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GOVERNMENT GAZETTE

PUBLISHING DETAILS FOR EASTER 2016

A gazette will be published at noon on **Thursday 24th March**
closing time for copy is Tuesday 22nd March at noon.

A gazette will be published at noon on **Friday 1st April**
closing time for copy is Wednesday 30th March at noon.

The Gazette will not be published on Tuesday 29th March.

— PART 1 —

PROCLAMATIONS

AA101*

Road Traffic Amendment (Alcohol Interlocks and Other Matters)
Act 2015

Road Traffic Amendment (Alcohol Interlocks and Other Matters) Act 2015 Commencement Proclamation 2016

Made under the *Road Traffic Amendment (Alcohol Interlocks and Other Matters) Act 2015* section 2(1)(b) and (2) by the Governor in Executive Council.

1. Citation

This proclamation is the *Road Traffic Amendment (Alcohol Interlocks and Other Matters) Act 2015 Commencement Proclamation 2016*.

2. Commencement

The *Road Traffic Amendment (Alcohol Interlocks and Other Matters) Act 2015* Part 2 (other than section 9) comes into operation on 4 April 2016.

K. SANDERSON, Governor.

L.S.

D. NALDER, Minister for Transport.

CONSERVATION

CO301*

Wildlife Conservation Act 1950

Wildlife Conservation (Reptiles and Amphibians) (Pet Herpetofauna) Notice 2016

Made by the Minister under the *Wildlife Conservation (Reptiles and Amphibians) Regulations 2002* regulation 4.

1. Citation

This notice is the *Wildlife Conservation (Reptiles and Amphibians) (Pet Herpetofauna) Notice 2016*.

2. Commencement

This notice comes into operation as follows —

- (a) clauses 1 and 2 — on the day on which this notice is published in the *Gazette*;
- (b) the rest of the notice — on the day after that day.

3. Pet herpetofauna declared

For the purposes of regulation 4 the fauna of the class *Reptilia* or *Amphibia* listed in Schedule 1 are declared to be pet herpetofauna.

4. Notice revoked

The *Wildlife Conservation (Reptiles and Amphibians) (Pet Herpetofauna) Notice 2013* is revoked.

Schedule 1 — Fauna declared to be pet herpetofauna

[cl. 3]

1. Category 1

No fauna.

2. Category 2

Scientific name	Common name
<i>Egernia kingii</i>	King's skink
<i>Egernia napoleonis</i>	South-western crevice egernia
<i>Gehyra variegata</i>	Tree dtella

Scientific name	Common name
<i>Heteronotia binoei</i>	Bynoe's gecko
<i>Litoria caerulea</i>	Northern green tree frog
<i>Litoria moorei</i>	Motorbike Frog
<i>Litoria splendida</i>	Magnificent tree frog
<i>Pogona minor minor</i>	Western bearded dragon
<i>Strophurus ciliaris</i>	Northern spiny tailed gecko
<i>Strophurus spinigerus</i>	South-western spiny tailed gecko
<i>Tiliqua multifasciata</i>	Centralian blue tongued skink
<i>Tiliqua occipitalis</i>	Western blue tongued skink
<i>Tiliqua rugosa rugosa</i>	Bobtail
<i>Tiliqua scincoides intermedia</i>	Northern blue tongued skink

3. Category 3

Scientific name	Common name
<i>Antaresia childreni</i>	Children's python
<i>Antaresia stimsoni</i>	Stimson's python
<i>Aspidites ramsayi</i>	Woma python
<i>Chelodina colliei</i>	Oblong turtle
<i>Chelodina steindachneri</i>	Steindachner's snake necked turtle
<i>Ctenophorus reticulatus</i>	Western netted dragon
<i>Emydura victoriae</i>	North-western red faced turtle
<i>Heleioporus albopunctatus</i>	Western spotted frog
<i>Morelia spilota imbricata</i>	South-western carpet python
<i>Nephrurus levis</i>	Three-lined knob tailed gecko
<i>Nephrurus wheeleri</i>	Banded knob tailed gecko
<i>Oedura marmorata</i>	Marbled velvet gecko
<i>Underwoodisaurus milii</i>	Thick tailed gecko
<i>Varanus acanthurus</i>	Ridge tailed monitor
<i>Varanus brevicauda</i>	Short tailed pygmy monitor

4. Category 4

Scientific name	Common name
<i>Antaresia perthensis</i>	Pygmy python
<i>Aspidites melanocephalus</i>	Black headed python
<i>Chlamydosaurus kingii</i>	Frilled lizard
<i>Dendrelaphis punctulatus</i>	Common tree snake
<i>Liasis fuscus</i>	Water python
<i>Lophognathus (Gowidon) longirostris</i>	Long nosed ta ta dragon
<i>Morelia spilota variegata</i>	North-western carpet python
<i>Varanus tristis tristis</i>	Black tailed tree monitor

5. Category 5

Scientific name	Common name
<i>Acanthophis antarcticus</i>	Southern death adder
<i>Acanthophis pyrrhus</i>	Desert death adder
<i>Acanthophis wellsi</i>	Pilbara death adder
<i>Boiga irregularis</i>	Brown tree snake
<i>Demansia psammophis</i>	Yellow faced whip snake
<i>Liasis olivaceus</i>	Olive python
<i>Morelia carinata</i>	Rough scaled python
<i>Notechis scutatus</i>	Tiger snake
<i>Pseudechis australis</i>	Mulga snake
<i>Pseudechis butleri</i>	Spotted mulga snake
<i>Pseudonaja affinis affinis</i>	Dugite
<i>Pseudonaja nuchalis</i>	Gwardar
<i>Varanus gouldii</i>	Gould's monitor
<i>Varanus rosenbergi</i>	Southern heath monitor

A. JACOB, Minister for the Environment.

— PART 2 —

CONSERVATION

CO401*

CONSERVATION AND LAND MANAGEMENT ACT 1984

SWAN COASTAL PLAIN SOUTH

Final Management Plan

1. Notice is hereby given that the Hon Albert Jacob MLA, Minister for Environment, has approved the *Swan Coastal Plain South Management Plan 2016* (the plan).
2. The plan was prepared in accordance with Part V of the *Conservation and Land Management Act 1984* (the Act). The management plan is for 82 parks and reserves on the southern part of the Swan Coastal Plain.
3. No modifications were made to the plan under section 60(2) of the Act.
4. The plan may be inspected or obtained through the—
 - (a) Conservation Commission of Western Australia's website: www.conservation.wa.gov.au;
 - (b) Department of Parks and Wildlife's website: www.dpaw.wa.gov.au; and
 - (c) The following offices of the Department of Parks and Wildlife—
 - Head Office, 17 Dick Perry Avenue, Kensington
 - Swan Region, 2 Australia II Drive, Crawley
 - South West Region, South West Highway, Bunbury.
5. The plan comes into operation with this *Government Gazette* notice.

BRIAN EASTON, Chairman,
Conservation Commission of Western Australia.
JIM SHARP, Director General,
Department of Parks and Wildlife.

