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Gazette**

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GOVERNMENT GAZETTE

PUBLISHING DETAILS FOR CHRISTMAS 2017 AND NEW YEAR HOLIDAY PERIOD 2018

Publishing Dates and Times

Friday, 29 December 2017 at 12 noon

Friday, 5 January 2018 at 12 noon

Closing Dates and Times for copy

Wednesday, 27 December 2017 at **3 pm**

Wednesday, 3 January 2018 at 12 noon

There will be no *Gazette* published for Tuesday, 26 December 2017 and Tuesday, 2 January 2018.



— PART 1 —

HEALTH

HE301

Health Services Act 2016

Health Services (Information) Regulations 2017

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Health Services (Information) Regulations 2017*.

2. Commencement

These regulations come into operation as follows —

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

3. Disclosure of information by Department CEO (s. 216)

- (1) In this regulation —

HREC means a human research ethics committee constituted in accordance with, and acting in compliance with, the *National Statement on Ethical Conduct in Human Research*, as in force from time to time, issued under the *National Health and Medical Research Council Act 1992* (Commonwealth) section 7(1)(a).

- (2) The Department CEO must not disclose health information under section 216 unless —

- (a) the individual to whom the information relates consents to the disclosure; or
- (b) the Department CEO is satisfied that —
 - (i) disclosure of the information is reasonably necessary for the purpose for which it is to be disclosed; and
 - (ii) the purpose for which the information is to be disclosed cannot be achieved by providing information that is not personal information; and
 - (iii) it is impracticable to obtain the consent of the individual to whom the information relates.

- (3) In addition to the requirements of subregulation (2), the Department CEO must not disclose health information under section 216 for the purpose of health related research unless the research has been approved by an HREC.
- 4. Disclosure of information by health service provider (s. 217)**
- The chief executive of a health service provider must not disclose health information to a person under section 217(2) if —
- (a) the chief executive reasonably believes that disclosure of the information would pose a serious threat to —
 - (i) the life, health or safety of any individual; or
 - (ii) public health or safety;or
 - (b) disclosure of the information would have an unreasonable impact on the privacy of the patient or another person; or
 - (c) the patient has requested that the information not be disclosed to the person.
- 5. Circumstances in which collection, use or disclosure of information is authorised (s. 220)**
- (1) For the purposes of section 220(1), the collection, use or disclosure of information is authorised in the following circumstances —
- (a) the collection, use or disclosure is reasonably necessary to lessen or prevent a serious risk to the life, health or safety of any individual;
 - (b) the collection, use or disclosure is reasonably necessary to lessen or prevent a real or immediate risk of danger to the public;
 - (c) the collection, use or disclosure is for a purpose specified in a written agreement between the State and the Commonwealth, another State or a Territory entered into by a Minister of the State or the Department CEO;
 - (d) the collection, use or disclosure is for the purposes of, or in connection with, obtaining legal advice or representation on behalf of —
 - (i) the Department CEO or the State; or
 - (ii) a health service provider; or
 - (iii) an individual who is or was a staff member of a health service provider if the individual is indemnified by the State in respect of liability incurred by the individual as a staff member of the health service provider;
 - (e) the collection, use or disclosure is for the purposes of, or in connection with, an application to the State Administration Tribunal for a guardianship order or an

administration order under the *Guardianship and Administration Act 1990*.

- (2) For the purposes of section 220(1), the disclosure of information is also authorised in the following circumstances —
- (a) the disclosure is to an individual who is or was a staff member of a health service provider for the purposes of the individual's compliance with reporting requirements under another law;
 - (b) the information relates to an individual who is deceased and the disclosure is in response to a written request from —
 - (i) a coroner, a coroner's registrar, a coroner's investigator or a member of the staff of a coroner's court in connection with an investigation into the death of the individual; or
 - (ii) a medical practitioner who is performing a post mortem on the body of the individual at the direction of a coroner.

6. Conditions on disclosure of information under Part 17 of Act

- (1) The disclosure of information under Part 17 of the Act is subject to the following conditions —
- (a) the information must not be used for a purpose other than the purpose for which it was disclosed unless —
 - (i) the Department CEO or the chief executive of a health service provider who discloses the information authorises its use, in accordance with the Act, for that other purpose; or
 - (ii) in the case of personal information — the individual to whom it relates consents to its use for that other purpose;
 - (b) the person to whom the information is disclosed must take all reasonable steps to ensure that it is transported and stored in a way that protects it from misuse, interference, loss, unauthorised access or modification;
 - (c) in the case of information that is not personal information — the person to whom the information is disclosed must not modify or use it, or link it to other information, in a way that identifies, or might lead to the identification of, an individual to whom it relates.
- (2) A person to whom information is disclosed under Part 17 of the Act must not contravene a condition to which the disclosure is subject.

Penalty for this subregulation: a fine of \$5 000.

R. NEILSON, Clerk of the Executive Council.

— PART 2 —

FISHERIES

FI401

PEARLING ACT 1990 PEARLING (ANNUAL FEES) NOTICE 2017

FD 4048/17 [1343]

Made by the Minister under section 27.

