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— PART 1 —

ROTTNEST ISLAND AUTHORITY

RX301*

Rottnest Island Authority Act 1987

Rottnest Island (Management Plan) Notice 2009

Given by the Rottnest Island Authority under section 21 of the Act.

1. Citation

This notice is the *Rottnest Island (Management Plan) Notice 2009*.

2. Management plan amendments notification

The Rottnest Island Authority gives notice that a proposed management plan, the Rottnest Island Management Plan 2009-2014, has been prepared.

3. Inspection of proposed management plan

Copies of the proposed management plan may be inspected at —

- (a) the Booking Office, Rottnest Island Authority, E Shed, Victoria Quay, Fremantle WA; or
- (b) the Rottnest Island Museum, Rottnest Island WA or
- (c) the Rottnest Island Authority website www.rotnnestisland.com.

4. Copies of the proposed management plan

Copies of the proposed management plan or a summary brochure may be obtained from —

- (a) the Rottnest Island Authority website www.rotnnestisland.com; or
- (b) the Rottnest Island Authority —
 - (i) by telephoning the Rottnest Island Authority on (08) 9432 9300; or
 - (ii) at the Booking Office, Rottnest Island Authority, E Shed, Victoria Quay, Fremantle WA.

5. Written submissions on proposed management plan

Written submissions on the proposed management plan must be —

- (a) delivered online via the Rottnest Island Authority website www.rotnnestisland.com; or
- (b) delivered to the Booking Office, Rottnest Island Authority, E Shed, Victoria Quay, Fremantle WA; or
- (c) posted to the Rottnest Island Management Plan 2009-2014, Rottnest Island Authority, PO Box 693, Fremantle WA 6959,

so that they are received by 5 p.m. Tuesday 5 May 2009.

The Common Seal of the)
Rottnest Island Authority)
is affixed in the presence of:)

LAURIE O'MEARA, AM,
Chairman.

PAOLO AMARANTI,
Chief Executive Officer.

— PART 2 —

CONSUMER AND EMPLOYMENT PROTECTION

CE401*

ASSOCIATIONS INCORPORATION ACT 1987

REINSTATEMENT OF ASSOCIATION

THE WA POLICE SERVICE PISTOL CLUB INCORPORATED

Notice is hereby given that the incorporation of the above-named association has been re-instated pursuant to Section 35(4) of the *Associations Incorporation Act 1987*.

Dated: 26 February 2009.

WILL MORGAN, Manager, Associations and Charitable Collections
for Commissioner for Consumer Protection.

ENVIRONMENT AND CONSERVATION

EV401*

BOTANIC GARDENS AND PARKS AUTHORITY ACT 1998

DRAFT KINGS AND BOTANIC GARDEN MANAGEMENT PLAN 2009-2014

Botanic Gardens and Parks Authority.

The Authority gives notice, consistent with the *Botanic Gardens and Parks Authority Act 1998*, of the release of the Draft Kings and Botanic Garden Management Plan 2009-2014 for the statutory two month public comment period.

Kings Park and Botanic Garden is a key remnant in Perth's greenways providing an important refuge for many species and an important ecological corridor. The park has a long and interesting Indigenous and European cultural history and is a significant tourist attraction enjoyed by a wide range of visitors for recreation, environmental discovery, ceremony and reflection, cultural activities and social gatherings. The Draft Plan identifies objectives; achievements and progress for the past five years; future directions and strategies for management; and, priorities for the next five years.

Copies of the Draft Plan are available from the Authority website www.bgpa.wa.gov.au. Copies for viewing and comments books are located at Kings Park and Botanic Garden Administration and the Visitor Centre (Fraser Avenue, West Perth), City of Perth Administration (27 St George's Terrace, Perth) and the State Library of WA (Perth Cultural Centre, Northbridge).

Written submissions on the Draft Plan should be addressed to: Planning Officer, Botanic Gardens and Parks Authority, Fraser Avenue, West Perth WA 6005; faxed to (08) 9322 5064; or, emailed to planning@bgpa.wa.gov.au. Please provide your name and contact details, clearly legible, for submission validation. Submissions will not be accepted by telephone.

The **closing date** for submissions is **5:00pm Thursday, 30 April 2009**.

MARK WEBB, Chief Executive Officer,
Botanic Gardens and Parks Authority.

FISHERIES

FI401*

PEARLING ACT 1990

GRANT OF PEARLING LICENCE

FD 1043/98

I, Stuart Smith, the Chief Executive Officer of the Department of Fisheries, Western Australia, hereby give notice that on 9 February 2009 a Pearling (Wildstock) Licence, a Pearling (Seeding)

Licence and a Pearl Oyster Hatchery (Nursery) Licence were issued to SJ & JD Arrow, pursuant to Section 23(1) of the *Pearling Act 1990*.

Under section 33(1) of the *Pearling Act* a person aggrieved by my decision may apply to the State Administrative Tribunal (SAT) for a review of the decision. Application forms can be obtained from the SAT located at Level 4, 12 St Georges Terrace, Perth WA or from the SAT's website at www.sat.justice.wa.gov.au. The application together with any supporting documents should be lodged with the SAT. When an application is accepted by the Chief Executive Officer of the SAT, the applicant is to give a copy of the application to the Chief Executive Officer, Department of Fisheries, Level 3, 168 St Georges Terrace, Perth WA.

GRANT OF PEARL OYSTER FARM LEASE
BEAGLE BAY—SITE 1

FD 1043/98

I, Stuart Smith, the Chief Executive Officer of the Department of Fisheries, Western Australia, pursuant to Section 23 of the *Pearling Act 1990* ("the *Pearling Act*") have granted an application by SJ & JD Arrow, for an area of water located in the vicinity of Beagle Bay. I declare that this lease was granted on 9 February 2009 for a term of 5 years.

GRANT OF PEARL OYSTER FARM LEASE
BEAGLE BAY—SITE 2

FD 1043/98

I, Stuart Smith, the Chief Executive Officer of the Department of Fisheries, Western Australia, pursuant to Section 23 of the *Pearling Act 1990* ("the *Pearling Act*") have granted an application by SJ & JD Arrow, for an area of water located in the vicinity of Beagle Bay. I declare that this lease was granted on 9 February 2009 for a term of 5 years.

