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Special *Government Gazettes* containing notices of an urgent or particular nature are published periodically.

The following guidelines should be followed to ensure publication in the *Government Gazette*—

- Material submitted to the Executive Council prior to gazettal will require a copy of the signed Executive Council Minute Paper.
- Copy must be lodged with the Publications Officer, Department of the Premier and Cabinet no later than 12 noon on Wednesday (Friday edition) or 12 noon on Friday (Tuesday edition)—

Email address:

gazette@dpc.wa.gov.au

- Enquiries regarding publication of notices can be directed to the Publications Officer on (08) 6552 6012.
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— PART 1 —

HEALTH

HE301

Health Services Act 2016

Health Services (Fees and Charges) Amendment Order (No. 3) 2023

SL 2023/55

Made by the Minister under section 56 of the Act.

1. Citation

This order is the *Health Services (Fees and Charges) Amendment Order (No. 3) 2023*.

2. Commencement

This order comes into operation as follows —

- (a) clauses 1 and 2 — on the day on which this order is published in the *Gazette*;
- (b) the rest of the order — on the day after that day.

3. Order amended

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

4. Schedule 1 amended

In Schedule 1 Division 1 item 1:

- (a) in paragraph (c) delete “\$68.05” and insert:

\$70.55

(b) in paragraph (d) delete “\$210.30” and insert:

\$215.30

A. SANDERSON, Minister for Health.

— PART 2 —

HOUSING

HW401

COUNTRY HOUSING ACT 1998 STANDARD RATE OF INTEREST

Notice is hereby given, in accordance with Section 40 of the *Country Housing Act 1998* that the standard rate of interest to apply for assistance provided under this Act is now 7.48% pa for existing loans approved prior to and including the 20th of December 2009 and 8.26% pa for loans approved after the 20th of December 2009. This change in rates follows an increase in Keystart's variable interest rate. The increase is effective from the 1 June 2023 with changes to repayments commencing on or after the 1 July 2023. More information available at keystart.com.au.

Australian Credit Licence: 381437 as agents for the Country Housing Authority ABN: 76 667 185 896

JUSTICE

JU401

JUSTICES OF THE PEACE ACT 2004 APPOINTMENTS

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

Garry James Curran of Djugun

JOANNE STAMPALIA, Deputy Director General, Court and Tribunal Services.

LOCAL GOVERNMENT

LG401

LOCAL GOVERNMENT ACT 1995 *Shire of Westonia* FENCING LOCAL LAW 2023

Under the powers conferred by the *Local Government Act 1995* and all other powers enabling it, the Shire of Westonia resolved on 21st February 2023 to make the following local law.

PART 1—PRELIMINARY

1.1 Citation

This local law is the Shire of Westonia *Fencing Local Law 2023*.

1.2 Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

1.3 Purpose and effect

(1) The purpose of this local law is to prescribe a sufficient fence and the standard for the construction of fences throughout the district.

(2) The effect of this local law is to establish the minimum requirements for fencing within the district.

1.4 Application

This local law applies throughout the district.

1.5 Definitions

In this local law—

Act means the *Dividing Fences Act 1961*;

applicant means a person who makes an application for approval under this local law;

AS or AS/NZS means an Australian or Australian/New Zealand Standard as published by Standards Australia and as amended from time to time.

boundary fence has the meaning given to it by the Act;

Building Surveyor means a Building Surveyor of the local government;

CEO means the Chief Executive Officer of the local government;

Commercial Lot means a lot where a commercial use—

- (a) is or may be permitted under the district planning scheme; and
- (b) is or will be the predominant use of the lot;

dangerous in relation to any fence means—

- (a) an electrified fence other than a fence approved by the local government under this local law;
- (b) a fence containing barbed wire other than a fence erected and maintained in accordance with this local law;
- (c) a fence containing exposed broken glass, asbestos fibre, razor wire or any other potentially harmful projection or material; or
- (d) a fence which is likely to collapse or fall, or part of which is likely to collapse or fall, from any cause;

district means the district of the local government;

dividing fence has the meaning given to it by the Act;

electrified fence means a fence carrying or designed to carry an electric charge;

fence means any structure, not including a retaining wall, used or functioning as a barrier, irrespective of where it is located and includes any gate;

front boundary means the boundary line between a lot and the thoroughfare upon which that lot abuts, or in the case of a lot abutting on more than one thoroughfare, the boundary line between the lot and the primary thoroughfare;

front fence means a fence erected on the front boundary of a lot or on a line adjacent to the front boundary;

front setback area means the area between the building line of a lot and the front boundary of that lot;

height in relation to a fence means the vertical distance between—

- (a) the top of the fence at any point; and
- (b) the ground level or, where the ground levels on each side of the fence are not the same, the higher ground level, immediately below that point;

Industrial Lot means a lot where an industrial use—

- (a) is or may be permitted; and
- (b) is or will be the predominant use of the lot;

local government means the *[insert name of local government]*;

local government property means anything except a thoroughfare—

- (a) which belongs to the local government;
- (b) of which the local government is the management body under the *Land Administration Act 1997*; or
- (c) which is an “otherwise unvested facility” under section 3.53 of the *Local Government Act 1995*;

lot has the meaning given to it in the *Planning and Development Act 2005*;

notice of breach means a notice referred to in clause 5.1;

occupier has the meaning given to it in the *Local Government Act 1995*;

owner has the meaning given to it in the *Local Government Act 1995*;

Residential Lot means a lot where a residential use—

- (a) is or may be permitted; and
- (b) is or will be the predominant use of the lot;

retaining wall means any structure which prevents the movement of soil or retains soil or structures in order to allow ground levels of different elevations to exist adjacent to one another;

Rural Lot means a lot where a rural use—

- (a) is or may be permitted; and
- (b) is or will be the predominant use of the lot;

Schedule means a Schedule to this local law;

Special Rural Lot means a lot where a special rural use—

- (a) is or may be permitted; and
- (b) is or will be the predominant use of the lot;

sufficient fence means a fence described in clause 2.1; and

thoroughfare has the meaning given to it by the *Local Government Act 1995*, but does not include a private thoroughfare which is not under the management or control of the local government.

1.6 Licence fees and charges

All licence fees and charges applicable under this local law shall be determined by the local government from time to time in accordance with section 6.16 of the *Local Government Act 1995*.

PART 2—FENCES

Division 1—Sufficient fences

2.1 Sufficient fences

- (1) A person shall not erect a dividing fence or a boundary fence that is not a sufficient fence.
- (2) Subject to subclauses (3) and (4), a sufficient fence—
 - (a) on a Residential Lot is a dividing fence or a boundary fence constructed and maintained in accordance with the specifications and requirements of Schedule 2;
 - (b) on a Commercial Lot or an Industrial Lot is a dividing fence or a boundary fence constructed and maintained in accordance with the specifications and requirements of Schedule 3; and
 - (c) on a Rural Lot or a Special Rural Lot is a dividing fence or a boundary fence constructed and maintained in accordance with the specifications and requirements of Schedule 4.
- (3) Where a fence is erected on or near the boundary between—
 - (a) a Residential Lot and an Industrial Lot, a sufficient fence is a dividing fence constructed and maintained in accordance with the specifications and requirements of Schedule 2;
 - (b) a Residential Lot and a Commercial Lot, a sufficient fence is a dividing fence constructed and maintained in accordance with the specifications and requirements of Schedule 3;
 - (c) a Residential Lot and a Rural Lot, a sufficient fence is a dividing fence constructed and maintained in accordance with the specifications and requirements of Schedule 4;
 - (d) a Residential Lot and a Special Rural Lot, a sufficient fence is a dividing fence constructed and maintained in accordance with the specifications and requirements of Schedule 4; and
 - (e) a Special Rural Lot and a Rural Lot, a sufficient fence is a dividing fence constructed and maintained in accordance with the specifications and requirements of Schedule 4.
- (4) An application must be made to the local government for grant of consent to any variation to the specifications in Schedules 2, 3 and 4.
- (5) Unless an authorised person determines otherwise, a sufficient fence on a boundary between lots other than those specified in subclause (3) is a dividing fence constructed in accordance with the specifications and requirements of Schedule 2.
- (6) Notwithstanding any other provision in this local law, a dividing fence or boundary fence constructed of masonry, stone or concrete shall be a sufficient fence only if it is designed by a suitably qualified structural engineer and constructed in accordance with that design where—
 - (a) it is greater than 1800 millimetres in height; or
 - (b) the Building Surveyor requires.
- (7) Notwithstanding any other provision in this local law, a dividing fence or boundary fence shall not exceed 1800 millimetres in height unless the approval of the local government has been obtained for such a fence.

Division 2—General

2.2 Fences within front setback areas

- (1) A person shall not, without the written consent of the Building Surveyor, erect a free-standing fence greater than 1200 millimetres in height, within the front set-back area of a Residential Lot within the district.
- (2) The Building Surveyor may approve the erection of a fence of a height greater than 1200 millimetres in the front setback area of a Residential Lot only if the fence on each side of the driveway into the lot across the front boundary is to be angled into the lot for a distance of not less than 1500 millimetres along the frontage to a distance of not less than 1500 millimetres from the frontage in order to provide appropriate splayed lines of vision for a motorist using the driveway for access to a thoroughfare.
- (3) The provision of subclause (2) shall not apply to a fence—
 - (a) of open construction that does not obscure the lines of vision of a motorist using the driveway for access to a thoroughfare; or
 - (b) that does not adjoin a footpath.

2.3 Gates in fences

- (1) A person shall not erect a gate in a fence which does not—
 - (a) open into the lot; or

- (b) open by sliding parallel and on the inside of the fence, which it forms part of, when closed.

2.4 Depositing fencing material on public place

A person shall not deposit or permit the deposit of any materials whatsoever used in the construction or maintenance of any fence, on any thoroughfare, public place or local government property unless the approval of the local government has been obtained.

2.5 Fences on a Rural Lot

A person shall not, without the written consent of the Building Surveyor, erect a fence on a Rural Lot of a height exceeding 1500 millimetres.

2.6 Maintenance of fences

An owner of a lot on which a fence is erected shall maintain the fence in good condition so as to prevent it from becoming dangerous, dilapidated, or unsightly to the amenity of the locality.

2.7 Fences across rights-of-way, public access ways or thoroughfares

A person must not, without the approval of the local government, erect or maintain a fence or obstruction of a temporary or permanent nature across any right-of-way, public access way or thoroughfare so as to impede or prevent use of those facilities in the manner for which they are intended and constructed.

2.8 General discretion of the local government

- (1) Notwithstanding the provisions of clause 2.1, the local government may approve the erection or repair of a dividing fence which is not a sufficient fence where all of the owners of the lots to be separated by the dividing fence make an application for approval for that purpose.
- (2) In determining whether to grant its approval under subclause (1), the local government may consider whether the erection or retention of the fence would have an adverse effect on—
 - (a) the safe or convenient use of any land;
 - (b) the safety or convenience of any person; or
 - (c) the visual amenity of the locality.

