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PUBLISHING ALTERATIONS

Periodically the normal *Gazette* publishing times need to be altered to cater for disruption caused by public holidays.

- Easter and Christmas holidays cause disruption each year.
- Australia Day and Anzac Day cause disruption when they fall on a Tuesday or Friday.

In these instances, notices warning of the change are generally published on page 2 for approximately 4 weeks prior to the date.

Readers are urged to check *Gazettes* accordingly, prior to contacting State Law Publisher.

JOHN A. STRIJK, Government Printer.

— PART 1 —

HEALTH

HE301*

Health Act 1911

Health (Meat Hygiene) Amendment Regulations 2005

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Health (Meat Hygiene) Amendment Regulations 2005*.

2. The regulations amended

The amendments in these regulations are to the *Health (Meat Hygiene) Regulations 2001**

[* *Reprint 1 as at 14 March 2003.*

For amendments to 31 December 2004 see Western Australian Legislation Information Tables for 2003, Table 4, p. 166, and Gazette 27 January, 18 May and 25 June 2004.]

3. Regulation 2 amended

- (1) Regulation 2 is amended by deleting the definition of “processing premises” and inserting the following definition instead —

“

“**processing premises**” means —

- (a) premises where meat is processed for human consumption;
- (b) premises where smallgoods are manufactured; or
- (c) butchers’ premises where the butcher supplies meat and meat products for further

processing and sale (whether or not in conjunction with retail sales),

but does not include —

- (d) butchers' premises if the sales from the premises are predominantly retail sales; or
- (e) field depots or game processing establishments within the meaning of Part 4;

”.

- (2) Regulation 2 is amended in the definition of “standard” by deleting “Standards” and inserting instead —

“ Standard ”.

4. Regulation 4 amended

- (1) Regulation 4(1) is amended as follows:

- (a) by deleting paragraph (a) and inserting the following paragraph instead —

“

- (a) the *Australian Standard for the Hygienic Production and Transportation of Meat and Meat Products for Human Consumption* (“**Meat Standard**”);

”.

”.

- (b) in paragraph (f) by deleting “*Australian Standard for Hygienic Production of Poultry Meat for Human Consumption*” and inserting instead —

“

Australian Standard for Construction of Premises and Hygiene Production of Poultry Meat for Human Consumption

”.

”.

- (c) by deleting paragraph (g) and inserting instead —

“

- (g) the *Australian Standard for the Hygienic Production of Natural Casings for Human Consumption* (“**Casings Standard**”); and

”.

”.

- (d) by deleting paragraph (h) and “and” after it and inserting instead —

“

- (h) the *Australian Standard for the Hygienic Rendering of Animal Products* (“**Rendering Standard**”).

”.

”.

- (e) by deleting paragraph (i).

- (2) Regulation 4(4) is amended as follows:
- (a) by deleting “Part 6 of the *Australian Standard for Hygienic Production of Poultry Meat for Human Consumption*” and inserting instead —
- “
- Part B of the *Australian Standard for the Construction of Premises and Hygiene Production of Poultry Meat for Human Consumption*
- ”;
- (b) in paragraph (a) by deleting “section 6.12” and inserting instead —
- “ section 15.86 ”;
- (c) in paragraph (b) by deleting “section 6.13 by inserting at the end of the second” and inserting instead —
- “ section 15.88 by inserting at the end of the first ”.
- (3) Regulation 4(5) is repealed and the following subregulation is inserted instead —
- “
- (5) Despite the amendments to the Poultry Standard in subregulation (4), the EDPH may approve an alternative level of free chlorine for poultry processing if it can be demonstrated that the alternative level will achieve the same outcome as the level required by the Poultry Standard as amended by that subregulation.
- ”.

5. Regulation 7 amended

Regulation 7(9) is amended by deleting “red in colour” and inserting instead —

“

a red colour as specified in the Schedules of Standard 1.3.1 of the Australia New Zealand Food Standards Code

”.

6. Regulation 8 amended

Regulation 8(2) is amended by deleting “blue in colour” and inserting instead —

“

a blue colour as specified in the Schedules of Standard 1.3.1 of the Australian New Zealand Food Standards Code

”.

7. Regulation 13 replaced

Regulation 13 is repealed and the following regulation is inserted instead —

“

13. Operator to ensure premises comply with relevant standards

- (1) The operator of an abattoir must ensure that the abattoir complies with, and is operated in accordance with, all relevant standards adopted by regulation 4.
- (2) The operator of processing premises must ensure that the premises comply with, and are operated in accordance with, all relevant standards adopted by regulation 4.

”.

8. Regulation 14 replaced

Regulation 14 is repealed and the following regulation is inserted instead —

“

14. Operator to ensure slaughter and processing complies with relevant standards

- (1) The operator of an abattoir must ensure that the slaughter of animals in that abattoir is done so as to comply with all relevant standards adopted by regulation 4.
- (2) The operator of processing premises must ensure that the processing of meat and meat products at the premises is done so as to comply with all relevant standards adopted by regulation 4.
- (3) Despite subregulation (1), the operator of an abattoir in the districts of Kellerberrin or Kondinin need not comply with clauses 10.1, 10.2, 10.3, 10.5 and 10.11 of the Meat Standard.

”.

9. Regulation 26 amended

- (1) Regulation 26(1) is amended by deleting “the Transport Standard.” and inserting instead —
“ all relevant standards adopted by regulation 4. ”.
- (2) Regulation 26(2) is amended by deleting “Transport Standard” and inserting instead —
“ Meat Standard ”.

10. Schedule 1 amended

Schedule 1 item 4 is amended by inserting the following brand —

“



”

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.

TREASURY AND FINANCE

TF301*

Financial Administration and Audit Act 1985

**Financial Administration and Audit
(Designation of Statutory Authorities)
Regulations (No. 3) 2004**

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Financial Administration and Audit (Designation of Statutory Authorities) Regulations (No. 3) 2004*.

2. Commencement

These regulations come into operation on the day on which section 160 of the *Workers' Compensation Reform Act 2004* comes into operation.

3. The Act amended

The amendment in these regulations is to the *Financial Administration and Audit Act 1985**.

[* *Reprint 8 as at 9 July 2004.*

For subsequent amendments see Act Nos. 20, 40 and 42 of 2004.]

4. Schedule 1 amended

Schedule 1 is amended by inserting in the appropriate alphabetical position —

“

WorkCover Western Australia Authority

”

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.

— PART 2 —

HEALTH

HE401*

HEALTH ACT 1911 APPOINTMENTS

Department of Health WA,
Perth, 31 January 2005.

In accordance with the provisions of section 28 of the *Health Act 1911*, the appointment of the following persons as Environmental Health Officers is approved.

Environmental Health Officer	Date Effective	Local Government
Allen Osborne	10 January 2005-15 April 2005	Shire of Beverley
Natasha Stallard	14 January 2005-30 June 2005	City of Canning
Daniella Dagostino	17 January 2005	City of Gosnells
Tony Morley	24 January 2005	Shire of Halls Creek
Scott Reitsema	24 January 2005	City of Albany
Felix Neuweiler	24 January 2005	Shire of Irwin
Douglas Adamson	28 January 2005	City of Bunbury
Ron Giorgi	28 January 2005	City of Bunbury

Dr. M. STEVENS, Executive Director,
Public Health.

JUSTICE

JU401*

COURT SECURITY AND CUSTODIAL SERVICES ACT 1999 PERMIT DETAILS

Pursuant to the provisions of section 51 of the *Court Security and Custodial Services Act 1999*, the Director General of the Ministry of Justice has issued the following person with Permit to do High-Level Security Work—

Surname	First Name(s)	Permit Number	Date Permit Issued	Permit Commence Date	Permit Expiry Date
Robinson	Monique Terese	CS5-128	04/02/05	04/02/05	04/02/05

This notice is published under section 57(1) of the *Court Security and Custodial Services Act 1999*.

BRIAN YEARWOOD, A/Director,
Custodial Contracts.

2 February 2005.

LOCAL GOVERNMENT

LG401*

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1960*Town of Port Hedland*

ESTABLISHMENT OF A POUND AND APPOINTMENT OF AUTHORISED OFFICER

It is hereby notified for public information that Council at its meeting on the 19 January 2005 resolved to establish a pound at Lots 1675D, 1676, 1677 Cajarina Street, Wedgefield (Town Depot) and appoint Christopher Sousa, Daniel Hendriksen and Colin Mathie as Rangers/Poundkeepers pursuant to the Local Government (Miscellaneous Provisions) Act 1960, Part XX.

