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Gazette

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ADVERTISING RATES AND PAYMENTS

EFFECTIVE FROM 1 JULY 2009 (Prices include GST).

Deceased Estate notices, (per estate)—\$26.60

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— PART 1 —

COMMERCE

CO301*

Real Estate and Business Agents Act 1978

Real Estate and Business Agents (General) Amendment Regulations (No. 5) 2009

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Real Estate and Business Agents (General) Amendment Regulations (No. 5) 2009*.

2. Commencement

These regulations come into operation as follows —

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

3. Regulations amended

These regulations amend the *Real Estate and Business Agents (General) Regulations 1979*.

4. Various regulations amended

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

Table

Provision	Delete	Insert
r. 7(a)(vi)	the Fund	the Fidelity Account
r. 10	Fidelity Guarantee Fund.	Fidelity Account.
r. 11(a)	Account	Board Interest Account

Provision	Delete	Insert
r. 11(b)(i)	Fidelity Fund;	Fidelity Account; and
r. 11(b)(ii)	General Purpose Fund; and	General Purpose Account; and
r. 11(b)(iii)	Assistance Fund.	Assistance Account.
r. 12	Fidelity Guarantee Fund	Fidelity Guarantee Account

Note: The heading to amended regulation 12 is to read:

Claims against Fidelity Account

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

LOCAL GOVERNMENT

LG301*

DOG ACT 1976
LOCAL GOVERNMENT ACT 1995
Shire of Gnowangerup
DOGS AMENDMENT LOCAL LAW 2009

Under the powers conferred by the *Dog Act 1976* and the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Gnowangerup resolved on 28th October 2009 to make the following local law.

1. Citation

This local law may be cited as the *Shire of Gnowangerup Dogs Amendment Local Law 2009*.

2. Principal local law

In this local law, the *Shire of Gnowangerup Dogs Local Law 2007* published in the *Government Gazette* on 4th December 2007 is referred to as the principal local law. The principal local law is amended as follows.

3. Clause 1.3 amended

In the definition of “town planning scheme” delete the words ‘*Town Planning and Development Act 1928*’ and substitute with ‘*Planning and Development Act 2005*’.

4. Clause 5.1 amended

Subclause 5.1(1) is amended by deleting the word “Dogs” and inserting the words “Subject to section 8 of the Act and section 66J of the *Equal Opportunity Act 1984*”;

5. Schedule 3 amended

In the ‘Offence’ column delete ‘2.4(b) & (c)’ and substitute with ‘2.4(b)’.

Dated: 28th October 2009.

The Common Seal of the Shire of Gnowangerup was affixed by authority of a resolution of the Council in the presence of—

K. N. STONE, Shire President.
A. J. COOK, Chief Executive Officer.

— PART 2 —

AGRICULTURE AND FOOD

AG401

MARKETING OF POTATOES ACT 1946

POTATO MARKETING POOLS

Potato Marketing Corporation of Western Australia

Public notice in accordance with Section 26(2) of the *Marketing of Potatoes Act 1946*.**Pool 7, Season 2009/10**

Pool period: The pool commences on 16 May 2010 and ends on 30 June 2010.

The quantity of ware potatoes required to be accepted: 7,664 tonnes

Additional specifications: Nil

CONSUMER PROTECTION

CE401*

ASSOCIATIONS INCORPORATION ACT 1987

REINSTATED ASSOCIATION

THE CASTELLORIZIAN LADIES ASSOCIATION (MEGISTI) OF
WESTERN AUSTRALIA—A0810076LNotice 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: 30 October 2009.

SUSAN NULSEN, Director, Business Services
for Commissioner of Consumer Protection.

FISHERIES

FI401*

FISH RESOURCES MANAGEMENT ACT 1994

PILBARA TRAP MANAGED FISHERY MANAGEMENT PLAN 1992

Notice of Determination

Determination of the Capacity of the *Pilbara Trap Managed Fishery* for the 2010
Licensing PeriodI, Stuart Smith, Chief Executive Officer of the Department of Fisheries, in accordance with clause 14 (1) of the *Pilbara Trap Managed Fishery Management Plan 1992*, having taken into account advice from the Director of Research and consulted with all Pilbara Trap Managed Fishery licence holders, consider it appropriate to do so and do hereby determine the capacity of the Pilbara Trap Managed Fishery shall be limited to 5456 trap days for the period commencing 1 January 2010 and ending 31 December 2010.

Dated this 3rd day of November 2009.

STUART SMITH, Chief Executive Officer.

LOCAL GOVERNMENT

LG501*

BUSH FIRES ACT 1954*Shire of Boddington*

FIREBREAK ORDER 2009/10

Important Bush Fire Information Dates

Prohibited Burning: 15 December 2009 to 14 March 2010 inclusive**Restricted Burning: 2 November 2009 to 14 December 2009 inclusive and from 15 March 2010 to 26 April 2010 inclusive**

These dates are subject to variation according to seasonal conditions

*Alterations will be advertised locally; however owners/occupiers intending to burn shall contact the Council Office or Local Brigade Captain after 26 April to determine whether the restricted burning period has been extended.***SHIRE OF BODDINGTON IS IN ZONE 8***Firebreaks must be installed by 15 November 2009 and maintained up to and including 15 April 2010***An inspection of firebreaks will be carried out in all areas of the Shire by an authorised officer.**

Failure to comply with this Firebreak Order is an offence under Section 33 of the Bush Fires Act. Penalty maximum \$1,000. Additionally Council may carry out the required work at cost to the owner or occupier.

If it is considered for any reason to be impractical to clear firebreaks or remove flammable materials as required by this notice, or if natural features render firebreaks unnecessary, you may apply to the Council in writing not later than the **15th November** for permission to provide firebreaks in alternative positions or to take alternative action to abate fire hazards on the land. If permission is not granted by the Council, you shall comply with the requirements of this notice.**DEFINITIONS**

In this Firebreak Order unless the context otherwise requires—

Flammable material means dead grass and timber, boxes, cartons, paper and any combustible material or rubbish, but does not include green standing trees, growing bushes and plants in gardens or lawns.**Swathers, Balers, Track Chainers and Tree Harvesters**—these are subject to the same conditions as HARVESTING, ie. An engine powered pumping unit and not less than 450 litres of water be in attendance during operations from 15th November onwards. (Excluding canola swathing).**Oxyacetylene, Butane Torch, Arc Welders, Friction Cutting Equipment etc.**—these are subject to the same conditions; whilst used in the open. In addition, the work site must be cleared (2.5m wide firebreak and 20 metres clearance) of flammable material before the use of the above described equipment.**RURAL LANDS**

- (a) Firebreak not less than 2.5 metres wide must be established along, inside and within 100 metres of the external boundary of each property (i.e. cleared/or part cleared or uncleared land) and where the boundary is adjacent to or adjoins a used gazetted road.
- (b) In the interest of protection from soil erosion, firebreaks may be established on the land contours but only with prior approval of the Council or its duly authorised officer.
- (c) An area 20 metres wide cleared of all flammable material shall be established immediately around the perimeter of all homesteads, buildings, haystacks and fuel storage areas.
- (d) In such positions as is necessary to divide land in excess of 200 hectare into areas not exceeding 200 hectare each completely surrounded by a firebreak.
- (e) A fire fighting unit with a minimum capacity of 450 litres is to be kept available during harvesting operations and is to be available in the same paddock or within 50 metres of that paddock.
- (f) This work must be carried out by 15th November and kept maintained throughout the summer months until 15th April.

PINE AND EUCALYPTUS PLANTATIONS**Existing Plantings of Pine or Eucalyptus Plantations**

Any pines or eucalyptus planted for commercial purposes constitutes a pine or eucalyptus plantation and you are hereby required to keep clear of all flammable materials firebreaks not less than 10 metres wide around the perimeter of each plantation, and any plantation exceeding 29 hectares will also require a subdivisional firebreak 6 metres in width for each 30 hectares, and bush surrounding planted areas is to be kept in a low fuel condition.

There shall be no plantings either—

1. 75 metres from existing infrastructure, not necessarily from the property boundary.
2. No plantings 75 metres from the external edge of a firebreak on a property.
3. Any new infrastructure must have a clearance of 75 metres to planted trees.

A fire fighting unit with a minimum capacity of 450 litres is to be kept available during harvesting, thinning and pruning operations and is to be available in the same paddock or within 50 metres of that paddock.

New Plantings of Pine or Eucalyptus for Commercial Purposes

A firebreak of not less than 15 metres wide must be established around the perimeter of each plantation. Any plantation exceeding 29 hectares will also require a subdivisional firebreak 15 metres in width for each 30 hectares, and bush surrounding planted areas is to be kept in a low fuel condition.

There shall be no plantings either—

1. 75 metres from existing infrastructure, not necessarily from the property boundary.
2. No plantings 75 metres from the external edge of a firebreak on a property.
3. Any new infrastructure must have a clearance of 75 metres to planted trees.

A fire fighting unit with a minimum capacity of 450 litres is to be kept available during harvesting, thinning and pruning operations and is to be available in the same paddock or within 50 metres of that paddock.

PRIVATE BUSH HOLDINGS/UNCLEARED LAND GREATER THAN 50 HECTARES

- (a) Firebreak not less than 2.5 metres wide must be established along, inside and within 100 metres of the external boundary of each property (i.e. cleared/part cleared or uncleared land) and where the boundary is adjacent to or adjoins a used gazetted road.
- (b) In such positions as is necessary to divide land in excess of 200 hectares into areas not exceeding 200 hectares each completely surrounded by a firebreak.

SMALL LOT HOLDERS OR HOBBY FARMS 20 HECTARE OR LESS

- (a) On or before 15th November every year a firebreak not less than 2.5 metres wide must be established along, inside and within 100 metres of the external boundary of each property (i.e. cleared or part-cleared land) and where the boundary is adjacent to or adjoins a used gazetted road.
- (b) All lot/property holders provides for a firebreak around the entire perimeter of their property.
- (c) An area 20 metres wide cleared of all flammable material shall be established immediately round the perimeter of all homesteads, buildings, haystacks and fuel storage areas.
- (d) A 2.5m diameter area cleared of flammable material around all “green electrical domes” where underground power is provided to a lot.

