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Gazette**

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# — PART 1 —

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## PROCLAMATIONS

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AA101

Consumer Affairs Act 1971

### **Consumer Affairs Act 1971 Expiry Proclamation 2016**

Made under the *Consumer Affairs Act 1971* section 2B by the Governor in Executive Council after certification by the Commissioner under section 2B(2).

**1. Citation**

This proclamation is the *Consumer Affairs Act 1971 Expiry Proclamation 2016*.

**2. Expiry**

The *Consumer Affairs Act 1971* expires on the day after the day on which this proclamation is published in the *Gazette*.

K. SANDERSON, Governor.

L.S.

M. MISCHIN, Minister for Commerce.

AA102

Fair Trading Act 1987

### **Fair Trading Act 1987 Expiry Proclamation 2016**

Made under the *Fair Trading Act 1987* section 3B by the Governor in Executive Council after certification by the Commissioner under section 3B(2).

**1. Citation**

This proclamation is the *Fair Trading Act 1987 Expiry Proclamation 2016*.

**2. Expiry**

The *Fair Trading Act 1987* expires on the day after the day on which this proclamation is published in the *Gazette*.

K. SANDERSON, Governor.

L.S.

M. MISCHIN, Minister for Commerce.

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**CONSUMER PROTECTION**

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CP301

Petroleum Products Pricing Act 1983

**Petroleum Products Pricing Amendment  
Regulations 2016**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Petroleum Products Pricing Amendment Regulations 2016*.

**2. Commencement**

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

**3. Regulations amended**

These regulations amend the *Petroleum Products Pricing Regulations 2000*.

**4. Schedule 1 amended**

In Schedule 1 under the heading “*Townsites*” insert in alphabetical order:

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N. HAGLEY, Clerk of the Executive Council.

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**HEALTH**

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HE301

Health Services Act 2016

**Health Services (Fees and Charges) Amendment  
Order 2016**

Made by the Minister under section 56(3) of the Act.

**1. Citation**

This order is the *Health Services (Fees and Charges) Amendment Order 2016*.

**2. Commencement**

This order comes into operation as follows —

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

**3. Order amended**

This order amends the *Health Services (Fees and Charges) Order 2016*.

**4. Schedule 1 amended**

In Schedule 1 item 1:

- (a) in paragraph (c) delete “\$57.85” and insert:

\$58.05

- (b) in paragraph (d) delete “\$195.95” and insert:

\$196.15

J. DAY, Minister for Health.

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HE302

Mental Health Act 2014

## **Mental Health (Authorisation of Public Hospitals) Amendment Order (No. 2) 2016**

Made by the Governor in Executive Council under section 542(2) of the Act.

### **1. Citation**

This order is the *Mental Health (Authorisation of Public Hospitals) Amendment Order (No. 2) 2016*.

### **2. Commencement**

This order comes into operation as follows —

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

### **3. Order amended**

This order amends the *Mental Health (Authorisation of Public Hospitals) Order 2002*.

### **4. Schedule 1 amended**

In Schedule 1 after item 8B insert:

8BA	Perth Children's Hospital	Areas bordered red on Plan Ref No. RFD-1497_0 entitled "PERTH CHILDREN'S HOSPITAL, MENTAL HEALTH INPATIENT UNIT, Hospital Ave, Nedlands." of 12 September 2016.
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N. HAGLEY, Clerk of the Executive Council.

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**WORKSAFE**

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WS301

Occupational Safety and Health Act 1984

**Commission for Occupational Safety and Health  
(Appointment of Member) Instrument  
(No. 3) 2016**

Made by the Governor in Executive Council.

**1. Citation**

This instrument is the *Commission for Occupational Safety and Health (Appointment of Member) Instrument (No. 3) 2016*.

**2. Appointment of member under *Occupational Safety and Health Act 1984* section 6(2)(d)(i)**

Jennifer Ellen Low, having been nominated by the Chamber of Commerce and Industry of Western Australia (Inc) for appointment under the *Occupational Safety and Health Act 1984* section 6(2)(d)(i) as a member of the Commission for Occupational Safety and Health, is appointed to hold office under that provision for the term that commences on the day on which this instrument is made and ends on, and includes, 3 April 2018.

N. HAGLEY, Clerk of the Executive Council.  

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## — PART 2 —

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### AGRICULTURE AND FOOD

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AG401

**SOIL AND LAND CONSERVATION ACT 1945**

## APPOINTMENT

Pursuant to section 23 (2b) (d) of the *Soil and Land Conservation Act 1945*, on the nomination of the Shire of Dumbleyung, Cr Carly Elizabeth Smith, is appointed a member of the Dumbleyung Land Conservation District Committee. The appointment is for a term ending 1 February 2018.

*(The Committee was established by an Order in Executive Council, published in the Government Gazette of 13 March 1987 at pp. 663-664, and amended in the Gazettes of 26 May 1989 at pp. 1578-79, 12 July 1991 at pp. 3415-16, 20 January 1995 at p. 208, and Amendment Orders approved by Executive Council on 23 September 1997 and 30 June 1998 {refer Department of Agriculture and Food reference: 881773V04POV} and amended in the Gazettes of 16 March 2004 at pp. 793-794 and 10 July 2009 at p. 2749).*

ANDREW WATSON, Commissioner of Soil and Land Conservation.

Dated this 13th day of October 2016.

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### CONSERVATION

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CO401

**CONSERVATION AND LAND MANAGEMENT ACT 1984****AMENDMENTS TO THE MANAGEMENT PLAN FOR THE NINGALOO MARINE PARK AND MUIRON ISLANDS MARINE MANAGEMENT AREA 2005-2015, MANAGEMENT PLAN NO. 52**

The Conservation and Parks Commission and the Department of Parks and Wildlife advises that amendments to the *Management plan for the Ningaloo Marine Park and Muiron Islands Marine Management Area 2005-2015, Management Plan No. 52* were approved by the Minister for Environment on 12 September 2016.

The amendments to the management plan were prepared in accordance with section 61 of the *Conservation and Land Management Act 1984* (CALM Act). The amendments comprise changes to the permitted activities table (Table 4) and associated key to allow dredging in recreation zones and special purpose zones (shore-based activities), to be 'assessed' subject to relevant legislation and compatibility with the zone's primary purpose. In addition, some clarifying text will be included in Section 9: Development Proposals within the Reserves, to indicate that dredging for maintenance of public safety and access is permitted in appropriate zones.

The amendments to the management plan come into operation with this *Government Gazette* notice.

The amendments to the management plan can be viewed and downloaded from the Department of Parks and Wildlife's website at—

<https://www.dpaw.wa.gov.au/parks/management-plans/approved-management-plans>

JIM SHARP, Director General,  
Department of Parks and Wildlife.

MARION FULKER, Chair,  
Conservation and Parks Commission.

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## ELECTORAL

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EL401

**ELECTORAL ACT 1907**  
REGISTRATION OF POLITICAL PARTIES  
Notice of Registration (Section 62H)  
Julie Matheson for Western Australia

I hereby give notice in accordance with section 62H of the *Electoral Act 1907* that I registered “Julie Matheson for Western Australia” as a political party in Western Australia, with an abbreviation of “Julie Matheson for Western Australia” to be used on ballot papers, on 18 October 2016.

DAVID KERSLAKE, Electoral Commissioner.

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## ENERGY

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EN401

**ENERGY COORDINATION ACT 1994**  
APPROVAL OF AMENDMENTS TO THE REMCO RETAIL MARKET SCHEME

The Economic Regulation Authority, pursuant to Section 11ZOM of the *Energy Coordination Act 1994*, hereby gives notice that the following amendments to the Western Australian Gas Retail Market Scheme (**scheme**) have been approved—Rule Changes C02/16C, C01/16R and C03/16R—

- Rule Change C02/16C proposed to transition responsibility for operation of the scheme from REMCo to the Australian Energy Market Operator (**AEMO**).
- Rule Change C01/16R proposed to add a note to the retail market rules to clarify the days on which customers with basic meters and interval meters can transfer between retailers.
- Rule Change C03/16R proposed to align the requirements for obtaining explicit informed consent from large customers with small use customers.

These Rule Changes are to take effect on 31 October 2016. Details regarding these amendments and the Economic Regulation Authority’s decisions are available on the Economic Regulation Authority’s website ([www.erawa.com.au](http://www.erawa.com.au)).

RAJAT SARAWAT, Executive Director, Markets,  
Economic Regulation Authority.

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## FIRE AND EMERGENCY SERVICES

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FE401

**BUSH FIRES ACT 1954**  
BUSH FIRES (RESTRICTED BURNING TIMES) AMENDMENT NOTICE 2016 NO. 6

Made by the FES Commissioner of the Department of Fire and Emergency Services under section 18(2) of the *Bush Fires Act 1954*.

### 1. Citation

This notice is the *Bush Fires (Restricted Burning Times) Amendment Notice 2016 No. 6*.

### 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. The notice amended

The amendments in this notice are to the *Bush Fires (Restricted Burning Times) Notice 2012\**.

[\* Published in *Gazette* 3 February 2012, p. 615-619.]

**4. Schedule 1 amended**

Schedule 1 is amended by deleting the restricted burning times of the Shire of Chittering and inserting the following instead—

<b>Restricted Burning Time</b>	<b>Zone of the State</b>
1 October—31 May	Shire of Chittering

WAYNE GREGSON, FES Commissioner of the Department of Fire and Emergency Services.

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## LOCAL GOVERNMENT

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LG401

**BUSH FIRES ACT 1954***Shire of Harvey*

## APPOINTMENTS

It is hereby notified for public information that in accordance with the provisions of the *Bush Fires Act 1954* the following persons have been appointed by Council as a Bush Fire Control Officer for the Shire of Harvey for the 2016/2017 fire season—

Chief Bush Fire Control Officer—Philip Penny  
 Deputy Chief Bush Fire Control Officer (South)—Michael Papalia  
 Deputy Chief Bush Fire Control Officer (North)—Vaughn Byrd  
 Bush Fire Control Officers— Peter Simpson  
   Danny Swadling  
   Daryle Wilson  
   Michael Papalia  
   Philip Penny  
   Kevin Prowse  
   Robert George  
   Vaughn Byrd  
   Murray Hooper  
   Mal Adams  
   Council Rangers

All previous appointments published are revoked.

MICHAEL PARKER, Chief Executive Officer.

LG501

**BUSH FIRES ACT 1954***Shire of Harvey*

## FIREBREAK ORDER AND HAZARD REDUCTION

2016/2017 Bush Fire Season

All Land Owners and Occupiers of Land Within the Shire of Harvey

With reference to Section 33 of the *Bush Fires Act 1954*, you are required to carry out fire prevention work on land owned or occupied by you, in accordance with the provisions of this order.

Persons who fail to comply with the requirements of the order may be issued with an infringement notice (penalty \$250) or prosecuted with an increased penalty, and additionally, Council may carry out the required work at cost to the owner or occupier.

All landowners, including irrigated landowners, please note—

If it is considered to be impractical to clear firebreaks or remove flammable materials as required by this notice, or where—

- (a) Compliance with this order may aggravate soil erosion; or
- (b) You consider a more effective system of fire protection can be obtained; or
- (c) Natural features render firebreaks unnecessary

You must apply to the Council in writing no later than the 1st of November, for permission to provide firebreaks in alternative positions or to take alternative action to abate fire hazards on the land.

**A. RURAL LAND/SPECIAL RURAL LAND**

Firebreaks not less than 3 metres wide must be provided in the following positions—

- (a) Within 10 metres inside and along all boundaries of all land;
- (b) So as to divide the land into areas of not more than 120 ha (300 acres);
- (c) Around all groups of buildings, haystacks (includes two or more round bales placed in a paddock for storage purposes) and fuel installations but not closer than 6 metres; and
- (d) Irrigation Areas—Owners or occupiers may be exempted from all or part of the requirements of the above. Contact Council's Law and Safety Services.

**IRRIGATED LAND DEFINITION**

Irrigated Land is defined as land that is watered, kept fully watered and is maintained in a non-flammable state for the whole of the restricted and prohibited burning periods.

**B. URBAN LAND/SPECIAL RESIDENTIAL**

*(Residential, Commercial and Industrial land within a townsite or any other area subdivided for residential purposes)*

- (a) Where the area of land is 2,024m<sup>2</sup> (approx ½ acre) or less, remove all flammable material on the land except live standing trees, shrubs and plants, from the whole of the land; and
- (b) Where the area of land exceeds 2,024m<sup>2</sup> (approx ½ acre) provide firebreaks of at least 2 metres wide and within 6 metres of the inside of all external boundaries of the land, cleared hardstand areas and reticulated grassed areas maintained in a green state maybe considered acceptable as an adequate firebreak.

*NOTE: Myalup and Binningup—the following are accepted in lieu of item (a) of the above requirements. Firebreaks 2 metres wide inside and around all boundaries of land are accepted in lieu of item (a) of the above requirements.*

1. Firebreaks 2 metres wide inside and around all boundaries of land.
2. Slashing of the entire block to remove flammable materials.
3. Removal of isolated fire flammable materials on the block.