A. AWANG, Acting Chief Executive Officer.

LG402*

SHIRE OF DARDANUP

Authorised Person

It is hereby notified for public information that Mr Keith Kavanagh has been appointed as an authorised person of the Shire of Dardanup pursuant to the following—

To exercise powers under Part XX of the Local Government Act (Miscellaneous Provisions) Act 1960; Section 449 of the Local Government (Miscellaneous Provisions) Act 1960 as Pound Keeper and Ranger;

Part 9 Division 2 of the Local Government Act 1995;

Section 9.13, 9.15 of the Local Government Act 1995 as an Authorised Person;

Section 3.39 of the Local Government Act 1995 as an Authorised Person

and as an Authorised Person pursuant to the following—

Dog Act 1976 for the purposes of registering, seizing, impounding, detaining and destroying of dogs; Section 33E (1) Dog Act as an Authorised Person;

Control of vehicles (Off Road Area) Act 1978;

Litter Act 1979;

Bush Fires Act 1954;

Caravan Parks and Camping Grounds Act 1995

and effecting general rangers duties within the district.

The appointments of Mr Harold Neil and Mr Ron Cooper are hereby cancelled.

P. S. ROWE, Acting Chief Executive Officer.

2 January 2005.

MINERALS AND PETROLEUM

MP401*

State of Western Australia

PETROLEUM ACT 1967

Section 47(1)

DECLARATION OF A LOCATION

I, William Frederick Mason, Acting Director Petroleum and Royalties Division of the Department of Industry and Resources for the State of Western Australia, delegate of the Minister for State Development by virtue of an instrument of delegation dated 26 March 2004 and published in the Government Gazette of Western Australia on 2 April 2004, declare the following blocks to be a location for the purpose of Part III of the Act—

Hamersley Range Map Sheet

Block
7089

Field
Rough Range

Location No.
1/04-5

This block is the subject of Exploration Permit No. EP 435 held by—

Lansvale Oil & Gas Pty Ltd
Pace Petroleum Pty Ltd
Rough Range Oil Pty Ltd

Dated at Perth on this 25th day of January 2005.

BILL MASON, Acting Director,
Petroleum and Royalties Division.

MP402*

Commonwealth of Australia

PETROLEUM (SUBMERGED LANDS) ACT 1967

GRANT OF EXPLORATION PERMITS

Exploration Permit No WA-359-P has been granted to Cue Exploration Pty Ltd and Exoil Limited to have effect for a period of six (6) years from 1 February 2005.

Exploration Permit No WA-360-P has been granted to Cue Exploration Pty Ltd and Gascorp Australia Ltd to have effect for a period of six (6) years from 1 February 2005.

Exploration Permit No. WA-361-P has been granted to Cue Exploration Pty Ltd and Gascorp Australia Ltd to have effect for a period of six (6) years from 1 February 2005.

W. F. MASON, Acting Director Petroleum and Royalties Division.

MP403*

PETROLEUM ACT 1967

GRANT OF RENEWAL OF EXPLORATION PERMIT NO. EP412

Renewal of Exploration Permit EP412 has been granted to Rough Range Oil Pty Ltd of 9 O'Beirne Street Claremont W.A. and Bounty Oil & Gas NL of level 1, 47 Havelock Street West Perth WA to have effect from and including 31 January 2005 for a period of five years.

W. F. MASON, Acting Director Petroleum and Royalties Division.

MP404

MINING ACT 1904

TEMPORARY RESERVES

Department of Industry and Resources,
Perth, 27 January 2005.

In accordance with the provisions of the *Mining Act 1904*, the Governor in Executive Council has been pleased to deal with the following Temporary Reserves.

J. LIMERICK, Director General.

The rights of occupancy on the undermentioned Temporary Reserves have been renewed.

Number	Occupant	For Further Period Expiring On	Locality	Mineral Field
4192H, 4193H, 4266H, 4267H, 4737H, and 4881H to 4884H	Hancock Prospecting Pty Ltd Wright Prospecting Pty Ltd Hamersley Resources Ltd	31 December 2005	Rhodes Ridge	West Pilbara and Peak Hill

MP405

MINING ACT 1978
APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Industry and Resources,
Coolgardie WA 6430.

In accordance with Regulation 49(2)(c) of the *Mining Act 1978* notice is hereby given that the following Licences are liable to forfeiture under the provisions of Section 96(1)(a) for breach of covenant, viz, failure to meet the minimum expenditure requirement.

K. H. AUTY (SM), Warden.

To be heard in the Warden's Court at Coolgardie on the 21 March, 2005.

COOLGARDIE MINERAL FIELD
Prospecting Licences

15/3204—Stehn; Anthony Paterson
15/3192—Colling; Robert John
15/4004—Tarnwood Pty Ltd
15/3483—Hoppmann; Amanda Louise
Hoppmann; Angela Marie Anne
16/1397—Paddington Gold Pty Ltd
16/1254—Paddington Gold Pty Ltd
16/1255—Paddington Gold Pty Ltd
16/1256—Paddington Gold Pty Ltd
16/1433—Paddington Gold Pty Ltd
16/1588—Paddington Gold Pty Ltd

PLANNING AND INFRASTRUCTURE

PI401*

TOWN PLANNING AND DEVELOPMENT ACT 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

City of Mandurah

Town Planning Scheme No. 3—Amendment No. 22

Ref: 853/6/13/12 Pt 22

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 (as amended) that the Minister for Planning and Infrastructure approved the City of Mandurah Town Planning Scheme Amendment on 27 January 2005 for the purpose of making numerous amendments to the scheme maps, scheme text, zoning tables and appendices, as detailed hereunder:

PROPOSED MAPPING CHANGES

The proposed changes to the Scheme maps are described below and are shown on the amendment map—

1. Remove the R-Coding from the 'Urban Development' zone shown on Lot 1000 & Pt Lot 19 Princeton Drive, Wannanup. Rezone Lot 1004 Princeton Drive/Old Coast Road from 'Urban Development' to 'Residential R20'.
2. Remove the R40 R-Code boundary line shown along Stewart Streets, Ormsby Terrace and Henson Streets, Mandurah.
3. Remove the R-Code boundary line along Leslie Street (south of Comet Street to Coolibah Avenue) and where the boundary line unnecessarily continues along Grafton/Manildra and runs along part of Coolibah Avenue near Boundary Road, Dudley Park.
4. Add an Additional Use annotation '11' and associated boundary for Pt Lot 41 Fremantle Road, Lakelands.
5. Transfer Reserve 43798 Clydesdale Drive, Greenfields from the 'Residential' zone to 'Local Recreation' reserve.
6. Add an Additional Use annotation '10' for Lots 20, 28, 32 & 33 Pinjarra Road, Greenfields.
7. Change the base density code for Silver Sands and San Remo, (north of Henson Street to Karinga Road), from 'R12.5' and 'R15' to 'R12.5/20'. Remove the dashed line around the perimeter of this zone shown on the Scheme map.
8. Change the base density code for Madora from 'R12.5' to 'R12.5/20' and remove the dashed line around the perimeter of this zone.