Dated this 9th day of February 2009.

S. SMITH, Chief Executive Officer,
Department of Fisheries.

FI402*

FISH RESOURCES MANAGEMENT ACT 1994
STATEMENT OF DETERMINATION
Abalone Management Plan 1992

I Stuart Smith, Chief Executive Officer of the Department of Fisheries Western Australia, pursuant to clause 11(3) of the *Abalone Management Plan 1992*, hereby make a determination in regard to the maximum quantity of abalone that may be taken from the relevant areas of the Abalone Managed Fishery during the licensing period commencing on 1 April 2009, as set out below—

Area 1

5,000 kilograms of Roe's abalone (whole weight)
1,200 kilograms of Greenlip abalone (meat weight)
60 kilograms of Brownlip abalone (meat weight)

Area 2

19,800 kilograms of Roe's abalone (whole weight)
28,000 kilograms of Greenlip abalone (meat weight)
8,700 kilograms of Brownlip abalone (meat weight)

Area 3

35,000 kilograms of Greenlip abalone (meat weight)
8,000 kilograms of Brownlip abalone (meat weight)

Area 4

0 kilograms of Greenlip abalone (meat weight)
0 kilograms of Brownlip abalone (meat weight)

Area 5

20,000 kilograms of Roe's abalone (whole weight)

Area 6

12,000 kilograms of Roe's abalone (whole weight)

Area 7

36,000 kilograms of Roe's abalone (whole weight)

Area 8

9,000 kilograms of Roe's abalone (whole weight)

Dated this 25th day of February 2009.

S. SMITH, Chief Executive Officer.

PLANNING AND INFRASTRUCTURE

PI401*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT*Shire of Esperance*

Town Planning Scheme No. 22—Amendment No. 49

Ref: 853/11/6/21 Pt 49

It is hereby notified for public information, in accordance with Section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the Shire of Esperance local planning scheme amendment on 18 February 2009 for the purpose of applying specific density codes on the scheme map ranging from R20 to R30 as depicted on the Scheme Amendment map.

I. S. MICKEL, Shire President.
M. OSBORNE, Chief Executive Officer.

PI402*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED TOWN PLANNING SCHEME AMENDMENT*Shire of Gingin*

Town Planning Scheme No. 8—Scheme Amendment No. 100

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 Gingin's Town Planning Scheme Amendment No. 100 on 31 January 2009, for the purpose of—

1. Deleting Clause 6.5.5, which states—

Where the Council approves an application for planning consent under this Scheme the Council may limit the time for which that consent remains valid and where no time limit is specified the consent shall be deemed to expire after two years from the date of approval; and

2. Deleting Clause 6.6 which states—

The Council may, where it deems appropriate, grant planning approvals which—

- (a) If not implemented within the period of time specified in each such approval, shall thereafter cease to be valid, or
- (b) Permit the use and development of land to occur for limited periods of time after the expiration of which periods, as specified in each such approval, the use of the land shall cease and the site shall be restored to its former condition; and

3. Inserting a new Clause 6.6 which reads—

6.6. Term of planning approval**6.6.1** Where the local government grants planning approval for the development of land

- (a) the development approved is to be substantially commenced within 2 years, or such other period as specified in the approval, after the date of the determination; and
- (b) the approval lapses if the development has not substantially commenced before the expiration of that period.

6.6.2. A written request may be made to the local government for an extension of the term of planning approval at any time prior to the expiry of the approval period in clause 6.6.1.**6.6.3** Where the local government grants planning approval, the local government may impose conditions limiting the period of time for which the approval is granted.

Note: A temporary planning approval is where the local government grants approval for a limited period, for example, where the land may be required for some other purpose in the future, and is different to the term of the planning approval which is the period within which the development must commence.

S. D. FRASER, Chief Executive Officer.

PI403*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Mundaring

Town Planning Scheme No. 3—Amendment No. 32

Ref: 853/2/27/3 Pt 32

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 Mundaring local planning scheme amendment on 17 February 2009 for the purpose of—

1. Rezoning Swan Location 12054 Marlboro Road, Swan View from “Special Purpose—Place of Worship” to “Residential” with a density of R20.
2. Deleting the reference to Lot 12054 from Schedule 1 of Town Planning Scheme No. 3.

H. DULLARD, Shire President.
 J. THROSSELL, Chief Executive Officer.

PI404*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Manjimup

Town Planning Scheme No. 2—Amendment No. 130

Ref: 853/6/14/20 Pt130

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 Manjimup local planning scheme amendment on 17 February 2009 for the purpose of—

1. Amending Table 1 (Zoning Table) of the Scheme Text by—
 - (i) Deleting the symbol ‘X’ in line 45 (Industry-Rural) under column 7 (General Industry Zone) and substituting the symbol ‘P’.
 - (ii) Deleting the symbol “AA” in line 45 (Industry Rural) under column 8 (Rural Zone) and substituting the symbol “P”.
2. Amending Table No. 1 (Zoning Table) by—
 - (a) Inserting an additional use class at entry number 1 of “Abattoir” with the symbols “AA” in column 7 (General Industry Zone) and Column 8 (Rural Zone) and with the symbol “X” in columns 1-6 inclusive, and 13, the symbol “*” in column 9, the symbol “+” in column 10, the symbol “#” in column 11, the symbol “**” in column 12 and the words “Permitted Uses and Conditions of use Restricted to those listed in Appendix 7” in column 14.
 - (b) Renumbering all other use classes accordingly.
3. Inserting under the heading “Interpretations” after clause 1.7 of the Scheme Text a new interpretation in appropriate alphabetical order of ‘abattoir’ as follows—

Abattoir—means land and buildings for the slaughter of animals, and the treatment of carcasses, offal and by-products.

W. DE CAMPO, Shire President.
 J. HUBBLE, Chief Executive Officer.

PI405*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Town of Vincent

Town Planning Scheme No. 1—Amendment No. 27

Ref: 853/2/33/2 Pt 27

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 Town of Vincent local planning scheme amendment on 17 February 2009 for the purpose of amending clauses 20(4)(e)(ii) and 20(4)(h)(i) by changing the dates to 1 June 2010.

