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GOVERNMENT**
Gazette

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— PART 1 —

PROCLAMATIONS

AA101*

ACTS AMENDMENT (FAIR TRADING) ACT 2010

No. 58 of 2010

PROCLAMATION

Western Australia

*By His Excellency the Honourable
Wayne Stewart Martin,
Chief Justice of Western Australia,
Lieutenant-Governor and Administrator of
the State of Western Australia*

[L.S.]

WAYNE STEWART MARTIN
Lieutenant-Governor and Administrator

I, the Lieutenant-Governor and Administrator, acting under the *Acts Amendment (Fair Trading) Act 2010* section 2(c) and with the advice and consent of the Executive Council, fix 1 July 2011 as the day on which Parts 2, 3, 4 (other than sections 36 and 37), 5 (other than section 54), 6 and 7 and section 191(3) come into operation.

Given under my hand and the Public Seal of the State on 31 May 2011.

By Command of the Lieutenant-Governor and Administrator,

SIMON O'BRIEN, Minister for Commerce.

TRANSPORT

TN301*

Taxi Act 1994

Taxi Amendment Regulations 2011

Made by the Lieutenant-Governor and Administrator in Executive Council.

1. Citation

These regulations are the *Taxi Amendment Regulations 2011*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on 1 July 2011.

3. Regulations amended

These regulations amend the *Taxi Regulations 1995*.

4. Regulation 3 amended

In regulation 3 insert in alphabetical order:

approved person means a person who is approved for the purposes of the provision in which the term is used;

camera surveillance unit means an approved device that takes visual or audio-visual recordings;

5. Regulation 13B replaced

Delete regulation 13B and insert:

13B. Requirements relating to camera surveillance units in taxis

- (1) A person must not operate a vehicle as a taxi at any time (the *relevant time*) unless —
 - (a) a camera surveillance unit has been installed in the vehicle in an approved manner by an approved person; and
 - (b) a certificate has been given under regulation 13G(2) by an approved person in respect of the camera surveillance unit within 12 months before the relevant time; and
 - (c) the camera surveillance unit —
 - (i) subject to subregulation (2), was first installed in the vehicle or in any other vehicle within 5 years before the relevant time; and
 - (ii) is in the same position as it was when installed in the vehicle in the approved manner; and
 - (iii) is in proper working order; and
 - (iv) is in operation in the vehicle whenever the vehicle is in use as a taxi.
- (2) Subregulation (1)(c)(i) applies to a camera surveillance unit that is first installed on or after 1 July 2011 in a vehicle operated as a taxi.

- (3) If an authorised officer is of the opinion that a vehicle operated as a taxi does not comply with the requirements of subregulation (1), the officer may —
- (a) by notice in writing, direct the plate holder or the operator —
 - (i) to remedy any defect that relates to the camera surveillance unit in the vehicle, as specified in the notice; and
 - (ii) to have the vehicle inspected at a specified place by an approved person or an authorised officer,within the period specified in the notice; and
 - (b) by attaching a copy of the notice to the vehicle, prohibit the continued operation of the vehicle as a taxi until —
 - (i) it has been inspected by an approved person or an authorised officer and the camera surveillance unit found to be in a satisfactory condition; and
 - (ii) the approved person or authorised officer has removed the notice from the vehicle.
- (4) A person must not operate a vehicle as a taxi unless an approved sign stating that a camera surveillance unit is in operation in the vehicle is displayed at an approved place on each door of the vehicle.

13C. Requirements relating to regulation 13B(3)

- (1) A person given a direction under regulation 13B(3)(a) —
- (a) must comply with the direction; and
 - (b) must rectify any defect relating to the camera surveillance unit in the vehicle that is found during an inspection by an approved person or an authorised officer.
- (2) A person other than an approved person or an authorised officer must not remove, interfere with or destroy a notice attached to a vehicle under regulation 13B(3)(b).
- (3) A person must not operate a vehicle as a taxi while the vehicle is subject to a prohibition under regulation 13B(3)(b).

13D. Approved persons to install, remove and service camera surveillance units in taxis

- (1) In this regulation —
service includes repair, maintain, adjust, modify, inspect and test.

- (2) A person other than an approved person must not —
 - (a) install a camera surveillance unit in a vehicle operated as a taxi; or
 - (b) remove a camera surveillance unit from a vehicle operated as a taxi; or
 - (c) service a camera surveillance unit installed in a vehicle operated as a taxi.

