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Clients without an account will need to supply credit card details or pay at time of lodging the notice.

— PART 1 —

CONSUMER PROTECTION

CP301

Co-operatives Act 2009

Co-operatives Amendment Regulations 2017

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Co-operatives Amendment Regulations 2017*.

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 *Co-operatives Regulations 2010*.

4. Regulation 4 amended

In regulation 4:

- (a) in paragraph (e) delete “(Tasmania).” and insert:

(Tasmania);
- (b) after paragraph (e) insert:

(f) the *Co-operatives National Law (ACT) Act 2017* (Australian Capital Territory).

5. Schedule 1 amended

In Schedule 1 clause 22(5) delete “transferee’s executors,” and insert:

receiver’s executors,

6. Schedule 2 amended

Amend the provisions listed in the Table as set out in the Table.

Table

Provision	Delete	Insert
Sch. 2 cl. 19(3)	transferee's executors,	receiver's executors,
Sch. 2 cl. 31(1)	name of the receiver	name of the transferee
Sch. 2 cl. 31(5)	transferee's executors,	receiver's executors,

7. Schedule 3 amended

Amend the provisions listed in the Table as set out in the Table.

Table

Provision	Delete	Insert
Sch. 3 cl. 19(3)	transferee's executors,	receiver's executors,
Sch. 3 cl. 31(1)	transferee.	receiver.
Sch. 3 cl. 31(5)	transferee's executors,	receiver's executors,

K. H. ANDREWS, Clerk of the Executive Council.

CP302

Limited Partnerships Act 2016

Limited Partnerships Amendment Regulations 2017

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Limited Partnerships Amendment Regulations 2017*.

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 *Limited Partnerships Regulations 2017*.

4. Regulations 4 to 7 inserted

After regulation 3 insert:

4. Circumstances when Commissioner may withhold personal information from register (s. 78(6))

(1) In this regulation —

personal information means personal information that identifies the address of an individual's principal place of residence;

register means the copy of the register that is available for inspection under section 78(4) or that is publicly available under section 78(5);

section means section of the Act;

withhold means withhold from the register.

(2) For the purposes of section 78(6), the Commissioner may withhold a person's personal information if —

- (a) the person lodges with the Commissioner an application, in the form approved by the Commissioner, for the person's personal information to be withheld; and
- (b) the application explains why the personal safety of the person, or members of the person's family, would be placed at risk if the person's personal information was not withheld; and
- (c) the application includes an address in Australia, other than the address of the person's principal place of residence, that may be recorded in the register for the person; and
- (d) subregulation (3) applies in relation to the person.

(3) This subregulation applies in relation to a person —

- (a) if, under the *Electoral Act 1907* section 51B, the person's residential address is not shown on an electoral roll under that Act; or

- (b) if, under the *Commonwealth Electoral Act 1918* (Commonwealth) section 104, the person's residential address is not shown on an electoral roll under that Act; or
 - (c) if —
 - (i) the person's name is not shown on an electoral roll under the *Electoral Act 1907* or the *Commonwealth Electoral Act 1918* (Commonwealth); and
 - (ii) the Commissioner is satisfied that the personal safety of the person, or a member of the person's family, would be placed at risk if the person's personal information was not withheld.
- (4) The Commissioner may decide to record a person's personal information in the register if —
- (a) the Commissioner has withheld the person's personal information under subregulation (2); and
 - (b) subregulation (3) no longer applies in relation to the person.
- (5) If the Commissioner decides to refuse a person's application under subregulation (2) or to record a person's personal information in the register under subregulation (4) —
- (a) the Commissioner must give the person notice of the decision and the reasons for the decision; and
 - (b) the decision is a reviewable decision for the purposes of Part 5 Division 5 of the Act; and
 - (c) the person is an affected person in relation to that decision.

5. Prescribed offences and modified penalties

- (1) The offences specified in Schedule 2 are offences for which an infringement notice may be issued under the *Criminal Procedure Act 2004* Part 2.
- (2) The modified penalty specified opposite an offence in Schedule 2 column 3 is the modified penalty for that offence, if committed by an individual, for the purposes of the *Criminal Procedure Act 2004* section 5(3).
- (3) The modified penalty specified opposite an offence in Schedule 2 column 4 is the modified penalty for that offence, if committed by a body corporate, for the

purposes of the *Criminal Procedure Act 2004* section 5(3).

6. **Approved officers and authorised officers**

- (1) The Commissioner may, in writing, appoint persons or classes of persons to be authorised officers or approved officers for the purposes of the *Criminal Procedure Act 2004* Part 2.
- (2) The Commissioner must issue to each authorised officer a certificate, badge or identity card identifying the officer as a person authorised to issue infringement notices.

7. **Forms**

For the purposes of the *Criminal Procedure Act 2004* Part 2, the forms set out in Schedule 3 are prescribed.

5. **Schedules 2 and 3 inserted**

After Schedule 1 insert:

Schedule 2 — Infringement notice offences and modified penalties

[r. 5]

Offence under the Act	Modified penalty (individual)	Modified penalty (body corporate)
	\$	\$
s. 28(4) Failure to lodge notice of dissolution or cessation of limited partnership	300	1 500
s. 48(5) Failure to lodge notice relating to status of incorporated limited partnership	300	1 500
s. 67(5) Failure to lodge notice of commencement of winding up of incorporated limited partnership	300	1 500
s. 67(6) Failure to lodge notice of completion of winding up of incorporated limited partnership	300	1 500
s. 83(2) Failure to display certificate of registration of limited partnership or incorporated limited partnership	600	3 000
s. 84(2) Failure to lodge notice of change in registered particulars of limited partnership or incorporated limited partnership	300	1 500
s. 102(2) Failure to keep office for communications at registered office	300	1 500

Schedule 3 — Prescribed forms

[r. 7]

Form 1 — Infringement notice

<i>Limited Partnerships Act 2016</i>		Infringement notice no.	
Infringement notice			
Alleged offender	Name: Family name _____		
	Given names _____		
	or Body corporate name _____		
	Address _____ Postcode _____		
Alleged offence	Description of offence _____		
	<i>Limited Partnerships Act 2016</i> s. _____		
	Date	/	/20 Time am/pm
	Modified penalty \$ _____		
Officer issuing notice	Name _____		
	Signature _____		
	Office _____		
Date	Date of notice / /20		
Notice to alleged offender	It is alleged that you have committed the above offence. If you do not want to be prosecuted in court for the offence, pay the modified penalty within 28 days after the date of this notice.		
	<p>How to pay</p> <p>By post: Send a cheque or money order (payable to ‘Approved Officer — <i>Limited Partnerships Act 2016</i>’) to: Approved Officer — <i>Limited Partnerships Act 2016</i> Department of Mines, Industry, Regulation and Safety Locked Bag 14 Cloisters Square Perth WA 6850</p> <p>In person: Pay the cashier at: Department of Mines, Industry, Regulation and Safety 140 William Street Perth WA 6000</p>		
	<p>If you do not pay the modified penalty within 28 days, you may be prosecuted or enforcement action may be taken under the <i>Fines, Penalties and Infringement Notices Enforcement Act 1994</i>. Under that Act, some or all of the following action may be taken — your driver’s licence may be suspended; your vehicle licence may be suspended or cancelled; your details may be published on a website; your vehicle may be immobilised or have its number plates removed; and your property may be seized and sold.</p> <p>If you need more time to pay the modified penalty, you can apply for an extension of time by writing to the Approved Officer at the above postal address.</p>		
	<p>If you want this matter to be dealt with by prosecution in court, sign here</p> <p>_____</p> <p>and post this notice to the Approved Officer at the above postal address within 28 days after the date of this notice.</p>		

Form 2 — Withdrawal of infringement notice

<i>Limited Partnerships Act 2016</i>		Withdrawal no.
Withdrawal of infringement notice		
Alleged offender	Name: Family name _____	
	Given names _____	
	or Body corporate name _____	
	Address _____ Postcode _____	
Infringement notice	Infringement notice no. _____	
	Date of issue / /20	
Alleged offence	Description of offence _____	
	<i>Limited Partnerships Act 2016 s.</i>	
	Date / /20 Time am/pm	
Officer withdrawing notice	Name _____	
	Signature _____	
	Office _____	
Date	Date of withdrawal / /20	
Withdrawal of infringement notice	The above infringement notice issued against you has been withdrawn.	
[*delete whichever is not applicable]	If you have already paid the modified penalty for the alleged offence you are entitled to a refund.	
	* Your refund is enclosed.	
	<i>or</i>	
	* If you have paid the modified penalty but a refund is not enclosed, to claim your refund sign this notice and post it to:	
	Approved Officer — <i>Limited Partnerships Act 2016</i>	
	Department of Mines, Industry, Regulation and Safety	
	Locked Bag 14 Cloisters Square	
	Perth WA 6850	
	Signature _____	/ /20

K. H. ANDREWS, Clerk of the Executive Council.

JUSTICE

JU301

Criminal Procedure Act 2004
Fines, Penalties and Infringement Notices Enforcement Act 1994

Attorney General Regulations Amendment Regulations 2017

Made by the Governor in Executive Council.

Part 1 — Preliminary**1. Citation**

These regulations are the *Attorney General Regulations Amendment Regulations 2017*.

2. Commencement

These regulations come into operation as follows —

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

Part 2 — *Criminal Procedure Regulations 2005* amended**3. Regulations amended**

This Part amends the *Criminal Procedure Regulations 2005*.

4. Schedule 1A amended

In Schedule 1A insert in alphabetical order:

Limited Partnerships Act 2016

Part 3 — *Fines, Penalties and Infringement Notices Enforcement Regulations 1994* amended**5. Regulations amended**

This Part amends the *Fines, Penalties and Infringement Notices Enforcement Regulations 1994*.

6. Regulation 4 amended

In regulation 4 in the Table delete “General Fund.” and insert:

General Account.

7. Schedule 1 amended

In Schedule 1 insert in alphabetical order:

Limited Partnerships Act 2016

K. H. ANDREWS, Clerk of the Executive Council.

PLANNING

PL301

Metropolitan Redevelopment Authority Act 2011

Metropolitan Redevelopment Authority Amendment Regulations (No. 2) 2017

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Metropolitan Redevelopment Authority Amendment Regulations (No. 2) 2017*.

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 *Metropolitan Redevelopment Authority Regulations 2011*.

4. Regulation 13 amended

In regulation 13(1) in the definition of *relevant plan* delete ““Subiaco redevelopment area 2017”” and insert:

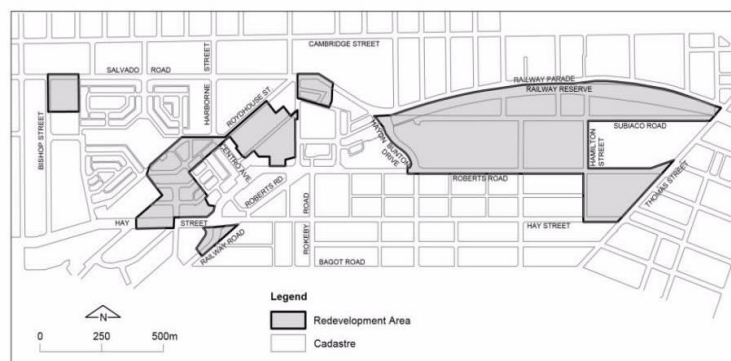
“Subiaco Redevelopment Area 2017”

5. Schedule 4 replaced

Delete Schedule 4 and insert:

Schedule 4 — Subiaco redevelopment area

[r. 13(4)]



Subiaco Redevelopment Area 2017

K. H. ANDREWS, Clerk of the Executive Council.

WATER

WA301

Water Services Act 2012

**Water Services (Water Corporations Charges)
Amendment Regulations 2017**

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Water Services (Water Corporations Charges) Amendment Regulations 2017*.

