	Lot 1012 Murrena Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
104	Lot 1013 Murrena Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5

No.	Description of land	Additional use	Conditions
105	Lot 1014 Murrena Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
106	Lot 1015 Murrena Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
107	Lot 1016 Murrena Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
108	Lot 1017 Murrena Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
109	Lot 1019 Murrena Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
110	Lot 1032 Murrena Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
111	Lot 1033 Murrena Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
112	Lot 1034 Murrena Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
113	Lot 3001 Murrena Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
114	Lot 3807 Pardoo Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
115	Lot 3808 Pardoo Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
116	Lot 3810 Pardoo Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
117	Lot 3811 Pardoo Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
118	Lot 3812 Pardoo Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
119	Lot 3813 Pardoo Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
120	Lot 11 Peawah Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
121	Lot 12 Peawah Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
122	Lot 985 Peawah Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
123	Lot 989 Peawah Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
124	Lot 990 Peawah Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
125	Lot 3837 Peawah Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
126	Lot 5179 Peawah Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
127	Lot 11 Pinga Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
128	Lot 2 Pinnacles Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
129	Lot 4 Pinnacles Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
130	Lot 6 Pinnacles Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
131	Lot 1011 Pinnacles Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
132	Lot 1020 Pinnacles Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
133	Lot 1021 Pinnacles Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
134	Lot 1023 Pinnacles Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
135	Lot 1024 Pinnacles Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
136	Lot 1401 Pinnacles Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
137	Lot 1402 Pinnacles Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
138	Lot 3264 Pinnacles Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
139	Lot 3265 Pinnacles Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
140	Lot 1029 Ridley Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
141	Lot 2476 Ridley Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5

No.	Description of land	Additional use	Conditions
142	Lot 2477 Ridley Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
143	Lot 2478 Ridley Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
144	Lot 2482 Ridley Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
145	Lot 2483 Ridley Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
146	Lot 2485 Ridley Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
147	Lot 2486 Ridley Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
148	Lot 3820 Ridley Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
149	Lot 5279 Ridley Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
150	Lot 5516 Ridley Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
151	Lot 5537 Ridley Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
152	Lot 5778 Ridley Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
153	Lot 5779 Ridley Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
154	Lot 4 Sandhill Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
155	Lot 976 Sandhill Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
156	Lot 981 Sandhill Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
157	Lot 3014 Sandhill Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
158	Lot 1000 Schillaman Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
159	Lot 1633 Schillaman Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
160	Lot 1631 Schillaman Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
161	Lot 1632 Schillaman Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
162	Lot 5324 Schillaman Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
163	Lot 5781 Schillaman Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
164	Lot 5857 Schillaman Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
165	Lot 5873 Schillaman Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
166	Lot 1 Taaffee Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
167	Lot 1002 Taaffee Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
168	Lot 1028 Taaffee Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
169	Lot 2 (975) Trig Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
170	Lot 2 (1006) Trig Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
172	Lot 3 (1006) Trig Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
173	Lot 1003 Trig Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
174	Lot 1004 Trig Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
175	Lot 1005 Trig Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
176	Lot 2949 Trig Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
177	Lot 5543 Trig Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
178	Lot 5776 Trig Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
179	Lot 5777 Trig Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5

No.	Description of land	Additional use	Conditions
180	Lot 101 Yanana Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
181	Lot 102 Yanana Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
182	Lot 997 Yanana Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
183	Lot 1637 Yanana Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
184	Lot 1638 Yanana Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
185	Lot 2059 Yanana Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
186	Lot 2060 Yanana Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
187	Lot 2504 Yanana Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
188	Lot 2948 Yanana Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
190	Lot 2950 Yanana Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
191	Lot 2955 Yanana Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5
192	Lot 3754 Yanana Street Wedgefield	Caretakers Dwelling	Development shall be in accordance with clauses 3.2.7 and 7.5

APPENDIX 3

APPLICATION FOR PLANNING APPROVAL

Name of Owner of Land on which Development is Proposed—

Surname: Given Names:

Address:

Phone Number: Home: Work:.....

Submitted By:.....

Address for Correspondence:

Locality of Development:

Street:

Titles Office Description of Land—

Lot No.	Plan or Diagram	Location Number	Cert of Title No.	Folio
.....

State type of building proposed, or describe briefly the proposed development:

State approximate cost of proposed development:

Estimated time of completion:.....

** Three (3) copies of the site layout plan and other necessary plans of the proposal are to be submitted with this application (refer to attached).*

Signed: (Owner of Land)

Date:

NOTES—

1. This application can only be signed by the owner, or purchaser of the land on which the development is proposed.
2. This is not an application for a building licence. Separate application forms and plans are to be submitted for such, after Planning Consent has been obtained.
3. This application is to be submitted in duplicate, together with copies of the plans requested, to the Council Office, Port Hedland.

For Office Use Only—

File No: Gross Floor Area:

Lot Area: Date Received:

Zone: Effective Frontage:

Use Table Symbol: Use Class:

NB—A Fee, as outlined in the fee schedule determined and modified according to a majority decision of Council, is to be submitted with the Application.