TOWNSITES OF BODDINGTON AND RANFORD

On or before 15th November every year all town lots under 4,000 square metres in area and all fuel depots within the Shire are required to be cleared of all debris and flammable material. Lots 4,000 square metres and over are to have a minimum 2.5 metre firebreak installed immediately inside all external boundaries.

An area 20 metres wide cleared of all flammable material shall be established immediately around the perimeter of all homesteads, buildings, haystacks and fuel storage areas.

SPECIAL NOTE TO LAND OWNERS AND OCCUPIERS

The requirements of this order are considered to be the minimum standard of fire prevention work to protect not only individual properties but the district generally. In addition to the requirements of this order Council may issue separate special orders on owners or occupiers if hazard removal is considered necessary in specific areas.

PROHIBITED AND RESTRICTED BURNING TIMES

Prohibited Burning— 15th December 2009 to 14th March 2010 (Total Fire Ban)

Restricted Burning— 2nd November 2009 to 14th December 2009
15th March 2010 to 26th April 2010

Permits are required during restricted burning periods. No burning is permitted on days that are forecast very high or extreme fire danger days.

WHERE DO I GET A PERMIT FROM?

Permits must be obtained from your local volunteer Bush Fire Control Officer. Contact details for your local officer are featured in the annual Firebreak Notice.

CAN I BURN GARDEN RUBBISH DURING THE PROHIBITED BURNING TIME?

No, under no circumstances should any garden rubbish be burnt during the prohibited burning period including the hours between 6pm and 11pm.

IF THERE IS A FIRE WHO DO I RING?

Always ring 000 to report any fire and emergencies. An expert 000 officer has all the latest contact details for all local emergency services.

MINERALS AND PETROLEUM

MP401*

PETROLEUM PIPELINES ACT 1969
PETROLEUM PIPELINES REGULATIONS 1970
INSTRUMENT OF DELEGATION

I, Norman Moore, Minister for Mines and Petroleum for the State of Western Australia, being authorised, by or under the Act described hereunder to delegate to any officer of the Department of Mines and Petroleum any of my powers and functions under the Act and its regulations, do hereby—

In respect to the Petroleum Pipelines Act 1969 of Western Australia—

delegate, pursuant to section 61 of the Act, to the person who from time to time holds, occupies or performs the duties of the office of Executive Director, Resources Safety Division in the Department of Mines and Petroleum and to the person who for the time being holds, occupies or performs the duties of the office of Director Petroleum Safety in the Department of Mines and Petroleum, the powers and functions of the Minister under the following sections of the Act—

6, 21, 22, 25, 27, 28, 33, 34, 35, 36, 36A, 37, 38, 40, 41, 42, 62, 63, 65.

In respect to the Petroleum Pipelines Regulations 1970—

delegate to the person who, for the time being holds, occupies or performs the duties of, the office of Executive Director, Resources Safety Division, in the Department of Mines and Petroleum and to the person who for the time being holds, occupies or performs the duties of the office of Director Petroleum Safety in the Department of Mines and Petroleum, all the powers and functions of the Minister under the following regulations—

10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, Second Schedule.

Dated at Perth this 27th day of October, 2009.

NORMAN MOORE, MLC, Minister for Mines and Petroleum.

MP402*

PETROLEUM AND GEOTHERMAL ENERGY RESOURCES ACT 1967
INSTRUMENT OF DELEGATION

I, Norman Moore, Minister for Mines and Petroleum for the State of Western Australia, being authorised, by or under the Act described hereunder to delegate any of my powers and functions under the Act and its regulations, do hereby—

In respect to the Petroleum and Geothermal Energy Resources Act 1967 of Western Australia—

delegate, pursuant to section 25 of the Act, to the person who for the time being holds, occupies or performs the duties of the office of Executive Director, Resources Safety Division in the Department of Mines and Petroleum and to the person who for the time being holds, occupies or performs the duties of the office of Director Petroleum Safety in the Department of Mines and Petroleum, the powers and functions of the Minister under the following sections of the Act—

91, 92, 93, 95, 96, 97, 109, 110, 111, 112A, 118, 119.

Dated at Perth this 27th day of October, 2009.

NORMAN MOORE MLC, Minister for Mines and Petroleum.

PLANNING

PI401*

PLANNING AND DEVELOPMENT ACT 2005
INSTRUMENT OF DELEGATION
DEL 2009/06 POWERS OF OFFICERS

Delegation to officers of certain powers and functions of the Western Australian
Planning Commission

Preamble

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

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

Resolution under section 16 of the Act (delegation)

On 27 October 2009, pursuant to section 16 of the Act, the WAPC RESOLVED—

- A TO DELEGATE its powers and functions as set out in column 1 of the schedule, to officers of the WAPC and the person or persons from time to time holding or acting in the offices in the department charged with the administration of the *Planning and Development Act 2005*, as specified in column 2 of the schedule, subject to the conditions specified in column 3 of the schedule;
- B TO REVOKE its delegation of powers and functions to various eligible persons and bodies as detailed in the notice entitled “DEL 2009/01 Powers of officers” published in the *Government Gazette* on 27 March 2009 (pages 946-962);
- C TO REVOKE its delegation of powers and functions to various eligible persons and bodies as detailed in the notice entitled “Amendment to instrument of delegation DEL 2009/01 Powers of officers” published in the *Government Gazette* on 30 June 2009 (pages 2641-2642);
- D TO REVOKE its delegation of powers and functions to various eligible persons and bodies as detailed in the notice entitled “Amendment to instrument of delegation DEL 2009/01 Powers of officers” published in the *Government Gazette* on 24 July 2009 (pages 2967).

TONY EVANS, Secretary, Western Australian Planning Commission.

Instrument of Delegation

SCHEDULE 1—Powers regarding the preparation of planning schemes and interim development orders under the Act

Column 1 (Powers and Functions)	Column 2 (Officers)	Column 3 (Conditions)
1.1. Power to recommend to the Minister for Planning that approval be granted or withheld with respect to Interim Development Orders and extensions thereto made or extended pursuant to section 102 of the Act.	<ul style="list-style-type: none"> • Chairman of the WAPC • Director General 20020084 • Executive Director, Perth, Peel and South West Planning and Strategy 20050094 	—
1.2. Power to give consent to advertise amendments to local planning schemes in cases where such determination rests with the WAPC under the provisions of the <i>Town Planning Regulations 1967</i> , and to determine the periods for which those amendments are advertised where variations to the 42 day period prescribed by regulation 25(fa) are justified.	<ul style="list-style-type: none"> • Director Metropolitan North Planning Program 20050047 • Director Metropolitan Central Planning Program 20080234 • Director Metropolitan South Planning Program 20080235 • Director Schemes and Appeals 20070191 • Team Leader Statutory Planning (Metropolitan North East) 20040096 • Team Leader Statutory Planning (Metropolitan North West) 20040097 	Confined to matters related to land within the Perth Metropolitan Region.
1.3. Power to recommend to the Minister for Planning as to whether or not requests for extensions of time for the consideration of submissions or to undertake modifications to an amendment prior to advertising be granted pursuant to regulation 14(4) or 25AA(6) of the <i>Town Planning Regulations 1967</i> ; or power to approve requests for extensions of time for the consideration of submissions pursuant to regulation 17(1) of the <i>Town Planning Regulations 1967</i> where such power is conferred upon the WAPC.	<ul style="list-style-type: none"> • Team Leader Statutory Planning (Metropolitan South West) 20040095 • Team Leader Statutory Planning (Metropolitan South East) 20040094 • Team Leader Statutory Planning (Schemes and Amendments) 20040098 	

Column 1 (Powers and Functions)	Column 2 (Officers)	Column 3 (Conditions)
<p>1.4. Power pursuant to regulation 15(5) of the <i>Town Planning Regulations 1967</i> to specify a lesser period than three months from the date of advertisement in which submissions may be made where a scheme is a development scheme or a scheme that does not involve the zoning or classification of land, where such power is conferred upon the WAPC.</p> <p>1.5. Power to recommend to the Minister for Planning that amendments to local planning schemes be given final approval under the provisions of regulations 19 and 25(1)(g) of the <i>Town Planning Regulations 1967</i> where</p> <p>(i) no submissions were made during the advertising period, or where that recommendation accords with the local government's determination of any submissions received, and</p> <p>(ii) the recommendation does not substantially modify the local government's resolution deciding to amend the local planning scheme.</p>	<ul style="list-style-type: none"> • Executive Director Regional Planning and Strategy 20040336 • Director Northern Regions 20020162 • Director Central Regions 20080239 • Director Southern Regions 20040345 • Team Leader Statutory Planning Northern Regions 20020282 • Manager Statutory Planning Central Regions 20090110 • Regional Manager Mid West 20020174 • Team Leader Statutory Planning Southern Regions 20020163 • Team Leader Statutory Planning Great Southern 20020177 • Team Leader Strategic Planning Northern Regions 20020307 • Manager Strategic Planning Central Regions 20070222 • Team Leader Strategic Planning Southern Regions 20020446 	<p>Confined to matters related to land within the Kimberley, Pilbara, Gascoyne, Mid-West, Goldfields-Esperance, Wheatbelt and Great Southern regions.</p>
	<ul style="list-style-type: none"> • Director South West Planning Program 20020142 • Team Leader Statutory Planning 20020143 • Senior Project Planner 20020144 	<p>Confined to matters related to land within the South West Region of the State.</p>
	<ul style="list-style-type: none"> • Director Peel Planning Program 20080158 • Team Leader Peel Region 20020182 • Team Leader Peel Region Scheme 20080159 	<p>Confined to matters related to land within the Peel Region of the State.</p>
<p>1.6. Power to provide comment on and grant approval to plans known generally as outline development plans, structure plans and similar plans, and to planning policies and similar documents or amendments thereto, requiring the approval or endorsement of the WAPC pursuant to the provisions of a local planning scheme.</p> <p>1.7. Power to provide comments or advice on behalf of the WAPC to a local government or a redevelopment authority where a provision of a local planning scheme or a redevelopment scheme requires comments from the WAPC.</p>	<ul style="list-style-type: none"> • Chairman of the WAPC • Director General 20020084 • Executive Director, Perth, Peel and South West Planning and Strategy 20050094 	<p>—</p>