1. Citation

This notice is the *Pearling (Annual Fees) Notice 2017*.

2. Interpretation

In this notice, unless the contrary intention appears—

quota unit means the number of units specified on—

- (a) a pearling (wildstock) licence, in respect of a Zone or Zones; or
- (b) a pearling (seeding) licence.

regulation means a reference to the *Pearling (General) Regulations 1991*.

3. Annual fees for farm leases, pearling licences, hatchery licences and permits

For the purposes of section 27(1)(a) of the Act, the annual fee for the year ending 31 December 2018 in respect of—

- (a) a farm lease, is \$2351.22 per square nautical mile of the relevant pearl oyster farm, applied pro rata;
- (b) a Zone 1 pearling (wildstock) licence, is \$334.35 per quota unit;
- (c) a Zone 2 and Zone 3 pearling (wildstock) licence, is \$650.77 per quota unit;
- (d) a Zone 3 pearling (wildstock) licence, is \$650.77 per quota unit;
- (e) a pearling (seeding) licence, is \$139.51 per quota unit;
- (f) a hatchery licence, is \$316.00;
- (g) a pearling permit, is \$76.00;
- (h) a hatchery permit, is \$76.00.

4. Payment by instalments

(1) For the purposes of regulation 9A, the annual fee for a farm lease, pearling (wildstock) licence, pearling (seeding) licence, or hatchery licence, may be paid by instalments as specified in the Schedule to this notice if—

- (a) an election to pay by instalments is made by the holder of the relevant licence in accordance with subclause (2); and
- (b) no other fee, charge or levy in respect of the relevant licence is payable at the time the election is received.

(2) An election made for the purposes of subclause (1) must be—

- (a) in writing;
- (b) received at the head office of the Department prior to the commencement of the licensing period to which the election relates; and
- (c) accompanied by the first instalment and the surcharge.

(3) For the purposes of regulation 9A(2), the surcharge is 3.13% of the annual fee.

Schedule

Payment by Instalments

- (a) The first instalment is 10% of the relevant annual fee and is due for payment on or before 1 January of the year for which the lease or licence is granted or renewed.
- (b) The second instalment is 35% of the annual fee and is due for payment on or before 1 April immediately following the period specified in paragraph (a).
- (c) The third instalment is 55% of the annual fee and is due for payment on or before 1 July immediately following the period specified in paragraph (a).

Dated 23rd day of November 2017.

D. KELLY, Minister for Fisheries.

HEALTH

HE401

HEALTH SERVICES (QUALITY IMPROVEMENT) ACT 1994
HEALTH SERVICES (QUALITY IMPROVEMENT) (APPROVED COMMITTEE)
ORDER (NO. 3) 2017

Made by the Director General, Department of Health, Western Australia (as the delegate of the Minister for Health) pursuant to section 7(1) of the *Health Services (Quality Improvement) Act 1994*.

Citation

1. This order may be cited as the *Health Services (Quality Improvement) (Approved Committee) Order (No. 3) 2017*.

Commencement

2. This order comes into operation on the day on which it is published in the *Government Gazette*.

Committee

3. It is declared that the Medical Advisory Committee established by South Perth Hospital Incorporated is an approved quality improvement committee for the purposes of the *Health Services (Quality Improvement) Act 1994*.

Expiry of order

4. This order expires three years after its commencement.

Revocation of order

5. The *Health Services (Quality Improvement) (Approved Committee) Order (No. 1) 2014** is revoked. [*Published in *Gazette 10 October 2014*, p.3682]

Dated this 16th day of November 2017.

Dr D. RUSSELL-WEISZ, Director General,
Department of Health.

JUSTICE

JU401

JUSTICES OF THE PEACE ACT 2004
APPOINTMENT

It is hereby notified for public information that Her Excellency the Governor in Executive Council has approved of the following to the Office of Justice of the Peace for the State of Western Australia—

Keith James Hockley of East Fremantle

JOANNE STAMPALIA, A/Executive Director,
Court and Tribunal Services.

LOCAL GOVERNMENT

LG401

SHIRE OF AUGUSTA MARGARET RIVER
APPOINTMENT

It is hereby notified for public information that the Shire of Augusta Margaret River has appointed the following officer—

Scott Reid—Ranger

as an Authorised Person of the Shire of Augusta Margaret River pursuant to the following—

Part XX of the *Local Government (Miscellaneous Provisions) Act 1960* as Pound Keeper and Ranger;

Section 3.37-3.48, 9.10, 9.16, of the *Local Government Act 1995*;

Dog Act 1976 (as amended) and Regulations (as amended);

Control of Vehicles (Off-road Areas) Act 1978 (as amended) and Regulations;

Litter Act 1979 (as amended) and Regulations;

Bush Fires Act 1954 (as amended) and Regulations;
Caravan Parks and Camping Grounds Act 1995 (as amended) and Regulations;
Cat Act 2011 and Regulations (as amended);
All Shire of Augusta Margaret River Local Laws.

It is further notified that the appointment of Gregory Tennant is hereby cancelled effective immediately.

