

**PL402**

**PLANNING AND DEVELOPMENT ACT 2005**  
APPROVED LOCAL PLANNING SCHEME AMENDMENT  
*City of Stirling*  
Local Planning Scheme No. 3—Amendment No. 102

Ref: TPS/2233

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the City of Stirling Local Planning Scheme amendment on 7 June 2019 for the purpose of rezoning the following lots on the Scheme Map—

- Lot 15, House Number 118, Flora Terrace, North Beach from ‘Business’ to ‘Local Centre’; and
- Lot 50 House Number 20, Castle Street, North Beach from ‘Civic’ to ‘Local Centre’.

M. IRWIN, Mayor.  
S. JARDINE, Chief Executive Officer.

**PL403**

**PLANNING AND DEVELOPMENT ACT 2005**  
DECLARATION OF PLANNING CONTROL AREA 136  
*Town of Claremont*  
METRONET—Claremont Station

File: RLS/0813

**General description**

The Minister for Planning has granted approval to the declaration of a planning control area over the land required for railway (METRONET) purposes as shown Western Australian Planning Commission (WAPC) plan number 3.2737.

**Purpose**

The purpose of the planning control area is to facilitate redevelopment of Claremont station and enable works required for railways and related public purposes. The WAPC considers that the planning control area is required to ensure that no development occurs on this land which might prejudice this purpose.

**Duration and effects**

The declaration remains in effect for a period of five years from the date of publication of this notice in the *Government Gazette* or until revoked by the WAPC with approval by the Minister, whichever is the sooner.

A person shall not commence and carry out development in a planning control area without the prior approval of the WAPC. The penalty for failure to comply with this requirement is \$200,000 and, in the case of a continuing offence, a further fine of \$25,000 for each day during which the offence continues.

Compensation is payable in respect of land injuriously affected by this declaration, and land so affected may be acquired by the WAPC in the same circumstances and in the same manner as if the land had been reserved in the Metropolitan Region Scheme for a public purpose.

**Display locations**

- Western Australian Planning Commission, 140 William Street, Perth
- J S Batty Library, Level 3 Alexander Library Building, Perth Cultural Centre
- Town of Claremont

Documents can also be viewed online at the Department of Planning, Lands and Heritage website [www.dplh.wa.gov.au/planning-control-areas](http://www.dplh.wa.gov.au/planning-control-areas).

Ms. SAM FAGAN, Secretary, Western Australian Planning Commission.

**PL404**

**PLANNING AND DEVELOPMENT ACT 2005**  
**IMPROVEMENT PLAN NO. 50: PORT HEDLAND WEST END**

It is hereby notified for public information that the Western Australian Planning Commission, acting pursuant to part 8 of the *Planning and Development Act 2005*, has certified and recommended that, for the purpose of advancing the planning, development and use of the land described below, that the land should be made the subject of an improvement plan.

The subject area comprises the land west of McGregor Street and Lukis Street in Port Hedland, as depicted on Western Australian Planning Commission Plan numbered 3.2736.

The key objective of the improvement plan is guide the implementation of the State Government's response to the *Port Hedland Dust Management Taskforce Report to Government* (2016). The improvement plan will act as the strategic planning instrument for the delivery of a proposed improvement scheme over the West End of Port Hedland.

The recommendation has been accepted by the Minister for Planning and the Lieutenant-Governor and deputy of the Governor and will be known as Improvement Plan No. 50: Port Hedland West End. Improvement Plan No. 50 is effective on and from the date of this gazettal.

A copy of Improvement Plan No. 50 can be viewed at the—

- Western Australian Planning Commission, 140 William Street, Perth
- Town of Port Hedland, McGregor Street, Port Hedland.

Documents can also be viewed online at the Department of Planning, Lands and Heritage website [www.dplh.wa.gov.au/improvement-plans-schemes](http://www.dplh.wa.gov.au/improvement-plans-schemes).

Ms. SAM FAGAN, Secretary, Western Australian Planning Commission.

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## DECEASED ESTATES

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ZX401

**TRUSTEES ACT 1962**  
DECEASED ESTATES

Notice to Creditors and Claimants

In the matter of the Estate of Anna Van Der Plaats, late of Tuohy Aged Care, 22 Morrison Road, Midland, 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 16th August 2016, are required by the Executor Jan Van Der Plaats, to send the particulars of their claim to Messrs Taylor Smart of 1 Regal Place, East Perth in the State of Western Australia, by the 31st August 2019, after which date the said Executor may convey or distribute the assets, having regard only to the claims of which he then has had notice.

Dated the 25th day of July 2019.

PETER A. NEVIN, Taylor Smart.

