



**HOPE VALLEY WATTLEUP
REDEVELOPMENT PROJECT
MASTER PLAN:
PROPOSED AMENDMENT REPORT**

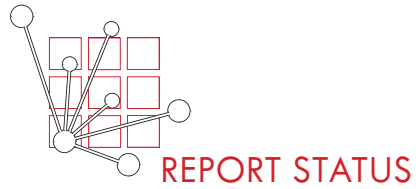
JUNE 2008

Prepared For:

LandCorp

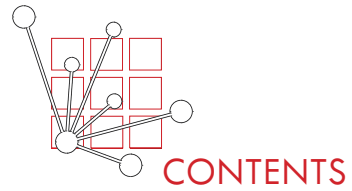
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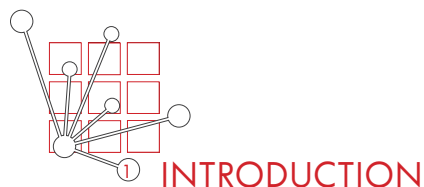


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A	04.03.08	Draft	KL	LandCorp	
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This report has been prepared by Evolve Planning and Design Studio for LandCorp, as part of a review of the Hope Valley Wattleup Redevelopment Project (HVWRP) Master Plan (the Master Plan).

The purpose of the report is to identify amendments to the HVWRP Master Plan which have arisen following the introduction of the Master Plan in December 2004. Primarily, changes have arisen from:

- minor refinements to the Master Plan; or
- changes in legislation and agencies referred to in the Master Plan text.

The amendment contains 28 separate proposals as outlined in Appendix A - List of Amendments.

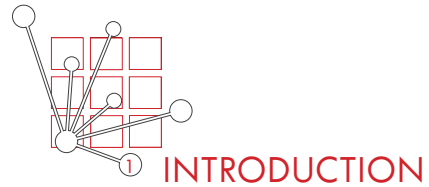
In order to compile the list of amendments, consultation was undertaken with:

- the Department for Planning and Infrastructure;
- the Town of Kwinana and the City of Cockburn;
- project consultants; and
- the Western Australian Land Authority (LandCorp).

Background

The amendment is part of the implementation process associated with the Latitude 32 Industry Zone (Latitude 32) project being undertaken by LandCorp. Latitude 32 (formerly known as Hope Valley Wattleup Redevelopment Project) involves the development and redevelopment of approximately 1,426 hectares of land in the local government areas of Cockburn and Kwinana. Latitude 32 is one of the most significant industrial land development projects being undertaken in Western Australia.

As the project is progressing, inconsistencies and administrative anomalies associated with the HVWRP Master Plan are becoming



evident. As a result, it is necessary to undertake amendments to the Master Plan to ensure the document remains up to date as the statutory scheme for the redevelopment area.



Environmental Protection Authority Advice

Prior to proceeding with any of the identified amendments, each amendment (or group of amendments) is required to be referred to the Environmental Protection Authority (EPA) for advice on whether environmental assessment would be required.

The EPA will assess any future application under the Environmental Protection Act (EP Act). Should the EPA advise that a formal assessment is required in accordance with the Act, this process will need to be complete before the amendment can progress.

Scope and Content of Amendment

The amendment proposes the following changes to the Master Plan as summarised below. A detailed description of each proposal is contained in Appendix A.

Proposal 1

Rename “Hope Valley Wattleup Redevelopment Project Master Plan”

The project has undergone a name change from Hope Valley Wattleup Redevelopment Project, to Latitude 32 Industry Zone, therefore, reference to HVWRP should be removed. New documents such as the Flinders Precinct Structure Plan now makes reference to the project as Latitude 32 Industry Zone.

Proposal 2

Inclusion of Amendments Record Page

There is no provision in the Master Plan for tracking amendments made to the document. An Amendments Record page should be inserted after page 3 of the Master Plan.