9. Rezone Lot 5 Leisure Way, Halls Head from 'Residential' to 'Tourist' and add an Additional Use annotation '9A'.
10. Transfer Reserve 43835 (at the rear of Lot 100 Leslie Street, Dudley Park) from 'Local Recreation' to 'Conservation & Foreshore'.
11. Change the Community Purpose abbreviation for Reserve 22188 Coolibah Avenue/Boundary Road, Mandurah from "CS" to "C" and insert an additional abbreviation "C—Cemetery" within the legend.
12. Realign the R-Code boundary along the edge of the 'Residential' zone to exclude those lots zoned 'Urban Development' along Lakes Road and Pinjarra Road, Greenfields.
13. Delete the three areas coded R40 on Lot 290 Hermitage Drive, Coodanup and modify the shape of the Local Recreation Reserve reflect the subdivision approval for the land.
14. Transfer Lot 138 Brouwer Trail, Dudley Park from 'Residential R25' to the 'Local Recreation' reserve.
15. Include Lot 1 (Nos. 1-5) Mandurah Terrace, Mandurah within the R80 density code boundary.
16. The R Coding designation within the street block bounded by Division/Boundary and Anstruther Roads is to be R12.5/40.
17. Change the R Code designation within the street-block containing First Avenue to R12.5/40.
18. Change the R Code designation within the street-block, bounded by Adana Street, Anstruther Road, Boundary Road and Rigel Street to R12.5/25.
19. Change the R Code designation for Lot 501 Bortolo Drive, Greenfields from 'R12.5/20' to 'R40'.
20. Rezone Lot 26 Alderley Place/Pinjarra Road, Coodanup from 'Special Use No. 2' (Place of Public Assembly and Church) to 'Urban Development'.
21. Delete the residential density coding of 'R15' for the Port Mandurah Stage II Estate (the area bounded by Mary Street, McLarty Road and Old Coast Road, Halls Head).
22. Transfer Lot 23 Meadow Springs Drive/Oakmont Avenue, Meadow Springs from 'Community Purpose—CP (Car Park)' to 'Urban Development'.
23. Add the symbol 'PS' to 'HS' for the Community Purpose reserve for Lot 280 Oakmont Avenue/Gordon Road, Meadow Springs ('Frederick Irwin Anglican School').
24. Change the 'single density codings' for Meadow Springs from 'R15' to 'R20', and update the relevant density coding boundaries.
25. Delete the lower density coding of the dual density codings for Meadow Springs (R15/20 and R15/40).
26. Delete the 'R40' and 'R15/40' areas shown within the Urban Development zone for Meadow Springs.
27. Modify the R Code boundary for Part Lot 169 Peel Parade, Coodanup so as not to intrude into the foreshore reserve.
28. Include the various undeveloped road reserves within the Bridgewater subdivision, Erskine, within the 'Residential' zone.
29. Rezone Lot 43 Anstruther Road (Corner Ward Street), Mandurah from 'Residential' to 'Commercial'.
30. Add the symbol 'D' (Drainage) to the following Community Purpose reserves: Priam Road, Silver Sands; Lot 969 Leighton Road/Shayne Street, Halls Head; Wisteria Gardens, Halls Head; Maria Street, Dudley Park; Casula Avenue (2 reserves), Coodanup; Linville Street, Falcon; Baloo Crescent, Falcon; Ayrton Street, Dawesville; Durham Crescent, Dawesville.
31. Transfer Lots 187 and 188 Cooper Street and Lots 177 and Lot 178 Elizabeth Streets, Mandurah from the 'Residential' zone to the 'Community Purpose—PU' reserve.
32. Add the symbol 'PC' to the Community Purpose reserves for the Croquet Club at Sticks Boulevard/Old Coast Road intersection, Erskine.
33. Add the symbol 'CH' to the Community Purpose reserve on Steerforth Drive (opposite Ranceby), Coodanup.
34. Add the symbol 'SU' to the Community Purpose reserve for Lot 121 Steerforth Drive, Coodanup and insert an additional abbreviation 'SU—Special Uses' within the legend.
35. Transfer Lot 11 Peelwood Parade, Halls Head and Lot 15 Paradise Circuit, Halls Head from 'Residential' to 'Community Purpose—D' reserve.

PROPOSED CHANGES TO ZONING TABLES

Various changes are proposed for the twelve zoning tables, as outlined below:

The following changes are to be made to Zoning Table 1 (City Centre)—

- Introduce 'Educational Establishment' as an 'SA' use and within the Minimum Car Parking column the following requirements are to be inserted—
"1.5 bays per classroom or as determined by Council."
- Introduce 'Industry—Service' as an 'SA' use.
- Delete 'Caretakers Dwelling'.
- Delete the current requirements in the Minimum Car Parking column for 'Consulting Room' and replace with '2 for the dwelling plus 4 per consultant'

- Delete the use class 'Place of Public Worship' and replace with 'Public Worship—Place of'.
- Delete the current requirements in the Minimum Car Parking column for 'Place of Public Worship' within the City Centre Zone and replace with "1 bay per 3 seats.
- Introduce 'Civic Use' as a 'P' use to Zoning Table 1 and within the Minimum Car Parking column the following requirements are to be inserted—
 'As determined by Council'
- In the 'Development Standards—Landscaping' column the additional comments be provided following '10% of the site',
 'This requirement may be reduced in accordance with any adopted Council Planning Policy.'
- Introduce 'Aged Persons Home' as a 'P' use and add the requirements 'As per Residential Planning Codes according to density shown on Scheme Maps' to the Other Requirements column.
- Add the requirements 'As per Residential Planning Codes according to density shown on Scheme Maps' to the Other Requirements column for the 'Aged Persons Village' use.
- Introduce 'Liquor Store' as a 'P' use.
- Introduce 'Child Family Care Centre' as a 'P' use and within the Minimum Car Parking column the following requirements should be inserted—
 '1 per staff member plus 6 bays for set down and pick up'
- Delete 'Hostel'
- Delete the current requirements in the Minimum Car Parking column for 'Lodging House' and replace with '1 per bedroom for hire plus 2 for the dwelling'.
- Introduce 'Nursing Home' as an SA use.
- Replace the use-Class 'Night Club/Cabaret' with 'Night Club'.
- Replace the use-class 'Hotel/Motel, Tavern, Club Holiday Accommodation' with 'Hotel/Tavern'.
- Delete 'Public Building'.

The following changes are to be made to Zoning Table 2 (Commercial)—

- The following is to be inserted in the Other Requirements column for the use of 'Dwelling (Single House, Group, Multi)'—
 'Where reticulated sewerage is unavailable a residential density coding of R12.5 shall apply.'
- Introduce 'Cultural Use' as a 'P' use.
- Replace 'Medical Clinic' with 'Medical Centre'.
- Introduce 'Hotel' as an 'AA' use with the requirements '1 per bed plus 1 per 2m² public bar area plus 1 per 3m² lounge area' added to the Minimum Car Parking column.
- Introduce 'Motel' as an 'AA' use with the requirements '1 per unit' added to the Minimum Car Parking column.
- Introduce 'Motor Vehicle Hire' as an 'AA' use.
- Introduce 'Liquor Store' as a 'P' use.
- Introduce 'Bed and Breakfast' as an 'AA' use with the requirements '2 for the permanent occupants plus 1 bay per bedroom available for hire' added to the Minimum Car Parking column.
- Introduce 'Caretaker's Dwelling' as an 'AA' use with the requirements "As per 'R25'" added to the Development Standards and requirements '2 car bays' added to the Minimum Car Parking column.
- Introduce 'Cultural Use' as a 'P' use.
- Introduce 'Lodging House' as an 'AA' use with the requirements '1 per bedroom for hire plus 2 for dwelling' added to the Minimum Car Parking column.
- Replace 'Night Club/Cabaret' with 'Night Club'.
- Replace 'Consulting Room attached to a House' with 'Consulting Rooms'.
- Delete 'Public Convenience'.

The following changes are to be made to Zoning Table 4 (Service Commercial)—

- Introduce 'Car Park' as a 'P' use.
- Introduce 'Civic Use' as a 'P' use with the requirements 'As determined by Council' added to the Minimum Car Parking column.
- Introduce 'Hire Service (Industrial)' as an 'AA' use.
- Introduce 'Lunch Bar' as a 'P' use.
- Introduce 'Motor Vehicle Hire' as a 'P' use.
- Introduce 'Motor Vehicle Repair' as an 'IP' use.
- Replace 'Private Recreation' with 'Recreation—Private'.
- Replace 'Public Recreation' with 'Recreation—Public'.

- Replace 'Service—Industry' with 'Industry-Service'.
- The use of 'Office' is to be changed from a 'P' use to an 'SA' use.
- Replace the requirements within the Minimum Car Parking column for the use 'Educational Establishment' with—
 - '1.5 bays per classroom or as determined by Council'
- Replace 'Medical Clinic' with 'Medical Centre', with the requirements 'plus 1 per staff member' added to the Minimum Car Parking column.
- Delete 'Cottage Industry'.

The following changes are to be made to Zoning Table 5 (Residential)—

- Introduce 'Civic Use' as a 'P' use with the requirements 'As determined by Council' added to the Minimum Car Parking column.
- Introduce 'Land Sales Office' as a 'P' use, with the requirements '6 parking bays' added to the Minimum Car Parking column.
- Delete the use class of 'Drainage'.
- Introduce 'Aged Persons Home' as an 'AA' use and add the requirements 'As per Residential Planning Codes according to density shown on Scheme Maps' to the Other Requirements column.
- Change Aged Persons Village from a 'P' use to an 'AA' use and add the requirements 'As per Residential Planning Codes according to density shown on Scheme Maps' to the Other Requirements column for the 'Aged Persons Village' use.
- Change 'Bed and Breakfast' from an 'AA' use to an 'SA' use
- Replace the use class 'Consulting Room attached to a House' with 'Consulting Rooms'.
- Correct the spelling of the use-class 'Public Utility'.
- Change 'Child Family Care Centre' from 'AA' to 'P' and add the requirement 'The operation of such a use shall be in accordance with Council Policy' to the Other Requirements column.
- Replace 'Medical Clinic' with 'Medical Centre'.
- Replace 'Place of Public Worship' with 'Public Worship—Place of'.