**C. FUEL AND/OR GAS DEPOTS**

In respect of any land used for the above purposes, you shall maintain the land clear of all flammable materials.

**D. PLANTATIONS**

(a) Definitions—

- (i) A plantation is any area of planted pines or eucalyptus species exceeding 3 hectares in area; and
- (ii) A windbreak is a planted area a maximum of 15 metres wide but with no defined length.

(b) Boundary Firebreaks—On the horizontal plane, a firebreak shall be provided 15 metres wide and immediately adjoining all external boundaries of the planted area. The outer 10 metres will be cleared of all flammable material while the inner 5 metres, i.e. that portion closest to the trees, may be kept in a reduced fuel state, i.e. by slashing or grazing grass provided that the height of the grass does not exceed eight centimetres. On the vertical plane, a clear space of 10 metres high will be maintained above outer 10 metres of the firebreak;

(c) Internal Firebreaks—Plantations shall be subdivided into areas not exceeding 30 hectares by firebreaks 6 metres wide and shall be cleared of all flammable material. In the vertical plane, a clearance of a minimum height of 4 metres from ground level will be maintained above the firebreak; and

(d) Special Risks

- (i) Public Roads and Railway Reserves Firebreaks 15 metres wide shall be maintained where the planted area adjoins public roads and railway reserves. The specification will be as for "boundary firebreaks" on planted areas.
- (ii) Power Lines-Firebreaks shall be provided along power lines where they pass through or lie adjacent to planted areas.

The specification of the width and the height of clearing shall be in accordance with Western Power specifications.

**FIREBREAK DEFINITION**

Firebreak means an area of land which must be maintained totally clear of all flammable material (living or dead) and any overhanging trees or other vegetation (up to a height of four (4) metres from ground level at any point) for the whole of the compliance period, 1st December to 26th April.

**SPECIAL WORKS ORDERS**

Whilst the requirements of this Firebreak Order are considered to be the minimum standard for fire prevention work not only to protect individual properties but the district in general, Council retains the ability to issue Special Work Orders pursuant to Section 33 of the *Bush Fires Act 1954* to individual landowners should additional works be necessary for a potential fire hazard that may exist on a property.

**PROHIBITED AND RESTRICTED BURNING TIMES**

The prohibited (total ban) and restricted (permits required) burning times applying within this Shire are—

**IRRIGATION LAND:**

<b>Restricted</b>	<b>Prohibited</b>	<b>Restricted</b>
9th November 2016 to 22nd December 2016	23rd December 2016 to 14th February 2017	15th February 2017 to 29th March 2017

**BALANCE OF SHIRE:**

<b>Restricted</b>	<b>Prohibited</b>	<b>Restricted</b>
2nd November 2016 to 15th December 2016	16th December 2016 to 14th March 2017	15th March 2017 to 26th April 2017

These dates are subject to slight variation according to seasonal conditions, but any alterations will be advertised locally.

M. A. PARKER, Chief Executive Officer.

**LG502****BUSH FIRES ACT 1954**

*Town of Cambridge*

**FIREBREAK NOTICE 2016-2017**

Notice to all property owners and occupiers within the Town of Cambridge.

Pursuant to Section 33 of the *Bush Fires Act 1954*, you are hereby required, on or before 18 November 2016 or within 14 days of becoming the owner or occupier after 18 November 2016, to remove from the land owned or occupied by you, all flammable material and/or clear firebreaks in accordance with the following land areas and thereafter to maintain that land or firebreaks up to and including 31 March 2017—

Where the area of the land is less than 2000 square metres—

Slash/mow all grass to a height no greater than five (5) centimetres and remove all slashed materials and other flammable matter from the land. This standard must be maintained until 31 March 2017.

Where the area of the land is greater than 2000 square metres—

Slash/mow all grass to a height no greater than five (5) centimetres and remove all slashed materials and/or install a firebreak of three (3) metres wide, clear of all bush and flammable material along all external boundaries of the land. This standard must be maintained until 31 March 2017.

If it is considered impracticable to clear a firebreak or to remove flammable material from the land as required by this notice, an application to the Town of Cambridge in writing may be made prior to 1 November 2016, for permission to provide firebreaks in alternative positions or to take alternative action to mitigate the fire hazard. Until written permission is received from the Town, compliance with this notice is required.

Burning off is strictly prohibited within the Town of Cambridge.

The penalty for failing to comply with this notice is a fine of up to \$5,000. If the works are not carried out by the date required in this notice, the owner of the land is liable, whether prosecuted or not, to pay all costs for performing the works directed in this notice.

JASON BUCKLEY, Chief Executive Officer.

**LG503****BUSH FIRES ACT 1954**

*City of Busselton*

**FIREBREAK AND FUEL HAZARD REDUCTION NOTICE**

Take notice that pursuant to Part 3 Division 6 Section 33 of the *Bush Fires Act 1954*, all owners and occupiers of land within the District of the City of Busselton, shall construct firebreaks and carry out fire protection measures in accordance with the provisions of this Notice.

**1. INTERPRETATION AND ADDITIONAL INFORMATION**

1.1. Wherever referred to in this Notice, unless the context requires otherwise—

**'Firebreak'**—the term firebreak includes a mineral earth firebreak.

**'Mineral Earth Firebreak'** means a 3 meter wide area of the owner(s)/ occupier(s) land, cleared and maintained totally clear of all vegetation material (living or dead).

**'Fire Management Plan'** means a comprehensive plan for the prevention and control of bushfires which may apply to individual land holdings. A notification, pursuant to the *Transfer of Land Act 1893* (as amended) may be placed on the Certificate(s) of Title of the land for medium to long term fire management to reduce the occurrence and minimise the impact of uncontrolled bush fires, thereby reducing the threat to life, property and the environment.

**'Hazardous and Flammable Materials'** means accumulated fuel (living or dead) such as leaf litter, twigs, trash, bush, dead trees and scrub capable of carrying a running fire, but excludes standing living trees and isolated shrubs.

**'Building protection Zone'** means a modified area of reduced fuel immediately surrounding a building.

**'Hazard Separation Zone'** means a modified area of reduced fuel load outside a Building Protection Zone to assist in reducing the fires intensity when flames are approaching buildings. Both the Building Protection Zone and the Hazard Separation Zone are essential strategies for the protection of buildings. A Hazard Separation Zone covers the area 75 metres outside a Building Protection Zone.

A Hazard Separation Zone should be modified to have a maximum fuel load of 6-8 tonne per hectare. This can be implemented by fuel reduction methods such as burning, mowing and slashing to remove the hazard and should not require the removal of living trees or shrubs.

**'Parkland Clearing'** means all dead vegetation, dry grass (excluding approved crop or pasture areas and living trees/shrubs), piles of timber, disused materials and other vegetation, maintained to a height of no greater than 10 centimetres

## 2. Building Protection Zones

2.1. A Building Protection Zone shall be provided for buildings in bush fire prone areas. The surroundings of buildings must comply with the following requirements—

- (a) The Building Protection Zone for existing buildings must be at least 20 metres from any external walls of the building unless varied under an approved Fire Management Plan.
- (b) The Building Protection Zone must be located within the boundary of the lot on which the building is situated.
- (c) Hazardous/flammable materials must not exceed the maximum fuel load specified in paragraph 5, with grass areas not exceeding a height of no greater than 10 centimetres.
- (d) Fuel loads must be reduced and maintained at 2 tonne per hectare.
- (e) Isolated trees and shrubs may be retained however, the first 5 metres around all buildings must be clear of all hazardous/flammable materials.
- (f) Reticulated gardens in the Building Protection Zone shall be maintained to a height no greater than 500 millimetres.
- (g) Wood piles and fuel must be a minimum of 10 metres away from habitable dwellings.
- (h) Trees in the Building Protection Zone shall comply with the requirements of Section 4.
- (i) Where the land has an approved Fire Management Plan, compliance must be achieved in accordance with the Fire Management Plan.
- (j) A Hazard Separation Zone is recommended in the absence of a Fire Management Plan.

Note: Building Protection Zones starve the fire by reducing the fuel levels around your house. These requirements are designed to reduce the fire's intensity and minimize the likelihood of flame contact with buildings. The Building Protection Zone gives more protection to families should a fire threaten suddenly and they cannot leave. It also provides extra protection for fire fighters and property owners who may decide to stay with their property.

## 3. Trees

3.1. Tree branches must be removed or pruned to ensure a clear separation of at least 3 metres back from the eaves of all buildings and 5 metres above the top of the roof.

3.2. Branches that may fall on the house must be removed.

3.3. In a Building Protection Zone, the spacing of individual or groups of trees should be 15 metres apart to provide for a 5 metre separation between tree crowns.

3.4. A separation distance of at least 2.5 metres shall be maintained between trees and power lines so they do not come into contact and start a fire or bring down a power line.

3.5. Any overhanging trees and other vegetation must be pruned to a height of 5 meters above the ground level of a mineral earth fire break.

## 4. COMPLIANCE PERIOD

4.1. Firebreaks and fuel hazard reduction on all Rural Residential, Urban and Industrial land which includes Category 2, 6, 7 and 8 in Section 17, is to be completed by 16 November 2016 and must be maintained compliant with this notice until 12 May 2017.

4.2. Firebreaks and fuel hazard reduction on Rural Land which includes Category 1 in Section 17, is to be completed by 15 December 2016 and must be maintained compliant with this notice until 12 May 2017

## 5. RESTRICTED AND PROHIBITED BURNING PERIOD

5.1. **BURNING RESTRICTED**—Burning Permits are required from 2 November 2016 to 14 December 2016 inclusive and 1 March 2017 to 12 May 2017 inclusive.

5.2. **BURNING PROHIBITED**—Burning is prohibited from 15 December 2016 to 28 February 2017 inclusive

## 6. FIRE PERMITS

6.1. Permits to burn are required for the whole of the Burning Restricted periods and can only be obtained from the Fire Control Officer for your area.

6.2. Permits are to be obtained before burning commences (the permit holder must be in possession of the permit during the burn).

## 7. BURNING ON SUNDAYS AND PUBLIC HOLIDAYS

7.1. Burning on Sundays and public holidays during the restricted fire season is prohibited

## 8. USE OF TRACTORS

8.1. Owners of tractors with down swept exhaust systems are encouraged to have an approved spark arrestor fitted as specified under the *Bush Fires Act 1954*.

## 9. BURNING GARDEN REFUSE IN URBAN AREAS

9.1. No garden refuse is permitted to be burnt on the ground, in the open air or in an outdoor incinerator within the urban areas of Busselton and Dunsborough town sites at any time of the year.

## 10. BURNING GARDEN REFUSE ON RURAL—RESIDENTIAL LAND

10.1. The burning of garden refuse is prohibited from 15 December 2016 to 28 February 2017. During the restricted burning period, 2 November 2016 to 14 December 2016 and 1 March 2017 to 12 May 2017, a permit is required from a Fire Control Officer for the burning of any garden refuse.

## 11. BURNING OF TOXIC MATERIAL

11.1. Burning of toxic materials and rubbish is prohibited at all times.

## 12. WOOD FIRED PIZZA OVENS

12.1. Wood fired pizza oven must have a spark arrestor fitted.

## 13. CAMP FIRES

13.1. Camp fires are prohibited within the City district during the restricted and prohibited burning period.

## 14. WOOD AND COAL FUELLED BARBECUES.

14.1. Wood and coal fuelled barbecues, including wood fires pizza ovens and chimineas fires are prohibited during a total fire ban or in any period when the fire danger forecast is 'very high' or above.

## 15. ELECTRIC FENCES

15.1. The use of electric fences during periods of 'very high' or above fire danger forecast may cause fire and should be avoided.

## 16. WELDING, CUTTING AND GRINDING EQUIPMENT

16.1. A person shall not operate welding, cutting and grinding equipment during the restricted/prohibited burning times on land which is under crop, pasture, stubble and bush unless one working fire extinguisher is provided, work area is clear of flammable materials and there is compliance with any other controls required by a Fire Control Officer. A person shall not operate welding, cutting and grinding equipment when the fire index is extreme or above.

## 17. REQUIREMENTS FOR PARTICULAR CATEGORIES OF LAND

### 17.1. Category 1—Rural Land

Except for plantations and vineyards the owner or occupier of land in category 1, shall construct firebreaks and carry out the following fire protection measures—

- (a) **Firebreak(s)**—on Rural Land a mineral earth firebreak shall be constructed 3 metres wide, except in a crop or pasture area where a Firebreak shall be at least 2 metres wide. A firebreak shall be located adjacent to all external boundaries of a lot. Where the land area exceeds 120 hectares, an additional firebreak must divide the land into areas of not more than 120 hectares with each part completely surrounded by a firebreak.
- (b) **Building Protection Zone**—a Building Protection Zone shall surround every building and must comply with the requirements of Section 2.1.
- (c) **Fuel Storage and Haystack Protection Zones**—a 3 metre mineral earth firebreak shall be located within 6 metres of fuel storage tanks, sheds, gas cylinders and haystacks. A mineral earth firebreak shall be maintained so that it is totally clear all material (living or dead).

