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GOVERNMENT**  
**Gazette**

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# — PART 1 —

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## PROCLAMATIONS

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AA101\*

Main Roads Act 1930

### **Main Roads (Highways and Main Roads) Proclamation 2014**

Made under the *Main Roads Act 1930* section 13 by the Administrator in Executive Council on the recommendation of the Commissioner of Main Roads.

**1. Citation**

This proclamation is the *Main Roads (Highways and Main Roads) Proclamation 2014*.

**2. Commencement**

This proclamation comes into operation as follows —

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

**3. Roads or sections of roads to be highways or main roads**

It is declared that:

- (1) The roads or sections of roads shown on the drawings listed in Schedule 1, excluding any footpaths, are highways; and
- (2) The roads or sections of roads shown on the drawings listed in Schedule 2, excluding any footpaths, are main roads.

**4. Roads or sections of roads to cease to be highways or main roads**

It is further declared that:

- (1) The roads or sections of roads shown on the drawings listed in Schedule 3 cease to be highways; and

- (2) The roads or sections of roads shown on the drawings listed in Schedule 4 cease to be main roads.

**Schedule 1 — Roads or sections of roads to be highways**

[cl. 3(1)]

Not used

**Schedule 2 — Roads or sections of roads to be main roads**

[cl. 3(2)]

Not used

**Schedule 3 — Roads or sections of roads ceasing to be highways**

[cl. 4(1)]

**(to cease to be a highway)**

MRWA Road No.	MRWA Road Name	Local Governments	Declared in Government Gazette	As previously shown on MRWA drawing number(s)
H46	Dampier Road. Between North West Coastal Highway and Madigan Road	Roebourne	15 December 1995, page 6080	9522-040, 9522-041, 9522-042, 9522-065

**Schedule 4 — Roads or sections of roads ceasing to be main roads**

[cl. 4(2)]

**(to cease to be a main road)**

MRWA Road No.	MRWA Road Name	Local Governments	Declared in Government Gazette	As previously shown on MRWA drawing number(s)
M48	Eneabba - Coolimba	Carnamah	11 August 1995, page 3449	9422-102, 9422-104, 9422-105
M18	Jurien	Dandaragan	15 December 1995, Page 6080	9422-079, 9422-083
M44	Cervantes	Dandaragan	7 February 1997, Page 726	9422-079, 9422-081

W. MARTIN, Administrator.

L.S.

D. NALDER, Minister for Transport.

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## RACING, GAMING AND LIQUOR

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RA301\*

### RACING AND WAGERING WESTERN AUSTRALIA ACT 2003 RWWA RULES OF HARNESS RACING 2004

In accordance with Section 45 (1) (b) of the *Racing and Wagering Western Australia Act 2003*, notice is hereby given that the Board of Racing and Wagering WA on 10th April 2014 resolved that the RWWA Rules of Harness Racing 2004 be amended with effect from 1st September 2014 as follows—

#### Amendments to National Rules

Amendments/Additions of the following rules made to facilitate rules regarding Anabolic Steroids;

Add dictionary definition to Schedule 1;

“**Anabolic Androgenic Steroid Clearing Certificate**” means a certificate from a person or drug testing laboratory approved by the Controlling Body certifying that a sample is free of anabolic androgenic steroids or that any anabolic androgenic steroids that are present are at or below the relevant concentration set out in Rule 188A(2).

Amend Rule 188A(2),

Add new rules 94A and 190AA

Amend Rule 190A(2)(r) and renumber existing 190A(2)(r) to 190A(2)(s) as follows—

- 190A (2)** (r) anabolic androgenic steroids (other than an anabolic androgenic steroid which is present at or below the relevant concentrations set out in Rule 188A(2));
- (s) metabolites, artifacts and isomers of any of the substances specified in paragraphs (a) to (r);

In accordance with Section 45 (1) (b) of the *Racing and Wagering Western Australia Act 2003*, notice is hereby given that the Board of Racing and Wagering WA on 21st July 2014 resolved that the RWWA Rules of Harness Racing 2004 be amended as follows—

#### Amendment to Local Rules

Add Local Rule 259A as follows—

***LR259A Disqualified person failing to pay fine or costs, return prizemoney, or comply with any direction(1) In the event of a disqualified person failing to—***

- (a) *pay any fine or costs imposed by the Controlling Body or Stewards; or*
- (b) *return any prizemoney or trophy won by a horse which has been disqualified; or*
- (c) *comply with any direction issued by Stewards or the Controlling Body as a result of their disqualification*

***Within the period of time as prescribed or otherwise approved by the Controlling Body or Stewards, then the period of disqualification shall cease to efflux until such time as they have complied in full with their obligations in this regard.***

***(2) Where the matters referred to above are pending the outcome of an appeal or subject to a formal order of a stay of proceedings, the operation of this rule shall not apply until that appeal is determined.***

A copy of the above rules may be obtained during office hours from the RWWA offices at 14 Hasler Road, Osborne Park 6017, WA or Racing and Wagering Western Australia website, [www.rwwa.com.au](http://www.rwwa.com.au).

RICHARD BURT, Chief Executive Officer.

**RA302\*****RACING AND WAGERING WESTERN AUSTRALIA ACT 2003****RWWA RULES OF THOROUGHBRED RACING 2004**

In accordance with Section 45 (1) (a) of the Racing and Wagering Western Australia Act 2003, notice is hereby given that the Board of Racing and Wagering WA on 21st July 2014 resolved to amend the RWWA Rules of Thoroughbred Racing 2004 as follows—

**Amendments to Australian Racing Rules (National Rules)**

**Amend definition of “Official Racing Laboratory” in AR.1 to note the inclusion of *National Measurement Institute (NMI) Sydney (testing for cobalt only)***

**Amend AR.87B(2)**

**Add new rule AR.64M**

**Delete and replace AR.195A**

**Amendment to Local Rules**

**Add New Local Rule 182B as follows—**

***LR182B***

***(1) In the event of a disqualified person failing to—***

***(a) pay any fine or costs imposed by the Controlling Body or Stewards; or***

***(b) return any prizemoney or trophy won by a horse which has been disqualified; or***

***(c) comply with any direction issued by Stewards or the Controlling Body as a result of their disqualification***

***Within the period of time as prescribed or otherwise approved by the Controlling Body or Stewards, then the period of disqualification shall cease to efflux until such time as they have complied in full with their obligations in this regard.***

***(2) Where the matters referred to above are pending the outcome of an appeal or subject to a formal order of a stay of proceedings, the operation of this rule shall not apply until that appeal is determined.***

A copy of the above rules may be obtained during office hours from the RWWA offices at 14 Hasler Road, Osborne Park 6017, WA or Racing and Wagering Western Australia website, [www.rwwa.com.au](http://www.rwwa.com.au).

RICHARD BURT, Chief Executive Officer.

**RA303\*****RACING AND WAGERING WESTERN AUSTRALIA ACT 2003****RWWA RULES OF GREYHOUND RACING 2008**

In accordance with Section 45 (1) (c) of the *Racing and Wagering Western Australia Act 2003*, notice is hereby given that the Board of Racing and Wagering WA on 21st July 2014 resolved to amend the RWWA Rules of Greyhound Racing 2008 as follows—

**Amendments to Local Rules**

**Add Local Rule 99E as follows—**

***LR99E Disqualified person failing to pay fine or costs, return prizemoney, or comply with any direction***

***(1) In the event of a disqualified person failing to—***

***(a) pay any fine or costs imposed by the Controlling Body or Stewards; or***

***(b) return any prizemoney or trophy won by a greyhound which has been disqualified; or***

***(c) comply with any direction issued by Stewards or the Controlling Body as a result of their disqualification***

***Within the period of time as prescribed or otherwise approved by the Controlling Body or Stewards, then the period of disqualification shall cease to efflux until such time as they have complied in full with their obligations in this regard.***

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***(2) Where the matters referred to above are pending the outcome of an appeal or subject to a formal order of a stay of proceedings, the operation of this rule shall not apply until that appeal is determined.***

A copy of the above rules may be obtained during office hours from the RWWA offices at 14 Hasler Road, Osborne Park 6017, WA or Racing and Wagering Western Australia website, [www.rwwa.com.au](http://www.rwwa.com.au).

RICHARD BURT, Chief Executive Officer.

