



**WESTERN  
AUSTRALIAN  
GOVERNMENT**  
**Gazette**

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## **GOVERNMENT GAZETTE**

# **PUBLISHING DETAILS FOR ANZAC DAY 2013**

Due to the public holiday on Thursday, 25 April 2013,  
Copy will close at **noon on Tuesday, 23 April** for the  
*Gazette* published on **Friday, 26 April**.

# — PART 1 —

## PROCLAMATIONS

AA101\*

### MARINE AND HARBOURS ACT 1981 PROCLAMATION

Western Australia  
 By His Excellency  
 Malcolm James McCusker,  
 Companion of the Order of Australia,  
 Commander of the Royal Victorian Order,  
 Queen's Counsel,  
 Governor of the State of Western Australia  
 M. J. McCUSKER  
 Governor

[L.S.]

I, the Governor, acting under the *Marine and Harbours Act 1981* section 9 and with the advice and consent of the Executive Council—

- (a) cancel the proclamation made under the *Marine and Harbours Act 1981* section 9 dated 1 May 2012 and published in the *Gazette* on 8 May 2012 at page 1887; and
- (b) revest in the Crown the portion of the sea bed described in item 1 of Schedule 1 to that proclamation, other than the sea bed comprised in Lot 450 on Deposited Plan 69951; and
- (c) vest in the Minister for Transport, constituted under the *Marine and Harbours Act 1981* section 8(1), the land and sea bed set out in Schedule 1, with effect on and from the day after the day on which this proclamation is published in the *Gazette*.

#### Schedule 1—Land for Port of Derby

The land and sea bed comprised in the following—

- (a) Lot 450 on Deposited Plan 69951;
- (b) Lots 638, 639, 640, 641 and 701 on Deposited Plan 172459 (also referred to as Diagram 72459);
- (c) Lot 325 on Deposited Plan 64512;
- (d) Lot 822 on Deposited Plan 182015 (also referred to as Diagram 82015), being documents held by the Western Australian Land Information Authority established by the *Land Information Authority Act 2006*.

Given under my hand and the Public Seal of the State on 16 April 2013.

By Command of the Governor,

T. BUSWELL, Minister for Transport.

AA102\*

### MARINE AND HARBOURS ACT 1981 PROCLAMATION

Western Australia  
 By His Excellency  
 Malcolm James McCusker,  
 Companion of the Order of Australia,  
 Commander of the Royal Victorian Order,  
 Queen's Counsel,  
 Governor of the State of Western Australia  
 M. J. McCUSKER  
 Governor

[L.S.]

I, the Governor, acting under the *Marine and Harbours Act 1981* section 9 and with the advice and consent of the Executive Council—

- (a) vary the proclamation made under the *Marine and Harbours Act 1981* section 9, dated 22 December 2010 and published in the *Gazette* on

24 December 2010 at pages 6847-8, by deleting the portion of the Schedule relating to the "PORT WALCOTT PORT AREA"; and

- (b) revest in the Crown the portion of sea bed described as the "PORT WALCOTT PORT AREA" in the Schedule to that proclamation, other than the sea bed set out in Schedule 1 to this proclamation; and
- (c) vest in The Minister for Transport, constituted under the *Marine and Harbours Act 1981* section 8(1), the sea bed set out in Schedule 1 to this proclamation,

with effect on and from the day after the day on which this proclamation is published in the *Gazette*.

#### Schedule 1—Land for Port Walcott

##### 1. Term used: coastal waters of the State

(1) In this Schedule—

*coastal waters of the State* has the meaning given in the *Coastal Waters (State Powers) Act 1980* (Commonwealth) section 3(1).

(2) Latitude and longitude coordinates in this Schedule use the Geocentric Datum of Australia (GDA 94).

##### 2. Part A land

The sea bed comprised in Lots 7900 and 7901 on Deposited Plan 71098 held by the Western Australian Land Information Authority established by the *Land Information Authority Act 2006*.

##### 3. Part B land

The area of the sea bed (excluding De Witt Location 69 (Special Lease 3116/4628)) bounded by a line that—

- (a) starts at the intersection of latitude 20°27'55.18"S and the limit of the coastal waters of the State (at approximately longitude 117°11'05.50"E);
- (b) then goes east to latitude 20°27'55.18"S and longitude 117°17'04.78"E;
- (c) then goes south to latitude 20°30'49.18"S and longitude 117°17'04.78"E;
- (d) then goes south-easterly to latitude 20°36'49.18"S and longitude 117°31'40.78"E;
- (e) then south to the intersection of longitude 117°31'40.78"E and the limit of the coastal waters of the State (at approximately latitude 20°37'45.96"S);
- (f) then goes generally westerly and north-westerly along the limit of the coastal waters of the State to the start.

Given under my hand and the Public Seal of the State on 16 April 2013.

By Command of the Governor,

T. BUSWELL, Minister for Transport.

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## JUSTICE

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JU301\*

Supreme Court Act 1935

## Supreme Court Amendment Rules 2013

Made by the judges of the Supreme Court.

### 1. Citation

These rules are the *Supreme Court Amendment Rules 2013*.

## 2. Commencement

These rules come into operation as follows —

- (a) rules 1 and 2 — on the day on which these rules are published in the *Gazette*;
- (b) the rest of the rules — on the 14<sup>th</sup> day after that day.

## 3. Rules amended

These rules amend the *Rules of the Supreme Court 1971*.

## 4. Order 4A amended

After Order 4A rule 11(a) insert:

- (ba) any case in which there is an application for —
  - (i) judicial review to which Order 56 applies; or
  - (ii) a review order under the *Magistrates Court Act 2004* section 36;
  - (iii) a writ of habeas corpus or an information of *quo warranto*;

## 5. Order 56 heading replaced

Delete the heading to Order 56 and insert:

### **Order 56 — Judicial review**

## 6. Order 56 amended

- (1) Delete Order 56 rules 1 to 9 and insert:

### 1. Terms used

- (1) In this Order, unless the contrary intention appears —  
***adequate reasons***, for a decision, means a document that —

- (a) states any findings on material questions of fact that led to the decision and refers to the evidence or other material on which those findings were made; and
- (b) states the reasons for the decision;

***application*** means an application for judicial review of a reviewable decision or of reviewable conduct;

***challenged conduct*** means reviewable conduct in respect of which an application is made;

**challenged decision** means a reviewable decision in respect of which an application is made;

**conduct** includes any act and any omission;

**limitation period** —

- (a) for an application for judicial review of a reviewable decision, means 6 months after the later of —
  - (i) the date on which the decision is made; or
  - (ii) the date on which the applicant became aware of it;
- (b) for an application for judicial review of reviewable conduct, other than a failure to make a decision, means 6 months after the later of —
  - (i) the date on which the conduct occurred; or
  - (ii) the date on which an applicant became aware of it,

unless a written law sets a different period, in which case it means that period;

**remedy** includes relief;

**reviewable conduct** means any conduct, including conduct for the purpose of making a decision and a failure to make a decision, that the Court, under the common law or in equity, has jurisdiction to review and to grant relief in respect of by way of a writ, a declaration or an injunction;

**reviewable decision** means any decision that the Court, under the common law or in equity, has jurisdiction to review and to grant relief in respect of by way of a writ, a declaration or an injunction;

**writ** means a writ of certiorari, mandamus, prohibition or *procedendo* or an information of *quo warranto*.

- (2) For the purposes of paragraph (a) of the definition of **limitation period** in subrule (1), it does not matter if on the relevant date —
  - (a) the reviewable decision is not or had not been extracted or given in writing; or
  - (b) adequate reasons for the reviewable decision are not or had not been given.

## 2. **Application, making**

- (1) To make an application, a person must file an application in the form of Form No. 67A.

- (2) In one application a person may apply for any or a combination of these remedies —
  - (a) one or more writs;
  - (b) either a declaration or an injunction or both;
  - (c) a remedy having the same effect as a remedy that could be provided by means of a writ.
- (3) An application must state the grounds on which it is made.
- (4) If an application is made outside the limitation period for the application —
  - (a) the application must include an application for leave to proceed with the application; and
  - (b) the applicant must file an affidavit explaining why the application was not made within the limitation period.
- (5) If adequate reasons for a challenged decision have not been given when an application is made for judicial review of it, the application may include an application for an order that the person who made it must give adequate reasons.