All existing appointments are in effect until such time as the Council or CEO determines to revoke any authorisation stated or upon cessation of employment of the authorised officer with the Shire of Augusta Margaret River.

GARY EVERSHED, Chief Executive Officer.

MARINE/MARITIME

MA401

WESTERN AUSTRALIAN MARINE ACT 1982
NAVIGABLE WATERS REGULATIONS 1958
PROHIBITED SWIMMING AREA
Pyrotechnics Display
Matilda Bay, Swan River

Department of Transport,
Fremantle WA, 28th November 2017.

Acting pursuant to the powers conferred by Regulation 10A (b) of the *Navigable Waters Regulations 1958* I hereby close all of the following waters to swimming between the hours of 8:30pm and 10:00pm on Saturday 2nd December 2017—

Swan River

Area of Closure—All the waters within a 60 metre radius of the firing point located at approximately 31°58.658'S, 115°49.501'E.

This area is set aside for safety measures during the set up and display of pyrotechnics.

CHRISTOPHER J. MATHER, Director Waterways Safety Management,
Department of Transport.

MINERALS AND PETROLEUM

MP401

PETROLEUM PIPELINES ACT 1969
APPLICATION STP-PLV-0074 FOR VARIATION OF LICENCE PL 64
Xyris Pipeline

Notice is hereby given that, pursuant to section 15 of the *Petroleum Pipelines Act 1969*, an application has been received from AWE Perth Pty Ltd, on behalf of the registered title holders, to vary licence PL 64 for the Xyris pipeline, for the purpose of increasing the pipeline design capacity.

The Minister will receive matters in writing in connection with this application for a period of 14 days from the date of publication of this notice. Submissions are to be addressed to the Executive Director, Petroleum Division via email to petroleum.titles@dmirs.wa.gov.au or by post to the Department of Mines, Industry Regulation and Safety, 100 Plain Street, East Perth WA 6004.

JEFF HAWORTH, Executive Director, Petroleum Division.

Dated: 23 November 2017.

MP402**PETROLEUM PIPELINES ACT 1969**

APPLICATION STP-PLV-0077 FOR VARIATION OF LICENCE PL 40

Dampier to Bunbury Natural Gas Pipeline

Notice is hereby given that, pursuant to section 15 of the *Petroleum Pipelines Act 1969*, an application has been received from DBNGP (WA) Nominees Pty Ltd to vary licence PL 40 for the Dampier to Bunbury Natural Gas pipeline, for the purpose of installing a new compressor station to be added onto the existing Pluto Meter Station.

The Minister will receive matters in writing in connection with this application for a period of 14 days from the date of publication of this notice. Submissions are to be addressed to the Executive Director, Petroleum Division via email to petroleum.titles@dmirs.wa.gov.au or by post to the Department of Mines, Industry Regulation and Safety, 100 Plain Street, East Perth WA 6004.

JEFF HAWORTH, Executive Director, Petroleum Division.

Dated: 23 November 2017.

PLANNING

PL401**PLANNING AND DEVELOPMENT ACT 2005**

METROPOLITAN REGION SCHEME MAJOR AMENDMENT 1298/41

West Mundijong Industrial Precinct

Outcome of Amendment

It is hereby notified for public information that Metropolitan Region Scheme amendment 1298/41—West Mundijong Industrial Precinct has been submitted before both Houses of Parliament in accordance with the provisions of section 56 of the *Planning and Development Act 2005*.

This amendment, as depicted on Western Australian Planning Commission plan numbered 3.2666/1, is effective in the MRS on and from 18 October 2017.

KERRINE BLENKINSOP, Secretary,
Western Australian Planning Commission.

PL402**PLANNING AND DEVELOPMENT ACT 2005**

APPROVED LOCAL PLANNING SCHEME AMENDMENT

City of Stirling

Local Planning Scheme No. 3—Amendment No. 74

Ref: TPS/1868

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 Stirling Local Planning Scheme amendment on 18 October 2017 for the purpose of—

1. Amending the Scheme Text by—

Adding Additional Use No. 88 to Schedule 2—Additional Uses as follows—

No.	Description of Land	Additional Uses	Conditions
A88	Lot 5, House Number 1, Smith Street, Karrinyup	Consulting Rooms, Medical Centre, Office and Personal Care	The development shall have due regard for the requirements of the Karrinyup Regional Centre Guidelines

2. Amending the Scheme Map by rezoning Lot 5, House Number 1, Smith Street, Karrinyup from 'Residential (R30)' to 'Residential (R60) and Additional Use—Consulting Rooms, Medical Centre, Office and Personal Care'.