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 *Water Services (Water Corporations Charges) Regulations 2014*.

4. Regulation 15A amended

- (1) In regulation 15A(1) before “water service charge,” (each occurrence) insert:

statutory

- (2) Delete regulation 15A(2) and insert:

(2) The additional charge is payable —

- (a) if the amount in the invoice is paid, in whole or in part, using a credit card; and
- (b) in accordance with the instructions contained in the invoice.

5. Regulation 20 amended

- (1) In regulation 20(1) before “water service charge,” (each occurrence) insert:

statutory

(2) Delete regulation 20(2) and insert:

(2) The additional charge is payable —

- (a) if the amount in the invoice is paid, in whole or in part, using a credit card; and
- (b) in accordance with the instructions contained in the invoice.

K. H. ANDREWS, Clerk of the Executive Council.

— PART 2 —

ENVIRONMENT

EV101

*CORRECTION***ENVIRONMENTAL PROTECTION ACT 1986****CONTAMINATED SITES ACT 2003**

INSTRUMENTS OF DELEGATION

EV401 No. 138	7 July 2017	Page 3699	<i>Contaminated Sites Act 2003</i>	Delegation No. 17
EV402 No. 138	7 July 2017	Page 3699	<i>Environmental Protection Act 1986</i>	Delegation No. 129
EV403 No. 138	7 July 2017	Page 3700	<i>Environmental Protection Act 1986</i>	Delegation No. 130
EV404 No. 138	7 July 2017	Page 3700	<i>Environmental Protection Act 1986</i>	Delegation No. 131
EV405 No. 138	7 July 2017	Page 3701	<i>Environmental Protection Act 1986</i>	Delegation No. 132
EV406 No. 138	7 July 2017	Page 3701	<i>Environmental Protection Act 1986</i>	Delegation No. 133

It is hereby notified for public information that the delegations published in the Western Australian *Government Gazette* on 7 July 2017 as listed above, contained a typographical error, which is now corrected as follows—

For the words—

‘Department of Water and Environment Regulation’

Should Read—

‘Department of Water and Environmental Regulation’

JUSTICE

JU401

JUSTICES OF THE PEACE ACT 2004

APPOINTMENTS

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

Lisa Jane Bayly of Claremont
 Helen Cocks of Darch
 Gregory Ian Cole of Como
 Louis Manuel Gussman of Willetton
 Robert Shane Otway of Pemberton
 Alicia Lynn Taylor-Wensel of Landsdale
 Janet Louise Mary Theobald of Nedlands

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

LOCAL GOVERNMENT

LG401

TOWN OF BASSENDEAN

APPOINTMENT

It is hereby notified for public information that Lauren Aylward and Chris Pritchard have been appointed as a Ranger, effective from 1 February 2017. They are an Authorised Officer under the following Acts, Local Laws and Regulations and is required to enforce the—

- i. *Dog Act 1976* and Regulations
- ii. *Litter Act 1979*

- iii. *Local Government Act 1995*
- iv. Council Local Laws
- v. *Control of Vehicles (Off-road Areas) Act 1978*
- vi. *Bush Fires Act 1954*
- vii. *Cat Act 2011* and Regulations
- viii. *Caravan Parks and Camping Grounds Act 1995*
- ix. *Graffiti Vandalism Act 2016*

It is also hereby notified for public information that the following people are hereby authorised under the *Graffiti Vandalism Act 2016* and Regulations, effective from Monday 27 February 2017—

- Sharna Murton
- Mark Bettridge
- Carol Grazier
- Mike Glendinning
- Simon Stewert-Dawkins

Previous appointments of persons as authorised officers under the abovementioned Acts and local laws are hereby cancelled.

R. C. JARVIS, Chief Executive Officer.

Dated 31 July 2017.

LG402

SHIRE OF KATANNING APPOINTMENTS

It is hereby notified for public information that the following persons have been appointed as authorised persons for the Shire of Katanning.

Dog Act 1976

Authorised Persons Registration Officers

Julian Murphy	Uwe Striepe
Taryn Human	Richard Bralich
Sam Davis	Kel Vann
Sue Eascott	Ernie Polis
Elizabeth French	Cherrie Campbell
Adela Collins	Biru Turiya
Mohammed Aeson	Kayla Warschauer
Melissa Binning	Tessa Flugge
Rondah Toms	Asher Tussler

Cat Act 2011

Authorised Persons Registration Officers

Julian Murphy	Uwe Striepe
Taryn Human	Richard Bralich
Sam Davis	Kel Vann
Sue Eascott	Ernie Polis
Elizabeth French	Cherrie Campbell
Adela Collins	Biru Turiya
Mohammed Aeson	Kayla Warschauer
Melissa Binning	Tessa Flugge
Rondah Toms	Asher Tussler

Caravan Parks and Camping Grounds Act 1995

Authorised Persons

Julian Murphy	Ernie Polis
Sam Davis	Darryle Baxter
Uwe Striepe	Shane Chambers
Richard Bralich	Delma Baesjou
Kel Vann	Cynthia Pearce

Control of Vehicles (Off-road Areas) Act 1978

Authorised Persons

Julian Murphy	Ernie Polis
Sam Davis	Darryle Baxter
Uwe Striepe	Shane Chambers
Richard Bralich	Delma Baesjou
Kel Vann	Cynthia Pearce

Litter Act 1979

Authorised Persons

Julian Murphy	Ernie Polis
Sam Davis	Darryle Baxter
Uwe Striepe	Shane Chambers
Richard Bralich	Delma Baesjou
Kel Vann	Cynthia Pearce

Local Government (Miscellaneous Provisions) Act 1960

Authorised Persons and Pound Keepers

Julian Murphy	Ernie Polis
Sam Davis	Darryle Baxter
Uwe Striepe	Shane Chambers
Richard Bralich	Delma Baesjou
Kel Vann	Cynthia Pearce

Local Government Act 1995

Authorised Persons

Julian Murphy	Ernie Polis
Sam Davis	Darryle Baxter
Uwe Striepe	Shane Chambers
Richard Bralich	Delma Baesjou
Kel Vann	Cynthia Pearce

Bush Fires Act 1954 and Bush Fires Regulations 1954

Authorised Persons

Julian Murphy	Ernie Polis
Sam Davis	Darryle Baxter
Uwe Striepe	Shane Chambers
Richard Bralich	Delma Baesjou
Kel Vann	Cynthia Pearce

All Shire of Katanning Local Laws

Authorised Persons

Julian Murphy	Ernie Polis
Sam Davis	Darryle Baxter
Uwe Striepe	Shane Chambers
Richard Bralich	Delma Baesjou
Kel Vann	Cynthia Pearce

Dog Act 1976

Authorised Persons

Darryle Baxter	Delma Baesjou
Shane Chambers	Cynthia Pearce

Cat Act 2011

Authorised Persons

Darryle Baxter	Delma Baesjou
Shane Chambers	Cynthia Pearce

The above appointments replace Council previous appointments of Bushfire Control Officers.

JULIAN MURPHY, Chief Executive Officer.

LG501**BUSH FIRES ACT 1954***Town of Bassendean***PROHIBITION ON THE BURNING OF GARDEN REFUSE**

Notice is hereby given that the Town of Bassendean has resolved, pursuant to section 24G of the *Bush Fires Act 1954*, to prohibit the burning of garden refuse by any person at any time on private land within the district of Bassendean.

A local government may, by notice given under section 24G, prohibit or impose restrictions on the burning of garden refuse that is otherwise permitted under section 24F of the *Bush Fires Act 1954*.

Accordingly, the effect of this notice is, that the burning of garden refuse, either in an incinerator or on the ground which is permitted under section 24F, is now prohibited at all times during the year.

BOB JARVIS, Chief Executive Officer.

Dated: 31 July 2017.

LG502

BUSH FIRES ACT 1954**FIREBREAK NOTICE***Shire of Katanning*

Owners and/or Occupiers of Land in the Shire of Katanning

Pursuant to Section 33 of the *Bush Fires Act 1954* you are hereby required, on all land owned or occupied by you, as a measure for preventing the spread and extension of a bush fire, to plough, cultivate, scarify, burn, chemically spray or otherwise clear upon the lands Fire Access tracks (fire breaks) in such manner as set out in the Shire of Katanning Fire Management Requirements notice.

1. Suburban and Residential Blocks

- 1.1 If the area of land is 2023m² (approximately ½ acre) or less, remove flammable material on the land except living standing trees from the whole of the land by 1 November 2017 by one of the above methods.
- 1.2 Where residential zoned land exceeds 2023m² (approximately ½ acre), in addition to the grass height above, a 2.5 metre wide firebreak immediately inside and along all external boundaries is required.

2. Rural Land and Special Rural Land Outside of Town Boundary

- 2.1 Firebreaks shall be installed at least 10 metre wide around the perimeter of any homestead building) excluding isolated non-flammable buildings), haystacks (within 100 metres of any building) or group of structures or installations and are to be cleared to the satisfaction of the Shire Officer. In addition, you may be required to carry out further works which may be deemed necessary by the Shire Officer and specified by way of a separate written notice forwarded to the address as shown on the Shire of Katanning rate records for the land. In some instances naturally occurring features such as rocky outcrops, natural water courses or landscaping such as reticulated gardens, lawns or driveways may be an acceptable substitute for cleared firebreaks. This option must first be discussed with and approved by the Shire Officer.
- 2.2 Landowners can provide firebreaks if they desire, no less than 2.5 metres wide.
- 2.3 All properties within the Moojebing Heights subdivision are to ensure compliance with the additional requirements of the Fire Management Plan dated April 2009.

3. Special Rural within Katanning and Pinwernying Townsites

- 3.1 Must have a 2.5 metre wide bare earth firebreak immediately inside along all external boundaries. Grass to be no higher than 150mm. living standing trees, remnant vegetation, maintained gardens and natural bush are exempt. Where multiple blocks of land are grouped together, a perimeter 2.5 metre firebreak encompassing all land will be considered subject to an application for variation

All fire breaks as designated above must be prepared on or before 1 November 2017 or within 14 days of becoming the owner or occupier should this be after that date and maintained clear of flammable material up to and including 30 April 2018.

4. Application to Vary the Above Requirements

- 4.1 It is considered to be impracticable for any reason whatsoever to meet requirements as required by this notice, you may apply to the Shire of Katanning no later than 1 October 2017, for permission to provide alternative risk mitigation measures on the land. If permission is not granted by the Shire you must comply with the requirements of this notice.
- 4.2 If the requirements of this notice are carried out by burning, such burning must be in accordance with the relevant provisions of the Bush Fires Act.
- 4.3 The penalty for failing to comply with this notice will be in accordance with the *Bush Fires Act 1954*, and a person in default is also liable, whether prosecuted or not, to pay the costs of performing the work directed in this notice if it is not carried out by the owner and/or occupier by the date required by this notice.

