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— PART 1 —

HEALTH

HE301

Queen Elizabeth II Medical Centre Act 1966

Queen Elizabeth II Medical Centre (Delegated Site) Amendment By-laws (No. 2) 2019

Made under section 20(1) of the Act by The Queen Elizabeth II Medical Centre Trust with the approval of the Governor in Executive Council.

1. Citation

These by-laws are the *Queen Elizabeth II Medical Centre (Delegated Site) Amendment By-laws (No. 2) 2019*.

2. Commencement

These by-laws come into operation as follows —

- (a) by-laws 1 and 2 — on the day on which these by-laws are published in the *Gazette*;
- (b) the rest of the by-laws — on 1 July 2019.

3. By-laws amended

These by-laws amend the *Queen Elizabeth II Medical Centre (Delegated Site) By-laws 1986*.

4. Schedule 1 amended

In Schedule 1 in the item for by-law 26AB(3) delete “\$6.05 per day, to a maximum of \$30.25 per week” and insert:

\$6.10 per day, to a maximum of \$30.50 per week

The Queen Elizabeth II Medical Centre Trust

STEVEN COLE, Chair.

WENDY ERBER, Board Member.

HE302

Health Services Act 2016

Health Services (Fees and Charges) Amendment Order (No. 3) 2019

Made by the Minister under section 56 of the Act.

1. Citation

This order is the *Health Services (Fees and Charges) Amendment Order (No. 3) 2019*.

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 1 July 2019.

3. Order amended

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

4. Schedule 1 amended

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

Table

Provision	Delete	Insert
Sch. 1 Div. 1 it. 1(b)(i)	\$649	\$661
Sch. 1 Div. 1 it. 1(b)(ii)	\$356	\$363
Sch. 1 Div. 1 it. 1(e)	\$2 778	\$2 887
Sch. 1 Div. 1 it. 4(b)	\$280	\$310
Sch. 1 Div. 1 it. 6(b)	\$294	\$300
Sch. 1 Div. 1 it. 6(d)	\$2 366	\$2 580
Sch. 1 Div. 1 it. 7	\$38.45	\$39
Sch. 1 Div. 2 it. 1	\$2 794	\$2 704
Sch. 1 Div. 2 it. 2	\$2 157	\$2 087

Provision	Delete	Insert
Sch. 1 Div. 2 it. 3	\$2 995	\$2 899
Sch. 1 Div. 2 it. 4	\$294	\$300
Sch. 1 Div. 2 it. 5	\$6 442	\$6 540
Sch. 1 Div. 2 it. 6	\$3 852	\$3 911
Sch. 1 Div. 2 it. 7	\$280	\$310
Sch. 1 Div. 2 it. 9	\$280	\$310
Sch. 1 Div. 2 it. 10(a)	\$2 042	\$2 325
Sch. 1 Div. 2 it. 10(b)	\$2 835	\$3 229
Sch. 1 Div. 2 it. 10(c)	\$2 645	\$3 014

R. COOK, Minister for Health.

— PART 2 —

CEMETERIES

CE101

CORRECTION
CEMETERIES ACT 1986
METROPOLITAN CEMETERIES BOARD
Schedule of Fees 2019-20

An error occurred in the notice published under the above heading on page 1732 of *Gazette* No. 73 dated 31 May 2019 and is corrected as follows—

Delete—

Single Funeral Permit (*GST exempt)	1,273.00	— Includes All Cemeteries
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Insert—

Single Funeral Permit (*GST exempt)	640.00	— Includes All Cemeteries
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CE401

CEMETERIES ACT 1986
City of Busselton
SCHEDULE OF FEES AND CHARGES

In pursuance of the powers conferred by section 53 of the *Cemeteries Act 1986*, the City of Busselton hereby records having resolved on 8 May 2018, to set the following fees effective from 1 July 2019. The fees shall be payable upon application for services detailed hereunder, City of Busselton Cemeteries.

All Fees and Charges are inclusive of 10% GST (Except where shown exempt)

Land Grant for Right of Burial	
Grant of Right of Burial: Ordinary land for grave 2m x 1.2m where directed (25 years) (GST exempt)	\$2110.00
Renewal of Grant of Right of Burial: Ordinary land for grave (additional 25 years) (GST exempt)	\$2110.00
Pre-purchased Grant of Right of Burial: Ordinary land for grave 2m x 1.2m where directed (25 years)—Select site at time of need—(GST exempt)	\$2330.00
Reservation of specific site: ordinary land or placement of ashes (excludes lawn cemetery) in addition to Pre-purchased Grant of Right of Burial—(GST exempt)	\$451.00
Grant of Right of Burial: Interment of Ashes in a designated place (perpetual)—(GST exempt)	\$260.00
Grant of Right of Burial—Vault (GST exempt)	\$1280.00
Burial Charge	
Burial in standard grave to any depth to 2.1m	\$1230.00
Burial in non-standard (oversize) denominational or non-denominational grave—Additional cost per 30cm deeper or wider	\$117.50
Re-open and second burial in standard (2m x 1.2m) denominational or non-denominational grave.	\$1230.00
Re-open and Burial in non-standard (oversize) denominational or non-denominational grave—Additional cost per 30cm deeper or wider	\$117.50
Construction of Vault (Does not include building application fees, grants of right of burial or burial charges)	At cost plus GST
Interment in a Vault Fee (each)	\$1178.50
Vault maintenance fee (annual)	\$158.50
Burial per crypt in mausoleum (private mausoleum only)	\$1076.00
Interment of a stillborn child (not to be re-opened for joint burial)	\$310.00

Interment of a child up to 12 years old (not to be reopened for joint burial)	\$590.00
Removal of Headstone (Restrictions Apply)	\$476.50
Exhumation	
Re-opening grave for exhumation	\$2408.50
Re-interment in new or same grave after exhumation—other fees may apply.	\$1230.00
Interment of Ashes	
Interment of ashes in Niche Wall—Single (Includes placement fees)	\$481.50
Interment of ashes in Niche Wall—Double—(Includes first interment only)	\$615.00
Interment of ashes in Niche Wall—Side by Side (Includes first interment only)	\$615.00
Interment of ashes in Existing Grave—Placement fees only (assumes current Grant of Right of Burial. If not current, other fees apply)	\$399.50
Interment of ashes in Rose Garden (Includes first placement only)—Space for 2 placements.	\$686.50
Interment of ashes in Native Garden (Includes first placement only)—Space for 2 placements.	\$686.50
Interment of ashes in Memorial Drive (Includes first placement only)—Space for 4 placements.	\$748.00
Interment of ashes in 2-Plot Contemplation Garden—(Includes first placement only)—Space for 2 placements.	\$686.50
Interment of ashes in 4-Plot Contemplation Garden—(Includes first placement only)—Space for 4 placements.	\$907.00
Interment of ashes in Contemplation Garden over 4 plots—(cost for each additional plot)	\$102.50
Pre-need purchase of Grant of Right of Burial for Ashes (GST exempt)	\$290.00
Interment of ashes—additional placement after first interment (requires proof of Grant Holder Rights)	\$379.00
Removal of Ashes for return to Grant Holder (if re-interment elsewhere in cemetery is required, additional fees apply)	\$328.00
Interment of Ashes in Children's Garden (no Grant of Right of Burial required)	\$310.00
Memorial Placement only Children's Garden (placement fee no Grant of Right of Burial Required)	At cost plus GST
Memorial Placement Bench Seating (includes cost of bench, concrete footings, freight)	At cost plus GST
Memorial Placement Bench Seating Installation costs—Hourly rate	\$53.00
Interment of Ashes Bench Seating (includes first placement)	\$379.00
Memorial placement only elsewhere within the cemetery (location to be determined upon application)—Single Placement	\$686.50
Plaques, vases and other memorial works.	At cost plus GST
Plinth (Small—concrete)	\$53.00
Plinth (Large—concrete)	\$73.50
Administration fee for purchase of plaques, plinths, vases and other monumental works (on product only)	10% of cost plus GST
Storage of cremated remains per month for remains held longer than 6 months	\$30.00
Positioning and affixing brass vase—if not a part of original memorial installation.	\$82.00
Miscellaneous Charges	
Interment in open ground without due notice, not within usual hours as prescribed or on a Saturday, Sunday or Public Holiday (in addition to Interment costs—restrictions apply)	\$1066.00
Funeral Directors licence fee per annum (GST exempt)	\$430.50
Single funeral permit (funeral directors only) (GST exempt)	\$199.50
Single funeral permit (other than funeral directors) (GST exempt)	\$502.00
Monumental Masons licence fee per annum (GST exempt)	\$358.50
Single permit to erect a headstone/monument (holder of annual licence) (GST exempt)	\$153.50
Single permit to erect a headstone/monument (non holder of monumental masons annual licence) (GST exempt)	\$174.00
Copy of grant of burial	\$80.00
Administration Fee for the Refund of Pre purchased Grant of Right of Burial	15% of Original Purchase Price

HEALTH

HE401**MENTAL HEALTH ACT 2014****MENTAL HEALTH (AUTHORISED MENTAL HEALTH PRACTITIONERS) REVOCATION ORDER (NO. 8) 2019**

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. 8) 2019*.

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
Evans, Sharman	Registered Nurse
Kawonza, Denford Tonderayi	Registered Nurse
Kennedy, Sarah	Registered Nurse
Moyo, Piniel	Registered Nurse

Dr NATHAN GIBSON, Chief Psychiatrist.

5 June 2019.

HE402**MENTAL HEALTH ACT 2014****MENTAL HEALTH (AUTHORISED MENTAL HEALTH PRACTITIONERS) ORDER (NO. 6) 2019**

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. 6) 2019*.

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
Llewellyn, Sarah	Registered Nurse

Dr NATHAN GIBSON, Chief Psychiatrist.

5 June 2019.

MARINE/MARITIME

MA401

WESTERN AUSTRALIAN MARINE ACT 1982

CLOSED WATERS—MOTORISED VESSELS

Lake Poorrarecup

*Shire of Cranbrook*Department of Transport,
Fremantle WA, 7 June 2019.