### **3. Application, service of**

After making an application, the applicant must serve it, by personal service, on —

- (a) the person who made the challenged decision or engaged in the challenged conduct; and
- (b) any person who was a party to the proceedings in which the challenged decision was made or the challenged conduct occurred.

### **4. Person served with application, options of**

A person served with an application may —

- (a) enter an appearance under Order 12, which applies with any necessary changes; or
- (b) file, and serve on the applicant, a notice stating the person does not intend to take part in the proceedings and will accept any order made by the Court on the application other than as to costs.

### **5. Procedure on application**

- (1) The applicant and any person served with an application are entitled to be heard on it.

- (2) On an application, the Court may do one or more of the following —
- (a) if the application is made outside the limitation period for the application, give or refuse the applicant leave to proceed with the application;
  - (b) order the applicant to serve the application on a person whom the Court considers might have an interest in the challenged decision, the challenged conduct or the outcome of the application;
  - (c) if adequate reasons for the challenged decision have not been given, order the person who made it to give adequate reasons for it to any or all of the following —
    - (i) the Court;
    - (ii) the applicant;
    - (iii) a person served with the application;
  - (d) prohibit or restrict the disclosure of the reasons for the challenged decision or any part of them;
  - (e) order the applicant or any other person to file an affidavit as to any facts material to the application, the challenged decision or the challenged conduct;
  - (f) give the applicant leave to file and rely on an affidavit (whether or not made by the applicant);
  - (g) allow a person not served with the application to be heard on it;
  - (h) give the applicant leave to require a person served with the application to give discovery under Order 26;
  - (i) give the applicant leave to require a person served with the application to answer interrogatories under Order 27;
  - (j) allow the applicant to amend the application;
  - (k) adjourn the hearing of the application;
  - (l) refuse the whole or a part of the application if it has no reasonable prospect of succeeding;
  - (m) grant or refuse the application;
  - (n) if it considers the remedy applied for would be inadequate, grant any other remedy.
- (3) Subrule (2) does not limit the operation of Order 4A or the powers of the Court when dealing with an application.

- (4) A single judge dealing with an application may, without deciding it, order it be heard by the Court of Appeal.

**6. Discovery and interrogatories**

Orders 26 and 27 do not apply in proceedings on an application unless and to the extent the Court, under rule 5(2) or Order 4A, gives leave and orders otherwise.

**7. Costs**

- (1) The Court may make an order for the payment of the costs of the proceedings on an application against one or more of these persons —
- (a) the applicant;
  - (b) the person who made the challenged decision or engaged in the challenged conduct;
  - (c) a person served with the application;
  - (d) a person not served with the application whom the Court allowed to be heard on it.
- (2) Subject to rule 24, the Court may make such an order before, when or after deciding the application.

- (2) In Order 56 rule 10(1):

- (a) delete “in proceedings to which this Order relates” and insert:

on an application

- (b) delete paragraph (a) and insert:

- (a) be prepared by the applicant; and

- (3) Delete Order 56 rules 11, 12 and 13.

- (4) In Order 56 rule 15(1) delete “An order nisi for a writ” and insert:

A writ

- (5) In Order 56 rule 25 delete “order nisi or”.

- (6) In Order 56 rule 26 delete “to whom the notice of motion, order nisi or” and insert:

who made the challenged decision or to whom the

- (7) Delete Order 56 rule 27.
- (8) Delete the heading to Order 56 Division 4 and insert:

**Division 4 — Prohibition and *procedendo***

- (9) At the beginning of Order 56 Division 5 insert:

**34A. Application for information of *quo warranto***

To apply for an information of *quo warranto* without applying for judicial review, a person must apply *ex parte* by originating motion.

- (10) Delete Order 56 rule 35(2) and insert:
- (2) A copy of the information must be served on the respondent or, if he or she appeared by a lawyer, on the lawyer.

**7. Schedule 2 amended**

In Schedule 2 after Form 66 insert:

**67A. Application for judicial review (O. 56 r. 2)**

In the Supreme Court of Western Australia		No:
		<b>Application for judicial review</b>
Applicant		
Respondent <sup>1</sup>	Name: Office:	
Other parties		
Decision or conduct to be reviewed	Date: Where made or occurring: Written law governing: Description:	
Application [Tick one or more]	The applicant applies for judicial review of the above decision or conduct and — <input type="checkbox"/> a writ of certiorari; <input type="checkbox"/> a writ of mandamus; <input type="checkbox"/> a writ of prohibition; <input type="checkbox"/> a writ of <i>procedendo</i> ; <input type="checkbox"/> an information of <i>quo warranto</i> ; <input type="checkbox"/> a declaration; <input type="checkbox"/> an injunction; <input type="checkbox"/> this remedy (being a remedy which would have the same effect as a remedy that could be provided by means of one or more of the above writs) —	

Grounds of application	The grounds for the above application are these — 1.	
Late application <sup>2</sup>	<input type="checkbox"/> The applicant also applies for leave to proceed with this application which is made outside the limitation period.	
Reasons for decision <sup>2</sup>	<input type="checkbox"/> The applicant also applies for an order that the maker of the challenged decision give adequate reasons for it.	
Signature of applicant or lawyer	Applicant/Applicant's lawyer	Date:

Notes to Form No. 67A —

1. The respondent is the person whose decision or conduct is to be reviewed.
2. Tick only if necessary.

Dated: 15 April 2013.

Judges' signatures:

Chief Justice MARTIN

Justice McKECHNIE

Justice BEECH

Justice McLURE

Justice NEWNES

Justice PULLIN

Justice MARTIN

Justice HEENAN

Justice MURPHY

Justice Le MIERE

Justice HALL

Justice JENKINS

Justice MAZZA

Justice SIMMONDS

Justice PRITCHARD

Justice BUSS

Justice EDELMAN

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## — PART 2 —

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### CONSUMER PROTECTION

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CP401\*

**RETAIL TRADING HOURS ACT 1987**  
**RETAIL TRADING HOURS (CITY OF ALBANY)**  
**VARIATION ORDER (NO. 6) 2013**

Made by the Minister for Commerce under section 12E of the Act.

**1. Citation**

This order is the *Retail Trading Hours (City of Albany) Variation Order (No. 6) 2013*.

**2. Commencement**

This order comes into operation as follows—

- (a) clauses 1 and 2—on the day on which this order is published in the *Gazette*;
- (b) the rest of the order—on the day after that day.

**3. Variation of retail trading hours**

General retail shops in the Albany local government district are authorised to be open at times when the shops would otherwise be required to be closed—

- (a) on each day specified in the Table; and
- (b) during the hours specified for that day in the Table.

**Table**

Day	Hours
Sunday 2 June 2013	From 10.00 am until 5.00 pm
Monday 3 June 2013	From 10.00 am until 5.00 pm

M. MISCHIN, Minister for Commerce.

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### FISHERIES

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FI401\*

**FISH RESOURCES MANAGEMENT ACT 1994**  
**APPROVED AUTOMATIC LOCATION COMMUNICATORS 2013**

FD 10/07 [1138]

I, Stuart Smith, Chief Executive Officer of the Department of Fisheries Western Australia, pursuant to regulation 55AA(1) of the *Fish Resources Management Regulations 1995*, do hereby approve the automatic location communicators (ALCs) listed in the Schedule to this Notice, subject to the ALCs being used in conjunction with the software specified for each ALC.

The Notice of Approved Automatic Location Communicators published in the Gazette on 20 January 2012 is hereby revoked.

**Schedule—Approved ALCs**

Make and Model of ALC	Software version(s)
Thrane & Thrane 6140 (may also be branded as “Sailor”)	<ul style="list-style-type: none"> <li>• Thrane &amp; Thrane 3027D Mini-C Non-SOLAS—V1.03</li> <li>• Thrane &amp; Thrane 6194—V1.03</li> <li>• EasyMail V2.01</li> </ul>
Thrane & Thrane 6150 (may also be branded as “Sailor”)	<ul style="list-style-type: none"> <li>• Thrane &amp; Thrane 3027D Mini-C Non-SOLAS—V1.03</li> <li>• Thrane &amp; Thrane 6194—V1.03</li> <li>• EasyMail V2.01</li> </ul>

Make and Model of ALC	Software version(s)
Thrane & Thrane 3026S or 3026D mini-C (may also be branded as "Sailor")	<ul style="list-style-type: none"> <li>• 2.22</li> <li>• 2.26</li> <li>• Easymail V1.13</li> <li>• Easymail V1.15</li> </ul>
Thrane & Thrane Capsat transceiver model TT-3022D (where installed in accordance with approved directions and fully operational on or before 20 January 2007)	<ul style="list-style-type: none"> <li>• 3.11</li> <li>• 3.22</li> <li>• 3.28 non-SOLAS Fishery DistFn-1</li> <li>• Easymail V1.07 or later with firmware version V3.32</li> </ul>
Furuno Inmarsat C Mobile Earth Station transceiver model Felcom15 (where installed in accordance with approved directions and fully operational on or before 20 January 2007)	DCE F15 V02+FFA
Furuno Inmarsat C Mobile Earth Station transceiver model Felcom 16 (where installed in accordance with approved directions and fully operational on or before 20 January 2007)	DCE F16 V02+FFA

Dated this 16th day of April 2013.