N. CATANIA, Mayor.
 JOHN GIORGI, JP, Chief Executive Officer.

PI407*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT

City of Fremantle

Local Planning Scheme No. 4—Amendment No. 8

Ref: 853/2/5/8 Pt 8

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 Fremantle local planning scheme amendment on 17 February 2009 for the purpose of—

- (i) addition of the following text to clause 6.1.1 following paragraph (b) with sequential re-lettering of the subsequent paragraphs (c) and (d) in clause 6.1.1
 - (c) *Development Contribution Areas shown on the Scheme map as DCA with a number and included in Schedule 16,*
- (ii) deletion of clause 6.2
- (iii) addition of the following new clauses 6.2 and 6.3 following clause 6.1

6.2 Development Areas**Development Areas****6.2.1 Interpretation**

In clause 6.2, unless the context otherwise requires—

‘owner’ means an owner or owners of land in the Development Area; and

‘structure plan’ means a structure plan that has come into effect in accordance with clause 6.2.12.1.

6.2.2 Purpose of Development Areas

6.2.2.1 The purposes of Development Areas are to—

- (a) identify areas requiring comprehensive planning; and
- (b) coordinate subdivision and development in areas requiring comprehensive planning.

6.2.2.2 Schedule 11 describes the Development Areas in detail and sets out the specific purposes and requirements that apply to the Development Areas.

6.2.3 Subdivision and Development in Development Areas

6.2.3.1 The development of land within a Development Area is to comply with Schedule 11

6.2.3.2 The subdivision and development of land within a Development Area is to generally be in accordance with any structure plan that applies to that land.

6.2.4 Structure Plan required

6.2.4.1 The local government is not to—

- (a) consider recommending subdivision; or
- (b) approve development

of land within a Development Area unless there is a structure plan for the Development Area or for the relevant part of the Development Area.

6.2.4.2 Notwithstanding clause 6.2.4.1, a local government may recommend subdivision or approve the development of land within a Development Area prior to a structure plan coming into effect in relation to that land, if the local government is satisfied that this will not prejudice the specific purposes and requirements of the Development Area.

6.2.5 Preparation of proposed structure plans

6.2.5.1 A proposed structure plan may be prepared by—

- (a) the local government; or
- (b) an owner.

6.2.5.2 A proposed structure plan may be prepared for all, or part of, a Development Area.

6.2.6. Details of proposed structure plan

6.2.6.1 A proposed structure plan is to contain the following details—

- (a) a map showing the area to which the proposed structure plan is to apply;
- (b) a site analysis map showing the characteristics of the site including—
 - (i) landform, topography and land capability;
 - (ii) conservation and environmental values including bushland, wetlands, damp lands, streams and water courses, foreshore reserves and any environmental policy areas;
 - (iii) hydrogeological conditions, including approximate depth to water table;
 - (iv) sites and features of Aboriginal and European heritage value;
- (c) a context analysis map of the immediate surrounds to the site including—
 - (i) the pattern of neighbourhoods, and existing and planned neighbourhood, town and regional centres;

- (ii) transport routes, including freeways, arterial routes and neighbourhood connector alignments, public transport routes, strategic cycle routes, bus stops and rail stations;
- (iii) existing and future land use;
- (d) for district structure plans a map showing proposals for—
 - (i) the pattern of neighbourhoods around town and neighbourhood centres;
 - (ii) arterial routes and neighbourhood connector streets;
 - (iii) the protection of natural features such as water courses and vegetation;
 - (iv) major open spaces and parklands;
 - (v) major public transport routes and facilities;
 - (vi) the pattern and disposition of land uses; and
 - (vii) schools and community facilities;
- (e) for local structure plans a map showing proposals for—
 - (i) neighbourhoods around proposed neighbourhoods and town centres;
 - (ii) existing and proposed commercial centres;
 - (iii) natural features to be retained;
 - (iv) street block layouts;
 - (v) the street network including street types;
 - (vi) transportation corridors, public transport network, and cycle and pedestrian networks;
 - (vii) land uses including residential densities and estimates of population;
 - (viii) schools and community facilities;
 - (ix) public parklands; and
 - (x) urban water management areas;
- (f) a written report to explain the mapping and to address the following—
 - (i) the planning framework for the structure plan including any applicable regional or district structure plans, and any policies, strategies and scheme provisions which apply to the land, and any environmental conditions which apply under the Scheme;
 - (ii) the site analysis including reference to the matters listed in clause 6.2.6.1 (b) above, and, in particular, the significance of the conservation, environmental and heritage values of the site;
 - (iii) the context analysis including reference to the matters listed in clause 6.2.6.1 (c) above;
 - (iv) how planning for the structure plan area is to be integrated with the surrounding land;
 - (v) the design rationale for the proposed pattern of subdivision, land use and development;
 - (vi) traffic management and safety;
 - (vii) parkland provision and management;
 - (viii) urban water management;
 - (ix) proposals for public utilities including sewerage, water supply, drainage, gas, electricity and communication services;
 - (x) the proposed method of implementation including any cost sharing arrangements and details of any staging of subdivision and development.

6.2.6.2 The maps referred to in clause 6.2.6.1 are to—

- (a) be drawn to a scale that clearly illustrates the details referred to in clause 6.2.6.1; and
- (b) include a north point, visual bar scale, key street names and a drawing title and number.

6.2.6.3 A proposed structure plan may, to the extent that it does not conflict with the Scheme, impose a classification on the land included in it by reference to reserves, zones or the *Residential Planning Codes*, and where the proposed structure plan becomes a structure plan, the local government is to have due regard to such reserves, zones or *Residential Planning Codes* when recommending subdivision or approving development of land within a Development Area.

6.2.6.4 A proposed structure plan must, in the opinion of the local government, be consistent with orderly and proper planning.

6.2.7. Submission to local government and Commission

6.2.7.1 A proposed structure plan prepared by an owner is to be submitted to the local government.

6.2.7.2 Within 7 days of preparing or receiving a proposed structure plan which proposes the subdivision of land, the local government is to forward a copy of the proposed structure plan to the Commission.