ZX402

**TRUSTEES ACT 1962**  
DECEASED ESTATES

Notice to Creditors and Claimants

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of Leslie Robert Calcraft of Berrington Care, 45 Bishop Street, Jolimont, WA, who died on 11 December 2018, are required by the personal representative Jonathan Ross Calcraft to send particulars of their claims to IRDI Legal, 248 Oxford Street, Leederville, 6007 by 26 August 2019, after which date the personal representative may convey or distribute assets, having regard only to the claims of which he then has notice.

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## PUBLIC NOTICES

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ZZ401

ANGLICAN CHURCH OF AUSTRALIA

Alteration of the Constitution

Notice is hereby given under section 67(2) of the Constitution of the Anglican Church of Australia that—

Whereas on 5 September 2017 the General Synod of the Anglican Church of Australia duly made Canon No. 6 of 2017 being the Constitution (Jurisdiction of Special Tribunal) Amendment Canon 2017 to alter the Constitution of the Anglican Church of Australia by extending the jurisdiction of the Special Tribunal to former members of the House of Bishops and bishops assistant to the Primate in section 56(6) therein

And Whereas on 25 July 2019 the President of the General Synod, the Most Rev'd Dr Philip Freier, Archbishop of Melbourne and Metropolitan of the Province of Victoria, determined that there is no condition remaining to which the coming of the Canon into effect is subject

The Said President determined that the said Canon shall come into effect on 1 November 2019.

Dated: 26 July 2019.

ANNE HYWOOD, General Secretary, General Synod,  
Anglican Church of Australia.

# **IMPROVEMENT PLAN No. 50**

## **PORT HEDLAND WEST END**



**WESTERN AUSTRALIAN PLANNING COMMISSION**

**JUNE 2019**

## 1.0 Introduction

- 1.1 Under section 119 of the *Planning and Development Act 2005* (the "PD Act"), the Western Australian Planning Commission (WAPC) is authorised to certify and recommend to the Minister for Planning that an improvement plan should be prepared for the purpose of advancing the planning, development and use of any land within the State of Western Australia.
- 1.2 The improvement plan provisions of the PD Act provide for the WAPC, with the approval of the Governor, to:
  - a) plan, replan, design, redesign, consolidate, resubdivide, clear, develop, reconstruct or rehabilitate land held by the State under the PD Act or enter into agreement with an owner of land not held by it within the improvement plan area;
  - b) provide for the land to be used for such purposes as may be appropriate or necessary;
  - c) make necessary changes to land acquired or held by it under the PD Act;
  - d) manage the tenure of ownership of the land or any improvements to that land held by it under the PD Act or enter into agreement with other owners of land within the improvement plan area for the same purposes;
  - e) recover costs in implementing the agreement with any owner of land within the improvement plan area; and
  - f) do any act, matter or thing for the purpose of carrying out any agreement entered into with other landowners.
- 1.3 Improvement Plan No. 50: Port Hedland West End (IP50) confers upon the WAPC the authority to undertake the necessary tasks to plan for and facilitate the implementation of an improvement scheme on behalf of the Western Australian State Government.

## 2.0 Background

- 2.1 The Port of Port Hedland is the largest bulk export port in the world. Total throughput increased from 247 million tonnes in 2011-12 to 519 million tonnes in 2017-18. Trade volume is forecasted by the Port Hedland Industries Council to increase to 700 million tonnes by 2027.
- 2.2 The port and the Port Hedland townsite have developed in close proximity, during a time prior to the introduction of planning controls that seek to separate non-compatible uses, i.e. residential and industrial. The West End precinct (west of McGregor Street) is adjacent to the port, with bulk commodity stockpiling handling and ship loading occurring to the south and west. According to the 2016 Australian Bureau of Statistics Census, there are approximately 900 residents living in the West End, the most dust, noise and hazard affected urban area in Port Hedland.
- 2.3 In February 2016, the Western Australian Department of Health published the *Port Hedland Air Quality Health Risk Assessment for Particulate Matter* report, which concluded that there is sufficient evidence of possible negative effects on human health from dust in the West End of Port Hedland to warrant improved dust management and monitoring controls and land-use planning measures to reduce community exposure to dust.
- 2.4 In 2016 the Port Hedland Dust Management Taskforce considered the findings of the Department of Health's *Port Hedland Air Quality Health Risk Assessment for*

*Particulate Matter* (February 2016) and provided recommendations to the Government through the *Port Hedland Dust Management Taskforce Report to Government* (August 2016).