APPENDIX 3
INFORMATION TO ACCOMPANY
APPLICATIONS FOR PLANNING APPROVAL

Applications for Planning Approval shall be accompanied by the following reports, information, plans, diagrams and other material to the satisfaction of Council—

Site Plans

- Title Block, name and date
- Scale and north arrow
- Lot boundaries, dimensions
- Contours
- Existing and proposed uses of land and buildings using, where possible, the definitions in the Scheme. Where more than one use exists or is proposed these should be listed and indicated on the site or building plans.
- Existing and proposed buildings including size and location on the lot
- Streets, location and names
- Lot number and other information including easements or restrictive covenants
- Existing and proposed means of access for pedestrians and vehicles to and from the site
- Location and dimensions of areas to be provided for the loading and unloading of vehicles carrying goods or commodities to and from the site
- Location, dimensions, design and construction of open storage or trade display areas
- Parking areas
- Fencing—type, location and height
- Areas of open space, landscaping and screen planting, including materials, plant species and irrigation
- Existing structures on abutting properties, location height and uses
- Vegetation to be removed
- Excavation, cut and fill
- Buildings and structures to be demolished

Building Plans

- Plans, elevations and sections of structures, including exterior materials and finishes
- Existing and proposed arrangement of uses within the buildings on the lot

Advertisements

- Location on the lot and position on the building or structure
- Freestanding or attached to other structures
- Height, width and depth
- Colours
- Illumination, flashing, alternating, digital, animated, scintillating, degree of intensity of light source
- Period of time of display
- Existing signs being removed
- Photographs

NB.—A Fee, as outlined in the fee schedule determined and modified according to a majority decision of Council, is to be submitted with the Application.

APPENDIX 4—NOTICE OF PUBLIC ADVERTISEMENT OF PLANNING PROPOSAL
TOWN PLANNING AND DEVELOPMENT ACT 1928 (as amended)

Town of Port Hedland

NOTICE OF PUBLIC ADVERTISEMENT OF PLANNING PROPOSAL

It is HEREBY NOTIFIED for public information and comment that the Council has received an application to develop land for the purpose described hereunder—

LAND DESCRIPTION

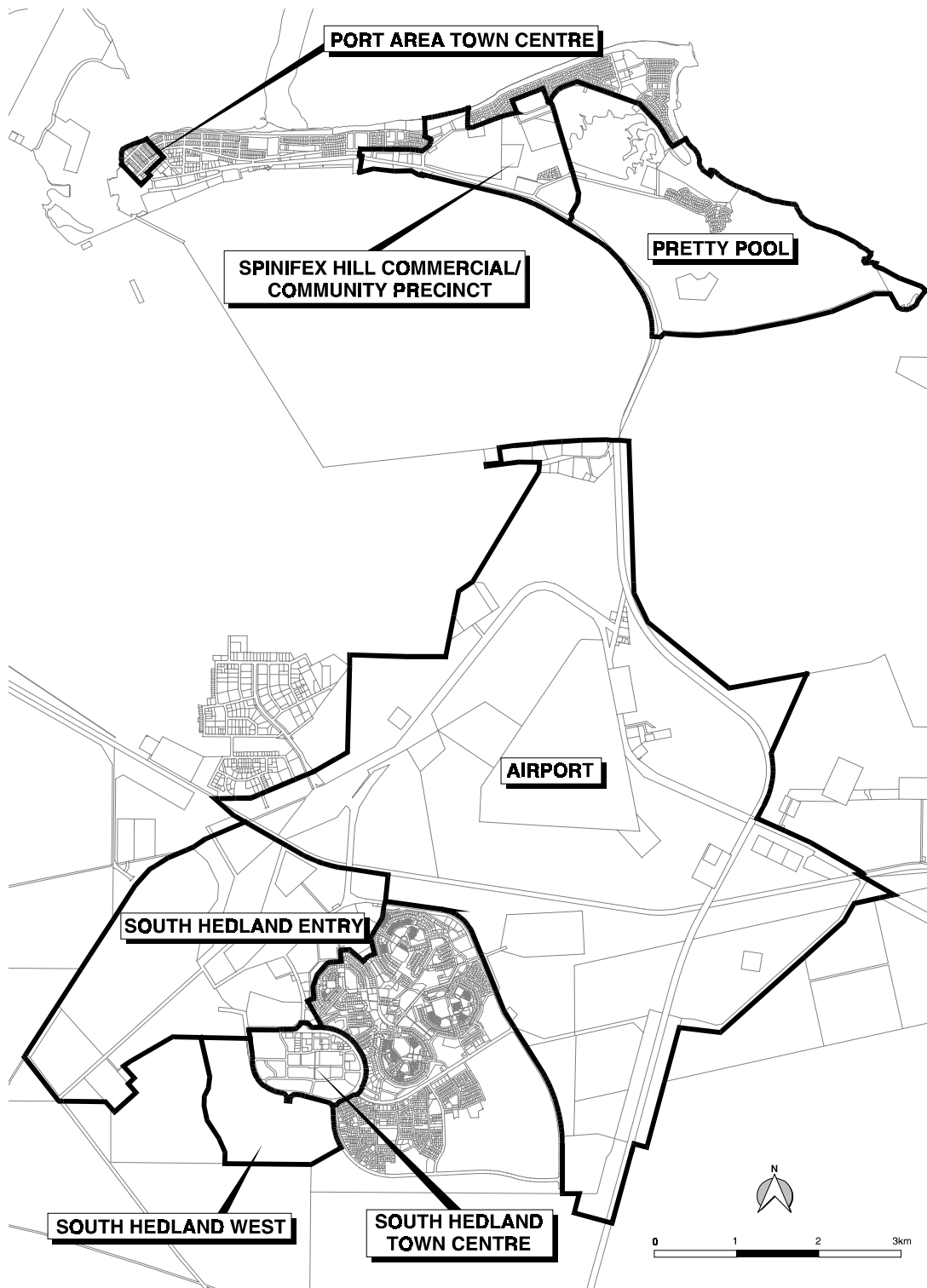
LOT NO STREET
PROPOSAL

Details of the proposal are available for inspection at the Council office. Comments on the proposal may be submitted to the Council in writing on or before the(day) of(month).....(year)

Signed: Dated

CHIEF EXECUTIVE OFFICER
for and on behalf of the Town of Port Hedland.