6.2.7.3 The Commission is to provide comments to the local government as to whether it is prepared to endorse the proposed structure plan with or without modifications.

6.2.7.4 The Commission must provide its comments to the local government within 30 days of receiving the proposed structure plan.

6.2.8. Advertising of structure plan

6.2.8.1 Within 60 days of preparing or receiving a proposed structure plan that conforms with clause 6.2.6 and complies with the Scheme (or such longer time as may be agreed in writing between the owner who submitted the proposed structure plan and the local government), the local government is to—

- (a) advertise, or require the owner who submitted the proposed structure plan to advertise, the proposed structure plan for public inspection by one or more of the following ways—
 - (i) notice of the proposed structure plan published in a newspaper circulating in the Scheme area;
 - (ii) a sign or signs displaying notice of the proposed structure plan to be erected in a conspicuous place or places in the Development Area, or part of the Development Area, to which the proposed structure plan applies; and
- (b) give notice or require the owner who submitted the proposed structure plan to give notice, in writing to—
 - (i) all owners whose land is included in the proposed structure plan;
 - (ii) all owners and occupiers who, in the opinion of the local government, are likely to be affected by the adoption of the proposed structure plan;
 - (iii) such public authorities and other persons as the local government nominates.

6.2.8.2 The advertisement and notice are to—

- (a) explain the scope and purpose of the proposed structure plan;
- (b) specify when and where the proposed structure plan may be inspected; and
- (c) invite submissions to the local government by a specified date being not less than 21 days after the giving or erection of the notice or publication of the advertisement, as the case requires.

6.2.9 Adoption of proposed structure plan

6.2.9.1 The local government is to consider all submissions received and within 60 days of the latest date specified in the notice or advertisement for the making of submissions is to—

- (a) adopt the proposed structure plan, with or without modifications; or
- (b) refuse to adopt the proposed structure plan and, where the proposed structure plan was submitted by an owner, give reasons for this to the owner.

6.2.9.2 (a) In making a determination under clause 6.2.9.1, the local government is to have due regard to the comments and advice received from the Commission in relation to the proposed structure plan.

- (b) If the Commission requires modifications to the proposed structure plan, the local government is to consult with the Commission prior to making a determination under clause 6.2.9.1.

6.2.9.3 If the local government, after consultation with the Commission, is of the opinion that a modification to the proposed structure plan is substantial, the local government may—

- (a) readvertise the proposed structure plan; or
- (b) require the owner who submitted the proposed structure plan to readvertise the proposed structure plan;

and thereafter, the procedures set out in clause 6.2.8.1 onwards are to apply.

6.2.9.4 If within the period referred to in clause 6.2.9.1, or such further time as may be agreed in writing between the owner who submitted the proposed structure plan and the local government, the local government has not made a determination under clause 6.2.9.1, the local government is deemed to have refused to adopt the proposed structure plan.

6.2.10 Endorsement by Commission

6.2.10.1 If the proposed structure plan proposes the subdivision of land, then within 7 days of making its determination under clause 6.2.9.1, the local government is to forward the proposed structure plan to the Commission for its endorsement.

6.2.10.2 As soon as practicable after receiving the proposed structure plan, the Commission is to determine whether to endorse the proposed structure plan.

6.2.10.3 The Commission is to notify the local government of its determination under clause 6.2.10.2.

6.2.11 Notification of structure plan

6.2.11.1 As soon as practicable after adopting a proposed structure plan under clause 6.2.9.1 and if clause 6.2.10 applies, as soon as practicable after being notified of the Commission's decision under clause 6.2.10.3, the local government is to forward a copy of the structure plan to—

- (a) any public authority or person that the local government thinks fit; and
- (b) where the structure plan was submitted by an owner, to the owner.

6.2.12 Operation of structure plan

6.2.12.1 A structure plan comes into effect—

- (a) where the structure plan proposes the subdivision of land, on the day on which it is endorsed by the Commission pursuant to clause 6.2.10.2; or
- (b) on the day on which it is adopted by the local government under clause 6.2.9.1 in all other cases.

6.2.12.2 If a provision of a structure plan is inconsistent with a provision of the Scheme, then the provision of the Scheme prevails to the extent of the inconsistency.

6.2.13 Inspection of structure plan

6.2.13.1 The structure plan and the Commission's notification under clause 6.2.10.3 is to be kept at the local government's administrative offices, and is to be made available for inspection by any member of the public during office hours.

6.2.14 Variation to structure plan

6.2.14.1 The local government may vary a structure plan—

- (a) by resolution if, in the opinion of the local government, the variation does not materially alter the intent of the structure plan;
- (b) otherwise, in accordance with the procedures set out in clause 6.2.6 onwards.

6.2.14.2 If the local government varies a structure plan by resolution, and the variation does not propose the subdivision of land, the local government is to forward a copy of the variation to the Commission within 10 days of making the resolution.

6.2.14.3 If the local government varies a structure plan by resolution, and the variation proposes the subdivision of land, the local government is to forward a copy of the variation to the Commission within 10 days of making the resolution for its endorsement.

6.2.14.4 As soon as practicable after receiving the copy of the variation referred to in clause 6.2.14.3, the Commission is to determine whether to endorse the proposed variation.

6.2.14.5 The Commission is to notify the local government of its determination under clause 6.2.14.4.

6.2.14.6 A variation to a structure plan by resolution comes into effect—

- (a) where the variation proposes the subdivision of land, on the day on which it is endorsed by the Commission pursuant to clause 6.2.14.4; or
- (b) on the day on which the local government resolves to make the variation under clause 6.2.14.1 (a).

6.2.15 Detailed area plan

6.2.15.1 Where it is considered desirable to enhance, elaborate or expand the details or provisions contained in a structure plan for a particular lot or lots, a detailed area plan may be prepared by—

- (a) the local government; or
- (b) an owner.