G. ITALIANO JP, Mayor.
S. JARDINE, Chief Executive Officer.

PL403

PLANNING AND DEVELOPMENT ACT 2005
REPEAL OF A TOWN PLANNING SCHEME
City of Bayswater
Town Planning Scheme No. 23

Ref: TPS/2077

Notice is hereby given that Council of the City of Bayswater in pursuance of its powers under the *Planning and Development Act 2005* resolved at the ordinary meeting of Council held on 6 December 2016 to repeal Town Planning Scheme No. 23 and the seal of the Municipality was pursuant to that resolution hereunto affixed in the presence of—

B. McKENNA, Mayor.
C. BYWATER, Chief Executive Officer.

PL404

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
City of Bayswater
Local Planning Scheme No. 24—Amendment No. 61

Ref: TPS/1752

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 Bayswater Local Planning Scheme amendment on 8 November 2017 for the purpose of—

1. Modifying and expanding Town Planning Scheme No. 24 Scheme Map to include the entire Morley Activity Centre Structure Plan area.
2. Rezoning Morley Activity Centre Structure Plan area as 'Centre' zone, excluding all lots reserved as Public Purpose, Other Regional Roads, and Public Purpose.
3. Inserting a new Schedule as follows—

**SCHEDULE No. 1—ADDITIONAL REQUIREMENTS THAT APPLY TO
LAND COVERED BY A STRUCTURE PLAN, ACTIVITY CENTRE PLAN
OR LOCAL DEVELOPMENT PLAN**

Morley Activity Centre Structure Plan area

1.0 Purpose

The purpose of the Morley Activity Centre is to facilitate the development of the Morley Activity Centre into a mature mixed use urban centre.

2.0 Interpretation and Relationship to Other Development Standards

Where there are inconsistencies between the development standards specified in this schedule and other parts of the Scheme or the Residential Design Codes (as amended), the development standards specified in this schedule shall prevail.

3.0 Delineation of the Zone

The Morley Activity Centre Zone is delineated and shown on the Scheme Map and referred to in the legend of the Scheme Map.

4.0 Precincts On Scheme Map

The Morley Activity Centre is divided into Precincts and the location and boundaries of the Precincts are shown on the Scheme Map.

5.0 Land Use Permissibility

5.1 The Morley Activity Centre is divided into several precincts as defined on the Scheme map comprising—

- (i) Central Core.
- (ii) Outer Core.
- (iii) Mixed Business.
- (iv) Civic and Education.
- (v) Inner City Residential.

5.2 The Zoning Table (Table No. 4) identifies the use class permissibility within each of the designated precincts.

5.3 Land uses are to be configured to promote land use compatibility and reduce potential for land use related conflicts.

5.4 Land use permissibility shall be determined by reference to Table No. 4 and any additional land use requirements under the development standards of the relevant precinct.

TABLE No. 4—MORLEY ACTIVITY CENTRE ZONING TABLE

Use Classes	Precinct	Central Core	Outer Core	Mixed Business	Civic And Education	Inner City Residential
Residential						
Aged or Dependent Persons Dwelling		D	D	D	D	P
Caretaker's Dwelling		D	D	D	D	D
Cottage Industry		D	D	D	D	D
Display Home Centre		D	D	D	D	D
Family Day Care		P	P	D	D	P
Grouped Dwelling		X	D	D	X	P
Home Business		D	D	D	D	D
Home Occupation		P	P	P	P	P
Home Office		P	P	P	P	P
Home Store		P	P	D	D	D
Multiple Dwelling		P/X*1	P	P/X*1	D	P
Residential Building		D	D	D	A	A
Retirement Village		D	D	D	D	P
Single House		X	D	D	X	P
Short Stay Accommodation						
Bed and Breakfast		D	D	D	X	A
Caravan Park / Camping Area		X	X	X	X	X
Hostel		D	A	A	D	A
Hotel		P	A	A	X	X
Lodging House		D	A	A	A	A
Community Uses						
Car Park		P	D	D	P	D
Child Day Care Centre		P	P	P	P	D
Civic Buildings		P	P	P	P	D
Club Premises		P	P	D	P	A
Funeral Parlour		D	D	P	X	X
Occasional Uses		P	D	D	P	D
Public Amusement		D	D	D	D	X
Public Assembly		D	D	D	D	X
Public Utility		P	P	P	P	P
Public Worship		D	D	D	D	A
Zoological Gardens		D	D	D	P	X
Education						
Educational Establishment		D	D	D	P	D
Retail						
Convenience Store		P	P	P	D	D
Hire Service (Non-Industrial)		P	P	P	X	X
Kiosk		P	P	P	P	X
Market		P	D	D	X	X
Restricted Premises		A	A	A	X	X
Shop		P	D	D	P	A
Liquor Store—Large		A	A	D	X	X
Liquor Store—Small		P	P	D	X	A
Office						
Office		P	P	P	D	D
Entertainment						
Amusement Parlour		P	D	D	X	X
Betting Agency		P	D	D	X	X
Cinema / Theatre		P	P	P	D	X
Reception Lodge		D	D	D	P	X

