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GOVERNMENT GAZETTE

PUBLISHING DETAILS FOR CHRISTMAS 2017 AND NEW YEAR HOLIDAY PERIOD 2018

Publishing Dates and Times	Closing Dates and Times for copy
Friday, 29 December 2017 at 12 noon	Wednesday, 27 December 2017 at 3 pm
Friday, 5 January 2018 at 12 noon	Wednesday, 3 January 2018 at 12 noon
There will be no <i>Gazette</i> published for Tuesday, 26 December 2017 and Tuesday, 2 January 2018.	



— PART 1 —

COMMUNITY AND CHILD SERVICES

CN301

Education and Care Services National Law (WA) Act 2012

Education and Care Services National Amendment Regulations 2017

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Education and Care Services National 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 *Education and Care Services National Regulations 2012*.

4. Regulation 5 amended

In regulation 5(2)(i) delete “for no more than 4 weeks per calendar year during school holidays;” and insert:

during school holidays for a total of not more than 28 days in a calendar year;

5. Regulation 43 amended

In regulation 43(1)(a) delete “60” and insert:

6. Regulation 49 amended

In regulation 49:

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

Tasmania;
- (b) after paragraph (g) insert:
 - (h) a person who, immediately before 1 October 2017, was the holder of a supervisor certificate that was —
 - (i) granted by a Regulatory Authority of another participating jurisdiction; and
 - (ii) neither cancelled nor suspended.

Note:

At the end of amended regulation 49 the following note is to be inserted:

Note for this regulation:

This regulation differs from regulation 49 of the national regulations made by the Ministerial Council.

7. Regulation 100 amended

In regulation 100(4):

- (a) in paragraph (b) delete “excursion.” and insert:

excursion; and
- (b) after paragraph (b) insert:
 - (c) that risk assessment has been conducted not more than 12 months before the excursion is to occur.

8. Regulation 135 amended

Delete regulation 135(2) and insert:

- (2) The combined total of all periods of absence for which persons are taken to be an early childhood teacher of an education and care service under subregulation (1) in any 12 month period must not exceed 60 days.

9. Regulation 136 amended**(1) In regulation 136(1):**

- (a) after “ensure that” insert:

each of

- (b) in paragraphs (a), (b) and (c) delete “one educator” and insert:

one staff member or one nominated supervisor of the service

(2) In regulation 136(2):

- (a) in paragraph (a) delete “an educator referred to in subregulation (1)(a) or” and insert:

for the purposes of subregulation (1)(a),

- (b) in paragraph (b) delete “an educator referred to in subregulation (1)(b) or” and insert:

for the purposes of subregulation (1)(b),

- (c) in paragraph (c) delete “an educator referred to in subregulation (1)(c) or” and insert:

for the purposes of subregulation (1)(c),

10. Regulation 173 amended**In regulation 173(2):**

- (a) in paragraph (c) delete “except in the case of a family day care residence or approved family day care venue,” and insert:

in the case of a centre-based service,

- (b) delete paragraphs (f) and (g) and insert:

- (f) if applicable —

- (i) in the case of a centre-based service, a notice stating that a child who has been diagnosed as at risk of anaphylaxis is enrolled at the service; or

- (ii) in the case of a family day care residence or approved family day care venue, a notice stating that a child who has been diagnosed as at risk of anaphylaxis —
 - (A) is enrolled at the family day care service; and
 - (B) attends the family day care residence or family day care venue;
- (g) if applicable —
 - (i) in the case of a centre-based service, a notice stating that there has been an occurrence of an infectious disease at the premises; or
 - (ii) in the case of a family day care residence or approved family day care venue, a notice stating that there has been an occurrence of an infectious disease at the family day care residence or family day care venue.

11. Regulation 208 amended

In regulation 208:

- (a) in paragraph (d) delete “Council; and” and insert:

Council.

- (b) delete paragraphs (e) and (f).

12. Regulation 219 amended

In regulation 219(a) delete “Ombudsman and the appointment of an acting”.

13. Regulation 239A amended

In regulation 239A(1) delete “2018” and insert:

2020

Note:

At the end of amended regulation 239A(1) the following note is to be inserted:

Note for this subregulation:

This subregulation differs from regulation 239A(1) of the national regulations made by the Ministerial Council.

14. Regulation 240 amended

In regulation 240(1)(a) delete “2018; or” and insert:

2020; or

Note:

At the end of amended regulation 240(1) the following note is to be inserted:

Note for this subregulation:

This subregulation differs from regulation 240(1) of the national regulations made by the Ministerial Council.

15. Regulation 242 amended

In regulation 242(1) delete “2018.” and insert:

2020.

16. Regulation 254 amended

Delete regulation 254(2) and (3) and insert:

- (2) For the purpose of section 323 of the Law, the Curriculum Framework for Kindergarten to Year 12 Education in Western Australia, as in force on the scheme commencement day, is a declared approved learning framework for the purpose of the Law as it applies in that jurisdiction.

R. NEILSON, Clerk of the Executive Council.

— PART 2 —

CONSUMER PROTECTION

CP401

RETAIL TRADING HOURS ACT 1987

RETAIL TRADING HOURS (CITY OF ALBANY) CHRISTMAS AND NEW YEAR VARIATION ORDER 2017

Made by the Minister for Commerce and Industrial Relations under section 12E of the Act.

1. Citation

This order is the *Retail Trading Hours (City of Albany) Christmas and New Year Variation Order 2017*.

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. Variation of retail trading hours

General retail shops, other than motor vehicle shops, in the Albany local government district are authorised to be open at times when those shops would otherwise be required to be closed—

- (a) on each day specified in the Table; and
- (b) during the hours specified for that day in the Table.

Table

Day	Hours
Friday 1 December 2017	From 6.00 pm until 9.00 pm
Saturday 2 December 2017	From 5.00 pm until 9.00 pm
Sunday 3 December 2017	From 10.00 am until 5.00 pm
Monday 4 December 2017	From 6.00 pm until 9.00 pm
Tuesday 5 December 2017	From 6.00 pm until 9.00 pm
Wednesday 6 December 2017	From 6.00 pm until 9.00 pm
Friday 8 December 2017	From 6.00 pm until 9.00 pm
Sunday 10 December 2017	From 10.00 am until 5.00 pm
Monday 11 December 2017	From 6.00 pm until 9.00 pm
Tuesday 12 December 2017	From 6.00 pm until 9.00 pm
Wednesday 13 December 2017	From 6.00 pm until 9.00 pm
Friday 15 December 2017	From 6.00 pm until 9.00 pm
Sunday 17 December 2017	From 10.00 am until 5.00 pm
Monday 18 December 2017	From 6.00 pm until 9.00 pm
Tuesday 19 December 2017	From 6.00 pm until 9.00 pm
Wednesday 20 December 2017	From 6.00 pm until 9.00 pm
Friday 22 December 2017	From 6.00 pm until 9.00 pm
Sunday 24 December 2017	From 10.00 am until 5.00 pm
Tuesday 26 December 2017	From 10.00 am until 5.00 pm
Wednesday 27 December 2017	From 6.00 pm until 9.00 pm
Friday 29 December 2017	From 6.00 pm until 9.00 pm
Sunday 31 December 2017	From 10.00 am until 5.00 pm
Monday 1 January 2018	From 10.00 am until 5.00 pm
Tuesday 2 January 2018	From 6.00 pm until 9.00 pm
Wednesday 3 January 2018	From 6.00 pm until 9.00 pm
Friday 5 January 2018	From 6.00 pm until 9.00 pm
Sunday 7 January 2018	From 10.00 am until 5.00 pm