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## — PART 2 —

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### CEMETERIES

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CE401\*

#### CEMETERIES ACT 1986

*Shire of Capel*

#### FEES AND CHARGES

In pursuance of the powers conferred by section 53 of the *Cemeteries Act 1986*, the Shire of Capel hereby records having resolved on 16 July 2014 to set the following fees and charges effective from this date—

Burial—	
Adult.....	\$565.00
Child (under 7 years).....	\$426.00
Stillborn Child .....	\$426.00
Land—	
2.4 metre by 1.2 metre.....	\$282.00
2.4 metre by 2.4 metre.....	\$410.00
Placement of Ashes—	
Burial Area .....	\$116.00
Single placement in niche wall Capel/Boyanup .....	\$249.00
Double placement in niche wall Capel/Boyanup.....	\$399.00
Extra Charges—	
Graves deeper than 1.8 metres, for each additional 0.3 metre.....	\$78.00
Exhumation .....	\$554.00
Interment of oblong or oversized casket.....	\$116.00
Burial on Saturday, Sunday or Public Holiday.....	\$227.00
Removal of monumental work prior to reopening of grave.....	Quote
Interment without due notice .....	\$149.00
Other Charges—	
Funeral Director's Licence—annual.....	\$122.00
Funeral Director's Licence—per interment.....	\$66.00
Copy of grant of right of burial .....	\$18.00
For use of a metal number plate .....	\$18.00
For permission to erect a headstone or monument.....	\$45.00
For reserving a grave .....	\$28.00
For reserving a niche.....	\$28.00
Grave number—search fee.....	\$13.00

P. F. SHEEDY, Chief Executive Officer.

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### CORRECTIVE SERVICES

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CS401\*

#### PRISONS ACT 1981

#### PERMIT DETAILS

Pursuant to the provisions of section 15P of the *Prisons Act 1981*, the Department of Corrective Services has issued the following Permits to do High-Level Security Work—

Surname	Other Names	Permit No.	Issue Date
TOOBY	Troy	PA 0033	24/07/2014

This notice is published under section 15P of the *Prisons Act 1981*.

Dated 24 July 2014.

DAVID HUGHES, Manager, Acacia Prison Contract.

CS402\*

**PRISONS ACT 1981**  
PERMIT DETAILS

Pursuant to the provisions of section 15P of the *Prisons Act 1981*, the Department of Corrective Services has revoked the following Permits to do High-Level Security Work—

Surname	Other Names	Permit No.	Revocation Date
Tooby	Troy	AP 0835	24/07/2014

This notice is published under section 15P of the *Prisons Act 1981*.

Dated 24 July 2014.

DAVID HUGHES, Manager,  
Acacia Prison Contract.

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## FIRE AND EMERGENCY SERVICES

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FE401

**FIRE AND EMERGENCY SERVICES SUPERANNUATION ACT 1985**

APPOINTMENTS

The following have been appointed/elected to the Fire and Emergency Services Superannuation Board—

**Member**

Mr G. J. Clifford (Re-elected)      19/8/2014—18/8/2017  
Mrs T. E. Longman (Elected)      19/8/2014—18/8/2016

**Alternate Member**

Mr A. F. Kruger (Elected)      19/8/2014—18/8/2015

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## JUSTICE

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JU401\*

**JUSTICES OF THE PEACE ACT 2004**

RESIGNATIONS

It is hereby notified for public information that the Minister has accepted the resignation of—

Mrs Melva Rosemary Beattie of Pinjarra  
Mr Nicholas Sam Bradley of Kununurra  
Ms Elizabeth Anne Paget Bruce of Forrestfield  
Mr Ronald Piper Edgar of Busselton  
Mr Michael James Gauci of Mandurah  
Dr Joseph Sinnaturai Aloysius Jeyaretnam of Noranda  
Mr Andrew John Johnson of Ballajura  
Mr Ivan Kostrencic of Bull Creek  
Mr Daniel Farquhar MacKinnon of Mosman Park

from the Office of Justice of the Peace for the State of Western Australia.

RAY WARNES, Executive Director,  
Court and Tribunal Services.

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## LOCAL GOVERNMENT

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LG401\*

*SHIRE OF CHITTERING*  
APPOINTMENTS

It is hereby notified for public information that the following persons have been appointed Authorised Officers in accordance with the relevant Acts hereunder effective immediately—

Dog Act 1976 & Regulations; Control of Vehicles (Off-road Areas) Act 1978 & Regulations; Litter Act 1979 & Regulations; Local Government Laws; Local Government Act 1995 (Sections 3.39, 9.10, 9.11, 9.15); Local Government Act 1995, Section 3.28 & 3.29—Powers of Entry, Part 3, Division 3—Sam Neale

Dog Act 1976—Registration Officers Only—Sophie Lee

Bush Fires Act 1954, Section 38—Fire Control Officers—Martin Lee and Fred Hoogland.

All previous authorisations for Lisa Templer, Janice Billen, Dennis Harvey and Max Brown are hereby revoked.

Updated: 28 July 2014.

GARY TUFFIN, Chief Executive Officer.

LG402\*

**LOCAL GOVERNMENT ACT 1995**

*City of Swan*  
(BASIS OF RATES)

This notice, which is for public information only, is to confirm that—

I, BRAD JOLLY, being delegated by the Minister of the Crown to whom the administration of the *Local Government Act 1995* is committed by the Governor, and acting pursuant to section 6.28 (1) of that Act, hereby, and with effect from the date of gazettal determined that the method of valuation to be used by the City of Swan as the basis for a rate in respect of the land referred to in the Schedule is to be the gross rental value of the land;

Schedule

	<b>Designated Land</b>
UV to GRV	Lot 7 on Deposited Plan D58220 Lot 159 on Deposited Plan DP38455 and Lot 55 on Deposited Plan P23362

BRAD JOLLY, A/Director General.

LG403\*

**LOCAL GOVERNMENT ACT 1995**

*Shire of Koorda*  
APPOINTMENTS

It is hereby notified for public information that the following persons have been appointed as Authorised Officers in accordance with the relevant acts hereunder effectively immediately—

- (1) Dog Act 1976 and Regulations, Control of Vehicles (Off-road Areas) Act 1978 and Regulations, Litter Act 1979 and Regulations, Local Government Laws, Local Government Act 1995 section 3.39, 9.10, 9.11 and 9.15—

David Burton  
Linda Longmuir  
Darren West  
Matthew Sharpe

- (2) Dog Act—Registration Officers—

Linda Longmuir  
Lois Green  
Karen Clare  
Lana Foote

- (3) Section 449 of the Local Government (Miscellaneous Provisions) Act 1960—  
Matthew Sharpe; as Ranger  
Darren West
- (4) Issue of Infringement Notices—Section 59(2)(a) of the Bush Fire Acts 1954—  
Matthew Sharpe  
David Burton
- (5) Health Act 1911—  
Julian Goldacre
- (6) Certain Provision about land—Part 3 Division 3 Subdivision 2 Section 3.24 of the Local Government Act 1995—  
David Burton
- (7) Power of Entry—Part 3 Division 3 Section 3.28 and 3.29 of the Local Government Act 1995—  
David Burton  
Linda Longmuir  
Darren West  
Julian Goldacre
- (8) Miscellaneous Provision About Enforcement—Part 9 Division 2 Subdivision 1 Section 9.13, 9.16 and 9.17 of the Local Government Act 1995—  
David Burton  
Linda Longmuir  
Matthew Sharpe
- (9) Miscellaneous Provisions About Enforcement—Part 9 Division 2 Section 9.19 of the Local Government Act 1995—  
David Burton
- (10) Miscellaneous Provisions About Enforcement—Part 9 Division 2 Subdivision 1 Section 9.20 of the Local Government Act 1995—  
David Burton
- (11) Impounding and Removing Goods involved in certain contraventions—Section 3.39 of the Local Government Act 1995—  
David Burton  
Linda Longmuir  
Matthew Sharpe

All previous authorisations are hereby revoked.

DAVID N. BURTON, Chief Executive Officer.

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## MARINE/MARITIME

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MA401\*

**SHIPPING AND PILOTAGE ACT 1967**  
DEPUTY HARBOUR MASTER APPOINTMENTS

I, Dean Nalder MLA, Minister for Transport acting pursuant to section 7A(1) of the *Shipping and Pilotage Act 1967*, hereby appoint—

- Raymond Buchholz

as deputy harbour master of the following ports—

Port of Barrow Island  
Port of Cape Preston  
Port of Carnarvon  
Port of Onslow  
Port of Perth  
Port of Port Walcott  
Port of Varanus Island  
Port of Yampi Sound

Dated this 24th day of July 2014.