13E. Downloading etc. information stored in camera surveillance units

- (1) A person must not view, download, copy, play, edit or erase any visual or audio-visual recording stored in a camera surveillance unit installed in a vehicle operated as a taxi.
- (2) Subregulation (1) does not apply to —
 - (a) an authorised officer; or
 - (b) an approved person who is authorised to view, download, copy, play, edit or erase the visual or audio-visual recording by an authorised officer.

13F. Obstructing and interfering with camera surveillance units

- (1) A person must not obstruct, interfere with or destroy a camera surveillance unit installed in a vehicle operated as a taxi.
- (2) Subregulation (1) does not apply to or in relation to —
 - (a) anything done by an approved person in accordance with regulation 13D(2); or
 - (b) anything done by an authorised officer or an approved person in accordance with regulation 13E(2).

13G. Certificate of proper working order for camera surveillance units

- (1) In subregulation (2) —

current certificate means a certificate given within 12 months before the certificate is provided to the Director General under that subregulation.
- (2) A person who operates a vehicle as a taxi must provide to the Director General each year, at the approved time and in the approved form, a current certificate given by an approved person certifying that the camera surveillance unit installed in the vehicle was inspected on the specified date by the approved person and found to be in proper working order.

- (3) An approved person must not state any false or misleading information in a certificate that is given by the person for the purposes of this regulation.

13H. Transitional

- (1) In this regulation —
commencement day means the day on which the *Taxi Amendment Regulations 2011* regulation 5 comes into operation.
- (2) A vehicle operated as a taxi that, immediately before the commencement day, is required to comply with conditions imposed by the Director General under section 20 in relation to a camera surveillance unit installed in the vehicle is taken to be operated in compliance with the requirements of regulation 13B(1)(a), (b) and (c)(ii) if the vehicle complies with those conditions.
- (3) The Director General may publish a notice in the *Gazette* stating that subregulation (2) ceases to have effect in relation to a camera surveillance unit of a specified type on and from —
- (a) the day after the day on which the notice is published in the *Gazette*; or
 - (b) any later day specified in the notice.
- (4) Subregulation (2) ceases to have effect as stated in a notice under subregulation (3) in relation to a camera surveillance unit of a type specified in the notice.

6. Regulation 18 amended

In regulation 18(2) delete “or drive”.

7. Schedule 1 amended

- (1) In Schedule 1 delete item 25 and insert:

25	Regulation 13B(1)	Offences relating to camera surveillance unit requirements	200
26A	Regulation 13B(4)	Failing to display approved sign	100
26B	Regulation 13C(1)	Failing to comply with direction or rectify defect	250
26C	Regulation 13C(2)	Unauthorised removal of notice	250

26D	Regulation 13C(3)	Operating a taxi subject to prohibition	250
26E	Regulation 13D(2)	Unauthorised installing, removing or servicing of camera surveillance unit	200
26F	Regulation 13E(1)	Unauthorised downloading of information from camera surveillance unit	500
26G	Regulation 13F(1)	Obstructing or interfering with camera surveillance unit	500
26H	Regulation 13G(2)	Failing to provide current certificate	200
26I	Regulation 13G(3)	Stating false or misleading information in certificate	200

(2) In Schedule 1 item 31 delete “or driving”.

By Command of the Lieutenant-Governor and Administrator,

R. KENNEDY, Clerk of the Executive Council.

TN302*

Motor Vehicle Drivers Instructors Act 1963

Motor Vehicle Drivers Instructors Amendment Regulations 2011

Made by the Lieutenant-Governor and Administrator in Executive Council.

1. Citation

These regulations are the *Motor Vehicle Drivers Instructors Amendment Regulations 2011*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on 1 July 2011.

3. Regulations amended

These regulations amend the *Motor Vehicle Drivers Instructors Regulations 1964*.

4. Regulation 13 amended

In regulation 13:

- (a) delete “87.30” and insert:

87.70

- (b) delete “150.30” and insert:

151.00

By Command of the Lieutenant-Governor and Administrator,

R. KENNEDY, Clerk of the Executive Council.

— PART 2 —

AGRICULTURE AND FOOD

AG401*

BIOSECURITY AND AGRICULTURE MANAGEMENT ACT 2007
BIOSECURITY AND AGRICULTURE MANAGEMENT INDUSTRY FUNDING
SCHEME (CATTLE) REGULATIONS 2010

CATTLE INDUSTRY DECLARED PEST CONTROL AND COMPENSATION FUNDING
SCHEME (AREA OF OPERATION AND RATE OF CONTRIBUTIONS) NOTICE 2011

Made by the Minister under regulation 13(1) of the *Biosecurity and Agriculture Management Industry Funding Scheme (Cattle) Regulations 2010* on the recommendation of the Industry Management Committee.