### 17.2. Category 2—Urban Residential, Industrial and Commercial Land

The owner or occupier of land in category 2 shall construct firebreaks and carry out the following fire protection measures—

- (a) **Firebreak(s)**—where the land area exceeds 2024m<sup>2</sup> (½ acre) a mineral earth firebreak shall be constructed and maintained at least 3 metres wide and within 6 metres of the inside of all external boundaries of the land.
- (b) **Fuel reduction**—where the land area is 2024m<sup>2</sup> (½ acre) or less, hazardous material must be removed from the whole of the land except living trees and in the area remaining,

vegetation is to be maintained at a height of no greater than 10 centimetres, including piles of timber, branches and other vegetation.

- (c) **Trees**—shall be maintained in accordance with of Section 3.

#### 17.3. Category 3 and 4—Plantations

The owner or occupier of land in category 3 and 4 shall construct firebreaks and carry out the following fire protection measures—

- (a) **Firebreaks and Fuel reduction** shall be undertaken in accordance with an approved Fire Management Plan referred to in Section 1.

#### 17.4. Category 5—Protea Plantations and Vineyards

The owner or occupier of land in category 5 shall construct firebreaks and carry out the following fire protection measures—

- (a) **Firebreak**—a mineral earth firebreak shall be constructed not less than 3 metres wide on all protea plantations and vineyards.
- (b) **Fuel Reduction**—A 5 metre low fuel area is to be maintained between the 3 metre firebreak and the plantation / vineyard area. In this area, vegetation is to be maintained to a height of no greater than 10 centimetres; this includes piles of timber, branches and other vegetation.
- (c) **Building Protection Zone**—a Building Protection Zone shall surround every building and must comply with the requirements of Section 2.1.
- (d) **Fuel Storage and Haystack Protection Zone**—A 3 metre mineral earth firebreak shall be located within 6 metres of fuel storage tanks, sheds, gas cylinders and haystacks. A mineral earth firebreak shall be maintained so that it is totally clear all material (living or dead).

#### 17.5. Category 6—Rural Residential Land—Lots with Individual Boundary Firebreaks

(Category 6 includes Rural Residential land not in a Strategic Firebreak Area)

The owner or occupier of land in category 6 shall construct firebreaks and carry out the following fire protection measures—

- (a) **Firebreak**—a mineral earth firebreak shall be constructed 3 metres wide except in a crop or pasture area where a firebreak shall be at least 2 metres wide and located within 6 metres of all external boundaries of the land.
- (b) **Fire Management Plan**—where a Fire management Plan has been approved for Rural Residential land not in a Strategic Firebreak Area, firebreaks and fuel hazard reduction shall comply with the approved Fire Management Plan.
- (c) **Fuel Reduction**—parkland clearing referred to in Section 1, must be carried out in all open paddocks and along the boundary of the property.
- (d) **Building Protection Zone**—a Building Protection Zone shall surround every building and must comply with the requirements of Section 2.1.
- (e) **Fuel Storage and Haystack Protection Zones**—a 3 metre mineral earth firebreak shall be located within 6 metres of fuel storage tanks, sheds, gas cylinders and haystacks. A mineral earth firebreak shall be maintained so that it is totally clear all material (living or dead).

#### 17.6. Category 7—Rural Residential—Strategic Firebreaks on one or More Boundaries

(Category 7 includes Rural Residential Land within a Strategic Firebreak Area with a Strategic Firebreak on one or more boundaries of a lot).

The owner or occupier of land in category 7 shall construct firebreaks and carry out the following fire protection measures—

- (a) **Firebreak**—a mineral earth firebreak shall be constructed 3 metres wide. Free access along a strategic firebreak across the boundary of the lots is required to be provided, by means of a 3.5 metres field gate in a boundary fence.
- (b) **Fire Management Plan**—where a Fire Management Plan has been approved for Rural Residential land within a Strategic Firebreak Area, firebreaks and fuel hazard reduction shall comply with the approved Fire Management Plan.
- (c) **Fuel reduction**—parkland clearing referred to in Section 1 must be carried out in all open paddocks and along the boundary of the property.
- (d) **Building Protection Zone**—a Building Protection Zone shall surround every building and must comply with the requirements referred to in Section 2.1.
- (e) **Fuel Storage and Haystack Protection Zones**—a 3 metre mineral earth Firebreak shall be located within 6 metres of fuel storage tanks, sheds, gas cylinders and haystacks. A mineral earth firebreak shall be maintained so that it is totally clear all material (living or dead).

#### 17.7. Category 8—Rural Residential Land within a Strategic Firebreak Protected Area

(Category 8 includes rural residential land totally within a Strategic Firebreak Area).

The owner or occupier of land in category 8 shall construct firebreaks and carry out the following fire protection measures—

- (a) **Fuel Reduction**—parkland clearing referred to in Section 1 must be carried out in all open paddocks and along the boundary of the property.
- (b) **Fire Management Plan**—where a Fire management Plan has been approved for Rural Residential land within a Strategic Firebreak Area, firebreaks and fuel hazard reduction shall comply with the approved Fire Management Plan.

- (c) **Building Protection Zone**—a Building Protection Zone shall surround every building and must comply with the requirements of Section 2.1.
- (d) **Fuel Storage and Haystack Protection Zones**—a 3 metre mineral earth firebreak shall be located within 6 metres of fuel storage tanks, sheds, gas cylinders and haystacks. A mineral earth firebreak shall be maintained so that it is totally clear all material (living or dead).

#### 18. VARIATION OF FIREBREAK AND FUEL HAZARD REDUCTION REQUIREMENTS

18.1. Applications for a variation of the of the Requirements for Particular Categories of Land referred in Section 17 may be made to the City of Busselton where ground considerations or environmental concerns may prevent compliance with the requirements of this notice.

18.2. An application for a variation referred to in subsection 18.1 must be lodged in writing together with a Fire Break and Fuel Hazard Reduction Notice Variation form prior to the 31 October 2016.

By order of the Council

MIKE ARCHER, Chief Executive Officer.

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## MINERALS AND PETROLEUM

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### MP401

#### PETROLEUM PIPELINES ACT 1969

##### LICENCE PL 106

##### Variation STP-PLV-0049

Licence PL 106, the Cape Lambert Gas Pipeline; held by North Mining Limited, Robe River Mining Co. Pty. Ltd., Mitsui Iron Ore Development Pty Ltd, Nippon Steel & Sumitomo Metal Australia Pty Ltd and Nippon Steel & Sumikin Resources Australia Pty. Ltd.; has been varied by instrument of variation STP-PLV-0049 by replacing Annexure 'C'—Basis of Design—pipeline specification and particulars with the new Annexure 'C'—Pipeline Specification and Particulars with effect on 14th October 2016.

DENIS JOHN WILLS, Acting Executive Director, Petroleum Division.

### MP402

#### PETROLEUM AND GEOTHERMAL ENERGY RESOURCES ACT 1967

##### RENEWAL OF PETROLEUM EXPLORATION PERMIT EP 416

Renewal of Petroleum Exploration Permit EP 416 has been granted to Pilot Energy Limited and Empire Oil Company (WA) Limited and will remain in force for a period of five (5) years commencing on 14 October 2016.

DENIS WILLS, Acting Executive Director, Petroleum Division,  
Department of Mines and Petroleum.

### MP404

#### MINING ACT 1978

##### APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines and Petroleum,  
Coolgardie WA 6429.

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 provision of Section 96(1)(a) of the *Mining Act 1978* for breach of covenant, being failure to comply with the prescribed expenditure conditions and/or non-compliance with the reporting provisions.

J. O'SULLIVAN, Warden.

To be heard by the Warden at Kalgoorlie on 2 December 2016.

#### COOLGARDIE MINERAL FIELD

##### Prospecting Licences

**MP403**

**MINING ACT 1978**  
APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines and Petroleum,  
Coolgardie WA 6429.

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 provision of Section 96(1)(a) of the *Mining Act 1978* for breach of covenant, being failure to comply with the prescribed expenditure conditions and/or non-compliance with the reporting provisions.

J. O'SULLIVAN, Warden.

To be heard by the Warden at Kalgoorlie on 2 December 2016.

COOLGARDIE MINERAL FIELD

*Prospecting Licences*

P 15/5562	Project WS Gold Pty Ltd
P 15/5835	Xiao, Zhi Qiang
P 16/2583	Hayes Mining Pty Ltd
P 16/2667	Sandhu, Tanvanth Singh
P 16/2819	Milne, Peter Ronald George

**MP405**

**MINING ACT 1978**  
APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines and Petroleum,  
Coolgardie WA 6429.

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

J. O'SULLIVAN, Warden.

To be heard by the Warden at Kalgoorlie on 2 December 2016.

COOLGARDIE MINERAL FIELD

*Prospecting Licences*

P 15/5457	Gianni, Peter Romeo
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**MP406**

**MINING ACT 1978**  
APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines and Petroleum,  
Kalgoorlie WA 6430.

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 provision of Section 96(1)(a) of the *Mining Act 1978* for breach of covenant, being failure to comply with the prescribed expenditure conditions and/or non-compliance with the reporting provisions.

J. O'SULLIVAN, Warden.

To be heard by the Warden at Kalgoorlie on 2 December 2016.

BROAD ARROW MINERAL FIELD

*Prospecting Licences*

P 24/4814	Photios, Michael John
P 24/4815	Photios, Michael John

## EAST COOLGARDIE MINERAL FIELD

*Prospecting Licences*

P 25/2295	Kean, Steven Lionel
P 25/2309	King, Kevin John Kowal, Benjamin David
P 25/2310	King, Kevin John Kowal, Benjamin David
P 25/2311	King, Kevin John Kowal, Benjamin David
P 25/2312	King, Kevin John Kowal, Benjamin David
P 25/2313	King, Kevin John Kowal, Benjamin David
P 26/2470	Optimum Resources Pty Ltd

**MP407****MINING ACT 1978**

## APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines and Petroleum,  
Kalgoorlie WA 6430.

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 provision of Section 96(1)(a) of the *Mining Act 1978* for breach of covenant, being failure to comply with the prescribed expenditure conditions and/or non-compliance with the reporting provisions.

J. O'SULLIVAN, Warden.

To be heard by the Warden at Kalgoorlie on 2 December 2016.

## NORTH COOLGARDIE MINERAL FIELD

*Prospecting Licences*

P 29/2153	Black Mountain Gold Limited
P 29/2154	Black Mountain Gold Limited
P 29/2155	Black Mountain Gold Limited
P 29/2156	Black Mountain Gold Limited

**MP408****MINING ACT 1978**

## APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines and Petroleum,  
Kalgoorlie WA 6430.

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

J. O'SULLIVAN, Warden.

To be heard by the Warden at Kalgoorlie on 2 December 2016.

## BROAD ARROW MINERAL FIELD

*Prospecting Licences*

P 24/4915	Eisler, Dean Tristram
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## N. E. COOLGARDIE MINERAL FIELD

*Prospecting Licences*

P 27/2080	Saunders, Frederick Charles Giri, Thomas James
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**MP409**

**MINING ACT 1978**  
APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines and Petroleum,  
Karratha WA 6741.

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

R. YOUNG, M Warden.

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To be heard by the Warden at Karratha on 8 December 2016.

ASHBURTON MINERAL FIELD  
*Miscellaneous Licences*

L 08/124          Regional Resources NW Pty Ltd

**MP410**

**MINING ACT 1978**  
APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines and Petroleum,  
Karratha WA 6741.

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 provision of Section 96(1)(a) of the *Mining Act 1978* for breach of covenant, being failure to comply with the prescribed expenditure conditions and/or non-compliance with the reporting provisions.

R. YOUNG, M Warden.

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To be heard by the Warden at Karratha on 8 December 2016.

ASHBURTON MINERAL FIELD  
*Prospecting Licences*

P 08/598          Mineralogy Pty Ltd

GASCOYNE MINERAL FIELD  
*Prospecting Licences*

P 09/483          San Rita Pty Ltd

**MP411**

**MINING ACT 1978**  
INTENTION TO FORFEIT

Department of Mines and Petroleum,  
Perth WA 6000.

In accordance with Regulation 50(b) of the *Mining Regulations 1981*, notice is hereby given that unless the rent due on the under mentioned mining tenements are paid on or before 22 November 2016 it is the intention of the Minister for Mines and Petroleum under the provisions of sections 96A(1) and 97(1) of the *Mining Act 1978* to forfeit such for breach of covenant, being non-payment of rent.

DIRECTOR GENERAL.