Division 3—Fencing materials

Where required by the Building Surveyor, fencing designs are to be certified by a practicing structural engineer as being suitable for wind loadings found in Region D Category 2 areas in accordance with the current edition of AS/NZS 1170.0:2002 Structural design actions—General principles.

2.9 Pre-used fencing materials

- (1) Notwithstanding clause 2.1, a person shall not construct a fence on a Residential Lot, a Commercial Lot or an Industrial Lot from pre-used materials without the approval of the local government.
- (2) Where the local government approves the use of pre-used materials in the construction of a fence under subclause (1), that approval shall be conditional on the applicant painting or treating the pre-used material as directed by the Building Surveyor.

2.10 Barbed wire fences and spiked or jagged materials

- (1) This clause does not apply to a fence constructed wholly or partly of razor wire.
- (2) An owner or occupier of a Residential Lot or a Commercial Lot shall not erect, affix or allow to remain on any fence on such a lot any barbed wire or other material with spiked or jagged projections, unless the prior written approval of the local government has been obtained.
- (3) An owner or occupier of an Industrial Lot shall not erect, affix or allow to remain on any fence bounding that lot any barbed wire or other materials with spiked or jagged projections unless the wire or other materials are carried on posts at an angle of 45 degrees, and unless the bottom row of wire or other materials is setback 150mm from the face of the fence and is not nearer than 2000mm from the ground level.
- (4) If the posts which carry the barbed wire or other materials referred to in subclause (3) are angled towards the outside of the lot bounded by the fence, the face of the fence must be set back from the lot boundary a sufficient distance to ensure that the angled posts, barbed wire or other materials do not encroach on adjoining land.
- (5) An owner or occupier of a lot shall not erect, affix or allow to remain as part of any fence or wall, whether internal or external on that lot, any broken glass.
- (6) An owner or occupier of a Rural Lot shall not erect, affix or allow to remain any barbed wire upon a fence on that lot where the fence is adjacent to a thoroughfare or other public place unless the barbed wire is fixed to the side of the fence posts furthest from the thoroughfare or other public place.

2.11 Electrified and razor wire fences

- (1) An owner or occupier of a lot shall not—
 - (a) construct or use an electrified fence on that lot without obtaining the approval of the local government in the form prescribed in Schedule 5; or
 - (b) construct a fence wholly or partly of razor wire on that lot without obtaining the approval of the local government in the form prescribed in Schedule 6.
- (2) The local government shall not approve an application for the purpose of subclause (1)(a)—
 - (a) in respect of a lot which is or which abuts a Residential Lot;

- (b) unless the prohibited fence complies with AS/NZS 3016:2002 Electrical installations—Electric security fences; and
 - (c) unless provision is made so as to enable the fence to be rendered inoperable during the hours of business operations, if any, on the lot where it is erected.
- (3) The local government shall not approve an application for the purpose of subclause (1)(b)—
- (a) if the fence is within 3000 millimetres of the boundary of the lot; or
 - (b) where any razor wire used in the construction of the fence is less than 2000 millimetres or more than 2400 millimetres above the ground level.
- (4) An application for approval for the purpose of subclauses (1)(a) or (1)(b) shall be made by the owner of the lot on which the fence is or is to be erected, or by the occupier of the lot with the written consent of the owner.

2.12 Prohibited fencing materials

A person shall not affix or use broken glass in the construction of any fence.

PART 3—APPROVALS

3.1 Application for approval

- (1) Where a person is required to obtain the approval of the local government under this local law, that person shall apply for approval in accordance with subclause (2).
- (2) An application for approval under this local law shall—
- (a) be in the form determined by the local government;
 - (b) be signed by the applicant and the owner of the lot;
 - (c) provide the information required by the form; and
 - (d) be forwarded to the CEO together with any fee imposed and determined by the local government under and in accordance with sections 6.16 to 6.19 of the *Local Government Act 1995*.
- (3) The local government may require an applicant to provide additional information reasonably related to an application before determining an application for approval.
- (4) The local government may refuse to consider an application for approval which is not in accordance with subclauses (2) and (3).

3.2 Decision on application for approval

- (1) The local government may—
- (a) approve an application for approval unconditionally or subject to any conditions; or
 - (b) refuse to approve an application for approval.
- (2) If the local government approves an application for approval, it is to issue to the applicant an approval in the form determined by the local government.
- (3) If the local government refuses to approve an application for approval, it is to give written notice of that refusal to the applicant.
- (4) Where a clause of this local law refers to conditions which may be imposed on an approval or which are to be taken to be imposed on an approval, the clause does not limit the power of the local government to impose other conditions on the approval under subclause (1)(a).

3.3 Compliance with approval

Where an application for approval has been approved, the applicant and the owner or occupier of the lot to which the approval relates, shall comply with the terms and any conditions of that approval.

3.4 Duration of approval

Unless otherwise stated in the form of approval, an approval granted under this local law—

- (a) runs with the lot to which it relates;
- (b) may be relied upon by any subsequent occupier or owner of the lot; and
- (c) may be enforced by the local government against a subsequent occupier or owner of the lot.

PART 4—MISCELLANEOUS

4.1 False or misleading statement

A person shall not make a false or misleading statement in connection with any application, requirement or request under this local law.

PART 5—NOTICES OF BREACH

5.1 Notices of breach

- (1) Where a breach of any provision of this local law has occurred in relation to a fence on a lot, the local government may give a notice in writing to the owner of that lot.
- (2) A notice of breach shall—
- (a) specify the provision of this local law which has been breached;

(b) specify the particulars of the breach; and

(c) state that the owner is required to remedy the breach within the time specified in the notice.

(3) Should an owner fail to comply with a notice of breach, the local government may, by its employees, agents or contractors enter upon the lot to which the notice relates and remedy the breach, and may recover the expenses of so doing from the owner of the lot in a court of competent jurisdiction.

(4) The provisions of this clause are subject to section 3.25 and item 12 of Division 1 of Schedule 3.1 of the *Local Government Act 1995* and any entry on to land will be in accordance with Part 3, Division 3 of that Act.

PART 6—OFFENCES

6.1 Offences and penalties

(1) A person who fails to comply with a notice of breach commits an offence and is liable upon conviction to a penalty of not less than \$250 and not exceeding \$5000 and, if the offence is a continuing offence, to a maximum daily penalty of \$500.

(2) A person who fails to comply with or who contravenes any provision of this local law commits an offence and is liable on conviction to a penalty of not less than \$250 and not exceeding \$5000 and, if the offence is a continuing offence, to a maximum daily penalty of \$500.

6.2 Modified penalties

(1) An offence against any provision of this local law is a prescribed offence for the purposes of section 9.16(1) of the *Local Government Act 1995*.

(2) The amount appearing in the final column of Schedule 1, directly opposite a prescribed offence in that Schedule, is the modified penalty for that prescribed offence.

(3) Before giving an infringement notice to a person in respect of the commission of a prescribed offence, an authorised person should be satisfied that—

(a) commission of the prescribed offence is a relatively minor matter; and

(b) only straightforward issues of law and fact are involved in determining whether the prescribed offence was committed, and the facts in issue are readily ascertainable.

6.3 Form of notices

For the purposes of this local law—

(a) the form of the infringement notice referred to in sections 9.16 and 9.17 of the *Local Government Act 1995* is to be in the form of Form 2 of Schedule 1 of the *Local Government (Functions and General) Regulations 1996*; and

(b) the form of the withdrawal of infringement notice referred to in section 9.20 of the *Local Government Act 1995* is to be in the form of Form 3 in Schedule 1 of the *Local Government (Functions and General) Regulations 1996*.

PART 7—OBJECTIONS AND REVIEW

7.1 Objections and review

When the local government makes a decision under clause 3.2, the provisions of Part 9 Division 1 of the *Local Government Act 1995*, and regulation 33 of the *Local Government (Functions and General) Regulations 1996*, apply to that decision.

SCHEDULE 1 OFFENCES AND MODIFIED PENALTIES

[clause 6.2(2)]

Item No	Clause No.	Nature of offence	Modified penalties \$
1	2.1(1)	Erect a fence which is not a sufficient fence	250
2	2.2	Erect a fence greater than 1200mm in height within a front setback area of a residential lot without the written consent of the Building Surveyor	250
3	2.3(a)	Erect a gate in a fence not opening into the lot	200
4	2.3(b)	Erect a gate in a fence not sliding parallel and inside a fence	200
5	2.6	Failure to maintain a fence in good condition to prevent the fence becoming dangerous, dilapidated or unsightly	250

Item No	Clause No.	Nature of offence	Modified penalties \$
6	2.7	Erect or maintain a fence or obstruction of temporary or permanent nature across a right-of way, public access way or thoroughfare without approval	250
7	2.9(1)	Construct a fence on a Residential, Commercial or Industrial Lot from pre-used materials without written approval	250
8	2.10(2)	Erect a fence using barbed wire or material with spiked or jagged projections in the fence construction without approval	250
9	2.11(1)	Construct, erect or use razor wire in a fence or electrify a fence without approval	250
10	2.12	Affix, or use, any broken glass in a fence	250
11	3.3	Failure to comply with terms or conditions of approval	250
12	6.1	Failure to comply with notice of breach	250

SCHEDULE 2

SPECIFICATIONS FOR A SUFFICIENT FENCE ON A RESIDENTIAL LOT

[clause 2.1(2)(a)]

Each of the identified categories in this Schedule is a sufficient fence on a Residential Lot and the fence design being certified by a practicing structural engineer as being suitable for wind loadings found in Region D Category 2 areas in accordance with the current edition of AS/NZS 1170.0:2002 Structural design actions—General principles.

Timber fence

- (a) corner posts to be 125mm x 125mm x 2400mm and intermediate posts to be 125mm x 75mm x 2400mm spaced at 2400mm centres;
- (b) corner posts to be strutted two ways with 100mm x 50mm x 450mm sole plates and 75mm x 50mm struts;
- (c) intermediate posts to be doubled yankee strutted with 150mm x 25mm x 450mm struts;
- (d) all posts to have tops with a 60mm weather cut and to be sunk at least 600mm into the ground;
- (e) rails to be 75mm x 50mm with each rail spanning 2 bays of fencing double railed or bolted to each post with joints staggered;
- (f) the fence to be covered with 75mm x 20mm sawn pickets, 1800mm in height placed 75mm apart and affixed securely to each rail; and
- (g) the height of the fence to be 1800mm except with respect to the front set back area for which there is no minimum height but which is subject to clause 2.2.