1. Citation

This notice is the *Cattle Industry Declared Pest Control and Compensation Funding Scheme (Area of Operation and Rate of Contributions) Notice 2011*.

2. Area of Operations and Rate of Contributions

(1) In respect of the financial year 2011-12 I declare that—

- (a) the Scheme is to operate in the whole of the State; and
- (b) the rate at which contributions are to be paid under regulation 15 for the period beginning on 1 July 2011 and ending on 30 June 2012 is \$0.20 per head of cattle or per carcass comprised in a chargeable sale.

(2) The estimated proportion of the contributions which the Cattle Industry Funding Scheme Management Committee projects is likely to be applied to fund payments relating to each specified pest is as follows—

- (a) Tuberculosis (*Mycobacterium tuberculosis*): nil
- (b) Bovine Johnes disease (*Mycobacterium avium sp paratuberculosis*): 40%
- (c) Enzootic bovine leucosis (*Bovine leukaemia virus*): 12.5%

TERRY REDMAN MLA, Minister for Agriculture and Food.

AG402*

BIOSECURITY AND AGRICULTURE MANAGEMENT ACT 2007
BIOSECURITY AND AGRICULTURE MANAGEMENT INDUSTRY FUNDING
SCHEME (SHEEP AND GOATS) REGULATIONS 2010

SHEEP AND GOAT INDUSTRY DECLARED PEST CONTROL AND COMPENSATION FUNDING
SCHEME (AREA OF OPERATION AND RATE OF CONTRIBUTIONS) NOTICE 2011

Made by the Minister under regulation 13(1) of the *Biosecurity and Agriculture Management Industry Funding Scheme (Sheep and Goats) Regulations 2010* on the recommendation of the Industry Management Committee.

1. Citation

This notice is the *Sheep and Goat Industry Declared Pest Control and Compensation Funding Scheme (Area of Operation and Rate of Contributions) Notice 2011*.

2. Area of Operations and Rate of Contributions

(1) In respect of the financial year 2011-12 I declare that—

- (a) the Scheme is to operate in the agricultural areas of the State, which are defined to include all the local government districts of Western Australia except for those comprising the Kimberley (municipal districts of Broome, Halls Creek, Derby-West Kimberley and Wyndham-East Kimberley) and the pastoral area (local government districts of Ashburton, Carnarvon, Coolgardie, Cue, Dundas, East Pilbara, Exmouth, Laverton, Leonora, Kalgoorlie-Boulder, Meekatharra, Menzies, Mount Magnet, Murchison, Ngaanyatjarraku, Port Hedland, Roebourne, Sandstone, Shark Bay, Upper Gascoyne, Wiluna and Yalgoo); and
- (b) the rates at which contributions are to be paid under regulation 15 for the period beginning on 1 July 2011 and ending on 30 June 2012 is \$0.12 per head or per carcass comprised in a chargeable sale.

(2) The estimated proportion of the contributions which the Sheep and Goat Industry Funding Scheme Management Committee projects is likely to be applied to fund payments relating to each specified pest is as follows—

Virulent footrot (*Dichelobacter nodosus*): 100%

TERRY REDMAN MLA, Minister for Agriculture and Food.

AG403*

BIOSECURITY AND AGRICULTURE MANAGEMENT ACT 2007
BIOSECURITY AND AGRICULTURE MANAGEMENT INDUSTRY FUNDING
SCHEME (GRAINS) REGULATIONS 2010

GRAINS, SEEDS AND HAY INDUSTRY DECLARED PEST CONTROL AND COMPENSATION
 FUNDING SCHEME (AREA OF OPERATION AND RATE OF CONTRIBUTIONS) NOTICE 2011

Made by the Minister under regulation 13(1) of the *Biosecurity and Agriculture Management Industry Funding Scheme (Grains) Regulations 2010* on the recommendation of the Industry Management Committee.

1. Citation

This notice is the *Grains, Seeds and Hay Industry Declared Pest Control and Compensation Funding Scheme (Area of Operation and Rate of Contributions) Notice 2011*.