Acting pursuant to the powers conferred by Section 66 of the *Western Australian Marine Act 1982*, I hereby cancel Notice TR402 published on the 19 December 2003 close the waters to motorised vessels within the following area—

Lake Poorrarecup: All those waters adjacent to the eastern shore of Lake Poorrarecup (Big Poorrarecup Lagoon) bounded in the south by a line through 34°25.264'S, 117°14.066'E and 34°25.264'S, 117°13.968'E and bounded 200 metres to the north by a line through 34°25.156'S, 117°14.057'E and 34°25.156'S, 117°13.959'E and extending 150 metres offshore. All coordinates based on GDA94.

CHRISTOPHER J. MATHER, Acting General Manager Marine Safety,
Department of Transport.

MA402

WESTERN AUSTRALIAN MARINE ACT 1982

NAVIGABLE WATERS REGULATIONS 1958

WATER SKI AREA

Lake Nunijup

*Shire of Cranbrook*Department of Transport,
Fremantle WA, 7 June 2019.

Acting pursuant to the powers conferred by Regulation 48A of the *Navigable Waters Regulations 1958*, I hereby set aside the following area of water for the purpose of water skiing—

Lake Nunijup: All the waters of Lake Nunijup excluding the area in the north-west of the lake west of a line from 34°24.287'S, 117°24.425'E (approximately 60 metres north-east of the boat ramp) to 34°24.107'S, 117°24.425'E (approximately 330 metres north). All coordinates based on GDA 94.

Providing however that all water skiing activities are prohibited in waters less than 1.5 metres in depth. Mariners are responsible to ensure minimum depths prior to undertaking any water ski activities.

The direction of all water skiing activities shall be in an anti-clockwise direction and water skiing is only permitted within the daylight hours of sunrise to sunset.

CHRISTOPHER J. MATHER, Director Waterways Safety Management,
Department of Transport.

MA403

WESTERN AUSTRALIAN MARINE ACT 1982

CLOSED WATERS MOTORISED VESSELS AREA

Lake Nunijup

*Shire of Cranbrook*Department of Transport,
Fremantle WA, 7 June 2019.

Acting pursuant to the powers conferred by Section 66 of the *Western Australian Marine Act 1982*, I hereby cancel notice number TR402(a)(13) published on 27 January 1995 and close the following area of water to motorised vessels—

Lake Nunijup: All those waters in the north-west of Lake Nunijup west of a line from 34°24.287'S, 117°24.425'E (approximately 60 metres north-east of the boat ramp) to 34°24.107'S, 117°24.425'E (approximately 330 metres north). All coordinates based on GDA 94.

CHRISTOPHER J. MATHER, Director Waterways Safety Management,
Department of Transport.

MA404

WESTERN AUSTRALIAN MARINE ACT 1982
NAVIGABLE WATERS REGULATIONS 1958

WATER SKI AREA

Lake Poorrarecup
Shire of Cranbrook

Department of Transport,
 Fremantle WA, 7 June 2019.

Acting pursuant to the powers conferred by Regulation 48A of the *Navigable Waters Regulations 1958*, I hereby cancel notice number MA403 as published in the *Government Gazette* on 26 November 2013 and set aside the following area of water for the purpose of water skiing—

Lake Poorrarecup: All waters of Lake Poorrarecup with the exception of the area gazetted as closed to motorised vessels area.

Providing however that all water skiing activities are prohibited in waters less than 1.5 metres in depth. Mariners are responsible to ensure minimum depths prior to undertaking any water ski activities.

The direction of all water skiing activities shall be in an anti-clockwise direction and water skiing is only permitted within the daylight hours of sunrise to sunset.

CHRISTOPHER J MATHER, Acting General Manager Marine Safety,
 Department of Transport.

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 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.

BREE AYLING, Warden.

To be heard by the Warden at Kalgoorlie on 26 July 2019.

BROAD ARROW MINERAL FIELD

Prospecting Licences

P 24/4982 Unwin, Christopher Robert
 Lambie, David Muir Hamilton

EAST COOLGARDIE MINERAL FIELD

Prospecting Licences

P 26/4276 Torian Resources Limited
 P 26/4278 Edwards, Robert Glenn

N. E. COOLGARDIE MINERAL FIELD

Prospecting Licences

P 27/2254 Gunner, Paul James
 P 27/2259 Edwards, Robert Glenn
 P 27/2260 Budd, Jeffrey Wayne
 Budd, Leslie Alan

NORTH COOLGARDIE MINERAL FIELD

Prospecting Licences

P 31/2081 Edwards, Robert Glenn

MP402

MINING ACT 1978
APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines and Petroleum,
Coolgardie WA 6429.

In accordance with Regulation 49(2)(c) of the *Mining Regulations 1981*, notice is hereby given that the following licences are liable to forfeiture under the provision of Section 96(1)(a) of the *Mining Act 1978* for breach of covenant, being failure to comply with the prescribed expenditure conditions and/or non-compliance with the reporting provisions.

BREE AYLING, Warden.

To be heard by the Warden at Kalgoorlie on 26 July 2019.

COOLGARDIE MINERAL FIELD
Prospecting Licences

P 15/5915	Keillor, Barry Raymond Forward, Daryl John
P 15/6126	Drage, Cory John
P 15/6155	Trezise-Conroy, William Francis
P 16/2813	Wesson, Craig Matthew
P 16/2814	Wesson, Craig Matthew
P 16/2971	Lennard, Nadine Ann
P 16/2972	Lennard, Nadine Ann

MP403

MINING ACT 1978
APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines and Petroleum,
Norseman WA 6443.

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.

BREE AYLING, Warden.

To be heard by the Warden at Kalgoorlie on 26 July 2019.

DUNDAS MINERAL FIELD
Prospecting Licences

P 63/1987	Sharpe, Trevor David
P 63/1990	Ore Transport Australia Pty Ltd
P 63/1991	Ore Transport Australia Pty Ltd
P 63/1992	Ore Transport Australia Pty Ltd
P 63/1993	Ore Transport Australia Pty Ltd
P 63/1994	Ore Transport Australia Pty Ltd
P 63/1995	Ore Transport Australia Pty Ltd
P 63/1996	Ore Transport Australia Pty Ltd
P 63/2000	Daybreak Resources Pty Ltd
P 63/2009	Sharpe, Trevor David

PLANNING

PL401

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT

City of Busselton

Local Planning Scheme No. 21—Amendment No. 21

Ref: TPS/2090

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 17 May 2019 for the purpose of—

1. Rezoning a portion of Lot 803 Chapman Hill Road, Bovell from 'Agriculture' to 'Special Purpose (Ambergate Industrial/Service Commercial Development Area)'.
2. Deleting Special Provision Area 47 from Schedule 3 'Special Provision Areas'.
3. Amending the boundary of 'Special Provision Area 48'.
4. Amending Schedule 3 'Special Provision Areas' as follows—

SP48	Lot 11 and part Lot 803 Chapman Hill Road, Bovell	Special Use (Ambergate Industrial/Service Commercial Development Area)	<ol style="list-style-type: none"> 1. The intent of this special provision area is to enable the use and development of the site as a service commercial and mixed light industrial precinct. 2. The following uses shall be permitted— <ul style="list-style-type: none"> • Bus Depot • Convenience Store • Educational Establishment • Lunch Bar • Industry—Light • Fuel Depot • Medical Centre • Motor Vehicle, Boat or Caravan Sales • Motor Vehicle Repair • Motor Vehicle Wash • Research and Development Facility • Garden Centre • Recreation—Private • Service Station • Bulky Goods Showroom • Transport Depot • Veterinary Hospital • Warehouse/Storage <p>All other uses are not permitted.</p> 3. Notwithstanding Part 4 of the deemed provisions of the Scheme the structure plan shall include the following details— <ol style="list-style-type: none"> a. No direct vehicular access to lots from Chapman Hill Road or Busselton Bypass; b. Vehicular access to the precinct shall be limited to controlled, shared access points from Chapman Hill Road and the Ambergate North entry road only; c. Service roads and shared, coordinated parking and access shall be provided within the land and along the service road frontage; d. Protection of sites of heritage, conservation or environmental significance; e. Built form and presentation guidelines to ensure the appropriate design and siting of buildings; f. Particular design requirements for landmark buildings to be located at the corner of the Busselton Bypass and Chapman Hill Road and the corner of the Ambergate North entry road and Chapman Hill Road; and;
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			<p>g. Other information considered relevant by the local government.</p> <p>4. All development that adjoins the Busselton Bypass shall have a minimum 24m building setback.</p> <p>5. For the purpose of Special Provision Area 48 'Research and Development Facility' means a building or buildings predominantly used for tertiary industrial activity involved in the research and development of goods and services, and may include small manufacturing that is directly associated with, and ancillary to, the predominant use.</p>
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5. Amending Schedule 1—'Interpretations' by amending the definitions of 'Medical Centre' and 'Shop' to read as follows—
 - '*Medical Centre*' means premises other than a hospital used by 3 or more health practitioners at the same time for the investigation or treatment of human injuries or ailments and for general outpatient care'.
 - '*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.'
6. Amending Schedule 1—'Interpretations' by deleting 'Discount Department Store', 'Supermarket', 'Showroom' and 'Research and Development Facility'
7. Amending Schedule 1—'Interpretations' to include the following definitions—
 - '*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.'
 - '*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.'
 - '*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 by retail 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.'
8. Amending Table 1 "*Zoning Table*" by inserting the use classes 'Liquor Store—small' and 'Liquor Store—large' with the same permissibilities as the 'Shop' use.
9. Amending Table 1 "*Zoning Table*" by changing the use class 'Showroom' to 'Bulky Goods Showroom' and as appropriate throughout the Scheme.
10. Amending Schedule 2—'Additional Uses' by modifying 'Additional Use 64' relating to Pt Lot 17 West Street, West Busselton so that the 'Conditions' read as follows—

No.	Particulars of Land	Land Uses Permitted/Specified	Conditions
A64	Lot 181 and portion of Lot 182 West Street, West Busselton	Shop (Limited to the following shop types— Discount Department Store and Supermarket)	<ol style="list-style-type: none"> 1. The additional use specified shall be deemed to be a "D" use for the purposes of Part 4 of the Scheme. 2. Development shall be in accordance with a Land Use Concept Plan adopted by the Council.