Number	Holder	Mineral Field
EXPLORATION LICENCE		
E 08/2333	Onslow Premium Sands Pty Ltd	Ashburton
E 28/2520	Strange, Vernon Wesley	N. E. Coolgardie
E 38/2701	Desert Ventures Pty Ltd	Mt Margaret
E 70/4649	Coventry Enterprises Pty Ltd	South West
E 70/4677	Lusty, Craig	South West
MINING LEASE		
M 08/468	Regional Resources Nw Pty Ltd	Ashburton
M 29/181	Sprigg, Andrew Boyd Townson Holdings Pty Ltd	North Coolgardie
M 29/182	Sprigg, Andrew Boyd Townson Holdings Pty Ltd	North Coolgardie
M 38/360	UCABS Pty Ltd	Mt Margaret
GENERAL PURPOSE LEASE		
G 26/120	MASON, Glen William	East Coolgardie

**MP412****MINING ACT 1978****INSTRUMENT OF EXEMPTION OF LAND—EXTENSION OF PERIOD**

The Minister for Mines and Petroleum pursuant to the powers conferred on him by Section 19 of the *Mining Act 1978*, hereby declares the exemption of land designated S19/335 (not being private land that is the subject of a mining tenement or an application for a mining tenement) exempt from Divisions 1 to 5 of Part IV of the *Mining Act 1978* for a further two year period expiring on 25 October 2018.

**Description of Land—**

Land designated s19/335 in the Tengraph electronic plan of the Department of Mines and Petroleum File No. 977/99 at pages 103 to 104. The area of land is 1100.7306 hectares.

**Locality—**

Mungari—West of Kalgoorlie

Dated at Perth this 10th day of October, 2016.

Hon. SEAN L'ESTRANGE, MLA, Minister for Mines and Petroleum.

**MP413****MINING ACT 1978****INSTRUMENT OF EXEMPTION OF LAND—EXTENSION OF TERM**

The Minister for Mines and Petroleum pursuant to the powers conferred on him by Section 19 of the *Mining Act 1978*, hereby declares the exemption of land designated s19/320 (not being private land or land that is the subject of a mining tenement or an application) exempt from Divisions 1 to 5 of Part IV of the *Mining Act 1978*, for a period of two years expiring on 25 October 2018.

**Description of Land—**

Land designated S19/320 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 File No. T5118/200501, document number 3160635. The area of land is 8471.17 hectares.

**Locality—**

Mount Phillipson

Dated at Perth this 10th day of October, 2016.

Hon. SEAN L'ESTRANGE, MLA, Minister for Mines and Petroleum.



10. Inserting a new clause 1.11, modified from clause 11 of the model provisions set out in the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 1, which reads—

“1.11 RELATIONSHIP WITH OTHER LOCAL PLANNING SCHEMES

The following local planning schemes of the City of Canning also apply in the Scheme area—

Scheme No. 17A	Gazettal date 20 March 1998
Scheme No. 21	Gazettal date 4 June 1982
Scheme No. 23	Gazettal date 19 November 1971
Scheme No. 24	Gazettal date 27 June 1975
Scheme No. 29	Gazettal date 15 April 1977
Scheme No. 30	Gazettal date 22 November 1977
Scheme No. 33	Gazettal date 4 May 1979
Scheme No. 38	Gazettal date 30 March 1990
Scheme No. 39	Gazettal date 18 November 1994”

11. Inserting a new clause 1.12, modified from clause 12 of the model provisions set out in the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 1, which reads—

“1.12 RELATIONSHIP WITH REGION PLANNING SCHEME

The Metropolitan Region Scheme continued under Part 4 of the Act applies in respect of all of the Scheme area.”

12. Inserting clauses 13 and 14 from the model provisions set out in the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 1, into Part 2, and renumbering to new clauses 2.1 and 2.2 respectively.
13. Inserting a new clause 2.3, modified from clause 15 of the model provisions set out in the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 1, which reads—

“2.3 ADDITIONAL USES FOR LOCAL RESERVES

There are no additional uses for land in local reserves that apply to this Scheme.”

14. Inserting a new ‘Table 1—Reserve objectives’ after the new subclause 2.2.3 as follows—

Reserve name	Objectives
Local Park and Recreation Area	<ul style="list-style-type: none"> <li>To set aside areas for public open space, particularly those established under the <i>Planning and Development Act 2005</i> s. 152.</li> <li>To provide for a range of active and passive recreation uses such as recreation buildings and courts and associated car parking and drainage.</li> </ul>
Civic and Cultural Areas	<ul style="list-style-type: none"> <li>To provide for a range of community facilities which are compatible with surrounding development.</li> <li>To provide for public facilities such as halls, theatres, art galleries, educational, health and social care facilities, accommodation for the aged, and other services by organisations involved in activities for community benefit.</li> </ul>
Public Purposes	<ul style="list-style-type: none"> <li>To provide for a range of essential physical and community infrastructure.</li> </ul>
Primary Distributor Road	<ul style="list-style-type: none"> <li>To set aside land required for a primary distributor road being a road classified as a Regional Distributor or Primary Distributor under the Western Australian Road Hierarchy.</li> </ul>
District Distributor Road	<ul style="list-style-type: none"> <li>To set aside land required for a District Distributor road being a road classified as a Distributor A or Distributor B under the Western Australian Road Hierarchy.</li> </ul>
Local Distributor Road	<ul style="list-style-type: none"> <li>To set aside land required for a local distributor road being a road classified as a Local Distributor under the Western Australian Road Hierarchy.</li> </ul>
Local Road	<ul style="list-style-type: none"> <li>To set aside land required for a local road being a road classified as an Access Road under the Western Australian Road Hierarchy.</li> </ul>

15. Deleting the existing clause title ‘3.1 General Building and Development Standards’.
16. Inserting the following clauses from the model provisions set out in the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 1, into Part 3—
- 16 (excluding the Table); 17; 18; 22; 23; and 24.
- and renumbering as follows—
- 3.1; 3.2; 3.3; 3.7; 3.8; and 3.9 respectively.

## 17. Inserting a new 'Table 2—Zone objectives' after the new subclause 3.1.2 as follows—

Zone name	Objectives
Centre	<ul style="list-style-type: none"> <li>• To designate land for future development as a town centre or activity centre.</li> <li>• To provide a basis for future detailed planning in accordance with the structure planning provisions of this Scheme or the Activity Centres State Planning Policy.</li> </ul>
City Centre	<ul style="list-style-type: none"> <li>• To provide for a range of retail, commercial, institutional and residential activities within the area designated as the Canning City Centre, generally in accordance with the proposals contained in the Canning Regional Centre Structure Plan.</li> </ul>
City Centre Deferred	<ul style="list-style-type: none"> <li>• To limit the development of land in specific areas of the Canning City Centre until comprehensive planning has taken place and adequate mechanisms are in place to provide for infrastructure to facilitate development generally in accordance with the proposals contained in the Canning Regional Centre Structure Plan.</li> </ul>
Commercial	<ul style="list-style-type: none"> <li>• To provide for a range of shops, offices, restaurants and other commercial outlets in defined townsites or activity centres.</li> <li>• To maintain the compatibility with the general streetscape, for all new buildings in terms of scale, height, style, materials, street alignment and design of facades.</li> <li>• To ensure that development is not detrimental to the amenity of adjoining owners or residential properties in the locality.</li> </ul>
Development	<ul style="list-style-type: none"> <li>• To provide for the coordinated and comprehensive development and subdivision of the land so designated in accordance with a structure plan prepared under the Scheme.</li> </ul>
General Industry	<ul style="list-style-type: none"> <li>• To provide for a broad range of industrial, service and storage activities which, by the nature of their operations, should be isolated from residential and other sensitive land uses.</li> <li>• To accommodate industry that would not otherwise comply with the performance standards of light industry.</li> <li>• Seek to manage impacts such as noise, dust and odour within the zone.</li> </ul>
Highway Commercial	<ul style="list-style-type: none"> <li>• To provide for the development of low intensity uses along and in the vicinity of Albany Highway which are unlikely to result in further undesirable commercial ribbon development or to undermine the proposed redevelopment within the City Centre and City Centre Deferred zones.</li> </ul>
Industrial Service	<ul style="list-style-type: none"> <li>• To provide for the development of uses which provide commercial support and servicing facilities predominantly for the industrial workforce within established industrial areas.</li> </ul>
Light Industry	<ul style="list-style-type: none"> <li>• To provide for a range of industrial uses and service industries generally compatible with urban areas, that cannot be located in commercial zones.</li> <li>• To ensure that where any development adjoins zoned or developed residential properties, the development is suitably set back, screened or otherwise treated so as not to detract from the residential amenity.</li> </ul>
Mixed Business	<ul style="list-style-type: none"> <li>• To provide a suitable planned environment to accommodate a wide range of light industrial and service commercial uses together with small scale enterprises which are not readily accommodated in existing Commercial Centres.</li> </ul>
Private Clubs and Institutions	<ul style="list-style-type: none"> <li>• To provide for the accommodation of a variety of educational, institutional and related uses within the local government.</li> </ul>
Residential	<ul style="list-style-type: none"> <li>• To provide for a range of housing and a choice of residential densities to meet the needs of the community.</li> <li>• To facilitate and encourage high quality design, built form and streetscapes throughout residential areas.</li> <li>• To provide for a range of non-residential uses, which are compatible with and complimentary to residential development.</li> </ul>
Rural	<ul style="list-style-type: none"> <li>• To provide for the maintenance and enhancement of specific local rural character.</li> <li>• To protect broad acre agricultural activities such as cropping and grazing and intensive uses such as horticulture as primary uses, with other rural pursuits and rural industries as secondary uses in circumstances where they demonstrate compatibility with the primary use.</li> </ul>

Zone name	Objectives
	<ul style="list-style-type: none"> <li>• To maintain and enhance the environmental qualities of the landscape, vegetation, soils and water bodies, to protect sensitive areas especially the natural valley and watercourse systems from damage.</li> <li>• To provide for the operation and development of existing, future and potential rural land uses by limiting the introduction of sensitive land uses in the Rural zone.</li> <li>• To provide for a range of non-rural land uses where they have demonstrated benefit and are compatible with surrounding rural uses.</li> </ul>
Service Station	<ul style="list-style-type: none"> <li>• To provide specifically for the development of Service Stations and ancillary facilities.</li> </ul>
Shopping	<ul style="list-style-type: none"> <li>• To provide for a range of retail shopping facilities to serve the community in accordance with the adopted policy for such development as prescribed by the Western Australian Planning Commission and the local government.</li> </ul>
Special Residential / Kennels	<ul style="list-style-type: none"> <li>• To provide specifically for residential accommodation together with kennel activities.</li> </ul>
Special Rural	<ul style="list-style-type: none"> <li>• To provide for the establishment of rural residential land uses and to make provision for the retention of the rural landscape.</li> </ul>

18. Moving the existing Table 3A to after the new subclause 3.2.1, renumbering to 'Table 3', and updating land use permissibility symbols to reflect the new clause 3.3.
19. Inserting a new clause 3.4, modified from clause 19 of the model provisions set out in the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 1, which reads—
- “3.4 ADDITIONAL AND PROHIBITED USES
- 3.4.1 The Additional and Prohibited Uses table at Schedule D of this Scheme sets out—
- (a) Classes of use for specified land that are additional to or prohibited from the classes of use that are permissible in the zone in which the land is located; and
- (b) The conditions that apply to those additional or prohibited uses.
- 3.4.2 Despite anything contained in the zoning table, land that is specified in Schedule D may be used for the additional class of use set out in respect of that land subject to the conditions that apply to that use.”
20. Inserting a new clause 3.5, modified from clause 20 of the model provisions set out in the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 1, which reads—
- “3.5 RESTRICTED USES
- There are no restricted uses which apply to this Scheme.”
21. Inserting a new clause 3.6, modified from clause 21 of the model provisions set out in the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 1, which reads—
- “3.6 SPECIAL USE ZONES
- There are no special use zones which apply to this Scheme.”
22. Inserting the following clauses and subclauses from the model provisions set out in the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 1, into Part 4—
- 25; 27; 34; and 35.
- and modifying and renumbering as follows—
- 4.1; 4.3; 4.16; and 4.17 respectively.
23. Inserting a new clause 4.2, modified from clause 26 of the model provisions set out in the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 1, which reads—
- “4.2 MODIFICATION OF R-CODES
- There are no modifications to the R-Codes.”
24. Inserting a new clause 4.4, modified from clause 28 of the model provisions set out in the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 1, which reads—
- “4.4 MODIFICATION OF STATE PLANNING POLICY 3.6
- There are no modifications to State Planning Policy 3.6.”
25. Inserting a new clause 4.5, modified from clause 29 of the model provisions set out in the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 1, which reads—
- “4.5 OTHER STATE PLANNING POLICIES TO BE READ AS PART OF SCHEME
- There are no other State planning policies that are to be read as part of the Scheme.”