Day	Hours
Monday 8 January 2018	From 6.00 pm until 9.00 pm
Tuesday 9 January 2018	From 6.00 pm until 9.00 pm
Wednesday 10 January 2018	From 6.00 pm until 9.00 pm
Friday 12 January 2018	From 6.00 pm until 9.00 pm
Sunday 14 January 2018	From 10.00 am until 5.00 pm
Monday 15 January 2018	From 6.00 pm until 9.00 pm
Tuesday 16 January 2018	From 6.00 pm until 9.00 pm
Wednesday 17 January 2018	From 6.00 pm until 9.00 pm
Friday 19 January 2018	From 6.00 pm until 9.00 pm
Sunday 21 January 2018	From 10.00 am until 5.00 pm
Monday 22 January 2018	From 6.00 pm until 9.00 pm
Tuesday 23 January 2018	From 6.00 pm until 9.00 pm
Wednesday 24 January 2018	From 6.00 pm until 9.00 pm
Friday 26 January 2018	From 10.00 am until 5.00 pm
Sunday 28 January 2018	From 10.00 am until 5.00 pm
Monday 29 January 2018	From 6.00 pm until 9.00 pm
Tuesday 30 January 2018	From 6.00 pm until 9.00 pm
Wednesday 31 January 2018	From 6.00 pm until 9.00 pm

B. JOHNSTON, Minister for Commerce and Industrial Relations.

FIRE AND EMERGENCY SERVICES

FE401

BUSH FIRES ACT 1954 TOTAL FIRE BAN DECLARATION

Correspondence No. 12080

Pursuant to powers delegated under the *Bush Fires Act 1954*, the Assistant Commissioner of the Department of Fire and Emergency Services, declared under Section 22A of the *Bush Fires Act 1954*, a total fire ban for 26th October 2017 for the local government districts of—

Laverton, Leonora, Wiluna

BRAD DELAVALLE, Assistant Commissioner of the Department of Fire and Emergency Services, as a sub-delegate of the Minister under section 16 of the *Fire and Emergency Services Act 1998*.

25th October 2017.

FE402

BUSH FIRES ACT 1954 TOTAL FIRE BAN DECLARATION

Correspondence No. 12080

Pursuant to powers delegated under the *Bush Fires Act 1954*, the Assistant Commissioner of the Department of Fire and Emergency Services, declared under Section 22A of the *Bush Fires Act 1954*, a total fire ban for 30th October 2017 for the local government districts of—

Broome, Derby-West Kimberley, Halls Creek, East Pilbara, Port Hedland, Ashburton

BRADLEY DELAVALLE, Assistant Commissioner of the Department of Fire and Emergency Services, as a sub-delegate of the Minister under section 16 of the *Fire and Emergency Services Act 1998*.

HEALTH

HE401

HEALTH (MISCELLANEOUS PROVISIONS) ACT 1911
PERINATAL AND INFANT MORTALITY COMMITTEE (APPOINTMENT OF MEMBER)
INSTRUMENT (NO. 2) 2017

Made by the Minister under section 340AB of the *Health (Miscellaneous Provisions) Act 1911*.

1. Citation

This instrument may be cited as the *Perinatal and Infant Mortality (Appointment of Member) Instrument (No. 2) 2017*.

2. Appointment of Member(s)

The appointment of Dr Chhaya Mehrotra as Member to the Perinatal and Infant Mortality Committee under section 340AB(3)(c)(ii) of the *Health (Miscellaneous Provisions) Act 1911* is approved for a term of three years commencing on the date of appointment.

Hon ROGER COOK MLA, Deputy Premier,
Minister for Health; Mental Health.

Date: 12 October 2017.

HE402

HEALTH PRACTITIONER REGULATION NATIONAL LAW
(WESTERN AUSTRALIA) ACT 2010
HEALTH PRACTITIONER REGULATION NATIONAL LAW (WESTERN AUSTRALIA)
MEDICAL (AREA OF NEED) DETERMINATION (NO. 29) 2017

Made by the Chief Medical Officer, pursuant to section 67(5) of the Schedule of the *Health Practitioner Regulation National Law (Western Australia)*.

Citation

1. This determination may be cited as the *Medical (Area of Need) Determination (No. 29) 2017*.

Commencement

2. This determination comes into operation on the day on which it is published in the *Government Gazette*.

Area of need

3. The area of need specified in the Schedule is determined to be an area of need for the purposes of section 67(5) of the Schedule of the *Health Practitioner Regulation National Law (Western Australia)*.

Expiry of determination

4. This determination expires 2 years after its commencement.

SCHEDULE

GENERAL MEDICAL SERVICES IN THE SUBURB OF MADDINGTON IN THE
CITY OF GOSNELLS

Dated this 30th day of October 2017.

Professor DAVID FORBES, A/Chief Medical Officer, Department of Health
As delegate of the Minister for Health.

HE403

HEALTH PRACTITIONER REGULATION NATIONAL LAW
(WESTERN AUSTRALIA) ACT 2010
HEALTH PRACTITIONER REGULATION NATIONAL LAW (WESTERN AUSTRALIA)
MEDICAL (AREA OF NEED) DETERMINATION (NO. 31) 2017

Made by the Chief Medical Officer, pursuant to section 67(5) of the Schedule of the *Health Practitioner Regulation National Law (Western Australia)*.

Citation

1. This determination may be cited as the *Medical (Area of Need) Determination (No. 31) 2017*.

Commencement

2. This determination comes into operation on the day on which it is published in the *Government Gazette*.

Area of need

3. The area of need specified in the Schedule is determined to be an area of need for the purposes of section 67(5) of the Schedule of the *Health Practitioner Regulation National Law (Western Australia)*.

Expiry of determination

4. This determination expires 3 years after its commencement.

SCHEDULE**NUCLEAR MEDICINE SERVICES IN THE SUBURB OF BUNBURY IN THE
CITY OF BUNBURY**

Dated this 30th day of October 2017.

Professor DAVID FORBES, A/Chief Medical Officer, Department of Health
As delegate of the Minister for Health.

HE404**HEALTH PRACTITIONER REGULATION NATIONAL LAW
(WESTERN AUSTRALIA) ACT 2010****HEALTH PRACTITIONER REGULATION NATIONAL LAW (WESTERN AUSTRALIA)****MEDICAL (AREA OF NEED) DETERMINATION (NO. 32) 2017**

Made by the Chief Medical Officer, pursuant to section 67(5) of the Schedule of the *Health Practitioner Regulation National Law (Western Australia)*.

Citation

1. This determination may be cited as the *Medical (Area of Need) Determination (No. 32) 2017*.

Commencement

2. This determination comes into operation on the day on which it is published in the *Government Gazette*.

Area of need

3. The area of need specified in the Schedule is determined to be an area of need for the purposes of section 67(5) of the Schedule of the *Health Practitioner Regulation National Law (Western Australia)*.

Expiry of determination

4. This determination expires on 6 February 2020.

SCHEDULE**GENERAL MEDICAL SERVICES IN THE SUBURB OF BECKENHAM IN THE
CITY OF GOSNELLS**

Dated this 30th day of October 2017.

Professor DAVID FORBES, A/Chief Medical Officer, Department of Health
As delegate of the Minister for Health.

HE405**MENTAL HEALTH ACT 2014****MENTAL HEALTH (AUTHORISED MENTAL HEALTH PRACTITIONERS)
ORDER (NO. 10) 2017**

Made by the Chief Psychiatrist under section 539 of the *Mental Health Act 2014*;

1. Citation

This order may be cited as the *Mental Health (Authorised Mental Health Practitioners) Order (No. 10) 2017*.

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) clause 3—on the day after that day.

3. Authorised Mental Health Practitioner

The mental health practitioners specified in Schedule 1 to this order are designated as Authorised Mental Health Practitioners.