APPENDIX 5—DEVELOPMENT PLAN AREAS



APPENDIX 6—MATTERS TO BE ADDRESSED BY DEVELOPMENT PLANS

All development plans shall address the following matters—

- (i) landform, topography, landscape, vegetation and soils of the area,
- (ii) location, existing roads, land uses and surrounding land uses and features,
- (iii) legal considerations, ownership, title description, area and encumbrances,
- (iv) existing and proposed services and infrastructure including reticulated or other potable water supply, sewerage, energy, communications, drainage and catchment considerations,
- (v) existing places and features of Aboriginal and non-Aboriginal heritage and/or cultural significance, including natural landscapes, flora and fauna in addition to built structures and other modified environments,
- (vi) road layouts and traffic assessments, communal and incidental parking areas, pedestrian/cycle network/underpasses, including impacts on the surrounding movement networks.
- (vii) public open space and recreation provision, environmental protection areas, and relationships to natural features,
- (viii) assessment of the impact of the proposal on the natural environment, including management of potential effluent, emissions and other forms of pollution,
- (ix) comprehensive drainage systems for stormwater runoff and natural drainage lines,
- (x) indicate the design of the proposal including lot layout, major buildings roads and landscaping proposals,
- (xi) the demand for the development in relation to the overall market for similar developments
- (xii) the method of carrying out the development including the projected times of completion of each stage,
- (xiii) provide provisions, as may be considered appropriate by Council, for inclusion in the Policy Manual,
- (xiv) other information as may be required by the Council.

Development plans in specific zones should also address the following additional matters—**Urban Development Zone**

- (i) location and density of housing areas, including lot and dwelling yield, population outcomes, net residential density and detailed subdivision standards relating to solar access, efficient use of water resources, design features and density rationale,
- (ii) indicate demand for commercial and community facilities, including schools, generated by the proposal and implications for the provision of these within the development area or elsewhere

Industrial Development Zone

- (i) location and characteristics of industrial precincts, including likely industrial uses, developments and materials processing,
- (ii) on-site and off-site buffers required to separate uses within industrial areas and industrial uses from adjacent incompatible uses,

Rural

- (i) the impact of the proposal on the local settlement and rural land use patterns in the Scheme Area.
- (ii) the demand for commercial and community facilities, including schools, generated by the proposal and implications for the provision of these within the development area or elsewhere
- (iii) the intended range of land uses and development for the site, particularly agriculture and intensive agriculture and any proposed limitations on these uses
- (iv) land tenure proposals including any cooperative arrangements for shared management of land.

APPENDIX 7—CAR PARKING STANDARDS

The following are the minimum standards for car parking in respect of the types of development listed, except as provided for under sub-clause 6.13.5 of the Scheme, Variations to Car Parking Requirements. Where there are no standards for a particular development or use, the Council shall determine what standards shall apply in accordance with the provisions of sub-clause 6.13.2.

NO.	DEVELOPMENT	CAR PARKING REQUIREMENT
Residential		
1	Aged and Dependent Persons Dwelling	As prescribed by the <i>Residential Planning Codes</i> (Sub-clause 5.1.5): 0.5 bay per dwelling which may be increased to 1 bay per dwelling at the discretion of Council, and 10% of required bays for visitors (minimum 2 bays)
2	Ancillary Accommodation	As prescribed by the <i>Residential Planning Codes</i> (Sub-clause 2.3.1 b): Additional bays to those required for a single house at Council's discretion.