The following changes are to be made to Zoning Table 6 (Industry)—

- Introduce 'Auction Mart' as an 'AA' use and add the requirements '1 per 50m2 display and sales area including both indoor and outdoor' to the Minimum Car Parking column.
- Introduce 'Club Premises' as an 'AA' use, and add the requirements 'As determined by Council' to the Minimum Car Parking column.
- Introduce 'Civic Use' as a 'P' use with the requirements 'As determined by Council' added to the Minimum Car Parking column..
- Introduce 'Caretaker's Dwelling' as an 'AA' use with the requirements "As per 'R25'" added to the Development Standards and requirements '2 car bays' added to the Minimum Car Parking column.
- Introduce 'Produce Store' as a 'P' use, with the requirements '1 per 50m2 sales and storage area' being added to the Minimum Car Parking column.
- Replace 'Vehicle Repair Station' with 'Motor Vehicle Repair'.
- Replace 'Car, Boat, Caravan, Machinery Sales and Hire' with 'Motor Vehicle and Marine Sales Premises' as an 'AA' use.
- Introduce 'Motor Vehicle Hire' as an 'AA' use.
- Introduce 'Restricted Premises' as an 'SA' use.
- Replace 'Service Industry' with 'Industry—Service'.
- Replace 'General Industry' with 'Industry—General'.
- Replace 'Light Industry' with, 'Industry—Light'.
- Delete 'Builder's Yard'.
- Within the Development Standards in Table 6—Industrial Zone under Landscaping '*10% OF SIT AREA*' is to be replaced with '*10% OF SITE AREA*'.
- Correct the spelling of the use-class "Public Utility".
- Introduce 'Hire Service (Industrial)' as an 'AA' use.
- Replace 'Car Wash' with 'Motor Vehicle Wash'.
- Replace 'Car Wrecking' with 'Motor Vehicle Wrecking'.
- Replace 'Private Recreation' with 'Recreation-Private'.
- Introduce 'Recreation-Public' as an AA use.
- Delete 'Place of Public Worship' and replace with 'Public Worship—Place of'.
- Delete the current requirements in the Minimum Car Parking column for 'Place of Public Worship' and replace with "1 bay per 3 seats".

The following changes are to be made to Zoning Table 7 (Rural Residential)—

- Replace 'Dwelling House' with 'Dwelling (Single House)'.
- Within the Development Standards of Table 7 the 'Minimum Effective Frontage' of '75m' should be replaced with '50m'.

- The Minimum Boundary Setbacks within the Development Standards (currently specified as front 50m, rear 100m, side 15m) is to be replaced with 'front 20m, rear 50m, side 10m'. The provisions relating to the declared building envelope and Lake Clifton are to remain however, 'lake Clifton' is to state 'Lake Clifton'.
- Introduce 'Civic Use' as a 'P' use with the requirements 'As determined by Council' added to the Minimum Car Parking column.
- The 'Other Requirements' column shall be modified to read as follows—
'Any subdivision or development shall comply with the requirements of the Commission's Coastal and Lakelands Planning Strategy and the EPA Bulletin 864 (Final criteria for Environmental Acceptability for Land Use proposals within the Catchment of Lake Clifton) requirements.'
- Introduce the following text to the Other Requirements column for the use of 'Rural Pursuits'—
'In considering a proposal to develop land for intensive agriculture the Council shall—
 - a) Take account of soil types, slope and groundwater flows and surface water drainage and proximity to the estuary,*
 - b) Take account of the objectives of the Peel-Harvey Coastal Plain Catchment Statement of Planning Policy, as amended with respect to the potential impact of the proposal on the environment and water quality, and*
 - c) Seek advice from the Departments of Agriculture and Environmental Protection and take account of that advice in making its determination or defer the decision pending a formal assessment under part IV of the Environmental Protection Act.'*
- Introduce 'Hobby farm' as an 'SA' use, and add the requirements
'In considering a proposal to develop land for intensive agriculture the Council shall—
 - a) Take account of soil types, slope and groundwater flows and surface water drainage and proximity to the estuary,*
 - b) Take account of the objectives of the Peel-Harvey Coastal Plain Catchment Statement of Planning Policy, as amended with respect to the potential impact of the proposal on the environment and water quality, and*
 - c) Seek advice from the Departments of Agriculture and Environmental Protection and take account of that advice in making its determination or defer the decision pending a formal assessment under part IV of the Environmental Protection Act' to the Other Requirements column.'*
- Change 'Bed and Breakfast' from 'SA' to 'AA' use with the requirements '2 for the permanent occupants plus 1 bay per bedroom available for hire' added to the Minimum Car Parking column.
- Delete 'Place of Public Worship' and replace with 'Public Worship—Place of'.
- Delete the current requirements in the Minimum Car Parking column for 'Place of Public Worship' and replace with "1 bay per 3 seats.
- Introduce 'Child Family Care Centre' as a 'P' use with the requirements '1 per staff member plus 6 bays for set down and pick up' added to the Minimum Car Parking column.
- Delete Bee-keeping.
- The 'Other Requirements' column is to be modified by deleting the words, 'within the Lake Clifton catchment area'.
- Replace the term 'lakelands' with 'Lakelands' and replace the word 'Environemtnal' with 'Environmental'.
- Correct the spelling of the use-class 'Public Utility'.
- Replace 'Additional Accommodation' with 'Ancillary Accommodation'.
- Replace 'Private Recreation' with 'Recreation-Private'.
- Replace 'Public Recreation' with 'Recreation-Public'.

The following changes are to be made to Zoning Table 8 (Rural)—

- Replace 'Dwelling' with 'Dwelling (Single House)'.
- The Minimum Boundary Setbacks within the Development Standards (currently specified as 100m to all buildings) are to be replaced with front 20m, rear 50m, and side 15m.
- Change 'Bed and Breakfast' from an 'SA' to an 'AA' use and add the requirements '2 for the permanent occupants and' to the front of the existing requirements in the Minimum Car Parking column.
- Introduce 'Civic Use' as a 'P' use with the requirements 'As determined by Council' added to the Minimum Car Parking column.
- The 'Other Requirements' column shall be modified to read as follows—
'Any subdivision or development shall comply with the requirements of the Commission's Coastal and Lakelands Planning Strategy and the EPA Bulletin 864 (Final criteria for Environmental Acceptability for Land Use proposals within the Catchment of Lake Clifton) requirements.'
- Delete 'Stock Yard'.

- Introduce 'Veterinary Clinic' as an 'SA' use with the requirements '1 per staff member plus 4 per practitioner' added to the Minimum Car Parking columns of both.
- Introduce 'Veterinary Hospital' as an 'SA' use with the requirements '1 per staff member plus 4 per practitioner' added to the Minimum Car Parking columns of both.
- Introduce 'Child Family Care Centre' as a 'P' use with the requirements '1 per staff member plus 6 bays for set down and pick up' added to the Minimum Car Parking column.
- Delete 'Stables'.
- Introduce the following text to the Other Requirements column for the use of 'Rural Pursuits'—

In considering a proposal to develop land for intensive agriculture the Council shall—

- Take account of soil types, slope and groundwater flows and surface water drainage and proximity to the estuary,*
 - Take account of the objectives of the Peel-Harvey Coastal Plain Catchment Statement of Planning Policy, as amended with respect to the potential impact of the proposal on the environment and water quality, and*
 - Seek advice from the Departments of Agriculture and Environmental Protection and take account of that advice in making its determination or defer the decision pending a formal assessment under part IV of the Environmental Protection Act.'*
- Correct the spelling of the use-class "Public Utility".
 - 'Place of Public Worship' should be changed to 'Public Worship—place of' with the requirements '1 per 3 seats' added to the Minimum Car Parking column.
 - Replace 'Additional Accommodation' with 'Ancillary Accommodation'.
 - 'Private Recreation' is to be included as an 'SA' use and worded 'Recreation-Private'.
 - 'Public Recreation' is to be included as an 'AA' use and worded 'Recreation-Public'.