5. Private Property

- 5.1 Wood and solid fuel barbecues shall only be where they are enclosed and all flammable material in a 5m radius is cleared. Fire cannot be lit on days of very high, severe, extreme or catastrophic fire danger.
- 5.2 BBQs and incinerators—gas and electric barbecues are permitted at any time. Solid fuel barbecues and incinerators are prohibited on days of VERY HIGH, SEVERE, EXTREME OR CATASTROPHIC fire danger days.

6. Regulation 38A—Harvesting, Swathing/Baling of Stubble and Track Chaining—

- 6.1 Conditions: It is hereby notified for public information that pursuant to the power granted under Regulation 38A of the above Act, a person shall not operate or suffer the operation of a grain harvesting machine, or any machine used for swathing, baling or slashing of stubble and track chaining, on any land within the Shire of Katanning except in accordance with the following specified condition.
- 6.2 Specified condition: No person shall operate grain harvesting machinery as stated above on any land unless a mobile and operational firefighting unit, having a water capacity of at least 500 litres, is situated in or immediately adjacent to the paddock where harvesting operations are being conducted.

- 6.3 Penalties: An infringement of \$250.00. A penalty of up to \$5000.00. The recommended minimum standards for fire unit requirements are based on property size as follow—
- i. 50-1000ha—Light Duty Unit. One tonne utility either 2WD or 4WD. 500 litre water capacity.
 - ii. 1000 to 2500ha—Medium Duty Unit. Light truck either 2WD or 4WD. 2500 litre water capacity.
 - iii. 2500 + ha—Heavy Duty Unit. 6 tonne capacity truck, preferably diesel. 4000 litre water capacity.
 - iv. All units are to be fully operational and ready to go at all times during the prohibited burning period.
7. Permit to Burn
- 7.1 Under the *Bush Fires Act 1954*, it is an offence to light fires during the Prohibited time.
 - 7.2 During the Restricted Burning Time, permits to burn are required. These may be obtained from the Local Volunteer Fire Control Officer, for your area or the Shire of Katanning if the property is within the Fire and Rescue District.
 - 7.3 A Permit is required for burning of bush, grass and garden waste at any time between 1 October and 31 October inclusive and 15 February and 30 April inclusive. No burning can be carried out during the Prohibited Burning Period unless it's protective burning around dwellings up until 15th November under section 23 of the Bush Fires Act.
 - i. **Restricted: Permit Required—1 October to 31 October**
 - ii. **Prohibited: 1 November to 14 February**
 - iii. **Restricted: Permit Required—15 February to 30 April**

LG503

BUSH FIRES ACT 1954 FIREBREAK AND FUEL HAZARD REDUCTION NOTICE *Shire of Victoria Plains*

Pursuant to the powers contained in Section 33 of the *Bush Fires Act 1954*, you are hereby required to install firebreaks clear of all flammable material or take alternative approved measures, and to undertake fuel hazard reduction measures before 1 October and thereafter maintain the firebreaks and measures up to and including 31 March the following year, in accordance with the following—

1. DEFINITIONS

ban on the movement of all vehicles includes machinery and the operation of internal combustion engines within the Shire and during a time as specified in a Notice or broadcast with the exception of the movement of vehicles and machinery on constructed gazetted roads, internal vehicle access and yards;

firebreak means a strip of land cleared to the specified width by ploughing, cultivating, scarifying, burning or otherwise clearing;

flammable material includes bush (as defined in the *Bush Fires Act 1954*), timber, boxes, cartons, paper and like flammable materials, rubbish and also any combustible matter, but does not include green standing trees, or growing bushes and plants in gardens, or lawns;

harvest ban applies on the operation of all grain harvesting machines including swathing, baling or slashing machines within the Shire and during a time, as specified in a Notice or broadcast;

harvesting includes grain harvesting, swathing, baling or slashing of stubble or hay in any crop;

internal vehicle access is defined as a trafficable surface, free of all flammable material, a minimum of width of four metres, and with overhanging vegetation pruned back so as not to come into contact with any part of a vehicle;

mobile fire fighting unit is defined as having a minimum water carrying capacity of 450 litres, fitted with a hose and pump capable of delivering water through an adjustable nozzle in the spray and jet configurations;

rural land means all land outside a townsite, and which is farmed as a single contiguous unit;

townsite means all land within the townsites of Bolgart, Calingiri, Mogumber, Piawaning and Yerecoin as defined under the *Land Administration Act 1997* or *Local Government Act 1995* and

yard is defined as an area, greater than four metres wide, with a constructed, trafficable surface, free of all flammable material save live standing trees.

2. RURAL LAND GREATER THAN 10 HECTARES**2.1 Firebreaks, cleared of all flammable material—**

- (a) at least 3 metres wide shall be maintained inside and within 20 metres of the boundary of all land; and surrounding such other positions as is necessary to divide land in excess of 400 hectares into area not exceeding 400 hectares, each completely surrounded by a firebreak;
- (b) at least 3 metres wide and within 20 metres of all buildings and haystacks shall completely encircle the buildings and haystacks;
- (c) at least 6 metres wide immediately surrounding each fuel storage location, whether containing fuel or not; and
- (d) shall have a vertical clearance of not less than 4 metres.

2.2 Fuel storage, whether containing fuel or not, shall not be located closer than 15 metres to any building or public thoroughfare.**2.3 Harvesting operations—**

A person shall not undertake or allow harvesting during the Restricted or Prohibited Burning period unless—

- (a) one hand held water filled fire extinguisher with a minimum capacity of 7.5 litres is filled in a readily accessible position on the machine, and
- (b) a readily mobile fire fighting unit is in attendance in or adjacent to the entrance of the paddock being harvested.

2.4 Harvest bans and other bans—permitted activities—

- (a) Loading and offloading of grain, fertiliser and feed on sites which—
 - (i) are clear of all flammable material to a radius of at least 50 metres with an internal vehicle access, and
 - (ii) have a mobile fire fighting unit in attendance at all times.
- (b) Water carting for stock and domestic purposes provided it is accompanied by a mobile fire fighting unit, or alternatively, the water carting vehicle acts as the mobile fire fighting unit and meets minimum specifications.
- (c) All necessary travel to and from and within piggeries, sheep or cattle feed lots, provided this is undertaken with a mobile fire fighting unit in attendance.
- (d) All necessary carting of livestock, provided that such a vehicle is accompanied by a mobile fire fighting unit.
- (e) Activities which received specific exemptions from the local government or the Chief Bush Fire Control Officer—
 - (i) approval is to be sought on an individual basis,
 - (ii) may be subject to specified conditions, and
 - (iii) it should be noted that approval may not be granted.

2.5 Public Holidays

A harvest ban and a ban on the movement of all vehicles and machinery and the operation of internal combustion engines is imposed on Christmas Day, Boxing Day and New Year's Day each year.

3. RURAL LAND LESS THAN 10 HECTARES

- (a) Rural land less than 1 hectare shall comply with the requirements for townsite land.
- (b) Rural land more than 1 hectare but less than 10 hectares, shall comply with—
 - (i) the requirements of rural land greater than 10 hectares, and
 - (ii) all flammable material on the land shall be reduced to a height of less than 10 centimetres for a distance at least 10 metres from any firebreak.

4. ALL TOWNSITE LAND

- (a) Where the area of land is 1 hectare in area or less—all flammable material on the land shall be reduced to a height of less than 10 centimetres.
- (b) Where the area of land exceeds 1 hectare in area—
 - (i) firebreaks at least 3 metres wide immediately inside all external boundaries of the land and surrounding all buildings situated on the land, and
 - (ii) flammable material on the remainder of the land shall be reduced to a height of less than 10 centimetres.
- (c) A special control zone or other land not elsewhere specified in this Notice, shall comply with the higher level measures required by adjoining land unless varied under clause 7.2.

5. OPEN AIR FIRES

- (a) Open air fires are permitted during the Restricted Burning period, subject to compliance with the provisions relating to Restricted Burning periods and Shire of Victoria Plains Local Laws.
- (b) Open air fires are not permitted at all during the Prohibited Burning period (including camping and garden refuse).

- (c) No open air fires in the open air are permitted on any day when the fire danger rating is "Very High" or above.

6. PROPERTIES WITH FIRE MANAGEMENT PLANS

Properties with an approved fire management plan shall comply with the approved plan and or the requirements of this this Notice, whichever is the greater.

7. GENERAL

- 7.1. If the requirements of this Notice are carried out by burning, such burning must be in accordance with the relevant provisions of the *Bush Fires Act 1954*. A permit to burn is required during the Restricted Burning periods from an authorised officer.
- 7.2. If it is considered to be impracticable for any reason to clear firebreaks or to remove flammable material from the land or any other provisions required by this Notice you may apply to the Council or its duly authorised person not later than 1 September, for permission to provide firebreaks in alternative positions or to take alternative action to manage fire hazards on the land. If permission is not granted by the Council or a duly authorised person, you shall comply with the requirements of this Notice.
- 7.3. Penalties apply to persons who fail to comply with the requirements of this Notice.
- 7.4. A person who fails to comply with the Notice is also liable, whether prosecuted or not to pay the cost of performing the work directed in this Notice if it is not carried out by the owner or occupier by the date required by this Notice.

By Order of the Council

GLENDIA TEEDE, Chief Executive Officer.

MINERALS AND PETROLEUM

MP401

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 1 September 2017.

BROAD ARROW MINERAL FIELD

Prospecting Licences

P 24/4877 McCrorie, Peter David
 Harris, Shayne Donal

P 24/4878 McCrorie, Peter David
 Harris, Shayne Donal

EAST COOLGARDIE MINERAL FIELD

Prospecting Licences

P 26/3719 Orrex Resources Ltd

MP402

MINING ACT 1978

INSTRUMENT OF EXTENSION OF TERM OF EXEMPTION OF LAND

I, Frederick Ivor Roberts, Executive Director, Mineral Titles, pursuant to section 19 of the *Mining Act 1978*, hereby extend exemptions originally declared on 18 September 2007 and published in the *Government Gazette* dated 28 September 2007 for that area described hereunder (not being private land or land that is the subject of a mining tenement or an application for a mining tenement) from Divisions 1 to 5 of Part IV of the *Mining Act 1978*, for a further period of two years, expiring on 17 September 2019.

Locality

90 km West of Kalgoorlie

Description of Land S19/305

Land designated S19/305 in the TENGRAPH electronic plan of the Department of Mines and Petroleum. A geospatial description of the area is filed in the Department of Mines and Petroleum electronic file number A1746/2010001, document ID 1541981.

Area of Land S19/305

150,358.2795 hectares

Dated at Perth this 25th day of July 2017.

FREDERICK IVOR ROBERTS, Executive Director, Mineral Titles.