Corrugated fence

A fence constructed of corrugated fibre reinforced pressed cement or steel sheeting constructed to manufacturer's specifications or which satisfies the following specifications—

- (a) a minimum in-ground length of 25 per cent of the total length of the sheet, but in any case shall have a minimum in-ground depth of 600mm;
- (b) the total height and depth of the fence to consist of a single continuous fibre reinforced cement or steel sheet;
- (c) the sheets to be lapped and capped with extruded "snap-fit" type capping in accordance with the manufacturers written instructions; and
- (d) the height of the fence to be 1800mm except with respect to the front set back area for which there is no minimum height but which is subject to clause 2.2.

Brick, stone or concrete fence

A fence constructed of brick, stone or concrete, which satisfies the following requirements and specifications—

- (a) a site classification is to be provided by a professional engineer in accordance with AS 2870-2011 Residential slabs and footings as amended;
- (b) the footing is to be designed in accordance with AS 2870-2011 Residential slabs and footings as amended;
- (c) footings of minimum 225mm x 150mm concrete 15MPa or 300mm x 175mm brick laid in cement mortar;

- (d) fences to be offset a minimum of 200mm at maximum 3000mm centres or 225mm x 100mm engaged piers to be provided at maximum 3000mm centres;
- (e) expansion joints in accordance with the manufacturer's written instructions; and
- (f) the height of the fence to be 1800mm except with respect to the front set back area for which there is no minimum height but which is subject to clause 2.2.

Composite fence

A composite fence which satisfies the following specifications for the brick construction—

- (1) (a) brick piers of minimum 345mm x 345mm at 1800mm centres bonded to a minimum height base wall of 514mm;
 - (b) each pier shall be reinforced with one R10 galvanised starting rod 1500mm high with a 250mm horizontal leg bedded into a 500mm x 200mm concrete footing and set 65mm above the base of the footing. The top of the footing shall be 1 course (85mm) below ground level;
 - (c) the minimum ultimate strength of brickwork shall be 20MPa. Mortar shall be a mix of 1 part cement, 1 part lime and 6 parts sand;
 - (d) the ground under the footings is to be compacted to 6 blows per 300mm and checked with a standard falling weight penetrometer; and
 - (e) control joints in brickwork shall be provided with double piers at a maximum of 6-metre centres;
- or
- (2) (a) brick piers of a minimum 345mm x 345mm x 2700mm centres bonded to the base wall; and
 - (b) each pier shall be reinforced with two R10 galvanised starting rods as previously specified.

SCHEDULE 3**SPECIFICATIONS FOR A SUFFICIENT FENCE ON A COMMERCIAL LOT OR AN INDUSTRIAL LOT**

[clause 2.1(2)(b)]

Each of the identified categories in this Schedule, with minimum and maximum specifications where stated, is a sufficient fence on a Commercial Lot or an Industrial Lot and the fence design being certified by a practicing structural engineer as being suitable for wind loadings found in Region D Category 2 areas in accordance with the current edition of AS/NZS 1170.0:2002 Structural design actions—General principles.

Galvanised or PVC fence and gate

A fence constructed of galvanised or PVC coated non-rail link mesh, chain mesh or steel mesh which satisfies the following specifications—

- (a) corner posts to be minimum 50mm nominal bore x 3.5mm and with footings of a 225mm diameter x 900mm;
- (b) intermediate posts to be minimum 37mm nominal bore x 3.15mm at maximum 3.5m centres and with footings of a 225mm diameter x 600mm;
- (c) struts to be minimum 30mm nominal bore x 3.15mm fitted at each gate and 2 at each corner post and with footings 225mm x 600mm;
- (d) cables to be affixed to the top, centre and bottom of all posts and to consist of 2 or more 3.15mm wires twisted together or single 4mm wire;
- (e) non-rail link, chain or steel mesh is to be to a height of 2000mm on top of which are to be 3 strands of barbed wire carrying the fence to a height of 2400mm in accordance with the requirements and standards of the local planning schemes; and
- (f) galvanised link mesh wire to be 2000mm in height and constructed of 50mm mesh 2.5mm galvanised iron wire and to be strained, neatly secured and laced to the posts and affixed to cables. Vehicle entry gates shall provide an opening of not less than 3.6m and shall be constructed of 25mm tubular framework with 1 horizontal and 1 vertical stay constructed of 20mm piping and shall be covered with 50mm x 2.5mm galvanised link mesh strained to framework. Gates shall be fixed with a drop bolt and locking attachment.

Other fences

- (a) a fence of cement sheet or steel sheeting constructed to the minimum specifications referred to in Schedule 2;
 - (b) a fence constructed of aluminium sheeting when supported on posts and rails provided that it is used behind a building line and is of a minimum height of 1800mm but no greater than 2400mm; or
 - (c) a fence of timber, brick, stone or concrete constructed to the minimum specifications referred to in Schedule 2.
-

SCHEDULE 4
SPECIFICATIONS FOR A SUFFICIENT FENCE ON A RURAL LOT OR SPECIAL RURAL LOT

[clause 2.1(2)(c)]

Each of the identified categories in this Schedule, with minimum and maximum specifications where stated is a sufficient fence on a Rural Lot or a Special Rural Lot and the fence design being certified by a practicing structural engineer as being suitable for wind loadings found in Region D Category 2 areas in accordance with the current edition of AS/NZS 1170.0:2002 Structural design actions—General principles.

Non-electrified fence

- (a) wire shall be high tensile wire and not less than 2.5mm. A minimum of 5 wires shall be used, generally with the lower wires spaced closer together than the higher wires so as to prevent smaller stock passing through, and connected to posts in all cases.
- (b) posts shall be of indigenous timber or other suitable material including—
 - (i) timber impregnated with a termite and fungicidal preservative;
 - (ii) standard iron star pickets; or
 - (iii) concrete;
- (c) posts shall be cut not less than 1800mm long x 50mm diameter at small end if round or 125mm x 60mm if split or sawn timber.
- (d) posts to be set minimum 600mm in the ground and 1 200mm above the ground; and
- (e) strainer posts shall be not less than 2250mm long and 150mm diameter at the small end (tubular steel to be 50mm in diameter) and shall be cut from indigenous timber or other suitable material. These shall be placed a minimum of 1000mm in the ground.

Electrified fence

An electrified fence having 4 wires is a sufficient fence if constructed generally in accordance with a non-electrified fence.

SCHEDULE 5
LICENCE FOR APPROVED ELECTRIFIED FENCE

[clause 2.11(1)(a)]

This is to certify that

(1) _____

of (2) _____

is licensed, subject to the conditions set out below, to have and use an electrified fence on

(address)

from _____ 20 _____ and until this licence is transferred or cancelled.

Dated this _____ day of _____ 20 _____

 Chief Executive Officer,
Shire of Westonia.

Conditions of Licence—

The holder of the licence must—

- (a) display the licence in a prominent position on the land or premises on which the electrified fence has been erected;
- (b) upon the request of a Building Surveyor produce to him or her the licence;
- (c) within 14 days of a change in the ownership or occupation of the land or premises in respect of which the licence has been granted, notify the Chief Executive Officer in writing of the details of that change or those changes;
- (d) obtain the written consent of the local government prior to the commencement of any alteration, addition or other work relating to or affecting the electrified fence; and
- (e) comply with AS/NZS 3016:2002 Electrical installations—Electric security fences.

Transfer by Endorsement

This licence is transferred to (3) _____
of (4) _____

from and including the date of this endorsement.

Dated this _____ day of _____ 20____

Chief Executive Officer,
Shire of Westonia

(1) Name

(2) Address

(3) Name

(4) Address

SCHEDULE 6**LICENCE FOR APPROVED RAZOR WIRE FENCE**

[clause 2.11(1)(b)]

This is to certify that (1) _____
of (2) _____

is licensed, subject to the conditions set out below, to have a fence constructed wholly or partially of
razor wire at

(address)

From _____ 20__ and until this licence is transferred or cancelled.

Dated this _____ day of _____ 20____

Chief Executive Officer,
Shire of Westonia

Conditions of licence—

(a) display the licence in a prominent position on the land or premises on which the fence has been erected;

(b) upon the request of a Building Surveyor produce to him or her the licence;

(c) within 14 days of a change in the ownership or occupation of the land or premises in respect of which the licence has been granted, notify the Chief Executive Officer in writing of the details of that change or those changes; and

(d) obtain the written consent of the local government prior to the commencement of any alteration, addition or other work relating to or affecting the fence.

Transfer by Endorsement

This licence is transferred to (3) _____
of (4) _____

from and including the date of this endorsement.

Dated this _____ day of _____ 20____

Chief Executive Officer
Shire of Westonia

(1) Name

(2) Address

(3) Name

(4) Address

Dated: *[insert date]*

Dated this 19th day of May 2023.

The Common Seal of the Shire of Westonia has been affixed by authority of a resolution of the Council in the presence of -;

RODNEY MARK CREES, Shire President.
ARTHUR WILLIAM PRICE, Chief Executive Officer.

LG402

LOCAL GOVERNMENT ACT 1995*Shire of Westonia***SHIPPING AND/OR SEA CONTAINER LOCAL LAW 2023**

Under the powers conferred by the *Local Government Act 1995* and all other powers enabling it, the Shire of Westonia resolved on 21st February 2023 to make the following local law.

PART 1—PRELIMINARY**1.1 Citation**

This Local Law is the Shire of Westonia *Shipping and/or Sea Container Local Law 2023*

1.2 Commencement

This Local Law comes into operation 14 days after the date of its publication in the *Government Gazette*.

1.3 Purpose and effect

1. The purpose of this Local Law is to prescribe the approval process required for the placement of shipping and/or sea containers on residential, commercial and industrial land within the Westonia townsite.

2. The effect of this Local Law is to establish minimum requirements for the placement of shipping and/or sea containers on land within the Westonia townsite.

1.4 Application

This Local Law applies to all categories of land within the Westonia townsite.

1.5 Definitions

In this Local Law;

Act means the *Local Government Act 1995*

Applicant means the person making an application for approval under this Local Law.

Building Surveyor means a building surveyor of the Local Government.

CEO means the Chief Executive Officer of the Local government

Commercial lot means a lot where a commercial use is permitted or will be its predominant use.
Front setback area means the area between the building line of a lot and the front boundary of that lot. Industrial lot means a lot where an industrial use is permitted and which is its predominant use.

Local government means the Shire of Westonia.

Residential lot means a lot where residential use is permitted and which is its predominant use.

Rural lot means a lot where rural use is permitted and which is its predominant use.

Special rural lot means a lot where special rural use is permitted and which is its predominant use.

Thoroughfare has the meaning given to it by the Act, but does not include a private thoroughfare which is not under the control of the Local Government.

1.6 License fees and charges

All license fees and charges under this Local Law shall be determined by the Local Government from time to time in accordance with section 6.16 of the Act.

PART 2—APPROVALS**2.1 Application for approval**

1. Where a person is required to obtain the approval of the Local Government under this Local Law, that person shall apply through the following method;

- (a) the application must be in the form determined by the Local Government
- (b) is signed by the applicant and the owner of the lot
- (c) provides all of the information required by the form
- (d) be forwarded to the CEO of the Local Government together with the fee imposed by it under and in accordance with sections 6.16 to 6.19 of the Act.