No.	Particulars of Land	Land Uses Permitted/Specified	Conditions
			<p>3. The additional Shop use specified is limited to a single discount department store with a gross leasable floor area of not less than 5,000m² and not more than 8,000m². For the purpose of Additional Use 64 'Discount Department Store' means 'a premises wherein a substantial range of consumer goods are kept in a substantial number of different departments and offered for sale by a single retailer but does not include a supermarket nor a supermarket component'.</p> <p>4. The additional Shop use specified is limited to a single supermarket with a net lettable area of not less than 1,495m² and not more than 1,800m². For the purpose of Additional Use 64 'Supermarket' means 'premises used to sell a range of food and household convenience goods by retail; and may also include up to a maximum 10% of floorspace used to sell a broader range of goods and/or merchandise by retail; but does not include a discount department store, bulky goods showroom or takeaway food outlet'.</p>

11. Amending the boundary of Additional Use 64 to apply to Lot 181 and portion of Lot 182 West Street, West Busselton.

12. Amending the Scheme Map accordingly.

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

PL402

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

Local Planning Scheme No. 21—Amendment No. 29

Ref: TPS/2270

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 17th May 2019 for the purpose of—

1. Alignment of Zones

1.1 Amending the Scheme by retitling the zone names as follows and, unless specifically mentioned within this resolution, subsequent references throughout the Scheme—

- (a) The "Business" zone to "Regional Centre" zone, "Centre" zone and "Local Centre" zone;
- (b) The "Restricted Business" zone to "Service Commercial" zone;
- (c) The "Tourist" zone to "Tourism" zone;
- (d) The "Industrial" zone to "Light Industry" zone and "General Industry" zone;
- (e) The "Agriculture" zone to "Rural" zone;
- (f) The "Special Purpose" zone to "Special Use" zone;

1.2 Amending the Scheme Maps by—

- (a) Rezoning all land within the Busselton City Centre to “Regional Centre” zone as depicted on the Scheme Amendment map, being—
- (i) All land currently zoned “Business” and bound by Marine Terrace, Brown Street, Peel Terrace and West Street;
 - (ii) The portion of Lot 73 Peel Terrace, Busselton currently zoned Business;
 - (iii) Lots 74 and 75 Peel Terrace, Lot 1 (No. 69) Adelaide Street, and Lot 2 (No. 9) Brown Street, Busselton;
- (b) Rezoning all land within the Dunsborough Town Centre to “Centre” zone as depicted on the Scheme Amendment map, being all land currently zoned “Business” and bound by Cape Naturaliste Road, Reserve 42545, Reserve 35758, Reserve 26513, Chieftain Crescent and Caves Road;
- (c) Rezoning Lot 1001 Switchback Parade, West Busselton from “Restricted Business” to “Local Centre” as depicted on the Scheme Amendment map;
- (d) Identifying all “Business” zoned land not included within 1.2(a) and 1.2(b) of the resolution as being within the “Local Centre” zone;
- (e) Other than Lot 1001 Switchback Parade, West Busselton, identifying all land currently within the “Restricted Business” zone as being within the “Service Commercial” zone;
- (f) Identifying all land currently within the “Tourist” zone as being within the “Tourism” zone;
- (g) Identifying all land currently within the “Industrial” zone as being within the “Light Industry” zone;
- (h) Identifying all land currently within the “Agriculture” zone as being within the “Rural” zone;
- (i) Rezoning Lot 1 (No. 16) Hobson Street, Geographe and Lot 441 (No. 29A) Avocet Boulevard, Geographe from “Special Purpose” zone to “Public Purpose—Water” Reserve;
- (j) Other than Lot 1 (No. 16) Hobson Street, Geographe and Lot 441 (No. 29A) Avocet Boulevard, Geographe, identifying all land currently within the “Special Purpose” zone as being within the “Special Use” zone, with the following labels—

All land within the “Special Purpose” Zone and labelled with the acronym	being identified with the label
“APH”	“1”
“BDA”	“2”
“BF”	“3”
“BRA”	“4”
“CPK” or “C/CPK”	“5”
“CC”	“6”
“CECH”	“7”
“COM”	“8”
“CS”	“9”
“EE” or “PS”	“10”
“H”	“11”
“HA”	“12”
“HL”	“13”
“HP”	“14”
“RP” or “BP”	“15”
“SST”	“16”
“SSTPN”	“17”
“TE”	“18”
“WD”	“19”
“WFS”	“20”
‘no label’	“21”
“AADA”	“22”
“ANDA”	“23”
“DLDA”	“24”
“HLDA”	“25”
“OBFDA”	“26”
“YD”	“27”
“YDD”	“28”
“YID”	“29”

1.3 Amending clause 4.9 (Special Purpose Zone) to read as follows—

“4.9 SPECIAL USE ZONES

4.9.1 Schedule 5 sets out—

- (a) special use zones for specified land that are in addition to the zones in the zoning table; and
- (b) the classes of special uses that are permissible in that zone; and
- (c) the conditions that apply in respect of the special uses.

4.9.2 A person must not use any land, or any structure or buildings on land, in a special use zone except for the class of use that is permissible in that zone and subject to the conditions that apply to that use.”

1.4 Introducing a new Schedule 5 as provided below, and renumber the remaining Schedules and Schedule references accordingly—

SCHEDULE 5—SPECIAL USES

[cl. 4.9]

No.	Description of land	Special Use	Conditions
1.	As identified on the Scheme map	Aged Person Housing	Nil.
2.	As identified on the Scheme map	Broadwater Development Area	Development must be in accordance with the requirements of the Broadwater Development Area and Special Provision 57.
3.	As identified on the Scheme map	Busselton Foreshore	Development must be in accordance with Special Provision No. 44.
4.	As identified on the Scheme map	Busselton Regional Airport	Nil.
5.	As identified on the Scheme map	Caravan Park	Nil.
6.	As identified on the Scheme map	Child Care	Nil.
7.	As identified on the Scheme map	Church Site, Educational Establishment, Child Care and Hall	Nil.
8.	As identified on the Scheme map	Community Purposes	Nil.
9.	As identified on the Scheme map	Church Site	Nil.
10.	As identified on the Scheme map	Educational Establishment	Nil.
11.	As identified on the Scheme map	Hotel	Nil.
12.	As identified on the Scheme map	Hall	Nil.
13.	As identified on the Scheme map	Hostel	Nil.
14.	As identified on the Scheme map	Historical Precinct	Nil.
15.	As identified on the Scheme map	Road Purposes	Nil.
16.	As identified on the Scheme map	Service Station	Nil.
17.	As identified on the Scheme map	Service Station/Plant Nursery	Nil.
18.	As identified on the Scheme map	Telephone Exchange	Nil.
19.	As identified on the Scheme map	Waste Disposal	Nil.
20.	As identified on the Scheme map	Waterfowl Study	Nil.
21.	As identified on the Scheme map	Blank	Nil.
22.	As identified on the Scheme map	Ambergate Automotive Development Area	Development must be in accordance with Special Provisions 47 and 48.
23.	As identified on the Scheme map	Ambergate North Development Area	Development must be in accordance with Special Provision 39.

No.	Description of land	Special Use	Conditions
24.	As identified on the Scheme map	Dunsborough Lakes Development Area	Development must be in accordance with Special Provision 42.
25.	As identified on the Scheme map	Heron Lake Development Area	Development must be in accordance with Special Provision 55.
26.	As identified on the Scheme map	Old Broadwater Farm Development Area	Development must be in accordance with Special Provision 43.
27.	As identified on the Scheme map	Yalyalup Development	Development must be in accordance with Special Provision 23.
28.	As identified on the Scheme map	Yalyalup Deferred Development	Development must be in accordance with Special Provision 23.
29.	As identified on the Scheme map	Yalyalup Industrial Development	Development must be in accordance with Special Provision 36.

1.5 Amending Part 5 (General Development Requirements) of the Scheme by—

- (a) Amending subclause 5.16.1(b) (Corner Shop) by replacing the words “in the case of a rural area or land in a rural zone” with “in the case of land in the Rural, Viticulture and Tourism and Rural Residential zones”;
- (b) Amending clause 5.29 (Development of dams in rural areas) by removing the words “in rural areas” from within the title and “In rural zones” from within the clause;
- (c) Amending clause 5.31 (Ancillary Accommodation in rural areas) by replacing the words “a rural zone” with “the Rural, Viticulture and Tourism, Rural Residential, Rural Landscape, Conservation or Bushland Protection zone”.

2. Objectives of the Zones

2.1 Amending clause 4.2 (Objectives and Policies of the Zones) to read as follows—

“4.2 ZONE OBJECTIVES

The objectives of each zone are as follows—

Zone name	Objectives
Residential	<ol style="list-style-type: none"> a. To provide for a range of housing and a choice of residential densities to meet the needs of the community. b. To facilitate and encourage high quality design, built form and streetscapes throughout residential areas. c. To provide for a range of non-residential uses, which are compatible with and complementary to residential development.
Regional Centre	<ol style="list-style-type: none"> a. To provide a genuine centre of community life, socially, culturally and economically. b. To provide a basis for future detailed planning in accordance with the structure planning provisions of this Scheme or the Activity Centres State Planning Policy. c. To ensure that development provides for activation of the street and public spaces, high quality design and a variety of land uses. d. To provide for medium to high density residential development.
Centre	<ol style="list-style-type: none"> a. To provide a genuine centre of community life, socially, culturally and economically. b. To provide a basis for future detailed planning in accordance with the structure planning provisions of this Scheme or the Activity Centres State Planning Policy. c. To ensure that development provides for activation of the street and public spaces, high quality design and a variety of land uses. d. To provide for medium to high density residential development.
Local Centre	<ol style="list-style-type: none"> a. To provide for development at a scale sufficient to serve the Centre’s catchment, but not detract from the commercial primacy of the Regional Centre and Centre zones. b. Providing for limited expansion of existing smaller centres to ensure access to services at a local level and building neighbourhood identity. c. To ensure that development provides for activation of the street and public spaces, high quality design and a variety of land uses.
Service Commercial	<ol style="list-style-type: none"> a. To accommodate commercial activities which, because of the nature of the business, require good vehicular access and/or large sites. b. To provide for a range of wholesale sales, showrooms, trade and services which, by reason of their scale, character, operational or land requirements, are not generally appropriate in, or cannot conveniently or economically be accommodated in the Centre zones. c. To provide for development which will not result in a detrimental impact on surrounding commercial centres and has regard to the strategic importance and need to maintain the commercial primacy of the Regional Centre and Centre zones.