Use Classes	Precinct	Central Core	Outer Core	Mixed Business	Civic And Education	Inner City Residential
Dining						
Fast Food Outlet		P	P	P	X	X
Lunch Bar		P	P	P	D	X
Small Bar		P	D	D	X	X
Restaurant		P	P	P	X	A
Tavern		P	A	A	X	X
Recreation						
Health Studio		P	P	P	D	X
Recreation Facility (Private and Public)		P	P	P	D	X
Health						
Consulting Rooms (Medical)		P	P	P	D	D
Health Centre		D	A	A	X	X
Hospital		D	A	A	X	X
Infant Health Clinic		P	P	P	P	D
Medical Centre		P	P	P	P	X
Veterinary Consulting Rooms		P	P	P	X	D
Veterinary Hospital		D	X	D	X	X
Bulky Goods, Showrooms and Services						
Car Wash		D	D	D	X	X
Garden Centre		D	X	D	X	X
Dry Cleaning / Laundry Premises		P	P	P	X	X
Open Air Display		X	X	X	X	X
Service Industry		D	D	P	X	X
Showroom		D	D	P	X	X
Showroom / Warehouse		X	X	D	X	X
Industrial						
Automotive Panel Beating / Spray Painting		X	X	X	X	X
Automotive Repairs		A*2	D	D	X	X
Automotive Wrecking		X	X	X	X	X
Automotive and Marine Sales		X	D	D	X	X
Builders Yard		X	X	X	X	X
Extractive Industry		X	X	X	X	X
Factory		X	X	D	X	X
Factory Tenement Building		X	X	D	X	X
Fuel Depot		X	X	X	X	X
General Industry		X	X	X	X	X
Hire Service (Industrial)		X	X	D	X	X
Industry		X	X	X	X	X
Light Industry		X	X	D	X	X
Noxious Industry		X	X	X	X	X
Radio Equipment		D	D	D	D	A
Radio and Television Installations		D	D	D	X	X
Service Station		A/X*3	D/X*3	D/X*3	X	X
Storage Yard		X	X	X	X	X
Trade Display		X	X	A	X	X
Transport Depot		D	X	X	X	X
Warehouse		X	X	D	X	X

*Notes—

1. Multiple dwellings are not permitted on the ground floor of any development.
2. Where incidental to the overall use of the land and incorporated into the built form and/or parking areas so as not directly visible from any part of a street or public space.
3. Service stations are prohibited on landmark development sites identified in Clause 11.2.

5.5 In addition to the uses outlined in Table No. 4, the following land use permissibility is applicable—

Location	Additional Uses
Lot 423, No. 176 Walter Road West, Morley; and Lot 110, No. 180 Walter Road West, Morley	Recreation Facility (Private and Public)—‘A’ Medical Centre—‘A’
Collier Road, Morley, between Walter Road West and Johnsmith Street	Office—‘P’ Consulting Rooms—‘P’ Convenience Store—‘P’ Shop (maximum 300m ² NLA)—‘P’
Lot 111, No. 47 Russell Street, Morley; and Lot 104, Nos. 231-235 Walter Road West, Morley	Dry Cleaning / Laundry Premises—‘D’ Lunch Bar—‘D’ Health Studio—‘A’

6.0 PARKING

6.1 Car parking and bicycle parking shall be provided in accordance with Table 5 as below. Additional requirements relating to the provision and specifications of car and bicycle parking are included in the Morley Activity Centre Structure Plan.

TABLE No. 5—CAR PARKING AND BICYCLE PARKING STANDARDS

Land Use	Minimum Car Parking Requirement	Bicycle Parking Requirement	
		Minimum Employee Spaces (Long Term)	Minimum Visitor Spaces (Short Term)
Residential	As per Residential Design Codes	As per Residential Design Codes	As per Residential Design Codes
Short Term Accommodation	1 bay per 4 beds provided	1 bay per 40 bedrooms	2 spaces
Community Uses	At the discretion of the local government	At the discretion of the local government	At the discretion of the local government
Education	1 bay per 10 students	1 bay per 5 students over year 4	N/A
Retail	1 bay per 25m ² NLA	1 bay per 300m ² NLA	1 bay per 500m ² NLA
Office	1 bay per 50m ² NLA	1 bay per 200m ² NLA	1 bay per 750m ² NLA
Entertainment	1 bay per 25m ² NLA	1 bay per 4 staff members	1 bay per 200m ² NLA
Dining	1 bay per 25m ² NLA	1 bay per 100m ² NLA	2 spaces
Recreation	1 bay per 20m ² NLA	1 bay per 4 staff members	1 bay per 200m ² NLA
Health	3 bays per practitioner plus 1 bay per staff member	1 bay per 400m ² GFA	1 bay per 200m ² GFA
Bulky Goods, Showrooms and Services	1 bay per 50m ² NLA	1 bay per 750m ² NLA	1 bay per 1000m ² NLA
Industrial	1 bay per 50m ² NLA	1 bay per 150m ² NLA	N/A

*Notes—

1. Land Use shall be in accordance with the corresponding Use Class headings in Table No. 4.
2. Onsite parking requirements to be rounded up to the nearest whole number.
3. ‘Staff member’ and ‘practitioner’ relates to the full-time equivalent.
4. NLA = Net Lettable Area.
5. GFA = Gross Floor Area

6.2 Where the discretion of the local government is required in Table No. 5, the local government shall determine the parking rate having due regard to the following—

- (i) The provision of parking for similar land uses in the Morley Activity Centre;
- (ii) The availability of public parking in the vicinity of the subject site; and
- (iii) The objectives of the Morley Activity Centre Zone.