NO.	DEVELOPMENT	CAR PARKING REQUIREMENT
Residential continued		
3	Caretaker's Dwelling	As prescribed by the <i>Residential Planning Codes</i> for Single House: 2 bays
4	Grouped Dwelling	As prescribed by the <i>Residential Planning Codes</i> (Clause 3.2): 2 bays per dwelling for the first 4 dwellings, 1.5 bays per dwelling for each dwelling in excess of 4 dwellings, and 10% of required bays for visitors (minimum 2 bays)
5	Holiday Accommodation	1 bay for every accommodation unit, 1 bay for every 5 units for visitors, and 1 bay for every staff member present at any one time
6	Home Occupation	As prescribed by the <i>Residential Planning Codes</i> for Single House: 2 bays per dwelling Additional parking is not compatible with this use
7/8	Hotel/Motel	1 bay for every accommodation unit, 1 bay for every 5 units for visitors, and 1 bay for every staff member present at any one time
9	Movable Dwelling	As prescribed by the <i>Residential Planning Codes</i> (Clause 2.2) for Single House where the dwelling is permanent: 2 bays per dwelling (may be in tandem), and 1 bay per dwelling where the dwelling is temporary
10	Multiple Dwelling	As prescribed by the <i>Residential Planning Codes</i> (Clause 4.3): 0.35 bays per dwelling, 0.015 bays per 1 m ² floor area, Maximum 3 bays per dwelling, and 10% of required bays for visitors (minimum 2 bays)
11	Residential Building	1 bay for every 2 beds (in the case of communal accommodation), or 1 bay per bedroom unit, and 2 per every 7 beds for visitors and staff
12	Rural Settlement	As per the requirements of development categories within the settlement, and where no category is applicable, at Council's discretion
13	Single House	As prescribed by the <i>Residential Planning Codes</i> (Clause 2.2): 2 bays per dwelling (may be in tandem)
14	Transient Workforce Accommodation	1 bay for every 2 beds (in the case of communal accommodation), or 1 bay per bedroom unit, and 1 oversized vehicle parking bay per every 10 beds (minimum 2 bays)
Industry		
15	Abattoir	1 bay for every employee not living on the site (minimum 3 bays), and 1 visitor bay per 10 employees (minimum 1 bay)
16	Agriculture	1 bay for every employee not living on the site
17	Arts and Crafts Centre	1 bay per 20 m ² of NLA (minimum 3 bays per tenancy or unit)
18	Intensive Agriculture	1 bay for every employee not living on the site, and 1 visitor bay per 10 employees (minimum 1 bay)
19	Harbour Installation	1 bay for every employee (minimum 3 bays), and 1 visitor bay per 10 employees (minimum 1 bay)
20	Hire Service (Industrial)	1 bay per 100 m ² of display area, 1 per employee, and at Council's discretion the provision of oversized vehicle bays (minimum 1 bay)
21	Industry - Cottage	1 bay for every employee not living on the site, 1 bay per 25m ² of any display area (minimum 2 bays), and 2 bays per dwelling if undertaken in conjunction with a residence - as prescribed by the <i>Residential Planning Codes</i> for Single House
22	Industry - Extractive	1 bay for every employee not living on the site, and 1 visitor bay per 10 employees (total minimum 1 bay)
23	Industry - General	1 bay for every 100m ² of unenclosed space used for such purposes, and 1 bay for every 50m ² enclosed space or 1 space for each employee, whichever is the greater (total minimum 3 bays per tenancy or unit)

NO.	DEVELOPMENT	CAR PARKING REQUIREMENT
Industry continued		
24	Industry - Light	1 bay for every 100m ² of unenclosed space used for such purposes, and 1 bay for every 50m ² enclosed space or 1 space for each employee, whichever is the greater (total minimum 3 bays per tenancy or unit)
25	Industry - Noxious	1 bay for every 100m ² of unenclosed space used for such purposes, and 1 bay for every 50m ² enclosed space or 1 space for each employee, whichever is the greater (total minimum 3 bays per tenancy or unit)
26	Industry - Rural	1 bay for every employee not living on the site, and 1 visitor bay per 10 employees (minimum 1 bay total)
27	Industry - Service	1 bay for every 50m ² of enclosed or unenclosed space used for such purposes, and 1 space for each employee (total minimum 3 bays per tenancy or unit)
28	Industry - Resource Processing	1 bay for every employee not living on the site, and 1 visitor bay per 10 employees (total minimum 1 bay)
29	Infrastructure	In the case of site specific plant and installation: 1 bay for every 100m ² of unenclosed space used for such purposes, and 1 bay for every 50m ² enclosed space or 1 space for each employee, whichever is the greater (total minimum 3 bays per tenancy or unit)
30	Stockyard	1 bay for every employee not living on the site
31	Storage facility/depot/laydown area	1 bay for every 100m ² enclosed or unenclosed space or 1 bay for every employee which ever is the greater (Minimum 3 bays)
Commerce		
32	Aerodrome	1 bay per 20m ² NLA for buildings designed to accommodate passengers (minimum 5 bays, irrespective of buildings) Oversize, special purpose and short term parking at Council's discretion
33	Display Home Centre	3 bays for every dwelling on display, and 1 bay for every employee
34	Dry Cleaning	1 bay per 20m ² NLA
35	Market	1 bay per 20m ² of land and/or buildings used for such purposes
36	Motor Vehicle and/or Marine Repair	4 bays for each working bay or 1 bay for every 50m ² NLA, whichever is the greater, and 1 bay for every employee
37	Motor Vehicle and/or Marine Sales or Hire	1 bay for every 100m ² display area, and 1 bay for every employee (total minimum 3 bays)
38	Motor Vehicle and/or Marine Service Station	In the case of motor vehicle service station: 1 bay per motor vehicle repair bay, 1 bay per 20 m ² of NLA area, 1 bay per 6 m ² of dining space, and 1 bay per employee In the case of marine service station: at Council's discretion
39	Motor Vehicle and/or Marine Wrecking	1 bay for every 100m ² storage area, and 1 bay for every employee (total minimum 3 bays)
40	Motor Vehicle Wash	1 queuing bay per wash bay, and 1 bay per employee present at any one time
41	Office	1 bay for every 30m ² NLA (minimum 3 bays per tenancy or office unit)
42	On-site Canteen	1 bay for every employee not living on the site
43	Outdoor Display	1 per 100 m ² of display area, and 1 bay per employee (total minimum 3 bays per tenancy or unit)
44	Reception Centre	1 bay for every 4 seats or 1 bay for every 4 persons the facility is designed to accommodate or 1 bay for every 5m ² dining area, whichever is the greater