Zone name	Objectives
Tourism	<p>d. To restrict development which is likely to contribute to ribbon development, the spread of centres, or otherwise detrimentally impact the efficiency of main or arterial roads.</p> <p>a. To promote and provide for tourism opportunities.</p> <p>b. To provide for a variety of holiday accommodation styles and associated uses, including retail and service facilities where those facilities are provided in support of the tourist accommodation and are of an appropriate scale where they will not impact detrimentally on the surrounding or wider area, or on the commercial primacy of the Regional Centre and Centre zones.</p> <p>c. To allow limited residential uses where appropriate.</p> <p>d. To encourage the location of tourist facilities so that they may benefit from existing road services, physical service infrastructure, other tourist attractions, natural features and urban facilities.</p>
Light Industry	<p>a. To provide for a range of industrial and service commercial uses generally compatible with urban areas, that generally cannot be located in other zones, whilst maintaining the commercial primacy of the Regional Centre and Centre zones.</p> <p>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 not to detract from the residential amenity.</p>
General Industry	<p>a. To provide for a broad range of industrial, service and storage activities which, by the nature of their operations, should be isolated from residential and other sensitive land uses.</p> <p>b. To accommodate industry that would not otherwise comply with the performance standards of light industry.</p> <p>c. Seek to manage impacts such as noise, dust and odour within the zone.</p>
Rural	<p>a. To provide for the maintenance or enhancement of specific local rural character.</p> <p>b. To protect broad acre agricultural activities such as cropping and grazing and intensive uses such as viticulture and horticulture as primary uses, with other rural activities as secondary uses in circumstances where they demonstrate compatibility with the primary use.</p> <p>c. To maintain and enhance the environmental qualities of the landscape, vegetation, soils and waterways, to protect sensitive areas especially the natural valley and watercourse systems from damage.</p> <p>d. To provide for the operation and development of existing, future and potential rural land uses by limiting the introduction of sensitive land uses.</p> <p>e. To provide for a range of non-rural land uses where they have demonstrated benefit and are compatible with surrounding rural uses.</p> <p>f. To provide for development and expansion of the viticultural, winemaking and associated tourism activities and other industries related to agricultural activities, in addition to general rural pursuits, in a manner that does not cause adverse environmental impact.</p> <p>g. To provide for the extraction of basic raw materials, where appropriate.</p>
Viticulture and Tourism	<p>a. To provide for the maintenance or enhancement of specific local rural character.</p> <p>b. To provide for development and expansion of the viticultural, winemaking and associated industries, in addition to general rural pursuits, in a manner that does not cause adverse environmental impact.</p> <p>c. To facilitate the development of tourist facilities of a scale and nature appropriate in rural settings without prejudice to the scenic quality of land within this zone and without creating or increasing ribbon development on any road.</p> <p>d. To provide for the operation and development of existing, future and potential rural land uses by limiting the introduction of sensitive land uses.</p> <p>e. To provide for a range of non-rural land uses where they have demonstrated benefit and are compatible with surrounding rural uses.</p> <p>f. To maintain and enhance the environmental qualities of the landscape, vegetation, soils and waterways.</p>

Zone name	Objectives
Rural Residential	<ul style="list-style-type: none"> a. To provide for lots primarily for residential purposes generally in the range of 1 ha to 4 ha. b. To provide opportunities for a range of limited rural and related ancillary pursuits on rural-residential lots where those activities will be consistent with the amenity of the locality and the conservation and landscape attributes of the land. c. To set aside areas for the retention of vegetation and landform or other features which distinguish the land.
Rural Landscape	<ul style="list-style-type: none"> a. To facilitate limited closer rural settlement on land which is recognised as being of high landscape or scenic value, but generally unsuitable for agriculture or farming use, in order to protect and enhance those values. b. To ensure that development maintains the character of the locality, maintains a high level of residential amenity, has consideration for conservation values and minimises disturbance to the landscape.
Conservation	<ul style="list-style-type: none"> a. To restrict the type and scale of development which will be considered on lands possessing special aesthetic, ecological or conservation values to those compatible with such environments. b. To provide for the preservation, maintenance, restoration or sustainable use of the natural environment.
Bushland Protection	<ul style="list-style-type: none"> a. To restrict the land uses and type and scale of development that will be considered on lands possessing special biodiversity values to those that will not adversely affect those values, and to provide opportunity for the creation of a subdivision incentive for the protection of those values in perpetuity. b. To prohibit clearing, grazing or damage to remnant vegetation on the land unless required for bushfire hazard risk mitigation identified on an adopted fire management plan, approved dwellings or any incidental development within building envelopes, or to allow for vehicular access to such buildings. c. To prohibit the clearing, draining, filling or grazing of wetlands on the land.
Special Use	<ul style="list-style-type: none"> a. To facilitate special categories of land uses, which do not sit comfortably within any other zone. b. To enable the local government to impose specific conditions associated with the special use.”
Vasse Development	<p data-bbox="600 1234 719 1263"><u>Objectives</u></p> <ul style="list-style-type: none"> a. The zone is designed to be flexible in nature so as to overcome the inherent problems associated with detailed zoning of land prior to the creation of lot boundaries through subdivision and survey. b. To provide for progressive development of a new, separate community at Vasse. c. To progressively provide employment and business opportunities at Vasse. d. To encourage a variety of lifestyle opportunities through the use of different development densities. e. To create a high quality “village” character by encouraging pedestrian/cycle transport as a preferred mode, a sense of place and a sense of community. f. To establish a hierarchy of planning procedures to secure the objectives of the zone. g. To provide for the development of neighbourhood retail facilities which support and service the residential population at Vasse only and do not detract from the primacy of Busselton and Dunsborough as the principal commercial centres of the City. <p data-bbox="600 1742 687 1771"><u>Policies</u></p> <ul style="list-style-type: none"> a. To provide, in a timely manner, an alternative route for regional, heavy haulage and through traffic so that the existing Bussell Highway alignment can be used as an internal subdivision road to service Vasse village. b. To require the preparation and approval of a Structure Plan in accordance with the provisions of Schedule 11 of the Scheme as a prerequisite to— <ul style="list-style-type: none"> (i) the local government’s support for an application to subdivide or amalgamate lots; and/or (ii) the local government’s consideration of an application for development approval. c. Ensure development is compatible with the natural environment. d. Programme appropriate road and reticulated service provision.

Zone name	Objectives
	<p>e. Programme appropriate provision of social infrastructure.</p> <p>f. Encourage urban designs which provide a high degree of ‘permeability’ and ‘walkability’.</p> <p>g. Make provision for business, industry, community uses and recreational areas as well as residential areas.</p> <p>h. To ensure that Vasse does not become a satellite, dormitory suburb of Busselton and the local government shall recommend against continuing stages of residential subdivision unless there is progressive development of employment opportunities at Vasse.</p> <p>i. To ensure that subdivision and development conforms to the principal aims of the “Liveable Neighbourhoods Policy”.</p> <p>j. To ensure retail uses are limited in scale, type and function to service the residential population of Vasse only, in accordance with the settlement hierarchy objectives of the State Planning Policy No. 6.1—Leeuwin-Naturaliste Ridge.</p>
<p>Deferred Vasse Development Zones</p>	<p><u>Objectives</u></p> <p>a. To ensure that the development of Vasse is staged to allow a community size of around 2,000 residents unless the conditions prescribed at Table 5 of the State Planning Policy No. 6.1—Leeuwin-Naturaliste Ridge and Schedule 12 of the Scheme are met in which case the village of Vasse may be expected to accommodate a maximum population of approximately 5,000 people by the lifting of the deferment from the Deferred Vasse Development zone through an amendment to the Scheme.</p> <p>b. In the interim, the land within the zone is to be treated as if it were in the Agriculture zone except that the local government has the discretion to refuse incompatible rural land uses that may prejudice the long term development of the area for townsite expansion.</p> <p><u>Policies</u></p> <p>a. It is the objective and requirement of the zone to link further expansion of Vasse to the demonstration of employment creation at the site to support residential growth. Justification of growth should conform to the principle aims of the Liveable Neighbourhoods as it relates to employment, transport and community design.</p> <p>b. It is intended that when the local government deems the above condition and those of Schedule 12 of the Scheme have been met that the deferment will be lifted from the Deferred Vasse Development zone and further residential development permitted in accordance with an adopted Structure Plan. Deferment shall be lifted by finalisation and gazettal of an amendment to the Scheme rezoning the site from the Deferred Vasse Development zone to the Vasse Development zone.</p>

2.2 Amending clause 5.34 (Subdivision of lots with more than one dwelling in the Agriculture and Viticulture and Tourism Zones) by—

- (a) Amending the title of the clause to “Subdivision of lots in the Rural and Viticulture and Tourism zones”;
- (b) Inserting new subclauses 5.34.1 and 5.34.2 as follows and renumbering subsequent clauses and clause references accordingly—

5.34.1 A lot proposed to be created by subdivision for an agricultural purpose shall contain a minimum area of land that actually is useable for commercial farming. Depending upon the circumstances, the area of a lot may be greater than the area necessary for the farm due to remnant and riparian vegetation considered valuable for conservation; streams, dams, wetlands and foreshores; steep terrain and rocky outcrops; setbacks to the above and any environmental buffers within which development or agriculture is not permitted; and existing tourist development. As a general guide, the minimum arable area for a commercial farm that will be recommended by the local government to the Commission is 30 hectares for viticultural and horticultural pursuits.

5.34.2 Where environmental conditions allow, subdivision of rural land into lots comprising a minimum arable area of 40 hectares may be supported by the local government.”