2. Area of Operations and Rate of Contributions

(1) In respect of the financial year 2011-12 I declare that—

- (a) the Scheme is to operate in the agricultural areas of the State, which are defined to include all local government districts of Western Australia except for those comprising the Kimberley (municipal districts of Broome, Halls Creek, Derby-West Kimberley and Wyndham-East Kimberley) and the pastoral area (local government districts of Ashburton, Carnarvon, Coolgardie, Cue, Dundas, East Pilbara, Exmouth, Laverton, Leonora, Kalgoorlie-Boulder, Meekatharra, Menzies, Mount Magnet, Murchison, Ngaanyatjarraku, Port Hedland, Roebourne, Sandstone, Shark Bay, Upper Gascoyne, Wiluna and Yalgoo); and
- (b) the rates at which contributions are to be paid under regulation 15 for the period beginning on 1 July 2011 and ending on 30 June 2012 are—
 - (I) in respect of a chargeable transaction, where the chargeable produce is grain or seed: \$0.30 per tonne; and
 - (II) in respect of a chargeable transaction, where the chargeable produce is hay: nil.

(2) The estimated proportion of the contributions which the Grains, Seeds and Hay Industry Funding Scheme Management Committee projects is likely to be applied to fund payments relating to each specified pest is as follows—

- (a) Three-horned Bedstraw (*Galium tricornutum*): 9%
- (b) Skeleton weed (*Chondrilla juncea* L.): 91%

TERRY REDMAN MLA, Minister for Agriculture and Food.

HERITAGE

HR401*

HERITAGE OF WESTERN AUSTRALIA ACT 1990

PLACES NOT TO BE ENTERED INTO THE REGISTER OF HERITAGE PLACES

Notice is hereby given in accordance with Section 52 of the *Heritage of Western Australia Act 1990* that, pursuant to a direction from the Minister for Heritage, the place described in Schedule 1 has been removed from the Register of Heritage Places.

Schedule 1

Description of Place

Rockingham Hotel at 26 Kent Street, Rockingham; Ptn of Lot 99 on D 88032 being that pt of the land contained in CT V 2029 F 634 labelled "H" on DP 61221.

GRAEME GAMMIE, Executive Director,
 Office of Heritage,
 108 Adelaide Terrace,
 East Perth WA 6004.

LOCAL GOVERNMENT

LG401*

CITY OF KALGOORLIE-BOULDER

APPOINTMENT

The City of Kalgoorlie-Boulder wishes to advise for public information the appointment of Drew White as an authorised officer to operate within the City of Kalgoorlie-Boulder to enforce the following Acts, Regulations and Local Laws effective immediately—

- Local Government Act 1995
- Local Government (Miscellaneous Provisions) Act 1960
- Dog Act 1976 and Regulations
- Litter Act 1979
- Bush Fires Act 1954 and Regulations—(Bush Fire Control Officer)
- Bush Fires (Infringements) Regulations 1978
- Control of Off Road Vehicles (Off Road Areas) Act 1978 and Regulations
- Caravan Parks and Camping Grounds Act and Regulations 1997
- City of Kalgoorlie-Boulder Local Laws

D. S. BURNETT, Chief Executive Officer.

LG501*

BUSH FIRES ACT 1954*City of Gosnells*

ANNUAL FIRE HAZARD REDUCTION NOTICE

As a measure for preventing the outbreak of a bush fire, or for preventing the spread or extension of a bush fire which may occur, all owners and occupiers of land within the City's district are required to comply with the requirements of this notice.

LAND ZONED "GENERAL RURAL" OR "SPECIAL RURAL"

On or before the 30 November in each year, all owners or occupiers of land zoned "General Rural" or "Special Rural" under the City of Gosnells Town Planning Scheme No. 6 ("Scheme") are required to—

- (a) Clear the land free of all inflammable matter, except for living trees, shrubs, plants and lawns under cultivation, to a height no greater than 10 centimetres; or
- (b) clear a bare earth 3 metre wide firebreak around all buildings, immediately inside all external boundaries of each lot on the land and within 20 metres of all haystacks and stockpiled inflammable matter by removing all inflammable matter and vegetation within the 3 metre wide firebreak between the ground and 4 metres above the ground so that the firebreak provides unrestricted vehicular access.

The firebreaks and measures set out above must be maintained up to and including the 30th day of April in the following year.

