



Our ref: TPS/3000
Enquiries: Local Planning Schemes

Chief Executive Officer
Shire of Murray
PO Box 21
PINJARRA WA 6208

Transmission via electronic mail to: mailbag@murray.wa.gov.au

Dear Sir/Madam

TOWN PLANNING SCHEME NO. 4 - AMENDMENT NO. 321

The Western Australian Planning Commission (Commission) has considered the amendment and submitted its recommendation to the Minister in accordance with section 87(1) of the *Planning and Development Act 2005* (the Act).

The Minister has approved the amendment in accordance with section 87(2)(a) of the Act. In accordance with section 87(3) of the Act, the Commission will cause the approved amendment to be published in the Government Gazette.

The Commission has forwarded notice to the Department of Premier and Cabinet (attached) and it is the local governments' responsibility to make arrangements for the payment of any publication costs. The local government is required under section 87(4B) of the Act, and regulation 64 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, to publish the approved amendment, ensure that it is available to the public, and notify each person who made a submission.

For all payment and purchase order queries, please contact the Department of Premier and Cabinet on (08) 6552 6012. One signed set of the amending documents is returned for your records.

Please direct any queries about this matter to localplanningschemes@dplh.wa.gov.au.

Yours sincerely

Ms Sam Fagan
Secretary
Western Australian Planning Commission

12/06/2023

PLANNING AND DEVELOPMENT ACT 2005

APPROVED TOWN PLANNING SCHEME AMENDMENT Shire of Murray

TOWN PLANNING SCHEME No. 4 - AMENDMENT No. 321

Ref: TPS/3000

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 Murray Town Planning Scheme amendment on 6 June 2023 for the purpose of:

- (i) Amending Schedule 5 – Special Use Zone to include a special use area for Lot 1100 California Crescent, South Yunderup as follows:

(A) SPECIFIED LAND	(B) SPECIAL PROVISIONS RELATING TO (A)
Lot 1100 California Crescent, South Yunderup	1. (a) The following uses are permitted('P') – i. Educational Establishment (b) The following uses may be permitted at the discretion of the Local Government ('AA') i. Child Care Premises (c) All other uses are not permitted ('x')

- (ii) Amending the Scheme map accordingly.
- (iii) Replace the use class 'Child Day Care Centre' with 'Child Care Premises' in 'Table 1 – Zoning Table', leaving the permissibility for each zone unchanged.
- (iv) Replace the definition of 'Child Day Care Centre' in 'Appendix 1 – interpretations' with the definition of 'Child Care Premises' from Schedule 1 of the *Planning and Development (Local Planning Scheme) Regulations 2015*, which states:

Child Care Premises means premises where –

- (a) an education and care services as defined in the Education and Care Services National Law (West Australia) section 5(1), other than a family day care service as defined in that section, is provided; or
- (b) a child care service as defined in the *Child Care Services Act 2007* section 4 is provided.
- (v) Delete the use class 'Kindergarten' and associated permissibility's from Table 1 – Zoning Table and the associated definition from Appendix 1 – interpretations.

- (vi) Replace the current definition of 'Educational Establishment' in 'Appendix 1 – Interpretations' with the corresponding definition in Schedule 1 of the *Planning and Development (Local Planning Scheme) Regulations 2015*, which states:

Education Establishment means premises used for the purposes of providing education including premises used for a school, higher education institution, business college, accademy or other educational institution.

- (vii) Replace the terms 'Day Care Centre' and 'kindergarten' in the fourth row of 'Table II – Non Residential Development Standards' with the term 'Child Care Premises'.

D BOLT
PRESIDENT

D UNSWORTH
CHIEF EXECUTIVE OFFICER