S. SMITH, Chief Executive Officer,  
Department of Fisheries.

#### FI402\*

#### FISH RESOURCES MANAGEMENT ACT 1994

#### JOINT AUTHORITY SOUTHERN DEMERSAL GILLNET AND DEMERSAL LONGLINE MANAGED FISHERY MANAGEMENT PLAN 1992

#### Approved Automatic Location Communicators (Joint Authority Southern Demersal Gillnet and Demersal Longline Managed Fishery) 2013

FD 10/07 [1138]

I, Stuart Smith, Chief Executive Officer of the Department of Fisheries Western Australia, pursuant to clause 15A(1)(a) of the *Joint Authority Southern Demersal Gillnet and Demersal Longline Managed Fishery Management Plan 1992*, do hereby approve the automatic location communicators (ALCs) listed in the Schedule to this Notice, subject to the ALCs being used in conjunction with the software specified for each ALC.

The Approved Automatic Location Communicators Notice (Joint Authority Southern Demersal Gillnet and Demersal Longline Managed Fishery) that was published in the Gazette on 20 January 2012 is hereby revoked.

#### Schedule—Approved ALCs

Make and Model of ALC	Software version(s)
Thrane & Thrane 6140 (may also be branded as "Sailor")	<ul style="list-style-type: none"> <li>• Thrane &amp; Thrane 3027D Mini-C Non-SOLAS—V1.03</li> <li>• Thrane &amp; Thrane 6194—V1.03</li> <li>• EasyMail V2.01</li> </ul>
Thrane & Thrane 6150 (may also be branded as "Sailor")	<ul style="list-style-type: none"> <li>• Thrane &amp; Thrane 3027D Mini-C Non-SOLAS—V1.03</li> <li>• Thrane &amp; Thrane 6194—V1.03</li> <li>• EasyMail V2.01</li> </ul>
Thrane & Thrane 3026S or 3026D mini-C (may also be branded as "Sailor")	<ul style="list-style-type: none"> <li>• 2.22</li> <li>• 2.26</li> <li>• Easymail V1.13</li> <li>• Easymail V1.15</li> </ul>

Dated this 16th day of April 2013.

S. SMITH, Chief Executive Officer,  
Department of Fisheries.

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**MARINE/MARITIME**

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MA401\*

**WESTERN AUSTRALIAN MARINE ACT 1982****RESTRICTED SPEED AREA—5 AND 8 KNOTS**Thomson Bay  
Rottnest IslandDepartment of Transport,  
Fremantle WA, 23 April 2013.

Acting pursuant to the powers conferred by Section 67 of the *Western Australian Marine Act 1982*, I hereby revoke section (b)(3)(i) of notice MH401 as published in the *Government Gazette* on 25 October 1991 and limit the speed of all motorised vessels less than 24m in length to five (5) Knots and all motorised vessels 24m or greater in length to eight (8) Knots within the following area—

THOMSON BAY: Those waters of Thomson Bay bounded by the southern side of the Main Jetty, then following lines from the south-eastern tip of the jetty (approximately 31°59.746'S, 115°32.678'E) to 31°59.680'S, 115°32.798'E (corresponding to the Thomson Bay starboard beacon approximately 225 metres north-easterly); thence to 31°59.577'S, 115°32.733'E (corresponding to cardinal mark approximately 215 metres north westerly);

thence to 31°59.755'S, 115°33.050'E (corresponding to port mark approximately 600 metres south-easterly);

thence to 31°59.739'S, 115°32.976'E (corresponding to port mark approximately 120 metres west-north-westerly);

thence to 31°59.744'S, 115°32.851'E (corresponding to port mark approximately 198 metres west-south-westerly);

thence to 31°59.761'S, 115°32.837'E (corresponding to port mark approximately 40 metres south-south-westerly);

thence to 31°59.791'S, 115°32.835'E (corresponding to south cardinal mark approximately 55 metres south);

thence to 31°59.805'S, 115°32.582'E (approximately 5 metres south of the south-eastern tip of the Fuel Jetty);

thence to 31°59.804'S, 115°32.577'E (approximately 7 metres westwards);

thence to 31°59.795'S, 115°32.579'E (approximately 16 metres northwards on the Fuel Jetty);

thence along the northern edge of the Fuel Jetty to the shore;

thence along the shoreline to where it meets the main jetty. All coordinates based on GDA 94.

RAY BUCHHOLZ, Marine Safety Operations Director,  
Department of Transport.

MA402\*

**WESTERN AUSTRALIAN MARINE ACT 1982****5 KNOT RESTRICTED SPEED AREA—MOTORISED VESSELS**Thomson Bay—South  
Rottnest IslandDepartment of Transport,  
Fremantle WA, 23 April 2013.

Acting pursuant to the powers conferred by Section 67 of the *Western Australian Marine Act 1982*, I hereby limit the speed of all motorised vessels to five (5) knots within the following area—

THOMSON BAY: Those waters of Thomson Bay bounded by a line along the southern edge of the Fuel Jetty between the shore and a point 31°59.796'S, 115°32.579'E (approximately 100 metres along the jetty); thence to 31°59.804'S, 115°32.577'E (approximately 16 metres southwards); thence to 31°59.805'S, 115°32.582'E (approximately 7 metres eastwards); thence to 31°59.791'S, 115°32.835'E (approximately 400 metres eastwards); thence to 31°59.761'S, 115°32.837'E (approximately 55 metres northwards); thence to 31°59.744'S, 115°32.851'E (approximately 40 metres north easterly); thence to 31°59.739'S, 115°32.976'E (approximately 195 metres eastwards); thence to 31°59.755'S, 115°33.050'E (approximately 120 metres east-south-easterly); thence to the Natural Jetty port marker at 32°00.127'S, 115°33.696'E (approximately 1227 metres south easterly); thence to the eastern tip of the Natural Jetty and along it to Phillip Point; thence along the shore to the Fuel Jetty. All coordinates based on GDA 94.

RAY BUCHHOLZ, Marine Safety Operations Director,  
Department of Transport.

MA403\*

**WESTERN AUSTRALIAN MARINE ACT 1982**  
CLOSURE OF NAVIGABLE WATERS—MOTORISED VESSELS

Thomson Bay  
Rottneest Island

Department of Transport,  
Fremantle WA, 23 April 2013.

Acting pursuant to the powers conferred by Section 66 of the *Western Australian Marine Act 1982*, I hereby close the following area of water to all motorised vessels until further notice—

THOMSON BAY: Those waters of Thomson Bay immediately north-west of the Hotel Jetty bounded by lines commencing at a point 31°59.865'S, 115°32.542'E (approximately 45 metres north-west of the jetty); thence to 31°59.854'S, 115°32.562'E (north-easterly approximately 25 metres beyond the shoreline); thence to 31°59.873'S, 115°32.577'E (the northern side of the jetty approximately 45 metres south-easterly); thence to 31°59.884'S, 115°32.560'E (on the foreshore in line with the northern side of the jetty). All coordinates base on GDA 94.

RAY BUCHHOLZ, Marine Safety Operations Director,  
Department of Transport.

MA404\*

**WESTERN AUSTRALIAN MARINE ACT 1982**  
CLOSURE OF NAVIGABLE WATERS—MOTORISED VESSELS

Little Parakeet Bay  
Rottneest Island

Department of Transport,  
Fremantle WA, 23 April 2013.

Acting pursuant to the powers conferred by Section 66 of the *Western Australian Marine Act 1982*, I hereby cancel section (a)(3)(v) of Notice TR402 as published in the *Government Gazette* on 27 January 1995 and close the following area of water to all motorised vessels until further notice—

LITTLE PARAKEET BAY: Those waters of Little Parakeet Bay south of a line between 31°59.362'S, 115°30.944'E and 31°59.378'S, 115°31.091'E. All coordinates based on GDA 94.