DEAN NALDER, MLA, Minister for Transport.

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## MINERALS AND PETROLEUM

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MP401\*

**MINING ACT 1978**  
**FORFEITURE**

Department of Mines and Petroleum,  
East Perth WA 6004.

I hereby declare in accordance with the provisions of Sections 96A(1) and 97(1) of the *Mining Act 1978* that the undermentioned mining tenements are forfeited for breach of covenant, being non payment of rent.

Hon. BILL MARMION MLA, Minister for Mines and Petroleum; Housing.

Number	Holder	Mineral Field
	Exploration Licence	
29/766	Australia Grand Gold Mining Pty Ltd	North Coolgardie
59/1649	McNab, Ralph Alexander	Yalgoo
59/1677	West Peak Iron Ltd	Yalgoo
59/1678	West Peak Iron Ltd	Yalgoo
70/4349	Stewart, James Ian	South West
	Mining Lease	
45/644	Dimitrovski, George Dimitrovski, Margaret Marshall	Pilbara

MP402\*

**MINING ACT 1978**  
**APPLICATION FOR AN ORDER FOR FORFEITURE**

Department of Mines and Petroleum,  
Southern Cross WA 6426.

In accordance with Regulation 49(2)(c) of the *Mining Regulations 1981*, notice is hereby given that the following licences are liable for forfeiture under the provision of Section 96(1)(a) of the *Mining Act 1978* for non payment of rent.

P. ROTH, Warden.

To be heard by the Warden at Southern Cross on 23 September 2014.

YILGARN MINERAL FIELD  
Miscellaneous Licences

L 77/209                      Rob Hoppmann Mining Pty Ltd

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## PLANNING

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PL401\*

**PLANNING AND DEVELOPMENT ACT 2005**  
**APPROVED LOCAL PLANNING SCHEME AMENDMENT**  
*Shire of Kalamunda*  
Local Planning Scheme No. 3—Amendment No. 58

Ref: TPS/1168

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 Kalamunda local planning scheme amendment on 9 July 2014 for the purpose of—

- (a) Deleting clause 5.20 (Commercial Vehicle Parking) of Local Planning Scheme No. 3 and replacing with the following—

**5.20 Commercial Vehicle Parking**

*5.20.1 The parking of a commercial vehicle on any land within the Scheme area requires the prior approval of the local government.*

- 5.20.2 *Commercial vehicle parking is prohibited in residential areas or Urban Development zones coded R20 and above.*
- 5.20.3 *Approval under clause 5.20.1 is not required where parking of a commercial vehicle is ancillary to a use approved under the Scheme for the lot on which the commercial vehicle is parked.*
- 5.20.4 *An application for approval to park a commercial vehicle on any land must be in the form and include the information specified by the local government. The local government may specify the application form and required information in a local planning policy.*
- 5.20.5 *The local government may give notice of an application for approval to park a commercial vehicle or require the applicant to give notice of the application in respect of any such notice, clauses 9.4.3 to 9.4.6 of the Scheme apply.*
- 5.20.6 *Approval for parking a commercial vehicle may only be granted where an occupier of the lot on which the commercial vehicle is to be parked is also—*
- (a) *the owner of;*
  - (b) *the driver of; or*
  - (c) *the proprietor of a business which owns or operates,*
- The commercial vehicle in respect of which the approval is sought.*
- 5.20.7 *An approval for the parking of a commercial vehicle is—*
- (a) *personal to the applicant for approval; and*
  - (b) *specific to the commercial vehicle which is the subject of the application for approval.”*
- 5.20.8 *Council may revoke any approval granted for parking a commercial vehicle(s) if there is a failure to comply with any condition of the approval.*
- 5.20.9 *Where permitted at Table 1 (Zoning Table), the number of commercial vehicles is limited to not more than two commercial vehicles on any Rural zoned land under Clause 4.2.2 Rural Zones, and not more than one commercial vehicle on any other land.*
- (b) Including the following definitions under Schedule 1 Part 1 (General Definitions) of Local Planning Scheme No. 3—
- “Commercial vehicle”** *means a vehicle as defined in the Road Traffic Act 1974, whether licensed or not which has a gross vehicle mass greater than 1.5 tonnes and which is used, designed or intended for use in the course of any business or trade, and is limited to the following vehicles—*
- (a) *any prime mover, truck, bus or earth moving equipment and any wheeled attachment to any of them or any wheeled article designed to be attached to any of them; and*
  - (b) *a loaded combination, such as a bob cat, forklift or any other vehicle, loaded on a truck, trailer or other attachment is to be regarded as one commercial vehicle.*
- (c) Deleting the definition for Commercial Vehicle from Schedule 1 Part 2 (Land Use Definitions) of Local Planning Scheme No. 3.
- (d) Modifying the definition for the use Commercial Vehicle Parking under Schedule 1 Part 2 (Land Use Definitions) of Local Planning Scheme No. 3 to the following—
- “Commercial vehicle parking”** *means the parking of a commercial vehicle(s) for any period which is longer than necessary to load and unload or to complete a service being rendered to the property.*
- (e) *Modifying Zoning Table 1 at “Commercial Vehicle Parking” in the following zones—*
- (i) *at “Rural Agriculture” delete “P” and replace with “D”; and*
  - (ii) *at “Rural Landscape Interest” delete “P” and replace with “D”.*

S. BILICH Shire President.  
R. HARDY Chief Executive Officer.

PL402\*

**PLANNING AND DEVELOPMENT ACT 2005**  
APPROVED LOCAL PLANNING SCHEME AMENDMENT  
*Shire of Donnybrook-Balingup*  
Town Planning Scheme No. 4—Amendment No. 93

Ref: TPS/1068

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 Donnybrook-Balingup local planning scheme amendment on 9 July 2014 for the purpose of—

1. Rezoning Lot 102 South Western Highway from “Intensive Farming” to “Special Residential R5/2.5”;

## 2. Include the following particulars in Schedule 9 of the Scheme—

	Specified Area	Special Provisions
SRes4	Lot 102 South Western Highway Donnybrook.	<p>1. Prior to subdivision or development, a structure plan is to be prepared which is based upon the outcome of studies undertaken for the land and addresses the following matters to the satisfaction of the local government and WAPC—</p> <ol style="list-style-type: none"> <li>i. A survey identifying Black cockatoo habitat and any areas/trees/tree hollows that require retention;</li> <li>ii. A site contamination survey identifying any areas of contamination resulting from previous land use activity and recommendations/requirements for site remediation;</li> <li>iii. A site specific survey to determine the buffer width and other design solutions to mitigate land use conflicts between sensitive land uses and existing orchard operations; and</li> <li>iv. A Fire Management Plan.</li> <li>v. A road network promoting a strong north/south linkage and places a lower status access role onto Orchard Court;</li> <li>vi. Road design and provision of pedestrian and cyclist facilities that reflects Liveable Neighbourhoods standards;</li> <li>vii. Upgrading of the intersection of Marginata Drive and South Western Highway and construction of the existing road reserve along the northern edge of the land;</li> <li>viii. Suitable water supply arrangement that satisfies the relevant service provider;</li> <li>ix. Minimum lot sizes to be resolved/negotiated with relevant agencies;</li> <li>x. The design of the Public Open Space so that it is suitably configured and located to best meet the needs of local residents and protect natural features;</li> <li>xi. The strategic connections to adjacent Development Investigation Areas and Structure Plan Areas;</li> <li>xii. The need for larger lots to adjoin neighbouring land so that buffer distances to adjoining land uses can be achieved—including larger lots than those specified by the R5 Residential Design Code to meet increased setbacks to adjoining agricultural land use; and</li> <li>xiii. The requirements for a landscape plan indicating buffer planting and planting to assist stormwater quality and drainage management.</li> </ol> <p>2. Council will recommend to the W.A. Planning Commission that no further subdivision of any lots proposed to be created within Lot 102, is to be permitted.</p> <p>3. Development is to be in accordance with the Effluent Disposal and Drainage Management Plan specific to Lot 102.</p>

	Specified Area	Special Provisions
		4. A memorial shall be placed on the title of any lots containing a buffer area, stating that the area may be subject to chemical spray drift, noise, dust and odour from nearby farmland as a result of normal farming practices.

3. amend the Scheme Maps accordingly.