PLANNING

PL401

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
City of Busselton
 Local Planning Scheme No. 21—Amendment No. 1

Ref: TPS/1677

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the City of Busselton Local Planning Scheme amendment on 26 July 2017 for the purpose of—

1. CapeROC Initiative

1.1 Amending Table 1 “Zoning Table” by—

- a. Amending the following Use Class titles—
 - i ‘Agriculture’ to read ‘Agriculture—Extensive’;
 - ii ‘Intensive Agriculture’ to read ‘Agriculture—Intensive’;
 - iii ‘Animal Husbandry’ to read ‘Animal Husbandry—Intensive’;
 - iv ‘Chalet Development’ to read ‘Chalet’;
 - v ‘Residential Enterprise’ to read ‘Home Business’;
 - vi ‘Cottage Industry’ to read ‘Industry—Cottage’;
 - vii ‘Rural Industry’ to read ‘Industry—Primary Production’;
 - viii ‘Place of Public Worship’ to read ‘Place of Worship’;
 - ix ‘Forestry’ to read ‘Tree Farm’; and
 - x ‘Veterinary Hospital’ to read ‘Veterinary Centre’;
 and associated references throughout the Scheme accordingly.
- b. Deleting the term ‘Roadside Stall’ and its associated permissibilities from Table 1 Zoning Table;
- c. Inserting the use classes ‘Ancillary Accommodation’, ‘Brewery’, ‘Exhibition Centre’, ‘Park Home Park’, ‘Produce Sales’, ‘Rural Pursuit/Hobby Farm’ and ‘Wind Farm’;
- d. In relation to the ‘Residential’ zone and in relation to the use class ‘Ancillary Accommodation’, insert the symbol ‘P’;
- e. In relation to the ‘Residential’ zone and in relation to the use class ‘Park Home Park’, insert the symbol ‘A’;
- f. In relation to the ‘Residential’ zone and in relation to the use class ‘Brewery’, ‘Exhibition Centre’, ‘Produce Sales’, ‘Rural Pursuit/Hobby Farm’ and ‘Wind Farm’, insert the symbol ‘X’;
- g. In relation to the ‘Business’ zone and in relation to the use class ‘Ancillary Accommodation’, insert the symbol ‘D’;
- h. In relation to the ‘Business’ zone and in relation to the use class ‘Brewery’ and ‘Exhibition Centre’, insert the symbol ‘A’;
- i. In relation to the ‘Business’ zone and in relation to the use class ‘Park Home Park’, ‘Produce Sales’, ‘Rural Pursuit/Hobby Farm’ and ‘Wind Farm’, insert the symbol ‘X’;
- j. In relation to the ‘Restricted Business’ zone and in relation to the use class ‘Brewery’ and ‘Exhibition Centre’, insert the symbol ‘A’;
- k. In relation to the ‘Restricted Business’ zone and in relation to the use class ‘Ancillary Accommodation’, ‘Park Home Park’, ‘Produce Sales’, ‘Rural Pursuit/Hobby Farm’ and ‘Wind Farm’, insert the symbol ‘X’;

- l. In relation to the 'Tourist' zone and in relation to the use class 'Park Home Park', insert the symbol 'D';
- m. In relation to the 'Tourist' zone and in relation to the use class 'Brewery' and 'Exhibition Centre', insert the symbol 'A';
- n. In relation to the 'Tourist' zone and in relation to the use class 'Ancillary Accommodation', 'Produce Sales', 'Rural Pursuit/Hobby Farm' and 'Wind Farm', insert the symbol 'X';
- o. In relation to the 'Industrial' zone and in relation to the use class 'Brewery', insert the symbol 'D';
- p. In relation to the 'Industrial' zone and in relation to the use class 'Ancillary Accommodation', 'Exhibition Centre', 'Park Home Park', 'Produce Sales', 'Rural Pursuit/Hobby Farm' and 'Wind Farm', insert the symbol 'X';
- q. In relation to the 'Agriculture' zone and in relation to the use class 'Ancillary Accommodation' and 'Rural Pursuit/Hobby Farm', inserting the symbol 'P';
- r. In relation to the 'Agriculture' zone and in relation to the use class 'Produce Sales', inserting the symbol 'D';
- s. In relation to the 'Agriculture' zone and in relation to the use class 'Brewery', 'Exhibition Centre' and 'Wind Farm', inserting the symbol 'A';
- t. In relation to the 'Agriculture' zone and in relation to the use class 'Park Home Park', inserting the symbol 'X';
- u. In relation to the 'Agriculture' zone and in relation to the use class 'Industry—Cottage', replacing the symbol 'D' with the symbol 'P';
- v. In relation to the 'Agriculture' zone and in relation to the use class 'Chalet', replacing the symbol 'A' with the symbol 'D';
- w. In relation to the 'Viticulture and Tourism' zone and in relation to the use class 'Ancillary Accommodation' and 'Rural Pursuit/Hobby Farm', inserting the symbol 'P';
- x. In relation to the 'Viticulture and Tourism' zone and in relation to the use class 'Produce Sales', inserting the symbol 'D';
- y. In relation to the 'Viticulture and Tourism' zone and in relation to the use class 'Brewery', 'Exhibition Centre' and 'Wind Farm', inserting the symbol 'A';
- z. In relation to the 'Viticulture and Tourism' zone and in relation to the use class 'Park Home Park', inserting the symbol 'X';
- aa. In relation to the 'Viticulture and Tourism' zone and in relation to the use class 'Agriculture—Intensive' and 'Industry—Cottage', replacing the symbol 'D' with the symbol 'P';
- bb. In relation to the 'Viticulture and Tourism' zone and in relation to the use class 'Animal Husbandry', 'Chalet' and 'Industry—Primary Production', replacing the symbol 'A' with the symbol 'D';
- cc. In relation to the 'Rural Residential' zone and in relation to the use class 'Ancillary Accommodation', insert the symbol 'P';
- dd. In relation to the 'Rural Residential' zone and in relation to the use class 'Produce Sales' and 'Rural Pursuit/Hobby Farm', insert the symbol 'A';
- ee. In relation to the 'Rural Residential' zone and in relation to the use class 'Brewery', 'Exhibition Centre', 'Park Home Park' and 'Wind Farm', insert the symbol 'X';
- ff. In relation to the 'Rural Landscape' zone and in relation to the use class 'Ancillary Accommodation', insert the symbol 'D';
- gg. In relation to the 'Rural Landscape' zone and in relation to the use class 'Produce Sales' and 'Rural Pursuit/Hobby Farm', insert the symbol 'A';
- hh. In relation to the 'Rural Landscape' zone and in relation to the use class 'Brewery', 'Exhibition Centre', 'Park Home Park', and 'Wind Farm', insert the symbol 'X';
 - ii. In relation to the 'Conservation' zone and in relation to the use class 'Ancillary Accommodation', insert the symbol 'D';
 - jj. In relation to the 'Conservation' zone and in relation to the use class 'Produce Sales', insert the symbol 'A';
- kk. In relation to the 'Conservation' zone and in relation to the use class 'Brewery', 'Exhibition Centre', 'Park Home Park', 'Rural Pursuit/Hobby Farm' and 'Wind Farm', insert the symbol 'X';
- ll. In relation to the 'Bushland Protection' zone and in relation to the use class 'Ancillary Accommodation', insert the symbol 'D';
- mm. In relation to the 'Bushland Protection' zone and in relation to the use class 'Brewery', 'Exhibition Centre', 'Park Home Park', 'Produce Sales', 'Rural Pursuit/Hobby Farm' and 'Wind Farm', insert the symbol 'X'; and
- nn. Removing the use classes 'Poultry Farm', 'Recreation Agriculture', 'Recreation Area' and 'Rural Enterprise', associated permissibilities and associated references throughout the Scheme.

1.2 Modifying clause 4.5 “Exceptions to the zoning table” by amending clause 4.5.3(a) to read as follows—

“(a) within the Rural Residential zone on any lot less than 4,000 m² in area, any purpose other than a single house (including any incidental development), ancillary accommodation, guesthouse, holiday home (single house), home business, home office, home occupation, bed and breakfast or public utility;”

1.3 Amending clause 5.14 “Residential Enterprise” to read as follows—

“5.14 HOME BUSINESS

5.14.1 A home business shall—

- (a) not occupy an area greater than 50m², provided further that the area within which it is conducted is not visible from the street or a public place;
- (b) be conducted only between the hours of 8.00am and 6.00pm on weekdays, 9.00am and 5.00pm on Saturdays and is not conducted on Sundays and public holidays;
- (c) not have more than one advertising sign and the sign displayed does not exceed 0.2m² in area; and
- (d) not involve the presence, use or calling of a vehicle more than 4.5 tonnes tare weight.

5.14.2 Where a local government grants planning approval for a home business, such planning approval—

- (a) must be personal to the person to whom it was granted;
- (b) must not be transferred or assigned to any other person;
- (c) does not run with the land in respect of which it was granted; and
- (d) must apply only in respect of the land specified in the planning approval.”

1.4 Amending clause 5.16 “Cottage Industry” to read as follows—

“5.16 INDUSTRY—COTTAGE

An Industry—Cottage shall—

- (a) not occupy an area in excess of 100m²; and
- (b) not display a sign exceeding 0.2m² in area.”

1.5 Amending Schedule 1 “Interpretations” by—

(a) Removing the definitions ‘Poultry Farm’, ‘Recreation Agriculture’, ‘Recreation Area’, ‘Roadside Stall’ and ‘Rural Enterprise’;

(b) Amending the following definitions to read—

- i. “*Abattoir*’ means premises used commercially for the slaughtering of animals for the purposes of consumption as food products;”
- ii. “*Animal Establishment*’ means premises used for the breeding, boarding, training or caring of animals for commercial purposes but does not include animal husbandry—intensive or veterinary centre;”
- iii. “*Hotel*’ means premises the subject of a hotel licence other than a small bar or tavern licence granted under the *Liquor Control Act 1988* including any betting agency on the premises;”
- iv. “*Market*’ means premises used for the display and sale of goods from stalls by independent vendors;”
- v. “*Plant Nursery*’ means premises used for propagation, the growing and either retail or wholesale selling of plants, whether or not ancillary products are sold therein;”
- vi. “*Reception Centre*’ means premises used for hosted functions on formal or ceremonial occasions;”
- vii. “*Service Station*’ means premises other than premises used for a transport depot, panel beating, spray painting, major repairs or wrecking, that are used for—
 - (a) the retail sale of petroleum products, motor vehicle accessories and goods of an incidental or convenience nature; or
 - (b) the carrying out of greasing, tyre repairs and minor mechanical repairs to motor vehicles;”
- viii. “*Tourist Accommodation*’ means single occupancy accommodation units, which may be self-contained and may include associated central facilities for the exclusive use of guests, and includes serviced apartments;”
- ix. “*Winery*’ means premises used for the production of viticultural produce and associated sale of the produce;”

(c) Amending the following titles and definitions—

i. ‘*Agriculture*’ to read—

“*Agriculture—Extensive*’ means premises used for the raising of stock or crops, including outbuildings and earthworks, but does not include agriculture—intensive or animal husbandry—intensive;”