RAY BUCHHOLZ, Marine Safety Operations Director,  
Department of Transport.

MA405\*

**WESTERN AUSTRALIAN MARINE ACT 1982**  
CLOSURE OF NAVIGABLE WATERS—MOTORISED VESSELS

Longreach Bay  
Rottneest Island

Department of Transport,  
Fremantle WA, 23 April 2013.

Acting pursuant to the powers conferred by Section 66 of the *Western Australian Marine Act 1982*, I hereby cancel section (a)(3)(vi) of Notice TR402 as published in the *Government Gazette* on 27 January 1995 and close the following area of water to all motorised vessels until further notice—

LONGREACH BAY: Those waters of Longreach Bay bounded by lines commencing at a point on the foreshore at 31°59.425'S, 115°31.863'E; thence to 31°59.397'S, 115°31.859'E (northerly, approximately 25 metres beyond the shoreline); thence to 31°59.386'S, 115°31.907'E (east-north-easterly approximately 75 metres); thence to 31°59.416'S, 115°31.914'E (on the foreshore). All coordinates base on GDA 94.

RAY BUCHHOLZ, Marine Safety Operations Director,  
Department of Transport.

MA406\*

**WESTERN AUSTRALIAN MARINE ACT 1982**  
**5 KNOT RESTRICTED SPEED AREA—MOTORISED VESSELS**  
 Thomson Bay—North  
 Rottnest Island

Department of Transport,  
 Fremantle WA, 23 April 2013.

Acting pursuant to the powers conferred by Section 67 of the *Western Australian Marine Act 1982*, I hereby cancel section (b)(3)(i) of Notice MH401, as published in the *Government Gazette* on 25 October 1991, and limit the speed of all motorised vessels to five (5) knots within the following area—

THOMSON BAY: Those waters of the Indian Ocean bounded by a line starting at Bathurst Point Lighthouse (approximately 31°59.361'S, 115°32.439'E); thence to 31°59.140'S, 115°32.272'E (north-west approximately 485 metres); thence to 31°59.147'S, 115°32.409'E (approximately 215 metres easterly); thence to 31°59.248'S, 115°32.655'E (approximately 430 metres east-south-easterly); thence to 31°59.577'S, 115°32.733'E (approximately 620 metres south-south-easterly); thence to 31°59.680'S, 115°32.798'E (approximately 215 metres south-easterly); thence approximately 225 metres west-south-westerly to the tip of the Main Jetty at 31°59.746'S, 115°32.678'E; thence along the northern edge of the Main Jetty to the shore. All coordinates base on GDA 94.

RAY BUCHHOLZ, Marine Safety Operations Director,  
 Department of Transport.

MA407\*

**WESTERN AUSTRALIAN MARINE ACT 1982**  
**CLOSURE OF NAVIGABLE WATERS—MOTORISED VESSELS**  
 Thomson Bay  
 Rottnest Island

Department of Transport,  
 Fremantle WA, 23 April 2013.

Acting pursuant to the powers conferred by Section 66 of the *Western Australian Marine Act 1982*, I hereby cancel Notice TR401 as published in the *Government Gazette* on 5 July 2002 and close the following area of water to all motorised vessels until further notice—

THOMSON BAY: Those waters of Thomson Bay between Stark Jetty and the main jetty bounded by lines commencing at a point 31°59.676'S, 115°32.447'E (on the foreshore in line with the southern side of Stark Jetty); thence to 31°59.671'S, 115°32.484'E (at the end of Stark Jetty); thence to 31°59.721'S, 115°32.509'E (on the northern side of the main jetty approximately 100 metres south-south-east). All coordinates base on GDA 94.

RAY BUCHHOLZ, Marine Safety Operations Director,  
 Department of Transport.

MA408\*

**WESTERN AUSTRALIAN MARINE ACT 1982**  
**CLOSURE OF NAVIGABLE WATERS—MOTORISED VESSELS**  
 Thomson Bay  
 Rottnest Island

Department of Transport,  
 Fremantle WA, 23 April 2013.

Acting pursuant to the powers conferred by Section 66 of the *Western Australian Marine Act 1982*, I hereby cancel section (a)(3)(ii) of Notice TR402 as published in the *Government Gazette* on 27 January 1995 and close the following area of water to all motorised vessels until further notice—

THOMSON BAY: Those waters of Thomson Bay south-east of the Hotel Jetty bounded by lines commencing at a point 31°59.941'S, 115°32.618'E (on the foreshore approximately 135 metres from the jetty); thence to 31°59.923'S, 115°32.638'E (north-easterly approximately 30 metres beyond the shoreline); thence to 31°59.958'S, 115°32.691'E (south-easterly approximately 105 metres); thence to 31°59.972'S, 115°32.672'E (south-westerly approximately 40 metres on the foreshore). All coordinates base on GDA 94.

RAY BUCHHOLZ, Marine Safety Operations Director,  
 Department of Transport.

MA409\*

**WESTERN AUSTRALIAN MARINE ACT 1982**  
**CLOSURE OF NAVIGABLE WATERS—MOTORISED VESSELS**  
 The Basin  
 Rottnest Island

Department of Transport,  
 Fremantle WA, 23 April 2013.

Acting pursuant to the powers conferred by Section 66 of the *Western Australian Marine Act 1982*, I hereby cancel section (a)(3)(iv) of Notice TR402 as published in the *Government Gazette* on 27 January 1995 and close the following area of water to all motorised vessels until further notice—

THE BASIN: Those waters of the Basin, Rottnest Island, south of a line between points 31°59.339'S, 115°32.071'E and 31°59.297'S, 115°32.284'E. All coordinates based on GDA 94.

RAY BUCHHOLZ, Marine Safety Operations Director,  
 Department of Transport.

MA410\*

**WESTERN AUSTRALIAN MARINE ACT 1982**  
**CLOSURE OF NAVIGABLE WATERS—MOTORISED VESSELS**  
 Geordie Bay  
 Rottnest Island

Department of Transport,  
 Fremantle WA, 23 April 2013.

Acting pursuant to the powers conferred by Section 66 of the *Western Australian Marine Act 1982*, I hereby cancel section (a)(3)(vii) of Notice TR402 as published in the *Government Gazette* on 27 January 1995 and close the following area of water to all motorised vessels until further notice—

GEORDIE BAY: Those waters of Geordie Bay bounded by lines commencing at a point on the foreshore at 31°59.501'S, 115°31.429'E (approximately 110 metres south of the jetty); thence to 31°59.486'S, 115°31.412'E (north-westerly approximately 20 metres beyond the shoreline); thence to 31°59.462'S, 115°31.434'E (approximately 55 metres north-easterly); thence to 31°59.472'S, 115°31.454'E (on the foreshore approximately 50 metres south of the jetty). All coordinates base on GDA 94.

RAY BUCHHOLZ, Marine Safety Operations Director,  
 Department of Transport.

MA411\*

**WESTERN AUSTRALIAN MARINE ACT 1982**  
**CLOSURE OF NAVIGABLE WATERS—MOTORISED VESSELS**  
 Thomson Bay  
 Rottnest Island

Department of Transport,  
 Fremantle WA, 23 April 2013.

Acting pursuant to the powers conferred by Section 66 of the *Western Australian Marine Act 1982*, I hereby cancel section (a)(3)(iii) of Notice TR402 as published in the *Government Gazette* on 27 January 1995 and close the following area of water to all motorised vessels until further notice—

THOMSON BAY: Those waters of Thomson Bay north of the Kingstown Barracks bounded by lines commencing at a point 32°00.186'S, 115°33.241'E (on the foreshore approximately 420 metres east of the Army Jetty); thence to 32°00.152'S, 115°33.239'E (northwards approximately 40 metres beyond the shoreline); thence to 32°00.150'S, 115°33.423'E (approximately 290 metres eastwards); thence to 32°00.183'S, 115°33.424'E (southwards on the foreshore). All coordinates base on GDA 94.

RAY BUCHHOLZ, Marine Safety Operations Director,  
 Department of Transport.

MA412\*

**WESTERN AUSTRALIAN MARINE ACT 1982**  
**NAVIGABLE WATERS REGULATIONS 1958**  
SPEED RESTRICTION AREA—12 KNOTS  
Sticks Channel—Peel Inlet  
*City of Mandurah*

Department of Transport,  
Fremantle WA, 23 April 2013.