S. B. DILLEY, President.  
J. R. ATTWOOD, Chief Executive Officer.

PL403\*

**PLANNING AND DEVELOPMENT ACT 2005**  
APPROVED LOCAL PLANNING SCHEME AMENDMENT  
*City of Fremantle*  
Local Planning Scheme No. 4—Amendment No. 55

Ref: TPS/1053

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 9 July 2014 for the purpose of—

- (a) Rename 'Table 2—Zoning' to 'Table 1 Zoning' and replace all other references to 'Table 2' throughout the Local Planning Scheme to refer to 'Table 1'.
- (b) Replace the Bicycle Racks column in Table 3—Vehicle Parking with the following and replace all other references to 'Table 3' throughout the Local Planning Scheme to refer to 'Table 2'.

**TABLE 2—VEHICLE PARKING**

Use Class	Bicycle Racks
<b>RESIDENTIAL USE CLASSES</b>	
Single house Grouped dwelling Multiple dwelling Aged or Dependent persons Dwelling Ancillary Accommodation Single bedroom dwelling	As per Residential Design Codes
Small secondary dwelling	Not applicable
Home business	Not applicable
Home occupation	Not applicable
Home office	Not applicable
Residential Building	Class 1: 1 per 4 lodging room Class 3: 1 per 16 lodging rooms
Bed & breakfast accommodation	Not applicable
<b>COMMERCIAL AND INDUSTRIAL USE CLASSES</b>	
Child care premises	Not applicable
Commercial	
Bank/building society	Class 1 or 2: 1 per 200 m <sup>2</sup> gla Class 3: Two
Funeral parlour	Not applicable
Garden centre Hardware store	As per Showroom
Market	Class 3: 1 per 10 stalls
Use Class	Bicycle Racks
Nursery	Not applicable
Office	Class 1 or 2A: 1 per 200 m <sup>2</sup> gla Class 3: 1 per 750 m <sup>2</sup> gla over 1000 m <sup>2</sup> gla

<b>Use Class</b>	<b>Bicycle Racks</b>
Showroom	Class 1: 1 per 750 m <sup>2</sup> nla
Trade display	Class 3: 1 per 1000 m <sup>2</sup> nla
Veterinary consulting rooms	Class 2: 1 per 8 practitioners
Veterinary hospital	Class 2: 1 per 8 practitioners
Education Establishment	
Primary school	Class 2: 1 per 5 students, over Year 4
High school	Class 2: 1 per 5 students
Tertiary school	Class 1 or 2: 1 per 100 fulltime Students Class 2: 2 per 100 fulltime students
Entertainment	
Amusement (public)	Class 3: 2 plus 1 per 50 m <sup>2</sup> gla
Betting agency	Class 1 or 2: 1 per 200 m <sup>2</sup> gla Class 3: 1 per 750 m <sup>2</sup> gla over 1000 m <sup>2</sup> gla
Cinema	Class 1: 1 per 300 m <sup>2</sup> gla Class 3: 1 per 500 m <sup>2</sup> gla (over 1000 m <sup>2</sup> gla)
Club premises	Class 1: 1 per 300 m <sup>2</sup> gla Class 3: 1 per 500 m <sup>2</sup> gla (over 1000 m <sup>2</sup> gla)
Fast Food outlet	Class 1: 1 per 100 m <sup>2</sup> gla Class 3: 1 per 50 m <sup>2</sup> gla
Hotel/tavern	Class 1: 1 per 25 m <sup>2</sup> bar floor area and 1 per 100 m <sup>2</sup> lounge and beer garden Class 3: 1 per 25 m <sup>2</sup> bar floor area and 1 per 100 m <sup>2</sup> lounge and beer garden
Motel	Class 1: 1 per 40 units
Night club	Not applicable
Private recreation	Class 1 or 2: 1 per 4 employees Class 3: 1 per 200 m <sup>2</sup> gla
Reception centre	Class 3: 1 per 30 seats or* 1 per 100 people accommodated
Restaurant	Class 1 or 2: 1 per 100 m <sup>2</sup> public area Class 3: Two
Tourist accommodation	Not applicable
Health Services	
Consulting rooms	Class 2: 1 per 8 practitioners Class 3: 1 per 4 practitioners
Use Class	Bicycle Racks
Medical centre	Class 2: 1 per 8 practitioners Class 3: 1 per 4 practitioners
Hospital/nursing home/hostel	Class 1: 1 per 15 beds Class 3: 1 per 30 beds Nursing home— Class 1: 1 per 7 beds Class 3: 1 per 60 beds
Place of worship	As per Community Purpose
Shop	
Convenience store	Class 1: 1 per 300 m <sup>2</sup> gla Class 3: 1 per 500 m <sup>2</sup> gla (over 1000 m <sup>2</sup> gla)
Lunch bar	Class 1: 1 per 300 m <sup>2</sup> gla Class 3: 1 per 500 m <sup>2</sup> gla (over 1000 m <sup>2</sup> gla)
Shop local	Class 1: 1 per 300 m <sup>2</sup> gla Class 3: 1 per 500 m <sup>2</sup> gla (over 1000 m <sup>2</sup> gla)
Shop with dwelling	Class 1: 1 per 300 m <sup>2</sup> gla Class 3: 1 per 500 m <sup>2</sup> gla (over 1000 m <sup>2</sup> gla)

Use Class	Bicycle Racks
Shopping centre	Class 1: 1 per 300 m <sup>2</sup> gla
	Class 3: 1 per 500 m <sup>2</sup> gla (over 1000 m <sup>2</sup> gla)
	Class 1: 1 per 300 m <sup>2</sup> gla
	Class 3: 1 per 500 m <sup>2</sup> gla (over 1000 m <sup>2</sup> gla)
Civic Use	Class 1: 1 per 300 m <sup>2</sup> gla
	Class 3: 1 per 500 m <sup>2</sup> gla (over 1000 m <sup>2</sup> gla)
Community Purpose	Class 2: 1 per 1500 m <sup>2</sup> gla
	Class 3: 2 plus 1 per 1500 m <sup>2</sup> gla
Transport	
Commercial vehicle parking	Not applicable
Marine technology and ship building	Not applicable
Motor vehicle, boat or caravan sales	Not applicable
Motor vehicle wash	Not applicable
Service station Petrol filling station	Not applicable
Industry	
Cottage	Not applicable
General	Class 1 or 2: 1 per 150 m <sup>2</sup> gla
Light	Class 1 or 2: 1 per 1000 m <sup>2</sup> gla
Use Class	Bicycle Racks
Service	Class 1: 1 per 800 m <sup>2</sup> gla
Storage	
Fuel depot	Not applicable
Storage yard	Not applicable
Warehouse	Not applicable
Transport	
Motor vehicle repair	Not applicable
Motor vehicle wrecking	Not applicable
Transport depot	Not applicable

(c) Insert after Clause 5.7.3.2 the following clause 5.7.3.3 and 5.7.3.4—

5.7.3.3 Council may waive the class 1 or 2 bicycle rack requirements of Table 2, where, in the opinion of the Council, the development application is for a minor change of use.

5.7.3.4 Council may waive the class 3 bicycle rack requirements of Table 2, where—

- (i) the provision of such bicycle racks would be incompatible with the overall design of the development; and
- (ii) the required number of class 3 racks to be provided can adequately be provided on public land in the immediate vicinity of the development; and
- (iii) a cash contribution, equivalent to the cost of installation of the required class 3 bicycle racks in negotiated and made to the City of Fremantle for provision of bicycle racks in the immediate vicinity of the development.

(d) Insert after clause 5.15 the following clause 5.16—

#### 5.16 End of Trip Facilities

5.16.1 Any new commercial use class development shall include shower and change facilities for employees in accordance with the following Table 3—Shower facilities.

**TABLE 3—SHOWER FACILITIES**

No. of bicycle racks required	Ratio of number of showers required to the number of bicycle racks required
Up to the first 10 bicycle racks required	One male and one female shower (or 2 unisex) required for every 10* Class 1 or 2 bicycle racks required
Bicycle racks required in excess of the first 10 Bicycle racks required	One male and one female shower (or 2 unisex) required for every 20** Class 1 or 2 bicycle racks required.