Column 1 (Powers and Functions)	Column 2 (Officers)	Column 3 (Conditions)
1.8. Power pursuant to Regulation 22 of the <i>Town Planning Regulations 1967</i> to endorse local planning scheme and local planning scheme amendment documents for submission to the Minister for Planning.	<ul style="list-style-type: none"> • Director Metropolitan North Planning Program 20050047 • Director Metropolitan Central Planning Program 20080234 • Director Metropolitan South Planning Program 20080235 • Director Schemes and Appeals 20070191 • Team Leader Statutory Planning (Metropolitan North East) 20040096 • Team Leader Statutory Planning (Metropolitan North West) 20040097 • Team Leader Statutory Planning (Metropolitan Central) 20020243 • Team Leader Statutory Planning (Metropolitan South West) 20040095 • Team Leader Statutory Planning (Metropolitan South East) 20040094 • Team Leader Statutory Planning (Schemes and Amendments) 20040098 	Confined to matters related to land within the Perth Metropolitan Region.
	<ul style="list-style-type: none"> • Executive Director Regional Planning and Strategy 20040336 • Director Northern Regions 20020162 • Director Central Regions 20080239 • Director Southern Regions 20040345 • Team Leader Statutory Planning Northern Regions 20020282 • Manager Statutory Planning Central Regions 20090110 • Regional Manager Mid West 20020174 • Team Leader Statutory Planning Southern Regions 20020163 • Team Leader Statutory Planning Great Southern 20020177 • Team Leader Strategic Planning Northern Regions 20020307 • Manager Strategic Planning Central Regions 20070222 • Team Leader Strategic Planning Southern Regions 20020446 	Confined to matters related to land within the Kimberley, Pilbara, Gascoyne, Mid-West, Goldfields-Esperance, Wheatbelt and Great Southern regions.
	<ul style="list-style-type: none"> • Director South West Planning Program 20020142 • Team Leader Statutory Planning 20020143 • Senior Project Planner 20020144 	Confined to matters related to land within the South West Region of the State.

Column 1 (Powers and Functions)	Column 2 (Officers)	Column 3 (Conditions)
	<ul style="list-style-type: none"> • Director Peel Planning Program 20080158 • Team Leader Peel Region 20020182 • Team Leader Peel Region Scheme 20080159 	Confined to matters related to land within the Peel Region of the State.
1.9. All functions of the WAPC as set out in section 126 of the Act	<ul style="list-style-type: none"> • Chairman of the WAPC • Director General 20020084 • Executive Director, Perth, Peel and South West Planning and Strategy 20050094 	
	<ul style="list-style-type: none"> • Executive Director Regional Planning and Strategy 20040336 	Confined to matters related to land within the Kimberley, Pilbara, Gascoyne, Mid-West, Goldfields-Esperance, Wheatbelt and Great Southern regions.
	<ul style="list-style-type: none"> • Director Metropolitan North Planning Program 20050047 • Director Metropolitan Central Planning Program 20080234 • Director Metropolitan South Planning Program 20080235 	Confined to matters related to land within the Perth Metropolitan region.
	<ul style="list-style-type: none"> • Director Peel Planning Program 20080158 	Confined to matters related to land within the Peel Region of the State.
	<ul style="list-style-type: none"> • Director South West Planning Program 20020142 	Confined to matters related to land within the South West Region of the State.

SCHEDULE 2—Powers regarding subdivision applications and other applications under Part 10 of the Act

Column 1	Column 2	Column 3
2.1. Power to determine all applications to the WAPC under Part 10 of the Act where such determination is in accordance with predetermined policies (if any) of the WAPC.	<ul style="list-style-type: none"> • Chairman of the WAPC • Director General 20020084 • Executive Director, Perth, Peel and South West Planning and Strategy 20050094 	—
2.2. Power, with respect to applications to the WAPC under Division 2 of Part 10 of the Act determined by or on behalf of the WAPC, to advise applicants that a revised plan of subdivision is considered to contain amendments that are minor and not so significant so as to amount to a significantly different proposal in circumstances where a revised plan does not materially affect the decision given by or on behalf of the WAPC.	<ul style="list-style-type: none"> • Director Metropolitan North Planning Program 20050047 • Director Metropolitan Central Planning Program 20080234 • Director Metropolitan South Planning Program 20080235 • Director Schemes and Appeals 20070191 • Team Leader Statutory Planning (Metropolitan North East) 20040096 • Team Leader Statutory Planning (Metropolitan North West) 20040097 • Team Leader Statutory Planning (Metropolitan Central) 20020243 • Team Leader Statutory Planning (Metropolitan South West) 20040095 • Team Leader Statutory Planning (Metropolitan South East) 20040094 	Confined to matters related to land within the Perth Metropolitan Region.
2.3. Power pursuant to section 144(2) of the Act to determine requests for reconsideration but only in respect of decisions made by an officer under delegated power and where the recommendation is to approve the request and where approval to the reconsideration would not be inconsistent with		

Column 1	Column 2	Column 3
<p>WAPC policy or where the recommendation is to refuse the request on the basis that it is clearly contrary to WAPC policy.</p> <p>2.4. Power to determine requests for variations to plans of subdivision where WAPC approval is required pursuant to the provisions of an approved local planning scheme.</p> <p>2.5. In accordance with section 153 of the Act, power to grant approval for an applicant to pay to the relevant local government a sum of money in lieu of land being set aside for public open space that represents the value of that portion in circumstances where the WAPC has approved a plan of subdivision upon the condition that such land be set aside for public open space.</p>	<ul style="list-style-type: none"> • Team Leader Statutory Planning (Schemes and Amendments) 20040098 • Executive Director Regional Planning and Strategy 20040336 • Director Northern Regions 20020162 • Director Central Regions 20080239 • Director Southern Regions 20040345 • Team Leader Statutory Planning Northern Regions 20020282 • Manager Statutory Planning Central Regions 20090110 • Regional Manager Mid West 20020174 • Team Leader Statutory Planning Southern Regions 20020163 • Team Leader Statutory Planning Great Southern 20020177 • Team Leader Strategic Planning Northern Regions 20020307 • Manager Strategic Planning Central Regions 20070222 • Team Leader Strategic Planning Southern Regions 20020446 • Director South West Planning Program 20020142 • Team Leader Statutory Planning 20020143 • Senior Project Planner 20020144 • Director Peel Planning Program 20080158 • Team Leader Peel Region 20020182 • Team Leader Peel Region Scheme 20080159 	<p>Confined to matters related to land within the Kimberley, Pilbara, Gascoyne, Mid-West, Goldfields-Esperance, Wheatbelt and Great Southern regions.</p> <p>Confined to matters related to land within the South West Region of the State..</p> <p>Confined to matters related to land within the Peel Region of the State.</p>
<p>2.6. Power to request the Minister for Planning to approve the WAPC disregarding the advice of the Swan River Trust in whole or in part in relation to the approval of development of land within the Riverbank or Development Control Area as defined under the <i>Swan and Canning Rivers Management Act 2006</i> where the determining authority is the WAPC.</p>	<ul style="list-style-type: none"> • Chairman of the WAPC • Director General 20020084 • Executive Director, Perth, Peel and South West Planning and Strategy 20050094 • Director Metropolitan North Planning Program 20050047 • Director Metropolitan Central Planning Program 20080234 • Director Metropolitan South Planning Program 20080235 • Director Schemes and Appeals 20070191 • Team Leader Statutory Planning (Metropolitan North East) 20040096 • Team Leader Statutory Planning (Metropolitan North West) 20040097 	<p>—</p>

Column 1	Column 2	Column 3
	<ul style="list-style-type: none"> • Team Leader Statutory Planning (Metropolitan Central) 20020243 • Team Leader Statutory Planning (Metropolitan South West) 20040095 • Team Leader Statutory Planning (Metropolitan South East) 20040094 • Team Leader Statutory Planning (Schemes and Amendments) 20040098 	
2.7. Power to request the Minister for Planning to approve the WAPC disregarding the advice of the Swan Valley Planning Committee in whole or in part in relation to the approval of development of land within the Swan Valley Planning Act Area where the determining authority is the WAPC, in accordance with section 40(4) of the Act	<ul style="list-style-type: none"> • Chairman of the WAPC • Director General 20020084 • Executive Director, Perth, Peel and South West Planning and Strategy 20050094 • Director Metropolitan North Planning Program 20050047 • Director Metropolitan Central Planning Program 20080234 • Director Metropolitan South Planning Program 20080235 	—
2.8. Power to make recommendations to the Minister for Planning in relation to requests from local governments to expend monies paid by subdividing land owners in lieu of setting aside free of cost to the Crown, areas of land for public open space, where such recommendations are in accordance with WAPC policy.	<ul style="list-style-type: none"> • Chairman of the WAPC • Director General 20020084 • Executive Director, Perth, Peel and South West Planning and Strategy 20050094 • Executive Director Regional Planning and Strategy 20040336 	— Confined to matters related to land within the Kimberley, Pilbara, Gascoyne, Mid-West, Goldfields-Esperance, Wheatbelt and Great Southern regions.