Schedule 1

Name	Profession
Abon, Cabaal	Social Worker
Beidatsch, Sarah Patricia	Registered Nurse
Cooper, Nicola Jayne	Registered Nurse
Doran, Laura Michelle	Registered Nurse
Falkner, Joe Dominic	Registered Nurse
Garland, Maria Jane	Registered Nurse
McGrath, Monica Corinne	Occupational Therapist
Page, Michelle Elaine	Registered Nurse
Phillips, Jeremy Bertram	Registered Nurse
Reading, Kim Michael	Registered Nurse
Scott, Rachel	Social Worker
Serich, Michael Ronald	Occupational Therapist
Sims, Tanya	Social Worker
Stanesby, Andrew John	Registered Nurse
Stanford, Joel Wesley	Registered Nurse
Stewart, Morgan Ashleigh	Registered Nurse
Tang, Shu Chong	Registered Nurse
Thynne, Alden Charles	Registered Nurse
Wildsmith, David Alexander	Occupational Therapist

Dr. NATHAN GIBSON, Chief Psychiatrist.

Dated 30 October 2017.

HE406**MENTAL HEALTH ACT 2014**

**MENTAL HEALTH (AUTHORISED MENTAL HEALTH PRACTITIONERS)
REVOCATION ORDER (No. 11) 2017**

Made by the Chief Psychiatrist under section 539 of the *Mental Health Act 2014*.

1. Citation

This Order may be cited as the *Mental Health (Authorised Mental Health Practitioners) Revocation Order (No. 11) 2017*.

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) clause 3—on the day after that day.

3. Revocation of designation

The designation, as an authorised mental health practitioner of the mental health practitioners specified in Schedule 1 to this order is revoked.

Schedule 1

Name	Profession
Anderson, Gordon	Registered Nurse
Au, Chung Keung Roger	Registered Nurse
Bennett, Huia-Rani Maria	Registered Nurse
Bennett, James	Registered Nurse
Blakeney, Darryl John	Registered Nurse
Booth, Emma Jane	Registered Nurse
Brack, Janet Ellen	Registered Nurse
Burt, Martin David	Registered Nurse
Burton, Thomas Michael	Registered Nurse
Cains, Allison Jane	Registered Nurse

Name	Profession
Carr, Eleanor Jane	Registered Nurse
Carruthers, Jon	Registered Nurse
Carse, Hilary Ann	Registered Nurse
Crombie-Stewart, Darryl	Social Worker
Davies, Enid	Registered Nurse
Edmunds, Mark Phillip	Registered Nurse
Fisher, Kerry Marguerite	Registered Nurse
Gilroy, Lorraine Lucinda	Registered Nurse
Graham, Marsha Jay	Registered Nurse
Gurusamy, Samy Veerappan	Registered Nurse
Harding, Daina Lee	Registered Nurse
Hawkins, Victor James	Registered Nurse
Hoebert, Corinne	Registered Nurse
Holmes, Jennifer	Social Worker
Johnson, Mary Catherine	Registered Nurse
Keast, Keryn	Registered Nurse
Lafrentz, Christian John	Registered Nurse
Lang, Pauline Margaret	Registered Nurse
McGivern, Catherine Dora	Registered Nurse
Morris, Michelle Lisa	Registered Nurse
Niven, Leslie-Anne	Registered Nurse
Petersen, Julie Elizabeth	Registered Nurse
Richardson, Lisa Kelly	Psychologist
Romero, Leah Jane	Registered Nurse
Rushe, Gerard	Registered Nurse
Statham, Lucy	Registered Nurse
Sullivan, Michelle Joanne	Registered Nurse
Thomson, Kenneth Alexander	Registered Nurse
Watson, Nathalie	Social Worker
Wood, Clare Elizabeth	Occupational Therapist
Yates, Gavin Edmond	Registered Nurse

Dr. NATHAN GIBSON, Chief Psychiatrist.

Dated 30 October 2017.

LOCAL GOVERNMENT

LG401

LOCAL GOVERNMENT ACT 1995

Shire of Serpentine-Jarrahdale

BASIS OF RATES

This notice, which is for public information only, is to confirm that—

I, Michael Connolly, being delegated by the Minister of the Crown to whom the administration of the *Local Government Act 1995* is committed by the Governor, and acting pursuant to section 6.28(1) of that Act, hereby, and with effect from 3 October 2017, determined that the method of valuation to be used by the Shire of Serpentine-Jarrahdale, as the basis for a rate in respect of the land referred to in the Schedule is to be the gross rental value of the land—

Schedule

	Designated land
UV to GRV	All those portions of land being Lots 98 and 99 as shown on Deposited Plan 407333.

MICHAEL CONNOLLY, Deputy Director General—Regulation,
Department of Local Government, Sport and Cultural Industries.

MINERALS AND PETROLEUM

MP401

MINING ACT 1978

APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines and Petroleum
Leonora WA 6438.

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.

ADAM HILLS-WRIGHT, Warden.

To be heard by the Warden at Leonora on 19 December 2017.

MT MARGARET MINERAL FIELD

Prospecting Licences

P 37/7781	Wright, William Richard
P 37/8112	Stephens, Karen Estelle Watters, Aleisha Hayley
P 37/8312	Barr, Robert Jackson
P 39/5129	Lantzke, Terril Gaye Graziano, Giuseppe Paolo Muskett, Raymond
P 39/5534	Ling, Geoffrey Evan

MP402

MINING ACT 1978

APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines and Petroleum
Leonora WA 6438.

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.

ADAM HILLS-WRIGHT, Warden.

To be heard by the Warden at Leonora on 19 December 2017.

MT MARGARET MINERAL FIELD

Prospecting Licences

P 37/8559	Van Blitterswyk, Wayne Craig
P 37/8560	Van Blitterswyk, Wayne Craig
P 37/8561	Van Blitterswyk, Wayne Craig
P 37/8562	Van Blitterswyk, Wayne Craig

PLANNING

PL401

METROPOLITAN REDEVELOPMENT AUTHORITY ACT 2011

DRAFT SUBIACO REDEVELOPMENT SCHEME 2

The Minister for Planning has granted approval for public notification of the Metropolitan Redevelopment Authority's (MRA) draft Subiaco Redevelopment Scheme 2 (draft Scheme 2) for the Subiaco Redevelopment Area.

Draft Scheme 2 will transfer planning authority from the Western Australian Planning Commission and the City of Subiaco to the MRA for the MRA's new Subiaco East Project Area and provide an updated statutory planning framework for the MRA's existing Subi Centro Project Area.

Draft Scheme 2 is available on the MRA website at www.mra.wa.gov.au or at the MRA office, GPO Building Level 3, 3 Forrest Place, Perth between 8:30am to 5:00pm Monday to Friday.

Written submissions on draft Scheme 2 can be made through the MRA website, via email to planning@mra.wa.gov.au or to the Manager Statutory Planning, Metropolitan Redevelopment Authority, Locked Bag 8, Perth Business Centre WA 6849.

All submissions should be received by 8 January 2018.