ALL OTHER LAND, THAT IS LAND WHICH IS NOT ZONED "GENERAL RURAL" OR "SPECIAL RURAL"

AT ALL TIMES THROUGHOUT THE YEAR, all owners or occupiers of land zoned other than "General Rural" or "Special Rural" under the Scheme are required to clear and maintain the land free of all inflammable matter to a height no greater than 10 centimetres.

INFLAMMABLE MATTER

Inflammable matter includes, but is not limited to, vegetation (except for living trees, shrubs, plants and lawns under cultivation), prunings, cardboard, wood, paper, general rubbish and any other combustible material.

PERMISSION NEEDED TO VARY REQUIREMENTS

If it is impracticable for any reason to clear firebreaks or to take measures in accordance with this Notice, you may apply in writing to the City for permission to provide firebreaks in alternative locations or take alternative measures.

Unless and until permission in writing is granted by the City, you shall comply with the requirements of this Notice.

PENALTY FOR NON-COMPLIANCE

A person who fails to comply with the requisitions in this notice is guilty of an offence and liable to a penalty of \$5,000. In addition, where the owner or occupier of the land fails to comply with a notice given pursuant to section 33(1) of the *Bush Fires Act 1954*, the City may enter upon the land and carry out the requisitions of the notice which have not been complied with and the City may recover the amount of any costs and expenses incurred in carrying out those requisitions as a debt due from the owner or occupier of the land.

RESTRICTED BURNING TIMES

(Permits Required) 1 October to 30 November and 1 April to 31 May, both dates inclusive.

PROHIBITED BURNING TIMES

(Total Fire Ban) 1 December to 31 March, both dates inclusive.

Restricted and Prohibited Burning periods may be amended due to un-seasonal weather patterns.

HEALTH AND AIR QUALITY**Burning rubbish, refuse or other material**

With the exception of land in a rural zone, namely areas zoned "General Rural" or "Special Rural" under the Scheme, the *City of Gosnells Animals, Environment and Nuisance Local Law 2009* provides that a person shall not set fire to or cause to be set fire, any rubbish, refuse or other material at any time unless otherwise approved in writing by an authorised person.

The maximum penalty for an offence under the Local Law is a fine of \$5,000.

For all enquiries relating to this notice please call Customer Service on 9397 3000.

MARINE/MARITIME

MA401*

WESTERN AUSTRALIAN MARINE ACT 1982
NAVIGABLE WATERS REGULATIONS 1958
5 KNOT RESTRICTED SPEED AREA—ALL VESSELS
Ascot Waters Cove—Swan River

Department of Transport,
Fremantle WA, 7 June 2011.

Acting pursuant to the powers conferred by Section 67 of the *Western Australian Marine Act 1982*, I hereby revoke notice TR403 as published in the *Government Gazette* on 24 April 1998 relating to Ascot Waters Cove.

DAVID HARROD FNI, General Manager,
Marine Safety, Department of Transport.

MA402*

WESTERN AUSTRALIAN MARINE ACT 1982
NAVIGABLE WATERS REGULATIONS 1958
CLOSURE OF WATERS—SAILBOARDS
Preston Point—Swan River

Department of Transport,
Fremantle WA, 7 June 2011.

Acting pursuant to the powers conferred by Section 66 of the *Western Australian Marine Act 1982*, I hereby revoke notice MH403 subsection (a) 1. (ii), as published in the *Government Gazette* on 25 October 1991 relating to the use of sailboards west of Preston Point, Swan River.

DAVID HARROD FNI, General Manager,
Marine Safety, Department of Transport.

MA403*

WESTERN AUSTRALIAN MARINE ACT 1982
NAVIGABLE WATERS REGULATIONS 1958
Shire of Carnarvon
5 KNOT RESTRICTED SPEED AREA—ALL VESSELS
Mangrove Creek—Carnarvon

Department of Transport,
Fremantle WA, 7 June 2011.

Acting pursuant to the powers conferred by Section 67 of the *Western Australian Marine Act 1982*, I hereby revoke notice MH401 subsection (b) 7. (ii), as published in the *Government Gazette* on 25 October 1991 relating to Mangrove Creek (Oyster Creek) Carnarvon.

DAVID HARROD FNI, General Manager,
Marine Safety, Department of Transport.