Proposal 3

Clause 1.1 Hope Valley - Wattleup Redevelopment Act 2000

If reference is to be made to Latitude 32 - Industry Zone, this clause will need to be amended to remove reference to Hope Valley Wattleup Redevelopment Project Master Plan. An additional clause should be added to cover reference to HVWRP by other documents. Two additional clauses are required to address this change as outlined:

- 1.1.1. *This Latitude 32 - Industry Zone Master Plan.....*
- 1.1.2. *Any reference made by other documents to the Hope Valley Wattleup Redevelopment Project Master Plan should be read as if it was referring to the Latitude 32 - Industry Zone Master Plan.*

Proposal 4

Relationship with the Act

The last heading on page 9 of the Master Plan --“Relationship with the Act” - has no clause number. For consistency a clause number should be added. The change is outlined as follows:

- “1.11. *Relationship with the Act”*

Proposal 5

Clause 4.3 Developments in Precincts

This clause makes no reference to the Commission having due regard to the provisions of any structure plan when determining a DA. It is recommended that the clause be amended as follows:

- “4.3. *For the purposes of promoting the objectives of the Master Plan, and subject to any Master Plan provisions to the contrary, the Commission in considering an application for approval must have due regard to the purposes and aims of the Master Plan, the general provisions of the Master Plan and any applicable Structure Plan, Planning Policy, or Design Guideline.”*



Proposal 6

Table 1 - Precinct Land Use

Precinct 6 in Table 1 is referred to as the “Eastern Gateway”. However, Appendix 1 refers to Precinct 6 as “Eastern Industrial”. This is an administrative error and should be corrected by amending the Precinct 6 heading in Table 1 as follows:

“6 Eastern Industrial”

Proposal 7

Clause 5.5.2

This clause relates to design guidelines and references clause 6.2.14.4. However, clause 6.2.14 is incorrectly numbered as this section of clauses skips from 6.2.14.2 to 6.2.14.4. Therefore, the numbering of clause 6.2.14 should be amended, as should clause 5.5.2 be amended to refer to clause 6.2.14.3 for guideline matters as follows:

“5.5.2. Matters typically covered by Design Guidelines to be considered in the determination of an application for approval are detailed in clause 6.2.14.3.”

Proposal 8

Clause 6.2.4.1

The clause only acknowledges development of land. Subdivision of land is not referenced. This clause should be amended to reflect subdivision of land as follows:

“6.2.4.1. Except as stated in sub-clause 6.2.4.2, the Commission shall not approve subdivision or development of land within a development area unless there is a Structure Plan for the development area or for the relevant part of the development area.”



Proposal 9

Clause 6.2.9.1

This clause refers to the approval of structure plans and states that the Authority shall within 42 days of the date specified in clause 6.2.8.2(c) forward to the Commission a report on the submissions received, and its recommendations in respect to those submissions. It is considered that 42 days is not an adequate timeframe within which the Authority can assess submissions and report to the Commission.

Furthermore, the clause makes no reference of forwarding the Structure Plan to the Commission for approval.

Therefore, it is recommended that this clause be amended as follows to extend the timeframe to 60 days, and require the Structure Plan to be forward to the Commission.

“6.2.9.1. The Authority shall within 60 days of the date specified in clause 6.2.8.2(c) forward to the Commission the Structure Plan and a report on the submissions received, and its recommendations in respect of those submissions.”

Proposal 10

Clause 6.2.14 Design Guidelines

There is an administrative error in the numbering of clause 6.2.14. The provisions of this clause skip 6.2.14.3. It is recommended that clause 6.2.14.4 and clause 6.2.14.5 be renumbered as follows:

“6.2.14.3. Design Guidelines may include details as to:....”

“6.2.14.4. Once approved by the Authority, ...”



Proposal 11

Clause 6.2.14.5 Design Guidelines

Clause 6.2.14.5, once renumbered as per Proposal 14, needs to be further amended by removing reference to “the Design Guidelines constituting a variation of the Structure Plan.” Design Guidelines are adopted as a separate document under clause 2.4 of the Master Plan, therefore, stating that once adopted they become a variation to a structure plan is incorrect. It is recommended that this clause state that once approved the guidelines are to be read in conjunction with the structure plan as follows:

“6.2.14.4. Once approved by the Authority, the Design Guidelines are to be read in conjunction with the approved structure plan to which the land relates.”