2.3 Amending clause 5.36 (Vegetation Surveys in the Conservation and Bushland Protection Zones) to read as follows—

“5.36 SPECIAL PROVISIONS RELATING TO THE CONSERVATION ZONE

5.36.1 Development will only be permitted where—

- (a) it can be demonstrated that such development can be carried out in a manner that minimises risks from natural hazards, functions efficiently and does not detract from the scenic quality of the land; and

- (b) such development is unlikely to have a significant detrimental effect on the growth of native plant communities, the survival of native wildlife populations and the provision and quality of habitats for both indigenous and migratory species.
- 5.36.2 In satisfying 5.36.1 above, there is a general presumption that development shall be in a clustered form.
- 5.36.3 The Local Government will only recommend support for subdivision where—
- (a) there is no detrimental impact on the aesthetic, conservation or ecological values of the land and where the objective of retention of these values of the land in perpetuity will be achieved;
 - (b) for a lot 40 hectares or greater at 7 September 1999, subdivision based on a ratio of one lot per 20 hectares, preferably in a clustered form;
 - (c) for a lot less than 40 hectares at 7 September 1999, subdivision of one additional lot, preferably in a clustered form; and
 - (d) the proposal is consistent with State Planning Policy No. 6.1—Leeuwin-Naturaliste Ridge where applicable.
- 5.36.4 Clearing of any vegetation on the land will be prohibited, unless required for fire breaks, dwellings or associated outbuildings within defined building envelopes, or to allow for vehicular access to such buildings
- 5.36.5 Prior to subdivision, subdividers shall undertake a vegetation survey to identify rare, endangered or otherwise significant vegetation within the proposed building envelope and vehicle access areas, in addition to any other area of the lot as deemed appropriate by the local government, and provide for its appropriate conservation to the satisfaction of the Department of Biodiversity, Conservation and Attractions and the local government.”
- 2.4 Amending clause 5.38 (Special provisions relating to the Rural Landscape Zone) by inserting new subclauses 5.38.1 and 5.38.2 as follows and renumbering subsequent clauses accordingly:
- “5.38.1 Subdivision should incorporate a range of lots areas, with an average lot area of not less than 10 hectares and a minimum lot area of 5 hectares using conventional subdivision and providing greater flexibility for lots created by strata or survey strata subdivision, dependent upon the special physical and landscape characteristics of the land and only where it can be clearly established to be consistent with the objectives of the zone.
- 5.38.2 Where the keeping of livestock may be acceptable, stocking rates shall be controlled in order to avoid degradation and erosion of the landscape, and to ensure that the keeping of livestock does not occur where this would be inconsistent with the intent and objectives of the zone.”
- 2.5 Amending clause 5.39 (Special provisions relating to the Bushland Protection Zone) by—
- (a) Modifying subclause 5.39.1 to read as follows—
 - “5.39.1 Subdivision will only be supported where—
 - (a) there is no detrimental impact on the aesthetic, conservation or biodiversity values of the land and where the objective of retention of these values in perpetuity will be achieved;
 - (b) for lots less than 60 hectares, subdivision of one additional lot;
 - (c) for lots 60 hectares and greater, subdivision based on a ratio of one lot per 20 hectares with a maximum of 3 lots in total;
 - (d) for lots 60 hectares and greater and with a remnant vegetation cover of 50% or more of the total area of the lot, subdivision based on a ratio of one lot per 20 hectares with a maximum of 4 lots in total;
 - (e) a minimum lot area of 3 hectares is achieved;
 - (f) consistent with the Biodiversity Incentive Strategy for Private Land in the Busselton Shire, or the State Planning Policy No. 6.1—Leeuwin-Naturaliste Ridge, or other similar strategy as may be adopted by the local government and endorsed by the Commission in the future; and
 - (g) consistent with a Structure Plan adopted by local government and endorsed by the Commission.”
 - (b) Inserting new subclauses 5.39.2 and 5.39.3 as follows and renumbering subsequent clauses accordingly—
 - 5.39.2 No further subdivision of lots created pursuant to the objectives and policies of the Bushland Protection zone is permitted
 - 5.39.3 Prior to subdivision, subdividers shall undertake a vegetation survey to identify rare, endangered or otherwise significant vegetation within the proposed building envelope and vehicle access areas, in addition to any other area of the lot as deemed appropriate by the local government, and provide for its appropriate conservation to the satisfaction of the Department of Parks and Wildlife Department of Biodiversity, Conservation and Attractions and the local government.

- 2.6 Inserting a new clause 5.20 to read as follows and renumbering subsequent clauses and clause references accordingly—

“5.20 CONSOLIDATION AND FRAGMENTATION OF LAND IN THE REGIONAL CENTRE, CENTRE AND LOCAL CENTRE ZONE

The consolidation of land to assemble larger land parcels suitable for integrated development or redevelopment in the Regional Centre, Centre and Local Centre zones is encouraged and supported. Fragmentation of land within these zones, unless it is part of an overall plan for integrated development or redevelopment, will generally not be supported.”

- 2.7 Inserting a new clause 5.41 to read as follows—

“5.41 DEVELOPMENT ALONG MAIN OR ARTERIAL ROADS

Development which is likely to contribute to ribbon development, the spread of town centres, or otherwise detrimentally impact the efficiency of or the rural and natural ambience of main or arterial roads will not be supported by the local government.”

3. Terms Referred to in Scheme

- 3.1 Amending Schedule 1 (Interpretations) by—

- a. Amending the following titles—

- i. “Caretaker’s Residence” to read “Caretaker’s Dwelling”;
- ii. “Jetty and Mooring Envelope” to read “Mooring Envelope”;

and associated references throughout the Scheme accordingly, where, in relation to “Caretaker’s Dwelling”, references within the Scheme to “Caretaker/Staff Accommodation”, “Manager’s/Caretakers House”, “Manager’s Dwelling” and “Manager’s House” shall also be amended;

- b. Amending the following definitions to read—

- i. “*Home Occupation*” means a dwelling or land around a dwelling used by an occupier of the dwelling to carry out an occupation if the carrying out of the occupation—

- (a) does not involve employing a person who is not a member of the occupier’s household; and
- (b) will not cause injury to or adversely affect the amenity of the neighbourhood; and
- (c) does not occupy an area greater than 20 m²; and
- (d) does not involve the display on the premises of a sign with an area exceeding 0.2 m²; and
- (e) does not involve the retail sale, display or hire of any goods unless the sale, display or hire is done only by means of the Internet; and
- (f) does not—
 - (i) require a greater number of parking spaces than normally required for a single dwelling; or
 - (ii) result in an increase in traffic volume in the neighbourhood; and
- (g) does not involve the presence, use or calling of a vehicle of more than 4.5 tonnes tare weight; and
- (h) does not include provision for the fuelling, repair or maintenance of motor vehicles; and
- (i) 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;”

- ii. “*Industry*” means premises used for the manufacture, dismantling, processing, assembly, treating, testing, servicing, maintenance or repairing of goods, products, articles, materials or substances and includes facilities on the premises for any of the following purposes—

- (a) the storage of goods;
- (b) the work of administration or accounting;
- (c) the selling of goods by wholesale or retail;
- (d) the provision of amenities for employees;
- (e) incidental purposes;”

- iii. “*Lunch Bar*” means premises or part of premises used for the sale of takeaway food (in a form ready to be consumed without further preparation) within industrial or commercial areas and does not normally trade outside of normal business hours;”

- iv. “*Marina*” means—

- (a) premises used for providing mooring, fuelling, servicing, repairing, storage and other facilities for boats, including the associated sale of any boating gear or equipment; and
- (b) all jetties, piers, embankments, quays, moorings, offices and storerooms used in connection with the provision of those services;”

- c. Amending the following titles and definitions—
- i. 'Light Industry' to read—

“*Industry—Light*’ means premises used for an industry where impacts on the amenity of the area in which the premises is located can be mitigated, avoided or managed;”
 - ii. 'Major Road Frontage' to read—

“*Frontage*’, in relation to a building—

 - (a) if the building is used for residential purposes, has the meaning given in the R-Codes; or
 - (b) if the building is used for purposes other than residential purposes, means the line where a road reserve and the front of a lot meet and, if a lot abuts 2 or more road reserves, the one to which the building or proposed building faces;”
 - iii. 'Motor Vehicle and Marine Sales Premises' to read—

“*Motor Vehicle, Boat or Caravan Sales*’ means premises used to sell or hire motor vehicles, boats or caravans;”
 - iii. 'Private Recreation' to read—

“*Recreation—Private*’ means premises that are—

 - (a) used for indoor or outdoor leisure, recreation or sport; and
 - (b) not usually open to the public without charge;”
 - iv. 'Professional Consulting Rooms' to read—

“*Consulting Rooms*’ means premises used by no more than 2 health practitioners at the same time for the investigation or treatment of human injuries or ailments and for general outpatient care;”
- and associated references throughout the Scheme accordingly;
- d. Inserting the following new definitions—
- i. “*Art Gallery*’ means premises—
 - (a) that are open to the public; and
 - (b) where artworks are displayed for viewing or sale;”
 - ii. “*Car Park*’ means premises used primarily for parking vehicles whether open to the public or not but does not include—
 - (a) any part of a public road used for parking or for a taxi rank; or
 - (b) any premises in which cars are displayed for sale;”
 - iii. “*Cinema/Theatre*’ means premises where the public may view a motion picture or theatrical production;”
 - iv. “*Funeral Parlour*’ means premises used—
 - (a) to prepare and store bodies for burial or cremation;
 - (b) to conduct funeral services;”
 - v. “*Motor Vehicle Wash*’ means premises primarily used to wash motor vehicles;”
 - vi. “*Nightclub*’ means premises the subject of a nightclub licence granted under the *Liquor Control Act 1988*;”
 - vii. “*Resource Recovery Centre*’ means premises other than a waste disposal facility used for the recovery of resources from waste;”
 - viii. “*Small Bar*’ means premises the subject of a small bar licence granted under the *Liquor Control Act 1988*;”
 - ix. “*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;”
 - x. “*Trade Supplies*’ means premises used to sell by wholesale or retail, or to hire, assemble or manufacture any materials, tools, equipment, machinery or other goods used for the following purposes including goods which may be assembled or manufactured off the premises—
 - (a) automotive repairs and servicing;
 - (b) building including repair and maintenance;
 - (c) industry;
 - (d) landscape gardening;
 - (e) provision of medical services;
 - (f) primary production;
 - (g) use by government departments or agencies, including local government;”
 - xi. “*Waste Disposal Facility*’ means premises used—
 - (a) for the disposal of waste by landfill; or
 - (b) the incineration of hazardous, clinical or biomedical waste;”