PL403

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Chittering
 Local Planning Scheme No. 6—Amendment No. 58

Ref: TPS/1897

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 Chittering Local Planning Scheme amendment on 2 October 2017 for the purpose of—

1. Amend the Scheme Map by rezoning Lot 8 Buckthorn Drive, Lower Chittering from 'Agricultural Resource' to 'Rural Residential'.
2. Insert a new schedule, 'Schedule 12—Rural Residential' into the Scheme Text.
3. Insert an entry into Schedule 12—Rural Residential, as below—

No.	Description of Land	Conditions
1	Lot 8 Buckthorn Drive, Lower Chittering	<ol style="list-style-type: none"> 1. These conditions are to be read in conjunction with the Scheme requirements for the Rural Residential zone. Where conflicts exist, these conditions prevail. 2. The minimum lot size shall be 2 hectares. 3. The structure plan is to respond to the significant environmental features of the site and is to contain the following— <ol style="list-style-type: none"> (a) the provision of a lot layout that minimises impact on areas of remnant vegetation in excellent and very good condition; (b) the identification of building envelopes in locations that minimise the need for clearing of vegetation including for asset protection zones, access, firebreaks and fencing; (c) the identification of measures for the protection and retention of existing and potential Black Cockatoo habitat trees and priority flora species; (d) lot boundaries that do not dissect areas of remnant vegetation that are in excellent condition. 4. The structure plan is to provide for a road network that connects Buckthorn Drive and Navelina Drive. 5. The structure plan is to be supported by a Bushfire Management Plan prepared to the specifications and satisfaction of the local government and the Department of Fire and Emergency Services. 6. All lots are to be provided with a demonstrated sustainable fit-for-purpose water supply in accordance with Scheme requirements, including the provision of a 120,000L tank.

4. Delete the text under Clause 4.8.1 and replace with the following—
 - (a) Subdivision and development shall be generally in accordance with a Structure Plan prepared and approved in accordance with Part 4 of the deemed provisions.
 - (b) No further subdivision is permitted unless provided for in an approved Structure Plan and servicing, bushfire management and vegetation protection measures are demonstrated to be consistent with current State planning policy.

G. HOUSTON, President.
 A. SHERIDAN, Chief Executive Officer.

PL402

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
City of Busselton
Local Planning Scheme No. 21—Amendment No. 26

Ref: TPS/1988

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 2 October 2017 for the purpose of—

Removing 'Development Contribution Area 1 (DCA1)' and 'Dunsborough and Quindalup local precinct' from Pt Lot 9057 St Michael's Parkway, Dunsborough.

SCHEME MAP

City of Busselton
LOCAL PLANNING SCHEME No. 21
Amendment No. 26



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

PL404

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Chittering
Local Planning Scheme No. 6—Amendment No. 60

Ref: TPS/1921

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 Chittering Local Planning Scheme amendment on 9 October 2017 for the purpose of—

1. Delete Clause 3.2.2 Light Industrial Zone and replace with the text below—

3.2.2 Light Industrial Zone

- (a) To provide for a range of industrial uses and service industries generally compatible with urban areas, that cannot be located in commercial zones.

- (b) To ensure that where any development adjoins zoned or developed residential properties, the development is suitably set back, screened or otherwise treated so as to not detract from the residential amenity.

2. Replace the existing provisions of Clause 4.9 with those below—

4.9 REQUIREMENTS FOR INDUSTRIAL ZONES AND LAND USES

The following development requirements shall apply to the development and subdivision of land within industrial zones and to industrial land uses—

- (a) the effect on the environment by means of discharge of pollutants or contaminants into the air, ground and water be avoided, or managed within acceptable limits;
- (b) where an on-site wastewater disposal system is proposed—
 - i. land capability assessment may be required to demonstrate the capability of the site to manage wastewater and the suitability of the proposed system;
 - ii. the use of fill and drains to achieve the required separation from groundwater is to be limited; and
 - iii. a suitable and unencumbered land application area is to be set aside to distribute treated sewage, where required;
- (c) within sewerage sensitive areas secondary treatment systems with nutrient removal are to be utilised;
- (d) notwithstanding any other provisions of this scheme, industrial development not connected to reticulated sewerage (for treatment on-site or off-site) is to be restricted to 'dry industry' being land uses that intend to dispose of wastewater on site to the environment of a kind and volume ordinarily discharged from a habitable building at a daily volume of less than 540 litres per 1,000m² of the site area;
- (e) where trade waste is to be managed and/or disposed of on-site or off-site the associated risks must be identified and addressed, including the vulnerability of the receiving environment where relevant;
- (f) where a caretaker's dwelling is a discretionary use—
 - i. only one dwelling be permitted on each lot;
 - ii. the dwelling is to have a maximum floor area of 100m²;
 - iii. the dwelling is to be incidental to the industrial land use;
 - iv. subdivision of the dwelling from the parent lot will not be permitted;
 - v. the use of notifications on title may be considered to advise prospective purchasers of potential impacts from noise, dust, odour or amenity that may arise from the location of a residential land use within the zone;
 - vi. the local government will not consider applications for caretakers' dwellings prior to the primary site activity being either approved or constructed;
 - vii. where simultaneous approval has been granted by 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; and
 - viii. caretaker's dwellings are to be carefully sited and constructed so the potential site (or estate) impacts from noise, dust, odour or amenity are minimised;
- (g) in considering rezoning proposals for industrial zones, the local government may require the preparation of a structure plan, and any information relevant to the site conditions, in keeping with the matters listed in clause 67 of the deemed provisions and clause 5.7 of the scheme; and
- (h) any other requirement as included in a Local Planning Policy adopted by the local government.

3. Replace the existing provisions of Clause 4.14 with those below—

4.14 HIGHWAY AND MAJOR ROAD RESERVES

4.14.1 Where development is proposed adjacent to a local road, an existing or proposed highway or main road, the local government may seek to exercise its discretion to prevent or limit development on a site, following consideration of advice from the agency responsible for main roads, unless—

- (a) access and egress is in accordance with State policy; and
- (b) development on the site would not intensify traffic movements to a degree which would limit the ability of a highway or main road to operate for its purpose; and
- (c) the type of vehicles accessing a highway or main road from the site would be consistent with the intended use of that highway or road.

4.14.2 Development is to be set back a suitable distance from the road to manage visual impact and amenity.

4. Insert new provisions as Clause 4.20 as below—

4.20 AMENITY OF NON-RESIDENTIAL DEVELOPMENT

The amenity of non-residential development shall be determined in the context of each proposed development and site conditions, but shall generally be in accordance with the following principles—

- (a) the form and scale of the development is to be compatible with surrounding land uses;
- (b) the impacts of the development are to be contained on site and/or suitably managed off-site;
- (c) the impact of the development on the road network and traffic management is to be consistent with the road function and hierarchy;
- (d) adequate provision is to be made for parking for staff and visitors, with separation between staff / visitor parking and service / haulage vehicles;
- (e) buildings are to have co-ordinated or complementary materials, colours and styles, including—
 - i. doors, windows and building materials that develop a coherent pattern, and are proportional to the building; and
 - ii. screening of services and areas for waste management and essential services (eg air conditioning units).
- (f) visual impacts to be minimised by the use of vegetation screening, tree retention and building orientation;
- (g) landscaping to be provided, to a minimum of 10 per cent of the site area, using plant species approved by the local government, including provision of shade trees at 1 per 4 car bays;
- (h) minimise the use of front fencing, and where required, fencing to be set back to the building line and behind the landscaped area where feasible, and coloured matt black or other dark tones;
- (i) external lighting designed to minimise light spill and glare on adjoining properties;
- (j) storage of plant and equipment to be screened or remote from public areas, particularly from the street, and provision made on site for a loading bay where the land use requires it;
- (k) use of 'on building' signage where the building addresses the street, and where 'freestanding' signage is necessary it should either be affixed to a front fence, or located adjacent to it at a height that is compatible with the setting.

5. Delete the provisions of Clause 5.7 and replace with the text below—

5.7 MUCHEA EMPLOYMENT NODE

The Muchea Employment Node Special Control Area is shown on the Scheme Map. Development approval is required for any development within the Special Control Area.