Proposal 12

Revocation of Structure Plan

There are not provisions in the Master Plan to revoke a structure plan. It is recommend that such provisions should be included as a new clause 6.2.16 as follows:

*“6.2.16 Revocation of Structure Plan
Public notification of the revocation shall be given by the Commission in accordance with clause 6.2.8.2.”*

Proposal 13

Clause 7.3.1 Site Contamination

This is an amendment to identify recent changes to the contamination legislation within WA. Clause 7.3.1 should be amended as follows:

“7.3.1. Land use and development within the Redevelopment Area shall be carried out and managed so as to prevent site contamination, and in the case of existing contamination, is to be suitably managed and remediated for future use in accordance with the Contamination Sites Act 2005 and the following:..”



Proposal 14

Clause 7.3.3 Wetlands

This clause is lacking a statement which identifies that development needs to comply with the Biodiversity Strategy and Water Management Strategy. It is recommended that the clause 7.3.3 (b) be amended to include reference to these strategies. Clause 7.3.3 (b) identifies the requirement to determine a wetland buffer, however, the Biodiversity Strategy already identifies the buffers for Conservation Category Wetlands (CCW) and Resource Enhancement Wetlands (REW) within and adjacent to the Redevelopment Area. Therefore it is recommended the clause be amended as follows:

“7.3.3. (b) land use or development shall be setback from all wetlands to comply with the adopted Biodiversity Strategy and Water Management Strategy for the Redevelopment Area”.

Proposal 15

Clause 7.3.4 (b)

This clause relates to air quality. The clause should be amended to recognise the Environmental Protection Authority (EPA) Guidance Statement 55 is now Final and no longer at Draft status. The clause should be amended as follows:

“7.3.4. (b) implement the concepts of “best practice” emissions minimisation as described in “Guidance for the Assessment of Environmental Factors - implementing best practice in proposal submitted to the environmental impact assessment process, No. 55” (EPA 2003).”



Proposal 16

Clause 7.3.5 (d)

This clause needs to be amended to recognise EPA Guidance Statement 14 no longer applies. Instead, WAPC Draft Statement of Planning Policy: Road and Rail Transport is the correct policy to refer to. Therefore the clause should be amended as follows:

“7.3.5. (d) where development may result in noise generation, include a noise assessment report in accordance with recognised good practice as in EPA Guidance Statement No. 8 and WAPC Draft Statement of Planning Policy: Road and Rail Transport.”

Proposal 17

Clause 7.4.2 (a)

This clause relates to environmental information required under clause 7.4.1. The clause needs to be amended to recognise EPA Guidance Statement 51 and 56 do not have Draft status. Therefore, the clause should be amended as follows:

“7.4.2. (a) information on the receiving biophysical environment, following surveys in accordance with EPA’s Guidance Statement No. 51 and 56, and any significant features or characteristics, in a local and regional context.”

Proposal 18

Clause 7.4.2 (o)

This clause is now superseded by the adoption of the Water Management Strategy and Biodiversity Strategy for the Redevelopment Area. Therefore, the clause should be amended as follows:

“7.4.2. (o) demonstration of how development complies with the Water Management Strategy and Biodiversity Strategy for Latitude 32.”



Proposal 19

10.1.1

This clause relates to applications for planing approval and contains a number of administrative errors in referencing other clauses of the Master Plan. This clause should be amended as follows:

“10.1.1. (e) alteration or extension of a non-conforming use under clause 4.10;

(f) a change of a non-conforming use under clause 4.10;

(j) continuation of development already commenced or carried out under clause 9.3;

(k) a subsequent planning approval pursuant to an approval under clause 11.9; and

is, subject to clause 10.1.2, to be made in the form prescribed in Schedule 6 and is to be signed...”

Proposal 20

10.1.2

This clause has an administrative error as it incorrectly references Schedule 5 of the Master Plan. This clause should be amended as follows:

“10.1.2. An application for the erection, placement or display of an advertisement is to be accompanied by the additional information set out in the form prescribed in Schedule 7.”

Proposal 21

10.4.3

This clause relates to the advertising of an ‘A’ use or another non-preferred use. Where this clause is referred to, it is in the context of the need to advertise prior to approval being granted. However, this clause states that the Commission “may” give notice or require the applicant to give notice which create uncertainty as to if and



when such an application is to be advertised. To improve certainty it is recommended that this clause be amended as follows:

“10.4.3. The commission is to give notice or require the applicant to give notice of an application for planning approval in one or more of the following ways-”

Proposal 22

10.4.4

This clause has an administrative error as it incorrectly references Schedule 6 of the Master Plan. The clause should be amended as follows:

“10.4.4. The notice referred to in clause 10.4.3 (a) and (b) is to be in the form prescribed in Schedule 8 with such modifications as are considered appropriate by the Commission.”