26. Inserting a new clause 4.6, modified from clause 30 of the model provisions set out in the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 1, which reads—
  - “4.6 MODIFICATION OF STATE PLANNING POLICIES  
There are no modifications to a State planning policy that, under clause 4.5 is to be read as part of the Scheme.”
27. Inserting a new clause 4.7, modified from clause 31 of the model provisions set out in the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 1, which reads—
  - “4.7 ENVIRONMENTAL CONDITIONS  
There are no environmental conditions imposed under the *Environmental Protection Act 1986* that apply to this Scheme.”
28. Inserting the new clause title ‘4.8 General Building and Development Requirements’ after the new clause 4.7.
29. Moving the following existing clauses and subclauses to Part 4—
  - 3.1.4; 3.1.6; 3.1.7; and 3.2.and renumbering as follows—
  - 4.8.1; 4.8.2; 4.8.3; and 4.8.4 respectively.
30. Moving the existing clause 2.5 to Part 4 and renumbering to a new subclause 4.8.5.
31. Moving the existing clause 2.6 to Part 4, renumbering to a new subclause 4.8.6 and renaming to ‘Heritage Protection’.
32. Moving the existing clause 2.8 to Part 4 and renumbering to a new subclause 4.8.7.
33. Moving the existing clause 2.9 to Part 5 and renumbering accordingly.
34. Replacing the existing term ‘Statement of Planning Policy’ with the new term ‘State Planning Policy’ in the new subclauses 5.1.2 and 5.1.3.
35. Replacing the existing term ‘Westralia Airport Corporation’ with the new term ‘Perth Airport Pty. Ltd.’ in the new paragraph 5.1.2(e).
36. Moving the existing Table 3B to after the new paragraph 4.8.4.7 and renumbering to Table 4.
37. Moving the existing clause 4.5 title to a new clause 4.14 and renaming to ‘Canning City Centre Development Requirements’.
38. Renumbering and modifying the existing subclauses 4.5.1; 4.5.2; 4.5.3; 4.5.4; and 4.5.5; clause 4.6; and Table 4 to new subclauses 4.14.1; 4.14.2; 4.14.3; 4.14.4; 4.14.5; 4.14.6; and Table 8 (modified to have the title ‘City Centre and City Centre Deferred Zone Requirements’) respectively.
39. Deleting the word ‘or’ at the end of the new paragraph 4.14.2(c)(vi).
40. Deleting the words ‘and 4.5’; ‘City Centre Polices’; ‘Refuse and Storage Areas’; and ‘Disabled Access’ from the Other Development Requirements column of the new Table 8.
41. Deleting the existing paragraph titles ‘4.5.2.1 Two Street Frontages’ and ‘4.5.2.2 Use of Setbacks’.
42. Moving the existing clause 5.4 title to a new clause 4.9 and renaming to ‘Residential Development Requirements’.
43. Inserting the new subclause title ‘4.9.1 Dual Density Codings’ after the new clause 4.9 title.
44. Moving the existing paragraph 5.4.1.4 to subclause 4.9.1 and renumbering accordingly.
45. Moving the existing subclauses 5.4.3; 5.4.4; 5.4.5; 5.4.6; 5.4.7; 5.4.8; and 5.4.9 to Part 4 and renumbering to new subclauses 4.9.2; 4.9.3; 4.9.4; 4.9.5; 4.9.6; 4.9.8; and 4.9.7 respectively, and arranging them in appropriate numerical order.
46. Inserting the term ‘Home Business’ after the words ‘granting of that approval carry on that Home Occupation,’ in the new paragraph 4.9.6(c).
47. Deleting the empty table title ‘Table 5—Residential Land Use Parking Requirements’.
48. Moving the existing clause 6.4 title to a new clause 4.10 and renaming to ‘Industrial Development Requirements’.
49. Moving the existing subclauses 6.4.2; 6.4.3; 6.4.4; 6.4.5; 6.4.6; 6.4.8; 6.4.9; 6.4.10 and Table 6 to Part 4 and renumbering to new subclauses 4.10.1; 4.10.2; 4.10.3; 4.10.4; 4.10.5; 4.10.6; 4.10.7; 4.10.8; and Table 5 respectively.
50. Replacing the word ‘affect’ with the word ‘effect’ in the new subclause 4.10.8.
51. Deleting the words ‘Refuse and Storage Areas’ from the Other Requirements column of the new Table 5.
52. Moving the existing clause 7.4 title to a new clause 4.11 and renaming to ‘Commercial Development Requirements’.
53. Moving the existing subclauses 7.4.2; 7.4.3; 7.4.4; 7.4.5; 7.4.6; 7.4.9; and Table 7 to Part 4 and renumbering to new subclauses 4.11.1; 4.11.2; 4.11.3; 4.11.4; 4.11.5; 4.11.6; and Table 6 respectively.

54. Deleting the words 'Refuse and Storage Area' and 'Disabled Access' from the Other Requirements column of the new Table 6.
55. Moving the existing clause 8.4 title to a new clause 4.12 and renaming to 'Rural Development Requirements'.
56. Moving the existing subclauses 8.4.1; 8.4.2; 8.4.3; 8.4.4; and Table 8 to Part 4 and renumbering to new subclauses 4.12.1; 4.12.2; 4.12.3; 4.12.4; and Table 7 respectively.
57. Moving the existing clause 9.4 title to a new clause 4.13 and renaming to 'Private Clubs and Institutions Development Requirements'.
58. Moving the existing subclauses 9.4.1; 9.4.2; 9.4.3; and 9.4.4 to Part 4 and renumbering to new subclauses 4.13.1; 4.13.2; 4.13.3; and 4.13.4 respectively.
59. Inserting a new clause 4.15, modified from subclause 32(2) of the model provisions set out in the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 1, which reads—
 

"4.15 SCHEME TO PREVAIL

To the extent that a requirement referred to in clauses 4.8 to 4.14 is inconsistent with a requirement in the R-Codes, an activity centre plan, a local development plan or a State or local planning policy the requirements referred to in Clauses 4.8 to 4.14 prevail."
60. Deleting the existing definitions for "appendix"; "caretaker's dwelling"; "car park"; "child day care centre"; "civic use"; "community purpose"; "family day care centre"; "funeral parlour"; "Gross Leasable Area (GLA)"; "home occupation"; "home office"; "hotel"; "motel"; "night club"; "non-conforming use"; "office"; "retail"; "tavern"; "telecommunications infrastructure"; and "trade display"; and moving the remaining terms defined within SCHEDULE B into Part 6.
61. Inserting the following divisions, clauses, and subclauses from the model provisions set out in the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 1, into Part 6—
 

Division 1; 37; 37(1); 37(2); Division 2; and 38.

and renumbering the clauses and subclauses as follows—

6.1; 6.1.1; 6.1.2; and 6.2 respectively.
62. Moving the following existing general definitions to under the new subclause 6.1.1 in appropriate alphabetical order—
 

absolute majority; advertising; advertising device; Albany Highway (Canning) Policy Plan; authorized officer; building; Canning Regional Centre; City; commercial vehicle; Commission; communal open space; corner lot; Council; curtilage; development; development application; development site frontage; façade; frontage; Gazettal date; Gross Floor Area (GFA); habitable room; height; land; lot; major opening; Metropolitan Region Scheme; Minister; Net lettable area (nla); occasional use; open space; Outline Development Concept Plan; parking space; Part; paved car parking space or paved parking space; plot ratio; private open space; public authority; public parking station; public utility; radio and television installations; recreational vehicle; Regional Centre; Regulations; schedule; setback line; sign; street alignment; and Structure Plan.
63. Inserting the general definitions for non-conforming use and retail from subclause 37(1) of the model provisions set out in the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 1 under the new subclause 6.1.1 in appropriate alphabetical order.
64. Replacing the existing term 'State Planning Commission' with the new term 'Western Australian Planning Commission' in the definition of Commission under the new subclause 6.1.1.
65. Replacing the existing reference 'X Parts' with the new reference '6 Parts' in the definition of Part under the new subclause 6.1.1.
66. Replacing the existing term 'the City' with the new term 'the local government' in the definitions of authorized officer; Council; and Regional Centre under the new subclause 6.1.1.
67. Moving the following existing land use definitions to under the new subclause 6.2 in appropriate alphabetical order—
 

aged or dependant person; ancillary accommodation; auction mart; bed and breakfast; caravan park; cattery; club premises; community building; contractor's yard; convenience store; cottage industry; cultural use; display home centre; educational establishment; extractive industry; factory tenement building; factory unit; fuel depot; general industry; grouped dwelling; hazardous industry; health centre; home business; home store; industry; kennel; light industry; lunch bar; market; mechanical repair station; medical consulting rooms; mixed development; multiple dwelling; noxious industry; open air display; pet cemetery; plant nursery; public amusement; public exhibition; public worship—place of or place of public worship; reception lodge; residential building; restaurant; restricted premises; retail establishment; retirement village; rural industry; rural pursuit; salvage yard; service industry; service station; shop; showroom; single bedroom dwelling; single house; small bar; special facility; spray painting—non automotive; stable; stall; stockyards; storage yard; take away food outlet; transport depot; vehicle sales premises; vehicle workshop; vehicle wrecking; veterinary clinic; veterinary hospital; and warehouse.

68. Inserting the following land use definitions from clause 38 of the model provisions set out in the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 1 under the new subclause 6.2 in appropriate alphabetical order—  
 caretaker's dwelling; car park; child day care centre; community purpose; family day care centre; funeral parlour; home occupation; home office; hotel; motel; night club; office; tavern; telecommunications infrastructure; and trade display.
69. Replacing the word 'sanitorium' with the word 'sanatorium' in the definition of residential building under the new subclause 6.2.
70. Replacing the term 'restaurant' with the term 'restaurant/café' in the new Table 3; the new Table 4; the new paragraph 4.10.5(a); the new paragraph 4.11.5(a); and the definition of restaurant under the new subclause 6.2.
71. Deleting the existing empty Parts VII; VIII; IX; and X.
72. Deleting the existing title 'SCHEDULE B' and the remaining words 'In the Scheme, unless the context otherwise requires, the following terms shall have the meanings assigned to them hereunder:'.
73. Renaming the existing 'SCHEDULE C' to 'SCHEDULE B'.
74. Renaming the existing 'SCHEDULE D' to 'SCHEDULE C'.
75. Renaming the existing 'SCHEDULE E' to 'SCHEDULE D'.
76. Updating land use permissibility symbols contained within Additional Use Nos. 1; 11; 12; 13; 16; 19; 20; 22; 25; 39; 57; 76; and 79 in SCHEDULE D to reflect the new clause 3.3.
77. Replacing the existing term 'City Zoning Scheme' with the new term 'Town Planning Scheme' within the provisions of Additional Use Nos. 1; 11; 12; 13; 16; 19; 20; 22; 25; and 39 in SCHEDULE D.
78. Renaming the existing 'SCHEDULE F' to 'SCHEDULE E'.
79. Replacing the existing term 'City Centre zones' with the new term 'City Centre and City Centre Deferred zones' in the new paragraphs 4.10.5(a); 4.11.5(a); 4.14.1; 4.14.2(c); 4.14.3; 4.14.4(a); 4.14.5; and 4.14.6.
80. Deleting the words 'except as herein before mentioned in this paragraph' at the beginning of the new paragraphs 4.10.5(b)(iii); and 4.11.5(b)(iii).
81. Replacing the words 'herein before set out in this paragraph' with the words 'of this paragraph' at the end of the new paragraphs 4.10.5(b)(v); and 4.11.5(b)(v).
82. Replacing the existing terms 'Council' and 'the Council' with the new terms 'the local government'; 'local government' and 'local government's' where appropriate throughout as required, except in the definitions for absolute majority; authorized officer; and Council under the new subclause 6.1.1.
83. Updating all cross referencing within Scheme provisions to reflect new Parts, clauses, subclauses, paragraphs, tables and schedules throughout as required.

P. NG, Mayor.  
 L. RUSSELL PSM, Chief Executive Officer.

**PL402**

**PLANNING AND DEVELOPMENT ACT 2005**  
 APPROVED LOCAL PLANNING SCHEME AMENDMENT  
*City of Joondalup*  
 Local Planning Scheme No. 2—Amendment No. 78

Ref: TPS/1702

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 Joondalup Local Planning Scheme amendment on 27 September 2016 for the purpose of—

- Amending the Residential Density Code Map to recode Lot 200 (24), Lot 201 (22), and Lot 202 (20) Kanangra Crescent, Greenwood from 'R20/40' to 'R40';
- Including Lot 200 (24), Lot 201 (22), and Lot 202 (20) Kanangra Crescent, Greenwood, in Schedule 2—Section 2—Restricted Uses as follows—

No.	Street/Locality	Particulars of Land	Restricted Use
2-8	20 Kanangra Crescent, Greenwood 22 Kanangra Crescent, Greenwood 24 Kanangra Crescent, Greenwood	Lot 202 Lot 201 Lot 200	Aged or Dependent Persons' Dwelling

- Amending the Scheme Map to depict 'Restricted Use: 2-8' over Lot 200 (24), Lot 201 (22), and Lot 202 (20) Kanangra Crescent, Greenwood.