- xii. “*Waste Storage Facility*” means premises used to collect, consolidate, temporarily store or sort waste before transfer to a waste disposal facility or a resource recovery facility on a commercial scale;”
- e. Removing the use class definitions for “Grouped Dwelling”, “Multiple Dwelling”, “Residential Building” and “Single House”, while retaining permissibilities within the Zoning Table and references within the Scheme;
- f. Removing the following obsolete or out-dated definitions and associated permissibilities and references throughout the Scheme where relevant—
- | | |
|-----------------------------------|---|
| i. “The Act”; | xx. Manager’s Residence; |
| ii. Advertisement; | xxi. Marine Facilities; |
| iii. Amusement Machine; | xxii. Natural Ground Level; |
| iv. Applicant; | xxiii. Offensive and Hazardous Industry; |
| v. Boarding House; | xxiv. Owner; |
| vi. Boatel; | xxv. Place; |
| vii. Building; | xxvi. Place of Assembly; |
| viii. Bulk Store; | xxvii. Public Utility; |
| ix. Bulky Goods; | xxviii. Recreation Facility; |
| x. Bus Station; | xxix. Retirement Village; |
| xi. Chandlery; | xxx. Rural Worker’s Dwelling; |
| xii. Communal or Cluster Farming; | xxxi. Salvage Yard; |
| xiii. Conservation Tourism; | xxxii. Sawmill; |
| xiv. Display Home; | xxxiii. Service Industry; |
| xv. Display Home Centre; | xxxiv. Stabilised Surface Level of a Lot; |
| xvi. Dry Industry; | xxxv. Stock and Sale Yard; |
| xvii. Dwelling; | xxxvi. Timber Yard; |
| xviii. Generating Works; | xxxvii. Waterway Frontage; |
| xix. Incidental Development; | |
- g. Rearranging the Schedule into two parts, being “Division 1—General definitions used in Scheme” and “Division 2—Land use terms used in Scheme”, whereby—
- i. The following terms are to be included in Division 1—
- | | |
|---------------------------|-----------------------------------|
| Canal Frontage | Mean High Water Mark |
| Commission | Mooring Envelope |
| Council | Net Lettable Area |
| Dam | Prime Agricultural Land |
| Discount Department Store | Research and Development Facility |
| Entry Statement | Rural Tourist Accommodation |
| Floodway | Stabilised Canal Edge |
| Frontage | Supermarket |
| Gazettal Date | Vegetation |
- ii. The following terms are to be included in Division 2—
- | | |
|----------------------------|--|
| Abattoir | Fuel Depot |
| Aged Persons’ Home | Funeral Parlour |
| Agriculture—Extensive | Garden Centre |
| Agriculture—Intensive | Guesthouse |
| Amusement Parlour | Holiday Home (Multiple/Grouped Dwelling) |
| Animal Establishment | Holiday Home (Single House) |
| Animal Husbandry—Intensive | Home Business |
| Aquaculture | Home Occupation |
| Bed and Breakfast | Home Office |
| Brewery | Hospital |
| Bus Depot | Hotel |
| Caravan Park | Industry |
| Car Park | Industry—Cottage |
| Cinema/Theatre | Industry—Extractive |
| Chalet | Industry—Light |
| Child Care Premises | Industry—Primary Production |
| Club Premises | Lunch Bar |
| Community Purpose | Marina |
| Consulting Rooms | Marine Filling Station |
| Convenience Store | Market |
| Corner Shop | Medical Centre |
| Educational Establishment | Mining Operations |
| Exhibition Centre | Motel |
| Factory Unit Building | |

- | | |
|--------------------------------------|-----------------------------------|
| Motor Vehicle, Boat or Caravan Sales | Service Station |
| Motor Vehicle Repair | Shop |
| Motor Vehicle Wash | Showroom |
| Nightclub | Small Bar |
| Office | Takeaway Food Outlet |
| Park Home Park | Tavern |
| Place of Worship | Trade Supplies |
| Produce Sales | Telecommunications Infrastructure |
| Reception Centre | Tourist Accommodation |
| Recreation Establishment | Transport Depot |
| Recreation—Private | Tree Farm |
| Research Establishment | Veterinary Centre |
| Resource Recovery Centre | Warehouse/Storage |
| Restaurant/Café | Waste Disposal Facility |
| Restricted Premises | Waste Storage Facility |
| Rural Holiday Resort | Wind Farm |
| Rural Pursuit/Hobby Farm | Winery |

3.2 Amending the Zoning Table to read as follows—

Zone / Use Class	Residential	Regional Centre	Centre	Local Centre	Service Commercial	Tourism	Light Industry	General Industry	Rural	Viticulture and Tourism	Rural Residential	Rural Landscape	Conservation	Bushland Protection	Special Use	Vasse Development	Deferred Vasse Development
Abattoir	X	X	X	X	X	X	A	D	A	X	X	X	X	X	In accordance with clause 4.6.1	In accordance with clause 4.6.1	In accordance with Clause 4.2.14 (b) and clause 4.6.3
Aged Persons Home	D	A	A	X	X	X	X	X	A	X	X	X	X	X			
Agriculture—Extensive	X	X	X	X	X	X	X	X	P	P	A	D	D	D			
Agriculture—Intensive	X	X	X	X	X	X	X	X	P	P	X	X	X	X			
Amusement Parlour	X	P	P	P	D	D	D	D	X	X	X	X	X	X			
Ancillary Accommodation	P	D	D	D	X	X	X	X	P	P	P	D	D	D			
Animal Establishment	X	X	X	X	X	X	X	X	D	D	A	A	X	X			
Animal Husbandry—Intensive	X	X	X	X	X	X	X	X	D	D	X	X	X	X			
Aquaculture	X	X	X	X	X	X	D	D	D	D	A	A	A	X			
Bed and Breakfast	D	D	D	D	X	P	X	X	D	D	D	D	D	D			
Brewery	X	A	A	A	A	A	D	D	A	A	X	X	X	X			
Bus Depot	X	X	X	X	D	X	D	D	D	X	X	X	X	X			
Caravan Park	A	X	X	X	X	D	X	X	A	A	X	X	X	X			
Caretaker's Dwelling	X	X	X	X	X	D	X	X	X	X	X	X	X	X			
Car Park	X	D	D	D	D	X	D	D	X	X	X	X	X	X			
Cinema/Theatre	X	D	D	D	D	X	X	X	X	X	X	X	X	X			
Chalet	X	X	X	X	X	D	X	X	D	D	X	A	A	X			
Child Care Premises	A	D	D	D	D	A	X	X	D	A	A	X	X	X			
Club Premises	X	D	D	D	D	D	X	X	A	A	X	X	X	X			
Community Purpose	A	P	P	P	D	D	D	D	D	A	A	X	X	X			
Consulting Rooms	A	P	P	P	P	X	X	X	X	X	X	X	X	X			
Convenience Store	X	P	P	P	D	D	D	D	X	X	X	X	X	X			
Corner Shop	A	P	P	P	P	X	D	D	A	A	A	X	X	X			
Educational Establishment	A	P	P	P	D	X	D	D	D	D	D	X	X	X			
Exhibition Centre	X	A	A	A	A	A	X	X	A	A	X	X	X	X			
Factory Unit Building	X	X	X	X	D	X	P	P	X	X	X	X	X	X			
Fuel Depot	X	X	X	X	X	X	P	P	X	X	X	X	X	X			
Funeral Parlour	X	D	D	D	D	X	D	X	X	X	X	X	X	X			
Garden Centre	X	A	A	A	A	X	D	X	D	D	A	X	X	X			
Grouped Dwelling	D	D	D	D	X	X	X	X	X	X	X	X	X	X			
Guesthouse	X	D	D	D	X	D	X	X	A	A	A	A	A	X			
Holiday Home (Multiple/ Grouped Dwelling)	A	A	A	A	X	X	X	X	X	X	X	X	X	X			
Holiday Home (Single House)	D*	D*	D*	D*	X	X	X	X	D*	D*	D*	D*	D*	D*			
Home Business	D	P	P	P	X	X	X	X	P	P	P	A	A	A			