The following changes are to be made to Zoning Table 9 (Urban Development)—

- Replace 'Dwelling' with Dwelling (Single House).
- Introduce 'Land Sales Office' as a 'P' use, with the requirements '6 parking bays' added to the Minimum Car Parking column.
- Introduce 'Civic Use' as a 'P' use with the requirements 'As determined by Council' added to the Minimum Car Parking column.
- Correct the spelling of the use-class 'Public Utility'.
- Replace 'Additional Accommodation' with 'Ancillary Accommodation'.
- 'Bed and Breakfast' is to include the requirements '2 for the permanent occupants plus 1 bay per bedroom for hire' to the Minimum Car Parking column.
- Introduce the following text to the Other Requirements column for the use of 'Hobby Farm'—

In considering a proposal to develop land for intensive agriculture the Council shall—

- Take account of soil types, slope and groundwater flows and surface water drainage and proximity to the estuary,*
 - Take account of the objectives of the Peel-Harvey Coastal Plain Catchment Statement of Planning Policy, as amended with respect to the potential impact of the proposal on the environment and water quality, and*
 - Seek advice from the Departments of Agriculture and Environmental Protection and take account of that advice in making its determination or defer the decision pending a formal assessment under part IV of the Environmental Protection Act.'*
- Introduce the following text to the Other Requirements column for the use of 'Rural Pursuit'—

In considering a proposal to develop land for intensive agriculture the Council shall—

- Take account of soil types, slope and groundwater flows and surface water drainage and proximity to the estuary,*
- Take account of the objectives of the Peel-Harvey Coastal Plain Catchment Statement of Planning Policy, as amended with respect to the potential impact of the proposal on the environment and water quality, and*
- Seek advice from the Departments of Agriculture and Environmental Protection and take account of that advice in making its determination or defer the decision pending a formal assessment under part IV of the Environmental Protection Act' under the Other Requirements column.'*

The following changes are to be made to Zoning Table 10 (Tourist)—

- Introduce 'Civic Use' as a 'P' use.
- Introduce 'Aged Persons Home' as an 'SA' use with the development standards as follows—
'As per Residential Planning Codes according to density shown on Scheme Maps.'
- Introduce 'Caretaker's Dwelling' as an 'AA' use with the requirements "As per 'R25'" added to the Development Standards and requirements '2 car bays' added to the Minimum Car Parking column.
- Replace 'Night Club/Cabaret' with 'Night Club'.

- Introduce 'Office' as an 'IP' use with the requirements '1 per 40m² GLA' added to the Minimum Car Parking column.
- Replace the provisions within the Other Requirements column for the use of 'Dwelling (Single House, Group, Multi) relating to 'Dwellings will only be permitted for permanent occupation where the proposal complies with an approved Outline Development Plan' with the following—

'Dwellings will only be permitted for permanent occupation where it can be demonstrated that the proposal will contribute to the overall amenity of the area. Notwithstanding the preceding comments no permanent accommodation will be permitted on those lots with frontage onto Mandurah Terrace.'
- Introduce 'Liquor Store' as an 'IP' use.
- The setbacks heading on the table are to line up with the columns.
- Delete 'Multiple Occupancy'.
- Correct the spelling of the use-class 'Public Utility'
- Add the requirements '1.5 bays per classroom or as determined by Council' to the Minimum Car Parking column for 'Educational Establishment'.
- 'Bed and Breakfast' is to include the requirements '2 for the permanent occupants plus 1 bay per bedroom for hire' to the Minimum Car Parking column.

The following changes are to be made to Zoning Table 11 (Canal)—

- Within the Development Standards the provisions within the Side Setback column are to be replaced with the following:

'As per the Residential Planning Codes except where the boundary abuts a canal the setback to any building or structure shall be a minimum of 4m.'
- Within the Development Standards the provisions of Point 2 within the Other Requirements column should be replaced with—

'Certification from a Practising Structural Engineer will be required for any building or structure which is proposed to be located closer than 6m to any canal wall (except for Waterside and the area generally bounded by Leighton Road, McLarty Road, Old Coast Road, Leisure Road and Mandurah Estuary [Port Mandurah Stage 1], where no variance will be granted).'
- Within clause a) of the Other Requirements column for the use of 'Canal Walls, Retaining Walls and Fencing' the figure 1m shall be changed to 1.4m.
- Within clause c) of the Other Requirements column for the use of 'Canal Walls, Retaining Walls and Fencing' the second sentence is to be deleted.
- Within the Other Requirements column for the use of 'Canal Walls, Retaining Walls and Fencing' an additional requirement is to be added, as follows—

(d) Any retaining wall or similar structure proposed to be placed within 6 metres of the canal wall will require certification from an Engineer confirming it will not surcharge the canal wall.'
- Introduce 'Chalets, Holiday Flats & Cabins' as an 'AA' use.
- Introduce 'Civic Use' as a 'P' use with the requirements 'As determined by Council' added to the Minimum Car Parking column.
- Introduce 'Land Sales Office' as a 'P' use and include the requirements 'Minimum 6 bays' in the Minimum Car Parking column.
- Replace 'Consulting Room attached to a House' with 'Consulting Rooms' and add the requirements '2 for the dwelling plus 4 for the consultant' to the Minimum Car Parking column.
- Introduce 'Aged Persons Home' as an AA use and add the requirements 'As per Residential Planning Codes according to density shown on Scheme Maps or on an approved Outline Development Plan except where a boundary abuts a waterway where the setback shall be a minimum of 4m with an average of 6m' to the Development Standards.
- Add the requirements '1 per bed plus 1 per 2m² public bar area plus 1 per 30m² lounge area' to the Minimum Car Parking column of Hotel use-class.
- Add the requirements '1 per bed' to the Minimum Car Parking column of Motel use-class.

The following changes are to be made to Zoning Table 12 (Mandurah Ocean Marina)—

- Introduce 'Fish Shop' as an 'AA' use.
- Introduce 'Boat Pump Out Facility' as an 'AA' use.
- Introduce 'Civic Use' as a 'P' use.
- Introduce 'Canal Walls, Retaining Walls and Fencing' as a 'P' use.
- Delete the use-classes 'Eating House' and 'Licensed Restaurant'.
- Replace 'Coin Operated Laundry' with 'Laundromat'.
- Delete 'Shop being part of a Tourist Building'.
- Add the following text to the "Other Requirements" column for the use-class Shop—

"Car parking of 1 bay/20 m² GLA required if the shop is part of a tourist building.'

- Add the requirements '2 for the permanent occupants plus 1 bay per bedroom available for hire' to the Minimum Car Parking column for the 'Bed and Breakfast'
- Introduce 'Caretaker's Dwelling' as an 'AA' use with the requirements "As per 'R25'" added to the Development Standards and requirements '2 car bays' added to the Minimum Car Parking column.

PROPOSED CHANGES TO SCHEME TEXT

- Throughout the Scheme, where the Scheme refers to District Town Planning Scheme No. 3, delete the word 'District'
- In the contents page below 4.13, add a series of headings and page numbers for each zoning table.
- Insert a new Clause at the end of Part 1 of the Scheme stating—

1.9 RELATIONSHIP WITH OTHER SCHEMES

By way of information, the following other Schemes of the City of Mandurah, at the Gazettal date of this scheme, complementary to this Scheme and any Scheme since gazetted—

<u>Scheme</u>	<u>No.Gazettal date</u>
4	1 December 1995
6	15 August 1995'

- Delete the current wording of Clause 4.4.3.2 and replace with 'Development will be required to comply with any adopted Council's Planning Policy on Pinjarra Road and other relevant Council policies'
- Replace the opening paragraph of Clause 4.5.3.2 with 'The following special requirements apply to all areas coded R1 on the Scheme Maps, or referenced as R0.5 in Appendix 3.'
- Replace the capital letters of 'Comprehensive Outline Development Plan' in Clause 4.8.1 with lower case.
- Delete the words 'and subdivision' from the opening paragraph of Clause 4.9.2.
- Add the words 'and shall have due regard to the provisions of the Commission's Coastal and Lakelands Planning Strategy.' to the end of Clause 6.6.
- Delete Clause 7.1.2 and replace it with—
 - '7.1.2 The planning approval of the Council is not required for the following development of land—
 - (a) The use of land in a reserve, where such land is held by the Council or vested in a public authority—
 - (i) for the purpose for which the land is reserved under the Scheme; or
 - (ii) in the case of land vested in a public authority, for any purpose for which such land may be lawfully used by that authority.
 - (b) The erection on a lot of a single dwelling, including any extension, ancillary outbuildings and swimming pools, where a single dwelling is a permitted ("P") use in the zone in which that lot is situated, except where the proposal—
 - (i) necessitates the exercise of a discretion by the Council under the scheme to vary the Residential Planning Codes; or
 - (ii) involves development within a flood prone area.
 - (c) The erection on a lot of two group dwellings which are single storey where such dwellings are a permitted "P" use in the zone in which that lot is situated, except where the proposal—
 - (i) necessitates the exercise of a discretion by the Council under the scheme to vary the Residential Planning Codes; or
 - (ii) involves development within a flood prone area.
 - (d) The erection of a boundary fence except where the proposed fence does not comply with Council Policy.
 - (e) The carrying out of any works on, in, over or under a street or road by a public authority acting pursuant to the provisions of any Act.
 - (f) The carrying out of works for the maintenance, improvement or other alteration of any building, being works which affect only the interior of the building or which do not materially affect the external appearance of the building.
 - (g) The carrying out of works urgently necessary in the public safety or for the safety or security of plant or equipment or for the maintenance of essential services.'
- Delete Clause 7.1.4.
- Remove reference to Clause 6.3 in Clause 7.11.1 and replace with a reference to Clause 5.3.
- Remove reference to Clause 7.11.3.2 in Clause 7.11.3.7 and replace with reference to Clause 7.11.3.5.
- Insert a new Clause 7.11.3.9A after Clause 7.11.3.9 stating—
 - '7.11.3.9A If the Council does not make a decision under any of paragraphs (a), (b) or (c) of Clause 7.11.3.10 within 90 days from the latest closing date for submissions under clause

7.11.3.7, then the applicant may deem the Council to have rejected the Outline Development Plan, or may agree with the Council to extend the 90 day period for deemed rejection, and any deemed rejection thereafter shall be taken to have occurred on the last agreed date for the Council to make a determination.'