NO.	DEVELOPMENT	CAR PARKING REQUIREMENT
Commerce continued		
45	Restaurant (includes café)	1 bay for every 4 seats or 1 bay for every 5m ² seating area, whichever is the greater
46	Restricted Premises	1 bay per 20 m ² of NLA (minimum 3 bays)
47	Shop	1 bay per 20 m ² of NLA (minimum 3 bays per tenancy or unit)
48	Showroom	1 bay per 50 m ² of NLA (minimum 3 bays per tenancy or unit)
49	Take-away Food Outlet	1 bay for every 2.5m ² queuing area with a minimum of 3 bays, plus 1 bay for every 5m ² seating area, plus 4 queuing bays for any drive through facility
50	Warehouse	1 bay for every 100m ² NLA storage area, or 1 bay for every employee (minimum 3 bays)
Health, Welfare and Community Services		
51	Car Park	1 bay per employee present at any one time
52	Child Care Service	1 bay for every 10 children the facility is designed to accommodate, and 1 bay for every employee (minimum 3 spaces)
53	Community Use	1 bay for every 4 persons the facility is designed to accommodate
54	Consulting Rooms	4 bays for every consulting room.
55	Education Establishment	
	Pre-Primary	1 bay for every employee, and 1 bay for every 2 students
	Primary School	1 bay for every employee, and 14 drop-off bays for every 100 students (may include on-street spaces)
	Secondary School	1 bay for every employee, 7 drop-off bays for every 100 students (may include on-street spaces), and 1 bay per 20 driving-age students
	Tertiary and other Institutions	1 bay for every employee, and 1 bay for every 5 students
56	Emergency Services	1 bay for every employee at peak operation, and 1 visitor bay per 5 employees (minimum 3 total bays)
57	Funeral Parlour	1 bay for every 4 persons for which any assembly area is designed or 1 bay for every 2.5m ² seating area, whichever is greater, and 1 bay for every staff member (total minimum 3 bays)
58	Hospital	1 bay for every 4 patient beds, and 1 bay for each staff member on duty at peak operation
59	Juvenile Detention Centre	1 visitor bay per 5 residents, and 1 bay per employee at peak operation.
60	Medical Centre	4 bays for every consulting room within the centre, 1 bay per 20 m ² NLA pharmacy, 2 bays for every other business within the centre, and 1 bay for every employee at the time of peak operation for each business
61	Nursing Home	1 bay per 4 beds, and 1 bay for every staff member present at any one time
62	Place of Animal Care	4 bays per veterinary practitioner based on maximum capacity for domestic pets, and 1 bay for every 10 domestic pets the facility is designed to accommodate. All other places at Council's discretion.
63	Place of Public Meeting, Assembly or Worship	1 bay for every 4 seats or 1 bay for every 4 persons the facility is designed to accommodate or 1 bay for every 2.5 m ² seating area, whichever is the greater
Entertainment, Recreation and Culture		
64	Prison	1 visitor bay per 5 residents, and 1 bay per employee at peak operation
65	Public Mall	N/A
66	Public Utility	In the case of site specific plant and installation: 1 bay for every 100m ² of unenclosed space used for such purposes, and 1 bay for every 50m ² enclosed space or 1 space for each employee, whichever is the greater (total minimum 3 bays per tenancy or unit)

NO.	DEVELOPMENT	CAR PARKING REQUIREMENT
Entertainment, Recreation and Culture continued		
67	Equestrian Centre	At Council's Discretion
68	Entertainment Venue	1 bay for every 2 m ² of open floor area, 1 bay for every 5 m ² of tables and/or chairs, and 1 bay for every 4 spectator/audience seats in rows. All other areas and facilities at Council's discretion.
69/ 70	Private Recreation/ Public Recreation	1 bay for every 10 m ² unmarked indoor floor area, 1 bay for every 20 m ² pool, skating or other free-movement area, 1 bay for every player accommodated on marked courts or lanes, 1 bay per 4 spectator/audience seats, and 1 bay per employee at peak operation. All other non-specified areas and facilities at Council's discretion