T. PICKARD, Mayor.  
 G. HUNT, Chief Executive Officer.

## PL403

**PLANNING AND DEVELOPMENT ACT 2005**  
**APPROVED LOCAL PLANNING SCHEME AMENDMENT**  
*City of Rockingham*

Local Planning Scheme No. 2—Amendment No. 123

Ref: TPS/1761

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 Rockingham Local Planning Scheme amendment on 27 September 2016 for the purpose of—

1. Table No. 1—Zoning Table is amended in accordance with the following—

Use Class	Zoning	Current Permissibility	Proposed Permissibility
Short Stay Accommodation	Residential	X	A
Car Wash	Primary Centre City Centre	D	X
	Primary Centre Waterfront Village	D	X
	Primary Centre Urban Village	D	X
Club Premises	Community Purposes	X	D
Service Station	Light Industry	X	D
	General Industry	X	D
Fuel Depot	Rural	D	X
Salvage Yard	Light Industry	D	A
	General Industry	D	A
Place of Public Worship	Light Industry	D	A

2. Clause 4.1.1 is amended by—
- (a) deleting the paragraph; and
  - (b) adding the new paragraph—
 

“The objective of the Residential Zone is to promote a high quality residential environment by maintaining and enhancing the quality of existing residential areas and providing for a range of residential densities and housing types throughout the Scheme Area.”
3. Clause 4.3.3 is amended by—
- (a) deleting “Waterfront” in subparagraph (f); and
  - (b) inserting “Smart”.
4. Clause 4.6.1 is amended by—
- (a) deleting the paragraph; and
  - (b) adding the new paragraph—
 

“The objective of the Commercial Zone is to provide for the development of District, Neighbourhood and Local shopping facilities to cater for the present and future residents of the City consistent with the Council’s Local Commercial Strategy and supported by any other Plan or Policy that the Council from time to time may adopt as a guide for the future development within the Zone.”
5. Clause 4.11.1 is amended by—
- (a) deleting the paragraph; and
  - (b) adding the new paragraph—
 

“The objective of the Rural Zone is to preserve land for farming and foster semi-rural development which is sympathetic to the particular characteristics of the area in which it is located, having due regard to the objectives and principles outlined in the Rural Land Strategy and supported by any other Plan or Policy that the Council may adopt from time to time as a guide to future development within the Zone.”
6. Clause 4.14.1 is amended by—
- (a) deleting the paragraph; and
  - (b) adding the new paragraph—
 

“The objective of the Community Purposes Zone is to provide for the development of religious, educational, health and social care facilities, accommodation for the aged and infirm, and other services by organisations involved in activities for community benefit, in convenient locations within the Scheme Area.”
7. Clause 4.16.2 is amended by—
- (a) deleting subclause (a); and

- (b) adding the new subclause—
- (a) The Council shall only permit the operation of a Home Business within a dwelling or within the boundaries of a lot where it is satisfied that the operation—
- (i) does not employ more than 2 people not members of the occupier's household;
  - (ii) will not cause injury to or adversely affect the amenity of the neighbourhood;
  - (iii) does not occupy an area greater than 50 square metres;
  - (iv) does not display a sign exceeding 0.2 square metres;
  - (v) does not involve the retail sale, display or hire of goods of any nature;
  - (vi) 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; and
  - (vii) does not involve the use of an essential service of greater capacity than normally required in the zone.
8. Clause 4.17 is amended by—
- (a) deleting subclauses 4.17.1 and 4.17.2; and
- (b) adding new subclauses—
- “4.17.1 Parking of a commercial vehicle in any zone shall not be permitted except in accordance with the provisions set out in the following paragraphs of this clause. The provisions of clause 4.17 do not apply when the commercial vehicle parking is in association with or incidental to a commercial, industrial or rural land use that has been approved by the Council or a use that is otherwise lawfully being undertaken on the land.”
- “4.17.2 Despite any other provision of this Scheme, no commercial vehicle is permitted to remain on privately owned land within the Residential, Development, Special Rural, or Special Residential Zone for a period longer than is necessary for loading or unloading unless the local government has issued a development approval permitting the parking of such a vehicle.”
- “4.17.3 A commercial vehicle may be permitted to be parked, subject to obtaining development approval, within the Residential Zone, Development Zone, Special Rural Zone, or Special Residential Zone, provided that—
- (a) the commercial vehicle is parked on a lot containing only a Single House;
  - (b) the commercial vehicle forms an essential part of the occupation of an occupant of the dwelling;
  - (c) Commercial vehicles exceeding 8 metres in length are parked parallel to the side boundary of the lot and behind the building line;
  - (d) No commercial vehicle repair
  - (e) In the opinion of the local government, the commercial vehicle is not likely to adversely affect the amenity of the surrounding land;
  - (f) Notwithstanding clause 77 of the deemed provisions, the Council has the ability to withdraw development approval for a commercial vehicle, without the prior application from the owner of land in respect of which development approval has been granted. If the commercial vehicle is not being used in accordance with any of the requirements of clause 4.17.3.”
- “4.17.4 An approval granted under clause 668 of the deemed provisions, pursuant to clause 4.17.3—
- (a) is granted to the person to whom it is issued;
  - (b) is not capable of being transferred or assigned to any other person; and
  - (c) does not apply to the land in respect of which it is granted.”
- “4.17.5 In assessing applications for development approval, the Council shall take into account—
- (a) the objectives of the particular zone;
  - (b) any Policy pertaining to that zone which Council may from time to time adopt;
  - (c) on-site parking location;
  - (d) potential impacts on neighbouring residents in terms of noise, emissions, visual appearance or any other nuisance;
  - (e) frequency and times of arrival/departure, and parking duration;
  - (f) the use of the vehicle and whether such vehicle is to be used for business purposes operating out of the premises on a call-out basis.”
9. Clause 4.20 is amended by—
- (a) deleting subclause 4.20.1A; and
- (b) adding the new subclause—
- “4.20.1A For Mixed-Use Development, in respect of which a default R-AC3 density coding otherwise applies under deemed-to-comply provision 6.1.1 C1 of the Residential Design Codes, if a development is the subject of an application for development approval and

does not comply with the site area requirements applicable to R-AC3, the Council may, notwithstanding the non-compliance, approve the application provided it accords with the performance criteria set out in a planning policy adopted under the provisions of Part 2 Division 2 of the deemed provisions.”

10. Schedule 4, Planning Unit 3, Table is amended by—
  - (a) deleting the reference to Lots 27 and 32-36 Tenant Park Gardens.
11. Schedule 5, Planning Unit 4 is amended by—
  - (a) Deleting the existing ‘Location Table’ and replacing with the following new ‘Location Table’—

Plan Reference	Description of Location*
4(i)	Land referred to as Woodleigh Grove, Baldivis being Lots 326 and 330 Eighty Road including Part Eighty Road, Manor App, Treetop Way, Oak Way, Loxley Place, Archer Close.
4(ii)	Land referred to as Sherwood Estate being Lots 45-49 Eighty Road, Baldivis; Lots 15-19 Postans Court, Baldivis; Lots 20-30, Lot 36, 43 and 44 Brodie Court, Baldivis; Lots 31-35, 37, 40 and 58 Foxton Green, Baldivis; Lots 50-56, Lots 38 and 39 Chandler Ramble, Baldivis; Eastern moiety of Lot 332 Mandurah Road, Baldivis including part Tincombe Grove, Levey Way, Whittingham Lane, Dove Road and Maddren Way; Portion of Lot 50 Pike Road, Baldivis; Portion of Lot 8 Mandurah Road, Baldivis; Lot 783 Pike Road, Baldivis.
4(iii)	Portion of Lot 50 Mandurah Road; Lot 51 Cudliss Close; Lot 3 Fifty Road, Baldivis.

12. Schedule 5, Planning Unit 4 is amended by—
  - (a) adding a new subclause after subclause 7(c)—
 

“7(d) Where Building Envelopes are not warranted under this clause, setbacks for buildings shall be determined in accordance with the R2.5 Code of the Residential Design Codes and shall not encroach onto land required for firebreaks.”
13. Scheme Map No. 4 is amended by—
  - (a) Rezoning the western portion of Lot 1 Penguin Road, Safety Bay from ‘Residential R40’ to ‘Commercial’.
14. Plan No. 3—Special Rural Zones (South) of the Scheme Text, is amended by—
  - (a) Deleting the reference to ‘3(ii)’ over Lots 27 and 32-36 Tenant Park Gardens, Golden Bay.
15. Plan No. 6—Special Residential Zones of the Scheme Text, is amended by—
  - (a) Referencing Lot 3 Fifty Road as 4(iii) instead of 6(iii).
16. Rezoning portion of lots 1172 to 1179 and portion of lots 1378 to 1382 Miltona Drive; portion of lot 1383 and 1384 Hugo Lane; portion of lot 8002 and portion of lots 1385 to 1444 Nottely Crescent; portion of lots 1445 to 1453 and 1737 to 1738 Greeson Parkway, Secret Harbour from the Development zone to the Special Residential zone to align the zone boundary with the cadastral boundary and amending the scheme map accordingly.
17. Rezoning portions of Lots 2119 to 2121 Arrowwood Loop, Secret Harbour from Special Residential zone to the Development zone and amending the scheme map accordingly.
18. Reclassifying Lot 8004 (Reserve 48295) and Lot 4649 (Reserve 47396) Miltona Drive, Secret Harbour from the Development and Special Residential zones to the Local Scheme Reserve—Public Open Space and amending the scheme maps accordingly.

B. SAMMELS, Mayor.  
A. HAMMOND, Chief Executive Officer.

## PL404

**PLANNING AND DEVELOPMENT ACT 2005**  
APPROVED LOCAL PLANNING SCHEME AMENDMENT  
*Shire of Esperance*  
Local Planning Scheme No. 23—Amendment No. 19

Ref: TPS/1661

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 Esperance Local Planning Scheme amendment on 27 September 2016 for the purpose of—

1. Amending the Land Use Table by making ‘Aged Persons Dwelling’ an ‘X’ use in the Central Area zone.

2. Amending the Land Use Table by making 'Agroforestry' an 'X' use in the Industry—Business and Industry—General zones.
3. Amending the Land Use Table by making 'Caravan Park' an 'A' use in the Country Town zone.
4. Amending the Land Use Table by making 'Chalet' a 'D' use in the Tourist zone.
5. Amending the Land Use Table by making 'Chalet Park' an 'A' use in the Tourist zone.
6. Amending the Land Use Table by making 'Club Premises' an 'X' use in the Industry—General zone.
7. Amending the Land Use Table by making 'Service Station' an 'A' use in the Central Area zone.
8. Replacing Clause 5.3.1(e) with—
  - (e) Where no code is stipulated in the 'Residential' zone development is to comply with the R12.5 standard with the exception of minimum and average lot sizes unless a density is applied on land by an Outline Development Plan required under Clause 6.11.9(a).
9. Under Clause 5.14 replace the word 'Council' with 'Local Government'.
10. Under Clause 5.18.1 replace the word 'Council' with 'Local Government'.
11. Renumbering Clause 5.23.1 under Clause 5.21 to Clause 5.21.1.
12. Replacing the word 'Council' under Clause 5.23 with 'The Local Government'.
13. Renumbering Clause 5.23 to Clause 5.22
14. Inserting the following clause into Part 5—
  - 5.23 Caretaker's Dwellings
 

Where a caretaker's dwelling use is proposed it shall comply with the following—

    - 5.23.1 A caretaker's dwelling must be incidental to the predominant use of the site.
    - 5.23.2 Only one caretaker's dwelling is permitted on each lot.
    - 5.23.3 The total plot ratio area of a caretaker's dwelling is 80m<sup>2</sup>, measured from the external face of walls excluding verandahs and carports.
    - 5.23.4 Verandahs and carports may be permitted, but if enclosed will form part of the total calculated floor area.
    - 5.23.5 The Local Government may consider the use of notifications on title to advise prospective purchasers of potential impacts from noise, dust, odour or amenity that may arise from the location of a Caretakers Dwelling within the zone.
    - 5.23.6 The Local Government will not consider applications for caretakers' dwellings prior to the primary site activity being either approved or constructed.
    - 5.23.7 Where simultaneous approval has been granted by the Local Government for both a caretaker's dwelling and the main activity on the same lot, the main activity must be developed and operational prior to occupation of the dwelling.
    - 5.23.8 Caretaker's dwellings should be carefully sited and constructed so the potential site (or estate) impacts from noise, dust, odour or amenity are minimised.
    - 5.23.9 A caretaker's dwelling may only be occupied by the owner, manager, lessee or employee (and immediate family thereof) of the lawfully established or approved land use.
    - 5.23.10 Where the primary site activity has ceased the occupation of the caretaker's dwelling is to cease.
15. Inserting the following clause into Part 5—
  - 5.24 Reciprocal Parking and Shared Parking
    - 5.24.1 Subject to the Scheme, and the provisions of any relevant Local Planning Policy, the Local Government may exercise its discretion in granting planning approval to permit a proportion of the total number of car parking bays required under the Scheme to be provided jointly with any one or more other premises within a location, where it is demonstrated to the satisfaction of the Local Government that reciprocal and/or shared car parking would result in the same number of car parking bays required under the Scheme. Under this clause, "reciprocal" parking relates to land that is privately owned and "shared" parking relates to land which is owned by the Local Government or is vested with the Local Government for public parking.
    - 5.24.2 Subject to the Scheme, and the provisions of any relevant Local Planning Policy, reciprocal and/or shared car parking shall only be permitted in locations where the following has been demonstrated to the satisfaction of the Local Government—
      - (a) reciprocal or shared off-street parking facilities are available in the location that sufficiently accommodates the deficit in car parking required under the Scheme for the development/use; and
      - (b) the peak hours of operation of developments/uses so sharing are different and do not substantially overlap, whether or not the premises providing shared car parking separately have the prescribed number of parking bays; and
      - (c) that a legally binding agreement has been made to enable those reciprocal or shared off-street parking facilities to be used for that purpose. Where a reciprocal

or shared parking arrangement is proposed as part of an application for planning approval, the written consent of the property owner of the reciprocal or shared parking facility must be in the form of a legally binding agreement between both parties that is prepared to the satisfaction of the Local Government, and at the applicant's own cost.