6.2.15.2 A detailed area plan may include details as to—

- (a) building envelopes;
- (b) distribution of land uses within a lot;
- (c) private open space;
- (d) services;
- (e) vehicular access, parking, loading and unloading areas, storage yards and rubbish collection closures;
- (f) the location, orientation and design of buildings and the space between buildings;
- (g) advertising signs, lighting and fencing;
- (h) landscaping, finished site levels and drainage;
- (i) protection of sites of heritage, conservation or environmental significance;
- (j) special development controls and guidelines; and
- (k) such other information considered relevant by the local government.

6.2.15.3 When a proposed detailed area plan is prepared under clause 6.2.15.1, the local government is to—

- (a) advertise, or require the owner who submitted the proposed detailed area plan to advertise, the proposed detailed area plan for public inspection by one or more of the following ways—
 - (i) notice of the proposed detailed area plan published in a newspaper circulating in the Scheme area;
 - (ii) a sign or signs displaying notice of the proposed detailed area plan to be erected in a conspicuous place or places in the Development Area, or part of the Development Area, to which the proposed detailed area plan applies; and
- (b) give notice or require the owner who submitted the proposed detailed area plan to give notice, in writing to—
 - (i) all owners whose land is included in the proposed detailed area plan;

- (ii) all owners and occupiers who, in the opinion of the local government, are likely to be affected by the adoption of the proposed detailed area plan;
- (iii) such public authorities and other persons as the local government nominates.

6.2.15.4 The advertisement and notice are to—

- (a) explain the scope and purpose of the proposed detailed area plan;
- (b) specify when and where the proposed detailed plan may be inspected; and
- (c) invite submissions to the local government by a specified date being not less than 21 days after the giving or erection of the notice or publication of the advertisement, as the case requires.

6.2.15.5 The local government is to consider all submissions received and—

- (a) approve the detailed area plan with or without conditions; or
- (b) refuse to approve the detailed area plan and, where the proposed detailed area plan was submitted by an owner, give reasons for this to the owner.

6.2.15.6 If within 60 days of receiving a detailed area plan prepared under clause 6.2.15.1(b), or such longer period as may be agreed in writing between the owner and the local government, the local government has not made one of the determinations referred to in clause 6.2.15.5, the local government is deemed to have refused to approve the detailed area plan.

6.2.15.7 Once approved by the local government, the detailed area plan constitutes a variation of the structure plan.

6.2.15.8 The local government may vary a detailed area plan in accordance with the procedures set out in clause 6.2.15 onwards provided such variations do not prejudice the intention of any related structure plan.

6.2.16 Appeal

6.2.16.1 An owner who has submitted a proposed structure plan under clause 6.2.7.1 may appeal, under Part V of the *Planning and Development Act 2005*—

- (a) any failure of the local government to advertise, or require the owner to advertise, a proposed structure plan within the required time period under clause 6.2.8.1;
 - a. any determination of the local government—
 - (i) to refuse to adopt a proposed structure plan (including a deemed refusal); or
 - (ii) to require modifications to a proposed structure plan that are unacceptable to that owner.

6.2.16.2 An owner who has submitted a detailed area plan in accordance with clause 6.2.15 may appeal, in accordance with Part V of the *Planning and Development Act 2005*, any discretionary decision made by the local government under clause 6.2.15.

6.3 DEVELOPMENT CONTRIBUTION AREAS

6.3.1 Development Contribution Areas shown on the Scheme Map as DCA with a number and included in Schedule 16.

6.3.2 In respect of a Development Contribution Area shown on a Scheme Map, the provisions applying to the development control area apply in addition to the provisions applying to any underlying zone or reserve and any general provisions of the Scheme.

6.3.3 Interpretation

In clause 6.3, unless the context otherwise requires—

‘Administrative Costs’ means such costs as are necessary for the implementation of the Development Contribution Plan;

‘Cost Apportionment Schedule’ means a schedule prepared and distributed in accordance with clause 6.3.12;

‘Cost Contribution’ means the contribution to the cost of Infrastructure and Administrative Costs;

‘Infrastructure’ means services and facilities which, in accordance with the Commission’s policy, it is reasonable for Owners to contribute towards; and

‘Owner’ means an owner of land that is located within a Development Contribution Area.

6.3.4 Purpose

The purpose of having Development Contribution Areas is to—

- (a) provide for the equitable sharing of the costs of Infrastructure and Administrative Costs between Owners;
- (b) ensure that Cost Contributions are reasonably required as a result of the subdivision and development of land in the Development Contribution Area; and
- (c) coordinate the timely provision of Infrastructure.

6.3.5 Development Contribution Plan required

A Development Contribution Plan is required to be prepared for each Development Contribution Area

6.3.6 Development Contribution Plan part of scheme

The Development Contribution Plan does not have effect until it has been incorporated in Schedule 16 as part of the Scheme.

6.3.7 Subdivision and Development

6.3.7.1 The local government is not to—

- (a) consider recommending subdivision; or
- (b) approve development of land within a Development Contribution Area until—
- (c) a Development Contribution Plan is in effect; or
- (d) the Owner who has applied for subdivision or development approval has made arrangements in accordance with clause 6.3.16 for the payment of the Owner's Cost Contribution.

6.3.7.2 Where a Development Contribution Plan is not in effect, the local government may support subdivision or approve development where the Owner has made other arrangements satisfactory to the local government with respect to the Owner's contribution towards the provision of Infrastructure and Administrative Costs in the Development Contribution Area.

6.3.8 Guiding Principles for Development Contribution Plans

The Development Contribution Plan for any Development Contribution Area is to be prepared in accordance with the following principles—

- (a) it is to provide for Cost Contributions to only the cost of such Infrastructure and Administrative Costs as fairly and reasonably relate to, and are reasonably required as a result of, the subdivision and development of land in the Development Contribution Area;
- (b) it is to provide for Cost Contributions generally in accordance with the Commission's policies on developer contributions for Infrastructure;
- (c) matters requiring land contribution, such as public open space, are to be treated as the cost of Infrastructure with any necessary adjustments to establish, where appropriate, a money equivalent; and
- (d) Cost Contributions are to be based upon the proportion that the area of that Owner's land bears to the total area of land within the Development Contribution Area for which Cost Contributions have yet to be made.