SCHEDULE 3—Powers under other legislation

Column 1	Column 2	Column 3
3.1. Power to determine applications and other matters lodged with the WAPC for decision under the provisions of the <i>Strata Titles Act 1985</i> or the provisions of any strata or survey-strata scheme where any such determination is in accordance with predetermined policies (if any) of the WAPC.	<ul style="list-style-type: none"> • Chairman of the WAPC • Director General 20020084 • Executive Director, Perth, Peel and South West Planning and Strategy 20050094 	—
3.2. Power to certify, in accordance with section 40 of the <i>Liquor Control Act 1988</i> , with respect to the acceptability of a proposal in terms of relevant existing approvals, written laws relating to planning, schemes and WAPC policy.	<ul style="list-style-type: none"> • Director Metropolitan North Planning Program 20050047 • Director Metropolitan Central Planning Program 20080234 • Director Metropolitan South Planning Program 20080235 • Director Schemes and Appeals 20070191 • Team Leader Statutory Planning (Metropolitan North East) 20040096 	Confined to matters related to land within the Perth Metropolitan Region.
3.3. Power pursuant to sections 52 and 85 of the <i>Land Administration Act 1997</i> to approve plans of survey where in accordance with predetermined policies (if any) of the WAPC.	<ul style="list-style-type: none"> • Team Leader Statutory Planning (Metropolitan North West) 20040097 • Team Leader Statutory Planning (Metropolitan Central) 20020243 	

Column 1	Column 2	Column 3
<p>3.4. Authority to advise the Minister for Planning when the Minister undertakes the role of the WAPC in relation to the approval of the lease or subdivision of land pursuant to Part 10 of the <i>Planning and Development Act 2005</i>, within areas the subject of a redevelopment act and planning scheme and under the control of a redevelopment authority</p> <p>3.5. Power to determine applications for development approval made under Division 5 of Part 3 of the <i>Perry Lakes Redevelopment Act 2005</i> but only where those determinations are not inconsistent with an approved redevelopment plan that relates to the land.</p> <p>3.6. Power to execute and accept the benefit of easements in gross, covenants in gross, records on title and other instruments for dealings in land for subdivisions, strata subdivisions and developments in accordance with any applicable policy and legislation.</p>	<ul style="list-style-type: none"> • Team Leader Statutory Planning (Metropolitan South West) 20040095 • Team Leader Statutory Planning (Metropolitan South East) 20040094 • Team Leader Statutory Planning (Schemes and Amendments) 20040098 • Executive Director Regional Planning and Strategy 20040336 • Director Northern Regions 20020162 • Director Central Regions 20080239 • Director Southern Regions 20040345 • Team Leader Statutory Planning Northern Regions 20020282 • Manager Statutory Planning Central Regions 20090110 • Regional Manager Mid West 20020174 • Team Leader Statutory Planning Southern Regions 20020163 • Team Leader Statutory Planning Great Southern 20020177 • Team Leader Strategic Planning Northern Regions 20020307 • Manager Strategic Planning Central Regions 20070222 • Team Leader Strategic Planning Southern Regions 20020446 • Director of South West Planning Program 20020142 • Team Leader Statutory Planning 20020143 • Senior Project Planner 20020144 • Director Peel Planning Program 20080158 • Team Leader Peel Region 20020182 • Team Leader Peel Region Scheme 20080159 	<p>Confined to matters related to land within the Kimberley, Pilbara, Gascoyne, Mid-West, Goldfields-Esperance, Wheatbelt and Great Southern regions.</p> <p>Confined to matters related to land within the South West Region of the State.</p> <p>Confined to matters related to land within the Peel Region of the State.</p>
<p>3.7. Power to determine whether or not a proposal is likely to have a significant effect on the environment pursuant to section 38(1) of the <i>Environmental Protection Act 1986</i> and to refer such proposal to the Environmental Protection Authority.</p>	<ul style="list-style-type: none"> • Chairman of the WAPC • Director General 20020084 • Executive Director, Perth, Peel and South West Planning and Strategy 20050094 • Executive Director Regional Planning and Strategy 20040336 • Director State Strategic Policy 20030054 • Director Northern Regions 20020162 	<p>—</p> <p>Confined to matters related to land within the Kimberley, Pilbara, Gascoyne, Mid-West, Goldfields-Esperance, Wheatbelt and Great Southern regions.</p>

Column 1	Column 2	Column 3
	<ul style="list-style-type: none"> • Director Central Regions 20080239 • Director Southern Regions 20040345 	

SCHEDULE 4—Power to endorse documents

Column 1	Column 2	Column 3
<p>4.1. Power to endorse the following classes of approval that may be granted pursuant to Part 10 of the Act—</p> <p>(i) diagrams and plans of survey and deposited plans submitted in accordance with an earlier approved plan of subdivision or amalgamation; and</p> <p>(ii) any other documents relating to leases, licences, transfers, conveyances and mortgages, easements, memorials on title and other dealings in land, submitted for formal endorsement, subject to prior compliance with all relevant conditions (if any) affixed as a condition of approval or waiver of conditions pursuant to 4.3.</p> <p>4.2. Power pursuant to section 25B of the <i>Strata Titles Act 1985</i> to endorse survey-strata plans or plans or re-subdivision or consolidation for a survey-strata scheme submitted for formal endorsement, subject to prior compliance with all relevant conditions (if any) affixed as a condition of approval.</p> <p>4.3. Power to waive or clear conditions affixed as conditions of approval with respect to the classes of approval set forth in 4.1 and 4.2.</p> <p>4.5. Power to endorse diagrams and plans of survey and deposited plans involving the acquisition and resumption of land created pursuant to Part 11 of the Act and the <i>Land Administration Act 1997</i></p>	<ul style="list-style-type: none"> • Chairman of the WAPC • Secretary of the WAPC • Director General 20020084 • Executive Director, Perth, Peel and South West Planning and Strategy 20050094 • Director Metropolitan North Planning Program 20050047 • Director Metropolitan Central Planning Program 20080234 • Director Metropolitan South Planning Program 20080235 • Director Schemes and Appeals 20070191 • Team Leader Statutory Planning (Metropolitan North East) 20040096 • Team Leader Statutory Planning (Metropolitan North West) 20040097 • Team Leader Statutory Planning (Metropolitan Central) 20020243 • Team Leader Statutory Planning (Metropolitan South West) 20040095 • Team Leader Statutory Planning (Metropolitan South East) 20040094 • Team Leader Statutory Planning (Schemes and Amendments) 20040098 • Executive Director Regional Planning and Strategy 20040336 • Director Northern Regions 20020162 • Director Central Regions 20080239 • Director Southern Regions 20040345 • Team Leader Statutory Planning Northern Regions 20020282 • Manager Statutory Planning Central Regions 20090110 • Regional Manager Mid West 20020174 • Team Leader Statutory Planning Southern Regions 20020163 • Team Leader Statutory Planning Great Southern 20020177 • Team Leader Strategic Planning Northern Regions 20020307 	<p>—</p> <p>Confined to matters related to land within the Perth Metropolitan Region.</p> <p>Confined to matters related to land within the Kimberley, Pilbara, Gascoyne, Mid-West, Goldfields-Esperance, Wheatbelt and Great Southern regions.</p>

Column 1	Column 2	Column 3
	<ul style="list-style-type: none"> • Manager Strategic Planning Central Regions 20070222 • Team Leader Strategic Planning Southern Regions 20020446 	
	<ul style="list-style-type: none"> • Director of South West Planning Program 20020142 • Team Leader Statutory Planning 20020143 • Senior Project Planner 20020144 	Confined to matters related to land within the South West Region of the State.
	<ul style="list-style-type: none"> • Director Peel Planning Program 20080158 • Team Leader Peel Region 20020182 • Team Leader Peel Region Scheme 20080159 	Confined to matters related to land within the Peel Region

SCHEDULE 5—Enforcement and legal proceedings

Column 1	Column 2	Column 3
<p>5.1. Power to advise the Minister for Planning on any appeal, review or matter arising therefrom pursuant to Part 14 of the Act.</p> <p>5.2. Power to defend and otherwise deal with reviews lodged with the State Administrative Tribunal and to appeal, defend, respond and otherwise deal with any matter that may be appealed to the Supreme Court on a question of law.</p> <p>5.3. Power to defend, respond, appeal and otherwise deal with legal proceedings.</p>	<ul style="list-style-type: none"> • Chairman of the WAPC • Director General 20020084 • Executive Director, Perth, Peel and South West Planning and Strategy 20050094 • Team Leader Planning Appeals 20020513 	—
	<ul style="list-style-type: none"> • Director Metropolitan North Planning Program 20050047 • Director Metropolitan Central Planning Program 20080234 • Director Metropolitan South Planning Program 20080235 • Director Schemes and Appeals 20070191 • Team Leader Statutory Planning (Metropolitan North East) 20040096 • Team Leader Statutory Planning (Metropolitan North West) 20040097 • Team Leader Statutory Planning (Metropolitan Central) 20020243 • Team Leader Statutory Planning (Metropolitan South West) 20040095 • Team Leader Statutory Planning (Metropolitan South East) 20040094 • Team Leader Statutory Planning (Schemes and Amendments) 20040098 	Confined to matters related to land within the Perth Metropolitan Region.
	<ul style="list-style-type: none"> • Executive Director Regional Planning and Strategy 20040336 • Director Northern Regions 20020162 • Director Central Regions 20080239 • Director Southern Regions 20040345 	Confined to matters related to land within the Kimberley, Pilbara, Gascoyne, Mid-West, Goldfields-Esperance, Wheatbelt and Great Southern regions.

Column 1	Column 2	Column 3
	<ul style="list-style-type: none"> • Team Leader Statutory Planning Northern Regions 20020282 • Manager Statutory Planning Central Regions 20090110 • Regional Manager Mid West 20020174 • Team Leader Statutory Planning Southern Regions 20020163 • Team Leader Statutory Planning Great Southern 20020177 • Team Leader Strategic Planning Northern Regions 20020307 • Manager Strategic Planning Central Regions 20070222 • Team Leader Strategic Planning Southern Regions 20020446 	
	<ul style="list-style-type: none"> • Director of South West Planning Program 20020142 • Team Leader Statutory Planning 20020143 • Senior Project Planner 20020144 	Confined to matters related to land within the South West Region of the State.
	<ul style="list-style-type: none"> • Director Peel Planning Program 20080158 • Team Leader Peel Region 20020182 • Team Leader Peel Region Scheme 20080159 	Confined to matters related to land within the Peel Region of the State.
5.4. Power to exercise all functions of the WAPC as set out in Part 13 of the Act.	<ul style="list-style-type: none"> • Chairman of the WAPC • Director General 20020084 • Executive Director, Perth, Peel and South West Planning and Strategy 20050094 	—
	<ul style="list-style-type: none"> • Executive Director Regional Planning and Strategy 20040336 	Confined to matters related to land within the Kimberley, Pilbara, Gascoyne, Mid-West, Goldfields-Esperance, Wheatbelt and Great Southern regions.