- ii. *'Intensive Agriculture'* to read—
“*Agriculture—Intensive*’ means premises used for commercial production purposes, including outbuildings and earthworks, associated with any of the following—
(a) the production of grapes, vegetables, flowers, exotic or native plants, or fruit or nuts;
(b) the establishment and operation of plant or fruit nurseries; or
(c) the development of land for irrigated fodder production or irrigated pasture (including turf farms);”
- iii. *'Animal Husbandry'* to read—
“*Animal Husbandry—Intensive*’ means premises used for keeping, rearing or fattening of pigs, poultry (for either egg or meat production), rabbits (for either meat or fur production) or other livestock in feedlots, sheds or rotational pens;”
- iv. *'Chalet Development'* to read—
“*Chalet*’ means a dwelling forming part of a tourist facility that is—
(a) a self-contained unit that includes cooking facilities, bathroom facilities and separate living and sleeping areas; and
(b) designed to accommodate short-term guests with no guest accommodated for periods totalling more than 3 months in any 12 month period;”
- v. *'Residential Enterprise'* to read—
“*Home Business*’ means a dwelling or land around a dwelling used by an occupier of the dwelling to carry out a business, service or profession if the carrying out of a business, service or profession—
(a) does not involve employing more than 2 people not members of the occupier’s household; and
(b) will not cause injury to or adversely affect the amenity of the neighbourhood; and
(c) does not involve the retail sale, display or hire of goods of any nature except where those goods are manufactured or produced at the residence; and
(d) does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood; and
(e) does not involve the use of an essential service that is greater than the use normally required in the zone in which the dwelling is located;”
- vi. *'Cottage Industry'* to read—
“*Industry—Cottage*’ means premises, other than premises used for a home occupation, that are used by the occupier of the premises for the purpose of carrying out a trade producing arts and crafts goods if the carrying out of the trade—
(a) will not cause injury to or adversely affect the amenity of the neighbourhood; and
(b) if the premises is located in a residential zone—does not employ any person other than a member of the occupier’s household; and
(c) is compatible with the principal uses to which land in the zone in which the premises is located may be put;
and may include the wholesale and appointment only sale of products produced on site.”
- vii. *'Rural Industry'* to read—
“*Industry—Primary Production*’ means premises used—
(a) to carry out a primary production business as that term is defined in the *Income Tax Assessment Act 1997* (Commonwealth) section 995-1; or
(b) for a workshop servicing plant or equipment used in primary production businesses;”
- viii. *'Place of Public Worship'* to read—
“*Place of Worship*’ means premises used for religious activities such as a chapel, church, mosque, synagogue or temple;”
- ix. *'Forestry'* to read—
“*Tree Farm*’ means land used commercially for tree production where trees are planted in blocks of more than one hectare, including land in respect of which a carbon right is registered under the *Carbon Rights Act 2003* section 5;”

- x. ‘*Veterinary Hospital*’ to read—
 “‘*Veterinary Centre*’ means premises used to diagnose animal diseases or disorders, to surgically or medically treat animals, or for the prevention of animal diseases or disorders;”
- (d) Inserting the following new definitions—
- i. “‘*Brewery*’ means premises the subject of a producer’s licence authorising the production of beer, cider or spirits granted under the *Liquor Control Act 1988*;”
 - ii. “‘*Exhibition Centre*’ means premises used for the display, or display and sale, of materials of an artistic, cultural or historical nature including a museum;”
 - iii. “‘*Home Office*’ means a dwelling used by an occupier of the dwelling to carry out a home occupation if the carrying out of the occupation—
 - (a) is solely within the dwelling; and
 - (b) does not entail clients or customers travelling to and from the dwelling; and
 - (c) does not involve the display of a sign on the premises; and
 - (d) does not require any change to the external appearance of the dwelling;”
 - iv. “‘*Park Home Park*’ means premises used as a park home park as defined in the *Caravan Parks and Camping Grounds Regulations 1997* Schedule 8;”
 - v. “‘*Produce Sales*’ means a place, stand or vehicle or other thing which offers for sale to the general public, produce or any commodity which is grown on the land or in the locality and produce or commodity grown on the land or in the locality that is manufactured or packaged on the site upon which the stall is located;”
 - vi. “‘*Rural Pursuit/Hobby Farm*’ means any premises, other than premises used for agriculture—extensive or agriculture—intensive, that are used by an occupier of the premises to carry out any of the following activities if carrying out of the activity does not involve permanently employing a person who is not a member of the occupier’s household—
 - (a) the rearing, agistment, stabling or training of animals;
 - (b) the keeping of bees;
 - (c) the sale of produce grown solely on the premises;”
 - vii. “‘*Wind Farm*’ means premises used to generate electricity by wind force and any associated turbine, building or other structure but does not include anemometers or turbines used primarily to supply electricity for a domestic property or for private rural use;”

2. Town Centre Strategies

- 2.1 Modifying clause 4.2.2 ‘Business zone’ Policies by—
- (a) Amending Policy (c) to read as follows—
 “(c) To provide for medium to high density residential development within the Busselton City Centre and Dunsborough Town Centre.”
 - (b) Inserting a new clause (d) as follows, and renumber subsequent clauses accordingly—
 “(d) Within neighbourhood and local centres, to allow residential development only where it is a component of commercial development.”
- 2.2 Introduce a new sub-clause to clause 5.3.1 as follows—
 “(i) On land coded R-AC3, Deemed-to-comply provision 6.1.1 C1 (Building Size) of the R-Codes is varied as per the provisions of clause 5.19.”
- 2.3 Amend clause 5.3.2 to read as follows—
 “5.3.2 Building height provisions as specified under Table 3 and Table 4, and Deemed-to-comply provision 5.1.6 C6 and 6.1.2 C2 of the R-Codes do not apply, except for on land coded R-AC3. In all other areas, maximum building height requirements are required to comply with the provisions of clause 5.8 of the Scheme.”
- 2.4 Insert a new sub-clause under clause 5.8 ‘Height of Buildings’ to read as follows—
 “5.8.9 For land in the Business zone where a residential density coding has been designated, the height of any building shall not exceed the height limits identified in the Residential Design Codes. Where a residential density coding has not been designated, the height of any building shall be determined in accordance with clauses 5.8.1 to 5.8.5.”
- 2.5 Amend clause 5.19 ‘Residential Development in the Business Zone’ to read as follows—

“5.19 DEVELOPMENT IN THE BUSINESS ZONE

Where land is zoned ‘Business’ and is designated a residential density coding of R-AC3 the maximum plot ratio shall be 1.5, except for where the following incentives for mixed use development apply—

- (a) Where residential or short-stay accommodation uses represent more than 25% of the plot ratio area of a proposed mixed use development, the maximum allowable plot ratio area may be 2.0; or

(b) Where a development incorporates a Restaurant, Tavern or other similar use that will provide for informal social interaction the maximum allowable plot ratio area for the remainder of the development may be 2.0; and

(c) The plot ratio incentives set out in sub-clauses (a) and (b) above may be combined, provided that the total plot ratio area does not exceed 3.0.”

2.6 Amend Schedule 2 “Additional Uses” by—

(a) Inserting an Additional Use (No. A74) provision as follows, and amend the Scheme maps accordingly—

No.	Particulars of Land	Land Use Permitted/Specified	Conditions
A74	<ul style="list-style-type: none"> - Lots 202 (1), 201 (3), 2 (5), 3 (7), 26 (8), 4 (9), 25 (10), 5 (11), 24 (12), 21 (13), 37 (14), 4 (15), 38 (16), 3 (17), 2 (19), 15-16 (20), 3 (21), 2 (23), and 12-13 (24) Duchess Street, West Busselton; - Lots 200 (29), 28 (37), 27 (41), 34 (43), 1-2 (45), 1 (47), 1 (55), 2 (57), 73 (59), 74 (61), 1-7 and 10-16 (63), 1-5 (69), 6 (71), and 5 (73) Gale Street, West Busselton; - Lots 2-3 (3), 128 (4), 129 (6), 1-3 (7), 1-2 (9), 1-7 (10), 1-6 (11), 130 (14), 30 (16), 29 (18), 28 (20), 27 (22), 26 (24) and 25 (26) Kent Street, West Busselton; - Lots 1 (28), 2, (30), 3 (32), 1 (34), 14 (40), 1-2 (42), 34 (44), 24 (48), 35 (52), 1-10 (54), 39 (58) and 42 (60) West Street, West Busselton; - Lots 51 and 87 to 102 Chieftain Crescent, Lots 86 and 162 Chester Way, Lots 139 to 141 Lorna Street, Lots 1-9 (20), 81 (18) and 115 to 127 Geographe Bay Road, Lots 1 to 17 (3) Dunn Bay Road, Lots 1 and 2 (4), 5 (2), 17, 18, 41 to 43 Prowse Way, Lots 3 and 4 Greenacre Road and Lot 60 (191) Naturaliste Terrace, Dunsborough 	<p>Guesthouse, Medical Centre, Office, Professional Consulting Rooms, Restaurant, Shop, Tourist Accommodation</p>	<ol style="list-style-type: none"> 1. The Additional Uses specified shall be deemed to be “D” uses for the purposes of the Scheme. 2. ‘Shop’ land uses may be permitted at ground floor level only and occupy up to 50% of total development floor space, up to a maximum area of 300m² per lot. 3. A nil setback to the street shall be considered for active frontages. 4. The provisions of Clause 5.23 relating to cash in lieu of car parking shall apply. 5. Urban design guidelines (and/or Special Provisions) shall be prepared and adopted as a Local Planning Policy to address the following matters in relation to any proposed development— <ul style="list-style-type: none"> • Appropriate building setbacks to prevent or suitably mitigate overshadowing or overlooking of neighbouring properties; • Built form articulation, architectural design, function, bulk, scale, massing, grain, signage, and surveillance (in relation to the streetscape, surrounding buildings, adjoining land uses and the overall character and amenity of the subject development area); • Vehicular access, and the location of crossovers/provision of onsite car parking; • Roofscapes, skylines and service installation sites to ensure minimal visual intrusion.

(b) Deleting Additional Use No. 63 relating to Lot 60 (House 191) Naturaliste Terrace, Dunsborough, and amend the Scheme maps accordingly.

(c) Deleting Additional Use No. 73 relating to Lot 8 (House 226) Naturaliste Terrace, Dunsborough, and amend the Scheme maps accordingly.

2.7. Amend Schedule 3 “Special provision areas” by—

(a) Modifying Special Provision 41 relating to Lots 15, 16, 24 and 38 Duchess Street, West Busselton to remove reference to “Limited Office Use” from within the “Zone” column.

(b) Deleting Special Provision 20 relating to Lot 1 (House 61) Dunn Bay Road, Dunsborough, and amend the Scheme maps accordingly.

(c) Deleting Special Provision 46 relating to Lots 1-11 (House 15) Dunn Bay Road, Dunsborough, and amend the Scheme maps accordingly.

- (d) Deleting Special Provision 49 relating to Lot 202 (House 24) Dunn Bay Road, Dunsborough, and amend the Scheme maps accordingly.