6.3.9 Recommended content of Development Contribution Plans

6.3.9.1 The Development Contribution Plan is to specify—

- (a) the Development Contribution Area to which the Development Contribution Plan applies;
- (b) the Infrastructure and Administrative Costs to be funded through the Development Contribution Plan;
- (c) the method of determining the Cost Contribution of each Owner; and
- (d) the priority and timing for the provision of Infrastructure.

6.3.10 Period of Development Contribution Plan

A Development Contribution Plan may specify the period during which it is to operate.

6.3.11 Land excluded

In calculating both the area of an Owner's land and the total area of land in a Development Contribution Area, the area of land provided in that Development Contribution Area for—

- (a) roads designated under the Metropolitan Region Scheme as Primary Regional Roads and Other Regional Roads;
- (b) existing public open space;
- (c) government primary and secondary schools; and
- (d) such other land as is set out in the Development Contribution Plan, is to be excluded.

6.3.12 Cost Apportionment Schedule

6.3.12.1 Within 90 days of the Gazettal date of the Development Contribution Plan, the local government is to distribute a Cost Apportionment Schedule to all Owners in the Development Contribution Area.

6.3.12.2 The Cost Apportionment Schedule sets out in detail the calculation of the Cost Contribution for each Owner in the Development Contribution Area.

6.3.12.3 The Cost Apportionment Schedule does not form part of the Scheme.

6.3.13 Cost Contributions based on estimates

6.3.13.1 The value of Infrastructure and Administrative Costs is to be based on amounts expended, but when expenditure has not occurred, it is to be based on the best and latest estimated costs available to the local government.

6.3.13.2 Where a Cost Apportionment Schedule contains estimated costs, such estimated costs are to be reviewed at least annually by the local government—

- (a) in the case of land to be acquired, in accordance with clause 6.3.14

- (b) in all other cases, in accordance with the best and latest information available to the local government, until the expenditure on the relevant item of Infrastructure or Administrative Costs has occurred.

6.3.13.3 The local government is to have such estimated costs independently certified by an appropriate qualified person and must provide such independent certification to an Owner where requested to do so.

6.3.13.4 Where any Cost Contribution has been calculated on the basis of an estimated cost, the local government—

- (a) is to adjust the Cost Contribution of any Owner in accordance with the revised estimated costs; and
- (b) may accept a Cost Contribution, based upon estimated costs, as a final Cost Contribution and enter into an agreement with the Owner accordingly.

6.3.13.5 Where an Owner's Cost Contribution is adjusted under clause 6.3.11, the local government, on receiving a request in writing from an Owner, is to provide the Owner with a copy of estimated costs and the calculation of adjustments.

6.3.14 Valuation

6.3.14.1 Clause 6.3.14 applies in order to determine the value of land to be acquired for the purpose of providing Infrastructure.

6.3.14.2 In clause 6.3.14—

'Value' means fair nett expectation value which is to be calculated by determining the highest and best use of the land in its inglobo state either on its own or with other land ripe for subdivision and adding the margin for profit foregone had the land been able to be subdivided in its optimum form including allowances for all usual costs and expenses attributed to that land required to carry out such an exercise but not including an allowance for risk as might otherwise have been made.

'Profit' is to be 10% calculated by the difference between—

- (a) the gross realisation of the lots or part lots yielded from the subject land less the advertising and legal expenses so required to sell the lots; and
- (b) the amount of (a) divided by 1.1.

'Valuer' means a licensed valuer agreed by the local government and the Owner, or where the local government and the Owner are unable to reach agreement, a valuer appointed by the President of the Western Australian Division of the Australian Property Institute.

6.3.14.3 If an Owner objects to a valuation made by the Valuer, the Owner may give notice to the local government requesting a review of the amount of the Value, at the Owner's expense, within 28 days after being informed of the Value.

6.3.14.4 If the Valuer does not change the Value of the land to a figure acceptable to the Owner, the Value is to be determined—

- (a) by any method agreed between the local government and the Owner; or
- (b) if the local government and the Owner cannot agree, by arbitration in accordance with the *Commercial Arbitration Act 1985*.

6.3.15 Liability for Cost Contributions

6.3.15.1 An Owner is required to make a Cost Contribution in accordance with the applicable Development Contribution Plan and the provisions of clause 6.3.

6.3.15.2 An Owner's liability to pay the Owner's Cost Contribution to the local government arises on the earlier of—

- (a) the Commission endorsing its approval on the Diagram or Plan of Survey of the subdivision of the Owner's land within the Development Contribution Area;
- (b) the commencement of any development on the Owner's land within the Development Contribution Area; or
- (c) the time of applying to the local government or Commission for approval of any development on the Owner's land within the Development Contribution Area.

6.3.15.3 Notwithstanding clause 6.3.15.2, an Owner's liability to pay the Owner's Cost Contribution does not arise if the Owner commences development of the first single house or outbuildings associated with that first single house on an existing lot which has not been subdivided since the Gazettal of the Development Contribution Plan.

6.3.16 Payment of Cost Contribution

6.3.16.1 The Owner, with the agreement of the local government, is to pay the Owner's Cost Contribution by—

- (a) cheque or cash;
- (b) transferring to the local government or a public authority land in satisfaction of the Cost Contribution;
- (c) some other method acceptable to the local government; or
- (d) any combination of these methods.

6.3.16.2 The Owner, with the agreement of the local government, may pay the Owner's Cost Contribution in a lump sum, by installments or in such other manner acceptable to the local government.

6.3.16.3 Payment by an Owner of the Cost Contribution, including a Cost Contribution based upon estimated costs, constitutes full and final discharge of the Owner's liability under the Development Contribution Plan.

6.3.17 Charge on land

6.3.17.1 The amount of any Cost Contribution for which an Owner is liable under clause 6.3.15, but has not paid, is a charge on the Owner's land to which the Cost Contribution relates, and the local government may lodge a caveat, at the Owner's expense, against the Owner's title to that land.

6.3.17.2 The local government, at the Owner's expense and subject to such other conditions as the local government thinks fit, is to withdraw a caveat lodged under clause 6.3.17.1 to permit a dealing and may then re-lodge the caveat to prevent further dealings.