6.3 To establish parking rates for a use which is not listed in Table No. 4, the local government may—

- (i) Determine that the use falls within one of the categories listed in Table No. 4 and apply those parking rates accordingly; or
- (ii) Determine parking rates at its discretion having due regard to the factors listed in Clause 6.2.

6.4 Multi-storey car parks shall incorporate screening devices and/or architectural features where directly fronting a street or public space.

6.5 At-grade parking areas shall include a minimum 2 metre wide natural landscaping strip along all street boundaries.

6.6 Large areas of car parking shall be located behind buildings and provided with safe and clearly sign-marked pedestrian routes to the building entrances.

6.7 Where the minimum car parking requirements specified in Table No. 5 are not met, the applicant/owner shall pay the local government cash in lieu of the required car parking, in accordance with the relevant scheme and/or local planning policies, unless otherwise approved by the local government.

7.0 Bicycle Parking

7.1 Employee/long term bicycle parking shall include a lockable, sheltered enclosure where the cyclist is able to store a bicycle throughout the day.

7.2 Visitor/short term bicycle parking shall include bicycle rails or racks to which bicycles frames or wheels can be locked.

7.3 End of trip facilities for pedestrians and cyclists shall be provided for any office development exceeding 250m² GFA.

7.4 End of trip facilities for pedestrians and cyclists shall be provided for any development exceeding 500m² GFA involving a use or combination of uses which are categorised under Table No. 5 as retail, entertainment, dining, recreation or health.

8.0 Private Space

8.1 A terrace, balcony or courtyard is to be provided for each multiple dwelling and shall—

- (i) Be an area equal to 20% of the plot ratio area of that dwelling, or 10m², whichever is greater;
- (ii) Have a minimum dimension (width and length) of 2.5 metres and shall be directly accessible from a habitable room; and
- (iii) Be orientated to receive northern sunlight, wherever possible.

9.0 APPROVAL NOTWITHSTANDING NON-COMPLIANCE

Except for development for which the Residential Design Codes apply within the 'Inner City Residential' precinct, if a development application does not comply with the development criteria prescribed in the Morley Activity Centre Zone, the Council if it is satisfied that—

- (i) such a variation will not prejudice the achievement of the objectives of the Morley Activity Centre Zone, and
- (ii) the orderly and proper planning and amenity of the precinct are maintained, may vary any development criteria and approve the application unconditionally or subject to such conditions as it deems fit.

10.0 MAJOR DEVELOPMENT

10.1 Where an application is made for a major development, in addition to the relevant requirements, the following elements shall be provided—

- (i) Road and intersection upgrades which are required as a result of the proposed development; and
- (ii) Precinct specific major development requirements.

10.2 Where an application is made for a major development to be constructed on Lot 213, No. 4 Collier Road, Morley, in addition to the relevant requirements, the following elements are to be provided—

- (i) A town square/piazza at the terminus of Progress Street and Bishop Street, of sufficient size to support the function of a town square, and comprised both of hard and natural landscaping and quality materials;
- (ii) Buildings surrounding and fronting onto the town square/ piazza on the Galleria Shopping Centre side of Bishop Street which accommodate land uses that encourage activity outside of normal business hours; and
- (iii) Improved integration between the Morley Bus Station and surrounding land uses including building interfaces and a significantly visually appealing, integrated and covered pedestrian connection between the bus station and Galleria Shopping Centre.

10.3 Where the requirements of Clause 10.1 are unable to be provided prior to first occupation of the shop/retail floor space, the applicant/owner may enter into a legal agreement with the local government to defer these works to a reasonable time period as determined by the local government.

10.4 If 2 or more development applications are received for the same site(s) within a period of 2 years, which collectively constitute a major development, then the requirements of Clause 10.1 shall apply in full to the latter application.

11.0 LOCAL DEVELOPMENT PLAN

11.1 A local development plan shall be provided where required under the provisions of the Morley Activity Centre Structure Plan, and shall be prepared in accordance with Part 6—Local

development plans of Schedule 2—Deemed provisions for local planning schemes of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

11.2 A local development plan shall be provided for development on the following Landmark Development sites—

- (i) Lot 1, No. 243-253 Walter Road West, Morley.
- (ii) Lot 213, No. 4 Collier Road, Morley.
- (iii) Lot 1105, No. 70-84 Collier Road, Morley.
- (iv) Lot 303, No. 65-79 Russell Street, Morley.
- (v) Lot 28, No. 129 Russell Street, Morley.
- (vi) Reserve 38328, No. 61 Broun Avenue, Morley.
- (vii) Lot 2, No. 2 Progress Street, Morley.