PARLIAMENT

PA401*

PARLIAMENT OF WESTERN AUSTRALIA
Royal Assent to Bills

It is hereby notified for public information that the Lieutenant Governor and Administrator has Assented in the name and on behalf of Her Majesty the Queen, on the dates shown, to the undermentioned Acts passed by the Legislative Council and the Legislative Assembly during the First Session of the Thirty-Eighth Parliament.

Title of Act	Date of Assent	Act No.
Road Traffic Legislation Amendment (Information) Act 2011	2 June 2011	18 of 2011

Sgd. for MALCOLM PEACOCK, Clerk of the Parliaments.

3 June 2011.

PLANNING

PL401*

PLANNING AND DEVELOPMENT ACT 2005
DECLARATION OF PLANNING CONTROL AREA 97
City of Stirling

Proposed Parks and Recreation Reservation (Environmental Mitigation Site)
Dianella Drive, Dianella

File: WAPC/11/0026-V1

General description

The Minister for Planning has granted approval to the declaration of a planning control area over the proposed Parks and Recreation reservation at Lot 13 Dianella Drive, Dianella, as shown on Western Australian Planning Commission (WAPC) plan number 3.2407.

Purpose

The purpose of the planning control area is to protect the proposed Parks and Recreation reservation at Lot 13 Dianella Drive, Dianella for a future environmental mitigation site. The WAPC considers that the planning control area is required to ensure that no development occurs on this land which might prejudice this purpose until it may be reserved for Parks and Recreation in the Metropolitan Region Scheme.

Duration and effects

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

A person shall not commence and carry out development in a planning control area without the prior approval of the WAPC. The penalty for failure to comply with this requirement is \$50,000 and, in the case of a continuing offence, a further fine of \$5,000 for each day during which the offence continues.

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

Display locations

- Western Australian Planning Commission, 140 William Street, Perth
- State Reference Library, Northbridge
- City of Stirling

TONY EVANS, Secretary,
Western Australian Planning Commission.

PL402*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
City of Fremantle
Local Planning Scheme No. 4—Amendment No. 24

Ref: TPS/0120

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the City of Fremantle local planning scheme amendment on 1 June 2011 for the purpose of—

1. Deleting 5.10.1 in its entirety.
2. Inserting the following into clause 8.2 after the current 8.2(c)—
8.2(d) Any change to the words, pictures, symbols, or colours of any approved advertisement where the change does not alter the size or purpose of the approved advertisement.
3. Deleting from Clause 8.2(d) the words “except in respect of a place included on the Heritage List or in a heritage area” (as below) and reorder the lettering from this clause (now 8.2(e) to clause 8.2(o)).
8.2(e) Any of the exempted classes of advertisements listed in Schedule 5.
4. Deleting the following from Schedule 1—
Advertisement: means any word, letter, model, sign, placard, board, notice, device or representation, whether illustrated or not, in the nature of, and employed wholly or partly for the purposes of, advertisements. The term includes any airborne device anchored to any land or building and any vehicle or trailer or other similar object placed or located so as to service the purpose of advertising.
And replace with the following—
Advertisement—
(a) means any word, letter, model, sign, placard, board, notice, device or representation, whether illuminated or not, in the nature of, and employed wholly or partly for the purposes of, an advertisement, announcement or direction; and includes—
(i) any hoarding or similar structure, used, or adapted for use, for the display of advertisements; and
(ii) any airborne device anchored to any land or building and any vehicle or trailer or other similar device placed or located so as to service the purpose of advertising.
5. Deleting the following from Schedule 1—
Sign: means a sign as defined under the Council’s Signs, Hoardings and Bill Postings bylaws
And replace with the following—
Sign: has the same meaning as “advertisement” in this Schedule.
6. Inserting into Schedule I under Permeability the following—
Permanently attached: in relation to an advertisement, means attached to a building or structure or to land in such a manner that it is unable to be removed by hand or by key.
7. Inserting into Schedule I under Storey the following—
Temporary Sign: An advertisement that is not permanently attached and will not be erected for more than 4 weeks in any calendar year.
8. Inserting into Schedule I under Wholesale the following—
Window Sign: means an advertisement attached to the inside or outside of a window and includes posters and signs painted on to the window.