- Insert a new entry 'Addition Use 9A' into Appendix 2 (Additional Uses) stating—
'No. 9A; Land Particulars: Lot 5 Leisure Way; Base Zone: Tourist; Permitted Uses: Nursery; Development Standards/Conditions: None.'
- Insert a new entry 'Addition Use 12' into Appendix 2 (Additional Uses) stating—
'No. 12; Land Particulars: Lot 51 Mandurah Tce; Base Zone: Tourist; Permitted Use: Office; Development Standards/Conditions: As per Commercial Zone.'
- In Appendix 2 (Additional Uses) delete the term Professional Offices and replace with Office in Additional Use No 6.
- In Appendix 3 (Special Uses) delete the term 'Cottage Industry' and replace it with 'Industry-Cottage' in Special Use No 1.
- In Appendix 3 (Special Uses) delete reference to Lots 26 and 27 from Special Use No 2.
- In Appendix 3 (Special Uses) replace the words 'Lots 3 -12—inclusive' with the words 'Lots 3 -11—inclusive' from Special Use No 3.
- Throughout the Scheme, where the words 'lake Clifton' appear replace with 'Lake Clifton'.
- In Appendix 4 (Rural Residential) part 1 c of Area 3 replace the word 'environmetn' with 'environment'.
- Delete 'Rural Residential Areas 1, 2, 5, 6 and 7' from the map of Rural Residential Areas in Appendix 4 and all references to such areas in the text of Appendix 4 being deleted, as well as renumber the Rural Residential Areas on the map and in the text of Appendix 4 accordingly.
- Amend the map of Rural Residential Areas in Appendix 4 such that the boundaries of Rural Residential Area 3 are consistent with the Rural Residential zone shown in the Scheme Map.
- Add the boundaries of Rural Residential Areas 8 and 9 to the map of Rural Residential Area in Appendix 4 in a manner consistent with the Scheme Map.
- In Appendix 5 (Application for Planning Approval) replace the word 'sunless' with 'unless'.
- Delete Appendix 5A (Application to Carry on a Home Occupation).

CHANGES TO APPENDIX ONE—INTERPRETATIONS

- Delete the current definition of **caravan park** and replace with "*has the same meaning as in the Caravan Parks and Camping Grounds Act 1995*"
- Delete the current definition of **cattery** and replace with "*means any premises where 3 or more cats are kept, boarded, trained or bred.*"
- Delete the current definition of **commercial vehicle** and replace with "*means a vehicle whether licensed or not and which is used or designed for use for business, trade, commercial purposes or in conjunction with a business, trade or profession and without limiting any of the foregoing includes any utility, van, truck, trailer, tractor and any attachment to any of them, and any bus or earthmoving machine, whether self propelled or not. The term shall not include a vehicle designed as a passenger car or trailer or other thing most commonly used as an attachment to a passenger car, or a van, utility or light truck which is rated by the manufacturer as being suitable to carry loads of not more than 1 ½ tonnes.*"
- Delete cottage industry from the list of definitions in Appendix 1.
- Delete the current definition of **industry-cottage** and replace with "*means a business, professional service, trade or light industry producing arts and craft goods which cannot be carried out under the provisions relating to a "home occupation" and which, in the opinion of Council—*
 - (a) *does not cause injury to or prejudicially affect the amenity of the neighbourhood;*
 - (b) *where operated in a Residential Zone, does not entail the employment of any person other than a member of the occupier's household;*
 - (c) *is conducted in an out-building which is compatible within the principal uses to which land in the zone in which it is located may be put;*
 - (d) *does not occupy an area in excess of 50 m²;*
 - (e) *does not display a sign exceeding 0.2 m² in area.*"
- Delete **consulting room attached to a house** from the list of definitions in Appendix 1 and replace with **consulting room** defined as "*means premises used by no more than 2 health consultants for the investigation or treatment of human injuries or ailments and for general outpatient care*"
- Add a definition for **dwelling (single house, grouped dwelling, multiple dwelling)** to Appendix 1 and define it as follows; "*shall have the same meanings as defined in the Residential Planning Codes*".
- Add "(GFA)" after the words **Gross Floor Area**.
- Add "(GLA)" after the words **Gross Leasable Area**.

- Add a definition for **land sales office** to Appendix 1 and define it as follows; “*means a temporary building used solely for the purpose of land and/or development transactions associated with the site upon which the building is situated.*”
- Amend the definition for **lunch bar** replacing the words “*between the hours of 9 a.m. and 4 p.m.*” with “*between the hours of 7 am and 5 pm*”.
- Delete medical clinic from the list of definitions in Appendix 1.
- Add a definition for **medical centre** to Appendix 1 and define it as follows; “*means premises, other than a hospital, used by one or more health consultant(s) for the investigation or treatment of human injuries or ailments and for general outpatient care (including preventative care, diagnosis, medical and surgical treatment, and counselling).*”
- Delete the current definition of **Motor Vehicle and Marine Sales Premises** and replace with “*means any land or buildings used for the display and sale of new or second hand motor-cycles, cars, trucks, caravans and boats or any one or more of them and may include the servicing of goods sold from the site.*”
- Delete the current definition of **motor vehicle repair** and replace with “*means premises used for or in connection with—*
 - (a) *electrical and mechanical repairs, or overhauls, to vehicles; or*
 - (b) *repairs to tyres,**but does not include premises used for recapping or retreading tyres, panel beating, spray painting or chassis reshaping.*”
- Delete the current definition of park home and replace with “*has the same meaning as in the Caravan Parks and Camping Act 1995.*”
- Delete the current definition of **park home** park and replace with “*has the same meaning as in the Caravan Parks and Camping Grounds Regulations 1997.*”
- Add a definition for **residential building** to Appendix 1 and define it as follows; “*has the same meaning as defined in the Residential Planning Codes.*”
- Delete the current definition of **Rural Pursuit** from Appendix One—Interpretations which reads—

“*rural pursuit means the use of land for any of the purposes set out hereunder and shall include such buildings normally associated therewith—*

 - (a) *rearing or agistment of animals for a commercial return.*
 - (b) *the stabling, agistment or training of horses;*
 - (c) *the growing of trees, plants, shrubs, or flowers for replanting in domestic, commercial or industrial gardens;*
 - (d) *the sale of produce grown solely on the lot;*

but does not include intensive agriculture.”

And replace with the following—

“*rural pursuit means the use of land for any of the purposes set out hereunder and shall include such buildings normally associated therewith—*

 - (a) *rearing or agistment of animals for a commercial return.*
 - (b) *the stabling, agistment or training of horses or riders for a commercial return;*
 - (c) *the growing of trees, plants, shrubs, or flowers for replanting in domestic, commercial or industrial gardens;*
 - (d) *the sale of produce grown solely on the lot;*
 - (e) *bee-keeping.*

but does not include intensive agriculture. The stocking rates shall be determined in consultation with Agriculture Western Australia.”
- Delete the current definition of **service station** from Appendix One—Interpretations which reads—

“*means any land or buildings used for the retail sale of petroleum products and motor vehicle accessories and for carrying out greasing, tyre repairs, minor mechanical repairs to motor vehicles but does not include a transport depot, panel beating, spray painting, major repairs or wrecking.*”

And replace with the following—

“**service station** means premises used for—

 - (a) *the retail sale of petroleum products, motor vehicle accessories and goods of an incidental/convenience retail nature; and*
 - (b) *the carrying out of greasing, tyre repairs and minor mechanical repairs to motor vehicles,*

but does not include premises used for a transport depot, panel beating, spray painting, major repairs or wrecking.”
- Delete the current definition of **showroom** from Appendix One—Interpretations which reads—

“**showroom** means any building or part of a building used or intended for use for the purpose of displaying or offering for wholesale or retail sale, automotive spare parts,

carpets, large electrical appliances, furniture, hardware or goods of a bulky nature but does not include the retail sale of foodstuffs, liquor or beverages, items of clothing or apparel, magazines, newspapers, books or paper products, china, glassware or domestic hardware, or items of personal adornment."

And replace with the following—

"showroom means any building or part of a building used or intended for use for the purpose of displaying or offering for wholesale or retail sale, automotive spare parts, carpets, large electrical appliances, furniture, hardware or goods of a bulky nature."