Zone / Use Class	Residential	Regional Centre	Centre	Local Centre	Service Commercial	Tourism	Light Industry	General Industry	Rural	Viticulture and Tourism	Rural Residential	Rural Landscape	Conservation	Bushland Protection	Special Use	Vasse Development	Deferred Vasse Development
Home Occupation	P	P	P	P	X	P	X	X	P	P	P	P	P	P			
Hospital	A	D	D	D	D	X	X	X	A	A	X	A	X	X			
Hotel	X	A	A	A	A	A	X	X	A	A	X	X	X	X			
Industry	X	X	X	X	X	X	D	D	X	X	X	X	X	X			
Industry—Cottage	X	X	X	X	X	D	X	X	P	P	A	D	A	A			
Industry—Extractive	X	X	X	X	X	X	A	A	A	X	X	X	X	X			
Industry—Light	X	X	X	X	D	X	P	P	X	X	X	X	X	X			
Industry—Primary Production	X	X	X	X	X	X	D	D	D	D	X	X	X	X			
Lunch Bar	X	X	X	X	D	X	D	D	X	X	X	X	X	X			
Marina	X	D	D	D	D	D	D	D	X	X	X	X	X	X			
Marine Filling Station	X	D	D	D	D	D	D	D	X	X	X	X	X	X			
Market	X	D	D	D	D	A	D	D	D	D	A	X	X	X			
Medical Centre	A	P	P	P	D	X	D	D	X	X	X	X	X	X			
Mining Operations	X	X	X	X	X	X	A	A	A	X	X	X	X	X			
Motel	X	A	A	A	A	D	X	X	X	X	X	X	X	X			
Motor Vehicle, Boat or Caravan Sales	X	D	D	D	P	X	P	P	X	X	X	X	X	X			
Motor Vehicle Repair	X	X	X	X	D	X	P	P	X	X	X	X	X	X			
Motor Vehicle Wash	X	X	X	D	D	X	D	D	X	X	X	X	X	X			
Multiple Dwelling	D	D	D	D	X	X	X	X	X	X	X	X	X	X			
Nightclub	X	A	A	X	X	A	X	X	X	X	X	X	X	X			
Office	X	P	P	P	X	X	X	X	X	X	X	X	X	X			
Park Home Park	A	X	X	X	X	D	X	X	X	X	X	X	X	X			
Place of Worship	A	D	D	D	D	X	D	X	A	A	A	X	X	X			
Produce Sales	X	X	X	X	X	X	X	X	D	D	A	A	A	A			
Reception Centre	X	D	D	D	D	D	X	X	A	A	X	X	X	X			
Recreation Establishment	X	X	X	X	X	D	X	X	D	D	X	A	A	X			
Recreation—Private	X	D	D	D	D	D	D	X	D	A	A	A	A	X			
Repurposed Dwelling	D	D	D	D	X	X	X	X	D	D	D	D	D	D			
Research Establishment	X	D	D	D	D	X	D	D	D	X	X	X	X	X			
Residential Building	A	X	X	X	X	D	X	X	A	A	X	X	X	X			
Resource Recovery Centre	X	X	X	X	X	X	X	A	X	X	X	X	X	X			
Restaurant/Cafe	X	P	P	P	D	D	X	X	D	D	A	X	X	X			
Restricted Premises	X	D	D	D	D	X	X	X	X	X	X	X	X	X			
Rural Holiday Resort	X	X	X	X	X	D	X	X	X	A	X	X	X	X			
Rural Pursuit/Hobby Farm	X	X	X	X	X	X	X	X	P	P	A	A	X	X			
Second-hand Dwelling	D	D	D	D	X	X	X	D	D	D	D	D	D	D			
Service Station	X	X	X	D	D	X	D	D	A	X	X	X	X	X			
Shop	X	P	P	P	X	X	X	X	X	X	X	X	X	X			
Showroom	X	P	P	P	P	X	D	X	X	X	X	X	X	X			
Single House	P	D	D	D	X	X	X	X	P	P	P	P	P	P			
Small Bar	X	D	D	A	A	D	A	X	A	A	X	X	X	X			
Takeaway Food Outlet	X	A	A	A	A	A	X	X	X	X	X	X	X	X			
Tavern	X	A	A	A	A	A	A	X	A	A	X	X	X	X			
Trade Supplies	X	P	P	P	P	X	D	X	X	X	X	X	X	X			
Telecommunications Infrastructure	A	A	A	A	D	A	D	D	A	A	A	A	X	X			
Tourist Accommodation	X	D	D	D	X	D	X	X	X	A	X	X	X	X			
Transport Depot	X	D	D	D	D	X	D	D	X	X	X	X	X	X			
Tree Farm	X	X	X	X	X	X	X	X	D	D	X	X	X	X			
Veterinary Centre	X	D	D	D	P	X	D	X	A	A	X	X	X	X			
Warehouse/Storage	X	D	D	D	P	X	P	P	X	X	X	X	X	X			
Waste Disposal Facility	X	X	X	X	X	X	X	A	X	X	X	X	X	X			

In accordance with clause 4.6.1

In accordance Schedule 11, clause 1.7.3

In accordance with Clause 4.2.14 (b) and clause 4.6.3

Zone / Use Class	Residential	Regional Centre	Centre	Local Centre	Service Commercial	Tourism	Light Industry	General Industry	Rural	Viticulture and Tourism	Rural Residential	Rural Landscape	Conservation	Bushland Protection	Special Use	Vasse Development	Deferred Vasse Development
Waste Storage Facility	X	X	X	X	X	X	X	A	X	X	X	X	X	X			
Wind Farm	X	X	X	X	X	X	X	X	A	A	X	X	X	X			
Winery	X	D	D	D	D	A	P	X	D	D	X	A	X	X			

3.3 Amending subclause 4.5.3(d) (Exceptions to the Zoning Table) to delete the words “*or motor vehicle and marine sales*”.

3.4 Delete subclauses 4.5.4(f) and (g) (Exceptions to the Zoning Table) and renumber subsequent clauses accordingly.

4. City and Town Centre Zone provisions

4.1 Amending clause 5.20 (Development in the Business Zone) to read as follows—

“5.20 DEVELOPMENT IN THE REGIONAL CENTRE AND CENTRE ZONES

5.20.1 Development within the Regional Centre and Centre zones shall address the following provisions, unless otherwise identified in an endorsed Activity Centre Plan—

- (a) No residential uses shall be permitted at ground floor fronting Queen Street and Prince Street, Busselton and Dunn Bay Road and Naturaliste Terrace, Dunsborough;
- (b) A nil front setback is to be provided to the development, unless otherwise designated in an Activity Centre Plan, or the development is providing for an associated alfresco space within the setback;
- (c) Buildings shall be articulated to break up perceived bulk and provide visual interest, particularly with buildings occupying a large/long site frontage;
- (d) At the ground floor level, developments shall address the street with a primary business entrance and a shop front façade;
- (e) Ground floor commercial uses shall incorporate transparent glazing for 70% of all building frontages to adjacent streets;
- (f) Upper levels shall be designed to promote informal surveillance of the street through the use of balconies and/or large windows;
- (g) A minimum ceiling height of 3.3 metres shall be achieved for the ground floor level, whilst all other floors shall achieve a minimum ceiling height of 2.7 metres;
- (h) Roller doors or screens of solid material on shop fronts will not be permitted, security measures should be located and installed internally behind the glazing line;
- (i) Pedestrian shelter, through the provision of a verandah, awning or the like, shall be provided over the public footpath for the full width of the lot frontage;
- (j) No vehicle accessways or carparking shall be provided between buildings and the street, or be visible from the street, unless required to provide access to car parking or loading areas behind buildings;
- (k) No vehicular access to sites shall be taken from Queen Street, Prince Street or Kent Street (between Queen Street and Brown Street), Busselton or Dunn Bay Road or Naturaliste Terrace, Dunsborough, unless no alternative is available, in which case a single crossover width shall be no greater than 5 metres with a cumulative maximum width of 7 metres;
- (l) Vehicle crossovers and driveways shall be co-located wherever possible with adjoining properties;
- (m) Vehicle access to developments shall be designed in a way which minimises potential pedestrian/vehicular conflict, clearly recognising the primacy of pedestrian amenity;
- (n) Multi-storey car parks shall incorporate interactive street frontages, such as shops or other uses that promote activity and where car parking levels (including undercroft levels) are visible from a street or public space, high quality architectural detailing shall be incorporated into the façade of all floors;

- (o) General plant, such as air-conditioning, television antennas, bins, hot water storage tanks, rain water tanks, satellite dishes and the like are to be adequately concealed and screened from the street or public view;
- (p) Where land is zoned 'Regional Centre' or 'Centre', 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—
 - (i) 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
 - (ii) Where a development incorporates a Restaurant/Café, 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
 - (iii) 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.
- (q) Signage and advertising shall not adversely detract from the architectural elements of the building, or visually dominate the building or the streetscape generally;"

4.2 Modifying clause 6.1.1 (Operation of Special Control Areas) by including a new Area—"Drive-through Facility Control" after the Development Contribution Area as listed.

4.3 Inserting a new clause 6.13 as follows and renumbering subsequent clauses and clause references accordingly—

"6.13 DRIVE-THROUGH FACILITY CONTROL AREA

Any proposals incorporating a drive-through facility are not permitted within the Drive-Through Facility Control Area, unless the local government has exercised its discretion by granting development approval after first giving notice in accordance with clause 64 of the Deemed Provisions."

4.4 Amending Schedule 1 (Interpretations) by inserting the following new definition—

'Drive-through facility' means premises designed, constructed and/or operated so that food and/or drinks, goods or services may be purchased, provided or exchanged with customers while remaining in their vehicle.

4.5 Amending the Scheme map to apply the 'Drive-through Facility Control Area' to the Busselton City Centre as depicted on the Scheme Amendment map, being—

- (a) Land being rezoned to 'Regional Centre' bound by West Street, Marine Terrace, Brown Street, Harris Road and Albert Street, Busselton; and
- (b) Land bound by Brown Street, Peel Terrace, Cammilleri Street and Harris Road, Busselton;

And subject to the following exclusions—

- (a) Lots 151 (3), 150 (5), 381(7), 110(9), 454 (11), 453 (15), 9 (17), 10 (19), 11 (23), 120 (25), 391 (27), 7 (37), 8 (39), 10 (41) and portion of Lot 26 (45) Albert Street, Busselton;
- (b) Portion of Lot 170 (56) Prince Street, Busselton.

4.6 Amending the Scheme map to apply the 'Drive-through Facility Control Area' to the Dunsborough Town Centre as depicted on the Scheme Amendment map, being—

- (a) Land being rezoned to 'Centre' and bound by Cape Naturaliste Road, Reserve 42673, Reserve 35758, Reserve 26513, Chieftain Crescent, Seymour Boulevard and Caves Road and excluding portion of Lot 1 (No. 61), portion of Lot 1 (No. 64) and Lot 2 (No. 64) Dunn Bay Road, Dunsborough.

4.7 Modifying Schedule 2 to include Additional Use 83 as follows—

No.	Particulars of Land	Land Use Permitted/Specified	Conditions
A83	Lots 151 (3), 150 (5), 381 (7), 110 (9), 454 (11), 453 (15), 9 (17), 10 (19), 11 (23), 120 (25), 391 (27), 7 (37), 8 (39), 10 (41) and portion of Lot 26 (45) Albert Street, Busselton; Portion of Lot 170 (56) Prince Street, Busselton; Portion of Lot 73, Lot 74 (18) and Lot 75 (20) Peel Terrace, Busselton; Lots bound by Albert Street, Stanley Place, Peel Terrace and West Street, Busselton (excluding Lot 229 on Plan 225893); Portion of Lot 1 (No. 61), portion of Lot 1 (No. 64) and Lot 2 (No. 64) Dunn Bay Road, Dunsborough.	Service Station Motor Vehicle Wash	The Additional Uses specified shall be 'D' uses for the purpose of the Scheme.

And amend the Scheme map accordingly.

- 4.8 Inserting a footnote to the Dunsborough ‘Centre’ and Busselton ‘Regional Centre’ zone columns of Table 1—Zoning Table, to read—

“Land use proposals incorporating a drive-through facility are not permitted within the Drive-Through Facility Control Area applicable to the Dunsborough ‘Centre’ and Busselton ‘Regional Centre’ zones, unless the local government has exercised its discretion by granting development approval after first giving notice in accordance with clause 64 of the Deemed Provisions—refer SCA Part 5 clause 5.13 of this Scheme.”