Acting pursuant to the powers conferred by Section 67 of the *Western Australian Marine Act 1982*, I hereby revoke Notice TR 402 as published in the *Government Gazette* on 18 September 1998 and hereby limit the speed of motorised vessels to twelve (12) knots within the following area—

STICKS CHANNEL: All the waters of Peel Inlet and the Mandurah Estuary contained within the main Sticks Channel as marked by navigation beacons, south of a line through 115° 43.042'E, 32° 33.456'S and 115° 43.309'E, 32° 33.459'S, and north of a line through 115° 42.631'E, 32° 34.761'S and 115° 42.506'E, 32° 34.783'S.

All coordinates based on GDA94.

RAY BUCHHOLZ, Marine Safety Operations Director,  
Department of Transport.

MA413\*

**WESTERN AUSTRALIAN MARINE ACT 1982**  
**NAVIGABLE WATERS REGULATIONS 1958**  
SPEED RESTRICTION AREA—8 KNOTS  
Mandurah Quays—Peel Inlet  
*City of Mandurah*

Department of Transport,  
Fremantle WA, 23 April 2013.

Acting pursuant to the powers conferred by Section 67 of the *Western Australian Marine Act 1982*, I hereby limit the speed of motorised vessels to eight (8) knots within the following area—

MANDURAH QUAYS: All the waters of Peel Inlet and the Mandurah Estuary west of the main Sticks Channel as marked by navigation beacons, bounded in the north by a line through 115° 43.042'E, 32° 33.456'S and 115° 43.309'E, 32° 33.459'S and in the south by a line through 115° 42.566'E, 32° 33.901'S and 115° 42.424'E, 32° 33.777'S excluding the 5kn speed restriction area within the Mandurah Quays Marina. All coordinates based on GDA94.

RAY BUCHHOLZ, Marine Safety Operations Director,  
Department of Transport.

MA414\*

**WESTERN AUSTRALIAN MARINE ACT 1982**  
**NAVIGABLE WATERS REGULATIONS 1958**  
SPEED RESTRICTION AREA—8 KNOTS  
Channel Island—Peel Inlet  
*City of Mandurah*

Department of Transport,  
Fremantle WA, 23 April 2013.

Acting pursuant to the powers conferred by Section 67 of the *Western Australian Marine Act 1982*, I hereby limit the speed of motorised vessels to eight (8) knots within the following area—

CHANNEL ISLAND: All the waters of Peel Inlet and the Mandurah Estuary east of the Sticks Channel as marked by navigation beacons, bounded in the north by a line through 115° 43.042'E, 32° 33.456' and 115° 43.309'E, 32° 33.459'S, in the east by a line through 115° 43.309'E, 32° 33.459'S and 115° 43.560'E, 32° 34.051'S, and in the south by a line through 115° 43.560'E, 32° 34.051'S and 115° 42.850'E, 32° 34.053'S. All coordinates based on GDA94.

RAY BUCHHOLZ, Marine Safety Operations Director,  
Department of Transport.

## PLANNING

PL401\*

**PLANNING AND DEVELOPMENT ACT 2005**  
APPROVED LOCAL PLANNING SCHEME AMENDMENT

*City of Cockburn*

Town Planning Scheme No. 3—Amendment No. 89

Ref: TPS/0827

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 Cockburn local planning scheme amendment on 3 April 2013 for the purpose of—

- 1 Rezoning the Cockburn Coast area from 'Industry', 'Light and Service Industry', 'Special Use', 'No Zone', 'Parks and Recreation' reserve, 'Lakes and Drainage' reserve and 'Local Roads' reserve, excluding Lots 2 and 3 Robb Road, North Coogee to 'Development' zone in accordance with the Scheme Map;
2. Introducing a new 'Development Area' (No. 33), and including provisions under Schedule 11 of the Scheme as follows—

Ref. No.	Area	Provisions
DA33	Cockburn Coast	<p><b>1.0 Objectives of the Cockburn Coast Development Area</b></p> <p>The purpose and intent of the Development Area is expressed in the following objectives. These objectives are to guide the preparation of Local Structure Plans for the Cockburn Coast Development Area—</p> <ol style="list-style-type: none"> <li>(a) Responsive to context—regionally and the immediate environment.</li> <li>(b) Establish a sustainability framework for future detailed planning and design.</li> <li>(c) Transit orientated development with appropriate density.</li> <li>(d) Establish an urban development framework that provides guidance for implementation.</li> <li>(e) Inclusive/participatory planning and consultation framework.</li> <li>(f) Create a place with a mix of people, housing, land uses, experiences and lifestyle.</li> </ol> <p><i>Land use and zoning objectives</i></p> <ol style="list-style-type: none"> <li>(g) Creation of an integrated mix of land uses—a place to live, work, play, where people have a choice of activities throughout the day and night.</li> <li>(h) Maintenance of the integrity of the existing land uses where appropriate and desired.</li> <li>(i) Promotion of a general transition and intensification of land uses within the Development Area.</li> <li>(j) Facilitation of an urban typology for residential development, and provide extensive opportunities for live/work within the Development Area.</li> <li>(k) Use of the natural landform, different character and roles of individual streets to create varied land use and built form character precincts.</li> <li>(l) Provision for the revitalisation and enhancement of the Development Area through the combined framework of land use controls, design guidelines and public works.</li> <li>(m) Encouragement of new land uses within the Development Area, but seek to carefully manage the inter-relationship of such land uses with existing and future non-residential land uses.</li> </ol> <p><i>Movement network</i></p> <ol style="list-style-type: none"> <li>(n) The need to balance the function and impacts of regional and local transport.</li> <li>(o) Development of an internal road network with connections to the wider regional network which disperses traffic.</li> <li>(p) Production of a highly connected and amenable pedestrian and cyclist network providing access to the regional network.</li> </ol>

Ref. No.	Area	Provisions
		<p>(q) Promotion of an efficient public transport system providing connections to Fremantle and the wider regional network with the potential for expansion to the south and east in the future.</p> <p>(r) Development of a transit oriented community.</p> <p><i>Public Open Space</i></p> <p>(s) Provide for a range of passive and active recreation opportunities throughout the streets and public spaces.</p> <p>(t) Create an urban typology for open spaces while respecting the natural landform and characteristics of the Cockburn Coast area.</p> <p>(u) Develop a hierarchy of open spaces at a regional, district and local scale offering a range of uses and experiences.</p> <p>(v) Foster multi-purpose open spaces, including integrated water management.</p> <p><i>Public realm</i></p> <p>(w) Ensuring attractive, interactive and interesting street environments for pedestrians and cyclists.</p> <p>(x) Ensuring safety in the public realm, particularly at night.</p> <p>(y) Create strong legibility and enhancement of the Development Area's entries, focal points, movement networks, open spaces and activity nodes.</p> <p>(z) Establish a sense of place through interesting and interactive streetscapes and built form that reflect the history and coastal influences of the site.</p> <p><i>Built form</i></p> <p>(aa) Creation of a variety of building types, with a key focus on sustainable design.</p> <p>(bb) Developing landmark buildings in key locations.</p> <p>(cc) Stipulating adaptable mixed use buildings in appropriate locations.</p> <p>(dd) Promoting traditional 'main street' forms of building design within commercial areas.</p> <p>(ee) Facilitating development of commercial and mixed use buildings to street edges.</p> <p>(ff) Encouraging active building edges fronting the public realm, particularly at the ground floor level.</p> <p>(gg) Retaining a sense of the area's industrial heritage through the built form, while ensuring that the architectural design is contemporary and not 'faux-industrial'.</p> <p><b>2.0 Hierarchy of Plans</b></p> <p>Subdivision and development within the Development Area shall be subject to the preparation and adoption of Local Structure Plan(s), Design Guidelines and Detailed Area Plans, where deemed necessary by the Local Government. An adopted Local Structure Plan(s) together with all approved amendments shall apply to the land in order to guide subdivision and development.</p> <p><b>3.0 District Structure Plan(s)</b></p> <p>(a) The following District Structure Plans have been prepared for the Development Area—</p> <p>(i) Cockburn Coast District Structure Plan (2009)</p> <p>(ii) District Structure Plan Part 2</p> <p>(b) The District Structure Plans do not represent Structure Plans which have been adopted pursuant to Clause 6.2.9 of the Scheme but provide guidance for the preparation of the subsequent Local Structure Plans, rather than a statutory form of planning instrument.</p> <p>(c) Local Structure Plans shall have regard to both the Cockburn Coast District Structure Plan and the District Structure Plan Part 2.</p>