- Delete 'Ancillary Use', 'Café/kiosk', 'Camping Area', 'Contractor's Yard', 'Eating House', 'Gallery', 'Garden Centre', 'Public Exhibition', 'Public Parking Station', 'Retirement Village' & 'Stockyards' from Appendix One—Interpretations.

P. CREEVEY, Deputy Mayor.
M. NEWMAN, Chief Executive Officer.

PI402*

TOWN PLANNING AND DEVELOPMENT ACT 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
City of Albany

Town Planning Scheme No. 3—Amendment No. 228

Ref: 853/5/4/5 Pt 228

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 (as amended) that the Minister for Planning and Infrastructure approved the City of Albany Town Planning Scheme Amendment on 27 January 2005 for the purpose of—

1. Rezoning Part Lot 376, La Perouse Road, Goode Beach from the 'Local Shopping' zone to 'Residential' zone, and incorporating it within 'Schedule II—Additional Use Sites as Additional Use Sites Code No. 11' as follows—

Code No.	Particulars of Land	Additional Use	Conditions
1	Part Lot 376, La Perouse Road, Goode Beach	Shop Residential (R 10)	<ol style="list-style-type: none"> 1. All development shall be generally in accordance with the Development Guide Plan (Drawing No. 12686-04 Version C) endorsed by the Chief Executive Officer. 2. Development provisions of the 'Residential' zone to apply with the exception of car parking for the shop, which shall accord with Council standards. 3. Approval to the development and use of a shop to be at the discretion of Council following advertising. 4. The maximum retail floor space to be developed on the lot shall not exceed 100m² NLA and it be limited to proposed lot 'B'. 5. The shop shall be designed and constructed of materials that do not detrimentally impact upon the amenity of neighbouring residential lots. 6. The shop and associated car park to be screened and landscaped to Council's satisfaction. 7. Ingress and egress is to be limited to Klem Road only and be designed and constructed to Council's satisfaction. 8. All storm water is to be contained on-site and disposed of to Council's satisfaction.

2. Amending the Scheme Maps accordingly.

A. E. GOODE, Mayor.
A. C. HAMMOND, Chief Executive Officer.

PI403*

TOWN PLANNING AND DEVELOPMENT ACT 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
Shire of Donnybrook-Balingup

Town Planning Scheme No. 4—Amendment No. 52

Ref: 853/6/4/4 Pt 52

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 (as amended) that the Minister for Planning and Infrastructure approved the Shire of Donnybrook-Balingup Town Planning Scheme Amendment on 27 January 2005 for the purpose of modifying Clause 15 of Specified Area 13 (Boyanup Agricultural Area Lot 206 Hurst Road) of Schedule No 3—*Rural Residential Zones* as per the following—

15. The stocking of livestock requires planning approval to be granted by Council. For the purposes of this clause, the following applies—
- (i) Livestock refers to horses, cattle, goats, sheep and any other animal deemed by Council to be stocked on-site; and
 - (ii) Planning approval is not required to be obtained for domestic animals (ie dogs, cats, birds etc.).

W. B. HEARMAN, President.

J. R. ATTWOOD, Chief Executive Officer.

PI404*

TOWN PLANNING AND DEVELOPMENT ACT 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
Shire of Mundaring

Town Planning Scheme No. 3—Amendment No. 39

Ref: 853/2/27/3 Pt 39

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 (as amended) that the Minister for Planning and Infrastructure approved the Shire of Mundaring Town Planning Scheme Amendment on 27 January 2005 for the purpose of rezoning Lot 5 (No 820) Glen Road, Darlington, from “Rural Landscape Living” to “Rural Landscape Living 1”.

T. PASHLEY, Authorised Officer.

M. N. WILLIAMS, Chief Executive Officer.

PI405*

TOWN PLANNING AND DEVELOPMENT ACT 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
Shire of Mundaring

Town Planning Scheme No. 3—Amendment No. 40

Ref: 853/2/27/3 Pt 40

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 (as amended) that the Minister for Planning and Infrastructure approved the Shire of Mundaring Town Planning Scheme Amendment on 27 January 2005 for the purpose of rezoning Lots 51 and 52 Park Road, Hovea, from “Rural Landscape Living” to “Rural Landscape Living 2/4”.

T. PASHLEY, Authorised Officer.

M. N. WILLIAMS, Chief Executive Officer.

PI406*

TOWN PLANNING AND DEVELOPMENT ACT 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

Shire of Brookton

Town Planning Scheme No. 3—Amendment No. 4

Ref: 853/4/6/3 Pt 4

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 (as amended) that the Minister for Planning and Infrastructure approved the Shire of Brookton Town Planning Scheme Amendment on 1 February 2005 for the purpose of—

1. Rezoning Lots 1, 2, 3, 4, 5, 6, 7, 27, 28, 29, 30 and 31 and portion Lot 32 shown on Plan 3278, Brookton Highway, Brookton, from 'Rural Townsite' to 'Residential R10'.
2. Reserving portion of Lot 32 shown on Plan 3278 as 'Recreation'.
3. Amending the Scheme Map accordingly.

L. R. EYRE, President.
 I. N. CURLEY, Chief Executive Officer.

PREMIER AND CABINET

PC401*

DEPARTMENT OF THE PREMIER AND CABINET

Appointments

It is hereby notified for public information that the Governor, in Executive Council, has appointed Mr Gary Michael Pike as Clerk of the Executive Council with effect on and from 1 February 2005.

M. C. WAUCHOPE, Clerk of the Executive Council.

RACING, GAMING AND LIQUOR

RG401*

LIQUOR LICENSING ACT 1988

LIQUOR LICENSING APPLICATIONS

The following is a summary of applications received under the *Liquor Licensing Act 1988* and required to be advertised. Any person wishing to obtain more details about any application, or about the objection process, should contact the Department of Racing, Gaming and Liquor, 1st Floor, Hyatt Centre, 87 Adelaide Terrace, Perth, Telephone: (08) 9425 1888, or consult a solicitor or relevant industry organisation.

App. No.	Applicant	Nature of Application	Last Date for Objections
APPLICATIONS FOR THE GRANT OF A LICENCE			
10607	D & M M Pty Ltd	Application for the grant of a liquor store licence for premises known as Liquor & Gourmet World and situated at 987 Wellington Street, Perth	21/02/2005
10611	Bluefern Pty Ltd	Application for the grant of a producer's licence for premises known as Wombat Lodge Vineyard and situated at Lot 12 Location 2876 Pusey Road, Willyabrup.	10/02/2005
10612	Stac Pty Ltd	Application for the grant of a producer's licence for premises known as Moaning Frog Vineyard and situated at Lot 12 (Sussex Location) Manear Road, Rosa Brook	10/02/2005

App. No.	Applicant	Nature of Application	Last Date for Objections
APPLICATIONS FOR EXTENDED TRADING PERMITS—ONGOING EXTENDED HOURS			
22583	Binang Pty Ltd & Ashlin Pty Ltd	Application for the grant of an extended trading permit—ongoing extended hours, in respect of premises situated in Exmouth and known as Potshot Inn	20/02/2005
22483	Orebo Pty Ltd	Application for the grant of an extended trading permit—ongoing extended hours, in respect of premises situated at 73 Wray Avenue, Fremantle and known as Moondyne Joes.	15/02/2005
22603	Paul Anthony Dixon & Diane Kelly	Application for the grant of an extended trading permit—ongoing extended hours, in respect of premises situated at William Street, Carnarvon and known as Sandhurst Tavern.	16/02/2005
APPLICATIONS FOR APPROVAL TO ALTER/REDEFINE THE LICENSED PREMISES			
168479	Greenwood Village Pty Ltd	Application to alter/redefine the hotel—in respect of premises situated in Greenwood and known as the Greenwood Hotel	18/02/2005

This notice is published under section 67(5) of the *Liquor Licensing Act 1988*.

Dated: 2 February 2005.