2.5 After considering the Taskforce Report, and the submissions received, on 15 October 2018 the Western Australian State Government adopted a whole of Government approach to dealing with the management of dust in Port Hedland. With respect to land use planning it was decided that:

- *The Government supports the Taskforce recommendation that appropriate planning controls be implemented to prohibit sensitive land uses and restrict population growth in the West End of Port Hedland. To give effect to this, the Western Australian Planning Commission (WAPC) will be requested to consider preparing an Improvement Plan and Scheme designed to achieve the land use outcomes described in Recommendation 5 of the Taskforce Report.*
- *In response to community concerns raised in the consultation process, the Government will act to ensure that any future West End planning controls will not prevent the redevelopment of residential properties - provided that the redevelopment would not result in an intensification or expansion of a non-conforming use - should they be more than 75% damaged by a natural disaster such as fire or a cyclone.*

2.6 The WAPC has consulted with the Town of Port Hedland in accordance with section 119(3B) of the PD Act before making this recommendation under subsection (1)(b) in relation to IP50.

### **3.0 Purpose**

3.1 The purpose of IP50 is to:

- enable the WAPC to undertake all necessary steps to advance the planning and development within the plan area as provided for under Part 8 of the PD Act;
- establish the strategic planning and development intent within the subject area;
- provide for a strategic planning framework endorsed by the WAPC, Minister for Planning and the Governor;
- authorise the preparation of an improvement scheme;
- provide the objectives of an improvement scheme; and
- provide guidance to the preparation of statutory plans, statutory referral documentation and policy instruments.

### **4.0 Improvement scheme**

4.1 Section 122A of the PD Act enables the WAPC to make an improvement scheme in respect of some or all of the land to which IP50 applies.

4.2 IP50 authorises the making of an improvement scheme, by resolution of the WAPC and approval of the Minister for Planning. The following objectives will guide the preparation of the improvement scheme:

- *to provide a strategic planning framework to determine future land uses considering all land use options that takes into consideration physical, economic, social, and environment factors;*

- *to provide a statutory planning instrument through which to implement the strategic planning framework and effectively guide the preparation of statutory plans, statutory referral documentation and policy (as may be required) to facilitate orderly and proper planning of the area; and*
- *to implement the Government response to the Port Hedland Dust Management Taskforce Report to Government to prohibit sensitive land uses and restrict population growth in the West End of Port Hedland.*

4.3 Once gazetted, the improvement scheme will replace the applicable Local Planning Scheme. The WAPC will be responsible for determining land use planning matters in the improvement scheme area.

#### **5.0 Improvement plan area**

The area that is subject to IP50 is depicted on WAPC Plan Number 3.2736.

#### **6.0 Affected local government**

The Town of Port Hedland will be affected by IP50.

**WESTERN AUSTRALIAN PLANNING COMMISSION**

**IMPROVEMENT PLAN NO. 50: PORT HEDLAND WEST END**

**CERTIFICATE AND RECOMMENDATION**

PURSUANT TO PART 8 OF THE PLANNING AND DEVELOPMENT ACT 2005 IT IS HEREBY

1. CERTIFIED THAT THE LAND SHOWN ON WESTERN AUSTRALIAN PLANNING COMMISSION PLAN NUMBER 3.2736 ANNEXURED HERETO SHOULD FOR THE PURPOSE OF ADVANCING THE PLANNING, DEVELOPMENT AND USE, BE MADE THE SUBJECT OF IMPROVEMENT PLAN NO. 50: PORT HEDLAND WEST END.
2. RECOMMENDED TO THE MINISTER FOR PLANNING AND HIS EXCELLENCY THE GOVERNOR THAT THE IDENTIFIED LAND AREA BE SUBJECT OF IMPROVEMENT PLAN NO. 50: PORT HEDLAND WEST END.

THIS CERTIFICATE AND RECOMMENDATION IS GIVEN IN ACCORDANCE WITH A RESOLUTION OF THE WESTERN AUSTRALIAN PLANNING COMMISSION PASSED ON THE 13<sup>th</sup> JUNE 2019.

THE COMMON SEAL OF THE WESTERN AUSTRALIAN PLANNING COMMISSION WAS HEREUNTO AFFIXED IN THE PRESENCE OF:

  
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CHAIRMAN

  
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SECRETARY

  
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DATE



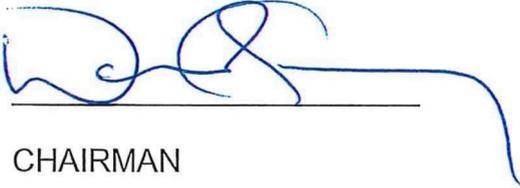
# IMPROVEMENT PLAN No. 50

## PORT HEDLAND WEST END

### CERTIFICATE

This Improvement Plan is accompanied by a Certificate given in accordance with Part 8 of the Planning and Development Act 2005. It has been endorsed by the Western Australian Planning Commission for submission to the Minister for Planning.