Proposal 23

11.4.1

This clause has an administrative error as it incorrectly references Schedule 7 of the Master Plan. The clause should be amended as follows:

“11.4.1. As soon as practicable after making a determination in relation to the application, the Commission is to convey its determination to the applicant in the form prescribed in Schedule 9 and the date of determination is to be the date given in the notice of the Commission’s determination.”

Proposal 24

11.11 Appeals

This clause relates to appeals and references the old Town Planning Act. Correct reference should be made to the new Act as follows:

“11.11. An applicant aggrieved by a determination of the Commission in respect of the exercise of a discretionary power under the Master Plan may seek review of the



decision under Part 14 of the Planning and Development Act 2005.”

Proposal 25

12.2.4

This clause relates to appeals and references the old Town Planning Act. Correct reference should be made to the new Act as follows:

“12.2.4 A person on whom notice is served under this clause may seek review under Part 14 of the Planning and Development Act 2005 against the determination of the Commission.”

Proposal 26

12.3.1

This clause relates to delegation of function and references the Western Australian Planning Commission Act. Correct reference should be made to the new Act as follows:

“12.3.1 In accordance with Part 2 of the Planning and Development Act 2005, the Commission may delegate to an eligible body or person any of its functions under the Planning and Development Act 2005.”

Proposal 27

12.5.1

This clause relates to compensation and references the old Town Planning Act. Correct reference should be made to the new Act as follows:

“12.5.1 A person whose land or property is injuriously affected by the making or amendment of the Master Plan may make a claim for compensation under Part 11 of the Planning and Development Act 2005 -”



Proposal 28

Page 66 Note

There are 2 notes on this page and both reference the old Town Planning and Development Act. Correct reference should be made to the current Act by amending the Note as follows:

“Note: 1. A claim for compensation under Part 11 of the Planning and Development Act may be made in the Form No. 7 in Appendix A of the Town Planning Regulations 1967”

Note: “Part 11 of the Planning and Development Act empowers the Commission to purchase or compulsorily acquire land comprised in the scheme.”

Sustainability Statement

The proposed amendments are administrative in nature and therefore have no impact in terms of sustainability considerations. However, where amendments are proposed to environmental clauses of the Master Plan, it is considered that the sustainability of the Latitude 32 project area is being enhanced by the inclusion of direct referencing to the Biodiversity and Water Management Strategies.

Implementation

The proposed amendments will not require the alteration of any other statutory documentation as part of the implementation process. The only process relates to the modification of the Master Plan through the amendment of relevant clauses and notes as outlined in this report.

The Amendment Process

Pursuant to Part 3, Division 3 of the Hope Valley Wattleup Redevelopment Act 2000, the Authority may initiate an amendment to the Master Plan.



The procedure for an amendment to the Master Plan involves:

- Formulation of the amendment by the Authority;
- Consultation with the Town of Kwinana and City of Cockburn with regards to the proposed amendment;
- Referral of proposed amendment to the EPA;
- Completion of an environmental review (if required) to EPA instructions;
- Submission of the proposed amendment to the Commission for public advertising;
- Public advertising of the amendment by the Commission;
- Consideration of submissions by the Authority;
- Submission of the amendment, with any modifications, and submissions report to the Commission;
- Referral of the amendment to the Minister for Planning and Infrastructure to approve or refuse; or approve subject to modifications; or refuse to approve the amendment;
- Minister's direction is tabled in Parliament;
- Minister's direction is included in the annual report submitted by the accountable authority of the Authority;
- The amendment takes legal effect on the day of publication in the Gazette.

Submissions on the Amendment

The amendment will be publicly notified for a period determined by the Authority that is not less than 60 days after the day on which the notice is published in the Gazette.

Copies of the amendment are to be made available for public inspection,



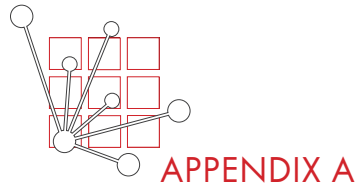
Written submissions on the amendment may be made by any person and should be sent to the offices of the Authority.