5.7.1 Purpose

- (a) to provide a basis for the zoning and development of the Muchea Employment Node as an industrial estate in accordance with the Muchea Employment Node Structure Plan;
- (b) to accommodate impacts from industrial uses within the boundaries of the Muchea Employment Node;
- (c) to provide a basis for the co-ordination of future subdivision and development;
- (d) to protect and manage the natural environment, landscape values and air and water quality, resulting in a high quality industrial estate that responds to its natural setting;
- (e) to provide for essential services for a broad range of land uses; and
- (f) limit the development of land uses that might compromise the intended purpose of the area as an industrial estate.

5.7.2 Planning Requirements

5.7.2.1 Notwithstanding any other land use permissibility expressed in the Scheme, no residential land uses or caretakers dwellings will be approved in the Muchea Employment Node Special Control Area.

5.7.2.2 In considering zoning proposals for 'Industrial Development', 'General Industry' and 'Light Industry' within the Muchea Employment Node, proposals are to address the objectives and requirements of the Muchea Employment Node Structure Plan, including—

- (a) details of how the proposal will manage stormwater run-off and wastewater disposal with specific reference to potential impacts on water quality and quantity and the nutrient load of the Ellen Brook which may include studies, commensurate with the scale of the proposal, in accordance with State Policy and the Better Urban Water Management Guidelines;

- (b) details of potential impacts on flora and vegetation, fauna and habitat which may include the need for studies undertaken in accordance with Environmental Protection Authority guidance and consideration of matters of national environmental significance;
 - (c) details of potential impacts to, and proposed buffers from, waterways and wetlands which may include the need for studies in accordance with State Policy and technical guidance;
 - (d) a land capability assessment demonstrating that the site is capable of assimilating nutrients and disposing of wastewater without an adverse impact on ecosystem health;
 - (e) a desktop Aboriginal heritage assessment; and
 - (f) any other matters relevant to the site, such as access and egress and basic raw materials.
- 5.7.2.3 Zoning proposals are to be assessed for suitability on the basis of—
- (a) their location relative to sensitive land uses;
 - (b) the environmental suitability of the site; and
 - (c) the potential impact of proposed drainage and wastewater treatment and disposal systems on the environment.
- 5.7.2.4 Structure planning is not required for lots 700, 701 and 352 (previously described as lots 100 and 101) and lots 102, M1606, 22, 30, 202, 3 and 201. Structure planning is required on other lots in the Special Control Area in the following circumstances—
- (a) in precincts where orderly and proper planning is needed to achieve co-ordinated provision of services and infrastructure; or
 - (b) where land is zoned for Industrial Development.
- 5.7.2.5 Subdivision or development of land within the Muchea Employment Node shall also be in accordance with the provisions and requirements of Schedule 11 as applicable.
- 5.7.2.6 Unless a planning proposal demonstrates otherwise, and is supported by relevant agencies and the local government, servicing within the SCA is to be as follows:
- (a) reticulated water supplied by a licenced provider is to be provided at the first stage of any industrial subdivision;
 - (b) wastewater disposal is to be in accordance with Government policy and clauses 4.9(b) to (e);
 - (c) provision is to be made for essential service infrastructure, including drainage, wastewater disposal, water supply and roads.
- 5.7.2.7 Internal roads identified in Figure 8 of the Muchea Employment Node Structure Plan (2011) are to be reserved at the first stage of industrial subdivision.

5.7.3 Relevant Considerations

- 5.7.3.1 In addition to the requirements of clause 4.20, in considering applications for Development Approval the local government shall have regard to—
- (a) The separation distances required for the proposed use and ability to ensure that impacts can be contained within the boundary of the Special Control Area;
 - (b) That the visual impact of the development is in keeping with the surrounding rural landscape, including—
 - i. landscaping to protect views from roads adjoining the Muchea Employment Node;
 - ii. buildings to be designed and constructed to minimise visibility from outside the Muchea Employment Node; and
 - iii. advertising signage to be designed and appropriately located.
 - (c) The protection of the environmental assets of the land including—
 - i. the need for appropriate setbacks and buffers;
 - ii. the maintenance of ecological linkages; and
 - iii. whether there is a need for the environment assets to be in public ownership to ensure ongoing protection and maintenance;
 - (d) The management of surface and groundwater to maintain the natural water balance within the Muchea Employment Node area, within the provisions set out in the water management plans for the area; and
 - (e) Whether there are basic raw materials located on the lot, and whether the proposed development will impact upon their extraction.

5.7.4 Referrals

The Local Government may refer any application for development approval or other planning proposal to any relevant authority or community organisation.

6. Amend Schedule 2—Zoning Table as follows—
 - (a) Delete Builders Storage Yard from the Zoning table and renumber the use classes accordingly.
 - (b) Change the permissibility for Stock Yards in the 'Light Industrial' and 'General Industry' zones from 'X' to 'A' and 'P' to 'A' respectively.
7. Amend the Scheme Map as follows—
 - (a) Extend the Muchea Employment Node Special Control Area around the boundary of the Employment Node, as identified in Figure 8 of the Muchea Employment Node Structure Plan (2011).
 - (b) Reclassify Lot M1606 Great Northern Highway, Muchea from 'Agricultural Resource' to 'Light Industry'.
8. Modify Schedule 3—Additional Use as follows—

Under additional use 'A17' replace the text 'Builders Storage Yard' with 'Warehouse / Storage' and rename the description to Lot 802 and Lot 803 Great Northern Highway.
9. Miscellaneous modifications
 - (a) Renumber clauses as required and ensure consecutive numbering.
 - (b) Update the table of contents.

G. HOUSTON, President.
A. SHERIDAN, Chief Executive Officer.

PL407

PLANNING AND DEVELOPMENT ACT 2005
APPROVED TOWN PLANNING SCHEME AMENDMENT
Shire of Exmouth
 Town Planning Scheme No. 3—Amendment No. 31

Ref: TPS/1683

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 Exmouth Town Planning Scheme amendment on 1 September 2017 for the purpose of—

1. Rezone Lots 149 and 150 Hunt Street, North West Cape to 'Special Use—Caravan Park and Camping Ground' zone and number accordingly. Delete the text relating to the 'Development Investigation Area' from Schedule 3—Special Use Zones and include the following—

Description of Land	Special Use	Conditions
Lot 149 and Lot 150 Hunt Street, North West Cape	<p>'P' Uses— Caravan Park and Camping Ground.</p> <p>'T' Uses— Restaurant/Cafe; Convenience store; Fast Food Outlet; Shop; Motel; Recreation—Private. Dwelling; Community Purpose; Public Utility; Caretaker's Dwelling. Telecommunication's Infrastructure—'A' All other uses—'X'</p>	<p>Objectives</p> <ol style="list-style-type: none"> 1. To cater for the current and future supply of affordable tourist accommodation, principally in the form of a caravan park and camping ground, to meet current and anticipated demand. 2. To control the location, form, character and density of development to complement the natural and built features within the locality. 3. To provide for high quality short-term accommodation and tourist facilities which are compatible with the adjoining industrial area. 4. To ensure development results in sustainable foreshore management and coastal hazard mitigation. <p>Conditions</p> <ol style="list-style-type: none"> 1. Subdivision is not permitted. 2. A portion of Lot 149 extending 140m from the Horizontal Shoreline Datum (HSD) is at risk of erosion and inundation over the 100 year planning timeframe. In making an