6.3.17.3 If the Cost Contribution is paid in full, and if requested to do so by the Owner, the local government, at the expense of the Owner, is to withdraw any caveat lodged under clause 6.3.17.

6.3.18 Administration of Funds

6.3.18.1 The local government is to establish and maintain a reserve account in accordance with the *Local Government Act 1995* for each Development Contribution Area into which Cost Contributions for that Development Contribution Area will be credited and from which all payments for the cost of Infrastructure and Administrative Costs within that Development Contribution Area will be paid. The purpose of such a reserve account or the use of money in such a reserve account is limited to the application of funds for that Development Contribution Area.

6.3.18.2 Interest earned on Cost Contributions credited to a reserve account in accordance with clause 6.3.18.1 is to be applied in the Development Contribution Area to which the reserve account relates.

6.3.18.3 The local government is to provide to every Owner who has a liability to make a Cost Contribution an audited annual statement of accounts for that Development Contribution Area as soon as practicable after the audited annual statement of accounts becomes available.

Shortfall or Excess in Cost Contributions

6.3.19.1 If there is a shortfall in the total of Cost Contributions when all Cost Contributions have been made or accounted for in a particular Development Contribution Area, the local government may—

- (a) make good the shortfall from its municipal fund;
- (b) enter into agreements with Owners to fund the shortfall; or
- (c) raise loans or borrow from a financial institution, but nothing in paragraph 6.3.19.1(a) restricts the right or power of the local government to impose a differential rate to a specified Development Contribution Area in that regard.

6.3.19.2 If there is an excess in funds available to the Development Contribution Area when all Cost Contributions have been made or accounted for in a particular Development Contribution Area, the local government is to apply the excess funds for the provision of additional facilities or improvements in that Development Contribution Area.

6.3.20 Powers of the local government

The local government in implementing the Development Contribution Plan has the power to—

- (a) acquire any land or buildings within the Scheme area under the provisions of the Town Planning Act; and
- (b) deal with or dispose of any land which it has acquired under the provisions of the Town Planning Act in accordance with the law and for such purpose may make such agreements with other owners as it considers fit.

6.3.21 Arbitration

Subject to clause 6.3.14.4, any dispute between an Owner and the local government in connection with the Cost Contribution required to be made by an Owner is to be resolved by arbitration in accordance with the *Commercial Arbitration Act 1985*.

- (iv) with sequential re-numbering of the subsequent clauses 6.3, 6.4 and 6.5 and sub clauses therein,
- (v) addition of the following new Schedule 16—

Schedule 16—DEVELOPMENT CONTRIBUTION AREAS

Ref No:	
Area:	
Provisions:	
Participants and Contributions:	

P. TAGLIAFERRI, Mayor.
G. MacKENZIE, Chief Executive Officer.

PI408*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT

City of Fremantle

Local Planning Scheme No. 4—Amendment No. 9

Ref: 853/2/5/8 Pt 8

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 Fremantle local planning scheme amendment on 17 February 2009 for the purpose of—

- (1) Amending clause 2.4.4 as follows—
Delete the numbering “2.5.3(a)” from the clause and replace with the numbering “2.4.3(a)”.
- (2) Amending clause 2.4.6 as follows—
Amending the words “Clauses 2.5.1 to 2.5.5 apply” to “Clauses 2.4.1 to 2.4.5 apply”.
- (3) Amending clause 5.4.4.1 as follows—
Delete the reference to clause 5.4.5.2 and replace it with clause 5.4.4.2, such that it reads,
“Subject to clause 5.4.4.2, all residential development shall be connected to a comprehensive sewerage system”.
- (4) Amending table 3 as follows—
Delete the words “or dining area, which is ever the greater” from the column headed Car Parking Bays for the Use Class—reception centre section of the table and replace with the words “of dining area, whichever is the greater”.
- (5) Amending clause 5.7.5(b) as follows—
Delete the last sentence which reads “This clause potentially enables use of under-utilised public car parking areas for nearby developments”.
- (6) Amending clause 6.4.4 as follows—
Delete the number “6.4.4” from the clause and replace with the number “6.4.3”.
- (7) Amending clause 7.5 as follows—
Delete the number “5.2.2” from the clause and replace with the number “9.4”.
- (8) Amending clause 7.6.2 (d) as follows—
Delete the words “Heritage List” from the clause and replace with the words “register of significant trees”.
- (9) Amending clause 8.3 as follows—
Delete the words “Amending, Revoking or Refusing” from the clause and replace with the words “Amending or Revoking”.
- (10) Amending clause 9.4.1(a) as follows—
Delete the words “clause 4.6.3 or clause 4.6.4.”.
- (11) Amending clause 9.4.2 to read as follows—
“Despite clause 9.4.1, where application is made for a purpose other than a purpose referred to in that clause, the Council may require notice to be given in accordance with clause 9.4.3.”
- (12) Amending clause 9.4.3 as follows—
Delete the words “give notice or require the applicant to give notice or decide to give notice of an application for planning approval and “ from the clause and replace with the words “give notice or require the applicant to give notice of an application for planning approval in”.
- (13) Amending clause 10.2.1 (t) as follows—
Delete the word “area” from the clause and replace with the word “are”.
- (14) Amending clause 10.3.1 (a) as follows—
Delete the word “and” from the clause and replace with the word “or”.
- (15) Amending the definition of Fast Food Outlet in Schedule 12.1 as follows—
Delete the word “by” and replace with the word “but”.
- (16) Amending the definition of Market in Schedule 12.1 as follows—
Delete the word “goods” and replace with the word “goods”.
- (17) Amending the definition of Restricted Premises in Schedule 12.1 as follows—
Delete the words “(b) the carrying out of greasing, tyre repairs and minor mechanical repairs to motor vehicles, but does not include premises used for transport depot, panel beating, spray painting, major repairs or wrecking”
And replace with the words “(b) materials, compounds, preparations or articles which are used or intended to be used primarily in or in conjunction with any form of sexual behaviour or activity”.
- (18) Amending the definition of Restaurant in Schedule 12.1 as follows—
Delete the word “premised” and replace with the word “premises”.