5.24.3 Where an application proposes reciprocal and/or shared car parking in accordance with clause 5.24, the Local Government shall require a supporting development impact statement (with respect to traffic management and parking demand), to be prepared at the applicant's cost and to the satisfaction of the Local Government as part of any application for planning approval.

5.24.4 The Local Government may require that reciprocal access and circulation arrangements are provided for any use/development of premises affected by clause 5.24, where such arrangements are deemed necessary to improve traffic management, road safety or amenity.

16. Inserting the following clause into Part 5—

5.25 Light overspill

5.25.1 Floodlights, spotlights and all other forms of lighting shall be constructed, oriented and controlled so as not to—

- (a) adversely impact on the amenity of any adjacent residents; or
- (b) Cause a traffic hazard in the adjacent road network.

17. Inserting the following clause into Part 5—

5.26 Landscaping of Demolished Building Sites

5.26.1 Where buildings are demolished within the Central Area and Shops and Offices zones and, for whatever reason, redevelopment of the site is delayed for more than six months; the following works are required to be carried out by the applicant—

- (a) The premises are to be cleared of all rubble, debris and demolition materials;
- (b) The site is to be levelled to the same level as the adjoining footpath and/or road and turfed so it can be mowed unless topography is such that an alternative solution is required and that the solution is to the satisfaction of the Local Government;
- (c) The site is to be landscaped with perimeter plantings (consisting of advanced specimens of fast growing species as determined by the Local Government); and
- (d) The site is to be maintained to ensure no sediment runoff from the site occurs.

18. Replacing Clause 6.3.6(a) with—

- (a) All buildings shall be setback a minimum of five (5) metres from the primary street boundary with secondary street boundaries being setback in accordance with the Residential Design Codes.

19. Replacing Clause 6.4.6(a) with—

- (a) On lots designated as single residential R12.5 on the Scheme Map, all buildings shall be setback a minimum of five (5) metres from the primary street boundary with secondary street boundaries being setback in accordance with the Residential Design Codes.

20. Replacing subclauses (a) and (b) under Clause 6.9.5 with—

- (a) The Local Government may refer applications for planning approval to the Department of Parks and Wildlife and the Department of Water and the Local Government is to have due regard to recommendations and advice received from those authorities when determining applications.
- (b) The keeping of horses on lots of less than 4ha (or equivalent stocking rates of other animals) within SCA 5 will be refused or referred to the Department of Parks and Wildlife for comment and subsequent determination by the Local Government.

21. Renumbering clause 6.13 to 6.14 and 6.14 to 6.15 and all sub clauses accordingly'.

22. Within clause 6.1.1 renumber '(j)' to '(k)' and '(i)' to '(j)'.

23. Inserting the following after clause 6.1.1 (h)—

- (i) Special Control Area 9—Coastal Erosion and Inundation Risk

24. Inserting the following clause into Part 6 after clause 6.12—

6.13 SCA9—Coastal Erosion and Inundation Risk Special Control Area 9

6.13.1 Purpose

- (a) The purpose of SCA9 is to provide guidance for land use and development within the potential coastal erosion and inundation risk area.

6.13.2 Objective

The objective of SCA9 is to—

- (a) Ensure that development and use are made aware of potential coastal erosion and inundation risk.

6.13.3 Application Requirements

- (a) Despite any other provision of the Scheme planning approval is required for all use and development including a single house.

#### 6.13.4 Relevant Considerations

In addition to the provisions of the Scheme, the local government in considering applications for rezoning, subdivision or planning approval in SCA 9 is to have regard to—

- (a) Esperance Coastal Hazard and Vulnerability Assessment by BMT JFA Consultants; and
- (b) Statement of Planning Policy 2.6 State Coastal Planning Policy, and shall determine applications for planning approval accordingly.

#### 6.13.5 Development Requirements

- (a) A notification is to be placed on the Certificate of Title as a condition on its planning consent stating 'VULNERABLE COASTAL AREA—This lot is located in an area likely to be subject to coastal erosion and/or inundation over the next 100 years'.
  - (b) New property titles (including strata titles) should warn of potential coastal erosion and inundation risk. This notification pursuant to Section 165 of the Planning and Development Act is to state 'VULNERABLE COASTAL AREA—This lot is located in an area likely to be subject to coastal erosion and/or inundation over the next 100 years'.
25. Within clause 10.4.1 replacing the words 'Schedule 10' with 'Schedule 13'.
  26. Under Schedule 4 No. SU3 replace the word 'Council' with 'Local Government; retaining all possessive "s'.
  27. Under Schedule 4 No. SU4 with the exception of Clauses 1.1, 1.3 and 13.1 replace the word 'Council' with 'Local Government' retaining all possessive "s'.
  28. Under Schedule 4 No. SU4 replace references to the 'Department of Environment and Conservation' with 'Department of Parks and Wildlife'.
  29. Under Schedule 5 No. RR2 replace the word 'Council' with 'Local Government'.
  30. Within Schedule 8 on the row titled 'Central Area' replace the Max Plot Ratio with '2.5'.
  31. Within Schedule 8 on the row titled 'Industry—General' replace the rear and side setbacks to '0' retaining note '(iv)'.
  32. Within Schedule 8 on the row titled 'Industry—General' replace point (ii) with—
    - (ii) Where the development adjoins a road, not a Highway or an Important Local Road the front setback is to be a minimum of 12 metres which can be reduced to 6m by the Local Government after advertising under Clause 9.4.
  33. Within Schedule 8 delete the row titled 'Private Clubs and Institutions'.
  34. Under Schedule 12 replace the word 'Council' with 'Local Government'.
  35. Amending the Scheme by rezoning Lots 452, 453 and 487 Goldfields Road, Lots 454—456 Mitchell Street and Lot 903 Walmsley Street from 'Residential R30' to 'Parks, Recreation and Conservation—Local' as depicted on the Amendment Map.
  36. Amending the Scheme Map by removing the Residential Density Code from Lots 14, 15, 34 and 35 Twilight Beach Road, Lots 1606, 17-25, 1607, 27, 28, 40 and 31-33 Cornell Street as depicted on the Amendment Map.
  37. Amending the Scheme Map by removing the Residential Density Code from Lot 70 Stewart Street and Lots 76, 77, 79, 81 and 82 Twilight Beach Road as depicted on the Amendment Map.
  38. Amending the Scheme Map by rezoning Lots 1-7 The Esplanade from 'Tourist' to 'Tourist Residential' as depicted on the Amendment Map.
  39. Amending the Scheme map by adjusting the boundary for Reserve 27318 'Parks, Recreation and Conservation' as depicted on the Amendment Map.
  40. Amending the Scheme boundary to follow the outer boundary of Reserve 27318 'Parks, Recreation and Conservation' as depicted on the Amendment Map.
  41. Amending the Scheme Map by rezoning a portion of road reserve (The Esplanade) from 'Parks, Recreation and Conservation—Local' to 'Important Local Road' as depicted on the Amendment Map.
  42. Amending the Scheme Map by rezoning a portion of road reserve (Andrew Street) from 'Parks, Recreation and Conservation—Local' to 'Important Local Road' as depicted on the Amendment Map.
  43. Amending the Scheme map by adjusting the boundary for Reserve 33694 'Public Purpose' as depicted on the Amendment Map.
  44. Amending the Scheme boundary to follow the outer boundary of Reserve 33694 'Public Purpose' as depicted on the amendment map.
  45. Amending the Scheme Map by inserting Special Control Area 9 as depicted on the Amendment Map.
  46. Amending the Scheme Map by rezoning Lots 38—41, 154 and 155 Dempster Street and Lots 156 and 157 Taylor Street from 'Central Area' to 'Tourist Residential' with a density of R40/60 as depicted on the Amendment Map.

47. Amending the Scheme Map by rezoning Lot 66 Castletown Quays from 'Residential R20' to 'Local Road' as depicted on the Amendment Map.
48. Amending the Scheme Map by rezoning a portion of Lots 1067 Waterlily Way and 1009 Wickham Way from 'Local Road' to 'Residential' as depicted on the Amendment Map.
49. Amending the Scheme Map by rezoning a portion of Wickham Way from 'Residential R20' to 'Local Road' as depicted on the Amendment Map.
50. Applying a specific density code on the Scheme Map of R20 to Lots 1020—1026 Woody Avenue, Lots 1064—1073 Waterlily Way and Lots 596, 763, 770, 1009—1019 and 1075—1080 as depicted on the Amendment Map.

V. BROWN, President.  
M. SCOTT, Chief Executive Officer.

**PL406**

**PLANNING AND DEVELOPMENT ACT 2005**  
APPROVED LOCAL PLANNING SCHEME AMENDMENT  
*City of Wanneroo*  
District Planning Scheme No. 2—Amendment No. 158

Ref: TPS/1848

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 Wanneroo District Planning Scheme amendment on 19 September 2016 for the purpose of—

1. Modifying the scheme maps to recode three properties in Girrawheen, Marangaroo and Wanneroo from R20 to R20/R40 in accordance with the scheme amendment maps included at Attachment 1.
2. Amending clause 4.5.4(b) of District Planning Scheme No. 2 to read as follows—  
“The development has a maximum of one consolidated vehicular access point for each street frontage of the lot, with reciprocal access rights to serve all dwellings.”

T. ROBERTS, Mayor.  
D. SIMMS, Chief Executive Officer.

**PL405**

**PLANNING AND DEVELOPMENT ACT 2005**  
APPROVED LOCAL PLANNING SCHEME AMENDMENT  
*Shire of Waroona*  
Local Planning Scheme No. 7—Amendment No. 36

Ref: TPS/1531

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 Waroona Local Planning Scheme amendment on 27 September 2016 for the purpose of—

1. Rezoning Lot 15 Haub Road, Lake Clifton from 'Rural 3B: Coastal Highway' to 'Rural 7: Rural Small Holdings' in accordance with the scheme amendment map.
2. Amend the table to Schedule VII—Rural Small Holdings Zones of the Scheme by inserting the following additional text—

Area No.	(a) Locality of Zone	(b) Permitted Uses and Conditions of Use
	Lot 15 Haub Road, Lake Clifton	<ol style="list-style-type: none"> <li>1. The minimum lot size is 5 hectares.</li> <li>2. In addition to requirements of clause 4.16.6(a), all future development on the site shall maintain the following minimum setbacks—               <ol style="list-style-type: none"> <li>i. 150 metres from the high water mark of Lake Clifton and;</li> <li>ii. 100 metres from extreme hazard vegetation (as identified in the approved Bushfire Management Plan).</li> </ol> </li> </ol>

Area No.	(a) Locality of Zone	(b) Permitted Uses and Conditions of Use
		<p>3. Conventional on-site effluent disposal systems shall not be permitted and only Health Department of WA approved alternative treatment units or other modified systems using amended soil to attenuate nutrients may be used.</p> <p>4. Land will need to be ceded at the subdivision stage, to provide for the extension of Haub Road along the frontage of the site to service the lots.</p>

3. Amending the Scheme Maps accordingly.

N. DEW, President.  
I. CURLEY, Chief Executive Officer.

PL407

**PLANNING AND DEVELOPMENT ACT 2005**  
APPROVED LOCAL PLANNING SCHEME AMENDMENT  
*City of Bunbury*  
Local Planning Scheme No. 7—Amendment No. 84

Ref: TPS/1826

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 Bunbury Local Planning Scheme amendment on 10 October 2016 for the purpose of—

- (a) modifying text in the table under Schedule 2—Special Use Zones at No. 42 within the ‘Special Use(s)’ and ‘Conditions’ columns;  
such that it reads as follows—