Description of Land	Special Use	Conditions
		<p>application for development approval, adequate coastal hazard risk management and adaptation planning shall be provided as required by Statement of Planning Policy (refer to the coastal processes study Project SE036.01.RevA, 26 August 2016).</p> <p>3. A coastal foreshore management plan is to be prepared by the applicant and shall include as a minimum the matters set out in the State Coastal Planning Policy Guidelines section 9.1 Coastal Plan requirements.</p> <p>4. The coastal foreshore management plan is to demonstrate that the landowner shall be responsible for the implementation of the coastal foreshore management plan as well as funding maintenance, monitoring and management of foreshore works.</p> <p>5. In addition to the above, in considering any development application, the local government shall require a local development plan to be prepared in accordance with Part 6, Schedule 2 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> addressing the following—</p> <ul style="list-style-type: none"> i. Landform, drainage and topography; ii. Soils and vegetation; iii. Internal vehicle and pedestrian movements, including location and dimensions of roads and footpaths; iv. The location, size and function of all communal open space areas; v. Land uses; vi. Indicative site layout; vii. Servicing, including sewer, water, drainage and power; viii. A bushfire attack level assessment and bushfire management plan; and ix. Such other information as may be required by the local government. <p>6. No permanent buildings or structure are permitted within the portion of Lot 149 extending 140m from the HSD (refer to the coastal processes study Project SE036.01.RevA, 26 August 2016).</p> <p>7. As a condition of development approval, a notification shall be placed on the Certificate of Title of Lot 149 stating the following— ‘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’.</p> <p>8. As a condition of development approval, a notification shall be place on the Certificate of Title of</p>

Description of Land	Special Use	Conditions
		<p>Lot 150 and Lot 149 stating the following—</p> <p>‘This lot is in close proximity to an existing industrial area and may be adversely affected by virtue of odour, noise, dust and/or any emissions from industrial land uses’.</p> <p>9. As a condition of development approval, a notification shall be placed on the Certificate of Title of Lot 149 and Lot 150 stating the following—</p> <p>‘This lot is within a bushfire prone area as designated by an Order made by the Fire and Emergency Services Commissioner. Additional planning and building requirements may apply to development on this land’.</p> <p>10. Setback distances between caravans, camps, buildings, etc. where not defined in the <i>Caravan Parks and Camping Grounds Act 1995</i> or <i>Caravan Parks and Camping Grounds Regulations 1997</i> shall be as determined by the local government.</p> <p>11. The maximum period of occupation of a site by any person or persons is 4 months.</p> <p>12. Notwithstanding clause 11 above, a maximum of two dwellings are permitted for permanent accommodation by staff employed by the Caravan Park and/or Camping Ground.</p> <p>13. Fencing of individual caravan or camping sites is not permitted.</p> <p>14. Development shall not exceed 2 storey in height, above natural ground level except where the local government considers that particular circumstances may warrant an exception and provided the objectives of the special use zone and the Scheme are not compromised.</p> <p>15. The combined gross floor area shall not exceed 500m².</p> <p>16. Landscaping shall be provided to integrate the development into the natural landscape and provide screening from visual and noise impacts of surrounding land uses.</p>

2. Modify the Scheme Map to show the relevant portions of Lot 149 and Lot 150 as ‘Special Use—Caravan Park and Camping Ground’ zone.
3. Modify the land use definitions in the Shire of Exmouth Town Planning Scheme No. 3 as required in order to be consistent with the advertised draft Local Planning Scheme No. 4 and the *Planning and Development (Local Planning Schemes) Regulations 2015* as follows—
 - (a) replace the ‘caravan park’ definition with—**caravan park** has the meaning given in the *Caravan Parks and Camping Grounds Act 1995*.
 - (b) replace the ‘camping area’ definition with—**camping ground** has the meaning given in the *Caravan Parks and Camping Grounds Act 1995*.
 - (c) replace the ‘restaurant’ definition with—**restaurant/cafe** means premises primarily used for the preparation, sale and serving of food and drinks for consumption on the premises by customers for whom seating is provided, including premises that are licenced under the *Liquor Control Act 1988*.

- (d) replace the 'convenience store' definition with—**convenience store** means premises—
 - a. used for the retail sale of convenience goods commonly sold in supermarkets, delicatessens or newsagents; and
 - b. operated during hours which include, but may extend beyond, normal trading house; and
 - c. the floor area of which does not exceed 300m² net lettable area.
- (e) replace the 'take-away food outlet' definition with—**fast food outlet** means premises, including premises with a facility for drive-through service, used for the preparation, sale and serving of food to customers in a form ready to be eaten—
 - a. without further preparation; and
 - b. primarily off the premises.
- (f) replace the 'shop' definition with—**shop** means premises other than a bulky goods showroom, a liquor store—large or a liquor store—small used to sell goods by retail, to hire goods, or to provide services of a personal nature, including hairdressing or beauty therapy services.
- (g) replace the 'motel' definition with—**motel** means premises, which may be licensed under the *Liquor Control Act 1988*—
 - a. used to accommodate guests in a manner similar to a hotel; and
 - b. with specific provision for the accommodation of guests with motor vehicles.
- (h) replace the 'private recreation' definition with—**recreation—private** means premises that are—
 - a. used for indoor or outdoor leisure, recreation of sport; and
 - b. not usually open to the public without charge.
- (i) replace the 'caretaker's dwelling' definition with—**caretaker's dwelling** means a dwelling on the same site as a building, operation or plant used for industry, and occupied by a supervisor of that building, operation or plant.
- (j) replace the 'telecommunications infrastructure' definition with—**telecommunications infrastructure** means premises used to accommodate the infrastructure used by or in connection with a telecommunications network including any line, equipment, apparatus, tower, antenna, tunnel, duct, hole, pit, or other structure related to the network.
- (k) replace the 'showroom' definition with—**bulky goods showroom** means premises—
 - (a) used to sell by retail any of the goods and accessories of the following types that are principally used for domestic purposes—
 - i. automotive parts and accessories;
 - ii. camping, outdoor and recreation goods;
 - iii. electric light fittings;
 - iv. animal supplies including equestrian and pet goods;
 - v. floor and window coverings;
 - vi. furniture, bedding, furnishings, fabrics, manchester and homewares;
 - vii. household appliances, electrical goods and home entertainment goods;
 - viii. party supplies;
 - ix. office equipment and supplies;
 - x. babies' and childrens' goods, including play equipment and accessories;
 - xi. sporting, cycling, leisure, fitness goods and accessories;
 - xii. swimming pools;
 - or
 - (b) used to sell by retail goods and accessories if—
 - i. a large area is required for the handling, display or storage of the goods; or
 - ii. vehicular access is required to the premises for the purpose of collection of purchased goods;
- (l) replace the 'liquor store' definition with—**liquor store—large** means premises the subject of a liquor store licence granted under the *Liquor Control Act 1988* with a net lettable area of more than 300m²;
AND
liquor store—small means premises the subject of a liquor store licence granted under the *Liquor Control Act 1988* with a net lettable area of not more than 300m²;
- (m) include an additional definition—**dwelling** has the meaning given in the R-Codes.
- (n) include an additional definition—**community purpose** means premises designed or adapted primarily for the provision of educational, social or recreational facilities or services by organisations involved in activities for community benefit.

T. SHALES, President.
B. PRICE, Chief Executive Officer.

PL408

PLANNING AND DEVELOPMENT ACT 2005**AMENDMENT TO RES2014/02****Resolution Under Clause 21 of the PRS**

Resolution made under clause 21 of the Peel Region Scheme regarding development on zoned land requiring planning approval.

Preamble

Under clause 18 of the Peel Region Scheme (PRS), and subject to the exemptions stated in clause 19 and 20, development on *reserved* land requires planning approval. On *zoned* land, development requires planning approval if it is of a kind or class set out in a resolution of the Western Australian Planning Commission (the WAPC) under clause 21 of the PRS.