9. Inserting the following into Schedule 5—

12.5 Schedule 5—Exempted Advertisements

Land Use and/or Development	Exempted Sign*	Maximum Size & Requirements
In all zones	Property disposal	One sign per street frontage advertising for sale, lease or rent the property on which the sign is situated. Sites less than 5000 sqm—2 sqm Sites greater than 5000 sqm—5 sqm
In all zones	Construction sites	One sign per street frontage advertising details of the project, architects, contractors or builders, displayed only for the duration of the construction. Maximum area as follows— Sites less than 5000 sqm—2 sqm Sites greater than 5000 sqm—5 sqm
In all zones	Temporary sign (refer to definition in Schedule 1)	Maximum area as follows— Sites less than 5000 sqm—2 sqm Sites greater than 5000 sqm—5 sqm One sign per road frontage.
In all zones, excluding the Residential zone.	Sign not permanently attached (refer to definition in Schedule 1)	One per street frontage, located on the lot to which the sign relates and directly relating to the goods, services, or functions of the property on which it is located, maximum area 2 sqm and does not pose a hazard or obstruction to vehicle and/or pedestrian movement or sightlines.
In all zones except Residential	Window sign (refer to definition in Schedule 1)	Provided the sign is/are displayed on the windows of the business premises from which the advertised item is sold, or the advertised services are supplied, and the total sign does not cover more than 50% of the total window area of the tenancy as viewed from the street.
In all zones	Plaques or plates.	On the site to which they pertain. Maximum area 0.2 sqm.
In all zones	Building identification Sign	A single line of letters not exceeding 300mm in height and fixed to the façade of the building.
Local Reserves	Signs erected by a public authority, or on its behalf for the purpose of public safety or information and/or the direction and control of people, animals or vehicles	N/A
Road Reserves	Signs erected by a public authority, or on its behalf for the purpose of public safety or information and/or the direction and control of people, animals or vehicles	NA

*The exempted signs specified exclude signs which contain any illumination or radio; animation or movement in its design or structure; reflective, retro-reflective or fluorescent materials in its design or structure.

10. Including into clause 11.2.1 and 11.2.2 the words owner or occupier after advertiser.
11. Decreasing the number of days in clause 11.2.3 from 60 days to 28 days.

B PETTITT, Mayor.
G. MacKENZIE, Chief Executive Officer.

PL403*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Town of Kwinana

Town Planning Scheme No. 3—Amendment No. 3

Ref: 853/2/26/4 Pt 3

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the Town of Kwinana local planning scheme amendment on 1 June 2011 for the purpose of—

1. Rezoning portions of Lots 4 and 11 Meares Avenue, portions of Lots 5 and 498 Stidworthy Court and adjoining Public Access Way Lot 55 (“PAW”), Kwinana Town Centre from “General Town Centre Zone—Civic Precinct” to “Town Centre Residential—Town Centre Residential Precinct” and modifying the Scheme Map accordingly.
2. Replacing the Development Requirements under Section 4.6 of the Scheme Text to read as follows—
 - 4.6.1 Subdivision and development within the Town Centre Residential zone should generally be in accordance with the Development Guide Plan(s) adopted by Council which specify—
 - Residential densities
 - Lot configuration
 - Location and extent of the Town Park
 - Building setbacks and orientation of dwellings
 - Requirement for overall building design and development standards prior to construction
 - Landscaping design and maintenance standards
 - Finished Levels
 - Ensure all residential development fronting the Civic Square, Town Park and Pedestrian Path as delineated on the Town Centre Strategy Plan is constructed to two storeys in height and is orientated towards the Civic Square, Town Park and Pedestrian Path
 - Fencing standards on lots fronting the Civic Square, Town Park and Pedestrian Path forward of the building line
 - 4.6.2 Development Guide Plan(s) are to ensure road connections within the Town Centre Residential zone are coordinated between the various landowners.
 - 4.6.3 The Development Guide Plan(s) shall be prepared, adopted and, where required, modified for all residential lots within the Town Centre Residential zone in accordance with Section 6.17.6 (Detailed Area Plans) of Town of Kwinana Town Planning Scheme No. 2.
 - 4.6.4 Residential development shall be in accordance with Statement of Planning Policy No. 3.1 *Residential Design Codes* (as amended), except where variations are specifically reflected on the Development Guide Plan as adopted by Council.
3. Amending the Scheme Map accordingly.