FISHERIES

FI401*

FISH RESOURCES MANAGEMENT ACT 1994

KIMBERLEY PRAWN MANAGED FISHERY MANAGEMENT PLAN 1993

Areas Closed to Fishing for Prawns in the Kimberley Prawn Managed Fishery for 2016

Notice No. 1 of 2016

I, Heather Brayford, Chief Executive Officer of the Department of Fisheries, in accordance with clause 17 of the *Kimberley Prawn Managed Fishery Management Plan 1993* (the Plan) and being of the opinion that the prohibition is required in the better interests of the Kimberley Prawn Managed Fishery, do hereby—

1. Cancel Notice of Areas Closed to Fishing for Prawns: *Notice No. 2 of 2015*, dated 20 July 2015; and
2. Prohibit fishing for prawns in those parts of the Kimberley Prawn Managed Fishery (the Fishery), between the times and dates provided for in items (a) to (c) below—
 - (a) Fishing for prawns is prohibited in the waters described in Schedule 1 of the Plan from the date of the gazettal of *Notice No. 1 of 2016*, until 0600 hours WST on 1 April 2016;
 - (b) Fishing for prawns is prohibited in the waters described in Schedule 1 of the Plan during the period commencing at 0800 hours WST on 27 May 2016 and ending at 0600 hours WST on 1 May 2017;
 - (c) Fishing for prawns is prohibited in the waters described in (i) to (vi) below at all times—
 - (i) **Collier Bay Prawn Size Management Fish Ground**

Waters inshore of a line commencing at the intersection of 16°15.34' south latitude and 124°00.00' east longitude; thence due north along the geodesic to the intersection of 15°50.00' south latitude and 124°00.00' east longitude; thence due

east along the parallel to the intersection of 15°50.00' south latitude and 124°24.50' east longitude; but excluding all waters described in (ii) Collier Bay Inshore Closure;

(ii) **Collier Bay Inshore Closure**

Waters inshore of a line commencing at the intersection of 15°52.09' south latitude and 124°26.2' east longitude; thence generally south to 16° 04.2' south latitude and 124°26.3' east longitude; thence generally south west to 16°17.00' south latitude and 124°18.1' east longitude; thence generally east to 16°17.195' south latitude and 124°07.861' east longitude;

(iii) **Brunswick Bay-York Sound Inshore Closure**

Waters inshore of a line commencing at the intersection of 15°15.40' south latitude and 124°40.57' east longitude; thence generally north east to 15°09.50' south latitude and 124°50' east longitude; thence generally north east to 15°00.45' south latitude and 124°54.20' east longitude; thence generally east to 14°57.90' south latitude and 125°01.20' east longitude; thence generally north east to 14°45.30' south latitude and 125°08.10' east longitude; thence generally north east to 14°43.95' south latitude and 125°09.45' east longitude (Cape Pond); thence generally east to 14°43.99' south latitude and 125°09.59' east longitude;

(iv) **Admiralty Gulf Inshore Closure**

Waters inshore of a line commencing at the intersection of 14°19.50' south latitude and 125°43.50' east longitude; thence generally south east to 14°26.17' south latitude and 125°48.79' east longitude; thence due east to 14°26.17' south latitude and 125°54.54' east longitude; thence generally north east to 14°19.40' south latitude and 125°57.60' east longitude; thence due east to 14°19.40' south latitude and 126°05.31' east longitude;

(v) **Napier Broome Bay Prawn Size Management Fish Ground**

Waters inshore a line commencing at the intersection of 13°56.84' south latitude and 126°33.88' east longitude; thence generally east to 13°56.26' south latitude and 126°41.12' east longitude; thence generally east to 13°55.75' south latitude and 126°48.38' east longitude; but excluding all waters described in (vi) Napier Broome Bay Inshore Closure;

(vi) **Napier Broome Bay Inshore Closure**

Waters inshore of a line commencing at the intersection 14°02.63' south latitude and 126°29.57' east longitude; thence generally south east to 14°05.2' south latitude and 126°31.3' east longitude; thence generally south east to 14°06.35' south latitude and 126°35.51'; thence generally north east to 13°58.3' south latitude and 126°42.2' east longitude; thence generally north east to 13°55.75' south latitude and 126°48.38' east longitude.

(WST—Western Standard Time)

HEATHER BRAYFORD, Chief Executive Officer.

Dated this 21st day of March 2016.

JUSTICE

JU401*

JUSTICES OF THE PEACE ACT 2004

RESIGNATIONS

It is hereby notified for public information that the Minister has accepted the resignation of—

Mrs Monica Joan Mullane of McKail

from the Office of Justice of the Peace for the State of Western Australia.

JOANNE STAMPALIA, A/Executive Director,
Court and Tribunal Services.

JU402*

JUSTICES OF THE PEACE ACT 2004

APPOINTMENTS

It is hereby notified for public information that Her Excellency the Governor in Executive Council has approved of the following to the Office of Justice of the Peace for the State of Western Australia—

Ian James McKenna of Kununurra

JOANNE STAMPALIA, A/Executive Director,
Court and Tribunal Services.

LOCAL GOVERNMENT

LG401*

SHIRE OF CHITTERING
APPOINTMENTS

It is hereby notified for public information that Alan Sheridan has been appointed Authorised Officer in accordance with the relevant Acts hereunder effective immediately—

Cemeteries Act 1986, Section 64(1)

Control of Vehicles (Off-road Areas) Act 1978 and Regulations

Dog Act 1976 and Regulations

Food Act 2008, Section 126(3), (6), (7)—Part 11

Food Act 2008, Sections 65 and 66—Part 6, Division 2

Health Act 1911

Litter Act 1979 and Regulations

Local Government Laws

Local Government Act 1995, Sections 3.24, 3.28, 3.29, 3.39, 9.10, 9.11, 9.13, 9.15, 9.16, 9.17, 9.19 and 9.20

Shire of Chittering Town Planning Scheme No. 6

All previous authorisations for Gary Tuffin are hereby revoked.

Dated: 22 March 2016.

JEAN SUTHERLAND, Acting Chief Executive Officer.

MINERALS AND PETROLEUM

MP401*

PETROLEUM AND GEOTHERMAL ENERGY RESOURCES ACT 1967

RENEWAL OF PETROLEUM EXPLORATION PERMIT EP 129

Renewal of Petroleum Exploration Permit EP 129 has been granted to Buru Energy Limited and will remain in force for a period of five (5) years commencing on 18 March 2016.

JEFFREY HAWORTH, Executive Director,
Petroleum Division,
Department of Mines and Petroleum.

MP402*

MINING ACT 1978

RESTORATION OF MINING TENEMENT

Department of Mines and Petroleum,
East Perth WA 6004.

In accordance with the provisions of section 97A of the *Mining Act 1978*, I hereby cancel the forfeiture of the under mentioned mining leases previously forfeited for non-payment of penalty and restore the mining leases to the former holder.

Hon BILL MARMION MLA, Minister for Finance; Mines and Petroleum.