Resolution under clause 21 of the PRS

On 24 May 2017, pursuant to section clause 21 of the PRS, the WAPC resolved—

- A. To require any development which is on land zoned under the Peel Region Scheme and which is of a kind or class set out in Schedule A of this instrument, to have the planning approval of the WAPC;
- B. To require a local government to refer an application for development on land zoned under the Peel Region Scheme, and which is of a kind or class set out in Schedule A of this instrument, to the Department of Agriculture and Food for advice and recommendations before it is considered by the local government;
- C. To amend the Resolution 2014/02 made by the WAPC on 25 March 2014 and published in the *Government Gazette* on 9 May 2014 at pages 1412-1415 (**Resolution 2014/02**), as set out in Schedule B below, to give effect to this resolution; and
- D. To confirm that words used in this notice have the meanings given to them in the *Planning and Development Act 2005* and the PRS and, unless the context otherwise requires, the meanings defined in Schedule 3 of Resolution 2014/02.

KERRINE BLENKINSOP, Secretary,
Western Australian Planning Commission.

Schedule A**8. Development near or in the Priority Agricultural Land**

Development in, adjacent to or in close proximity to zoned land—

- (a) identified as Priority Agricultural Land in Appendix 1 of the PRS Priority Agricultural and Rural Land Use Policy; and
- (b) which, in the opinion of the WAPC or the local government, is or carries the potential to—
 - i. be incompatible with agricultural activities on such land;
 - ii. be adversely affected by such agricultural activities; or
 - iii. adversely affect such agricultural activities.

Schedule B**1. Instrument of Resolution amended**

The amendments within this Schedule are to the Schedules set out in Resolution 2014/02.

2. Schedule 1—amended (p1414)

Schedule 1 is amended by the addition of the following clause—

“8. Development near or in Priority Agricultural Land

Development in, adjacent to or in close proximity to zoned land—

- (a) identified as Priority Agricultural Land in Appendix 1 of the PRS Priority Agricultural and Rural Land Use Policy; and
- (b) which, in the opinion of the WAPC or the local government, is or carries the potential to—
 - i. be incompatible with agricultural activities on such land;
 - ii. be adversely affected by such agricultural activities; or
 - iii. adversely affect such agricultural activities.”

3. Schedule 2—amended (p1414)

Schedule 2 is amended by inserting a new clause 6 as follows—

“6. An application for development in, adjacent to or in close proximity to Priority Agricultural Land, as identified in Appendix 1 of the PRS Priority Agricultural and Rural Land Use Policy, shall be referred within seven days to the Department of Agriculture and Food for advice and recommendation before being considered by the local government.”

Further, existing clauses 6 and 7 of Schedule 2 are renumbered to 7 and 8, respectively.

4. Schedule 3—amended (p 1415)

The heading for Schedule 3 is amended to read “Schedule 3—Definitions and Interpretation”

Schedule 3 is amended by inserting the following definition and interpretation provision—

‘Proximity’ and **‘in close proximity’** mean that the development is, in the opinion of the WAPC or local government, sufficiently close to a policy area for the effects of activities in the policy area (such as noise, odour, spray drift or dust) to be likely to have an adverse effect on the proposed use, and/or for the effects of the development to be likely to have an adverse effect on uses in the policy area.

A reference to a document or a department contemplates and includes a reference to its successor in title.

5. Index—amended (page 1415)

The “Development on zoned land” section of the Index is amended to include a new line below “poultry farm” which reads—

“in/near Priority Agricultural Land” 8 6”

PL409

PLANNING AND DEVELOPMENT ACT 2005

AMENDMENT TO INSTRUMENT OF DELEGATION

DEL2008/12 Power of Local Governments

Amendment to the Instrument of Delegation to local governments of certain powers and functions of the Western Australian Planning Commission, under the Peel Region Scheme

Preamble

Under clause 18 of the Peel Region Scheme (PRS), and subject to the exemptions stated in clauses 19 and 20, development on reserved land requires planning approval. On zoned land, development requires planning approval if it is of a kind or class set out in a resolution of the Western Australian Planning Commission (the WAPC) under clause 21 of the PRS. Parts 7 and 8 of the PRS set out the requirements, procedures and functions of the WAPC in relation to the determination of applications for planning approval.

Under section 16 of the *Planning and Development Act 2005* (the Act), the WAPC may, by resolution published in the *Government Gazette*, delegate any function to a member, committee or officer of the WAPC or to a public authority or to a member or officer of a public authority.

In accordance with section 16 (4) of the Act, a reference in this instrument to a function or power of the WAPC includes and extends to, without limitation or restriction, any of the powers, privileges, authorities, discretions, duties and responsibilities vested in or conferred on the WAPC by the Act or any other written law as the case requires

Resolution under section 16 of the Act (delegation)

On 24 May 2017, pursuant to section 16 of the Act, the WAPC resolved—

- A. To delegate to local governments, and to members and officers of those local governments, its powers and functions in respect of the determination, in accordance with Parts 7 and 8 of the Peel Region Scheme, of applications for approval to commence and carry out development specified in Schedule A, within their respective districts, subject to the terms set out in Schedule B;
- B. To amend the Instrument of Delegation DEL2008/12 Powers of Local Governments (PRS) made by the WAPC on 16 December 2008 and published in the *Government Gazette* on 19 December 2008 at pages 5449-5451 (and as amended) (**DEL 2008/12**), as set out in Schedule C below, to give effect to this resolution.

KERRINE BLENKINSOP, Secretary,
Western Australian Planning Commission.

Schedule A

Applications for development on zoned land, excluding public works undertaken by public authorities

8. Development of one or more of the following kinds, which is on land in, adjacent to or in close proximity to Priority Agricultural Land as identified in Appendix 1 of the PRS Priority Agricultural and Rural Land Use Policy, and which requires planning approval under the PRS—

- (a) Development where the local government accepts the recommendation and any advice of the Department of Agriculture and Food.
- (b) Development for which the local government decides to refuse approval under the PRS.

Schedule B

5. An application for development in, adjacent to or in close proximity to Priority Agricultural Land, as identified in Appendix 1 of the PRS Priority Agricultural and Rural Land Use Policy, shall be referred within seven days to the Department of Agriculture and Food for advice and recommendation before being considered by the local government.”

Schedule C

1. Instrument of Resolution amended

The amendments within this Schedule are to the Schedules set out in DEL 2008/12.

2. Schedule 2—amended (page 5450)

Schedule 2 is amended by the addition of the following clause—

“8. Development of one or more of the following kinds, which is on land in, adjacent to or in close proximity to Priority Agricultural Land, as identified in Appendix 1 of the PRS Priority Agricultural and Rural Land Use Policy, and which requires planning approval under the PRS—

- (a) Development where the local government accepts the recommendation and any advice of the Department of Agriculture and Food.
- (b) Development for which the local government decides to refuse approval under the PRS.”

3. Schedule 3—amended (page 5450)

Schedule 3 is amended by inserting a new clause 5 as follows—

“5. An application for development in, adjacent to or in close proximity to Priority Agricultural Land, as identified in Appendix 1 of the PRS Priority Agricultural and Rural Land Use Policy, shall be referred within seven days to the Department of Agriculture and Food for advice and recommendation before being considered by the local government.”

Further, existing clauses 5, 6, 7 and 8 of Schedule 3 are renumbered to 6, 7, 8 and 9, respectively.

4. Schedule 4—amended (page 5451)

The heading for Schedule 4 is amended to read “Schedule 4—Definitions and Interpretation”

Schedule 4 is amended by inserting the following definition and interpretation provision—

‘**Proximity**’ and ‘**in close proximity**’ mean that the development is, in the opinion of the WAPC or local government, sufficiently close to a policy area for the effects of activities in the policy area (such as noise, odour, spray drift or dust) to be likely to have an adverse effect on the proposed use, and/or for the effects of the development to be likely to have an adverse effect on uses in the policy area

A reference to a department or agency contemplates and includes a reference to its successor in title.