2. The Local government may require the applicant to provide additional information reasonably related to an application before determining an application for approval.

3. The Local Government may refuse to consider any application which is not in accordance with the requirements of 1. And 2. Above.

2.2 Decision on application for approval

- (a) The Local Government may—approve the application unconditionally, subject to any conditions, or may refuse the application outright.
- (b) The Local Government is to provide the applicant with written advice of any refusal to approve.

- (c) The Local government is to provide the applicant with written advise of its approval.

2.3 Compliance with approval

Where an application has been approved, the applicant and the owner or occupier of the lot to which the approval relates, shall comply with the terms and conditions of that approval.

Unless otherwise stated in the form of approval, such approval granted under this Local law runs with the lot to which it relates, may be relied upon by any subsequent owner of the lot, and may be enforced by the Local Government against the subsequent owners of that lot.

Where the Local Government believes that the Local Law has been breached, the local Government is to provide written notice to the owner specifying details of the breach and providing the owner with a time within which the breach is to be rectified.

PART 3—GENERAL CONDITIONS

1. Prior to the placement of a shipping and/or sea container on any lot within the Westonia townsite, a Development/Planning application will be required by the Local Government to adequately assess the application.
2. Once approval has been provided, the applicant is make application for a Building License to ensure that the Building Surveyor has oversight of its placement on the lot.
3. This Local Law limits the number of shipping and/or sea containers to one only per lot being a maximum of 6.5 meters for a residential lot and up to 12.5 meters for an industrial or commercial lot.
4. The shipping and/or sea container is to located wholly within the boundaries of the lot subject to the approval, and shall be maintained in a good and orderly condition to the satisfaction of the Local Government.
5. Following approval, the container shall be suitably screened and/or fenced from the road frontage, be located at the rear of the lot and not within the front setback, while meeting setback requirements of the Building Code of Australia classification.
6. The container cannot be located over septic tanks, leach drains or any utilities services or easements, and cannot, under any circumstances, be used as ancillary accommodation.
7. The Local Government may require additional works or measures other than those already mentioned, to properly address any amenity issues that arise from the location of the container.
8. Temporary use of a container on a building site as an office or storage unit is permissible, subject to application and approval by the Local Government. Such approval shall extend for the period of construction of the building only, and shall be removed within 14 days of completion of the building.
9. This Local Law applies retrospectively.

PART 4—OFFENCES

A person who fails to comply with a notice of breach commits an offence and is liable on conviction to a penalty of not less than \$250 and not exceeding \$5000, and if the offence is a continuing offence, to a maximum daily penalty of \$500.

A person who fails to comply with or who contravenes any provision of this Local Law commits an offence and is liable on conviction, to a penalty of not less than \$250 and not exceeding \$5000 and, if the offence is a continuing offence, to a maximum daily penalty of \$500.

Dated this 19th day of May 2023.

The Common Seal of the Shire of Westonia has been affixed by authority of a resolution of the Council in the presence of -;

RODNEY MARK CREES, Shire President.
ARTHUR WILLIAM PRICE, Chief Executive Officer.

LG403

LOCAL GOVERNMENT ACT 1995

Shire of Westonia

WESTONIA HISTORICAL PRECINCT LOCAL LAW 2023

Under the powers conferred by the *Local Government Act 1995* and all other powers enabling it, the Shire of Westonia resolved on the 21st February 2023 to make the following Local Law.

PART 1—PRELIMINARY

1.1 Citation

This Local Law is the Shire of Westonia *Westonia Historical Precinct Local Law 2023*.

1.2 Commencement

This Local Law comes into effect 14 days after the date of its publication in the *Government Gazette*.

1.3 Purpose and Effect

1. The purpose of this Local Law is to prescribe the design of development, including buildings and fencing, within the Westonia Historical Precinct.
2. The effect of this Local Law is to ensure the continuation of historical facades and fencing within the Westonia Historical Precinct.

1.4 Application

This Local Law applies to the Westonia Historical Precinct of Wolfram Street between Gold and Kaolin Street and includes the corner lots in Gold, Cement and Kaolin Streets which have a boarder on Wolfram Street.

1.5 Definitions

Act means Local Government Act 1995

Applicant means a person making an application for approval under this Local Law.

Building surveyor means a Building Surveyor of the Local Government.

CEO means the Chief Executive Officer of the Local government.

Front Boundary means the boundary line between a lot and the thoroughfare upon which that lot abuts.

Front Fence means a fence erected on the front boundary of a lot or on a line adjacent to the front boundary.

Local government means the Shire of Westonia.

Lot has the meaning given to it in the Planning and Development act 2005.

Schedule means a Schedule attached to this Local Law.

Thoroughfare has the meaning given to it by the Local Government act 1995, but does not include a private thoroughfare which is not under the management and control of the Local government.

1.6 License Fees and Charges

All license fees and charges applicable under this Local Law shall be determined by the Local Government from time to time in accordance with Section 6.16 of the Act.

PART 2—BUILDINGS

The Local Government is committed to the continuation of its historical façade concept for buildings located within the Westonia Historical Precinct.

New buildings or significant building renovations to existing lots are required to demonstrate design concepts which are sympathetic to existing façade buildings and provide due regard to the amenity of the historical streetscape.

Construction materials will be predominantly timber, corrugated iron and/or weatherboard.

A person shall not, without the written consent of the Building Surveyor, commence any construction within the Westonia Historical Precinct.

PART 3—FENCES

Written consent from the Building Surveyor shall be required for the construction of a free standing fence within the Westonia Historical Precinct.

All gates attached to a free standing fence shall open into the lot or, open by a sliding panel on the inside of the fence of which it forms part, when closed.

An owner of a lot on which a fence is erected shall maintain the fence in good condition so as to prevent it from becoming dangerous, dilapidated, or unsightly to the amenity of the streetscape.

All fences within the Westonia Historical Precinct shall not exceed more than 1200 mm in height.

PART 4—APPROVALS

Where a person is required to obtain the approval of the Local Government under this Local Law, that person shall apply for approval in accordance with the following;

- (a) Be in the form determined by the Local Government
- (b) Be signed by the applicant and the owner of the lot
- (c) Provide the information provided by the form, and,
- (d) Be forwarded to the CEO together with any fee imposed and determined by the Local Government under and in accordance with sections 6.16 to 6.19 of the *Local Government Act 1995*.

The Local Government may require an applicant to provide additional information reasonably related to an application before determining an application for approval.

The Local Government may refuse an application which is not in accordance with the requirements outlined in (a), (b), (c), and (d) above.

The Local Government may approve the application unconditionally or subject to applied conditions, and the applicant, owner or occupier of the lot to which the approval relates, shall comply with any terms and/or conditions of that approval.

PART 5—NOTICE OF BREACH

Where a breach of any provision of this Local Law has occurred in relation to a building development or fence on a lot, the Local Government may give notice in writing to the owner of that lot.

A notice of breach shall specify the provision of the Local Law which has been breached, specify the particulars of the breach, and, state that the owner is to remedy the breach in the time specified in the notice.

Should the owner fail to remedy the breach, the Local Government may, by its employees, agents or contractors, enter upon the lot to which the notice relates, to remedy the breach and recover the expenses of doing so from the owner in a court of competent jurisdiction.

The provisions of this clause are subject to section 3.25 and item 12 of Division 1 of Schedule 3.1 of the *Local Government Act 1995* and any entry onto land will be in accordance with Part 3 Division 3 of that Act.

PART 6—OFFENCES

A person who fails to comply with a notice of breach commits an offence and is liable upon conviction to a penalty of not less than \$250 and not exceeding \$5000, and, if the offence is a continuing offence, to a maximum daily penalty of \$500.

A person who fails to comply with or contravenes any provision of this Local Law commits an offence and is liable on conviction to a penalty of not less than \$250 and not exceeding \$5000 and, if the offence is a continuing offence, to a maximum daily penalty of \$500.

Dated this 19th day of May 2023.

The Common Seal of the Shire of Westonia has been affixed by authority of a resolution of the Council in the presence of -;

RODNEY MARK CREES, Shire President.
ARTHUR WILLIAM PRICE, Chief Executive Officer.

PARLIAMENT

PA401

PARLIAMENT OF WESTERN AUSTRALIA

Royal Assent to Bill

It is hereby notified for public information that the Governor has Assented in the name and on behalf of His Majesty the King, on the date shown, to the undermentioned Act passed by the Legislative Council and the Legislative Assembly during the First Session of the Forty First Parliament.

Title of Act	Date of Assent	Act No.
Local Government Amendment Act 2023	18 May 2023	11 of 2023

Dated 18 May 2023.

Ms KIRSTEN ROBINSON, Clerk of the Parliaments.

PLANNING

PL401

PLANNING AND DEVELOPMENT ACT 2005 APPROVED LOCAL PLANNING SCHEME AMENDMENT

Shire of Kalamunda

Local Planning Scheme No. 3—Amendment No. 107

Ref: TPS/2826

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 Kalamunda Local Planning Scheme amendment on 26 April 2023 for the purpose of—

- 1) Amending Schedule 4—Special Use Zones to modify the conditions applicable to Special Use 20 in accordance with the below.