SCHEDULE 6—Miscellaneous powers

Column 1	Column 2	Column 3
6.1. Power to make arrangements for the conveyance, assignment, transfer, subdivision, amalgamation and development of WAPC property.	<ul style="list-style-type: none"> • Chairman of the WAPC • Secretary of the WAPC • Director Land Asset Management 20020100 	<ul style="list-style-type: none"> • Subject to a limitation of \$100,000. • Function to be exercised having due regard to published WAPC policy.
6.2. Power to make arrangements for the leasing of WAPC property including the determination of rents in accordance with established WAPC practice.	<ul style="list-style-type: none"> • Chairman of the WAPC • Secretary of the WAPC • Director Land Asset Management 20020100 	<ul style="list-style-type: none"> • Subject to a limitation of \$100,000. • Function to be exercised having due regard to published WAPC policy.

Column 1	Column 2	Column 3
6.3. Power to make arrangements for the management, maintenance, repair, insurance, valuation and other related incidental functions with respect to WAPC property subject to a \$100,000 (one hundred thousand dollars) maximum figure of expenditure per property in any one financial year.	<ul style="list-style-type: none"> • Chairman of the WAPC • Secretary of the WAPC • Director Land Asset Management 20020100 	<ul style="list-style-type: none"> • Subject to a limitation of \$100,000. • Function to be exercised having due regard to published WAPC policy.
6.4. The awarding of contracts, and the appointment of consultants pursuant to section 15 of the Act, for activities to which a budget has been approved and allocated by the WAPC and subject to compliance in each case with State Supply Commission procedures.	<ul style="list-style-type: none"> • Chairman of the WAPC • Secretary of the WAPC • Director General 20020084 • Assistant Director General Strategic Corporate Support 20020061 • General Manager WAPC Services 20050179 	<ul style="list-style-type: none"> • Subject to a limitation of \$100,000. • Function to be exercised having due regard to published WAPC policy.
6.5. Such powers and functions of the WAPC that may be lawfully undertaken relating to the acquisition, development, maintenance and management of land under the Metropolitan Region Scheme, the Peel Region Scheme and the Greater Bunbury Region Scheme for the purpose of carrying out and giving effect to those Schemes, including— (a) the application of money from the Western Australian Planning Commission Account and the Metropolitan Region Improvement Fund for such purposes; (b) the payment of capital expenditure, costs and other expenses incurred in connection with the acquisition of any property under any provisions of those Schemes; (c) the carrying out of works and provision of public facilities thereon as may be necessary for the use and maintenance of the land for which it may be reserved.	<ul style="list-style-type: none"> • Chairman of the WAPC • Secretary of the WAPC 	<ul style="list-style-type: none"> • Must have due regard to published WAPC policy. • Does not apply to any matter that involves— <ol style="list-style-type: none"> 1. expenditure in excess of \$1,000,000 (one million dollars); 2. the exchange of or disposal of land owned by the WAPC; or 3. the resumption of land by the WAPC for a public purpose. • Must have due regard to published WAPC policy. • Does not apply to any matter that involves— <ol style="list-style-type: none"> 1. expenditure in excess of \$500,000 (five hundred thousand dollars); 2. the exchange of or disposal of land owned by the WAPC; or 3. the resumption of land by the WAPC for a public purpose.
6.6. Power to prescribe charges, and set conditions, for the sale and release of maps and publications.	<ul style="list-style-type: none"> • Chairman of the WAPC • Secretary of the WAPC 	<ul style="list-style-type: none"> • Subject to a limitation of \$100,000. • Function to be exercised having due regard to published WAPC policy.
6.7. Waiving of the additional fee for considering a minor variation to a plan of subdivision as part of an application for approval of subdivision or re-subdivision.	<ul style="list-style-type: none"> • Chairman of the WAPC • Secretary of the WAPC • Executive Director, Perth, Peel and South West Planning and Strategy 20050094 	<ul style="list-style-type: none"> • Subject to a limitation of \$100,000. • Function to be exercised having due regard to published WAPC policy.
	<ul style="list-style-type: none"> • Executive Director Regional Planning and Strategy 20040336 	<ul style="list-style-type: none"> • Subject to a limitation of \$100,000 in any one contract.

Column 1	Column 2	Column 3
		<ul style="list-style-type: none"> • Confined to matters related to land within the Kimberley, Pilbara, Gascoyne, Mid-West, Goldfields-Esperance, Wheatbelt and Great Southern regions.
<p>6.8. The functions of the WAPC provided in section 14(l) of the Act as are necessary to undertake the administrative and financial obligations of the WAPC</p> <p>(a) under section 181(1) of the Act to approve the quantum of the refund of compensation payable to the WAPC determined in accordance with sections 181(2) to (16) of the Act; and</p> <p>(b) to consent on behalf of the WAPC to the withdrawal of a notification when a refund of compensation is paid.</p>	<ul style="list-style-type: none"> • Director General 20020084 	—
<p>6.9. The powers and functions of the WAPC set out in the <i>Metropolitan Region Planning Authority (Reserved Lands) Regulations</i> to determine the acceptability of, and where appropriate to issue permits to persons or bodies for the conduct of, activities on land owned by the WAPC where the permitted activity is not inconsistent with the purpose for which the land is reserved under the Metropolitan Region Scheme and management practice for that land.</p>	<ul style="list-style-type: none"> • Relieving Field Officer 20060132 • Field Officer 20050163 • State Land Field Officer 20070038 • State Land Field Officer 20070190 • Field Management Officer 20020108 • Field Management Officer 20020109 • Field Management Officer 20020110 • Field Management Officer 20020449 	—

SCHEDULE 7—Powers under the Metropolitan Region Scheme

Column 1	Column 2	Column 3
<p>7.1. Power to determine applications for approval to commence and carry out development lodged with or referred to the WAPC pursuant to the provisions of the Metropolitan Region Scheme but only where those determinations are not inconsistent with predetermined policies (if any) of the WAPC and will not be significantly at variance with the recommendations made by the relevant local government or where no response has been received from the local government within the period prescribed in clause 29(3) of the Scheme.</p>	<ul style="list-style-type: none"> • Chairman of the WAPC • Executive Director, Perth, Peel and South West Planning and Strategy 20050094 • Director Metropolitan North Planning Program 20050047 • Director Metropolitan Central Planning Program 20080234 • Director Metropolitan South Planning Program 20080235 • Team Leader Statutory Planning (Metropolitan North East) 20040096 • Team Leader Statutory Planning (Metropolitan North West) 20040097 • Team Leader Statutory Planning (Metropolitan Central) 20020243 • Team Leader Statutory Planning (Metropolitan South West) 20040095 • Team Leader Statutory Planning (Metropolitan South East) 20040094 	—

Column 1	Column 2	Column 3
<p>7.2. Power to approve detailed plans requiring the subsequent approval of the WAPC as a condition of development approval pursuant to the provisions of the Metropolitan Region Scheme and power to confirm that conditions imposed by the WAPC on a development approval pursuant to the provisions of the Metropolitan Region Scheme have been complied with.</p> <p>7.3. Power to determine whether or not proposals and the ongoing implementation of the Metropolitan Region Scheme comply with conditions (if any) applied pursuant to sections 48F and 48J of the <i>Environmental Protection Act 1986</i>.</p>	<ul style="list-style-type: none"> • Chairman of the WAPC • Director General 20020084 • Executive Director, Perth, Peel and South West Planning and Strategy 20050094 • Director Metropolitan North Planning Program 20050047 • Director Metropolitan Central Planning Program 20080234 • Director Metropolitan South Planning Program 20080235 • Director Schemes and Appeals 20070191 • Team Leader Statutory Planning (Metropolitan North East) 20040096 • Team Leader Statutory Planning (Metropolitan North West) 20040097 • Team Leader Statutory Planning (Metropolitan Central) 20020243 • Team Leader Statutory Planning (Metropolitan South West) 20040095 • Team Leader Statutory Planning (Metropolitan South East) 20040094 • Team Leader Statutory Planning (Schemes and Amendments) 20040098 	—
<p>7.4. Power to determine whether or not applications to commence and carry out development are of State or regional importance, or in the public interest, pursuant to any resolution of the WAPC made under clause 32 of the Metropolitan Region Scheme requiring such determination.</p>	<ul style="list-style-type: none"> • Chairman of the WAPC • Director General 20020084 • Executive Director, Perth, Peel and South West Planning and Strategy 20050094 	—
<p>7.5. Power to issue Clause 42 Certificates pursuant to the provisions of the Metropolitan Region Scheme.</p>	<ul style="list-style-type: none"> • Chairman of the WAPC • Director General 20020084 • Executive Director, Perth, Peel and South West Planning and Strategy 20050094 • Manager Mapping and GeoSpatial Data 20020426 • Coordinator Statutory Mapping 20070065 • Director Metropolitan North Planning Program 20050047 • Director Metropolitan Central Planning Program 20080234 • Director Metropolitan South Planning Program 20080235 • Director Schemes and Appeals 20070191 • Team Leader Statutory Planning (Metropolitan North East) 20040096 • Team Leader Statutory Planning (Metropolitan North West) 20040097 	—

Column 1	Column 2	Column 3
	<ul style="list-style-type: none"> • Team Leader Statutory Planning (Metropolitan Central) 20020243 • Team Leader Statutory Planning (Metropolitan South West) 20040095 • Team Leader Statutory Planning (Metropolitan South East) 20040094 • Team Leader Statutory Planning (Schemes and Amendments) 20040098 	
<p>7.6. Power to determine applications for approval of the development of public housing where such applications are made pursuant to the provisions of the Metropolitan Region Scheme, and the relevant local government does not recommend support for an application, or the local government does not provide a recommendation within the specified time period.</p>	<ul style="list-style-type: none"> • Executive Director, Perth, Peel and South West Planning and Strategy 20050094 	—

SCHEDULE 8—Powers under the Peel Region Scheme

Column 1	Column 2	Column 3
<p>8.1. Power to determine applications for approval to commence and carry out development submitted or referred to the WAPC pursuant to the provisions of the Peel Region Scheme but only where—</p> <p>(a) the determination is not significantly at variance with the recommendations made by the local government;</p> <p>(b) no response has been received from the local government within the period prescribed in clause 30(3) of the Peel Region Scheme; or</p> <p>(c) the application is refused.</p> <p>8.2. Power to defend, respond, appeal and otherwise deal with legal proceedings.</p> <p>8.3. Power to approve detailed plans requiring the subsequent approval of the WAPC as a condition of development approval pursuant to the provisions of the PRS and power to confirm that conditions imposed by the WAPC on a development approval pursuant to the provisions of the Peel Region Scheme have been complied with.</p> <p>8.4. Power to determine whether or not proposals and the ongoing implementation of the Peel Region Scheme comply with the conditions applied</p>	<ul style="list-style-type: none"> • Executive Director, Perth, Peel and South West Planning and Strategy 20050094 • Director Peel Planning Program 20080158 • Team Leader, Statutory Planning (Peel Region) 20020182 • Team Leader Peel Region Scheme 20080159 	—