\*Calculations rounded up to the nearest 10

\*\* Calculations rounded up to the nearest 20

- 5.16.2 For every class 1 or 2 bicycle racks required in Table 2 one locker shall be provided within the development in a location that is easily accessible to the shower facilities required under clause 5.16.1, where required.
- (e) Replace the definition of bicycle rack in General definitions, 12.1—Schedule 1—Dictionary of defined words and expressions with the following wording—  
Bicycle rack: means a bicycle parking facility of the classes described in Clause 5.7.1 (d).
- (f) A new clause 5.7.1 (d) being incorporated as part of the Scheme text stating the following—
- (i) Bicycle parking facilities are to be provided in accordance with the following standards—
- Class 1—High security level—Fully enclosed individual locker;
  - Class 2—Medium security level—Lockable compound fitted with class 3 facilities with communal access using duplicated keys;
  - Class 3—Low security level—Rails or racks to which both the bicycle frame and wheels can be locked.

For more information refer to 'Austroads Cycling Aspect to Austroads Guides'.

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

**PL404\***

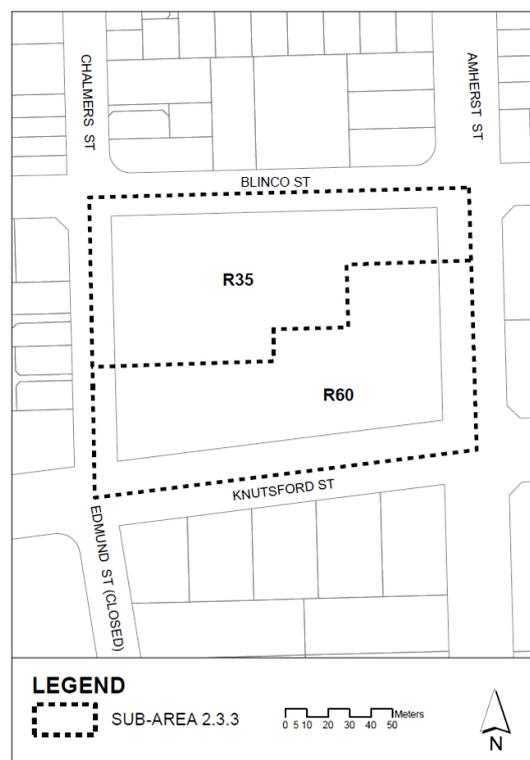
**PLANNING AND DEVELOPMENT ACT 2005**  
**APPROVED LOCAL PLANNING SCHEME AMENDMENT**  
*City of Fremantle*  
Local Planning Scheme No. 4—Amendment No. 56

Ref: TPS/1065

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 9 July 2014 for the purpose of—

- A. The provisions relating to Residential development in Local Planning Area 2—Fremantle detailed in Section 2.1—Height Requirements in Schedule 12 of LPS4 shall read as follows—  
All requirements as per Residential Design Codes and special application under clause 5.4.
- B. Introduce Sub Area 4—20 (Lot 1354) Knutsford Street, Fremantle into Schedule 12 after Local Planning Area 2—Sub Area 3

**2.3.4 Sub Area 3—20 (Lot 1354) Knutsford Street, Fremantle**



	<p>1. The building height requirements on the properties coded R60 shall be as per the Category C maximum building heights of Table 3 of the Residential Design Codes.</p> <p>2. Notwithstanding the requirements of Table 2—Zoning, an Office use will be permitted in Residential developments where the use meets the following—</p> <ol style="list-style-type: none"> <li>i. The gla of the Office use does not exceed 80m<sup>2</sup>;</li> <li>ii. The Office use is operated by an occupier of the household; and</li> <li>iii. The Office use does not employ more than three employees (not including any occupiers of the household);</li> </ol> <p>3. The office use mentioned in clause 2 above and the uses home occupation, home office, home business and home store shall, notwithstanding the provisions of table 2—Zoning and table 3—Vehicle Parking, be considered “P” uses as per clause 4.3.3.</p>
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B. PETTITT, Mayor.  
G. MACKENZIE, Chief Executive Officer.

PL405\*

**PLANNING AND DEVELOPMENT ACT 2005**  
**APPROVED LOCAL PLANNING SCHEME AMENDMENT**  
*City of Fremantle*  
Local Planning Scheme No. 4—Amendment No. 59

Ref: TPS/1119

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 9 July 2014 for the purpose of—

- A: Insert the following clauses into Part 7 after clause 7.7.4 which relates to Archaeological Investigation—
- 7.8 Heritage Conservation Notice
    - 7.8.1 The owner, occupier or other person in control of a Place—
      - (a) on the heritage list or
      - (b) in an area designated as a heritage area under Clause 7.2, shall preserve the Place against demolition by neglect.
    - 7.8.2 If it appears to the Council that a Place referred to in Clause 7.8.1 is threatened by demolition by neglect, the local government may give a written notice to the owner, occupier or other person in control of the Place requiring the repair of all matters contributing to the demolition by neglect. The written notice—
      - (a) is to identify the matters contributing to the demolition by neglect which require repair; and
      - (b) is to specify a time being not less than 60 days after the written notice is given, within which the written notice is to be complied with.
    - 7.8.3 A written notice under Clause 7.8.2 may be given to a person in any of the ways provided for by Sections 75 and 76 of the Interpretation Act 1984. If it is not reasonably practicable to give the written notice in one of these ways, it may be given in any way provided for by Section 9.52(2) and (3) of the *Local Government Act 1995*.
    - 7.8.4 If the person to whom the written notice is given under Clause 7.8.2 fails to carry out the required repairs within the time specified in the written notice, the local government may itself enter the place and undertake the repairs.
    - 7.8.5 Any expenses incurred by the local government in carrying out repairs under Clause 7.8.4 may be recovered from the person to whom the written notice was given as a debt due in a court of competent jurisdiction.
    - 7.8.6 The local government may—
      - (a) extend the time specified in the written notice given under Clause 7.8.2 for undertaking repairs; or
      - (b) revoke a written notice given under Clause 7.8.2.
    - 7.8.7 A failure to comply with a written notice given under Clause 7.8.2 is a contravention of the Scheme.
    - 7.8.8 A person given a written notice under Clause 7.8.2 may apply to the State Administrative Tribunal for review of the written notice in accordance with Part 14 of the Act.
    - 7.8.9 Clause 7.8.1 to 7.8.8 apply regardless of whether the demolition by neglect occurs prior to or following the inclusion of those Clauses in the Scheme.

- B. Insert the following definition into 12.1 Schedule 1—Dictionary of Defined Words and Expressions after “Cultural heritage significance”.

Demolition by neglect means the actual or potential loss or deterioration of—

- (a) the structural integrity of a Place; or
- (b) an interior or external element of a Place that is integral to the character of a Place;

which results from—

- neglect in maintaining, repairing or securing the Place; or
- the removal (whether approved or not) of any element of the Place.

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

**PL406\***

**PLANNING AND DEVELOPMENT ACT 2005**  
**APPROVED LOCAL PLANNING SCHEME AMENDMENT**  
*Shire of Ashburton*  
Town Planning Scheme No. 7—Amendment No. 24

Ref: TPS/1022

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 16 July 2014 for the purpose of—

1. To replace and introduce a revised provision Clause 7.3 as follows—
  - “7.3 Onslow Coastal Hazard Area
    - 7.3.1 Applications for planning approval within the Special Control Area shall be assessed under Appendix 12 and all development shall conform to the requirements of Appendix 12.
    - 7.3.2 Applications for planning approval not in conformity with Appendix 12 shall not be supported.”
2. To replace and introduce a revised provision Clause 6.20.2 and Clause 6.20.3 as follows—
  - “6.20.2 In areas not subject to Onslow Coastal Hazard Area provisions contained in Clause 7.3 of the Scheme but where the Local Government considers development to be potentially incompatible with land prone to flood and storm surge events, it must be satisfied that approval of such planning applications has regard to flood and storm surge events and may approve, with or without conditions, or refuse proposals at its discretion.
  - 6.20.3 Prior to considering planning applications under Clause 6.20.2 the Local Government shall consult with the relevant agencies regarding the most up-to-date information available about potential flood and storm surge events as relevant to the land subject to the planning application.”
3. Introducing a new provision of Appendix 12 as follows—
  - “APPENDIX 12—Requirements for Onslow Coastal Hazard Area
  - Purpose—
    - To ensure that all development within the Onslow Coastal Hazard Area is designed and developed with finished floor levels to reflect the direction of State Planning Policy 2.6 and State Planning Policy 3.4.
  - 1. To ensure that all development within the Onslow Coastal Hazard Area is designed and developed with finished floor levels to reflect the direction of State Planning Policy 2.6 and State Planning Policy 3.4.
  - 2. For the purpose of Appendix 12, the following land use descriptions apply—
    - i. ‘Entertainment, recreation and Culture’ use means—
      - Clubrooms
      - Equestrian Centre
      - Private Recreation
      - Public Recreation
    - ii. ‘Commercial-Strategic’ use means—
      - Shop (greater than 150m<sup>2</sup> GLA)
    - iii. ‘Commercial-non Strategic’ use means—
      - Caretaker’s Dwelling
      - Display Home Centre
      - Entertainment Venue
      - Exhibition, Display and Outdoor Sales Facilities