5. Additional clauses to align to Model Provisions

- 5.1 Amending clause 4.4 (Interpretation of the Zoning Table) to read as follows—

“4.4 INTERPRETING THE ZONING TABLE

- 4.4.1 A specific use class referred to in the zoning table is excluded from any other use class described in more general terms.
- 4.4.2 The local government may, in respect of a use that is not specifically referred to in the zoning table and that cannot reasonably be determined as falling within a use class referred to in the zoning table—
- (a) determine that the use is consistent with the objectives of a particular zone and is therefore a use that may be permitted in the zone subject to conditions imposed by the local government; or
 - (b) determine that the use may be consistent with the objectives of a particular zone and give notice under clause 64 of the deemed provisions before considering an application for development approval for the use of the land; or
 - (c) determine that the use is not consistent with the objectives of a particular zone and is therefore not permitted in the zone.”

6. Review of Rural Residential areas

- 6.1 Inserting Special Provision No. 63 as follows, and amend the Scheme maps accordingly—

No.	Particulars of land	Zone	Special Provisions
63	Land bound by the Busselton Bypass in the north, Queen Elizabeth Avenue to the east and Rendezvous Road to the south; and with Lots 44 to 50 Belltonia Way, and Lot 348 Rendezvous Road, forming the western boundary.	Rural Residential	<ol style="list-style-type: none"> 1. A District Structure Plan (DSP) shall be prepared for the Special Provision area, which shall determine as a minimum, indicative layout, residential density, strategic road integration and public open space provision. 2. Notwithstanding provision 1, a district structure plan may be prepared specifically for Lots 242-249 Kookaburra Way prior to the general DSP for Special Provision Area 63 being prepared. Should this occur, the specific district structure plan for these lots must integrate with the approved structure plan for neighbouring Lot 2 Kookaburra Way. 3. Any DSP that is prepared shall identify precincts for which further local structure planning is required prior to any consideration for subdivision approval. 4. Subdivision of land shall be generally in accordance with a Local Structure Plan for the land approved by the Western Australian Planning Commission pursuant to Schedule 2 (Deemed Provisions) of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>.

- 6.2 Amending the Scheme maps as depicted on the Scheme Amendment maps and as follows—

- (a) Rezoning Lots 301 to 304 and Lot 311 Carnarvon Castle Drive and Lots 305 to 310 Vixen Close, Eagle Bay from ‘Rural Residential’ to ‘Residential R2.5’;
- (b) Rezoning Lot 2000 Okapa Rise, Dunsborough from ‘Rural Residential’ to ‘Recreation Reserve’;
- (c) Rezoning Lots 2001 and 2002 Okapa Rise, Dunsborough—Rezone from ‘Rural Residential’ to ‘no zone’; and
- (d) Amending Lot 1 (No. 531) Rendezvous Road, Vasse from ‘Agriculture’ zone to ‘Public Purpose’ Reserve.

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

POLICE

PO401

MISUSE OF DRUGS ACT 1981
MISUSE OF DRUGS REGULATIONS 1982
 APPROVED ANALYST

I, Christopher John Dawson, Commissioner of Police in the State of Western Australia, under section 3A of the *Misuse of Drugs Act 1981* approve the following person, employed by ChemCentre, as an approved analyst for the purposes of the Act—

Title	Given Names	Surname	DOB	Qualifications
Ms	Hannah Elizabeth	Green	14/08/1995	B.Sc. (Hons) (Chemistry)

Dated: 21 May 2019.

CHRIS DAWSON, Commissioner of Police.

SALARIES AND ALLOWANCES TRIBUNAL

SA401

SALARIES AND ALLOWANCES ACT 1975
 DETERMINATION VARIATION

PREAMBLE

The Salaries and Allowances Tribunal has issued a determination, following a request from Murdoch University to review the remuneration provided to Murdoch University Governing Council members.

DETERMINATION

The determination of the Salaries and Allowances Tribunal, University Governing Board Members No. 2 of 2018, made on 27 November 2018, pursuant to 6(1)(ea) of the *Salaries and Allowances Act 1975*, as amended from time to time, is hereby varied by a determination as set out below—

Remove reference to the Senate of Murdoch University, as it appears in 'Table 1: Annual remuneration for University Governing Councils members' in Part 2 and include the following—

	Chancellor	Pro Chancellor	Committee Chairperson	Committee Member	Council Member (non-student)	Council Member (student)
Senate of Murdoch University	\$80,000	\$40,000	\$35,000	\$20,000	\$15,000	\$5,000

This determination is effective on and from 27 May 2019.

Signed on 27 May 2019.

M. SEARES AO,
Chair.B. A. SARGEANT PSM,
Member.
Salaries and Allowances Tribunal.C. P. MURPHY PSM,
Member.

DECEASED ESTATES

ZX401

TRUSTEES ACT 1962
 DECEASED ESTATES

Notice to Creditors and Claimants

Willena Kenyon, late of Unit 2, 33 Beauchamp Street, Mira Mar, Albany in the State of Western Australia, Home Duties, 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 the 13th day of October 2018 at Albany, in the said State, are required by the personal representatives Ian Donald Kenyon of 2 Woronga Place, Duncraig,

Western Australia and Constantyn Willem Receveur of 45 Duke Street, Albany, Western Australia, to send particulars of their claims to David Moss & Co of PO Box 5744, Albany WA 6332 by the date one (1) month following the date of publication of this notice, after which date the personal representative may convey or distribute the assets having regard only to the claim for which he has then had notice.

ZX402

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Maurice Burns, late of Unit 4, 6 Grifton Way, Alexander Heights, Western Australia, who died on 17 November 2018.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the deceased, who died on 17 November 2018, are required by the Administrator of the estate, Kaye Frances Thomson of care of Elizabeth Wiese & Associates, 5 Ellen Street, Fremantle, Western Australia, to send particulars of their claims to her at the address stated herein within 30 days of 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 she then has notice.

ZX403

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Brian Joseph Parker, late of Annesley Juniper, 147 Hillview Terrace, Bentley, Western Australia, Retired, 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 24 August 2018, are required by the personal representative, Timothy Richard Peeters, c/- Kerry Davis Legal Pty Ltd, 9 Boag Road, Morley WA 6062, to send particulars of their claims to them by the 7th day of July 2019, after which date the personal representative may convey or distribute the assets, having regard only to the claims of which they then have notice.

Dated: 4 June 2019.

Contact Kerry Davis.

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 by the Executor of this estate 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.

Grant, Ian Chesborough Falconer, late of Apartment 7, 85 Mill Point Road, South Perth, who died on 12 February 2019.

Pany, Harry, late of 91 Lyrebird Way, Thornlie, who died on 12 September 2017.

Spicer, Stuart John, late of 8 Montessori Place, Kingsley, who died on 20 January 2019.

Stannard, Joyce Lillian, late of Aegis Parkview, 6 Drummond Street, Redcliffe, who died on 4 December 2018.

HAYNES LEEUWIN, Solicitors for the Executors,
Suite 2, Ground Floor, 190 Main Street,
Osborne Park WA 6017.

ZX405**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 7 July 2019, after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Antrobus, Robin Ernest, late of 132 Mercury Street, Kewdale, who died on 15 February 2019 (DE33137531 EM24).

Armstrong, Helen Patricia, late of 34A Waddell Road, Palmyra, who died on 3 April 2019 (DE19982284 EM23).

Brims, Margaret Helen, late of 15 Helen Street, Applecross, who died on 12 December 2018 (DE19863253 EM37).

Jackson, Agnes Blanche, late of Brightwater Oxford Gardens, 30 Regents Park Road, Joondalup, who died on 8 November 2017 (PM33076246 EM27).

Lander, George, late of Seaforth Gardens Aged Care Centre, 2542 Albany Highway, Kelmscott, formerly of 39 Percy Street, Gosnells, who died on 12 March 2019 (DE19924004 EM16).

Lennard, Richard, late of Numbala Nunga Nursing Home, Sutherland Street, Derby, who died on 10 October 2018 (DE30306042 EM36).

Mountain, Gwenneth Pauline, late of Unit 2, 105 Hicks Street, Gosnells, formerly of 28 Wallangarra Drive, Bedforddale, who died on 25 April 2019 (DE19631397 EM110).

Page, Edward Arthur, late of 149 Melville Parade, Como, who died on 7 May 2019 (DE33022266 EM13).

Pelliccione, Carlo, late of 166 Phoenix Road, Hamilton Hill, who died on 17 January 2010 (DE33161979 EM35).

Scull, Joan Elizabeth, late of Unit 1, 41 Crawshaw Crescent, Manning, who died on 24 April 2019 (DE19852322 EM24).

Sewell, Patricia Margaret, late of Nazareth House, Crowtherston Street, Bluff Point, who died on 15 April 2012 (PM33046652 EM27).

Templeman, Joan Elizabeth, late of Catholic Homes Marist Lodge, 12 Lapage Street, Belmont, who died on 17 March 2019 (DE19973250 EM26).

Turner, Roy Clifford, late of Milton Park Retirement Village, Unit 14, 106 Williams Street, Gooseberry Hill, who died on 21 April 2019 (DE33081386 EM35).

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 Disposal of uncollected goods assessed at
a value not exceeding \$3,500

To Ms Shiralee Clark, Ms Jane Buchanan, Ms Deborah Garcia, Ms Kermelia Harvey, Mr Dwain Thompson and Mr David Greenwood, Bailors. You were given urgent notice on 3 April 2019 that the following goods: Daewoo Nubira 1BLU826, Holden Astra 1DNB095, Honda Integra 1ABA143, Ssangyong Actyon Sport 1DYP032, Suzuki Swift 1ASY019 and Kia Rio 1ESS965 situated at RAC, 32 Embleton Avenue, Morley and RAC, 281 Pinjarra Road, Mandurah are ready for redelivery.

Unless not more than one month after the date of the giving of this notice you either take redelivery of the goods or give directions for their redelivery, RAC Automotive Services Pty Ltd (ABN 93 095 467 226) of 832 Wellington Street, West Perth, bailee, intends to sell or otherwise dispose of them in accordance with the Act.

Should you wish to take repossession of the goods, please contact Steve Robinson on (08) 9436 5285, RAC Automotive Services.