The Common Seal of the Western Australian Planning Commission was hereunto affixed  
In the presence of:

  
\_\_\_\_\_

CHAIRMAN

  
\_\_\_\_\_

SECRETARY

  
\_\_\_\_\_

DATE



THIS RECOMMENDATION IS ACCEPTED:

  
\_\_\_\_\_

MINISTER FOR PLANNING

  
\_\_\_\_\_

DATE

THIS RECOMMENDATION IS ACCEPTED:

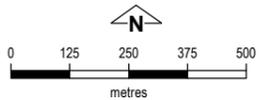
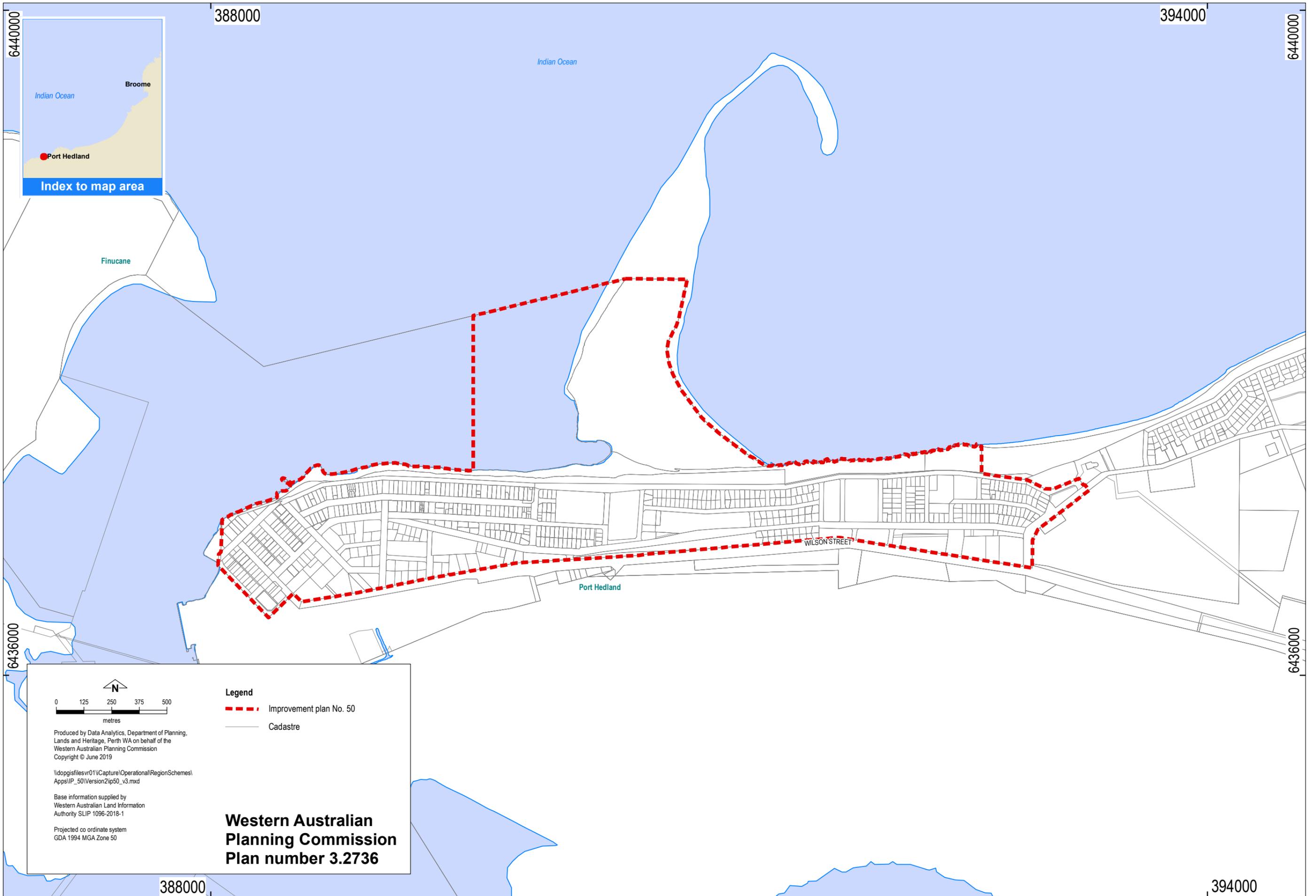
  
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GOVERNOR

Lieutenant-Governor and deputy  
of the Governor

  
\_\_\_\_\_

DATE



**Legend**

- - - Improvement plan No. 50
- Cadastre

Produced by Data Analytics, Department of Planning,  
Lands and Heritage, Perth WA on behalf of the  
Western Australian Planning Commission  
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Base information supplied by  
Western Australian Land Information  
Authority SLIP 1096-2018-1

Projected co ordinate system  
GDA 1994 MGA Zone 50

**Western Australian  
Planning Commission  
Plan number 3.2736**

**Improvement Plan No. 50 Port Hedland West End**