

APPENDIX L

GAZETTAL NOTICE – AMENDMENT 71

11. Burning of Garden Refuse and Rubbish—s.24G *Bush Fires Act 1954*

The burning of garden refuse or rubbish is prohibited on all land under 4000m² in size during the Limited Burning Time that would otherwise be permitted under Section 24F.

For the purposes of this Clause “Limited Burning Time” means the 1 October each calendar year through until 15 May the following calendar year (inclusive, and as varied pursuant to Sections 17 and 18 of the *Bush Fires Act 1954*).

On land larger than 4001 m² the burning garden waste and rubbish that would otherwise be permitted under Section 24F is prohibited absolutely during the Prohibited Burning Time.

The effect of this clause is that the burning of garden refuse or rubbish in an incinerator or on the ground on land that is 4000m² or less in size is prohibited during the Limited Burning Time and the burning of garden refuse or rubbish in an incinerator or on the ground is prohibited on all land within the district during the Prohibited Burning Time.

In addition to the above restrictions, garden refuse burned on the ground is burned in accordance with this clause if—

- (a) there is no flammable material (other than that being burned) within 5 metres of the fire at any time while the fire is burning; and,
- (b) the fire is lit between 6pm. and 11pm and is completely extinguished before midnight on the same day; and,
- (c) at least one person is present at the site of the fire at all times until it is completely extinguished; and,
- (d) one pile (up to one cubic metre in size), can only be burnt at a time; and,
- (e) when the fire is no longer required, the person ensures that the fire is completely extinguished by the application of water or earth,

but excluding any time when there is in force a fire danger forecast issued for that place by the Bureau of Meteorology in Perth of “catastrophic”, “extreme”, “severe” or “very high”.

12. Penalties

The penalty for failing to comply with this Notice is a fine not exceeding \$5,000. A person in default is also liable whether prosecuted or not to pay the costs of performing the work directed by this Notice if it is not carried out by the owner and/or occupier by the date required by this Notice.

The notices previously published in the *Government Gazette* on—

- 11 September 2012 (No. 162), page 4352;
- 30 July 2013 (No. 135), (LG501), pages 3491 to 3493;
- 22 August 2014 (No. 130, (LG403), page 3040; and
- 20 October 2015 (No. 157), (LG 502), page 4298

are hereby revoked.

DEAN L. UNSWORTH, Chief Executive Officer.

PLANNING

PL401*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Town of Port Hedland
Local Planning Scheme No. 5—Amendment No. 71

Ref: TPS/1500

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the Town of Port Hedland Local Planning Scheme amendment on 27 June 2016 for the purpose of—

1. Inserting a new sub-clause (i) into clause 5.2.1 as follows—
“(i) Strategic Industry Zone”.
2. Inserting a new clause 5.3.10 as follows—
Boodarie Strategic Industrial Area;
 - (a) Establish synergies and clustering of co-located industries, transport and infrastructure, including port related and upstream industrial activities;
 - (b) Give priority to strategic resource processing industrial development comprising downstream processing such as iron ore processing, petro and gas processing, non-ferrous processing, noxious and port dependent processing, and other strategic industries;
 - (c) Promote proponent initiated industrial subdivision and development to facilitate strategic downstream resource processing;