- Holiday Accommodation
  - Hotel
  - Market
  - Motel
  - Movable Dwelling
  - Motor Vehicle and/or Marine Repair
  - Motor Vehicle and/or Marine Sales & Hire
  - Motor Vehicle and/or Marine Service Station
  - Motor Vehicle and/or Marine Wrecking
  - Motor Vehicle Wash
  - Office
  - Outdoor Display
  - Reception Centre
  - Restaurant
  - Shop (less than 150m<sup>2</sup> GLFA)
  - Showroom
  - Commerce continued
  - Take-away Food Outlet
  - Warehouse
  - Transient Workforce Accommodation
- iv. 'Health, Welfare and Community Services—non Strategic' use means—
- Carpark
  - Childcare Service
  - Community Use
  - Consulting Rooms
  - Education Establishment
  - Funeral Parlour
  - Place of Animal Care
  - Place of Public Meeting, Assembly or Worship
- v. 'Health, Welfare and Community Services—Strategic' use means—
- Emergency Services
  - Hospital
  - Medical Centre
  - Nursing Home
  - Public Utility
- vi. 'Industry' use means—
- Abattoir
  - Agriculture
  - Arts and Crafts Centre
  - Harbour and Marina Facilities
  - Hire Service (Industrial)
  - Home Business
  - Home Occupation
  - Industry—Extractive
  - Industry—General
  - Industry—Light
  - Industry—Resource Processing
  - Industry—Rural
  - Industry—Service
  - Infrastructure
  - Intensive Agriculture
  - Research Laboratory
  - Stockyard
  - Storage facility/depot/laydown area
- vii. 'Residential' use means—
- Aged or Dependent Persons Dwelling
  - Grouped Dwelling
  - Multiple Dwelling
  - Residential Building
  - Single House

- viii. 'Temporary and/or Transient' use means use and development that have a limited tenure and operation on land and may include—
- caravan Park;
  - transient workforce accommodation that is only required on a temporary basis;
  - car Park;
  - ablutions;
  - any other use and development that is temporary in nature and where the local government resolves that is consistent with the Purposes of Appendix 12.
3. Within the Onslow Coastal Hazard Area the following land use and development shall achieve the following minimum finished floor levels to the satisfaction of the local government—
- i. Health, Welfare and Community Services—Strategic use and development shall be at a minimum finished floor level of 6.4m AHD.
  - ii. Commercial—Strategic use and development shall have a minimum finished floor level of 5.9m AHD.
  - iii. Commercial—Strategic use and development shall have a minimum finished floor level of 5.9m AHD.
  - iv. Residential use and development shall have a minimum finished floor level of 5.9m AHD.
  - v. Industry use and development shall be at a minimum finished floor level of 4.9m AHD.
  - vi. Commercial—non Strategic use and development shall have a minimum finished floor level of 4.9m AHD.
  - vii. Health, Welfare and Community Services—non Strategic use and development shall have a minimum finished floor level of 4.9m AHD.
  - viii. Temporary and/or Transient use and development may be approved at a minimum finished floor level of 4m AHD. Where planning approval is issued, the use and development shall not remain beyond 31 December 2040. All such approved uses shall be removed from the land by 31 December 2040.
  - ix. Entertainment, Recreation and Culture use and development may have a minimum finished floor level of 2.5m AHD.
4. All land subject of a planning approval within the Onslow Coastal Hazard Area shall have minimum finished ground level of 2.5m AHD.
5. Any filling of land within the Onslow Coastal Hazard Area shall require the approval of the local government. Filling to achieve a finished ground level higher than 2.5m AHD will generally not be supported.
6. A planning approval issued for land located within the Onslow Coastal Hazard Area shall include a condition requiring that a notification be placed on the certificate of title stating: VULNERABLE COASTAL AREA—This lot is located in an area likely to be subject to coastal erosion and/or inundation over the next 100 years.
7. Notwithstanding any provision of Appendix 12, where land is specifically included in an adopted Municipal Inventory of Heritage Places or State Heritage Register, the local government may approve an application for planning approval on land at a finished floor level less than that prescribed in Appendix 12 provided—
- i. such approval is in keeping with the historic nature of the existing buildings; and
  - ii. planning approval includes a notification on title as required in by Part 6.
8. Notwithstanding Part 3 of Appendix 12, any application for use and development of the following kinds—
- i. Commercial—non Strategic;
  - ii. Industry; or
  - iii. Health, Welfare and Community Services—non Strategic;
- may be considered by the local government at the minimum finished floor level prescribed in Part 3 where—
- i. the application includes a strategy and management measures to—
    - (a) ensure that any storage, warehousing, electrical fittings/switchboards (but not including electrical power-points) are provided above 5.9m AHD;
    - (b) address how an approved use can be removed or adapted as the case may be by the date referred to in ii. below;
  - ii. an approved use is removed or adapted as the case may be from the land as follows—
    - (a) where the finished floor level is between 4.0m—4.8m AHD, the development shall be removed by 31 December 2040; and
    - (b) where the finished floor level is between 4.9m—5.8m AHD, the development shall be removed or adapted by 31 December 2060.

9. Where a planning approval is issued under Part 7 or Appendix 12 or where a Temporary and/or Transient use and development is approved, the local government shall not support subdivision unless it is an amalgamation of land.

K. WHITE, President.  
N. HARTLEY, Chief Executive Officer.

PL407\*

**PLANNING AND DEVELOPMENT ACT 2005**  
**APPROVED LOCAL PLANNING SCHEME AMENDMENT**  
*City of Canning*  
Town Planning Scheme No. 40—Amendment No. 197

Ref: TPS/1135

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 Canning local planning scheme amendment on 16 July 2014 for the purpose of—

1. Replacing existing clause 2.2.4 to read—

*‘If a person proposes to carry out on land any use that is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the type, class or genus of activity of any other use category, the Council may—*

- (a) determine that the use is consistent with the objectives of the particular zone and is therefore permitted;*
- (b) determine that the use may be consistent with the objectives of the particular zone and thereafter follow the advertising procedures of clause 2.3.7 in considering an application for planning approval; or*
- (c) determine that the use is not consistent with the objectives of the particular zone and is therefore not permitted.’*

2. Modifying clause 2.3.7 and sub clauses 2.3.7.1 and 2.3.7.2 to read—

**‘2.3.7 Dealing with “SA” and “Use Not Listed” Applications**

**2.3.7.1 “SA” Uses and “Use Not Listed” Applications**

*Before approving a development involving the commencement of an “SA” use or “Use Not Listed” application the Council shall do any one or more of the following—*

- (a) cause to be advertised one or more times in a newspaper circulating in the City notice of the Council’s intention to consider the application for the proposed use and any such advertisement shall state that submissions may be lodged with the Council before a specified date, being not less than three weeks after the first publication of the notice;*
- (b) use any other methods or media to ensure widespread notice of the proposal; or*
- (c) give notice to ratepayers and/or occupiers likely to be affected by the granting of the approval. Such notice shall be in writing supplying at least the information referred to in item (a) of this paragraph, and allowing a like time after receipt of the notice for submissions to be lodged with the Council.*

**2.3.7.2 Consideration of Submissions on “SA” Uses and “Use Not Listed” Applications**

*Council shall not make a decision to approve a development involving an “SA” use or “Use Not Listed” application until after the latest date for submissions stated in any notice given or published pursuant to paragraph 2.3.7.1, and until after the Council has considered each submission lodged in accordance with the notice.’*

3. Modifying sub clause 2.3.8.3 to read—

*‘2.3.8.3 In addition to the matters referred to in the preceding paragraphs of this subclause, the Council when considering whether or not to approve an “SA”, “AA” use or “Use Not Listed” application shall have due regard to the following (whether or not by implication or otherwise they might have required consideration under the preceding paragraphs of this subclause)—*

- (a) the nature of the proposed use and its relationship to the use of other land within the locality;*
- (b) the size, shape and character of the parcel of land to which the application relates and the nature and siting of any proposed building, the view from the building and any possible interruption of the existing view from other buildings or land in the locality;*
- (c) the nature of the roads giving access to the subject land;*
- (d) the parking facilities available or proposed and the likely requirements for parking, arising from the proposed development;*

- (e) any relevant submissions received by the Council;
- (f) the provisions of the Albany Highway Policy Plan (draft or otherwise) in connection with any development fronting or in the near vicinity of Albany Highway; and
- (g) such other matters as the Council considers relevant, whether of the same nature as the foregoing or otherwise.