Modifications to the Amendment

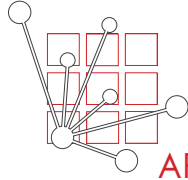
Following consideration of any comments received from the public and government agencies, the Authority may modify the amendment prior to submitting it to the Commission for approval. In addition, in its consideration of the amendment, the Commission may recommend that the amendment be modified. The Minister may approve the amendment with or without modifications, or decline to approve it.

Final Outcome

The amendment takes legal effect once approved by the Minister for Planning Infrastructure and is gazetted. People who have made submissions will be notified of the final outcome.

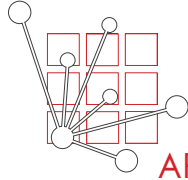


List of Amendments



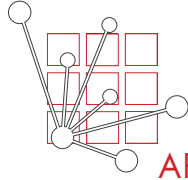
APPENDIX A

Proposal No.	Amendment Item	Amendment Description	Proposed Amendment
1	All pages	The project has undergone a name change from Hope Valley Wattleup Redevelopment Project, to Latitude 32 Industry Zone, therefore, reference to HVWRP should be removed. New documents such as the Flinders Precinct Structure Plan now makes reference to the project as Latitude 32 Industry Zone.	Change all document reference to "Hope Valley Wattleup Redevelopment Project" to "Latitude 32 - Industry Zone".
2		There is no provision in the Master Plan for tracking amendments made to the document. Inclusion of an Amendments Record page is recommended.	Include a "Record of Amendments" page after page 3 of the Master Plan.
3	Page 6 clause 1.1	If reference is to be made to Latitude 32 - Industry Zone, this clause will need to be amended to remove reference to Hope Valley Wattleup Redevelopment Project Master Plan. An additional clause should be added to cover reference to HVWRP by other documents.	Amend clause to read: 1.1.1 This Latitude 32 - Industry Zone Master Plan..... Add clause: 1.1.2 Any reference made by other documents to the Hope Valley Wattleup Redevelopment Project Master Plan should be read as if it was referring to the Latitude 32 - Industry Zone Master Plan.
4	Page 9	The last heading on this page "Relationship with the Act" has no clause number. For consistency a clause number should be added.	Add: 1.11 Relationship with the Act
5	Page 14 clause 4.3	This clause makes no reference to the Commission having due regard to the provisions of any structure plan when determining a DA.	Amend clause 4.3 : For the purposes of promoting the objectives of the Master Plan, and subject to any Master Plan provisions to the contrary, the Commission in considering an application for approval must have due regard to the purposes and aims of the Master Plan, the general provisions of the Master Plan and any applicable Structure Plan, Planning Policy, or Design Guideline.
6	Page 18 Table 1	Precinct 6 is referred to as the "Eastern Gateway" in Table 1. Appendix 1 refers to Precinct 6 as "Eastern Industrial". This administrative error should be corrected. It is considered that reference to Industrial is more appropriate than Gateway due to precinct objectives.	Amend Table 1 Heading 6 Eastern Industrial