12.0 PLANNING REQUIREMENTS FOR MORLEY ACTIVITY CENTRE PRECINCTS

The following provisions and planning requirements apply to the respective precincts as set out in Table 6 below—

		Central Core	Outer Core	Mixed Business	Inner City Residential	Civic And Education
Height	Max	No limit	8 storeys	8 storeys	As per the Residential Design Codes Non-Residential: Maximum: 2 storeys, unless multiple dwellings occupy the level above the second storey	4 storeys
	Min	Russell Street—3 storeys or 12m Other streets—2 storeys.	NA, except for Walter Road West and Wellington Road—2 storeys	NA	NA	NA
Setbacks	Front	Key Roads A ¹ —Nil for first 2 storeys Russell Street—Nil for first 3 storeys All other streets—maximum setback of 2m. Above 4th storey: minimum—5m from the street level building line Requirements can be varied through an approved Local Development plan	Minimum nil and a maximum of 4m for the first 2 storeys. Above 4th storey: minimum—5m from the street level building line.	Russell Street and Collier Road—minimum setback Nil and a maximum setback of 2m All other roads minimum setback 2m and a maximum setback of 6m, (a maximum setback of 14m permitted for a maximum of 1 row of at-grade parking, drive aisle and landscaping strip). Above 4th storey (3): Minimum—5m from the street level building line	Ground floor maximum setback of 6m. Above 2nd storey: minimum—2m from the street level building line. Multiple Dwellings minimum of 1m from the secondary street.	In accordance with approved local development plan
	Side and Rear	Nil for first two storeys Above 4th storey Minimum—5m	Nil for first two storeys Above 4th storey Minimum—5m, from the 4th storey building line Requirements can be varied through an	Above 4th storey Minimum—5m, from the 4th storey building line Sites adjoin the 'Inner City Precinct'—building setback as	Above 2nd storey Minimum—5m.	In accordance with approved local development plan

		Central Core	Outer Core	Mixed Business	Inner City Residential	Civic And Education
			approved Local Development plan Sites adjoin the 'Inner City Precinct'—building setback as per the 'Inner City Precinct' requirements.	per the 'Inner City Precinct' requirements. Requirements can be varied through an approved Local Development plan		
Visual Permeability	Commercial	Visual permeability at street level on Key Roads B ² to be minimum—80% and 60% of all other roads Visual permeability requirements can be varied through an approved Local Development plan The use of reflective or obscure glazing is not permitted on ground floor street frontages. Ground floor to floor height: Minimum—4m	Visual permeability at street level: Minimum—50% The use of reflective or obscure glazing is not permitted on ground floor street frontages	NA	NA	NA

*Notes—

1. Key Roads A—Progress Street, Bishop Street, Old Collier Road, Wellington Road, Walter Road West, Collier Road and Rudloc Road.
2. Key Roads B—Progress Street, Bishop Street, Walter Road West (between Russell Street and Wellington Road) and Russell Street.

13.0 DUAL CODING REQUIREMENTS FOR RESIDENTIAL DEVELOPMENT IN THE INNER CITY RESIDENTIAL PRECINCT

Where a site is designated with a dual density code of R40/60 or R60/100, the higher code shall apply only to multiple dwellings, where the requirements of at least one of the criteria in Table No. 7 are met.

TABLE No. 7—DUAL DENSITY CODE CRITERIA

Criteria	Requirements
Energy Efficient/ Sustainable Design	The development to meet at least three of the following requirements— <ul style="list-style-type: none"> • Provision of at least 50% of dwellings with an outdoor living area which is orientated to the north, in a manner which maximises northern sunlight. • The development being fitted with rainwater tank(s) with a capacity of at least 3,000 litres per dwelling. • The installation of a grey water re-use system that collects grey water from laundries and bathrooms and redirects it to garden irrigation/ground water recharge. • The provision of a vegetation wall or communal rooftop garden to the satisfaction of the local government. • The development meets an energy rating one star higher than that required under the National Construction Code.
Non-Conforming Use	The development meets the following requirement— <ul style="list-style-type: none"> • The removal of a non-conforming use from the development site.

4. Including a new land use definition for convenience store as follows—

“Convenience store means premises

- used for the retail sale of convenience goods commonly sold in supermarkets, delicatessens or newsagents; and
- operated during hours which include, but may extend beyond, normal trading hours; and
- the floor area of which does not exceed 300m² net lettable area.”

5. Inserting new zone titled 'Centre' in Table 1—Zoning Table including the text "Refer to Schedule 1" against all the use classes under the zone."
6. Inserting new bullet point 'Centre' under 'Other Zones' in Part 7.1.1.
7. Inserting new part 8.1.3 as follows: "The development standards specified for the Morley Activity Centre zone as set out in Schedule 1 prevail where inconsistencies arise with other provisions in this scheme."
8. Consequential reformatting, typographical corrections, or cross-referencing required as a result of the above modifications.

B. McKENNA, Mayor.
D. PEARSON, A/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 Racing, Gaming and Liquor, Level 2, Gordon Stephenson House, 140 William Street, Perth, Telephone: (08) 6551 4888, or consult a solicitor or relevant industry organisation.