Tenement**Holder****Mineral Field**

MINING LEASE

M30/42

Carnegie Gold Pty Ltd

North Coolgardie

M30/132

Carnegie Gold Pty Ltd

North Coolgardie

MP403***MINING ACT 1978****INSTRUMENT OF VARIATION AND EXTENSION TO EXEMPTION OF LAND**

The Minister for Mines and Petroleum, pursuant to the powers conferred on him by Section 19 of the *Mining Act 1978*, hereby varies and extends the term of the exemption, initially declared on 1 April 2014 and published in the *Government Gazette* dated 11 April 2014, for a further period of two (2) years from 31 March 2016 and expiring on 30 March 2018.

Description of Land: Land designated S19/359 in the Tengraph electronic plan of the Department of Mines and Petroleum. A geospatial description is filed on the Department of Mines and Petroleum File No M70/1140 and identified as document 4058374.

Locality: Lancelin

Area: 12.138 hectares

Period of Extension: 1 April 2016 to 31 March 2018

Dated at Perth this 15th day of March 2016.

Hon BILL MARMION MLA, Minister for Finance; Mines and Petroleum.

MP404***MINING ACT 1978****INSTRUMENT OF VARIATION TO EXEMPTION OF LAND**

The Minister for Mines and Petroleum pursuant to the powers conferred on him by Section 19 of the *Mining Act 1978*, hereby varies the exemption of land designated 's19/339' in Tengraph by varying the description as described hereunder (not being private land or land that is the subject of a mining tenement or an application).

Description of Land

Land designated s19/339 in the Tengraph electronic plan of the Department of Mines and Petroleum. A geospatial description of the exempted land is filed in the Department of Mines and Petroleum electronic file, document number 4021648.

Area of Land

1071.1350 hectares

Dated at Perth this 1st day of February 2016.

Hon BILL MARMION MLA, Minister for Mines and Petroleum.

PLANNING

PL401***PLANNING AND DEVELOPMENT ACT 2005****APPROVED TOWN PLANNING SCHEME AMENDMENT**

City of Cockburn

Town Planning Scheme No. 3—Amendment No. 108

Ref: TPS/1672

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the City of Cockburn Town Planning Scheme amendment on 2 March 2016 for the purpose of—

1. Including Lot 2 and a portion of Lot 3 Robb Road, North Coogee, as shown on the 'proposed zoning' plan within the boundaries of Development Area No. 33; and
2. Amending the scheme map accordingly.

L. HOWLETT, President/Mayor.
A. CAIN, Chief Executive Officer.

PL402*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Augusta-Margaret River
 Local Planning Scheme No. 1—Amendment No. 29

Ref: TPS/1310

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the Shire of Augusta-Margaret River Town Planning Scheme amendment on 4 March 2016 for the purpose of—

1. Amending various provisions of the Local Planning Scheme Text with text to be deleted shown in ~~strike through~~ and additional or new text to be shown underlined as follows—

Amend the description of land for S2 of Schedule 4—Special Use Zones to read: Lot ~~103~~ 303 Mitchell Drive, Prevelly

Correct spelling error at SPA 13, under Schedule 15, relating to Lots 11-15, 431-433, 18-20 and 22 Ashton Street as follows—

Tourist development comprising low density development may be permitted providing such development has a minimal impact on the character and amenity of the area, ~~facilities~~ facilitates public access to the Margaret River and, where appropriate results in a wider public foreshore area being created.

Amend Schedule 5 as follows—

Types of Signs

~~PRIVATE SIGNAGE~~

Signs ~~on private land~~ may fall under the following categories—

Modify Table 1 at Schedule 5 as follows—

N1 Map ~~Hoarding Sign~~

Insert E(1) applicable to G1 Portable Signs in Reserves and Conservation Zones

Sign G1—Portable Sign

A portable sign placed on the ground outside a shop or business no greater than 0.8 metre high or 0.6 metre wide. ~~securely fixed to the building or other structure and located within private property.~~

Sign Q1—Real Estate Sign—Large

A sign placed on or in front of a property advertising the sale or lease of a building, property or business, where the sign is no greater than 2.9 square metres in size and does not protrude above surrounding elements of the landscape. ~~The sign shall be located on private property or on the property boundary however the CEO is delegated authority to approve signage on the road reserve immediately in front of the property where the sign would be substantially obstructed on the property and the sign can be located on the road reserve without obstructing public visibility or access.~~

Sign Q2—Real Estate Signs Standard

A sign placed on or in front of a property advertising the sale or lease of a building, property or business where the sign is no greater than 0.6 metres above the ground to its underside and no greater than 1.1 square metres in size. ~~The sign shall be located on private property or on the property boundary however the CEO is delegated authority to approve signage on the road reserve immediately in front of the property where the sign would be substantially obstructed on the property and the sign can be located on the road reserve without obstructing public visibility or access.~~

Remove the ‘Ancillary Accommodation’ use class from Table 1—Zoning Table, and replace with ‘Ancillary Dwelling’.

8.2 Permitted development

Except as otherwise provided in the Scheme ~~or any relevant Local Planning Policy adopted under Part 2 of the Scheme~~, the following development does not require the planning approval of local government—

Delete ~~Caravan Park Zone~~ and ~~As per Caravan Parks & Camping Grounds Act and Regulations 1995~~ from Schedule 13—Development Standards.

Add at 8.2 (k)—

minor additions to caravan parks which do not increase the number of available accommodation units.

Add at 8.2 (l)—

the construction of outbuildings which comply with the requirements of the local government’s Local Planning Policy relating to outbuildings

Add at 8.2 (m)—

off stream dams which

- (i) do not require the exercise of a discretion by the local government under the Scheme and—
- (ii) are located outside of the Leeuwin Naturaliste Ridge Conservation and Leeuwin Naturaliste Ridge Landscape Amenity Zones, Southern Foreshore Protection Zone or a Special Control Area identified at Part 6 of the Scheme; where the dam—
 - is not located on a watercourse and is only accessing the water table aquifer;
 - will not be used for commercial purposes; and,
 - has a storage capacity less than 8,000kL (8,000m³).