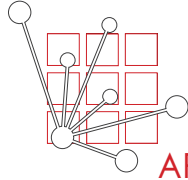
APPENDIX A

Proposal No.	Amendment Item	Amendment Description	Proposed Amendment
7	Page 25 clause 5.5.2	This clause relates to design guidelines and references clause 6.2.14.4. Clause 6.2.14 is incorrectly numbered as this section of clauses skips from 6.2.14.2 to 6.2.14.4. Clause 6.2.14 should be amended, as should clause 5.5.2 to refer to clause 6.2.14.3 for guideline matters.	Amend clause 5.5.2 Matters typically covered by Design Guidelines to be considered in the determination of an application for approval are detailed in clause 6.2.14.3.
8	Page 27 clause 6.2.4.1	The clause only acknowledges development of land. Subdivision of land is not referenced. This clause should be amended to reflect subdivision of land.	Amend clause 6.2.4.1 Except as stated in sub-clause 6.2.4.2, the Commission shall not approve subdivision or development of land within a development area unless there is a Structure Plan for the development area or for the relevant part of the development area.
9	Page 30 clause 6.2.9.1	This clause refers to the approval of structure plans and states that the Authority shall within 42 days of the date specified in clause 6.2.8.2(c) forward to the Commission a report on the submissions received, and its recommendations in respect to those submissions. It is considered that 42 days is not an adequate timeframe within which the Authority can assess submissions and report to the Commission. Furthermore, the clause makes no reference of forwarding the Structure Plan to the Commission for approval.	Amend clause 6.2.9.1 The Authority shall within 60 days of the date specified in clause 6.2.8.2(c) forward to the Commission the Structure Plan and a report on the submissions received, and its recommendations in respect of those submissions.
10	Page 32 clause 6.2.14.4	There is an administrative error in the numbering of clause 6.2.14. The provisions of this clause skip 6.2.14.3. It is recommended that clause 6.2.14.4 be renumbered.	Amend clause 6.2.14.4: 6.2.14.3.Design Guidelines may include details as to:.... 6.2.14.4.Once approved by the Authority, ...
11	Page 33 clause 6.2.14.5	Clause 6.2.14.5, once renumbered as per Proposal 14, needs to be further amended by removing reference to "the Design Guidelines constituting a variation of the Structure Plan." Design Guidelines are adopted as a separate document under clause 2.4 of the Master Plan, therefore, stating that once adopted they become a variation to a structure plan is incorrect. It is recommended that this clause state that once approved the guidelines are to be read in conjunction with the structure plan.	Amend clause 6.2.14.5: Once approved by the Authority, the Design Guidelines are to be read in conjunction with the approved structure plan to which the land relates.



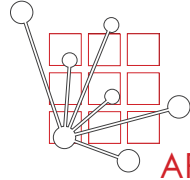
APPENDIX A

Proposal No.	Amendment Item	Amendment Description	Proposed Amendment
12	Revocation of Structure Plan	There are not provisions in the Master Plan to revoke a structure plan. It is recommended that such provisions should be included as a new clause 6.2.1.	Insert clause 6.2.16: 6.2.16 Revocation of Structure Plan Public notification of the revocation shall be given by the Commission in accordance with clause 6.2.8.2.
13	Page 42 clause 7.3.1	This is an amendment to identify recent changes to the contamination legislation within WA.	Amend clause 7.3.1: Land use and development within the Redevelopment Area shall be carried out and managed so as to prevent site contamination, and in the case of existing contamination, is to be suitably managed and remediated for future use in accordance with the Contamination Sites Act 2005 and the following...
14	Page 43 clause 7.3.3	This clause is lacking a statement which identifies that development needs to comply with the Biodiversity Strategy and Water Management Strategy. It is recommended that the clause 7.3.3 (b) be amended to include reference to these strategies. Clause 7.3.3 (b) identifies the requirement to determine a wetland buffer, however, the Biodiversity Strategy already identifies the buffers for Conservation Category Wetlands (CCW) and Resource Enhancement Wetlands (REW) within and adjacent to the Redevelopment Area.	Include clause 7.3.3 (b): Land use or development shall be setback from all wetlands to comply with the adopted Biodiversity Strategy and Water Management Strategy for the Redevelopment Area.
15	Page 44 clause 7.3.4 (b)	Amend clause to recognise EPA Guidance Statement 55 is now Final and no longer at Draft status.	Amend clause 7.3.4 (b): implement the concepts of "best practice" emissions minimisation as described in "Guidance for the Assessment of Environmental Factors – Implementing Best Practice in proposals submitted to the Environmental Impact Assessment process, No. 55" (EPA 2003).
16	Page 45 clause 7.3.5 (d)	Amend clause to recognise EPA Guidance Statement 14 no longer applies and instead WAPC Draft Statement of Planning Policy: Road and Rail Transport is the correct policy to refer to.	Amend clause 7.3.5 (d): where development may result in noise generation, include a noise assessment report in accordance with recognised good practice as in EPA Guidance Statement No. 8 and WAPC Draft Statement of Planning Policy: Road and Rail Transport.