H. R. HIGHMAN, Director of Liquor Licensing.

WATER

WA401*

WATER AGENCIES (POWERS) ACT 1984

WASTEWATER TREATMENT IMPROVEMENTS: ALBANY WASTEWATER TREATMENT PLANT

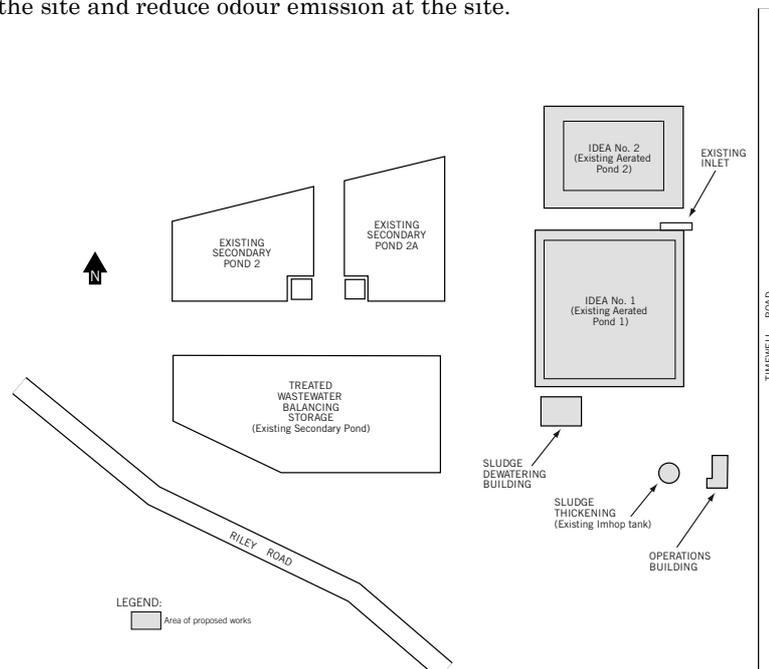
City of Albany

Notice of Authorisation to Upgrade Wastewater Treatment Plant

In accordance with the provisions of the Water Agencies (Powers) Act 1984, the Minister for the Environment has authorised the Water Corporation to construct upgrades to the Albany Wastewater Treatment Plant (WWTP). This includes the conversion of existing aerated ponds to the Intermittently Decanted Extended Aeration (IDEA) process, new solids thickening and dewatering facilities and assorted works.

The location of the proposed works is at the existing Albany Wastewater Treatment Plant site Timewell Road in the City of Albany.

The works will improve the nitrogen removal capacity of the WWTP, provide improved biosolids management at the site and reduce odour emission at the site.



DECEASED ESTATES

ZX401**TRUSTEES ACT 1962****DECEASED ESTATES**

Notice to Creditors and Claimants

Eudokia Haliczenko, late of Second Avenue Nursing Home, Second Avenue, Mount Lawley, Home Duties, 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 8 May 2004 are required by the Executor of care of Stables Scott, 8 St George's Terrace, Perth to send particulars of their claims to him by no later than 7 March 2005 after which date he may convey or distribute the assets having regard only to the claims of which he then has notice.

ZX402**TRUSTEES ACT 1962****DECEASED ESTATES**

Notice to Creditors and Claimants

In the matter of the Estate of Jan Willem Daniel Bouter Horsting, late of 12B Coventry Road, Shoalwater, in the State of Western Australia, Process Worker, 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 14th day of November 2004, are required by the Executor, Robert Vojakovic to send the particulars of their claim to Messrs Taylor Smart of Level 8, 50 St George's Terrace, Perth in the State of Western Australia, by the 4th day of March 2005, 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 31st day of January 2005.

TAYLOR SMART.

ZX403**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 Neville Richard Rogers, late of 19 Illumba Way, Nollamara, who died on 9 February 2004 are required by the personal representatives to send particulars of their claims to them care of Irdi Legal, Solicitors of 248 Oxford Street, Leederville by 8 March 2005 after which date the personal representative may convey or distribute assets, having regard only to the claims of which they then have notice.

ZX404**TRUSTEES ACT 1962****DECEASED ESTATES**

Notice to Creditors and Claimants

Francis Henry Sherwood, late of 207 Richards Street, Ballarat in the State of Victoria, Retired Cartage Contractor, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of Francis Henry Sherwood deceased, who died on the 3rd day of September 2004 at Ballarat in the State of Victoria are required by the personal representative David Malcolm Moss of 27 Golf Links Road, Albany, Western Australia to send particulars of their claims to David Moss & Co of PO Box 5744, Albany WA 6332 by the 5th day of March 2005 after which date the personal representative may convey or distribute the assets having regard only to the claims for which he has then had notice.

ZX405**TRUSTEES ACT 1962****DECEASED ESTATES**

Notice to Creditors and Claimants

Creditors and other persons having claims (to which Section 63 of the Trustees Act relates) in respect of the Estates of the undermentioned deceased persons are required to send particulars of their claims to me on or before the 4th March 2005, after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Jackson, Alice Mary, late of 68 Harper Street, Beverley, died 30/12/04, (DE33010115EM214)

Jager, Anna, late of Lathlain Care Facility, 63 Archer Street, Carlisle, died 19/1/05, (DE19902634EM27)

Jasiorowski, Stanislaw, late of 3/117 Walter Road, Dianella formerly of Midland Nursing Home, 44 John Street, Midland, died 22/12/04, (DE19901039EM23)

McGinnis, Patricia also known as McGuinness or McGuinness, Patricia, late of Little Sisters of the Poor, 1 Croesus Street, Kalgoorlie, died 28/5/02, (DE30279784EM37)

Murdock, Joyce Anne, late of 49 Connell Way, Girrawheen, died 10/11/04, (DE19970777EM23)

Needham, Coralie Myrtle, late of Unit 1/254 French Street, Tuart Hill, died 9/1/05, (DE20000121EM35)

Panichi, Imelda, late of 119 Grove Road, Lesmurdie, died 8/1/05, (DE33031587EM12)

Paterovski, Metodia, late of Unit 2, 3 St Kilda Road, Balga, died 5/10/04, (DE33035222EM37)

Reid, Richard Malcolm, late of 4 Ruth Street, Como, died 5/12/04, (DE19792971EM11)

ANTONINA ROSE McLAREN, Public Trustee,
Public Trust Office,
565 Hay Street,
Perth WA 6000.
Telephone 9222 6777.

ZX406**PUBLIC TRUSTEE ACT 1941****ADMINISTRATION OF ESTATES**

Notice is hereby given that pursuant to Section 14 of the Public Trustee Act 1941 and amendments, the Public Trustee has elected to administer the estates of the undermentioned deceased persons.

Dated at Perth the 2nd day of February 2005.

A. R. McLAREN, Public Trustee,
565 Hay Street, Perth WA 6000.

Name of Deceased; Address; Date of Death; Date Election Filed.

Clarke, Algara (DE19790982EM37); Wembley; 7/10/04; 18/1/05

Blettenwegar, John (DE33034297EM15); Glendalough; 2/9/04; 19/1/05

Trzcionka, Renate (DE33029171EM37); Maylands; 11/2/04; 25/1/05

Paterovski, Metodia (DE33035222EM37); Balga; 5/10/04; 25/1/05

CLAIMS FOR MISSING ISSUES

(SUBSCRIPTION ITEMS)

For a claim to be recognised as valid, written notification must be lodged at State Law Publisher, 10 William Street, Perth 6000 within 28 days of publication of the missing item.

Claims lodged after this date will attract payment in full.

STATE LAW PUBLISHER

SUBSCRIPTION CHARGES 2005

All subscriptions are for the period from 1 January to 31 December 2005. Subject to certain limitations, refunds may be allowed if a subscription is cancelled during the year. The prices quoted include GST where applicable and postage by surface mail unless stated otherwise.

GOVERNMENT GAZETTE

General *Government Gazettes* are published on Tuesday and Friday of each week, unless disrupted by public holidays or unforeseen circumstances.

Special *Government Gazettes* are published periodically.

All Gazettes	\$
Within WA	826.10
Interstate	842.60
Overseas (airmail)	1,151.00
Bound Volumes of full year	1,098.90

<i>Gazettes on CD ROM from 1998</i> (per year)	753.50
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INDUSTRIAL GAZETTE

Industrial Gazette is published monthly.

	\$
Within WA	359.70
Interstate	429.00
Overseas (airmail)	545.00

<i>Gazettes on CD ROM from 1998</i> (per year)	325.60
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HANSARD

Hansard is printed and distributed weekly during parliamentary sessions.

	\$
Within WA	784.30
Interstate	958.10
Overseas (airmail)	903.00

Bound Volumes of Hansard

Within WA	773.30
Interstate	785.40
<i>Hansards on CD ROM from 1999</i> (per year)	803.00

STATUTES

Bound Statutes

Bound volumes are posted during March of the following year.

	\$
Within WA	280.50
Interstate	311.30
Overseas	288.00
Half Calf Bound Statutes	771.10

<i>Bound Volumes on CD ROM from 1998</i> (per year)	279.40
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Loose Statutes

Statutes are posted weekly as they become available.

	\$
Within WA	301.40
Interstate	311.30
Overseas (airmail)	405.00

Sessional Bills

Bills are posted weekly as they become available.

	\$
Within WA	413.60
Interstate	433.40
Overseas (airmail)	587.00

Data on CD's is fully indexed and is searchable. Other CD ROM products with legislation or other statutory information can be packaged to individual requirements. Prices are available on request.