- (19) Amending the definition of Veterinary consulting rooms in Schedule 12.1 as follows—
Delete the word “or” from the clause and replace with the word “of”.
- (20) Amending schedule 12.1 Schedule 11 Development Areas as follows—
Replace the acronym “DECWP” throughout the schedule with “DEC” and replace the footnote “DEWCP—Department of Environment, Water and Catchment Protection” with “DEC—Department of Environment and Conservation”.
- (21) Insert the following definitions into Schedule 12.1 Land Use Definitions—
Home Store: Means any shop with a net lettable area not exceeding 100 square metres attached to a dwelling and which is operated by a person resident in the dwelling.
Service Station: means premises used for—
(a) the retail sale of petroleum products, motor vehicle accessories and goods of an incidental/ convenience retail nature; and
(b) the carrying out of greasing, tyre repairs and minor mechanical repairs to motor vehicles, but does not include premises used for transport depot, panel beating, spray painting, major repairs or wrecking.
- (22) Amending schedule 12.12 Local Planning Area 3—North Fremantle Sub area 3.3.3 Northbank as follows—
(i) Delete the words “Sub area 3.3.5 Staples Street” from the left hand column.
(ii) Delete the words located underneath the height table “Despite the general height requirements, building height shall be limited to single story with loft (maximum external wall height of 4.8 metres as measured from ground level with a maximum roof plain pitch of 38 degrees)”.
- (23) Amending schedule 12.12 Local Planning Area 3—North Fremantle Sub area 3.3.5 Staples Street as follows—
(i) Amend the heading in the left hand column “Sub area 3.3.5 Staples Street” to read “Sub area 3.3.4 Staples Street”.
(ii) Insert the words “Despite the general height requirements, building height shall be limited to single story with loft (maximum external wall height of 4.8 metres as measured from ground level with a maximum roof plain pitch of 38 degrees)” underneath the map.
- (24) Amending schedule 12.12 Local Planning Area 3—North Fremantle Sub area 3.3.6 Eucla Court as follows—
Amending the heading in the left hand column “Sub area 3.3.6 Eucla Court” to read “Sub area 3.3.5 Eucla Court”.
- (25) Amending 12.14—Schedule 14 Development Plans—Development Plan 14 South Beach Village, South Fremantle as follows—
(i) Delete the words “(DA—9, Schedule 11)” from the heading.
(ii) Delete the word “environment” from sub-clause 1.1 (a) and replace with the word “environmental”.
(iii) Delete sub-clause 3.9—“Relationship to Scheme” in its entirety.
- (26) Deleting the redundant heading—
“11.7 Notice for Removal of Certain Buildings (Deleted)” and the following explanatory note, and re-number the subsequent clauses 11.8 to 11.11 inclusive to 11.7 to 11.10.

P, TAGLIAFERRI, Mayor.
G, MacKENZIE, Chief Executive Officer.

PI409*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
City of Fremantle
Local Planning Scheme No. 4—Amendment No. 17

Ref: 853/2/5/8 Pt 17

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 Fremantle local planning scheme amendment on 31 January 2009 for the purpose of—

1. Amending the Scheme Map to apply a residential density coding of R60 to the land zoned Neighbourhood Centre at Lot 303 McCoombe Avenue, Samson.
2. Amending the text of clause 4.2.1 (d) (i) to read as follows—
“provide for the daily and convenience retailing, shops, café, office, administration and residential uses (at upper levels or where proposed as part of a mixed use development) which serve the local community and are located within and compatible with residential areas.”

3. In Clause 12.12 Schedule 12—Local Planning Areas (Height Requirements) Local Planning Area 9—Samson, delete the dimension of 5 metres from the part of Table 9.1 referring to maximum wall height in the Neighbourhood Centre zone and replace it with the dimension of 6 metres.

P. TAGLIAFERRI, Mayor.
G. MacKENZIE, Chief Executive Officer.

PI406*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT

Shire of Williams

Town Planning Scheme No. 2—Amendment No. 14

Ref: 853/4/32/2 Pt 14

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 Williams local planning scheme amendment on 17 February 2009 for the purpose of;

1. Re-zoning a portion of Lot 12070 (SN 13254) Albany Highway, Williams from Rural to Residential R2 and R10; and Rural Residential.
2. Inserting into Schedule 4 of the Scheme, provisions relating to the Rural Residential component of the development as follows—

Particulars of the Land	Requirements of the Zone
Portion of Lot 12070 Albany Highway, Williams	<ol style="list-style-type: none"> 1. Subdivision shall be generally in accordance with an Outline Development Plan approved by the Chief Executive Officer and endorsed by the Western Australian Planning Commission. 2. The Outline Development Plan shall show— <ol style="list-style-type: none"> i. the buffer to the existing wastewater treatment plant with a notation that lots partially within or near the buffer may be affected by odour until such time as the plant is decommissioned; ii. building envelopes for lots partially within the existing wastewater treatment plant buffer which have regard to the location of vegetation; iii. road linkages to the north-east; iv. adequate turning areas for rubbish trucks; v. any other information required by the local authority. 3. Clearing of vegetation is not permitted. 4. The application for a rural pursuit that involves the stabling and keeping of stock (including horses) is to be accompanied by a stock management plan to the satisfaction and approval of the local government. 5. All buildings and effluent disposal systems are to be confined within the building envelopes shown in the endorsed Outline Development Plan. 6. The subdivider shall prepare a fire management plan to meet the requirements of the appropriate State Government Fire and Emergency Services agency. 7. All lots below 4 hectares are required to be connected to reticulated water. 8. These conditions are to be read in conjunction with the Scheme for the Rural Residential zone. Where conflict exists the conditions of this Scheme shall prevail.

3. Amending the Scheme map accordingly.

JES COWCHER, Shire President.
R. DUFF, Chief Executive Officer.

PUBLIC NOTICES

ZZ401

PARTNERSHIP ACT 1895 RESIGNATION

Notice is hereby given that Janelle Susanna Hatch has resigned from the partnership of Red Stripe Clothing of 8-10 Roe Street, Northbridge WA as from 30th of January 2009. Lake Bovell will continue to operate the business as a sole proprietor under the name of Red Stripe Clothing and shall be responsible for all the debts and liabilities thereof.

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