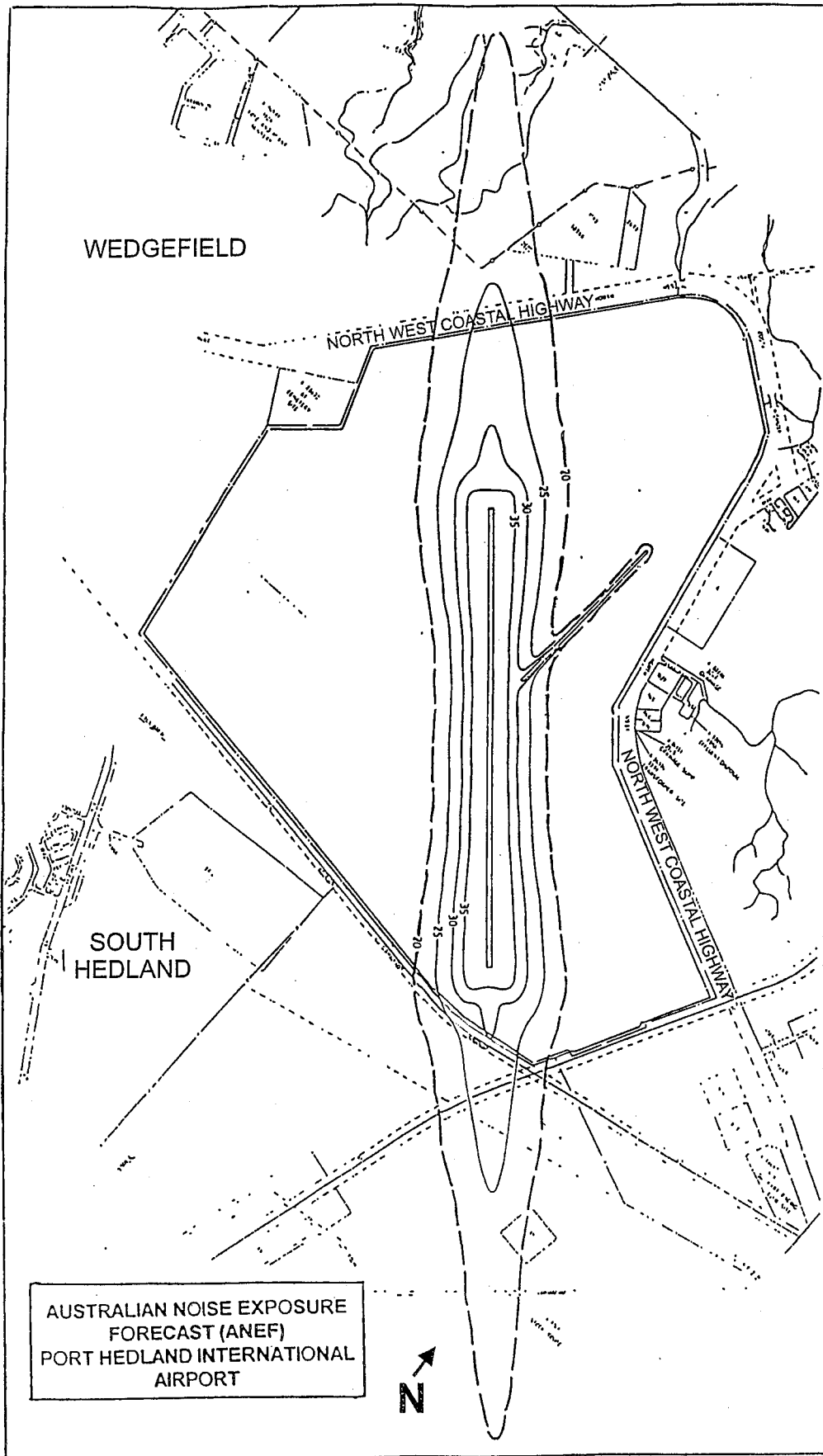
APPENDIX 8—MINIMUM CAR PARKING SPECIFICATIONS

Where car parking is required or provided in conjunction with the use or development of land, the following specifications shall be met.

Parking Angle	Width of Bay	Depth of Bay	Aisle Width		Distance Along Kerb	Kerb Overhang	Total Depth (1 row, aisle + bay)	
			1 way	2 way			1 way	2 way
90°	3.0m	5.4m	5.4m	5.8m	3.0m	0.7m	10.8m	11.2m
60°	3.0m	5.7m	4.0m	5.8m	3.3m	0.6m	9.7m	11.5m
45°	3.0m	5.3m	2.9m	5.8m	4.1m	0.5m	8.2m	11.1m
30°	3.0m	5.0m	2.9m	5.8m	5.8m	0.3m	7.9m	10.8m
0° (parallel)	3.0m	3.0m (width)	3.0m	5.8m	6.3m	0.0m	6.0m	8.8m
			3.3m	5.8m	6.1m	0.0m	6.3m	8.8m
			3.6m	5.8m	5.9m	0.0m	6.6m	8.8m

1. Bays situated adjacent to walls or other obstructions that affect door opening, shall be increased in width by 0.3m on the side of the obstruction.
2. The length of parallel parking bays may be reduced to 5.5m for end bays where free access is available.
3. For blind aisles, an aisle extension of 2m shall be provided to facilitate access.
4. Where access aisles intersect, adequate truncations shall be provided to facilitate the movement of vehicles (Refer AS 2890.1—85 percentile vehicle swept path with 300mm clearances each side).

APPENDIX 9
AUSTRALIAN NOISE EXPOSURE CONTOUR FORECAST MAP



ADOPTION

Adopted by resolution of the Council of the Town of Port Hedland at the meeting of the Council held on the 16th day of December 1997.

G. BLACKMAN, Mayor.
A. J. FORD, Chief Executive Officer.

FINAL APPROVAL

Adopted by resolution of the Council of the Town of Port Hedland at the meeting of the Council held on the 27th day of June 2001 and the seal of the Municipality was pursuant to that resolution affixed here in the presence of—

G. BLACKMAN, Mayor.
A. J. FORD, Chief Executive Officer.

This Scheme Text is to be read in conjunction with the approved Scheme Maps to which approval was given by the Hon. Minister for Planning on the date shown below.

Recommended for final approval by the Western Australian Planning Commission

Dated 1 August 2001.

EUGENE FERRARO, for Chairperson.

Final approval granted.

Dated 22 August 2001.

ALANNAH MacTIERNAN, Hon. Minister for Planning and Infrastructure.

RACING, GAMING AND LIQUOR

RG401

LIQUOR LICENSING ACT 1988

SUMMARY OF LIQUOR LICENSING APPLICATIONS

The following is a summary of applications received under the Liquor Licensing Act 1988 and required to be advertised. Any person wishing to obtain more details about any application, or about the objection process, should contact the Liquor Licensing Division, 1st Floor, Hyatt Centre, 87 Adelaide Terrace, Perth, Telephone: (08) 9425 1888, or consult a solicitor or relevant industry organisation.