SCHEDULE 2—SPECIAL USE ZONES

No.	Description of Land	Special Use(s)	Conditions
42	Lot 11 Ocean Drive (Ocean Drive Motel) and Lot 2 Greensell Street, Bunbury	<p>The following use classes are permitted only where the Local Government has exercised its discretion as an ‘A’ use by granting planning approval—</p> <p>(a) Motel; (b) Short-stay Multiple Unit; (c) Unrestricted Residential Accommodation; (d) Restaurant; (e) Shop.</p> <p>All other use classes under the Zoning Table not listed as a special use(s) are an ‘X’ use.</p>	<p>1 Application Requirements</p> <p>1.1 All development shall be in accordance with a Local Development Plan approved by the Local Government.</p> <p>1.2 The Local Development Plan is to be prepared in accordance with Liveable Neighbourhoods and incorporate design principles appropriate to the lot’s / development site’s designation as a “Non Strategic Tourism Site”. The Local Development Plan must show such detail to the satisfaction of the Local Government that the development within the Special Use Zone is consistent with orderly and proper planning and the achievement of the highest appropriate level of amenity.</p> <p>Note: Guidance on “Non Strategic Tourism Site” design principles is provided by the following, as amended—</p> <ul style="list-style-type: none"> <li>• City of Bunbury Local Planning Strategy for Tourism (2009); and</li> <li>• Tourism Planning Taskforce Report (2006), recommendation 10.</li> </ul> <p>1.3 The Local Government may choose to waive the requirement for a Local Development Plan where it is satisfied all criteria have been adequately addressed by the applicant.</p>

No.	Description of Land	Special Use(s)	Conditions
			<p>1.4 The Local Development Plan is to include design statements to the satisfaction of the Local Government, that as a minimum demonstrates how the design layout achieves a high level of integration across the lot / development site and within its local area.</p> <p>1.5 The Local Development Plan (and/or Planning Application) must include information or detail to the satisfaction of the Local Government dealing with, but not limited to, the following—</p> <ul style="list-style-type: none"> <li>(a) standards and requirements for development, site planning and building design;</li> <li>(b) building height, scale and plot ratio;</li> <li>(c) development setbacks from boundaries;</li> <li>(d) landscaping within setback areas and between buildings;</li> <li>(e) interface and buffer treatments (including fencing) between the surrounding residential uses and the development site;</li> <li>(f) urban design treatment of streetscapes and residential interfaces;</li> <li>(g) traffic management including access ways and internal circulation;</li> <li>(h) vehicle parking and circulation areas and treatments;</li> <li>(i) pedestrian access and movement;</li> <li>(j) location and extent of communal and private outdoor living areas;</li> <li>(k) passive surveillance (Designing out Crime principles).</li> </ul> <p>1.6 The Local Government shall require the preparation and submission of a Stormwater Management Plan as part of any Local Development Plan. The Stormwater Management Plan is to be designed and implemented in accordance with the decision process for Stormwater Management in WA (Department of Water, 2009) and the Stormwater Manual for Western Australia (Department of Water, 2004-2007).</p> <p>1.7 Transport Assessment—</p> <ul style="list-style-type: none"> <li>(a) A Transport Assessment is to be prepared as part of any Local Development Plan. The Transport Assessment is to be undertaken in accordance with Western Australian Planning Commission “Transport Assessment Guidelines for Developments Volume 3—Subdivisions”, as amended, to the specifications</li> </ul>

No.	Description of Land	Special Use(s)	Conditions
			<p>and satisfaction of the local government; and</p> <p>(b) The Transport Assessment and its recommendations are to be submitted to the local government for consideration and approval by local government, prior to Council endorsement of a Local Development Plan (and/or Planning Application).</p> <p>1.8 The local government may require an Acoustic Report to be prepared assessing potential noise impacts from the proposed development on surrounding properties to the satisfaction of the local government and the Western Australian Planning Commission.</p> <p>2 Land Use Requirements</p> <p>2.1 The special use of "Motel" and/or "Short-stay Multiple Unit" and supporting commercial and tourism uses are to be the primary/predominant land uses and shall be located/orientated toward Ocean Drive.</p> <p>2.2 The special use of "Unrestricted Residential Accommodation" is to be incidental to the primary/predominant land use.</p> <p>2.3 Built form outcomes shall be limited to "Unrestricted Residential Accommodation" uses in the form of Multiple Dwelling type only.</p> <p>2.4 Any "Unrestricted Residential Accommodation" units are to be designed to encourage integration into the management/letting pool for tourism use.</p> <p>2.5 A minimum of 14 units of any development on site are to be for "Motel" or "Short-stay Multiple Unit" uses.</p> <p>2.6 "Shop" use is to be restricted to a maximum NLA of 100m<sup>2</sup>.</p> <p>2.7 The "Shop" and "Restaurant" uses are to be restricted to Lot 11 Ocean Drive and are not to front Greensell Street.</p> <p>3 Development Standards</p> <p>3.1 All development is to be undertaken in a manner which is consistent with an approved Local Development Plan.</p> <p>3.2 Where development standards are not prescribed in the approved Local Development Plan the Scheme provisions shall prevail.</p> <p>3.3 The maximum height of development is to be 12 metres above natural ground level.</p> <p>3.4 The minimum finished floor-to-floor heights of ground floor space that front Ocean Drive of the development is to be 4 metres.</p> <p>3.5 Development of the "Unrestricted Residential Accommodation" use shall be in Multiple Dwelling form only and be designed/constructed in</p>

No.	Description of Land	Special Use(s)	Conditions
			<p>accordance with the standards and requirements of the following—</p> <p>(a) Residential Design Codes (R-Codes); and</p> <p>(b) Class 3 residential building of the Building Code of Australia (BCA).</p> <p>3.6 Vehicle access and parking is to be provided in accordance with scheme requirements and located in accordance with the approved Local Development Plan.</p> <p>3.7 A maximum density coding of R80 will apply.</p> <p>4 Operation and Management Where development would result in a strata scheme arrangement, prior to occupation, a long term management agreement will be required to be established between owners of “Unrestricted Residential Accommodation” units and the “Motel” operator in order to ensure the integrated management of all short-stay units.</p>

(b) rezoning Lot 2 Greensell Street, Bunbury, from ‘Residential Zone’ to ‘S.U.42’; and

(c) amending the scheme map by revising the annotation shown over Lot 11 Ocean Drive and Lot 2 Greensell Street, Bunbury, from ‘S.U.42’ to ‘S.U.42 Mixed Use—Tourism’

as depicted on the Scheme Amendment Map.

G. BRENNAN, Mayor.  
A. BRIEN, Chief Executive Officer.

## POLICE

### PO402

#### ROAD TRAFFIC ACT 1974 ROAD TRAFFIC CODE 2000 AUTHORISED PERSONS

##### Appointment of Accredited Pilots as Authorised Persons

I hereby declare that each person who is an accredited pilot pursuant to Regulation 3 of the *Road Traffic Code 2000* named in the attached lists are “authorised persons” within the meaning of and in accordance with Regulation 271 of the *Road Traffic Code 2000* for the purposes of Regulations 272(1)(a), 272(1)(d), 282(2) and 286 of the *Road Traffic Code 2000*—whilst performing their functions in the facilitating the safe movement of an oversize vehicle escorted by an accredited pilot.

Dated this Tuesday, 27 September 2016.

KARL J. O’CALLAGHAN APM, Commissioner of Police.

Surname	First name	State	Accredited Number	Training Provider
Collins	Kim	WA	KB 1765	Keen Bros
Cooper	David	WA	KB 1776	Keen Bros
Cotton	Nathan	WA	KB 1774	Keen Bros
Cukela	Anthony	WA	KB 1773	Keen Bros
Cutts	Aaron	WA	KB 1865	Keen Bros
Fulford	Mark	WA	KB 1869	Keen Bros
Gaul	Rowena	WA	KB 1868	Keen Bros
Mandry	Lloyd	WA	KB 1761	Keen Bros
Margeson	Ashley	WA	KB 1766	Keen Bros
Marsh	Quintene	WA	KB 1867	Keen Bros
McDonald	Craig	WA	KB 1779	Keen Bros
McGlashan	Byrce	WA	KB 1866	Keen Bros
Palmer	Phillip	WA	KB 1772	Keen Bros

Surname	First name	State	Accredited Number	Training Provider
Prestedge	Suzanne	WA	KB 1778	Keen Bros
Reimers	Murray	WA	KB 1777	Keen Bros
Smith	Benjamin	WA	KB 1870	Keen Bros
Terry	Jonathan	WA	KB 1775	Keen Bros
Tilbrook	Chad	WA	KB 1762	Keen Bros
Tilbrook	Colin	WA	KB 1760	Keen Bros
Trewarn	Trent	WA	KB 1749	Keen Bros
Vermeer	Hayden	WA	KB 1756	Keen Bros
Vitler	Lindsey	WA	KB 1871	Keen Bros
Watson	Robert	WA	KB 1763	Keen Bros
Weller	Diane	WA	KB 1757	Keen Bros
Whild	Peter	WA	KB 1755	Keen Bros
Withers	Jason	WA	KB 1864	Keen Bros

**PO401**

**ROAD TRAFFIC ACT 1974  
ROAD TRAFFIC CODE 2000  
AUTHORISED PERSONS**

Appointment of Accredited Pilots as Authorised Persons

I hereby declare that each person who is an accredited pilot pursuant to Regulation 3 of the *Road Traffic Code 2000* named in the attached lists are "authorised persons" within the meaning of and in accordance with Regulation 271 of the *Road Traffic Code 2000* for the purposes of Regulations 272(1)(a), 272(1)(d), 282(2) and 286 of the *Road Traffic Code 2000*—whilst performing their functions in the facilitating the safe movement of an oversize vehicle escorted by an accredited pilot.

Dated this Thursday, 6 October 2016.

KARL J. O'CALLAGHAN APM, Commissioner of Police.

Surname	First name	State	Accredited Number	Training Provider
Krieger	Godfrey	VIC	91427-11622	Pentrans Consulting
Hogarth	Stanley	VIC	91427-11621	Pentrans Consulting

## RACING, GAMING AND LIQUOR

**RA401**

**LIQUOR CONTROL ACT 1988  
LIQUOR APPLICATIONS**

The following are applications received under the *Liquor Control Act 1988 (the Act)* and 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
<b>APPLICATIONS FOR THE GRANT OF A LICENCE</b>			
A000215346	ALDI Foods Pty Ltd	Application for the grant of a Liquor Store licence in respect of premises situated in Lakelands and known as ALDI Lakelands Liquor Store.	8/11/2016
A000215583	Mariakita Pty Ltd	Application for the grant of a Tavern Restricted licence in respect of premises situated in Perth and known as Degani Cafe Kings Square.	14/11/2016

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

B. A. SARGEANT, Director of Liquor Licensing.

Dated: 14 October 2016.

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**DECEASED ESTATES**

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

## Notice to Creditors and Claimants

Adriana Maria Kooistra, late of Tandara, 73 Jarrah Road, Bentley, Western Australia.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the said deceased, who died on 5 May 2016, are required by the personal representatives, Tina Adriana Powell, Maria Magdalena Barone and Oege Tabe Kooistra c/- Carlo Primerano & Associates Barristers and Solicitors, Suite 12, 443 Albany Highway, Victoria Park 6100 to send particulars of their claims to them by Friday, 18 November 2016, after which date the personal representatives may convey or distribute the assets having regard only to the claims of which they then have notice.

Dated this 18th day of October 2016.

CARMELO PRIMERANO, c/o Carlo Primerano & Associates  
Barristers and Solicitors,  
Suite 12, 443 Albany Highway,  
Victoria Park WA 6100.

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**ZX402****TRUSTEES ACT 1962****DECEASED ESTATES**

## Notice to Creditors and Claimants

Delwyn John Cooper, late of 7/40 Boundary Road, Mandurah in the State of Western Australia, 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 3 August 2016, are required by the personal representative to send particulars of their claims to him care of Clement & Co, Lawyers, Unit 2, 12 Sutton Street, Mandurah by 25 November 2016, after which date the personal representative may convey or distribute the assets having regard to the claims of which he/she then has notice.

CLEMENT & CO, as solicitors for the personal representative.

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**ZX403****TRUSTEES ACT 1962****DECEASED ESTATES**

## Notice to Creditors and Claimants

Arnold Schofield, late of Clarence Estate Residential Health and Aged Care, 55 Hardie Road, Albany, Western Australia

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 17 March 2016, are required by the trustee of the late Arnold Schofield of care of Philip Wyatt Lawyer, PO Box 1026, Albany, Western Australia 6331 to send particulars of their claims to them within one (1) month from the date of publication of this notice, after which date the trustee may convey or distribute the assets, having regard only to the claims of which it then has notice.

Dated this 18th day of October 2016.

PHILIP WYATT LAWYER.

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## **PUBLIC NOTICES**

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**ZZ401**

**STRATA TITLES ACT 1985**

**TERMINATION OF STRATA SCHEME RELATIVE TO PROPERTY AT LOT 620 MURAT ROAD,  
EXMOUTH, WESTERN AUSTRALIA**

**The Owners of Argosy Strata Plan 21513**

**Notice to send in Claims**

1. On 14 October 2016 an Order was made by the District Court of Western Australia terminating the above Strata Scheme and for the dissolution of the Body Corporate.
  2. Any person having a claim against the Body Corporate is required on or before 11 November 2016 to send particulars of the claim and of any security to Mr David Timothy Elliott of 33 Carnac Street, Fremantle, Western Australia.
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