No	Description of Land	Special Use	Conditions
SU20	32 Gavour Road, Wattle Grove (Lot 500 on Deposited Plan 57971)	<p>Integrated Aged Care Facility The objective of this particular Zone is to achieve the development and operation of an integrated aged care facility that is designed to allow "ageing in place". It will have a full range of accommodation designed for the aged including independent living units (Aged or Dependent Persons' Dwellings) and a nursing home component (Aged Residential Care facility) as well as common use community facilities. It will be designed and implemented to maintain the rural character of the adjacent area whilst also maintaining flexibility to enable the facility's integration with development adjoining properties should land use changes occur in the future.</p> <p>(a) Within this zone, the following uses are discretionary ('D') in accordance with clause 4.3.2—</p> <ul style="list-style-type: none"> • Aged Residential Care; • Aged or Dependent Persons' Dwellings; • Caretaker's Dwelling; • Consulting Rooms. <p>(b) Council may approve other ancillary or incidental uses on this site, provided that they are minor in nature, they form part of the operational business of an integrated aged care facility, they would not particularly attract patrons or users who are not resident or employed within the development to the facility, and they would complement or</p>	<p>(a) At least one occupant of any Aged or Dependent Persons' Dwelling within this facility must have reached the age of 55 years.</p> <p>(b) Development on the site shall be connected to the reticulated sewerage system or alternative waste water treatment system that complies with the requirements of the Government Sewerage Policy to the satisfaction of the Health Department of Western Australia and the local government on the advice of the Department of Water and Environmental Regulation. In the event onsite effluent disposal cannot be satisfactorily achieved the State would not be obligated to provide reticulated sewerage infrastructure specifically to service the proposed development ahead of any future capital works program.</p> <p>(c) If development is approved without connection to the reticulated sewerage system, then: (i) prior to the approval of any development on Lot 500, an Urban Water Management Plan shall be prepared and approved by the Council on advice of the Department of Water and Environmental Regulation; and (ii) the approved alternative waste water disposal system shall be designed and implemented so that it is able to connect to the reticulated sewerage system if and when it is extended to within 200 metres of a boundary of Lot 500, then within 2 years of such occurrence, the owner or owners of Lot 500 shall connect all of the development on the lot to the reticulated sewerage system at the owner's cost.</p> <p>(d) Subdivision and/or development proposals on the subject site shall be supported by a Wastewater Management Plan prepared in accordance with the requirements of the Government Sewerage Policy 2019 (as amended) (i.e. site</p>

No	Description of Land	Special Use	Conditions
		<p>enhance the usual living standards and requirements of residents living in, and staff working at, a facility of this nature.</p> <p>(c) All other uses not mentioned under clauses (a) and (b) of this special use zone are not permitted ('X') in accordance with clause 4.3.2</p>	<p>and soil evaluation prepared in accordance with the relevant Australian Standards, a noise, vibration and odour assessment etc) to the satisfaction of the City of Kalamunda and Department of Health.</p> <p>(e) Development on Lot 500 shall be designed in the context of a local development plan prepared in accordance with deemed provisions in Schedule 2, Part 6 of the Planning and Development (Local Planning Schemes) Regulations 2015 which covers the entire lot. This will, amongst addressing other relevant planning and design matters, identify the location of the Aged Residential Care Facility, identify proposed staging, and the location of a possible future public road and servicing easement(s) with future implementation arrangements for these should land use changes occur on the properties adjoining Lot 500 in the future.</p> <p>(f) The maximum number of Aged or Dependent Persons Dwellings that may be developed on Lot 500 shall not exceed 190.</p> <p>(g) Not more than 70% of the Aged or Dependent Persons Dwellings allowed for by an approved Local Development Plan shall be developed on Lot 500 until the development of an Aged Residential Care Facility (nursing home component) has been constructed to practical completion.</p> <p>(h) Clause 5.5 shall not apply to this special use zone.</p>

M. THOMAS, Mayor.
R. HARDY, Chief Executive Officer.

PL402

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Augusta-Margaret River
 Local Planning Scheme No. 1—Amendment No. 69

Ref: TPS/2794

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 Augusta-Margaret River Local Planning Scheme amendment on 26 April 2023 for the purpose of—

1. Amending the scheme map to incorporate a portion of Lot 30 Peake Street, Cowaramup with the 'Tourism' designation.

P. CRISTOFFANINI, Shire President.
S. ADDISON-BROWN, Chief Executive Officer.

PL403

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Serpentine Jarrahdale
 Local Planning Scheme No. 2—Amendment No. 208

Ref: TPS/2425

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 Serpentine Jarrahdale Local Planning Scheme amendment on 26 April 2023 for the purpose of—

1. Replacing the text in 'Appendix 10—Byford Development Contribution Area—Scheme Development Contribution' with the following:

Development contribution area name	10A—Development Contribution Area 1—Byford
Reference number on Scheme Map(s)	DCA 1
Boundary of development contribution area	Refer Scheme Map(s)

Items—

Thomas Road (Primary Regional Road) between Tonkin Highway and Wungong South Road—

- Land required to achieve a 50-metre wide road reserve, plus additional land where necessary to accommodate channelization and/or roundabout construction at intersections.
- Earthworks for the unconstructed carriageway;
- The construction and upgrade of one carriageway to a Primary Regional Road standard, including intersection treatments and traffic control devices as required;
- Associated drainage works including water sensitive urban design measures
- Shared paths;
- Utility removal, relocation and insertion, and
- Associated costs including design and management.

Abernethy Road (Integrator A) between Tonkin Highway reserve and the Perth to Bunbury railway reserve where the portion of Abernethy Road adjacent to the Byford Trotting Complex area incurs only half the cost of road widening, construction and upgrade within the DCP—

- Land required to achieve a 30-metre wide road reserve, plus additional land where necessary to accommodate channelization and/or roundabout construction at intersections.
- Earthworks for the whole road reserve;
- Complete road construction to a Liveable Neighbourhoods Neighbourhood Connector A standard, including intersection treatments and traffic control devices as required;
- Associated drainage works including water sensitive urban design measures;
- Shared paths;
- Utility removal, relocation and insertion; and
- Associated costs including design and management.

Orton Road (Integrator B) between Tonkin Highway and the South Western Highway—

- Land required to achieve a 30-metre wide road reserve, plus additional land where necessary to accommodate channelization and/or roundabout construction at intersections.
- Earthworks for the whole road reserve;
- One at-grade rail crossing
- Complete road construction to a Liveable Neighbourhoods Integrator B standard, including intersection treatments and traffic control devices as required;
- Associated drainage works including water sensitive urban design measures;
- Shared paths;
- Utility removal, relocation and insertion; and
- Associated costs including design and management.

Note: The construction of the at-grade crossing is subject to agreement between the Road Manager and Rail Infrastructure Manager. The Local Government is responsible to manage communications between all stakeholders, obtain the required approvals and arrange for an Australian Level Crossing Assessment Model (ALCAM) Report and a Rail Safety Report to be undertaken.

In the event that an at-grade rail crossing is not approved, the local government is to apply any funds already collected to an approved alternate rail crossing or if no rail crossing is approved any collected funds shall be applied to the Orton Road infrastructure item generally or other infrastructure items in the DCP.

Kardan Boulevard (Neighbourhood Connector A) between Thomas Road and Abernethy Road—

- Land required to achieve a 25m wide road reserve from Abernethy Road to Fawcett Road and a 30m wide road reserve from Fawcett Road to Thomas Road, plus additional land where necessary to accommodate channelization and/or roundabout construction at intersections.
- Earthworks for the whole road reserve;

-
- Complete road construction to a Liveable Neighbourhoods Neighbourhood Connector A standard, including intersection treatments and traffic control devices as required;
 - Associated drainage works including water sensitive urban design measures;
 - Shared paths;
 - Utility removal, relocation and insertion; and
 - Associated costs including design and management.
-

Indigo Parkway (Integrator B) between Thomas Road and Larsen Road—

- Land required to achieve a 22.5m wide road reserve adjacent to Public Open Space, a 30m wide road reserve for the Malarkey Rd section, and a 27.5m wide road reserve for the remaining areas, plus additional land where necessary to accommodate channelization and/or roundabout construction at intersections.
 - Earthworks for the whole road reserve;
 - Complete road construction to a Liveable Neighbourhoods Integrator B standard, including intersection treatments and traffic control devices as required;
 - Associated drainage works including water sensitive urban design measures;
 - Shared paths;
 - Utility removal, relocation and insertion; and
 - Associated costs including design and management.
-

Sansimeon Boulevard (Integrator B) south of Larsen Road to Abernethy Road—

- Land required to achieve a 22.5m wide road reserve between Larsen Road and Armadan Court, and a 30m wide road reserve for the remaining areas, plus additional land where necessary to accommodate channelization and/or roundabout construction at intersections.
 - Earthworks for the whole road reserve;
 - Complete road construction to a Liveable Neighbourhoods Integrator B standard, including intersection treatments and traffic control devices as required;
 - Associated drainage works including water sensitive urban design measures;
 - Shared paths;
 - Utility removal, relocation and insertion; and
 - Associated costs including design and management.
-

Doley Road (Neighbourhood Connector A) between Abernethy Road and Orton Road—

- Land required to achieve a 30m wide road reserve, plus additional land where necessary to accommodate channelization and/or roundabout construction at intersections;
 - Earthworks for the whole road reserve;
 - Complete road construction to a Liveable Neighbourhoods Neighbourhood Connector A standard, including intersection treatments and traffic control devices as required;
 - Associated drainage works including water sensitive urban design measures;
 - Shared paths;
 - Utility removal, relocation and insertion; and
 - Associated costs including design and management.
-

Warrington Road (Neighbourhood Connector B) between Abernethy Road and Orton Road—

- Land required to achieve a 20m wide road reserve and where necessary to accommodate channelization and/or roundabout construction at intersections;
 - Earthworks for the whole road reserve;
 - Complete road construction to a Liveable Neighbourhoods Neighbourhood Connector B standard, including intersection treatments and traffic control devices as required;
 - Associated drainage works including water sensitive urban design measures;
 - Shared paths;
 - Utility removal, relocation and insertion; and
 - Associated costs including design and management.
-

Byford Central District Open Space Improvements—

- Earthworks;
 - Grassing;
 - Irrigation; and
 - Associated costs relating to construction including design and management.
-

West Byford Primary School/Kalimna District Open Space Improvements (under a JUA)—

- Earthworks;
 - Grassing;
 - Irrigation; and
 - Associated costs relating to construction including design and management.
-

The Glades District Open Space Improvements—

- Earthworks;
- Grassing and/or Hard Landscaping;
- Irrigation; and
- Associated costs relating to construction including design and management.

Orton Road District Open Space Improvements and REW Enhancement—

This is a shared project with the Community Infrastructure DCP to provide a District Open Space with one full sized AFL oval. The building and lights will be covered by the Community DCP and the oval and land will be provided through the Byford Traditional Infrastructure DCP. Works covered under the Byford Traditional DCP include—

- Earthworks;
- Grassing;
- Irrigation;
- Associated costs relating to construction including design and management.

In addition to the above, the buffer associated with the Cardup Brook Resource Enhancement Wetland (REW) is considered a regionally valuable ecological and environmentally sensitive corridor. As such, the Shire requires the REW along the Cardup Brook to be developed to a standard considered above minimum standard.

Land for District Open Space, Public Open Space, Drainage and Roads—

All land required for district open space, public open space (including Community Purpose POS), multiple use drainage corridors and new roads or road widening.

Water Monitoring—

All expended and estimated future costs for the post development water monitoring programme required by the Byford town site Drainage and Water Management Plan.

Administrative—

All future costs associated with administration of the DCP, including—

- Costs to prepare and administer the DCP;
- Costs associated with the annual review of cost estimates;
- Costs associated with the review of the cost apportionment schedules based on land development undertaken since the last review;
- Costs for undertaking valuations;
- Fees for professional services directly linked to the preparation and implementation of the DCP;
- Costs for computer software and/or hardware upgrades necessary to enable DCP preparation;
- Proportion of staff salaries directly related to DCP administration;
- Financial institution fees and charges associated with the administration of DCP funds; and
- Interest charged on loans taken out to pre-fund items included in the DCP.

Contribution methodology

The Byford development contribution area is divided into five precincts as shown on Plan 10A of Appendix 10.