Column 1	Column 2	Column 3
<p>pursuant to section 48F and 48J of the Environmental Protection Act 1986.</p> <p>8.5. In relation to a resolution of the WAPC made under clause 21 of the Peel Region Scheme, power to determine whether or not applications to commence and carry out development are of state or regional significance, or in the public interest.</p> <p>8.6. In relation to a resolution of the WAPC made under clause 21 of the Peel Region Scheme, power to determine whether or not a proposed development in the Rural zone requires planning approval for the following reasons—</p> <p>(a) development which abuts and has access to a regional reservation has the potential to significantly increase traffic;</p> <p>(b) development in a special control area may conflict with the purposes of the special control area;</p> <p>(c) development in the Rural zone may not be consistent with the purposes of the Rural zone.</p> <p>8.7. Power to extend the period during which a local government is required to forward its recommendations to the WAPC under clause 30 of the Peel Region Scheme.</p>		
<p>8.8. Power to issue Clause 47 Certificates pursuant to the provisions of the Peel Region Scheme</p>	<ul style="list-style-type: none"> • Manager Mapping and GeoSpatial Data 20020426 • Coordinator Statutory Mapping 20070065 	—
<p>8.9. Power to determine applications for approval of the development of public housing where such applications are made pursuant to the provisions of the Peel Region Scheme, and the relevant local government does not recommend support for an application, or the local government does not provide a recommendation within the specified time period.</p>	<ul style="list-style-type: none"> • Executive Director, Perth, Peel and South West Planning and Strategy 20050094 	—

SCHEDULE 9—Powers under the Greater Bunbury Region Scheme

Column 1	Column 2	Column 3
<p>9.1. Power to determine applications for approval to commence and carry out development submitted or referred to the WAPC pursuant to the provisions of the Greater Bunbury Region Scheme but only where—</p> <p>(a) the determination is not significantly at</p>	<ul style="list-style-type: none"> • Executive Director, Perth, Peel and South West Planning and Strategy 20050094 • Director, South West Planning 20020142 • Team Leader, Statutory Planning, South West Planning 20020143 	—

Column 1	Column 2	Column 3
<p>variance with the recommendations made by the local government;</p> <p>(b) no response has been received from the local government within the period prescribed in clause 36(3) of the Greater Bunbury Region Scheme; or</p> <p>(c) the application is refused.</p> <p>9.2. Power to defend, respond, appeal and otherwise deal with legal proceedings.</p> <p>9.3. Power to approve detailed plans requiring the subsequent approval of the WAPC as a condition of development approval pursuant to the provisions of the Greater Bunbury Region Scheme and power to confirm that conditions imposed by the WAPC on a development approval pursuant to the provisions of the Greater Bunbury Region Scheme have been complied with.</p> <p>9.4. Power to determine whether or not proposals and the ongoing implementation of the Greater Bunbury Region Scheme comply with the conditions (if any) applied pursuant to section 48F and 48J of the Environmental Protection Act 1986.</p> <p>9.5. In relation to a resolution of the WAPC made under clause 27 of the Greater Bunbury Region Scheme, power to determine whether or not applications to commence and carry out development are of state or regional significance, or in the public interest.</p> <p>9.6. In relation to a resolution of the WAPC made under clause 27 of the Greater Bunbury Region Scheme, power to determine whether or not a proposed development requires planning approval for the following reasons—</p> <p>(a) development which abuts and has access to a regional road reservation has the potential to significantly increase traffic;</p> <p>(b) development in a special control area may conflict with the purposes of the special control area;</p> <p>(c) development in, adjacent to or in close</p>	<ul style="list-style-type: none"> • Team Leader, Greater Bunbury Region Scheme 20090004 	

Column 1	Column 2	Column 3
<p>proximity to a policy area is potentially incompatible with the intended activities in the policy area or would be adversely affected by, or would adversely affect, those activities;</p> <p>(d) development is sufficiently close to a policy area for the effects of activities in the policy area to be likely to adversely affect the proposed use and/or for the effects of the development to be likely to adversely affect uses in the policy area;</p> <p>(e) development in the rural zone may not be consistent with the purposes of the rural zone.</p> <p>9.7. Power to extend the period during which a local government is required to forward its recommendations to the WAPC under clause 36 of the Greater Bunbury Region Scheme.</p>		
9.8. Power to issue certificates under clause 53 of the Greater Bunbury Region Scheme.	<ul style="list-style-type: none"> • Manager, Mapping and Geospatial Data 20020426 • Coordinator Statutory Mapping 20070065 	—
9.9. Power to determine applications for approval of the development of public housing where such applications are made pursuant to the provisions of the Greater Bunbury Region Scheme, and the relevant local government does not recommend support for an application, or the local government does not provide a recommendation within the specified time period	<ul style="list-style-type: none"> • Executive Director, Perth, Peel and South West Planning and Strategy 20050094 	—

SCHEDULE 10—Powers under the Ningaloo Coast Regional Interim Development Order 2007

Column 1	Column 2	Column 3
<p>10.1. Power under clause 6 of the Ningaloo Coast Regional Interim Development Order 2007 to—</p> <p>(a) advise public authorities and local governments pursuant to subclause (2);</p> <p>(b) require modification to the development pursuant to subclause (3); and</p> <p>(c) submit the matter to the Minister for determination by the Governor under section 27(2) of the Act pursuant to subclause (4).</p>	<ul style="list-style-type: none"> • Executive Director Regional Planning and Strategy 20040336 • Director Central Regions 20080239 • Manager Statutory Planning Central Regions 20090110 • Manager Strategic Planning Central Regions 20070222 	—

Column 1	Column 2	Column 3
<p>10.2. Power under clause 11 of the Ningaloo Coast Regional Interim Development Order 2007 to—</p> <ul style="list-style-type: none"> (a) determine that planning approval should not be granted before notice of the application is given; (b) give notice, or require the applicant to give notice, of the application in one or more of the ways set out in clause 11; and (c) determine which nearby owners and occupiers are likely to be affected by the proposed development. <p>10.3. Power under clause 12 of the Ningaloo Coast Regional Interim Development Order 2007 to—</p> <ul style="list-style-type: none"> (a) determine applications for planning approval provided any such determination is in accordance with the published policies of the WAPC; and (b) exercise any of the related powers of the WAPC conferred by clauses 15, 16, 18, 19 and 20 of the Ningaloo Coast Regional Interim Development Order 2007. <p>10.4. Power under clause 13 of the Ningaloo Coast Regional Interim Development Order 2007 to consult on a proposed development with any public authority considered appropriate, in accordance with clause 13 of the Ningaloo Coast Regional Interim Development Order 2007.</p> <p>10.5. Power to defend and otherwise deal with any applications for review lodged with the State Administrative Tribunal against determinations of the WAPC under the Ningaloo Coast Regional Interim Development Order 2007.</p>		

PI402*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT

City of Bunbury

Town Planning Scheme No. 7—Amendment No. 17

Ref: 853/6/2/11 Pt 17 & TPS/0093/1

It is hereby notified for public information, in accordance with section 87 of the Planning and Development Act 2005 that the Minister for Planning approved the City of Bunbury local planning scheme amendment on 27 October 2009 for the purpose of—

PLANNING AND DEVELOPMENT ACT 2005

City of Bunbury

Local Planning Scheme No. 7 Amendment No. 17

The City of Bunbury under and by virtue of the powers conferred upon it in that behalf by the *Planning and Development Act 2005* hereby amends the above Local Planning Scheme by—

1. Amending the text in section “1.1 General Definitions” of “Schedule 1—Dictionary of Defined Words and Expressions” of the Scheme Text by inserting the following—

SCHEDULE 1—DICTIONARY OF DEFINED WORDS AND EXPRESSIONS

1.1 General definitions

“**Mixed use**” or “mixed-use” development means buildings that contain residential dwellings and or short-stay accommodation units in conjunction with commercial and non-residential uses.

“**Short-stay accommodation**” means a building or buildings used for the purpose of providing accommodation for a person or persons on a temporary basis for a period of time not exceeding three months in duration within a 12 month period.

“**Short-stay unit**” means a building or a portion of a building being used or intended, adapted or designed to be used for the purpose of human habitation for short-stay accommodation by a single person, a single family, or no more than six persons who do not comprise a single family. A short-stay unit does not include a dwelling, but must be self-contained and incorporate areas and facilities for sleeping, food preparation, laundering and sanitation, and must be accessed by a separate entranceway.

“**Short-stay serviced apartment**” means a short-stay unit that forms part of a short-stay multiple unit complex where common maintenance and/or other services may be provided.

2. Amending the text in section “1.2 Land Use Definitions” of “Schedule 1—Dictionary of Defined Words and Expressions” of the Scheme Text by inserting the following—

SCHEDULE 1—DICTIONARY OF DEFINED WORDS AND EXPRESSIONS

1.2 Land use definitions

“**Short-stay Grouped Unit**” means a short stay unit that is one of a group of two or more short stay units on the same lot such that no short stay unit is placed wholly or partly vertically above another, except where special conditions of landscape or topography dictates otherwise, and includes a short stay unit on a survey strata with common property.

“**Short-stay Multiple Unit**” means a short stay unit in a group of more than one short stay unit on a lot where any part of a short stay unit is vertically above part of any other but does not include a Short-Stay Grouped Unit.

“**Unrestricted Residential Accommodation**” means a dwelling or dwellings (either single, grouped or multiple) that may be occupied either permanently as a residential dwelling or temporarily for short-stay accommodation.