Amend Schedule 1—'Dictionary of Defined Words and Expressions Part 2 Land Use Definitions' by deleting the definition of ancillary accommodation—

~~“ancillary accommodation” means self contained living accommodation on the same lot as a single house that may be attached or detached from the single house occupied by members of the same family as the occupiers of the main dwelling;~~

And replace with the following—

“Ancillary dwelling has the same meaning as in the Residential Design Codes”

Amend Table 1—Zoning Table by substituting ‘Ancillary Accommodation’ with ‘Ancillary Dwelling’

Amend Clause 4.22.1 ‘Subdivision’ as follows—

- ~~(a) The local government will not support subdivision of land for rural residential purposes unless the land is appropriately zoned for the purpose in the Scheme.~~
- ~~(b) Except as may otherwise have been approved, The minimum lot size for land within the Zone is 3 hectares unless otherwise specified at Schedule 11 and shown on an applicable Structure Plan.~~
- ~~(b) Subdivision is to be preceded by the preparation of a Structure Plan. Subdivision, which is inconsistent with an endorsed Structure Plan, will not be supported. All subdivision is to be consistent with the objectives and policies applicable to the Rural Residential zone. Where subdivision of any land within this Zone has been approved and implemented for rural residential purposes, further subdivision beyond that shown on an endorsed Plan of Subdivision or Structure Plan approved under the provisions of a revoked Scheme, endorsed to guide future subdivision of the land, other than minor boundary adjustments, shall be regarded as being inconsistent with the objectives of the Scheme.~~
- ~~(d) The subdivision of land included within this Zone which has not already been subdivided and developed for Rural Residential purposes will not be supported by the local government unless it proposes subdivision in accordance with an approved Structure Plan for the land concerned or unless a new Structure Plan is prepared and approved by the local government and endorsed by the Western Australian Planning Commission in which case subdivision and development shall accord with that new Structure Plan.~~

Amend Clause 4.21.2 ‘R2.5 and R5 Code’ as follows—

Development within the Residential Zone coded R5 and below, shall, in addition to any other requirements of the Scheme including those of the relevant Residential Design Code, comply with the following requirements—

- (a) only a single house is permitted on any lot exclusive of any “ancillary dwelling accommodation” that the local government may approve in accordance with the provisions of the Residential Design Codes;
- (b) where, on an approved plan of subdivision or Structure Plan, building envelopes are indicated, building development shall be confined to those building envelopes;
- (c) boundary fencing materials shall not have an adverse impact on the visual and rural character of the area and shall be consistent with any relevant Local Planning Policy adopted under the provisions of this Scheme;
- (d) development shall be consistent with the standard prevailing in the locality and shall be in keeping with the low density residential character and amenity of the area;
- (e) In medium, high and extreme bush fire prone areas, all habitable buildings shall be constructed in accordance with the requirements of Australian Standards AS3959—Construction of Dwellings in Bush Fire Prone Areas (as amended from time to time); and
- ~~(f) lots coded R2.5 shall have an area of not less than 4000 square metres;~~
- ~~(g) lots coded R5 shall have an area of not less than 2000 square metres and a frontage of not less than 20 metres, unless there are mitigating circumstances such as the retention of vegetation or significant topographical features that justify different configurations~~
- ~~(h)~~ (e) side boundary setbacks shall be 5 metres unless the local government, following consultation with affected adjoining owners, otherwise approves; and

- (i) ~~the keeping of stock, including horses, cattle and other livestock is prohibited.~~
 “home business” means a business, service or profession carried out in a dwelling or on land around a dwelling by an occupier of the dwelling which—
- (a) does not employ more than 2 people not members of the occupier’s household;
 - (b) will not cause injury to or adversely affect the amenity of the neighbourhood;
 - (c) does not occupy an area greater than 50 square metres;
 - (d) does not involve the retail sale, display or hire of goods of any nature;
 - (e) in relation to vehicles and parking, does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood, and does not involve the presence, use or calling of a vehicle more than 3.5 tonnes tare weight;
 - (f) does not involve the use of an essential service of greater capacity than normally required in the zone; and
 - (g) does not display a sign exceeding 0.2 square metres in area.

Amend Clause 5.10.3: Where no building envelope is shown for any lot on a plan adopted or approved by the local government, ~~the building envelope, where one or more buildings has been constructed on the land, is deemed to be a square, 30 metres prescribed from the central point of the building constructed closest to the centre of the lot or where a dwelling exists, from the centre of the dwelling. Notwithstanding the foregoing, no part of a building envelope may be~~ buildings are to be located no closer to the respective boundaries than the setbacks specified for the zone within which the lot is situated, as prescribed in Schedule 13 ‘Development Standards’.

Where a building envelope has not been previously identified ~~land is undeveloped~~, the building envelope shall be defined on a plan submitted with the appropriate application for approval to construct the building. The provisions of clause 5.11.1 shall apply to building envelopes ~~deemed to apply under this clause.~~

Amend Clause 4.22.2 (e): Where a building envelope has not been specified for a lot within this zone, ~~the building envelope, where one or more buildings has been constructed on the land, is deemed to be a 30m square, from the central point of the building constructed closest to the centre of the lot or where a dwelling exists, prescribed from the centre of the dwelling~~ all buildings are to be located within a 2000m² area to be located no closer to the respective boundaries than the setbacks specified for the zone within which the lot is situated. Notwithstanding the foregoing no part of a building envelope may be closer than 30 metres to the front or rear boundary or 10 metres closer to a side boundary of a lot or 60 metres from a Highway or Main Road Reserve under the Scheme. Where land is undeveloped, the building envelope shall be defined on a plan submitted with the appropriate application for approval to construct the building. Where a building envelope has not been previously identified, the building envelope shall be defined on a plan submitted with the appropriate application for approval of the building.

Modify 4.22.2 (a) as follows—

- (i) all development on any lot created pursuant to that plan shall be confined within the limits of the building envelope unless otherwise approved by the local government; ~~and~~
- (ii) ~~development for the purpose of the foregoing subclause (a)(i) includes the installation of on-site effluent disposal systems although irrigation from an aerobic treatment plant may be directed to land outside the building envelope.~~

Amend Clause 4.18 ‘Development in Tourism Zone’ as follows—

~~4.17.1 Development within the Tourism Zone will comprise a range of land uses set out in the purpose and objectives of the Zone and in the Zoning Table. Dependent upon the use proposed, sites for such developments will normally be identified within or in close proximity to established settlements.~~

~~4.17.2 Development shall comply with any approved Structure Plan, approved Landscape Plan and approved Fire Management Plan.~~

~~4.18.3~~ 4.18.1 Despite anything contained in the zoning table, the land specified in Schedule 16 may only be used for the specific use or uses that are listed and subject to the conditions set out in Schedule 16 with respect to that land.

4.18.2 Development proposals will be considered by the local government in accordance with the provisions of clause 10.2 with particular regard to the impact of the proposed development on visual and natural amenity, the availability of reticulated sewerage and/or the suitability of the land for on-site effluent disposal, the provision of sufficient landscape buffers and the density of the development.

4.18.3 The subdivision of land, including strata titling, included within the Tourism Zone will only be supported by the local government where it can be demonstrated that the resultant lots will be capable of being used for at least one of the uses identified in the purpose of the zone

Amend clause 4.2.3.1—‘Purpose of the Tourism Zone’ as follows—

To provide quality tourist accommodation and associated uses that are generally compatible with the surrounding area and generally located within or in close proximity to established settlements.

Amend Table No. 1—Zoning Table by replacing the permissibility symbols of “X” with “A” for ‘Caravan Parks’ and ‘Camping Grounds’ under the ‘Priority Agriculture’ and ‘General Agriculture’ zones.

Modify the permissibility of ‘Tavern’ from ‘P’ to ‘D’ in the ‘Town Centre’ and ‘Village Centre’ zones.