2.8 Amend the Scheme maps by—

- (a) Amend the Scheme in relation to land currently zoned ‘Business’ within the Busselton City Centre to include a residential density Code of R-AC3, being—
- i. Lots bound by Peel Terrace, Brown Street, West Street and Marine Terrace;
 - ii. The portion of Lot 73 Peel Terrace currently zoned ‘Business’; and
 - iii. Lots 74 and 75 Peel Terrace;
- And subject to the following exclusions—
- i. All lots also contained within the Adelaide Street Special Character Area;
 - ii. The portion of Lot 73 Peel Terrace currently reserved for ‘Community Purposes’.
- (b) Amend the Scheme map in relation to land currently zoned ‘Business’ within the Dunsborough Town Centre to include a residential density Code of R-AC3, being—
- i. Lots bound by Caves Road, Cape Naturaliste Road, Dunn Bay Road and Seymour Boulevard;
 - ii. Lots bound by Cape Naturaliste Road, Dunn Bay Road, Naturaliste Terrace and Reserve 42673;
 - iii. Lots bound by Dunn Bay Road, Naturaliste Terrace and Hannay Lane;
 - iv. Lots 1-7 (233) Naturaliste Terrace, Lots 1-17 (31) Dunn Bay Road, and Lot 104 (29) Dunn Bay Road.
- (c) Rezoning land currently zoned ‘Tourist’ and ‘Special Purpose’ with frontage to Dunn Bay Road, Dunsborough to ‘Business’ and applying a residential density Code of R-AC3.
- (d) Rezoning land currently zoned ‘Industrial’ and ‘Restricted Business’ within the Dunsborough Town Centre to ‘Business’ and applying a residential density Code of R-AC3, being—
- i. Lots bound by Cape Naturaliste Road, Reserve 42673, Naturaliste Terrace and Reserve 42545.
- (e) Rezoning Lot 106 (House No. 16) Cyrilleean Way, Dunsborough from ‘Recreation’ to ‘Business’ and applying a residential density Code of R-AC3.
- (f) Modifying the residential density coding to R80 over Lots 51 and 87 to 102 Chieftain Crescent, Lots 86 and 162 Chester Way, Lots 139 to 141 Lorna Street, Lots 1-9 (20), 81 (18) and 115 to 127 Geographe Bay Road, Lots 1-17 (3) Dunn Bay Road, Lots 1 and 2 (4), 5 (2), 17, 18, 41 to 43 Prowse Way, Lots 3 and 4 Greenacre Road and Lot 60 (191) Naturaliste Terrace, Dunsborough.

3. Scheme Area

3.1 Amend clause 1.3 ‘Scheme Area’ to read as follows—

“1.3 SCHEME AREA

The Scheme applies to the Scheme area as shown on the Scheme maps, or to the Low Water Mark, if the Scheme map does not extend to or beyond the Low Water Mark.”

3.2 Amend clause 3.3 ‘Local Reserves’ to read as follows—

“3.3 LOCAL RESERVES

Local Reserves are delineated and depicted on the Scheme map according to the legend on the Scheme map, and in addition land between High Water Mark and Low Water Mark shall, unless identified otherwise in the Scheme map, be considered to be ‘Recreation Reserve’.”

3.3 Amending Schedule 1 “Interpretations” by—

- (a) inserting the following new definitions—
- i. **“Low Water Mark”**, in relation to tidal waters, means lowest water mark at spring tides.”
 - ii. **“High Water Mark”**, in relation to tidal waters, means ordinary high water mark at spring tides.”
- (b) Amending the following definition to read—
- “Mean High Water Mark”** means the demarcation line shown on the Scheme map as provided by Landgate on the day of 22 June 2015, that identifies the interface of the ocean and land, and shall exclude any demarcation of natural inland water systems or man-made harbours/canals.”

3.4 Amending Schedule 4, clause 5(d) of the ‘Eagle Bay Special Character Area’ to include the word *“mean”* in front of the words *“high water mark”*;

3.5 Amending the Scheme maps by—

- (a) Aligning the Scheme area boundary to the Low Water Mark and including Lot 350 Queen Street, Busselton;
- (b) Delineating the Mean High Water Mark as provided by Landgate on the day of 22 June 2015;

4. Miscellaneous Scheme Text Amendments

- 4.1 Modifying clause 4.4.2 by—
- (a) Amending clause 4.4.2(a) to read as follows—

“(a) determine that the use is consistent with the objectives and policies of the particular zone and is therefore permitted; or”
 - (b) Amending clause 4.4.2(c) to read as follows—

“(c) determine that the use is not consistent with the objectives and policies of the particular zone and is therefore not permitted.”
- 4.2 Modifying clause 4.5 “Exceptions to the zoning table” by—
- (a) Deleting clause 4.5.3(d) and renumbering subsequent clauses accordingly.
 - (b) Introducing a new sub-clause to clause 4.5.4 to read as follows—

“(h) the use of land within the Rural Residential zone, identified for rural or primary production on an approved Structure Plan for the purposes of agriculture—intensive, subject to advertising pursuant to clause 10.4 of the Scheme.”
 - (c) Amending clause 4.5.4(a) by removing reference to “multiple dwelling”.
- 4.3 Amending Table 1 “Zoning Table” in relation to the ‘Business’ zone and in relation to the use class ‘Community Centre’, replacing the symbol ‘D’ with the symbol ‘P’.
- 4.4 Deleting sub-clause 5.3.1(g) and renumbering subsequent clauses accordingly.
- 4.5 Inserting a new clause 5.5.2 as follows and renumbering subsequent clauses and clause references accordingly—
- “5.5.2 Notwithstanding clause 5.5.1 above, the following development is expressly prohibited—
- (a) Advertisements that advertise goods and services which are not produced, displayed or offered for sale, or which is otherwise not relevant to, the land upon which the advertisement is located, as specified by clause 5.40.”
- 4.6 Amend clause 5.8.1 to read as follows—
- “5.8.1 A person must not erect any building that—
- (a) contains more than two storeys or exceeds a height of 9 metres where land is within 150 metres of the mean high water mark; or
 - (b) contains more than three storeys or exceeds a height of 12 metres where land is more than 150 metres from the mean high water mark, except where otherwise provided for in the Scheme.”
- 4.7 Amending clause 5.18 “Permanent/Residential Occupation of Tourist Developments” to read as follows—
- “5.18 PERMANENT/RESIDENTIAL OCCUPATION OF TOURIST DEVELOPMENTS**
- 5.18.1 Outside the residential zone, occupation by any person of the following use classes approved under the Scheme as short stay accommodation is limited to a maximum of 3 months in any 12 month period. This applies to the following use classes—
- (a) Guesthouse;
 - (b) Chalet;
 - (c) Caravan Park;
 - (d) Park Home Park;
 - (e) Tourist Accommodation.
- 5.18.2 Notwithstanding the provisions of clause 5.18.1 and subject to consideration of the need to make available adequate tourist accommodation the local government may grant planning approval for the permanent occupancy of up to—
- (a) 100% of caravan sites within a Caravan Park or Park Home Park on land in the Residential zone; and
 - (b) 15% of caravan sites within a Caravan Park or Park Home Park on land in the Tourist zone.”
- 4.8 Deleting clause 5.29 “Fire Management in Rural Areas” and renumbering subsequent clauses and clause references accordingly.
- 4.9 Amending clause 5.35 “Setback Requirements in the Agriculture and Viticulture and Tourism Zones” by—
- (a) Amending sub-clause 5.35.2 to read as follows—

“In the Agriculture or Viticulture and Tourism zones, a building must not be constructed within 100 metres of Bussell Highway or Caves Road, or 60 metres of Vasse Highway without planning approval, which must not be granted unless the local government is satisfied that the development is consistent with all relevant provisions of the Scheme. Where the local government receives such application it shall forward the application to Main Roads Western Australia for comment and take such comments into consideration when determining the application.”
 - (b) Deleting sub-clause 5.35.3 and renumbering subsequent clauses and clause references accordingly.

4.10 Amending Schedule 1 “Interpretations” by removing the definition ‘Health Care Professional’.

4.11 Amending Schedule 14 “Exempted Advertisements” by—

(a) Replacing the term “Information Sign” with “Information Panel” at (A)11.

(b) Inserting a new ‘Note’ after clause (B)1 to read as follows—

“Note: Advertisements that advertise goods and services which are not produced, displayed or offered for sale, or which is otherwise not relevant to, the land upon which the advertisement is located, are prohibited as specified by clause 5.40.”

5. Scheme Maps

Amending the Scheme maps as shown on the Scheme Amendment maps and as follows—

	Address	Details—The proposed modification
5.1	Implement Cadastre Changes to all Scheme maps	Scheme maps to be updated with the most up to date cadastre data
5.2	Lot 306 (1191) Vasse—Yallingup Siding Road, Quindalup	Rezone portion of lot from ‘no zone’ to ‘Agriculture’
5.3	Lot 307 (9122) Quindalup South Road, Quindalup	Rezone portion of lot from ‘no zone’ to ‘Agriculture’
5.4	Lot 308 (1105) Vasse—Yallingup Siding Road, Quindalup	Rezone portion of lot from ‘no zone’ to ‘Agriculture’
5.5	Lot 309 (26) Quindalup South Road, Quindalup	Rezone portion of lot from ‘no zone’ to ‘Agriculture’
5.6	Lot 310 (67) Quindalup South Road, Quindalup	Rezone portion of lot from ‘no zone’ to ‘Agriculture’
5.7	Lot 3733 Coulls Road, Yallingup Siding	Rezone from ‘no zone’ to ‘Agriculture’
5.8	Yallingup Special Character Area	Identify the Yallingup Special Character Area as shown on the Scheme Amendment map
5.9	Lot 1451 (461) Princefield Road, Ruabon	Rezone portion of lot from ‘no zone’ to ‘Agriculture’
5.10	Lot 3124 Princefield Road, Abba River	Rezone from ‘no zone’ to ‘Agriculture’
5.11	Lot 964 Yoganup Place, Yoganup	Rezone portion from ‘Recreation’ Reserve to ‘Bushland Protection’ and ‘Agriculture’.
5.12	Lot 583 (910) Ludlow-Highergreen Road, Abba River	Rezone portion of the lot from ‘Public Purpose’ Reserve to ‘Agriculture’
5.13	Lot 582 (459) Princefield Road, Abba River	Rezone portion of the lot from ‘Public Purpose’ Reserve to ‘Agriculture’
5.14	Lot 687 Princefield Road, Abba River	Rezone portion of the lot from ‘Public Purpose’ Reserve to ‘Agriculture’
5.15	Lot 26 Vasse Highway, Yoongarillup	Rezone portion of the lot from ‘Public Purpose—Drain’ Reserve to ‘Agriculture’
5.16	Lot 1 (71) Boundary Road and Lot 109 (8113) Bussell Highway, Metricup	Rezone portion of lots from ‘Agriculture’ to ‘Special Purpose—Caravan Park’
5.17	Lot 21 (3806) Caves Road, Wilyabrup	Rezone portion of lot from ‘Recreation’ Reserve to ‘Viticulture and Tourism’
5.18	Lot 2680 (811) Puzey Road, Wilyabrup	Rezone from ‘Recreation’ Reserve to ‘Viticulture and Tourism’
5.19	Lot 1 (1092) Chapman Hill Road, Chapman Hill	Rezone from ‘no zone’ to ‘Agriculture’
5.20	Lot 31 (261) Jindong-Treeton Road, Kaloorup	Rezone portion of lot from ‘Recreation’ Reserve to ‘Agriculture’ and the directly adjacent road reserve from ‘Recreation’ Reserve to ‘no zone’
5.21	Portion of Lot 125 (3763) Caves Road, Wilyabrup	Rezone from ‘Recreation’ Reserve and ‘no zone’ to ‘Viticulture and Tourism’
5.22	Lot 282 (516) Lindberg Road, Kalgup	Rezone portion from ‘Recreation’ Reserve to ‘Agriculture’
5.23	Lot 3978 (980) Vasse Highway, Yoongarillup	Rezone from ‘Recreation’ Reserve to ‘Special Purpose—Telephone Exchange’
5.24	Lot 100 (3) Caladenia Close, Lot 101 (6) Eagle Crescent and Lot 102 (23) Fern Road, Eagle Bay	Rezone portions of the lots from ‘Public Purpose’ Reserve to ‘Residential R5’