3. Amending the text in the “Special Use(s)” column of S.U.7 under “Schedule 2—Special Use Zones” of the Scheme Text by deleting the following red and crossed out text—

SCHEDULE 2—SPECIAL USE ZONES

No.	Description of Land	Special Use(s)	Conditions
7.	Lots 210 & 211 Ocean Drive, Cnr Hayward Street	Caravan Park	As determined by Council

and inserting the following—

SCHEDULE 2—SPECIAL USE ZONES

No.	Description of Land	Special Use(s)	Conditions
7.	Lot 210 Holywell Street and Lot 211 Pandal Street	<p>The following use classes are permitted only where the Local Government has exercised its discretion as a 'D' use by granting planning approval, and only where those uses are identified on an adopted Detailed Area Plan—</p> <ul style="list-style-type: none"> (a) Grouped Dwelling; (b) Hotel; (c) Motel; (d) Multiple Dwelling; (e) Private Recreation; (f) Reception Centre; (g) Restaurant; (h) Shop (maximum floorspace of 100 m² net lettable area); (i) Short-stay Grouped Unit; (j) Short-stay Multiple Unit; (k) Single House; (l) Unrestricted Residential Accommodation (permissible in 'Residential Interface Area' only). 	<p>1 Application Requirements</p> <p>1.1 Detailed Area Plan—</p> <ul style="list-style-type: none"> (a) The Local Government shall require the preparation and submission of a Detailed Area Plan for Lots 210 and 211 inclusively (the "development site"), to be adopted by Council and endorsed by the Western Australian Planning Commission prior to any subdivision or planning approval being granted. Development and subdivision is to be generally in accordance with the adopted Detailed Area Plan. (b) The Detailed Area Plan is to be prepared in accordance with Liveable Neighbourhoods and the Residential Design Codes, and must show such detail to the satisfaction of the Local Government that the development of land within the Special Use Zone is consistent with orderly and proper planning and the achievement of the highest appropriate level of amenity. (c) The Detailed Area Plan may include information or detail dealing with, but not be limited to, the following— <ul style="list-style-type: none"> i. standards and requirements for development site planning and building design; ii. lot layout of subdivision design and building envelopes; iii. extent of land uses in accordance with Table 2: Zoning Table of the Scheme; iv. interface and buffer treatments between the surrounding residential uses and the development site; v. residential densities where residential use is permissible; vi. urban design treatment of streetscapes and residential interfaces; vii. traffic management, including accessways and internal circulation;

No.	Description of Land	Special Use(s)	Conditions
			<ul style="list-style-type: none"> viii. vehicle parking and circulation areas and treatments; ix. pedestrian access and movement; x. building height and scale; xi. development setbacks from boundaries; xii. landscaping within setback areas and between buildings; and xiii. views to and from the site (e.g. with regard to inland residential areas). <p>(d) The Local Government shall require the preparation and submission of a Stormwater Management Plan as part of any Detailed Area Plan. The Stormwater Management Plan is to be designed and implemented in accordance with the guidelines contained in the Stormwater Management Manual for Western Australia (Department of Environment, 2004) and the Design Process for Stormwater Management for Western Australia (Department of Environment and Swan River Trust, 2005).</p> <p>(e) The Local Government shall require the preparation and submission of a Traffic & Parking Management Plan, prepared to the satisfaction of the Local Government, as part of any Detailed Area Plan.</p> <p>1.2 Development Impact Statement—</p> <p>(a) Subject to section 9.2 of the Scheme, the Local Government may require a Development Impact Statement to be prepared by the proponent and submitted as part of any application for planning approval that addresses the terms of reference specified by the Local Government.</p> <p>(b) Subject to the Scheme the Local Government may require a Development Impact Statement to be prepared by the proponent and submitted as part of any application for approval of a Detailed Area Plan or Scheme Amendment, which addresses the terms of reference specified by the Local Government. The Development Impact</p>

No.	Description of Land	Special Use(s)	Conditions
			<p>Statement is to be prepared in the nature of and contain the information provided in a Scheme Report pursuant to clause 12 of the Town Planning Regulations 1967.</p> <p>(c) Any supporting Development Impact Statement report may describe and explain existing site conditions, potential impacts resulting from the development proposal, management strategies and design statements; and any other explanatory material and details as necessary to provide the Local Government with sufficient understanding of the scope, purpose and intent of the proposed development outcomes.</p> <p>2 Land Use Requirements—</p> <p>(a) Land uses for the subject site shall be restricted to—</p> <ol style="list-style-type: none"> i. a maximum of 25% of the total site area to be for residential dwelling development/use; and ii. a minimum of 75% of the total site area to be for any or a mix of non-residential uses, hotel and short-stay accommodation uses. <p>(b) Land developed/used for public open space, private open space, roads, parking, drainage and infrastructure is to be included within the respective dedicated percentages detailed in clause 2(a) above.</p> <p>3 Land Use and Development Standards</p> <p>3.1 General Development Requirements</p> <p>Subject to the Scheme and unless otherwise specified in clauses 3.2 to 3.6 of this Special Use Zone, all other standards of land use and development are to be in accordance with Part 5—General Development Requirements of the Scheme.</p> <p>3.2 Finished Floor Level</p> <p>The finished floor level for habitable rooms must be at least 2.3 metres above AHD.</p> <p>3.3 Residential Interface Area—</p> <p>(a) Land Use—</p> <ol style="list-style-type: none"> i. Land use and development adjacent to Hayward Street, Holywell Street and Pandal Street shall be limited to permanent

No.	Description of Land	Special Use(s)	Conditions
			<p>residential and/or unrestricted residential accommodation uses.</p> <p>ii. Land use and development adjacent to Hayward Street, Holywell Street and Pental Street is to be in accordance with the requirements of a residential density code of R40, as prescribed under the Residential Design Codes.</p> <p>iii. Land use and development adjacent to Hayward Street, Holywell Street and Pental Street is to have frontage to that street.</p> <p>(b) Building Height—</p> <p>i. the total height of development adjacent to Hayward Street, Holywell Street and Pental Street shall be limited to a maximum of 11.3 metres above AHD; and</p> <p>ii. building height adjacent to Hayward Street, Holywell Street and Pental Street shall be a maximum height of 9 metres above natural ground level, and buildings shall generally be up to two stories with a loft (that may be constructed and used as a habitable room).</p> <p>(c) Setbacks—</p> <p>The minimum setback distances to lot boundaries for all development is in accordance with the Residential Design Codes.</p> <p>(d) Plot Ratio—</p> <p>The maximum plot ratio of a development on a lot for all uses is to be in accordance with the Residential Design Codes.</p> <p>(e) Open Space & Landscaping—</p> <p>The minimum open space and landscaped area on a lot for all uses is to be in accordance with the Residential Design Codes.</p> <p>(f) Vehicle Access & Parking—</p> <p>Vehicle access and off-street parking provision for all uses is to be in accordance with the</p>

No.	Description of Land	Special Use(s)	Conditions
			<p>Residential Design Codes.</p> <p>3.4 Ocean Drive Frontage Area—</p> <p>(a) Land Use—</p> <p>i. Land use and development adjacent to Ocean Drive shall be primarily for non-residential, mixed use and short-stay accommodation uses.</p> <p>ii. Land use and development adjacent to Ocean Drive is to have frontage to that street.</p> <p>(b) Building Height—</p> <p>i. the total height of development adjacent to Ocean Drive shall be limited to a maximum of 17 metres above AHD; and</p> <p>ii. building height adjacent to Ocean Drive shall be a maximum height of 9 metres above natural ground level, as taken from the verge height of the Ocean Drive road reserve; and buildings shall generally be up to two stories with a loft (that may be constructed and used as a habitable room).</p> <p>(c) Setbacks to Streets—</p> <p>The minimum setback distances to lot boundaries with frontage to a street for all development is in accordance with the following—</p> <p>i. front setback to the primary street (Ocean Drive) is not less than 3 metres;</p> <p>ii. secondary street (Hayward Street and Pandal Street) setbacks on a corner lot to the road reserve is not less than 3 metres; and</p> <p>iii. setback to any other accessway or right-of-way is not less than 1.5 metres.</p> <p>(d) Setbacks to Premises—</p> <p>The minimum setback distances to lot boundaries adjoining premises for all development is to be in accordance with an adopted Detailed Area Plan.</p>

No.	Description of Land	Special Use(s)	Conditions
			<p>(e) Plot Ratio— The maximum plot ratio of a development on a lot for all uses is to be in accordance with an adopted Detailed Area Plan.</p> <p>(f) Open Space & Landscaping— The minimum open space and landscaped area on a lot for all uses is to be in accordance with an adopted Detailed Area Plan.</p> <p>(g) Vehicle Access & Parking— Vehicle access and off-street parking provision for all uses is to be in accordance with an adopted Detailed Area Plan.</p> <p>3.5 Central Core Area—</p> <p>(a) Land Use— Land use and development in the central core area of the development site may include non-residential, mixed use, short-stay and/or permanent residential uses.</p> <p>(b) Building Height—</p> <p>i. the total height of development in the central core area of the development site shall be limited to a maximum of 17.3 metres above AHD; and</p> <p>ii. building height in the central core area of the development site shall be a maximum height of 15 metres above natural ground level, and buildings shall generally be up to four stories with a loft (that may be constructed and used as a habitable room).</p> <p>iii. The Local Government may consider additional building height up to a maximum of 20.3 metres above AHD, subject to the submission of a Development Impact Statement (View Shed Analysis) to the satisfaction of the Local Government, which has been undertaken by an appropriately qualified person or body at the applicant's expense, as part of any Detailed Area Plan and/or application for planning approval.</p>

No.	Description of Land	Special Use(s)	Conditions
			<p>(c) Setbacks— The minimum setback distances to lot boundaries for all development is to be in accordance with an adopted Detailed Area Plan.</p> <p>(d) Plot Ratio— The maximum plot ratio of a development on a lot for all uses is to be in accordance with an adopted Detailed Area Plan.</p> <p>(e) Open Space & Landscaping— The minimum open space and landscaped area on a lot for all uses is to be in accordance with an adopted Detailed Area Plan.</p> <p>(f) Vehicle Access & Parking— Vehicle access and off-street parking provision for all uses is to be in accordance with an adopted Detailed Area Plan.</p> <p>3.6 Vehicle Access No vehicle access is to be provided from Ocean Drive.</p>