Amend Table 1—Zoning Table by substituting the use class ‘Dwelling’ with ‘Single House’; Modify the permissibility of ‘Single House’ from ‘P’ to ‘D’ in the ‘Town Centre’ zone.

Amend Clause 4.23 ‘Development in the Town Centre zone’ by inserting a new clause as follows—

4.23.5 Notwithstanding the provisions of Table 1—Zoning Table, residential uses will only be supported where they form part of a mixed use development on the same lot.

Amend Clause 4.24 ‘Development in the Town Centre Zone in Margaret River’ by inserting a new clause as follows—

4.24.3 Notwithstanding the provisions of Table 1—Zoning Table, fast food outlets which are inclusive of a ‘drive through’ component are not permitted for those lots having frontage to Bussell Highway.

Amend Clause 4.2.4.1 ‘Objectives of the Residential Zone’, by inserting the following as follows—

- (c) To preserve the local amenity against uses detrimental to the predominant residential use of the land.

Amend Clause 5.20 ‘Land clearing’ as follows—

5.20.1 Land clearing

- (a) ~~Notwithstanding the Zoning Table, and unless otherwise specifically stated in this Scheme, no person shall clear land within areas classified Rural Residential, Priority Agriculture, General Agriculture, LNR Conservation LNR Landscape Amenity and Southern Ocean Foreshore Protection without the prior planning approval of the local government. In considering any such application, the local government will take into account proposals, including arrangements for entering into covenants with the local government, for the retention and protection of other remnant vegetation~~
- (b) ~~Where the clearing of land is necessary to develop land in zones other than those referred to in clause 5.20.1(a), All land clearing requires the prior planning approval of the Local Government, with the exception of the following—~~
- (i) any clearing, including the provision of firebreaks, that is authorised under the *Bush Fires Act 1954* (as amended);
 - (ii) any clearing that is carried out in accordance with an existing subdivision or development approval including a building permit where no development approval is required;
 - (iii) any vegetation that is dead or dangerous;
 - (iv) any clearing of non-indigenous vegetation;
 - (v) clearing for farm management purposes within the, Priority Agriculture, General Agriculture and Cluster Farm zones in accordance with the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004* (as amended);
 - (vi) the lopping of native vegetation for stock fodder in any period of declared drought if the continued health of the vegetation is not affected;
 - (vii) any clearing carried out in accordance with a local government approved Fire Management Plan;
 - (viii) the clearing of indigenous vegetation planted for forestry, agriculture, wood lots, gardens and horticultural purposes;
 - (ix) any clearing of vegetation for the control of noxious weeds authorised under the *Agriculture Act 1988* (as amended);
 - (x) any minimal clearing of native vegetation to the extent necessary for vermin control under the *Health Act 1911* (as amended);
 - (xi) minor pruning of vegetation for maintenance purposes which does not endanger the life of that vegetation;
 - (xii) the removal of vegetation to meet an acceptable Bushfire Attack Level under AS3959 for an approved dwelling, whether or not that dwelling is on the same lot;
 - (xiii) clearing on land within the commercial or industrial zones;
 - (xiv) clearing upon residential lots less than 2000m² in size; and
 - (xv) minor clearing upon residential zoned lots to facilitate use incidental to the residential occupation of the land.

These exemptions do not apply where vegetation is specifically protected by way of a landscape protection designation or similar by a Structure Plan, Local Development Plan, Tree Preservation Order or any other provision of the Scheme.

(b) The local government will, when presented with an application to clear the land or an application to develop the land pursuant to the Scheme, have regard to the relevant purpose, objectives and provisions of the applicable zone, the extent of clearing to be undertaken, the quality and type of vegetation to be removed and any re-vegetation carried out on the same land. The local government may impose conditions or make arrangements to retain some of the vegetation on the land, or refuse the application if the removal of the vegetation, in the opinion of the local government, would result in ~~an~~ unacceptable a deleterious environmental, amenity or landscape impact.

~~5.20.2 Where native vegetation is cleared prior to implementation of an approved development or land use, then, unless otherwise approved by the local government, the developer and/or land owners shall revegetate an equivalent area of land with native vegetation indigenous to the locality on the land the subject of the application or on public land managed by the local government or with the consent of the land owner(s) on other land in their ownership to ensure that there is no net loss of native vegetation to the Shire.~~

5.20.2 Preservation of Trees in Urban Zones Tree Preservation Orders

Modifying 'Schedule 1—General definitions' as follows and relocating the new title in alphabetical order—

"clearing land" "land clearing", for the purposes of clause 5.20, means any one or more of the following—

- (a) cutting down, felling, thinning, logging or removing vegetation;
- (b) killing, destroying, poisoning, ringbarking, uprooting or burning vegetation; or
- (c) severing, branches, limbs, stems or trunks of vegetation but does not include—
- ~~(d) any clearing, including the provision of firebreaks, that is authorised under the *Bush Fires Act 1954* (as amended);~~
- ~~(e) any clearing that is carried out in accordance with an existing subdivision or development approval;~~
- ~~(f) Any vegetation that is dead or dangerous;~~
- ~~(g) any clearing of non-indigenous vegetation;~~
- ~~(h) the cutting of no more than 7 trees per hectare in any period of one year for on-farm uses, including fence posts and firewood;~~
- ~~(i) the lopping of native vegetation for stock fodder in any period of declared drought if the continued health of the vegetation is not affected;~~
- ~~(j) minimal clearing of native vegetation if it necessary for the construction, operation and maintenance of farm structures (for instance farm dams, tracks, bores, windmills, fences, fence lines, stockyards, loading ramps, sheds and the like);~~
- ~~(k) any clearing carried out in accordance with a local government approved Fire Management Plan;~~
- ~~(l) the clearing of indigenous vegetation planted for forestry, agriculture, wood lots, gardens and horticultural purposes;~~
- ~~(m) any clearing of vegetation for the control of noxious weeds authorised under the *Agriculture Act 1988* (as amended); and~~
- ~~(n) any minimal clearing of native vegetation to the minimal extent necessary for vermin control under the *Health Act 1911* (as amended).~~

Amend Clause 6.4.3.2.1 (e) 'Residential Zone' as follows—

6.4.3.2.1 (e) Boundary fencing ~~will normally~~ be may be permitted at the local government's discretion. ~~For lots greater in area than 1000m², however, boundary f~~ Fencing is to be of a type, colour and height so as to minimise glare and blend with the natural environment. ~~not considered to be necessary and preference will be shown for the provision of fencing around an area used for active residential purposes. Brushwood screen fencing is permitted only within the approved building envelope.~~

Amend Schedule 13—Development Standards by—

- (i) inserting the symbol "****" to the 'Front Setback' column for the following zones—
 - Chalet and Camping Zone
 - Tourism Zone
- (ii) inserting the symbol "****" and the text "A 60 metre setback shall apply to development on the land abutting Highways, Main Roads and Travel Route Corridors outside designated townsites" below the symbol and text represented by "****"

Amend Schedule 2 'Additional Uses' by modifying the 'Additional Use' column applicable to 'A34' as follows—

Commercial development comprising principally Retail Convenience Store and Service Station functions and residential development up to a density of R30/40.