5. Index—amended (page 5451)

The “Delegations in relation to zoned land” section of the Index is amended to include a new line below “poultry farm” which reads—

“in/near the Priority Agricultural Land” - 8 5”

PL405

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Broome
 Local Planning Scheme No. 6—Amendment No. 3

Ref: TPS/1890

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 Broome Local Planning Scheme amendment on 9 October 2017 for the purpose of—

1. Inserting an additional use in Schedule 2—Additional Uses—

No.	Description of Land	Additional Use	Conditions
A25	Lot 222 Lullfitz Drive	Tourist Development—Low impact	The additional use shall be considered an ‘A’ use—the use is not permitted unless the local government has exercised its discretion by granting development approval after giving special notice in accordance with the advertising requirements of clause 64 of the deemed provisions. Total development (including the additional use) on Lot 222 Lullfitz Drive shall not exceed 10% site coverage.

2. Amending the Scheme Map accordingly.

R. JOHNSTON, President.
 K. DONOHOE, Chief Executive Officer.

PL406

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT

City of Bayswater

Local Planning Scheme No. 24—Amendment No. 62

Ref: TPS/1789

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 Bayswater Local Planning Scheme amendment on 18 October 2017 for the purpose of—

1. Inserting new clauses—

8.5.9 Multiple Dwellings on Lots Coded R40

8.5.9.1 Notwithstanding the provisions of the Residential Design Codes, where land with a residential density Code of R40 is located outside the core areas as shown on the scheme map or does not have any frontage to Guildford Road, the development of multiple dwellings on the land—

- (a) shall be subject to the average site area per grouped dwelling requirement specified by the Residential Design Codes for grouped dwellings on land with an R40 residential density code; and
- (b) shall not be subject to any maximum plot ratio requirements specified by the Residential Design Codes.

2. Modifying the Scheme Map to show the core areas that reflect the Western Australian Planning Commission Planning Bulletin 113/2015.

B. McKENNA, Mayor.

C. BYWATER, A/Chief Executive Officer.

DECEASED ESTATES

ZX401

TRUSTEES ACT 1962**DECEASED ESTATES**

Notice to Creditors and Claimants

Mansergh James Parker, late of Bethel Aged Care, 2 Bethel Way, Yakamia, 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 the 11th day of July 2017, are required by the Administrator of the late Mansergh James Parker of c/- Haynes Robinson Lawyers of PO Box 485, 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 Administrator may convey or distribute the assets, having regard only to the claims of which it then has notice.

Dated this 26th day of October 2017.

HAYNES ROBINSON.

ZX402

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 by the Executor of those estates to send particulars of their claims to the Executor within one month from the date of publication of this notice after which date the Executor may convey or distribute the assets having regard only to the claims of which the Executor then has notice.

Dobson, Lynda Joy, late of 71 Danbury Crescent, Girrawheen who died on 29th May 2017

Le Blanc, Brian Joseph Luigi, late of 61 Kingston Avenue, West Perth who died on 10th September 2015

Wiltshire, Daisy Violet, late of Unit 154, Seacrest Retirement Village, 7 Harman Road, Sorrento who died on 27th July 2017

HAYNES LEGAL, Solicitors for the Executors
Barristers & Solicitors
Suite 16, 56 Creaney Drive, Kingsley WA 6026.

ZX403

TRUSTEES ACT 1962**DECEASED ESTATES**

Notice to Creditors and Claimants

Any person with claims outstanding on the Estate of the late Irene Elsie Rowles of 6 The Boulevard, Bentley, WA 6107 who died on 26th July 2017, must provide particulars of their claims to the Estate to Martin Rowles, 19 Dirk Hartog Road, Bull Creek, 6149, within one (1) month of the date of publication of this advertisement, after which date the Estate may convey or distribute the assets, having regard only to the claims of which I have notice.

ZX404

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 3 December 2017 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Baxter, Margaret Rose, late of Hillside Garden Village U 218, 270 South Western Highway, Mount Richon, who died on 10.08.2017 (DE19792310 EM35).

Durnin, Lorna Patricia, late of 27 Hamilton Street, Bassendean, who died on 08.10.2017 (DE19872751 EM37).

Ebell, Frank Heinz, late of Donovan Village 138 Lewis Road, Forrestfield, who died on 18.07.2017 (DE33060985 EM213).

Knight, Richard Bruce, late of 1/42 Camden Street, Dianella, who died on 12.09.2017 (DE19531054 EM13).

Kruger, Noel Edward, late of Belrose-Orange Grove 185 Maddington Road, Maddington, who died on 11.10.2017 (DE19892558 EM37).

McLaren, Myrtle Joy, late of 8a Elwood Court, Craigie, who died on 09.05.2016 (DE19970058 EM22).

Milne, Wayne Arthur, late of 35 Welland Way, Beechboro (formerly of 117 Sacramento Avenue, Beechboro), who died on 29.08.2017 (DE19910403 EM36).

Prendeville, Kevin Gerard Maurice, late of U16, 34 Eureka Road, Wilson, who died on 29.07.2017 (DE19972787 EM13).

Redpath, Trevor Alexander, late of Valencia Nursing Home 24 Valencia Road, Carmel, who died on 18.05.2017 (DE30333165 EM16).

Russell, Robert John, late of U9, 162 Mandurah Terrace, Mandurah, who died on 16.10.2017 (DE19981561 EM16).

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

PUBLIC NOTICES

ZZ401

DISPOSAL OF UNCOLLECTED GOODS ACT 1970**DISPOSAL OF UNCOLLECTED GOODS**

Notice Under Part III of Intention to Sell or Otherwise Dispose of Goods

To Adele Aramoana, Bailor (Hyundai Lantra 1AHS141), Chris Blackwell, Bailor (Holden 1DMY545), Geoffrey Carter, Bailor (Toyota Camry 1ETR439), Bonnie Gable, Bailor (Holden Vectra 1AFR942), Dion Giltrow, Bailor (Mitsubishi Magna 1BCK953), Rebecca Hedgeland, Bailor (Holden Astra 1AME842), Philip Igbenoba, Bailor (Ford Falcon 1EXH362), Lela Marcolina, Bailor (Hyundai Excel 1COU597), Glenn Mistiades, Bailor (Kia Rio 1CBE672), Hayley Redmond, Bailor (Daewoo Lanos 1AWA707), Ronald Reid, Bailor (Daewoo Nubira 1CYW953), Stephen Renahan, Bailor (BMW 525 1DEX658), Kylie Robinson, Bailor (Hyundai Excel 1AUP139), Donald Wilson, Bailor (Hyundai Lantra 1ADM402), Christopher Hill, Bailor (Toyota Avalon 1BYK640), Shane Dann, Bailor (Mitsubishi Magna 1EOB065), Brendan Wright, Bailor (Ford Falcon 1BGI356), Pamela Denton, Bailor (Proton Persona 1ABI831) and Tanya Wilson, Bailor (Hyundai Elantra 1DOK675).

You were given urgent notice on 27 October 2017 that your goods are situated at RAC Auto Services, 32 Embleton Ave Morley and are ready for redelivery.

It is intended to sell or dispose of the goods in accordance with the Act unless not more than 1 month from the date of giving of this notice you either—

- (a) take redelivery of the goods or give directions for their redelivery; or
- (b) give notice in writing to Jay Opdam, RAC Auto Services of 38 Collier Pass, Joondalup, WA, 6027 (Bailee) that you claim the goods exceed \$3500 in value.

Should you wish to take repossession of the goods, please contact Jay Opdam on 0412 096 747.

RAC AUTOMOTIVE SERVICES.