App. No.	Applicant	Nature of Application	Last Date for Objections
APPLICATIONS FOR THE GRANT OF A LICENCE			
A000246481	Bollywood Lounge Pty Ltd	Application for the conditional grant of a Restaurant licence in respect of premises situated in Karratha and known as Mexitos.	10/12/2017
A000249085	Cafe Roma Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Scarborough and known as Café Romma.	28/11/2017
A000249836	Dai's Japanese Restaurant Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Connolly and known as D's Authentic Japanese.	28/11/2017
A000249172	Achievement Charters Pty Ltd	Application for the grant of a Special Facility Licence Packet / Transport in respect of the boat situated at Pen E7, The Boathouse Marina and known as Achievement Charters Pty Ltd.	04/12/2017
A000249492	Avtar Mehar Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Port Kennedy and known as Jannat Authentic Indian Restaurant.	07/12/2017
A000249830	ALDI Foods Pty Limited	Application for the conditional grant of a Liquor Store licence in respect of premises situated in Spearwood and known as ALDI Spearwood.	18/12/2017
A000250065	ALDI Foods Pty Limited	Application for the conditional grant of a Liquor Store licence in respect of premises situated in Currambine and known as ALDI Currambine.	20/12/2017
A000250022	Imperial Hospitality Pty Ltd	Application for the conditional grant of a Hotel licence in respect of premises situated in York and known as Imperial Homestead.	03/1/2018
A000250127	Ghuman Hospitality Pty Ltd	Application for the conditional grant of a Restaurant licence in respect of premises situated in Secret Harbour and known as Yogi.	07/12/2017
A000249997	Sweet World Company Pty Ltd	Application for the conditional grant of a Tavern Restricted licence in respect of premises situated in Scarborough and known as La Capannina.	24/12/2017

App. No.	Applicant	Nature of Application	Last Date for Objections
APPLICATION FOR EXTENDED TRADING PERMITS—LIQUOR WITHOUT A MEAL			
A000249249	Mullaloo Bay Pty Ltd	Application for the Grant of an ETP over 120 people for a licence in respect of premises situated in Mullaloo and known as Swell on Mullaloo Beach.	3/12/2017
APPLICATIONS FOR APPROVAL TO ALTER/REDEFINE THE LICENSED PREMISES			
A000250906	Eaton Tavern Pty Ltd	Application for the Variation of trading conditions for a Tavern Licence in respect of premises situated in Eaton and known as Eaton Tavern.	21/12/2017
A000242130	Margaret River Distilling Company	Application for the Variation of trading conditions for a Tavern Licence in respect of premises situated in Eaton and known as Eaton Tavern.	28/11/2017

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

DIRECTOR OF LIQUOR LICENSING.

Dated: 24 November 2017.

WATER

WA401

WATER SERVICES ACT 2012

EXEMPTION NOTICE

Exemption of the Preston Valley Irrigation Co-operative Ltd for the provision of a water service in the region of Donnybrook

In accordance with section 7 of the *Water Services Act 2012*, Hon Dave Kelly MLA, Minister for Water, has granted an exemption from the application of section 5(1) of the Act to the Preston Valley Irrigation Co-operative Ltd for the provision of a non-potable water supply service to third party customers and for the provision of irrigation and non-potable water services to its members.

The exempted water services are represented by the supply of irrigation water to property owners in the Donnybrook area for the irrigation of pasture, crops and fruit trees, and the supply of non-potable water to property owners in the Donnybrook area for domestic non-potable use.

The exemption will come into effect on the day it is published in the *Government Gazette* and is valid for an indefinite period.

Summary of the reasons for the decision

Granting this exemption is not contrary to the public interest. It is considered that—

- The regulatory burden imposed by licensing would be disproportionately high given the small scale of the water services.
- The risk of the Preston Valley Irrigation Co-operative Ltd exploiting its monopoly power is very low. The water services are operated for benefit of the members of the Preston Valley Irrigation Co-operative Ltd.
- The water services represent a low risk to public health as the supply is sourced from surface water and is not used for potable purposes.

DECEASED ESTATES

ZX401

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

In the estate of Graham Scott Waddingham of 854 Cowaramup Bay Road, Cowaramup, Western Australia, who died on 31 July 2011.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the said deceased person are required by the Executor of the deceased's estate being Marion Lisa Burke, care of Lark Lawyers, Ref—BUR140536, of PO Box 518, West Perth, Western Australia 6872, to send particulars of their claims to her by 8 January 2018, after which date the Executor may convey or distribute the assets having regard only to the claims of which the Executor then has notice.

PUBLIC NOTICES

ZZ401

DISPOSAL OF UNCOLLECTED GOODS ACT 1970

DISPOSAL OF UNCOLLECTED GOODS

Notice under Part VI of intention to Apply to Court for Order to Sell or Otherwise
Dispose of Goods Valued in Excess of \$3,500

To: Jim Andrews of 15 Roberts Street, Bellevue WA 6056, bailor.

You were given notice on 24 May 2017 that the following goods, a wrecked unlicensed Hino truck, with no VIN number, had been towed to our holding yard at 26 John Street, Bayswater, Perth WA 6053 on 10 May 2017 and was ready for re-delivery.

Unless not more than 1 month after the date of the giving of this notice you either take redelivery of the truck or give directions for the redelivery, Russell Hadley, Director of RGH Trading Pty Ltd trading as Perth Heavy Tow intends making an application to the Court for an order to sell or otherwise dispose of the wreck in accordance with the Act.

RUSSELL HADLEY, Bailee.

Date: 24 November 2017.