Ref. No.	Area	Provisions
		<p><b>4.0 General Development Area Provisions</b></p> <p>(a) An adopted Local Structure Plan together with all approved variations shall apply to each Local Structure Plan area identified in the District Structure Plan Part 2, and must include the whole Local Structure Plan area as denoted in the District Structure Plan Part 2, in order to guide subdivision and development.</p> <p>(b) The permissibility of land uses shall apply in accordance with clause 6.2.6.3 of the Scheme whereby the Local Structure Plan may impose a classification on the land by reference to reserves or zones, or by indicating the specific permissibility of land uses in the Local Structure Plan.</p> <p>(c) All development within the Development Area, where deemed necessary by the Local Government, shall be in accordance with Design Guidelines adopted by the Local Government.</p> <p>(d) In determining any application for approval to commence development, the Local Government will utilise the Design Guidelines, in conjunction with the Local Structure Plan, the Scheme and any relevant Local Government Local Planning Policy. In the event of any inconsistency or conflict between any requirements of the Scheme, Local Planning Policy and the Design Guidelines, the Design Guidelines shall prevail.</p> <p>(e) Detailed Area Plans must be prepared by the landowner and approved by the Local Government prior to the subdivision or development of land within the Activity Centres, and may be required for any other particular lot or lots where deemed necessary by the Local Government.</p> <p>(f) Each subdivision (excluding amalgamation proposals) and development application shall achieve at least 85% of the potential number of dwellings achievable under the R-code designated for the application area on the adopted Local Structure Plan. In calculating the potential number of dwellings for the purposes of this provision, the following average lot sizes will apply unless specified by the adopted Local Structure Plan—</p> <ul style="list-style-type: none"> <li>• R30 = 300m<sup>2</sup></li> <li>• R40 = 220m<sup>2</sup></li> <li>• R50 = 180m<sup>2</sup></li> <li>• R60 = 180m<sup>2</sup></li> <li>• R80 = 125m<sup>2</sup></li> <li>• R100 = 100m<sup>2</sup></li> <li>• R160 = 62.5m<sup>2</sup></li> </ul> <p>(g) Where appropriate the Local Government may require that proposals be accompanied by a report prepared by a qualified acoustical consultant, certifying that the design features of the development will achieve a satisfactory level of noise attenuation to enable the mixing of residential and non-residential land uses to occur; and/or demonstrate mitigation of impacts associated with freight noise and vibration.</p> <p><b>5.0 Local Structure Plans</b></p> <p><b>5.1 Content of Local Structure Plan Report(s)</b></p> <p>In addition to the required details set out in Clause 6.2.6 of the Scheme, all Local Structure Plans shall be accompanied by a report consistent with the requirements of the Structure Plan Preparation Guidelines and policy as well as being cognisant of the place specific issues of the Development Area. The following supplementary information is required to support consideration of Local Structure Plans for the Cockburn Coast area—</p> <p><i>5.1.1 Affordable Housing Strategy</i></p> <p>The proponent shall prepare an Affordable Housing Strategy which identifies measures to achieve the affordable housing targets as set out in the Cockburn</p>

Ref. No.	Area	Provisions
		<p>Coast District Structure Plan to the satisfaction of the Local Government.</p> <p><i>5.1.2 Local Water Management Strategy</i> The proponent shall submit to the Local Government a Local Water Management Strategy which is consistent with the approved District Water Management Strategy as an additional detail of the Local Structure Plan(s).</p> <p><i>5.1.3 Noise and Vibration Management Plan</i> The proponent shall submit to the Local Government a Noise and Vibration Management Plan for approval as an additional detail of the Local Structure Plan(s).</p> <p><i>5.1.4 Cultural Heritage Strategy (Historic Cultural heritage and Indigenous Cultural Heritage)</i></p> <p>(i) The proponent shall submit to the Local Government a Cultural Heritage Strategy for approval as an additional detail of the Local Structure Plan(s). The Strategy shall demonstrate how matters of cultural heritage significance will be addressed across the local Structure Plan area and shall—</p> <ul style="list-style-type: none"> <li>• Identify the places of cultural heritage significance within and adjacent to the Development Area;</li> <li>• Outline methods of conserving places of cultural heritage significance;</li> <li>• Identify significant zones whereby there should be further guidance on development within and/or adjacent to places of cultural heritage significance;</li> <li>• Include recommendations for heritage interpretation.</li> <li>• Include an implementation plan setting out responsibilities.</li> </ul> <p>(ii) The proponent shall submit to the Local Government Heritage Interpretation Plan(s) for approval as an additional detail of development applications as determined by the Local Government.</p> <p>(iii) Heritage Interpretation Plan(s) may be required for development in the following areas (but not be limited to)—</p> <ul style="list-style-type: none"> <li>• South Beach Horse Exercise Area</li> <li>• Robb Jetty Precinct</li> <li>• South Fremantle Power Station</li> <li>• Robb Jetty camp and Indian Ocean sites (Aboriginal Heritage Site 3707—Robb Jetty camp).</li> </ul> <p><i>5.1.5 Public Art Strategy</i></p> <p>(i) The proponent shall submit to the Local Government a Public Art Strategy for approval as an additional detail of the Local Structure Plan(s).</p> <p>(ii) The Public Art Strategy shall set out the framework to enhance each precinct through the appropriate integration of public art within the Development Area by detailing the following—</p> <ul style="list-style-type: none"> <li>• Influences for public art and possible public art themes for each precinct;</li> <li>• Indicative locations for artworks where they will enhance the amenity and the interpretation of the public realm, contribute to way-finding, and enhance the sense of place; and</li> <li>• Management arrangements and responsibilities for public art.</li> </ul> <p><i>5.1.6 Coastal Hazard Risk Assessment</i> A Coastal Hazard Risk Assessment is required to be prepared for the full length of coastline adjacent to the</p>

Ref. No.	Area	Provisions
		<p>Development Area as an additional detail of the Local Structure Plan(s) to the satisfaction of the Local Government</p> <p><i>5.1.7 Foreshore Management Plan</i></p> <p>(i) A Foreshore Management Plan is required to be prepared for the full length of coastline adjacent to the Development Area as an additional detail of the Local Structure Plan(s) to the satisfaction of the Local Government.</p> <p>(ii) The Foreshore Management Plan shall be informed by the Coastal Hazard Risk Assessment and shall demonstrate measures to mitigate potentially adverse impacts by coastal processes (including climate change induced sea level rise) on the proposed development (including public, private and Local Government infrastructure).</p> <p>(iii) The Foreshore Management Plan shall be consistent with State Planning Policy No. 2.6 and shall address the following place specific matters—</p> <ul style="list-style-type: none"> <li>• Integration with the North Coogee and Coogee Beach Management Plans.</li> <li>• Improvement of pedestrian and cycling links with South Beach and Port Coogee.</li> <li>• Improvement of east-west links across the railway reserve and connect people with the foreshore.</li> <li>• Consideration of ecological linkages across the railway line to the Beeliar Regional Park.</li> <li>• Identification of measures to recognize and interpret historic cultural heritage and indigenous cultural heritage.</li> <li>• Potentially conflicting recreational activities, including the use of the coastline as a designated horse exercise area which is a unique characteristic of the Cockburn coast, and the use of the beach as a dog exercise area.</li> <li>• A comprehensive response to the future management of the Port Coogee sand bypassing operations to ensure that the sand bypassing works do not produce detrimental effects on the marine environment and public safety, and sediment outcomes for accretion and erosion between Catherine Point and Coogee Beach to the south.</li> <li>• Assessment of the need to upgrade the South Fremantle power station groynes.</li> </ul> <p><i>Fire Management Plans (s)</i></p> <p>Where the Bushfire Hazard Assessment undertaken as part of the Local Structure Plans identify a bushfire hazard risk, the proponent shall submit to the Local Government a Fire Management Plan for each Local Structure Plan area demonstrating compliance with Planning for Bushfire Protection Guidelines, to the satisfaction of the Local Government on the advice of DFES.</p> <p><b>5.2 Matters to be addressed by Local Structure Plans</b></p> <p>All Local Structure Plans shall address, but not be limited to the following matters—</p> <p><i>5.2.1 Public Open Space</i></p> <p>Local Structure Plans shall identify public open space that—</p> <p>(i) meets the recreational needs of the whole community by including a diverse range of open spaces of suitable dimensions, both in size and character to offer formal and informal opportunities for active and passive recreation and community interaction, flora and fauna connectivity and urban water management, and a setting for other uses and activities;</p>