Cost Contribution rate is to be calculated on a m² basis based on the remaining developable land in the DCP Precinct/Area identified in Plan 10A. The remaining DCP cost is shared proportionally across the remaining developable land in the DCP Precinct/Area as follows—

(Remaining Cost / Remaining Developable land = \$ contribution rate per m²).

For simplicity of calculation, all Residential lots/dwellings will be calculated as an average R20 (450m²) lot. For Non-Residential subdivision or development, the actual lot area is used for the calculation.

A cost review is to be undertaken at least annually, at which time the Contribution rate will be established based on—

- Road Upgrades and Construction
- District Open Space Improvements
- Land required for Roads, POS, Community Purpose POS, Drainage and DOS
- Water monitoring costs
- Administration Costs
- Yields and Lots completed and expected
- Escalation Rates

To ensure costs remain current between Cost Reviews, all costs will be calculated on a daily basis based upon an annual escalation rate to be established through the Cost Review. The start date for daily escalation is the approval date for the prevailing Cost Review.

The Contribution Rate is to be applied as follows where the DER is the daily escalation rate and D is the number of days since the last cost review—

(i) Standard residential subdivision or development—

The number of additional dwellings/lots being created at the time of **subdivision/development** multiplied by the applicable development contribution rate.

(Precinct contribution rate per lot/dwelling x DER x D x number of additional lots or dwellings being created = Required development contribution).

(ii) Non-standard residential subdivision or development

E.g. Lifestyle village, retirement village, caravan park, park home estate or similar.

The number of additional dwellings, residential units or similar created at the time of subdivision/development multiplied by the applicable development contribution rate.

(Precinct contribution rate per lot/dwelling x DER x D x number of additional lots or dwellings being created = Required development contribution)

(iii) Non-residential subdivision or development

A development contribution is required for the creation of non-residential lots based on the actual size and number of lots created (minus the equivalent of one lot), multiplied by the applicable development contribution rate. Where a subdivision creates a lot that accommodates an existing approved non-residential development, that lot shall be exempt from the requirement for a development contribution to be made. For clarity purposes, the area of the lot accommodating the existing approved non-residential development is to be subtracted from the overall subdivision area, before calculating the development contribution for the remaining balance of the subdivision area.

New non-residential development (including alterations and additions to existing non-residential development) will not be required to make a development contribution unless the new non-residential development results in increased traffic to the subject land, as identified by the information provided by the applicant in support of the development application for that new non-residential development. Where increased traffic is identified to occur, the applicable development contribution is to be calculated as follows—

Square metre rate x square metre size of land being developed (including alterations and additions) = Required development contribution

For new private education establishments and associated development, provided a shared use agreement for public access to district open space is agreed to the satisfaction of the Local Government, development contributions shall be levied at 0.3 percent of the total development costs of the site, as agreed with the Local Government based on the building licence application.

(iv) Mixed-use development

The R20 subdivision/development potential of the site, or the actual number of lots/dwellings being created at the time of subdivision/ development, whichever is the greater (minus the equivalent of one lot or dwelling), multiplied by the applicable development contribution rate.

Where based on dwelling potential—

(Precinct contribution rate per lot/dwelling x DER x D x R20 subdivision/development potential of the site—the equivalent of one lot or one dwelling = Required contribution rate).

Where based on the actual number of dwellings—

(Precinct contribution rate per lot/dwelling x DER x D x actual number of residential lots/dwellings being created—the first dwelling being created = Required development contribution).

Period of operation

20 years (2034)

Priority and timing of infrastructure provision

A summary of the estimated timing and priority for the delivery of each item of infrastructure is provided below to align with the Council's long-term strategic plan and infrastructure plan with the details outlined in the Development Contribution Plan Report.

The following infrastructure items are priority items—

1. Indigo Parkway
2. Sansimeon Boulevard

The infrastructure items are to be delivered in the following broad timeframes with a more detailed timeline provided in the Development Contribution Plan Report—

1. Short Term 1-5 years
 - a. Abernethy Road
 - b. Kardan Boulevard
 - c. Indigo Parkway
 - d. Sansimeon Boulevard
 - e. Byford Central DOS
 - f. Kalimna DOS
 - g. The Glades DOS
 2. Medium Term 6-10 years
 - a. Doley Road
 - b. Warrington Road
 - c. Orton Road
-

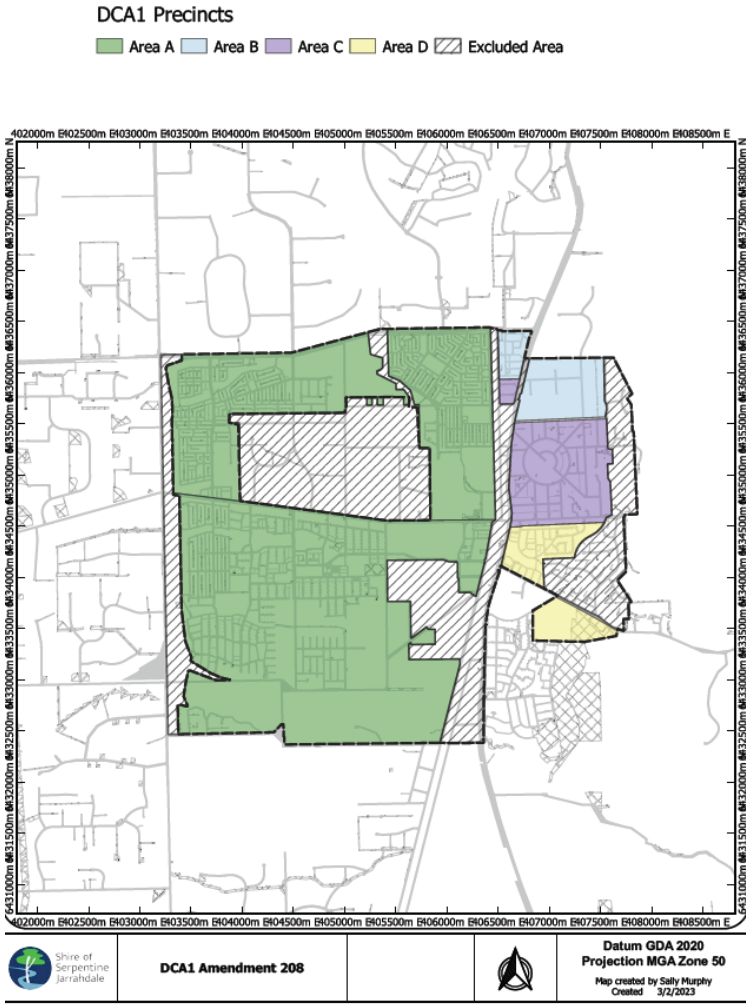
- d. Orton Rd DOS
- 3. Long Term 11-15 years
 - a. Thomas Road

Refer to Development Contribution Plan report (as revised from time to time)

Review Process

The development contribution plan will be reviewed when considered appropriate, having regard to the rate of subsequent development in the area since the last review and the degree of development potential still existing, but not exceeding a period of 5 years.

- 2. Replacing 'Plan No. 10a Byford Development Contribution Areas'.



- 3. Amending the Scheme Maps to replace the DCA1 boundary with the DCA boundary shown on the Proposed Zoning Map.

M. RICH, Shire President.
P. MARTIN, Chief Executive Officer.

PL404

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Serpentine Jarrahdale
Local Planning Scheme No. 2—Amendment No. 209

Ref: TPS/2426

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 Serpentine Jarrahdale Local Planning Scheme amendment on 26 April 2023 for the purpose of—

- 1. Replacing the text in "Appendix 10—West Mundijong Industrial Development Contribution Area—Scheme Development Contribution, with:

Development contribution area name	10B—West Mundijong Industrial
Reference number on Scheme Map(s)	DCA2
Boundary of development contribution area	Refer Scheme Map(s)
Relationship to other planning instruments	The development contribution plan generally aligns with the district and/or local structure plans (as approved) prepared for the development contribution area.
Items	<p>Mundijong Road (West) (Integrator B) between Kargotich Road and the Tonkin Highway reservation—</p> <ul style="list-style-type: none"> Land required to achieve a 40m wide road reserve, plus additional land where necessary to accommodate channelization and/or roundabout construction at intersections; Earthworks for the whole road reserve; The construction and upgrade of one carriageway to a Liveable Neighbourhoods Integrator B standard; Associated drainage works including water sensitive urban design measures; Traffic control devices including intersection treatments incorporating slip lanes and associated works (to be confirmed by MRWA); Shared paths; Utility removal, relocation and insertion; and Associated costs including design, administration, and management. <p>Kargotich Road (Integrator B) between the freight rail crossing and Mundijong Road—</p> <ul style="list-style-type: none"> Land required to achieve a 30m wide road reserve, plus additional land where necessary to accommodate channelization and/or roundabout construction at intersections; Earthworks for the whole road reserve; Complete road construction to a Liveable Neighbourhoods Integrator B standard; Associated drainage works including water sensitive urban design measures; Traffic control devices including intersection treatments incorporating slip lanes and associated works; Shared paths; Utility removal, relocation and insertion; and Associated costs including design, administration, and management. <p>Bishop Road (West) (Integrator B) between Kargotich Road and Tonkin Highway reservation—</p> <ul style="list-style-type: none"> Land required to achieve a 30m wide road reserve, plus additional land where necessary to accommodate channelization and/or roundabout construction at intersections; Earthworks for the whole road reserve; Complete road construction to a Liveable Neighbourhoods Integrator B standard; Associated drainage works including water sensitive urban design measures; Traffic control devices including one set of traffic lights, intersection treatments incorporating slip lanes and associated works; Shared paths; Utility removal, relocation and insertion; and Associated costs including design, administration, and management. <p>North South Spine Road (Integrator B) between Bishop Road and Mundijong Road.</p> <ul style="list-style-type: none"> Land required to achieve a 30m wide road reserve, plus additional land where necessary to accommodate channelization and/or roundabout construction at intersections; Earthworks for the whole road reserve; Complete road construction to a Liveable Neighbourhoods Integrator B standard;