4. Inserting a new clause 3.1.8 to read—

**‘3.1.8 Variations to Site and Development Standards and Requirements**

3.1.8.1 *Except for development in respect of which the Residential Design Codes apply, if a development is the subject of an application for planning approval and does not comply with a standard or requirement prescribed under the Scheme, the Council may, despite the non-compliance, approve the application unconditionally or subject to such conditions as the Council thinks fit.*

3.1.8.2 *In considering an application for planning approval under this clause, where, in the opinion of the Council, the variation is likely to affect any owners or occupiers in the general locality or adjoining the site which is the subject of consideration for the variation, the Council is to—*

- (a) *consult the affected parties by following one or more of the provisions for advertising uses under clause 2.3.7; and*
- (b) *have regard to any expressed views prior to making its determination to grant the variation.*

3.1.8.3 *The power conferred by this clause may only be exercised if the Council is satisfied that—*

- (a) *approval of the proposed development would be appropriate having regard to the criteria set out in clause 2.3.8; and*
- (b) *the non-compliance will not have an adverse effect upon the occupiers or users of the development, the inhabitants of the locality or the likely future development of the locality.’*

L. REYNOLDS, Commissioner.  
L. RUSSELL, Chief Executive Officer.

**PL408\***

**PLANNING AND DEVELOPMENT ACT 2005**  
APPROVED LOCAL PLANNING SCHEME AMENDMENT  
*Shire of Derby/West Kimberley*  
Town Planning Scheme No. 5—Amendment No. 19

Ref: TPS/1087

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 Derby/West Kimberley local planning scheme amendment on 16 July 2014 for the purpose of—

1. Rezoning Lots 1386 Fitzroy Street, 689 Fitzroy Street, 1444 Derby Hwy and 534 Derby Hwy from ‘Rural Residential’ to ‘Light Industry’.
2. Rezoning Lot 629 Russ Street from ‘Rural’ to ‘Light Industry’.
3. Amending Scheme Maps accordingly.

E. M. ARCHER, President.  
G. A. CLARK, Chief Executive Officer.

**PL409\***

**PLANNING AND DEVELOPMENT ACT 2005**  
APPROVED LOCAL PLANNING SCHEME AMENDMENT  
*Town of Cambridge*  
Town Planning Scheme No. 1—Amendment No. 26

Ref: TPS/1191

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 Cambridge local planning scheme amendment on 9 July 2014 for the purpose of—

1. Zone currently unzoned portion of Lot 520 Salvado Road, Jolimont to ‘Residential’.
2. Introduce over that portion of Lot 520 Salvado Road, Jolimont a ‘Special Control Area No. 2’ to Part 7 of the Scheme; and

3. Modify Clause 56 by inserting after Clause 56(9) the following—

**“56A SPECIAL CONTROL AREA NO. 2—PORTION OF LOT 520 SALVADO ROAD, JOLIMONT (“JOLIMONT FORMER NURSERY SITE”)**

**(1) Description of Area**

*The provisions of this clause relate only to the land contained within the portion of Lot 520 Salvado Road, Jolimont as designated on the Scheme Map as Special Control Area No. 2 or SCA No. 2 in addition to any notation for residential code densities or other purposes and in this text is referred to as “SCA No. 2”. SCA No. 2 generally fronts Salvado Road, is located north of Peel Street and Halesworth Road and previously accommodated a plant nursery site.*

**(2) Planning Objectives**

*The objectives for development and planning decision making within SCA No. 2 are—*

- (a) to facilitate orderly development and subdivision of the land for residential purposes, in accordance with the use permissibility designations applicable to the Residential Zone in the Zoning Table;*
- (b) to facilitate a vibrant inner city community with a yield in the order of 200 dwellings;*
- (c) to encourage a high standard of built form design outcomes;*
- (d) To encourage connectivity, permeability and enhanced pedestrian and cycle movements; and*
- (e) To ensure that development of the site produces a diverse range of residential built form and, lot types by requiring the preparation and approval of an Outline Development Plan and Design Guidelines prior to the Council—*
  - i. considering recommending subdivision; or*
  - ii. approving development within the area.**within the area.*

**(3) Planning Considerations**

*In addition to the matters referred to in clause 38 the Council shall have regard to the objectives set out in the preceding subclause (2) when—*

- (a) considering recommending subdivision; or*
- (b) approving development on land within SCA No. 2.*

**(4) Conflict with other provisions of the Scheme**

*Where a provision of this clause 56 is inconsistent with any other provision of the Scheme, the provisions of this clause shall prevail.*

**(5) Outline Development Plan for Residential zoned area**

- (a) The procedure for the preparation, Council adoption and, where a proposal for subdivision of land is involved, the Commission endorsement of an Outline Development Plan as set out in Schedule 7 shall apply to the Outline Development Plan required for the area, but where there is any inconsistency between a provision of this subclause and the provisions of Schedule 7, the provisions of this subclause shall prevail.*
- (b) The principles and provisions of the Commission’s “Liveable Neighbourhoods” guidelines are to apply to the area, and particular consideration is to be given to matters of permeability and connectivity and lot orientation.*
- (c) The Outline Development Plan is to incorporate design guidelines to guide residential development in the area. The design guidelines are to indicate the extent to which variations from the Codes may be approved by the Council.*
- (d) Residential density will be as set out In the Outline Development Plan.*
- (e) No vehicle access will be taken from Halesworth Road or Peel Street, which connect with the southern boundary of the site.*

**(6)** *The matters specifically referred to in subclause 5 are not intended to be exhaustive of the matters which must be addressed in a proposed Outline Development Plan, and the Council may from time to time stipulate other matters which in the interest of orderly planning it will require to be included in or addressed in an Outline Development Plan relating to any part of SCA No. 2.*

**(7)** *Permissible use classes are to be as per the ‘Residential’ zone requirements outlined in the Scheme unless varied within the Outline Development Plan.”*

4. Amend the Scheme Maps accordingly.

S. WITHERS, Mayor.  
J. R. BUCKLEY, Chief Executive Officer.

## RACING, GAMING AND LIQUOR

RA401\*

### LIQUOR CONTROL ACT 1988 LIQUOR APPLICATIONS

The following applications received under the *Liquor Control Act 1988 (the Act)* are 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 TO ADD, VARY OR CANCEL A CONDITION OF LICENCE			
384427	Dunsborough Hospitality Services Pty Ltd	Application to vary the trading conditions of a Tavern licence in Dunsborough known as Clancy's Fish Pub Dunsborough	12/08/2014

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

B. A. SARGEANT, Director of Liquor Licensing.

Dated: 25 July 2014.

## REGIONAL DEVELOPMENT

RG401\*

### REGIONAL DEVELOPMENT COMMISSIONS ACT 1993 APPOINTMENTS

It is hereby notified for general information that the Minister for Regional Development has approved the following appointment in accordance with Part 3 of the *Regional Development Commissions Act 1993*.

#### SOUTH WEST DEVELOPMENT COMMISSION Board of Management

- Cr William Stubbs as local government representative and Deputy Chairman for a term of two years term expiring 30 June 2016.
- Mr William Ernest (Ernie) Kay as ministerial representative for a term of two years expiring on 30 June 2016.
- Mrs Suzanne Elizabeth Daubney as community representative for a term of three years expiring on 30 June 2017.

Hon. TERRY REDMAN, MLA, Minister for Regional Development.

## TRANSPORT

TN401\*

### ROAD TRAFFIC (CHARGES AND FEES) REGULATIONS 2006 EXEMPTION NOTICE

(RTCFR—2014—4938186)

Pursuant to subregulation 42A(2) of the *Road Traffic (Charges and Fees) Regulations 2006*, (the Regulations), I, Reece Waldock, Director General of the Department of Transport, hereby specify that the bodies listed in the schedule to this notice are bodies for the purpose of sub-regulation 42A(1) of the Regulations.