Amend Schedule 1 by changing the definition of "abattoir" from: ~~means land and buildings used for the slaughter of animals and the treatment of carcasses, offal and by-products;~~

To: means premises used commercially for the slaughtering of animals for the purposes of consumption as food products.

Amend Schedule 1 by changing the definition of 'Bed & Breakfast' from: ~~means a dwelling, used by a resident of the dwelling, to provide accommodation for persons away from their normal place of residence on a short term commercial basis and includes the provision of breakfast; for not more than 4 adults or one family in an establishment containing a maximum of 2 guest bedrooms and 1 guest bathroom, located under the main roof of the dwelling house~~

To: means part of a dwelling, used for short-term accommodation providing not more than two single bedrooms and one bathroom and run by the owner/occupier of the dwelling on a commercial basis.

Amend Schedule 1 by changing the definition of 'Brewery' from: ~~means breweries, cideries and distilleries licensed as a producer under the *Liquor Control Act 1988* and used to sell liquor for consumption on the premises.~~

To: means premises used for the production and consumption of beer, cider or spirits but does not include any other land use defined elsewhere in this Schedule.

Amend Schedule 1 by changing the definition of 'chalet' from: ~~means an individual self-contained unit usually comprising of cooking facilities, ensuite, living area and one or more bedrooms designed to accommodate short stay guests, and where occupation by any person is limited to a maximum of 3 months in any 12 month period~~

To: means a self-contained accommodation unit (i.e. containing cooking, bathroom, sleeping and living area facilities) used for short term accommodation.

Amend Schedule 1 by changing the definition of 'guest house' from: ~~means a building or part of a building occupied as a single dwelling by the proprietor but within which provision is made in the form of rooms set aside for the short stay accommodation of visitors or guests for hire or reward~~

To: means integrated premises providing for short term accommodation including bedrooms for guests and on site tourism facilities such as reception, centralised dining and management.

Amend Schedule 1 by deleting the definition of 'industry—cottage' and replacing with the following—

Means premises, other than premises used for a home occupation, that are used by the occupier of the premises for the purpose of carrying out a trade or light industry producing arts and crafts goods if the carrying out of the trade or light industry—

- (a) will not cause injury to or adversely affect the amenity of the neighbourhood; and
- (b) if the premises is located in a residential zone—does not employ any person other than a member of the occupier's household; and
- (c) is compatible with the principal uses to which land in the zone in which the premises is located may be put; and
- (d) does not occupy an area greater than 50m²; and
- (e) does not involve the display on the premises of a sign with an area exceeding 0.2m²

Amend Schedule 1 by changing the definition of 'plant nursery' from: ~~means a building or place used for propagation, the growing and either retail or wholesale selling of plants, whether or not ancillary products are sold therein~~

To: means a premises used for propagation, the growing and either retail or wholesale selling of plants, whether or not ancillary products are sold therein.

Amend Schedule 1 by changing the definition of 'rural pursuit' from: ~~means any premises used for—~~

- ~~(a) the rearing or agistment of animals;~~
 - ~~(b) the stabling, agistment or training of horses;~~
 - ~~(c) the growing of trees, plants, shrubs or flowers for replanting in domestic, commercial or industrial gardens; or~~
 - ~~(d) the sale of produce grown solely on the lot,~~
- ~~but does not include agriculture—extensive or agriculture—intensive~~

To: means any premises used for—

- (a) the rearing or agistment of animals;
- (b) the stabling, agistment or training of horses;
- (c) the growing of trees, plants, shrubs or flowers for replanting in domestic, commercial or industrial gardens; or
- (d) the wholesale or appointment only sale of produce grown solely on the lot, but does not include agriculture—extensive or agriculture—intensive.

Amend Schedule 1 by changing the definition of 'rural stall' from: ~~means a moveable or temporary structure (including a stand, table, trailer or barrow) of no greater area than 4m² from which only agricultural produce that is grown or reared on the property on which it is established is sold or offered for sale as an activity totally incidental to and dependent upon the principal use of the land for agricultural purposes~~

To: means a place, temporary structure or moveable structure used for the retail sale of agricultural produce produced on the property on which it is situated as an activity totally incidental to and dependent upon the principal use of the land for agricultural purposes.

Amend Schedule 1 by changing the definition of 'veterinary centre' from: ~~premises used to diagnose animal diseases or disorders, to surgically or medically treat animals, or for the prevention of animal diseases or disorders~~

To: means premises used to diagnose animal diseases or disorders, to surgically or medically treat animals, or for the prevention of animal diseases or disorders and may include associated overnight stay of animals.

Amend Schedule 1 by changing the definition of 'winery' from: ~~means premises used for the production of viticultural produce and may include sale of the produce~~

To: means premises used for the production of viticultural produce and may include the wholesale and 'appointment only' sale of products produced on site.

Amend Schedule 1 Part 2 Land Use Definitions by—

- (i) ~~Deleting: 'cinema/theatre' means premises where the public may view a motion picture or theatrical production~~
- (ii) inserting a new land use and definition, in alphabetical order—
'Place of Assembly: means a public hall, theatre, cinema, music hall, concert hall, dance hall, open-air theatre, drive-in theatre, music bowl or any other building of a like character used as such and whether used for the purposes of gain or not, but does not include a place of public worship or an educational establishment.

Amend Table 1—Zoning Table' by substituting the use class 'Cinema/Theatre' with 'Place of Assembly' accordingly.

Amend Schedule 1 Part 2 Land Use Definitions by Deleting—

~~"rural produce store" means the use of any building or structure, (including a caravan) that is greater than 4 square metres floor area, for the sale of agricultural produce that is grown or reared on the property on which it is situated is sold or offered for sale as an activity totally incidental to and dependent upon the principal use of the land for agricultural purposes~~

and inserting a new land use definition: 'Rural Produce Sales': means any premises used for the purpose of retail sale of products which are grown, reared or produced on site, including a cellar door operation and retail sales associated with Industry—Cottage or Industry—Rural.

Amend Table 1—Zoning Table by substituting the use class 'rural produce store' with 'Rural Produce Sales' accordingly.

Amend Schedule 1 and Table 1—Zoning Table by deleting the following land use definitions and use classes and associated permissibility denotations—

'Agroforestry'
 'Apiculture'
 'Art & Craft Centre' 'Cabin'
 'Cellar Door Sales'
 'Veterinary Hospital'

Modifying the permissibility of 'Bed & Breakfast' from 'A' to 'D' in the Priority Agriculture and General Agriculture Zones.

Amend Table 1—Zoning Table by modify the permissibility of 'Holiday House' from 'X' to 'A' in the Priority Agriculture and General Agriculture Zones.

Amend Table 1—Zoning Table by modifying the permissibility of 'Industry—Service' from 'X' to 'A' use in the 'Priority Agriculture' Zone

Amend Table 1—Zoning Table by modifying the permissibility of 'Market' from 'A' to 'D' in the 'Priority Agriculture' and 'General Agriculture' Zones.