	<ul style="list-style-type: none"> • Associated drainage works including water sensitive urban design measures; • Traffic control devices including intersection treatments incorporating slip lanes and associated works; • Shared paths; and, • Associated costs including design, administration, and management. <p>Land for drainage—All land required for district drainage purposes.</p> <p>Administrative— All expended and estimated future costs associated with administration, planning, review and development of the District Structure Plan, District Water Management Plan/s, preparation and implementation of the West Mundijong Industrial Development Contribution Plan and any technical documents necessary for the implementation of the above, including—</p> <ul style="list-style-type: none"> • Planning studies; • Traffic studies; • Drainage studies; • Road design costs where not allocated to specific roads items under the DCP; • Other related technical and professional studies; • Legal Costs; • Valuations and cost review estimates; • Borrowing costs (including loan repayments); and • Scheme Management Costs (including administration and management of the Development Contribution Plan).
Contribution methodology	<p>A Cost Contribution rate is to be calculated on a per hectare or square metre basis.</p> <p>The formula for calculating cost contributions on a per hectare basis is as follows—</p> $\text{Total Costs Outstanding} / \text{Total Remaining Developable Land} = \text{Contribution cost per hectare}$ <p>To ensure costs remain current between Cost Reviews all costs will be calculated on a daily basis based upon an annual escalation rate to be established through the Cost Review.</p> <p>The weighted escalation rate (ER) is detailed below—</p> $\text{ER} = (\% \text{IC/TC} \times \text{IER}) + (\% \text{LV/TC} \times \text{LVER}) + (\% \text{AC/TC} \times \text{AER})$ <p>Where—</p> <ul style="list-style-type: none"> • ER—is the weighted Escalation Rate; • DER—is the daily escalation rate (ER/365); • IC—is the estimated Infrastructure Cost; • LV—is the estimated Land Value; • AC—is the estimated Administration Cost • TC—is the Total Cost being IC + LV + AC; • IER—is the Infrastructure Escalation Rate; • LVER—is the Land Value Escalation Rate; • AER—is the Administration Escalation Rate; and • D—is the number of days since the last cost review. <p>The start date for daily escalation is the review date for the prevailing Cost Review.</p>
Period of operation	10 Years
Review Process	<p>The Plan will be reviewed when considered appropriate, though not exceeding a period of five years duration, having regard to the rate of subsequent development in the catchment area since the last review and the degree of development potential still existing.</p> <p>The estimated costs will be reviewed at least annually to reflect changes in funding, indexing and revisions to remaining infrastructure or land costs. Revisions to costs of Infrastructure and value of land will be undertaken by a suitably qualified person, as referred to in clause 9.3.11.3 of TPS2.</p> <p>Contribution values will be adjusted to reflect these changes to estimated costs, as well as taking into account any adjustment for the DCP fund being in surplus or deficit (revenue received versus expenditure incurred).</p>
Priority and timing of infrastructure provision	<p>A summary of the estimated timing and priority for the delivery of each item of infrastructure is provided below to align with the Council's long-term strategic plan and infrastructure plan with the details outlined in the Development Contribution Plan Report.</p> <p>The following items are priority items—</p> <ol style="list-style-type: none"> 1. Kargotich Road

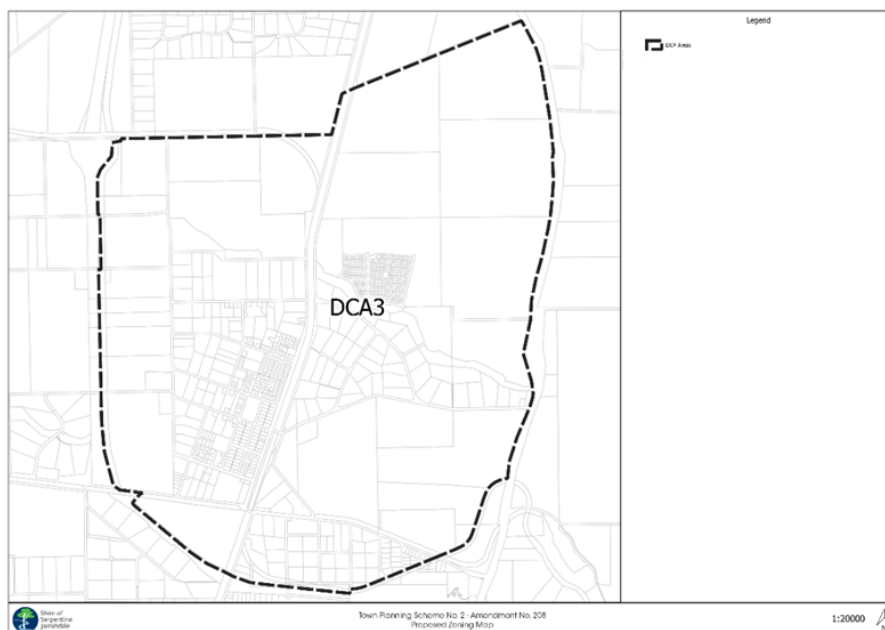
	<p>The infrastructure items are to be delivered in the following broad timeframes with a more detailed timeline provided in the Development Contribution Plan Report—</p> <ol style="list-style-type: none"> 1. Short Term 1-5 years <ol style="list-style-type: none"> a. Kargotich Road 2. Medium Term 6-10 years <ol style="list-style-type: none"> a. Bishop Road (West) b. North South Spine Road c. Mundijong Road (West) <p>Refer to annual Development Contribution Plan Report.</p>
2. Adding a new entry into Appendix 10; 10C—Mundijong Urban Development Contribution Area—Scheme Development Contribution'	
Development contribution area name	10C—Mundijong Urban
Reference number on Scheme Map(s)	DCA 3
Boundary of development contribution area	Refer Scheme Map(s)
Items	<p>Bishop Road (East) (Integrator B) upgrade between Tonkin Highway reserve and Bett Road—</p> <ul style="list-style-type: none"> • Land required to achieve a 30m wide road reserve, plus additional land where necessary to accommodate channelization and/or roundabout construction at intersections; • Earthworks for the whole road reserve; • Complete road construction to a Liveable Neighbourhoods Integrator B standard; • Associated drainage works including water sensitive urban design measures; • Traffic control devices including one set of traffic lights and one roundabout; • Upgrade of one existing at-grade rail crossing; • Shared paths; • Utility removal, relocation and insertion; and • Associated costs including design, administration and management. <p>Taylor Road (Integrator B) upgrade between Bishop Road and Keirnan Street—</p> <ul style="list-style-type: none"> • Land required to achieve a 30m wide road reserve, plus additional land where necessary to accommodate channelization and/or roundabout construction at intersections; • Earthworks for the whole road reserve; • Complete road construction to a Liveable Neighbourhoods Integrator B standard. • Associated drainage works including water sensitive urban design measures; • Traffic control devices including intersection treatments and associated works; • Shared paths; • Utility removal, relocation and insertion; and • Associated costs including design, administration and management. <p>Town Centre Distributor Road (Whitby New Road) (Integrator B) construction between Taylor Road and South Western Highway—</p> <ul style="list-style-type: none"> • Land required to achieve a 30m wide road reserve, plus additional land where necessary to accommodate channelization and/or roundabout construction at intersections; • Earthworks for the whole road reserve; • Complete road construction to a Liveable Neighbourhoods Integrator B standard; • Associated drainage works including water sensitive urban design measures; • Traffic control devices including intersection treatments and associated works;

	<ul style="list-style-type: none"> • Construction of one at-grade rail crossing; • Costs associated with one rail crossing closure (Keirnan Street); • Shared paths; • Utility removal, relocation and insertion; and • Associated costs including design and management. <p>Note: The construction of the at-grade crossing is subject to agreement between the Road Manager and Rail Infrastructure Manager. The Local Government is responsible to manage communications between all stakeholders, obtain the required approvals and arrange for an Australian Level Crossing Assessment Model (ALCAM) Report and a Rail Safety Report to be undertaken.</p> <p>Construction of the at-grade crossing should not be considered prior to the freight rail being realigned away from the Mundijong Urban area.</p> <p>In the event that an at-grade rail crossing is not approved, the local government is to apply any funds already collected to an approved alternate crossing or if no crossing is approved any collected funds shall be applied to the Town Centre Distributor Road item generally or other items in the DCP.</p>
	<p>North-South Road (Integrator B) construction between Watkins Road and Galvin Road—</p> <ul style="list-style-type: none"> • Land required to achieve a 30m wide road reserve, plus additional land where necessary to accommodate channelization and/or roundabout construction at intersections; • Earthworks for the whole road reserve; • Complete road construction to a Liveable Neighbourhoods Integrator B standard; • Associated drainage works including water sensitive urban design measures; • Traffic control devices including intersection treatments and associated works; • Shared paths; • Utility removal, relocation and insertion; and • Associated costs including design and management.
	<p>Skyline Boulevard (Neighbourhood Connector A) construction between Town Centre Distributor Road (Whitby New Road) and Tinspar Avenue—</p> <ul style="list-style-type: none"> • Land required to achieve a 25m wide road reserve, plus additional land where necessary to accommodate channelization and/or roundabout construction at intersections; • Earthworks for the whole road reserve; • Complete road construction to a Liveable Neighbourhoods Neighbourhood Connector A standard; • Associated drainage works including water sensitive urban design measures; • Traffic control devices including intersection treatments and associated works; • Shared paths; • Utility removal, relocation and insertion; and • Associated costs including design and management.
	<p>Tinspar Avenue (Neighbourhood Connector A) construction between Skyline Boulevard and South Western Highway—</p> <ul style="list-style-type: none"> • Land required to achieve a 25m wide road reserve, plus additional land where necessary to accommodate channelization and/or roundabout construction at intersections; • Earthworks for the whole road reserve; • Complete road construction to a Liveable Neighbourhoods Neighbourhood Connector A standard; • Associated drainage works including water sensitive urban design measures; • Traffic control devices including intersection treatments and associated works; • Shared paths; • Utility removal, relocation and insertion; and • Associated costs including design and management.

	<p>Whitby High School District Sporting Space (LSP Precinct A) Improvements for a single playing field with minimum dimension of 205m x 175m with costs shared with the Department of Education—</p> <ul style="list-style-type: none"> • Earthworks; • Grassing; • Irrigation; and • Associated costs relating to construction including design and management. <p>Kiernan Park Stage 3 District Sporting Space (LSP Precinct C) Improvements for two playing fields, each having minimum dimension of 205m x 175m—</p> <ul style="list-style-type: none"> • Earthworks; • Grassing; • Irrigation; and • Associated costs relating to construction including design and management. <p>Taylor Road/Scott Road Primary School Neighbourhood Open Space (LSP Precinct G) Improvements for a single playing field with a minimum dimension of 205m x 175m with costs shared with the Department of Education—</p> <ul style="list-style-type: none"> • Earthworks; • Grassing; • Irrigation; and • Associated costs relating to construction including design and management. <p>Land for District Open Space, Public Open Space, and Drainage— All land required for district open space, public open space and/or drainage purposes.</p> <p>Water Monitoring— All expended and estimated future costs for the post development water monitoring programme required by the Mundijong Drainage and Water Management Plan.</p> <p>Administrative— All expended and estimated future costs associated with administration, planning, review and development of the District Structure Plan, District Water Management Plan/s, preparation and implementation of the Mundijong Urban Development Contribution Plan and any technical documents necessary for the implementation of the above, including—</p> <ul style="list-style-type: none"> • Planning studies; • Traffic studies; • Drainage studies; • Road design costs where not allocated to specific roads items under the DCP; • Other related technical and professional studies; • Legal Costs; • Valuations; • Borrowing costs (including loan repayments); and • Scheme Management Costs (including administration and management of the DCP).
Contribution methodology	<p>A Cost Contribution rate is to be calculated on a m² basis based on the remaining developable land in the DCP Precinct/Area. The remaining DCP cost is shared proportionally across the remaining developable land in the DCP Precinct/Area as follows— (Remaining Cost / Remaining Developable land = \$ contribution rate per m²).</p> <p>For simplicity of calculation, all Residential lots/dwellings will be calculated as an average R25 (350m²) lot. For Non-Residential subdivision or development, the actual lot area is used for the calculation.</p> <p>A Cost Review is to be undertaken at least annually at which time the Contribution Rate will be established based on—</p> <ol style="list-style-type: none"> Summary of Costs Estimated Future Lot Yield by approved Local Structure Plan by Precinct. Estimated Future Lot Yield by intended local Structure Plan by Precinct.