	Address	Details—The proposed modification
5.25	Eagle Bay Special Character Area	Identify the Eagle Bay Special Character Area as shown on the Scheme Amendment map
5.26	Lot 999 (245) Cape Naturaliste Road, Dunsborough	Rezone from 'Special Purpose—School Site' to 'Special Purpose—Educational Establishment'
5.27	Lot 200 (1) Gifford Road and Lots 91 (3), 92 (3A), 93 (5A) and 94 (5) Hurford Street, Dunsborough	Rezone portions of the lots from 'no zone' to 'Residential R15', and remove the 'Recreation' Reserve designation and 'Landscape Value' Area from the Hurford Street road reserve
5.28	Old Dunsborough Special Character Area	Identify the Old Dunsborough Special Character Area as shown on the Scheme Amendment map
5.29	Dunsborough Landscape Value Area	Realign the 'Landscape Value' Area around the Dunsborough Residential zone, such that it is located between the 'Agriculture' zone and the 'Residential' zone, as shown on the Scheme Amendment map
5.30	Lot 600 (7) Armstrong Place, Dunsborough	Rezone from 'Recreation' Reserve to 'Special Purpose—Aged Person Housing'
5.31	Lot 42 (201) Geographe Bay Road, Quindalup	Rezone from 'Public Purpose' Reserve to 'Special Purpose—Hostel'
5.32	Lot 2761 (29) Commonage Road, Quindalup	Rezone portion of lot from 'Public Purpose' Reserve to 'Agriculture'.
5.33	Quindalup Special Character Area	Identify the Quindalup Special Character Area as shown on the Scheme Amendment map
5.34	Lots 1 (29) and 2 (2/31) Wardanup Crescent, Yallingup	Rezone portion of the lots from 'no zone' to 'Residential R10'
5.35	Lot 5 (20) Elsegood Avenue and Lot 21 (9) Dawson Drive, Yallingup	Rezone from 'Tourist' to 'Residential R10', as shown on the Scheme Amendment map
5.36	Lot 15 Quindalup Siding Road, Quindalup	Rezone portion of lot from 'Recreation' Reserve to 'Agriculture'
5.37	Lots 40 (1721) and 41 (1701) Wildwood Road, Yallingup	Rezone portion of the lots from 'Public Purpose' Reserve to 'Viticulture and Tourism'
5.38	Lot 2000 Edith Cowan Court, Abbey and Lot 5614 Wagon Entrance, Broadwater (Reserve 48280)	Reserving from 'Residential R5', 'R20' and 'R30' to 'Recreation' Reserve
5.39	Lot 6 (2) Grace Court, West Busselton	Rezone from 'Public Purpose' Reserve to 'Special Purpose—Educational Establishment'
5.40	Lot 500 Grace Court, West Busselton	Rezone from 'Special Purpose—Various' to 'Special Purpose—Church Site, Educational Establishment, Child Care and Hall'
5.41	Lot 688 (1) Piano Box Boulevard and Lot 689 (34) Pickmore Circus, West Busselton	Rezone from 'no zone' to 'Residential R20'
5.42	Lot 501 (190) Bussell Highway, West Busselton	Rezone portion of lot from 'no zone' to 'Residential R15'
5.43	Lot 502 Bussell Highway, West Busselton (Reserve 41554)	Rezone portion of lot from 'no zone' to 'Recreation' Reserve
5.44	Lot 4691 (7) Kingfish Road, Broadwater	Rezone from 'Recreation' Reserve to 'Residential R15'
5.45	Lot 200 (165) Marine Terrace, Geographe	Rezone portion of lot from 'no zone' to 'Residential R15'
5.46	Lot 5016 (75) Ford Road, Geographe (Reserve 44384)	Rezone from 'Recreation' Reserve to 'Residential R20'
5.47	Lot 10 (86) Causeway Road and Lot 12 (69) Molloy Street, Busselton	Rezone portions of the lots from 'Special Purpose—Service Station' to 'Residential R20'
5.48	Lot 300 Leeuwin Boulevard, West Busselton	Rezone from 'Recreation' Reserve and 'no zone' to 'Residential R20'
5.49	Lot 2000 Deacon Walk, West Busselton	Reserve lot as 'Recreation' Reserve from 'Residential' zone
5.50	Lot 197 (1) MacKillop Avenue, West Busselton (MacKillop Catholic College)	Rezone from 'Public Purpose' Reserve to 'Special Purpose—Educational Establishment'

	Address	Details—The proposed modification
5.51	Lot 5320 (2) Kelly Drive, West Busselton (St Joseph's Primary School)	Rezone from 'Public Purpose' Reserve and 'no zone' to 'Special Purpose—Educational Establishment'
5.52	Lot 2002 Pinnacle Avenue, Ambergate (Reserve 50288)	Reserve portions of lot as 'Recreation' Reserve from 'Rural Residential' zone
5.53	Lot 16 Lindberg Road, Bovell	Rezone from 'no zone' to 'Agriculture'
5.54	Lot 25 (580) Vasse Highway, Yoongarillup	Rezone portion of lot from 'Public Purpose' Reserve to 'Agriculture'
5.55	Lot 60 (3908) Bussell Highway, Ruabon	Rezone in part from 'Recreation' Reserve to 'Agriculture'.
5.56	Lots 127 (30), 128 (28), 129 (24), 130 (18) and 135 (31) Old Timber Court, Reinscourt	Rezoning portions of lots from 'Conservation' to 'Rural Residential'
5.57	Lot 27 (606) Rendezvous Road, Vasse (Heron Lake)	Exclude lot from DCA 1 to be included within the Vasse Development Contributions Plan.
5.58	Map Legend	Insert the following into the Map Legend in alphabetical order under 'Special Purpose'— "CECH CHURCH SITE, EDUCATIONAL ESTABLISHMENT, CHILD CARE AND HALL" "EE EDUCATIONAL ESTABLISHMENT" "TE TELEPHONE EXCHANGE" "HL HOSTEL"

G. D. HENLEY, Deputy Mayor.
M. S. L. ARCHER, Chief Executive Officer.

PL402

PLANNING AND DEVELOPMENT ACT 2005
APPROVED TOWN PLANNING SCHEME AMENDMENT

City of Armadale

Town Planning Scheme No. 4—Amendment No. 85

Ref: TPS/1914

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 Armadale Town Planning Scheme amendment on 26 July 2017 for the purpose of—

1.1 Amend Development Contributions Plan No. 3 in Schedule 13B by—

- (a) Amend the Description of Land in the second column by inserting 'North Forrestdale (Piara Waters and Harrisdale) Urban Development Area' after No. 3'.
- (b) Change the heading of the third column from 'Infrastructure to which cost sharing arrangements relate' to 'Contribution Arrangements'.
- (c) Amend Clause 3.1.1 by deleting the words 'Schedule 13B, this'.
- (d) Amend Clause 3.1.3 by replacing the word 'this' with 'the' and replacing the word 'prevails' with 'prevail'.
- (e) Amend Clause 3.2 by and replacing the words 'this schedule' with 'Development Contribution Plan No. 3'.
- (f) Amend Clause 3.1.3, 3.2, 3.4.1, 3.4.2, (a)(i), 3.4.2 (a) (ii), 3.4.3 (first paragraph), 3.4.3 (b), 3.4.3 (d), 3.4.3 (e), 3.5.2, 3.6.2 (b), 3.6.2 (e), 3.6.2 (f), 3.10.1, 3.10.2, 3.10.5, 3.12.3 (d) (first paragraph), 3.12.3 (e), 3.12.4, 3.12.5, 3.12.6, 3.13.6 and 3.15.1 by replacing the words 'Schedule 13B' with 'Development Contribution Plan No. 3'.
- (g) Amend Clauses 3.2 (excluding in the definition for Potential Lots), 3.4.3 (first paragraph), 3.4.3 (d), 3.4.3 (e), 3.6.2 (b), 3.6.2 (e), 3.6.2 (f), 3.10.5, 3.10.6, 3.12.4, 3.12.5, 3.13.9 and 3.13.10 by replacing the word 'Clause' with 'subclause'.
- (h) Amend Clauses 3.2, 3.4.3 (d), 3.10.5 and 3.12.6 by replacing the word 'Clauses' with 'subclause'.
- (i) Amend Clause 3.6.2 (a) by replacing the word 'this' with 'the'.
- (j) Amend 3.6.2 (c) by replacing the words 'this Schedule' and 'Schedule 13B of the Scheme for this Development Contribution Plan' with 'Development Contribution Plan No. 3'.

- (k) Modify Clause 3.6.3 (8)(a) to read as follows—

A contribution to the cost of district sporting and community facilities, including sporting/community buildings, change rooms, toilets, playground, multiple purpose courts, associated facilities and the upgrade of an existing multiple purpose sporting oval.

- (l) Amend Clause 3.6.3 (8)(e) by—

- (i) adding 'sporting and community facilities,' after the word 'construct'.
- (ii) adding 'including sporting/community buildings,' before the word 'change'.
- (iii) deleting the words 'and toilet block associated with active recreational uses on two sites of'.
- (iv) adding 'toilets and playgrounds on' after the word 'parking'.

- (m) Modify Clause 3.6.3 (8)(f) to read as follows—

A contribution as defined in Infrastructure Cost Schedule to the total cost to construct a senior multiple purpose sporting oval adjoining each of the public primary schools minus contributions from the Department of Education when they become available for ovals shared with public primary schools and a senior multiple purpose sporting oval on Lot 48 Nicholson Road.

- (n) Amend Clause 3.10.1 by deleting the word 'formal' and replacing the word 'claim' with 'prefunding application'.
- (o) Amend Clause 3.10.2 by replacing the word 'claim' with 'prefunding application' and adding the words 'of the scheme' after '6B'.
- (p) Amend Clause 3.10.3 adding the words 'or reimbursement' after the word 'credit' where it occurs.
- (q) Amend Clause 3.12.1 by adding the words 'of the scheme' after '6B.9.6'.
- (r) Amend Clause 3.12.3 (e) by adding the words 'of the scheme' after '6B'.
- (s) Amend Clause 3.13.7 by deleting the word 'this' and replacing the words 'during this period' with '3.13.6' and replacing the words 'Schedule 13B of the Scheme, Development Contribution Plan' with 'Development Contribution Plan No. 3'.
- (t) Amend Clause 3.15.1 by adding the words 'of the scheme' after '6B.6'.