App. No.	Applicant	Nature of Application	Last Date for Objections
APPLICATIONS FOR THE GRANT OF A LICENCE			
8481	Churches of Christ Homes and Community Services Inc	Application for the grant of a Special Facility—Reception Centre licence in respect of premises situated in Menora and known as Carinya Park Function Centre	23/9/01
8474	Philip Graham Smith & Mary Patricia Smith	Application for the grant of a Producer—Wine licence for premises situated in Dardanup and known as St Aidan	22/9/01
8484	Dr Craig Brenton Smith and Dr Trenton William Healy	Application for the grant of a Producer—Wine licence in respect of premises situated in Margaret River and known as Higher Plane Wines	30/9/01
APPLICATIONS FOR EXTENDED TRADING PERMITS—ONGOING EXTENDED HOURS			
9182	Morvale Investments Pty Ltd	Application for the grant of an extended trading permit—ongoing extended hours, in respect of premises situated in Perth and known as Grosvenor	13/9/01
9202	Formway Nominees Pty Ltd	Application for the grant of an extended trading permit—ongoing extended hours, in respect of premises situated in Perth and known as the The Lucky Shag Waterfront Bar	16/9/01

This notice is published under section 67(5) of the Liquor Licensing Act 1988.

HUGH HIGHMAN, Director of Liquor Licensing.

TREASURY AND FINANCE

TF401

FINANCIAL ADMINISTRATION AND AUDIT ACT 1985

Department of Treasury and Finance
Perth, 31 August 2001.

Under section 54(3) of the *Financial Administration and Audit Act 1985*, I appoint the chief executive officer of the Department of Housing and Works as the accountable authority for the Western Australian Building Management Authority constituted under the *Public Works Act 1902*.

ERIC RIPPER, Treasurer.

TRANSPORT

TR401*

WESTERN AUSTRALIAN MARINE ACT 1982

CITY OF MANDURAH

CLOSURE OF NAVIGABLE WATERS—PERSONAL WATERCRAFT

Department for Planning and Infrastructure,
Fremantle WA, 31 August 2001

Acting pursuant to the powers conferred by Section 66 of the Western Australian Marine Act 1982, the Department for Planning and Infrastructure by this notice closes the following waters to navigation by Personal Water Craft (PWC) until further notice—

Fish Hook Beach

All those waters of the area colloquially known as “Fish Hook Beach” located north-west of Mandurah Ocean Marina, to the west of a line running south from the eastern end of the northern groyne (Point A 32° 31.224' 115° 42.745') to the eastern side of the southern spur groyne (Point B 32° 31.242' 115° 42.746') are closed to navigation by personal watercraft (all coordinates based on GDA94).

MICHAEL LINLAY HARRIS, Acting Director General,
Department for Planning and Infrastructure.

PUBLIC NOTICES

ZZ101

TRUSTEES ACT 1962

Notice to Creditors and Claimants

Creditors and other persons having claims (to which section 63 of the Trustees Act relates) in respect of the Estates of the undermentioned deceased persons are required to send particulars of their claims to me on or before the 31st September 2001, after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Andrews, Ronald, also known as Ronald Andrew Odors, late of Milligan Hotel, 453 Milligan Street, Perth, died 8/6/01, (DEC33311600DP4)

Barrett, Margaret, late of Silver Chain Cottage, 21 Wright Street, Highgate, formerly of Unit 12/126 Terrace Road, Perth, died 11/8/01, (DEC33416400DG2)

Connolly, John George, late of Warwick Church of Christ Home, 98 Ellersdale Avenue, Warwick, formerly of Unit 2/103 Federal Street, Tuart Hill, died 21/7/01, (DEC33410700DS3)

Crowley, Dorathea Phayre, late of 5 Foreshore Place, Gosnells, died 17/8/01, (DEC33428100DC3)

Davis, Violet May, late of 30 Crimea Street, Morley, died 18/7/01. (DEC33388500DP3)

Emery, Edith May, late of 47 Sydney Street, North Perth, died 14/8/01, (DEC33421200DD1)

Fitzgerald, James Michael, late of Howard Solomon Nursing Home, 91 Hybanthus Road, Ferndale, formerly of 9 Ward Street, Mandurah died 8/8/01, (DEC334117000L2)

Grosvenor, Lorraine Mary, late of Unit 7/358 Canning Highway, Como, died 1/8/01, (DEC33427500DS2)

Hayes, Malcolm John, late of 6 Shield Road, Lesmurdie, died 27/7/01, (DEC33410100DS2)
Howard, Vera, late of 54 Jinda Road, Koongamia, died 26/7/01, (DEC33413000DP2)
Jensen, Flora Jessie, late of 53 Sheppard Way, Marmion, died 13/7/01, (DEC33422500DL4)
Kingsbury, Christopher James Richardson, late of 85 Hayes Avenue, Mt Yokine, died 26/6/01,
(DEC33395400DD1)
Nelson, Danny, late of Ninga Mia Community via Kalgoorlie, died 19/7/1999, (DEC33349600DS4)
Ross, Geoffrey Horton, late of 51 Wellaton Street, Midvale, formerly of St Vincent's Nursing Home,
224 Swan Street, Guildford, died 6/8/01, (DEC33417600DL4)
Spain, Moya Mercia, late of Unit 34/351 Hawtin Road, Forrestfield, died 26/1/01, (DEC33143200DG4)
Welsh, Jean, late of John Mercer Nursing Lodge, 19 Laidlaw Street, Hilton, died 30/7/01,
(DEC33426700DG2)
Wilcox, Clara Dorothy, late of 283A Alexander Drive, Dianella, died 4/8/01, (DEC33413500DG1)

ANTONINA ROSE McLAREN, Public Trustee,
Public Trust Office, 565 Hay Street, Perth WA 6000.
Telephone 9222 6777.