Amend Table 1—Zoning Table by modifying the permissibility of 'Plantation' from 'A' to 'D' in the 'Priority Agriculture' and 'General Agriculture' Zones.

Amend Table 1—Zoning Table by modifying the permissibility of 'Rural Pursuit' from 'D' to 'P' in the 'Priority Agriculture' and 'General Agriculture' Zones.

Insert "Short term accommodation" into Schedule 1 Part 2 Land Use Definitions between "service station" and "small bar" with the definition: means premises providing temporary accommodation wither continuously or from time to time with no guests accommodated for periods totalling more than 3 months in any 12 month period.

Amend clause 6.2.8 'Detailed area plans' by substituting 'Detailed Area Plan' with 'Local Development Plan' and amending the rest of the Scheme Text accordingly.

Amend Schedule 1 by substituting the definition of "family day care" to—

means premises used to provide a 'family day care service' as defined on by the *Child Care Services Act 2007* ~~a premises used in accordance with the *Education And Care Services National Law (WA) Act 2012* to provide a child care service, at a place where—~~

- (a) the person providing the service lives; and

~~(b) none of the children to whom the service is provided live;~~

Amending Clause 5.13 Building Heights by—

- (i) renumbering clause number 5.13.2 to 5.13.2.1
- (ii) deleting the first footnote identified by the symbol “*”
- (iii) insert new clause and text 5.13.2.2: “Variations to the height limits specified at clause 5.13.2.1(b) may not exceed 20%”

Amend Schedule 11 by inserting the following site details to the ‘Site Description’ column relating to ‘RR17’

“Lot 36 Kevill Road East.”

Amend clause 6.1.3 the following—

- (c) the erection of a building (including a dwelling or land use incidental to a dwelling that might contribute pollutants to the catchment including on-site effluent disposal systems) or the construction of any road, other than that authorised by a subdivision approval or other planning approval, but does not include the construction of water tanks, outbuildings and additions ancillary to an existing single house within the Margaret River (priority 3) Water Catchment Area (SCA1)—

Amend clause 6.1.1(c) (i) by substituting “Ten Mile Brook” with Margaret River.

Amend clause 4.16.3 Chalets, Cabins, Caravan Parks and Guest House Facilities in the Priority and General Agriculture Zones as follows—

- (a) Notwithstanding the provisions of the Zoning Table, chalets, cabins, caravan parks or guest houses are not permitted on lots having an area of less than 5 hectares.
- (b) The number of chalets/cabins, caravan/camping bays or guest house accommodation permitted on lots having areas between 5 hectares and 20 hectares within the Priority Agriculture and General Agriculture Zones shall not exceed 2 chalets/cabins, 4 caravan/camping bays or 4 guest bedrooms.
- (c) The number of chalets/cabins or guest house accommodation permitted on lots having areas greater than 20 hectares within the Priority Agriculture and General Agriculture Zones shall not exceed 6 chalets/cabins, 12 caravan/camping bays or 12 guest bedrooms.
- (d) No chalets/cabins or caravan/camping bays are to be constructed over Class 1 and 2 soils or where the land occupied by the chalets/cabins or caravan/camping bays reduces the land area for agricultural uses.

Amend clause 8.2(b) as follows—

the erection on a lot of a single house including any extension, ancillary dwelling/outbuildings and swimming pools, except where—

Insert new clause 5.28, as follows—

5.28 Ancillary Dwellings in the Rural Zones and Rural Residential Zone

5.28.1 Ancillary Dwellings—

- (a) are limited to one only per lot or strata lot;
- (b) shall be limited in floor area to 70 square metres; and
- (c) siting, design and materials used on the external surfaces of such buildings shall be such as to ensure that their impact upon the rural character, amenity and landscape values of the area is minimised.

Modifying clause 8.2(b)(i) as follows—

the proposal requires the exercise of a discretion by the local government under the Scheme ~~or to consider a proposal~~ under the Performance Criteria of the Residential Design Codes;

Amend Schedule 3 ‘Restricted Uses’ to include RU 16 as follows—

Restricted Use

Development of the land is restricted to ‘Community Purpose s’. No other uses are permitted.

Conditions

Development shall be designed to address and mitigate light and noise emanating from the site with particular consideration to surrounding residential use. Development shall be designed to maintain the privacy and protect the residential amenity of surrounding residential properties, through the provision of appropriate building setbacks, window locations, screen landscaping and boundary fencing.

The Local Government will consult with adjoining residential land owners in regard to any application for planning approval prior to determining the application.

Correcting various clause numbers within the text of scheme provisions to reflect the revised clause numbers as follows—

- (i) Under Clause 4.2.2.1(d), amend “4.15.5” to “4.16.5”;
- (ii) Under Clause 4.16.3(e), amend “4.15.3(b)” to “4.16.3(b)” and “4.15.3(c)” to “4.16.3(c)”;
- (iii) Under Clause 4.16.5(b), amend “4.15.5(a)” to “4.16.5(a)”;

- (iv) Under Clause 4.16.5(f), amend “4.15.5(a)” to “4.16.5(a)”;
- (v) Under Clause 4.17.5, amend “4.16.2” to “4.17.2”;
- (vi) Under Clause 4.21.3(a), amend “4.20.3(b)” to “4.21.3(b)”;
- (vii) Under Clause 4.21.3(b), amend “4.20.3(a)” to “4.21.3(a)”;
- (vii) Under Clause 4.21.4(a), amend “4.20.4(b)” to “4.21.4(b)”;
- (viii) Under Clause 4.21.4(b), amend “4.20.4(a)” to “4.21.4(a)”;
- (ix) Under Clause 4.22, amend “4.21” to 4.22”;
- (x) Under Clause 4.22.6(c), amend “4.21.2(e)” to “4.22.2(e)”;
- (xi) Under Clause 4.29(a), amend “4.28(a)” to “4.29(a)”;
- (x) Under Clause 4.31.3, amend “4.30.1 and 4.30.2” to “4.31.1 and 4.31.2”
- (xi) Under Clause 4.33.2, amend “4.32.1” to “4.33.1”
- (xii) Under Clause 5.3.1(b), amend “4.20.2” to “4.21.2”
- (xiii) Under Clause 5.3.1(c), amend “4.20.3” to “4.21.3”
- (xiv) Under Clause 5.3.1(d), amend “4.20.4” to “4.21.4”

Amend ‘Table 1—Zoning Table’ with respect to the Bushland Protection zone by inserting the symbol ‘X’ where there is no symbol.