- (d) Enable support industries provided they are complementary to and offer goods and services that directly support and are compatible to downstream resource processing and other strategic industries;
- (e) Facilitate local employment and economic growth opportunities through downstream resource processing and strategic industrial development.”
3. In relation to section 7.2 Boodarie Industrial Buffer Special Control Area—
- (a) Amending clause 7.2.1 to read as follows—
- “Sensitive land uses shall not be permitted in the Boodarie Industrial Buffer Special Control Area. Sensitive land uses include, but are not limited to—
- *All uses listed under the ‘Residential’ category of the zoning table;*
 - *Juvenile detention;*
 - *Restaurant;*
 - *Consulting Rooms;*
 - *Take-away Food Outlet;*
 - *Entertainment Venue;*
 - *Arts and Crafts Centre;*
 - *Child Care Service;*
 - *Place of Public Meeting;*
 - *Assembly or Worship;*
 - *Private Recreation;*
 - *Public Recreation;*
 - *Place of Animal Care;*
 - *Equestrian Centre;*
 - *Industry-Cottage*
- And any other use not listed above that may be considered a sensitive use as determined by the Council.
- (b) Amending clause 7.2.2 to read as follows—
- Applications for planning approval within the Boodarie Industrial Buffer Special Control Area, Council shall demonstrate the following—
- (a) The proposal is compatible with any existing or proposed future use or development within the Boodarie Strategic Industrial Area Development Plan Area identified in Appendix 5 of this Scheme;
- (b) The existing, proposed or likely risks, hazards and nuisance (including but not limited to noise, odour and light) associated with the Strategic Industry Zone;
- (c) The potential impacts of the proposal on the efficient development of the Boodarie Strategic Industrial Area;
- (d) The likelihood of the proposed development adversely affecting the efficiency and capacity of the Turner River and surrounding landscape to safely carry and discharge floodwaters, including any backwater flows;
- (e) The likelihood of the proposed development adversely affecting the safety of land zoned ‘Strategic Industry’ during flood events; and
- (f) The likelihood of the proposed development adversely affecting the safety of Pilbara Port Authority land and any other adjoining land areas during flood events.
- (c) Inserting a new clause as clause 7.2.3 as follows—
- “When considering an application for planning approval with respect to land wholly or partly within the Boodarie Industrial Buffer Special Control Area, the Council shall refer the proposal to the relevant State Government Agencies, Government Trading Enterprises and other stakeholders for comment.”
4. Rezoning portion of Lot 203 (Vol and Folio LR3128 641) on Deposited Plan 220594 from ‘Rural’ to reserve for ‘Other Public Purpose: Infrastructure’ and rezone Lot 372 on DP35620 Reserve 29082 to ‘Other Public Purpose: Port Facilities’, as more clearly shown on the amendment map.
5. Amending Appendix 2 by inserting the following additional use provisions—

No	Description of Land	Additional Use	Conditions
195	Lot 5164 Shoata Road, South Hedland	Public Recreation Private Recreation Equestrian Centre	1. The additional uses specified shall be deemed ‘SA’ use for the purposes of the Scheme. 2. Notwithstanding any other provision of the Scheme, the development of the additional uses specified shall not be approved unless it is demonstrated these uses are incidental to an existing use.

No	Description of Land	Additional Use	Conditions
			3. The Council in determining applications for planning consent for the additional uses specified shall have regard to clauses 7.2.2 and 7.2.3.
			4. Applications for planning consent for the additional uses specified shall demonstrate the proposed development does not prevent, inhibit or adversely affect, or itself be affected by, the development of any potential use within the Boodarie Strategic Industrial Area.
6.	Amend Appendix 5 to identify the Boodarie Strategic Industrial Area and abutting portion of Lot 203 (Vol and Folio LR3128 641) on Deposited Plan 220594 to be reserved for 'Other Purposes: Infrastructure' and portion of Lot 372 on DP35620 (Reserve 29082) to be reserved 'Other Public Purposes: Port Facilities' as a Development Plan Area.		
7.	Amending Appendix 10 to change the title to 'Additional Requirements for Precincts' and inserting a new precinct for the Boodarie Strategic Industrial Area with the following conditions— Boodarie Strategic Industrial Area—		
	i. On-site and off-site buffers required to separate uses within the industrial precincts and the Special Control Area from adjacent incompatible industrial or sensitive uses;		
	ii. Implementation of the Boodarie Strategic Industrial Area District Water Management Strategy and in accordance with the water management guidance issued by the Department of Water;		
	iii. Coordination of proponent provided infrastructure including road access, means of effluent disposal, water supply, power supply and other key infrastructure services;		
	iv. Identification of 'shared infrastructure corridors'.		
8.	Inserting a new clause 5.2.12 as follows— 5.2.12 A Development Plan may require additional conditions and these shall be outlined in Appendix 10.		
9.	Amend the zoning table by changing the permissibility of the following land uses within the Strategic Industry Zone— (a) Fuel Depot from '~' to 'AA'; (b) Transient Workforce Accommodation from 'SA' to '~'		
10.	Amend the Scheme Map accordingly.		

K. HOWLETT, Mayor.
M. OSBORNE, Chief Executive Officer.

PL402*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Town of Victoria Park
Local Planning Scheme No. 1—Amendment No. 71

Ref: TPS/1684

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the Town of Victoria Park Local Planning Scheme amendment on 27 June 2016 for the purpose of—

Modifying Precinct Plan P11, Sheet A by reclassifying 874 (Lot 442) Albany Highway, East Victoria Park from Local Scheme Reserve 'Public Purpose—Civic Use' to 'District Centre' zone.

T. VAUGHAN, Mayor.
A. VULETA, Chief Executive Officer.