ZZ102

CORPORATIONS ACT 2001

Section 427(1)(b)

NOTICE OF APPOINTMENT OF RECEIVER —

PLATINUM LOGISTICS PTY LTD (ACN 089 468 628)

Notice is given that Hero Pty Ltd (ACN 008 870 997) has on the 9th August 2001 appointed Mr Dino Travaglini of Moore Stephens BG as receiver and manager of Platinum Logistics Pty Ltd (ACN 089 468 628) pursuant to a debenture charge registered with the Australian Securities Investments Commission on the 4th day of August 2001 in respect of the whole of the assets, property, undertaking and rights presently or in the future held by Platinum Logistics Pty Ltd (ACN 089 468 628).

Dated the 27th day of August 2001.

KARP STEEDMAN ROSS-ADJIE, Lawyers on behalf of
Hero Pty Ltd (ACN 008 870 997).

WESTERN AUSTRALIA

RETIREMENT VILLAGES ACT 1992

Price: \$23.15 counter sales

Plus postage on 132 grams

RETIREMENT VILLAGES REGULATIONS 1992

***Price: \$4.65 counter sales**

Plus postage on 25 grams

* Prices subject to change on addition of amendments.

PERTH OBSERVATORY



THE W.A. SPECIALISTS IN
ASTRONOMICAL
RESEARCH & EDUCATIONAL
ASTRONOMY

Public Tours (day and night)
Field Nights, Lectures
Astronomical Information

Astronomical Handbook
Sun rise & set; Moon rise & set
Legal advice
Chronometer calibration
Astronomical souvenirs

SERVING WESTERN AUSTRALIA SINCE 1896

WALNUT ROAD, BICKLEY 6076
TELEPHONE 9293 8255 FAX 9293 8138

**ASTRONOMY IS LOOKING
UP**

New Publication – Now Available!

ACTIVE CITIZENSHIP
*Celebrating the Centenary of
Federation at Parliament House,
National Trust
and Kings Park*



“This resource package is an excellent way of giving young people the chance to visit and learn about places that will hopefully inspire them to think about what they want for their present and future lives.”

**Dr Geoff Gallop MLA
Premier of Western Australia
Minister for Citizenship and Multicultural Affairs**

Cost: \$4.40

For further information please contact:

**State Law Publisher
Telephone: 9321 7688
Facsimile: 9321 7536**

CLAIMS FOR MISSING ISSUES

(SUBSCRIPTION ITEMS)

For a claim to be recognised as valid, written notification must be lodged at State Law Publisher, 10 William Street, Perth 6000 within 28 days of publication of the missing item.

Claims lodged after this date will attract payment in full.

STATE LAW PUBLISHER

SUBSCRIPTION CHARGES 2002

All subscriptions are for the period from 1 January to 31 December 2002. Subject to certain limitations, refunds may be allowed if a subscription is cancelled during the year. The prices quoted include postage by surface mail unless stated otherwise.

GOVERNMENT GAZETTE

General *Government Gazettes* are published on Tuesday and Friday of each week, unless disrupted by public holidays or unforeseen circumstances.

Special *Government Gazettes* are published periodically.

All Gazettes	\$
Within WA	750.20
Interstate	777.70
Overseas (airmail)	1,168.20
Bound Volumes of full year	1,013.10

Electronic Gazette Online

(includes all Gazettes from Jan 1998)

Existing hard copy subscriber	173.80
Electronic Subscription only	578.60
<i>Gazettes on CD ROM from 1998</i> (per year).....	694.10

INDUSTRIAL GAZETTE

Industrial Gazette is published monthly.

	\$
Within WA	301.40
Interstate	359.70
Overseas (airmail)	502.70
<i>Gazettes on CD ROM from 1998</i> (per year).....	300.30

HANSARD

Hansard is printed and distributed weekly during parliamentary sessions.

	\$
Within WA	480.70
Interstate	594.00
Overseas (airmail)	643.50

Bound Volumes of Hansard

Within WA	580.80
Interstate	618.20
<i>Hansards on CD ROM from 1999</i> (per year)	578.60

STATUTES

Bound Statutes

Bound volumes are posted during March of the following year.

	\$
Within WA.....	258.50
Interstate	286.00
Overseas	291.50
Half Calf Bound Statutes	710.60

Bound Volumes on CD ROM from 1998

(per year)..... 257.40

Loose Statutes

Statutes are posted weekly as they become available.

	\$
Within WA.....	276.10
Interstate	286.00
Overseas (airmail).....	409.20

Sessional Bills

Bills are posted weekly as they become available.

	\$
Within WA	380.60
Interstate	398.20
Overseas (airmail)	595.10

Electronic Statutes Online

Includes all Acts, Regulations, Bills, Acts by year, Index to Statutes, Hansard, etc

	\$
1st user	679.80
2nd and each additional user (each)	339.90
More than 10 users (each).....	170.50

Data on CD's is fully indexed and is searchable. Other CD ROM products with legislation or other statutory information can be packaged to individual requirements. Prices are available on request.