4. Amending the table to “Schedule 2—Special Use Zones” of the Scheme Text by inserting the following additional text—

SCHEDULE 2—SPECIAL USE ZONES

No.	Description of Land	Special Use(s)	Conditions
50.	Lot 66 Ocean Drive, Cnr Scott Street	<p>The following use classes are permitted only where the Local Government has exercised its discretion as a ‘D’ use by granting planning approval, and only where those uses are identified on an adopted Detailed Area Plan—</p> <p>(a) Grouped Dwelling; (b) Hotel; (c) Motel; (d) Multiple Dwelling; (e) Private Recreation; (f) Reception Centre; (g) Restaurant; (h) Shop (maximum floorspace of 100 m² net lettable area); (i) Short-stay Grouped Unit; (j) Short-stay Multiple Unit; (k) Single House;</p>	<p>1 Application Requirements</p> <p>1.1 Detailed Area Plan—</p> <p>(a) The Local Government shall require the preparation and submission of a Detailed Area Plan for Lot 66 (the “development site”), to be adopted by Council and endorsed by the Western Australian Planning Commission prior to any subdivision or planning approval being granted. Development and subdivision is to be generally in accordance with the adopted Detailed Area Plan.</p> <p>(b) The Detailed Area Plan is to be prepared in accordance with Liveable Neighbourhoods and the Residential Design Codes, and must show such detail to the satisfaction of the Local Government that the development of land within the Special Use Zone is</p>

No.	Description of Land	Special Use(s)	Conditions
		(l) Unrestricted Residential Accommodation.	<p>consistent with orderly and proper planning and the achievement of the highest appropriate level of amenity.</p> <p>(c) The Detailed Area Plan may include information or detail dealing with, but not be limited to, the following—</p> <ul style="list-style-type: none"> i. standards and requirements for development site planning and building design; ii. lot layout of subdivision design and building envelopes; iii. extent of land uses in accordance with Table 2: Zoning Table of the Scheme; iv. interface and buffer treatments between the surrounding residential uses and the development site; v. residential densities where residential use is permissible; vi. urban design treatment of streetscapes and residential interfaces; vii. traffic management, including accessways and internal circulation; viii. vehicle parking and circulation areas and treatments; ix. pedestrian access and movement; x. building height and scale; xi. development setbacks from boundaries; xii. landscaping within setback areas and between buildings; and xiii. views to and from the site (e.g. with regard to inland residential areas). <p>(d) The Local Government shall require the preparation and submission of a Stormwater Management Plan as part of any Detailed Area Plan. The Stormwater Management Plan is to be designed and implemented in accordance with the guidelines contained in the <i>Stormwater Management Manual for Western Australia</i> (Department of Environment, 2004) and the <i>Design Process for</i></p>

No.	Description of Land	Special Use(s)	Conditions
			<p><i>Stormwater Management for Western Australia</i> (Department of Environment and Swan River Trust, 2005).</p> <p>(e) The Local Government shall require the preparation and submission of a Traffic & Parking Management Plan, prepared to the satisfaction of the Local Government, as part of any Detailed Area Plan.</p> <p>1.2 Development Impact Statement—</p> <p>(a) Subject to section 9.2 of the Scheme, the Local Government may require a Development Impact Statement to be prepared by the proponent and submitted as part of any application for planning approval that addresses the terms of reference specified by the Local Government.</p> <p>(b) Subject to the Scheme the Local Government may require a Development Impact Statement to be prepared by the proponent and submitted as part of any application for approval of a Detailed Area Plan or Scheme Amendment, which addresses the terms of reference specified by the Local Government. The Development Impact Statement is to be prepared in the nature of and contain the information provided in a Scheme Report pursuant to clause 12 of the Town Planning Regulations 1967.</p> <p>(c) Any supporting Development Impact Statement report may describe and explain existing site conditions, potential impacts resulting from the development proposal, management strategies and design statements; and any other explanatory material and details as necessary to provide the Local Government with sufficient understanding of the scope, purpose and intent of the proposed development outcomes.</p> <p>2 Land Use Requirements—</p> <p>(a) Land uses for the subject site shall be restricted to—</p> <p>i. a maximum of 25% of the total site area to be for residential dwelling development/use; and</p>

No.	Description of Land	Special Use(s)	Conditions
			<ul style="list-style-type: none"> <li data-bbox="1082 286 1385 434">ii. a minimum of 75% of the total site area to be for any or a mix of non-residential uses, hotel and short-stay accommodation uses. <li data-bbox="1027 443 1390 645">(b) Land developed/used for public open space, private open space, roads, parking, drainage and infrastructure is to be included within the respective dedicated percentages detailed in clause 2(a) above. <li data-bbox="979 654 1347 707">3 Land Use and Development Standards <li data-bbox="979 716 1278 770">3.1 General Development Requirements <li data-bbox="1027 779 1390 981">Subject to the Scheme and unless otherwise specified in clauses 3.2 to 3.6 of this Special Use Zone, all other standards of land use and development are to be in accordance with Part 5—General Development Requirements of the Scheme. <li data-bbox="979 990 1353 1016">3.2 Residential Interface Area— <li data-bbox="1027 1025 1209 1052">(a) Land Use— <ul style="list-style-type: none"> <li data-bbox="1088 1061 1374 1263">i. Land use and development adjacent to Upper Esplanade shall be limited to permanent residential and/or unrestricted residential accommodation. <li data-bbox="1082 1272 1378 1518">ii. Land use and development adjacent to Upper Esplanade is to be in accordance with the requirements of a residential density code of R40, as prescribed under the Residential Design Codes. <li data-bbox="1075 1527 1390 1653">iii. Land use and development adjacent to Upper Esplanade is to have frontage to that street. <li data-bbox="1027 1662 1278 1688">(b) Building Height— <ul style="list-style-type: none"> <li data-bbox="1088 1697 1385 1845">i. The total height of development adjacent to Upper Esplanade shall be limited to a maximum of 25 metres above AHD; and <li data-bbox="1082 1854 1390 2110">ii. building height adjacent to Upper Esplanade shall be a maximum height of 9 metres above natural ground level, and buildings shall generally be up to two stories with a loft (that may be constructed and

No.	Description of Land	Special Use(s)	Conditions
			<p>used as a habitable room).</p> <p>(c) Setbacks— The minimum setback distances to lot boundaries for all development is in accordance with the Residential Design Codes.</p> <p>(d) Plot Ratio— The maximum plot ratio of a development on a lot for all uses is to be in accordance with the Residential Design Codes.</p> <p>(e) Open Space & Landscaping— The minimum open space and landscaped area on a lot for all uses is to be in accordance with the Residential Design Codes.</p> <p>(f) Vehicle Access & Parking— Vehicle access and off-street parking provision for all uses is to be in accordance with the Residential Design Codes.</p> <p>3.3 Ocean Drive Frontage Area—</p> <p>(a) Land Use—</p> <p>i. Land use and development adjacent to Ocean Drive shall be primarily for non-residential, mixed use and short-stay accommodation uses.</p> <p>ii. Land use and development adjacent to Ocean Drive is to have frontage to that street.</p> <p>(b) Building Height—</p> <p>i. The total height of development adjacent to Ocean Drive shall be limited to a maximum of 26.5 metres above AHD; and</p> <p>ii. building height adjacent to Ocean Drive shall be a maximum height of 15 metres above natural ground level, as taken from the verge height of the Ocean Drive road reserve; and buildings shall generally be up to four stories with a loft (that may be constructed and used as a habitable room).</p>

No.	Description of Land	Special Use(s)	Conditions
			<p>(c) Setbacks to Streets— The minimum setback distances to lot boundaries with frontage to a street for all development is in accordance with the following—</p> <ul style="list-style-type: none"> i. front setback to the primary street (Ocean Drive) may be 0 metres; ii. secondary street (Scott Street) setbacks on a corner lot to the road reserve may be 0 metres; and iii. setback to any other accessway or right-of-way is not less than 1.5 metres. <p>(d) Setbacks to Premises— The minimum setback distances to lot boundaries adjoining premises for all development is to be in accordance with an adopted Detailed Area Plan.</p> <p>(e) Plot Ratio— The maximum plot ratio of a development on a lot for all uses is to be in accordance with an adopted Detailed Area Plan.</p> <p>(f) Open Space & Landscaping— The minimum open space and landscaped area on a lot for all uses is to be in accordance with an adopted Detailed Area Plan.</p> <p>(g) Vehicle Access & Parking— Vehicle access and off-street parking provision for all uses is to be in accordance with an adopted Detailed Area Plan.</p> <p>3.4 Vehicle Access No vehicle access is to be provided from Ocean Drive.</p>

5. Amending the Scheme Map by deleting the text “S.U.7 Caravan Park” and inserting the text “S.U.7 Tourism & Residential” depicted over the Special Use Zone for Lot 210 Holywell Street and Lot 211 Pandal Street, and rezoning Lot 66 Ocean Drive from “Parks and Recreation Reserve” to “Special Use Zone” and inserting the text “S.U.50 Tourism & Residential” depicted over Lot 66 Ocean Drive on the Scheme Map.

D. L. SMITH, Mayor.

G. TREVASKIS, Chief Executive Officer.

PI403*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
City of Melville

Community Planning Scheme No. 5—Amendment No. 41

Ref: 853/2/17/12 Pt 41

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 Melville local planning scheme amendment on 26 May 2009 for the purpose of—

1. Rezoning Lot 100 (No. 109) North Lake Road and Lot 9 (No. 241) Leach Highway, Willagee from R20 to R60.
2. Amending the Scheme Text by adding to Schedule 3 pertaining to Additional Uses as follows—

No.	Address	Additional Uses	Special Conditions
50	Lot 100 (No. 109) North Lake Road and Lot 9 (No. 241) Leach Highway, Willagee	Office, Medical Centre and one (1) or two (2) Restaurant/s only with a combined maximum seating for 80 patrons.	Compliance with the Design Guidelines for the site as adopted by Council (and amended by Council as required)

3. Amending the Scheme Map by inserting the symbol for Additional Uses onto Lot 100 and Lot 9.

R. AUBREY, Mayor.
S. SILCOX, Chief Executive Officer.

WESTERN AUSTRALIA

LOCAL GOVERNMENT ACT 1995

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