Ref. No.	Area	Provisions
		<p>(ii) is accessible and attractive to users, including local residents, workers or visitors to the area;</p> <p>(iii) assists legibility and may play a landmark role;</p> <p>(iv) includes logical and interesting routes for pedestrians and cyclists, and act as links and hubs in pedestrian and cycle networks;</p> <p>(v) is located and designed to be safe, serviceable and well lit in a sustainable manner;</p> <p>(vi) provides the opportunity to conserve and enhance natural values, including the function of ecological corridors; and</p> <p>(vii) is provided in accordance with Western Australian Planning Commission policy.</p> <p><i>5.2.2 Movement Network</i> Local Structure Plans shall achieve a street pattern that serves the needs of pedestrians, cyclists and vehicles equitably, provides good pedestrian connections to local activities and offers a memorable layout for way-finding and legibility.</p> <p><i>5.2.3 Environmental Sustainability</i> Local Structure Plans shall identify the applicable measures to demonstrate how the environmental sustainability targets set out in the Cockburn Coast District Structure Plan (2009) for each Local Structure Plan area will be achieved, to the satisfaction of the Local Government.</p> <p><i>5.2.4 Building Heights</i> Local Structure Plans shall identify and justify the appropriate location of iconic, landmark, and gateway sites consistent with the Cockburn Coast District Structure Plan (2009) and District Structure Plan Part 2.</p> <p><i>5.2.5 Affordable Housing</i> Local Structure Plans shall identify applicable measures, outlined in the Affordable Housing Strategy required by Clause 5.1.1, to demonstrate how the affordable housing targets set out in the Cockburn Coast District Structure Plan (2009) for each Local Structure Plan area will be achieved, to the satisfaction of the Local Government and the Western Australian Planning Commission.</p> <p><i>5.2.6 Employment</i> (i) Local Structure Plans shall identify the applicable measures to demonstrate how the employment self-sufficiency targets set out in the Cockburn Coast District Structure Plan (2009) for each Local Structure Plan area will be facilitated, to the satisfaction of the Local Government. (ii) To meet the requirements of Clause 5.2.6 (i), Local Structure Plans shall include an assessment of the likely employment requirements of the population residing within the Local Structure Plan area, measures proposed to establish a framework to encourage and retain local employment, location of these areas, estimates of retail floor space, and estimates of future employment opportunities.</p> <p><i>5.2.7 Environmental Feasibility</i> Impacts upon the marine environment including relationship to other coastal features shall be discussed in any Local Structure Plan proposing the inclusion of a marina or similar modifications to the coastline.</p> <p><i>5.2.8 Social Feasibility</i> Any Local Structure Plan proposing the inclusion of a marina or similar modifications to the coastline shall discuss the social feasibility of such a proposal in contrast to the opportunities afforded by the existing coastline.</p> <p><i>5.2.9 Transition of Land Uses</i> (i) Identify and describe any existing lawful development within the Local Structure Plan area which has associated offsite impacts.</p>

Ref. No.	Area	Provisions
		<p>(ii) Identify and describe how future land use and development in accordance with the Local Structure Plan will be managed so that areas experiencing offsite impacts from existing lawful development are either avoided or managed.</p> <p><i>5.2.10 Contaminated Sites</i></p> <p>(i) While recognising the obligations for landowners under the <i>Contaminated Sites Act 2003</i>, identify lots contained within the whole Local Structure Plan area that are known or suspected to be contaminated and the status of contamination investigations for those lots.</p> <p>(ii) Describe how the land use plan responds to issues of contamination across the whole Local Structure Plan area.</p> <p><b>5.3 Design Guidelines</b></p> <p>5.3.1 Local Structure Plans must have associated Design Guidelines. This must be adopted by the Local Government prior to or as a part of the formal consideration of the associated Local Structure Plan.</p> <p>5.3.2 Design Guidelines shall incorporate and provide guidance on the following key design principles which are applicable to the Development Area—</p> <p><i>General Development Guidelines</i></p> <p>(i) All development should facilitate close interaction with the pedestrian activity along footpaths. Buildings should be designed to focus on pedestrian and cyclist amenity and safety, while accommodating on street parking and slow vehicle speeds in certain locations.</p> <p>(ii) Buildings should be located and designed to form an interesting and attractive urban edge to the street; to define and enclose the public street space at an appropriate scale;</p> <p>(iii) Achieving an appropriate built form interface with public open space and public areas which provides passive surveillance.</p> <p>(iv) Minimisation of the width and number of driveways and crossovers to assist in the achievement of attractive, pedestrian friendly environments.</p> <p>(v) Management of car parking to ensure the objectives of the Integrated Transport Plan and District Structure Plans are achieved.</p> <p>(vi) Provision of bicycle parking and end of trip facilities for mixed use and commercial buildings, and larger scale residential developments.</p> <p>(vii) All proposals that include residential development are required to demonstrate diversity in dwelling types, through the incorporation of different sized and designed dwellings. There is an expectation that a number of different types (size and design) comprise every proposal that includes residential development.</p> <p>(viii) All development should be designed to maximise passive solar heating, cooling and natural ventilation, and to reduce energy and resource consumption wherever possible.</p> <p>(ix) Development of sites adjacent to a Heritage Place shall be respectful of the recognised cultural heritage significance, and should not adversely affect the heritage significance.</p> <p><i>Guidelines for Mixed Use/Activity Centres</i></p> <p>(x) Buildings that front a public street should be constructed in a robust way that will allow for retrofitting to occur at a later date (e.g. residential capacity on the ground floor with the ability to retrofit into the future to intended commercial land uses).</p>

Ref. No.	Area	Provisions
		<p>(xi) Buildings and their activities are to present an active front to public streets and open space.</p> <p>(xii) The Development Guidelines shall include measures to facilitate sustainable mixed land use urban environments where a diverse range of carefully designed and constructed land uses can successfully co-exist with noise sensitive and noise emitting premises. The guidelines are to—</p> <ul style="list-style-type: none"> <li>• Achieve appropriate acoustic environments within residential and other noise sensitive premises.</li> <li>• Facilitate a diversity of businesses and services including dining, entertainment, culture and creativity industries, and ensure appropriate noise emission mitigation for these and other non-residential land uses.</li> <li>• Ensure mechanical, industrial and service equipment is appropriately designed, located and installed to minimise noise disturbance.</li> </ul>

L. HOWLETT JP, Mayor.  
S. G. CAIN, Chief Executive Officer.

**PL402\***

**PLANNING AND DEVELOPMENT ACT 2005**  
APPROVED LOCAL PLANNING SCHEME AMENDMENT  
*Town of Port Hedland*  
Town Planning Scheme No. 5—Amendment No. 54

Ref: TPS/0958

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 Port Hedland local planning scheme amendment on 3 April 2013 for the purpose of—

1. Rezoning Lots 3984, 4150, 5496, 5497 and portion of Lot 556 from 'Urban Development' to 'Residential'.
2. Rezoning portions of Lot 556 from 'Urban Development' to 'Parks and Recreation' as identified within the proposed Scheme Amendment No. 54 proposed zoning map.
3. Rezoning portion of Lot 556 from 'Urban Development' to 'Community—Education' as identified within the proposed Scheme Amendment No. 54 proposed zoning map.
4. Recoding any portions of Lot 3984, 4150, 5496, 5497 and 556 from 'R20' to 'R40' as identified within the proposed Scheme Amendment No. 54 proposed zoning map, being the following proposed lots; 9, 17-22, 36-40, 48-52, 57-61, 67-71, 76-81, 91-96, 111-115, 132-137, 197-202, 219-224, 244, 282-286, 296-300 and 361.
5. Recoding all other residential lots excluding lots 599sqm and below, from 'R20' to 'R30' as identified within the proposed Scheme Amendment No. 54 proposed zoning map.
6. Amending the zoning map accordingly.

K. HOWLETT, Mayor.  
M. OSBORNE, Chief Executive Officer.

**PL403\***

**PLANNING AND DEVELOPMENT ACT 2005**  
APPROVED LOCAL PLANNING SCHEME AMENDMENT  
*Shire of Ashburton*  
Town Planning Scheme No. 7—Amendment No. 13

Ref: TPS/0839

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the Shire of Ashburton local planning scheme amendment on 3 April 2013 for the purpose of—

1. Modifying the existing Residential Planning Code equivalent for land zoned 'Residential' under the Scheme of 'R12.5' for land in Second Avenue, Third Avenue and Hedditch Street, Onslow from 'R12.5' to 'R20' as set out in the Amendment Map.