APPENDIX A

Proposal No.	Amendment Item	Amendment Description	Proposed Amendment
17	Page 47 clause 7.4.2 (a)	Amend clause to recognise EPA Guidance Statement 51 and 56 do not have Draft status.	Amend clause 7.4.2 (a): information on the receiving biophysical environment, following surveys in accordance with EPA's Guidance Statement No. 51 and 56, and any significant features or characteristics, in a local and regional context.
18	Page 48 clause 7.4.2 (o)	This clause is now superseded by the adoption of the Water Management Strategy and Biodiversity Strategy for the Redevelopment Area.	Amend clause 7.4.2 (o): demonstration of how development complies with the Water Management Strategy and Biodiversity Strategy for Latitude 32.
19	Page 54 clause 10.1.1	This clause has a number of administrative errors in referencing other clauses of the Master Plan. These errors should be corrected.	Amend clause 10.1.1: (e) replacing reference to clause 4.8 with 4.10 (f) replacing reference to clause 4.8 with 4.10 (j) replacing reference to clause 9.4 with 9.3 (k) replacing reference to clause 11.8 with 11.9 is, subject to clause 10.1.2, to be made in the form prescribed in Schedule 6 and is to be signed...
20	Page 54 clause 10.1.2	This clause has an administrative error as it incorrectly references Schedule 5 of the Master Plan. This error should be corrected.	Amend clause 10.1.2: An application for the erection, placement or display of an advertisement is to be accompanied by the additional information set out in the form prescribed in Schedule 7.
21	Page 56 clause 10.4.3	This clause relates to the advertising of an 'A' use or another non-preferred use. Where this clause is referred to, it is in the context of the need to advertise prior to approval being granted. However, this clause states that the Commission "may" give notice or require the applicant to give notice which creates uncertainty as to if and when such an application is to be advertised. To improve certainty it is recommended that this clause be strengthened to require advertising.	Amend clause 10.4.3 to: The Commission is to give notice or require the applicant to give notice of an application for planning approval in one or more of the following ways-
22	Page 57 clause 10.4.4	This clause has an administrative error as it incorrectly references Schedule 6 of the Master Plan. This error should be corrected.	Amend clause 10.4.4: The notice referred to in clause 10.4.3 (a) and (b) is to be in the form prescribed in Schedule 8 with such modifications as are considered appropriate by the Commission.



APPENDIX A

Proposal No.	Amendment Item	Amendment Description	Proposed Amendment
23	Page 60 clause 11.4.1	This clause has an administrative error as it incorrectly references Schedule 7 of the Master Plan. This error should be corrected.	Amend clause 11.4.1: As soon as practicable after making a determination in relation to the application, the Commission is to convey its determination to the applicant in the form prescribed in Schedule 9 and the date of determination is to be the date given in the notice of the Commission's determination...
24	Page 63 clause 11.11	This clause relates to appeals and references the old Town Planning Act. Correct reference should be made to the current Act.	Amend clause 11.11: An applicant aggrieved by a determination of the Commission in respect of the exercise of a discretionary power under the Master Plan may seek review of the decision under Part 14 of the Planning and Development Act 2005.
25	Page 65 clause 12.2.4	This clause relates to appeals and references the old Town Planning Act. Correct reference should be made to the current Act.	Amend clause 12.2.4: A person on whom notice is served under this clause may seek review under Part 14 of the Planning and Development Act 2005 against the determination of the Commission."
26	Page 65 clause 12.3.1	This clause relates to delegation of function and references the Western Australian Planning Commission Act. Correct reference should be made to the current Act.	Amend clause 12.3.1: "In accordance with Part 2 of the Planning and Development Act 2005, the Commission may delegate to an eligible body or person any of its functions under the Planning and Development Act 2005."
27	Page 66 clause 12.5.1	This clause relates to compensation and references the old Town Planning Act. Correct reference should be made to the current Act.	Amend clause 12.5.1: A person whose land or property is injuriously affected by the making or amendment of the Master Plan may make a claim for compensation under Part 11 of the Planning and Development Act 2005..."
28	Page 66 Notes	There are 2 notes on this page and both reference the old Town Planning and Development Act. Correct reference should be made to the current Act.	Amend Note 1: 1. A claim for compensation under Part 11 of the Planning and Development Act may be made in the Form No. 7 in Appendix A of the Town Planning Regulations 1967. Amend Note 2: Part 11 of the Planning and Development Act empowers the Commission to purchase or compulsorily acquire land comprised in the scheme.