	<p>(d) Contribution Rate Per Lot by cost Item.</p> <p>(e) Outstanding Cost of Completed Works (Expenditure on All Cost Items—Value of All Contributions Received).</p> <p>(f) Infrastructure Cost Escalator.</p> <p>(g) Land Value Escalator.</p> <p>(h) Administration Cost Escalator.</p> <p>(i) Precinct Daily Escalation Rate.</p> <p>To ensure costs remain current between Cost Reviews all costs will be calculated on a daily basis based upon an annual escalation rate to be established through the Cost Review.</p> <p>The weighted escalation rate (ER) is detailed below—</p> $ER = (\%IC/TC \times IER) + (\%LV/TC \times LVER) + (\%AC/TC \times AER)$ <p>Where—</p> <ul style="list-style-type: none"> • ER—is the weighted Escalation Rate; • DER—is the daily escalation rate (ER/365); • IC—is the estimated Infrastructure Cost; • LV—is the estimated Land Value; • AC—is the estimated Administration Cost • TC—is the Total Cost being IC + LV + AC; • IER—is the Infrastructure Escalation Rate; • LVER—is the Land Value Escalation Rate; • AER—is the Administration Escalation Rate; and • D—is the number of days since the last cost review.
	<p>The start date for daily escalation is the review date for the prevailing Cost Review.</p> <p>R25 zoning (350m² average dwelling) has been selected as the most appropriate for the Mundijong Urban area, given the current and forecasted trends for subdivision applications, and high likelihood that much of the development will cater towards first-time homebuyers.</p> <p>The Contribution Rate is to be applied as follows where DER is the daily escalation rate, D is the number of days since the last cost review and the R25 potential is the developable site/lot area divided by 350m²—</p> <p>(i) <i>Standard residential subdivision or development</i></p> <p>The number of additional dwellings/lots being created at the time of subdivision/development multiplied by the applicable development contribution rate.</p> $(\text{Contribution rate per lot/dwelling} \times \text{DER} \times \text{D}) \times \text{number of additional lots or dwellings being created} = \text{Required development contribution}$ <p>(ii) <i>Non-standard residential subdivision or development (e.g. Lifestyle village, retirement village, caravan park, park home estate or similar).</i></p> <p>The number of additional dwellings, residential units or similar created at the time of subdivision/development multiplied by the applicable development contribution rate.</p> $(\text{Contribution rate per lot/dwelling} \times \text{DER} \times \text{D}) \times \text{number of additional lots or dwellings being created} = \text{Required development contribution}$ <p>(iii) <i>Non-residential subdivision or development</i></p> <p>A development contribution is required for the creation of non-residential lots based on the actual size and number of lots created (minus the equivalent of one lot), multiplied by the applicable development contribution rate. Where a subdivision creates a lot that accommodates an existing approved non-residential development, that lot shall be exempt from the requirement for a development contribution to be made. For clarity purposes, the area of the lot accommodating the existing approved non-residential development is to be subtracted from the overall subdivision area, before calculating the development contribution for the remaining balance of the subdivision area.</p> <p>New non-residential development (including alterations and additions to existing non-residential development) will not be required to make a development contribution unless the new non-residential development results in increased traffic to the subject land, as identified by the information provided by the applicant in support of the development application for that new non-residential development. Where increased traffic is identified to occur, the applicable development contribution is to be calculated as follows—</p>

	<p>Square metre rate x square metre size of land being developed (including alterations and additions) = Required development contribution</p> <p>For new private education establishments and associated development, provided a shared use agreement for public access to district open space is agreed to the satisfaction of the Local Government, development contributions shall be levied at 0.3 percent of the total development costs of the site, as agreed with the Local Government based on the building licence application.</p> <p>(iv) <i>Mixed-use development</i></p> <p>The R25 subdivision/development potential of the site, or the actual number of lots/dwellings being created at the time of subdivision/development, whichever is the greater (minus the equivalent of one lot or dwelling), multiplied by the applicable development contribution rate.</p> <p>Based on the R25 site calculation</p> <p>(Precinct contribution rate per lot/dwelling x DER x D) x (R25 subdivision/development potential of the site—the equivalent of one lot or one dwelling) = Required contribution rate</p> <p>Based on the number of dwellings</p> <p>(Precinct contribution rate per lot/dwelling x DER x D) x (actual number of residential lots/dwellings being created—the first dwelling being created) = Required development contribution</p>
Period of operation	15 years (2034)
Priority and timing of infrastructure provision	<p>A summary of the estimated timing and priority for the delivery of each item of infrastructure is provided below to align with the Council's long-term strategic plan and infrastructure plan with the details outlined in the Development Contribution Plan Report.</p> <p>The following items are priority items—</p> <ol style="list-style-type: none"> 1. Bishop Road (East) <p>The infrastructure items are to be delivered in the following broad timeframes with a more detailed timeline provided in the Development Contribution Plan Report—</p> <ol style="list-style-type: none"> 1. Short Term 1-5 years <ol style="list-style-type: none"> a. Kiernan Park Stage 3 District Sporting Space b. Bishop Road (East) c. Town Centre Distributor Road (Whitby New Road) 2. Medium Term 6-10 years <ol style="list-style-type: none"> a. Taylor Road b. Skyline Boulevard c. Tinspar Avenue 3. Long Term 11-15 years <ol style="list-style-type: none"> a. North South Road b. Whitby High School District Sporting Space c. Taylor Road /Scott Road Primary School Neighbourhood Open Space <p>Refer development contribution plan report (as revised from time to time).</p>
Review Process	<p>The Plan will be reviewed when considered appropriate, though not exceeding a period of five years duration, having regard to the rate of subsequent development in the catchment area since the last review and the degree of development potential still existing.</p> <p>The estimated costs will be reviewed at least annually to reflect changes in funding, indexing and revisions to remaining infrastructure or land costs. Revisions to costs of Infrastructure and value of land will be undertaken by a suitably qualified person, as referred to in clause 9.3.11.3 of TPS2.</p> <p>Contribution values will be adjusted to reflect these changes to estimated costs, as well as taking into account any adjustment for the DCP fund being in surplus or deficit (revenue received versus expenditure incurred).</p>
<ol style="list-style-type: none"> 3. Inserting the DCA3 boundary into the Scheme Maps as shown on the proposed Zoning Map ('Plan No. 10C—Mundijong Urban Traditional Infrastructure Development Contribution Area'). 4. Inserting Plan No. 10C—Mundijong Urban Traditional Infrastructure Contribution Area into Appendix 10; and 	



5. Amending the Scheme Map to show the new DCA3 boundary and notation accordingly.

M. RICH, Shire President.
P. MARTIN, Chief Executive Officer.

PREMIER AND CABINET

PR401

INTERPRETATION ACT 1984 MINISTERIAL ACTING ARRANGEMENTS

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

Hon S. E. Winton MLA to act temporarily in the office of Minister for Transport; Planning; Ports in the absence of the Hon R. Saffioti MLA for the period 26 June to 3 July 2023 (both dates inclusive).

E. ROPER, Director General, Department of the Premier and Cabinet.

PUBLIC NOTICES

ZZ401

TRUSTEES ACT 1962 DECEASED ESTATES

Notice to Creditors and Claimants

In the matter of the Estate of Patricia Taylor late of 20 Bright Road Calista 6167 Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* relates) in respect of the deceased who died on 29 April 2022, are required by the Executor Charmaine Taylor of 37 Adelong Avenue Golden Bay 6174, to send the particulars of their claims to 37 Adelong Avenue Golden Bay 6174 by one month from the publication of this notice after which date the Personal Representative may convey or distribute the assets, having regard only to the claims of which they then have notice.

ZZ402**TRUSTEES ACT 1962****DECEASED ESTATES**

Notice to Creditors and Claimants

Emily Florence Cheesman, late of 51 Alexander Drive, Menora in the State of Western Australia, Retired, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* relates) in respect of the estate of the deceased, who died on 26 November 2022 at Acacia Living Group, Menora Gardens Retirement Village, 51 Alexander Drive, Menora in the State of Western Australia, are required by the trustee Anthony Michael Fifield, c/- Avon Legal Suite 7, 9 The Avenue, Midland in the State of Western Australia to send particulars of their claims to him within 1 month of this notice, after which date the trustee may convey or distribute the assets, having regard only to the claims of which he then has notice.

ZZ403**TRUSTEES ACT 1962****DECEASED ESTATES**

Notice to Creditors and Claimants

Laurence Albert Jury late of 220 Illawarra Crescent, Ballajura, in the State of Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* relates) in respect of the estate of the deceased who died on the 4th day of March 2022 at Ballajura in the said State are required by the executor Jasmine Collier to send particulars of their claims to Jasmine Collier of PO Box 1291, East Victoria Park W.A. 6981 by the date one month following the publication of this notice after which date the executors may convey or distribute the assets having regard only to the claim for which she has then had notice.

ZZ404**TRUSTEES ACT 1962****DECEASED ESTATES**

Notice to Creditors and Claimants

In the matter of the Estate of Denis Michael Cullity, late of 40 Marine Parade, Cottesloe, in the State of Western Australia, deceased.

Creditors and other persons having claims to which Section 63 of the *Trustees Act 1962* relates in respect of the Estate of the deceased, who died on 5th day of September 2022, are required by the Executors Kevin John Edwards and Kylie Dekkers, to send the particulars of their claim to Messrs Taylor Smart of Level 2, 100 Railway Road, Subiaco, in the State of Western Australia, by 29th day of June 2023, after which date the said Executors may convey or distribute the assets, having regard only to the claims of which they then have had notice.

Dated 18th May 2023.

GLEN BERNARD GILES, Taylor Smart.

ZZ405**TRUSTEES ACT 1962****DECEASED ESTATES**

Notice to Creditors and Claimants

Molly Broadberry, late of 73 Caridean Street, Heathridge, Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* relates) in respect of the estate of the deceased, who died on 23 March 2023, are required to send particulars of their claims to Executor Karen Hope of 73 Caridean Street, Heathridge, Western Australia, 6027 within one month of the date of the publication of this notice, after which date the Executor may convey or distribute the assets, having regard only to the claims of which she then has notice.