2. Amending the Local Planning Scheme No. 1 Scheme Maps to—

- 2.1. Amend the Scheme Map Legend by inserting the denotation “HP” and the title “Harbour Purposes” under the ‘Local Reserves’ category for ‘Public Purposes’ between ‘Gravel’ and ‘Hall Site’.
- 2.2 Reclassify Lot 331 (Reserve 51096), Leeuwin Road, Leeuwin from ‘Parks and Recreation’ and ‘Waterways’ reserves to Local Reserves ‘Public Purposes—Harbour Purposes’ reserve and with the denotation ‘HP’ in accordance with Scheme Amendment Map No. 1;
- 2.3 Rezone Lot 5164, Chapman Road, Karridale from Local Reserves ‘Public purpose—Shire Purposes’ reserve to ‘Priority Agriculture’ zone in accordance with Scheme Amendment Map No. 2;
- 2.4 Recode Lots 120 to 127 Tonkin Boulevard, Margaret River from ‘R20’ to ‘R30’ in accordance with Scheme Amendment Map No. 3;
- 2.5 Reclassify Lot 115 Tunbridge Street, Margaret River from ‘Residential—R15’ to Local Reserve ‘Public Purposes—Community Purposes and ‘Restricted Use’ classification with the denotation ‘RU16’ in accordance with Scheme Amendment Map No. 4;
- 2.6 Reclassify Lot 20 Merlot Place, Margaret River from ‘Residential—R5’ to ‘Parks and Recreation’ reserve in accordance with Scheme Amendment Map No. 5; and
- 2.7 Reclassify Lot 4 Albany Terrace, Augusta from ‘Residential—R15’ to ‘Parks and Recreation’ reserve in accordance with Scheme Amendment Map No. 6.

Cr M. SMART, Shire President.
G. EVERSLED, Chief Executive Officer.

PL403*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Augusta-Margaret River
Local Planning Scheme No. 1—Amendment No. 37

Ref: TPS/1638

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the Shire of Augusta-Margaret River Town Planning Scheme amendment on 4 March 2016 for the purpose of—

1. Amending the Local Planning Scheme No. 1 Scheme Maps to—

- (a) Rezone Lot 26 Le Souef Street, Margaret River from ‘Reserve (Public Purposes—Community Purposes)’ to ‘Residential R30/40’; and
- (b) Rezone Lot 472 (Reserve 28016) Stirling Street, Augusta from ‘Reserve (Parks and Recreation)’ to ‘Residential R15’.

Cr M. SMART, Shire President.
G. EVERSLED, Chief Executive Officer.

PL404*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Quairading
 Local Planning Scheme No. 2—Amendment No. 8

Ref: TPS/1682

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the Shire of Quairading Local Planning Scheme amendment on 9 March 2016 for the purpose of—

1. Deleting the current definition of 'agroforestry' and 'plantation' and insert the following definition of 'tree farm'—
 'tree farm' means land used commercially for tree production where trees are planted in blocks of more than one hectare, including land in respect of which a carbon right is registered under the *Carbon Rights Act 2003* section 5.
2. Amend the Land Use Zoning Table (Table 1) to insert 'tree farms' as an 'A' use in the Farming zone and an 'X' use in all other zones.
3. Renumber the Land Use Zoning Table as follows: 35. Tree Farms; 36. Veterinary Centre; 37. Warehouse; and 38. Workers Accommodation.

B. CAPORN, Shire President.
 G. FARDON, Chief Executive Officer.

PL405*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
City of Busselton
 Local Planning Scheme No. 21—Amendment No. 5

Ref: TPS/1547

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the City of Busselton Local Planning Scheme amendment on 4 March 2016 for the purpose of—

- (a) Inserting the following particulars into Schedule 3—Special Provision Areas of the Scheme.

No.	Particulars of Land	Zone	Special Provisions
SP58	700 Caves Road, Marybrook	Tourist	Notwithstanding any other provision of the Scheme, an unrestricted length of stay is permissible for Lots 6—15 as shown on the current Strata Plan 46392 (approved on 8 September 2005), with up to two accommodation units, both of which may be unrestricted length of stay, being able to be developed on each lot.

- (b) Amending the Scheme Map accordingly.

G. HENLEY, Mayor.
 M. ARCHER, Chief Executive Officer.

PL406*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
City of Busselton
 Local Planning Scheme No. 21—Amendment No. 16

Ref: TPS/1669

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the City of Busselton Local Planning Scheme amendment on 4 March 2016 for the purpose of—

1. Rezoning portion of Lot 519 Bell Drive, Broadwater from 'Residential R20' to 'Residential R40' and amend the Scheme Map accordingly.

G. HENLEY, Mayor.
 M. ARCHER, Chief Executive Officer.

RACING, GAMING AND LIQUOR

RA401*

LIQUOR CONTROL ACT 1988

LIQUOR APPLICATIONS

The following applications received under the *Liquor Control Act 1988 (the Act)* are required to be advertised.

Any person wishing to obtain more details about any application, or about the objection process, should contact the Department of Racing, Gaming and Liquor, 1st Floor, 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			
A000195708	Goldbreak Holdings Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Willetton and known as The Local Shack	27/03/2016
A000195551	Woolworths Ltd	Application for the grant of a Liquor Store licence in respect of premises situated in Secret Harbour and known as Dan Murphy's Secret Harbour	21/04/2016
A000195766	David James Higgins and Victoria Anne Higgins	Application for the grant of a Restaurant licence in respect of premises situated in Nornalup and known as Nornabar Teahouse Restaurant	31/03/2016
A000195465	University of Western Australia Football Club Inc	Application for the grant of a Club Restricted licence in respect of premises situated in Mount Claremont and known as AJ Williams Pavillion, UWA Sports Park	7/04/2016
A000196175	Roh, Nae Kyung	Application for the grant of a Restaurant licence in respect of premises situated in Merriwa and known as Something Italian	06/04/2016
A000196457	Rustico @ Hay Shed Hill Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Wilyabrup and known as Rustico @ Hay Shed Hill	3/04/2016
A000196566	Blake Consolidated Pty Ltd and Make Money Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Perth and known as Meat Candy	5/04/2016
A000196775	Contessi Familia Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in City Beach and known as Park & Vine	31/03/2016
A000196769	Tostan Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Bedford and known as Our Table	4/04/2016
APPLICATION FOR THE REMOVAL OF A LICENCE			
A000190573	Ellenbrook Senior Football Club Inc	Application for the removal of a Club Restricted licence in respect of premises situated in Ellenbrook and known as Ellenbrook Senior Football Club Inc	31/03/2016

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

B. A. SARGEANT, Director of Liquor Licensing.

Dated: 18 March 2016.

DECEASED ESTATES

ZX401***TRUSTEES ACT 1962****DECEASED ESTATES**

Notice to Creditors and Claimants

Angelo Ferro, late of 82 Rookwood Street, Menora in the State of Western Australia, Boilermaker, deceased.

Creditors and other persons having claims (to which section 63 of the *Trustees Act 1962* relates) in respect of the estate of the deceased, who died on 16 July 2015, are required by the trustee, Vito Ferro, c/- Beaufort Legal, Suite 9, 250 Beaufort Street Perth WA 6000 in the State of Western Australia to send particulars of their claims to him within 30 days of this notice, after which date the trustee may convey or distribute the assets, having regard only to the claims of which he then has notice.