- 1.2 Amend Part 6B by—

- (a) Amend Clause 6B.3.1 and 6B.3.2 by replacing the word 'and' that is between '13A' and 'Schedule' with 'or'.
- (b) Amend Clause 6B.1, 6B.4.2 (a) and 6B.4.3 by replacing the number '13' with '13A or 13B'.
- (c) Amend Clause 6B.9.1 (a) by adding the words 'the provisions of Development Contributions Plan No. 3 contained within' between the words 'with' and 'Schedule 13B'.

H. ZELONES OAM JP, Mayor.
R. TAME, Chief Executive Officer.

PL403

PLANNING AND DEVELOPMENT ACT 2005
APPROVED TOWN PLANNING SCHEME AMENDMENT
City of Canning
Town Planning Scheme No. 40—Amendment No. 227

Ref: TPS/1936

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 Canning Town Planning Scheme amendment on 27 July 2017 for the purpose of—

1. Reclassifying Lot 17 (No. 8) Coulson Way, Canning Vale from 'Local Park and Recreation Area' to 'General Industry'.
2. Reclassifying portion of Lot 92 (No. 12-14) Coulson Way, Canning Vale from 'Local Park and Recreation Area' to 'General Industry'.
3. Reclassifying Lot 60 (No. 24) Magnet Road, Canning Vale from 'Local Park and Recreation Area' to 'General Industry'.
4. Reclassifying Lot 69 Magnet Road, Canning Vale from 'Local Park and Recreation Area' to 'General Industry'.
5. Reclassifying portion on Lot 114 Vulcan Road, Canning Vale from 'Local Park and Recreation Area' to 'General Industry'.

6. Reclassifying portions of Lot 19 (No. 10) Baile Road, Canning Vale from 'General Industry' and 'Public Purpose' to 'Local Park and Recreation Area'.
7. Reclassifying Lot 931 (No. 56-58) Mordaunt Circuit, Canning Vale from 'General Industry' to 'Local Park and Recreation Area'.
8. Reclassifying Crown Allotment 4310 (No. 101) Catalano Circuit, Canning Vale from 'Mixed Business' to 'Local Park and Recreation Area'.
9. Reclassifying Crown Allotment 4309 (No. 37) Catalano Circuit, Canning Vale from 'Mixed Business' to 'Local Park and Recreation Area'; and
10. Amending the Town Planning Scheme No. 40 Map accordingly.

P. NG, Mayor.
A. KYRON, Chief Executive Officer.

PL404**PLANNING AND DEVELOPMENT ACT 2005****DIRECTIONS****DR 229 of 2017**

In the State Administrative Tribunal, Between Hanson Construction Materials Pty Ltd, Applicant and City of Vincent, Respondent.

Direction to the State Administrative Tribunal to refer application to the Minister for Planning pursuant to section 246(2)(b) of the *Planning and Development Act 2005*.

To: State Administrative Tribunal
Level 6, State Administrative Tribunal Building
565 Hay Street
PERTH WA 6000

1. On 14 July 2017, Application DR 229 of 2017 between Hanson Construction Materials Pty Ltd, Applicant and the City of Vincent, Respondent, was filed in the State Administrative Tribunal.
2. I, Minister for Planning, consider that the Application raises issues of such State and regional importance that it is appropriate for the Application to be determined by the Minister for Planning.
3. I therefore direct you, pursuant to section 246(2)(b) of the *Planning and Development Act 2005* to hear the application but, without determining it, to refer it with recommendations to the Minister for Planning for determination.

RITA SAFFIOTI, MLA, Minister for Planning.

PL405**PLANNING AND DEVELOPMENT ACT 2005****DIRECTIONS****DR 235 of 2017**

In the State Administrative Tribunal, Between Holcim Australia Pty Ltd, Applicant and City of Vincent, Respondent.

Direction to the State Administrative Tribunal to refer application to the Minister for Planning pursuant to section 246(2)(b) of the *Planning and Development Act 2005*.

To: State Administrative Tribunal
Level 6, State Administrative Tribunal Building
565 Hay Street
PERTH WA 6000

1. On 25 July 2017, Application DR 235 of 2017 between Holcim Australia Pty Ltd, Applicant and the City of Vincent, Respondent, was filed in the State Administrative Tribunal.
2. I, Minister for Planning, consider that the Application raises issues of such State and regional importance that it is appropriate for the Application to be determined by the Minister for Planning.
3. I therefore direct you, pursuant to section 246(2)(b) of the *Planning and Development Act 2005* to hear the application but, without determining it, to refer it with recommendations to the Minister for Planning for determination.

RITA SAFFIOTI, MLA, Minister for Planning.

POLICE

PO401

ROAD TRAFFIC ACT 1974
ROAD TRAFFIC CODE 2000

AUTHORISED PERSONS

Declaration

Regulation 272 of the Road Traffic Code—Obedience to Police or Authorised Persons

I, Karl Joseph O'Callaghan, Commissioner of Police, acting pursuant to Regulation 271 of the *Road Traffic Code 2000* hereby declare that a person who is a "licensed pilot vehicle driver" pursuant to Regulation 3 of the *Road Traffic Code 2000* is an authorised person for the purposes of regulations 272(1)(a) and 272(1)(d) of the *Road Traffic Code 2000*—whilst performing their functions in facilitating the safe movement of an oversize vehicle escorted by a licensed pilot vehicle driver.

Dated this Thursday, 27 July 2017.

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

Surname	First Name	State	Pilot Licence Number	Training Provider
Murphy	Evan	WA	00249	Keen Bros

PO402

ROAD TRAFFIC ACT 1974
ROAD TRAFFIC CODE 2000

AUTHORISED PERSONS

Declaration

Regulation 272 of the Road Traffic Code—Obedience to Police or Authorised Persons

I, Karl Joseph O'Callaghan, Commissioner of Police, acting pursuant to Regulation 271 of the *Road Traffic Code 2000* hereby declare that a person who is a "licensed pilot vehicle driver" pursuant to Regulation 3 of the *Road Traffic Code 2000* is an authorised person for the purposes of regulations 272(1)(a) and 272(1)(d) of the *Road Traffic Code 2000*—whilst performing their functions in facilitating the safe movement of an oversize vehicle escorted by a licensed pilot vehicle driver.

Dated this Friday, 28 July 2017.

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

Surname	First Name	State	Pilot Licence Number	Training Provider
Saunders	Colin	WA	00251	Miro Training Centre
Armstrong	Charmian	WA	00252	Miro Training Centre

PO403

ROAD TRAFFIC ACT 1974
ROAD TRAFFIC CODE 2000

AUTHORISED PERSONS

Declaration

Regulation 272 of the Road Traffic Code—Obedience to Police or Authorised Persons

I, Karl Joseph O'Callaghan, Commissioner of Police, acting pursuant to Regulation 271 of the *Road Traffic Code 2000* hereby declare that a person who is a "licensed pilot vehicle driver" pursuant to Regulation 3 of the *Road Traffic Code 2000* is an authorised person for the purposes of regulations 272(1)(a) and 272(1)(d) of the *Road Traffic Code 2000*—whilst performing their functions in facilitating the safe movement of an oversize vehicle escorted by a licensed pilot vehicle driver.

Dated the 31st day of July 2017.

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

Surname	First Name	State	Pilot Licence Number	Training Provider
Joyce	Susan	WA	00256	Miro Training Centre

PREMIER AND CABINET

PR401

INTERPRETATION ACT 1984 MINISTERIAL ACTING ARRANGEMENTS

It is hereby notified for public information that the Governor in accordance with Section 12(c) of the *Interpretation Act 1984* has approved the following temporary appointment—

Hon. R. H. Cook, MLA to act temporarily in the office of Premier; Minister for Public Sector Management; State Development, Jobs and Trade; Federal-State Relations in the absence of the Hon. M. McGowan, MLA for the period 23 to 29 October 2017 (both dates inclusive).

D. FOSTER, Director General, Department of the Premier and Cabinet.

DECEASED ESTATES

ZX401

TRUSTEES ACT 1962 DECEASED ESTATES

Notice to Creditors and Claimants

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* relates) in respect of the estate of John Donald Wishart, late of Bethanie Fields, 111 Eaton Drive, Eaton Western Australia who died on 5th February 2017 are required by the personal representative to send particulars of their claims addressed to the Executors of the Estate of John Donald Wishart deceased care of Young & Young, 5 Spencer Street, Bunbury by the 31st day of August 2017 after which date the personal representative may convey or distribute the assets having regard only to the claims of which the personal representative then has notice.

ZX402

TRUSTEES ACT 1962 DECEASED ESTATES

Notice to Creditors and Claimants

Antonio Delle Grazie, late of 3 Dilabert Way, Bertram, Western Australia, Retired Linesman/Estimator, 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 19 May 2015, are required by the trustees, Brett Stephen Delle Grazie and Gabriele Procino, care of Butlers, Barristers & Solicitors, 45 Stirling Highway, Nedlands, WA 6009, to send particulars of their claims to them within one (1) month from today, after which date the trustees may convey or distribute the assets, having regard only to the claims of which they then have notice.

ZX403

TRUSTEES ACT 1962 DECEASED ESTATES

Notice to Creditors and Claimants

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* relates) in respect of the Estates of the undermentioned deceased persons are required to send particulars of their claims to me on or before 4 September 2017 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Allen, June Ruth, late of Bethanie Waters Retirement Village, 18 Olivenza Crescent Port Kennedy, WA 6172, who died 22 April 2017. (DE 19952196 EM24)

Boyd, Mary Iris, late of Opal Aged Care Murdoch, 1/20 Windelya Road, Murdoch, WA 6150, who died 10 June 2017. (DE 19530221 EM17).

Cunningham, Ronald, late of 31 Thorley Way, Lockridge, WA 6054, who died 8 March 2017. (DE 19880482 EM13).

- Marks, Shirley Ann, late of Aegis Shoalwater, 72 Fourth Avenue, Shoalwater WA 6169, who died 8 April 2017. (DE 19942738 EM16)
- Miekle, James Andrew, late of 36 Durack Way Padbury, WA, 6025, who died 19 June 2017. (DE 33115799 EM17).
- Portman, Ione Louise, late of Nazareth Care Geraldton, 17 Crowtherton Street, Bluff Point, WA 6530, who died 28 February 2017. (PM 33089305 TM52)
- Randall, Lionel Robert, late of 91 Federation Street, Mount Hawthorn, WA, 6016, who died 1 July 2017. (DE 19722509 EM213).
- Smith, Catherine Ada, late of Braemar Village, 24-36, Charsley Street, Willagee, WA, 6156, who died 5 July 2017. (DE 19710296 EM26).
- Steer, Ann, late of 7 Skelwith Close, Balga, WA, 6061, who died 27 June 2017. (DE 19933989 EM22).
- Tourkina, Valentina, late of 8/6 Kenilworth Street, Maylands, WA, 6051, who died 24 July 2017. (DE 19991619 EM38).
- Wickens, Graham, late of Mertome Village, 30 Winifred Road, Bayswater, WA, 6053, who died 13 February 2017. (PM 33097644 TM52).
- Woodward, John Peter, late of Kelmscott River Gardens, 89 Clifton Street, Kelmscott, WA, 6111, who died 1 July 2017. (DE 19980904 EM110).

BRIAN ROCHE, Public Trustee.
553 Hay Street, Perth WA 6000.
Telephone: 1300 746 212.