Sub-regulation 42A(1) of the Regulations provides that a person is not required to pay the fee set out in Schedule 2 items 1A and 1B of the Regulations to take or resit a theory test if the body administering the test is specified in a notice published under subregulation (2).

This Notice is to be known as RTCFR—2014—4938186 and revokes and replaces the notice RTCFR—2013—00905 published in the *Government Gazette* on 29 November 2013.

**SCHEDULE**

<b>Organisation Name</b>	<b>Address</b>
Fortescue Metals Group Ltd (ABN: 57002594872)	Level 2, 87 Adelaide Terrace, East Perth, WA 6004
Goomburrup Aboriginal Corporation (ABN: 75580153973)	16 Little Street, Bunbury WA 6230
Karrayili Adult Education Centre (Aboriginal Corporation) (ABN: 87744692783)	Flynn Drive, Fitzroy Crossing, WA 6765
Mowanjum Aboriginal Corporation (ABN: 38721336893)	1/Lot 85 Gibb River Road, Derby WA 6728
Ngarliyarndu Bindirri Aboriginal Corporation (ABN: 67026946941)	46 Roe Street, Roebourne WA 6718
REMZ Unique Pty Ltd (ABN:35159807717)	PO Box 3103, Midland WA 6056
Wila Gutharra Community Aboriginal Corporation (ABN: 45637795782)	78 Anderson Street, Webberton, WA 6530
Wunan Foundation (ABN: 61577218799)	Cnr Coolibah Drive and Messmate Way, Kununurra WA 6743

REECE WALDOCK, Director General,  
Department of Transport.

Dated: 21 July 2014.

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## DECEASED ESTATES

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**ZX401**

**TRUSTEES ACT 1962**

DECEASED ESTATES

Notice to Creditors and Claimants

Norma Emily Nash late of 2 Hamlin Rise, Middleton Beach, Albany, Western Australia.

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 18 November 2012, are required by the trustee of the late Norma Emily Nash of care of Philip Wyatt Lawyer, PO Box 1026, Albany, Western Australia 6331 to send particulars of their claims to them within one (1) month from the date of publication of this notice, after which date the trustee may convey or distribute the assets, having regard only to the claims of which it then has notice.

Dated this 25th day of July 2014.

PHILIP WYATT LAWYER.

**ZX402**

**TRUSTEES ACT 1962**

DECEASED ESTATES

Notice to Creditors and Claimants

John Houghton late of 2 Brighton Place, Greenfields 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 11 July 2014 are required by the personal representative to send particulars of their claims to his care of Clement & Co, Lawyers, Unit 2, 12 Sutton Street, Mandurah by 10 September 2014 after which date the personal representative may convey or distribute the assets having regard to the claims of which she then has notice.

CLEMENT & CO as solicitors for the personal representative.

**ZX403****TRUSTEES ACT 1962****DECEASED ESTATES**

## Notice to Creditors and Claimants

Arthur Joseph Ashcroft late of 14 Cleopatra Drive, Placid Waters, Coodanup 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 22 December 2013 are required by the personal representative to send particulars of their claims to his care of Clement & Co, Lawyers, Unit 2, 12 Sutton Street, Mandurah by 10 September 2014 after which date the personal representative may convey or distribute the assets having regard to the claims of which she then has notice.

CLEMENT & CO as solicitors for the personal representative.

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

## Notice to Creditors and Claimants

Doreen Maud White late of William Carey Court, 450 Bussell Highway, Busselton, Western Australia.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* relates) in respect of the estate of the abovenamed deceased, who died on the 1st day of February 2014, are required by the trustees Haydon Arthur White and Neville Harry White of care of Peter May, Solicitor of PO Box 405, Busselton in the said State, to send particulars of their claims to the Executor by the 29th day of August 2014, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the Executor then has notice.

PETER MAY, Commercial Lawyer.  
PO Box 405, Busselton  
Phone: 9752 4899  
Fax: 9754 4966

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

## Notice to Creditors and Claimants

In the matter of the Estate of James Hadjimihalakis (also known as James Mitchell), late of 8 Corunna Road, Cervantes, Western Australia, Investor, deceased.

Creditors and other persons having claims to which Section 63 of the *Trustees Act 1962* relate in respect of the Estate of the deceased, who died on the 3rd day of April 2014, are required by the Executors, Savvas Constantine Apostolou and Garry Evan Same, to send the particulars of their claim to Messrs Taylor Smart of 1 Regal Place, East Perth, Western Australia, by the 1st day of September 2014, after which date the said Executors may convey or distribute the assets, having regard only to the claims of which they then have had notice.

Dated 25th day of July 2014.

GARRY E. SAME, Taylor Smart.

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**ZX407\*****TRUSTEES ACT 1962****DECEASED ESTATES**

## Notice to Creditors and Claimants

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* relates) in respect of the Estates of the undermentioned deceased persons, are required by Perpetual Trustee Company Limited, Level 12, 123 Pitt Street, Sydney NSW, to send particulars of such claims to the Company by the undermentioned date, after which date the said company may convey or distribute the assets, having regard only to the claims of which the Company then has notice.

Claims for the following estates expire one month after the date of publication hereof.

**Estate Late Vijiya Kumar**

Late of 20 Apsley Road Willetton, WA, Electrical Engineer

DIED 1 October 2013

**Estate Late Beryl May Hyne**

Late of 33 Stanton Street Redcliffe WA, Housewife

DIED 6 July 2014

**Estate Late June Doreen Price**

Late of 72/10 Albert Street Claremont WA, Home Duties

DIED 4 May 2014

**Estate Late Hendrikus Joannes Backx**

Late of Clarence Estate hardie Road Albany WA, Farmer

DIED 26 March 2014

**Estate Late Francis Burtt Mantova**

Late of 21 Aldwych Way Joondalup, Policeman

DIED 26 May 2014

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**ZX408\***

**TRUSTEES ACT 1962**

**DECEASED ESTATES**

**Notice to Creditors and Claimants**

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* relates) in respect of the Estates of the undermentioned deceased persons are required to send particulars of their claims to me, on or before 1/9/2014 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Donaldson, Clem, Also Known As Kingie Donalson, late of 88 Forrest Street, Coolgardie, died 28.02.2003 (DE33110430 EM17)

Gillespie, Margaret Ann, late of Parkland Villas Villa, 153 52-54 Liege Street, Woodlands, died 5.07.2014 (DE19742847 EM35)

Haverkort, Petronella, late of 17 Barrett Street, Wembley, died 16.05.2014 (DE33092703 EM13)

Hill, Phyllis Elaine, late of Bassendean Lodge Room 19 24 Hamilton Street, Bassendean, died 8.07.2014 (DE19772570 EM36)

Hoge, Hans Hermann, Also Known As Lance Hans Hoge, late of 37 Wheeler Road, Karrinyup, died 26.06.2014 (DE19811407 EM15)

Loftus, Gerard Joseph, late of Brightwater Onslow Gardens, 39 Hamersley Road, Subiaco, formerly of Unit 116 1217 Hay Street, West Perth, died 21.07.2014 (DE33010855 EM37)

Medhurst, Elizabeth Honor, late of Pleasant Grove, Unit 3 22-28 Gibson Street, Mount Pleasant, died 3.06.2014 (DE19734079 EM110)

Minchin, Jean Elsie, late of Air Force Memorial Estate Unit 50 2 Bull Creek Drive, Bull Creek, died 12.06.2014 (DE33029362 EM16)

Smythe, Norman Claude, late of Shoalwater Nursing Home, 66-74 Fourth Avenue, Shoalwater, died 7.07.2014 (DE19922269 EM17)

Stouse, Charles Richard Everett, Also Known As Charles Richard Everest Stouse, late of Balmoral Aged Care 29 Gardner Street, Como, formerly of 9/69 Birdwood Avenue, Como, died 17.01.2014 (DE33114969 EM313)

BRIAN ROCHE, Public Trustee.  
553 Hay Street,  
Perth WA 6000.  
Telephone: 1300 746 212.

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Government of **Western Australia**  
Department of the **Premier and Cabinet**  
**State Law Publisher**



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As of **Monday 6th January 2014**, counter sales at State Law Publisher were closed.

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*Government Gazette* notices can still be lodged in person at the basement.

All telephone and facsimile contact details have remained the same.

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*Government Gazette* Publishing Inquiries: 6552 6012

### **Facsimile Numbers**

Sales and *Government Gazette* copy: 9321 7536

### **Email**

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Website: [www.slp.wa.gov.au](http://www.slp.wa.gov.au)

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