C. E. ADAMS, Mayor.
 N. P. HARTLEY, Chief Executive Officer.

PL404*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
City of Rockingham

Town Planning Scheme No. 2—Amendment No. 105

Ref: TPS/0365

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the City of Rockingham local planning scheme amendment on 1 June 2011 for the purpose of amending Part 4 of the Scheme Text by adding the following new clause immediately after clause 4.6—

4.6A PART OF LOTS 14 AND 299 KEROSENE LANE BALDIVIS—SPECIAL PROVISIONS

(a) In this clause—

“Additional Use” means the additional use specified in Item 22 of Schedule No. 2;

“Applicable Land” means that part of Lots 14 and 299 Kerosene Lane, Baldivis which is designated as within the Commercial Zone under the Structure Plan;

“Existing Improvements” means the buildings and improvements which are situated on the Applicable Land on the Rezoning Date;

“Rezoning Date” means the date when the Structure Plan is amended to designate the Applicable Land as within the Commercial Zone;

“Structure Plan” means the Structure Plan applying to the Applicable Land which was approved by the Council and endorsed by the Commission.

- (b) This clause 4.6A—
- (i) applies to the Applicable Land; and
 - (ii) comes into effect on the Rezoning Date.
- (c) Notwithstanding any other provision of the Scheme, any change of use of the Applicable Land from the Additional Use to any other use, requires planning approval.
- (d) Notwithstanding any other provision of the Scheme but subject to clause 4.6A(e), any planning approval granted after the Rezoning Date, is not to take effect until—
- (i) the use of the Applicable Land for the purpose of the Additional Use ceases; and
 - (ii) the Existing Improvements are—
 - (A) demolished and removed from the Applicable Land; or
 - (B) altered or redeveloped in accordance with a planning approval granted after the adoption of an Integrated Development Guide Plan under clause 4.6A(i).
- (e) Clause 4.6A(d) does not apply to a planning approval insofar as the planning approval authorises the demolition of the Existing Improvements or the alteration or redevelopment of the Existing Improvements referred to in clause 4.6A(d)(ii)(B).
- (f) Prior to formulating any comments and recommendations on applications for the subdivision and development of the Applicable Land, the Council will require the applicant to prepare and submit an Integrated Development Guide Plan, which illustrates building envelopes, indicative building configurations, setbacks, pedestrian and vehicular access, indicative carparking layouts and any rights of way or access easements required, and any other information required by the Council.
- (g) Where a proposed Integrated Development Guide Plan will require the Local Commercial Strategy to be amended, the Commission’s endorsement of the Plan will be necessary.
- (h) An Integrated Development Guide Plan prepared or received by the Council shall be considered by the Council for adoption and in making its decision the Council may—
- (i) reject the Plan; or
 - (ii) adopt the Plan with or without modifications.
- (i) In considering an Integrated Development Guide Plan for adoption, the Council is to have due regard to such of the matters set out in clause 6.6 as are, in the opinion of the Council, relevant.
- (j) An applicant aggrieved by the Council—
- (i) refusing an Integrated Development Guide Plan;
 - (ii) approving an Integrated Development Guide Plan subject to conditions or requirements unacceptable to the applicant; or
 - (iii) failing to make a decision on an Integrated Development Guide Plan within 35 days of the date of submission of the Plan,
- shall have a right of appeal under Part 14 of the Act.
- (k) An applicant dissatisfied by a decision of the Council in respect of an Integrated Development Guide Plan may, within 14 days of the date of the Council’s decision, request the Council in writing for a reconsideration of the Plan. In that case the operative date respectively for the purpose of the appeal arising under Clause 4.6A(j) shall be the refusal or approval upon the reconsideration of the Plan.

B. W. SAMMELS, Mayor.

A. HAMMOND, Chief Executive Officer.

RACING, GAMING AND LIQUOR

RA401*

LIQUOR CONTROL ACT 1988

LIQUOR APPLICATIONS

The following is a summary of applications received under the *Liquor Control Act 1988 (the Act)* 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, 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			
14051	Rytton Pty Ltd	Application for the grant of a Wholesaler's licence in respect of premises situated in Margaret River and known as Black Kite Beverage Co	05/07/2011
14052	OPP Entertainment Pty Ltd	Application for the grant of a Nightclub licence in respect of premises situated in Perth and known as Club Mansion	05/07/2011
14047	Milk Money Trading Pty Ltd	Application for the grant of a Small Bar licence in respect of premises situated in Maylands and known as Swallow	28/06/2011
14037	Jane Susan Walker	Application for the grant of a Liquor Store licence in respect of premises situated in Bencubbin and known as Bencubbin Supermarket	04/07/2011

This notice is published under section 67(5) of the Act.

Dated: 3 June 2011.

B. A. SARGEANT, Director of Liquor Licensing.

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