2. Modifying Clause 6.6 of the Scheme by inserting the following clause—
- 6.6.3 Notwithstanding any other provision of the Scheme, on land in Onslow zoned Residential R20 and where reticulated sewerage and reticulated water is available to a lot and where the Applicant has addressed to the requirements of the local government, matters associated with the floodway and development within it—
- (a) the local government may consent to the development for the purposes of the erection of not more than two grouped dwellings on a vacant lot comprising not less than 875m<sup>2</sup>, with a minimum site area of 435m<sup>2</sup> per grouped dwelling subject to formal advertising pursuant to Clause 5.7;
  - (b) the local government may for the purposes of urban consolidation, only consent to the development of a vacant lot for the purposes of grouped dwellings at a maximum density of R30 on a lot greater than 1,500m<sup>2</sup> subject to formal advertising pursuant to Clause 5.7;
  - (c) in determining any application lodged pursuant to sub-Clauses (a) and (b) above the local government may reduce front setbacks to reflect R30 as specified under the Residential Design Codes and shall consider in addition to those matters listed in Clause 5.9 the likely impacts of the proposed development on the identifiable area provision under Part 7, any relevant Local Planning Policy and amenity of the immediate locality in which the proposed development is to be situated.

R. YURYEVICH, Commissioner of the Shire of Ashburton.  
F. LUDOVICO, Acting Chief Executive Officer.

PL404\*

**PLANNING AND DEVELOPMENT ACT 2005**  
APPROVED LOCAL PLANNING SCHEME AMENDMENT  
*Shire of Ashburton*  
Town Planning Scheme No. 7—Amendment No. 14

Ref: TPS/0522

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the Shire of Ashburton local planning scheme amendment on 3 April 2013 for the purpose of—

1. Modifying Clause 6.10 of the Scheme by inserting the following clauses—
  - 6.10.4 Transient workforce accommodation may be considered by the Local Government only where the following requirements are met and where the Applicant can demonstrate all of the following—
    - (a) the proposed transient workforce accommodation development is of a very high quality;
    - (b) the proposed development represents a motel or resort style development, with significant landscaping, recreation areas/facilities, quality design, quality infrastructure and materials;
    - (c) a limitation on the overall proportion (%) of transient workforce accommodation within a development and where accommodation for tourists and the like is made available;
    - (d) connection to reticulated sewer, water, and power is available;
    - (e) what time limit on the transient workforce accommodation use should be imposed; and
    - (f) where the development is of a permanent nature and where dongers, or transportable buildings or structures of any description are not proposed.
  - 6.10.5 Where in the opinion of the Local Government any of the provisions of Clause 6.10.4 are not met, transient workforce accommodation is prohibited.
2. Modifying the Zoning Table identifying the use class 'Transient Workforce Accommodation' as an 'A' use in the Commercial and Civic zone.

R. YURYEVICH, Commissioner of the Shire of Ashburton.  
F. LUDOVICO, Acting Chief Executive Officer.

## RACING, GAMING AND LIQUOR

RA401\*

### LIQUOR CONTROL ACT 1988

#### LIQUOR APPLICATIONS

The following are 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
<b>APPLICATIONS FOR THE GRANT OF A LICENCE</b>			
14667	Twinbar Pty Ltd	Application for the grant of a Small Bar licence in respect of premises situated in Applecross and known as Pepper Wine Bar	20/05/2013
14679	Peasants Table Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Mount Hawthorn and known as The Peasants Table	15/05/2013
14680	Hadafera Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Rockingham and known as Burger Edge Rockingham	20/05/2013
14683	Olio Bello Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Cowaramup and known as Olio Bello	21/05/2013
<b>APPLICATION FOR EXTENDED TRADING PERMITS—ONGOING EXTENDED HOURS</b>			
40246	Blacktower Capital Pty Ltd	Application for the grant of an extended trading permit for Ongoing Hours in respect of premises situated in Perth and known as Wolfe Lane	9/05/2013
<b>APPLICATION FOR EXTENDED TRADING PERMITS—LIQUOR WITHOUT A MEAL</b>			
40191	Lemon Cafes Pty Ltd	Application for the grant of an extended trading permit liquor without a meal in respect of premises situated in Claremont and known as Lemon Lane	6/05/2013

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

B. A. SARGEANT, Director of Liquor Licensing.

Date: 19 April 2013.

## TRAINING

TA401\*

### VOCATIONAL EDUCATION AND TRAINING ACT 1996

#### CLASSIFICATION OF PRESCRIBED VOCATIONAL EDUCATION AND TRAINING QUALIFICATIONS

Amendment to Western Australian *Government Gazette* 2009/225

Under the *Vocational Education and Training Act 1996* section 60C, I, the Minister for Training and Workforce Development classify the following—

#### Class B qualifications

No.	Qualification	Conditions	Training contract requirements				
			Title of apprentice under training contract	Nominal period (months) full time	Part time	School based	Other requirements
638.1	TLI31310 Certificate III in International Freight Forwarding	B	Trainee	18 months	Y	N	

No.	Qualification	Conditions	Training contract requirements				
			Title of apprentice under training contract	Nominal period (months) full time	Part time	School based	Other requirements
639.1	TLI41610 Certificate IV in International Freight Forwarding	B	Trainee	24 months	Y	N	

Hon TERRY REDMAN MLA, Minister for Training and Workforce Development.

Dated: 15 April 2013.

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## DECEASED ESTATES

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ZX401

### TRUSTEES ACT 1962

#### DECEASED ESTATES

##### Notice to Creditors and Claimants

Gwendoline Schofield, late of 23 Moreing Street, Belmont in the State of Western Australia, deceased. Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the deceased, who died on 24 July 2012, are required by the personal representative to send particulars of their claims to him/her care of Clement & Co, Lawyers, Unit 2, 12 Sutton Street, Mandurah by 27 May 2013, after which date the personal representative may convey or distribute the assets having regard only to the claims of which he/she then has notice.

CLEMENT & CO, as Solicitors for the personal representative.

ZX402\*

### TRUSTEES ACT 1962

#### DECEASED ESTATES

##### Notice to Creditors and Claimants

Barry Noel Jones, late of Unit 3, 80 Peninsula Road, Maylands, Western Australia 6051, Clerk, died 11 December 2012.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect to the Estate of the above deceased person are required by the deceased's personal representative, Kevin Maxwell Jones, to send particulars of their claims to him at Unit 21, 37 Britannia Road, Leederville, Western Australia 6007 within one month of the date of this publication, after which date the personal representative may convey or distribute the assets having regard only to the claims of which he then has notice.

Date: 23 April 2013.

KEVIN M. JONES.

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## PUBLIC NOTICES

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ZZ401\*

### CO-OPERATIVES ACT 2009

Pursuant to Section 243(3)

#### CHANGE IN SITUATION OF REGISTERED OFFICE

Co-Operative Purchasing Services Limited

Notice is hereby given that the registered office of the aforementioned was on the 18th day of March 2013 changed and is now situated at Unit 10e, 817 Beeliar Drive, Success WA 6164.

WESTERN AUSTRALIA

**ROAD TRAFFIC (VEHICLES) ACT 2012**

**\*Price: \$29.15 plus postage**

\* Prices subject to change on addition of amendments.

WESTERN AUSTRALIA

**EDUCATION & CARE SERVICES NATIONAL  
LAW (WA) ACT 2012**

**\*Price: \$32.15 plus postage**

**EDUCATION & CARE SERVICES NATIONAL  
LAW (WA) REGULATIONS 2012**

**\*Price: \$32.15 plus postage**

\* Prices subject to change on addition of amendments.

WESTERN AUSTRALIA

**WATER SERVICES ACT 2012**

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\* Prices subject to change on addition of amendments.

WESTERN AUSTRALIA

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**Price: \$23.15 plus postage**

**DOG REGULATIONS 1976**

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\*Prices subject to change on addition of amendments.

WESTERN AUSTRALIA

**OCCUPATIONAL SAFETY & HEALTH  
ACT 1984**

**Price: \$35.15 plus postage**

**OCCUPATIONAL SAFETY & HEALTH  
REGULATIONS 1996**

**Price: \$47.15 plus postage**

\*Prices subject to change on addition of amendments.

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